

THE FOLLOWING ORDINANCE WAS MOVED FOR INTRODUCTION BY COUNCIL MEMBER BUSH; SECONDED FOR INTRODUCTION BY COUNCIL MEMBER MCGUIRE.

ORDINANCE 23-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE WITH RESPECT TO PARCEL D, MARINERS VILLAGE SECTION 46, T-8-S, R-11-E, GREENSBURG LAND DISTRICT, CITY OF MANDEVILLE, ST. TAMMANY PARISH, LOUISIANA, MORE PARTICULARLY DESCRIBED ON THE LEGAL DESCRIPTION PREPARED BY KELLY J. MCHUGH & ASSOCIATES, INC., CIVIL ENGINEERS & LAND SURVEYORS, DATED 08/04/95, CONTAINING 15.012 ACRES; CONDITIONALLY APPROVING THE SITE PLAN FOR SUCETTE HARBOR, PREPARED BY TRAPOLIN PEER ARCHITECTS (HOTEL & EVENT SPACE), ARRIVE ARCHITECTURE GROUP (ACTIVE ADULT BUILDINGS), WITH URBAN AND LANDSCAPE SITE PLANNING FROM DESIGN WORKSHOP; REQUIRING THAT THE SUBJECT PROPERTY BE ZONED PLANNED COMBINED USE DISTRICT("PCUD"); GRANTING A CONDITIONAL USE PERMIT FOR THE DEVELOPMENT OF THE ENTIRE SITE; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

RECITALS:

WHEREAS, Woodward Harbor, L.L.C. ("Woodward Harbor"), on behalf of LSU Health Foundation, New Orleans, has applied for the approval of site development plans and a conditional use permit for a project on Parcel D, Mariners Village Section 46, T-8-S, R-11-E, Greensburg Land District, City of Mandeville, St. Tammany Parish, Louisiana, more particularly described on the legal description prepared by Kelly J. Mchugh & Associates, Inc., Civil Engineers & Land Surveyors, Dated 08/04/95, containing 15.02 acres of land (Parcel "D"), attached hereto as Exhibit "1; and

WHEREAS, the City of Mandeville's Comprehensive Plan, dated 2007 ("Comprehensive Plan"), identifies Parcels D for future use as a "Planned/Marina District" (see Comprehensive Plan – Map 2); and

WHEREAS, the Comprehensive Plan classifies the subject parcel of land as ones suitable for "mixed use" (see Map 5c – West Marina Issues); and

WHEREAS, the Comprehensive Plan establishes that "Mandeville is a lakefront community that provides access to Lake Pontchartrain for residents and visitors" and that "marinas, located on the east and west ends of Old Mandeville, provide unique opportunities for the establishment of mixed-use

neighborhoods with a maritime focus,” with a goal “to provide diverse mixed-use marina environments and easy marine access for residents and visitors” (see Comprehensive Plan - Goal 11, page 35); and

WHEREAS, Article 3.3, entitled *General Definitions of the Land Use Regulations*, of the Comprehensive Land Use Regulations Ordinance (“CLURO”) defines a planned development as “land under a unified control to be planned and developed as a whole in a single development operation or a definitely programmed series of development operations or phases” (see definition 183) and contains no further definitions or subclassifications of a planned development; and

WHEREAS, Article 7.5.15, entitled *PD- Planned District*, of the CLURO outlines that the Planned District allows for “design flexibility in conjunction with a site plan review procedure for the approval of residential, commercial, industrial or a combination of these uses on one unified development site by ordinance of the City Council subsequent to the recommendation of the Planning Commission,” and further, that “Development sites approved by ordinance under the site plan review procedures of a Planned District shall be approved as a Planned Residential District (PRD), a Planned Commercial District (PCD), a Planned Industrial District (PID), or a Planned Combined Use District (PCUD) in accordance with the classification of the use or uses proposed and/or existing”; and

WHEREAS, in conformity with the procedures established in Article 4.3.3, entitled *Procedures and Fees for Conditional Use Permits and Planned District Zoning*, of the CLURO, Woodward Harbor has submitted an Application for Planned District and Conditional Use Approval for Sucette Harbor, a mixed-use development, with designs and drawings prepared by Trapolin Peer Architects (Hotel) dated March 15, 2022, revised on September 23, 2022, Arrive Architecture Group (Active Adult Buildings), dated August 1, 2018, revised on August 31, 2022, and Design Workshop (Urban and Landscape Site Planning), dated February 18, 2022, revised on August 26, 2022, attached hereto *in globo* as Exhibit “2”;

WHEREAS, Article 9.1.1.1.1, entitled *Provisions for “Parking Bank,”* of the CLURO allows for “parking spaces to be held in reserve as landscaped open space” for the potential future benefit of the public and the applicant/owner (see Exhibit “3”); and

WHEREAS, the City of Mandeville Planning and Zoning Commission (“Planning and Zoning Commission”), after giving proper notice, conducted public hearings for the proposed Sucette Harbor project on September 21, 2022, October 12, 2022, February 13, 2023, March 7, 2023, March 20, 2023, and April 17, 2023 and reported its findings and recommendations to the City Council of the City of Mandeville (“City Council”) on or about April 25, 2023 for a Conditional Use Permit and Planned District Zoning Approval; and

WHEREAS, the City Council has considered Article 4.3.3.8, entitled *Review and Evaluation Criteria*, of the CLURO with regards to the subject project and has reviewed the favorable recommendations of the Planning and Zoning Commission, attached hereto as Exhibit “4,” as well as the

site development plans for Sucette Harbor; and

WHEREAS, Parcel D is undeveloped ; and

WHEREAS, the City Council intends herein with this Ordinance to approve the site and development plans for Parcel D, to approve a conditional use permit for the subject project, and to authorize the land uses set forth below in Table 1; and

NOW THEREFORE, BE IT ORDAINED by the City Council, acting as the governing authority of the City of Mandeville, that the site development plans for **Sucette Harbor**, as well as all other drainage, landscape, parking, tree mitigation, marina, and building plans as contained in Exhibit “2,” are approved. The site plans, as contained in Exhibit “2,” for Sucette Harbor are specifically made a part of this ordinance and are incorporated herein by reference.

BE IT FUTHER ORDAINED by the City Council that the following land uses and intensities shown in Table 1 are approved, and a conditional use permit is granted to the applicant and the owner, for the development of the subject parcels of land as follows:

Table 1: Authorized Land Uses and Development Limits.

Land Use/Building Type	Limits
Residential Uses:	
Multi-family/Age Restricted Housing	201 Units
Commercial Uses:	
Hotel	84 Rooms 108,813 sf
Retail and Office	11,700 sf
Marina	110 Boat slips
Parking Spaces, including parking bank	589 spaces

BE IT FURTHER ORDAINED by the City Council that the subject parcel of land be approved for use as a Planned Combined Use District (PCUD) and re-zoned to the extent necessary.

BE IT FURTHER ORDANINED by the City Council that all variances and departures from the CLURO are granted for the subject project consistent with the attached site plans for Sucette Harbor.

BE IT FURTHER ORDAINED by the City Council that the Clerk of the Council be authorized and empowered to take any and all actions, within her discretion, deemed necessary to promulgate the provisions of this Ordinance.

The ordinance having been submitted to a vote; the vote thereon was as follows:

AYES:

NAY:

ABSTENTIONS:

ABSENT:

and the Ordinance was declared adopted this ____ day of _____, 2023.

Kristine Scherer
Clerk of Council

Rick Danielson
Council Chairman

Exhibit 1



Kelly McHugh
&
Associates, Inc.

LEGAL DESCRIPTION
OF
PARCEL D

A certain parcel of land situated in Section 46, Township 8 South, Range 11 East, City of Mandeville, St. Tammany Parish, Louisiana and more fully described as follows.

Commence at the corner common to Sections 42, 45 and 46, T-8-S, R-11-E and run North 06 degrees 15 minutes 00 seconds East a distance of 2028.3 feet; thence South 83 degrees 45 minutes 00 seconds East a distance of 1065.61 feet; thence South 06 degrees 35 minutes 40 seconds West a distance of 4453.12 feet; thence South 62 degrees 25 minutes 20 seconds East a distance of 718.40 feet; thence South 62 degrees 33 minutes 40 seconds East a distance of 1212.78 feet; thence South 62 degrees 25 minutes 25 seconds East a distance of 374.73 feet; thence South 27 degrees 34 minutes 40 seconds West a distance of 1120.00 feet to the POINT OF BEGINNING.

From the POINT OF BEGINNING continue South 27 degrees 34 minutes 40 seconds West a distance of 1,221.89 feet; thence North 77 degrees 53 minutes 30 seconds West a distance of 31.87 feet; thence North 75 degrees 21 minutes 10 seconds West a distance of 100.02 feet; thence North 53 degrees 21 minutes 30 seconds West a distance of 72.49 feet; thence North 76 degrees 05 minutes 10 seconds West a distance of 113.79 feet; thence North 56 degrees 27 minutes 30 seconds West a distance of 12.54 feet; thence North 10 degrees 25 minutes 20 seconds West a distance of 405.25 feet; thence North 17 degrees 34 minutes 40 seconds East a distance of 187.85 feet to a point on a curve; thence along a curve to the left having a radius of 275.00 feet a delta of 129 degrees 26 minutes 58 seconds, an arc length 621.62 feet and a chord which bears North 16 degrees 51 minutes 13 seconds East having a chord distance of 497.35 feet to a point on a line; thence North 42 degrees 04 minutes 15 seconds East a distance of 234.61 feet; thence South 47 degrees 55 minutes 46 seconds East a distance of 260.00 feet; thence South 83 degrees 44 minutes 15 seconds East a distance of 68.61 feet; thence South 64 degrees 51 minutes 03 seconds East a distance of 103.84 feet; thence North 25 degrees 08 minutes 55 seconds East a distance of 79.54 feet; thence South 64 degrees 51 minutes 05 seconds East a distance of 72.00 feet; thence South 62 degrees 25 minutes 20 seconds East a distance of 150.82 feet to the POINT OF BEGINNING, and containing 653,910.5 square feet or 15.012 acres of land.

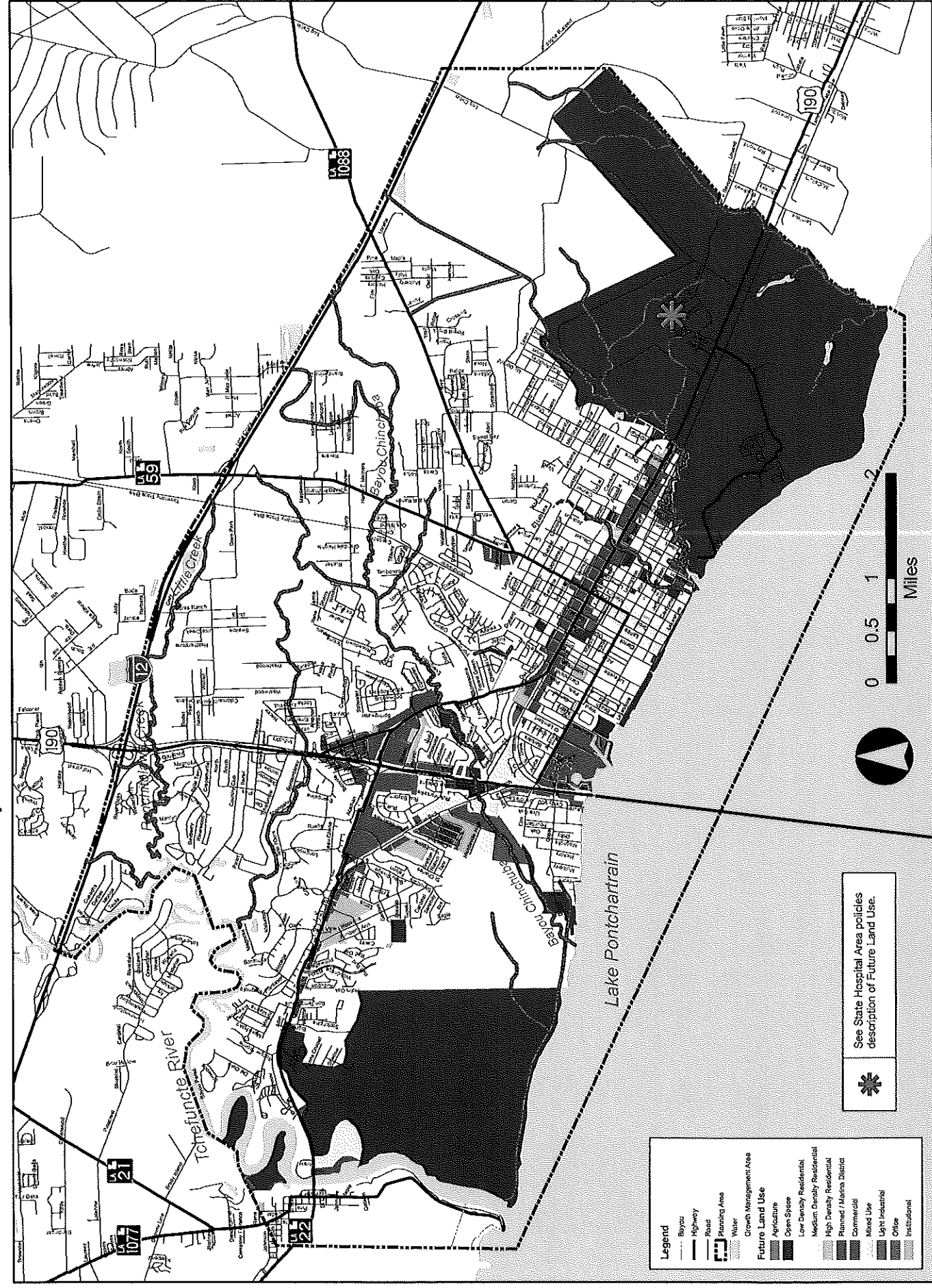


Kelly J. McHugh
Kelly J. McHugh, PLS
La. Reg. Land Surveyor #4443

Dated: 8-4-95

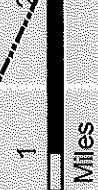
845 Galvez Street • P.O. Box 1207 • Mandeville, LA 70448 • (504) 626-5611
Civil Engineers Land Surveyors

Map 2 - Future Land Use

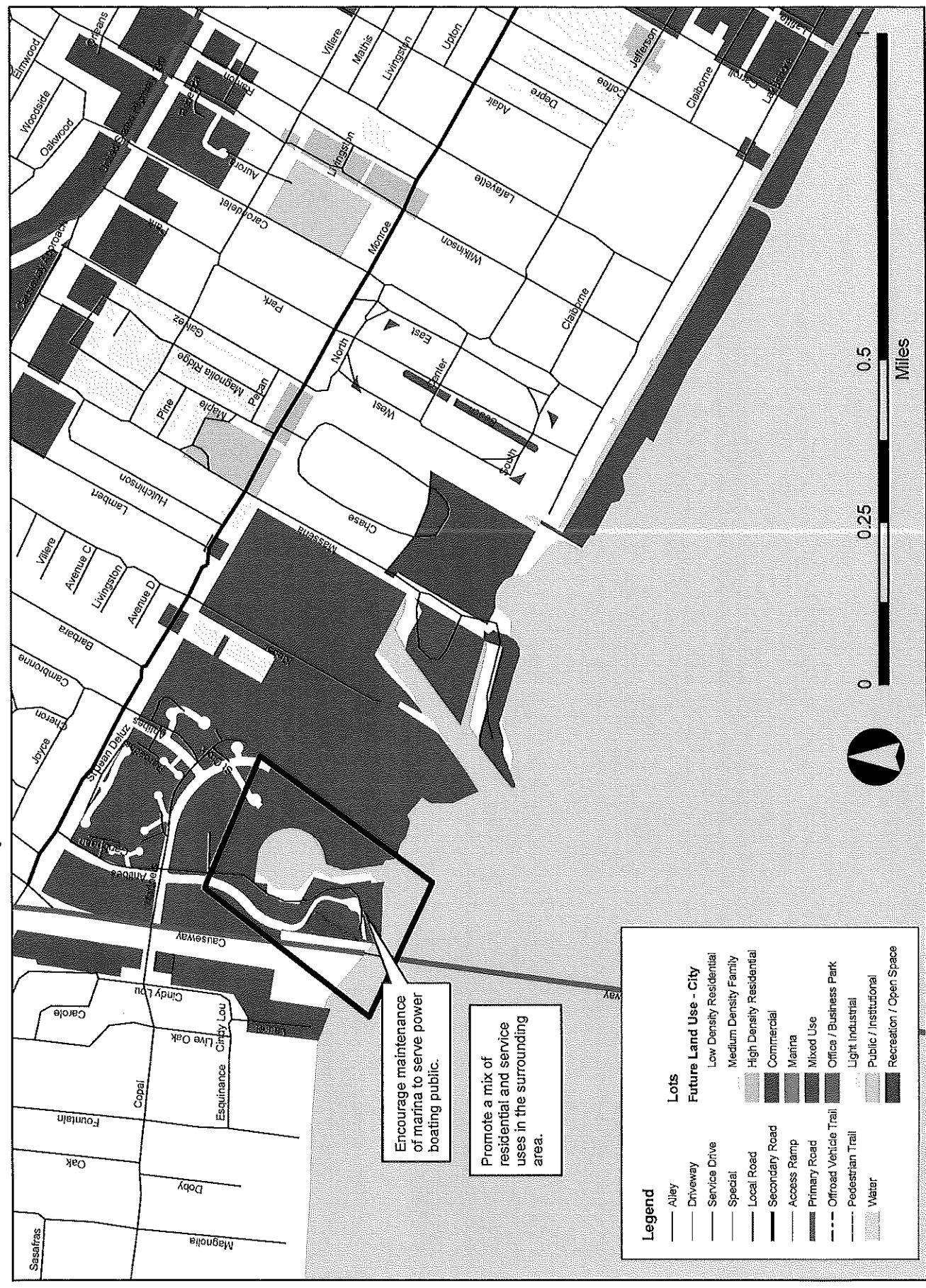


- Legend**
- Bayou
 - Highway
 - Road
 - Planning Area
 - Water
 - Crews Management Area
 - Future Land Use**
 - Agriculture
 - Open Space
 - Low Density Residential
 - Medium Density Residential
 - High Density Residential
 - Planned / Marina District
 - Commercial
 - Mixed Use
 - Light Industrial
 - Office
 - Institutional

See State Hospital Area policies description of Future Land Use.



Map 5c - West Marina Issues



Draft

Map Document: (C:\Clients\Wandeville, LA\Maps\Draft\Plan\Map 5c - West Marina Issues.mxd)
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Disclaimer: The data is subject to change and not an official representation. The data is provided by the map user and is not guaranteed. The map user is responsible for the accuracy, completeness, and timeliness of the data. The map user is responsible for the accuracy, completeness, and timeliness of the data. The map user is responsible for the accuracy, completeness, and timeliness of the data.

Marinas. Mandeville is a lakefront community that provides access to Lake Pontchartrain for residents and visitors. Marinas, located at the east and west ends of Old Mandeville, provide unique opportunities for the establishment of mixed-use neighborhoods with a maritime focus. The marinas along Bayou Castain serve the region's sailing community and are relatively inaccessible to the public. In recent years, there has been increasing emphasis on providing medium density residential opportunities in conjunction with these marinas. Despite the natural beauty of this setting, which overlooks State park lands, increased commercialization of this area should be discouraged. Poor street access through residential neighborhoods, limited land for parking and the desire of marina owners to minimize public access to private boat docks suggest that commercial activities will be largely limited to small scale restaurant, retail and service uses. The marina area at the north end of the causeway, which serves both power and sail boats, provides the opportunity for significant development and redevelopment activity, particularly when considered in conjunction with the vacant lakefront property to the east (see Pre-Stressed sub-area policies)

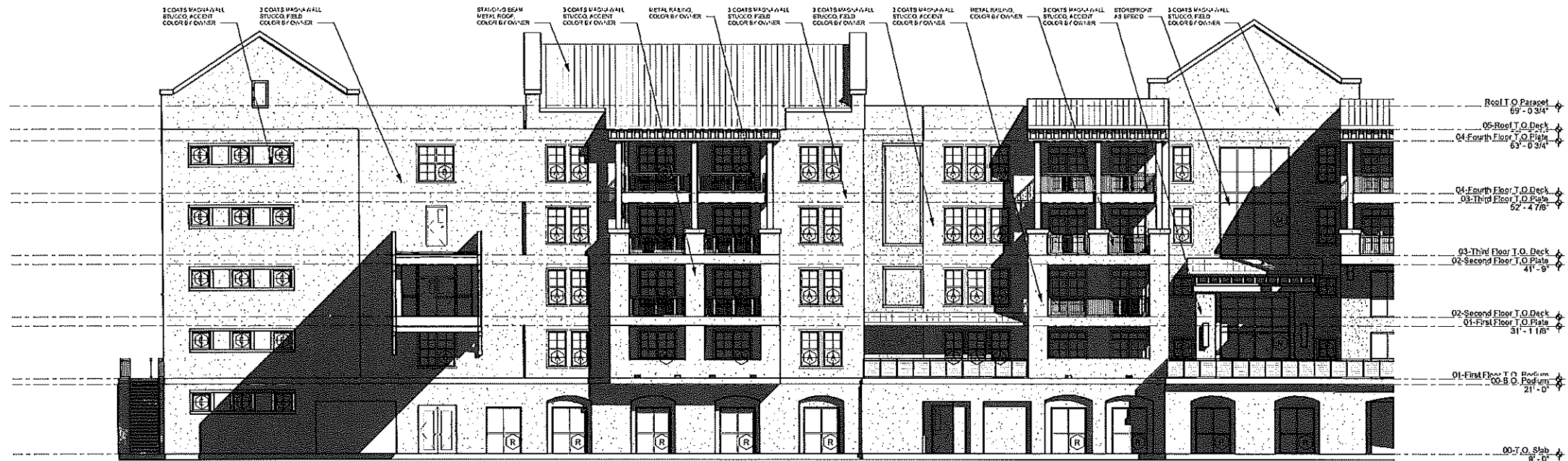
Goal 11: To provide diverse mixed-use marina environments and easy marine access for residents and visitors.

- Policy 11.1: Retain the character and intensity of the existing marinas located along Bayou Castain. Allow for a mix of residential and non-residential uses that primarily serve the sailing community using the marina. Avoid fuel sales and other businesses that would promote increased use of the Bayou for power boats.
- Policy 11.2: Provide limited public access to Bayou Castain through passive pocket parks in street rights of way that extend to the Bayou. These parks should be easily patrolled and designed to serve local residents who choose to walk or bike to the parks.
- Policy 11.3: Coordinate with marina operators along Bayou Castain and appropriate agencies to support long-term services for the sailing community.
- Policy 11.4: Encourage the development of waterfront restaurants and marine-related services for local residents, visitors and marina users near the causeway. Secure appropriate public access to these areas.

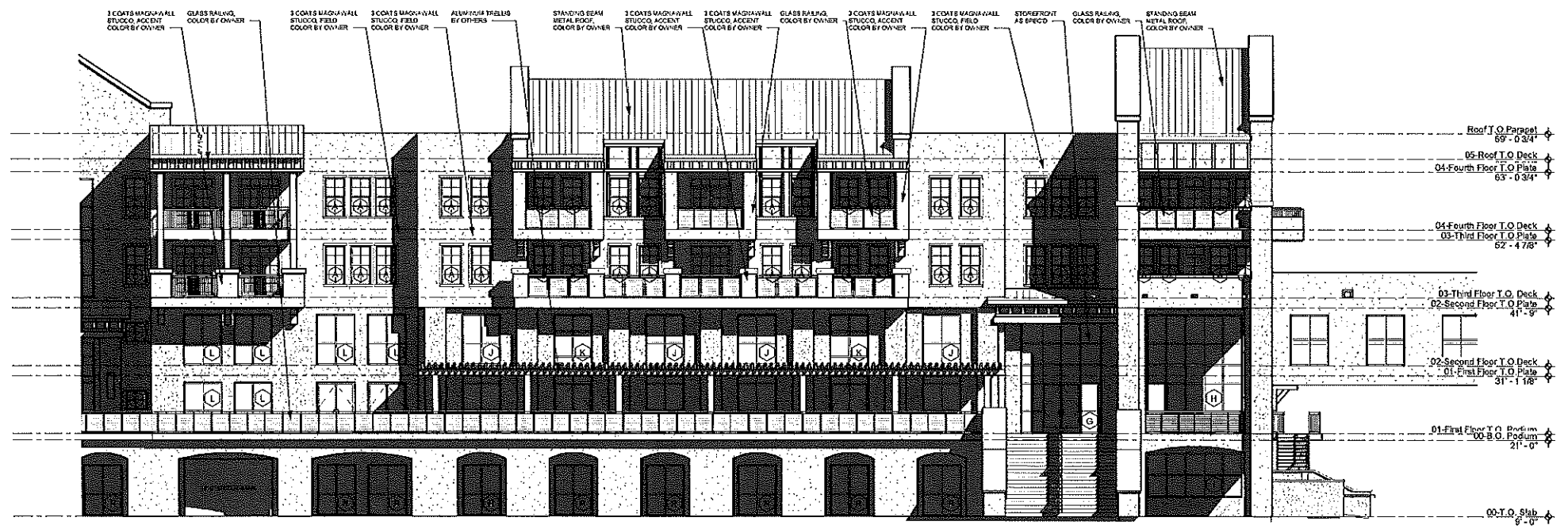
See Maps 5b and 5c showing the boundaries and issues related to the Marinas

3.3 - GENERAL DEFINITIONS OF THE LAND USE REGULATIONS.

183. *Planned Development.* Land under unified control to be planned and developed as a whole in a single development operation or a definitely programmed series of development operations or phases. A Planned Development includes principal and accessory structures and uses substantially related to the character and purposes of the planned development. A Planned Development is built according to general and detailed plans that include not only streets, utilities, lots and building location, but also site plans for all buildings as are intended to be located, constructed, used, and related to each other, and plans for other uses and improvements on the land as related to the buildings. A Planned Development includes a program for the provisions, operations, and maintenance of such areas, facilities, and improvements as will be for common use by some or all of the occupants of the Planned Development District, but which will not be provided, operated, or maintained at general public expense.



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2 EXTERIOR ELEVATION - MAIN BUILDING WEST
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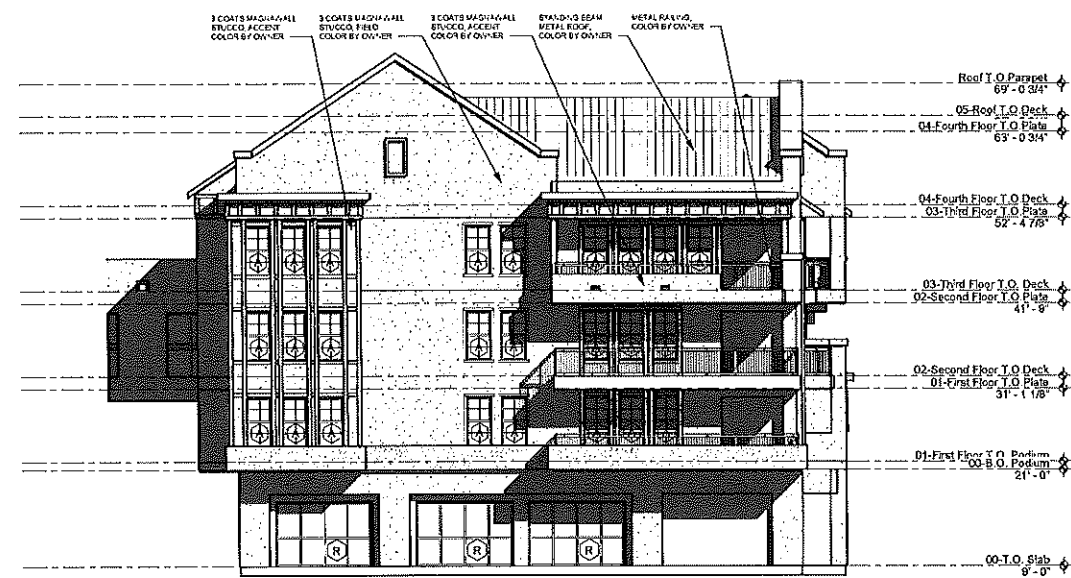
Sucette Harbor
Mandeville, LA

ARRIVE! ARCHITECTURE GROUP
2344 Highway 121 - Suite 100 - Redford, Texas 76021 - www.arriveag.com
PH: 817.514.0594 - FX: 817.514.0691

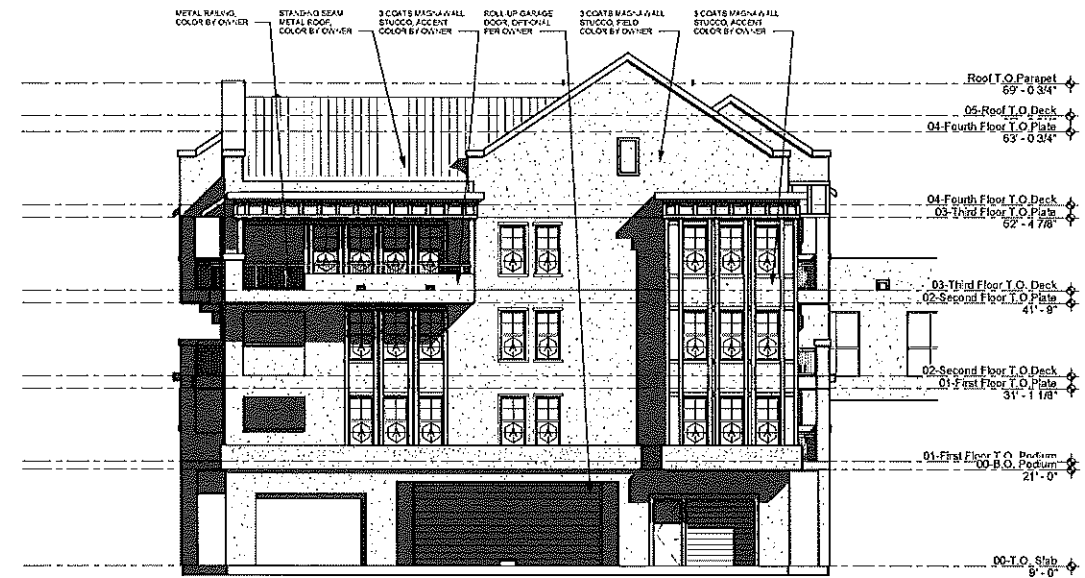
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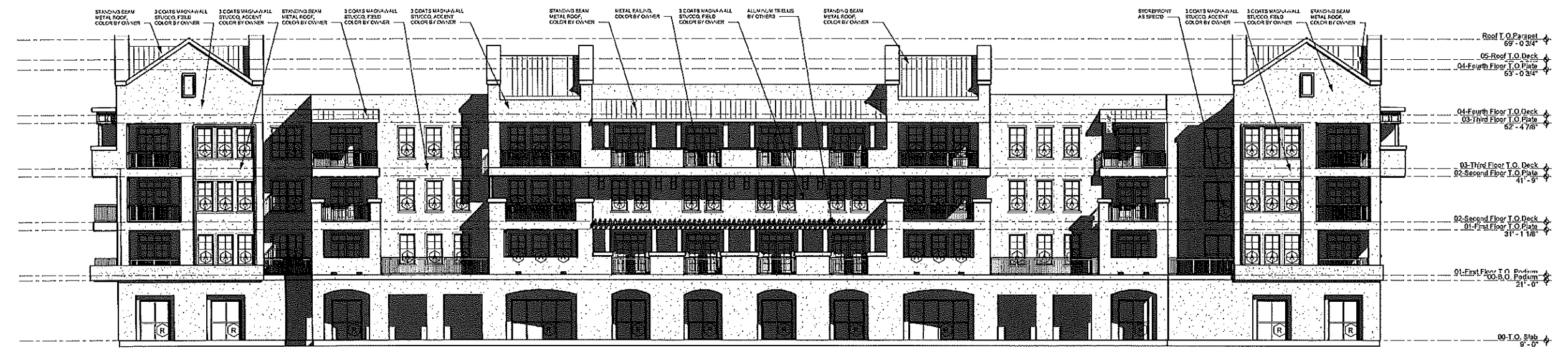
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1 EXTERIOR ELEVATION - SOUTH ANNEX WEST
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3 EXTERIOR ELEVATION - SOUTH ANNEX EAST
3/32" = 1'-0"



2 EXTERIOR ELEVATION - SOUTH ANNEX SOUTH
3/32" = 1'-0"

Sucette Harbor
Mandeville, LA

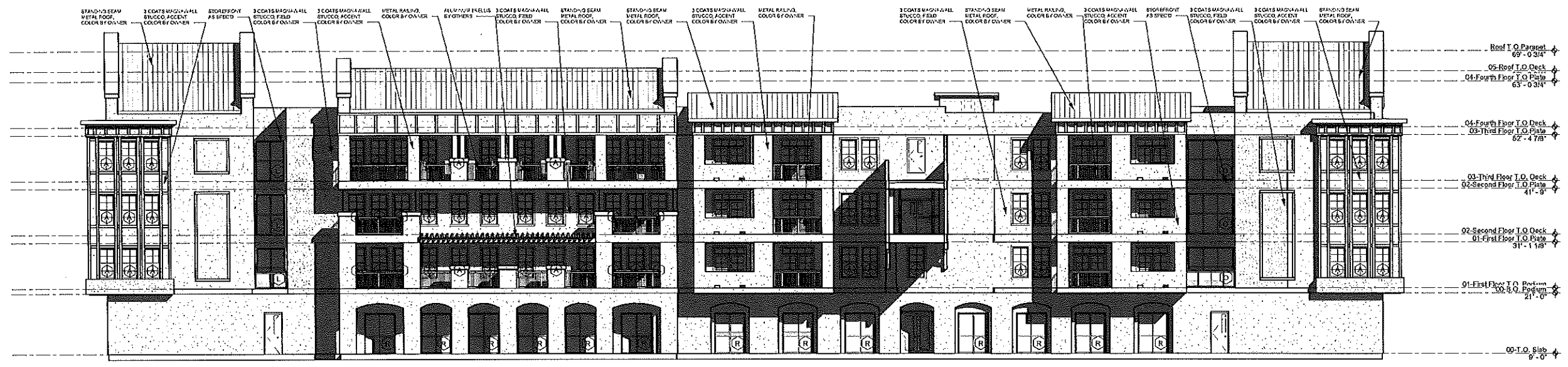
Architecture
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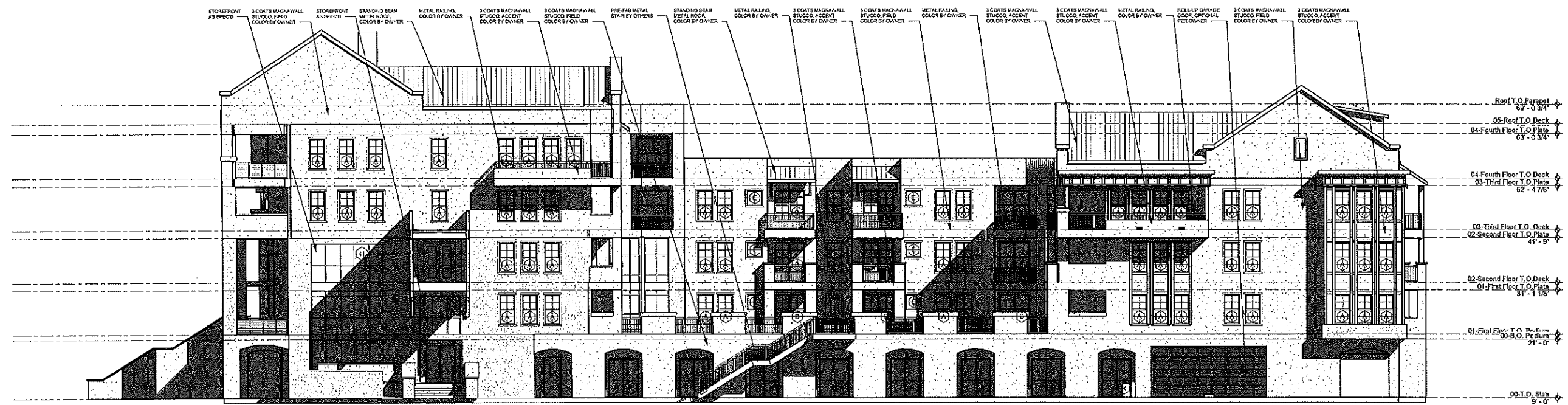
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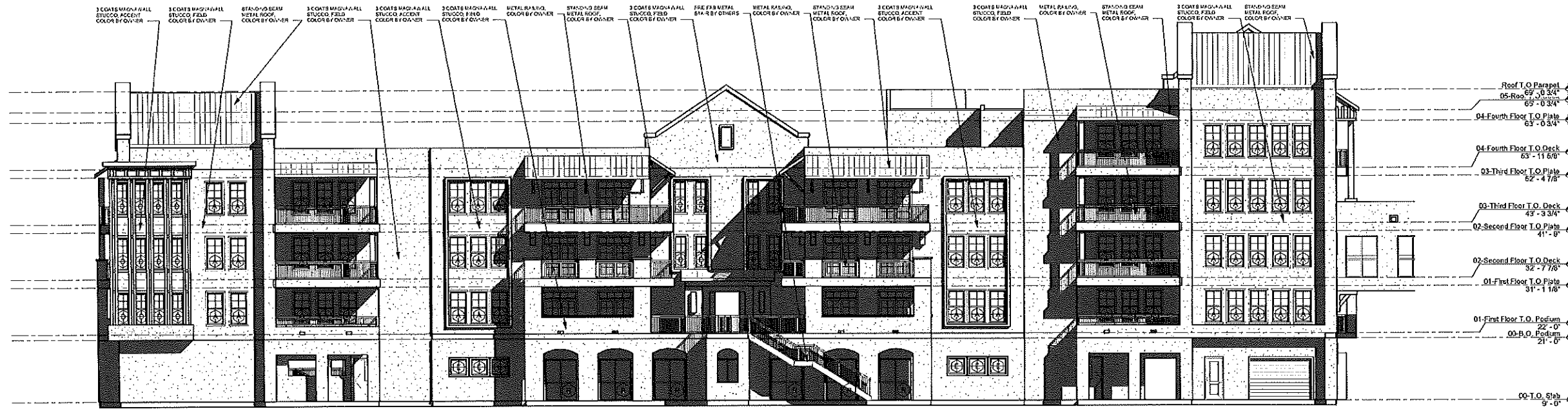
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Sucette Harbor
Mandeville, LA

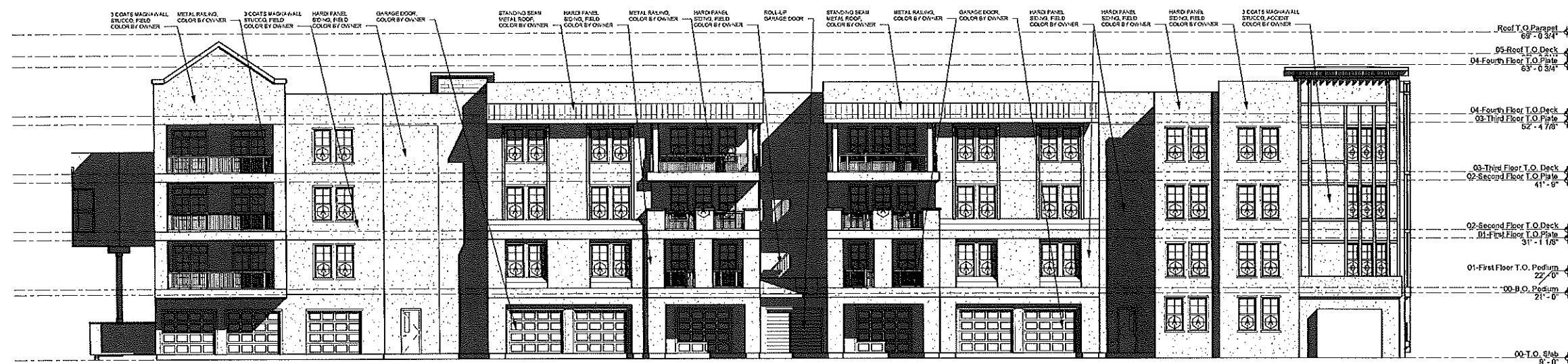
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Ph: 817.514.0594 - Fx: 817.514.0594

REVISION

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2 EXTERIOR ELEVATION - NORTH ANNEX NORTH
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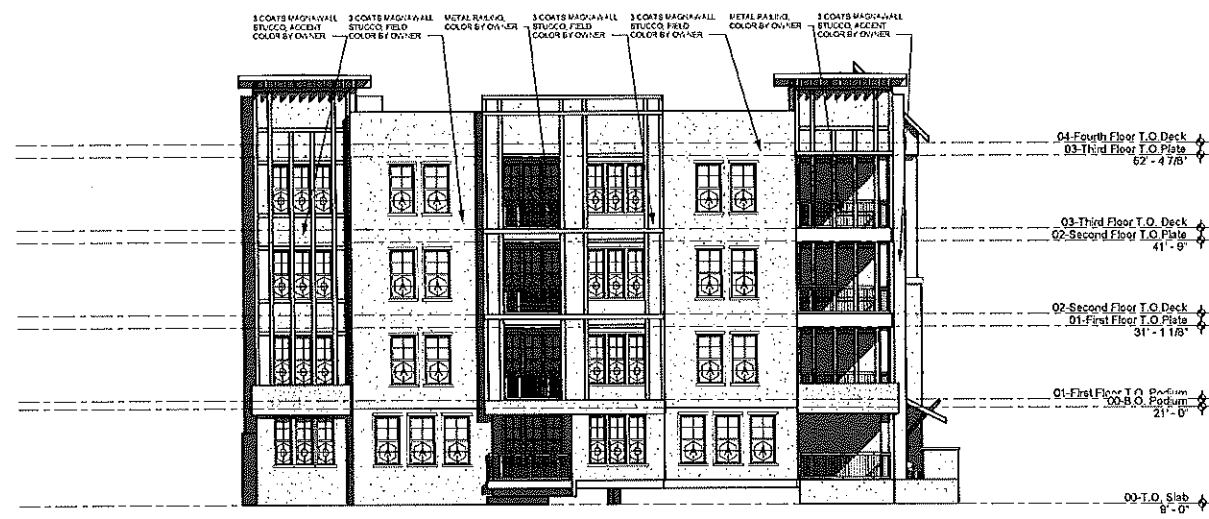
Sucette Harbor
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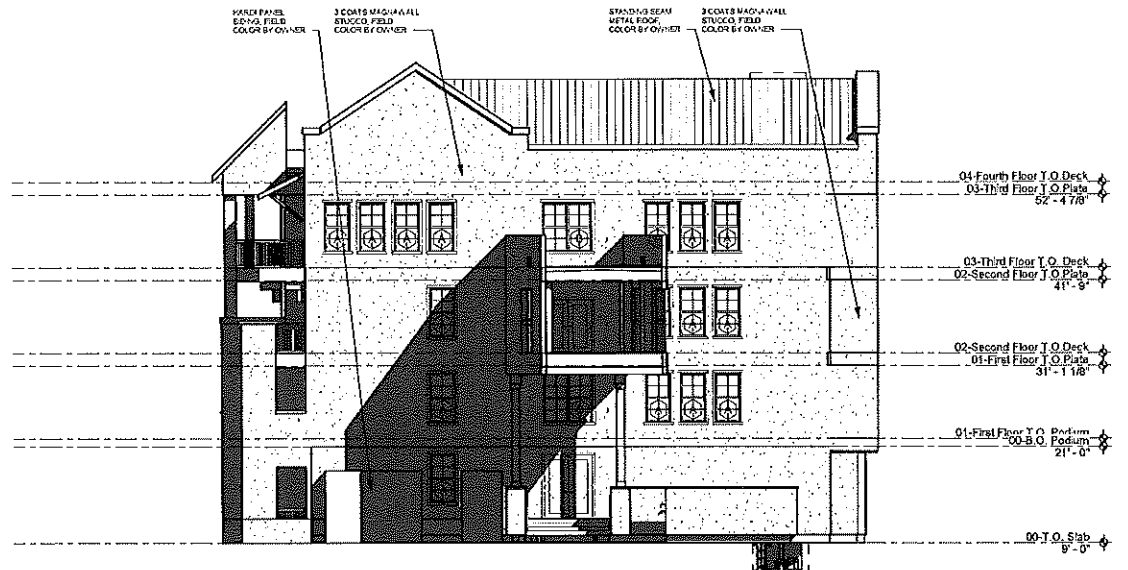
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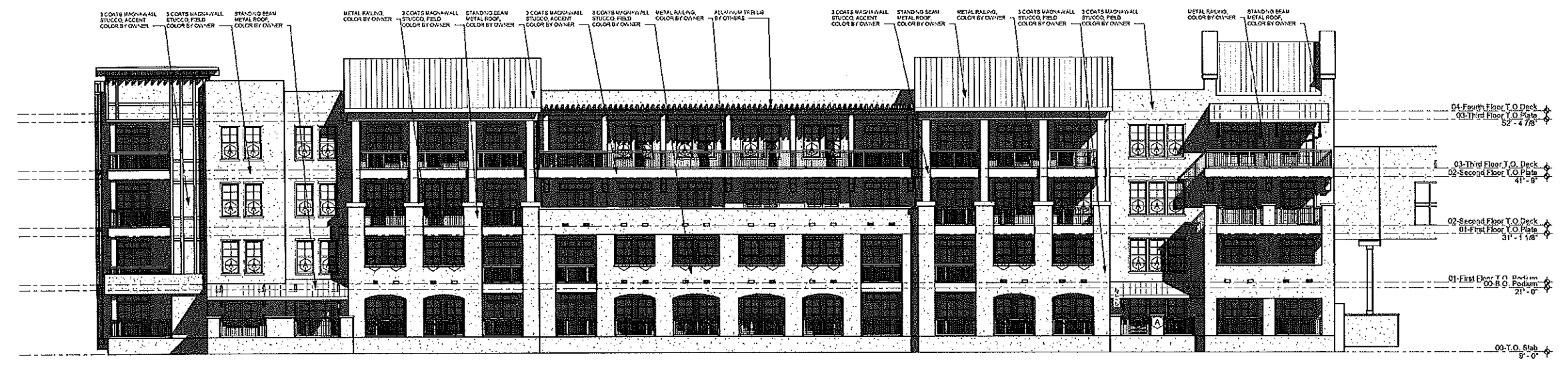
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3 EXTERIOR ELEVATION - NORTH ANNEX EAST
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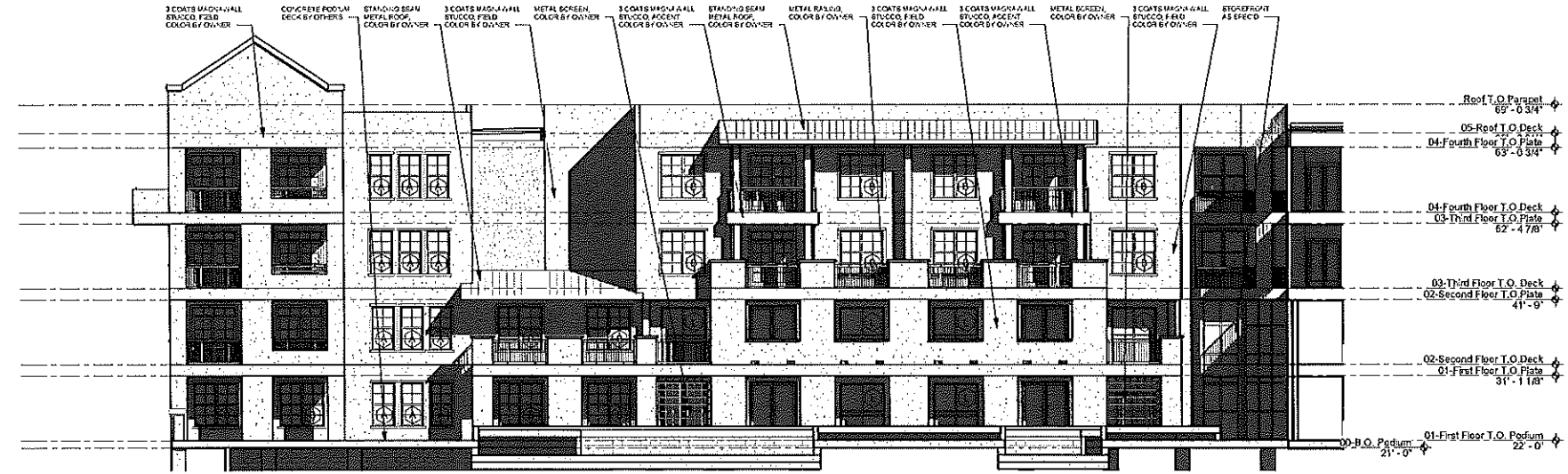
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Sucette Harbor
Mandeville, LA

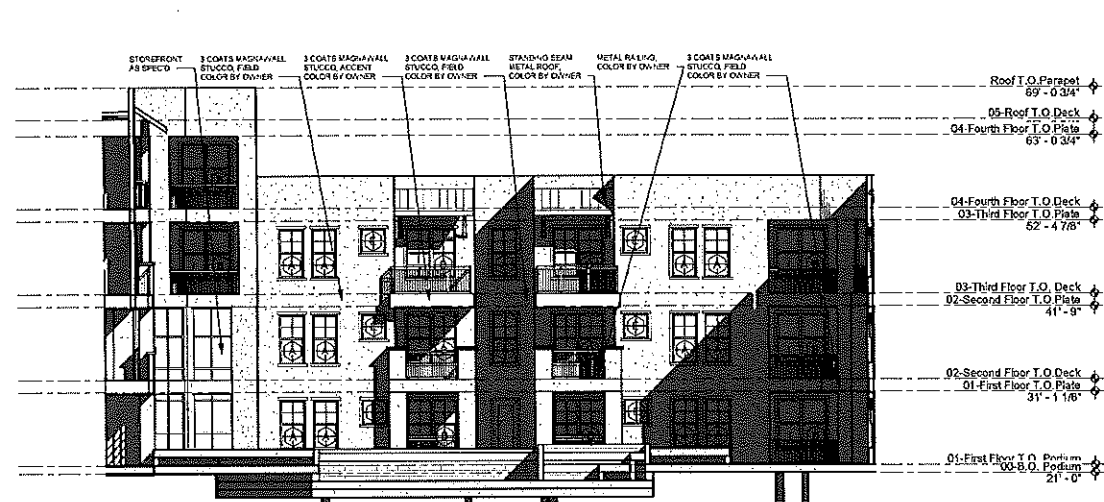
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2344 Highway 121 - Suite 100 - Bedford, Texas 76021 - www.ArriveAG.com
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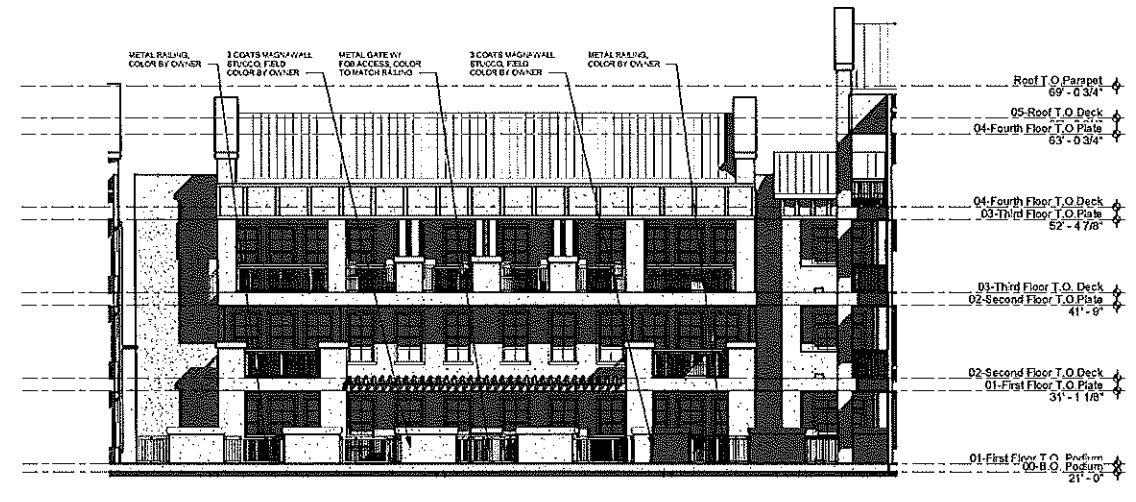
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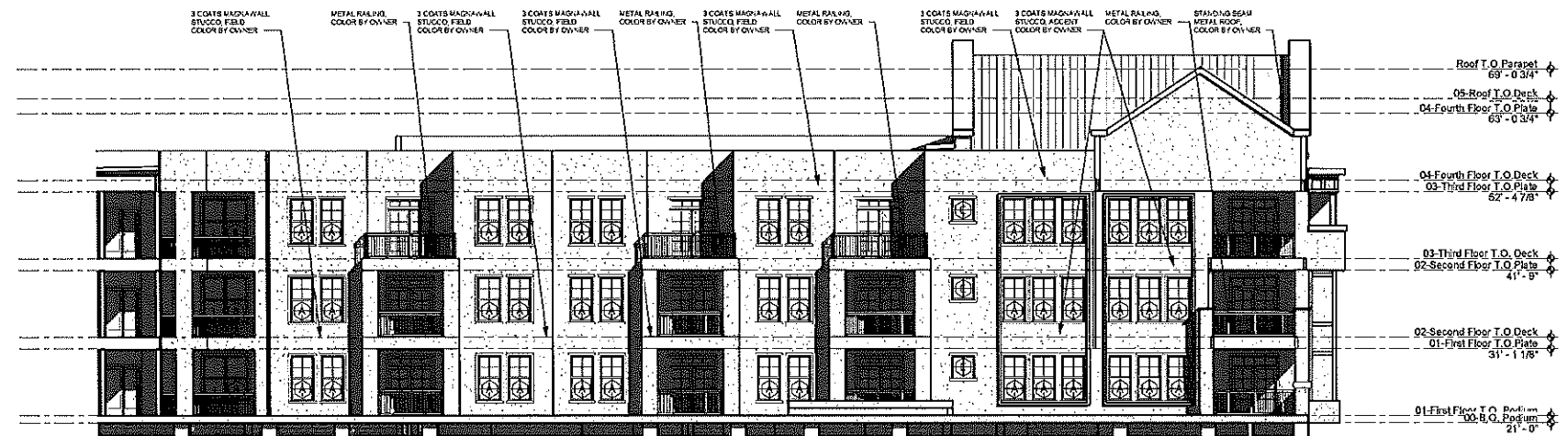
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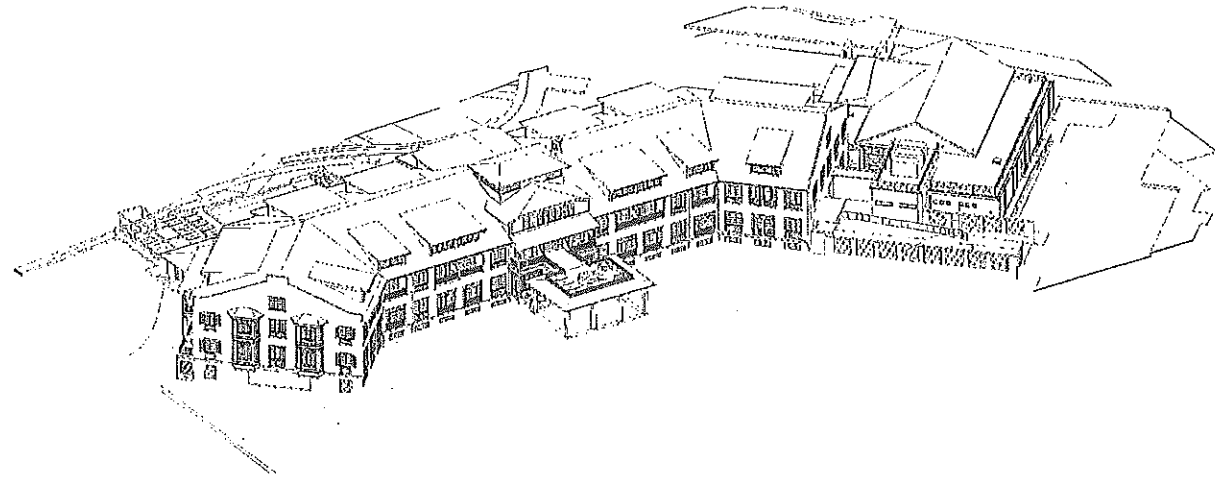
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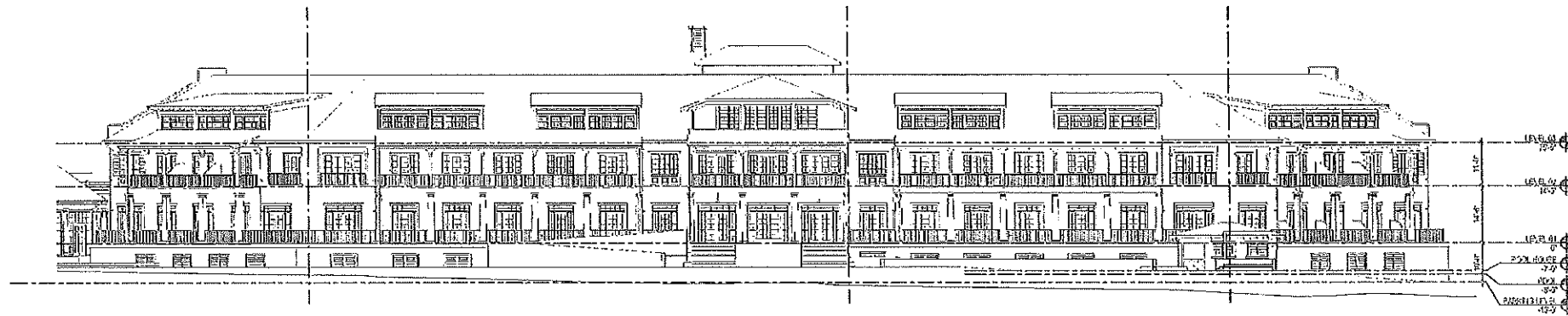
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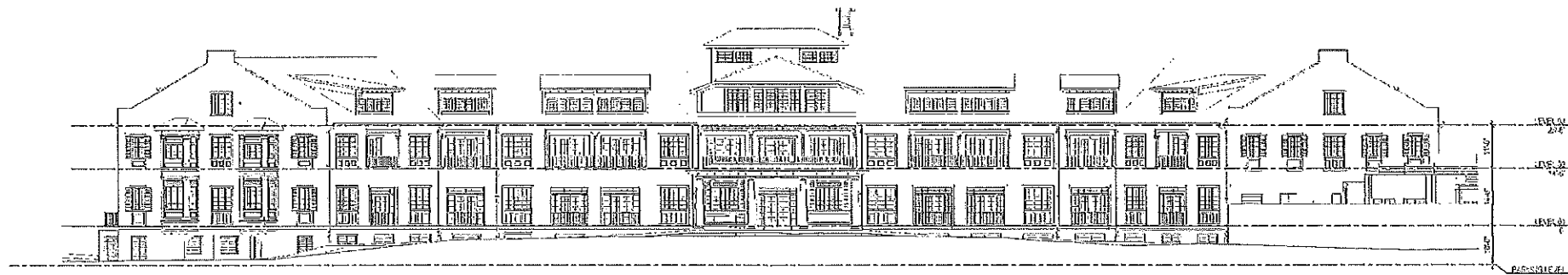
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3 BUILDING AXONOMETRIC
SCALE



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1 BUILDING ELEVATION - HOTEL - NORTH
SCALE: 1/8" = 1'-0"

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TRAPOLIN PEER
ARCHITECTS
DESIGN
DEVELOPMENT

SHORELINE HOTEL &
EVENT SPACE
NEW CONSTRUCTION
Mathews Blvd
Mandeville, LA 70448

OWNER
Woodward Harbor LLC
1003 S. H. H. Blvd., Frantz Parkway
New Orleans, LA 70112
(504) 825-1122

ARCHITECT
TRAPOLIN PEER
509 TCHOUPETOLAIS ST.
NEW ORLEANS, LA 70112
(504) 523-9772
www.trapolinpeer.com

COMPANY
Company Name
Street Address
City State
Phone Number

NOT FOR
CONSTRUCTION

REVISION / DESCRIPTION / DATE



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BLDG
ELEVATIONS -
OVERALL

A3.01

EXHIBIT 3

ARTICLE 9. - PARKING, LANDSCAPING AND OPEN SPACE REGULATIONS

9.1 - PARKING AND LOADING REGULATIONS.

9.1.1.11. *Provisions for "Parking Bank"*.

Parking spaces otherwise required by this ordinance when varied by the Zoning Commission or Planning Commission in accordance with the provisions of this ordinance to allow for such parking spaces to be held in reserve as landscaped open space shall be known as a "parking bank". A parking bank shall not be used for the construction of any structure which would interfere with its intended use as future parking spaces.

EXHIBIT 4

4.3 - LEGISLATIVE AND ADMINISTRATIVE PROCEDURES

4.3.3.8. *Review and Evaluation Criteria.*

The Planning Director, the Planning Commission and the City Council shall review and evaluate and make the following findings before granting a Conditional Use Permit or Planned District zoning using the following criteria:

1. Comparison with applicable regulations and standards established by the Comprehensive Land Use Regulations applicable to the proposed use and site.
2. Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, and access and circulation features.
3. Potentially unfavorable effects or impacts on other existing conforming or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site by a permitted use.
4. Modifications to the site plan which would result in increased compatibility, or would mitigate potentially unfavorable impacts, or would be necessary to conform to applicable regulations and standards and to protect the public health, safety, morals, and general welfare.
5. Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonable and anticipated in the area considering existing zoning and land uses in the area.
6. Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.
7. Location, lighting, and type of signs; and relation of signs to traffic control and adverse effect on adjacent properties.
8. Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.

9. Conformity with the objectives of these regulations and the purposes of the zone in which the site is located.

10. Compatibility of the proposed use and site development, together with any modifications applicable thereto, with existing or permitted uses in the vicinity.

11. That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed use with existing or permitted uses in the same district and the surrounding area.

12. That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare, or community aesthetics, or materially injurious to properties or improvements in the vicinity.



MANDEVILLE

A Historic Lakefront Community

Planning and Zoning Commission

KAREN GAUTREAUX, CHAIRWOMAN
PLANNING COMMISSION

BRIAN RHIHART, CHAIRMAN
ZONING COMMISSION

CARA BARTHOLOMEW, AICP
DIRECTOR, DEPT. OF PLANNING & DEVELOPMENT

MEMBERS:
SCOTT QUILLIN
SIMMIE FAIRLEY
NIXON ADAMS
CLAIRE DURIO
MIKE PIERCE

CITY OF MANDEVILLE PLANNING AND ZONING COMMISSION RECOMMENDATION TO THE CITY COUNCIL REGARDING A REQUEST TO REZONE PARCEL D, MARINERS VILLAGE SUBDIVISION FROM PLANNED RESIDENTIAL DISTRICT TO PLANNED COMBINED USE DISTRICT AND TO ESTABLISH SITE DEVELOPMENT CRITERIA AND ALLOWABLE USES WITHIN THE DISTRICT

LSU Health Foundation submitted an application requesting a zoning change (Z22-10-02) and approval of conditional uses (CU22-10-02) permitted for Parcel D, a 15-acre parcel located within Mariners Village as described by a survey prepared by Kelly J. McHugh & Associates, Inc dated 08.04.1995. The application was submitted to the Dept. of Planning and Development on August 18, 2022.

The Planning and Zoning Commission held 5 public hearings and a voting meeting.

On April 17, 2023, the Planning and Zoning Commission recommended (4-3) that the City Council approve the request for Planned Combined Use District, Conditional Uses as described in the Case Summary and the Site Plan prepared by Trapolin-Peer Architects and Arrive Architecture Group, the Landscape Plan by Design Workshop, with the following conditions:

1. A pedestrian and bike path is included on the plans,
2. The landscaping is inspected by the City to ensure health and viability and that
3. The plans are reviewed by the City's Design Review Committee

An Ordinance will be introduced to the City Council at the May 11, 2023 meeting. The Dept. of Planning and Development will supply the Council with a memo outlining the request and recommendations all supporting documents.

CASE SUMMARY SHEET

CASE NUMBER: CU22-08-01/Z22-08-01

DATE: March 14, 2023 Revised April 12, 2023

DATE OF MEETING:

Special Meeting September 21, 2022
 Special Meeting October 12, 2022
 Special Meeting February 13, 2023
 Special Meeting March 7, 2023
 Work Session March 20, 2023
 Meeting April 17, 2023

Address: Unassigned

Subdivision: Mariners Village Parcel D

Zoning District: PRD Planned Residential District

Property Owner: LSU Health Foundation

Applicant: Woodward Design

REQUEST: Z22-10-02 – LSU Health Foundation requests the rezoning of a Planned Residential District to Planned Combined Use District and to establish site development criteria and allowable uses within the district, Parcel D Section 46, Mariners Village Subdivision, PRD Planned Residential District, Mariners Blvd

CU22-10-02 – LSU Health Foundation requests Conditional Use Approval to allow Administrative and Business Offices (6.4.1), Multi-Family Residential (6.2.7), Lodging (Transient) – Hotel/Motel (6.4.44), Restaurant-Sit Down with lounge (6.4.67), General Retail Sales (Conveniences) (6.4.38), Marine Services-Marina (6.4.53) and Marine Services – Retail (6.4.54) as defined in Article 6 - Land Use Classifications per the Table of Permitted Uses, CLURO Section 7.8, Parcel D Section 46, Mariners Village Subdivision, PCUD Planned Combined Use District, Mariners Blvd

CASE SUMMARY:

LSU Health Foundation owns Parcel D, Mariners Village Subdivision, containing 15 acres, bounded by Lake Pontchartrain to the South, Mariners Village Marina to the west, Mariners Village Subdivision to the North and a City Drainage lateral to the east. The property is accessed by Mariners Blvd that runs from N. Causeway Approach, and Antibes ST. W and Antibes St. E from Monroe St. The property is zoned Planned Residential District per Ordinance 98-40. **Section 4.3.3.12 Lapse of Conditional Use Permit or Uses in Conjunction with Planned District Zoning** states the uses and site plan approved by Ordinance 98-40 expire after 2 years if a construction permit have not been issued. The zoning remains Planned Residential District. The applicant is proposing multi-family residential uses and commercial uses therefore requiring the property to be rezoned to Planned Combined Use District and establish the permitted uses within the district.

The purpose of the Planned District Zoning District is to provide for an improved level of aesthetics, safety and environmental sensitivity and design flexibility in conjunction with a site plan review procedure for the approval of a combination of uses on one unified development site. There are no prescriptive Site Development Regulations associated with a Planned District. The developer is required to propose criteria that is suitable for the site.

CONDITIONAL USES REQUESTED:

According to Section 7.5.15.2 Planned District Permitted Uses, all uses proposed will be Conditional and require review according to Article 4 Conditional Use Permits and Planned District Zoning. The below uses are currently permitted with the R-3 Multi-Family Residential District and the B-2 Highway Business District. The following uses are proposed for the Planned District:

Multi-Family Residential – as defined by Section 6.2.7
Administrative and Business Offices, as defined by Section 6.4.1
General Retail Sales (General), as defined by Section 6.4.39
Lodging (Transient) Hotel/Motel, as defined by Section 6.4.44
Marine Services – Boat Sales/Service, as defined by Section 6.4.49
Marine Services – Retail, as defined by Section 6.4.54
Restaurants – Limited Service, as defined by Section 6.4.64.2
Restaurants – Limited Service – Outdoor, as defined by Section 6.4.65
Restaurants – Sit Down with Lounge, as defined by Section 6.4.67

The applicant is requesting the above uses to be conditionally allowed within the Planned Combined Use District. Any use not explicitly requested is not allowed within the district unless amended by Ordinance.

SITE DEVELOPMENT CRITERIA:

The proposed uses include a hotel, multi-family residential, restaurant, marina, offices, and retail space. For comparative purposes the hotel, restaurant, office and retail space will utilize the B-2 site development criteria as the basis for review. The multi-family will follow the R-3 Multi Family District Criteria and the marina follows the PM – 1 Planned Marina District – Waterfront Criteria. The criteria is not prescriptive for the Planned District but rather a basis for review.

Section 4.3.3.3 Concurrent Application allows for the concurrent application for the rezoning of the property and Conditional Uses.

Planned District zoning allows for the departure of the base zoning regulations when the developer is able to demonstrate how the submitted plan departs from the regulations and how the departure creates an improved site. The applicant has submitted a statement dated September 21, 2022. The applicant is requesting the following departures from the CLURO:

1. Height – **Section 7.5.4.3 Site Development Criteria – R-3 Multi-Family Residential District**
2. Gross Square Footage of the Hotel – **Section 7.5.9.3 Site Development Criteria B-2 Highway Business District**
3. Parking – **Section 9.1.4 Minimum Off-Street Parking Requirements**
4. Removal of Live Oaks (Variance) **Section 9.2.5.7 Live Oak Protection Requirements**

R-3 Site Development Criteria		
	R-3	Proposed
Building Sq. Footage	No Max.	394,331
Minimum Lot Area per Unit	3,000 650,570/3,000 = 216 Units	201 Units
Max. Height	35' / *50'	60.75'
Max. Impervious	60%	60%

B-2 Site Development Criteria		
	B-2	Proposed
Minimum Lot Area	15,000	15 acres (650,570 sq ft)
Maximum Building Size:	100,000	
	Hotel	108,813 (82 Rooms)
	Retail	3,917
	Restaurant	9,231
Max. Impervious Area	75%	60%
Max. Building Height	35'/50*	
	Hotel	33'
	Multi-Family	60'
	Café/Retail	16'
	Restaurant	29'

The height request of 60' is for a portion of the multi-family building. The remainder of the building is at 50'. The hotel is at 33', retail/café is at 16'. The 60' height is approximately 75' from the property line. See Exhibit 01, 02, 03 by Arrive Architecture Group dated 08.01.18.

**In a R, B-1, B-2, B-3 or PM district, pitched roofs with a minimum 7:12 (rise/run) roof pitch with may be approved for a height of up to forty (40) feet pursuant to section 8.1.1.7 where the ground of the structure floor is required to be elevated more than six (6) feet above grade to comply with FEMA requirements and provided that no portion of the roof exceeds 50 feet in height measured from the highest point of the street in front of the building or structure.*

The Parking and Landscaping requirements will follow the regulations within **Article 9 Parking, Landscaping and Open Space Regulation**.

Parking Requirements:

Parking Calc.	Regulation	Calculation	Proposed
Hotel	1 space per unit + 1 per 200 sq ft gross floor area Excluding guest rooms/halls	129	114
Restaurant	1 per 200 sq ft.	45	45
Café/Retail	1 per 250 sq ft	23	23
Marina	1 per 4 boat slips	25	18

Multi-Family Res.	2 per 1-3 Bedroom	402	301
Total		624	500

The applicant is requesting to deviate from the existing parking requirements by 124 spaces. The applicants have submitted a report by ARRIVE ARCHITECTURE GROUP, dated August 2, 2022 explaining the request to calculate the parking for the multi-family use as 1.5 spaces per unit rather than the 2-space unit calculation.

At the March 7, 2023 meeting, the Commission requested the applicant explore the parking mitigation option laid out in **CLURO Section 9.1.1.11 Provisions for "Parking Bank"**

9.1.1.11. Provisions for "Parking Bank"

Parking spaces otherwise required by this ordinance when varied by the Zoning Commission or Planning Commission in accordance with the provisions of this ordinance to allow for such parking spaces to be held in reserve as landscaped open space shall be known as a "parking bank". A parking bank shall not be used for the construction of any structure which would interfere with its intended use as future parking spaces.

The applicant has submitted an alternative plan to bank an additional 84 spaces should the site need the additional parking. The parking bank is per plans by Design WorkShop Sheet LO-01 Site Hardscape Reference Plan dated 03.18.2023

Landscape Requirements:

The applicant has submitted a landscape plan, tree mitigation plan, illustrative site plan, soft scape reference plan and a Live Oak assessment. There are 8 Existing Live Oaks on the property. The applicant is requesting to remove 5 Live Oak trees on the site that will be within the footprint of the proposed development. The tree report by Buck Abbey, ASLA, states the trees to be removed are growing in an existing drainage way and are not in good structural health. They range between 36 and 48" dbh. The three remaining Live Oaks are 72" dbh. The applicant is proposing to replace the 5 Live Oaks, with 36 new live oaks.

The proposed landscape plan is compliant with Article 9.2 Landscape Regulations.

Traffic Impact Analysis:

Digital Engineering along with Department of Public Works has reviewed the Traffic Impact Analysis performed by the Developer's consultant, Urban Systems, Inc. and are in agreement with the ultimate findings of the report and that the report shows the proposed development can maintain acceptable levels of service in the forecast year as per the CLURO with their proposed recommended improvements.

The proposed use and site development criteria above will be required to follow the established criteria proposed or as amended by the Planning & Zoning Commission and/or City Council. All site development criteria not explicitly mentioned within this report and the proceeding Ordinance to City Council shall follow the current Land Use regulations.

CLURO CITATIONS:

7.5.15.1. Purpose of the Planned District

The purpose of the Planned District shall be to provide for an improved level of aesthetics, safety and environmental sensitivity and design flexibility in conjunction with a site plan review procedure for the approval of residential, commercial, industrial or a combination of these uses on one unified development site by ordinance of the City Council subsequent to the recommendation of the Planning Commission. Development sites approved by ordinance under the site plan review procedures of a Planned District shall be approved as a Planned Residential District (PRD), a Planned Commercial District (PCD), a Planned Industrial District (PID) or a Planned Combined Use District (PCUD) in accordance with the classification of use or uses proposed and/or existing. Planned District applications shall contain a statement by the developer as to how the submitted plan departs from the existing requirements of this Land Use Regulations Ordinance and any other regulations applicable to the proposed use or uses for the district in which the proposed use could be established of right and how each departure improves what otherwise would be required under these regulations.

4.3.3.3. Concurrent Applications

Application for a Conditional Use Permit and for Rezoning or Planned District zoning for the same property may be made concurrently, subject to the fees applicable to a rezoning or Planned District zoning only. The Planning Commission and Zoning Commission may hold the public hearing on the Rezoning and the Conditional Use Permit at the same meeting and may combine the two hearings. The City Council likewise may hold the two public hearings in combination and may approve both the Conditional Use and rezoning or Planned District zoning by one ordinance.