

**Planning Commission  
Work Session  
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The meeting was called to order at 6:00pm by Planning Chairwoman Karen Gautreaux who read the paragraph stating that pursuant to Executive Proclamation 137JBE2021, this shall serve as certification that in light of the spread of COVID-19 the Mandeville Planning and Zoning Commission will be meeting via videoconference on Tuesday, August 24, 2021 at 6:30 p.m. in compliance with LA.R.S. 42:17.1. The matters included on this agenda are critical to the continuation of the business of the Commission and should not be delayed and therefore, meet the requirements of LA.R.S. 42:17.1(A)(2).

The secretary called the roll.

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

Absent: Simmie Fairley

Also Present: Cara Bartholomew, Director Planning Department; Lauren Brinkman, Planner; Elizabeth Sconzert, City Attorney; Whitney Stewart, City Attorney; Alex Weiner, Secretary


Mr. Adams motioned to open the agenda to vote for the new Planning Chair, Mr. Quillin seconded, and all were in favor. Mr. Adams motioned to nominate Ms. Gautreaux to continue to hold office as the Planning Chair, Mr. Rhinehart seconded, and all were in favor.

Minutes:

Mr. Rhinehart motioned to adopt the minutes from the August 10 and August 24 meetings. Mr. Adams seconded, and it was unanimously approved.

Ms. Gautreaux adjourned the Planning Commission Meeting.

  
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Alex Weiner, Secretary

  
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Karen Gautreaux, Chairwoman  
Planning Commission

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Nixon Adams, Zoning Commission Chairman, commenced the Zoning Commission Meeting.

Mr. Adams said 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.

Ms. Gautreaux motioned to open the agenda to vote for the new Zoning Chair, Mr. Quillin seconded, and all were in favor. Ms. Gautreaux motioned to nominate Mr. Rhinehart as the new Zoning Chair, Mr. Adams seconded, and all were in favor.

Old Business:

**CU21-08-07** – Grapeful Ape is requesting a Conditional Use Permit per CLURO Section 7.5.10.2 B-3 Permitted uses Subsection 2-B, Sq. 11, Lot 4 5, B-3, Old Mandeville Business District, 2013 Jefferson St.

*Accessory Outdoor Dining in Right-of Way*

Mr. Rhinehart asked for clarification on the number of parking spots required, he thought it was twelve, but the case summary said eight. Ms. Bartholomew replied that it was twelve spots total, eight for the tavern and three for the retail space.

Ms. Durio mentioned how there were twenty-five seats in the interior and approximately twenty-six seats proposed with the outdoor seating and wondered if any additional parking plans were required. She also pointed out that with the parking agreement there was a two hour overlap in the operating hours of the businesses. Ms. Bartholomew replied that the parking was based on the larger of the outdoor or indoor seating areas.

Mr. Adams reiterated that this was a conditional use permit so the Commission could only make a recommendation to the City Council, who will make the decision to either adopt an ordinance in favor or not. The Commission only deals with what is on private property. He mentioned how the primary comments at the work session were about noise and safety concerns, with regards to the food trucks and blocked sidewalks. Mr. Adams also talked about how a tavern is not for full food service, they are limited to small plates and the like. The food was coming from food trucks and tables set up at the premise. He said that people liked the outdoor dining as the use but were concerned with the noise getting out of hand.

Mr. Rhinehart suggested conditioning the recommendation on not allowing food trucks and the like. Mr. Adams agreed, stating it was a simple request and other people have to come in line. There are lots of things to get in order when they make their recommendation to the Council.

Ms. Durio said that the three larger tables are full size picnic tables and commented on the lack of a barrier to prevent sidewalk obstruction. She mentioned how this has been going on for some time now and cannot be a burden on the neighborhood. She suggested possibly limiting the size of the tables or the number of seats with the addition of a barrier to keep the sidewalk clear.

Ms. Gautreaux agreed with Ms. Durio that people blocking the sidewalk were just as a concern as people going into the street.

Mr. Quillin brought up the sight triangle request mentioned by Michele Walker and mentioned how the distance between the road and chain barrier needs to be three feet wide. Ms. Bartholomew replied that the obstructions for the sight triangle need to be more than three feet high, and that there was not anything higher than three feet being planned.

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Mr. Adams suggested having a police safety officer comment on the area and asked for clarification on who was in violation with the food trucks. Ms. Bartholomew replied that a Code Enforcement officer went to the site and said that the food trucks were contracted by the Grapeful Ape.

Mr. Pierce asked if conditional use permits could be non-transferable and not last indefinitely. Ms. Sconzert replied that the CLURO would have to be rewritten to allow something like that, but if there is clear violation and they are not following the use of the permit the Council can revoke the permit.

Ms. Durio asked if the permit could be restricted to only a tavern. Ms. Bartholomew replied that they could condition how many seats and that there are barriers in place, but not the use of the building.

Anthony and Charissa Lovecchio, Applicants: Spoke and said they want to work with the city on popups, and that they originally provided outdoor areas smokers, then after reopening from covid, had to provide outdoor seating to comply with the order from the Governor. They removed two smaller benches, leaving two smaller tables and three regular sized picnic tables with a chain and pole barrier to keep people out of the street. They did agree that there was some overlap in the hours of operation between the two businesses but said that their early customers arrive by walking as they are from nearby.

Ms. Durio asked why they changed from the planters they originally had, they replied that the post and chain would be a better barrier for safety concerns. Rather than the planters which had gaps between them.

Charles Guinchard, 635 Carroll: Expressed his sentiment that zoom was harder to participate than being in person, and that he supports the use being asked for. He said that he is a regular patron and arrives via walking or on a bike and mentioned how pedestrians do not block the right of way. He brought up being in favor of Mandeville adopting an ordinance for outdoor dining and change that food trucks would need a special event permit.

Michele and Doug Walker, 308 Girod: Their backyard backs up to the Grapeful Ape. They support businesses that work with their neighbors. They had questions about parking requirements, barriers around the area and sightlines. Ms. Bartholomew replied that she would look at it with the City Engineer and Public Works director. She also said that the sightline issue is interpreted for permanent structures over three feet, and nothing they are putting in is over three feet.

Mr. Pierce brought up the fact that in the B-3 District there needs to be a five-foot buffer for Special Use permits, did they get it. Ms. Bartholomew replied that it was not applied as it was on public right of way.

Mr. Rhinehart brought up how CLURO Section 4.3.3.8 needs to be applied for cases like this one.

Ms. Durio made a motion to approve conditioned on no more than five of the small tables, with no larger tables allowed, the two foot barrier from the street be adjusted to three feet. That there is an adequate parking plan, with at least three spaces. That there be no seating in the sight triangle and proper delineation to prevent the sidewalk from being blocked, and finally that they are not in violation with any food trucks. Mr. Adams seconded and placed importance on this being enforced. It was approved with a vote of 4-2, with Commissioners Gautreaux and Rhinehart voting against.

Skelly Kreller said in response to a comment from Mr. Rhinehart that the City Council does not have the responsibility of enforcement for things like this, that would fall under the

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purview of the administration and police department. Mr. Rhinehart clarified that he was speaking of a general lack of enforcement once they make their recommendation, and he was not trying to call out the City Council.

**Z21-08-05** – A petition from the City Council of the City of Mandeville to amend the official zoning map of the City of Mandeville to rezone the south one half of square seventy-four (74) of the City of Mandeville, St. Tammany Parish, State of Louisiana, from PM-2 Marina District – Non-waterfront Lots, to O, Open Space/Recreation

There were no comments

Mr. Adams motioned to approve, Mr. Rhinehart seconded, and all were in favor.

**Z21-08-06** – A petition from the City Council of the City of Mandeville to amend the official zoning map of the City of Mandeville to rezone double square 33, lot 2 of the City of Mandeville, St. Tammany Parish, State of Louisiana, from R-3 Multi-Family Residential District, to O, Open Space/Recreation

There were no comments

Mr. Rhinehart motioned to approve, Mr. Adams seconded, and all were in favor.

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New Business

**SU21-09-05 / V21-09-27** – Nick Binnings requests special use approval for Sec. 8.2.3.1 Outdoor Dining 6.8.6 Accessory Outdoor Dining On-Site & variance to CLURO Section 7.5.9.3 B-2 Site Development Regulations and Section 9.2.5.5.1 Greenbelt Requirement, B-2 Highway Business District, 1200 West Causeway Approach Ste 25

Mr. Adams asked if the deck would interfere with the maintenance of the trees. Ms. Bartholomew replied that the architect of the project said the deck would be built around the trees but would have both the staff and consulting arborist look at it.

Mr. Rhinehart brought up how the deck would be considered impervious as a raised deck and asked how it lined up with the drip lines of the trees, and Ms. Bartholomew replied that drip lines were only a concern with live oaks.

Mr. Adams asked if there was any chance of matching what La Carreta did, and Ms. Bartholomew replied that the sidewalk was at different elevations at the two sites

Ms. Durio brought up that there was more greenery at La Carreta and liked the look of it. Mr. Adams agreed and suggested additional landscaping.

Buck Abbey, 1129 Villere: Said that the current buffer is very deficient and does not meet the requirements. Landscape buffers are just as important as parking. Suggests to put the deck in the parking lot and plant up the buffer, the construction of the deck around the trees could end up killing them.

Mr. Quillin brought up that losing all of the buffer is not a reasonable idea and proposed adding some vegetation.

Mr. Pierce suggested to look at pervious pavement, Mr. Quillin agreed with the statement, saying more pervious is always best.

Mr. Rhinehart asked if anyone had any objections to returning to in person meetings, and there were no objections, so the Commission decided to return to in person meetings.

Ms. Bartholomew made an announcement reminding the Commissioners to complete their yearly training for ethics and sexual harassment

Mr. Adams motioned to adjourn the meeting, Mr. Quillin seconded, all were in favor.

The meeting was adjourned at 7:49pm.



Alex Weiner, Secretary



Brian Rhinehart, Chairman  
Zoning Commission