

# St. Charles Parish Department of Planning & Zoning

## LAND USE REPORT (ADDENDUM) CASE NUMBER: PZS-2017-07

### GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant** **Application Date: 1/05/17**  
Paul Joey Murray, III for P&L Investments IX  
Destrehan Plantation Development, LLC  
13760 River Road  
Destrehan LA 70047  
985.764.7275  
joey@murrayarchitects.net
- ◆ **Location of Site**  
Approximately 200 feet west of East Campus Drive, Destrehan.
- ◆ **Requested Action**  
Preliminary Plat approval for a 30 lot residential subdivision on approximately 12.75 acres with a companion application for a rezone to R-1B

### SITE – SPECIFIC INFORMATION

- ◆ **Size of Parcel**  
Approximately 12.75 acres
- ◆ **Current Zoning and Land Use**  
M1 (proposed R-1B). The property does not have buildings or a permitted use, but it has some infrastructure from previous uses.
- ◆ **Surrounding Zoning and Land Uses**  
C2 and M1 zoning abuts the west side. Bed and Breakfast cottages for Destrehan Plantation are on the C2 site. M1 zoning abuts the east and rear of site. Across River Road, the batture is zoned B-2, or industrial batture. Barges are moored along the river, and mid-stream loaders serving the grain elevator operate in the river near the site.
- ◆ **Plan 2030 Recommendation**  
*Business Park:* Although office uses are permitted within the Light Industry land use category and the associated M-1 zoning district, this zoning classification also permits a variety of industrial uses that would be incompatible with the development of a quality, planned corporate office, research or technology park. Therefore, this new land use category (and the zoning district that should be developed to implement it) would provide for the development of planned business, office, technology and research activities, with uses limited to these and directly related ancillary uses, such as shipping offices, office supply, hotels and restaurants. Business parks should be planned to incorporate consistent standards of development quality. – St. Charles Parish 2030 Comprehensive Plan, 64.  
  
*Plantation Civic/Town Center:* Located at the base of the Hale Boggs Bridge on the East Band, this approximately 165 acre site (which houses the Parish's East Regional Library) lends itself to becoming a future concentration of civic facilities and other community serving activities and functions; it is centrally located and has high accessibility to I-310. – St. Charles Parish 2030 Comprehensive Plan, 68.
- ◆ **Traffic Access**  
Tract 4-II-A-2A has 392 feet of frontage on River Road.

## **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.

1. a. Stormwater Pollution Prevention Plan. For Major Subdivisions that involve more than one (1) acre and/or the required public improvements are deemed by the Planning Director to be insignificant, the MS4 Administrator may require the submittal of a Stormwater Pollution Prevention Plan and/or Post Construction Stormwater Permit, including all required documentation, in accordance with Chapter 25—Stormwater Management and Erosion and Sedimentation Control.

(Ord. No. 14-1-13, § II, 1-21-14)

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.). (Ord. No. 94-12-4, § XVII, 12-5-94)

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. (Ord. No. 00-8-1, § I, 8-7-00)

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. (Ord. No. 00-11-12, § II, 11-20-00)

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.

(Ord. No. 14-1-13, § III, 1-21-14)

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" × 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. (Ord. No. 00-11-12, § IV, 11-20-00)

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.

**c. Waiver or Modification of Specific Subdivision Regulations.** Should the Director discover that specific aspects of the submitted Preliminary Plat fail to conform to the regulations contained in this ordinance, he may choose to forward the proposal for formal consideration by the Planning Commission and Parish Council if the literal enforcement of one or more provisions of the ordinance (i) is impracticable, or (ii) will exact undue hardship because of peculiar conditions pertaining to the land in question. Financial hardships shall not be considered as valid criteria for any such waiver or modification of existing regulations. Any application for Preliminary Plat approval which contains a request for a waiver or modification of any subdivision regulation shall contain a specific reference to the request and state the reasons that the request be granted. The Planning Commission, with a supporting resolution of the Council, may grant a waiver or modification of these regulations only when such requests meet the conditions of this subsection (i, ii) and are not detrimental to the public interest.

d. Public Hearing Notice. The Department of Planning and Zoning shall post a sign on the affected property which calls attention to the public hearing at least ten (10) days prior to that hearing date. Similar notification shall also be posted at the principal office of the Department of Planning and Zoning and at the building in which the public hearing shall be held. The public hearing shall be advertised in the official journal of the Parish at least three (3) times on at least three (3) separate weeks, and at least fifteen (15) days shall elapse between the first publication and the date of the hearing. Notice of the time and place of the public hearing shall be sent by certified mail not less than ten (10) days in advance of the hearing to the following parties:

(1) The subdivider and the owners (at the address(es) listed on the Preliminary Plat).

(2) The owners of the land adjoining the platted land as their names appear on the tax assessor's records. If the subdivider owns the contiguous property, the next subsequent landowner shall be notified.

(3) The St. Charles Parish Council through the Council Secretary.

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 B. Blocks:**

**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.

**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.

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

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.

**ANALYSIS (ADDENDUM)**

The Analysis being read into the record is an addendum to the published Land Use Report and is based on the revised plats. The request is for Preliminary Plat Approval of a major subdivision of 30 residential lots into Destrehan Plantation Estates on approximately 12.75 acres (the median parcel has been removed). The development site is approximately 200 feet west of East Campus Drive in Destrehan.

Staff advised the applicant that because of the deficiencies in the Preliminary Plat and lack of supporting documents required to be submitted, the Department could not recommend approval of the application. Staff worked with the applicant and listed the following elements needed on a revised plat:

- Contour lines at 1 foot intervals using mean sea level datum for ground slope with the subdivision.
- Composite road plan (typical roadway) with graphic alignment, right-of-way widths, curve radii and tangent length, intended type of surfacing material, and street lighting plan.
- Written "Statement of Dedication" indicating the subdivider's intent to submit a final "Act of Dedication" prior to approval of the Final Plat.
- A cul-du-sac that meets the geometric standards of the Subdivision Ordinance.
- Signature block of the Chairman of the Parish Council (because a waiver to the geometric standards for lot lines being at right angles to straight street lines or radial to curved street lines).
- The existing ditch/drainage feature on the site.
- A note stating that a resubdivision of the lot identified as the Whirlpool Corp Property 1-11 and the tract that is the footprint of portion of proposed Lots 16 and 17 will be submitted to the Department of Planning and Zoning prior to Final Plat Approval.
- A note stating that a resubdivision of the lot identified as the Portion of Undesignated Tract C Plantation Business Campus and the tract that is the footprint of portion of the proposed portion of 8, 9, 22, and 23 will be submitted to the Department of Planning and Zoning prior to Final Plat Approval. This is only if Tract C is not a dedicated right-of-way.
- The location of the C-2/M-1 zoning district line.
- Parcel A does not meet the minimum 10,000 square feet for an R-1B lot, and is not suitable for development with a single-family house. The plat should identify the intended use for Parcel A and/or if it is encumbered by public infrastructure that must be protected). The applicant has stated that the median is part of the right-of-way and has revised the plat to remove Parcel A.

All listed elements were added to an amended Preliminary Plat, with one exception: the side lot lines on each lot are not radial to the street right of way. The applicants are requesting a waiver to this requirement.

Planning staff worked with representatives of Public Works and other Departments to determine if the submitted plat meets the Geometric and Design Standards for subdivisions. Public Works and Wastewater also provided a list to the applicant of additional elements to consider:

- Since the cul-du-sac is relatively long, traffic circulation could improve by extending Destrehan Boulevard to connect the proposed road. The Department is researching the site to determine if a right-of-way is in place but not indicated on the plat.
- The two road connections to River Road are close together and do not indicate if they will be used for one-way or two-way traffic and suggests that a single road connection may be safer (the Department is aware of other approved subdivisions that have the same entry feature so the proposed entry is not unique Lot 1 shows a servitude towards the middle of the lot, which could make the lot unbuildable and suggest relocating the utility and servitude. A cursory review of the lot concludes that although the lot is likely buildable on without relocating the servitude, it could present a challenge meeting setbacks or limit the options for house design. The applicant has indicated that the servitude and utility within are being relocated.
- The type of servitude between Lots 9 and 10 should be identified. The plat indicates it as a sewer servitude.
- Because it appears that the proposed road (right-of-way actually) extending beyond the cul-du-sac may be extended in the future, the applicant should provide the future intention for this road. The applicants have indicated that this is to ensure that a landlocked parcel of land does not result.

The Subdivision Ordinance also states that applications for major subdivision development also requires submittal of a preliminary storm water pollution prevention plan (MS4) and a Drainage Impact Analysis (DIA). Both documents have been submitted for review. Also, the Future Land Use Map recommendation for the site is *Business Park*. Residential land uses are not indicated as a land use within.

<b>DEPARTMENT RECOMMENDATIONS</b>
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<b>Preliminary Plat Approval, contingent upon approval of the requested waivers OR corrections on the plat that would bring the proposed development into compliance with the Subdivision Ordinance.</b>
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