

# St. Charles Parish Department of Planning & Zoning

## LAND USE REPORT CASE NUMBER: 2019-9-MAJ

### GENERAL APPLICATION INFORMATION

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| <p>◆ <b>Name/Address of Applicant</b><br/>Highway 18, LLC<br/>13386 Highway 90<br/>Boutte, LA 70039<br/>(985)-785-8411; brandtd@fnbusa.com</p> <p>JCJR St. Charles, LLC<br/>13726 River Road<br/>Destrehan, LA 70047<br/>(985)-764-9911; joelchaisson@aol.com</p> | <p><b>Application Date</b> 11/5/19</p> |
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- ◆ **Location of Site**  
Lots L-1, L-2, & L-3 (Formerly Lot A of a subd of Lots 16-18 of Fashion Plantation)  
Portion of Lots 19 & 20 of Fashion Plantation all between River Road and the Union Pacific Railroad near 14785 & 14855 River Road, Hahnville.
- ◆ **Requested Action**  
Preliminary Plat approval for a 43 lot residential subdivision

### SITE – SPECIFIC INFORMATION

- ◆ **Size of Parcel**  
The site consists of approximately 35 acres. All proposed lots meet or exceed the minimum 60-foot width and 6,000 square foot area for the proposed R-1A zoning district (2019-21-R); proposed corner lots meet the additional width requirement with at least 80 feet on both streets
- ◆ **Current Zoning and Land Use**  
O-L, Open Land; Lots 19 and 20 are in agricultural use. Lot L-1 is developed with a single family residence. Lots L-2 and L-3 are cleared and vacant.
- ◆ **Surrounding Zoning and Land Use**  
O-L zoning is on the upriver and downriver side and also across the Union Pacific Railroad; R-1A zoning is located across River Road.
- The surrounding land uses consist primarily of large tracts in agricultural use with low-density residential development near River Road. The property directly across River Road from the site is vacant but cleared.
- ◆ **Future Land Use Recommendation**  
*Low Density Residential:* (from 4 up to 8 dwellings per gross acre) this category includes the Parish's predominantly single family detached subdivisions, including those developed consistent with the R-1A (6,000 sq. ft. minimum lot size) and R-1B (10,000 sq. ft. minimum lot size) zoning districts. It also allows accessory units and individual mobile homes on small platted lots zoned R-1AM. Neighborhood-serving uses such as neighborhood parks, churches and servitudes may also be included in this land use category.
- Residential / Mixed Use:* This land use designation applies in areas appropriate for large scale, creatively planned developments where the predominant use is residential, but where a variety of housing types at varying densities are encouraged, as well as compatible, local serving commercial and service uses. Development under this land use category is anticipated to take the form of Planned Developments (PD's) as well as Traditional Neighborhood Developments (TND's).

◆ **Traffic Access**

The Preliminary Plat shows River Place Drive extending from River Road and connecting to River Place Street. Proposed River Place Street is only 288 feet in length and terminates on both ends. While the subdivision proposed at this time would still only have one (1) means of ingress/egress, this street arrangement would provide accommodation for future access to potential development on adjacent Parcel 100 and the adjacent Keller parcel.

Proposed River Place Drive is 2,066 feet long (the maximum block length is 1500 feet—proposed Lots 28 & 15 are 1500 feet from River Road).

Proposed River Place Street is 288 feet long (the minimum block length is 500 feet; the width of the development site is only approximately 570 feet).

Bamboo Street, which runs parallel to the Union Pacific Railroad in Fashion Terrace, could eventually be developed to provide the additional ingress/egress. There is one tract between Bamboo Street and the site of River Place.

There appears to be a developed private lot that would prevent connection to Rose Street in adjoining Fashion Terrace on the downriver side of the site. Staff are researching the Rose Street right of way.

◆ **Utilities**

The developer will have to construct public utilities (streets, water, drainage, and sewer) and work with private utility providers for other services like electricity, natural gas, and telecommunications.

Representatives of Waterworks indicate water is available and adequate to serve residential development, and representatives of the Department of Public Works/Drainage have stated they have no concerns for roads or drainage.

Representatives for the Department of Public Works/Wastewater stated sewer facilities in the area cannot serve the subdivision without upgrades. Staff and representatives for sewer met with developers on November 12 to discuss the issues.

**APPLICABLE REGULATIONS**

**Subdivision Ordinance, Section II. Subdivision Procedure.**

- D. *Major Resubdivisions.* For any subdivision or resubdivision resulting in six (6) or more lots, including any remainder of the original lot, plat, tract, parcel, and/or any subdivision or resubdivision requiring dedication of public improvements, approval shall consist of preliminary plat approval and construction approval by the Planning and Zoning Commission, and final approval by the Parish Council.
- E. *Preliminary Plat Requirements.*
  - 1. When Required. A formal preliminary plat shall be required for all subdivisions except where no street, drainage, or sewer improvements are required. (See Section II.C.).
  - 2. Mandatory Submission Requirements. The preliminary plat shall conform to the laws of the State of Louisiana governing surveying, platting, and subdivision of land. The preliminary plat shall contain the following mandatory information:
    - a. The name(s) and address(es) of the owner(s) and subdivider(s).
    - b. The seal of the land surveyor preparing the plat and the date of preparation. The plat shall be dated within one (1) year of the subdivision application date.
    - c. A title block containing the subdivision name, location of the property, a true north arrow, and the required scale for the preliminary plat, both written and graphic. The preliminary plat shall be drawn to a scale of one (1) inch equals one hundred (100) feet for a subdivision of one hundred and sixty (160) acres and less. If the subdivision contains more than one hundred and sixty (160) acres, the preliminary plat may be drawn to a scale of one (1) inch equals two hundred (200) feet.
    - d. Existing property lines, including width and names of bounding streets.
    - e. Section and township lines.
    - f. Zoning district boundary lines, only when such boundary lines bisect the proposed subdivision.
    - g. Location and dimensions of existing improvements, including municipal numbering where applicable.
    - h. Qualifying statement, as follows: "St. Charles Parish land use regulations, including setback standards, supersede private subdivision covenants where parish regulations are more restrictive."
    - i. Existing drainage ditches and canals and their respective servitudes.
    - j. Existing lakes and ponds.

- k. Name(s) and address(es) of adjoining property owner(s) as they appear on the tax assessor's roles.
  - l. Name(s) of adjoining subdivisions.
  - m. Layout and dimensions, including area, of all proposed lots which shall be numbered consecutively.
  - n. Layout and dimensions of servitudes and rights-of-way, including sidewalks.
  - o. Existing bridges, culverts, watermains, sanitary and storm sewers, and other underground structures indicating pipe sizes, grades, and manholes.
  - p. Existing contours at one-foot intervals using mean sea level datum for ground slope within the subdivisions.
  - q. Proposed method and source of sewage disposal and/or treatment.
  - r. Proposed method and plan for drainage.
  - s. Location and size of any proposed school sites, park sites, playgrounds, or other special uses of land.
  - t. A composite road plan with graphic alignment, proposed street names, right-of-way widths, curve radii and tangent length, intended type of surfacing material, street lighting plan, and the location and type of any proposed railroad crossing(s) for subdivision access.
  - u. Vicinity map at a scale of one (1) inch equals two thousand (2,000) feet.
  - v. Statement of Dedication. Submission of the Preliminary Plat shall be accompanied by a written "Statement of Dedication," Indicating the subdivider's intent to submit a final "Act of Dedication" prior to approval of the Final Plat.
3. Preliminary Plat/Additional Submission Requirements.
- a. Drainage Impact Analysis. A Drainage Impact Analysis shall be completed by a Civil Engineer registered with the State of Louisiana for all subdivisions of property of one (1) acre or greater. The said Drainage Impact Analysis shall be prepared pursuant to the guidelines specified in these regulations. (Ord. No. 00-11-12, § III, 11-20-00)
  - b. Preliminary Subdivision Stormwater Pollution Prevention Plan. A Stormwater Pollution Prevention Plan, including all required documentation, shall be submitted in accordance with Chapter 25—Stormwater Management and Erosion and Sedimentation Control, Section 25-14.
4. Preliminary Plat Procedure.
- a. Submission Procedure. An application for subdivision approval and the Preliminary Plat shall be submitted to the Director of Planning and Zoning from the record owner(s) of the property being subdivided. If the property is in the name of a corporation, a resolution authorizing the subdivision or authorizing an individual to request such approval shall be submitted. One (1) Mylar or film reproducible copy, five (5) original copies, and one (1) 11" x 17" Mylar or film reproducible copy of the Preliminary Plat shall accompany the application. Upon submission, the Preliminary Plat shall be stamped with the date of filing, and with an acknowledgment that the required filing fees have been paid.
  - b. Departmental Review. The Director of the Department of Planning and Zoning shall then review the Preliminary Plat for conformance with the relevant land use regulations. The Director of Planning and Zoning shall inform the subdivider in writing within fifteen (15) calendar days of the date of receipt of the Preliminary Plat the data submitted does or does not meet the objectives of these subdivision regulations. If the data submitted does not meet the objectives of these regulations, the reason(s) shall be so stated. When the Preliminary Plat is found to conform to these regulations, the Commission, through the Department of Planning and Zoning, shall schedule a public hearing on the proposed subdivision.

**Subdivision Ordinance, Section II. Subdivision Procedure. E. 4.**

- e. Public Hearing/Decision Process. The subdivider or his representative shall be present at the public hearing to explain the proposal and to answer questions. Following the public hearing, the Commission shall either:
  - (1) Approve the Preliminary Plat as submitted.
  - (2) Conditionally approve the Preliminary Plat with conditions stated in writing.
  - (3) Disapprove the Preliminary Plat within sixty (60) calendar days of the date of the public hearing unless the time is extended by mutual agreement between the Commission and the subdivider.

The reason(s) for disapproval shall be stated in writing to the subdivider. Approval or conditional approval shall be evidenced by the Commission Chairman's signature on the Preliminary Plat. Any conditions or requirements shall be referenced and attached to the Preliminary Plat and application. The Commission, through the Department of Planning and Zoning, shall notify the Parish President and the Parish Council of the decision regarding the presented Preliminary Plat. Approval or conditional approval shall be valid for a period of six (6) months from the date of the Commission decision, unless extended by the Commission. Preliminary Plat approval of any successive phase of an approved subdivision expires when construction is interrupted on any such phase for a period of six (6) months or more.

**Subdivision Ordinance, Section III. Geometric Standards**

**III. - Geometric standards.**

- A. *Streets.* Streets shall be arranged to conform to the St. Charles Parish Street Plan and shall provide for continuation of existing and recorded streets in the area.
  - 1. Classification. Streets shall be classified as one of the following:
    - a. Arterial. Streets, including freeways and expressways, which are primarily for through traffic. Property which abuts arterial streets should not front onto the roadway unless separated by a service road.
    - b. Collector. Streets which provide a route between an arterial street and a local street and should be arranged to discourage through traffic.
    - c. Local. Streets which provide direct access to lots. Local streets shall be arranged to discourage through traffic.

2. Right-of-Way. Street right-of-way width shall conform to the following minimum requirements.
    - a. Arterial. In curb and gutter subsurface drainage subdivisions, the requirement shall be eighty (80) feet for two-lane roadways and one hundred (100) feet for four-lane roadways. If a waiver to the required subsurface design is obtained, the requirement for open-swale designed subdivisions shall be seventy (70) feet for two-lane roadways and one hundred (100) feet for four-lane roadways.
    - b. Collector and Local. In curb and gutter subsurface drainage subdivisions, the requirement shall be fifty (50) feet. If a waiver to the required subsurface design is obtained, the requirement for open-swale designed subdivisions shall be sixty (60) feet.
    - e. Dead End Street. Permanent dead end streets shall have a turning circle (cul-de-sac) at the street terminus with a minimum right-of-way radius of sixty (60) feet. The turning circle shall contain a minimum pavement radius of forty-five (45) feet. The entrance to a permanent dead end street shall be posted with a sign stating "No Through Street".
    - f. Boulevards. One hundred (100) feet.
  4. Utilities. Space within the street right-of-way shall be designated for the construction of sub-surface or open-swale drainage, sanitary sewers and public facilities and shall be in accordance with the typical sections.
    - a. Water lines located in the street right-of-way shall be placed on the opposite side of the street from sanitary sewer lines unless a variation is approved by the Parish Engineer.
    - b. Street light standards may be located on either side of the street or in the center of the median on boulevards.
  5. Intersections. Street centerlines shall intersect as nearly as possible at a ninety (90) degree angle, but in no case shall the angle of intersection be less than seventy-five (75) degrees or greater than one hundred five (105) degrees.
- B. *Blocks:*
1. Length. No block shall be longer than one thousand five hundred (1,500) feet nor less than five hundred (500) feet between street centers. Block separation, including stub outs, shall be paved to provide a minimum of two (2) ingresses and egresses to the proposed subdivision or accommodation for future access may be approved. (Ord. No. 06-1-23, § IV, 1-23-06)
  2. Width. The width of blocks should normally be sufficient to provide for two (2) tiers of lots except for lots abutting arterial streets, railroad rights-of-way, etc.
  3. Arrangement. All lots shall possess frontage on a street or roadway that meets the specifications of these regulations. When the subdivision of a parcel of land does not permit a normal street arrangement due to size or location of the land, there may be established a street with a cul-de-sac or turning circle which provides proper access to all lots. A cul-de-sac or turning circle, as described in Section III.A.2.e., shall be required at the end of dead end streets when the length of the dead end street exceeds the width of two (2) lots.
- C. *Lots:*
1. Size. The width, depth, area, and minimum building setback line shall conform to the St. Charles Parish Zoning Ordinance for the type of development.
    - a. Corner Lot. Corner lots shall have extra width to permit setback lines on the side of the lots adjacent to a side street. The extra width shall be sufficient to allow the lot to meet the minimum zoning requirements of the St. Charles Parish Zoning Ordinance excluding the side street setback distance.
    - b. Width. The lot width at the minimum building setback line shall not be less than that specified by the St. Charles Parish Zoning Ordinance.
  2. Lot Lines. All lot side lines shall be at right angles to straight street lines or radial to curved street lines unless a variation is approved in writing by the Commission.
  3. Large Lots. When a parcel of land is subdivided into large lots, the Commission may require the shape and dimensions of the lots arranged so that resubdivision of any lots will meet the requirements of these Regulations and the St. Charles Parish Zoning Ordinance.
- D. *Servitudes and Rights-of-Way:*
1. Utility Servitudes. Public utility servitudes shall be provided where necessary for poles, wires, conduits, sanitary sewers, and other utilities. The minimum width of servitude[s] shall be fifteen (15) feet.
  2. Drainage Servitude. Whenever a drainage channel, stream, or water course exists or is provided for in a subdivision, a servitude or right-of-way shall be dedicated on each side of such facilities to provide for maintenance and construction. The minimum width shall be the top bank width of the drainage ditch plus twenty (20) feet on one (1) side and ten (10) feet on the opposite side.
- E. *Building Lines.* Building setback lines shall meet the minimum requirements of the St. Charles Parish Zoning Ordinance for the type of development.
- F. *Parks, Playgrounds, School Sites, Etc.* In order that open space and sites for public use may be properly located and preserved as the parish develops, and in order that the cost of providing the public school, park and recreation sites necessary to serve the additional families brought into the community by residential subdivision development may be more equitably proportioned on the basis of the additional need created by the individual residential subdivision developments, the following provisions are established.

**AND**

[I.] *R-1A. Single family residential detached conventional homes—Medium density.*

Policy statement: This district is composed of areas containing one-family dwellings constructed on a permanent foundation, connected to public utilities and which meet the architectural standards of a permanent residence. The district regulations are designed to protect the residential character of the areas by prohibiting all commercial activities; to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches; and to preserve the openness of the areas by requiring certain minimum yard and area standards to be met.

1. Use Regulations:
  - a. A building or land shall be used only for the following purposes:
    - (1) Site-built single-family detached dwellings
    - (2) Accessory uses
    - (3) Private recreational uses
  - b. Special exception uses and structures include the following:
    - (1) Parks, public libraries, fire stations, police or sheriff's stations or substations, and sewer pumping stations.
    - (2) Showing the operation of historic buildings and/or sites and their related activities, provided a certificate from the United States Department of Interior is furnished by the owner verifying that the building and/or site is on the National Register of Historic Places.
  - c. Special permit uses and structures include the following:
    - (1) Child care centers.
    - (2) Public and private schools (except trade, business, and industrial).
    - (3) Golf courses (but not miniature courses or driving ranges) and country clubs with a site of at least five (5) acres and with all parking at least fifty (50) feet from rear and side property lines.
    - (4) Educational, religious and philanthropic institutions. These buildings must be set back from all yard lines a distance of at least one (1) foot for each foot of building height.
    - (5) Modular, panelized and precut homes, provided that they are placed on a permanent foundation.
    - (6) Reserved.
    - (7) Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council.
    - (8) Accessory Dwelling Units upon approval by the Planning Commission and supporting resolution of the Council.
2. Spatial Requirements:
  - a. Minimum lot size: Six thousand (6,000) square feet per family; minimum width—sixty (60) feet
  - b. Minimum yard sizes:
    - (1) Front—Twenty (20) feet
    - (2) Side—Five (5) feet
    - (3) Rear—Twenty (20) feet
    - (4) For lots with less than one hundred (100) feet depth, front setback and rear setback shall be twenty (20) percent of lot depth respectively with a minimum of ten (10) feet to the front lot line and five (5) feet to the rear lot line.
    - (5) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8.
  - c. Accessory buildings:
    - (1) An accessory building may occupy no more than twenty-five (25) percent of the required rear yard.
    - (2) The accessory building shall not exceed two-story construction.
    - (3) Minimum setback of accessory buildings including overhangs, shall be three (3) feet.
    - (4) Nonresidential accessory buildings shall not be permitted.
  - d. Permitted encroachments:
    - (1) Overhangs projecting not more than twenty-four (24) inches, excluding gutter. For accessory buildings, overhangs shall not be closer than three feet to any property line.
    - (2) Stairs and landings not more than three (3) feet in height, projecting no more than four (4) feet into required front or rear yard.

<b>ANALYSIS</b>
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The applicant requests Preliminary Plat Approval for a major subdivision of 43 lots served by new streets in in a part of Fashion Plantation, Hahnville. The applicants also request a rezone to R-1A (2019-21-R).

The developer submitted a Preliminary Plat on November 5 and additional documents such as the Drainage Impact Analysis and Stormwater Pollution Prevention Plan soon after. Staff met with developers and representatives for Parish utilities on November 12. The developer submitted a revised Preliminary Plat that addressed several concerns on November 14.

At the time of writing this report, representatives of the Department of Public Works and Wastewater indicate that a method for managing wastewater has been identified by the developer and will be submitted formally during Construction review.

The Preliminary Plat does not meet the following requirements:

- Blocks: No block shall be longer than one thousand five hundred (1,500) feet nor less than five hundred (500) feet between street centers. Block separation, including stub outs, shall be paved to provide a minimum of two (2) ingresses

and egresses to the proposed subdivision or accommodation for future access may be approved.

- At 2,055 feet long, River Place Drive exceeds the required 1,500 foot block length maximum.

The applicant has requested a waiver from the geometric standard requiring 1,500 foot block separation.

<b>DEPARTMENT RECOMMENDATIONS</b>
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<b>Approval contingent upon approval of a waiver from the required block length</b>
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