

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: PZSPU 2017-08

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant** **Application Date: 9/12/17**
Gulf South Pipeline Company, LP
9 Greenway Plaza, Suite 2800
Houston TX 77046
713.479.8069; kimberly.tarr@bwpmlp.com
- ◆ **Location of Site**
A 2.70-acre portion of land at the rear of Lots 6A, 12A, 18A, 24A, and 30A, of Square 1 of Evangeline City Subdivision, Montz. The developers also own 36A, and 42A of Square 1 of Evangeline City Subdivision, Montz.
- ◆ **Requested Action**
Special Permit Use for a gas compressor station (an operation that stores hazardous materials) subject to several special conditions.

SITE – SPECIFIC INFORMATION

- ◆ **Size of Parcel**
The proposed rezone area is 2.7 acres and outlines the footprint of proposed facilities and a 22' wide, 290' long access drive leading to the area.
- ◆ **Current Zoning and Land Use**
The property is currently split-zoned R-1A and OL; it is vacant and wooded. The Applicant has requested to rezone a portion of the site where the facilities for the compressor station will be situated.
- ◆ **Surrounding Zoning and Land Uses**
This area of Evangeline City is zoned R-1A near Evangeline Road and OL "behind" the street frontage on both sides of the street. Large lots (2 to 3 acres) exist in the neighborhood, on the northwest side of the road and smaller lots (6,000 to 10,000 sf) on the southeast side of the road. The large lots are split-zoned R-1A/OL; the smaller lots are zoned R-1A. Single-family development is occurring on the smaller lots across the street from the subject site.

To the rear of the lots on the northwest side of the street, adjacent property in St. John the Baptist Parish is vacant and wooded.
- ◆ **Plan 2030 Recommendation**
Rural Residential (less than four dwelling units per gross acre) This category includes low-density residential development that is consistent with the OL, Open Land zoning district, and conservation subdivision which retain large amounts of open space. The Rural Residential land use category is intended to help preserve the Parish's rural character, which residents, in the Vision Statement, expressed a desire to see retained. For this reason, this designation also allows for the continuation of agricultural activities and related uses, since agriculture is an important part of the community's rural heritage and identity.
- ◆ **Traffic Access**
The site has 1050 feet of width on Evangeline Road, a 50-foot wide collector street that connects River Road to Airline Hwy. The applicants propose one driveway to the facility site and have prepared a traffic control plan for the construction period.

APPLICABLE REGULATIONS

Zoning Ordinance. Section IV.A

Evaluation Criteria – those uses requiring approval for either a *Special Exception* or a *Special Permit Use* shall be evaluated by the criteria below. These criteria are to be considered illustrative

and not restrictive. Other criteria may be considered though not specifically listed below if said criteria affect the general health, safety, and welfare of the public.

1. Compliance with the current St. Charles Parish Comprehensive Plan.
2. Compatibility with existing uses on abutting sites in terms of site development, building design, hours of operation, and transportation features related to safety and convenience of vehicular and pedestrian circulation.
3. Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.
4. Potentially unfavorable impacts on other existing uses on abutting sites to the extent such impacts exceed those impacts expected from a permitted use in the zoning district.
5. Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.
6. A site development plan shall be required as part of the application process. The following design criteria shall be evaluated on the plan:
 - a. Required yards and open space
 - b. Ingress and egress to property
 - c. Parking and loading areas
 - d. Location of garbage facilities
 - e. Landscaping, buffering, and screening
 - f. Signage
 - g. Height and bulk of structures
 - h. Location and direction of site lighting

ANALYSIS

The applicant requests a special permit (SPU) to construct and operate a gas compression station on approximately 2.7 acres of land they own totaling approximately 19.97 acres; the applicant is also requesting a rezone of the site to M-1 to allow the SPU to go forward (PZR 2017-14). On July 6, the Planning Commission denied an SPU for the same project and the Parish Council subsequently "postponed indefinitely" the required rezone. There have been several public meetings to discuss the proposed facilities, and the applicants have resubmitted applications with revised plans in hopes of mitigating residents' concerns related to noise, safety, drainage, and construction impacts.

A special permit use must meet the spatial requirements and special provisions for their zoning district. Some SPUs are also subject to supplemental regulations, and SPUs other than a one or two family dwelling must also meet site design requirements for parking, loading, and landscaping. With all these requirements in mind, SPUs are evaluated using six criteria that consider impacts to the abutting properties and the surrounding neighborhood. ***This application meets the spatial requirements for the proposed M-1 zoning district, as well as site design requirements and a majority of the SPU criteria.***

1. *Compliance with the current St. Charles Parish Comprehensive Plan.* The request does not meet the Plan 2030 designation of "Rural Residential." The applicants have requested a change of zoning district to M-1. The request has been found to meet the third guideline for rezoning, and the request is below the three acre threshold that requires a change to the Future Land Use Map. Neither approval of the rezoning nor the special permit use should impact the general land use designation for the area, which remains Rural Residential.

2. *Compatibility with existing uses on abutting sites in terms of site development, building design, hours of operation, and transportation features related to safety and convenience of vehicular and pedestrian circulation.* The site plan meets this criterion. There is little development in the vicinity to consider for comparison. The applicants purchased this acreage because it allows connection to the existing Gulf South Pipeline in the area. The site plan shows clearing and development on under three acres, that are setback 290 feet or more behind existing trees. The applicants indicate they will leave thick tree cover to serve as a buffer from the road and to be compatible with abutting properties what remain vacant and wooded.

Two single-family houses were completed in spring of this year across Evangeline Road from the site. The proposed site plan and land use is not compatible with single-family residential development; however, the developers are proposing screening with existing trees, replanted trees, and a sound barrier.

3. *Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.* The applicants indicate that the site will be operated by two to three field technicians on a normal work shift (8am to 5pm), and passenger vehicles can be parked on the proposed driveways. Because the facilities will be setback from the street and buffered by trees, glare should not affect adjacent properties. Developers will be instructed to shield lighting to prevent glare.

4. *Potentially unfavorable impacts on other existing uses on abutting sites to the extent such impacts exceed those impacts expected from a permitted use in the zoning district.* Because there are few existing uses in the vicinity, the request meets this criterion. The ongoing unfavorable impact this use would have on other uses in the area is noise. The proposed use is subject to federal regulations which restrict the level of noise the use emits to adjacent properties. The regulations require attenuation if these levels are out of compliance, and the applicants have agreed to additional noise mitigation installations. Another potentially unfavorable impact to other uses in the area is the danger of explosion or fire. The proposed facilities will meet federal safety regulations with regards to suppressing and containing fire and containing explosions.

5. *Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.* The request requires a Special Permit specifically because the development will handle a hazardous flammable gas. The site plan is designed to protect abutting properties from impacts by isolating the facilities on 2.7 acres of a 19.97 acre site and retaining existing tree cover. The applicants have committed to noise mitigation measures and equipment to meet FERC requirements as indicated in the stipulations.

6. *A site development plan shall be required as part of the application process.*

a. *Required yards and open space.* Additional detail has been requested on a revised site plan to help staff verify that the proposed development will meet the rear setback/yard requirement for M-1. The facilities and all related equipment must be located outside of the major drainage servitude on the northwest portion of the property as well as comply or exceed the setback standards from that drainage servitude.

b. *Ingress and egress to property.* The site plan shows two long driveways from Evangeline road to the facilities. The eastern most driveway is intended to be permanent while the western driveway is intended for construction activities and will be closed at the conclusion of construction.

c. *Parking and loading areas.* The driveways allow provide ample space for employee vehicles to stack or park and for any loading or unloading that may be required.

d. *Location of garbage facilities.* More detail has been requested to determine that garbage collection is considered.

e. *Landscaping, buffering, and screening.* Substantial buffering and screening of the site has been requested as a condition of development. The surrounding landscaping and tree density will meet this requirement. Damaged or removed portions of the surrounding tree line and plantings during the construction and development process will be required to be replaced.

f. *Signage.* Not applicable.

g. *Height and bulk of structures.* The proposed site is in compliance with this requirement.

h. *Location and direction of site lighting.* Site lighting will be required to be directed into the site and avoid any impact on neighboring properties.

DEPARTMENTAL RECOMMENDATION

Approval of the Special Permit Use contingent upon the following conditions being met and complied with in perpetuity on the site:

Procedural and Site Conditions:

- 1. The facility area of the site is rezoned M-1.**
- 2. An Administrative Re-subdivision combining the lots is completed and depicts the meets and bounds of the potentially rezoned area.**

3. The property owner shall provide a copy of recorded restrictive covenants or deed restrictions which prohibit new industrial and/or commercial facilities on the remainder of the site.
4. Gulf South will examine the existing 16-inch pipeline using an inline inspection tool or 'smart pig' prior to placing the Montz Compressor Station in service.

Access and Traffic

1. A construction traffic control plan shall be submitted to the Department of Planning and Zoning for approval. The plan shall detail the transit of workers, any staff or employees or officials who will be traffic, and schedule of coordination local schools or other agencies to avoid conflicts.
2. Construction access and traffic flow during construction activities must be directed from and to Airline Drive (US 61).
3. The permanent access drive from Evangeline Road must be hard surfaced to at least 150' from the road intersection, beyond this point the applicant may choose to utilize appropriate surfacing materials of their choice.
4. Temporary and construction access drives shall be returned to natural conditions post-construction. At a minimum, the developer must stabilize the ground with flocking or sod and plant 1 tree per 3000 S.F. of disturbed area.
5. Evangeline Road shall be kept free of dirt and debris during construction activities at the developer's expense.
6. If determined by the Department of Public Works that excessive wear or damage has occurred to Evangeline Road during the course of construction, the Developer shall agree to fund all necessary repairs or improvements to return the road to serviceable conditions.

Noise and Buffering

1. Construction hours shall be limited to Monday through Saturday, 7 A.M. through 8 P.M. Special consideration of extended hours may be granted through written request to the Parish President's Office. Construction will not occur on federal holidays, Lundi Gras, Mardi Gras, or Good Friday.
2. A post construction noise survey to validate that operations are in compliance with Federal Energy Regulatory Commission (FERC) and Local Ordinance noise limits. If not, additional noise measures shall be implemented to bring operations into compliance. If additional construction measures are necessary to meet compliance, the Parish Planning Commission shall be advised of the proposed revisions at their next regularly scheduled meeting.
3. The natural vegetation and trees beyond the facility area for this project are to remain in their natural state and must be replanted or restored as necessary to ensure buffering from adjacent properties.
4. The developer shall commission a noise study that documents the pre and post development noise levels for neighboring residential areas. Following this documentation, the developer shall implement any necessary improvements to the site and/or building to ensure that the receiving residential areas are below the 55 decibel threshold.
5. Gulf South will incorporate additional acoustic insulation to the Montz Compressor Station compression building.
6. Gulf South will construct an acoustic sound wall within the station yard that is 100 feet long and 15 feet high to further reduce the noise level at Evangeline Road.

Drainage

1. Culverts are to be sized and spaced to allow minimum restriction to the sheet flow across the property.
2. The facilities must be located no closer than 20' to the major drainage servitude on the northwest portion of the site. The site plan must be revised to reflect compliance with all setback requirements as well as distance requirements from the servitude.