

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO. C-2360

COUNCIL SPONSOR MR. GOULD PROVIDED BY COUNCIL ATTORNEY

RESOLUTION TO VACATE, IN PART, THE SIX (6) MONTH MORATORIUM ESTABLISHED BY ORDINANCE C.S. NO. 05-1173, AND ANY SUBSEQUENT EXTENSION THEREOF, ON THE ISSUANCE OF PERMITS FOR CONSTRUCTION OR PLACEMENT OF BUILDING STRUCTURES ON PROPERTY THAT ABUTS LOUISIANA HIGHWAY 59, OR IS LOCATED WITHIN A DISTANCE OF TWO HUNDRED (200') FEET OF THE CENTERLINE OF THE HIGHWAY, AND WHICH PROPERTY, BEING SITUATED ALONG SAID HIGHWAY, IS IN THE AREA BETWEEN THE NORTH SIDE OF LOUISIANA HIGHWAY 1088 AND THE SOUTH SIDE OF I-12, (WARD 4, DISTRICT 5).

WHEREAS, pursuant to Ordinance C. S. No. 05-1173, in order to protect and preserve the health, safety and property interests of residents from the adverse impacts of traffic resulting from continued development along the heavily congested Louisiana Highway 59 corridor, particularly in the area that is situated between its intersection with Louisiana Highway 1088 and I-12, the Parish Council determined that it was necessary to impose a six (6) month moratorium on the issuance of permits for the construction or placement of building structures on any lot or parcel of property that abuts Louisiana Highway 59, or has its nearest boundary line located within a distance of two hundred (200') feet of the centerline of the highway, and which lot or parcel of property, being situated along said highway, is in the area located between the north side of Louisiana Highway 1088 and south side of I-12, Ward 4 District 5; and

WHEREAS, pursuant to Ordinance C.S.No. 08-1720, adopted January 17, 2008, the Parish Council determined that it was necessary to extend the moratorium for an additional six (6) months in order to address the adverse impacts of traffic resulting from continued development along the heavily congested Louisiana Highway 59 corridor, particularly in the area that is situated between its intersection with Louisiana Highway 1088 and I-12; and

WHEREAS, SRA Investments, L.L.C., the current owner of the herein below described property, has agreed to donate and dedicate a part or portion of said property, measuring twenty-five (25') feet in width along and abutting the existing boundary line of the Louisiana Highway 59 right of way. The dedication of said portion of property, for the purpose of widening the Highway 59 right of way, will serve to mitigate the existing traffic problems and expedite the Parish's efforts to resolve the adverse impacts resulting from continued development along the heavily congested Louisiana Highway 59 corridor and, therefore, the Department of Engineering concurs in the determination that the herein below described property be released from the moratorium; and

WHEREAS, SRA Investments, L.L.C. has committed to developing the property for use as a pharmacy, which use has a low traffic impact and will serve to reduce the number of trips in other areas along Highway 59. Additionally, according to the proposed plans, the primary ingress and egress will not be to and from Highway 59.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES that the Parish Council vacates, in part, the moratorium established by Ordinance C.S. No. 05-1173 and extended by Ordinance C.S.No. 08-1720, and any subsequent extension thereof, on the issuance of permits for the construction or placement of building structures within the designated area of unincorporated St Tammany Parish, Ward 4, District 5, to remove therefrom the restrictions established by the moratorium on the following described property, to-wit:

A certain piece or parcel of land, located in SECTION 36, TOWNSHIP 7 SOUTH, RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA. Being more particularly described on a survey by John E. Bonneau & Associates, Inc., dated July 6, 2005, a copy of which is attached hereto and made a part hereof. Said parcel contains 4.45 acres. Being the same property acquired by SRA Investments, L.L.C. by act recorded in the official records of Clerk of Court for St. Tammany parish, Louisiana, Instrument No. 1630996.

BE IT FURTHER RESOLVED that this Resolution, removing the herein above described property from the restrictions established by the moratorium, is subject to the following: the building permit shall be limited to development of the property for the primary use as a pharmacy and the donation and dedication of a twenty-five (25') foot right of way along and abutting the existing boundary line of the Louisiana Highway 59 right of way.

BE IT FURTHER RESOLVED that the moratorium shall continue to be in full force and effect for the remainder of the area as established by Ordinance C.S. No. 05-1173, and any extensions thereof.

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 _____ 2008 AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

DIANE HUESCHEN, COUNCIL CLERK