

**OLD METAIRIE COMMISSION (OMC) MINUTES
PUBLIC HEARING
December 2nd, 2021 9:00 a.m.**

In Attendance

Old Metairie Commission Members

	<u>Present</u>	<u>Absent</u>
Clifford Brown, Chair	√	
David Webber, Vice-Chair	√	
Dr. Monica Monica	√	
Thomas McAlister	√	
Peter A. Waring	√	

Planning Department

Brooke P. Tolbert, Assistant Director
Jay Hébert, Senior Planner
Alena Gesser, Senior Planner
Shakeeb Shariff, Planner II
Alex Nassar, Planner II
Cinthya Chacon, Typist Clerk III

Others

Hanon deVerges, Sr. Asst. Parish Attorney
Rick Hollier, Inspection and Code Enforcement

Mr. Brown, Chairman, introduced himself, other members of the Commission, and the Parish staff.

The Old Metairie Commission (OMC) conducted the December 2nd, 2021 Public Hearing at the Joseph S. Yenni Building in The Council Chambers, located on the 2nd floor, 1221 Elmwood Park Blvd., Jefferson, LA 70123. Mr. Brown proceeded to the agenda and opened the meeting at 9:02a.m.

OM-35-21 601 Northline St.; A request for an addition to the existing residence with a variance to the side yard setback, and tree removal on Lot 2, Square K, Metairie Club Gardens Subdivision, Jefferson Parish, LA, bounded by Woodvine Ave., Geranium St., and Iona St., zoned R-1D Rural Residential District/ OMNCD Old Metairie Neighborhood Conservation District. (Council District 5)

Mr. Nassar reported the findings of the case. The Planning Department recommends the following:

Denial, for the following reasons:

- The proposal does not comply with the 15 ft. side yard setback requirements for the R-1D Rural Residential Zoning District. Per the OMC design guidelines, the open character of the existing streetscape set by the spacing between houses and by spacing between structures and the street are to be preserved. The site is located on the corner of Northline St. and Iona St. The addition will significantly impact the Iona St. streetscape.
- There is ample buildable area of the lot to accommodate an addition without encroaching into the required side yard setback.

Mr. Brown opened the floor for the applicant/representative to speak.

Michael Reid, from Classical Roots Architecture, representing Billy Gunther at 601 Northline St. Mr. Reid stated he wanted to start off by saying Mr. Gunther was unfortunately unable to attend due to a fundraiser he had to attend. Mr. Reid stated his office had been retained to represent Mr. Gunther and obtaining the variance for the master bedroom addition at 601 Northline St., Mr. Reid explained into detail the reasonings to his proposals. Mr. Reid also stated he had received 3 letters of support/approval from 3 of the adjoining neighbors. Mr. Reid added he had spoke with Mr. Gunther about it and Mr. Gunther had stated he had spoken with Ms. Favrot and it's been to consensus that 601 Iona St., is the twin sister building and that was designed for one of the daughters and 608 was for his other daughter. Mr. Reid asked the Old Metairie Commission to recommend and approve their design to the Jefferson Parish Zoning Board Adjustments.

Mr. Brown opened the floor for any proponents to speak. There were none.

Mr. Brown opened the floor for any opponents to speak. There were none.

Mr. Brown opened the floor for comments from the Commissioners.

Dr. Monica asked Mr. Reid if what he means is he cannot stay within the 15 ft. side yard because he thinks it's going to cause a visual disturbance to that front door in the way the building is positioned on the street?

Mr. Reid stated that was correct. Mr. Reid stated when they started laying out the master bedroom addition, the design of and the width of the master bedroom addition in order for them to make it comfortable, Favrot always taught him that you needed a decent amount of space in a master bedroom. Around 20 ft. as minimum. Mr. Reid stated as they started laying it out, at that point they wanted to keep the volume in the plot into form, so at that point they need the wind to extend out and where the front door is located is actually off-center from the lot itself. So, the main body of the home is where it is and they would like to keep that there. They wouldn't want to demolish it and they also want to make it comfortable for their clients at the end of the day.

Mr. Brown stated he thinks this really does add to the house symmetry-wise. Mr. Brown also added that the fact that O'Krepki's corner is a different zoning than this corner, she is, he believes 10 ft. from her side setback, so it's really no different just because she's on the other side of the street and he really does think that it adds to the house. He added he likes that they're keeping the house and not tearing it down because they were going to scrape the whole thing and just build a new house. Mr. Brown stated he understands it's less an ideal to have it on the side yard setback but at the same time, O'Krepki across the street is 10 ft., so it's no different on the same block.

Dr. Monica asked when was that home built? The one Mr. Brown was talking about.

Mr. Brown stated she just build it after Hurricane Katrina.

Dr. Monica stated she is not for a variance on a lot that's not a hardship and she stated it is a beautiful lot, beautiful plans but what she finds going on in Old Metairie is what Mr. Brown so adeptly talked about is right after Katrina there were a lot of camels led under the tent with variances. Dr. Monica stated she just doesn't believe this warrants a variance.

Mr. McAlister stated he had to respect the sheer breadth of the variance that's requested but architectural symmetry is not justification for granting a variance. Mr. McAlister stated this would make more sense, the request of the variance, if the pool were to stay but it seems that the pool is being pulled up and being relocated, which gives ample room in order to add the master bath and everything else on the bottom floor, and keep it within the setback lines of existing zoning. And the sheer fact that properties across the street may have a different zoning classification are once again irrelevant to the question of does that justify a variance. Mr. McAlister stated in all cases this would not meet the criteria necessary for a variance, there's no irregular shape of the lot. There's no hardship as far as the ability to put things in. The hardship is just keeping what the client wants within the boundaries of the setback lines and that's a hardship that's applicable to everybody whether they're doing an addition or new construction.

Mr. Reid stated he wanted to rectify that they are keeping the pool, they're shortening it by 10 ft. So, the pool is staying in the same location and that is another consideration because when you add up the master bedroom addition, they are in the same location that they were. The width of the pool is the exact same, they are only adding on a spa and a bench seat to this. Mr. Reid stated they are kind of forced into a situation where they have to have a wing and they are trying to retain the existing building that's there. Their goal at the end of the day, is to retain the main body of the home and not have to tear it down. Mr. Reid also added they didn't want to have to rebuild the entire pool.

Mr. McAlister stated he understands and he thanked Mr. Reid for the correction but his opinion has still not changed. He thinks there's ample room in order to add an addition and he appreciates the fact that he wants to retain the existing residence. It's a beautiful residence. It adds to the character of Northline St. It's architecturally significant, but he thinks with harder work and redesign, the owner could get ultimately to where they would like to be without the necessity of granting a variance.

Mr. Webber agreed with Mr. McAlister and stated he had a good argument. But as we've seen so many times, people come in and tear down these things that are old and architecturally significant, that just keeping this house, there's a whole lot for him. Even though he understands that variances are something they shouldn't grant but this is the only way that modifying this house is to add that proportion to make it look right from the outside and he thinks it does add a whole lot to keeping it in the neighborhood. Mr. Webber stated he is in favor of it despite the fact they would have to give a variance. Mr. Webber stated he doesn't like the parking being on Iona St. because that's the most visible and it's just probably not the right spot, especially since the driveway is on the other side. Mr. Webber stated the other thing is the fence, they haven't talked about yet. He states he doesn't like the fence. The brick columns and all that just encroach a little further into the driveway.

Mr. Waring stated he thinks it is a lovely design and he's a big fan of preserving what's there, but as he looks at the floor plans it seems to be programmatically, that you can keep everything you have by indenting it around the existing residence and the only impact you would have would be on the master closet, which find it by the very nature flexible and adjustable. Mr. Waring stated Mr. Reid could actually take the entire proposed wing and slide it in towards the pool 5 ft. without compromising the master bedroom size, the master bathroom in any way, and it would only affect the master closet. Mr. Waring stated it is not his goal to redesign the project for Mr. Reid, he's just sort of looking at it from a point of view of, is this a hardship that cause for a serious variance? And he states he doesn't see it as being that, in his opinion.

Mr. Reid stated he wanted to comment on what Mr. Waring had said, and has great respect for Mr. Waring since he's an architect. Mr. Reid stated he's been around in circles with this design. He stated the thing about it is trying to make it appear correct from Northline St., because it's a big moment that's there, Northline St. and Iona St., as you drive by the clubhouses down the road and the thing about it is you have the space where you lay these out and he believes the Commissioners would probably agree with him the master bedroom would go towards the rear of the property, the center is the bathroom and then you have your closets there. So, at that point you have to find a way to get from the main house to the master bedroom which includes a hallway, and then you have to have enough room for a shower, a bathtub, as well as a vanity. Mr. Reid states at that point, your square foot is tied in there, and he didn't want this to look like a spec home at the end of the day. Mr. Reid stated he wanted to represent what they already have going on the main home and tie into it. Mr. Reid stated he is a true proponent of showing what happens on the exterior of the building, you define your spaces very clearly and basically people can understand what's happening. Mr. Reid asked the Commissioners to look at the 3D views, and they could see on the exterior building, they do have those gable roofs, the same pitches the main home, the 12 on 12, and you can identify that this is one separate element that's where the master closet is, and you have that tie-in through the middle. It breaks up the façade. Mr. Reid stated when he tried to make this work, at the end of the day what he came up with was something that just looked tacked on because it gets so thin that you basically have to keep everything together. He stated you have to have separate volumes in order to clearly define space.

Mr. Waring stated that the Northline elevation he's looking at has a kind of "wabi sabi" out of symmetry. Although, Palladian architecture does call for a measure of symmetry and balance in it, and he concurs with that. Mr. Waring stated he can see they are putting the Palladian window in what he guesses it's the pool courtyard (Mr. Reid stated that's existing). Mr. Waring stated it is lovely and he just doesn't think that the Northline façade calls for this to be or that's enough of a hardship to impact his opinion.

Mr. Webber asked if the commission needed to talk about the fence and the parking lot?

Mr. Brown stated he thinks the fence is legal.

Ms. Tolbert stated yes and currently the fences are allowed on the corner side yard and that is an amendment that is being considered as a part of the Old Metairie study that we'll talk about later on.

Mr. Webber asked if it was not in place today? And if they were to say today that was not acceptable?

Ms. Tolbert stated the regulations right now allow it, but that is something that they are considering modifying.

There was a small discussion between Mr. Webber, Mr. Waring and Mr. Reid regarding the parking. Mr. Reid stated it is hard surface. Mr. Reid stated they were planning on using the same stone that they're going to use on the pool area, Pennsylvania bluestone. A slate like material.

Mr. Brown added he thinks it's better for it to be on the back than the front of the house, you rather see greenspace than cars. (Mr. Reid agreed.)

Mr. Waring added he is a fan of trying to do semipermeable whenever possible, he stated that is a lot of hardscape.

Mr. Reid stated they could work with that.

Mr. Brown asked for a motion of recommendation on for OM-35-21.

Mr. McAlister made a motion of denial for OM-35-21. Dr. Monica seconded the motion.

Ms. Chacon called the roll on the motion:

	Aye	Nay
Mr. Brown	_____	✓ _____
Dr. Monica	✓ _____	_____
Mr. McAlister	✓ _____	_____
Mr. Webber	_____	✓ _____
Mr. Waring	✓ _____	_____

The ayes have it by a vote of 3 to 2. With 0 absent. The motion for denial was approved.

OM-36-21 204 Vincent Ave.; A request to demolish an existing dwelling and construct a new single-family dwelling and swimming pool, and to install a generator and pool equipment on Lot 203-A, Vincent Subdivision, Jefferson Parish, LA, bounded by Geranium St., Betz Pl., and Duplessis St.; zoned R-1B Suburban Residential District/OMNCD Old Metairie Neighborhood Conservation District (Council District 5)

Mr. Shariff reported the findings of the case. The Planning Department recommends the following:

Approval for the following reasons:

- The proposal meets all requirements of the R-1B/OMNCD

Mr. Brown opened the floor for the applicant/representative to speak.

Rodney Ratcliff, Architect, 132 Brookside Dr., Mandeville. Mr. Ratcliff stated he was open to answer any questions.

Mr. Brown opened the floor for any proponents to speak. There were none.

Mr. Brown opened the floor for any opponents to speak. There were none.

Mr. Brown opened the floor for comments from the Commissioners.

Dr. Monica asked if there's going to be some sort of a muffled kind of a wall around the generator?

Mr. Ratcliff stated the generator is proposed to be on the rear right corner with the fence around it and on the other corner will be the pool equipment. Mr. Ratcliff stated they are hidden and away from the neighbors as much as possible, and they'll have landscaping around the outside of the fence as well.

Dr. Monica asked if this was a quiet generator?

Mr. Ratcliff stated the newer generators are just like the newer air conditioning systems, quieter and more efficient, and that will just be running when the power is out. Mr. Ratcliff stated a lot of people purchase generator but they are not used often.

Mr. Waring added that the generator self-tests once a week and it runs for approximately 15-20 minutes. Mr. Waring stated he could see he had AC Units positioned on the roof of the overhang in the rear, and is there any possibility the generator could be located up there with them. It would even get it further away from the neighbors.

Mr. Ratcliff stated they've done that. Mr. Ratcliff stated Fairway Development has built several homes and has worked with them for over 10 years, but they put a lot of generators on the roofs, as well, so that is something they can look into.

Mr. Waring stated it would be a lot quieter, and would direct a lot of the sound up and away from the neighbors (Dr. Monica agreed.)

Mr. Ratcliff stated he would bring it up to them.

Mr. Brown stated he doesn't think he agrees with that. Mr. Brown stated his neighbor has a generator on his roof and it's louder than the other person's generator in the yard because the fence is quieting it.

There was a small discussion between the commissioners and Mr. Ratcliff regarding if the generator had an enclosure that would help to deflect the sound. Mr. Ratcliff stated they're actually calling for a treated wood or vinyl type of fence around it. Mr. Waring added as long as the slots between the boards are relatively thin, it'll deflect most of the sound away.

Mr. Webber stated regarding the garage, he assumes the downstairs of this house is at least 10 ft., the garage doors look a little small. He asked if these are going to be 7 ft. or 8 ft. doors.

Mr. Ratcliff stated 9 ft. doors.

Mr. Webber asked if there's adequate space on the garage to be used for cars.

Mr. Ratcliff stated yes, there is. The outside dimension is 22 ft. 22 ft. is usually what they try to do as a minimum outside dimension and he thinks that is adequate space.

Mr. Brown stated he has seen a lot of homes they've built and he thinks this is nice because you don't see the garage doors from the street.

Mr. Waring added he likes the massing and he thinks its handsome.

Mr. Webber made a motion of approval. Dr. Monica seconded the motion.

Ms. Chacon called the roll on the motion:

	Aye	Nay
Mr. Brown	<u>√</u>	—
Dr. Monica	<u>√</u>	—
Mr. McAlister	<u>√</u>	—
Mr. Webber	<u>√</u>	—
Mr. Waring	<u>√</u>	—

The ayes have it by a vote of 5 to 0. With 0 absent. The motion for approval was approved.

TXT-2-21 A text amendment of Chapter 33 Unified Development Code and Chapter 40 Zoning of the Code of Ordinances of the Parish of Jefferson related to the Old Metairie Neighborhood Conservation District; to reformat sections of the Code, clarify existing regulations, and establish new standards and procedures when necessary to support the purposes of the OMNCD, and provide for related matters; as authorized by the Planning Director on October 2nd, 2014. (Parish-wide) **(Deferred from 11/4/2021)**

Discussion of OMNCD Text Study.

Ms. Gesser stated she gave a full presentation of the OMNCD study at the October 7th, 2021 OMC meeting. Ms. Gesser stated she would primarily focus on the follow-up to some of the comments that were made on the last meeting which included the issues of greenspace requirements, lot coverage, and demolition review.

Mr. Brown opened the floor for any proponents to speak. There were none.

Mr. Brown opened the floor for any opponents to speak. There were none.

Mr. Brown opened the floor for comments from the Commissioners.

Dr. Monica asked if Ms. Gesser could do the math for her? What's the other percentage? If 40% is paved impermeable and now we are recommending greenspace between the right of way and the rest of it, what prevents somebody from building what she brought up last time, an architectural, artistic slab of marble and calling it art (and that creates less greenspace)? Dr. Monica asked why are we so reticent to complete the Math?

Mr. McAlister addressed Dr. Monica's previous comment and stated that what they are suggesting doesn't have a percentage. Mr. McAlister stated what they are suggesting is that the area between the setback line and the right of way, must be planted with green area which does not include architectural marble. It has to be grass, shrubs, live groundcovers, plants or trees, but it has to be greenspace. There's not a percentage. It's based upon the setback lines. Mr. McAlister asked if he was correct?

Ms. Gesser stated it is based upon the setback lines and it also allows some flexibility. Ms. Gesser stated this is something that is a "shall" that they have to put in greenspace, but at this point not like tying it to a certain kind of percentage to allow some flexibility. Ms. Gesser stated they would still need to be required that 40% minimum of the paving itself in addition to this added greenspace requirement.

Dr. Monica asked if they come before us (the commission) there has to be green space?

Ms. Gesser stated yes, they're going to need to show some sort of green area or what they're planting on the plans and when they submit to us; where their green area is on their site.

Mr. Waring added he is very new on this commission, but it seems to him they have an opportunity to lead. And not just to follow what's happening around us in Kenner and Orleans. So, it may be that although a percentage is a very sort of empirical and constraining wall to work with, it is nonetheless something that's used throughout the industry as a goal for designing. Mr. Waring stated he wants to try to do what he can to definitively try to reduce the amount of nonpermeable paving that we have and definitively try to increase the greenery. So, if there's something that can be done that takes us in that direction where we can stand as leaders in the community for this. Mr. Waring stated that is something that would make him proud if they could achieve.

Dr. Monica asked if they were willing to put what Mr. Waring is talking about?

Mr. Waring asked if there's a possibility that something could be put in there?

Ms. Gesser stated we are using the same as the 40% as New Orleans and Kenner. She thinks what they wanted to do was at least allow some flexibility in terms of what, where, and how the greenspace is incorporated, and she thinks the way they have worded it is a little bit more specific than some of the other communities they've looked at. And like she mentioned, St. Tammany has open space requirements for all principal accessory buildings but does not dictate greenspace. Ms. Gesser stated communities like Baton Rouge and Raleigh in North Carolina, have open space requirements for new residential neighborhoods but not single-family dwellings. Ms. Gesser stated what she is trying to make the argument is this is actually a step to being more progressive.

Mr. Waring asked what if they change it to 35% nonpermeable and 45% permeable?

Ms. Martin, Planning Director, asked Ms. Gesser to correct her if she was wrong, but she doesn't believe we have greenspace requirements in any of our other residential districts. The only greenspace requirements we have currently are CPZ and MUC. Ms. Martin stated this would be the first step for Jefferson Parish in requiring greenspace in residential districts.

There was a small discussion between Mr. Waring, Dr. Monica, and Ms. Martin regarding making a motion with stipulations on this text study.

Mr. Webber asked if what the new change is saying is, if it is a structure that existed on the 1966 Sanborn maps you would come to the OMC? So, that was 55 years ago today? (Ms. Gesser stated yes.) Mr. Webber asked if anything short to that the Planning Director would sign off on that? (*Pertaining to Demolitions*)

Ms. Gesser stated yes, and then they would be notified. It would be like those Administrative approvals that they would be made aware of at the monthly meetings.

There was a small discussion between the commissioners regarding one of the challenges, which Mr. Waring stated is that in order to make a decision about whether to remove something that is old, doesn't necessarily means it's good and if it's old how do they make an assessment as to whether to approve demolition if they have no idea what the alternative development plan is going to be for that.

Dr. Monica asked are we stating that there has to be some sort of guideline on when you're going to demolish or when you're going to build? Dr. Monica stated we don't have anything set down on this.

Ms. Gesser stated there is concerns about property rights, and people may be a lapse of time from when they're able to demolish and rebuild. Ms. Gesser stated that is something we considered when we proposed these regulations, to kind of addressed those concerns about demolition only applications, Ms. Gesser stated we are requiring applicants to provide that information upfront; how long they anticipate it to be vacant; what are their plans for redevelopment, without requiring them to have a full set of plans ready for the OMC to review simultaneously.

Mr. Waring stated there may be circumstances under which somebody wants to do a simple resubdivision and add property onto their property, so they're going to demolish something and not redevelop it, make it into an extension of the grounds of their own property.

Dr. Monica asked, so if they're comfortable with the demolition, can they just tell her what the motion is going to be that's going to somehow incorporate the greenspace?

There was a small discussion between the commissioners and the Planning Department staff regarding the motion with stipulations for the greenspace of the text study.

Ms. Ninette Eastman stood up and said she was not a proponent or opponent, she just had a question she wanted to ask. Ms. Eastman asked if they have looked into the tree preservation area at all with the possibility of having to put a tree back in the area?

Ms. Gesser stated that was actually part of a separate study that they'll be coming to the OMC back in she believes the goal is around February.

Mr. Waring stated he loved that and that he's a huge fan of trees.

There was a lengthy discussion between the commissioners, Ms. Tolbert, and Ms. Gesser regarding the percentage of the permeable/ nonpermeable and greenspace they wanted to add with their motion.

Dr. Monica made a motion to recommend approval with the stipulation that the limitation on impervious surfaces in the front and corner side yards be limited to 35% with an additional 10% allowed for permeable paving and then the remainder of the yards shall be allocated to a green area. Mr. Waring seconded the motion.

Ms. Chacon called the roll on the motion:

	Aye	Nay
Mr. Brown	<u>√</u>	—
Dr. Monica	<u>√</u>	—
Mr. McAlister	—	<u>√</u>
Mr. Webber	<u>√</u>	—
Mr. Waring	<u>√</u>	—

The ayes have it by a vote of 4 to 1. With 0 absent. The motion for approval was approved.

Minutes

Dr. Monica made a motion to approve the minutes from November 4th, 2021. Seconded by Mr. Waring.

2022 Election of Officers

Dr. Monica made a motion to elect Mr. McAlister as Chair. Mr. Webber seconded the motion.

Ms. Chacon called the roll on the motion:

	Aye	Nay
Mr. Brown	<u>√</u>	—
Dr. Monica	<u>√</u>	—
Mr. McAlister	<u>√</u>	—
Mr. Webber	<u>√</u>	—
Mr. Waring	<u>√</u>	—

The ayes have it by a vote of 5 to 0. With 0 absent. The motion of Approval was approved.

Dr. Monica made a motion to elect Mr. Webber as Vice-Chair. Mr. McAlister seconded the motion.

Ms. Chacon called the roll on the motion:

	Aye	Nay
Mr. Brown	<u>√</u>	—
Dr. Monica	<u>√</u>	—

Mr. McAlister	<u>√</u>	—
Mr. Webber	<u>√</u>	—
Mr. Waring	<u>√</u>	—

The eyes have it by a vote of 5 to 0. With 0 absent. The motion of Approval was approved.

Adoption of revised 2022 OMC Meeting Schedule

Dr. Monica made a motion to adopt. Mr. Webber seconded the motion.

Administrative Approvals & Follow-up of previous cases.

Mr. Hebert reported no administrative approvals.

Mr. Hebert reported no follow-up of previous cases.

Mr. Brown asked if there were any additional business to come before the commission. There were none.

Dr. Monica made a motion to adjourn. Seconded by Mr. Webber. Meeting adjourned at 10:27 am.