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ST. TAMMANY PARISH

DEPARTMENT OF PLANNING
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Kevin Davis
Parish President

Appeal #10

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: 1/10/2008

CP07-09-157PR - Use: Retail Facility over 20,000 sq. ft.
Zoning: C-2 (Highway Commercial) District
Use Size: 78,000 sq. ft.
Petitioner: Leroy Cooper
Owner: Samuel Markovich/Acadian Properties Northshore, LLC
Location: Parcel located on the west side of LA Highway 21, south of Cherokee Rose Lane, S46, T7S, R11E, Ward 1, District 1
Council District: 1
REFERRED BACK FROM COUNCIL

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

Misty Habet et al
(SIGNATURE)

Misty Habet et al
240 Cherokee Rose Lane
Covington, LA 70433
PHONE #: *985 768 8007*

CONDITIONAL USE PERMIT STAFF REPORT

Date: December 21, 2007
CASE NO.: CP07-09-157PR
Prior Action: Denied (11/06/07)
Referred back from Council (12/06/07)

Meeting Date: January 2, 2008
Determination: Approved with staff comments

PETITIONER: Leroy Cooper
OWNER: Samuel Markovich/Acadian Properties Northshore, LLC
PROPOSED USE: Retail Facility over 20,000 sq. ft.
PREVIOUS/CURRENT USE: Vacant
SQ. FT. OF USE: 99,045 sq. ft.
GROSS AREA LOT SIZE: 8.138 acres
ZONING CLASSIFICATION: C-2 (Highway Commercial) District
LOCATION: Parcel located on the west side of LA Highway 21, south of Cherokee Rose Lane; S46, T7S, R11E; Ward 1, District 1

SITE ASSESSMENT

ACCESS ROAD INFORMATION

Type: State

Road Surface: 3-lane asphalt

Condition: Good

LAND USE CONSIDERATIONS

Surrounding Land Use and Zoning:

Direction

Land Use

Zoning

North

Commercial/Residential

A-4 (Single Family Residential) District/ C-1 (Neighborhood Commercial) District

South

Commercial

City of Covington

East

Commercial/Undeveloped

C-2 (Highway Commercial) District

West

Commercial/Undeveloped

LC (Light Commercial) District

Existing development? No

Multi occupancy development? Yes

STAFF COMMENTS:

Petitioner originally requested a Conditional Use permit for a Retail Facility over 20,000 sq. ft. The site is located on the west side of LA Highway 21, south of Cherokee Rose Lane. The request was originally denied at the November 6, 2007 Zoning Meeting. The case was appealed and heard at the December 6, 2007 Council meeting. The Council referred the case back to the Zoning Commission for review and reconsideration. The site plan remains the same, which will consist of an 99,045 sq. ft. retail commercial strip shopping center. Site and landscape plan has been provided meeting most of the requirements. Note that a tree survey must be completed, showing the existing trees to be preserved within the planting buffers before application for a land clearing permit.

A Traffic Impact Analysis has been submitted, as required. After review of the TIA, the Engineering Department indicated that the driveway layout has been approved: one full access on Hwy 21, one right in and right out driveway on Hwy 21 (may not be allowed by DOTD) and a right in and right out driveway on Cherokee Rose Lane. Note that the developer will also have to provide the traffic signal at Hwy 21 and Cherokee Rose Lane. The signal will have to be reviewed and approved by DOTD. The TIA has been reviewed for retail uses only. If uses such as banks, coffee shops or restaurants are to occupy the building, a revised TIA must be provided.

STAFF RECOMMENDATIONS:

The staff recommends approval of this proposal, subject to all applicable regulations and the following conditions:

1. Meet all required Traffic improvements before occupancy.
2. Approval of 99,045 sq. ft. of commercial uses including 2 outparcels.
3. Provide 30' no cut buffer in the rear of the site and an 8' opaque screen.
4. Provide 1 Class A tree every 30 linear feet in the required median. Removed proposed Class B trees.
5. Provide 2 additional Class A trees and 2 additional Class B trees in the northern perimeter planting area.
6. 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.
7. Provide a revised 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 2½" and the caliper of Class B trees has to be a minimum of 1½" measured at 1½ feet above the ground.
8. If a dumpster is required, provide the location and the required screening.
9. The property owner shall be responsible for the maintenance and the replacement of the required plant materials.
10. During construction, planting or open ground areas surrounding preserved trees shall be wired off with a properly flagged, reinforced & rolled wire mesh.
11. 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.

**APPENDIX A
CASE NO.: CP07-09-157PR
LANDSCAPE CHART**

FOR COMMERCIAL/INDUSTRIAL/INSTITUTIONAL/MULTI-FAMILY USES ONLY

Affected Area	Planned Corridor	Minimum Requirements	Petitioner Provided	Staff Recommends
Street Planting 929.5 ft. (LA Highway 21)	100' building setback 50' planting area & parking setback 155 Class A 232 Class B 3' earthen berm or 70% living obscuring screen	30' planting area 37 Class A 37 Class B 93 Shrubs	50' planting area & parking setback 155 Class A 232 Class B 94 Shrubs/70% Living Shrubs Obscuring Screen	As petitioner proposes.
West Perimeter Planting 737.51 ft.	30' planting area 25 Class A 25 Class B 100% opaque 8' tall fence	25' planting area 25 Class A 25 Class B 100% opaque 8' tall fence	30' planting area 26 Class A 26 Class B 100% opaque 8' tall fence	Approved as proposed.
North Perimeter Planting 387.98 ft. (Cherokee Rose Lane)	30' planting area 16 Class A 16 Class B 39 Shrubs	30' planting area 16 Class A 16 Class B 39 Shrubs	30' planting area 14 Class A 14 Class B 40 Shrubs	Provide 2 additional Class A trees and 2 additional Class B trees.
South Perimeter Planting 399.52 ft.	10' planting area 13 Class A 13 Class B	10' planting area 13 Class A 13 Class B	10' planting area 15 Class A 15 Class B	Approved as proposed.
Parking Planting 251 Spaces Required 444 Spaces Provided	Parking areas shall be a minimum of 10% of the paved area. 1 Class A in Island / 12 spaces & in island at ends of row; 4th row divided by planting bed	1 Class A / 12 spaces & in islands at ends of row; 4th row divided by planting bed	1 Class A in Island / 12 spaces & in island at ends of row; 4th row divided by planting bed	Provide 1 Class A tree every 30 linear feet in the required median. Removed proposed Class B trees.

Other Considerations:
Hours of Operation: 7AM to 7PM

Number of Employees: Not provided.

Noise Expected: Unknown

CASE NO.: CP07-09-157PR
PETITIONER: Leroy Cooper
OWNER: Samuel Markovich/Acadian Properties Northshore, LLC
PROPOSED USE: Retail Facility over 20,000 sq. ft.
PREVIOUS/CURRENT USE: Vacant
SQ. FT. OF USE: 354,491.28 sq. ft.
GROSS AREA LOT SIZE: 8.138 sq. ft.
ZONING CLASSIFICATION: C-2 (Highway Commercial) District
LOCATION: Parcel located on the west side of LA Highway 21, south of Cherokee Rose Lane; S46, T7S, R11E; Ward 1, District 1



