

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4932

ORDINANCE COUNCIL SERIES NO: \_\_\_\_\_

COUNCIL SPONSOR: MR. DEAN

PROVIDED BY: DEPT. OF DEVELOPMENT

INTRODUCED BY: MR. DEAN

SECONDED BY: MR. THOMPSON

ON THE 6 DAY OF DECEMBER , 2012

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE SOUTHEAST CORNER OF LA HIGHWAY 1077 & LA HIGHWAY 1085 AND WHICH PROPERTY COMPRISES A TOTAL 8.901 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT HC-2 (HIGHWAY COMMERCIAL DISTRICT) TO A HC-2A (HIGHWAY COMMERCIAL DISTRICT). (WARD 1, DISTRICT 1) (ZC12-10-099)

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC12-10-099, has recommended to the Council of the Parish of St. Tammany, Louisiana, that the zoning classification of the above referenced area be changed from its present HC-2 (Highway Commercial District) to an HC-2A (Highway Commercial District) see Exhibit "A" for complete boundaries; and

WHEREAS, the St. Tammany Parish Council has held its public hearing in accordance with law; and

WHEREAS, the St. Tammany Parish Council has found it necessary for the purpose of protecting the public health, safety and general welfare, to designate the above described property as HC-2A (Highway Commercial District).

THE PARISH OF ST. TAMMANY HEREBY ORDAINS, in regular session convened that:

SECTION I: The zoning classification of the above described property is hereby changed from its present HC-2 (Highway Commercial District) to an HC-2A (Highway Commercial District).

SECTION II: The official zoning map of the Parish of St. Tammany shall be and is hereby amended to incorporate the zoning reclassification specified in Section I hereof

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 3 DAY OF JANUARY , 2013 ; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_\_.

\_\_\_\_\_  
MARTIN W. GOULD, JR., COUNCIL CHAIRMAN

ATTEST:

\_\_\_\_\_  
THERESA L. FORD, COUNCIL CLERK

\_\_\_\_\_  
PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: DECEMBER 27 , 2012

Published Adoption: \_\_\_\_\_ , 2012

Delivered to Parish President: \_\_\_\_\_ , 2012 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_ , 2012 at \_\_\_\_\_

**EXHIBIT "A"**

**ZC12-10-099**

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, together with all the buildings and improvements thereon and all rights, ways, means, privileges, servitudes, prescriptions, appurtenances and advantages thereunto belonging or in anywise appertaining thereto, situated in Section 3, Township 7 South, Range 10 East, St. Tammany Parish, Louisiana, and more fully described as follows, to-wit:

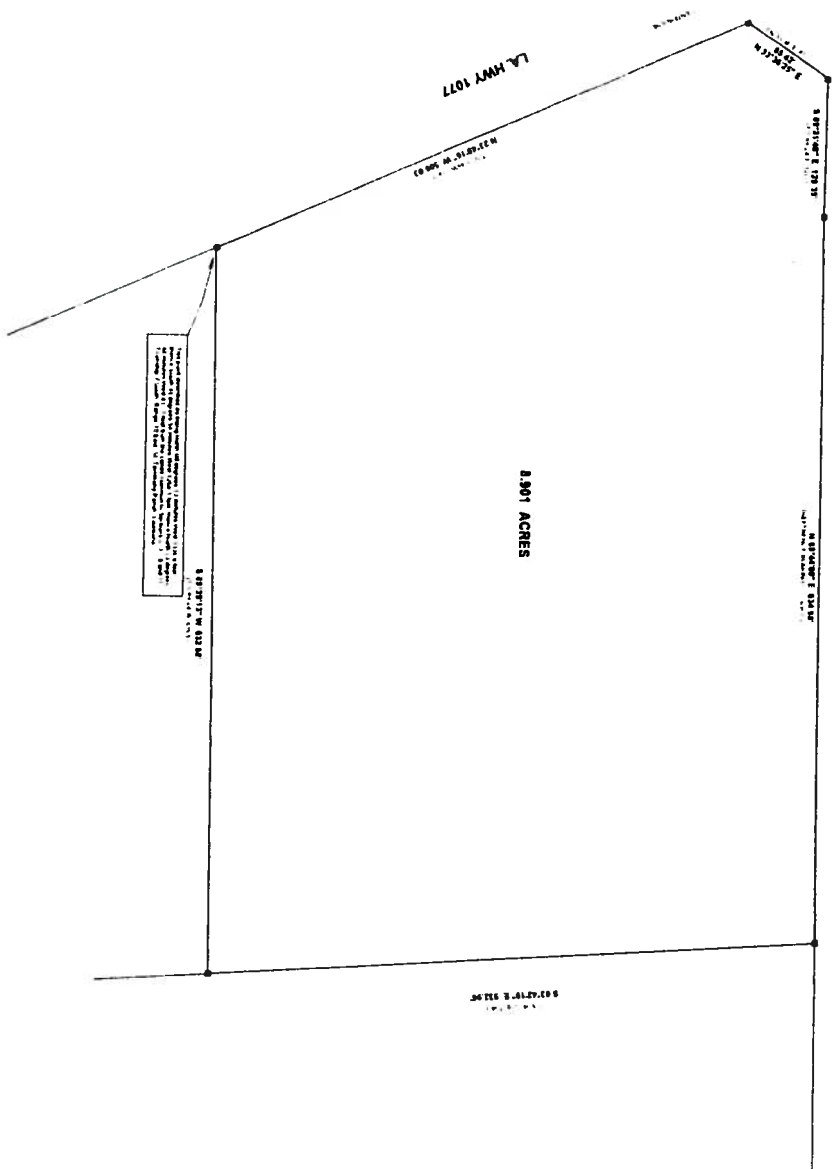
From the corner common to Sections 2, 3, 10 and 11, Township 7 South, Range 10 East, St. Tammany Parish, Louisiana measure North 00 degrees 13 minutes West 1336.6 feet; thence South 88 degrees 58 minutes West, 1268.1 feet; and thence North 23 degrees 48 minutes West, 815.3 feet to the Point of Beginning on the East right-of-way of The Turnpike Road (La. Hwy. 1077).

From the Point of Beginning measure along the East right-of-way North 23 degrees 48 minutes West, 506.1 feet to a point; thence North 33 degrees 36 minutes East, 85.1 feet to a point on the South right-of-way of the Bootlegger Road (La. 1085); thence with said right-of-way South 89 degrees 24 minutes East 120.3 feet to a point; thence North 89 degrees 44 minutes East, 635.0 feet to a point; thence leave said right-of-way measure South 04 degrees 02 minutes East, 534.0 feet to a point; thence South 89 degrees 44 minutes West, 635.0 feet to the Point of Beginning. This tract contains 8.92 acres, all as per survey by Land Engineering Services, Inc., dated May 31, 1993, by Gerald Fussell.

**CASE NO.:** ZC12-10-099  
**PETITIONER:** Clint L. Pierson, Sr.  
**OWNER:** MMABE, LLC  
**REQUESTED CHANGE:** From HC-2 (Highway Commercial District) to HC-2A (Highway Commercial District)  
**LOCATION:** Parcel located on the southeast corner of LA Highway 1077 & LA Highway 1085; S3,T7S,R10E; Ward 1, District 1  
**SIZE:** 8.901 acres



7C12-10-099



**1. Land Description:**  
 The above described land is situated in the Parish of St. Tammany, Louisiana, and is more particularly described as follows: A certain parcel of land containing 1.901 acres, more or less, bounded as follows: On the north by a line bearing S 89° 32' 10\"/>

**2. Easements:**  
 The above described land is subject to the following easements:  
 - A utility easement for power lines, as shown on the attached plan.  
 - A right-of-way easement for L.A. Hwy 1077, as shown on the attached plan.  
 - A right-of-way easement for L.A. Hwy 1085, as shown on the attached plan.

**3. Notes:**  
 The survey was conducted by the undersigned surveyor on the 15th day of August, 2009. The survey was made from a true meridian bearing of 0° 00' 00\"/>



**4. Acknowledgment:**  
 I, the undersigned, being duly sworn, depose and say that I am a duly licensed professional land surveyor in the State of Louisiana, and that the foregoing is a true and correct copy of the original survey map as shown to me by the parties to this survey.  
 Given under my hand and the seal of my office at New Orleans, Louisiana, this 15th day of August, 2009.  
 [Signature]  
 Surveyor

**5. Certificate:**  
 This is a true and correct copy of the original survey map as shown to me by the parties to this survey.  
 [Signature]  
 Notary Public

CULPE STATES REAL ESTATE				
1.901 ACRES				
SECTION 17 A, S. R. 10 E.				
ST. TAMMANY PARISH, LA.				
NO.	NAME	DATE	AMOUNT	REMARKS
1	WILLIAM H. CULPE	8/15/09	1.901	Survey of 1.901 acres, more or less, bounded as follows: On the north by a line bearing S 89° 32' 10\"/>
2				
3				
4				
5				
6				
7				
8				
9				
10				

**ADMINISTRATIVE COMMENT**

**ZONING STAFF REPORT**

**Date:** September 24, 2012  
**Case No.:** ZC12-10-099  
**Posted:** 09/13/12

**Meeting Date:** October 2, 2012  
**Determination:** Approved

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**GENERAL INFORMATION**

**PETITIONER:** Clint L. Pierson, Sr.  
**OWNER:** MMABE, LLC  
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**SITE ASSESSMENT**

**ACCESS ROAD INFORMATION**

**Type:** State    **Road Surface:** 2 lane asphalt    **Condition:** Good

**LAND USE CONSIDERATIONS**

**SURROUNDING LAND USE AND ZONING:**

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	School & Rec District	ED-2 Higher Education District & PF-1 Public Facilities District
South	Mini Storage	HC-2 Highway Commercial District
East	Residential & Undeveloped	A-1 Suburban District
West	Undeveloped	HC-2 Highway Commercial District

**EXISTING LAND USE:**

**Existing development?** No    **Multi occupancy development?** Yes

**COMPREHENSIVE PLAN:**

**Commercial – Mixed Use/Light -** Multiple and complementary principal uses permitted to coexist within the same development program and area, typically more intense by land area than adjoining areas.

**STAFF COMMENTS:**

The petitioner is requesting to change the zoning from HC-2 (Highway Commercial District) to HC-2A (Highway Commercial District). The purpose of HC-2A and the list of permitted uses, are similar to the existing HC-2 zoning. However, the HC-2A zoning district allows for a larger building size ( maximum of 75,000 sq.ft). Staff does not have any objection to the request, considering that it meets the 2025 future land use plan, which designates the site to be developed with a mix of commercial uses, typically more intense than the adjoining uses located in the area.

**STAFF RECOMMENDATION:**

The staff recommends that the request for a HC-2A (Highway Commercial District) designation be approved.