

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5469 ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: TANNER/BRISTER PROVIDED BY: DEVELOPMENT

INTRODUCED BY: _____ SECONDED BY: _____

ON THE 1 DAY OF OCTOBER , 2015

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED AT THE SOUTHWEST CORNER OF LA HIGHWAY 59 & SOELL DRIVE, BEING 70271 LA HIGHWAY 59, ABITA SPRINGS AND WHICH PROPERTY COMPRISES A TOTAL OF 20,000 SQ.FT OF LAND MORE OR LESS, FROM ITS PRESENT I-1 (INDUSTRIAL DISTRICT) TO AN HC-2 (HIGHWAY COMMERCIAL DISTRICT), (WARD 3 & 4, DISTRICT 5). (ZC15-09-069)

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC15-09-069, 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 I-1 (Industrial District) to an HC-2 (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-2 (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 I-1 (Industrial District) to an HC-2 (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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 5 DAY OF NOVEMBER , 2015 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

RICHARD E. TANNER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: SEPTEMBER 24 , 2015

Published Adoption: _____, 2015

Delivered to Parish President: _____, 2015 at _____

Returned to Council Clerk: _____, 2015 at _____

EXHIBIT "A"

ZC15-09-069

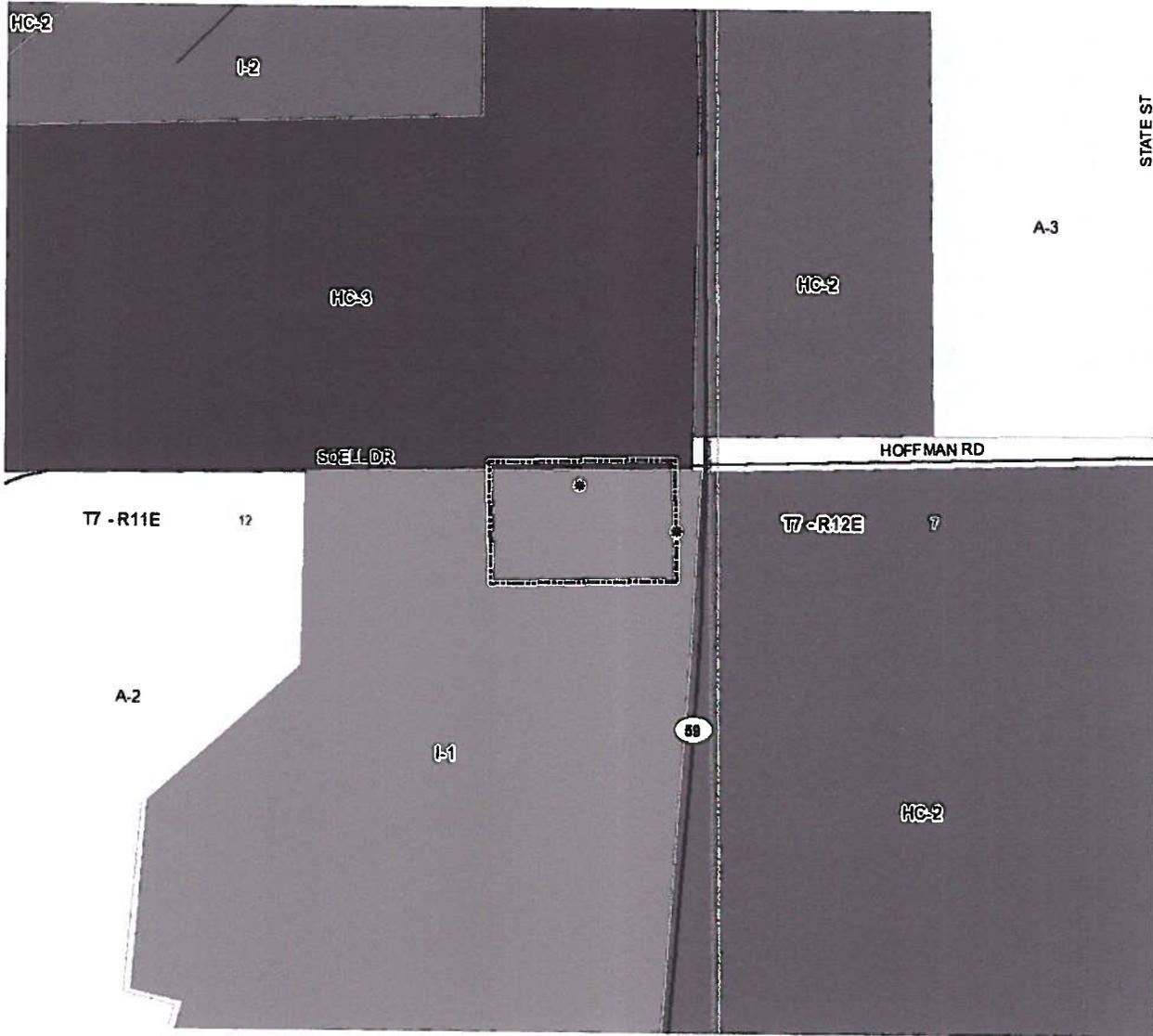
A CERTAIN PIECE OR PORTION OF GROUND, together with all the buildings and improvements thereon, and all the rights, ways, privileges, servitudes, prescriptions, appurtenances and advantages thereunto belonging are in anywise appertaining, being situated in the Parish of St. Tammany, State of Louisiana, located in Section 12, Township 7 South, Range 11 East, as per plat of Wilson-Pope, Inc., dated March 4, 2004, being job number 7512, which is recorded as Page 3 of COB Instrument No. 1421408 and by reference thereto, is described as follows:

The intersection of the West line of the Abita Mandeville Highway (Louisiana Highway 59) and the South half of the section line of Section 12, which point is also the center line of Soell Drive is the Point of Beginning.

From the Point of Beginning thence run South 01 degree 19 min. 00 seconds East a distance of 130.0 feet; thence run South 88 degrees 41 min. 00 seconds West a distance of 200.0 feet; thence run North 01 degree 19 min. 00 seconds West a distance of 130.0 feet to a point in the center of Soell Drive; thence along the center of Soell Drive run North 88 degrees 41 min. 00 seconds East a distance of 200.0 feet to the Point of Beginning.

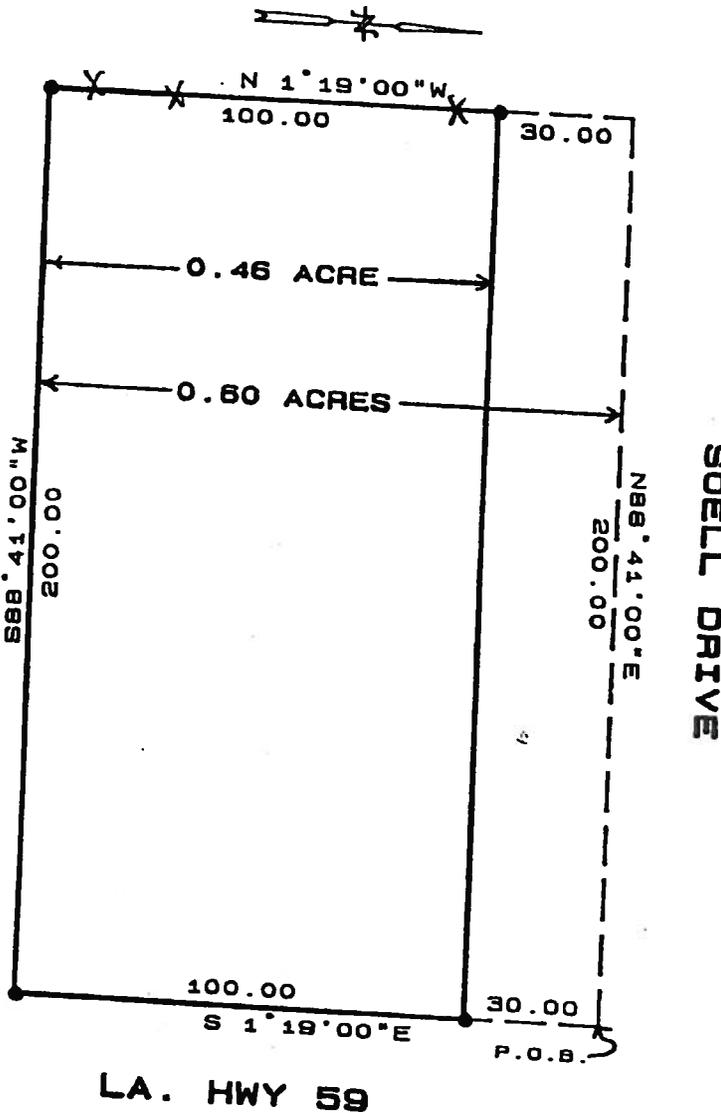
The northern 30.0 feet of said property is encumbered by a right-of-way for Soell Drive.

CASE NO.: ZC15-09-069
PETITIONER: Merlin E. Herberger, Jr
OWNER: Merlin E. & Sylvia Herberger, Jr
REQUESTED CHANGE: From I-1 (Industrial District) to HC-2 (Highway Commercial District)
LOCATION: Parcel located at the southwest corner of LA Highway 59 & Soell Drive, being 70271 LA Highway 59, Abita Springs; S12, T7S, R11E; Ward 3 & 4, District 5
SIZE: 20,000 Sq.ft



LEGAL DESCRIPTION:

A Parcel of Land located in Section 12, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, as shown hereon.



P.O.B.
This point is located at the intersection of the west line of the Abita Mandeville Highway (La. Hwy 59) and the half section line of Section 12, which point is also the centerline of Soell Drive.

CERTIFIED TO:

HEARTWOOD PROPERTIES, L.L.C.

LEGEND:

- SET 1/2" IRON ROD
- FOUND 1/2" IRON ROD
- FOUND OLD WOOD
- X--- FENCE
- BEARINGS: RECORD
- SETBACK LINES
- FRONT
- REAR
- SIDES
- STREET

SETBACK LINES ARE IN ACCORDANCE WITH APPROPRIATE ZONING

This survey is based upon the description furnished by the client. There may be other restrictions not shown on this plat that may exist in the public records. There are no visible encroachments existing except those shown hereon. If not otherwise noted, Elevations refer to NGVD 1929 datum.

I, hereby certify that this plat is based on a physical survey made on the ground and in accordance with the Minimum Standard Detailed Requirements for ALTA / ASCE Land Title Surveys, published to the accuracy standards of a SUBURBAN OF LOUISIANA and the applicable standards of practice stated in LSA-RS 48:151. Signature must be in RED and dated before the undersigned for this plat to be certified correct.

CLASS/TYPE	"C"	CPN: 225205 0235 C
BOUNDARY	04 MAR 04	FIRM DATE: 17 OCT 89
FORMBOARDS		FIRM ZONE: "C"
SLAB TIE		BASE FLOOD:
AS-BUILT		REVISED:
JOB NO.	7512	SCALE: 1 inch = 40 ft

BRUCE W. POPE, II
REG. No. 4572
REGISTERED PROFESSIONAL LAND SURVEYOR
WILSON-POPE PLS
LOUISIANA REGISTERED LAND SURVEYORS
1990 SURGI DRIVE
MANDEVILLE, LOUISIANA 70448
TEL: (504) 826-5651 FAX: (504) 826-5626

ZC15-09-069

BAYOU

21507

I-2

HC-3

VC-1E

A-3

21605

21633

21631

70283

SOELL

HOFFMAN

T7-R11E

12

21824

T7-R12E

7

A-2

21632

I-1

HC-2

70225



ADMINISTRATIVE COMMENT

ZONING STAFF REPORT

Date: August 24, 2015

Meeting Date: September 1, 2015

Case No.: ZC15-09-069

Determination: Approved Amended Postponed Denied

Posted: 08/20/15

GENERAL INFORMATION

PETITIONER: Merlin E. Herberger, Jr
OWNER: Merlin E. & Sylvia Herberger, Jr
REQUESTED CHANGE: From I-1 (Industrial District) to HC-2 (Highway Commercial District)
LOCATION: Parcel located at the southwest corner of LA Highway 59 & Soell Drive, being 70271 LA Highway 59, Abita Springs; S12, T7S, R11E; Ward 3 & 4, District 5
SIZE: 20,000 Sq.ft

SITE ASSESSMENT

ACCESS ROAD INFORMATION

Type: State

Road Surface: 3 lane asphalt

Condition: Good

LAND USE CONSIDERATIONS

SURROUNDING LAND USE AND ZONING:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Commercial	HC-3 (Highway Commercial District)
South	Industrial	I-1 (Industrial District)
East	Undeveloped	HC-2 (Highway Commercial District)
West	Residential	I-1 (Industrial District)

EXISTING LAND USE:

Existing development? Yes

Multi occupancy development? Yes

COMPREHENSIVE PLAN:

Commercial - Sales outlets for goods and services. Several levels or forms of commercial structures include: limited or specialty; neighborhood service centers; generous "highway commercial" uses; offices; public uses; planned mixed commercial and residential centers, and the traditional village or town central business district.

STAFF COMMENTS:

The petitioner is requesting to change the zoning from I-1 (Industrial District) to HC-2 (Highway Commercial District). The site is located at the southwest corner of LA Highway 59 & Soell Drive, being 70271 LA Highway 59, Abita Springs. The 2025 future land use plan calls for the site to be developed with commercial uses. Staff does not have any objection to the request as there are some existing commercial uses in the area.

Note that the zoning change is being requested to allow commercial uses within the existing multi occupancy building.

STAFF RECOMMENDATION:

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