

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: PZS-2017-31

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant** **Application Date: 5/2/17**
Esperanza Land, LLC
14035 River Road
Luling, LA 70070
985.785.6218; debbie@514enterprises.com
- ◆ **Location of Site**
Approximately 884.61 to 913.55 feet west of Judge Edward Dufresne Parkway and adjacent to the north of the Union Pacific Railroad right-of-way, Luling
- ◆ **Requested Action**
Approval of revisions to the plat for Esperanza Business Park Phase II:
 - Remove Rue Bon Temps street and eight lots
 - Add drainage servitude over Parcels A & B, Lots 34 & 35, and three large tracts

SITE – SPECIFIC INFORMATION

- ◆ **Size of Area**
Approximately 85.91 acres
- ◆ **Current Zoning and Land Use**
The subdivision site is split zoned between M-1 and M-2 zoning. Proposed Lots 28 through 35 and a portion of Parcel C are zoned M-1, while proposed lots 11 through 19 and the other portion of Parcel C are zoned M-2.

Most of the site consists of agricultural fields while the portion of the site abutting the railroad is developed with a concrete plant.
- ◆ **Surrounding Zoning and Land Uses**
M-1 zoning is located adjacent to the northeast, M-1 zoning is located adjacent to the southwest, M-1 and C-3 zoning is located adjacent to the southeast, and C-3 zoning is located adjacent to the northwest.

The M-1 zoning to the northeast is developed with a mix of industrial and institutional uses/government agencies; land zoned M-1 to the southwest is used for agriculture, the land zoned M-1 and C-3 to the southeast is developed with office and institutional uses, the land zoned C-3 to the northwest consists of agricultural land.
- ◆ **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.
- ◆ **Traffic Access**
Deputy Jeff. G. Watson Drive and Rue Sucre from Judge Edward Dufrene Parkway.

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. (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.
 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.

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

- 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 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.

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

<p>The applicant requests approval of a revised Preliminary Plat for Esperanza Business Park Phase 2. The Planning Commission approved the original preliminary plat, on June 1, 2017 with waivers from sub-surface drainage, street names, block length, lot orientation, and lot width. The Parish Council endorsed the waivers in resolution 6295.</p>

The Planning Commission approved Construction Plans on November 1, 2018. The developer began construction in April 2019.

In April 2020, the subdivision was nearing completion. Developers had worked with the Department of Public Works and Wastewater to complete the subdivision without building Rue Bon Temps. The street would have connected the extensions of Deputy Jeff G Watson Drive to Rue Sucre and provided frontage for eight (8) lots. The resulting change in the geometric layout of the subdivision increases the block length from 1,750.25 feet, approved originally along Deputy Jeff G. Watson Drive to 2,146.95 feet and from 1,529.68 feet approved originally along Rue Sucre to 2,289.80 feet.

This increase cannot be approved without approval of new waivers, which the developer has requested and the Department of Public Works and Wastewater offers no objection to.

The resulting "Parcel C," 43.3 acres in area, is irregularly-shaped, but meets the required 100-foot width and 10,000/15,000 sf. area for a lot in the M-1/M-2 zoning district. The resulting side lines for Parcel C are not perpendicular to Rue Sucre; however, the proposed side lot lines follow the pattern that the Planning and Zoning Commission approved on the original Preliminary Plat. The Planning and Zoning Department does not object to allowing a variation to the requirement for the side lot lines for Parcel C.

In addition to the changes that resulted from Rue Bon Temps not being built, the original Preliminary Plat did not indicate the full extent of the drainage servitude which extends almost to LA 3127. Construction plans showed the full extent of that proposed servitude. With this revised Preliminary Plat, all the three major subdivision plats will show the full extent of the drainage servitude.

DEPARTMENT RECOMMENDATIONS

Approval, contingent on approval of a waiver from the maximum 1,500-foot block length by both the Planning Commission and the Parish Council.
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