

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3714

ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

COUNCIL SPONSOR MR. DEAN

PROVIDED BY: PLANNING

INTRODUCED BY: MR. DEAN

SECONDED BY: MR. DEAN

ON THE 6TH DAY OF DECEMBER, 2007

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED AT THE END OF KATHMAN ROAD, NORTH OF ADRIENNE STREET AND WHICH PROPERTY COMPRISES A TOTAL OF 123 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT R (RURAL) DISTRICT TO A PUD (PLANNED UNIT DEVELOPMENT) DISTRICT, WARD 1, DISTRICT 1. (ZC07-06-037)

Whereas, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC07-06-037, has recommended Denial to the Council of the Parish of St. Tammany, Louisiana, that the zoning classification of the above referenced area remains R (Rural) District.

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 (see Exhibit "A") for complete boundaries.

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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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

ZC07-06-037

**PARCEL I:** (121.5 acres)

A certain piece or parcel of land situated in the Parish of St. Tammany, State of Louisiana, being more particularly described as follows, to-wit:

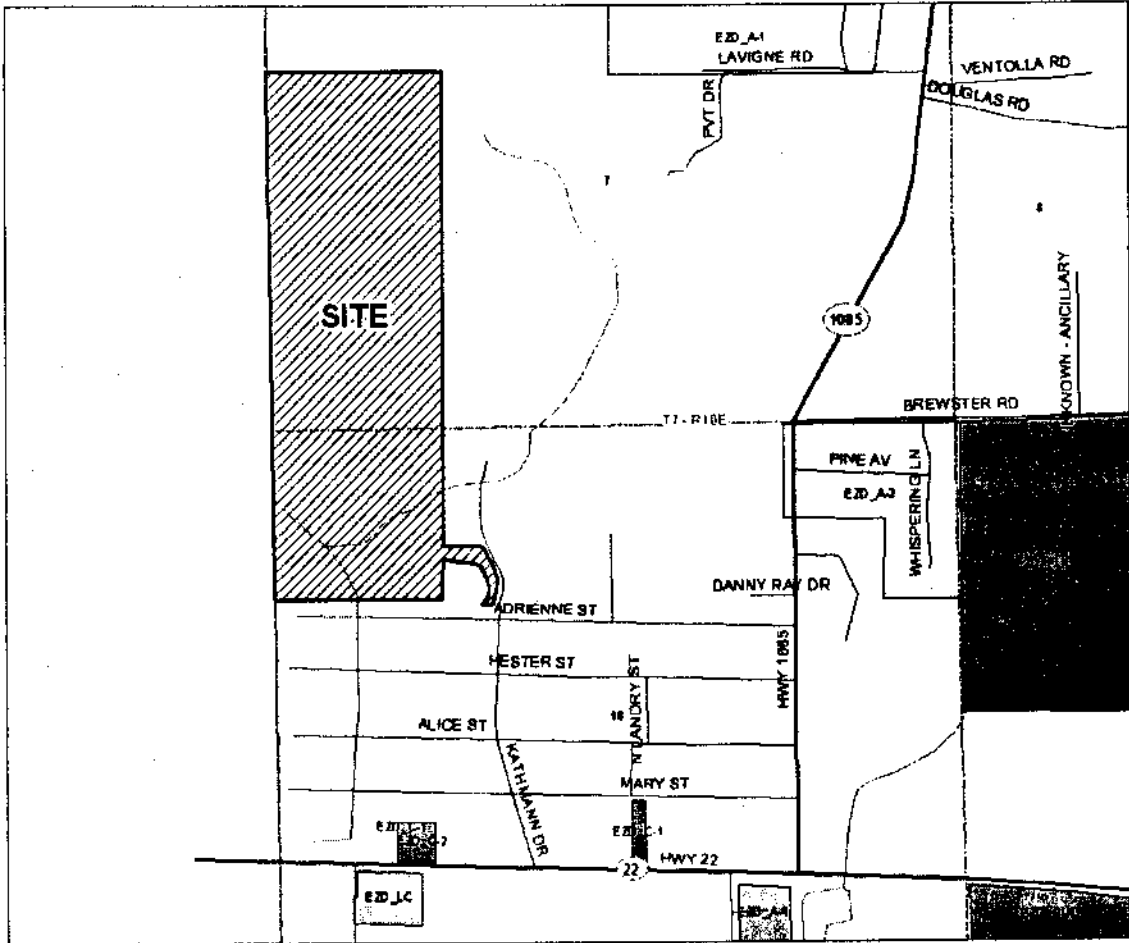
Northwest ¼ of Northwest ¼ of Section 18; West ¼ Of Southwest ¼ of Section 7, all in Township 7 South, Range 10 East, containing 121.5 acres, more or less.

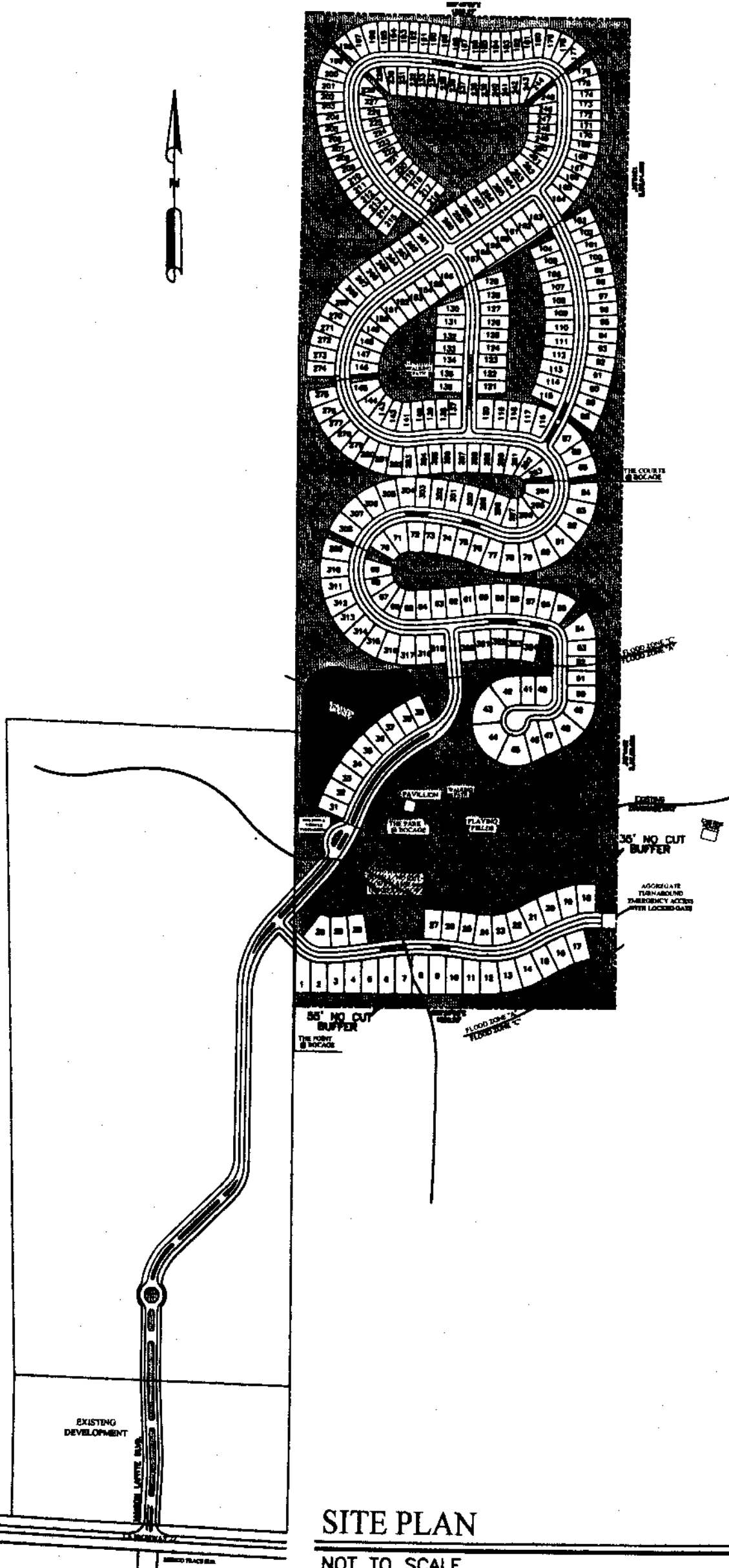
**PARCEL II:** (1.23 acres)

A certain piece or parcel of land situated in the Parish of St. Tammany, State of Louisiana, being more particularly described as follows, to-wit:

Commencing at a point which is the Southeast Corner of the Northwest Quarter of the Northwest Quarter of Section 18, Township 7 South, Range 10 East, thence North 0 degrees 28 minutes 38 seconds East 312.31 feet for the POINT OF BEGINNING; From said point proceed thence North 0 degrees 28 minutes 38 seconds East 100.00 feet; thence South 89 degrees 45 minutes 53 seconds East 287.96 feet; thence South 65 degrees 33 minutes 30 seconds East 30.04 feet; thence South 24 degrees 42 minutes 24 seconds East 81.42 feet; thence South 28 degrees 58 minutes 26 seconds East 53.49 feet; thence South 28 degrees 15 minutes 04 seconds East 40.13 feet; thence South 23 degrees 36 minutes 57 seconds East 25.04 feet; thence South 17 degrees 48 minutes 24 seconds East 26.32 feet; thence South 12 degrees 12 minutes 06 seconds East 37.57 feet; thence South 6 degrees 00 minutes 58.1 seconds East 32.144 feet; thence South 7 degrees 37 minutes 38 seconds West 63.66 feet; thence South 15 degrees 20 minutes 26 seconds West 110.66 feet; thence North 88 degrees 25 minutes 51 seconds West 80.00 feet; thence North 32 degrees 28 minutes 20 seconds East 81.50 feet; thence North 7 degrees 37 minutes 38 seconds East 54.43 feet; thence North 6 degrees 00 minutes 58 seconds West 21.724 feet; thence North 12 degrees 12 minutes 06 seconds West 31.39 feet; thence North 17 degrees 48 minutes 24 seconds West 20.54 feet; thence North 23 degrees 36 minutes 57 seconds West 19.57 feet; thence North 28 degrees 15 minutes 04 seconds West 37.32 feet; thence North 28 degrees 58 minutes 26 seconds West 54.91 feet; thence North 32 degrees 30 minutes 37 seconds West 16.48 feet; thence North 89 degrees 45 minutes 53 seconds West 267.96 feet back to the POINT OF BEGINNING, containing 1.23 acres all as per survey of Robert G. Barrilleaux, R.L.S., dated March 29, 2006.

**CASE NO.:** ZC07-06-037  
**PETITIONER:** Mr. Leroy J. Cooper  
**OWNER:** Saun Sullivan  
**REQUESTED CHANGE:** From R (Rural) District to PUD (Planned Unit Development) District  
**LOCATION:** Parcel located at the end of Kathman Road, north of Adrienne Street;  
S7, & 18, T7S, R10E; Ward 1, District 1  
**SIZE:** 123 acres





**SITE PLAN**

NOT TO SCALE

07-024

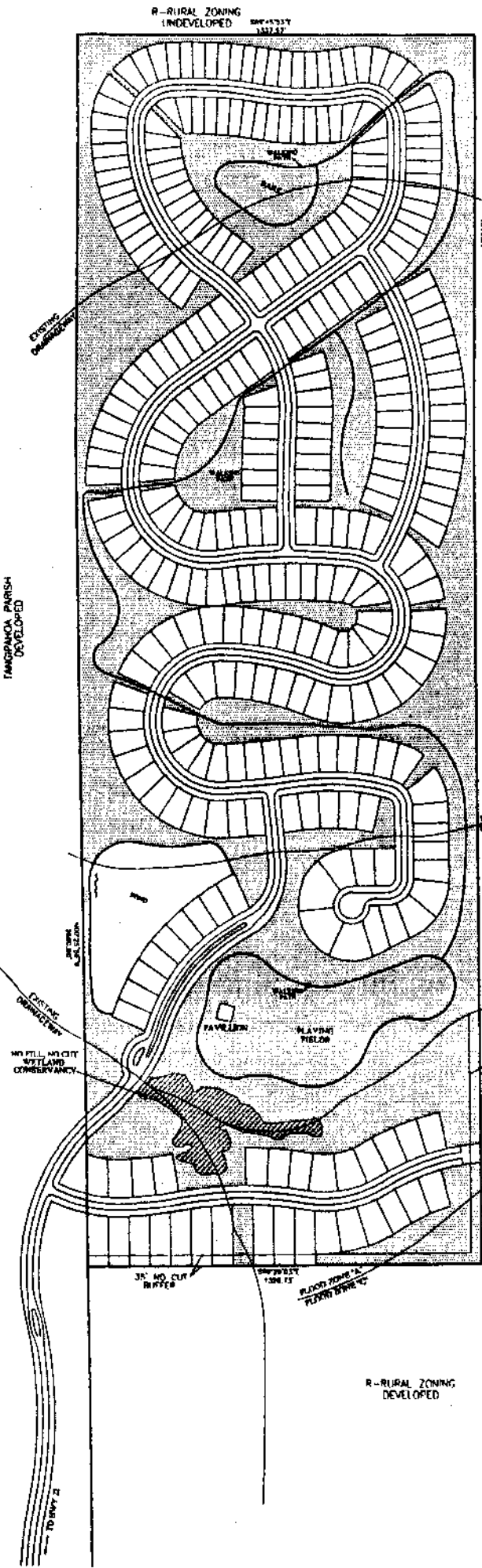
S-1

10-20-07

**THE VILLAGES AT BOCAGE**  
 SECT. 7 & 18, 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) 898-0182



**DEVELOPER**

BROOKE DEVELOPMENT, LLC  
 338 CHATEAU JON  
 DENHAM SPRINGS, LA 70726

PROVIDED GREEN SPACE ACREAGE: (ACTIVE - 7%, PASSIVE - 37%)	±54.16 ACRES	- 44%
(CREDITED GREEN SPACE ACREAGE:	±52.55 ACRES	- 43%
LOTS ACREAGE:	±52.12 ACRES	- 42%
RIGHT OF WAY ACREAGE:	±16.45 ACRES	- 14%
<b>TOTAL RESIDENTIAL ACREAGE:</b>	<b>±122.73 ACRES</b>	<b>- 100%</b>

**MINIMUM BUILDING SETBACKS:**

40'X120' LOTS	50'X120' LOTS	80'X120' LOTS
FRONT: 25'	FRONT: 25'	FRONT: 25'
REAR: 10'	REAR: 10'	REAR: 10'
SIDES: 5'	SIDES: 5'	SIDES: 10'

**EXISTING ZONING:**

R-RURAL

**F.L.R.M. MAPS:**

PANEL # 225203 0205C  
 FLOOD ZONES 'A' & 'C'  
 OCTOBER 17, 1988

AVERAGE SIZE OF LOTS:  
 ±7,000sq ft (±.16 ACRES)

RESIDENTIAL DENSITY:  
 ±2.8 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:  
 ±2.19 MILES

PERCENTAGE OF GREEN SPACE & LAKES:  
 ±44% (CREDITED ±43%)

TOTAL MAX. NUMBER OF LOTS: 323

MAXIMUM HEIGHT OF BUILDINGS: 35'

**LEGEND:**

- GREEN SPACE
- WETLANDS

**ZONING PLAN**

SCALE: 1" = 500'

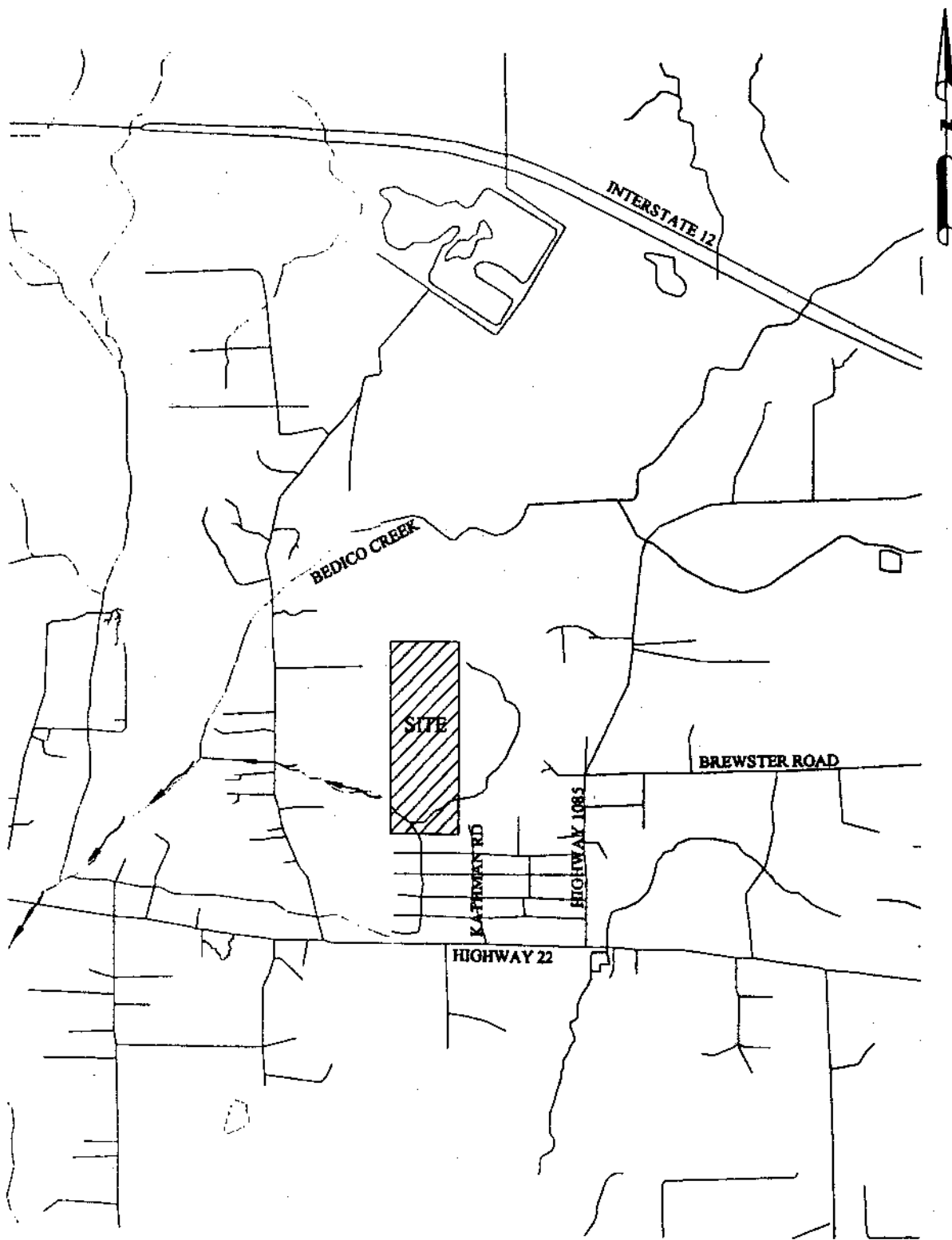
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07-024  
**Z-1**  
 8-30-07

**THE VILLAGES AT BOCAGE**  
 SEC 7&18, 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

2007-06-037



# ULTIMATE DISPOSAL

NOT TO SCALE

C:\SULLIVAN\07-024\ZONING PLAN\ 4-16-07

07-024  
**U-1**  
4-16-07

PLANS FOR  
**KATHMAN ROAD SUBDIVISION**  
SECTIONS 7&18, 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

Kathman Road Subdivision  
CEI Reference No.: 07-024

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 (10 feet for 60 x 120 lots) from the interior side of the property line. Rear building setbacks will not be less than 10 feet from the rear property line.
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 servitude's 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 sixty (60) 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. 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.
13. Lots may not be used for the storage of trash or junk vehicles.

Description of Project

Applicant's Name Brooke Development, L.L.C. / Saun Sullivan

Address 336 Chateau Jon, Denham Springs, LA 70726

Attach area location Map showing the proposed development

Name of Development Kathman Road Subdivision

Section 7&18 Township 7 South Range 10 East

Number of acres in Development + 123.0

Type of Streets Asphalt

Type of water system Community

Type of sewerage system Community

Ultimate disposal of wastes Bedico Creek, and ultimately to Lake Pontchartrain

Ultimate disposal of surface drainage Bedico Creek, and ultimately to Lake Pontchartrain

Land 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 N/A

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

Name of Highway N/A

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 NO
- b. Have a substantial impact on natural, ecological recreation, or scenic resources? YES NO
- c. Displace a substantial number of people? YES NO
- 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



ANSWER ALL QUESTIONS BY A CIRCLE AROUND YES OR NO

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

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.

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE: April 16, 2007

  
TITLE: Lerby J. Cooper, P.E.

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

\_\_\_\_\_  
\_\_\_\_\_

I recommend the following:

\_\_\_\_\_  
\_\_\_\_\_

DATE:

PARISH ENGINEER:

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

\_\_\_\_\_  
\_\_\_\_\_

I recommend the following:

\_\_\_\_\_  
\_\_\_\_\_

DATE:

PARISH PLANNER:

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

\_\_\_\_\_  
\_\_\_\_\_

I recommend the following:

\_\_\_\_\_  
\_\_\_\_\_

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

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

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



**ST. TAMMANY PARISH**

DEPARTMENT OF PLANNING  
P. O. Box 628  
COVINGTON, LA 70434  
PHONE: (985) 899-2529  
FAX: (985) 899-3003  
e-mail: [planning@stpgov.org](mailto:planning@stpgov.org)

**Kevin Davis**  
**Parish President**

**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: November 7, 2007

(Reference Case on <sup>Zoning</sup> Planning Commission Agenda)

ZC 07-06-037

Petitioner: Mr. Leroy J. Cooper

Owner: Brooke Development, LLC


Requested Change: R(Rural) to PUD (Planned Unit Development)

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 ~~Planning~~ <sup>Zoning</sup> 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

 Agent  
(SIGNATURE)

Brooke Development, LLC  
336 Chateau Jon  
Denham Springs, LA 70726

PHONE #: 225/ 791-6860



ZC07-06-037

Existing Zoning: R (Rural) District  
Proposed Zoning: PUD (Planned Unit Development) District  
Acres: 123 acres  
Petitioner: Mr. Leroy J. Cooper  
Owner: ~~Saan Sullivan~~ Brooke Development, LLC  
Location: Parcel located at the end of Kathman Road, north of Adrienne Street, S7 & 18, T7S, R10E, Ward 1, District 1  
Council District: 1

# ZONING STAFF REPORT

Date: November 6, 2007

Meeting Date: November 6, 2007

Case No.: ZC07-06-037

Determination: Denied

Prior Action: Tabled indefinitely (07/03/07)

Posted: 10/17/07

## GENERAL INFORMATION

**PETITIONER:** Mr. Leroy J. Cooper  
**OWNER:** Saun Sullivan  
**REQUESTED CHANGE:** From R (Rural) District to PUD (Planned Unit Development) District  
**LOCATION:** Parcel located at the end of Kathman Road, north of Adrienne Street; S7, & 18, T7S, R10E; Ward 1, District 1  
**SIZE:** 123 acres

## SITE ASSESSMENT

### ACCESS ROAD INFORMATION

Type: Parish Road Surface: 2 lane asphalt Condition: Poor

### LAND USE CONSIDERATIONS

#### SURROUNDING LAND USE AND ZONING:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Undeveloped	R (Rural) District
South	Residential	R (Rural) District
East	Residential	R (Rural) District
West	Tangipahoa Parish Line	

#### EXISTING LAND USE:

Existing development? No Multi occupancy development? Yes

#### COMPREHENSIVE PLAN:

**Residential** - Areas that provide for dwelling units. Such areas may vary in site design, structure design, and in the density of units per acre. Certain areas such as "village or town residential" may include mixed uses and would have the highest number of units per acre, while "Rural residential" would have the lowest number of units per acre, and may include agricultural or open space uses as well. In between these two types of residential areas would be varying levels of single-family detached dwellings, multi-family attached residential, and planned subdivisions for manufactured homes.

**Conservation** - Areas designated for uses of land, water, flora and fauna that appear naturally. Such uses may include such activities as extraction or production for commerce; human enjoyment, hunting, fishing, or other recreation within natural landscapes; or preservation of natural systems. The concept of "conservation" includes a private landowner's understanding of responsibility to wisely manage land resources so that they remain in good condition for future generations (often simple referred to as "good stewardship"); this concept may also include the conservation of energy through efficient transportation options as well as through climate responsive building design, as well as the conservation of historic, scenic, or otherwise serviceable buildings and landscapes.

#### STAFF COMMENTS:

The petitioner is requesting to change the zoning from R (Rural) District to PUD (Planned Unit Development) District. A revised plan has been submitted reducing the number of residential lots from 359 to 323 lots. The proposed subdivision has been completely reconfigured. The internal traffic circulation has definitely been improved. The lot sizes will remain the same: minimum size of 4800 sq.ft., 6000 sq.ft. and 7200 sq.ft. The average density will be of approximately 2.6 lots per acre. The access to the development has been completely relocated. As shown on the plan, the site will be accessed from Hwy 22, through an adjacent site located in Tangipahoa Parish.

**GENERAL PUD CRITERIA**

Required information	Staff Comments
Title of the project, name of the developer, legal description	Provided as Required
Existing Land Use within 500' of all boundaries on the plan	Provided as Required
Minimum front, side, & rear setbacks & maximum height	Provided as Required
Restrictive Covenants	Provided as Required
Water & Sewer facilities	Provided as Required (to be located off site, as identified on plan)
Wetland Delineations	Provided as Required
Flood Zone Demarcation Lines	Provided as Required
Ultimate Disposal of Surface Drainage	Provided as Required
Environmental Assessment Data Form	Provided as Required
Phasing	Provided as Required (3 phases)

**GREENSPACE**

A total of 54.16 acres (44%) of greenspace is proposed to be provided on the site. The active recreational area will occupy 7% and the passive recreational area will occupy 29%. The plan submitted shows the location of a passive recreational area with a pavilion and barbecue area, walking path and sections dedicated to active recreation labeled as playing fields. Staff feels that additional passive and active amenities shall be provided throughout the subdivision.

**COMPREHENSIVE PLAN ANALYSIS**

The 2025 land use plan designates the area to be developed with residential and conservation uses. The proposed development meets the 2025 future land use plan by providing a single family residential development. Also, the project preserves 44% of greenspace and the jurisdictional wetlands. All the lots have been removed from the sensitive drainageway, located on the southern end of the site.

Staff is still concerned by the existing drainageway located on the northern side of the site and that it crosses some of the proposed lots. However, the petitioner indicated that the drainageway is very narrow and that it will be relocated along the perimeter of the greenspace and tie into a larger ditch located to the west of the site. The larger ditch connects to Bedico Creek. Note that if the rerouting of the ditch is not possible, some of the lots will be relocated to accommodate the ditch.

Other specific concerns that staff has about this proposal relate to the PUD objectives of "efficient and effective traffic circulation" and "creation of a variety of housing." Even if the interior circulation has been improved by the reconfiguration of the proposed subdivision, staff would like to see more than one street "stub outs" ( as shown on revised plan) at the eastern and western end of the site, in order to allow for future connections to potential future adjacent developments. This would help to mitigate the amount of traffic that the development would be funneling onto Highway 22.

As for the issue of housing diversity, staff feels that of the single family home sites could be replaced with alternative forms of housing and larger lot size. The PUD regulations specifically call for housing diversity, and staff would be eager to see a greater variety of housing and lot size in a development of this size.

**STAFF RECOMMENDATION:**

Staff recommends that the request for a PUD (Planned Unit Development) District designation be tabled. Input from Tangipahoa Parish must be provided considering that the main access to that subdivision will be located in the abutting Parish. Also, the proposed access to the subdivision must be aligned with an existing access, located on the south side of Highway 22.