

The meeting was called to order at 6:01pm by Planning Chairwoman Karen Gautreaux

The secretary called the roll.

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

Absent: Claire Durio

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

Old Business

R22-09-05 – Eric McNeil requests a variance to CLURO Section 7.5.1.3 R-1 Site Development Regulations and to resubdivide into lots 12-A-1 and 12-A-2, Sq. 48 Lot 12A, R-1 Single Family Residential District, 604 Marigny Avenue

Ms. Bartholomew said that this was back on the agenda as the motion to approve the request had specific frontage and setback requirements. After the plat was revised the numbers requested did not work. The approval was based on lot 12-A-2 having a frontage of 82', but to have the accessory structure 3ft the lot could only have a frontage of 81.41'. There was also discussion of a driveway location that should be clarified.

Mr. Rhinehart said that what was requested was 82' and what is being proposed is 81.41'.

Mr. Adams said that the board passed something and asked why this was not a new case. Ms. Bartholomew replied that the plat came back as not possible with the stipulations the commission requested. Mr. Adams said he thinks it should be a new case.

Ms. Gautreaux asked what the City Attorney thought.

Mr. Pierce asked what a "no" vote would be, as the request cannot be met.

Mr. Adams said that he heard the lot had been sold, Ms. Bartholomew replied she did not know anything about that however it was irrelevant to the discussion at hand.

Mr. Rhinehart said it was a valid question if this should be new or old business. Ms. Bartholomew said that this was not a whole new application, just a correction to the stipulation. The intent was to comply

Mr. Adams said the accessory structure was located on the existing lot and they could not tear it down without going before the Historic District Commission.

Ms. Gautreaux said that there were two components to the accessory structure, a historic and non-historic part. Ms. Bartholomew said that the non-historic part was being removed.

Mr. Parnell said that there was a vote with conditions that cannot be met.

Ms. Gautreaux said that the conditions cannot be met so they are revisiting over .6 feet.

Mr. Adams asked what the official motion would be, Ms. Bartholomew replied that it would be on the revised plat.

Ms. Gautreaux said that there were some calculations done at the meeting.

Mr. Quillin said that he is trying to find where the error was. There is a motion, and this is a clarification of that motion. This is just fixing procedural math error, bringing up new topics would make it a new case.

Ms. Gautreaux asked if the correction about the driveway could be included, Mr. Quillin said that if it gets opened back up then it would be a new case. Mr. Parnell said that would be adding a new condition to the motion.

Mr. Rhinehart said they would address the .6 math then go from there.

Ms. Bartholomew said that Mr. Quillin is correct, the commission is just clarifying the motion. Adding new elements would be a different case.

Mr. Fairley said the intent was to get it as close to 90' as possible.

Eric McNeil, 604 Marigny: The accessory building was marked as being 20' but was incorrect. 81.41' allows for the required setback for the accessory structure. Another option could be to grant a variance for the 3' to make it 82'.

Barry Brupbacher, 1925 Livingston: There was no notice which he finds disturbing. He has filed an appeal. Nothing in the CLURO that says the City Attorney or Planning Director to decide what comes before the commission. He thinks nothing should be done until the appeal has been finished. There was discussion about the 19ft on the west side and placement of the driveway, the intent is to avoid placement of fill in the 19ft area and flood his property. He would love to reopen the case and discuss it. If someone adds a driveway or concrete in the west side setback his property will flood. These conditions should be on the final plat, no fill in the 19' setback.

Mr. Rhinehart asked Mr. Quillin if they should just address the frontage shortfall or also the driveway and fill. Mr. Quillin replied that they cannot address the driveway or any other issues. There was an opportunity to discuss when the motion was made. They can only fix the math error.

Ms. Bartholomew agreed that they can only correct the math error.

Mr. Quillin asked if there was to be a new motion as he was unsure how to proceed.

Ms. Bartholomew read the previous motion which stated: Lot 12-A-1 have 94.43' frontage on Livingston and Lot 12-A-2 have 82' frontage on Livingston and having the west side setback be 19' on Lot 12-A-2 and east side be 12' on lot 12-A-2. Procedurally there is a revised plat in front of the commission, there would be a motion to approve that.

Mr. Quillin made a motion to accept the revised plat to correct any math errors and setback requirements for lot 12-A-2 at 81.41ft and lot 12-A-1 at 95.02' on Livingston St. Mr. Fairley seconded the motion.

Mr. Pierce asked what a "no" vote would mean for this motion. Ms. Bartholomew said that if you voted "no" at the last meeting for the resubdivision and still felt that way you can vote "no" again. Mr. Pierce clarified that it would not negate the resubdivision, it would just leave it at the 82'. Ms. Bartholomew said that was correct.

The secretary called the roll and the motion passed with a vote of 4-1 with Commissioner Pierce voting against, and Commissioner Adams abstaining.

Planning Commission
Public Hearing
December 13, 2022
Page 3 of 14

With the old business concluded and no new business Ms. Gautreaux adjourned the Planning Commission to move to the Zoning Commission.



Alex Weiner, Secretary



Karen Gautreaux, Chairwoman
Planning Commission

Brian Rhinehart commenced the Zoning Commission Meeting.

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.

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 said there was strong public support at the last meeting.

Mr. Rhinehart said it was a strong case for removal.

Mr. Adams made a motion to approve as requested with all the arborist conditions stated, Ms. Gautreaux seconded, and the motion passed 4-2 with commissioners Pierce and Quillin voting against.

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 there was talk about tree replacement plan elsewhere in the City. When you own land you also own part of the canopy as well. The canopy should be put elsewhere. He is not sure about the number or location but there is plenty of space around town.

Mr. Pierce asked where the CLURO number came from. Ms. Bartholomew said it is a standard that other municipalities use. It works with the larger properties as they would have a larger buffer as well. She added that there would be no planting requirements if this use did not have a special use approval or conditional use approval requirement.

Mr. Adams wants to know the amount of canopy that will be lost.

Lisa Landry, 424 Girod, Applicant: There were no variances for the initial approval, this is the only variance requested. They are not missing any canopy as there is no canopy currently there. They are not removing anything, they just do not have the space for the required number of trees.

Mr. Adams asked why replace the requirement somewhere else.

Buck Abbey, 1129 Villere, Landscape Architect on the project: He is a supporter of the tree canopy, but in this situation the requirement is out of line. If all the trees are planted as required, then the canopy will be insufficient.

Mr. Adams said they would not have to plant on the lot, but they could plant somewhere else.

Mr. Abbey said that spacing is the issue, the trees are too close together. The Class A trees will out shade the Class B trees.

Mr. Adams said he is not suggesting an unhealthy forest, but a tree replacement plan somewhere else.

Mr. Abbey said that this would not likely be a problem for a commercial district, but the 5ft buffer strip is the problem.

Mr. Pierce said that Mr. Adams is not arguing that the property gets relief, but that the number of trees should be donated to reach the number of trees, just not on the property.

Mr. Abbey said that his client would have to pay for each extra planting, Mr. Pierce replied that it would not be more than any other property owner elsewhere.

Ms. Landry said the payment for trees is for mitigation, they are not removing any so they should not have to mitigate. They are not asking to plant trees elsewhere. If a landscape architect says the rules do not make sense why should she follow them.

Mr. Adams said if a blank lot came before them they would have to mitigate as the City has minimum requirement of trees. He is not sure why this is different.

Mr. Rhinehart said the commission is for when instances do not work.

Ms. Bartholomew said that for the 25 Class A and 6 Class B trees needed it would cost the applicant between \$8,000 and \$15,000.

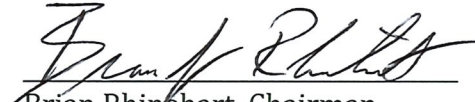
Charles Guinchard, 635 Carroll: Do not make her pay that amount.

Mr. Rhinehart made a motion to approve as submitted, Ms. Gautreaux seconded, and the motion passed with a vote of 4-2 with commissioners Adams and Fairley voting against.

Mr. Rhinehart adjourned the Zoning Commission to move to the Planning Commission work session.



Alex Weiner, Secretary



Brian Rhinehart, Chairman
Zoning Commission

Ms. Gautreaux commenced the Planning Commission work session

New Business

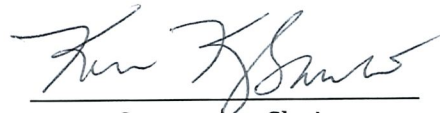
Adoption of the 2023 Meeting Dates

Mr. Quillin made a motion to adopt the 2023 meeting dates, Mr. Rhinehart seconded, and the motion passed unanimously.

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



Alex Weiner, Secretary



Karen Gautreaux, Chairwoman
Planning Commission

Brian Rhinehart commenced the Zoning Commission Meeting.

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

SUP22-12-04 – Thomas and Lisa Keiffer request a Special Use Permit to allow Lodging (Transient) – Hotel/Motel per the Table of Permitted Uses, CLURO Section 7.8, Sq. 25B Lot 10A, B-3 Old Mandeville Business District, 201 Carroll St.

Mr. Adams said it was a nice new use but remembered the 3rd floor as having low ceilings. Ms. Bartholomew said that the applicant has proposed to install skylights and has gone before the Historic District Commission, but she would defer to the architect.

Mr. Rhinehart clarified that this was only for the special use approval, there were no variances needed. Ms. Bartholomew replied that was correct, outside of previously approved variances. There were no new variances coming before the commission.

Mr. Adams asked how it was one site with two lots, Ms. Bartholomew said it would be treated as one development and the lots could never be separated. The combined residential/commercial use was allowed in the B-3 district.

Mr. Quillin said he was concerned with adding parking on the adjacent lot with the other requirements. Ms. Bartholomew said that a landscape plan has not been submitted yet, but it would only be needed for three sides of the new parking area. She added that she is not sure what is currently in place.

Mr. Quillin asked if the pervious/impervious coverage would be based on both lots. Ms. Bartholomew said the City does not require people to combine their lots, they are just treated as one development site.

Ms. Gautreaux said that one of the public comments said that the sign that was posted talked about signage and said nothing about a hotel. Mr. Weiner replied that the sign in question was the Historic District case sign. He said that there was a Planning and Zoning commission case sign posted on December 6th at 1:17pm, one week before the meeting.

Ms. Bartholomew added that there were letters sent out to 30 surrounding properties as well.

Vaughan Sollberger, 235 Girod, Architect on the Project: Said that they did their best to be in compliance with all regulations. Mandeville has lost lots of hotels since he has been here, this will be a boutique hotel with only 10 rooms. The second and third floors are currently office space, and they have proposed a three story elevator as well for access. He thinks it is closer to a Bed and Breakfast, but it fits the criteria in the CLURO for a hotel. There would not be any food service so the patrons would have to rely on the surrounding B-3 area. Utilizing the next door property opened up the parking layout so they were able to take the existing pervious pavers and convert the area to a courtyard. They have gone to the Historic District about the proposed sign. It is the old Ozone Hotel sign and will be located on the rear, courtyard side of the building. They are not finished designing all the interior spaces, but they will be compliant with ADA requirements. They wanted to get this step done first.

Mr. Adams asked what the price of the rooms would be, Mr. Sollberger said that he was not sure as that would be part of the business model.

Mr. Rhinehart asked if any variances were foreseen in the future, Mr. Sollberger replied that he did not think so. He believes there is enough room for everything but if he is wrong then they will be back.

Mr. Adams said in the past there was something about planters qualifying, Mr. Sollberger replied that in addition to the buffer requirements, B-3 and TC districts require a landscape feature on the street side, but there was not much detail after that.

Ms. Gautreaux asked how a neon sign would fit in with the lighting requirements. Ms. Bartholomew said that the Historic District Commission discussed it and because it was not advertising the name of the business it was not considered signage, but art. However, if the Planning and Zoning Commission felt that it needed a variance, they could discuss it.

Mr. Adams brought up that Mr. Sollbergers business on Girod St. has RC Cola signs in it, Ms. Bartholomew replied that the business did not sell those.

Ms. Gautreaux said she was concerned about the hours of the sign, Ms. Bartholomew replied that it was going to be on a self-timer.

Terry Broussard, 211 Carroll: For the project. Mandeville needs hotels and the Keiffers have been great neighbors.

Jo May, 2525 Claiborne: The building is in view of all her windows and neon is inappropriate. She does not want the sign and it opposed to the hotel. This is not downtown, but a neighborhood. It is also not appropriate to use the lot next door for parking.

Jeff Lyons, 515 Lamarque: Most appropriate project in the B-3 district in the last 30 years.

Phillip Younger, 141 Carroll: The Keiffers keep the property perfectly, he is for the use and more parking.

Eric McNeil, 604 Marigny: Was the pastor at the church next door and they have always been good neighbors. He added that the sign would be turned off at night.

Charles Guinchard, 635 Carroll: Asked how many parking spaces are on the current lot, Ms. Bartholomew replied that there were 11 spaces now, and they would be shifted over for the courtyard. They are also adding more spaces. Mr. Guinchard asked how many current tenant units there were, Ms. Bartholomew replied that there were 10. Mr. Guinchard said he is for the project.

Mr. Rhinehart requested the sign regulations for the next meeting. Ms. Gautreaux added that she would also like the specs from the applicant.

V22-12-36 – Frank Stuart requests a variance to CLURO Section 8.1.1.4 Allowed Setback Encroachments, Sq 1 Lot 3, B-3 Old Mandeville Business District, 2047 Lakeshore

Mr. Rhinehart asked what the location would be relative to the existing equipment, Ms. Bartholomew said the structure is currently under construction but the equipment would be located on the other side of the building. She added that generators have different requirements with respect to windows.

Ms. Gautreaux asked if it would be on the condo side, Ms. Bartholomew replied that it would be on the Lakehouse side.

Mr. Pierce asked if the original plan had a generator. Ms. Bartholomew said she would defer to the applicant for that.

Frank Stuart, 2047 Lakeshore Dr, Applicant: The original plan was to place the generator in between the condos and the house, but it was going to be close to their windows and a bedroom.

Mr. Pierce asked if it was a whole house generator in case power was lost. Mr. Stuart replied that it was. Mr. Pierce pointed out that a restaurant would probably not be open during a power outage while a condo would.

Mr. Quillin asked for clarification on the location of the generator. Ms. Bartholomew said that option one is 2ft 10inches and option two is 3ft 10inches. Mr. Quillin asked if that was the distance for the house and property line, Ms. Bartholomew said it was.

Mr. Quillin asked what the requirements were for generator placement, Mr. Rhinehart said 5ft from a window, but the window in question was inoperable.

Mr. Quillin said he does not want to override any code requirements, but he would like it as far from the house and property line as possible.

Ms. Brinkman said that the building official requires 5ft from an operable window but would view an inoperable window as a wall. She added that he was comfortable with the proposed location.

Mr. Pierce requested the location requirements for generators.

V22-12-37 – Brad Jones requests a variance to CLURO Section 7.5.1.3 R-1 Site Development Regulations, Sq 53 Lot 18A, R-1 Single Family Residential District, 625 Marigny

Mr. Adams asked if that was a wetlands line on the survey, Ms. Bartholomew replied that it was a flood zone determination line. The property was located in an AE zone. Mr. Adams asked if the 5ft contour was included and if the total lot was buildable, Ms. Bartholomew replied that it was.

Vaughan Sollberger, 235 Girod, Architect on the Project: The owner is traveling at the moment, they originally filed for demolition and then came to their office. Mr. Sollberger believed the existing structure could be saved. They spoke with the neighbors about the setback encroachments, and they were all in favor. They are trying to save the existing building and the side setback variance is due to the change.

Mr. Rhinehart asked if the building was on the historic survey, Mr. Sollberger replied that it was not, but there was a lot of old building on the inside. He added that they would be moving the mechanical equipment to the rear.

Mr. Rhinehart asked what the existing condition was if the owner wanted to demo at first. Mr. Sollberger replied that the owner had talked to multiple foundation companies and their job is to sell new foundations. General contractors would not want to deal with it. He said that renovation contractors that could do a project of this scale are getting scarcer in Mandeville.

Mr. Quillin said that it shows with the porch addition there is 34ft to the street, is the plat not to the edge of the street, Ms. Bartholomew replied that land is never to the edge, the right of way is in between the street and the property line. Ms. Bartholomew said that the architect was probably just trying to illustrate that there would still be some space to the street.

Dave Mount, 611 Marigny: The renders look good. This has his full support and would be a big improvement.

V22-12-38 – Kevin and Rachel Vogeltanz request a variance to CLURO Section 9.2.5.4. Landscape Requirements in Low-Density Residential Districts, Sq 11 Lot 122, R-1 Single Family Residential District, 160 Cindy Lou

Mr. Rhinehart clarified that replanting was agreed to. Ms. Bartholomew replied that it was, in order to get the permit issued. One tree has been replanted just not the second tree.

Mr. Adams asked if they were asking for a one tree exception, Ms. Bartholomew replied that they were. Mr. Adams said they owe the town a tree. Ms. Bartholomew said the commission could also approve a different location on site.

Kevin Vogeltanz, 160 Cindy Lou, Applicant: They understood the rule as remove one tree, replace with two. The gum tree that was removed had to go. It totaled a car and caused roof damage due to dropping limbs. They tried to prune and save the tree, but the tree service said that it was going to come down eventually and recommended removal. There are only two places to plant, the first is in front of the gate to the backyard with an AT&T servitude to the west, and the second place is under the live oak canopy. This would hurt both trees. Since they cannot block the gate to the backyard, they would have to plant under the live oak canopy which would kill the grass and stunt the growth of the tree. They bought the house with two trees so they should be able to stick with just two.

Z22-12-05 – William Ellis and Miltenberger Properties, LLC request the rezoning of a lot designated R-1 Single Family Residential District to B-1 Neighborhood Business District, Portion of Blocks 69 and 70, R-1 Single Family Residential District, Corner of Monroe St. and Lambert St., Portion of Blocks 69 and 70

Mr. Adams said this should be straightforward, the map is the official zoning once it has been adopted, so they are asking for a rezoning recommendation. Ms. Bartholomew replied that was correct.

Mr. Quillin asked if there were other B-1 properties in the area, Ms. Bartholomew replied there were.

Mr. Adams said that the location of the old AA meetings was commercial, and Darryls Deli was on commercial.

Mr. Rhinehart said the surrounding area was residential and that commercial was an anomaly.

Mr. Fairley said that Lambert and Hutchinson were zoned commercial at one time, but there was never any commercial by Lambert and Monroe.

Ms. Bartholomew said that there was no existing business on the property, it was just zoned commercial. Mr. Fairley said that there use to be a house there.

Julian Rodrigue, 604 East Rutland St, on behalf of the applicants: The property was B-1 on the 1993 map. There was never anything on the property to their knowledge. They got the property in 1975 always thinking it was B-1. He disagrees with Mr. Adams as if there is a B-1 zoning on a property then it would take an action by the city council via ordinance to change the zoning classification. They believe the adoption of the map was erroneous, as there was no formal action by the City to rezone the property and absent a comprehensive rezoning plan which would require notice to the property owner, they have a vested right to the zoning classification obtained in 1993. They are not asking for a rezoning request but to correct an error on the map. They are vested in their B-1 zoning and should retain it.

Mr. Rhinehart asked if there was anything that showed it as R-1 or B-1. Ms. Bartholomew said that she could not find any associated ordinance with the property but added that the entire map is adopted when a rezoning is done.

Mr. Adams said there have been comprehensive rezoning plans adopted.

Ms. Bartholomew said the map is adopted by ordinance and is the legal map of the City. This particular property was never part of a comprehensive rezoning plan or a singular ordinance. There is no evidence of the change.

Mr. Quillin asked if there was anything in the original purchase, Mr. Rodrigue said there was nothing reflecting it as it was not related.

Mr. Quillin asked if the current owner thought it was R-1 or B-1, Mr. Rodrigue said they always thought it was B-1. Ms. Bartholomew said it is currently listed as R-1 per the last adopted map.

Ms. Bartholomew said that 2010/2011 was the last map that shows the property as B-1. Between that time and 2017 there is no record of a change or why.

Ms. Bartholomew said they are doing a zoning change by ordinance because they have to.

Mr. Adams asked if there was a time limit for the request, Mr. Rodrigue said there was not.

Mr. Rhinehart asked if there was anything else to look for, Ms. Bartholomew said she would have Chad Whaley, the department GIS administrator have another look.

Mr. Parnell said he would work up something at the office.

Mr. Rhinehart said he is not sure a mistake has been made yet.

Ms. Bartholomew said they would look as deep as they can., but she does not think there was any request to formally change the zoning. The only evidence is that it was B-1, no evidence to change and a spot zoning like this could not take place without some form of notification to the owners so it would have to be done through a comprehensive rezoning process which would also require notification. It was either not done intentionally or done intentionally but without notice.

Mr. Fairley said there was a house on the property more than 60 years ago.

Ms. Gautreaux asked if a zoning change like this would happen then it would need notice, Ms. Bartholomew said that was correct, which is why there is no evidence that an ordinance was done to change the property.

Ms. Bartholomew said procedurally it does not matter as the maps are adopted by ordinance so that is what it is.

Mr. Rhinehart said that if it came before the commission today, then an argument could be made for this to be spot zoning.

Mr. Quillin pointed out that the property is on a thoroughfare with other B-1 properties. Mr. Adams added that B-1 is a buffer use for residential, Ms. Bartholomew said that was correct B-1 is a Neighborhood Business District and is meant to be next to residential.

Mr. Rhinehart asked if there were any announcements. Ms. Bartholomew said that the meetings would be back to the regular schedule in January with two meetings a month. She also reminded the commission to complete their ethics and sexual harassment prevention training. Mr. Weiner added that they need to complete their continued education requirement as well.

Public Comment

Barry Brupbacher, 1925 Livingston St: Clarified that the final motion did not require the

driveway in the east setback. Ms. Bartholomew said it was not part of the motion. Mr. Brupbacher read what had been sent to him by Ms. Bartholomew which is as follows:

First motion by Scott is made. The motion was to approve the resubdivision with Lot 12-A-1 having 94.43' frontage on Livingston and Lot 12-A-2 having 82' frontage on Livingston. Also including the 30% adjustability for setbacks the west setback would be 19' and the east setback would be at 11'. Claire added that the driveway not be built in the west side setback.

Cara then brought up the minimum driveway size is 12' and discussion occurred about having to side load parking in the historic district so the 11' is not wide enough.

Karen asked for the motion to be restated. Scott made a motion to have Lot 12-A-1 have 94.43' frontage on Livingston and Lot 12-A-2 have 82' frontage on Livingston and having the west side setback be 19' on Lot 12-A-2 and east side be 12' on lot 12-A-2. Claire seconded and the secretary called the roll and the motion passed.

Mr. Brupbacher said that the intent of the discussion was to put the driveway within the 12ft. So because they did not get the motion right the driveway can be placed anywhere. Ms. Bartholomew said it was not part of the motion.

Mr. Brupbacher said he would have to go back to his appeal which says that there was not clear accounting for all discussion. The whole point of the 12ft was to put the driveway there and now they can put it anywhere.

Mr. Rhinehart said that what was done tonight was to chip away at the issue. At this point would the best way to move forward be with his appeal as nothing else can be done tonight.

Mr. Brupbacher said then he wants the appeal, which would stop everything.

Mr. Rhinehart said that may be the case, but there is nothing that can be done tonight at the public discussion.

Mr. Brupbacher said that the commission could call the appeal as a special meeting and all that would have to be done is for it to be posted on the door. It would not have to wait a month.

Mr. Parnell said that the law provides the remedy here. You can proceed as stated in the law.

Mr. Brupbacher said there were no rules for the appeal to occur so it could occur at the special meeting. He made his appeal and is happy to move this as expeditiously as possible.

Skelly Kreller, 280 Dona: He wanted something clarified, any appeal to the commission is handled by the commission not the City Attorney. Ms. Bartholomew said there are two types of appeals. An appeal of a commission decision or an appeal of an administrative decision by the Planning Director.

Mr. Kreller asked if this was an administrative decision, Ms. Bartholomew replied that it was not, this would be an appeal to the commission decision. Ms. Bartholomew said she never made a decision; her decision letter is based on a motion that the commission made.

Mr. Kreller asked if the appeal would be heard by the commission, Ms. Bartholomew replied no. She said that the commission only hears an appeal if it is an appeal of her administrative decision, or a city official decision.

Mr. Adams said he thinks the appeal is based on how the letter was written. It was clear

that the driveway was to be on the east side based on discussion.

Mr. Parnell said that the motion that was voted on did not mention that and the commission made a decision. At this point, by law, the right of appeal of a commission decision is to file with the 22nd Judicial Court. Because it is a pending legal matter he believes that there should not be any more discussion on the matter in an open forum

Mr. Brubacher said that the commission has opened the case to correct an error, you decided it was ok to open the case to make this correction. The commission could have said no. But the commission cannot do that for him. He thinks they can, he thinks the commission can do whatever the commission wants to do, and he thinks that Ms. Bartholomew can tell them that they cannot.

Billy Rosenthal, 326 Coffee: Has been driving around and whenever there is new construction, he sees a brigade of dump trucks. The CLURO says only 30% can be red clay and wondered why there was no enforcement being done.

Mr. Adams replied that the commission does not do any enforcement.

Mr. Rosenthal said that he has hundreds of pictures of sod busters dumping tons of fill dirt. Can the commission do anything about it.

Mr. Rhinehart reiterated that the commission does not handle enforcement however, he was aware of two instances where a stop work order was issued on Monroe St. and on Lambert St. So, he has seen enforcement in place.

Mr. Adams added that once they are cited, they eventually go to Mayors Court. That is the way the process is supposed to work.

Mr. Rosenthal said that there are houses that are loaded with fill dirt and there is no enforcement.

Mr. Adams said that again enforcement is not what the commission does but he said that the city council used to have a projects in progress report. Mr. Adams said that he thinks they should have a log of the complaints and to stay public.

Mr. Rosenthal said there is dirt from the lot line to lot line.

Mr. Rhinehart said that the commission cannot enforce but the CLURO can be changed. It would have to go before the city council as well.

Mr. Rosenthal asked who the enforcer is. Mr. Adams replied that it was an administrative thing. Mr. Rosenthal said that the city is destroying his property with all the water in it.

Ms. Bartholomew said that when a complaint is received someone from Public Works is sent out and they shoot grade to see if they are in compliance. If they are out of compliance, then a stop work order is issued and a plan of remediation is developed.

Mr. Rhinehart said that he has seen an increase in enforcement, but it is not always visible to the public.

Mr. Rosenthal said if everyone abided by the CLURO then everything would be fine.

Mr. Adams asked if Mr. Rosenthal lived north or south of Monroe St., Mr. Rosenthal said he lived south of Monroe. Mr. Adams said they can only put fill under the slab.

Jeff Lyons, 515 Lamarque: Considering Mr. Brubacher's situation, he heard the recourse is to go to the 22nd Judicial and sue, is that correct. Mr. Rhinehart said he believed he heard

correctly and at this point we need to let the process take place.

Ms. Gautreaux motioned to adjourn the meeting, Mr. Quillin seconded, and all were in favor. The meeting was adjourned at 8:15pm



Alex Weiner, Secretary



Brian Rhinehart, Chairman
Zoning Commission

Alex Weiner

From: jo may [REDACTED]
Sent: Monday, December 12, 2022 9:47 AM
To: Alex Weiner
Subject: 201 Carroll Candy Bank

Good Morning Mr. Weiner

It appears that not all neighbors got the notice about the proposed hotel in the Candy Bank.

Thomas Keiffer told me he wants to turn the top 2 floors into a 10 room hotel.

He also plans to refurbish the Ozone hotel neon sign and hang it - as well as expanding his parking lot into the yard of the rental property he owns next door.

I object strongly to the scale as well as the concept of a hotel in my neighborhood. We are impacted negatively every day by the Rest A While being allowed to build on such a huge scale and the neighborhood continues to struggle with the negative impact of what has been called the mini walmart mud parking lot. There are enough B and Bs already where people can stay.

More traffic, noise , parking lot, construction and a neon sign -really?? The building is in view of every window in my house.

This over development in Old Mandeville needs to be stopped to preserve this area. At some point it needs to be acknowledged and recognized that the "event has outgrown the venue".

Jo May
2125 Claiborne Street
[REDACTED]

Alex Weiner

From: Lori Martin [REDACTED]
Sent: Monday, December 12, 2022 11:49 AM
To: Alex Weiner
Cc: Jim Leonard; jo may
Subject: 10 room hotel at 201 Carroll St

Dear Mr Weiner,

It came to our attention this morning that a letter was sent to our neighbor last week about two upcoming meetings concerning a 10 room hotel above the Candy Bank on Carroll Street in Old Mandeville. First, I'd like to submit a complaint that we received no such letter and we live a half block away. Second, the notice posted outside the candy bank that I saw was concerning window and signage replacement...not establishment of a hotel. Maybe there's a new sign since I last walked that way and looked. My fault, if so. If we didn't receive written notice of the meetings, most likely many in the immediate area did not. Could the meetings be delayed for the purpose of correctly informing all concerned? We would also like to express our desire to not have a hotel nor expanded parking lot on our block. Old Mandeville is losing its character to the overdevelopment that is being permitted by the city. The parking lot behind the RestAwhile is an eyesore, an ear sore, a fresh air sore, and a speeding danger on Claiborne Street (at least). Please make it stop expanding to the point of ruining the area for those whose homes were here before all this exploded onto us.

Sincerely,

Lori Martin and Jim Leonard
2112 Claiborne Street
Mandeville, LA 70448

Sent from my iPad

Alex Weiner

From: Timothy Hoover <[REDACTED]>
Sent: Monday, December 12, 2022 9:32 AM
To: Alex Weiner
Cc: Camilla Aucott Hoover
Subject: Side and front set back variance at 625 Marigny

Hello Alex,

My name is Tim Hoover, my wife and I live at 1837 Livingston and am a neighbor of the above referenced property. We spoke on the phone briefly last week and I just wanted to document that I fully support the side and front setback variance at 625 Marigny as the work Brad is planning will beautify and improve the neighborhood.

Thanks,
Tim

Alex Weiner

From: Dave Mount [REDACTED]
Sent: Thursday, December 8, 2022 11:14 AM
To: Alex Weiner
Cc: jonesey65@yahoo.com; Kathy Mount
Subject: Dave Mount-611 Marigny comments on Brad Jones' 625 CLURO Variance request-in support-Dec 13 and Jan 10t P&Z meetings
Attachments: B Jones 625 reno SW elevation rendering Dec 2022.JPG; B Jones 625 Marigny Reno Plot plan Dec 8 2022.jpeg

Dear Alex:

We own and will be living in the home adjacent to Brad Jones at 611 Marigny Ave. Brad supplied us with the attached plot plan and exterior elevation/renderings of their planned renovation of 625 Marigny and **we are in full support of their zoning variance application and renovation plan.**

It will be a significant improvement to the existing house and in our opinion a much better fit into the Marigny Ave. streetscape vs. the existing structure and we're looking forward to their project and becoming their neighbors.

Please add these comments to the working session and public hearing notes.

Appreciatively,

David and Kathy Mount
611 Marigny Ave.
[REDACTED]
[REDACTED]

CITY OF MANDEVILLE PLANNING & ZONING COMMISSION
SPEAKER CARD

CASE NUMBER: SUP22-12-04

DATE: 12/13/22

CASE NAME: KEIFFER HOTEL

SPEAKER NAME: TERRY BROUSSARD

MAILING ADDRESS: 211 CARROLL ST MANDEVILLE, LA 70448

PHYSICAL ADDRESS (if different): _____

CITY: _____

STATE: _____

ZIP CODE: _____

PHONE: 

COMMENTS: _____

I AM: FOR () AGAINST () OTHER
 I WISH TO SPEAK () I DO NOT WISH TO SPEAK