ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: <u>6643</u>	ORDINANCE COUNCIL SERIES NO:
COUNCIL SPONSOR: LORINO /COOPER	PROVIDED BY: PLANNING DEVELOPMENT
INTRODUCED BY:	SECONDED BY:
ON THE 1 DAY OF APRIL, 2021	

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE NORTH AND SOUTH SIDES OF M P PLANCHE ROAD, WEST OF LOUISIANA HIGHWAY 25; COVINGTON AND WHICH PROPERTY COMPRISES A TOTAL OF 134.73 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT A-4 (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO AN A-4 (SINGLE-FAMILY RESIDENTIAL DISTRICT) & PUD (PLANNED UNIT DEVELOPMENT OVERLAY) WARD 3, DISTRICT 3) (2020-2143-ZC)

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. 2020-2143-ZC, has recommended Denial to the Council of the Parish of St. Tammany Louisiana, that the zoning classification of the above referenced area Remains A-4 (Single-Family Residential District);

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 A-4 (Single-Family Residential District) & PUD (Planned Unit Development Overlay) see Exhibit "A" for complete boundaries with the following stipulations:

- 1. Widen MP Planche road to 24' wide from Hwy 25 to the 2nd entrance of River Park Crossing;
- 2. Moving to the west, widen MP Planche road to 20' wide;
- 3. Construct a southbound right turn lane at Hwy 25 and MP Planche road;
- 4. If Parish and DOTD deem it necessary, construct an acceleration lane southbound at MP Planche and Hwy 25;
- 5. Convert the 2.8-acre greenspace area to a sports park with a pavilion, baseball backstop and soccer goals;
 - 6. Add a natural walking trail around the detention pond at the southeast corner of the property;
 - 7. Put the 27.87-acre greenspace area at the north end of the project in a conservation easement;
 - 8. One (1) additional Class "A" tree must be planted on each lot.

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 A-4 (Single-Family Residential District) to an A-4 (Single-Family Residential District) & 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 V FOLLOWING:	VAS SUBMITTED TO A VOTE AND RESULTED IN THE
YEAS:	
NAYS:	
ABSTAIN:	
ABSENT:	
	D DULY ADOPTED AT A REGULAR MEETING OF THE <u>MAY</u> , <u>2021</u> ; AND BECOMES ORDINANCE COUNCIL
	MICHAEL R. LORINO, JR. , COUNCIL CHAIRMAN
ATTEST:	
KATRINA L. BUCKLEY, COUNCIL CLE	ERK
	MICHAEL B. COOPER, PARISH PRESIDENT
Published Introduction:, 2021	
Published Adoption:, 2021	
Delivered to Parish President:	, <u>2021</u> at
Returned to Council Clerk:, 2	<u>021</u> at

EXHIBIT "A"

2020-2143-ZC

A certain parcel of land situated in Section 18, Township 6 South, Range 11 East, St. Tammany Parish, Louisiana and more fully described as follows:

Commence at the Section corner common to Sections 17, 18, 19 & 20, Township 6 South, Range 11 East, and run North 89 Degrees 53 Minutes, 58 Seconds West for a Distance of 1,020.29 Feet to the Point of Beginning;

From the Point of Beginning run South 89 Degrees 29 Minutes 32 Seconds West a Distance of 1,335.34 Feet to a Point; Thence run North 01 Degrees 01 Minutes 19 Seconds West for a distance of 650.41 feet to a point; Thence run North 88 Degrees 58 Minutes 41 Seconds East for a distance of 20.1 8 feet to a point; Thence run North 00 Degrees 59 Minutes 29 Seconds West for a distance of 608.59 feet to a point; Thence run South 89 Degrees 43 Minutes 01 Seconds West for a distance of 708.52 feet to a point; Thence run South 01 Degrees 01 Minutes 32 Seconds East for a distance of 1,268.44 feet to a point; Thence run South 88 Degrees 32 Minutes 09 Seconds West for a distance of 653.07 feet to a point; Thence run North 01 Degrees 05 Minutes 37 Seconds West for a distance of 2,644.57 feet to a point; Thence run North 88 Degrees 28 Minutes

49 Seconds East for a distance of 2,416.17 feet to a point; Thence run South 01 Degrees 02 Minutes 13 Seconds East for a distance of 622.58 feet to a point; Thence run Sough 01 Degrees 01 Minutes 35 Seconds East for a distance of 730.09 feet to a point; Thence run North 87 Degrees 45 Minutes 52 Seconds East for a distance of 260.06 feet to a point; Thence run South 01 Degrees 09 Minutes 39 Seconds East for a distance of 1325.04 feet back to the Point of Beginning.

Containing 134.733

Case No.: 2020-2143-ZC

PETITIONER: Corie Herberger

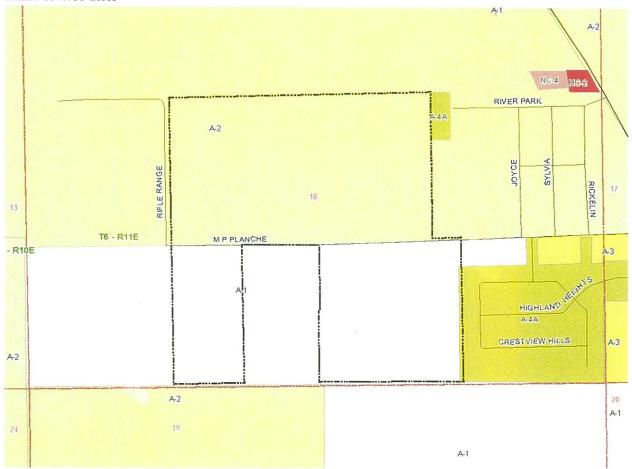
OWNER: Dawn Kane

REQUESTED CHANGE: From A-4 Single-Family Residential District to A-4 Single-Family Residential District

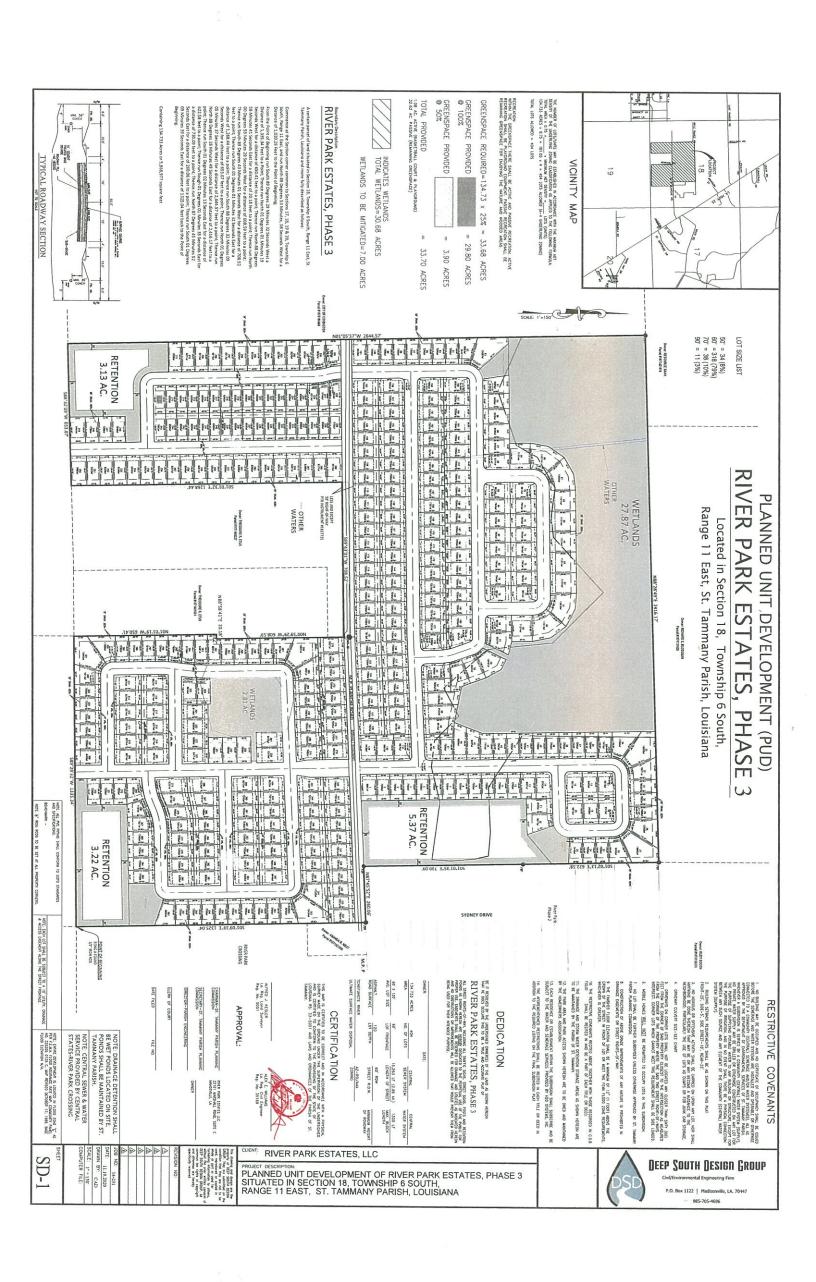
and PUD Planned Unit Development Overlay

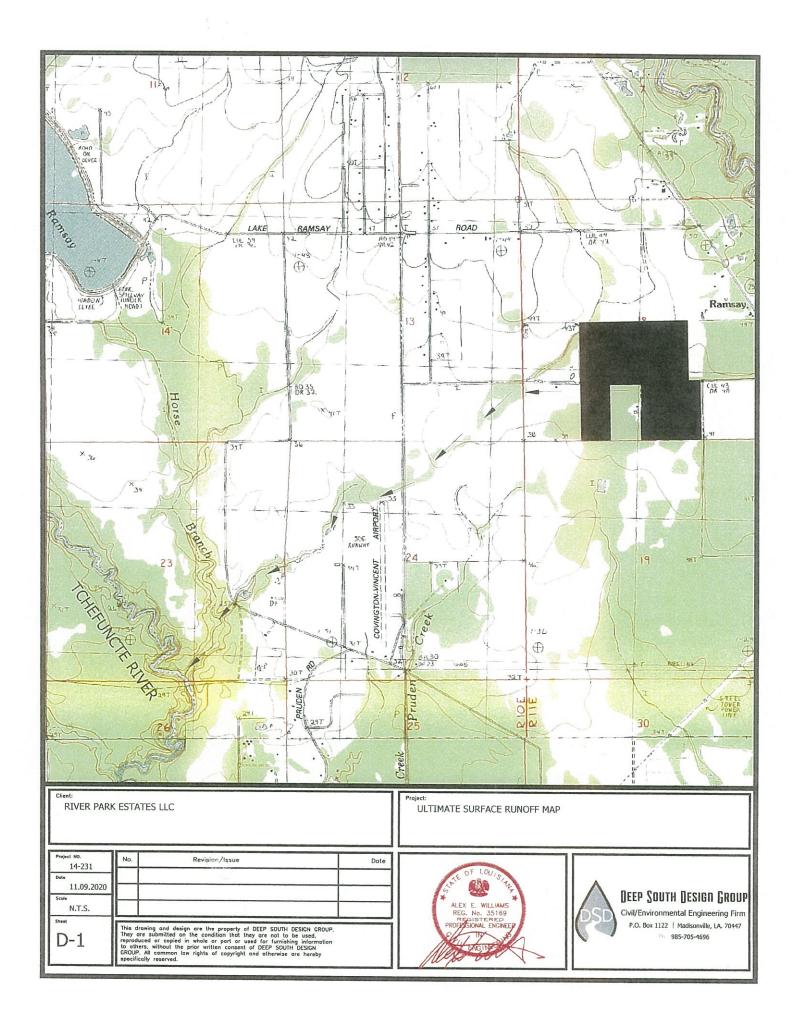
LOCATION: Parcels located on the north and south sides of M P Planche Road, west of Louisiana Highway 25; Covington

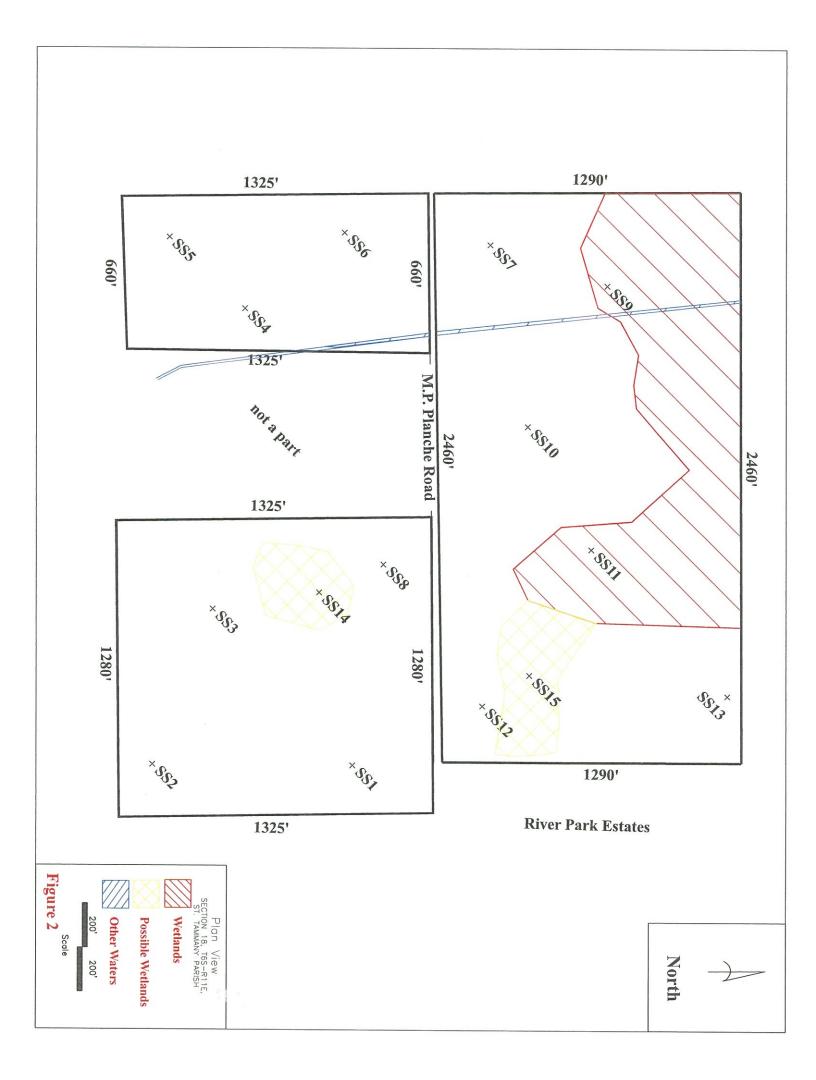
SIZE: 134.733 acres











ENVIRONMENTAL ASSESSMENT DATA FORM

Applicant's Name: Ri	iver Park Estates, LL	<u>.C</u>			
Developer's Address:	22161 Marshall Roa	ad Suite C	Mandeville,	LA 70471	
	Street	City		State	Zip Code
Developer's Phone No.		9	85-966-0549		
	(Business)		(Cell)		
Subdivision Name: _R	liver Park Estates Ph	ase 3			
Number of Acres in De	evelopment: 134.73	_ Number of Lot	s/Parcels in De	velopment:	404
Ultimate Disposal of Su	urface Drainage: Tche	efuncte River			
Water Surface Runoff I	Mitigation Proposed:	On Site Retent	ion Pond		
(Please check the follo	owing boxes below, who	ere applicable:)			
- Type of Sewerage Sy	stem Proposed: 🖾 Com	munity 🏻 Indi	vidual		
- Type of Water Syster	n Proposed: 🖼 Commu	nity 🗆 Individu	ıal		
- Type of Streets and/o	or Roads Proposed: 🛘 C	Concrete 🖫 Asp	halt 🛚 Aggreg	ate 🛮 Oth	er
- Land Formation: 🖳	Flat □ Rolling Hills [□ Marsh □ Sw	⁄amp □ Inund	ated 🛭 Tit	tle Flow
- Existing Land Use: [⊋ Undeveloped □ Res	idential 🛘 Con	nmercial 🗆 In	dustrial 🏻	Other
- Proposed Land Use:	☐ Undeveloped 🖼 Re	sidential 🗆 Co	mmercial 🗆 I	ndustrial [l Other
- Surrounding Land Use	e: 🗆 Undeveloped 🖼	Residential 🛘	Commercial [] Industrial	☐ Other
- Does the subdivision of	conform to the major stre	eetplan? 🖾 Ye	s 🗆 No		
- What will the noise le	vel of the working devel	opment be?	Very Noisy [☑ Average	☐ Very Littl
- Will any hazardous ma	aterials have to be remov	ved or brought or	n-site for the de	velopment?	☐ Yes ☒ No
If yes, what are the ha	zardous materials?		·	·	
- Does the subdivision f	front on any waterways?	☐ Yes ☒ No			
If yes, what major stre	ams or waterways?				

- Does the subdivision front on any major arterial streets? Yes X No	
If yes, which major arterial streets?	
- Will any smoke, dust or fumes be emitted as a result of operational construction?	s 🖾 No
If yes, please explain?	
- Is the subdivision subject to inundation? Frequently Infrequently None at all	
- Will canals or waterways be constructed in conjunction with this subdivision?	₹ No
(Does the proposed subdivision development)	
 a.) have or had any landfill(s) located on the property? b.) disrupt, alter or destroy any historical or archeological sites or district? c.) have a substantial impact on natural, ecological recreation, or scenic resources? d.) displace a substantial number of people? e.) conform with the environmental plans and goals that have been adopted by the parish? f.) cause an unwarranted increase in traffic congestion within or near the subdivision? g.) have substantial esthetic or adverse visual impact within or near the subdivision? 	☐ Yes ☐ No ☐ Yes ☐ No ☐ Yes ☑ No ☐ Yes ☑ No ☑ Yes ☐ No ☐ Yes ☐ No ☐ Yes ☐ No ☐ Yes ☐ No
h.) breach any Federal, State or Local standards relative to:	
 air Quality noise water Quality contamination of any public or private water supply ground water levels flooding/inundation erosion sedimentation rare and/or endangered species of animal or plant habitat interfering with any movement of resident or migratory fish or wildlife species inducing substantial concentration of population dredging and spoil placement 	☐ Yes Di No
I hereby certify to the best of knowledge and ability, that this subdivision developme adversely impact the surrounding environment, inclusive of all the information conherein; and further, said information provided and answered above is accurate, tracorrect.	tained

ZONING STAFF REPORT

Date: February 22, 2020 Case No.: 2020-2143-ZC

Posted: December 25, 2020

Meeting Date: March 2, 2021 Determination: Denied

Prior Determination: January 5, 2021 – Postponed

February 2, 2021 - Postponed

GENERAL INFORMATION

PETITIONER: Corie Herberger

OWNER: Dawn Kane

REQUESTED CHANGE: From A-4 Single-Family Residential District to A-4 Single-Family Residential District

and PUD Planned Unit Development Overlay

LOCATION: Parcels located on the north and south sides of M P Planche Road, west of Louisiana Highway 25;

Covington

SIZE: 134.733 acres

GENERAL INFORMATION

ACCESS ROAD INFORMATION

Type: Parish

Road Surface: 2 Lane Asphalt

Condition: Poor

LAND USE CONSIDERATIONS

SURROUNDING LAND USE AND ZONING:

<u>Direction</u> North	Surrounding Use Undeveloped	Surrounding Zone A-2 Suburban District and RO Rural Overlay
South	Residential and Undeveloped	A-1 Suburban District, A-2 Suburban District, and RO Rural
South	Residential and Olideveloped	Overlay
East	Residential	A-1 Suburban District, A-2 Suburban District, A-4A Single
		Family Residential, and RO Rural Overlay
West	Undeveloped	A-1 Suburban District, A-2 Suburban District, and RO Rural
		Overlay

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.

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.

STAFF COMMENTS/ SUBDIVISION INFORMATION:

The petitioner is requesting to add the Planned Unit Development Overlay (PUD) to the 134.733-acre subject property. The River Park Estates, Phase 3 subdivision is proposed to be developed with 384 lots with an average lot size of 60' x 120', or .165 acres.

A concurrent application to rezone the 134.733-acre site from A-1 and A-2 Suburban District to A-4 Single-Family Residential District has also been submitted (Case No. 2020-2142-ZC). The zoning change is requested to establish the underlying density of the proposed residential subdivision.

ACCESS:

The site is proposed to be accessed through the existing M P Planche Road, which is a 16 ft. wide Parish maintained road.

GENERAL INFORMATION

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 Revisions Required: Accessory Structure Setbacks Required
Restrictive Covenants	Revisions Required: 1. Minimum culvert size used for driveways must be stated
Water & Sewer facilities	Magnolia Water Utility Operating Company – Confirm capacity to provide services
Wetland Delineations	Revisions Required: Wetlands delineation shows two eastern areas as "possible wetlands". Revise the delineation to show as indicated wetlands. Note the applicant may need to reconfigure the PUD layout based on the outcome of the Jurisdictional Determination.
Flood Zone Demarcation Lines	Provided as Required
Ultimate Disposal of Surface Drainage	Provided as Required
Environmental Assessment Data Form	Provided as Required

DENSITY

Per the UDC, Section 130-1674(4), 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.

Existing Zoning	Zoning	Acreage	Max. Density	Net Density
	Existing A-1	59.053 acres	1 unit per 5 acres	8.86 units
	Existing A-2	75.68 acres	1 unit per acre	56.76 units
		Total Net Density		66 units
Proposed Zoning	Zoning	Acreage	Max. Density	Net Density
	Requested A-4	134.733 acres	4 units per acre	404 units
		Total Net Density		404 units

The proposal is for 384 residential lots, which is 95% of the maximum allowable density of the PUD per the requested A-4 Single-Family Residential designation (2020-2142-ZC).

GREENSPACE

Per the UDC, Section 130-1674(a)(8), a minimum of 25% of open space is required for all PUD subdivision. The petitioned PUD consists of 134.733 acres, requiring 33.68 acres of open space. The River Park Estates Phase 3 PUD plan provides a total of 36.20 acres of greenspace.

Amenities	Acreage	Type of Amenities
Passive	32.62 acres (97%)	Wetlands and Retention Ponds
Active	1.08 acres (3%)	Basketball Court and Playground

Comments:

a. 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.

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 PUD plan shows 30.68 acres of wetlands to be maintained. Additionally, the plan is providing 11.72 acres of retention ponds.
 - Informational Item: The Parish may adopt FEMA's Freeboard standard of BFE + 1 Foot by January 1, 2021. The applicant of this PUD may be required to implement the new standard after January 31, 2021.
- 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 lots of similar size to be developed with single-family residential dwellings. The setbacks provided are uniform for all development. There is little diversification or variation of residential uses provided.
 - The proposed PUD plan shows a majority of the 384 residential lots requiring a 25 ft. servitude within the entire rear yard from the building setback to the rear property line. As structures are not permitted within servitudes, this would result in no allowable fences, pools, sheds, play grounds or other typical structures found within a common backyard area.
- 3. Functional and beneficial uses of open space areas.
 - Almost 99% of the greenspace provided is passive in nature and is comprised of areas labeled wetlands. A total of 1.08 acres of usable open space areas labeled "basketball court" and "playground" is proposed to be provided. Considering the high density of the proposed subdivision, additional active areas and amenities should be provided.
 - Per Sec. 130-1674(1)(8)(4), no more than 50% of the required open space shall be satisfied using land which is inundated by water more than four months out of the year. The applicant is proposing to use a majority of the existing wetlands to satisfy greenspace requirements. These wetlands are not programed for any form of recreation and have little formal access for the residents.
- 4. Preservation of natural features of a development site.
 - Placing the greenspace areas and stormwater management ponds into a conservation easement
 would permanently limit the use of the land and ensure the public benefit of open space is
 maintained. The applicant has submitted a letter to the Department of Planning and Development
 which states no objection to placing the preserved wetlands at the north end of the project into a
 conservation easement prior to the recording of this section of the final plat.
- 5. Creation of a safe and desirable living environment for residential areas characterized by a unified building and site development program.
 - The 5.37-acre retention pond and park area to the northeast of the proposed PUD plan aligns with an existing 3.5-acre pond and park area to the west of River Park Estates Phase 1. The existing pond that was approved in River Park Estates Phase 1 and the proposed pond for River Park Estates Phase 3 are both dedicated to be maintained by St Tammany Parish. The applicant has submitted a letter of no objection to remove the berm along either retention ponds where they connect to combine the ponds and park space with input from the Parish Engineering Office. Merging the two ponds to form a larger, semi-regional retention pond could benefit stormwater management to reduce flood risk, facilitate maintenance, and maintain higher water quality. Additionally, merging the two ponds and park space could provide greater recreational opportunities and unified access to greenspace for residents.
- 6. Rational and economically sound development in relation to public services.
 - The applicant has stated that the proposed 384 home subdivision will be serviced by central sewer
 and water. Magnolia Water Utility Operating Company has stated that this capacity is beyond what
 is currently in place and any additional capacity could require a second treatment plant to expand.
 - The section of the existing M P Planche Road is approximately 12 ft. wide where the proposed PUD is shown. While widening this section of the roadway will be required to match the existing approximately 16 ft. width of the eastern half of M P Planche Road, this is still substandard compared to the current Parish requirements for new roadways of a 20 ft. width.
- 7. Efficient and effective traffic circulation, both within and adjacent to the development site.
 - The proposed traffic circulation consists of one collector type road known as M P Planche Road which provides service to River Park Estates Phases 1 and 2, and River Park Crossing Phases 1 & 2. The proposed PUD plan shows forty-seven 60-foot-wide lots fronting this main access road. Allowing home sites to have direct access on M P Planche Road will requires residents to back onto a substandard collector road that is proposed to carry an additional capacity of 384 home sites, resulting result in adverse traffic circulation for the development.
- 8. Creation of a variety of housing compatible with surrounding neighborhoods to provide a greater choice of types of environment and living units.
 - The applicant has submitted a concurrent request to change the underlying zoning designation of the 134.733-acre subject site from A-1 and A-2 Suburban District to A-4 Single-Family Residential

- District (2020-2142-ZC). If approved, this will create an increased allowable gross density of 404 additional homesites to the area.
- The surrounding subdivisions along M P Planche were developed without the PUD overlay and conform to the site and structure provisions of their respective underlying zoning designations as follows:

Surrounding Subdivisions Located Along M P Planche Road				
Subdivision Name	Acreage	Underlying Zoning Classification	Required Lot Width	Total # of Lots
River Park Estates Phase 1	26.037 acres	A-2 Suburban District	150 ft.	81 lots
River Park Estates Phase 2	18.2 acres	A-2 Suburban District	150 ft.	79 lots
	2.03 acres	A-4A Single-Family Residential	60 ft.	
River Park Crossing Phase 1	21.27 acres	A-4A Single-Family Residential	60 ft.	49 lots
River Park Crossing Phase 2	18.26 acres	A-4A Single-Family Residential	60 ft.	79 lots

COMPREHENSIVE PLAN ANALYSIS

The 2025 Future Land Use Plan designates the site to be developed with residential uses that aim to achieve contiguity among adjoining conservation areas in adjacent developments. The proposed River Park Estates Phase 3 is meeting the site's comprehensive plan designation by insuring 30.68 acres of existing wetlands is preserved as greenspace.

SUMMARY

Per Sec. 130-1674(c), the Zoning Commission shall hold a formal public hearing on the zoning overlay request. The Zoning Commission reserves the right to add stipulations and conditions to its approval and shall determine if the applicant has met all or part of the PUD parameters including:

- 1. The tract for the proposed PUD is suitable in terms of its relationships to the Parish comprehensive plan and that the areas surrounding the purposed PUD can continue to be developed in coordination and substantial compatibility with the PUD proposed.
- 2. That the desirable modifications of general zoning regulations as applied to the particular case, justify such modifications of regulations and at least an equivalent degree the regulations modified, based on the design and amenities incorporated in the site development plant
- 3. That increased open space over conventional development is provided for the occupants of the proposed PUD and the general public, and desirable natural features indigenous to the site in accordance with the open space parameters as follows:
 - a. Open spaces shall be required within the PUD and should be devoted to active and/or passive recreational purposes
 - b. Protects all floodplains and wetlands in accordance with parish regulations pertaining to fill
 - c. Preserves and maintains mature woodland and buffers
 - d. Protects rural roadside character and improves public safety by minimizing development fronting and accessing directly onto the public road
 - e. Provides for pedestrian circulation between properties and features of the site and continuity of open spaces where possible.

Staff has determined the following:

- The applicant is proposing to utilize Magnolia Utilities to satisfy sewer and water connection requirements.
 Additional capacity is beyond what is currently in place and may require a second treatment plant to expand.
 This potential growth of the service area will require an engineering evaluation to determine modifications, cost, and timelines.
- 2. The proposed 3.13-acre retention pond located in the southwestern corner of the proposed PUD appears to discharge into Horse Branch near its confluence with the Upper Tchefuncte River. This waterway is currently overburdened and stormwater runoff from this proposal may require a reduction of 25% for a 100-year storm event, pre-development.
- 3. Staff has determined that adverse traffic impacts may be created. Based on data sets provided by the Trip Generation Manual, 10th Edition Supplement, it appears that the proposed density of this development will generate over 3,500 new vehicle trips a day to the area with one approximately 16 ft. two-way access road servicing the development.
- 4. The proposed density for this development is above the existing density in a majority of the surrounding area. Staff has determined that the proposal for 384 homes could create negative impacts on traffic, drainage, and safety. Additionally, the lot layouts that allow traffic to back onto M P Planche Road could cause traffic issues and safety concerns.
- 5. The proposed drainage servitudes will interfere with the useable portion of a majority of the lot's backyard areas.
- 6. The applicant has stated no objection to placing the wetlands and retention ponds into a conservation easement.
- 7. The applicant has stated no objection to combining the 5.37-acre retention pond and park area to the northeast of the proposed PUD with the existing 3.5-acre pond and park area to the west of River Park Estates Phase 1 with input from the Parish Engineering office.