

THE FOLLOWING ORDINANCE WAS MOVED FOR INTRODUCTION BY COUNCIL MEMBER KRELLERBUSH; SECONDED FOR INTRODUCTION BY COUNCIL MEMBER BUSHMCGUIRE.

ORDINANCE 23-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE WITH RESPECT TO PARCEL D, MARINERS VILLAGE SECTION 46, T-8-S, R-11-E, GREENSBURG LAND DISTRICT, CITY OF MANDEVILLE, ST. TAMMANY PARISH, LOUISIANA, MORE PARTICULARLY DESCRIBED ON THE LEGAL DESCRIPTION PREPARED BY KELLY J. MCHUGH & ASSOCIATES, INC., CIVIL ENGINEERS & LAND SURVEYORS, DATED 08/04/95, CONTAINING 15.012 ACRES; CONDITIONALLY APPROVING THE SITE PLAN FOR SUCETTE HARBOR, PREPARED BY TRAPOLIN PEER ARCHITECTS (HOTEL & EVENT SPACE), ARRIVE ARCHITECTURE GROUP (ACTIVE ADULT BUILDINGS), WITH URBAN AND LANDSCAPE SITE PLANNING FROM DESIGN WORKSHOP; REQUIRING THAT THE SUBJECT PROPERTY BE ZONED PLANNED COMBINED USE DISTRICT(“PCUD”); GRANTING A CONDITIONAL USE PERMIT FOR THE DEVELOPMENT OF THE ENTIRE SITE; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

RECITALS:

WHEREAS, Woodward Harbor, L.L.C. (“Woodward Harbor”), on behalf of LSU Health Foundation, New Orleans, has applied for the approval of site development plans and a conditional use permit for a project on Parcel D, Mariners Village Section 46, T-8-S, R-11-E, Greensburg Land District, City of Mandeville, St. Tammany Parish, Louisiana, more particularly described on the legal description prepared by Kelly J. Mchugh & Associates, Inc., Civil Engineers & Land Surveyors, Dated 08/04/95, containing 15.02 acres of land (Parcel “D”), attached hereto as Exhibit “1; and

WHEREAS, the City of Mandeville’s Comprehensive Plan, dated 2007 (“Comprehensive Plan”), identifies Parcels D **and Parcel U** for future use as a “Planned/Marina District” (see Comprehensive Plan – Map 2); and

WHEREAS, the Comprehensive Plan classifies the subject parcel of land as ones suitable for “mixed use” (see Map 5c – West Marina Issues); and

WHEREAS, the Comprehensive Plan establishes that “Mandeville is a lakefront community that

provides access to Lake Pontchartrain for residents and visitors” and that “marinas, located on the east and west ends of Old Mandeville, provide unique opportunities for the establishment of mixed-use neighborhoods with a maritime focus,” with a goal “to provide diverse mixed-use marina environments and easy marine access for residents and visitors” (see Comprehensive Plan - Goal 11, page 35); and

WHEREAS, Article 3.3, entitled *General Definitions of the Land Use Regulations*, of the Comprehensive Land Use Regulations Ordinance (“CLURO”) defines a planned development as “land under a unified control to be planned and developed as a whole in a single development operation or a definitely programmed series of development operations or phases” (see definition 183) and contains no further definitions or subclassifications of a planned development; and

WHEREAS, Article 7.5.15, entitled *PD- Planned District*, of the CLURO outlines that the Planned District allows for “design flexibility in conjunction with a site plan review procedure for the approval of residential, commercial, industrial or a combination of these uses on one unified development site by ordinance of the City Council subsequent to the recommendation of the Planning Commission,” and further, that “Development sites approved by ordinance under the site plan review procedures of a Planned District shall be approved as a Planned Residential District (PRD), a Planned Commercial District (PCD), a Planned Industrial District (PID), or a Planned Combined Use District (PCUD) in accordance with the classification of the use or uses proposed and/or existing”; and

WHEREAS, in conformity with the procedures established in Article 4.3.3, entitled *Procedures and Fees for Conditional Use Permits and Planned District Zoning*, of the CLURO, Woodward Harbor has submitted an Application for Planned District and Conditional Use Approval for Sucette Harbor, a mixed-use development, with designs and drawings prepared by Trapolin Peer Architects (Hotel) dated March 15, 2022, revised on September 23, 2022, Arrive Architecture Group (Active Adult Buildings), dated August 1, 2018, revised on August 31, 2022, and Design Workshop (Urban and Landscape Site Planning), dated February 18, 2022, revised on August 26, 2022, attached hereto *in globo* as Exhibit “2”;

WHEREAS, Article 9.1.1.11, entitled *Provisions for “Parking Bank,”* of the CLURO allows for “parking spaces to be held in reserve as landscaped open space” for the potential future benefit of the public and the applicant/owner (see Exhibit “3”); and

WHEREAS, the City of Mandeville Planning and Zoning Commission (“Planning and Zoning Commission”), after giving proper notice, conducted public hearings for the proposed Sucette Harbor project on September 21, 2022, October 12, 2022, February 13, 2023, March 7, 2023, March 20, 2023, and April 17, 2023 and reported its findings and recommendations to the City Council of the City of Mandeville (“City Council”) on or about April 25, 2023 for a Conditional Use Permit and Planned District Zoning Approval; **The Planning & Zoning recommendations are to include a pedestrian and bike path in the plans, to have the city inspect the landscaping to ensure health and viability, and to have the plans**

reviewed by the Design Review committee; and

WHEREAS, the City Council, after giving proper notice, conducted public hearings for the proposed Sucette Harbor project on May 11, 2023, May 25, 2023, June 8, 2023, June 20, 2023, July 5, 2023, July 12, 2023, July 24, 2023, and August 15, 2023 for a Conditional Use Permit and Planned District Zoning Approval;

WHEREAS, the City Council has considered Article 4.3.3.8, entitled *Review and Evaluation Criteria*, of the CLURO with regards to the subject project and has reviewed the favorable recommendations of the Planning and Zoning Commission, attached hereto as Exhibit “4,” as well as the site development plans for Sucette Harbor; and

~~WHEREAS, Parcel D is undeveloped; and~~

WHEREAS, the City Council of the City of Mandeville shall require the applicant to resubdivide Parcels D and Parcel U into one parcel prior to the permitting process: and

WHEREAS, Parcel D is undeveloped, and Parcel U is designated as a marina; and

WHEREAS, the City Council intends herein with this Ordinance to approve the site and development plans for Parcel D and Parcel U, to approve a conditional use permit for the subject project, and to authorize the land uses set forth below in Table 1; and

NOW THEREFORE, BE IT ORDAINED by the City Council, acting as the governing authority of the City of Mandeville, that the site development plans for **Sucette Harbor**, as well as all other drainage, landscape, parking, tree mitigation, marina, and building plans as contained in Exhibit “2,” are approved. The site plans, as contained in Exhibit “2,” for Sucette Harbor are specifically made a part of this ordinance and are incorporated herein by reference.

BE IT FUTHER ORDAINED by the City Council that the following land uses and intensities shown in Table 1 are approved, and a conditional use permit is granted to the applicant and the owner, for the development of the subject parcels of land as follows:

Table 1: Authorized Land Uses and Development Limits.

Land Use/Building Type	Limits
Residential Uses:	
Multi-family/Age Restricted Housing	201 90 Units
Commercial Uses:	
Hotel	84 Rooms 108,813 sf
Retail and Office Restaurant Marina retail/boat rental	11,700 sf total 9,700 sf 2,000 sf
Marina	110 103 Boat slips

Parking Spaces, including parking bank	589 622 spaces
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BE IT FURTHER ORDAINED that the gross floor area of the hotel and event center structures, excluding guest rooms and access halls, shall not exceed 8,900 square feet.

BE IT FURTHER ORDAINED by the City Council that the subject parcel of land include the following conditions:

- 1. there shall be no boat storage or trailer storage on land;**
- 2. the process to raise and remove any sunken vessel shall be initiated within 10 calendar days (90 calendar days in the event of a storm) from discovery of the sinking vessel, and in the event of a failure to do so within six months, the conditional use permit may be rescinded;**
- 3. working sewer pump out and fuel stations shall be required for the marina to stay in operation;**
- 4. restroom facilities shall be accessible and available to the marina twenty-four hours, seven days a week;**
- 5. all marina lighting shall be at dock level and no overhead lighting is allowed to shine outside of the parcel;**
- 6. live-a-boards are prohibited; and**
- 7. any electrical shall be marine-grade.**

BE IT FURTHER ORDAINED that the overall impervious site coverage for Parcel D cannot exceed 61%.

BE IT FURTHER ORDAINED by the City Council that the subject parcel of land be approved for use as a Planned Combined Use District (PCUD) and re-zoned to the extent necessary.

BE IT FURTHER ORDAINED by the City Council that all variances and departures from the CLURO are granted for the subject project consistent with the attached site plans for Sucette Harbor.

BE IT FURTHER ORDAINED by the City Council that the Clerk of the Council be authorized and empowered to take any and all actions, within her discretion, deemed necessary to promulgate the provisions of this Ordinance.

The ordinance having been submitted to a vote; the vote thereon was as follows:

- AYES:
- NAY:
- ABSTENTIONS:
- ABSENT:

and the Ordinance was declared adopted this ____ day of _____, 2023.

Kristine Scherer
Clerk of Council

Rick Danielson
Council Chairman

SUBMITTAL TO MAYOR

The foregoing Ordinance was **SUBMITTED** to the Mayor of the City of Mandeville this ____ day of _____, 2023 at ____ o'clock __.m.

CLERK OF COUNCIL

APPROVAL OF ORDINANCE

The foregoing Ordinance is by me hereby **APPROVED**, this ____ day of _____, 2023 at ____ o'clock __.m.

CLAY MADDEN, MAYOR

VETO OF ORDINANCE

The foregoing Ordinance is by me hereby **VETOED**, this ____ day of _____, 2023 at ____ o'clock __.m.

CLAY MADDEN, MAYOR

RECEIPT FROM MAYOR

The foregoing Ordinance was **RECEIVED** by me from the Mayor of the City of Mandeville this ____ day of _____, 2023 at ____ o'clock __.m.

CLERK OF COUNCIL

CERTIFICATE

I, THE UNDERSIGNED Clerk of the City Council of the City of Mandeville do hereby certify

that the foregoing is a true and correct copy of an ordinance adopted by the City Council of the City of Mandeville at a duly noticed, called and convened meeting of said City Council held on the __ day of _____, 2023 at which a quorum was present and voting. I do further certify that said Ordinance has not thereafter been altered, amended, rescinded, or repealed.

WITNESS MY HAND and the seal of the City of Mandeville this __ day of _____, 2023.

CLERK OF COUNCIL



Kelly McHugh
 &
 Associates, Inc.

LEGAL DESCRIPTION
 OF
 PARCEL D

A certain parcel of land situated in Section 46, Township 8 South, Range 11 East, City of Mandeville, St. Tammany Parish, Louisiana and more fully described as follows.

Commence at the corner common to Sections 42, 45 and 46, T-8-S, R-11-E and run North 06 degrees 15 minutes 00 seconds East a distance of 2028.3 feet; thence South 83 degrees 45 minutes 00 seconds East a distance of 1065.61 feet; thence South 06 degrees 35 minutes 40 seconds West a distance of 4453.12 feet; thence South 62 degrees 25 minutes 20 seconds East a distance of 718.40 feet; thence South 62 degrees 33 minutes 40 seconds East a distance of 1212.78 feet; thence South 62 degrees 25 minutes 25 seconds East a distance of 374.73 feet; thence South 27 degrees 34 minutes 40 seconds West a distance of 1120.00 feet to the POINT OF BEGINNING.

From the POINT OF BEGINNING continue South 27 degrees 34 minutes 40 seconds West a distance of 1,221.89 feet; thence North 77 degrees 53 minutes 30 seconds West a distance of 31.87 feet; thence North 75 degrees 21 minutes 10 seconds West a distance of 100.02 feet; thence North 53 degrees 21 minutes 30 seconds West a distance of 72.49 feet; thence North 76 degrees 05 minutes 10 seconds West a distance of 113.79 feet; thence North 56 degrees 27 minutes 30 seconds West a distance of 12.54 feet; thence North 10 degrees 25 minutes 20 seconds West a distance of 405.25 feet; thence North 17 degrees 34 minutes 40 seconds East a distance of 187.85 feet to a point on a curve; thence along a curve to the left having a radius of 275.00 feet a delta of 129 degrees 26 minutes 58 seconds, an arc length 621.62 feet and a chord which bears North 16 degrees 51 minutes 13 seconds East having a chord distance of 497.35 feet to a point on a line; thence North 42 degrees 04 minutes 15 seconds East a distance of 234.61 feet; thence South 47 degrees 55 minutes 46 seconds East a distance of 260.00 feet; thence South 83 degrees 44 minutes 15 seconds East a distance of 68.61 feet; thence South 64 degrees 51 minutes 03 seconds East a distance of 103.84 feet; thence North 25 degrees 08 minutes 55 seconds East a distance of 79.54 feet; thence South 64 degrees 51 minutes 05 seconds East a distance of 72.00 feet; thence South 62 degrees 25 minutes 20 seconds East a distance of 150.82 feet to the POINT OF BEGINNING, and containing 653,910.5 square feet or 15.012 acres of land.



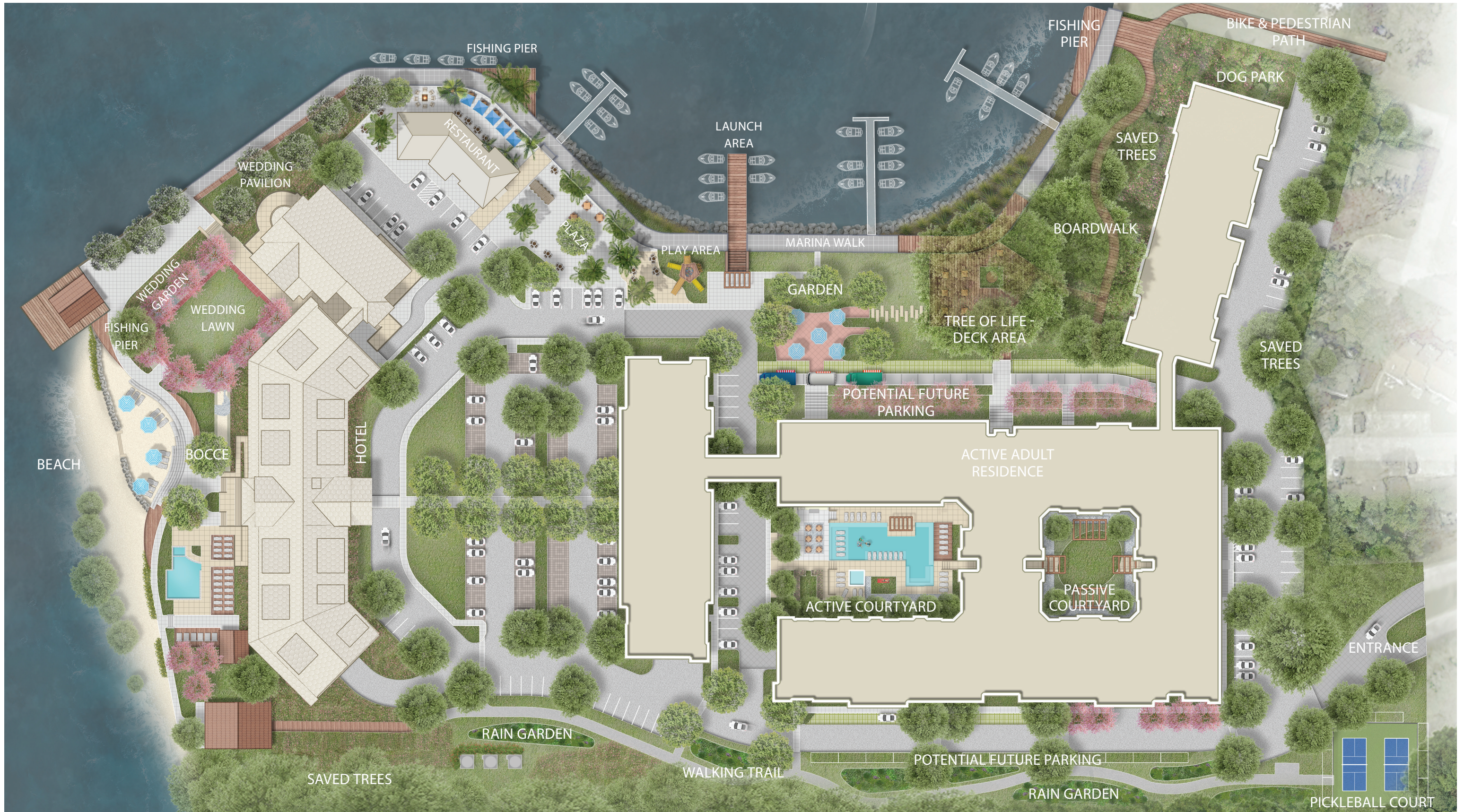
Kelly J. McHugh
 Kelly J. McHugh, PLS
 La. Reg. Land Surveyor #4443

Dated: 8-4-95

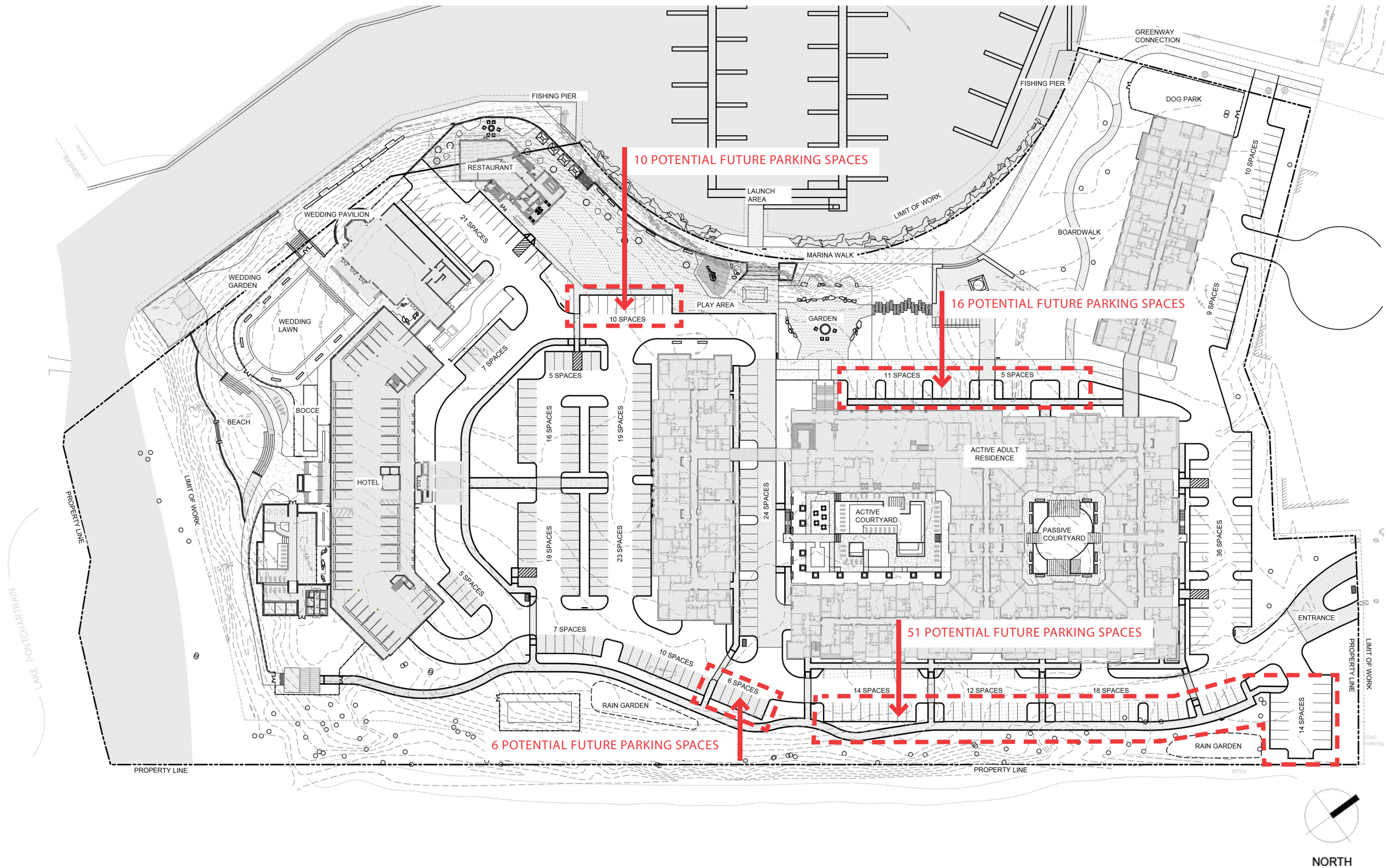
845 Galvez Street • P.O. Box 1207 • Mandeville, LA 70448 • (504) 626-5611
 Civil Engineers Land Surveyors

EXHIBIT 1

ILLUSTRATIVE SITE PLAN



SITE PLAN - POTENTIAL PARKING SPACES





MANDEVILLE

A Historic Lakefront Community

Planning and Zoning Commission

KAREN GAUTREAUX, CHAIRWOMAN
PLANNING COMMISSION

BRIAN RHINEHART, CHAIRMAN
ZONING COMMISSION

CARA BARTHOLOMEW, AICP
DIRECTOR, DEPT. OF PLANNING & DEVELOPMENT

MEMBERS:
SCOTT QUILLIN
SIMMIE FAIRLEY
NIXON ADAMS
CLAIRE DURIO
MIKE PIERCE

CITY OF MANDEVILLE PLANNING AND ZONING COMMISSION RECOMMENDATION TO THE CITY COUNCIL REGARDING A REQUEST TO REZONE PARCEL D, MARINERS VILLAGE SUBDIVISION FROM PLANNED RESIDENTIAL DISTRICT TO PLANNED COMBINED USE DISTRICT AND TO ESTABLISH SITE DEVELOPMENT CRITERIA AND ALLOWABLE USES WITHIN THE DISTRICT

LSU Health Foundation submitted an application requesting a zoning change (Z22-10-02) and approval of conditional uses (CU22-10-02) permitted for Parcel D, a 15-acre parcel located within Mariners Village as described by a survey prepared by Kelly J. McHugh & Associates, Inc dated 08.04.1995. The application was submitted to the Dept. of Planning and Development on August 18, 2022.

The Planning and Zoning Commission held 5 public hearings and a voting meeting.

On April 17, 2023, the Planning and Zoning Commission recommended (4-3) that the City Council approve the request for Planned Combined Use District, Conditional Uses as described in the Case Summary and the Site Plan prepared by Trapolin-Peer Architects and Arrive Architecture Group, the Landscape Plan by Design Workshop, with the following conditions:

1. A pedestrian and bike path is included on the plans,
2. The landscaping is inspected by the City to ensure health and viability and that
3. The plans are reviewed by the City's Design Review Committee

An Ordinance will be introduced to the City Council at the May 11, 2023 meeting. The Dept. of Planning and Development will supply the Council with a memo outlining the request and recommendations all supporting documents.