

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3292 ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

COUNCIL SPONSOR STEFANCIK/DAVIS PROVIDED BY: PLANNING

INTRODUCED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006

An Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the north side of Foliage Court, west of Dummyline Road and which property comprises a total of 48.58 acres of land more or less, from its present R (Rural) District to a PUD (Planned Unit Development) District, Ward 1, District 1. (ZC06-04-028)

Whereas, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC06-04-028, has recommended to the Council of the Parish of St. Tammany, Louisiana, that the zoning classification of the above referenced area be changed from its present R (Rural) District to a PUD (Planned Unit Development) District (see Exhibit "A") for complete boundaries.

Whereas, the St. Tammany Parish Council has held its public hearing in accordance with law:

Whereas, the St. Tammany Parish Council has found it necessary for the purpose of protecting the public health, safety and general welfare, to designate the above described property as PUD (Planned Unit Development) District.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS, in regular session convened that:

SECTION I: The zoning classification of the above described property is hereby changed from its present R (Rural) District to a PUD (Planned Unit Development) District.

SECTION II: The official zoning map of the Parish of St. Tammany shall be and is hereby amended to incorporate the zoning reclassification specified in Section I hereof.

REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: \_\_\_\_\_, SECONDED BY: \_\_\_\_\_

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

EXHIBIT "A"

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ZC06-04-028

A parcel of land located in Section 15, Township 7 South, Range 10 East, St. Tammany Parish, Louisiana, and more fully described as follows:

Commencing from the Section Corner common to Sections 9, 10, 16, & 15, of said township and range,

Thence South 1787.32 feet to a square bar found being the **POINT OF BEGINNING**,

Thence North 89 degrees 48 minutes 54 seconds East 1185.66 feet to a 1/2 inch iron rod found,

Thence South 00 degrees 03 minutes 33 seconds East 643.92 feet to a square bar found,

Thence South 89 degrees 54 minutes 26 seconds East 453.40 feet to a square bar found,

Thence North 89 degrees 43 minutes East 445.76 feet to 1/2 inch iron rod set,

Thence South 00 degrees 30 minutes 48 seconds East 144.04 feet to a 1/2 inch iron rod set on the North Side of a 60 feet Right of Way,

Thence North 89 degrees 43 minutes 37 seconds West 240.35 feet along the north side of said right of way to a 1/2 inch iron rod set,

Thence South 00 degrees 30 minutes 48 seconds East 939.47 feet to a 1/2 inch iron rod set on the North Line of Section 42,

Thence North 73 degrees 36 minutes West 1503.35 feet along the north line of said section to a square bar found,

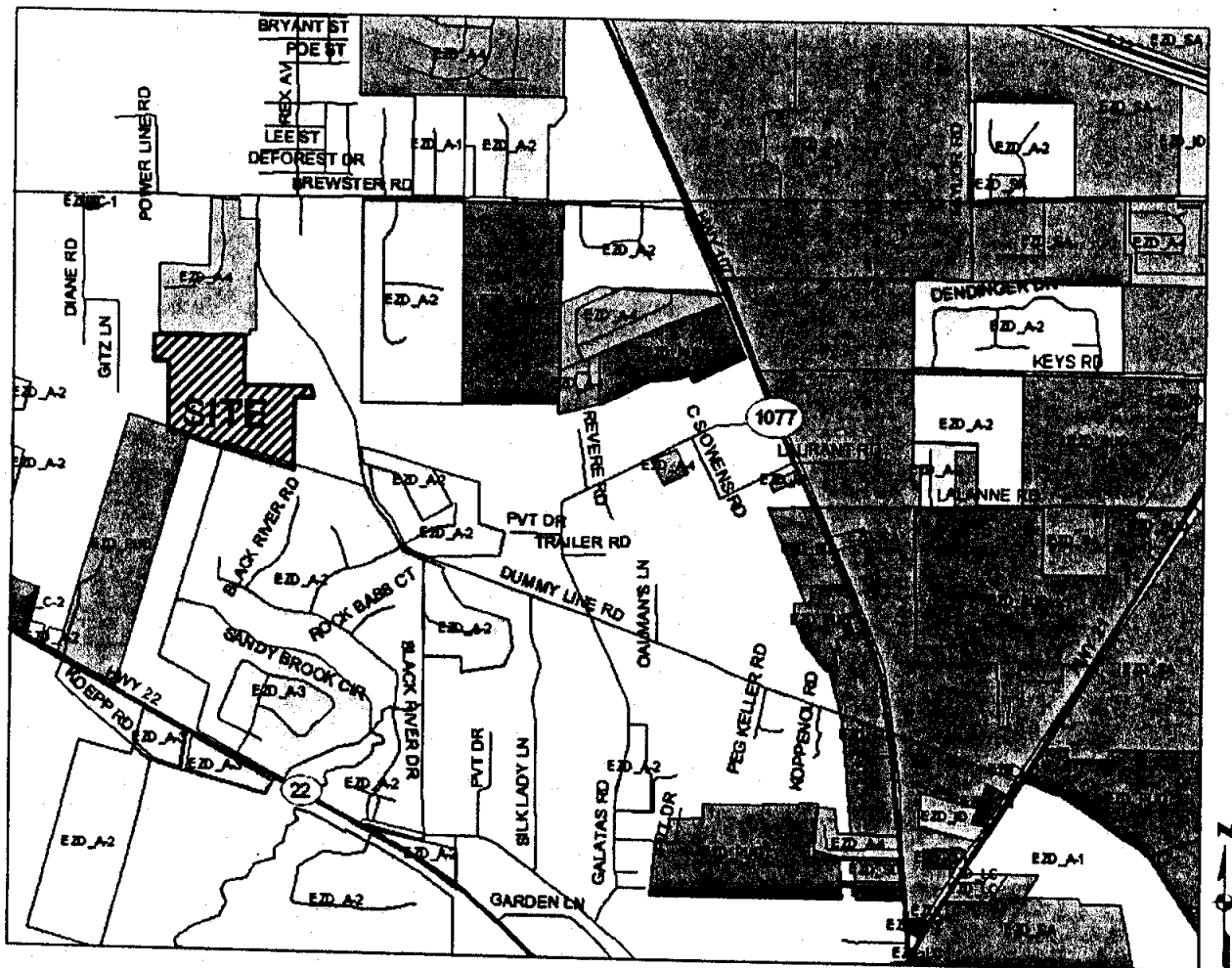
Thence North 72 degrees 56 minutes 44 seconds West 222.37 feet along the north line of said section to a 1/2 inch iron rod found,

Thence North 00 degrees 02 minutes 19 seconds West 889.19 feet to a 1/2 inch iron rod found,

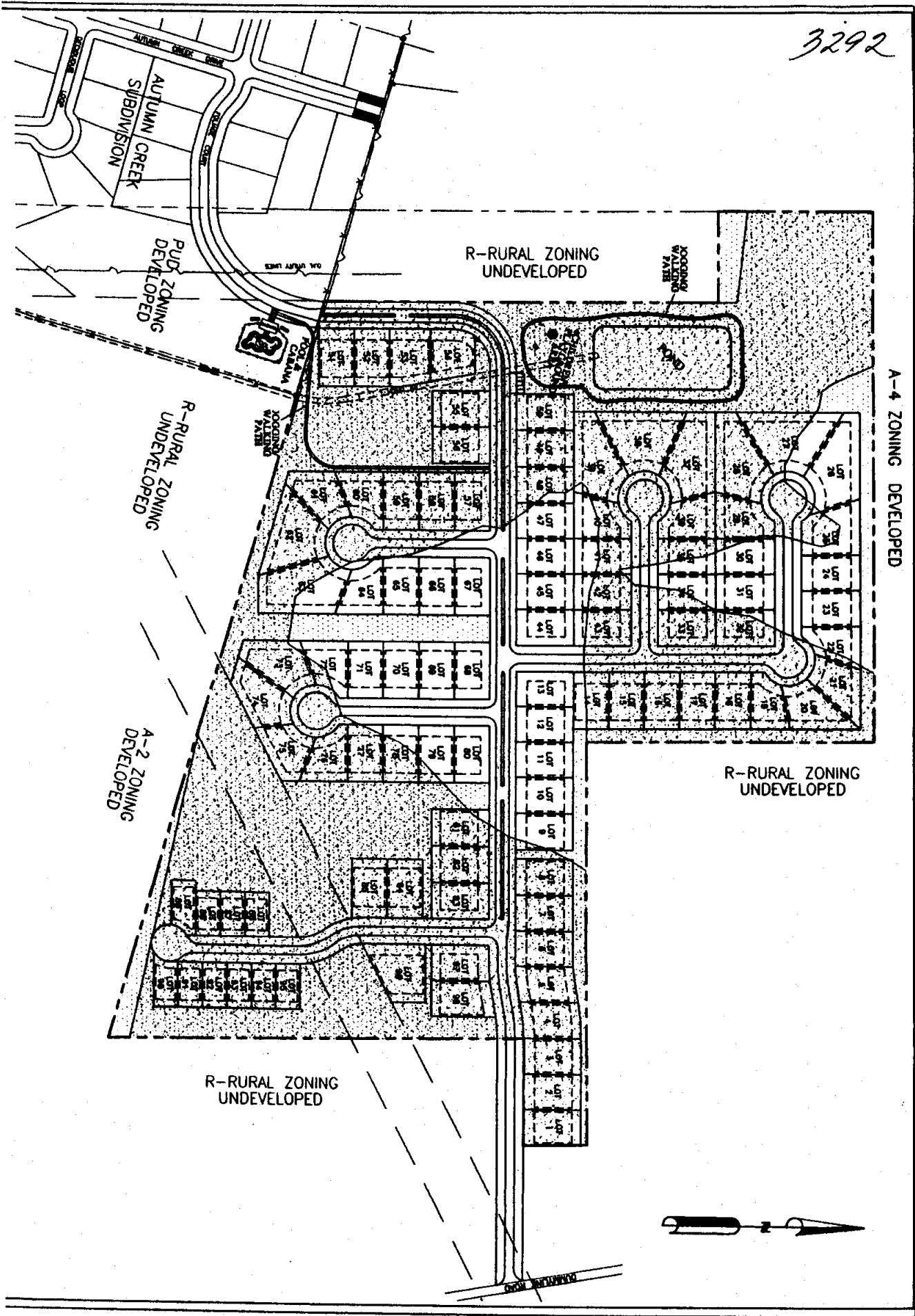
Thence South 89 degrees 39 minutes 23 seconds West 199.25 feet to a 3/4 inch iron pipe found,

Thence North 00 degrees 02 minutes 07 seconds West 343.26 feet to the **POINT OF BEGINNING**, containing 48.58 Acres.

CASE NO.: ZC06-04-028 3292  
 PETITIONER: Leroy Cooper  
 OWNER: James Coate Jr., Brian E. Gitz, Alfred L. Gitz, Jr.  
 REQUESTED CHANGE: From R (Rural) District to PUD (Planned Unit Development) District  
 LOCATION: Parcel located on the north side of Foliage Court, west of Dummyline Road; S42 & 15, T7S, R10E; Ward 1, District 1  
 SIZE: 48.58 acres



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2006-04-028

**DEVELOPER**

AUTUMN CREEK II, LLC  
1330 GIROD STREET  
MANDEVILLE, LA 70448

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PROVIDED GREEN SPACE ACREAGE: (ACTIVE - 8%, PASSIVE - 29%)	±17.13 ACRES - 35%
(CREDITED GREEN SPACE ACREAGE:	±16.63 ACRES - 34%)
LOTS ACREAGE:	±24.28 ACRES - 50%
RIGHT OF WAY ACREAGE:	±7.17 ACRES - 15%
TOTAL RESIDENTIAL ACREAGE:	±48.58 ACRES - 100%

MINIMUM BUILDING SETBACKS:

FRONT: 25'  
REAR: 20'  
SIDES: 5'  
GARDEN HOME LOTS:  
FRONT: 15'  
REAR: 15'  
SIDES: 5'

EXISTING ZONING:

R-RURAL

F.I.R.M. MAPS:

PANEL # 225205 0205C  
FLOOD ZONE "C"  
OCTOBER 17, 1989

AVERAGE SIZE OF LOTS:  
±10,400sq ft (±.24 ACRES)

RESIDENTIAL DENSITY:  
±2.02 LOTS/ACRE

LANDSCAPING:

ALL EXISTING TREES ARE TO BE SAVED  
WITHIN THE GREEN SPACES.

EXISTING CONDITIONS:

RURAL

COMMUNITY SEWER & WATER:

COMMUNITY SEWER & WATER TO BE  
LOCATED OFF SITE.

APPROXIMATE LENGTH OF ROADWAY:  
±1.1 MILES


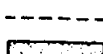
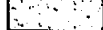
PERCENTAGE OF GREEN SPACE & LAKES:  
±35% (CREDITED ±34%)

TOTAL MAX. NUMBER OF LOTS: 98

MAXIMUM HEIGHT OF BUILDINGS: 35'

A WETLANDS DELINEATION HAS NOT BEEN FINALIZED  
AND WILL BE SHOWN ON THE TENTATIVE PLAN.

**LEGEND:**

-  GREEN SPACE
-  SETBACKS
-  WETLANDS

AUTUMN CREEK II  
5&42, TOWNSHIP 7 SOUTH, RANGE 10 EAST  
ST. TAMMANY PARISH, LOUISIANA

**CEI COOPER ENGINEERING, INC.**

Civil Engineering • Planning • Environmental  
P.O. Box 1870 Covington, Louisiana 70434 (985) 845-8155

2006-04-028

206-04-028

**RESTRICTIVE COVENANTS**

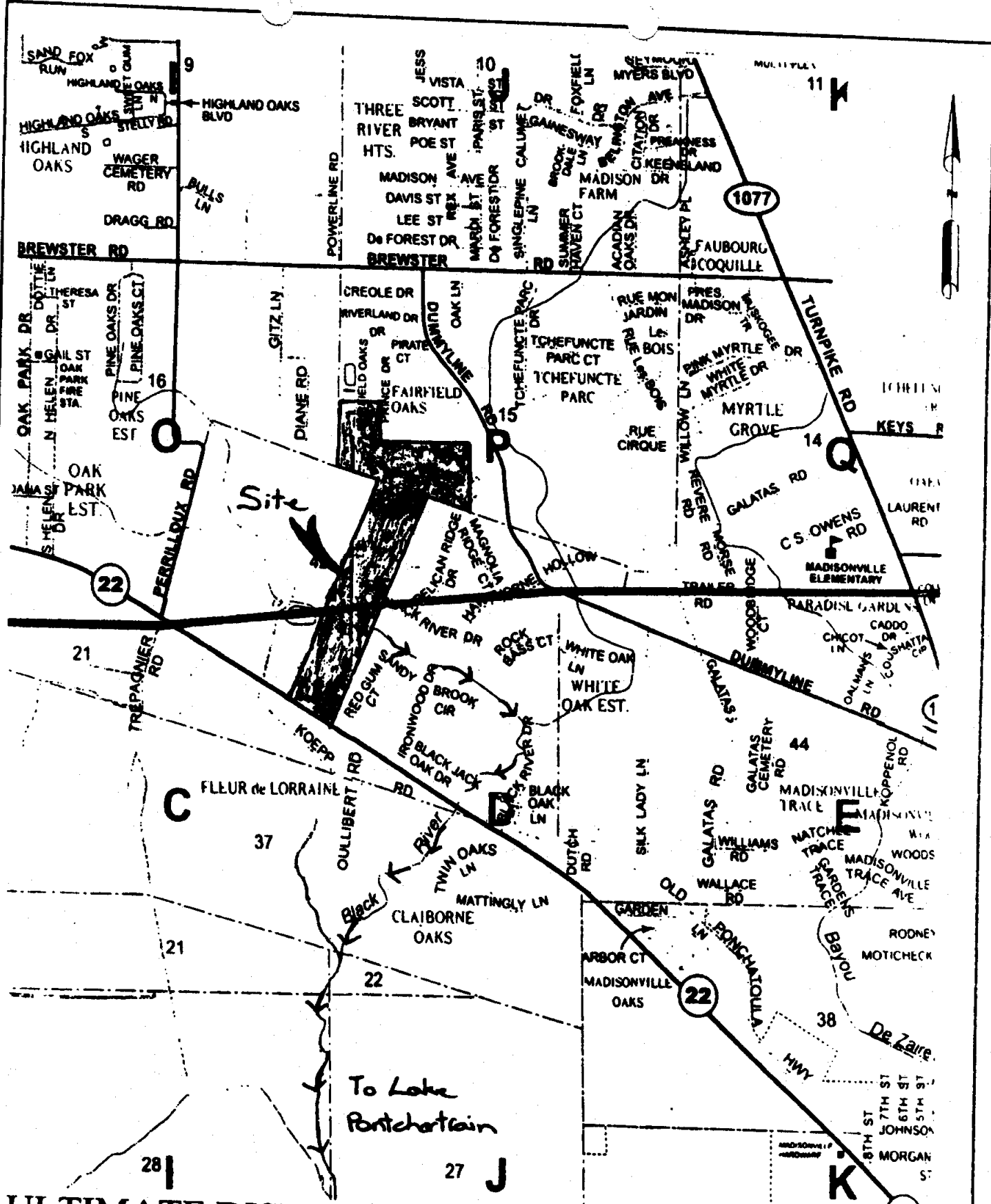
Autumn Creek II

CEI Reference No.: 05-088

1. Each lot will not have more than one dwelling.
2. Front setbacks will not be less than 25 feet from the property line. Side building setbacks will not be less than 5 feet from the interior side of the property line. Side street building setbacks will not be less than 20 feet from the property line. Rear building setbacks will not be less than 20 feet from the rear property line. Garden homes: Front - 15', Side - 5', Rear - 15'
3. 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 St. Tammany Parish Department of Environmental Services. Whenever a subdivision is served by a community (central) sewerage and/or water system supply, no private water supply may be drilled or otherwise constructed on any lot 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).
4. No noxious or otherwise activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.
5. Construction of any nature, including fences, is prohibited in Parish drainage servitudes and street easement.
6. No mobile homes will be permitted in this subdivision.
7. No lot shall be further subdivided without the approval of the St. Tammany Parish Planning Commission.
8. The front of each lot shall be subject to a 10-foot utility easement along all streets.
9. Driveways on corner lots shall not be located any closer than forty (40) feet from a corner of said property closest to the intersection as measured from the corner of the property where the said two street right-of-ways intersect.
10. The Homeowners Association will be responsible for maintaining the green space areas within this development.
11. In addition to the foregoing minimum restrictive covenant, the developers have created by separate act recorded in original instrument No. \_\_\_\_\_ additional restrictive covenants which are applicable to the property being subdivided. The foregoing shall be a covenant running with each title and reference shall be made thereto in each title.
12. Roadside ditches must remain, subsurface drainage will not be allowed anytime in the future.
13. The minimum elevation for the lowest floor of all residences shall be determined from the latest revised FEMA flood insurance rate maps. The minimum elevation of the lowest floor in Flood Zone "A" shall be obtained from the Parish Engineering Department.
14. Lots may not be used for the storage of trash or junk vehicles.

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2C06-04-028



**ULTIMATE DISPOSAL MAP**  
NOT TO SCALE

C.P.-13, COATE 05-088, ZONING PLAN, 2-8-06

05-088  
**U-1**  
2-8-06

PLANS FOR  
**AUTUMN CREEK II**  
SECTIONS 15&42, TOWNSHIP 7 SOUTH, RANGE 10 EAST  
ST. TAMMANY PARISH, LOUISIANA

**CEI COOPER ENGINEERING, INC.**  
Civil Engineering • Planning • Environmental  
P.O. Box 1870 Covington, Louisiana 70434 (985) 845-8155

2c06-04-028

## ENVIRONMENTAL ASSESSMENT DATA FORM

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Description of ProjectApplicant's Name Autumn Creek II, L.L.C.Address 1330 Girod Street, Mandeville, LA 70448

Attach area location Map showing the proposed development

Name of Development Autumn Creek II SubdivisionSection 42 & 15 Township 7 South Range 10 EastNumber of acres in Development ± 77.42Type of Streets AsphaltType of water system CommunityType of sewerage system CommunityUltimate disposal of wastes To Black River and ultimately to Lake PonchartrainUltimate disposal of surface drainage To Black River and ultimately to Lake PonchartrainLand form: Flat X Rolling \_\_\_\_\_ Marsh \_\_\_\_\_  
Swamp \_\_\_\_\_ Inundated \_\_\_\_\_Existing land use: Rural X Residential \_\_\_\_\_  
Commercial \_\_\_\_\_ Industrial \_\_\_\_\_Proposed land use: Rural \_\_\_\_\_ Residential X  
Commercial \_\_\_\_\_ Industrial \_\_\_\_\_

Conforms to Major Road Plan: Yes \_\_\_\_\_ X \_\_\_\_\_ No \_\_\_\_\_

Water frontage: Yes \_\_\_\_\_ No X \_\_\_\_\_ If so, how much?

Name of Stream \_\_\_\_\_

Major highway frontage: Yes \_\_\_\_\_ No X \_\_\_\_\_

Name of Highway \_\_\_\_\_

Is development subject to inundation in normal high rainfall and/or tide?

Yes \_\_\_\_\_ No X \_\_\_\_\_

Will canals be constructed into rivers or lakes?

Yes \_\_\_\_\_ No X \_\_\_\_\_

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        | <u>NO</u> |
| b. | Have a substantial impact on natural, ecological recreation, or scenic resources?    | YES        | <u>NO</u> |
| c. | Displace a substantial number of people?   | YES        | <u>NO</u> |
| d. | Conform with the environmental plans and goals that have been adopted by the Parish? | <u>YES</u> | NO        |
| e. | Cause increased traffic, or other congestion?  | YES        | <u>NO</u> |
| f. | Have substantial aesthetic or visual effect on the area?                             | YES        | <u>NO</u> |



ANSWER ALL QUESTIONS BY A CIRCLE AROUND YES OR NO

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- g. Breach national, state or local standards relating to:
- |  |     |           |
|--|-----|-----------|
| (1) Noise                                | YES | <u>NQ</u> |
| (2) Air Quality                          | YES | <u>NQ</u> |
| (3) Water Quality                        | YES | <u>NQ</u> |
| (4) Contamination of public water supply | YES | <u>NQ</u> |
| (5) Ground water levels                  | YES | <u>NQ</u> |
| (6) Flooding                             | YES | <u>NQ</u> |
| (7) Erosion                              | YES | <u>NQ</u> |
| (8) Sedimentation                        | YES | <u>NQ</u> |
- h. Affect rare or endangered species of animal or plant habitat or such a species YES NQ
- i. Cause substantial interference with the movement of any resident or migratory fish or wildlife species YES NQ
- j. Induce substantial concentration of population YES NQ
- k. Will dredging be required YES NQ

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

2. Attach specifications of 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.
- None*
- b. What work will be the average noise level be of the development during working hours.
- Negligible*
- c. Will any smoke, dust or fumes be emitted as a result of the operational process. If so, explain fully.
- No*

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 center sewerage system the ultimate disposal of the effluent produced.

Gentlemen:

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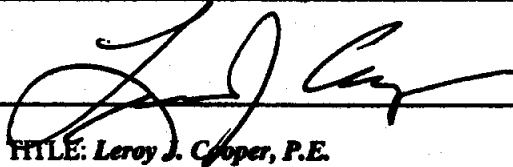
I have completed the attached Environmental Impact Assessment Data Form and hereby certify that the information shown thereon is accurate and is based on a thorough study of the environmental impact by this development named:

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 TITLE: Leroy J. Cooper, P.E.

DATE: 2-13-06

I have reviewed the data submitted and concur with the information with the following exceptions:

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I recommend the following:

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DATE:

PARISH ENGINEER:

I have reviewed the data submitted and concur with the information with the following exceptions:

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I recommend the following:

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DATE:

PARISH PLANNER:

I have reviewed the Environmental Assessment Data Form and concur with the information submitted with the following exceptions:

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I recommend the following:

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DATE: \_\_\_\_\_

POLICE JUROR: \_\_\_\_\_

WARD: \_\_\_\_\_