

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3939 ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR BINDER/DAVIS PROVIDED BY: PLANNING

INTRODUCED BY: MR. GOULD SECONDED BY: MR. THOMPSON

ON THE 2ND DAY OF OCTOBER, 2008

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA. TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE WEST SIDE OF LA HIGHWAY 59, NORTH OF WALDER ROAD AND WHICH PROPERTY COMPRISES A TOTAL OF 13.3 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT SA (SUBURBAN AGRICULTURAL) DISTRICT TO A PUD (PLANNED UNIT DEVELOPMENT) DISTRICT, WARD 4, DISTRICT 10. (ZC08-01-005)

Whereas, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC08-01-005, has recommended Denial to the Council of the Parish of St. Tammany, Louisiana, that the zoning classification of the above referenced area remains SA (Suburban Agricultural) 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 PUD (Planned Unit Development) District (see Exhibit "A") for complete boundaries.

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 SA (Suburban Agricultural) 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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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"

ZC08-01-005

A CERTAIN PIECE OR PORTION OF LAND BEING A 13.3035 ACRE PARCEL OF LAND SITUATED IN SECTION 1, T-8-S, R-11-E, ST. TAMMANY PARISH, LOUISIANA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SECTION CORNER COMMON TO SECTION 36, TOWNSHIP 7 SOUTH, RANGE 11 EAST, SECTION 31, TOWNSHIP 7 SOUTH, RANGE 12 EAST, SECTION 1, TOWNSHIP 8 SOUTH, RANGE 11 EAST AND SECTION 6, TOWNSHIP 8 SOUTH, RANGE 12 EAST ST. TAMMANY PARISH, LOUISIANA, RUN SOUTH 00 DEGREES 04 MINUTES 56 SECONDS WEST A DISTANCE OF 1325.91 FEET TO A POINT; THENCE RUN SOUTH 89 DEGREES 54 MINUTES 46 SECONDS WEST A DISTANCE OF 3981.53 FEET TO A POINT; THENCE RUN NORTH 22 DEGREES 51 MINUTES 33 SECONDS EAST A DISTANCE OF 21.72 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING RUN NORTH 22 DEGREES 51 MINUTES 33 SECONDS EAST A DISTANCE 629.91 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 43 MINUTES 09 SECONDS EAST A DISTANCE OF 1007.82 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF LOUISIANA HIGHWAY 59; THENCE RUN ALONG SAID WESTERLY RIGHT OF WAY LINE OF LOUISIANA HIGHWAY 59 SOUTH 24 DEGREES 32 MINUTES 26 SECONDS WEST A DISTANCE OF 641.86 FEET TO A POINT; THENCE LEAVING SAID WESTERLY RIGHT OF WAY LINE OF LOUISIANA HIGHWAY 59 RUN SOUTH 89 DEGREES 54 MINUTES 46 SECONDS WEST A DISTANCE OF 985.92 FEET BACK TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 13.3035 ACRES MORE OR LESS.

CASE NO.: ZC08-01-005
PETITIONER: Mr. Leroy J. Cooper
OWNER: Marilyn Seifert
REQUESTED CHANGE: From SA (Suburban Agricultural) District to PUD (Planned Unit Development) District
LOCATION: Parcel located on the west side of LA Highway 59, north of Walder Road; S1,T8S,R11E; Ward 4, District 10
SIZE: 13.3 acres



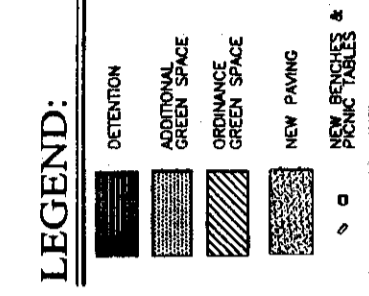
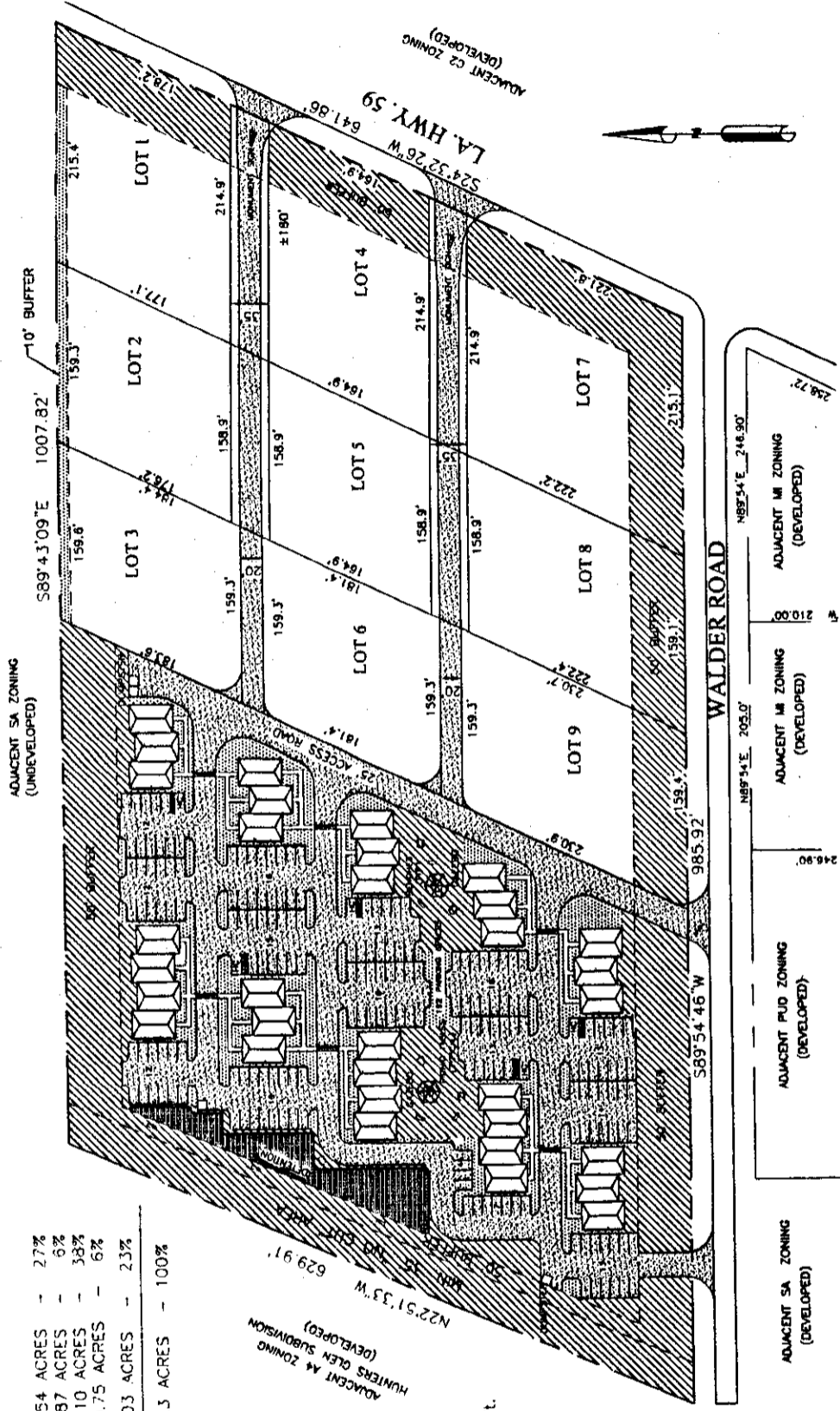
* Indicates location where property was posted

500-10-005

07-110
Z-1
06-12-08

PLANS FOR
GLENDALE HEIGHTS PARK
SECTION 1, TOWNSHIP 13 SOUTH, RANGE 11 EAST
ST. TAMMANY PARISH, LOUISIANA

CEI COOPER ENGINEERING, INC.
Civil Engineering Planning Environmental
P.O. Box 1870 Covington, Louisiana 70434 (504) 898-0182



DEVELOPER:
MARILYN & KARL SEIFERT
KM STOESELL SEIFERT, L.L.C.
P.O. BOX 2419
MANDEVILLE, LA 70470

ZONING PLAN

SCALE: 1" = 120'

PROVIDED ORDINANCE GREEN SPACE/DETENTION ACREAGE:	±3.54 ACRES	-	27%
PROVIDED ADDITIONAL GREEN SPACE ACREAGE:	±0.87 ACRES	-	6%
COMMERCIAL BUILDABLE ACREAGE:	±5.10 ACRES	-	33%
OFFICE/PROFESSIONAL BUILDING ACREAGE:	±0.75 ACRES	-	6%
PARKING & DRIVE ACREAGE:	±3.03 ACRES	-	23%
TOTAL ACREAGE:	±13.3 ACRES	-	100%

LOTS 1-9 COMMERCIAL USE TOTAL AREA ±7.14 ACRES
OFFICE/PROFESSIONAL USE TOTAL AREA: ±6.16 ACRES

COMMUNITY SEWER & WATER:
COMMUNITY SEWER & WATER.

APPROXIMATE LENGTH OF ACCESS ROADS: ±0.32 MILES

REAR OFFICE/PROFESSIONAL AREA:
PARKING SPACES PROVIDED: 192
PARKING SPACES REQUIRED: 189

ORDINANCE PERCENTAGE OF GREEN SPACE: 27%

REAR OFFICE/PROFESSIONAL AREA:
TOTAL SQ.FT OF OFFICE/PROFESSIONAL BUILDINGS - 66,000 sq.ft.

MAXIMUM HEIGHT OF BUILDINGS: 35'

EXISTING ZONING:
SA

PROPOSED ZONING:
PUD

F.I.R.M. MAP:
PANEL # 225205 0245C
FLOOD ZONE "C"
OCT. 17, 1989

DENSITY:
±3.15 BUILDINGS/ACRE

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

NOTE:

- LOTS 1 THRU 9 SHALL COMPLY INDIVIDUALLY WITH PARISH ORDINANCE FOR COMMERCIAL PROPERTY IN REGARD TO PARKING.
- LOTS 1 THRU 9 MINIMUM SETBACK REQUIREMENTS:
FRONT - 20'
REAR - 10'
SIDE - 10'

DETENTION AREA TO BE A DRY POND.

ANY PORTION OF THE BUFFER NOT REQUIRED FOR POSSIBLE EXPANSION OF THE DRY DETENTION POND SHALL BE A NO-CUT BUFFER FOR A DEPTH OF 50'. IN NO CASE SHALL THE NO-CUT DEPTH OF THE REAR BUFFER BE LESS THAN 35' IN DEPTH FROM THE REAR (WEST) PROPERTY LINE.

ADJACENT SA ZONING (UNDEVELOPED)

ADJACENT MUD ZONING (DEVELOPED)

ADJACENT MI ZONING (DEVELOPED)

ADJACENT C2 ZONING (DEVELOPED)

ADJACENT SA ZONING (UNDEVELOPED)

ADJACENT MI ZONING (DEVELOPED)

HUNTERS CLEN SUBDIVISION

200-01-003

PERMITTED USES:
Glendale Heights Subdivision
LA Highway 59/Walder Road PUD (07-110)

Lots 1 Thru 9

A. Retail and Service Uses

1. Automotive Centers and Sales (Hours of Operation Between 8 A.M.- 8 P.M.)
2. Automotive Parts Stores (Hours of Operation Between 7 A.M.- 7 P.M.)
3. Business College or Business Schools operated as a business enterprise
4. Catering Establishments
5. Department Stores
6. Convenience Stores (Gasoline Sales Prohibited)
7. Drive-in Restaurants
8. Drive-in Banks
9. Funeral Homes and Mausoleums
10. Indoor Recreation Establishments, such as skating rinks, spas, indoor tennis courts, and workout and exercise centers (Hours of Operation Between 6:30 A.M.- 10 P.M.)
11. Instruction of Fine Arts
12. Physical Culture & Health Establishments
13. Enclosed plumbing, electrical, and home building supply showrooms and sales centers.
14. Printing, Lithography and Publishing Establishments
15. Public or Private Auditoriums
16. Restaurants and Restaurants with Lounges
17. Wholesale Merchandise Broker/Agent, including associated offices and storage facilities.
18. Drug Stores (Hours of Operation Between 7 A.M.- 9 P.M.; Pharmaceutical drive thru hours under Parish restrictions)
19. Dry Cleaning, Laundries, and Self-Service Laundries
20. Food Stores
21. Car Wash
22. Warehouse and Distribution Centers and associated uses such as offices and retail sales.
23. Research and Testing Laboratories
24. Retail Outlets

B. Offices

1. Any Private Office
2. Medical Clinics
3. General, Multi-Use Office Buildings

C. Residential Uses

1. Single family dwelling units above the first floor in a building designed for business uses

D. Public Educational Facilities

1. Adult Education Classes
2. Institute of Fine Arts

E. Miscellaneous Uses

1. Post Office

2. Clubs, Lodges, Fraternal & Religious Institutions, Meeting Halls (Hours of Operation Between 10 A.M.- 10 P.M.)
3. Veterinary Clinics, Veterinary Hospitals
4. Day-Care Centers, Nursery Schools
5. Parcel Post Delivery Stations
6. Farmer's Market
7. Museum, Libraries, and Historical Center
8. Governmental Offices
9. Police and Fire Stations
10. Outpatient Surgical and Treatment Centers
11. Hospices
12. Bed and Breakfast
13. Laboratories, Research Center

NOTE: No gasoline sales of any type are allowed with any permitted use for Lots 1 thru 9.

Rear Section - Un-numbered Lots

A. Office and Professional Uses (Hours of Operation Between 7 A.M.- 7 P.M.)

1. Law Offices
2. Architecture or Engineering Offices
3. Accountant Office
4. Real Estate Offices
5. Insurance Offices
6. Business Offices
7. Daytime Doctor, Dentist, and Chiropractor Offices
8. Other Professional Offices

B. Specialty Retail and Service Uses (Hours of Operation Between 7 A.M.- 7 P.M.)

1. Specialty Retail Shops for the sale of books, educational and/or arts and crafts supplies, hobby shops, health food, barber and beauty shops, bakeries and delicatessen shops, sporting goods, jewelry store, coffee shop, household items, interior decorating shops, florists, gifts, antiques, and clothing
2. Photographic Studios
3. Dance Studios
4. Music Studios

C. Miscellaneous Uses (Hours of Operation Between 7 A.M.- 7 P.M.)

1. Rest, Nursing, and Convalescent Homes
2. Day Care Centers
3. Nursery Schools
4. Printing, Publishing, or similar establishments
5. Communication Services
6. Utility Collection Offices
7. Vocational, Technical, Trade, or Industrial School
8. Institute of Fine Arts
9. Adult Education Classes
10. Museum, Libraries, and Historical Center

D. Residential Uses

1. Assisted Care Living Facilities (Visiting Hours Between 7 A.M.- 7 P.M.)
2. Residence of business owner or employee above business (No rental allowed).

E. Medical Uses (Hours of Operation Between 7 A.M.- 7 P.M.)

1. Drug Store Suppliers
2. Medical Laboratories

F. Manufacturing (Hours of Operation Between 7 A.M.- 7 P.M.)

1. Medical and Dental Equipment
2. Optical
3. Musical Instruments
4. Watches, Clocks, Games
5. Electrical or Electrical Apparatus
6. Computer and High Technology Items
7. Packaging and Processing Pre-Manufactured Items

All sites are to comply with the latest Parish ordinances for drainage, parking, landscaping, and grading.

No gasoline sales of any type are to be allowed with any permitted use for un-numbered lots.

The rear buffer is to remain a no-cut buffer, 50 feet in width, unless it has to be reduced to construct the required detention area. In such an event, it shall not be reduced to less than a 35-foot wide no-cut buffer. Any portion of the buffer not needed for expansion of the detention pond shall be a no-cut buffer for its full depth of 50 feet.

The Homeowners Association for Deerfield Subdivision will be notified before cutting is performed within the 50-foot buffer. The developer will coordinate with them as to location of required detention expansion within the buffer area.

Description of Project

Applicant's Name Marilyn Seifert, KM Stoessel-Seifert, L.L.C.

Address P.O. Box 2419, Mandeville, LA 70470

Attach area location Map showing the proposed development

Name of Development Glendale Heights Subdivision

Section 1 Township 7 South Range 11 East

Number of acres in Development 13.3

Type of Streets Asphaltic Concrete

Type of water system Community

Type of sewerage system Community

Ultimate disposal of wastes Unnamed ditch to Bayou Chinchuba and ultimately to Lake Pontchartrain

Ultimate disposal of surface drainage Unnamed ditch to Bayou Chinchuba 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 _____
Commercial X 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 X No _____
Name of Highway LA Highway 59

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

208-01-005

Construct:

ANSWER ALL QUESTIONS BY A CIRCLE AROUND YES OR NO

- g. Breach national, state or local standards relating to:
 - (1) Noise YES NO
 - (2) Air Quality YES NO
 - (3) Water Quality YES NO
 - (4) Contamination of public water supply YES NO
 - (5) Ground water levels YES NO
 - (6) Flooding YES NO
 - (7) Erosion YES NO
 - (8) Sedimentation YES NO
- 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.

2008-01-005

Gentlemen:

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: June 16, 2008

TITLE:  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) 898-2529

FAX: (985) 898-3003

e-mail: 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: Aug. 6, 2008

(Reference Case Number)

ZC 08-01-005

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

Leroy J. Cooper
(SIGNATURE)

Cooper Engineering, Inc.

P.O. Box 1870

Covington, LA 70434

PHONE #: 985 898-0182

RECEIVED

AUG 06 2008

PLANNING
DEPT.

RECEIVED

AUG 06 2008

PLANNING
DEPT.

- 3. ZC08-01-005
 - Existing Zoning: SA (Suburban Agricultural) District
 - Proposed Zoning: PUD (Planned Unit Development) District
 - Acres: 13.3 acres
 - Petitioner: Mr. Leroy J. Cooper
 - Owner: Marilyn Seifert
 - Location: Parcel located on the west side of LA Highway 59, north of Walder Road, S1,T8S,R11E, Ward 4, District 10
 - Council District: 10

ZONING STAFF REPORT

Date: July 28, 2008
Case No.: ZC08-01-005
Prior Action: Denied (01/02/08)
Posted: 07/17/08

Meeting Date: August 5, 2008
Determination: Denied

GENERAL INFORMATION

PETITIONER: Mr. Leroy J. Cooper
OWNER: Marilyn Seifert
REQUESTED CHANGE: From SA (Suburban Agricultural) District to PUD (Planned Unit Development) District
LOCATION: Parcel located on the west side of LA Highway 59, north of Walder Road; S1,T8S,R11E; Ward 4, District 10
SIZE: 13.3 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	SA (Suburban Agricultural) District
South	Undeveloped	M-1 (Light Industrial), PUD (Planned Unit Development) & SA (Suburban Agricultural) Districts
East	Commercial	C-2 (Highway Commercial) District
West	Residential	A-4 (Single Family Residential) District

EXISTING LAND USE:

Existing development? No Multi occupancy development? No

COMPREHENSIVE PLAN:

Mixed Use – Commercial – Conservation - These planned districts would include mixed uses, except for residential uses, – at varying densities - and conservation areas, following a Small Area Plan, and providing for balance, compatibility and integration of uses and all supporting infrastructure.

Commercial - Sales outlets for goods and services. Several levels or forms of commercial structures include: limited or specialty; neighborhood service centers; generous "highway commercial" uses; offices; public uses; planned mixed commercial and residential centers, and the traditional village or town central business district.

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.

STAFF COMMENTS:

The petitioner originally requested to change the zoning from SA (Suburban Agricultural) District to C-2 (Highway Commercial) District. After further review of the request, the Zoning Commission recommended denial of the zoning change. The petitioner filled an appeal to the Council for reconsideration. The Council referred the case back to the Zoning Commission, for review and recommendation. The original request to rezone the site to C-2 has been changed to a request to rezone the site to PUD (Planned Unit Development) District. The site is proposed to be developed with variety of commercial uses. The front half of the site is proposed to be developed with 9 lots of approximately 37,000 sq.ft or less. The uses of the 9 lots would be limited to retail, offices, and institutional uses. The rear portion of the site is proposed to be developed with 10 commercial buildings. The proposed uses would be limited to professional and business offices, specialty retail and services, institutional and manufacturing uses. Note that a complete list of the permitted uses has been provided as required (See attached). Also, the proposed development will have to meet all the Parish parking and tree requirements.

ACCESS

The site is proposed to be accessed through 2 driveways from Hwy 59 and 2 additional driveways from Walder Road. Staff feels that the development of the front of the site should be reconfigured in order to reduce the number of driveways along Hwy 59 to one boulevard type access.

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 (Offsite)
Wetland Delineations	Must be Provided as required
Flood Zone Demarcation Lines	Provided as required (Flood Zone C)
Ultimate Disposal of Surface Drainage	Provided as Required
Environmental Assessment Data Form	Provided as Required
Phasing	Provided as Required (1 phase)

GREENSPACE

A total of 3.54 acres (27%) of greenspace is proposed to be provided on the site. Small passive recreational areas are proposed to be provided in the rear portion of the development with gazebo, picnic tables and benches. The greenspace is mostly proposed to be provided on the front side and rear of the site through a 50' buffer.

COMPREHENSIVE PLAN ANALYSIS

The 2025 Future Land Use Plan designates the front portion of the subject property abutting Hwy 59 as Mixed Use - Commercial - Conservation and Commercial. The 2025 Plan calls for the rear portion of the property to be developed with residential uses. Staff feels that the requested zoning change to PUD is more appropriate than the original C-2 zoning change request and meets the objectives of the 2025 future land use plan. However, staff is mostly concerned with the proposed configuration of the site, which does not meet the purpose and objectives of the PUD: to encourage flexibility in the development of land, creative design, more orderly development and to promote and preserve the scenic features.

STAFF RECOMMENDATION:

The staff recommends that the request for a PUD (Planned Unit Development) District designation be tabled. Additional information shall be provided as stated above.