

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 2970

ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

COUNCIL SPONSOR MR. IMPASTATO

PROVIDED BY: PLANNING

INTRODUCED BY: MR. IMPASTATO

SECONDED BY: MR. CANULETTE

ON THE 4TH DAY OF NOVEMBER 2004

An Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the south side of US Highway 190, east of 17th Street and west of 15th Street, being squares 79 and 80 in Lacombe Park Subdivision and which property comprises a total of 4.13 acres of land more or less, from its present SA (Suburban Agriculture) District to a C-1 (Neighborhood Commercial) District, Ward 7, District 7. (ZC04-09-073)

Whereas, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC04-09-073, 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 SA (Suburban Agriculture) District to a C-1 ( Neighborhood Commercial) District (see Exhibit "A") for complete boundaries.

Whereas, the St. Tammany Parish Council has held its public hearing in accordance with law:

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 C-1 (Neighborhood 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 SA (Suburban Agriculture) District to a C-1 (Neighborhood 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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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:

## ZONING STAFF REPORT

Date: September 28, 2004

Meeting Date: October 5, 2004

Case No.: ZC04-09-073

Determination: Amended to C-1

Prior Action: Tabled (09/07/04)

Posted: 09/22/04

### GENERAL INFORMATION

**PETITIONER:** Lawrence W. Haik, Sr.  
**OWNER:** Richard Oriol, et al.  
**REQUESTED CHANGE:** From SA (Suburban Agriculture) District to C-2 (Highway Commercial) District  
**LOCATION:** Parcel located on the south side of US Highway 190, east of 17th Street and west of 15th Street, being squares 79 and 80 in Lacombe Park Subdivision; S40, T8S, R12E; Ward 7, District 7  
**SIZE:** 4.13 acres

### SITE ASSESSMENT

#### ACCESS ROAD INFORMATION

Type: US Highway

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            | Commercial                | C-2 (Highway Commercial) District                                |
| South            | Undeveloped/Tammany Trace | SA (Suburban Agriculture) District                               |
| East             | Commercial                | C-2 (Highway Commercial) and SA (Suburban Agriculture) Districts |
| West             | Mobile Home               | SA (Suburban Agriculture) 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 SA (Suburban Agriculture) District to C-2 (Highway Commercial) District. The site is located on the south side of US Highway 190, east of 17th Street and west of 15th Street, being squares 79 and 80 in Lacombe Park Subdivision. The petitioners are proposing to use the site for a multi-occupant commercial development consisting of a mini-storage facility to the rear of the site (which would require a conditional use permit), a restaurant, a bank, and a small retail center. The owners of the property previously applied for a rezoning of the property in the spring of 2003 (ZC03-05-028 and ZC03-05-029). Staff felt that the zoning change was compatible at that time and recommended approval. Now that the 2025 Land Use Plan has been adopted, staff has an even more objective basis for making land use recommendations. Given that this particular corridor is designated for commercial use and given the proximity of other C-2 zoned properties, staff feels that the proposed rezoning is appropriate for this location. Staff's only concern with the subject site is that it lies entirely within flood zone A. Should the proposed rezoning be approved, staff cautions the petitioners that they may have to scale back their development plans in order to meet Department of Engineering standards for developing within a flood plain and placing fill on such a property.

A copy of a resolution has been provided certifying that the 16<sup>th</sup> Street Right of Way has been revoked in February 1946. However, the subject zoning change does not include the rezoning of the right of way. A rezoning application will have to be submitted in order to rezone the 16<sup>th</sup> Street right of way to C-2 (Highway Commercial) District.

#### STAFF RECOMMENDATION:

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

EXHIBIT "A"

ZC04-09-073

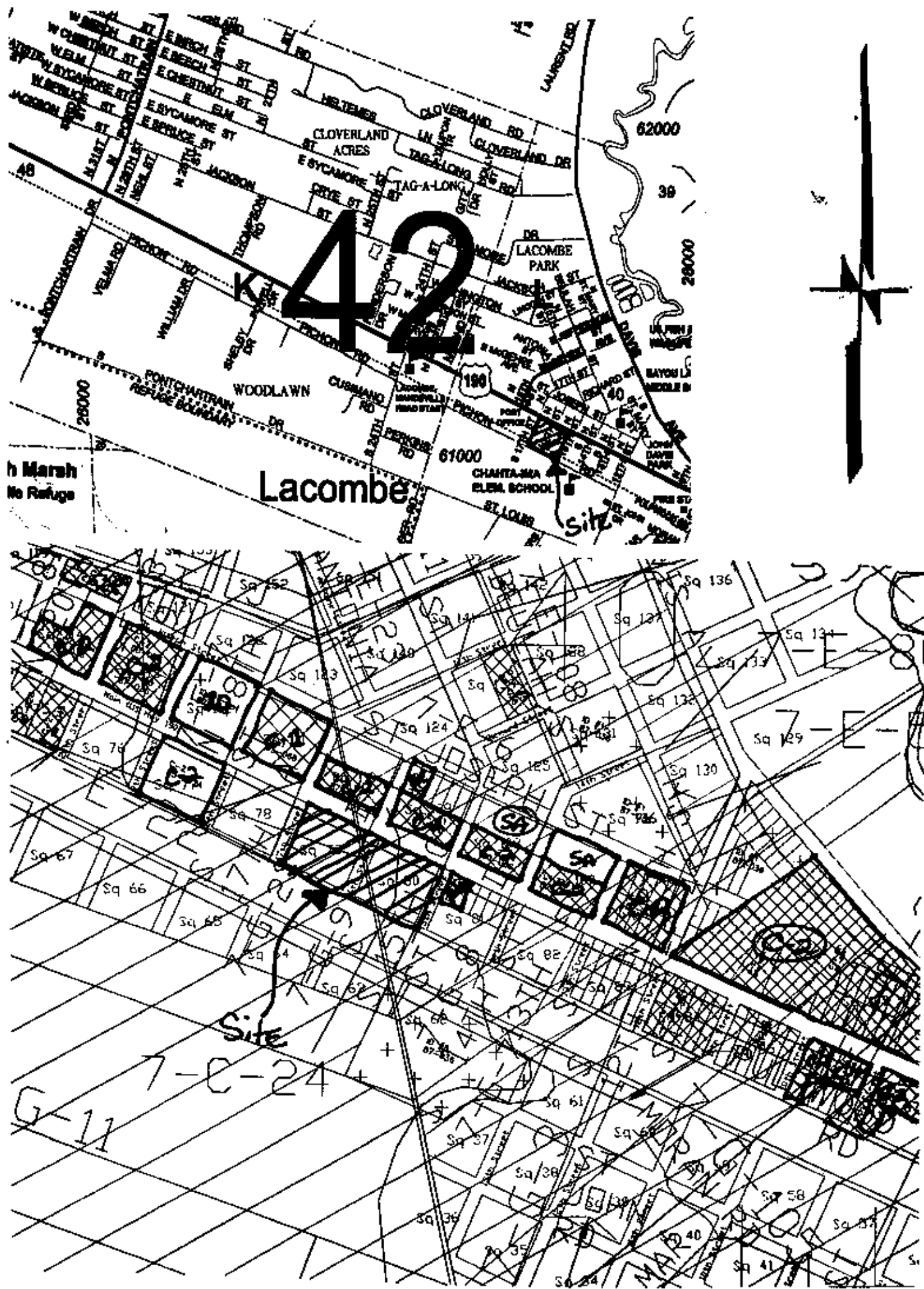
Parcel 1

**ALL THAT CERTAIN PIECE OR PARCEL OF LAND, lying and being situated in the Town of Lacombe, Parish of St. Tammany, State of Louisiana, and more fully described as being all of Square No. Seventy-nine (79), which said square is bounded by Main, Sixteenth and Seventeenth Street and Lacombe Blvd.**

Parcel 2

**ALL THAT CERTAIN PIECE OR PARCEL of property in the Town of Lacombe, being Square #80, said square being bounded by Main, 15th Street, Lacombe Blvd., and 16th Streets.  
Acquired by Luella Parker in COB 153/247.**

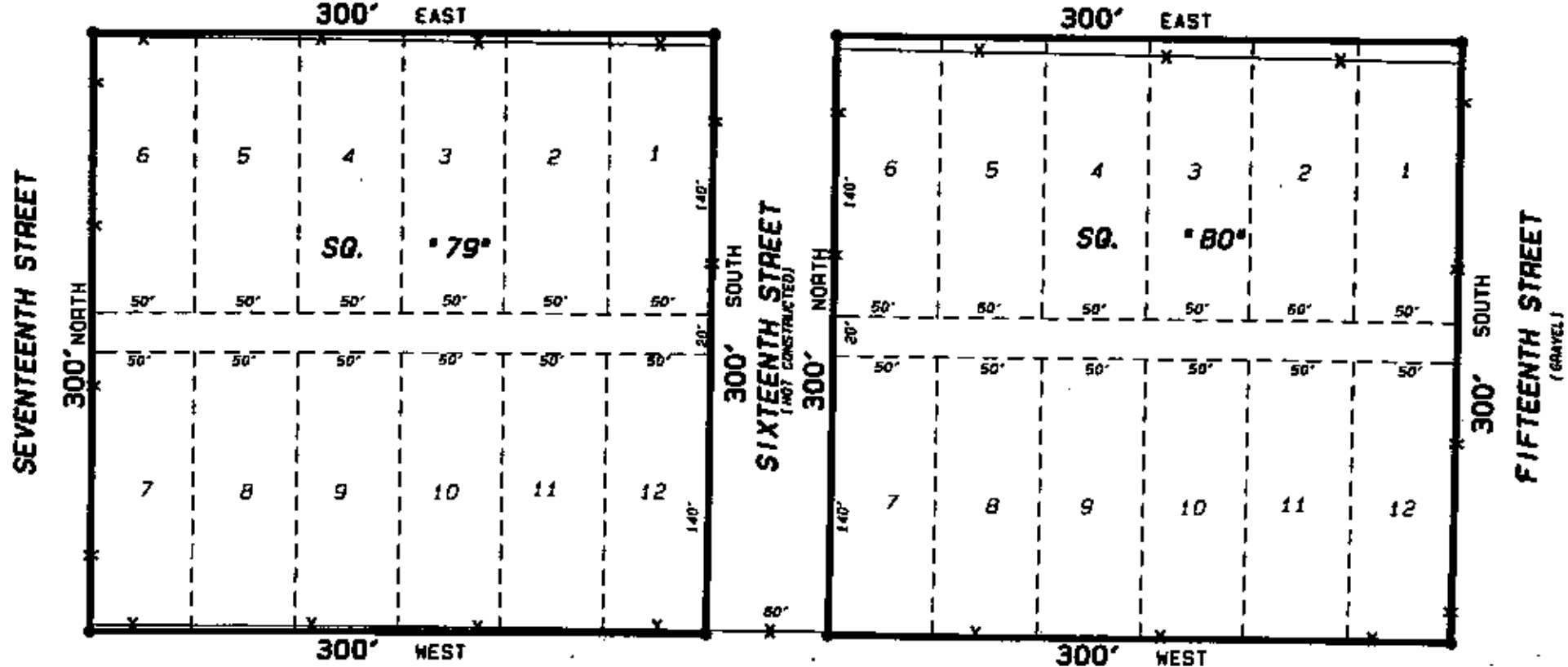
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204-09-073

NOTE: IMPROVEMENTS NOT SHOWN  
(TO BE TOWN DOWN)

MAIN STREET (U. S. HIGHWAY 190)



SQ. 78

SQ. 81

TAMMANY TRACE  
(NEW ORLEANS GREAT NORTHERN RAILROAD)

**SURVEY MAP OF**  
**SQ. 79 & SQ. 80, OAKLAWN a.k.a.**  
**LACOMBE PARK SUBDIVISION**  
 in  
**St. Tammany Parish, Louisiana**  
 for  
**GEORGE GAMBINO**

LEGEND  
 ● - Set 1/2" Iron Rod

NOTE: Setback lines shall be verified by owner or contractor prior to any construction, as an abstract has not been performed by the undersigned.

Note: This is to certify that I have consulted the Federal Insurance Administration Flood Hazard Boundary Maps and found the property described is located in Flood Zone(s) "A" with a Base Flood Elevation of 14.4 in accordance with Community Panel No. 225205 0380 C. Revised: APRIL 2, 1991

Note: Servitudes shown hereon are not necessarily exclusive. Servitudes of record as shown on title opinion or title policy will be added hereto upon request, as surveyor has not performed any title search or abstract.

This is to certify that I have done an actual ground survey and found that no encroachments or gaps exist either way across any property lines except as shown.

THIS IS TO CERTIFY THAT THIS SURVEY WAS DONE UNDER MY DIRECT SUPERVISION AND CONTROL, AND THAT THE SURVEY WAS DONE ON THE GROUND AND IS IN ACCORDANCE WITH THE "MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" AS ADOPTED BY THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR A CLASS "C" SURVEY.

Survey No. 2084 471 Date: JULY 26, 2004 Drawn by: JBL Revised: Scale: 1" = 80'

**JOHN E. BONNEAU & ASSOCIATES, INC.**  
 Professional Land Surveyors • Planners and Consultants  
 1011 N. CAUSEWAY BLVD. - SUITE 34 • MANDEVILLE, LA. 70471 (985) 626-0808  
 SLIDELL (985) 643-2508 • MANDEVILLE (985) 626-3545 • N. O. (504) 456-2042  
 HAMMOND (985) 345-7641 • FAX NO. (985) 626-0057 • E-MAIL jebco@nouisouth.net



Notary Public in and for the Canal Zone, and is duly authorized by the laws of the Canal Zone to take the acknowledgment or proof; further, that I have charge of the official records; the appointment of said Notary Public, that I have a record of his signature, and that I am acquainted with his handwriting and verily believe that the signature to the certificate of acknowledgment or proof of the annexed instrument is his true and genuine signature; further, that the impression of the seal of the said Notary Public as affixed on said certificate has been compared with the original on file in this office and is verily believed to be true and genuine; and further, that the acknowledgment or proof was taken in accordance with the laws of the Canal Zone.

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of the Government of the Canal Zone, at Balboa Heights, Canal Zone, this 17 day of January, 1946.  
G. M. LUFFER, Filed for record January 26, 1946. Truly recorded February 5, 1946.

*Cornille Stewart*  
Clerk & Ex-Officio Recorder.

49452  
RESOLUTION  
OF  
POLICE JURY OF  
ST. TAMMANY PARISH



Resolution. Whereas there is filed in the Clerk of Court's Office, Parish of St. Tammany, a plan or survey of the Sub Division of La-combe, on which are shown certain streets and avenues, all legally dedicated to the public, and Whereas Sixteenth Street leading from U.

S. Highway #190 to Lacombe Boulevard has never been opened or made possible, and has never been used by the public.

Mr. I. F. Parker is the owner of the squares on each side of said street and,

Whereas there is no further public use or necessity for that portion of Sixteenth Street above described to remain dedicated to the public, now therefore,

Be it resolved by the Police Jury of St. Tammany Parish in regular monthly meeting convened that the dedication of Sixteenth Street leading from U. S. Highway #190 to Lacombe Boulevard is hereby revoked and rescinded and that the land comprised within said street revert to the land owners as provided by law.

I hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Police Jury of the Parish of St. Tammany, Louisiana, in session convened March 16, 1946. HENRIETTA K. DAULL, SECRETARY-TREASURER. Filed for record January 26, 1946. Truly recorded February 5, 1946.

*Cornille Stewart*  
Clerk & Ex-Officio Recorder.

49453  
ANDREW BUSH  
TO  
GEORGE L. GELINEO

United States of America, State of Louisiana, Parish of St. Tammany. Be it known, That on this 26th day of the month of January in the year of our Lord one thousand nine hundred and Forty Five and of the Independence of the United States of America, the one hundred and

Seventieth. Before me, J. Monroe Simmons a Notary Public, duly commissioned and sworn, in and for the Parish of St. Tammany, therein residing, and in the presence of the witnesses herein-after named and undersigned, Personally Came and Appeared: ANDREW BUSH, of lawful age and a

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