



DEPARTMENT OF PLANNING
 P. O. Box 628
 COVINGTON, LA 70434
 PHONE: (985) 898-2529
 FAX: (985) 898-3003
 e-mail: planning@stp.gov.org

Kevin Davis
 Parish President

Appeal # 3

THE PETITIONER OR ANY AGGRIEVED PERSON HAS TEN (10) DAYS TO APPEAL THE DECISION OF THE ZONING COMMISSION. APPEALS MUST BE FILED WITH THE ST. TAMMANY PARISH DEPARTMENT OF PLANNING. A COPY OF THE APPEAL REQUEST IS PROVIDED BELOW.

APPEAL REQUEST

DATE: 11/1/05

*ZC05-09-061 - APPEALING APPROVAL
 SOUTHERN GARDENS PUD*

We are hereby appealing to the St. Tammany Parish Council at its next appropriate regular scheduled meeting on the above referenced matter of an adverse decision of the St. Tammany Parish Zoning Commission.

This letter shall serve as official notice to put the above referenced matter on the Parish Council agenda.

Sincerely,

PLEASE PRINT NAME, MAILING ADDRESS AND PHONE NUMBER BELOW
 SIGNATURE

Richard P. Wilkie

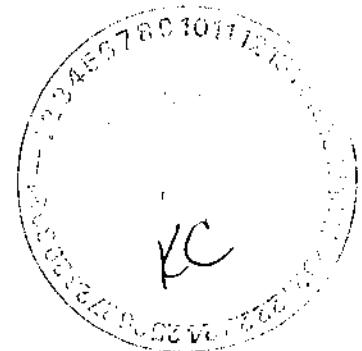
(SIGNATURE)

RICHARD P. WILKIE

40 MISTLETOE DR

COVINGTON, LA 70433

PHONE #: 875-9066 (Home)
502-2242 (cell)



ZC05-09-061

Existing Zoning:	SA (Suburban Agricultural) District
Proposed Zoning:	PUD (Planned Unit Development) District
Acres:	15.500 acres
Petitioner:	Paul Mayronne, Atty
Owner:	Montluf Properties, L.L.C.
Location:	Parcel located on the northwest corner of LA Highway 21 & LaLanne Road, S41, T7S, R10E, Ward 1, District 1
Council District:	1

ZONING STAFF REPORT

Date: October 21, 2005

Case No.: ZC05-09-061

Posted: 10/06/05

Meeting Date: November 1, 2005

Determination: Approved

GENERAL INFORMATION

PETITIONER: Paul Mayronne, Atty
OWNER: Monthuf Properties, L.L.C.
REQUESTED CHANGE: From SA (Suburban Agricultural) District to PUD (Planned Unit Development) District
LOCATION: Parcel located on the northwest corner of LA Highway 21 & LaLanne Road; S41, T7S, R10E; Ward 1, District 1
SIZE: 15.500 acres

SITE ASSESSMENT

ACCESS ROAD INFORMATION

Type: State

Road Surface: 3 lane asphalt

Condition: Good

LAND USE CONSIDERATIONS

SURROUNDING LAND USE AND ZONING:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Undeveloped	ID (Institutional) District
South	Commercial/Residential	PUD (Planned Unit Development) District
East	Residential	PUD (Planned Unit Development) District
West	Residential	PUD (Planned Unit Development) District

EXISTING LAND USE:

Existing development? No

Multi occupancy development? Yes

COMPREHENSIVE PLAN:

Residential Infill – New residential uses developed on undeveloped tracts within existing residential districts that are compatible with, or improve upon, those existing uses. Such uses may be allowed a greater density of use, in exchange for public benefits that would be provided.

CHARACTERISTICS OF THE PROPOSED SUBDIVISION

STAFF COMMENTS:

The petitioner is requesting to change the zoning from SA (Suburban Agricultural) District to PUD (Planned Unit Development) District, to create a new single family residential & commercial subdivision. The subdivision is proposed to be developed with 46 residential units and 4 commercial buildings. The density will not exceed 2.9 sites/ acre.

The residential development is proposed to be accessed directly from Hwy 21. The commercial development will be accessed from Lalanne Road. A pedestrian access will be provided between the residential and commercial developments, as shown on the plan.

A 100' setback (including a 50' no cut greenspace) is proposed to be provided along Hwy 21. A 30' setback will be provided along the north, south (Lalanne Road) and west sides. Note that the proposed 30' setbacks should be designated as a no cut buffer. Also, the required landscaping & parking requirements will have to be met before final occupancy of the commercial buildings. The permitted uses for the commercial development will be limited to: Law office, architectural/engineering offices, accountant offices, real estate offices, insurance offices, business offices, medical clinics, professional offices, art galleries, book or stationery stores, interior decorating shops, photography shops and studios, general/multi-use office buildings, museums and libraries.

GENERAL PUD CRITERIA

The title of the project, name of the developer, legal description, and the existing land use within 500 feet of all boundaries have been provided on the plot plan. The minimum front, side, and rear setbacks and maximum height of the buildings are indicated on the proposed site plan, as required.

A copy of the restrictive covenants has been provided as required. Central water and sewerage facilities will be provided offsite, by Southeast Louisiana Water and Sewer Company. The applicants have submitted a copy of the environmental assessment data form and the flood demarcation lines are indicated on the plat. Also, the information as to the ultimate disposal of surface drainage and the wetlands delineation have been provided as required by the PUD guidelines.

The subdivision is proposed to be developed in only one phase as identified on the plan. The approximate date when construction of each phase will be taking place has, also been provided on plan the plan.

GREENSPACE

A total of 4 acres (26%) of green space is proposed to be provided for the development. The passive recreational area will consist of a total of 3.462 acres (23 %) and the active recreational area will consist of 0.228 acres (1%) of the total greenspace provided. The only active amenities proposed to be provided on the site are playground equipments. Staff feels that formal accesses to the pond, picnic tables, and observation decks should be provided in order to formally integrate the water feature to the site. Also, a formal walking path should be provided through the subdivision and around the pond.

COMPREHENSIVE PLAN ANALYSIS

The 2025 land use map designates this area as "Residential Infill". The proposed PUD meets the definition of this land use classification, considering that it provides new residential uses within the area, which are compatible with the surrounding. In fact, the proposed commercial and residential development is located directly north of the Arborwalk Commercial & Residential Subdivision. The Arborwalk Subdivision, located at the southwest corner of Lalanne Road and Hwy 21, is developed with office and retail businesses, single family residences & garden homes.

STAFF RECOMMENDATION:

The staff recommends that the request for a PUD (Planned Unit Development) District designation be approved. The staff is in favor of the proposed development considering that it meets the 2025 requirements and the proposed uses are adequate for the location of site. However, additional passive amenities could be provided on the site as stated above.

EXHIBIT "A"

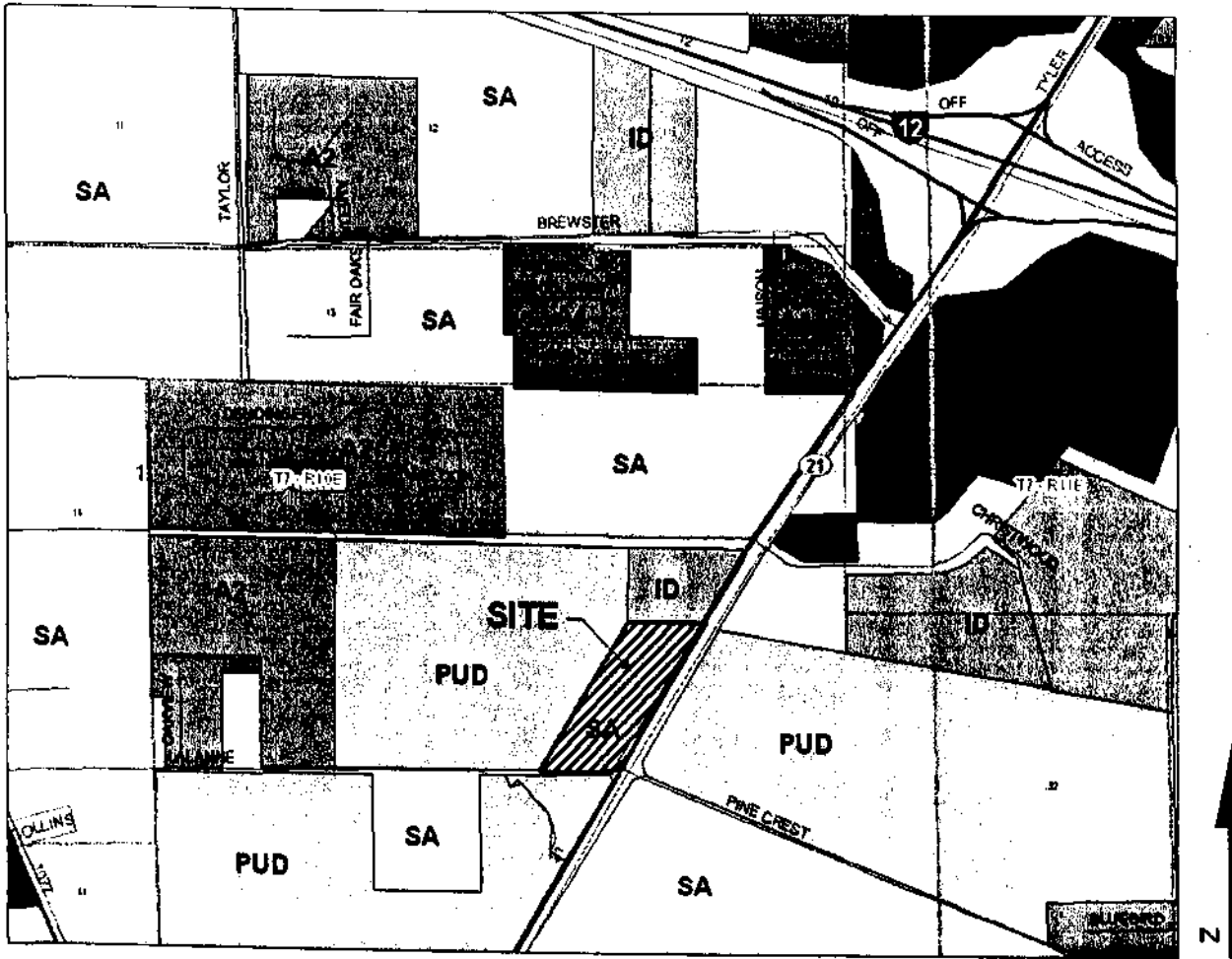
ZCO5-09-061

A certain parcel of land situated in Section 41, Township 7 South, Range 10 East, St. Tammany Parish, Louisiana and more fully described as follows.

Commence at the Northwest corner of Section 41, Township 7 South, Range 10 East, and measure South 00 degrees 21 minutes 47 seconds East a distance of 1202.62 feet; thence South 89 degrees 23 minutes 10 seconds East a distance of 2751.28 feet; thence South 89 degrees 20 minutes 22 seconds East a distance of 973.42 feet; thence South 00 degrees 35 minutes 40 seconds West a distance of 560.63 feet to the POINT OF BEGINNING.

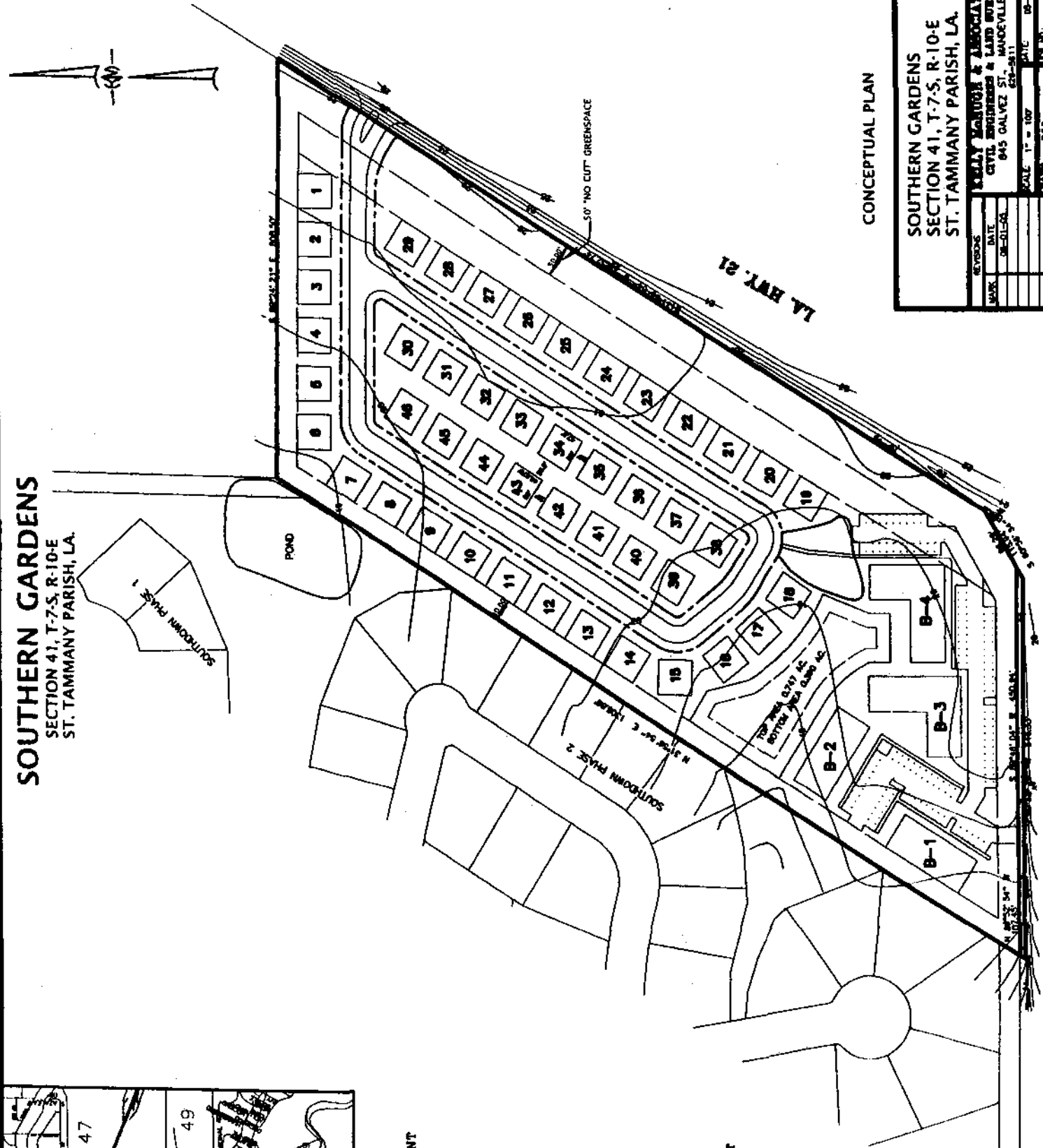
From the POINT OF BEGINNING run South 89 degrees 24 minutes 21 seconds East a distance of 608.50 feet; thence South 31 degrees 56 minutes 54 seconds West a distance of 1,232.74 feet; thence South 60 degrees 56 minutes 54 seconds West a distance of 115.94 feet; thence South 89 degrees 58 minutes 14 seconds West a distance of 546.33 feet; thence North 31 degrees 56 minutes 54 seconds East a distance of 1,306.86 feet to the POINT OF BEGINNING, and containing 15.500 acres of land, more or less.

CASE NO.: ZC05-09-061
PETITIONER: Paul Mayronne, Atty
OWNER: Montluf Properties, L.L.C.
REQUESTED CHANGE: From SA (Suburban Agricultural) District to PUD (Planned Unit Development) District
LOCATION: Parcel located on the northwest corner of LA Highway 21 & LaLanne Road; S41, T7S, R10E; Ward 1, District 1
SIZE: 15.500 acres



2005-09-061

SOUTHERN GARDENS
SECTION 41, T-7-S, R-10-E
ST. TAMMANY PARISH, LA.



SOUTHERN GARDENS
SECTION 41, T-7-S, R-10-E
ST. TAMMANY PARISH, LA.

KELLY GAUGH & ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
845 CALVEZ ST., MONROE, LA.
705-281-1111

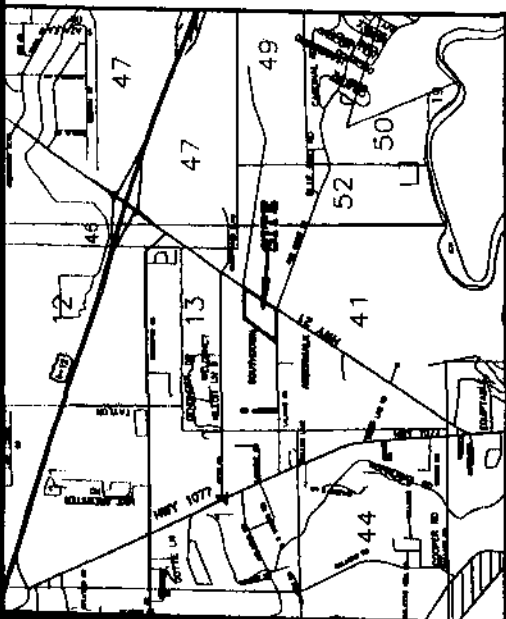
SCALE: 1" = 100'

DATE: 08-10-2003

BY: [Signature]

CHECKED: [Signature]

DATE: 08-10-2003



PUD DATA

BREAKDOWN BY PERCENT OF TOTAL LAND AREA USE	ACRES	PERCENT
RESIDENTIAL	8.461	55
COMMERCIAL	2.500	16
INDUSTRIAL	0.000	00
OPEN SPACE		
ACTIVE	0.228	1
PASSIVE	3.462	23
PONDS	0.747	5
TOTAL OPEN	4.437	29
TOTAL	15.388	100
GREENSPACE WITH 50% PONDS	4.001	26
GREENSPACE BETWEEN BUILDINGS	3.325	22
DENSITY		

DEVELOPMENT SCHEDULE PHASE NO.	NO. LOTS	BEGIN DATE
1		
2		
3		

- NOTES:**
- SEWER AND WATER TO BE PROVIDED BY SOUTHEAST LOUISIANA WATER AND SEWER CO. (OFFSITE)
 - MAXIMUM BUILDING HEIGHT: 36' ABOVE GROUND FOR ALL BUILDINGS
 - NO LOADING AREAS OR SITE PARKING SHOWN AT ACTIVE RECREATION AREA

205-09-061

MINIMUM RESTRICTIVE COVENANTS

1. EACH BUILDING SITE WILL NOT HAVE MORE THAN ONE DWELLING.
2. NO CERTIFICATE OF OCCUPANCY SHALL BE ISSUED BEFORE THE SEWERAGE AND WATER SYSTEMS ARE INSTALLED AND OPERABLE OR OTHERWISE CONNECTED TO A COMMUNITY (CENTRAL) SEWERAGE AND/OR WATER SYSTEM(S), ALL AS APPROVED BY THE ENVIRONMENTAL SERVICES DEPARTMENT OF ST. TAMMANY PARISH. WHENEVER A SUBDIVISION IS SERVED BY A COMMUNITY (CENTRAL) WATER SYSTEM (SUPPLY), NO PRIVATE WATER SUPPLY MAY BE DRILLED OR OTHERWISE CONSTRUCTED FOR THE PURPOSE OF SUPPLYING POTABLE WATER TO ANY BUILDING OR STRUCTURE, EXCEPT FOR THE PURPOSE OF IRRIGATION, AND IN NO EVENT SHALL THERE BE A PHYSICAL CONNECTION BETWEEN ANY SUCH SOURCE AND ANY ELEMENT OF THE COMMUNITY (CENTRAL) WATER SYSTEM (SUPPLY).
3. MINIMUM BUILDING SITE SETBACKS ARE:
FROM BUILDING SITE TO STREET R.O.W. 15
FROM BUILDING SITE TO REAR PROPERTY LINE - 25;
BETWEEN BUILDING SITES - 20.
4. CONSTRUCTION OF ANY NATURE, INCLUDING FENCES, IS PROHIBITED IN DRAINAGE OR STREET EASEMENTS.
5. NO NOXIOUS OR OFFENSIVE ACTIVITY SHALL BE CARRIED ON UPON ANY BUILDING SITE, NOR SHALL ANYTHING BE DONE THERE ON WHICH MAY BE OR MAY BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD, PARTICULARLY THE USE OF BUILDING SITES AS DUMPS OR JUNK CAR STORAGE.
6. THE MINIMUM ELEVATION FOR THE LOWEST FLOOR OF ALL RESIDENCES SHALL BE DETERMINED FROM THE LATEST FEMA FLOOD INSURANCE RATE MAPS. THIS PROPERTY LOCATED IN FLOOD ZONE C, F.I.R.M. NO. 228205 0220 C, REVISED 04-02-1991.
7. NO MOBILE HOMES WILL BE PERMITTED IN THIS SUBDIVISION.
8. NO BUILDING SITE WILL BE FURTHER RESUBDIVIDED WITHOUT THE PRIOR APPROVAL OF THE ST. TAMMANY PARISH PLANNING COMMISSION.
9. THE MINIMUM RESTRICTIVE COVENANTS CITED ABOVE ARE AS PER SECTION 7.08 OF PARISH ORDINANCE NO. 499 (SUBDIVISION REGULATIONS). ADDITIONAL BUILDING RESTRICTIONS AND COVENANTS ARE RECORDED IN C.O.B. FOLIO
10. DRIVEWAYS ON CORNER BUILDING SITES WHERE A DRIVEWAY IS TO BE ESTABLISHED ALONG THE WIDTH OR SMALLER DIMENSIONS OF THE BUILDING SITE, SHALL NOT BE LOCATED ANY CLOSER THAN THIRTY-FIVE (35') FROM THE CORNER OF THE PROPERTY CLOSEST TO THE INTERSECTION AS MEASURED FROM THE CORNER OF THE PROPERTY WHERE THE TWO STREET RIGHTS-OF-WAY INTERSECT. IN CASES WHERE A DRIVEWAY ON A CORNER BUILDING SITE IS ESTABLISHED ALONG THE DEPTH OR LARGER DIMENSION OF A BUILDING SITE LINE, THE SETBACK SHALL BE AT LEAST FIFTY (50') FEET FROM THE CORNER OF SAID PROPERTY CLOSEST TO THE INTERSECTION AS MEASURED FROM THE CORNER OF THE PROPERTY WHERE THE TWO STREET RIGHTS-OF-WAY INTERSECT.
11. THE MAINTENANCE OF THE "OPEN SPACE" SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION.
12. THE DETENTION PONDS SHALL BE DEDICATED TO & MAINTAINED BY ST. TAMMANY PARISH.
13. THERE IS HERIN AND HEREBY DEDICATED AND ESTABLISHED A DRAINAGE SERVITUDE IN FAVOR OF ALL BUILDING SITES IN THE SUBDIVISION TEN (10') FEET BETWEEN THE INTERIOR BUILDING SITES AND REAR BOUNDARY LINES, ALTHOUGH NOT DEPICTED UPON THIS RECORDED SUBDIVISION PLAT, WHICH SERVITUDE 1) RESTRICTS ANY PLACEMENT OF FILL; OR 2) INSTALLATION OF SURFACESWALES OR SUBSURFACE DRAINAGE BY OR AT THE EXPENSE OF OWNER AS DETERMINED NECESSARY BY THE DEVELOPER OR BY ACC FROM TIME TO TIME TO FACILITATE SURFACE RUNOFF IN ACCORDANCE WITH THE APPROVED DRAINAGE PLAN OR TO ACCOMMODATE UNANTICIPATED RUNOFF BECAUSE OF EITHER NATURAL OR MAN-MADE ADVERSE TOPOGRAPHIC FEATURES OR OTHER UNFORSEEN CAUSES.
14. THE AFOREMENTIONED RESTRICTIONS SHALL BE RECITED IN EACH TITLE OR DEED IN ADDITION TO THE REQUIRED LISTING ON THE FINAL SUBDIVISION PLAT. (AMENDED BY ORD. 94-2142, ADOPTED 12/15/94)

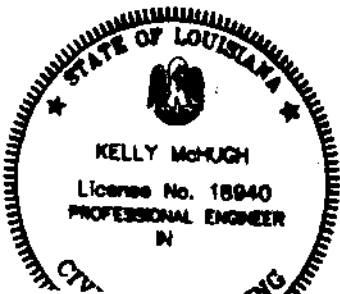
DEDICATION:

ALL STREET RIGHTS-OF-WAY AS SHOWN HEREON ARE HEREBY DEDICATED TO THE PERPETUAL USE OF THE PUBLIC FOR PROPER USE. EASEMENTS SHALL BE RESERVED FOR DRAINAGE & UTILITIES AS INDICATED HEREON AND NO OBSTRUCTION OR IMPROVEMENTS SHALL BE ALLOWED THAT WOULD PREVENT THEM FROM BEING USED FOR THEIR INTENDED PURPOSE.

OWNER

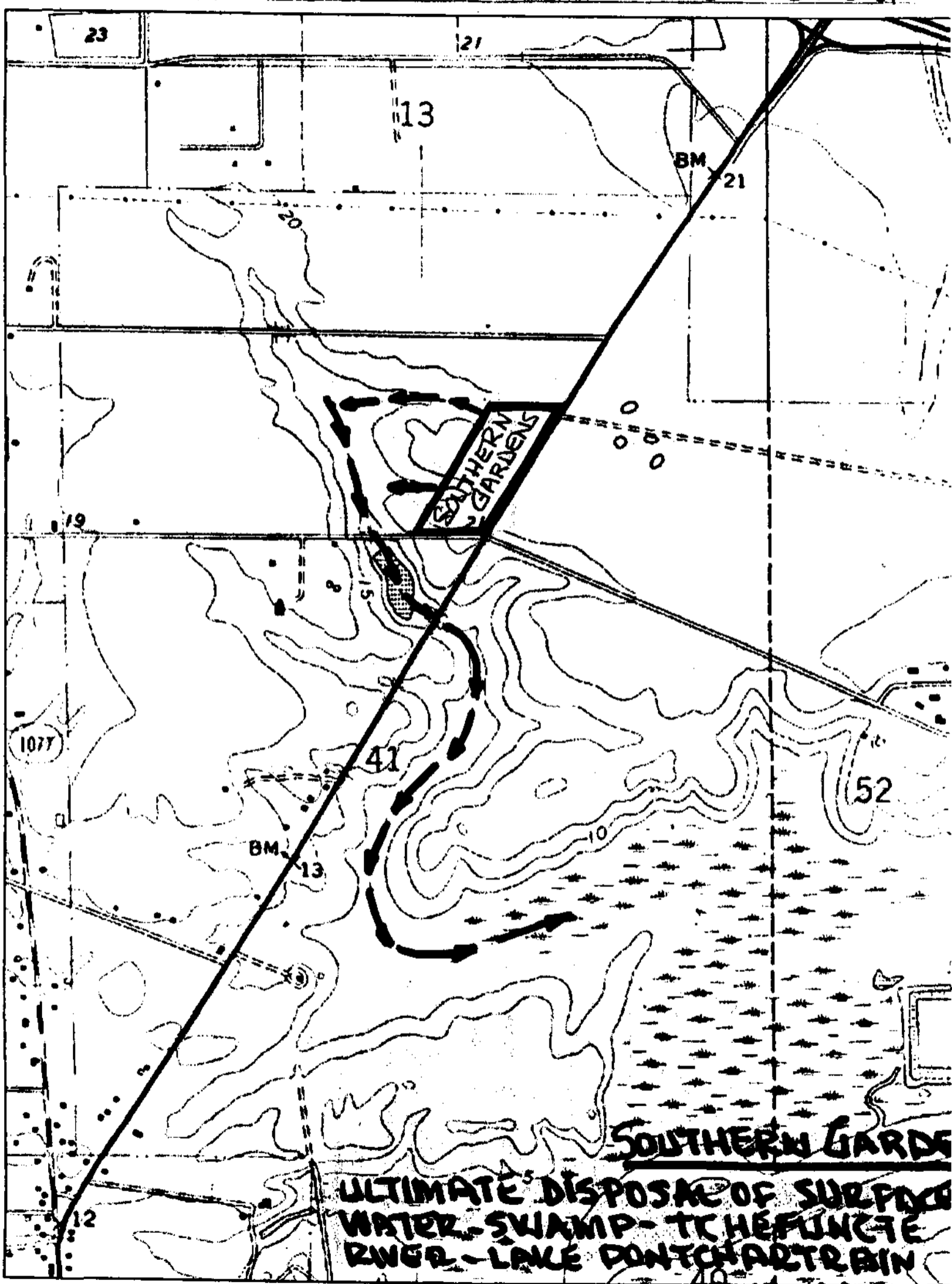
DATE

THIS PLAN IS CERTIFIED TO CONFORM TO THE STATE OF LOUISIANA RS:33-5051 AND THE LAWS AND ORDINANCES OF ST. TAMMANY PARISH, AND CERTIFIED TO BE CORRECT AND IN ACCORDANCE WITH A PHYSICAL SURVEY MADE ON THE GROUND UNDER THE SUPERVISION OF THE UNDERSIGNED FOR A CLASS C SURVEY.



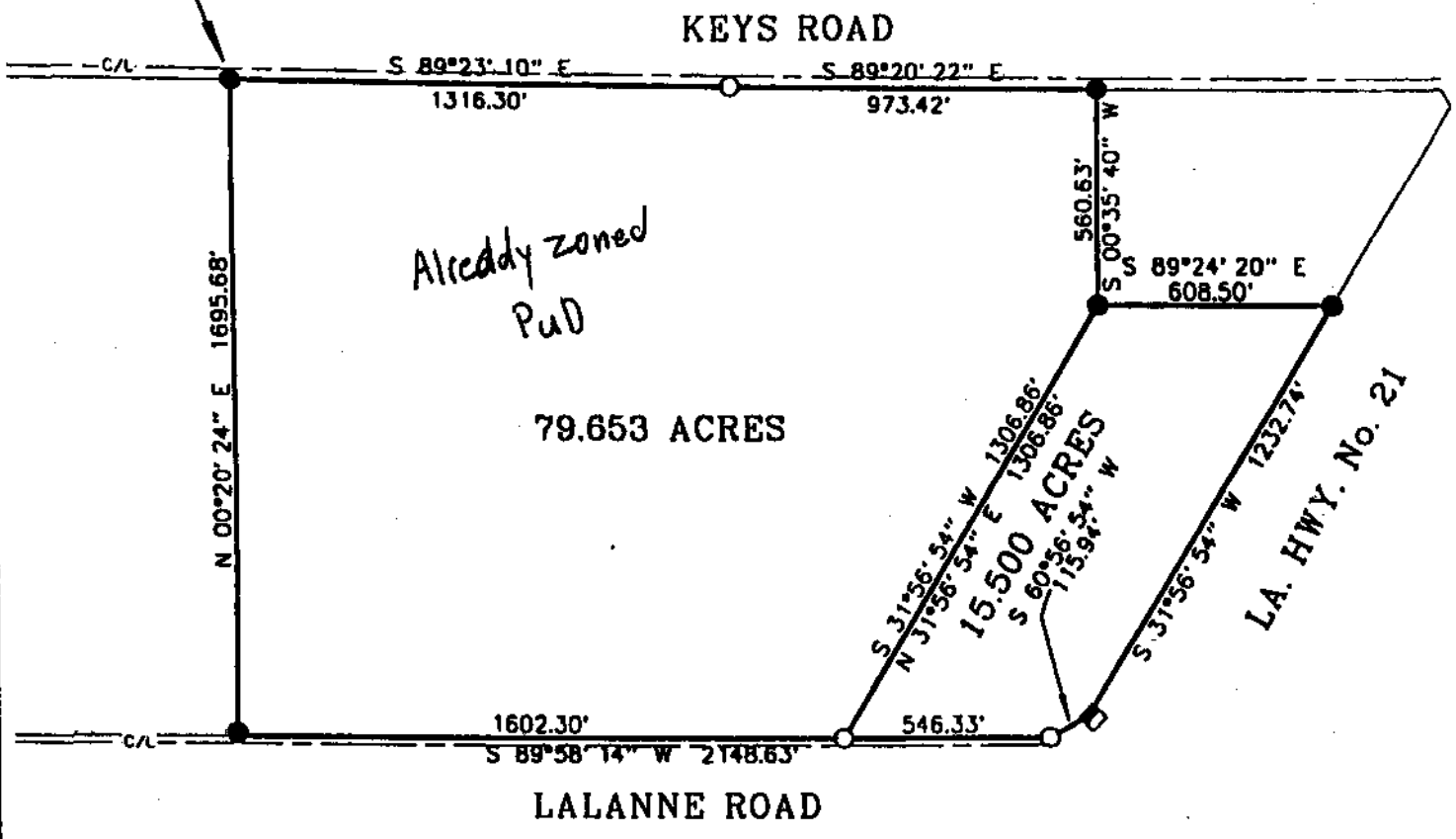
LOUISIANA REGISTERED LAND SURVEYOR NO. 4443
LOUISIANA REGISTERED CIVIL ENGINEER NO. 18940

2005-09-06/



2005-09-001

THIS POINT LOCATED S 00°21' 47" E - 1202.62'
(REFERENCE BEARING); THENCE S 89°23' 10" E - 1434.98'
FROM THE N.W. CORNER OF SECTION 41, T-7-S, R-10-E.



- REFERENCES:
1. SURVEY BY ROBERT A. BERLIN, DATE 9-25-61, LAST REVISED 8-2-62 AND NUMBERED J-61-217.
 2. SURVEY BY SURVEYS INC., DATED 6-25-92 AND NUMBERED 923137.
 3. SURVEY BY SURVEYS INC., DATED 11-20-92 AND NUMBERED 923294.

-- LEGEND --

- = CONC. ROW MON. FOUND
- = 1/2" IRON ROD FOUND
- = 1/2" IRON ROD SET

THIS PROPERTY IS LOCATED IN FLOOD ZONE C; BASE FLOOD ELEV. N/A; F.I.R.M. PANEL NO. 225205 0210 C & 225205 0220 C; REV. 10-17-89 & 4-2-91.

NOTE: SERVITUDES SHOWN HEREON ARE NOT NECESSARILY EXCLUSIVE. SERVITUDES OF RECORD AS SHOWN ON TITLE OPINION OR TITLE POLICY WILL BE ADDED HERETO UPON REQUEST, AS SURVEYOR HAS NOT PERFORMED ANY TITLE SEARCH OR ABSTRACT.



[Signature]
KELLY J. McHUGH REG. NO. 4443

CERTIFIED CORRECT AND IN ACCORDANCE WITH A PHYSICAL SURVEY MADE ON THE GROUND AND COMPLYING WITH THE CURRENT APPLICABLE STANDARDS OF PRACTICE FOR A CLASS "C" SURVEY. RED STAMP SIGNIFIES CORRECT PLAT.

BOUNDARY SURVEY OF:	
79.653 ACRES & 15.500 ACRES SECTION 41, T-7-S, R-10-E, ST. TAMMANY PARISH, LA.	
PREPARED FOR:	
SOUTHDOWN, L.L.C.; HIBERNIA NATIONAL BANK; AND FIRST AMERICAN TITLE INSURANCE CO.	
KELLY J. McHUGH & ASSOC., INC. CIVIL ENGINEERS & LAND SURVEYORS 845 GALVEZ ST., MANDEVILLE, LA. 626-5611	
SCALE: 1" = 500'	DATE: 5-16-02
DRAWN: R.F.D.	JOB NO.: 02-082
REVISED:	1-plots/South Down 590

Description of Project

Applicant's Name MONTLUE PROPERTIES LLC

Address 845 GALVEZ STREET

Attach area location Map showing the proposed development

Name of Development SOUTHERN GARDENS

Section 41 Township 7 SOUTH Range 10 EAST

Number of acres in Development 15,500 ACRES

Type of streets CONCRETE

Type of water systems CENTRAL

Type of sewerage system CENTRAL

Ultimate disposal of wastes TCHEFUNCTE RIVER

Ultimate disposal of surface drainage TCHEFUNCTE RIVER

Land form: Flat AND Rolling Marsh
Swamp Inundated

Existing land use: Rural UNDEVELOPED Residential
Commercial Industrial

Proposed land use: Rural Residential
Commercial Industrial

Conforms to Major Road Plan: Yes No

Water frontage: Yes No if so how much

Name of Stream _____

Major highway frontage: Yes No

Name of Highway HWY 21

Is development subject to inundation in normal high rainfall and/or tide?
Yes No

Will canals be constructed into rivers or lakes?
Yes No

ANSWER ALL QUESTIONS BY A CIRCLE AROUND YES OR NO

1. Does the proposed development
 - a. Disrupt, alter or destroy an historic or archeological site or district. YES
 - b. Have a substantial impact on natural, ecological recreation, or scenic resources. YES
 - c. Displace a substantial number of people. YES
 - d. Conform with the environmental plans and goals that have been adopted by the parish. YES NO
 - e. Cause increased traffic, or other congestion. YES NO
 - f. Have substantial aesthetic or visual effect on the area. YES NO

Cont:

ANSWER ALL QUESTIONS BY A CIRCLE AROUND YES OR NO

- a. Breach national, state or local standards relating to
 - (1) Noise YES NO
 - (2) Air Quality YES NO
 - (3) Water Quality YES NO
 - (4) Contamination or public water supply YES NO
 - (5) Ground water levels YES NO
 - (6) Flooding YES NO
 - (7) Erosion YES NO
 - (8) Sedimentation YES NO
- b. Affect rare or endangered species of animal or plant habitat or such a species YES
- i. Cause substantial interference with the movement of any resident or migratory fish or wildlife species YES
- j. Induce substantial concentration of population YES
- k. Will dredging be required YES

If yes, denote the area proposed for soil placement and the anticipated volume in cubic yards.

2. Attach specifications on the following, if applicable

- a. What types of materials will be disposed of as a result of the production of manufacturing process. If applicable explain where and in what manner disposal will occur.
- b. What will be the average noise level of the development during working hours.
- c. Will any smoke, dust or fumes be emitted as a result of the operational process, if so explain fully.

Explain in detail the items marked YES above indicating how you propose to reduce or eliminate the environmental problems caused by your development and explain how you will ultimately dispose of the surface water generated by your development including the route of the surface water into a major stream and if you propose a sewerage system the ultimate disposal of the effluent produced.