



ST. TAMMANY PARISH

MICHAEL B. COOPER
PARISH PRESIDENT

APPEAL # 7

ZC DENIED: 8/4/2020



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 & DEVELOPMENT. A COPY OF THE APPEAL REQUEST IS PROVIDED BELOW.

APPEAL REQUEST

DATE: 08/06/2020

2020-1853-ZC

Existing Zoning: A-3 (Suburban District), A-4 (Single-Family Residential District) & A-5 (Two-Family Residential District)

Proposed Zoning: A-3 (Suburban District), A-4 (Single-Family Residential District) & A-5 (Two-Family Residential District) and PUD Planned Unit Development Overlay

Location: Parcel located on the west side of Louisiana Highway 59, south of Dove Park Road and Campbell Avenue, Mandeville; S25, T7S, R11E, Ward 5, District 5.

Acres: 220.22 acres

Petitioner: A.J Vallon, III

Owner: DeVal, Inc.

Council District: 5

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 SIGN YOUR NAME, PRINT NAME UNDERNEATH THAT AND PUT MAILING ADDRESS AND PHONE NUMBER BELOW PRINTED NAME.

(SIGNATURE)

PRINT NAME: Art Lancaster

ADDRESS: 11800 Industriplex Blvd, BR, LA

PHONE #: 225-413-5250

ZONING STAFF REPORT

Date: July 28, 2020
Case No.: 2020-1853-ZC
Posted: July 25, 2020

Meeting Date: August 4, 2020
Determination: Denied

GENERAL INFORMATION

PETITIONER: A.J Vallon, III
OWNER: DeVal, Inc.
REQUESTED CHANGE: PUD Planned Unit Development Overlay
LOCATION: Parcel located on the west side of Louisiana Highway 59, south of Dove Park Road and Campbell Avenue, Mandeville
SIZE: 214.40 acres

GENERAL INFORMATION

ACCESS ROAD INFORMATION

Type: State Road Surface: 3 Lane Asphalt Condition: Good

LAND USE CONSIDERATIONS

SURROUNDING LAND USE AND ZONING:

Direction	Surrounding Use	Surrounding Zone
North	Cleco Power Station and Undeveloped	A-1 Suburban District, A-3 Suburban District, PUD Planned Unit Development Overlay, HC-2 Highway Commercial, PBC-1, I-1 Industrial
South	Residential and Undeveloped	A-1 Suburban District, A-2 Suburban District, A-3 Suburban District
East	Commercial, Institutional, and Undeveloped	A-1 Suburban District, A-2 Suburban District, A-3 Suburban District, PUD Planned Unit Development Overlay, HC-2 Highway Commercial District, PF-1 Public Facilities District
West	Residential and Undeveloped	A-1 Suburban District

EXISTING LAND USE:

Existing development: No Multi occupancy development: Proposed

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.

Single Family Residential – Conservation - These planned districts would include clustered single family residential uses, at a density – within the overall tract – which is similar to that of adjoining residential uses, and conservation areas, following a Small Area Plan, and providing for balance, compatibility and integration of uses and all supporting infrastructure. Such individual Planned Residential – Conservation developments should aim to achieve contiguity among adjoining conservation areas in adjacent developments.

SUBDIVISION INFORMATION

A 42.07-acre portion of the subject site was previously rezoned to A-4 Single-Family Residential and Planned Unit Development Overlay (PUD) (Case No. 2018-1187-ZC and 2018-1188-ZC). The current request is to add the Planned Unit Development Overlay (PUD) to the remaining 172.33 acres of property to establish the Cotton Creek PUD in its entirety.

DENSITY AND LOT SIZES

As required under Section 130-1674(a)(4), the net density of a PUD 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.

The petitioner has submitted a concurrent application to rezone 181.97 acres to establish the underlying zoning designation of the proposed PUD (Case No. 2020-1852-ZC). The Planned Unit Development Overlay density calculation is based on the underlying zoning designation of the four requested residential zoning districts which allow for 673 residential dwellings (see Table 1).

Table 1: Density Calculations			
Underlying Zoning Designation	Max Net Density	Petitioned Property	Allowable Density
A-3 Suburban Residential	2 units per acre	11.64 acres	17 dwellings
A-4 Single-Family Residential	4 units per acre	81.65 acres	245 dwellings
A-4A Single-Family Residential	6 units per acre	80.688 acres	363 dwellings
A-5 Two-Family Residential	8 units per acre	8 acres	48 dwellings
Total Residential PUD Density	N/A	181.98 acres	673 dwellings

The Cotton Creek PUD plan is proposing to be developed with 543 single-family residential lots and 68 townhome lots (see Table 2). This total of 611 residential lots is within the maximum net density as determined by the proposed zoning designations under concurrent request (2020-1852-ZC), if approved by the Zoning Commission.

Table 2: Average Lot Sizes and Types		
Lot Type	Number of Lots	Average Size
Residential Lot (Regular)	133	50' x 120'
Residential Lot (Medium)	201	60' x 120'
Residential Lot (Large)	209	70' x 120'; 80' x 120'; 100' x 120'
Townhomes	68	30' x 100'
Total:	611 Lots	Total Average: 65' x 117'

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	The PUD plan shows Tammany Utilities to be the off-site provider for the Cotton Creek development. This provider has determined that enhancements or modifications to the existing water system may be required to accommodate the development. Tammany Utilities has no capacity to accept sewer flows from the development at this time and an expansion or modification of the existing Preferred Equities Community Sewer System and Wastewater Treatment Plant will be required. Staff would like to ensure the applicant has submitted a New Development Application with Tammany Utilities to ensure what modifications, cost and timeline will be needed to accommodate the request.
Wetland Delineations	The 2025 Future Land Use Plan designates the subject site to be developed with single-family residential dwellings that aim to achieve contiguity among adjoining conservation areas in adjacent developments. 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

ACCESS

Should the current PUD request be granted, the applicant is proposing to construct a road extension from the existing Judge Tanner roundabout. This roadway addition is proposed to tie-in to the existing Louisiana Highway 59, providing future east-west access from Covington to Mandeville. A second access point is proposed to also tie in to Louisiana Highway 59 from the existing Campbell Avenue roundabout to the proposed Judge Tanner extension. These roadways will supply the sole access for the proposed Cotton Creek PUD which will traverse the Tammany Trace corridor. If and when the roadway is to be constructed, the developer will need to apply for a separate application for Tammany Trace right-of-way access. This subsequent request for roadway crossing will be reviewed by the Planning Commission and the Parish Council.

It should be noted that the proposed Judge Tanner extension is only to be constructed if and when the Cotton Creek PUD is approved. Additionally, the development of this road has not been evaluated by the Louisiana Department of Transportation and Development, the Army Corps of Engineers, or the Parish.

GREENSPACE

Per the UDC, Section 130-1674(a)(8), a minimum of 25% open space is required for all PUD subdivisions. The petitioned PUD consists of 214.40 acres, requiring 53.60 acres of open space. The Cotton Creek PUD plan provides a total of 56.39 acres of greenspace.

Notwithstanding the forgoing, staff has concerns as it relates to the layout of the greenspace and amenities that are proposed. The PUD plan shows the majority of the greenspace located in the southern portion of the development. The only access points to this greenspace are from two proposed cul-de-sacs and there is no parking provided. A significant purpose of the Planned Unit Development Overlay is to provide functional and beneficial uses of open space. Staff recommends providing park spaces with active amenities within the development to ensure all residents have access to close by recreational space.

Additionally, if the applicant would like to maintain the majority of the greenspace along the southern perimeter of the proposed development, staff recommends providing a formal access point. Staff also recommends an amenity within the greenspace itself. Currently, the Upper Bayou Chinchuba runs along the northern perimeter of this greenspace, causing limited access for enjoyment. A passive amenity such as a nature trail or board walk will allow access and provide a recreational feature that preserves the natural characteristics of the development site. Per Sec. 130-1674(8)(c), active and passive uses shall be designated within the required greenspace (see Table 4).

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 4: Greenspace Requirements		
Amenities	Acreage	Type of Amenities
Passive	Needs to be provided	Needs to be provided
Active	Needs to be provided	Needs to be provided

Sec. 130-1672 -- Purpose

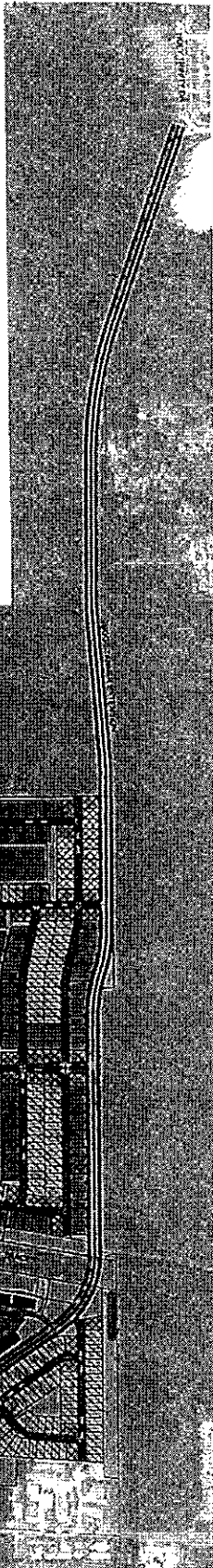
- Environmentally sensitive design that is of a higher quality than would be possible under the regulations otherwise applicable to the property.*
 - The current PUD plan shows development encroaching the existing Upper Bayou Chinchuba flood way along the southern portions of the site.
- Diversification 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 PUD plan shows a mix of lot sizes and two different types of residential dwellings. However, the setbacks and height requirements listed are the same for all residential development and all commercial development.
- Functional and beneficial uses of open space areas.*
 - A large majority of the greenspace that is provided is shown along the southern portion of the PUD plan. There are two adjoining streets that allow pedestrian access to the greenspace. Staff recommends the applicant accommodate a formal access to the greenspace along the southern portion of the plan and provide more usable greenspace or park space within the plan.

- The applicant must include information concerning the different active and amenity types proposed in the PUD plan, as well as provide a complete Recreational Development Plan.
4. *Preservation of natural features of a development site.*
 - The applicant is required to submit a wetlands delineations report before the approval of this project.
 - The current PUD plan shows development encroaching the existing Upper Bayou Chinchuba flood way along the southern portions of the site.
 5. *Creation of a safe and desirable living environment for residential areas characterized by a unified building and site development program.*
 - The proposed PUD plan creates a unified building and site development program. The applicant must complete the Enter the Trace Right-of-Way application in order to gain access to construct across the Tammany Trace.
 6. *Rational and economically sound development in relation to public services.*
 - Tammany Utilities Waste Water Treatment Plant will need to be expanded to accommodate the potential growth of the service area. The developers of the PUD will be responsible for bearing the cost of expanding the plant and existing sewer collection system.
 7. *Efficient and effective traffic circulation, both within and adjacent to the development site.*
 - The proposed connection to the existing Judge Tanner roundabout will allow traffic to move in an east-west pattern from US Highway 190 North to LA Highway 59. This may help to accommodate future growth and traffic generation. This proposed expansion will require additional coordination, planning, and approval from the Department of Public Works, the Department of Planning and Development, the Louisiana Department of Transportation and Development, and the United States Army Corps of Engineers.
 8. *Creation of a variety of housing compatible with surrounding neighborhoods to provide a greater choice of types of environment and living units.*
 - The Cotton Creek PUD is proposing the use of multiple different residential zoning designations for single-family dwellings and townhomes. While staff is in support of the various different housing types, the requested density levels are not compatible with the surrounding neighborhoods.

STAFF COMMENTS:

Staff has determined that the Cotton Creek PUD as proposed will result in significant and unavoidable impacts related to drainage, utilities, and traffic. While these concerns are typically mitigated in the tentative and preliminary review period, staff has determined that the requested density is the foundation for the majority of these issues. While mitigation measures are reasonable and feasible when applied to a density that is appropriate for the area, staff is concerned that adverse impacts will be hard to manage if approved as requested. Staff recommends postponement of this request to allow for the required information to be provided as listed in the staff report. The proposed development should accommodate the Planned Unit Development Overlay Objectives into the PUD Plan, address drainage and traffic concerns, and consult with Tammany Utilities to ensure the capability and feasibility of service.

Staff is not opposed to the commercial development and residential density that is proposed along the east side of the Tammany Trace. The A-4A and A-5 zoning designations and commercial uses are compatible with adjacent uses along Louisiana Highway 59. Additionally, the east-west connectivity that the proposed Judge Tanner Extension may provide a benefit to the Parish and may alleviate traffic concerns for the proposed development.



PERMITTED USES (TRACT A):

- (1) SINGLE-FAMILY RESIDENCES
- (2) TWO-FAMILY RESIDENCES
- (3) MULTIFAMILY RESIDENCES
- (4) COMMERCIAL RESIDENCES
- (5) INDUSTRIAL RESIDENCES
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ENVIRONMENTAL ASSESSMENT DATA FORM

Applicant's Name: Mickey L. Robertson, P.E., P.L.S.

Developer's Address: 11800 Industriplex Blvd, Ste 8 Baton Rouge La 70806

Street	City	State	Zip Code
<u>Lancaster Development, LLC</u>	<u>225.413.5250</u>		

Developer's Phone No. Cotton Creek PUD - Phase I

Subdivision Name: Cotton Creek PUD - Phase I

Number of Acres in Development: 214.4 Number of Lots/Parcels in Development: 617 Res/1 Comm

Ultimate Disposal of Surface Drainage: Lake Ponchartrain

Water Surface Runoff Mitigation Proposed: Detention

(Please check the following boxes below, where applicable:)

- Type of Sewerage System Proposed: ☒ Community ☐ Individual
- Type of Water System Proposed: ☒ Community ☐ Individual
- Type of Streets and/or Roads Proposed: ☐ Concrete ☒ Asphalt ☐ Aggregate ☐ Other
- Land Formation: ☒ Flat ☐ Rolling Hills ☐ Marsh ☐ Swamp ☐ Inundated ☐ Tidal Flow
- Existing Land Use: ☒ Undeveloped ☐ Residential ☐ Commercial ☐ Industrial ☐ Other
- Proposed Land Use: ☐ Undeveloped ☒ Residential ☐ Commercial ☐ Industrial ☐ Other
- Surrounding Land Use: ☐ Undeveloped ☒ Residential ☐ Commercial ☐ Industrial ☐ Other
- Does the subdivision conform to the major street plan? ☒ Yes ☐ No
- What will the noise level of the working development be? ☐ Very Noisy ☒ Average ☐ Very Little
- Will any hazardous materials have to be removed or brought on-site for the development? ☐ Yes ☒ No
- If yes, what are the hazardous materials? _____
- Does the subdivision front on any waterways? ☐ Yes ☒ No
- If yes, what major streams or waterways? _____

- Does the subdivision front on any major arterial streets? ☒ Yes ☐ No

If yes, which major arterial streets? Hwy 59

- Will any smoke, dust or fumes be emitted as a result of operational construction? ☒ Yes ☐ No

If yes, please explain? normal construction activities associated with site work

- Is the subdivision subject to inundation? ☐ Frequently ☐ Infrequently ☒ None at all

- Will canals or waterways be constructed in conjunction with this subdivision? ☐ Yes ☒ No

(Does the proposed subdivision development...)

- | | | |
|--|---|--|
| a.) have or had any landfill(s) located on the property? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| b.) disrupt, alter or destroy any historical or archeological sites or district? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| c.) have a substantial impact on natural, ecological recreation, or scenic resources? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| d.) displace a substantial number of people? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| e.) conform with the environmental plans and goals that have been adopted by the parish? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| f.) cause an unwarranted increase in traffic congestion within or near the subdivision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| g.) have substantial esthetic or adverse visual impact within or near the subdivision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

h.) breach any Federal, State or Local standards relative to:

- | | | |
|---|------------------------------|--|
| • air Quality | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| • noise | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| • water Quality | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| • contamination of any public or private water supply | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| • ground water levels | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| • flooding/inundation | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| • erosion | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| • sedimentation | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| • rare and/or endangered species of animal or plant habitat | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| • interfering with any movement of resident or migratory fish or wildlife species | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| • inducing substantial concentration of population | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| • dredging and spoil placement | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

I hereby certify to the best of knowledge and ability, that this subdivision development will not adversely impact the surrounding environment, inclusive of all the information contained herein; and further, said information provided and answered above is accurate, true and correct.

Mickey L. Robertson

Digitally signed by Mickey L.

Robertson

Date: 2020.03.13 11:04:28 -05'00'

ENGINEER/SURVEYOR/OR DEVELOPER
(SIGNATURE)

DATE

