

APPEAL # 7

ZC DENIED: 10/19/21



ST. TAMMANY PARISH

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

APPEAL REQUEST

DATE: 10/27/2021



2021-2274-ZC

Existing Zoning: PBC-1 (Planned Business Campus) and A-4 (Single-Family Residential District)

Proposed Zoning: PBC-1 (Planned Business Campus), A-4 (Single-Family Residential District), and PUD (Planned Unit Development District)

Location: Parcel located on the east side of Highway 1085 and south and west of Bricker Road; Covington; S46, T7S, R11E; Ward 1, District 1

Acres: 160.44

Petitioner: All State Financial Company

Owner: All State Financial Company

Council District: 1

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: Bruce Wainer

ADDRESS: 321 Veterans Blvd., Suite 201, Metairie, LA, 70005

PHONE #: 504-834-5511

TABLE 1: 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
Restrictive Covenants	Provided as Required
Water & Sewer facilities	Water and sewer services provided offsite by Utilities Inc. of Louisiana
Wetland Delineations	Provided as Required
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.

The applicant has submitted concurrent applications to rezone 64.31 acres of the 160.44-acre site to establish the underlying density of the proposed subdivision (see Table #2). Currently, 96.13 acres of the subject site is zoned A-4 Single-Family Residential District, which the applicant proposes to remain.

TABLE # 2: CONCURRENT ZONING APPLICATIONS			
Case Number	Acreage	Existing Zoning	Proposed Zoning
2021-2268-ZC	18.66 acres	PF-2 Public Facilities District NC-4 Neighborhood Institutional District	A-4 Single-Family Residential District
2021-2270-ZC	14.87 acres	A-6 Multiple Family Residential District	PBC-1 Planned Business Campus
2021-2273-ZC	30.78 acres	A-2 Suburban District	A-4 Single-Family Residential District

If approved, the total 160.44-acre site will be comprised of 145.57 acres of property zoned A-4 Single-Family Residential District and 14.87 acres of property zoned PBC-1 Planned Business Campus. This will allow for a total allowable net density of 436 single-family dwellings where the property is zoned A-4 and a total gross maximum building size of 728,704 sq. ft. with a maximum height of 75 feet where the property is zoned PBC-1 (see Table # 3).

TABLE # 3: DENSITY				
Zoning	Acreage	Max Density	Max Floor Area Ratio	Max Lot Coverage
A-4 Single-Family Residential	145.57	4 units per acre (436 single-family units)	N/A	Shall not exceed 50% of the total area of the lot
PBC-1 Planned Business Campus	14.87	N/A	728,704 sq. ft. of all principal and accessory buildings	Shall not exceed 50% of the total area of the lot

GREENSPACE

Per the UDC, Section 130-1674(a)(8), a minimum of 25% of open space is required for all PUD subdivisions. The petitioned PUD consists of 160.44 acres, requiring 40.11 acres of open space. The proposed PUD plan provides a total of 47.96 acres of greenspace, including the site's buffers (see Table # 4).

TABLE # 4: GREENSPACE			
Amenity Type	Amenity	Acreage	% of Greenspace
Active	Playground and Athletic Fields	2.85 acres	6%
	Nature Trail and Water Access	10.66 acres	22%
Passive	Neighborhood Parks	2.04 acres	5%
	Dry Park	16.96 acres	35%
	Linear Tree Buffers	15.45 acres	32%
Total Acreage:		47.96 acres	100%

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 applicant has provided wetland limits that include an approximation of 65 acres which accounts for a total of 41% of the PUD. If wetlands are to be developed, they should be done in a way that is in accordance with an environmentally friendly design including limiting land disturbance, protection of natural areas and habitats, and innovative and effective storm water management.
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 is providing 335 standard lots which are dimensioned at 60 ft. x 120 ft. and 80 garden home lots which are dimensioned at 50 ft. x 100 ft. – 120 ft. As submitted, there is no diversification of single-family housing types. The 14.87 acre “Planned Business Use Area” provides a mix of uses.
 - The developer should consider alternative construction types of home sites. This could provide a variation in residential development as well as minimize conflict with existing wetlands on site.
3. *Functional and beneficial uses of open space areas.*
 - The proposed PUD plan has allocated 10.66 acres of undeveloped greenspace to act as water access to Timber Branch. This access has no formal entry point and residents looking to use this recreational area will need to first traverse the 16.96-acre dry detention storage area. Staff recommends establishing a formal entry point for residents to actively use the space as well as the creation of a potential permeable parking area.
 - The active recreational space that is proposed along the south side of the property includes nature trails. These trails appear to run in an east-west manner, in-between the dry stormwater area and the area dedicated to water access for the residents. These trails do not connect to the servitude which acts as the only formal access to these greenspaces and abruptly end at the edge of the site plan. The petitioners should reorient these walking paths to be inclusive of the entire useable portions of the greenspace as well as to provide access from the residential areas to Timber Branch.
 - The applicant has provided several landscaped buffers around the perimeter of the property which should help to mitigate noise, help to create a visual screen against adjacent property, and provide additional filtration for runoff.
4. *Preservation of natural features of a development site.*
 - The subject site is comprised of 41% of existing wetlands which serve an important function in flood mitigation. Removal of tree canopy and roots disturb the natural storage capacity of rainfall. Developing these wetlands may significantly increase runoff therefore exacerbating flooding and adversely impacting neighboring properties.
 - The natural greenspace areas located along the southern perimeter of the proposed PUD should be placed into a conservation easement. This easement would permanently limit the use of the land and ensure the public benefit of open space is maintained.
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 should provide a formal access and extend the walking trail from the residential area to the greenspace which is provided along the south side of the plan. This addition will help to create a unified building and site development program.
 - The applicant must provide a complete Recreational Development Plan at the Tentative or Preliminary phase.

6. *Rational and economically sound development in relation to public services.*

- The applicant has stated that the proposed 415 single-family home sites will be serviced by central sewer and water. Utilities Inc. of Louisiana has stated that capacity for this development is sufficient and the developer will simply be required to extend the existing water and sewer force main to the subject development site.

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 Armstrong Parkway which will service 263 home sites along the north side of the development and 152 home sites along the south side of the development. The road is bordered on either side with a 50 ft. buffer which will help to alleviate noise and increase safety to the abutting homesites. Staff recommends the applicant mimic the boulevard type entryway which is shown at the intersection of Bootlegger Road and Armstrong Parkway along the intersection of Bricker Road and Armstrong Parkway.
- The current configuration shows the proposed commercial area having access along Armstrong Parkway, which is the main roadway which provides access for the 415 proposed residential dwellings. As the permitted uses for the commercial area appear to provide uses consistent with large-scale office development, the applicant should increase the buffer in-between the commercially zoned portion of the PUD and the residential uses. Staff recommends the applicant ensure additional stress on current traffic situations are mitigated.
- Based on data sets provided by the Trip Generation Manual, 10th Edition Supplement, it appears that the proposed density of the single-family homesites as well as the allowable multifamily housing use which could be located on the PBC-1 portion of the development could generate approximately 5,000 new vehicle trips a day within the area.

8. *Creation of a variety of housing compatible with surrounding neighborhoods to provide a greater choice of types of environment and living units.*

- The PUD plan is proposing to allocate 14.87 acres towards commercial and office uses. This request will allow for a diversification of uses within the development site. Staff has determined, however that the allowable site and structure provisions, including the floor area ratio and height regulations within the PBC-1 Planned Business Campus is not compatible with the surrounding residential uses along the northern side of Bricker Road.

COMPREHENSIVE PLAN ANALYSIS

The 2025 Future Land Use Plan designates the site to be developed as a Planned District which includes a mix of uses at varying densities and conservation areas. Staff recommends the applicant ensure the large tract of undeveloped greenspace along the southern border of the proposed PUD be placed into a conservation easement. This will limit the land from future development and ensure the public benefit of greenspace is maintained. Staff also recommends the applicant ensure that all greenspace is accessible and well connected to ensure functional use of open space.

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.

Staff has noted several examples which could create problematic features upon reviewing the PUD Plan. Examples of these potential issues include the following:

1. Staff has concerns with the percentage of wetlands that exist within the subject property. Staff recommends the applicant work with their engineering team to ensure that if the wetlands are programed to be developed, they are done so in an environmentally friendly design including limiting land disturbance, protection of natural areas and habitats, and innovative and effective stormwater management.

A Hydrologic Analysis, dated October 7, 2021, was submitted for this development by Kelly McHugh and Associates. The study has been reviewed by STP staff and appears to conform to STP Hydrologic Analysis and Fill Ordinances. The Hydrologic Analysis reports that the pre-development drainage flows mostly from the north along Bricker Road to the south to Timber Branch. The post-development condition is modeled to follow the same drainage pattern with a detention pond constructed north of Timber Branch and south of the proposed development. The Hydrologic Analysis demonstrates sufficient detention pond storage for the proposed impervious area. The proposed development is shown not adding fill material below the 15' contour, and creating additional flood plain storage volume between 13' and 15' by excavating a large portion of the existing natural ground between the elevation of 13' and 15'. The post-development condition includes a 100' undisturbed buffer between Timber Branch and the proposed detention pond. The approval of this Hydrological Analysis is conceptual at this time as no construction plans or detailed documentation has been provided; therefore, the Hydrological Analysis will be reviewed for conformance to the construction plans at Preliminary Approval where additional comments regarding the Hydrological Analysis may arise.

- ~~2. Staff has concerns with the water levels along the north-south portion of Bricker Road during storm events, where it intersects with the proposed Armstrong Parkway. Staff recommends the applicant work with their engineer to construct a bridge along this portion of Bricker Road to ensure the safety and feasibility of new traffic to the area.~~

The developer and his engineer agree that the low portion of Bricker Road where Timber Branch crosses it needs to be evaluated and improved as part of this project. The evaluation of this crossing will require additional modeling to accurately determine the correct improvements and elevations for the roadway and crossing in this location. This will be required as part of the developer's submittal for Preliminary Subdivision Approval.

*Updated by the Department of Engineering 10/18/2021

3. Staff is concerned with the increase in density that the requested zoning classifications would allow. The property is developable with the existing zoning classifications and a lesser allowable density.
4. 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 5,000 new vehicle trips a day to the area.

A revised T.I.A. was submitted for this development by Kelly McHugh and Associates on 9/9/2021. The study has been reviewed by STP staff and appears to conform to STP Traffic Study Ordinances. STP has submitted the study to LADOTD in order for them to review the LA 21 @ Bootlegger Road intersection. LADOTD concurrence is needed regarding the "future" delays and queueing at this intersection before official approval of this T.I.A. can be granted. See the attached document containing the associated level of service tables for the proposed development.

*Updated by the Department of Engineering 10/18/2021

5. The PUD plan provides little to no housing type diversification offering only 50'x100' and 60'x120' lot types.

Case No.: 2021-2274-ZC

PETITIONER: All State Financial Company

OWNER: All State Financial Company

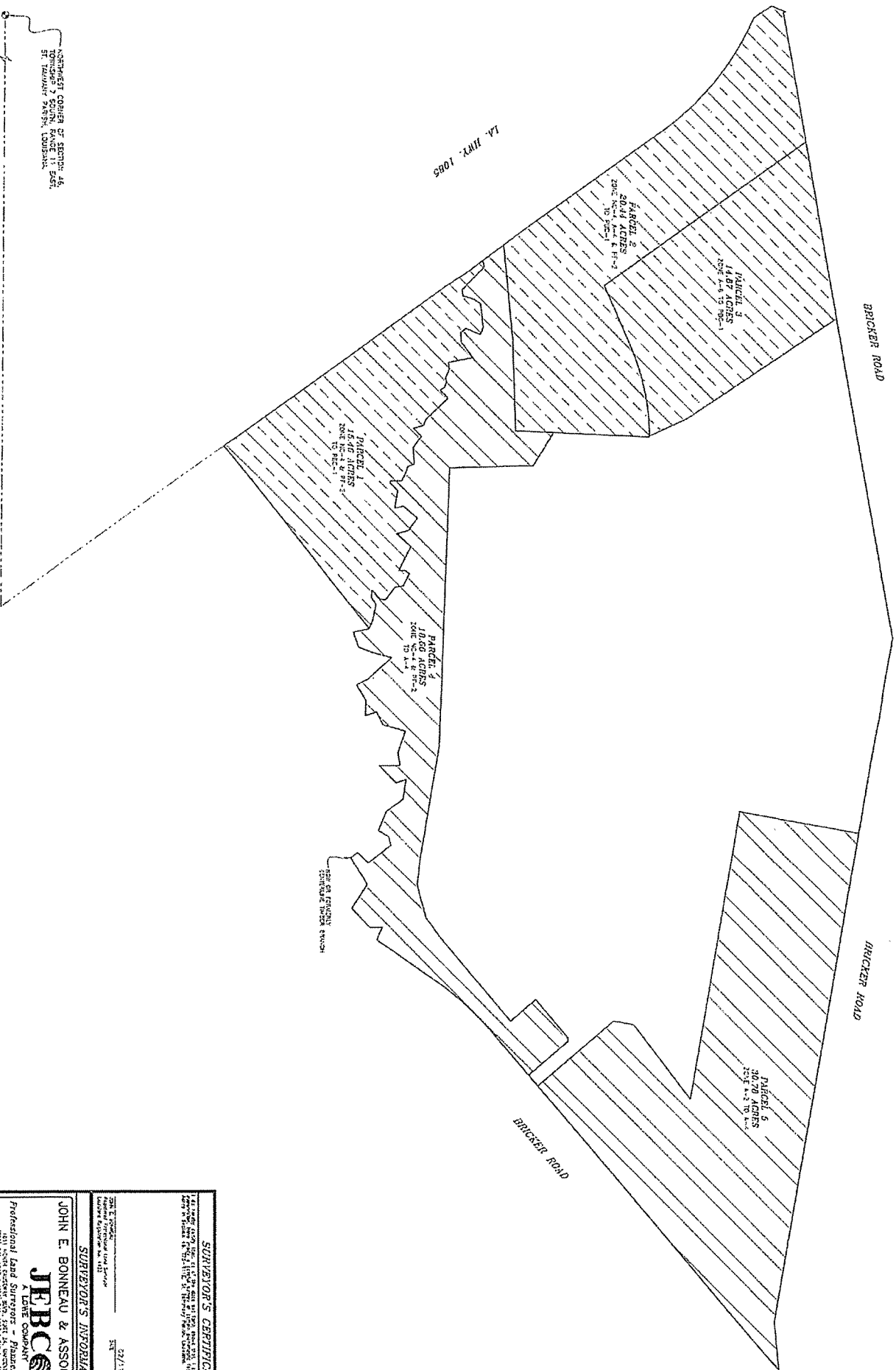
REQUESTED CHANGE: From PBC-1 Planned Business Campus and A-4 Single-Family Residential District to PBC-1 Planned Business Campus, A-4 Single-Family Residential District, and PUD Planned Unit Development District

LOCATION: Parcel located on the east side of Highway 1085 and south and west of Bricker Road; Covington; S46, T7S, R11E; Ward 1, District 1

SIZE: 160.44 acres



2021-2274-ZC



NORTHEAST CORNER OF SECTION 46,
ST. TAMMANY PARISH, LOUISIANA.



THIS SURVEY WAS MADE BY JOHN E. BONNEAU & ASSOCIATES, INC. IN ACCORDANCE WITH THE PROFESSIONAL STANDARDS OF THE SURVEYING AND MAPPING BOARD OF THE STATE OF LOUISIANA. THE SURVEY WAS MADE ON THE DATE INDICATED HEREON AND THE RESULTS THEREOF ARE HEREBY CERTIFIED TO BE TRUE AND CORRECT.

DATE: 02/11/21
DRAWN BY: SPH

CHECKED: JDB
SCALE: 1" = 200'

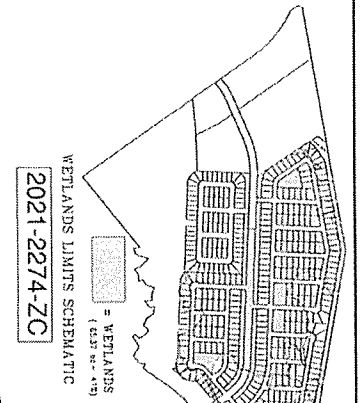
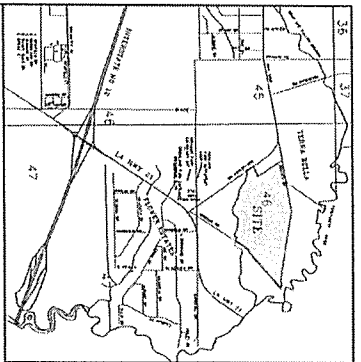
SHEET # 1 OF 1

SURVEYOR'S CERTIFICATION
I, JOHN E. BONNEAU, a duly Licensed Professional Surveyor in the State of Louisiana, do hereby certify that I am the author of this survey and that the same was made by me or under my direct supervision and that I am a duly Licensed Professional Surveyor in the State of Louisiana.

DATE: 02/11/21

JOHN E. BONNEAU & ASSOCIATES, INC.
A LOWE COMPANY
JEB
Professional Land Surveyors - Planners - Consultants
2215 N. RIVERVIEW BLVD., SUITE 100, METairie, LA 70002
504-885-1111

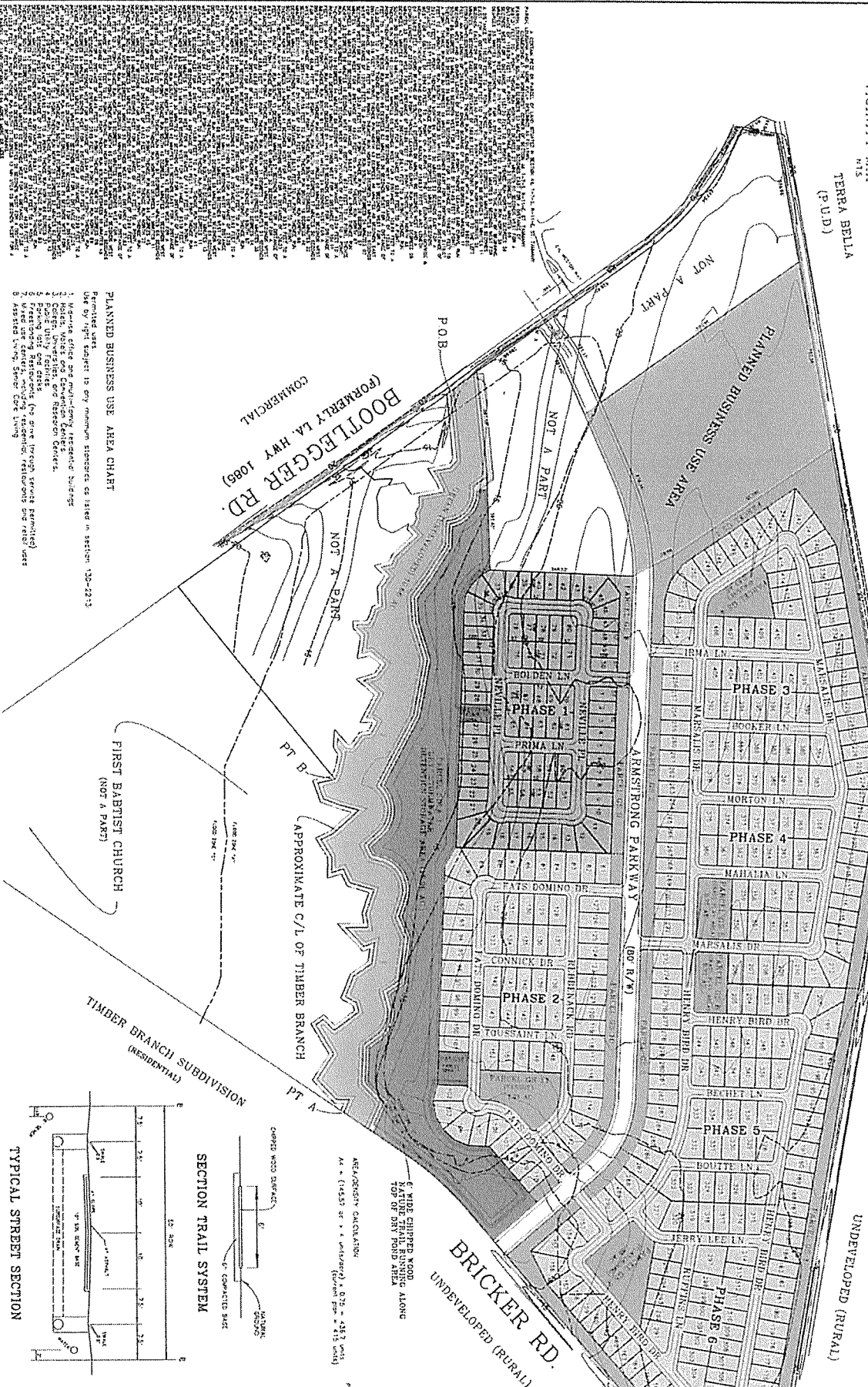
Survey for: ALL STATE FINANCIAL.
Property: A REZONING MAP OF 196.37 ACRES SITUATED IN SECTION 46, T7S-R11E, ST. TAMMANY PARISH, LOUISIANA.



**VIEWX CARRE
SECTION 46, T-7-S, R-11-E
ST TAMMANY PARISH, LA.**

1. TERRAIN DATA PROVIDED BY THE APPLICANT.
2. ALL DATA IS BASED ON THE MOST RECENT AVAILABLE DATA.
3. THE APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
4. ALL DISTANCES ARE GIVEN IN FEET UNLESS OTHERWISE SPECIFIED.
5. ALL ANGLES ARE GIVEN IN DEGREES UNLESS OTHERWISE SPECIFIED.
6. ALL CURVES ARE TO BE LOCATED BY THE STANDARD METHOD.
7. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
8. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.
9. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE SPECIFIED.
10. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE CANAL UNLESS OTHERWISE SPECIFIED.

NO.	DESCRIPTION	AREA (AC)	PERCENTAGE
1	RESIDENTIAL LOT AREA	62,500	100%
2	GREENSPACE AREAS	31,000	49.6%
3	RECREATION AREAS	16,960	27.1%
4	WATERWAYS	15,430	24.7%
5	UNDEVELOPED (RURAL)	1,870	3.0%
6	TOTAL	125,760	200.0%



PLANNED BUSINESS USE AREA CHART

1. Wetlands
2. Wetlands (4.57 ac - 4.73)
3. Wetlands (4.57 ac - 4.73)

WETLANDS LIMITS SCHEMATIC

2021-2274-ZC

RECREATION AREAS

1. NEIGHBORHOOD PARKS = 2.04 ac (1.2%)
2. S.O.S.A. (GRVY) PARK = 16.96 ac (16.6%)
3. LINEAR TRAIL BUFFERS = 15,430 ac (16.6%)

TOTAL GREENSPACE AREA = 40.11 ac (25%)
PROVIDED = 47.96 ac (29.5%)

RECREATION DEVELOPMENT PLAN

1. NEIGHBORHOOD PARKS
2. S.O.S.A. (GRVY) PARK
3. LINEAR TRAIL BUFFERS

DEVELOPER FINANCIAL CO
112 VETERANS BLVD SUITE 201
METairie, LA 70005

P.U.D. CONCEPTUAL PLAN AND TENTATIVE SUBDIVISION PLAN
VIEWX CARRE SECTION 46, T-7-S, R-11-E ST TAMMANY PARISH, LA.

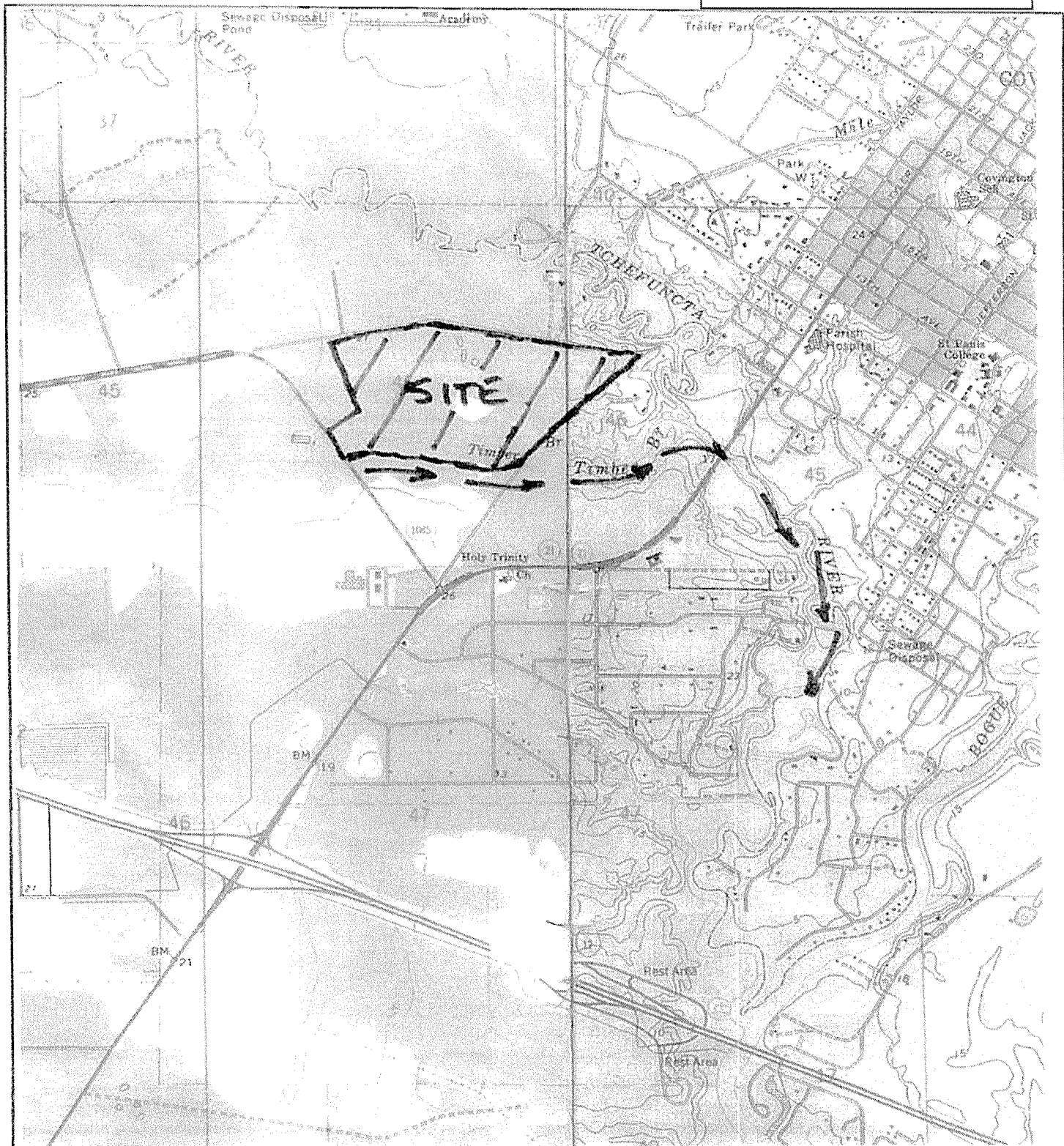
KELLY J. MCHUGH & ASSOC., INC.
1000 PINEWOOD DRIVE
METairie, LA 70005
650 DANIEL ST. SUITE 101
METairie, LA 70005
984-1111
984-1111

SECTION TRAIL SYSTEM

6" WIDE CHIPPED WOOD NATURAL TRAIL RUNNING ALONG TOP OF SHOULDER AREA

TYPICAL STREET SECTION

2021-2274-ZC



TIMBER BRANCH
TO
TCHEFUNCTE RIVER

ULTIMATE DISPOSAL MAP		
SCALE:	N.T.S.	DATE: 2-11-21
DRAWN:		JOB NO.:
REVISED:		

2021-2274-ZC

ENVIRONMENTAL ASSESSMENT DATA FORM

Applicant's Name: ALL STATE FINANCIAL CO.

Developer's Address: 312 VETERANS BLVD SUITE 201 METAIRIE LA 70005
Street City State Zip Code

Developer's Phone No. (504) 834-5511
(Business) (Cell)

Subdivision Name: _____

Number of Acres in Development: 162.17 Number of Lots/Parcels in Development: 415 / 1

Ultimate Disposal of Surface Drainage: TIMBER BRANCH TO TCAEFORTE RIVER

Water Surface Runoff Mitigation Proposed: NONE

(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? TIMBER BRANCH

2021-2274-ZC

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

If yes, which major arterial streets? BOY LOGGERS RD. (LA. Hwy 1095)

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

(Does the proposed subdivision development...)

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

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

- air Quality Yes No
- noise Yes No
- water Quality Yes No
- contamination of any public or private water supply Yes No
- ground water levels Yes No
- flooding/inundation Yes No
- erosion Yes No
- sedimentation Yes No
- rare and/or endangered species of animal or plant habitat Yes No
- interfering with any movement of resident or migratory fish or wildlife species Yes No
- inducing substantial concentration of population Yes No
- dredging and spoil placement Yes 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.

ENGINEER/SURVEYOR/OR DEVELOPER
(SIGNATURE)

2-11-21

DATE



May 11, 2021

RE: PUD Overlay Permitted Uses on Commercial Parcels

Permitted Uses:

1. Mid-rise office and multi-family residential buildings.
2. Hotels, Motels and Convention Centers.
3. College, Universities, and Research Centers.
4. Public Utility Facilities.
5. Parking lots and decks.
6. Freestanding Restaurants (no drive through service permitted)
7. Mixed use centers, including residential, restaurants and retail uses
8. Assisted Living, Senior Care Living

Minimum Area Regulations:

1. Street Planting Areas – All areas along the street(s) or road (or roads) which a property abuts shall comply with the standards of Section 130-1976 in the St. Tammany Parish Unified Development Code “Street Planting Areas” of these regulations.
2. Side and Rear planting areas – All areas located along the side and rear interior property lines shall comply with the Section 130-1976 St. Tammany Parish Unified Development Code “Side and Rear Buffer Planting Area Requirements” of these regulations.

Maximum Lot Coverage:

The lot coverage of all principal and accessory buildings on a zoning lot shall not exceed (50) percent of the total area of the lot.

Height Regulations:

No building or dwelling for residential or business purposes shall exceed seventy-five (75) feet in height above the natural grade of the property at the location of the structure or base flood elevation as established in Flood Ordinance 791, which ever is higher.

Design criteria:

1. *Landscaping.* All landscaping shall be in compliance with the provisions of article VI, division 2, of this chapter.
2. *Signage.* All signage shall be in compliance with article VI, division 3, of this chapter
3. *Lighting.* All site lighting shall be in compliance with article VI, division 4, of this chapter.
4. *Parking/loading.* All parking and loading will be in compliance with article VI, division 8, of this chapter. Parking Landscaping shall be in compliance with Sec. 130-1979.
5. *Land Clearing.* All Oak trees that do not fall within the buffers shall be cut without any mitigation.

Parish Requirements:

1. Where the regulations in this document remain silent, the St. Tammany Unified Development Code shall govern.