

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5104 ORDINANCE COUNCIL SERIES NO: \_\_\_\_\_

COUNCIL SPONSOR: BINDER/BRISTER PROVIDED BY: DEVELOPMENT

INTRODUCED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

ON THE 7 DAY OF NOVEMBER , 2013

ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE EAST SIDE OF LA HIGHWAY 1077, NORTH OF LAURENT ROAD, SOUTH OF BREWSTER ROAD AND WHICH PROPERTY COMPRISES A TOTAL 3.89 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT A-2 (SUBURBAN DISTRICT) TO AN NC-6 (PUBLIC, CULTURAL AND RECREATIONAL DISTRICT), (WARD 1, DISTRICT 1). (ZC13-10-074)

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC13-10-074, 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 A-2 (Suburban District) to an NC-6 (Public, Cultural and Recreational 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 NC-6 (Public, Cultural and Recreational 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 A-2 (Suburban District) to an NC-6 (Public, Cultural and Recreational 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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 5 DAY OF DECEMBER , 2013 ; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_.

\_\_\_\_\_  
JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

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

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

Published Introduction: October 31 , 2013

Published Adoption: \_\_\_\_\_, 2013

Delivered to Parish President: \_\_\_\_\_, 2013 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2013 at \_\_\_\_\_

Exhibit "A"

ZC13-10-074

LEGAL DESCRIPTION

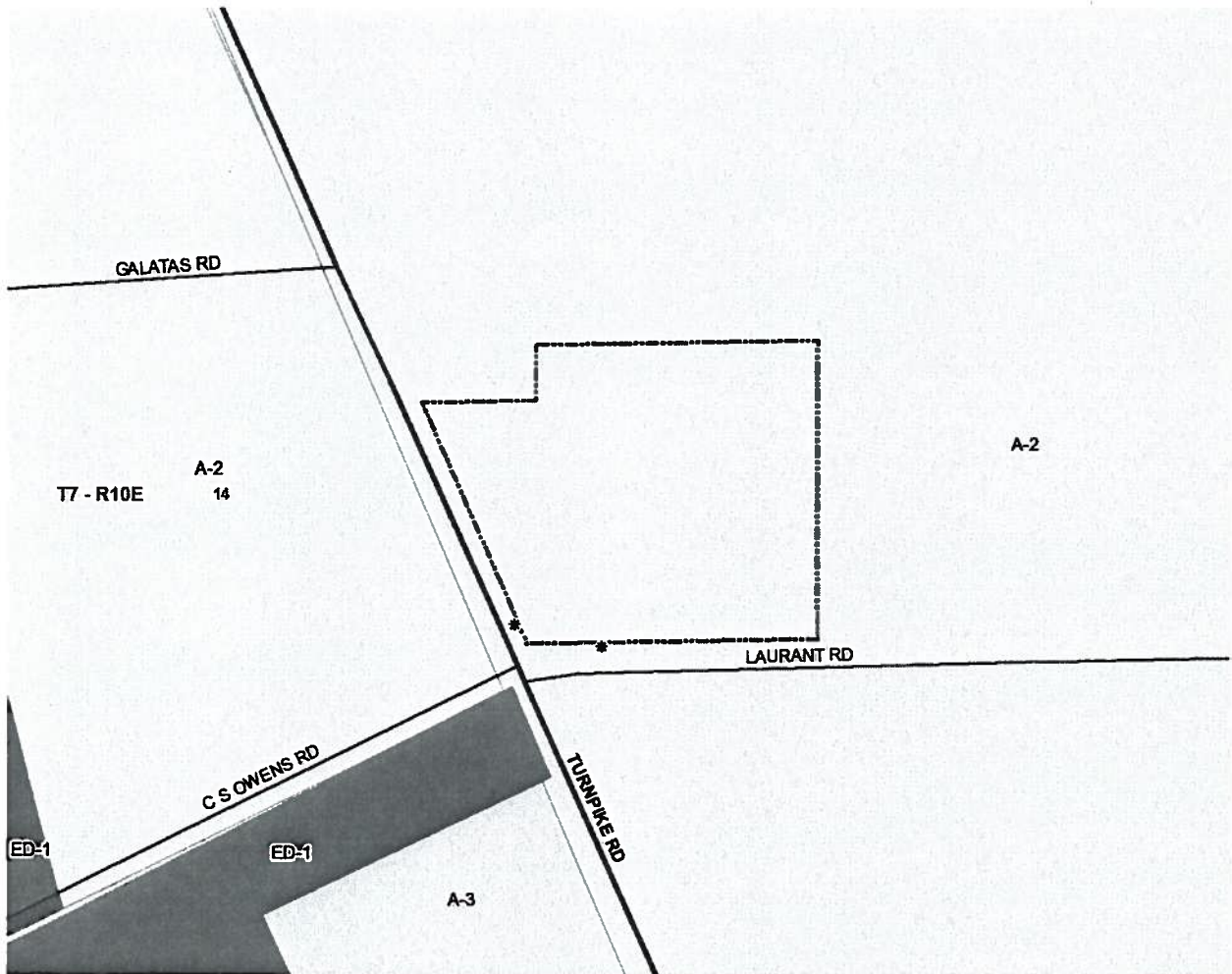
(CNC-6)

A certain parcel of land situated in Section 14, Township 7 South, Range 10 East, being a portion of Lot 1, Tier 3, St. Tammany Parish, Louisiana and more particularly described as follows.

Commence at the Northwest corner of Section 41, Township 7 South, Range 10 East and measure South a distance of 363.0 feet to a point; Thence West a distance of 920.0 feet to a point; Thence South a distance of 1444.0 feet to a point; Thence South 89°05'00" West a distance of 521.06 feet to a point; Thence South 00°55'00" East a distance of 120.00 feet to the POINT OF BEGINNING

From the POINT OF BEGINNING measure North 89°05'00" East a distance of 369.12 feet to a point; Thence South a distance of 389.98 feet to a point on the apparent Northern Right of Way of Laurent Road; Thence along said apparent Northern Right of Way South 89°05'00" West a distance of 380.98 feet to a point on the apparent Eastern Right of Way of Louisiana Highway 1077; Thence along said apparent Eastern Right of Way North 23°38'14" West a distance of 345.36 feet to a point; Thence North 89°05'00" East a distance of 150.00 feet to a point; Thence North 00°55'00" West a distance of 71.00 feet to the POINT OF BEGINNING, and containing 169,617.23 square feet or 3.89 acre(s) of land, more or less.

**CASE NO.:** ZC13-10-074  
**PETITIONER:** Jeffrey D. Schoen  
**OWNER:** Bert A Dupre, Billy L. Dupre & Bobby P. Dupre  
**REQUESTED CHANGE:** From A-2 (Suburban District) to NC-6 (Public, Cultural and Recreational District)  
**LOCATION:** Parcel located on the east side of LA Highway 1077, north of Laurent Road, south of Brewster Road ; S14,T7S,R10E; Ward 1, District 1  
**SIZE:** 3.89 acres



N.W. COR. SECTION 41  
(T-N.E. COR)

SOUTH 1444.0'

WEST 920.0'

SOUTH 363.0'

UNOPENED 40' R/W

S 00°55' 00" E

S 89°05' 00" W 521.06'

CLECO SITE

P.O.B.

N 89°05' 00" E 369.12'

S 89°05' 00" W 150.00'

S 23°38' 14" E 345.35'

LA. HWY. 1077

3.89 AC.

SOUTH 389.98'

NORTH 510.00'

UNOPENED 40' R/W

380.98'

150.02'

N 89°05' 00" E 531.00'

LAURENT RD.

NC-6

REFERENCES:

- PLAT OF A SURVEY BY LOWELL E. CUMMINGS FOR ARTHUR L. DUPRE, DATED 08-02-1966.
- PLAT OF A SURVEY BY RANDALL W. BROWN & ASSOC. FOR CLECO, DATED 11-17-97, NO. 971100.

THIS IS NOT A SURVEY  
THIS SKETCH IS A COMPILATION OF  
SURVEYS PROVIDED TO THIS FIRM  
BY THE CLIENT, NO ACTUAL SURVEY  
WAS PERFORMED IN PREPERATION OF  
THIS DOCUMENT.

|  |                |
|--|----------------|
| SKETCH OF:<br><b>3.89 ACRES IN SECTION 14,<br/>TOWNSHIP-7-SOUTH, RANGE-10-EAST,<br/>GREENSBURG LAND DISTRICT<br/>ST. TAMMANY PARISH, LOUISIANA</b> |                |
| <b>KELLY J. McHUGH &amp; ASSOC., INC.<br/>CIVIL ENGINEERS &amp; LAND SURVEYORS<br/>845 GALVEZ ST., MANDEVILLE, LA. 626-5611</b>                    |                |
| SCALE: 1" = 200'   | DATE: 10-10-13 |
| DRAWN: DRJ   | JOB NO: 13-183 |
| REVISED:   |                |

## ADMINISTRATIVE COMMENT

### ZONING STAFF REPORT

**Date:** September 23, 2013  
**Case No.:** ZC13-10-074  
**Posted:** 9/13/2013

**Meeting Date:** October 1, 2013  
**Determination:** Approved as Amended

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#### GENERAL INFORMATION

**PETITIONER:** Jeffrey D. Schoen  
**OWNER:** Bert A Dupre, Billy L. Dupre & Bobby P. Dupre  
**REQUESTED CHANGE:** From A-2 (Suburban District) to NC-6 (Public, Cultural and Recreational District)  
**LOCATION:** Parcel located on the east side of LA Highway 1077, north of Laurent Road, south of Brewster Road ; S14,T7S,R10E; Ward 1, District 1  
**SIZE:** 6.7 acres

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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            | Undeveloped/Utility  | A-2 Suburban District |
| South            | Church/Laurant Road  | A-2 Suburban District |
| East             | Undeveloped          | A-2 Suburban District |
| West             | Residential/Hwy 1077 | A-2 Suburban District |

##### EXISTING LAND USE:

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

##### COMPREHENSIVE PLAN:

**Residential** - Areas that provide for dwelling units. Such areas may vary in site design, structure design, and in the density of units per acre. Certain areas such as "village or town residential" may include mixed uses and would have the highest number of units per acre, while "Rural residential" would have the lowest number of units per acre, and may include agricultural or open space uses as well. In between these two types of residential areas would be varying levels of single-family detached dwellings, multi-family attached residential, and planned subdivisions for manufactured homes.

##### STAFF COMMENTS:

The petitioner is requesting to change the zoning from A-2 (Suburban District) to NC-6 (Public, Cultural and Recreational District). The site is located on the east side of LA Highway 1077, north of Laurent Road, south of Brewster Road. The 2025 Future Land Use Plan calls for the area to be developed with residential uses. Staff sees no compelling reason to support a request to rezone the site to commercial zoning in this location, based on the designation of the 2025 future land use plan and the fact that the site is surrounded by residential zoning. Aside from Madisonville Elementary School, most of the Hwy 1077 corridor is developed with residential uses on large parcels of land. The nearest commercially zoned parcels are located over 1 mile away to the south and to the north of this parcel.

Note that the site is proposed to be developed with a day care/aftercare facility and athletic training facility. If the Commission sees fit to support a zoning change for this site, other less intensive zoning classifications should be considered such as ED-1 Primary Educational District and CB-1 Community Based Facilities District.

##### STAFF RECOMMENDATION:

The staff recommends that the request for a NC-6 (Public, Cultural and Recreational District) designation be denied.