

The meeting was called to order at 6:00pm by Planning Chairwoman Karen Gautreaux

The secretary called the roll.

Commissioners Present: Karen Gautreaux, Brian Rhinehart, Nixon Adams, Simmie Fairley, Scott Quillin, Mike Pierce, and Claire Durio

Absent: None

Also Present: Cara Bartholomew, Director Planning Department; Lauren Brinkman, Planner; David Parnell, City Attorney; Alex Weiner, Secretary

Mr. Quillin made a motion to adopt the minutes from the May 10 and May 24 meetings, Mr. Rhinehart seconded, and all were in favor.

V22-06-19/R22-06-04 – Seth Cunningham requests a variance to CLURO Section 7.5.1.3 R-1 Site Development Regulations and to resubdivide an existing contiguous lot into lots 153 and 154, Sq. 7, Sq 7 Lot 153A, R-1 Single Family Residential District, 261 Carole Dr

Mr. Adams said that it was not a resubdivision as the lots were already separate. It was a variance to the contiguous lot rule and a variance for both side and the rear setbacks.

Mr. Rhinehart asked if the owner wanted to sell the undeveloped lot could he, Ms. Bartholomew replied not under the contiguous rule. Mr. Rhinehart noted that it would look out of place with the surrounding area due to the lot size.

Ms. Durio said that splitting the lots would leave them under the size of the surrounding lots, which would not be consistent either.

Ms. Bartholomew said the lots were created at that size, so would not be substandard at the time. Mr. Adams added that they met the area requirement which was the most important thing when they were created.

Jason Zuckerman: Asked if an individual bought adjoining lots, one under their name and the other under an LLC, would the contiguous lot rule apply. Ms. Bartholomew replied that it would not, as it only applies if there is one owner.

Seth Cunningham, 651 Magnolia Ridge Drive E, Applicant: Said the rear is 96ft so there is plenty of room there. He said that based on rough estimates there is room for a 2,500 sq ft house to be constructed on the empty lot.

Ms. Bartholomew clarified that no variances are being asked for lot 153, it would follow regular setbacks.

Ms. Durio asked if lot 154 conformed to the side yard setbacks, Ms. Bartholomew said both sides are non-conforming, and the rear does not conform perfectly as it is an irregular lot.


Mr. Cunningham said there were multiple houses in a similar position.

Mr. Quillin motioned to move the case to the zoning agenda to vote on as it had a corresponding variance case, Mr. Adams seconded, and all were in favor.

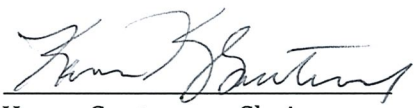
Ms. Gautreaux motioned to move case SUP22-06-01 to the zoning agenda as well to vote on it, Mr. Rhinehart seconded, and all were in favor

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Ms. Gautreaux closed out the Planning Commission meeting in order to move to the Zoning Commission meeting.



Alex Weiner, Secretary



Karen Gautreaux, Chairwoman
Planning Commission

Brian Rhinehart commenced the Zoning Commission Meeting.

Mr. Rhinehart read the announcement that written notice of decisions regarding zoning variances will be filed in the Commission's office the following day of this meeting at which time applicable appeal time will begin to run.

Mr. Adams made a motion to approve case V22-06-19/R22-06-04 as two exceptions, the first being to the contiguous lot rule, and the second being exceptions to both sides and the rear setbacks of Lot 154. Ms. Gautreaux seconded, and the motion passed with a vote of 5-2 with commissioners Durio and Pierce voting against.

V22-06-20 – Frank Stuart requests a variance to CLURO Section 5.2.3.2 Drainage Overlay District and Fill Sub-Area A, Sq. 1, Lot 3, B-3 Old Mandeville Business District, 2047 Lakeshore Dr.

Mr. Quillin asked what the hardship was stated as, Ms. Bartholomew said it was to avoid floodwaters and would be treated as an exception.

Mr. Pierce asked if it was in ground then they would be able to install it by right, Ms. Bartholomew said that was correct.

Frank Stuart, 2047 Lakeshore, Applicant: Said that the surrounding neighbors did not object to the pool, and he submitted five signed letters saying so.

Mr. Adams asked how many similar cases the Commission has heard, Ms. Bartholomew said around four in the last year.

Ms. Durio made a motion to approve as submitted, Ms. Gautreaux seconded, and the motion passed with a vote of 6-1 with commissioner Quillin voting against.

SUP22-06-01 – Lotus Holdings requests a Special Use Permit to allow a restaurant per the Table of Permitted Uses, CLURO Section 7.8, Sq. 18 Lot 8, B-3 Old Mandeville Business District, 424 Girod St.

Mr. Rhinehart asked if the issue was with the 5ft landscape buffer. Ms. Bartholomew replied that was correct.

Mr. Quillin asked if the pervious/impervious calculations had been done, Ms. Bartholomew replied that they were on the first sheet of the plans, and it was compliant.

Ms. Gautreaux asked if there were any plans for the lighting as the location was near some residences.

Jason Zuckerman, Architect on the Project: Said that they have not yet submitted for the final design, so the lighting had not been drawn yet. However, he would make sure they were compliant with the CLURO regulations.

Mr. Rhinehart asked if the property was surrounded by residences, Mr. Zuckerman replied that there was a bed and breakfast on one side and an antique shop on the other.

Mr. Adams asked if an exception would be needed for the buffer on the north side, Ms. Bartholomew replied that it was an existing condition and would be part of the special use approval.

Ms. Durio wanted to make sure that the outdoor area will be used responsibly and not disrupt the neighborhood. Mr. Zuckerman said that he would never design lights to point at neighboring properties and any music would be restricted by the B-3 guidelines and the City noise ordinance, which he is planning to comply with.

Edward Greene, 434 Girod: Said the outdoor table area is larger than the building and wondered why it was not counted. Ms. Bartholomew said that it was classified as a limited service so it did not have the parking provision.

Mr. Greene asked what the difference between a limited service and a regular restaurant was. He just wants to make sure that the rules are being followed as there seems to be work being done without a permit.

Mr. Zuckerman said the definition was based on prepared food vs prepackaged food vs table service vs non table service.

Ms. Bartholomew said the same amount of parking would be required if it was a regular restaurant.

Mr. Zuckerman said that if it was classified as a sit-down restaurant or restaurant limited service the parking requirements would be the same. There is nothing in the CLURO for any project stating that the indoor and outdoor seating need to be calculated. He said that they have not submitted for permitting yet as they were only here to get special use approval, once they have finished plans, they will be submitted. The work being done now is maintenance and repair, which is outside the purview of the special use approval.

Ms. Bartholomew said that a scope of work was submitted that was determined that it did not need a permit. The building official will be going out tomorrow to verify the work going on matches the scope of work.

Rebecca Wallace, Next Door Antique Store Owner: Will a fence be placed between the properties. Mr. Zuckerman said they would, it is on the site plan and is required by the CLURO. Ms. Wallace asked how high the fence would be.

Ms. Bartholomew said that 4½ feet in the front setback and up to 7ft once outside the front setback.

Ms. Wallace asked if the two spaces in the front are being counted for parking, Ms. Bartholomew said they were public spaces, but they were allowed to count them for their parking, they are not reserved for them specifically. They are meeting the minimum parking requirements.

Ms. Wallace asked where the property would drain, Ms. Bartholomew said they would have to submit a plan to be approved by the City Engineer.

Mr. Quillin asked if the fence is already compliant at 7ft if placed up to the setbacks for the front facing setbacks, Ms. Bartholomew said it was.

Ms. Durio asked what the minimum fence height was, Ms. Bartholomew said 4ft in the required setbacks and then they could go up to 7ft.

Ms. Wallace suggested not a solid fence, Mr. Zuckerman was agreeable to no fence.

Mr. Adams asked if all the exceptions considered would run with the property, Ms. Bartholomew said that specific use is approved. So, if the property is sold and the use continues then it would be fine, but if the use changes or lapses then the approval ends.

Mr. Zuckerman said that he understood the purpose of the special use approval is for the review of the site because of the location.

Ms. Durio made a motion to approve the use, conditioned on the fact that the fence requirement beyond the rear most structure is dispensed with. Ms. Gautreaux seconded, and the motion passed unanimously.

Public Comments

Ms. Bartholomew said she will send out the short-term work edits before the next meeting and that redistricting will be placed on the July Agenda.

Mr. Quillin motioned to adjourn the meeting, Mr. Rhinehart seconded, and all were in favor. The meeting was adjourned at 6:46pm.



Alex Weiner, Secretary

Brian Rhinehart, Chairman
Zoning Commission