

**Planning Commission  
Public Hearing  
January 8, 2019**

The meeting was called to order by Zoning Chairman Michael Blache and the secretary called the roll.

Present: Nixon Adams, Ren Clark, Simmie Fairley, Michael Blache, Rebecca Bush, Jeff Lahasky and Bill Sones

Absent: Ren Clark

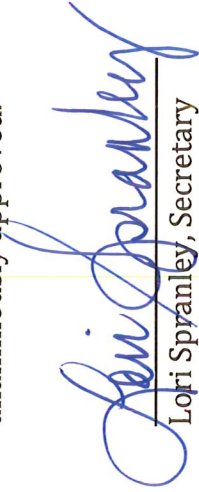

Also Present: Louise Scott, Director, Planning Department; Catherine Casanova, Landscape Inspector; and Mayor Donald Villere

The adoption of the minutes of August 28<sup>th</sup> were deferred until the next meeting.

Ms. Bush moved to adopt the minutes of October 9, 2019, seconded by Mr. Blache and was unanimously approved.

The commission agreed that the meeting time should remain at 6:30 p.m. Mr. Adams moved to approve the 2019 meeting dates, seconded by Mr. Blache and was unanimously approved.

Mr. Blache moved to adjourn the meeting, seconded by Mr. Fairley and was unanimously approved.

  
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Lori Spranley, Secretary  
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Rebecca Bush, Chairwoman  
Planning Commission

**Zoning Commission  
Public Hearing  
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Present: Nixon Adams, Ren Clark, Simmie Fairley, Michael Blache, Rebecca Bush, Jeff Lahasky and Bill Sones

Absent: Ren Clark

Also Present: Louise Scott, Director, Planning Department; Catherine Casanova, Landscape Inspector; and Mayor Donald Villere

The first case discussed was V19-01-01 Judi J. Garrett, Matthew W. Jones, Vicki J. Fussell and Cheri J. Lagrange requests a variance/exception to Section 4.2.4.5 Provisions for Non-Conforming Lots of Record, square 35, two parcels each measuring 70' x 138', 601/611 Marigny Avenue, zoned R-1

Ms. Scott presented the applicant was requesting to allow the separation of two parcels of ground located in square 53. The property was zoned R-1, Single Family Residential and formed the corner of Marigny Avenue and Livingston Street. The corner parcel was vacant, and the interior parcel was developed with a single family residence (601 Marigny). The property recently went through succession and the four heirs were requesting that the two parcels be allowed to be separated.

One parcel of land was acquired by Act of Sale on December 18, 1967 which had been improved with a single family residence and the other parcel of land was acquired by Act of Sale on March 14, 1985 which remains vacant. The parcels were purchased under the same ownership.

Each parcel measured 70' frontage by 138' depth and contained 9,660 square feet. This property was zoned R-1, Single family residential. The minimum lot size for the R-1 zoning district was 90' frontage, 120' depth and 10,800 sf. Each parcel was deficient in frontage by 20', and was 1,140 square feet deficient in area.

Since both lots were purchased after 1964, the provisions under Section 4.2.4.5 Provisions for Legally Non-Conforming Lots of Record apply, specifically, #3 as follows:

3. If two (2) or more contiguous lots-of-record or parts thereof are in single ownership and all or part of the lots do not meet the requirements for lot width, area, or buildable area lying outside of areas of periodic inundation (defined in **Article 3**) as established herein, the lands involved shall be considered an undivided parcel for the purposes of this CLURO. No portion of said parcel shall be used or sold which does not meet the minimum lot width, depth and area requirements established herein, except as follows:

- a. the lot area of each lot meets the minimum area and buildable area requirements of the zoning district in which it is located; and
- b. the lot width is no less than 85% of the minimum lot width required in the zoning district in which it is located.

If the property met the two exceptions, the owners could separate the lots by right. But, they do not meet the requirements so they were requesting an exception.

Because the lots were in single ownership, they were less than the minimum requirements, and they were considered an undivided parcel under the zoning regulations.

As was discussed at the work session, there was a large live oak tree located on the property. There was no survey with the location indicating the canopy, but it appeared to be at the property line. The separation would leave both lots as non-conforming. It was



unclear what the building site would be placed on the vacant lot. It was also discussed that the commission reviewed the general character of the neighborhood. Typically along Marigny Avenue, the lots were 63' frontage that ranged in size from 12,000 to 32,000 square feet. Along Livingston Street, there were lots that measured 71' frontage that were developed.

The applicants submitted a sketch indicating the existing house side yard setback but with the knowledge of there being a live oak tree, the sketch would need to be modified. Ms. Scott stated the existing house lot would require a minimum of 12' side yard setback so it would become non-conforming.

Mr. Adams said the commission discussed this case in length at the work session as an exception and the commission had previously granted exceptions for lots less than 90' frontage with the property containing at least 10,800 square feet of area. This request did not meet that requirement and in these two blocks most of the lots were wide.

Mr. Adams moved to deny the exception, seconded by Mr. Fairley, and was unanimously approved.

The next case discussed was V19-01-02 Billie R. Comeaux requests a variance/exception to Section 4.2.4.5, Provisions for Non-Conforming Lots of Record, square 67, lots 5, 6 and 7, 450 Atalin Street, zoned R-1

Ms. Scott presented that the applicant had submitted a survey prepared by John Cummings dated 10/16/2018 of lots 5, 6 & 7 located in Square 67. These lots were located on Atalin Street between Madison and Monroe Streets. The property was zoned R-1, Single Family Residential. The owner acquired these lots on March 20, 2017 through the termination of a family trust. Lots 6 and 7 were acquired by the family in 1977 and lot 5 was acquired by the family in 1989 and they had been described as separate parcels. Currently, Lot 5 was vacant and Lots 6 and 7 were improved with a single family dwelling that was constructed in ~1981. The applicant was requesting to allow the separation of Lot 5 from lots 6 & 7.

The following information was provided:

- All of these lots are zoned R-1, Single Family residential which requires a minimum frontage of 90' and depth of 120' and min. square footage of 10,800 square feet.
- Based on the survey submitted, Lot 5 measures 62.23' frontage by a depth of 201.89' and contains 12,585 square feet.
- Based on the survey submitted, the house is located in the center of Lots 6 & 7. These lots, together, measure 124.46' frontage by a depth of 202.22' and contain 25,228 sf.
- The south side yard setback is 26.8'. under the R-1 Site Development, a minimum 20' side yard setback is required (north side yard setback is 45.8')

The CLURO, under Section 4.2.4.5. *Provisions for Legally Non-Conforming Lots-of-Record*

States the following:

**4.2.4.5. Provisions for Legally Non-Conforming Lots-of-Record**

3. If two (2) or more contiguous lots-of-record or parts thereof are in single ownership and all or part of the lots do not meet the requirements for lot width, area, or buildable area lying outside of areas of periodic inundation (defined in Article 3) as established herein, the lands involved shall be considered an undivided parcel for the purposes of this CLURO. No portion of said parcel shall be used or sold which does not



meet the minimum lot width, depth and area requirements established herein, except as follows:

- a. the lot area of each lot meets the minimum area and buildable area requirements of the zoning district in which it is located; and
- b. the lot width is no less than 85% of the minimum lot width required in the zoning district in which it is located.

Based on the provisions for legally non-conforming lots of record, item 3, since the vacant "lot 5" was in single ownership with the adjacent lots (6 & 7) and it did not meet the minimum lot width of 90' (62.23') and also did not meet the 85% rule for an exception (minimum lot width of 76.5'), then the adjacent lot 5 cannot be separated from the other two lots.

The applicant was requesting that Lot 5 be allowed to be separate since the lot exceeds the R-1 minimum square footage of 10,800 square feet by 1,785 square feet. Additionally, Lots 6 & 7 combined contained 25,228 square feet, which was 3,628 square feet greater than the minimum 21,600 square feet for the R-1 area for the two lots. Additionally, the minimum interior side yard setbacks were greater than the minimum 20' required.

The applicant included language in the application regarding a resubdivision. Should the applicant desire to increase the size of lot 5, then a resubdivision would be required. Lot 5 could be increased in frontage up to 6.8', from 62.23' to 69.03' which would also increase the area from 12,585 square feet to ~13,936 square feet. This would decrease lots 6 & 7 front footage from 124.46' to 117.66', still compliant with the minimum site development criteria for the R-1 zoning district. If the Zoning Commission or the applicant desired the resubdivision, a variance/exception will still have to be granted to allow the separation of lot 5 or proposed new lot 5 since the frontage was less than 76.5' (85% of min. lot frontage required.) A survey of the canopy of the live oak trees was requested and submitted. Lot 5 primarily had the coverage of the live oak trees.

Mr. Blache said it appeared to be the only triple lots in the block. Ms. Scott stated this was the same platting as Old Mandeville.

Billie Comeaux, applicant, asked to separate lot 5 from lots 6 and 7. When the lots in the square were initially established they were all the same size of 62' x 202'. There were beautiful homes in the area on 60' lots. The lot separation helped with City revenue. The property taxes were billed separately for lot 5 and together for lots 6 and 7. Ms. Comeaux had entered into a contract to purchase lot 5 and the purchaser had contacted the owner of the corner parcel to partner together on the two lots. The survey prepared by Mr. Cummings indicated the property exceeded the 10,800 square foot requirement. She would prefer a clean separation.

Ambrose Amedee, 415 Atalin Street, expressed his opposition to approving the separation. To allowable a 62' frontage lot to be buildable was unacceptable. This lot did not comply with all other lot sizes on the 400 block of Atalin Street that met the minimum 90' frontage. To approve the request would have a negative impact on the existing property values which no one wanted to see happen. He urged the commission to uphold the 90' frontage. Downsizing should not be an option.

Ms. Bush asked if there were any lots less than 90'. Ms. Scott said all of the lots were platted at 60' and most owners had two lots for 120' width. The next square was sold by individual parcels so there was a variety of sizes. The next block contained a drainage area through the square. The next block of Atalin Street was a separate resubdivision process. The back side of the square had frontages of 60' and 120'. There were key lots developed individually.



Mr. Adams said the commission had granted these exceptions of shortage on the frontage with the property meeting the total square footage. He would prefer moving the property line by 10', but he could support the straight request. Mr. Lahasky said the main question was whether the 6' would make much difference in appearance. He could support the request with the existing square footage. Ms. Scott said that was part of the reason for the request of the location of the live oak tree canopy to assure the property line was within the canopy of the live oak tree.

Mr. Adams moved to grant the exception with the lot meeting the depth and total square footage requirement, seconded by Mr. Fairley and was unanimously approved.

The next case discussed was V19-01-03 John Reis, Jr. requests a variance to Section 9.2.5.7, Live Oak Protection Requirements, square 74, 258 Jackson Avenue, zoned PRD

Ms. Scott presented that the applicant was proposing to construct a new residential dwelling at 258 Jackson Ave. This property was zoned Planned Residential District (PRD) under Ordinance 95-20, adopted June 22, 1995. This ordinance approved a site plan for proposed development in the north half of square 74 for 12 single family dwellings and associated facilities and common area. This plan was later revised and approved under Ordinance 05-36, adopted January 12, 2006, reducing the number of home sites from 12 to 9 in accordance with a site plan prepared by Kelly McHugh and Associates, dated March 22, 2000 and revised December 6, 2005.

The applicant was proposing to construct a dwelling at 258 Jackson, which was located on the corner of Jackson Avenue and Jefferson Street. A tree survey, prepared by Randall W. Brown & Associates, Inc. dated September 25, 2018 indicated there are 3 live oaks on the property as follows:

- tree #13 is shown as a 36" live oak tree – located in the SW corner of the lot. Proposed to be preserved and construction is placed to be compliant (82%) of the dripline
- tree #14 is shown as a 48" live oak tree – located in the SE corner of the property. This tree is proposed to be preserved and construction is proposed outside of the tree canopy
- Tree #12 is shown as a 24" live oak tree – located toward the center of the lot within the buildable area. This live oak is proposed to be removed. Tree replacement provisions require 4 (2") live oaks to be replanted.

The entire property interior had been constructed. The vacant area was this proposed construction which did not have access from the established gravel driveway. The property would access from Jefferson Street.

Mr. Adams said there were numerous magnolia trees on the lot. Ms. Scott said the trees were a struggle with this property.

Dr. Malcolm Guidry, Consulting Arborist, examined this site in 2014 and wrote a letter dated July 21, 2014 to Maggie Gleason, Landscape Inspector, recommending the removal of the live oak tree. Dr. Guidry had reevaluated the tree and provided comments in a letter dated November 26, 2018, indicating that the findings were the same.

Mr. Adams said with the tree replacement requirement, a better location for planting may be along the right-of-way. Mr. Blache agreed with all of the trees on the site, the right-of-way would be a better location. Mr. Adams said the live oak tree requested to be removed was not a specimen tree.



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Mr. Adams moved to approve the request of the live oak tree removal with the replacement tree required to be determined by the City Arborist, seconded by Mr. Sones and was unanimously approved.

The minutes of August 28<sup>th</sup> were deferred until the next meeting.

Ms. Bush moved to adopt the minutes of October 9, 2019, seconded by Mr. Blache and was unanimously approved.

The commission agreed that the meeting time should remain at 6:30 p.m. Mr. Adams moved to approve the 2019 meeting dates, seconded by Mr. Blache and was unanimously approved.

Mr. Blache moved to adjourn the meeting, seconded by Mr. Fairley and was unanimously approved.

  
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Lori Spranley, Secretary

  
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Michael Blache, Chairman  
Zoning Commission



**Planning Commission  
Work Session  
January 8, 2019**

The meeting was called to order by Chairwoman Rebecca Bush and the secretary called the roll.

Present: Nixon Adams, Ren Clark, Simmie Fairley, Michael Blache, Rebecca Bush, Jeff Lahasky and Bill Sones

Absent: Ren Clark

Also Present: Louise Scott, Director, Planning Department; Catherine Casanova, Landscape Inspector; and Mayor Donald Villere

The first planning case discussed along had a corresponding zoning case and both cases were discussed in conjunction. The planning case discussed was P19-01-01 Recommendation to the City Council regarding Ordinance 18-41 to effect the annexation of a portion of ground situated on La. Highway 22 being lot 39B-1 of the commercial portion of Beau Chene Subdivision into the corporate limits of the City of Mandeville designating and assigning the property for purposes of zoning as a B-2 Highway Business District and providing for other matters in connection therewith. The zoning case discussed was Z19-01-01 Recommendation to the City Council regarding Ordinance 18-41 to effect the annexation of a portion of ground situated on La. Highway 22 being lot 39B-1 of the commercial portion of Beau Chene Subdivision into the corporate limits of the City of Mandeville designating and assigning the property for purposes of zoning as a B-2 Highway Business District and providing for other matters in connection therewith.

Ms. Scott presented Marla Garvey has petitioned the City for annexation of lot 39B-1 Beau Chene Subdivision in accordance with the survey prepared by John E. Bonneau & Associates dated March 6, 1996, into the City limits with a zoning designation of B-2, Highway Business District. The property was currently unimproved.

The City Council introduced Ordinance 18-41, at their meeting held on December 13, 2018 to annex Lot 39B-1. The property was adjacent (west side) of the Shell Station on Hwy 22, just west of North Causeway. This area was identified under the City's Comprehensive Land Use Plan as a target area for annexation and under the Agreement amending the 1990 Sales Tax Enhancement Plan as Priority 1, where the City received 80% of the Sales Tax Revenue. The lot will be assigned to Council District I.

Lot 39B-1 fronts on Hwy 22, with a measurement of 320', continuing for 175.31' adjacent to the Shell Station (east side), 140' adjacent to lot 927 (west wide) and 217.27' on the rear (north side). The lot area was 44,782.870 square feet (1.03 acres) and complied with the minimum B-2 Hwy Business District Site Development criteria of minimum lot frontage of 150', depth of 100' and 15,000 square feet.

Lot 39B-1 was contiguous to residential lots 923, 924 and 925 and Lot 926 in Beau Chene Subdivision.

Bill Jones, Jones Fussell, said they were in the process of annexing Marla Garvey's properties. Ms. Garvey had retained the properties as investments and now that the husband was deceased she was moving forward with the parcels. The property met the requirements for the B-2 zoning and there was a purchase agreement with ASI Credit Union. He stated it would be a good use for the property. The property had been maintained without a use and Ms. Garvey wanted to make it marketable with sewer and water connections.

Mr. Adams said the City wanted the properties to be hooked up to utilities which required annexation.



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Rodney Bateman, 126 Acadian Lane, lot 926, said there was a cinderblock wall between his house and the gas station with poor drainage. There were conduits through the concrete wall allowing the flow of water onto this strip of property and drain through the Beau Chene Subdivision. He had drainage, setback, and noise concerns with the depth of the lot being shallow. There was a risk with the zoning of being a high usage business. Mr. Adams said under the development the City would require a drainage plan approved by the City's engineers, but it was also a highway use in the Parish. Mr. Bateman wanted to bring the drainage issue to the City's attention. Ms. Scott said as part of the permitting process, the City Engineer would review the drainage plan. If there were specific concerns, the City could meet with him on the site to discuss the issues. The Annexation Growth Plan identified this area as a Priority One district with no requirements of zoning. Mr. Adams said this property was part of the Four Corners area of the Growth Plan.

The next planning case also had a corresponding zoning case and both cases were discussed in conjunction. The planning case discussed was P19-01-02 Recommendation to the City Council regarding Ordinance 18-39 to effect the annexation of certain immovable properties situated in Section 36, T7S, R10E, Parish of St. Tammany, State of Louisiana, containing approximately 285 acres into the corporate limits of the City of Mandeville; designating and assigning the properties for purposes of zoning O, Open Space District and for other matters in connect therewith. The zoning case discussed was Z19-01-02 Recommendation to the City Council regarding Ordinance 18-39 to effect the annexation of certain immovable properties situated in Section 36, T7S, R10E, Parish of St. Tammany, State of Louisiana, containing approximately 285 acres into the corporate limits of the City of Mandeville; designating and assigning the properties for purposes of zoning O, Open Space District and for other matters in connect therewith.

Ms. Scott presented that the City Council introduced Ordinance 18-39, at their meeting held on December 13, 2018 to annex 285 acres of vacant land (Parcel A), which was purchased by the City on February 15, 2007 from The Trust for Public Land, in accordance with Resolution No. 04-19 adopted June 10, 2004. The purpose of this purchase was to acquire additional wetlands for future use in the wetland assimilation project, which was originally established in Ordinance 02-29 recorded Dec. 12, 2002.

This property, identified as Parcel A, was not annexed into the City limits at the time of purchase 14 years ago. At the present time, the City was moving forward with incorporating these 285 acres into City Limits with "O" Open Space zoning designation, as defined in CLURO Section 7.5.7. O - Open Space/Recreational District, as follows:

**7.5.7.1. Purpose of the Open Space/Recreational District**

The purpose of the open space/recreational district is to provide for open space, parks and recreational areas; for uses that are accessory thereto, as well as certain facilities that are generally associated with recreational uses; and for such other uses as are specifically permitted in this district under the provisions of these regulations.

Mr. Sones asked what was a wetland assimilation. Mr. Adams said it was the last polishing stage on the sewer treatment. Ms. Scott would have David DeGeneres and Dr. John Day, managing it for the City, speaks with Mr. Sones. The City handled DEQ requirements for that assimilation.

Mr. Fairley asked why the property was not annexed. Ms. Scott said she did not know why it was not annexed and the City was moving forward on the annexations to close up the boundaries.

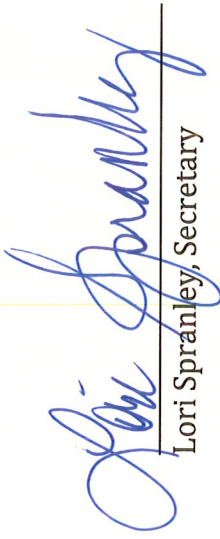
A letter was received from the Lake Pontchartrain Basin Foundation that was not in the commission's purview for the wetland assimilation. Mr. Adams asked if the property zoning should be Institution rather than the requested Open Space. The Open Space zoning



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would assure there would be nothing done with the property. Ms. Scott referred any assimilation questions to Mr. DeGeneres. All of the other wetlands were zoned Open Space so it was an appropriate zoning designation. Mr. Adams asked about the adjacent land in the Sanctuary being zoned Open. Ms. Scott said she would look at that zoning.

Mr. Blache moved to adjourn the meeting, seconded by Mr. Fairley and was unanimously approved.



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Lori Spranley, Secretary



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Rebecca Bush, Chairwoman  
Planning Commission

**Zoning Commission  
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Absent: Ren Clark

Also Present: Louisette Scott, Director, Planning Department; Catherine Casanova, Landscape Inspector; and Mayor Donald Villere

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Lot 39B-1 fronts on Hwy 22, with a measurement of 320', continuing for 175.31' adjacent to the Shell Station (east side), 140' adjacent to lot 927 (west wide) and 217.27' on the rear (north side). The lot area was 44,782.870 square feet (1.03 acres) and complied with the minimum B-2 Hwy Business District Site Development criteria of minimum lot frontage of 150', depth of 100' and 15,000 square feet.

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Bill Jones, Jones Fussell, said they were in the process of annexing Marla Garvey's properties. Ms. Garvey had retained the properties as investments and now that the husband was deceased she was moving forward with the parcels. The property met the requirements for the B-2 zoning and there was a purchase agreement with ASI Credit Union. He stated it would be a good use for the property. The property had been maintained without a use and Ms. Garvey wanted to make it marketable with sewer and water connections.

Mr. Adams said the City wanted the properties to be hooked up to utilities which required annexation.



Rodney Bateman, 126 Acadian Lane, lot 926, said there was a cinderblock wall between his house and the gas station with poor drainage. There were conduits through the concrete wall allowing the flow of water onto this strip of property and drain through the Beau Chene Subdivision. He had drainage, setback, and noise concerns with the depth of the lot being shallow. There was a risk with the zoning of being a high usage business. Mr. Adams said under the development the City would require a drainage plan approved by the City's engineers, but it was also a highway use in the Parish. Mr. Bateman wanted to bring the drainage issue to the City's attention. Ms. Scott said as part of the permitting process, the City Engineer would review the drainage plan. If there were specific concerns, the City could meet with him on the site to discuss the issues. The Annexation Growth Plan identified this area as a Priority One district with no requirements of zoning. Mr. Adams said this property was part of the Four Corners area of the Growth Plan.

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Ms. Scott presented that the City Council introduced Ordinance 18-39, at their meeting held on December 13, 2018 to annex 285 acres of vacant land (Parcel A), which was purchased by the City on February 15, 2007 from The Trust for Public Land, in accordance with Resolution No. 04-19 adopted June 10, 2004. The purpose of this purchase was to acquire additional wetlands for future use in the wetland assimilation project, which was originally established in Ordinance 02-29 recorded Dec. 12, 2002.

This property, identified as Parcel A, was not annexed into the City limits at the time of purchase 14 years ago. At the present time, the City was moving forward with incorporating these 285 acres into City Limits with "O" Open Space zoning designation, as defined in CLURO Section 7.5.7. O - Open Space/Recreational District, as follows:

**7.5.7.1. Purpose of the *Open Space/Recreational District***

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Mr. Sones asked what was a wetland assimilation. Mr. Adams said it was the last polishing stage on the sewer treatment. Ms. Scott would have David DeGeneres and Dr. John Day, managing it for the City, speaks with Mr. Sones. The City handled DEQ requirements for that assimilation.

Mr. Fairley asked why the property was not annexed. Ms. Scott said she did not know why it was not annexed and the City was moving forward on the annexations to close up the boundaries.

A letter was received from the Lake Pontchartrain Basin Foundation that was not in the commission's purview for the wetland assimilation. Mr. Adams asked if the property zoning should be Institution rather than the requested Open Space. The Open Space zoning



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The next case discussed was V19-01-04 Aimeeco, LLC requests a variance to Section 9.2.5.5, Landscape Requirements in Districts other than Low Density Residential, Plot G, Lot 12, Poitevent Tract, 3980 Florida Street (Ext), zoned B-2

Ms. Scott presented that the office building at 3980 Florida Street was constructed in 2004 as a commercial site containing two administrative office spaces. The building was located on Lot 12, which measured 100'x255' (25,500 square feet). AB Computer Solutions (owner) had occupied one of the spaces since the construction was completed. At this time, the applicant was requesting to provide five additional parking spaces in the front of the site in accordance with the Parking Plan/Site Plan dated 12/11/2018.

There was an existing 50' Cleco utility servitude located across the front of the lot (extends along south side of Florida Street) as depicted on a Survey prepared by Fontcuberta Surveys, Inc. dated 1-12-2004. The CLURO allowed for a reduction in greenbelt when utility servitudes existed, but required the greenbelt be placed behind the utility servitude. The applicant was requesting a variance to allow the required greenbelt to be placed at the property line, within the existing utility servitude.

Using the formula, the 50' utility servitude exceeds 10' depth by 40'. The 1' reduction for every 5' in excess of 10' reduced the greenbelt to 7' applying the formula  $40'/5'=8''$ , where the 15' required greenbelt was reduced by 8' leaving a minimum 7' greenbelt depth. The Parking Plan by TCM dated 12/11/18 showed a 10' greenbelt depth, which exceeded the 7' minimum in the above calculation by 3'.

The applicant, James E. Brady, stated the hardship on the application, as follows:

*The applicant is requesting a variance to allow the proposed 10' greenbelt area to be located along Florida Street, to be within the existing 50' Cleco servitude. The hardship giving rise to the variance request is a longstanding existence of the aforementioned servitude. This servitude is unusually wide, measuring 50' in width and extending the entire frontage of the subject property. Accordingly, this hardship is not self-imposed and is clearly beyond the control of the applicant. We respectfully suggest that the granting of our variance will only have a positive effect on our surrounding neighbors as it will allow for additional plantings along the Florida Street corridor.*

Cleo had a policy that outlined planting under power lines. It was recommended that the applicant prepare a detailed landscape plan, including vehicular screening, and submit it to Cleco for approval. Also, the City Landscape Inspector would review the existing landscape to determine compliance.

Ms. Scott presented the original site plan which included four parking places in the front of the property with the remainder of the space remaining green. As part of the original plans and code requirements, the trees were planted behind the servitude. The new plan proposed to construct five additional parking spaces along the front property line. Mr. Blache asked why was the planting required to be placed behind the servitude. Ms. Scott planting under the power lines would be risky and generally the City tried to stay out of the utility servitudes. Cleco had a policy regarding trees under power lines, and the applicant may be allowed to plant Class B trees. Mr. Sones agreed that utility companies had right-of-way policies of what planting would be allowed that would not grow into the lines. Ms. Scott said the building was constructed meeting the parking requirements, but additional parking spaces were needed to assist with the viability of the center. The



property met the pervious/impervious calculations with a large buffer adjacent to the apartment buildings.

Mr. Adams said there were three large existing trees and he asked if they could be moved or replaced. Ms. Scott said the plan was creating parking spaces along the front of the property and the Class A trees could be relocated on the site. A 10' greenbelt was enough space to establish trees and allow for vehicular screening.

Mr. Blache asked about the green space at Dr. Boudreaux's office on the point. Ms. Scott said the setbacks were 25' on East Causeway Approach and 15' on Florida Street using the flexibility of greenbelt on East Causeway Approach.

Paul Mayronne, Jones Fussell, representing the applicant, said there was 1,700 square feet in the building used for offices which would probably continue to be office space. The problem with utilizing the space was the lack of parking. It was pointed out there was a very deep servitude along this area that was created in 1959. As mentioned, anything within the servitude would be impacted by Cleco and their rights. The agreement constituted there would be planting and they anticipated approval shortly. They proposed to retain 3 Class A trees outside of the servitude with five or more Class B trees proposed along the street right-of-way. They anticipate the appearance to be similar to the surgery center and the entrance to Rouses. The hardship was based on the unusual depth of the servitude and there would be no negative impact. There was a concern about the viability of replanting the existing three trees, but they would be replaced.

The next case discussed was V19-01-05 Premier Center, LLC/Jill Acquisition LLC requests a variance to Article 10, sign Codes, 3424 Highway 190, zoned B-2

Ms. Scott presented that J. Jill (retail clothing) recently leased approximately 3,800 square feet in a freestanding building within the Premier Center. The leased space was a corner location with one side facing St. Joseph Street and the other facing US Hwy 190. J. Jill applied for, and was issued, a sign permit for the existing sign (14 square feet) located above the front entrance (facing Hwy 190).

J. Jill was requesting a second sign to be located on the façade facing St. Joseph Street, where there is no customer entrance. The proposed sign measured 3'2.5" by 4"7 1/8" being approximately 15 square feet, as depicted on the elevations prepared by Signworxx dated 10/11/18 and Robert G. Lyon & Associates, Inc. dated 05/16/18. The sign regulations only allow attached signage where there was a customer entrance. J. Jill was requesting a variance to CLURO Section 10.5.3.4 Attached Signage to allow an additional sign on the St. Joseph Street façade.

CLURO Section 10.5.3.4, Attached Signs includes the following regulations:

Table 10.5.3.6 and the subsequent paragraphs of this section establish the rules for attached signs that are authorized by section **Error! Reference source not found.** for lots in non-residential and mixed-use zoning districts.



Table 10.5.3.6: Rules for Attached Signs in Combined Use and Non-Residential Zoning Districts

Sec #	Standard	Zoning Districts	Regulations
2.	Maximum number of wall or projecting signs per business	B-1, B-2, B-3, B-4, TC, PM-1, PM-2, M, I and O zoning districts	One (1) wall or projecting sign per street façade with a customer entrance per premises

10.5.3.5 Multi-Occupant Premises and Large Site development:

6. On store frontages located at the corner of a building that face two (2) different street frontages, or if a business occupies an entire separate structure within a center, additional wall signs shall be permitted on each wall having a customer entrance, provided that a minimum distance of thirty (30) feet, measured along the store front, is maintained between the extremities of any two signs and each sign is mounted on a separate wall facing a separate direction. The area of such signs shall be calculated in accordance with Table 10.5.3.6.

While there are two street façades, Highway 190 and St. Joseph Streets, the only customer entrance and main entrance is located on Highway 190. The CLURO was amended to include the “Customer Entrance” in 2015. There were instances where there was a customer door that was not constructed to the same design.

The applicant submitted an explanation of the hardship for the placement of an additional 15 square feet sign along a side street façade that has no customer entrance.

Photographs of signs from the two (2) previous tenants Bombay and Aeropostale were also included in J. Jill’s summary statement prepared by their Corporate Office and attached to the Variance Request Form dated 11/27/18.

The reasons for this sign variance request are as follows:

The two previous tenants, Bombay and Aeropostale, both had a second sign on the side elevation, photos are below. Since we are occupying the same location, we should be entitled to having a second sign along St. Joseph Street just like Bombay and Aeropostale once had.

We are asking for a second sign on the specific location on the side elevation due to the high tree lines. If we were to have a sign where the previous tenants did, the trees will make it very difficult to see our sign.

Having a second sign on the location will entice customers, both new and existing to shop at Premier Center. An additional sign will draw in customers that might not have shopped at Premier Center before. An additional sign would increase foot traffic and make Premier Center a place people want to shop.

In past sign cases, the total front elevation measured 55’ linear feet and the side elevation measured 53’ linear feet. Using the 1.25 ratio, the front elevation was allowed 68.75 square feet and the side elevation was allowed 66.25. The CLURO was amended in 2014 to remove allowable signage where there was no customer entrance.



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Previous tenants Installed	Store Frontage	St. Joseph Side	S/F Allowed	S/F
Bombay	55'	53'	68.75/66.25	54/54
Aeropostale	55'	53'	68.75/66.25	50/36
These tenants individually occupied the entire store front which was now separated into two tenant spaces				

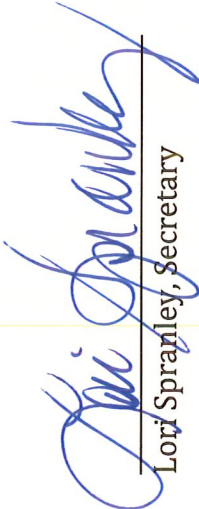
**Current tenant**

J. Jill	35.5'	N/A – no entrance	44.37	14
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Ms. Bush asked where was the foot traffic referenced in the application. Ms. Scott said it would be visible on St. Joseph Street and the building façade was finished to the same design. Mr. Lahasky asked why the CLURO was amended. Ms. Scott said service doors were being installed and signs were requested to be placed on an unfinished façade. Mr. Lahasky said this intent was not the same. Mr. Adams said this should be considered as an exception with the consideration of what was the harm and how did it fit in. The request was not using more than the allowable signage for the whole building, and would be informational on St. Joseph Street. Mr. Blache said it helped reduce sign pollution. Ms. Scott said the combined signage would be 15 square feet less than the signage allowed for the front façade and it would be installed on a finished façade. Mr. Lahasky said it provided more visibility, a nice façade, and more revenue. Ms. Bush said the reasons stated seemed to be disingenuous with people seeing it on Highway 190. Ms. Scott said people at the red light would see the tenant space. Ms. Bush said in order to get into the center; they would have to get in and around. She did not like it on the side of the building. Mr. Lahasky said there was a portion of the building built for the sign location and the trees had grown over the area not allowing visibility. Ms. Bush said she would have less of an issue with the sign being placed in the previous location. Mr. Lahasky stated to accomplish that trees would have to be trimmed.

Dawn, Signworxxx, agreed it was an odd place but it was a simple logo. During the day the sign would blend with the building, but it would still be visible. They were trying to capture the St. Joseph Street traffic. Without a large front sign, they were requesting the additional side signage. Mr. Adams said if the business was located in the main part of the center, the business could be advertised on the front of the building by driving around.

Mr. Blache moved to adjourn the meeting, seconded by Mr. Fairley and was unanimously approved.

  
Lori Spranley, Secretary

  
Michael Blache, Chairman  
Zoning Commission



