

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO. C-2080

COUNCIL SPONSOR: BAGERT/DAVIS

PROVIDED BY: CAO

RESOLUTION TO CONCUR/NOT CONCUR WITH THE TOWN OF PEARL RIVER ANNEXATION AND REZONING OF 331.5 ACRES OF LAND FROM PARISH M-2 INTERMEDIATE INDUSTRIAL AND RURAL DISTRICT TO TOWN OF PEARL RIVER M-2 HEAVY INDUSTRIAL DISTRICT WHICH PROPERTY IS LOCATED 63076 HIGHWAY 1091, PEARL RIVER, LOUISIANA. (WARD 8, DISTRICT 9)

WHEREAS, the TOWN OF PEARL RIVER is contemplating annexation of 331.5 acres of land more or less owned by St Joe Brick works, Inc, and located 63076 Hwy 1091, Pearl River, Louisiana, Ward 8, District 9 (see attachments for complete description); and

WHEREAS, the proposed annexation is consistent with the Annexation Agreement entered into by the TOWN OF PEARL RIVER and St. Tammany Parish effective April 1, 2003; and

WHEREAS, the property requires rezoning from Parish M-2 Intermediate Industrial and Rural District to TOWN OF PEARL RIVER M-2 Heavy Industrial District which is not an intensification of zoning; and

WHEREAS, the property is not developed and the proposed annexation would result in a split of the sales tax revenues.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES to Concur/Not Concur with the TOWN OF PEARL RIVER annexation and rezoning of 331.5 acres of land more or less, located 63076 Hwy 1091, Pearl River, LA from Parish M-2 Intermediate Industrial and Rural District to TOWN OF PEARL RIVER M-2 Heavy Industrial District in accordance with the April 1, 2003 Annexation Agreement between the Parish and the TOWN OF PEARL RIVER.

BE IT FURTHER RESOLVED that should this property be annexed, the St. Tammany Parish Council requires that the TOWN OF PEARL RIVER review development proposals utilizing the applicable Parish Drainage Model and compliance with Parish Drainage Regulations.

BE IT FURTHER RESOLVED that the St. Tammany Parish Council requires that the TOWN OF PEARL RIVER require a Traffic Impact Analysis be performed and that the Parish Department of Engineering be consulted on the traffic and access impacts of any proposed development.

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY \_\_\_\_\_, SECONDED BY \_\_\_\_\_

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS RESOLUTION WAS DECLARED ADOPTED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

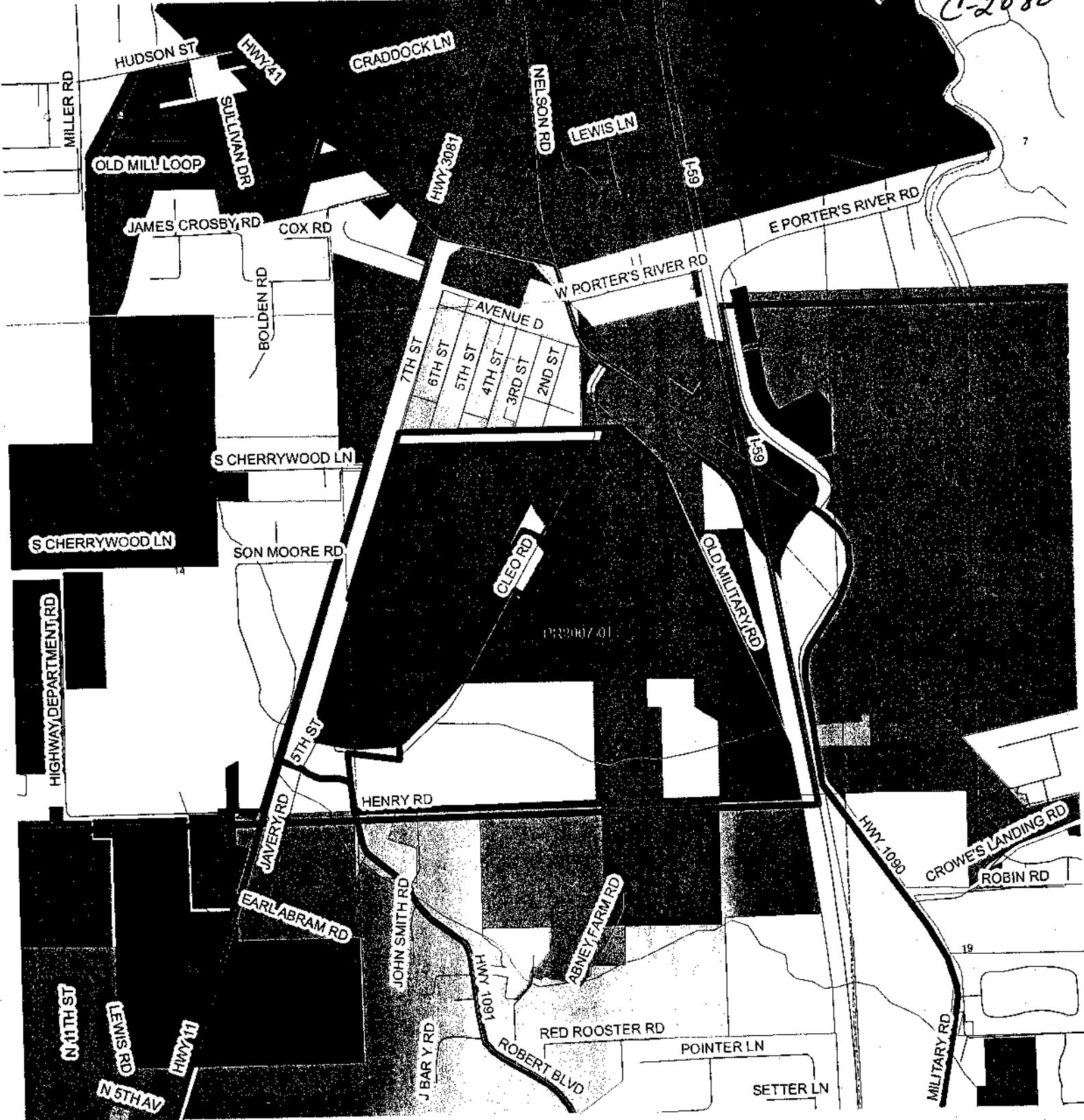
\_\_\_\_\_  
BARRY BAGERT, COUNCIL CHAIRMAN

ATTEST:

\_\_\_\_\_  
DIANE HUESCHEN, CLERK OF COUNCIL

(PR2007-01)

C-2680



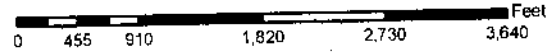
### Annexation Request



St. Tammany Parish Government  
 P.O. Box 628  
 Covington, LA 70434

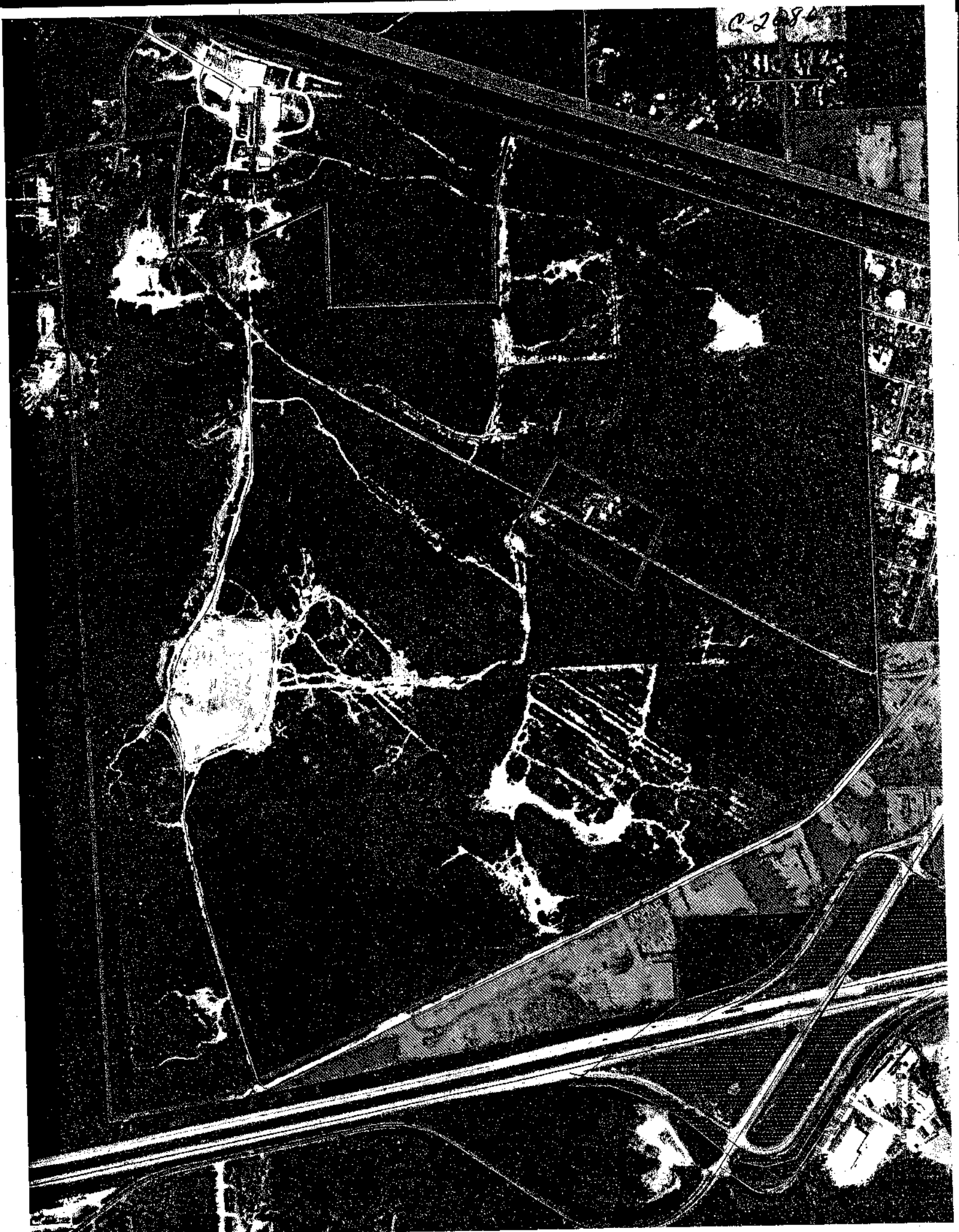
Kevin C. Davis,  
 President

Legend				
	GMA	Rural	A-5 Two Family Residential	C-1 Neighborhood Commercial
	MCO	SA Suburban Agriculture	A-6 General Multiple Family	C-2 Highway Commercial
	PCO	A-1 Suburban	SD Special District	C-3 Planned Commercial
	SRO	A-2 Suburban	RC Recreation/Conservation	M-1 Light Industrial
	SSO	A-3 Suburban	ID Institutional	M-2 Intermediate Industrial
		A-4 Single Family Residential	PUD Planned Unit Development	M-3 Heavy Industrial
		MH Mobile Home	LC Light Commercial	



This map was produced by St. Tammany Parish Information Services.  
 Note: This map is for planning purposes only. It is not a legally recorded plan, survey, official tax map or engineering schematic, and it is not intended to be used as such. Map layers were created from different sources at different scales, and the actual or relative geographic position of any feature is only as accurate as the source information.  
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C-2084



PR2006-08 Ework Departmental Notes

C-2680

Date	Dept	Author	Note
3/19/2007	CAO	B Thompson	<p>This annexation encompasses entire area of newly established Area 2 (excluding St Joe Brick Works, 84 Lumber Company and Dancer property. Currently property is vacant, thus no vendors are located on property.</p> <p>Per 2006 amendment to the Growth Management Agreement- any sales tax generated by new developments on property annexed after 9/7/2006 shall be split 50/50.</p>
3/19/2007	CAO	B Thompson	<p>Sidney &amp; Rusty; please review for zoning intensification.</p> <p>parish zoning was not sighted as part of request - I (bob) populated field per GIS.</p> <p>I reviewed our M-2 zoning descriptions and Pearl River provided copy of their M-2 descriptions (see attached request)</p>
4/3/2007	PW	J Lobrano	<p>Property has no parish maintained roads on it, although it does have a portion of Cloe road which has been temporarily closed. This was done years ago, so if Pearl River annexes property the Parish will not reopen road ,it will be up to the town to do so and maintain.</p>
4/5/2007	GIS	R Waldrup	<p>I have plotted the legal description provided, however I cannot plot the 5 acre +/- less and except parcel. To be accurate you need to press them to provide that information.</p>
4/10/2007	DES	T Brown	<p>No DES issues.</p>
4/13/2007	Planning	S Fontenot	<p>Proposal complies with LA Revised Statues relative to annexations.</p> <p>Proposal Complies with Pearl River Growth Management Agreement with the Frontages along Old Military Road and Hwy 11 being Priority 1 and the remainder being Priority 2.</p>



JAMES LAVIGNE  
Mayor

## TOWN OF PEARL RIVER

P.O. Box 1270  
Pearl River, Louisiana 70452  
Telephone (985) 863-5800  
FAX (985) 863-2586

[townofpearlriver@charterinternet.com](mailto:townofpearlriver@charterinternet.com)

PR2007-01

C-2080

RUBY GAULEY  
Mayor Pro Tempore

VIRGIL PHILLIPS  
DAVID McQUEEN  
JAY SCROGGINS  
MARIE CROWE  
Aldermen

BENNIE RAYNOR  
Chief of Police

ELIZABETH ALLEN  
Town Clerk

RONALD W. "RON" GUTH  
Town Attorney

February 7, 2007

Mr. Bob Thompson  
St. Tammany Parish  
Annexation  
P.O. Box 628  
Covington, LA 70435

RE: Annexation

Dear Mr. Thompson,

The Town was petitioned by St. Joe Brick Works, Inc., 63076 Hwy 1091, Pearl River, LA to annex approximately 331.5 acres into the corporate limits of the Town.

The property is contiguous with the Town boundaries and will be zone M2 (enclosed copy of the Town's M2 zoning requirements).

All the drainage on this property will be approved by Parish Engineers.

If you have any questions, feel free to contact the Mayor at the Town Hall 985-863-5800.

Sincerely,

*E. Allen*  
Elizabeth Allen,  
Town Clerk

Enclosures

cc: Mr. Barry Baggert  
Gary Singletary  
Sidney Fontenot  
Diane Hueschen

RECEIVED

MAR 14 2007

8:30 PM

C-2080

TOWN OF PEARL RIVER  
DISTRICT ZONING REGULATIONS  
M-2 HEAVY INDUSTRIAL

**PERMITTED USE OF LAND & STRUCTURES**

**PERMITTED PRINCIPAL USE**  
Studio, Warehouses, Car Lots, and other uses  
Trailer Courts, Junk Yards, Scrap Iron,  
Scrap Paper, Rag Storage, Provided they are  
in entirely closed areas.

**PERMITTED ACCESSORY USE:**  
Accessory buildings, Sign, pertinent to  
principal use. (No hand made signs)  
Plans must be submitted to the  
Planning Commission.

<b>MINIMUM LOT SIZE:</b>		<b>MAXIMUM LOT COVERAGE</b>	
Area in Sq Ft:	20,000	Any and all buildings on said lot cannot exceed 60%	
Width in Feet:	200		
<b>MAXIMUM HEIGHT OF BUILDINGS</b>			
In stories:	4		
In feet:	60		

**OFF STREET PARKING AND LOADING:**

Minimum provision for off street parking & must meet all state requirements including handicapped parking.

All parking shall be to the side or to the rear of the principal building.

Minimum provision for off street loading - one space per 10,000sq ft gross floor.

**PARKING AREA MUST BE PAVED OR ASPHALTED.**

**MINIMUM YARD DIMENSIONS:**

Front:	35'	Side Yard #1:	10'
Rear:	Twice the height of the building	Side Yard #2:	50'

**PENALTIES**

**A COMPLETE SET OF ENGINEER DRAWINGS MUST BE GIVEN TO THE TOWN HALL BEFORE ANY CONSTRUCTION CAN BE STARTED.**

**IF YOU BUILD UP YOUR PROPERTY CAUSING FLOODING TO ADJOINING PROPERTY, YOU MUST DIG & MAINTAIN A SWALE/DITCH ON YOUR PROPERTY.**

**A MINIMUM 8" TEMPORARY CONSTRUCTION CULVERT MUST BE PLACED IN ALL DRAINAGE DITCHES DURING CONSTRUCTION.**

**THE FRONT OF ALL METAL BUILDINGS MUST BE DRESSED UP WITH BRICK, VINYL, STUCCO, ETC. AND THE FRONT APPEARANCE MUST BE APPROVED.**

**FAILURE TO COMPLY WITH THESE REGULATIONS COULD RESULT IN A \$500.00 FINE/ 60 DAYS IN JAIL. OR BOTH, IN ADDITION TO ALL COST AND EXPENSES INVOLVED.**

**MUST COMPLY WITH LANDSCAPE AND FENCE ORDINANCE.**

**THE TOWN REQUIRES FIRE HYDRANTS FOR ANY NEW DEVELOPMENT. THE DEVELOPER WILL PAY FOR THE HYDRANTS, PLUS TIME AND COST FOR THE TOWN TO INSTALL THE HYDRANTS.**

**FAILURE TO COMPLY WITH THESE REGULATIONS COULD RESULT IN A \$500.00 FINE/ 60 DAYS IN JAIL. OR BOTH, IN ADDITION TO ALL COST AND EXPENSES INVOLVED. COLOR CODED GREEN ON TOWN ZONING MAP.**

Town of Pearl River

Annexation Request

C-2080

Planning Commission Meets First and Third Tuesdays at 7:00 P.M.

Please include:

- 1. Map
- 2. Description

A Fee of \$25.00 per Acre

Date of Request 3.1.07

Petition is hereby made to the planning commission and the TOWN OF PEARL RIVER for annexation into the TOWN OF PEARL RIVER, by:

Name: St. Joe Brick Works, Inc.

Street Address: 63076 Highway 1091, Pearl River, LA. 70452

Telephone Number: 985-863-6161

Zoning of Property to be Annexed: M2

Reason of Annexation: INCLUDED IN PRIORITY 1 AND PRIORITY 2 LANDS FOR ANNEXATION

Description of Property: Approximately 331.5 ACRES

IN SECS. 13&14-T25-R14E  
(or attach copy of Deed & Map)

IF A PUBLIC HEARING MUST BE HELD, THE PERSON REQUESTING ANNEXATION MUST BE PRESENT.

**For Office Use Only**

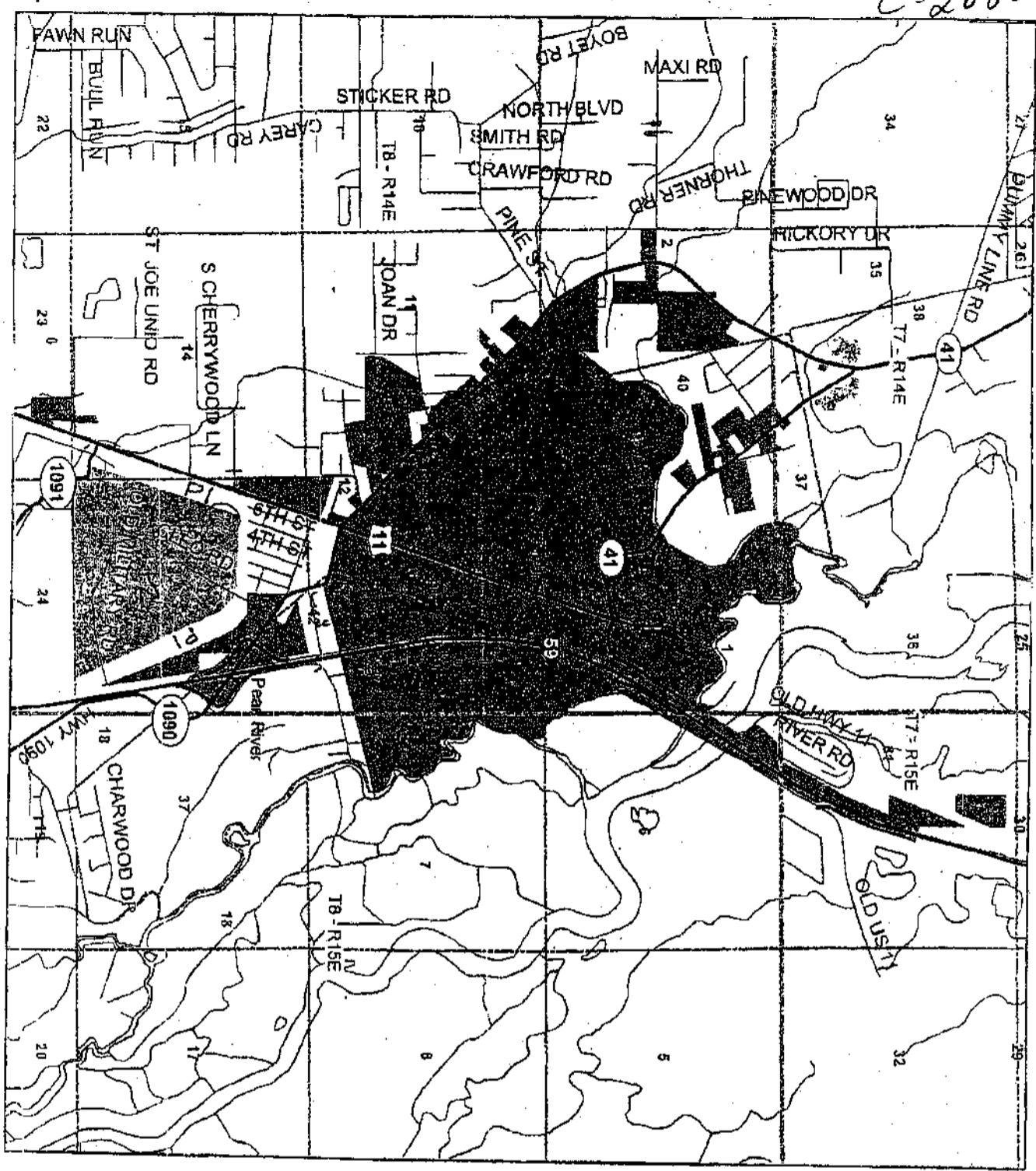
Date Presented to Commission: \_\_\_\_\_

Date of Public Hearing: \_\_\_\_\_

Result of Public Hearing: \_\_\_\_\_

Zoning After Annexation: \_\_\_\_\_

C-2080



Pearl River  
Enhancement Area  
Map 1

- Legend**
- Major Roads
  - Streams
  - Township/Range
  - Sections
  - City/Parish Area
  - Type
    - Municipality
    - Unincorporated
  - Pearl\_River\_UG\_Areas
    - Priority 1
    - Priority 2
    - Growth Management
  - TAX\_TYPE

North arrow pointing up.

Date: 19/4/05



C-2080

Attachment to J. V. Burkes & Assoc. sketch # 20070610 (02-23-2007).

**LEGAL DESCRIPTION**  
**ST. JOE BRICK WORKS, INC. PROPERTY**  
**SECTIONS 13 & 14 – TOWNSHIP 8 SOUTH – RANGE 14 EAST**  
**SAINT TAMMANY PARISH, LOUISIANA**  
**For: Pete Schneider**

A certain parcel of land, lying and situated in Sections 13 & 14, Township 8 South, Range 14 East, Saint Tammany Parish, Louisiana and more fully described as follows.

At the section corner common to Sections 13, 14 23 and 24, Township 8 South, Range 14 East located in or near **Robert Road, Point of Beginning**. Thence go

North 05 Degrees 10 minutes 16 seconds West – 619.55 feet to a point on the southern boundary of **St. Joe Brick Works**. Thence

South 82 Degrees 17 minutes 22 seconds East – 574.77 feet to the southeast corner of **St. Joe Brick Works**. Thence

North – 310.00 feet along the eastern boundary of **St. Joe Brick Works**. Thence

North 23 Degrees 24 minutes 05 seconds West – 514.29 feet to a point at the south-southwest corner of **84 Lumber Company**. Thence

East – 505.50 feet along the southern boundary of **84 Lumber Company** to the southeast corner. Thence

North – 835.00 feet along the eastern boundary of **84 Lumber Company** to the northeast corner of said company. Thence

West – 170.50 feet along the northern boundary to a point of curve to the right. Thence

Along the arc of said curve (radius=2041.7600 ft., Chord bear/dist N.80°46'28"W. - 653.538 ft.) a distance of 656.36 feet to a point on the eastern r/w line of the **Norfolk Southern Railroad**. Thence

North 18 Degrees 41 minutes 03 seconds East – 1841.87 feet to a point of departure from said railroad. Thence

North 89 Degrees 46 minutes 09 seconds East – 1976.09 feet to a point. Thence

North 89 Degrees 35 minutes 51 seconds East – 298.11 feet to a point. Thence

North 89 Degrees 35 minutes 02 seconds East – 126.64 feet to a point. Thence

South 46 Degrees 25 minutes 12 seconds East – 578.88 feet to a point. Thence

South 23 Degrees 20 minutes 58 seconds East – 3263.63 feet to a point on the western r/w line of **Interstate Highway I-59**. Thence

South 09 Degrees 54 minutes 44 seconds East – 554.65 feet along said r/w line to a point of departure from **I-59**. Thence

South 89 Degrees 02 minutes 36 seconds West – 2173.05 feet to a point. Thence

South 89 Degrees 08 minutes 26 seconds West – 2626.12 feet to the **Point of Beginning**.

**Less & Except the Dancer property, 5 acres±**

Containing 331.5± acres more or less, a certain parcel of land, lying and situated in Sections 13 & 14, Township 8 South, Range 14 East, Saint Tammany Parish, Louisiana.

This description is written without benefit of a current on-the-ground survey by this firm, therefore the actual bearings and distances may vary from these

"COPY"

AMENDMENT # 1 TO GROWTH MANGEMENT AGREEMENT TO  
SUPPLEMENT AND AMENDING THE 1990 SALES TAX ENHANCEMENT  
PLAN

This amendment to the Growth Management Agreement is made and entered into effect this \_\_\_\_\_ day of \_\_\_\_\_, 2007, pursuant to the authority granted in Article 6, Section 20 and Article 7, Section 14 of the Louisiana Constitution and LA R.S. 33:172 F. and LA R.S. 33:2711 (C) and other Constitutional and Statutory authority by and between:

TOWN OF PEARL RIVER, a political subdivision of the State of Louisiana, whose address is 39460 Willis Alley, Pearl River, Louisiana 70452, herein represented by James Lavigne, its duly authorized Mayor, pursuant to the ordinance dated \_\_\_\_\_, attached hereto and made part hereof, (hereinafter referred to as "Town"),

and

THE PARISH OF ST. TAMMANY and SALES TAX DISTRICT NO. 3, political subdivisions of the State of Louisiana, whose address is 21490 Koop Drive, Mandeville, Louisiana 70471, herein represented by Kevin Davis, the duly authorized Parish President, pursuant to the Ordinance dated ) \_\_\_\_\_, attached hereto and made part hereof, (hereinafter referred to as "Parish" and "District" respectively.)

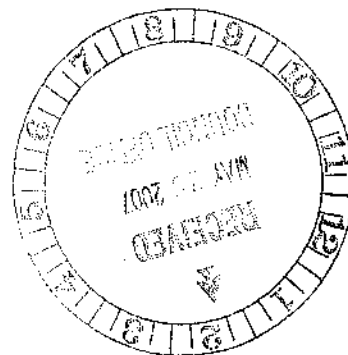
WHEREAS, it is deemed in the best interests of the residents St. Tammany Parish and its municipalities that growth and development in the Parish be managed in a reasonable and orderly fashion; and

WHEREAS, development within the Parish affects municipal residents as well as unincorporated parish residents; and

WHEREAS, local government has limited resources to support existing and future development and to mitigate the effects of past development; and

WHEREAS, it is important to manage the resources available by working cooperatively to plan, design and provide oversight over private development and

*Hand delivered by Lisa  
with Pete Schneider's office  
D. Hueschen*



to develop the public infrastructure needed to meet the needs of the overall parish community; and

WHEREAS, it is important that municipalities be able to grow and provide services for their respective residents; and

WHEREAS, the Parish, District and Town have agreed to refine and amend the existing agreement;

NOW the Parish, District and Town do hereby contract and agree to amend and supplement the 1990 sales Tax Enhancement Plan and the 2003 Growth Management and Revenue Sharing Plan as follows:

### ARTICLE 3

Annexation Areas defined is amended to read

The annexation area around the Town identified as Priority 1 and Priority 2, as in the attached Exhibit A and Map 1, is subject to annexation. The Town may annex these areas without challenge by St. Tammany Parish Government subject to the requirements of this agreement. If a parcel lies partially within an annexation area, the remainder of the parcel may be annexed subject to the terms of the applicable annexation area to a depth not to exceed the depth of that portion located within the said annexation area.

### ARTICLE 8

Revenue Sharing Defined is amended to read

Priority One - The Town may annex property in Priority Area One. The Town shall receive 100% of all sales tax revenue generated in Priority Area One.

Priority Two - The Town may annex property in Priority Area Two. All sales tax revenue generated in Priority Area Two shall be shared 50% to the City and 50% to the District.

### ARTICLE 11

Land Use and Zoning Issues is amended to read

Pursuant to this agreement, the Town shall inform the Parish of proposed developments within an annexed area as described above. The Town shall consult with the Parish on projects that may have an impact on any property within the defined annexation area.

The Parish shall inform the Town of any proposed developments within the annexation area as defined above. The Parish shall consult with the Town if a parish project will impact either a municipal property or a property located within an annexation area as defined above.

The Parish and Town agree that in cases of undeveloped property being annexed subsequent to this agreement, the Parties agree that either the Parish's drainage and traffic impact regulations shall apply to the development of the property or the Town's drainage and traffic impact regulations shall apply, whichever is the most restrictive. If, in the opinion of the Parish and Town Engineers, a different application of regulations should apply to the property, modifications to the applicable regulations may be made upon the written concurrence of the Engineering Departments. In this regard, the Parties agree to cooperate in the review and approval of any drainage plans and traffic impact analysis, in order to insure the least amount of adverse drainage impacts and traffic on surrounding areas and on existing and future drainage and traffic infrastructure.

ARTICLE 12

Joint projects and other cooperative endeavors

Pursuant to the development of effective infrastructure and growth management initiatives within the growth management area and Tax District #3, the Parish and Town may enter into joint projects to provide improvements to the area. These include but are not limited to drainage projects, roadway construction, sewer and water facilities, environmental protection and conservation easements, recreational facilities and other similar projects.

These projects will be jointly funded, and funds collected from sales taxes from the growth management area may be used to purchase, design, construct and maintain these facilities. Funds from this area may be used as match for federal funds to develop these improvements.

Specifically, the Town of Pearl River assisting Parish Government in providing water and sewer services to Village Gutherie Subdivision as soon as the viability of such service is demonstrated.

All other terms of the Growth Management and Revenue Sharing Agreement of 2003 shall remain in full force and effect.

THUS DONE AND SIGNED in the presence of the undersigned witnesses on the day, month and year written.

THE TOWN OF PEARL RIVER

WITNESSES

Elizabeth Allen  
Anna D. Hollie  
Brenda Gibson  
Cynthia Salvage

BY: [Signature]  
James Lavigne,  
Mayor

THE PARISH OF ST. TAMMANY and  
THE PARISH OF ST. TAMMANY as  
the governing authority of Sales tax  
District 3 of St. Tammany Parish

BY: [Signature]  
Kevin Davis  
Parish President