

1 City of Pass Christian  
2 Municipal Complex Auditorium  
3 105 Hiern Avenue

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5 **Planning Commission**  
6 **Meeting Minutes**  
7 **Tuesday, December 11, 2018, 6 PM**  
8  
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10 **CALL TO ORDER**

11 Chairman Tom Phares called the meeting to order at 6:00 PM. In attendance were Commissioners Lisa  
12 Smith, Adam Pace, Ken Austin and Rebecca O'Dwyer. Commissioners Michael Lizana, Steve Hunter,  
13 Margaret Jean Kalif and Lisea Johnson were not in attendance.

14  
15 Also in attendance was the City Planner, Danit Simon.

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17 **ADOPTION OF MINUTES**

18 The first order of business was the adoption of the minutes from the monthly Planning Commission  
19 meeting held on November 27, 2018. A *Motion* by Commissioner Pace, seconded by Commissioner  
20 O'Dwyer, was made to adopt the minutes. The motion passed unanimously.

21  
22 **NEW BUSINESS**

23 ○ *Open Public Hearing*

24 A *Motion* by Commissioner Pace, seconded by Commissioner Austin, was made to open the public  
25 hearing. The motion passed unanimously.

- 26  
27 ○ *Application PD-51-2018, Craig Smith as agent of Charles V & Charlotte Ann Leggett, 729 E Scenic*  
28 *Drive, #0413C-02-028.000, Planning Commission Approval for a Guest House (Outbuilding) in the*  
29 *Second Layer, in the T3E Estate Zone.*

30  
31 Chairman Phares introduced the application.

32  
33 The City Planner, Danit Simon, briefed the Planning Commission on the application: The applicant is  
34 requesting for part of guesthouse to be located in the Second Layer, positioned ten feet north of the  
35 front façade of the house. The proposed guesthouse is 30 by 16 feet and will be located over a hundred  
36 feet north of Scenic Drive, and two thirds of the structure, will be located in the code compliant third  
37 layer. The applicant is requesting for the guesthouse to be partially located in the second layer in order  
38 for the privacy wall to connect to the house and create a courtyard area- please see the attached site  
39 plan. The code requires for Outbuildings to be located in the Third Layer, so as not to overpower the  
40 main house.

41  
42 In this case, the guesthouse will not overpower the main house as it is located ten feet back, and it is  
43 proportionally smaller in size and height- please see the attached elevations. The design maximizes the  
44 unique courtyard space, without detracting from the house as the focal point, and is therefore in the  
45 spirit of the code. Please note that there is both a letter of support and a letter of objection in your  
46 packets. And, the Historic Commission has approved the design, including the location of the pool, at  
47 their October 2018 Meeting. This concludes my report, and the contractor and owner are here to  
48 answer your questions.

49  
50 Chairman Phares asked Simon about the Historic Commission's approval.

51 Simon responded that the Historic Commission has approved the site plan, building facades, location of  
52 the pool, the wall that screens the pool, colors- the entire application.

53

54 Commissioner O'Dwyer asked why the pool couldn't be moved ten feet north to be code compliant?

55

56 Simon responded that moving the guesthouse negatively affects the layout and the courtyard, which is  
57 created by the guesthouse and connecting walls. The contractor is here to give you more details.

58

59 Craig Smith, the contractor, stated that if the wall and building are moved south, it completely changes  
60 the design of the house. If the wall stays and the house goes ten feet north, you end up with ten feet of  
61 dead space. The way the guesthouse lines up with the porch is architecturally important, and in  
62 addition to creating a ten foot dead space, the pool would have to be moved in the courtyard, and the  
63 overall layout and character of the courtyard would be lost. Keep in mind that the house and  
64 guesthouse are over a hundred feet from Scenic Drive, so the ten-foot adjustment will not be noticeable  
65 from Scenic Drive.

66

67 The owner, Charles Leggett, added that everything is out of proportion if the guesthouse is moved. The  
68 house was designed by Ken Tate, a renowned architect, and it won't work to move the guesthouse... you  
69 can try to adjust it here and there but then you decrease the size of the courtyard, the pool has to be  
70 adjusted, part of the side porch will be blocked... the plans would have to be redesigned and I don't  
71 think we'd redesign.

72

73 Lisa Heifner, 101 Hackett Lane, stated that she owns the adjacent property to the north, and she does  
74 not object to the application. And she would prefer keeping the structures closer to Scenic Drive, which  
75 leaves more of a buffer between the two parcels.

76

77 Commissioner Austin stated that the ten feet does not have a considerable impact.

78

79 A *Motion* by Commissioner Austin seconded by Commissioner Pace, was made to *approve* the  
80 Guesthouse in the Second Layer.

81

82 **Vote:** Motion Carried

83 Aye: Austin, Pace and Smith

84 Abstain: O'Dwyer

85

86 ○ *Close Public Hearing*

87 A *Motion* by Commissioner Smith, seconded by Commissioner Pace, was made to close the public  
88 hearing. The motion passed unanimously.

89

90 ○ *Preliminary discussion on maximum number of Principal Buildings and Outbuildings in Special  
91 Districts, and for Commercial and Multi-Family Uses.*

92

93 Chairman Phares introduced the topic.

94

95 The City Planner, Danit Simon, briefed the Planning Commission on the topic: The T3, T4 and T5 Zones  
96 allow for one Principal Building and a certain number of Outbuildings based on the size of the lot. In  
97 Special Districts you are allowed one Principal Building and all Outbuildings require Planning Commission  
98 Approval, which is a full public hearing. It is burdensome and time consuming on the applicant and

99 permitting process to require Planning Commission Application for a shed or other outbuildings. Does  
100 anyone remember why the code was written like this for Special Districts?

101

102 Commissioner Pace asked why this is being discussed.

103

104 Simon responded that there have been several development meetings discussing apartment buildings  
105 and assisted living facilities and the developers are interested in doing several smaller buildings as  
106 opposed to one large building. I'm not sure how to accommodate multiple buildings with how the  
107 current SmartCode standards and Subdivision Ordinance are written. Practically and architecturally  
108 multiple buildings can work well and be more in keeping with the character of our neighborhoods. As I  
109 was reviewing the Codes I become aware of the Special District issue, and at least one or two  
110 applications for Outbuildings have had to come before you, so I wanted to get some feedback on  
111 whether this section of the Code makes sense or can be improved in anyway.

112

113 Commissioner Pace responded that he is not in favor of updating the code unless it is truly broken.  
114 We've discussed changing the under-house parking entry standards, and have decided to keep doing it  
115 as a Warrant Application, which we review several times a year. This seems to be in a similar vein, we  
116 rarely have issues with the number of allowable buildings, so why change the code.

117

118 Simon added this is often a commercial issue, and the reason you haven't dealt with it often, is because  
119 the applicants often end up dividing the lot By Right to add the building instead of doing a full public  
120 hearing for an additional building or outbuilding. Would you consider updating the Code to allow for  
121 multiple principal buildings and a certain number of outbuildings by right, especially in Special Districts?  
122 It's a lot to ask of an applicant to have a full public hearing for additional buildings in industrial areas of  
123 the City.

124

125 Commissioner Pace recommended that the Code be updated in Special Districts to allow for  
126 outbuildings and additional principal structures by Warrant. But when it comes to apartment buildings  
127 or other uses it makes sense for the Planning Commission to review those more complex applications.

128

129 The challenge is that applicants are looking for ways to be code compliant, but when a concept is slightly  
130 different and the code doesn't give you the option of being code compliant, is there a way to make it an  
131 easier process for the applicant? The Warrant process allows you to put eyes on the project, approve by  
132 email if it is simple, or request to review it at a meeting if it is more complex.

133

134 Commissioner Pace responded that he is in favor of reviewing the number of buildings by Warrant to  
135 maintain oversight without unnecessarily delaying projects.

136

137 Chairman Phares stated that this is just a preliminary discussion and it will be added the list of  
138 SmartCode Text Amendments that will be reviewed at a future Public Hearing. Another items on the  
139 list, is dealing with mid-lot zoning, so that the entire parcel exclusively takes on the zoning at the street,  
140 instead of a parcel being subject to the multiple and sometimes contradictory zoning standards.

141

142 Commissioner Austin added that there are some corner lots, like Beach Boulevard and Church Avenue,  
143 which are corner lots with multiple zones, so in those situations the owner should be able to choose the  
144 street and zoning that suites the development.

145

146 Chairman Phares asked about the T4L Zone updates.

147

148 Simon responded that we had discussed removing some of the T4L Zoned corner lots, especially when  
149 they are part of existing residential subdivisions with covenants that do not allow for commercial  
150 development. And we already amended the Code with the option of the maximum setback to match a  
151 neighboring structure.

152

153 **OLD BUSINESS**

154 ○ *Short Term Rental Ordinance*

155 Chairman Phares asked Simon if there is an update on the City's Short Term Rental Ordinance.

156

157 Simon answered that there is a committee of local citizens working on a draft with Malcolm Jones, the  
158 City Attorney, and Joel Sims, the Building Code Official. The Planning Commission will review the  
159 ordinance prior to it being adopted, since the Commission will most likely be holding the public hearings  
160 for the Use.

161

162 The Commissioners discussed the challenges of Short Term Rentals and the Ordinance and requested  
163 that Simon email them an update and the latest draft of the ordinance.

164

165 ○ *Commissioner Attendance*

166 Commissioner Pace asked if Simon could prepare a list of the Commissioners attendance records over  
167 the past year.

168

169 Commissioner Austin asked if the minutes list absences as excused or unexcused?

170

171 Simon responded no, they are just listed as absent.

172

173 The Commissioners discussed the challenges of Commissioners that miss multiple meetings and are not  
174 up-to-date on the information from those meetings, the possibility of penalizing absences, of reducing  
175 the number of commissioners or replacing commissioners with poor attendance.

176

177 **OTHER BUSINESS/PUBLIC COMMENT**

178

179 **ADJOURN**

180 A *Motion* by Commissioner Pace, seconded by Commissioner O'Dwyer, was made to adjourn the  
181 meeting at 6:30 P.M. The motion passed unanimously.