

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6963 ORDINANCE COUNCIL SERIES NO: _____
COUNCIL SPONSOR: BINDER/COOPER PROVIDED BY: PLANNING DEVELOPMENT
INTRODUCED BY: MR. DEAN SECONDED BY: MR. CANULETTE
ON THE 5 DAY OF MAY , 2022

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE WEST SIDE OF THIRD AVENUE, SOUTH OF HELENBIRG ROAD; COVINGTON AND WHICH PROPERTY COMPRISES A TOTAL OF 76 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT A-2 (SUBURBAN DISTRICT) TO AN A-2 (SUBURBAN DISTRICT) AND PUD (PLANNED UNIT DEVELOPMENT OVERLAY) (WARDS 3 & 4, DISTRICT 5) (2022-2737-ZC)

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. 2022-2737-ZC, has recommended to the Council of the Parish of St. Tammany Louisiana, that the zoning classification of the above referenced area be changed from its present A-2 (Suburban District) to an A-2 (Suburban District) and PUD (Planned Unit Development Overlay) see Exhibit "A" for complete boundaries; 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 A-2 (Suburban District) and PUD (Planned Unit Development Overlay).

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-2 (Suburban District) to an A-2 (Suburban District) and 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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 2 DAY OF JUNE , 2022 ; AND BECOMES ORDINANCE COUNCIL SERIES NO ____.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: APRIL 27 , 2022

Published Adoption: _____, 2022

Delivered to Parish President: _____, 2022 at _____

Returned to Council Clerk: _____, 2022 at _____

2022-2737-ZC

A CERTAIN PIECE OR PORTION OF LAND BEING SITUATED IN SECTIONS 22 & 23, TOWNSHIP 7 SOUTH, RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE SECTION CORNER COMMON TO SECTIONS 14, 15, 22, & 23, TOWNSHIP 7 SOUTH, RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA AND RUN EAST FOR A DISTANCE OF 1320.00 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING MEASURE EAST FOR A DISTANCE OF 1384.44 FEET TO A POINT; THENCE SOUTH 01 DEGREES 11 MINUTES 54 SECONDS WEST FOR A DISTANCE OF 389.05 FEET TO A POINT; THENCE NORTH 88 DEGREES 48 MINUTES 6 SECONDS WEST FOR A DISTANCE OF 122.98 FEET TO A POINT; THENCE SOUTH 21 DEGREES 48 MINUTES 24 SECONDS WEST FOR A DISTANCE OF 721.02 FEET TO A POINT; THENCE SOUTH 16 DEGREES 45 MINUTES 54 SECONDS WEST FOR A DISTANCE OF 639.85 FEET; THENCE NORTH 73 DEGREES 14 MINUTES 24 SECONDS WEST FOR A DISTANCE OF 1194.50 FEET; THENCE NORTH 87 DEGREES 46 MINUTES 8 SECONDS WEST A DISTANCE OF 216.55 FEET TO A POINT; THENCE SOUTH 72 DEGREES 25 MINUTES 10 SECONDS WEST A DISTANCE OF 135.12 FEET TO A POINT; THENCE NORTH 81 DEGREES 8 MINUTES 54 SECONDS WEST A DISTANCE OF 174.19 FEET TO A POINT; THENCE NORTH 70 DEGREES 18 MINUTES 3 SECONDS WEST A DISTANCE OF 237.70 FEET TO A POINT; THENCE NORTH 48 DEGREES 48 MINUTES 44 SECONDS WEST A DISTANCE OF 77.55 FEET TO A POINT; THENCE NORTH 22 DEGREES 33 MINUTES 59 SECONDS WEST A DISTANCE OF 64.73 FEET TO A POINT; THENCE NORTH 9 DEGREES 57 MINUTES 24 SECONDS WEST A DISTANCE OF 75.95 FEET TO A POINT; THENCE NORTH 11 DEGREES 35 MINUTES 2 SECONDS WEST A DISTANCE OF 142.27 FEET TO A POINT; THENCE NORTH 32 DEGREES 12 MINUTES 7 SECONDS WEST A DISTANCE OF 52.07 FEET TO A POINT; THENCE NORTH 29 DEGREES 28 MINUTES 47 SECONDS WEST A DISTANCE OF 64.94 FEET TO A POINT; THENCE NORTH 11 DEGREES 6 MINUTES 27 SECONDS WEST A DISTANCE OF 122.24 FEET TO A POINT; THENCE NORTH 22 DEGREES 1 MINUTES 46 SECONDS WEST A DISTANCE OF 63.56 FEET TO A POINT; THENCE NORTH 2 DEGREES 47 MINUTES 56 SECONDS WEST A DISTANCE OF 85.72 FEET TO A POINT; THENCE NORTH 19 DEGREES 36 MINUTES 49 SECONDS WEST A DISTANCE OF 45.35 FEET TO A POINT; THENCE NORTH 19 DEGREES 28 MINUTES 56 SECONDS WEST A DISTANCE OF 4839 FEET TO A POINT; THENCE NORTH 59 DEGREES 26 MINUTES 11 SECONDS WEST A DISTANCE OF 53.22 FEET TO A POINT; THENCE NORTH 9 DEGREES 12 MINUTES 49 SECONDS WEST A DISTANCE OF 45.26 FEET TO A POINT; THENCE NORTH 55 DEGREES 12 MINUTES 15 SECONDS WEST A DISTANCE OF 43.81 FEET TO A POINT; THENCE NORTH 14 DEGREES 54 MINUTES 12 SECONDS EAST A DISTANCE OF 116.35 FEET TO A POINT; THENCE NORTH 18 DEGREES 00 MINUTES 27 SECONDS WEST A DISTANCE OF 39.00 FEET TO A POINT; THENCE NORTH 1 DEGREES 8 MINUTES 38 SECONDS WEST A DISTANCE OF 67.74 FEET TO A POINT; THENCE NORTH 36 DEGREES 17 MINUTES 16 SECONDS EAST A DISTANCE OF 64.99 FEET TO A POINT; THENCE NORTH 1 DEGREE 50 MINUTES 50 SECONDS EAST A DISTANCE OF 84.10 FEET TO A POINT; THENCE NORTH 85 DEGREES 12 MINUTES 19 SECONDS EAST A DISTANCE OF 109.51 FEET TO A POINT; THENCE SOUTH 70 DEGREES 5 MINUTES 25 SECONDS EAST A DISTANCE OF 36.72 FEET TO A POINT; THENCE SOUTH 39 DEGREES 56 MINUTES 6 SECONDS EAST A DISTANCE OF 70.17 FEET TO A POINT; THENCE SOUTH 74 DEGREES 50 MINUTES 8 SECONDS EAST A DISTANCE OF 45.31 FEET TO A POINT; THENCE SOUTH 74 DEGREES 59 MINUTES 55 SECONDS EAST A DISTANCE OF 87.35 FEET TO A POINT; THENCE NORTH 89 DEGREES 41 MINUTES 48 SECONDS EAST A DISTANCE OF 156.60 FEET TO A POINT; THENCE NORTH 34 DEGREES 55 MINUTES 7 SECONDS EAST A DISTANCE OF 67.22 FEET TO A POINT; THENCE SOUTH 76 DEGREES 17 MINUTES 3 SECONDS EAST A DISTANCE OF 54.45 FEET TO A POINT; THENCE SOUTH 87 DEGREES 20 MINUTES 2 SECONDS EAST A DISTANCE OF 443.07 FEET TO A POINT; THENCE SOUTH 89 DEGREES 34 MINUTES 15 SECONDS EAST A DISTANCE OF 199.90 FEET TO A POINT; THENCE NORTH 0 DEGREES 36 MINUTES 14 SECONDS A DISTANCE OF 122.83 FEET BACK TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 76.0 ACRES MORE OR LESS.

CASE NUMBER: 2022-2737-ZC

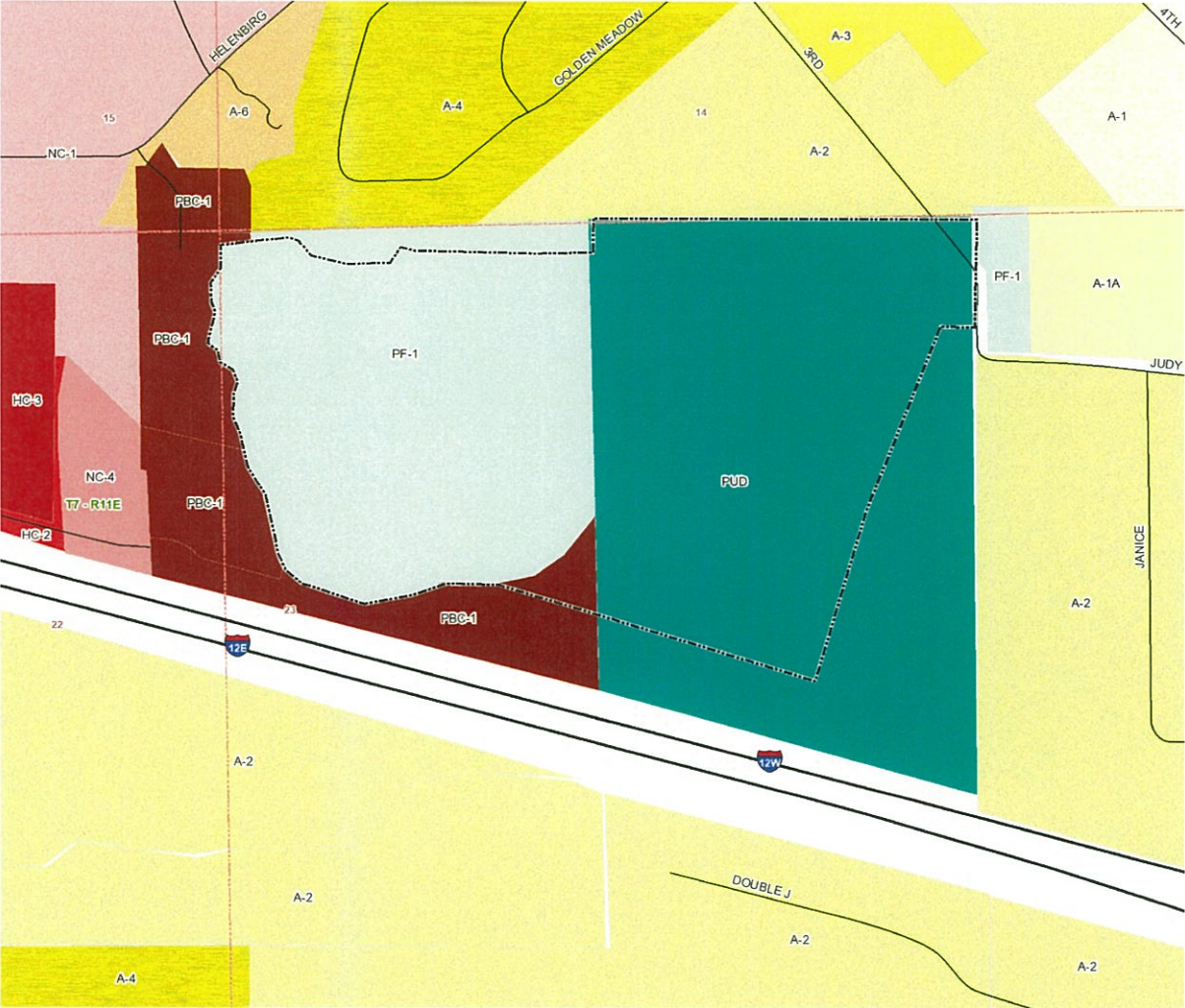
PETITIONER: Jeff Schoen

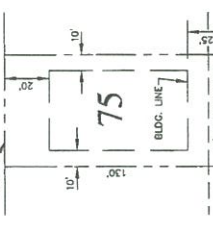
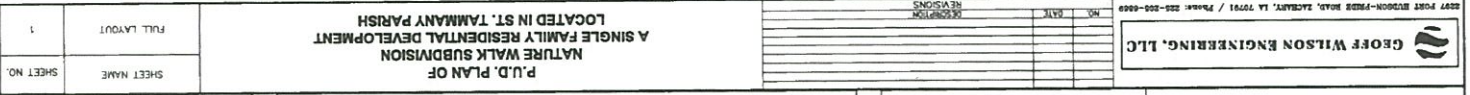
OWNER: Covington Creek, LLC & Agrarian Investment Group, LLC – Kyle Kent

REQUESTED CHANGE: A-2 Suburban District TO A-2 Suburban District and PUD Planned Unit Development Overlay

LOCATION: Parcel located on the west side of Third Avenue, south of Helenbirg Road; Covington; S22 & S23, T7S, R11E; Wards 3 & 4, District 5

SIZE: 76 acres





GEORREY L. WILSON
PRELIMINARY
License No. 34039

[illegible]

TYPICAL BOULEVARD SECTION

60' R/W

22' VARS

15' PAVEMENT

1' CURB

2.5' BASE COURSE

11' BASE COURSE (A-3 OR BETTER MATERIAL)

TYPICAL STREET SECTION

60' R/W

15' PAVEMENT

1' CURB

2.5' BASE COURSE

11' BASE COURSE (A-3 OR BETTER MATERIAL)

NOT TO SCALE

[illegible]



ADMINISTRATIVE COMMENT
ZONING STAFF REPORT

Date: March 29, 2022
Case No.: 2022-2737-ZC
Posted: March 18, 2022

Meeting Date: April 5, 2022
Determination: Approved

GENERAL INFORMATION

PETITIONER: Jeff Schoen
OWNER: Covington Creek, LLC & Agrarian Investment Group, LLC – Kyle Kent
REQUESTED CHANGE: A-2 Suburban District TO A-2 Suburban District and PUD Planned Unit Development Overlay
LOCATION: Parcel located on the west side of Third Avenue, south of Helenbirg Road; Covington; S22 & S23, T7S, R11E; Wards 3 & 4, District 5
SIZE: 76 acres

GENERAL INFORMATION

ACCESS ROAD INFORMATION

Third Street - **Type:** Parish **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	Helenbirg Subdivision and Covington Meadows	A-4 Single-Family
South	Interstate 12 and Undeveloped	A-2 Suburban District
East	Thelma Estates and Undeveloped	A-2 Suburban District and PF-1 Public Facilities District
West	Louisiana Organ Procurement Agency and Undeveloped	PBC-1 Planned Business Community

EXISTING LAND USE:

Existing development: No **Multi occupancy development:** No

COMPREHENSIVE PLAN:

Planned District - 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 land resources so that they remain 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.

STAFF COMMENTS/SUBDIVISION INFORMATION:

The petitioner is requesting to change the zoning classification from A-2 Suburban district to A-2 Suburban District and PUD Planned Unit Development Overlay. The site located on the west side of Third Avenue, south of Helenbirg Road; Covington. The 2025 Future Land Use Plan designates the site to be the site to be developed as a Planned District with single family uses and conservation areas.

A portion of the subject property was part of the original Nature Walk PUD Planned Unit Development which was approved in 2005 per Council Ordinance 05-1170. A concurrent request to rezone a majority of the original PUD and the adjacent lake to the west to A-2 Suburban District has been filed to establish the underlying zoning classification of the new proposed subdivision (2022-2735-ZC). The new boundaries of the PUD include 76 acres and is adjacent to the Thelma Estates subdivision to the east, the Helenbirg Subdivision and the Covington Meadows Subdivision to the north, the Louisiana Organ Procurement Agency and undeveloped land to the west, and Interstate 12 to the south (see Table 2).

ACCESS:

The site is proposed to have a single access point which will extend from the existing Third Avenue which is an 18-foot wide Parish maintained road. The typical right of way totals 60 ft. wide including two-10 ft. travel lanes and surface drainage.

GENERAL INFORMATION (Table 1)	
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	Provide as Required
Setbacks & Maximum height	Provided as Required <u>Setbacks:</u> Front – 25 ft.; Sides – 10 ft.; Rear – 20 ft. <u>Max Height:</u> 35 ft. above base flood elevation
Restrictive Covenants	Provided as Required
Water & Sewer facilities	Provide as Required
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 proposal is for 38 residential lots, which is 67% of the maximum allowable density of the PUD per the requested A-2 Suburban District designation (2022-2735-ZC). The site abuts several platted subdivisions to the north and the east and based on the existing density and zoning classifications is compatible and appropriately located.

SURROUNDING SUBDIVISIONS (TABLE 2)				
Subdivision Name	Acreage	Zoning Classification	Required Lot Width	Total # of Lots
Thelma Estates	153.93 acres	A-1A Suburban District A-2 Suburban District	200 ft. 150 ft.	45 Parcels
Helenbirg Lots and Farms	92 acres	A-2 Suburban District	N/A	Platted Subdivision from 1914 comprised of a majority 50 ft. wide lots
Covington Meadows	33.79 acres 3.78 acres	A-4 Single-Family Residential District A-6 Multiple Family Residential District	90 ft. N/A	65 Parcels 49 Units

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 76 acres, requiring 19 acres of greenspace. The proposed Nature Walk PUD plan provides a total of 47.4 acres of open space including half of the 32-acre lake area and 31.4 acres of undisturbed habitat with a picnic area and limestone walking path.

The active recreation that is shown on the plan is the existing lake which is currently not within the 2005 approved PUD Plan. The applicant is proposing to add these 32 acres of property to the new PUD plan to allow for the subdivision’s proposed density and to provide a source of active recreation. The new PUD plan does not show access to the lake and there appears to be some very sharp natural grades in between the proposed residential lots and the lake. Staff recommends formal access to the lake be provided to ensure the residents of the PUD have a way to access the lake, especially if it is the only proposed active recreation on the plan.

AMENITY LIST (TABLE 3)		
Amenities	Acreage	Type of Amenities
Passive	31.4 Acres (49%)	Picnic Area, Limestone Walking Path, and Undisturbed Habitat
Active	32 Acres (51%)	Lake for Fishing

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 layout of the proposed PUD plan appears to be arranged in a way that protects floodplains and wetlands and preserves mature woodlands by minimizing development-related impacts on the subject property. The clustering of residential lots decreases the impact of infrastructure such as roadways, site grading, and drainage and thus preserves undeveloped land for residential enjoyment, natural drainage patterns, and wildlife habitat.
- 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 Nature Walk PUD Plan provides 38 lots with a typical lot size of 75 ft. x 130 ft. The minimum setbacks and maximum height for all residential structures provide the same dimensions and therefore the plan does not provide the diversification and variation of residential uses, setbacks, or height encouraged by the Planned Unit Development.
- Functional and beneficial uses of open space areas.*
 - Based on the wetland delineation and contour lines provided and shown on the detail sheet for the PUD plan, it appears there would be greater potential for active recreation to the west side of the proposed smaller detention area if the plan showed the detention pond move to the east within the existing lower contours of the site. The applicant should consider the use of a playground, gazebo, or dry detention pond that could serve as a soccer field within this area to ensure residents of the subdivision are provided with an adequate level of functional uses of open space.
 - The original PUD configuration was approved to have 30 lots on 60 acres. The current proposal is to reorient the PUD's boundary lines to remove the southern portion of the last approved plan and include the existing lake to the west of the PUD. This will ultimately provide 16 more acres for the PUD while ensuring the mitigation of the wetlands on site is minimal. While staff encourages conservation design for subdivisions to maintain greenspace and natural drainage patterns, it should be recognized that the only active recreation on the PUD plan is the lake which the residents of the proposed subdivision will not have access to. Staff recommends the applicant remove a proposed residential lot to the western boundary of the PUD and provide a bridge to ensure residents have a way to traverse what appears to be a very steep natural drainage pattern and utilize the single active amenity that is provided on the plan.
- Preservation of natural features of a development site.*
 - The proposed PUD plan is providing 47.4 acres of greenspace which more than doubles the amount of required greenspace per the PUD ordinance. The intentional effort to preserve the property's natural resources by keeping the density in a cluster design is recognized and appreciated. Staff recommends placing the greenspace areas, the stormwater management pond, and the lake into a conservation easement so to permanently limit the use of the land and ensure the public benefit of open space and the preservation of natural features are maintained.
- Creation of a safe and desirable living environment for residential areas characterized by a unified building and site development program.*
 - The existing lake that is proposed to be added to the new Nature Walk PUD plan comprises a total of 51% of the greenspace for the subdivision and is labeled as the only active amenity on the PUD plan. As such, the PUD plan should be revised to incorporate some form of access from the western edge of the subdivision to the lake to ensure access. If the lake is supposed to act as an amenity, the residents should have appropriate access to the area.
- Rational and economically sound development in relation to public services.*
 - The PUD Plan states that other than an on-site sewage pump station, all water and sewer facilities are provided off site.
 - The applicant has not yet provided information concerning which company will be responsible for central sewer and water services.
- Efficient and effective traffic circulation, both within and adjacent to the development site.*
 - The site is proposing a single accessway which will extend from the existing Parish maintained Third Avenue and connect to the existing Parish maintained Helenbirg Road. Based on data sets provided by the Trip Generation Manual, 10th Edition Supplement, it appears that the proposed density of this development will generate 426 average weekday vehicle trips to 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.*
 - a. The subject site is flanked on the north and the west by existing residential subdivisions, two of which are denser than the proposed PUD plan. The concurrent request for the A-2 Suburban District density levels and the PUD plan showing 67% of the allowable density (if the concurrent request for the A-2 Suburban District is approved) is an appropriate transition between the existing surrounding neighborhoods and Interstate 12 to the south.

COMPREHENSIVE PLAN ANALYSIS:

The 2025 Future Land Use Plan designates the site to be developed as a Planned District with single-family residential uses and conservation areas. The current request for the Planned Unit Development overlay could accomplish the intention of the site's comprehensive use designation, providing the intent of the purpose statements listed under Sec. 130-1672 are met.

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 determined the following:

1. The applicant is required to name the service provider for the proposed 38 home sites including sewer and water connections.
2. As submitted, there is no variation or diversification of single-family housing types, setbacks, or height requirements.
3. 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. Consideration should be given to place the proposed greenspace, existing lake, and retention pond into a conservation easement to ensure the longevity of the benefits derived from the site's design.
4. The applicant should provide the residences access to the lake and provide an area east of the proposed retention pond for active recreation.
5. The applicant must provide a complete recreational development plan depicting the proposed amenities, a time schedule for development, and the entity whom shall be responsible for the liability and the maintenance of the recreational amenities and greenspace area.
6. The developer for all new residential single-family sites must notify the US Postal Service's local Growth Manager to determine the appropriate mode of mail delivery. If a community mail location is required, it must be shown on the plat.