

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6760

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: LORINO /COOPER

PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: MR. DEAN

SECONDED BY: MR. TOLEDANO

ON THE 5 DAY OF AUGUST , 2021

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE NORTH WEST CORNER OF LOUISIANA HIGHWAY 22 AND LOUISIANA HIGHWAY 1085; BEING LOT 21, SQUARE 5, LIVE OAK HILLS SUBDIVISION; MADISONVILLE AND WHICH PROPERTY COMPRISES A TOTAL OF .69 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT A-3 (SUBURBAN DISTRICT) TO AN HC-2 (HIGHWAY COMMERCIAL DISTRICT) (WARD 1, DISTRICT 1) (2021-2408-ZC)

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. 2021-2408-ZC, has recommended Denial to the Council of the Parish of St. Tammany Louisiana, that the zoning classification of the above referenced area remains A-3 (Suburban District; 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) see Exhibit "A" for complete boundaries.

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-3 (Suburban 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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 SPECIAL MEETING OF THE PARISH COUNCIL ON THE 29 DAY OF SEPTEMBER , 2021 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MICHAEL R. LORINO, JR. , COUNCIL CHAIRMAN

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: AUGUST 18, 2021 , 2021

Published Adoption: _____, 2021

Delivered to Parish President: _____, 2021 at _____

Returned to Council Clerk: _____, 2021 at _____

EXHIBIT "A"

2021-2408-ZC

ALL THAT CERTAIN PIECE OR PORTION OF GROUND, together with all the buildings and improvements thereon, situated in Section 18, Township 7 South, Range 10 East, St. Tammany Parish, Louisiana, in that portion thereof known as LIVE OAK HILLS SUBDIVISION, as per subdivision plat of Land Engineering Services, Inc. dated July 2, 1962, last revised October 5, 1962, recorded as Clerk of Court Map File No. 109A of the official records of the Clerk of Court in and for St. Tammany Parish, Louisiana, where in subject property is more fully described as follows, to wit: Lot 21 of Square 5 of Live Oak Hills Subdivision, St. Tammany Parish, Louisiana. The improvements thereon bear a physical address of 1904 Highway 22, Madisonville, LA 70447. Said lot 21 is more fully shown on the survey of Randall W. Brown & Associates, Inc., Survey No. 21247, dated April 21, 2021, where in subject property is more fully described as follows: The southwest corner of Lot 21, Square 5, Live Oak Hills Subdivision, in Section 18, Township 7 South, Range 10 East, St. Tammany Parish, Louisiana, being an iron set on the northern boundary of La. Hwy. 22, shall serve as the Point of Beginning. From the Point of Beginning, thence go North 00 degrees 33 minutes 41 seconds West a distance of 300.04 feet to an iron; thence go South 88 degrees 38 minutes 52 seconds East a distance of 100.00 feet to an iron located on the common boundary between Lots 21 and 19 of Square 5 of Live Oak Hills Subdivision; thence go in a southerly direction along the common boundary line of said Lots 21 and 19 of Square 5 of Live Oak Hills Subdivision to an iron located on the northern boundary of La. Hwy. 22 ;thence go along the northern boundary of La. Hwy.22 North 88 degrees 05 minutes 45 seconds West a distance of (approximately) 100 feet to an iron being the Point of Beginning. This parcel contains 0.69 acres, more or less.

Case No.: 2021-2408-ZC

PETITIONER: Jeffrey Schoen

OWNER: Kathryn Merlo

REQUESTED CHANGE: From A-3 Suburban District to HC-2 Highway Commercial District

LOCATION: Parcel located along the north west corner of Louisiana Highway 22 and Louisiana Highway 1085; being Lot 21, Square 5, Live Oak Hills Subdivision; Madisonville; S18, T7S, R10E; Ward 1, District 1

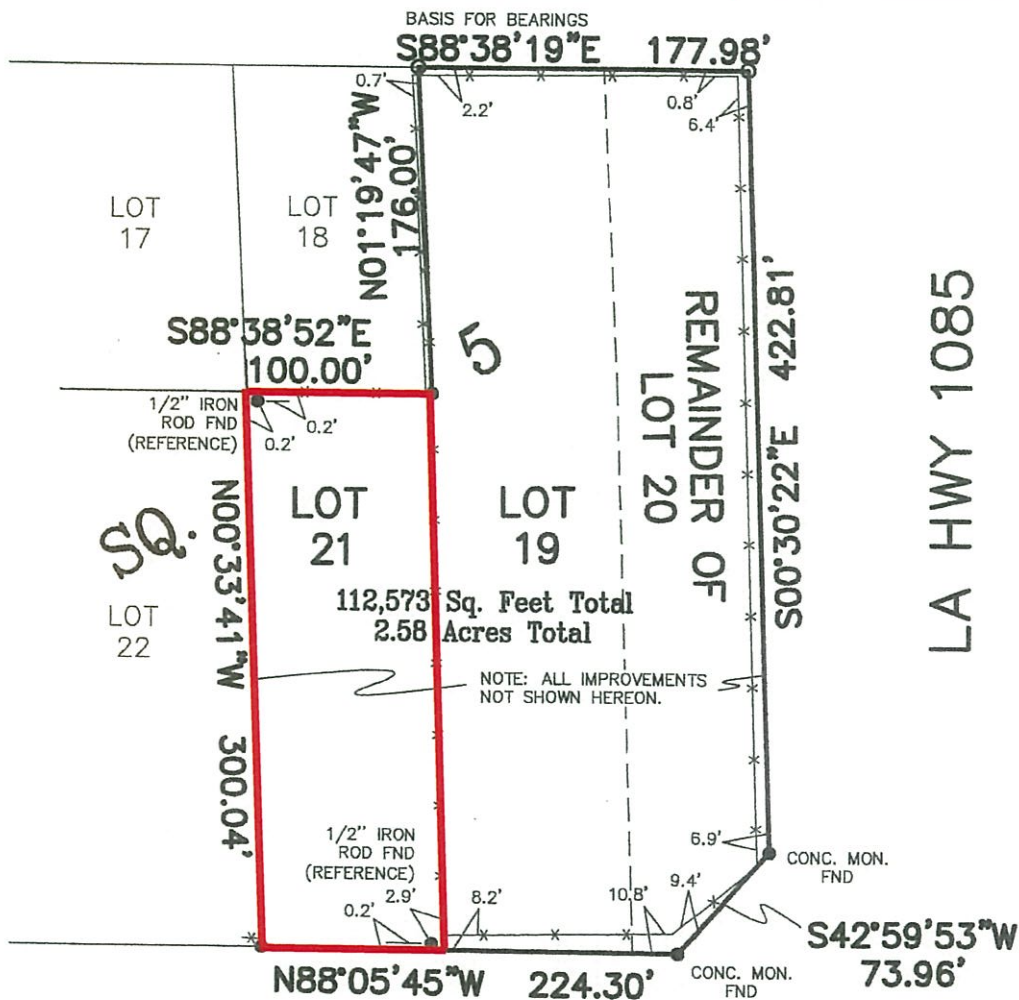
SIZE: .69 acres



2021-2408-ZC

MARY STREET

Subject Property



NOTE:
 BEARINGS SHOWN HEREON ARE REFERENCED TO LOUISIANA STATE PLANE COORDINATES. LA SOUTH ZONE 1702.

REFERENCE 1:
 LIVE OAK HILLS subd. plat
 Map File No.: EM 203
 Date Filed: 8-15-1983

REFERENCE 2:
 SURVEY By John E. Bonneau & Assoc., INC.
 Survey No.: 99443
 Dated: 6-21-1999

Note: I have consulted the Federal Insurance Administration Flood Hazard Boundary Maps and found the property described IS NOT located in a special flood hazard area, it is located in Flood Zone C.

FIRM Panel# 2252050515C Rev. 4-2-1991

NOTE:
 OWNER OR BUILDER RESPONSIBLE FOR OBTAINING SETBACKS BEFORE CONSTRUCTION BEGINS.

- DENOTES 1/2" IRON PIPE SET UNLESS OTHERWISE NOTED
- DENOTES 1/2" IRON ROD FND UNLESS OTHERWISE NOTED

Survey of
 LOTS 19, 21 & THE REMAINDER OF LOT 20
 LIVE OAK HILLS * SQUARE 5
 ST. TAMMANY PARISH, LOUISIANA
 FOR
 DIAZ REALTY INVESTMENTS, LLC
 HANCOCK WHITNEY BANK; JONES FUSSELL, L.L.P.
 CHICAGO TITLE INSURANCE COMPANY

NO ATTEMPT HAS BEEN MADE BY RANDALL W. BROWN & ASSOC., INC. TO VERIFY TITLE, ACTUAL LEGAL OWNERSHIP, SERVITUDES, EASEMENTS, RIGHTS OF WAY, DEED RESTRICTIONS, WETLANDS OR ENVIRONMENTAL ISSUES OR OTHER ENCUMBRANCES ON THIS PROPERTY OTHER THAN THOSE FURNISHED BY THE CLIENT.

SURVEYED IN ACCORDANCE WITH THE LOUISIANA "APPLICABLE STANDARDS FOR PROPERTY BOUNDARY SURVEYS" FOR A CLASS C SURVEY.

Randall W. Brown
 RANDALL W. BROWN
 REG. NO. 04586
 REGISTERED PROFESSIONAL SURVEYOR
 Randall W. Brown, P.L.S.
 Professional Land Surveyor
 LA Registration No. 04586

Randall W. Brown & Associates, Inc.
 Professional Land Surveyors
 228 W. Causeway Approach, Mandeville, LA 70448
 (985) 624-5368 FAX (985) 624-5309
 info@brownsurveys.com

Date: APRIL 21, 2021
 Survey No. 21247
 Project No. (CR5) 14848.TXT
 Scale: 1" = 100' ±
 Drawn By: J.E.D.
 Revised:

2021-2408-ZC

ALICE

A-3

MARY

18

PONCHATOLA HWY

22W

BOOTLEGGERS RD

1085

A-2

NC-2

INDIAN TRACE

GAGE

A-4

A-4

A-2

MISSIONARY

MISSIONARY

A-4

INDIAN TRACE



ZONING STAFF REPORT

Date: June 28, 2021
Case No.: 2021-2408-ZC
Posted: June 23, 2021

Meeting Date: July 6, 2021
Determination: Denied

GENERAL INFORMATION

PETITIONER: Jeffrey Schoen

OWNER: Kathryn Merlo

REQUESTED CHANGE: From A-3 Suburban District to HC-2 Highway Commercial District

LOCATION: Parcel located along the north west corner of Louisiana Highway 22 and Louisiana Highway 1085; being Lot 21, Square 5, Live Oak Hills Subdivision; Madisonville; S18, T7S, R10E; Ward 1, District 1

SIZE: .69 acres

GENERAL INFORMATION

ACCESS ROAD INFORMATION

Type: State Highway

Road Surface: 2 Lane Asphalt

Condition: Fair

LAND USE CONSIDERATIONS

SURROUNDING LAND USE AND ZONING:

<u>Direction</u>	<u>Surrounding Use</u>	<u>Surrounding Zone</u>
North	Residential	A-3 Suburban District
South	Residential	A-4 Single-Family Residential District
East	Residential	A-3 Suburban District
West	Residential	A-3 Suburban District

EXISTING LAND USE:

Existing development: Yes

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 classification from A-3 Suburban District to HC-2 Highway Commercial District. The site is located along the north west corner of Louisiana Highway 22 and Louisiana Highway 1085; being Lot 21, Square 5, Live Oak Hills Subdivision; Madisonville. The 2025 Future Land Use Plan designates the site to be developed with residential uses that vary in site design and density.

The subject site is currently developed with an existing mobile home and is flanked by property that conforms to the A-3 Suburban District. There are existing properties to the west of the subject site which have been rezoned to accommodate various levels of commercial zoning classifications along the north and south sides of Highway 22. The applicant has submitted a concurrent request to rezone the 1.9 acres to the east of the subject property (2021-2414-ZC) that, if rezoned will make up the total 2.59-acre development site. This proposed development site will abut the intersection of Louisiana Highway 1085 and Louisiana Highway 22, which has been slated for the development of a future round-about to help traffic concerns through the Louisiana Department of Transportation and Development. A change in zoning will allow the site to be developed with moderately scaled retail, office, and service uses, generally located along major collectors and arterials. The reason for the request is to accommodate a proposed gas station.

Allowable uses within the HC-2 Highway Commercial District are as follows: All uses permitted in the HC-1 Highway Commercial District and Banks and financial institutions (greater than 3,000 square feet), Convenience stores (with gas), when the criteria of section 130-2213(51) are met, Drive-in restaurants, Liquor stores, Any private office use that is a permitted use in the NC district over 20,000 square feet, Clubs, lodges, fraternal and religious institutions, meeting halls (over 20,000 square feet), Veterinary clinics (with outdoor kennels), Parcel post delivery stations, Mini-warehouses, Commercial kennels, Outdoor storage yards that do not occupy an area greater than 50 percent of land area, and are enclosed by an eight-foot opaque perimeter fence, located on the same parcels, and are accessory to an existing mini-warehouse, not to be located on the street side, Lodging, 100 rooms or less (including apartments, hotels, motels), Automotive repair and service facilities not to exceed 10,000 square feet, Automotive sales not to exceed two acres of display and storage, Outdoor retail sales and storage yards, Portable storage containers used for storage, and Outdoor display area of pre-assembled building, pool and playground equipment.