

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6564

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: MR. TOLEDANO

PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 7 DAY OF JANUARY, 2021

AN ORDINANCE TO ENTER THE TAMMANY TRACE FOR THE PURPOSE OF CONSTRUCTING A FIVE (5) FOOT CONCRETE WALKWAY AND CULVERT TO CONNECT TO THE TRACE PARKWAY AT THE WESTERN EDGE OF THE TAMMANY TRACE, IN ASSOCIATION WITH THE DEVELOPMENT OF THE DOVE PARK RIDGE SUBDIVISION, LOCATED IN WARD 4, DISTRICT 5. (TRC20-11-001)

WHEREAS, the developer of Dove Park Ridge Subdivision has petitioned the Parish of St. Tammany to enter the Tammany Trace for the purpose of constructing a five (5) foot concrete walkway and culvert to connect to the Trace parkway at the western edge of the Tammany Trace in association with the subdivision development; and

WHEREAS, upon review and consideration by the St. Tammany Parish Planning Commission at a regularly scheduled public hearing, and only after hearing testimony from all concerns, hereby recommends that the Parish Council approve the proposed request subject to the stipulations as referred to below.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS, that the developer of Dove Park Ridge Subdivision is hereby granted approval to enter and the Tammany Trace, for the purpose of constructing a five (5) foot concrete walkway and culvert to connect to the Trace parkway at the western edge of the Tammany Trace, in association with the development of the Dove Park Ridge Subdivision, subject to the following stipulations:

- a) the width of the cleared area for the construction of a path to access the Trace shall not exceed ten (10) feet and the width of the pavement shall not exceed five (5) feet.
- b) a detailed plan showing how the proposed sidewalk will connect to the Trace including elevations, drainage culverts, etc. must be provided prior to final approval
- c) no trees are to be cleared along the Tammany Trace, with the exception of the 15 foot section of the Trace buffer needed to install the concrete walkway and culvert.
- d) a satisfactory construction cost estimate be submitted by the petitioner's engineer for the performance obligation
- e) a land clearing permit must be acquired prior to work order and a pre-land clearing site visit will be conducted to ensure proper fencing or staking is in place to ensure no adverse effects on trees or Trace Right-of-Way.
- f) the applicant shall procure written approval from the Director of the Tammany Trace prior to commencing any construction and shall provide said director with a daily work schedule
- g) the Tammany Trace shall not be closed or obstructed due to construction activity for more than one hour at any time unless it is approved by the Director of the Tammany Trace
- h) only rubber tire excavating equipment is to be used on the trace
- i) all construction activities on the Tammany Trace shall be limited to daylight hours, Monday through Friday only (no weekends)
- j) the Tammany Trace must be kept clean and free of construction material and debris at all times
- k) obtain a work order from the Parish Engineer
- l) Prior to effecting access, the applicant shall enter into a written agreement which shall contain, but not be limited to, the following items:
 - 1) That the governing authority, its agencies, servants and employees shall be held harmless and indemnified as set forth above. If deemed necessary, the governing authority, at its option, may require a policy of insurance insuring the governing authority against such liability.

2) that the access shall be constructed in conformity with the plans and specifications submitted with the access request application.

3) that the applicant shall provide a warranty letter of credit, or other completion bond, satisfactory to the governing authority, ensuring the timely and proper completion of any work or construction done to effect the said access.

4) that the applicant acknowledges that its access is granted subject to any and all rights, titles, interests, servitudes and/or easements which are held, or may be held, by any other entity, person, firm or corporation including, but not limited to, the United States Department of Transportation, the state department of transportation or the federal highway administration. And further, that the applicant specifically waives any and all warranty of title and relieves and releases the governing authority, its agencies, servants and employees from any and all liability, of whatever nature or kind which may arise, or has arisen, in connection therewith.

5) that the applicant shall be responsible for and required to provide maintenance to the land and/or any structure or improvement, appertaining to the access, during the term of the said access.

6) that the applicant acknowledges and agrees that the governing authority shall not, in any fashion, be prohibited from establishing, conducting, operating or maintaining any activity, as may be deemed necessary by the governing authority, to be conducted within the Tammany Trace corridor including, but not limited to, usage beneath, over or across said granted access.

7) that the applicant shall not alter the granted access in any fashion without the prior written approval of the governing authority which may or may not be granted at the sole discretion of the said governing authority.

8) that upon termination or expiration of the term of the access agreement, the applicant, at the sole option and discretion of the governing authority, may be required to remove any infrastructure or improvement appertaining to the access and further may be required, at the sole option and discretion of the governing authority, to return the site of the access to its original condition as it existed immediately prior to the granting of the said access.

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 4 DAY OF FEBRUARY, 2021; 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: DECEMBER 30 , 2020

Published Adoption: _____, 2020

Delivered to Parish President: _____, 2020 at _____

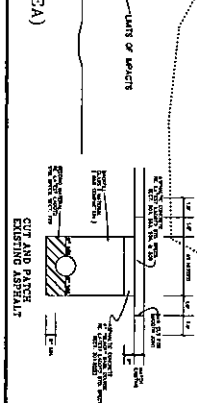
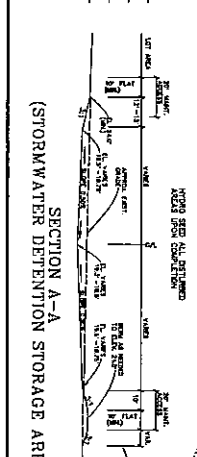
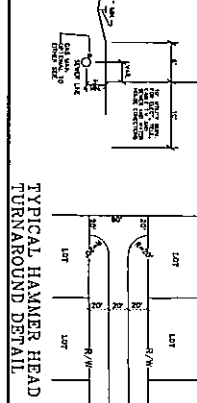
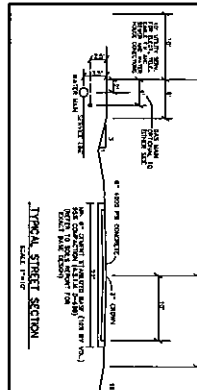
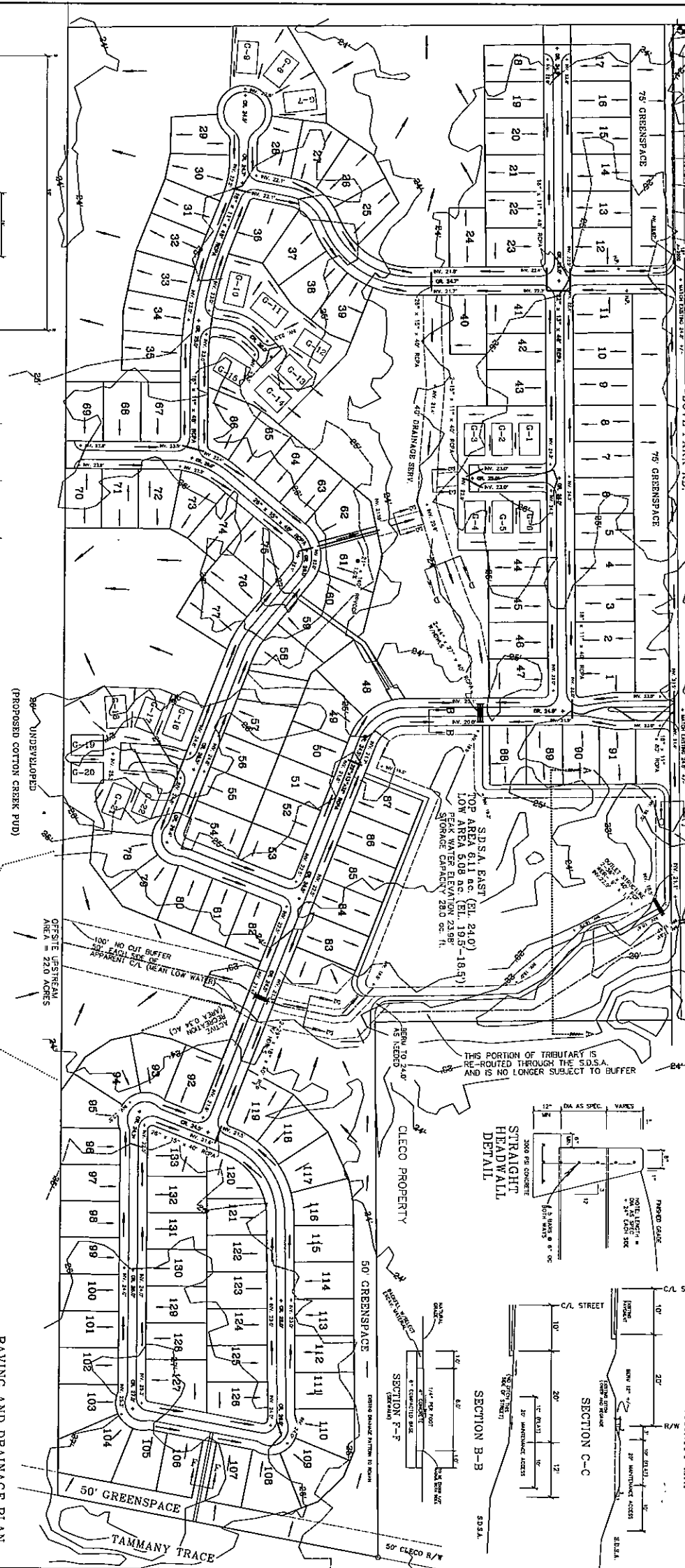
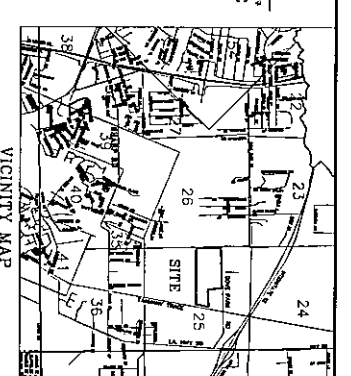
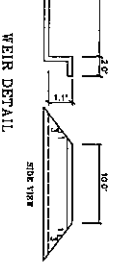
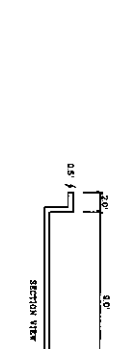
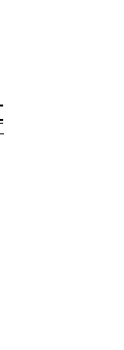
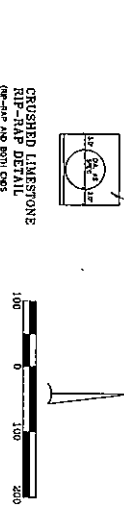
Returned to Council Clerk: _____, 2020 at _____

CULVERT SCHEDULE

NO.	LOT NUMBER	DESCRIPTION
101	41	41' x 10' CONCRETE
102	102	102' x 10' CONCRETE
103	103	103' x 10' CONCRETE
104	104	104' x 10' CONCRETE
105	105	105' x 10' CONCRETE
106	106	106' x 10' CONCRETE
107	107	107' x 10' CONCRETE
108	108	108' x 10' CONCRETE
109	109	109' x 10' CONCRETE
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111	111	111' x 10' CONCRETE
112	112	112' x 10' CONCRETE
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114	114	114' x 10' CONCRETE
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198	198	198' x 10' CONCRETE
199	199	199' x 10' CONCRETE
200	200	200' x 10' CONCRETE

DOVE PARK RIDGE

SECTION 25, T-7-S, R-11-E, ST. TAMMANY PARISH, LA.



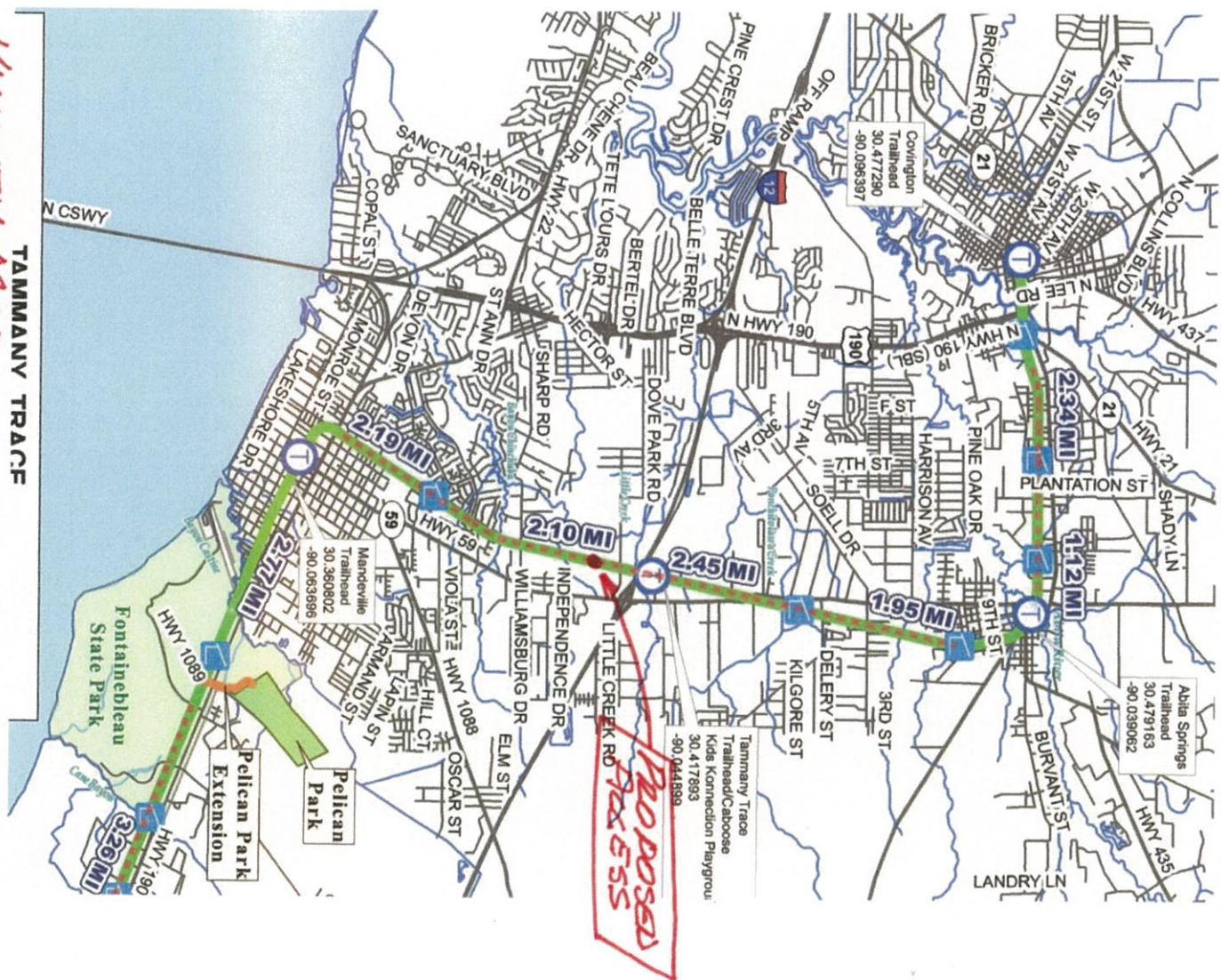
PAVING AND DRAINAGE PLAN

DOVE PARK RIDGE
SECTION 25, T-7-S, R-11-E
ST. TAMMANY PARISH, LA.

KELLY J. McGUIRE & ASSOC., INC.
 CIVIL ENGINEERS & LAND SURVEYORS
 845 CALVEZ ST., SUITE 100
 MONROE, LA 70001

NO.	DATE	DESCRIPTION
1	10-28-23	ISSUED FOR PERMIT
2	11-14-23	REVISED PER COMMENTS
3	11-14-23	REVISED PER COMMENTS
4	11-14-23	REVISED PER COMMENTS
5	11-14-23	REVISED PER COMMENTS

UTILITY MAP
FOR 6' WALKWAY FROM DOVE PARK RIDGE



Administrative Comments

CASE NO.: TRC20-11-001

REQUEST AND PURPOSE: The petitioner is requesting to enter the Tammany Trace for the purpose of constructing a five (5) foot concrete walkway and culvert to connect to the Trace parkway at the western edge of the Tammany Trace 1084 feet south of its intersection with Dove Park Road.

DEVELOPER: Dove Park Ridge LLC
845 Galvez Street
Mandeville, LA 70448

ENGINEER/SURVEYOR: Kelly McHugh and Associates
845 Galvez Street
Mandeville, LA 70448

WARD: 4 PARISH COUNCIL DISTRICT: 5

PROPERTY LOCATION: The property is located on the south side of Dove Park Road, west of LA Highway 59, south of Interstate 12, Covington, Louisiana.

STAFF COMMENTARY:

The Staff recommends approval of the access request subject to the comments listed below:

COMMENTS:

Department of Planning and Development

1. The width of the cleared area for the construction of a path to access the Trace shall not exceed ten (10) feet and the width of the pavement shall not exceed five (5) feet.
2. A detailed plan showing how the proposed sidewalk will connect to the Trace including elevations, drainage culverts, etc. must be provided prior to final approval.
3. No trees are to be cleared along the Tammany Trace, with the exception of the 15 foot section of the Trace buffer needed to install the concrete walkway and culvert.
4. A satisfactory construction cost estimate be submitted by the petitioner's engineer for the performance obligation
5. A land clearing permit must be acquired prior to work order and a pre-land clearing site visit will be conducted to ensure proper fencing or staking is in place to ensure no adverse effects on trees or Trace Right-of-Way.
6. The applicant shall procure written approval from the Director of the Tammany Trace prior to commencing any construction and shall provide said director with a daily work schedule.
7. The Tammany Trace shall not be closed or obstructed due to construction activity for more than one hour at any time unless it is approved by the Director of the Tammany Trace.
8. Only rubber tire excavating equipment is to be used on the trace.
9. All construction activities on the Tammany Trace shall be limited to daylight hours, Monday through Friday only (no weekends).
10. The Tammany Trace must be kept clean and free of construction material and debris at all times.
11. Obtain a work order from the Parish Engineer.
12. The applicant shall provide the parish with an acknowledgement and hold harmless agreement indemnifying St Tammany Parish from any and all liability that arises in connection with the requested access subject to review and approval by the parish's legal department.

INFORMATIONAL ITEMS:

A construction cost estimate shall be submitted by the petitioner's engineer for the Performance Obligation

If the Planning Commission approves this request, an Ordinance must be drafted for approval by the St. Tammany Parish Council.

Revised drawings will not be accepted for review or placement in the packet prior to the December 15, 2020 Planning Commission Meeting to ensure that any additional comments at the meeting can be incorporated into the revised plans.