

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

The secretary called the roll.

Commissioners Present: Brian Rhinehart, Karen Gautreaux, Nixon Adams, Claire Durio, and Mike Pierce

Absent: Simmie Fairley, Scott Quillin,

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

Old Business

P22-07-02 – Recommendation to the City Council to adopt the City Council district map based on the 2020 census data

Mr. Adams repeated that he thought this was a great idea, and it allowed a subdivision to remain together in one district.

Mr. Rhinehart made a motion to recommend approval to the city council, Ms. Durio seconded, and the motion passed unanimously.

Ms. Bartholomew said that Desire-Line was selected to work on the CLURO rewrites and that a representative of their team was present at the meeting to introduce themselves and answer any questions the commission may have.

Evelyn Campo, Deputy Chief Executive Officer: They are excited to help with the CLURO, especially the sign code portion. They have expertise with making sure signs are content neutral and are familiar with commercial and residential sign uses. They have been keeping up with recent litigation regarding signs and can always do some housekeeping in other sections as well. This will have an aggressive timeline and hopefully by spring it will be ready for the public comment process.

Mr. Adams mentioned that LED vs non-LED signs in certain districts was something to be aware of.

With the Public Hearing portion of the agenda finished, Ms. Gautreaux moved into the Work Session portion.

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Ms. Gautreaux stated that the minutes were the only item of new business for the Planning Commission work session.

Ms. Durio made a motion to adopt the minutes from the October 11 and October 25 regular meetings and the October 12 special meeting, Mr. Rhinehart seconded, and everyone was in favor.

With no further new business, Ms. Gautreaux adjourned the Planning Commission to move into the Zoning Commission.



Alex Weiner, Secretary



Karen Gautreaux, Chairwoman
Planning Commission

Brian Rhinehart commenced the Zoning Commission Meeting.

Mr. Rhinehart read the Notification of Filing Case Addendum - Any additional information determined to be needed by the Commission in order to make a decision regarding a case shall be required to be submitted to the Planning Department by the end of business on the Friday following the meeting at which the additional information was requested, or the case will automatically be tabled at the next meeting.

New Business

V22-11-33 – Patrick and Cindy Connolly request a variance to CLURO Section 9.2.5.7 Live Oak Protection Requirements, Sq 29B Lot 4A, R-1 Single Family Residential, 200 Lafayette

Mr. Adams stated that this is not a specimen live oak and that the job of the Commission is to make the canopy in Mandeville better. If the replacement trees are planted in the correct spot, then the benefit could be good. He added that there are potential safety problems with the tree in the current location.

Mr. Rhinehart said the risk/reward factor is in the applicant's favor. There are 31 trees on the property right now, so any replacements would have to be planted off the property.

Mr. Adams said that variety in the canopy is a good thing and suggested maybe have some native trees for the replacements instead of all live oaks.

Patrick Connolly, 200 Lafayette, Applicant: They bought the property because of the trees located on it. This one though is daunting, with a lean close to the house. When the tree was struck by lightning previously the house caught on fire due to the proximity of the tree. They have had Malcolm Guidry come inspect the tree previously, along with another outside arborist who recommended the tree be taken down as there is only one direction it can fall.

Mr. Adams noted that it is hard to get wind damage in an insurance policy.

Becky Rohrbough, 2525 Lakeshore: Lives across the street and the water oak in the front cannot come down fast enough. She has a live oak on her property that has woundwood, and the tree at the Connollys could last a few more years but it would only get worse. The issue is that the house was constructed well within the 82% dripline. Greater setback protections should be enacted. She cannot see any other option other than sacrificing the tree as the entire house cannot be shifted around on the lot. Mitigation is a good idea; however, her husband Leonard thinks the two-year maintenance from the applicant is ridiculous as the tree would be planted on City property.

V22-11-34 – Lisa Landry requests a variance to CLURO Section 9.2.5.5. Landscape Requirements in Districts Other than Low-Density Residential, Sq 18 Lot 8, B-3 Old Mandeville Business District, 424 Girod

Mr. Adams said that they should put trees where they are asked and should not be exempt from replacement trees. Ms. Bartholomew clarified that they are not replacing any trees or taking any trees down. There is simply a smaller 5ft buffer in the B-3 district.

Mr. Adams said he likes the idea of replacement trees in the area as the tree requirements are minimal.

Mr. Rhinehart asked for clarification on the statement about all trees are required to be preserved within the greenbelt. Ms. Bartholomew said they are keeping all the existing trees; they are just short, so they are planting more. They are not asking to remove any trees.

Ms. Durio clarified that they would be 17 trees short in the north buffer and 11 trees short in the south buffer, Ms. Bartholomew said that was correct.

Mr. Pierce asked if the applicant was unwilling to plant more trees or if this was an overcrowding issue. Ms. Bartholomew replied that it is an overcrowding issue.

Buck Abbey, 1129 Villere: *Mr. Abbey passed out some information to the Commission which will be included with the adopted minutes* He was hired to prepare the landscape plan for the site. He is contesting the spacing requirements as this is a small site with approximately 4,200 sq ft of planting space available. If the trees are planted too close to each other they will compete for sunlight and grow taller with smaller canopies. This will cause them not to be able to do the proper environmental work and would result in the loss of the proper function of the tree. He wants the trees to work for us. He is asking for the Class A trees to be spaced 40ft apart from center, and the Class B trees to be spaced 25' from center. This will end up reducing the number of trees on the site, but you cannot have quality trees with smaller spacing. He thinks that less trees which are healthier are better than more trees that are less healthy. The current code is quantity over quality.

Ms. Durio said that lots of Class B trees provide screening. The reason for the planting requirements is to provide a buffer for the neighbors. Why are other Class B trees not being considered. Mr. Abbey replied that buffers act as walls. Higher trees would shade out the lower trees. If you planted all Class B trees that could be done but not with a mix of Class A and Class B trees.

Ms. Durio said that there are examples of the mixing all over town. Mr. Abbey said that standard practice is to not plant like that.

Mr. Adams said this is an exception vs variance. He does not see a hardship, so it falls under an exception, so a benefit needs to be shown. He agrees that there are issues with the Code that need to be addressed.

Lisa Landry, Applicant: The hardship is not enough space. Maybe the spacing requirements work for larger buffers, but not for the smaller 5ft buffer they have. They are going to be planting 48 trees on a 63ft lot and are meeting all other requirements.

Mr. Adams said that he does not see a hardship as defined in the code. There may be a legit exception, but the applicant should not be completely free of planting replacements.

Mr. Abbey asked how they would get an exception, Mr. Adams said they are going through the process right now.

Ms. Durio asked if there was a grass area located in the rear, Mr. Abbey replied there was, but it is very small and would be shaded out by trees.

Ms. Durio asked if the canopy size shown is what the trees would be planted at, or if they would grow to that size. Mr. Abbey said they would grow to that size.

Ms. Landry said the main issues are with the groundwater and overhang onto the neighbors from the trees.

Ms. Bartholomew added that the buffer requirements in districts other than B-3 are 15ft, 20ft, and 25ft.

Michelle Walker, 308 Girod: Many exceptions have been granted along Girod. Greenspace is to provide a buffer. It was said that a wall of trees was unwanted but that is what the code wants. There is a mixture of residential and commercial properties in B-3. She also wanted to know what the special use approval was for. There are outside tables, if the landscaping

is a problem, then those should be reduced to comply. Was a parking variance needed with the special use approval. Ms. Bartholomew replied that she would have to go back and look.

Jean Sparkman, 321 Girod: She likes living in an area with shops and restaurants but is concerned with variances being issued. She does not understand why a parking variance was not needed. They should scale back the outdoor seating to allow for more trees. The CLURO was written to protect residents. The commission is setting a precedent by granting this variance and that is something she does not want to see.

Mr. Rhinehart said that every application is looked at on its own. If this was strictly about whether or not the CLURO says it is allowed, then the commission would not be needed. Their job is to look at individual cases.

Rebecca Wallace, 422 Girod: Asked if the purpose of the buffer was to cut down on noise and would a fence be built between her property and the applicant. She also wanted to know how many trees would be planted on her side of the property. Ms. Durio said that there are six Class A trees and 10 Class B trees proposed and they would be short one Class A and 10 Class B trees. They are also proposing 7 additional shrubs than required.

Mr. Adams asked how long it would take for the trees to provide a type of sound buffer. Mr. Abbey said there should be a strong wall on the south side at around 5 years.

Ms. Durio asked if more Class B trees could be added to the residential areas that are lacking, Mr. Abbey said there are Class B trees mixed in. The code is requiring him to do things he is not comfortable with.

Mr. Rhinehart asked what the best type and amount of plant for a sound barrier would be, Mr. Abbey replied that it would be holly and he would do more holly and less Class A trees if able.

Mr. Adams said that Girod is looking better than it did 15 years ago and asked what plantings could be done to help with that look. Mr. Abbey said they are doing magnolias in the front along with an existing water oak. They are also using some palms to make the statement that this is a coastal community.

Ms. Durio asked if the palms were included in the plan, Mr. Abbey said there is a shrub plan and a separate tree plan.

Mr. Peirce asked if the City had an advocate for landscaping matter such as these, Ms. Bartholomew replied that the City contracts with landscape architects. Mr. Pierce asked if they could comment on the plans for the next meeting.

Mr. Pierce asked how the numbers in the CLURO were chosen. Ms. Bartholomew said the numbers work with the larger buffers it is only B-3 that has the smaller buffer due to the mix of residential and commercial.

Ms. Wallace said that as part of the special use approval the fence between her property was dispensed with. Would the proposed shrubs being planted have a similar affect of blocking her sightlines. Ms. Durio said that the shrubs are not fence height, and there is an existing magnolia on the side, and the applicant is proposing two more.

Mr. Rhinehart asked how tall the bamboo would be, Mr. Abbey replied that it was short.

Public Comment

Mr. Rhinehart asked what the no parking sign was doing by the old Varsity Sports where public works was clearing the right of way for parking. Ms. Bartholomew said that public works is looking into it.

Mr. Rhinehart asked if crushed limestone would be put down in the interim or if something more permanent would be done, Ms. Bartholomew replied that she can get back to them about the timeline and what would be done.

Mr. Weiner reminded the commission to complete their yearly ethics and sexual harassment prevention training, along with the required continued education by December 31st. Ms. Bartholomew added that the APA state conference started tomorrow and will last until Friday in New Orleans if they wanted to swing by for some continued education credits.

Ms. Gautreaux motioned to adjourn the meeting, Mr. Rhinehart seconded, and all were in favor. The meeting was adjourned at 7:14pm



Alex Weiner, Secretary



Brian Rhinehart, Chairman
Zoning Commission



Landscape
ARCHITECTS

BATON ROUGE
10508 N. Glenstone Pl.
Baton Rouge, LA
70810

NEW ORLEANS
1129 Villere Street
Mandeville, LA 70448

MANDEVILLE PLANNING & ZONING COMMISSION
November 8, 2022

Re: Request for Variance, CLURO 9.2.5.5
Tree Spacing & Design

Good Evening Commissoin Members

Thank you for your time to listen to my concerns concerning the lanscape architecture project I am working on for 424 Girod Street.

The Mandeville landscape code is one of the best in Louisiana and has been in effect for years. And very well managed I might add. However, there are several technical errors in the code and in the way the City Manages this part of CLURO. But I am here to speak about two points.

Point one is the spacing of Class A Trees and Class B trees within the buffer zones of the B-3 District that leads to excesses in the amount of trees that are required and the spacing that is required by the City. Your spacing standards does not meet commonly accepted within the profession of landscape architecture in regard to the "rule of spacing" as taught in most landscape architecture curriculums. The code standards call for 68 trees to be planted on my project site which totals only 4284 SF after building footprint, driveway, parking area, walkways, outside paved terrace is removed from the site which is 63 feet wide and 2003 feet long. (Site total area 12,976 SF).

Planting Class A Trees like Red Oak, 25 feet on center and Class B Trees live Natchez Crape Myrtle, 10 feet on center is technically wrong and leads to trees that become stunted, elongated with substandard size canopies where the majority of environmental services of the tree takes place.

Point two makes a design assumptions in the Code that also does not follow commonly accepted design practices. That is trees being planted as a vertical wall. Trees are commonly planted in a natural flowing irregular lines or planted as baffles or specimem trees. Making walls of



trees does little to allow screening from neighbors but in many cases cause problems with neighbors by root extension or limb intrusion across the property line. Large shrubs and small trees make better screens in buffers.

Everyone will agree that trees on building sites are important. But it is not the quantity or spacing of trees that is central to setting tree planting standards in a community landscape code. Standards for tree planting should be based upon "square footage of the mature canopy" over the building site, not just numbers

The last Point to be made is the Code or its enforcements should not dictate design use, spacings, or numbers to experienced Landscape Architects. Codes do not do this with Architects nor Engineers. The Mandeville Landscape Code should not do this with professionally trained, licensed and experienced Landscape Architects.

Design needs to be given more emphasis in the Mandeville Landscape Code. Landscape design is much more than adding trees. Design is particularly important in regard to "creative composition" with line, form, space, texture, color, scale, harmony and rhythm, proportion, seasonal interest, selection of materials, environmental factors and carefully thought out balance between site usage areas, circulation, views, grading and drainage and thought out balance between trees, shrubs, ground covers, color plants, turf grass, paving and human use of the property being designed.

PURPOSE OF THE VARIANCE

Too many trees on a building site is problematic in regard to wind, sun, shade, drainage and the growth of lawn grass as well as shrubs, ground covers and flowering plants that require access top 6 or more hours of sun each day.

I am respectfully requesting that Class A Trees in Buffers be spaced 40 feet on Center and that Class B Trees be spaced 25 feet on center.

If you have some questions I will gladly entertain them.

Prof. Buck Abbey, ASLA
Louisiana State University (Ret)
Landscape Architect
Abbey Associates, Inc.

[REDACTED]