



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: 8/8/07

(Reference Case Number)

CP07-08-133

KBL Development, LLC
Assisted Living Facility

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

[Signature] Attorney for KBL Development, LLC

(SIGNATURE)

P.O. Box 1810
Covington, LA 70434

PHONE #: 985 892 4801



CP07-08-133 - Use: Assisted Living Facility

Zoning: MH (Mobile Home) District
Use Size: 38,545 sq. ft.
Petitioner: Adrian Lenczewski
Owner: KBL Development, LLC
Location: Parcel located on the south side of Hardin Road, south of U.S. Highway 190, west of Pace Street, S18, T9S, R15E, Ward 8, District 15 14
Council District: 18 14

CONDITIONAL USE PERMIT STAFF REPORT

Date: August 7, 2007
CASE NO.: CP07-08-133
Posted: 07/10/07

Meeting Date: August 7, 2007
Determination: Denied

PETITIONER: Adrian Lenczewski
OWNER: KBL Development, LLC
PROPOSED USE: Assisted Living Facility
PREVIOUS/CURRENT USE: Vacant
SQ. FT. OF USE: 38,545 sq. ft.
GROSS AREA LOT SIZE: 10.040 acres
ZONING CLASSIFICATION: MH (Mobile Home) District
LOCATION: Parcel located on the south side of Hardin Road, south of U.S. Highway 190, west of Pace Street; S18, T9S, R15E; Ward 8, District ~~13~~ 14

SITE ASSESSMENT

ACCESS ROAD INFORMATION

Type: Parish

Road Surface: 1 lane Concrete

Condition: Fair

LAND USE CONSIDERATIONS

Surrounding Land Use and Zoning:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Industrial	M-1 (Light Industrial) District
South	Undeveloped	A-2 (Suburban) District
East	Undeveloped	A-2 (Suburban) District
West	Residential	A-2 (Suburban) District

Existing development? No

Multi occupancy development? Yes

STAFF COMMENTS:

Petitioner is requesting a Conditional Use permit for an Assisted Living Facility of 48 one bedroom units, on the south side of Hardin Road, south of U.S. Highway 190. A site and landscape plan has been provided meeting most of the requirements. A revised plan must be provided, meeting all the requirements as stated below (see attached chart). The site is proposed to be accessed through a 20' access drive. Note that the size of the access will have to be increased to a minimum of 24' wide as required under the St. Tammany Parish Zoning Ordinance, for a 2-way drive. A revised plan has been submitted showing a second access, from Simone Road.

A zoning change to ID (Institutional) District has been submitted for the subject site (ZC07-07-047). Staff recommended approval of the requested zoning change, considering that certain uses listed under the Institutional District could be appropriate for the area. The Zoning Commission did not recommend approval for the requested zoning change at the July 3rd, 2007 meeting. An appeal of the decision has been filed by the petitioner. The appeal has been heard at the August 2nd, 2007 Council Meeting. The Council overturned the recommendation of the Zoning Commission. The rezoning request to ID has been approved.

After further review of the proposed use, and the location of the site, staff does not feel that the proposed use would be appropriate for the area. The site is located in Flood Zone A and the area experienced considerable flooding during Hurricane Katrina. Staff is concerned with the evacuation and relocation of the residents of the facility, in the case of a mandatory evacuation for residents located south of I-12, when a hurricane is approaching.

Note that an evacuation plan has been submitted for further review.

Considering that the site exceed 2 acres in size, a traffic study is required for the proposed use. The traffic study is necessary in order to ensure prudent development by studying the amount of traffic a project will be adding to the surrounding area. After review and calculation of the number of trips the development would generate, it has been determined that the project will not have a significant impact on the traffic in the surrounding area. Therefore no additional traffic improvements will be required.

STAFF RECOMMENDATIONS:

The staff recommends denial of this proposal.

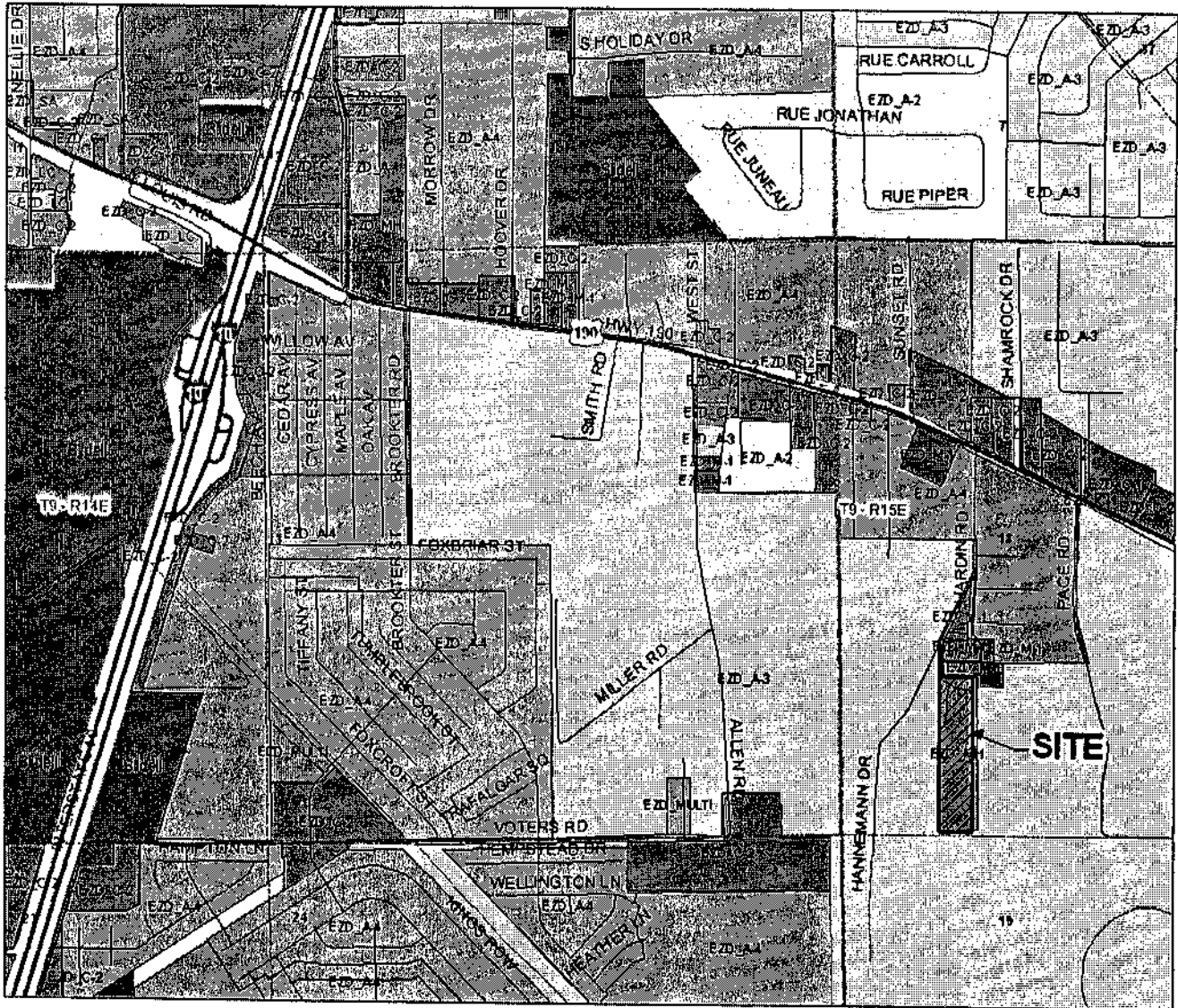
Should the Zoning Commission wishes to grant approval of the requested conditional use permit, it should be subject to all applicable regulations and the following conditions:

1. Increase the size of the access drive to a minimum of 24' in width. Access ways through the periphery of an off-street parking or other vehicular use area shall be a minimum of 24' to a maximum of 35' wide for 2-way traffic; and a minimum of 12' to 15' wide for one-way traffic.
2. Provide a landscape plan showing the size and location of all existing trees to be preserved and any new plant materials to meet the applicable landscaping requirements. Provide the size, caliper and species of the proposed trees on the revised landscape plan. Note that Class A trees have to be a minimum of 10' to 12' high & Class B trees have to be a minimum of 8' to 10' high after planting. The caliper of Class A trees has to be a minimum of 2 1/2" and the caliper of Class B trees has to be a minimum of 1 1/2" measured at 1 1/2 feet above the ground.
3. If a dumpster is required, provide the location and the required screening.
4. The property owner shall be responsible for the maintenance and the replacement of the required plant materials.
5. During construction, planting or open ground areas surrounding preserved trees shall be wired off with a properly flagged, reinforced & rolled wire mesh.
6. Provide an exterior lighting plan so all exterior lighting shall be shaded or inwardly directed in such a manner so that no direct lighting or glare is cast beyond the property line. The intensity of such lighting shall not exceed one foot candle as measured at the abutting property line. Outdoor lighting illumination shall follow the recommended guidelines for the luminescence as established in the IESNA Lighting Handbook.

NOTE TO PETITIONER

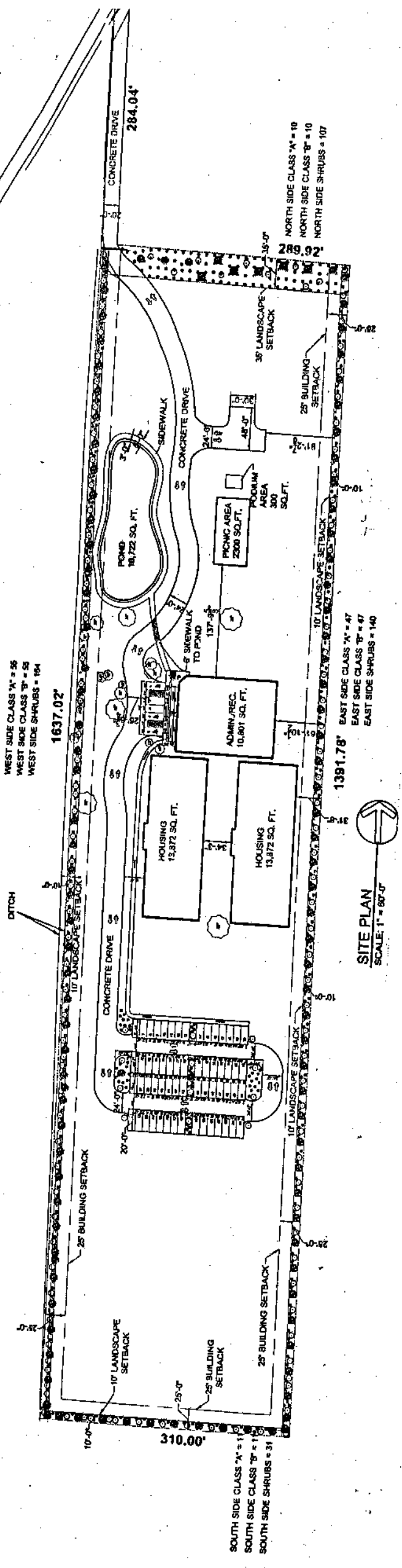
There is a 10 day appeals period following the Zoning Commission decision. If the request is approved, permits will not be issued until this 10 day period has elapsed. The petitioner shall have one year to obtain the appropriate building permits or occupy the site from the date of approval of the St. Tammany Parish Zoning Commission, unless otherwise stipulated by the St. Tammany Parish Zoning Commission.

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CP07-08-133

HARDIN ROAD



WEST SIDE CLASS "A" = 26
 WEST SIDE CLASS "B" = 52
 WEST SIDE SHRUBS = 184

1637.02'

EAST SIDE CLASS "A" = 47
 EAST SIDE CLASS "B" = 47
 EAST SIDE SHRUBS = 140

1391.78'

SITE PLAN
 SCALE: 1" = 60'-0"

SOUTH SIDE CLASS "A" = 11
 SOUTH SIDE CLASS "B" = 11
 SOUTH SIDE SHRUBS = 31

310.00'

284.04'

10'-0"

DITCH

25' BUILDING SETBACK

10' LANDSCAPE SETBACK

25' BUILDING SETBACK

25' BUILDING SETBACK

35' LANDSCAPE SETBACK

25' BUILDING SETBACK

10' LANDSCAPE SETBACK

10' LANDSCAPE SETBACK

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APPENDIX A
CASE NO.: CP07-08-133
LANDSCAPE CHART
FOR COMMERCIAL/INDUSTRIAL/INSTITUTIONAL/MULTI-FAMILY USES ONLY

Affected Area	Minimum Requirements	Petitioner Provided	Staff Recommends
Street Planting 289.92 ft.	35' planting area 15 Class A 15 Class B 29 Shrubs	35' planting area 15 Class A 15 Class B 107 Shrubs	As petitioner proposes
West Perimeter Planting 1637.02 ft.	10' planting area 55 Class A 55 Class B	10' planting area 55 Class A 55 Class B	As petitioner proposes
East Perimeter Planting 1391.78 ft.	10' planting area 46 Class A 46 Class B	10' planting area 46 Class A 46 Class B	As petitioner proposes
South Perimeter Planting 310 ft.	10' planting area 10 Class A 10 Class B	10' planting area 10 Class A 10 Class B	As petitioner proposes
Parking Planting 0.5 per bed plus 1 space per doctor on duty and 2 for every 3 employees on duty 24 Spaces Required for the residents 41 spaces for employees and doctors 6 employees/ shift total of 65 Spaces Provided	1 Class A in island at the end of each row & every 12 spaces	1 class B at the end of each row and every 12 spaces	As petitioner proposes