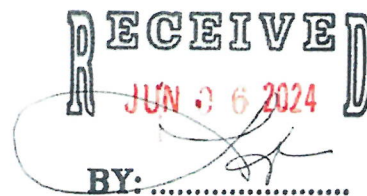


APPEAL # 2



ZONING COMMISSION DENIED

06/04/24

TAMMANY PARISH

MICHAEL B. COOPER
PARISH PRESIDENT

THE PETITIONER OR ANY AGGRIEVED PERSON HAS TEN (10) DAYS TO APPEAL THE DECISION OF THE ZONING COMMISSION. APPEALS MUST BE FILED WITH THE ST. TAMMANY PARISH DEPARTMENT OF PLANNING & DEVELOPMENT. A COPY OF THE APPEAL REQUEST IS PROVIDED BELOW.

APPEAL REQUEST

DATE: June 5, 2024

2016-149-ZC

Proposed Zoning: Major Amendment to the Deer Crossing Planned Unit Development (PUD)

Location: Subdivision located at the southwest intersection of Interstate 12 & LA Highway 1085, across from Perrilloux Road, Madisonville; S4, T7S, R10E; Ward 1, District 4 Acres: 23.28 acres

Petitioner: Paul Mayronne

Owner: Deer Crossing, LLC

Council District: 4

We are hereby appealing to the St. Tammany Parish Council at its next appropriate regular scheduled meeting on the above referenced matter of an adverse decision of the St. Tammany Parish Zoning Commission.

This letter shall serve as official notice to put the above referenced matter on the Parish Council agenda.

Sincerely,

PLEASE SIGN YOUR NAME, PRINT NAME UNDERNEATH THAT AND PUT MAILING ADDRESS AND PHONE NUMBER BELOW PRINTED NAME.

Deer Crossing, LLC

By: _____

(SIGNATURE)

PRINT NAME: Greg Intravia, Member

ADDRESS: 845 Galvez Street, Mandeville, Louisiana 70448

PHONE #: (985) 966-3636



ZONING STAFF REPORT
2016-149-ZC

MICHAEL B. COOPER
PARISH PRESIDENT

PLANNING & DEVELOPMENT
Ross Liner
Director

985-898-2529

21454 Koop Drive, Suite 1B, Mandeville, LA 70471

stpgov.org/planning

Location: Subdivision located at the southwest intersection of Interstate 12 & LA Highway 1085, across from Perrilloux Road, Madisonville; S4, T7S, R10E; Ward 1, District 4

Council District: 4

Petitioner: Jones Fussell - Paul Mayronne

Posted: May 22, 2024

Owner: Deer Crossing, LLC

Commission Hearing: June 4, 2024

Prior Determination: Postponed for 1 month at the May 7, 2024 meeting

Size: 23.28 acres

Determination: Denied



Current Zoning

Deer Crossing Planned Unit Development

Requested Zoning

Major Amendment to the PUD

Future Land Use

Residential – Medium Intensity; Mixed-Use

Flood Zone

Effective Flood Zone C

Preliminary Flood Zone X

Critical Drainage: No

BFE

FFE: 12" above the crown of the street elevation

FINDINGS

Zoning History

1. The petitioner is requesting a Major Amendment to the Deer Crossing Planned Unit Development. The site is located at the southwest intersection of Interstate 12 and LA Highway 1085, across from Perrilloux Road, Madisonville.
2. The original Deer Crossing Planned Unit Development received approval from the Parish Council in 2016 (Case No. 2016-149-ZC/Ordinance No. 16-3505) and Preliminary approval from the Planning Commission on May 10, 2016 (Case No. 2016-251-PP) and then again on November 14, 2017 for a revised plan (Case No. 2017-823-PP). A condition of the 2016 Planned Unit Development approval included the addition of "no cut buffers along Highway 1085 and I-12".
3. Since the 2017 preliminary approval, the northern "50 ft. greenspace" which was initially intended to provide a buffer from the northern lots along Spotted Fawn Drive and I-12 has been clear cut for the placement of Entergy transmission lines. Entergy established this servitude on October 27, 2017 (Inst. #2091281). A limited work order for clearing and grubbing was issued on March 14, 2018 and an unlimited work order was issued on June 13, 2018.
4. The applicant submitted an application for Final Subdivision approval on February 9, 2024 and the case was advertised and placed on the March 18, 2024 Planning Commission agenda. The case was postponed due to the buffer discrepancy as well as some minor uncompleted items that existed at the time of final inspection and review.
5. Per Section 130-1674(d), "all terms, conditions, safeguards, and stipulations made at the time of approval for PUD shall be binding upon the applicant or any successors in interest. Deviations from approved plans or failure to comply with any requirements, conditions, or safeguards shall constitute a



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2016-149-ZC

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violation of these zoning regulations". Additionally, per Section 130-1675, the removal of the conditioned 50' no cut buffer along Interstate 12 is a change to the use of the land and therefore constitutes a Major Amendment to the Planned Unit Development which must be reviewed and approved before the Zoning Commission.

6. Per Section 125-94, "the Planning Commission shall review whether subdivision plans meet the minimum requirements, and shall consider whether the plans ensure and conform to the best interests of public health, safety and welfare. The Planning Commission shall reserve the right to stipulate any reasonable additional requirements for subdivisions. These considerations may include, but are not limited to recreational areas, general street design and construction specifications, buffer zones and screening, and lot designs and configurations".

Staff Findings

7. Based on the best available data, the approximate crown of Interstate 12 in this location is 28 ft. (Google Earth, 2024). The approved paving and grading plan for the Deer Cross Subdivision shows the lots which are adjacent to Interstate 12 as having a finished grade of roughly 23.5 ft. This is an approximate 4.5 ft. ground elevation grade change.
8. The applicant is proposing to construct a 10' wooden fence, a portion of which will consist of lattice work along the rear of Lots 18-42. While this will likely help to visually obstruct the interstate asphalt, it will only obscure roughly 5.5' of the associated vehicular traffic based on the above referenced numbers.
9. The average car in the US is between 5 -6' tall; the average truck is between 8-10' tall; and the average semi-truck and trailer is roughly 13.5' tall. Additionally, levels of highway traffic noise typically range from 70 to 80 dB(A) at a distance of 50 feet from the highway (US Department of Transportation, Federal Highway Administration; 2003). In 2022, Interstate 12 East Bound counted an average of 40,000 ADT. In considering these typical standards for what is common traffic on the interstate, staff has determined that a 10' wooden fence, a portion of which will consist of lattice work as proposed will not provide enough acoustical or visual relief caused by the adjacent Interstate traffic. As such, staff recommends a minimum 15' sound wall to act as a sufficient noise barrier or the rearrangement of the lots within the PUD so as to plant to provide a sufficient landscape buffer as was originally required.
10. If the Zoning Commission chooses to approve the request for the Major Amendment to the Deer Park PUD as requested, staff suggests the Commission to consider requiring the following:
 - a. The addition of the following restrictive covenants for all homes which are adjacent to the Interstate:
 - i. The installation of double or triple paned glass windows and solid core doors
 - ii. The installation of sound deadening materials such as fiberglass insulation in walls
 - iii. The required use of brick or concrete instead of wood
 - iv. The use of rigid metal frame connectors in exterior walls not made of masonry to dampen vibrations from the exterior that may transmit through walls

Consistency with New Directions 2040

Residential – Medium Intensity: Medium Intensity neighborhoods include a broader mix of large and small lots but remain predominantly, single-family detached homes. Attached homes such as townhomes and 2-unit homes, as well as assisted living centers may fit into the character of Medium Intensity Residential Neighborhoods. The higher density of development makes central water and sewer more practical than on-site water and wastewater systems, and infrastructure like sidewalks, subsurface drainage, and street



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lighting are more common. These areas are appropriate buffers between Rural or Low Intensity Residential Neighborhoods and High Intensity Residential Neighborhoods or Commercial and Institutional areas.

Mixed-Use: areas are flexible and appropriate for higher concentration of residential and commercial uses, allowing shorter trips between destinations and opportunities for walkable, compact development patterns. Mixed Use areas are typically located at or near the Parish's existing hubs of activity and intersections of major roads, as well as along major traffic corridors. Mixed Use areas may also include higher density residential uses, such as garden apartments and condominiums.

1. The proposed zoning change is not consistent with the following goals, policies, and strategies of the Comprehensive Plan:
 - a. Goal 7.3: Light and noise pollution will be minimal.
 - b. Strategy 2.1:3: Beautify Parish public rights-of-way through planting and maintaining native trees and landscapes

