

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6456

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: LORINO/COOPER

PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 3 DAY OF SEPTEMBER, 2020

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY 65.836 ACRES ON THE EAST AND WEST SIDE OF LOUISIANA HIGHWAY 1090, NORTH OF INTERSTATE HIGHWAY 10, EAST OF INTERSTATE HIGHWAY 59, SLIDELL TO A PUD (PLANNED UNIT DEVELOPMENT OVERLAY). (WARD 8, DISTRICT 9) (2019-1692-ZC)

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. 2019-1692-ZC, has recommended to the Council of the Parish of St. Tammany Louisiana, that the zoning classification of the above referenced area be changed to include a PUD (Planned Unit Development overlay); and

WHEREAS, the St. Tammany Parish Council has held its public hearing in accordance with law; and

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 Overlay) 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 to PUD (Planned Unit Development Overlay).

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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 1 DAY OF OCTOBER , 2020 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MICHAEL R. LORINO, JR. , COUNCIL CHAIRMAN

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: AUGUST 26 , 2020

Published Adoption: _____, 2020

Delivered to Parish President: _____, 2020 at _____

Returned to Council Clerk: _____, 2020 at _____

ZONING STAFF REPORT

Date: July 28, 2020
Case No.: 2019-1692-ZC
Posted: July 25, 2020

Meeting Date: August 4, 2020
Determination: Approved

GENERAL INFORMATION

PETITIONER: Jones Fussell, LLC – Jeffery Schoen
OWNER: Lynn Levy Land Company, LLC
REQUESTED CHANGE: Major Amendment to the PUD Planned Unit Development Overlay and a petition to add/change the zoning district classification for a 6.926 acre tract of land from A-1 Suburban District to A-1 Suburban District and PUD Planned Unit Development Overlay
LOCATION: Parcel located on the east and west sides of Louisiana Highway 1090, north of Interstate Highway 10, east of Interstate Highway 59, Slidell
SIZE: 65.836 acres

GENERAL INFORMATION

ACCESS ROAD INFORMATION

Type: State Road Surface: 2 Lane Asphalt Condition: Good

LAND USE CONSIDERATIONS

SURROUNDING LAND USE AND ZONING:

<u>Direction</u>	<u>Surrounding Use</u>	<u>Surrounding Zone</u>
North	Residential and Undeveloped	A-5 Two-Family District
South	I-10	A-4 Single-Family District
East	Gum Bayou	A-1 Suburban District
West	Undeveloped	A-5 Two-Family District

EXISTING LAND USE:

Existing development: No

Multi occupancy development: No

COMPREHENSIVE PLAN:

Planned Districts - Coordinated development on several parcels, usually at a higher density – but not in all cases - than other parcels in the proximity, planned in an integrated fashion as single units including residential, commercial and possibly other (institutional, recreational, e.g.) uses, as well as the supporting infrastructure and public services they will require (See “Small Area Plans,” below). Generally, such developments improve environmental qualities, preserve natural environments, provide for open space and recreational uses, and for residential as well as commercial uses, and are equipped with central utility systems and efficient and effective internal and external transportation access in multiple modes.

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 that resource so that it remains 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. Means to achieve conservation are myriad and include both private and public sector initiatives – such means will be considered in subsequent phases of the New Directions 2025 planning process.

SUBDIVISION INFORMATION:

The petitioner is requesting a major amendment of the Military Ridge PUD to reconfigure lots and greenspace and to add a 6.926-acre tract of land that is situated west of Louisiana Highway 1090 into the PUD. The sites are located on the east and west sides of Louisiana Highway 1090, north of Interstate Highway 10, east of Interstate Highway 59, Slidell. The 2025 Future Land Use Plan designates the sites to be developed with conservation areas.

DENSITY AND LOT SIZES

As required under Section 6.0103 A.4. of the Planned Unit Development Overlay, the net density shall be provided, based upon the underlying zoning classification, utilizing the formula (Total Area x .75 = _____ x maximum net density = _____ lots (units)), or the number of lots/units may be established by a yield plan.

Table 1: Zoning Designations and Density Calculations			
Zoning District	Allowable Density	Acreage	Allowable Units
A-1 Suburban District	1 Unit Per Acre	6.926 acres	1 unit
A-4A Single-Family Residential	6 Units Per Acre	58.91 acres	265 units
Total:		65.836 acres	266 units

The density for the original 58.910-acre Military Ridge PUD was calculated based on the underlying zoning designation of A-4A Single Family Residential District and was permitted a total number of 265 lots. The current proposed PUD plan is comprised of the original 58.910-acre property as well as the addition of the 6.926-acre parcel, which is zoned A-1. This addition will provide a total allowable density of 266 lots (see Table 1). The current proposed PUD plan is providing similar lot sizes in the majority of the PUD from what was originally approved. The applicant is requesting the addition of eight lots for a total of 233 residential lots, which meets the maximum allowable density requirements permitted for the PUD.

ACCESS

The original Military Ridge PUD plan has approved access from Highway 1090. The PUD provides one entrance with a 14-foot-wide ingress travel lane and two ten-foot-wide egress travel lanes. The applicant is proposing the addition of the 6.926-acre parcel, which is located across from Louisiana Highway 1090. Staff has concerns how this will affect pedestrian circulation between the two properties, as the additional parcel is located across from a state highway. The applicant has provided a .15-acre green space across from Crawford Landing Road, which is adjacent to the existing PUD. This additional green space will ensure residents within the PUD are able to have relatively safe access adjacent from an existing street to the additional recreational space. Staff recommends designating this area as a pedestrian servitude to ensure the open space's protection and the subsequent pedestrian access in the future.

GREENSPACE

Per the UDC, Section 130-1674(a)(8), a minimum of 25% open space is required for all PUD subdivisions. The previously approved Military Ridge PUD plan was required 14.73 acres of green space and provided 15.19 acres. The plan gave a total of 11.96 acres of internal useable green space, including providing a buffer along the southern lots where they abut the existing I-10.

The current request is to eliminate 4.16 acres of green space inside the previously approved PUD and to add the additional 6.926 acres of green space across from Louisiana Highway 1090. The majority of the previously approved green space the applicant is requesting to reduce is the 4.10-acre portion, which acted as a buffer for the southern lots that are situated against I-10. The current request is now showing a 30 ft. landscape servitude located within the property lines of these southern lots, labeled as "undisturbed vegetative buffer". While not opposed to the reconfiguration or addition of green space, staff has multiple concerns with the reduction of the previously approved 4.10-acre parcel along I-10 and subsequent 30 ft. landscape servitude now placed on private property. These concerns include:

1. The enforcement of the undisturbed vegetative buffer on individual, private lots
2. The close proximity of the buffer to the proposed building setbacks
3. Onsite and offsite drainage impacts

While completely in favor of landscape buffers to provide separation and screening from incompatible and adjacent uses, staff recommends the buffer should be relocated off of private property and managed and maintained by the HOA.

Per Sec. 130-1674(a)(8)(c)(2), in no case shall required open space along the existing road frontage be less than one-quarter acre in area and less than 100 ft. in width. The .66-acre portion of green space along the western boundary of the PUD plan and the 1.35 acre green space adjacent to the pond do not meet the aforementioned requirement. The proposed PUD acreage is 65.836 acres, which requires a total of 16.46 acres of green space that adheres to the PUD regulations. Without these two green space areas, the PUD plan does not meet the minimum green space requirements. Staff recommends the applicant revise the green space provided to adhere to the PUD open space regulations.

A large amount of green space that is provided is shown to be passive in nature. The proposed elimination of the green space that originally acted as a buffer also eliminated a previously approved soft trail used as a recreational benefit. Staff recommends the addition of a new walking trail through another portion of green space as well as a recreational plan for the additional 6.926-acre parcel proposed across from Highway 1090.

Note that a complete Recreational Development Plan shall be submitted depicting the proposed amenities, a time schedule for development, and the entity whom shall be responsible for the liability and maintenance of the recreational amenities and greenspace areas.

Table 2: Greenspace Requirements		
Amenities	Acreage	Type of Amenities
Passive	12.89 acres	Remaining Greenspace
Active	4.14 acres	Pond and Playground

Table 3: PUD Informational Requirements	
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
Setbacks & Maximum height	Provided as Required
Restrictive Covenants	Provided as Required
Water & Sewer facilities	Tammany Utilities
Wetland Delineations	The 2025 Future Land Use Plan designates the subject site to be maintained as a conservation area with residential uses. The applicants have not yet provided a wetlands delineation or the flood zone demarcation lines as required by Sec. 130-1674(12). Staff cannot efficiently evaluate the development's "balance, compatibility and integration of uses" without the ability to compare the proposed site plan to the potential wetlands and flood zone demarcation lines.
Flood Zone Demarcation Lines	
Ultimate Disposal of Surface Drainage	Provided as Required
Environmental Assessment Data Form	Provided as Required

Sec. 130-1672 – Purpose

1. *Environmentally sensitive design that is of a higher quality than would be possible under the regulations otherwise applicable to the property.*
 - The removal of the buffer that protected the southern lots from I-10 and subsequent addition of a 30 ft. landscape servitude could have negative impacts. Staff is in favor of the additional greenspace and all of the invaluable uses the proposed buffers provide. However, staff has concerns that the buffers will be difficult to enforce on private property, will impede on setbacks, and have drainage impacts.
2. *Diversification and variation in the relationship of residential uses, open space and the setbacks and height of structures in developments intended as cohesive, unified projects.*
 - The proposed PUD plan provides for uniform single-family residential lots with consistent setbacks and height regulations.
3. *Functional and beneficial uses of open space areas.*
 - The proposed PUD plan does not meet the minimum open space requirements, and therefore does not meet the minimum green space acreage requirements.
4. *Preservation of natural features of a development site.*
 - The applicant is required to submit a wetlands delineations report before approval of this project.
5. *Creation of a safe and desirable living environment for residential areas characterized by a unified building and site development program.*
 - Staff has concerns regarding the safety of pedestrian access to the new proposed green space across from Highway 1090. The applicant has provided a .15 green space for additional access, however this is not designated as a servitude and is therefore not protected from future development.
6. *Rational and economically sound development in relation to public services.*
 - The original approved PUD Plan consisted of 225 home sites that were planned to be constructed in three phases. Each phase of the subdivision was planned to consist of 75 home sites. Tammany Utilities currently has the capacity to accept sewer from the first 75

home sites, and the developer will need to coordinate additional sewer treatment capacity to accommodate the remaining development. The current proposed Phase I of Military Ridge consists of 82 home sites and the developer will therefore need to verify if sewer capacity is available for the additional proposed homes within Phase I.

7. *Efficient and effective traffic circulation, both within and adjacent to the development site.*
 - The proposed PUD plan was originally approved with one access from Louisiana Highway 1090.
8. *Creation of a variety of housing compatible with surrounding neighborhoods to provide a greater choice of types of environment and living units.*
 - Staff is in favor of the proposed 6.926-acre green space across from Highway 1090. This additional acreage will provide a positive addition to the PUD plan's active and passive recreational area.

STAFF COMMENTS:

The 2025 Future Land Use Plan designates the petitioned site to be used for conservation purposes. As such, the requested PUD should ensure the green space that is provided is both useable, protected, and adheres to the primary purpose of the PUD ordinance.

Staff is not opposed to the reconfiguration of internal green space, the addition of eight residential lots, or the addition of the new proposed green space parcel. Alternatively, staff is not in favor of the removal of the buffer along the southern lots, or the private landscape servitude proposed as a substitute. As the current green space regulations are not being met per the PUD ordinance, staff recommends postponement to confirm the proper documentation has been provided, and to allow time for the reevaluation of the green space to ensure the development adheres to its comprehensive plan designation and all PUD regulations.

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