



Planning
Department
Bessie L. Martin
Director

STAFF REPORT

Docket No. WS-132-23

Summary No.
Major Subdivision
Southeastern Land District

PARISH COUNCIL
A: Jennifer Van Vrancken
B: Scott Walker
1: Marion F. Edwards
2: Deano Bonano
3: Byron Lee
4: Arita M.L. Bohannan
5: Hans J. Liljeberg

Cynthia Lee Sheng
Parish President

504-736-6320 | Yenni Building, 1221 Elmwood Park Blvd, Ste 601, Jefferson, LA 70123 | jppanning@jeffparish.net

LOCATION (FIGURE 1)

11000 Nicolle Blvd.; bounded by Churchill Pkwy.,
Lake Cataouatche Protection Levee and South Jamie
Boulevard

OWNER: Churchill Farms, Inc, 300 Forward, Inc.,
and G C Churchill, LLC

APPLICANT: Missy Quigley

COUNCIL DISTRICT: 3

PAB HEARING: 7/11/2024

**LAST MEETING DATE
FOR COUNCIL ACTION:**
11/06/2024

ZONING (FIGURE 2)

U-1S/FOD/NMS Unrestricted Suburban
District/ Fairfield Overlay District/ Nola
Motor Sports

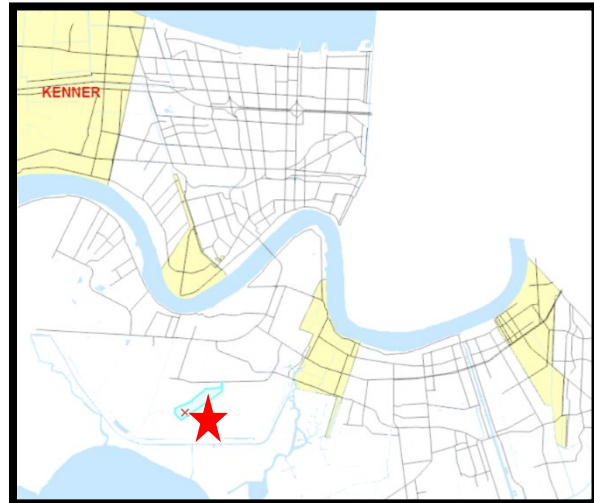
FUTURE LAND USE (FIGURE 3)

MU Mixed Use

REQUEST (FIGURE 4)

Undesignated portions of Sections 1, 10,
11, and 12, Township 14 South, Range 22
East, Southeastern Land District
into

Proposed Lot NMS-7, Nola Motorsports Park,
and Lots C-1, C-2, and C-3 Southeastern Land District



West Bank Partial Vicinity Map

WAIVERS (FIGURE 4)

Waiver of adequate public facilities for:
Sec. 33-7.2. - Water.
Sec. 33-7.3. - Wastewater.
Sec. 33-7.5. - Street Access.

RECOMMENDATIONS

PLANNING DEPARTMENT:

Denial for the following reasons:

- The subdivision does not meet the adequate public facilities waiver requirements (Sec. 33-7.6).
- The subdivision does not meet the criteria for preliminary/final plats (Section 33-2.32)

PLANNING ADVISORY BOARD: to be determined

CONSISTENCY WITH ENVISION JEFFERSON 2040

The subdivision is not consistent with the following goals and objectives of the Comprehensive Plan:

- Goal 1 Objective 1: “Promote efficient use of infrastructure.”
- Goal 1, Objective 2: “Ensure that development bears its share of the cost of public infrastructure and facilities.”

FINDINGS

BACKGROUND

1. The request is to create four large lots, Lot NMS-7, Nola Motorsports Park, and Lots C-1, C-2, and C-3, out of undesignated portions of Sections 1, 10, 11, and 12; Township 14 South; Range 22 East; Southeastern Land District. Proposed Lot NMS-7 is located adjacent to the southeast portion of Lot NMS-3 in Sections 1 and 12. Proposed Lots C-1, C-2 and C-3 are located adjacent to the southwest portion of Lot NMS-3 and adjacent to, and north of, the Lake Cataouatche Protection Levee in Sections 10 and 11.
2. Sec. 33-2.31.2 of the Unified Development Code requires subdivisions involving more than two acres to be approved by the Jefferson Parish Council. Additionally, Sec. 33-2.32 of the Unified Development Code requires subdivisions involving a waiver for adequate public facilities to be approved by the Jefferson Parish Council.
3. The Unified Development Code has established a set of review criteria for preliminary and final plats, which have been applied to the proposed subdivision (Table 3). Additional criteria for “Block and Lot Standards” have also been applied (Table 4). The proposed subdivision does not comply with the criteria as the proposed lots lack adequate public facilities.

DIMENSIONAL STANDARDS (FIGURE 4)

4. The U-1S Unrestricted Suburban District requires a minimum width of 75 ft., depth

of 100 ft., and area of 10,000 sq. ft. The proposed lots exceeded the minimum lot width, depth, and area requirements of the U-1S district.

5. Fairfield Overlay Zone (FOD) requires compliance with the base zoning district dimensional standards, per *Sec. 33-3.69.5 Dimensional Standards*. The proposed lots exceed the minimum lot area, frontage, and depth requirements.

WAIVERS (FIGURE 4)

1. The Department of Public Works identified that the petitioned property lacks access to Parish sewer facilities, Parish water, and access roadways improved to Parish standards.
2. The applicant was put on notice of this issue and given the option to be processed as a preliminary with two years to install the requisite public utilities or enter into a development agreement and be given two years to install the requisite public utilities. The applicant refused to do either, citing cost as the only reason, and requested an adequate public facilities waiver for all lots involved.
3. *Sec.33-7.1. Adequate Public facilities Required* establishes standards for water, wastewater, stormwater management, streets, and other utilities and facilities. Public Works indicated that the proposed lots lack access to the following public facilities:
 - a. A public or private street improved to Parish standards
 - b. Water Service
 - c. Wastewater Collection and Treatment
4. Per *Sec. 33-7.5.*, all lots shall have approved access to a public right-of-way or private street designed in conformance with the Jefferson Parish Subdivision Public Improvements Standards Manual. None of the proposed lots front on a public or private street and the applicant is instead proposing to provide access via private servitudes. This does not meet the standards dictated in *Sec. 33-7.5* as they relate to accessibility and design; therefore, the applicant is requesting an adequate public facilities waiver.
5. In their letter requesting an adequate public facilities waiver, the applicant states that lots “C-1, C-2, and C-3 are accessible to Pumping Station Road (aka: Avondale Garden Road)”; however, the Department of Public Works has stated that this road is an access road for the pumping station and canal only and, as such, is not a public street developed to Parish standards. This road is a shell road that is barely 25 feet wide in some areas and is meant to provide access to the pumping station for Parish personnel. It is not a public road and is not improved to Parish standards for public access.
6. Furthermore, the petitioned property does not actually front on the access road, but is instead, located across the canal from the access road. Thus, in order for this road to be considered acceptable access under the Parish’s Unified Development Code (“UDC”), the property owner would be required to both upgrade

the road to Parish standards and construct a bridge across the canal. As the applicant has not agreed to either, the Pumping Station Road cannot be considered as access.

7. The Department of Public Works states there is no water line fronting proposed Lots C-1, C-2, C-3, & NMS-7 and it is the responsibility of the owner/developer to install and/or extend the water line, sized for proposed development to front the property with all required hydrants and valves in accordance with the current Parish standards and requirements, prior to applying for water meters. All material and installation must also meet the Parish requirements. Engineering plans and specifications stamped by a professional engineer must be provided to the Parish for review and approval prior to any installations Parish water, with the nearest accessible water line located along Nicolle Blvd. Per Sec. 33-7.2.1. *Generally.*, each lot in a subdivision shall be provided with a connection to the Parish water system. The property owners do not wish to extend the service to the petitioned properties due to the cost and have requested an adequate public facilities waiver to Sec. 33-7.2.1.
8. The Department of Public Works identified that the petitioned property lacks Parish sewer facilities, and those facilities are not available within 300 ft. Per Sec. 33-7.3.1. *Generally.*, all lots shall be served by an approved means of wastewater collection and treatment. Per Sec. 27-144, if there is no public sewer within three hundred (300) feet of the property line, the owner shall install a private disposal system, which must be approved by the Louisiana Department of Health. According to the Louisiana Department of Health, detailed plans/drawings of all structures and their proposed use and location on the property must be submitted as part of the application for an on-site wastewater treatment system. Currently, the applicant does not wish to obtain a state permit to operate an on-site wastewater treatment system, and, therefore, has requested a waiver to the requirement for adequate public facilities for wastewater treatment.
9. Per the applicant, it is impractical to provide adequate access, water service, and sewer service due to the cost of providing such. The applicant seeks to provide access for proposed Lots C-1, C-2, & C-3 via private access and utility servitudes running through private property not owned by the property owner for said proposed lots. However, the granting of the servitude only provides a potential for access and utility, but does not guarantee that these improvements are provided as future development will still be required to actually install the requisite utilities. This stance shows a blatant disregard for the development regulations of the Parish which seek to “..promote development that is served by public facilities at the levels of service established by Jefferson Parish, which are adequate to support and service the area of the proposed development. Land shall not be approved for development unless and until adequate public facilities exist or provision has been made...”
10. Adequate public facilities waivers are meant to provide a mechanism for relief for property owners when strict application of the code would result in practical

difficulties (Sec. 33-7.6). Adequate public facilities waivers to the provisions of this UDC may be requested when an applicant can demonstrate that one of the following situations apply:

(1) Connection to the parish's sanitary sewer system will require unreasonable expenditure when compared with other methods of sewage disposal, subject to the following conditions:

- a. *The lot, parcel or tract of land is located on the unprotected side of the West Bank and Vicinity Hurricane Protection Levee;*

The proposed lots are located within the hurricane protection Levee and, therefore, does not meet this requirement.

- b. *The public works director finds that the cost of connecting to the parish's sanitary sewer system would be unreasonable given the inadequacy or inexistence of connecting facilities; and*

The Public Works Department has stated that sewer is not available within 300 ft. and therefore the owner shall install a private disposal system, which must be approved by the Louisiana Department of Health.

- c. *The State of Louisiana approves the alternative sewage disposal system at the building permit stage; or*

The property owner has not submitted a building permit..

(2) Provision of adequate public facilities will require unreasonable expenditure, subject to the following conditions:

- a. *The subdivision is for the purpose of inheritance, sale or similar act without intention of development within five (5) years;*

Proposed Lots C-1, C-2, and C-3 were the subject of a December 2023 sale. The waiver request letter mentions the future development of these lots; however, no timeline was given

- b. *Each lot, parcel or tract of land included in the application is undeveloped, is at least ten (10) acres, and has frontage on a publicly dedicated and constructed street;*

All the proposed lots are greater than 40 acres and undeveloped; however, they do not front on publicly dedicated and constructed streets. Therefore, these proposed lots do not meet this requirement.

- c. *The number of lots, parcels, or tracts of land created in one (1) application does not exceed ten (10); and*

There are four (4) proposed lots in this application.

- d. *The subdivision does not involve the creation of any new street, right-of-way in full ownership, or other public improvement but as determined by the public*

works director may provide for the dedication, acceptance, relocation, or deletion of public utility servitudes granted to Jefferson Parish, other than streets.

No new streets are proposed.

This request for an adequate public facilities waiver does not meet the requirements for either situation allowed under the UDC. As such, the request should not be granted.

13. Per Sec. 33-7.6.4, an adequate public facilities waiver may be granted only upon finding that:

- *The requested waiver will not conflict with the purposes of this UDC or the comprehensive plan;*
 - The requested waiver is in conflict with the purpose of the UDC (Sec. 33-7.1.1) "...Land shall not be approved for development unless and until adequate public facilities exist or provision has been made for the following essential public facilities: water service, wastewater treatment and disposal,...and street facilities."
- *Granting the requested waiver will not confer on the applicant any special privilege that is denied by this UDC to other lands that are similarly situated and configured;*
 - Granting the requested waiver would confer a special privilege on the applicant that is denied to other similarly situated properties.
- *The granting of the waiver will not be contrary to the public interest, will not adversely affect property values, will not adversely affect other property in the vicinity, and will be in harmony with the intent and purpose of this UDC; and*
 - Granting the waiver would have an adverse effect on property values by not installing required public facilities. The request is not in harmony with the purpose and intent of both the UDC and Envision Jefferson 2040.
- *The waiver requested is the minimum modification to this UDC necessary to accommodate the situation.*
 - The waivers requested are excessive and contrary to the purpose of the UDC.

DEPARTMENT COMMENTS

Table 1: Land Use Review Technical Committee (LURTC) Comments

Department	Position	Comment/Stipulation
Public Works	Not Opposed	<p>WS-132-23 the Department of Public Works (on 03/28/2024) Requires dedication of 100 ft. right-of-way in favor of Jefferson Parish for roadway and utilities. Roadway must be constructed in accordance with the Jefferson Parish Subdivision Public Improvements Standards Manual. Requires engineering plans to be submitted for approval, construction of proposed improvements, and acceptance by the Parish for maintenance of said improvements; or engineering plans and a construction cost estimate to be submitted for approval, and the execution of a development agreement for the construction of proposed improvements. Remove 50' ingress/egress & utility servitude across Avondale Garden Canal. Remove reference to perpetual ROW for permanent bridge crossing. It should be noted that Lots NMS-1, NMS-3, NMS-7, C-1, C-2, and C-3 are not within 300 feet of Parish maintained sanitary sewerage and a permit from the State for a sewerage treatment plant will be required at the permit stage. There is no water line fronting proposed lots C-1, C-2, C-3 & NMS-7, it is the responsibility of the owner/developer to install and/or extend the water line, sized for proposed development to front the property with all required hydrants and valves in accordance with the current parish standards and requirements, prior to applying for water meters. All material and installation must also meet the parish requirements. Engineering plans and specifications stamped by a professional engineer must be provided to the parish for review and approval prior to any installations. For more information on the process, contact the Engineering Department at JPEngineering@jeffparish.net or (504) 736-6500. "No trees or shrubs shall be planted, and no permanent or temporary structures, fences or obstructions of any type will be allowed within this drainage, water, and sewer servitudes".</p> <p>Not opposed</p>
Building Permits	Not Opposed	No Comment
Engineering-Site Plan	Not Opposed	Not Opposed
Parish Attorney	Not Opposed	We will defer to the other departments for comments.

Table 1: Land Use Review Technical Committee (LURTC) Comments		
Department	Position	Comment/Stipulation
Fire	Not Opposed	See other agencies for comments at this time.
Environmental	Not Opposed	No Comment

TABLES

Table 2: Description of Lots					
	Lot #	Primary Frontage	Avg. Width (ft.)	Avg. Depth (ft.)	Area (acres)
Existing	Undesignated parts of Sections 10 and 11, Township 14 South, Range 22 East, Southeastern Land District	N/A	2,188	2819.25	140.3063
Existing	Undesignated parts of Sections 1, 11, and 12, Township 14 South, Range 22 East, Southeastern Land District	N/A	1,290.33	6,005	100
Proposed	C-1	N/A	1,289	1,724.5	50
Proposed	C-2	N/A	1,151.25	1952.69	50
Proposed	C-3	N/A	1,072	1,679.45	40.3083
Proposed	NMS-7	N/A	1,290.33	6,005	100

**Table 3: Major subdivision review criteria for preliminary/final plats
[Section 33-2.32]**

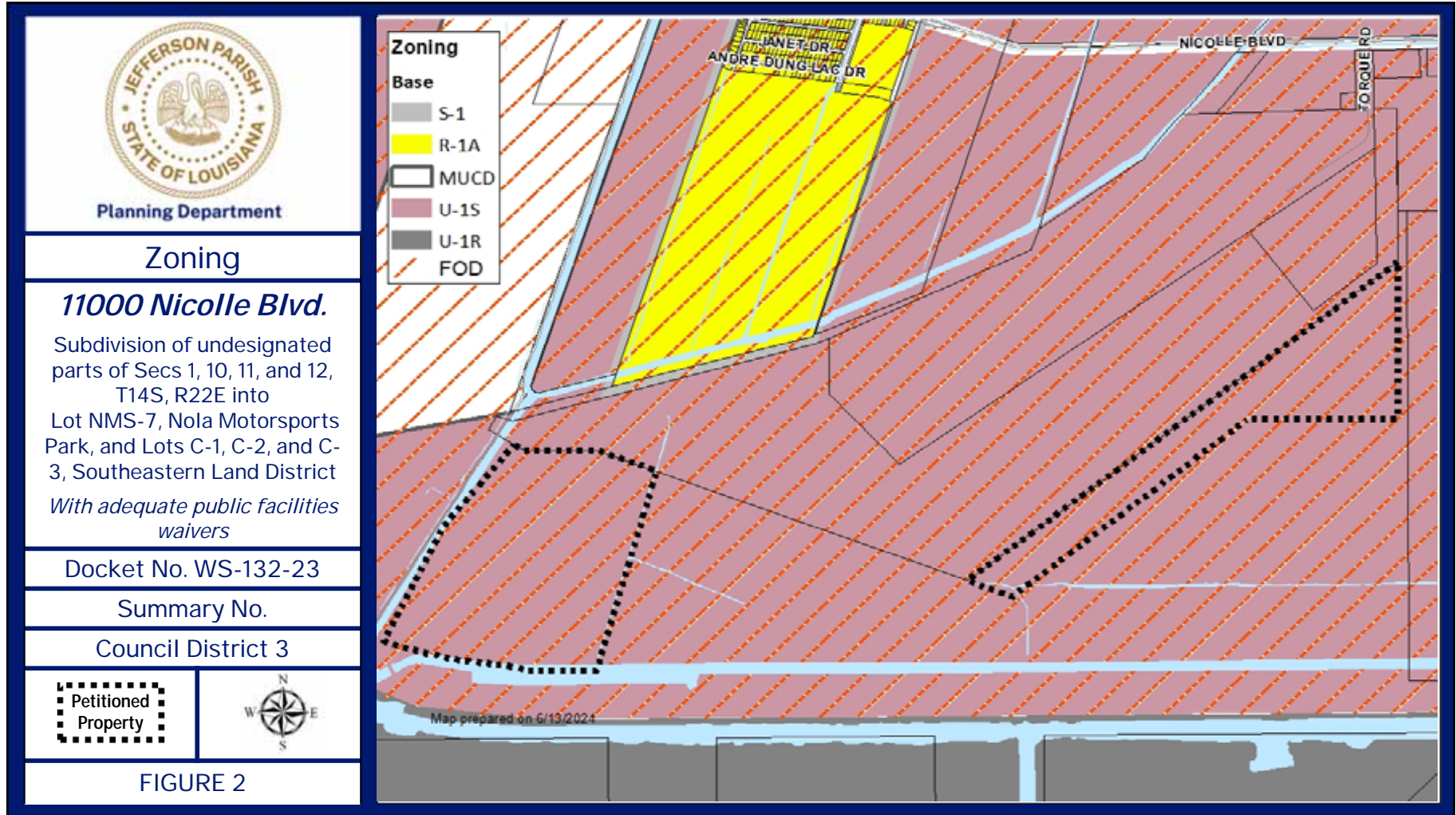
Criteria	Compliance	
	Yes No	Comments
Consistent with Comprehensive Plan	No	Does not comply with Goal 1 Objective 1 or Goal 1 Objective 2
Consistent with existing or proposed zoning of property	Yes	The proposed lots meet the minimum area regulations.
Availability of adequate facilities and services	No	The applicant is requesting waivers to the adequate public facilities requirements.
Suitability of site for proposed development	No	The proposed lots are not suitable for any development because they lack access and utilities.
Compatibility of development with existing and planned land use pattern	No	The purpose of the U-1S District is to accommodate well-designed development sites that provide transportation access and make the most efficient use of infrastructure.
Compatibility of development with neighborhood norm	N/A	
Development is within reasonable distance to public facilities and access	No	The applicant has requested a waiver of adequate public facilities.
Consistent with adopted design for lots and blocks	N/A	No blocks proposed.
Adequate rights-of-way and servitudes provided, and consistent with adopted plans	No	Proposed access is through private servitudes not improved to Parish standards.
Adequate traffic impact mitigation in accordance with Traffic Impact Analysis (TIA), if required	N/A	TIA not required.
Consistent with applicable Concept Plan	N/A	No concept plan.
Consistent with approved Preliminary Plat	N/A	Preliminary/Final plat.

Table 3: Major subdivision review criteria for preliminary/final plats [Section 33-2.32]		
Criteria	Compliance	
	Yes No	Comments
LURTC process complete	Yes	

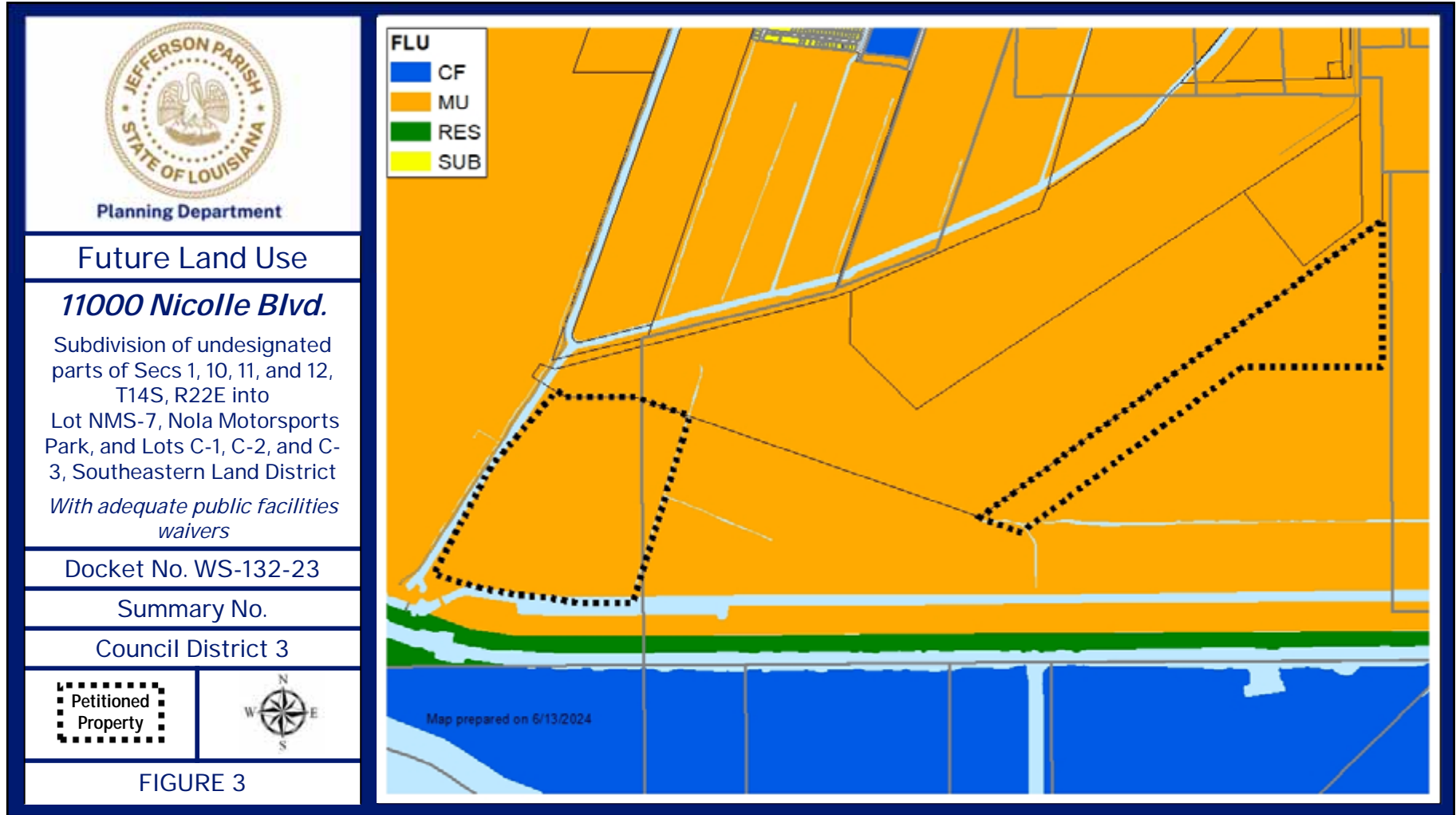
Table 4: Block and lot standards [Sections 33-6.5 and 33-6.6]		
Standards	Compliance	
	Yes No	Comments
Adequate Building Sites	No	Proposed lots lack adequate facilities and services.
No Unusable Remnants Created	Yes	Minimum lot sizes and dimensions for the applicable zoning district are accommodated.
Block Depth	N/A	No blocks proposed.
Block Length	N/A	No blocks proposed.
Lot Area	Yes	
Lot Arrangement	N/A	
Lot Frontage	No	Lots do not front on a public street or private street improved to standards established in the Jefferson Parish Subdivision Public Improvements Standards Manual.
Lot Lines	No	No streets are proposed for evaluating the line lines.
Lot Orientation	No	No streets are proposed for evaluating the lot orientation.



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Planning Department

Plat

11000 Nicolle Blvd.

Subdivision of undesignated parts of Secs 1, 10, 11, and 12, T14S, R22E into Lot NMS-7, Nola Motorsports Park, and Lots C-1, C-2, and C-3, Southeastern Land District
With adequate public facilities waivers

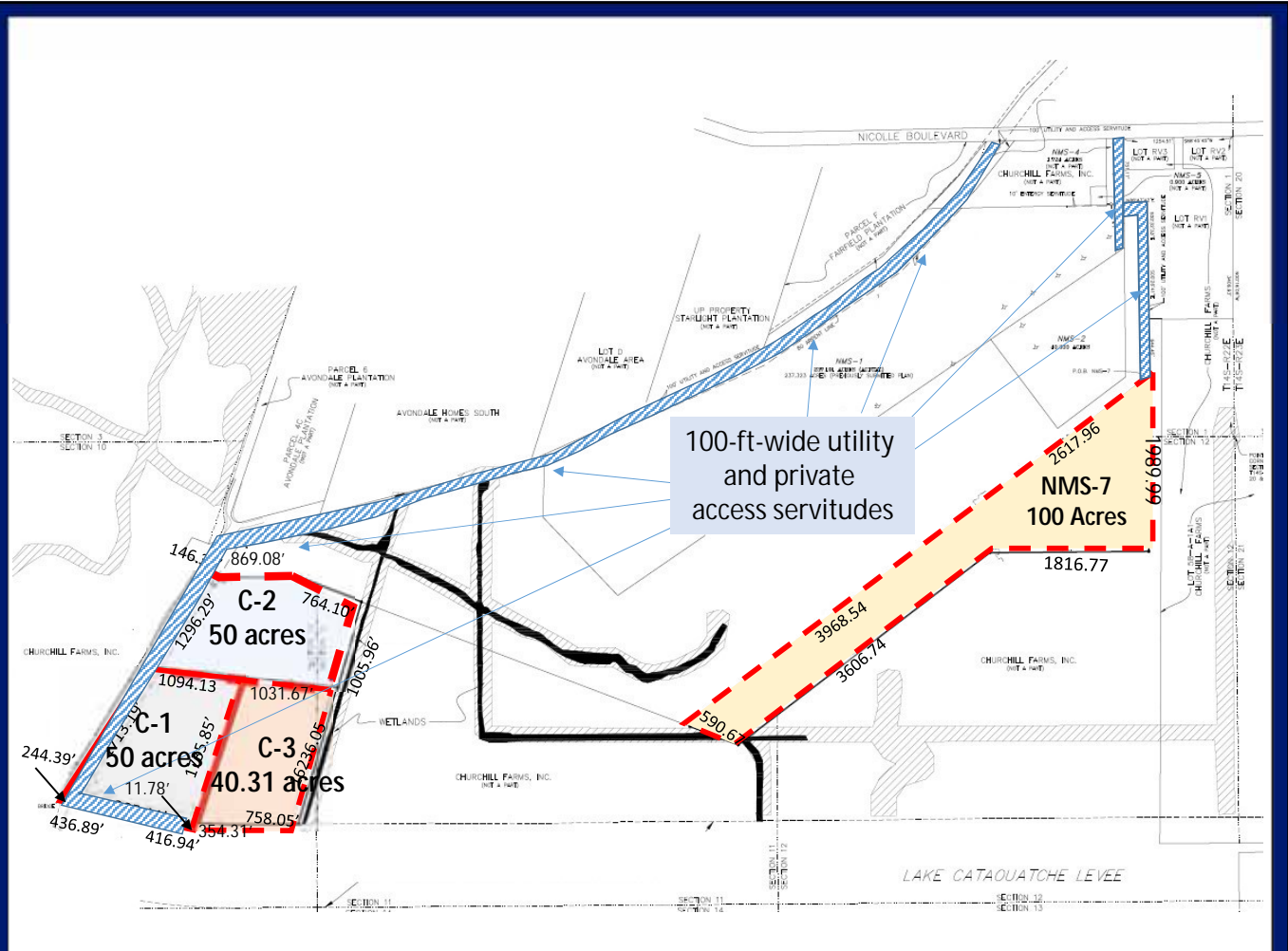
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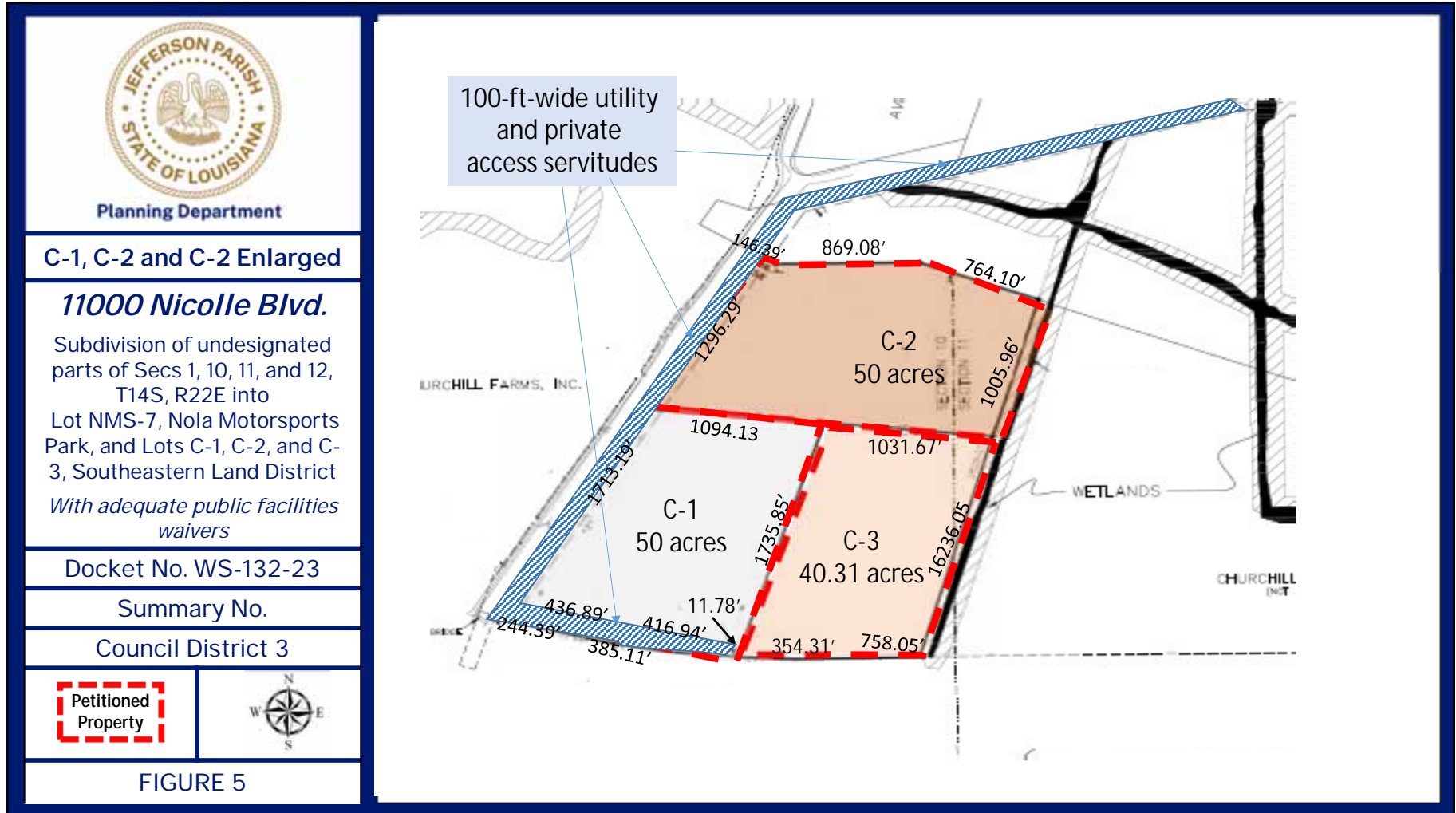
Council District 3



FIGURE 4



All users acknowledge that the content of these graphics were submitted and/or created specifically as demonstrative aides for the related land use matter being presented by the Jefferson Parish Planning Department identified with the appropriate docket number provided above. As such, Jefferson Parish makes no warranty as to the reliability or accuracy of the maps, their associated data tables and/or any graphics included in this presentation. Furthermore, Jefferson Parish is not responsible for the inaccuracies that could have occurred due to errors in the original data input or subsequent update process. All users of these graphics produced in connection with the related land use matter identified above specifically acknowledge, agree and accept that any zoning and/or land uses identified in said graphics are solely intended to be a demonstrative aide in the related land use matter and, as such, should not be relied upon outside of said related land use matter. User assumes all responsibility for verifying accuracy of data for any intended use.



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Planning Department

NMS-7 Enlarged

11000 Nicolle Blvd.

Subdivision of undesignated parts of Secs 1, 10, 11, and 12, T14S, R22E into Lot NMS-7, Nola Motorsports Park, and Lots C-1, C-2, and C-3, Southeastern Land District
With adequate public facilities waivers

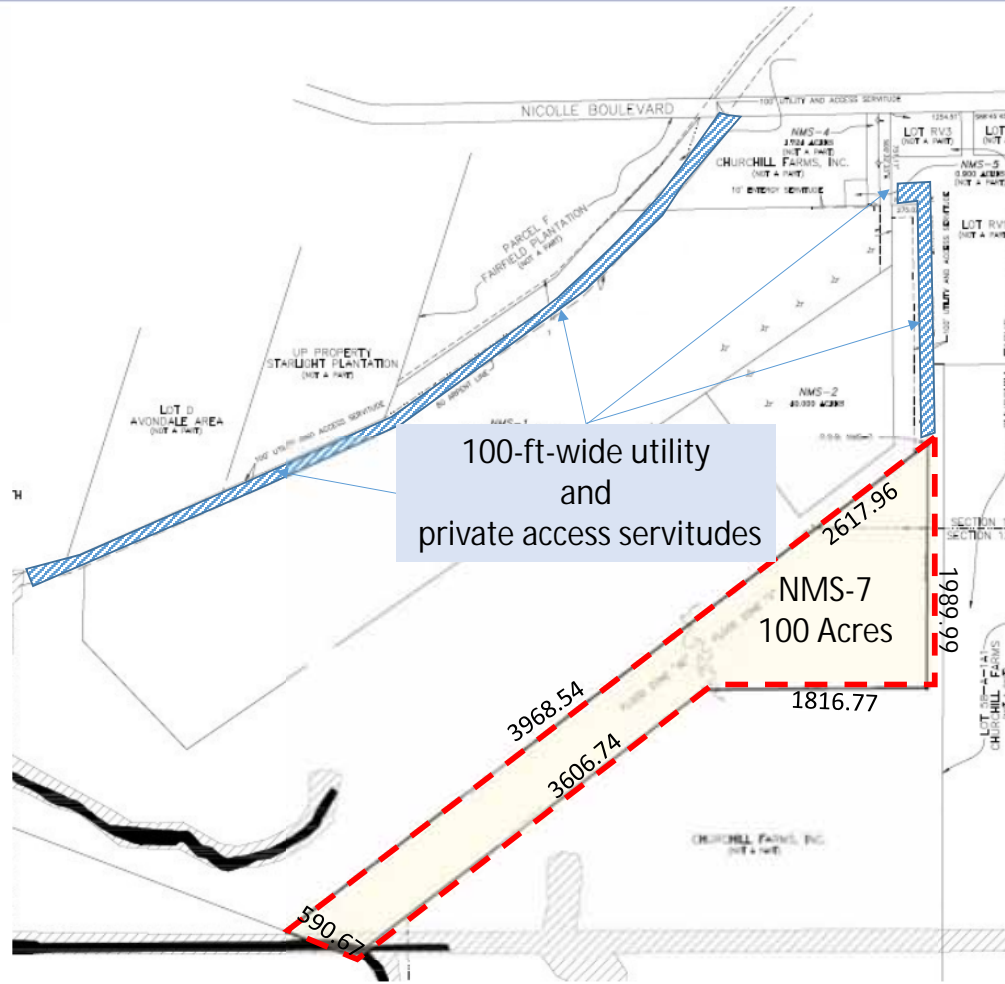
Docket No. WS-132-23

Summary No.

Council District 3



FIGURE 6



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