

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5837

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: STEFANCIK/BRISTER

PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: MR. CANULETTE

SECONDED BY: MR. BELLISARIO

ON THE 13 DAY OF JULY , 2017

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE WEST SIDE OF US HWY 190 EAST, NORTH OF WOODHAVEN DRIVE, SOUTH OF INDIAN VILLAGE ROAD AND WHICH PROPERTY COMPRISES A TOTAL OF 1 ACRE OF LAND MORE OR LESS, FROM ITS PRESENT A-4A (SINGLE FAMILY RESIDENTIAL DISTRICT) TO AN HC-2 (HIGHWAY COMMERCIAL DISTRICT) & ENTERTAINMENT OVERLAY, (WARD 8, DISTRICT 13). (2017-568-ZC)

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. 2017-568-ZC, 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 A-4A (Single Family Residential District) to an HC-2 (Highway Commercial District) & Entertainment Overlay, 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) & Entertainment Overlay.

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-4A (Single Family Residential District) to an HC-2 (Highway Commercial District) & Entertainment Overlay.

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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 3 DAY OF AUGUST , 2017 ; AND BECOMES ORDINANCE COUNCIL SERIES NO ____.

STEVE STEFANCIK, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: JUNE 28 , 2017

Published Adoption: _____, 2017

Delivered to Parish President: _____, 2017 at _____

Returned to Council Clerk: _____, 2017 at _____

EXHIBIT "A"

2017-568-ZC

A certain parcel of land, lying and situated in Section 20, Township 9 South, Range 15 East, Greensburg Land District, Saint Tammany Parish, Louisiana and being more fully described as follows.

From a 2" iron pipe found in at the southwest corner of the Northwest Quarter of the Northeast Quarter of Section 20, Township 9 South, Range 15 East, Greensburg Land District, Saint Tammany Parish, Louisiana run North 02 Degrees 59 Minutes 22 Seconds West a distance of 283.56 feet (North a distance of 284.86 feet-title) to a ½" iron rod found; Thence run North 89 Degrees 09 Minutes 36 Seconds East (South 89 Degrees 50 Minutes East-title) a distance of 1394.88 feet to a ½" iron rod set and the **Point of Beginning**.

From the **Point of Beginning** run North 89 Degrees 09 Minutes 36 Seconds East (South 89 Degrees 50 Minutes East-title) a distance of 263.00 feet to a ½" iron rod found on the westerly right of way line of U.S. Highway 90 (formerly Salt Bayou Road); Thence run along said westerly right of way line of U.S. Highway 90 (formerly Salt Bayou Road) South 30 Degrees 09 Minutes 22 Seconds East (South 29 Degrees 12 Minutes East-title) a distance of 164.50 feet to a ½" iron rod set; Thence leaving said westerly right of way line of U.S. Highway 90 (formerly Salt Bayou Road) run South 89 Degrees 09 Minutes 36 Seconds West a distance of 343.54 feet to a ½" iron rod set; Thence run North 00 Degrees 50 Minutes 31 Seconds West a distance of 143.43 feet and back to the **Point of Beginning**.

Said parcel contains **1.00 acres of land more or less**, lying and situated in Section 20, Township 9 South, Range 15 East, Greensburg Land District, Saint Tammany Parish, Louisiana.

Case No.: 2017-568-ZC

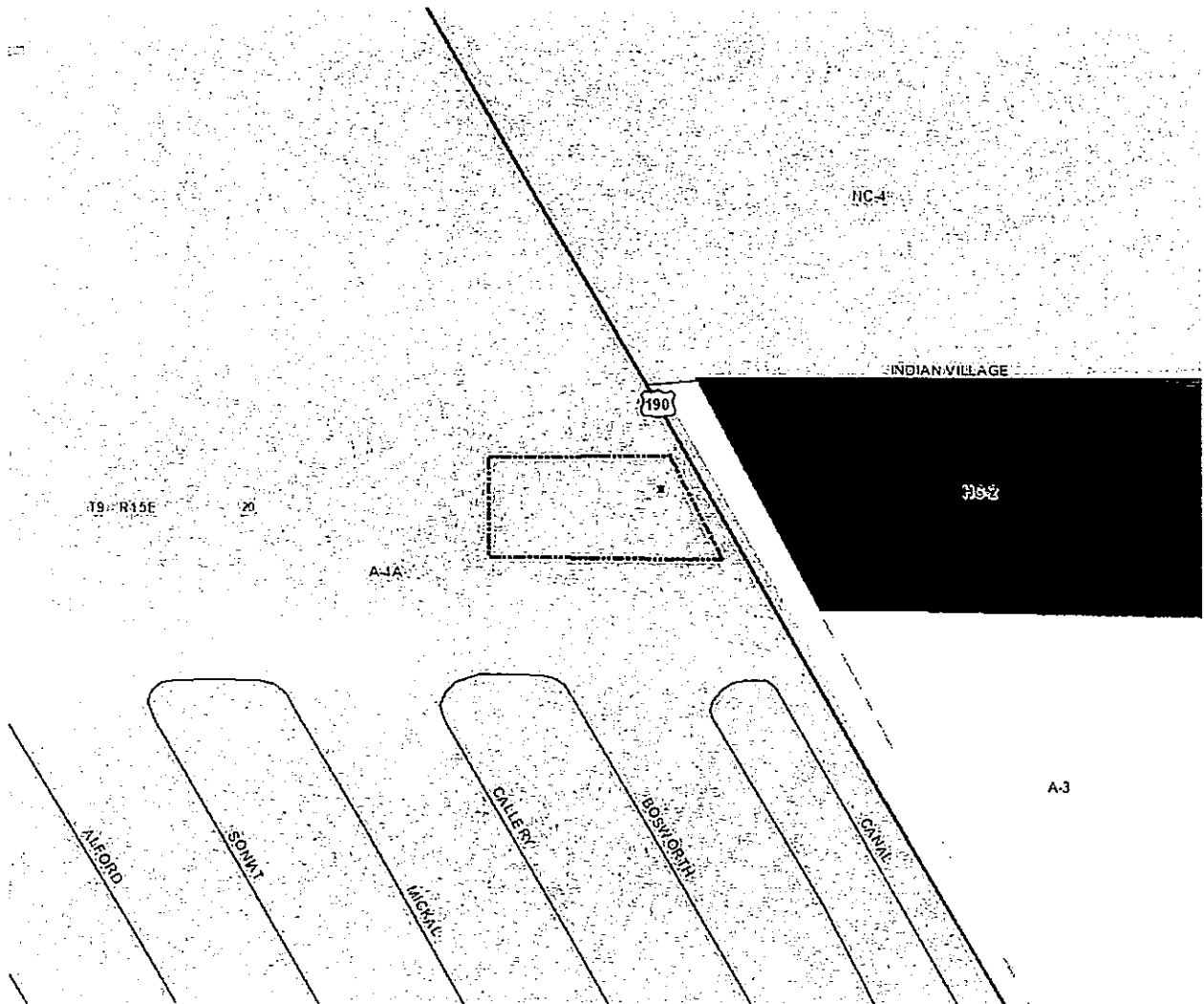
PETITIONER: Indian Village Two, LLC - Joe Malone

OWNER: Indian Village Two, LLC - Joe Malone

REQUESTED CHANGE: From A-4A Single-Family Residential District to HC-2 Highway Commercial District & Entertainment Overlay

LOCATION: Parcel located on the west side of US Highway 190 East, north of Woodhaven Drive, south of Indian Village Road ; S20, T9S, R15E; Ward 8, District 13

SIZE: 1 ACRE



2017-08-27

PATHFILE: \\M:\SURVEYING\2017\BOUNDARY SURVEY\T09-R15\SEC. 20\20170039, 20-9-15, MALONE.dwg



NOTE: BEARINGS SHOWN REFER TO THE LOUISIANA STATE PLANE COORDINATE SYSTEM (LOUISIANA SOUTH 1702).

REFERENCE SURVEY:
1.) A SURVEY BY IVAN M. BORGES DATED 4/12/76, SURVEY NO. 8216.

283.56'
N02°59'22"W
(NORTH 284.86'-TITLE)

P.O.B.
Find 1/2" Iron Pipe

P.O.B. IS THE SOUTHWEST CORNER OF THE NW 1/4 OF THE NE 1/4 OF SECTION 20, T-9-S, R-15-E, GREENSBURG LAND DISTRICT, ST. TAMMANY PARISH, LOUISIANA.

Find 1/2" Iron Rod

1394.88'

(S89°00' 1657.0'-TITLE)
N89°09'36"E 1657.88'

PARCEL 1
(10.340 ACRES)
11.340 ACRES

S89°16'16"W 1808.34'
(N89°30'W 1816.46'-TITLE)

30' ROADWAY EASEMENT

1.000'

143.43'

Set 1/2" Iron Rod

Find 1/2" Iron Rod

Set 1/2" Iron Rod

Find 1/2" Iron Pipe

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U.S. HIGHWAY 190
(FORMERLY SALT BAYOU ROAD)
(S29°12' 326.86'-TITLE)
S30°09'22"E 329.00'

Set 1/2" Iron Rod

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ADMINISTRATIVE COMMENT

ZONING STAFF REPORT

Date: 5/26/2017
Case No.: 2017-568-ZC
Prior Action: Postponed (05/02/17)
Posted:05/26/17

Meeting Date: 6/6/2017
Determination: Approved

GENERAL INFORMATION

PETITIONER: Indian Village Two, LLC - Joe Malone
OWNER: Indian Village Two, LLC - Joe Malone
REQUESTED CHANGE: From A-4A Single-Family Residential District to HC-2 Highway Commercial District & Entertainment Overlay
LOCATION: Parcel located on the west side of US Highway 190 East, north of Woodhaven Drive, south of Indian Village Road ; S20, T9S, R15E; Ward 8, District 13
SIZE: 1 ACRE

GENERAL INFORMATION

ACCESS ROAD INFORMATION

Type: Federal **Road Surface:** 2 lane asphalt **Condition:** Good

LAND USE CONSIDERATIONS
SURROUNDING LAND USE AND ZONING:

<u>Direction</u>	<u>Surrounding Use</u>	<u>Surrounding Zone</u>
North	Residential	A-4A Single-Family Residential District
South	Residential	A-4A Single-Family Residential District
East	Commercial Gas Station	HC-2 Highway Commercial District
West	Undeveloped	A-4A Single-Family Residential District

EXISTING LAND USE:

Existing development: No **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 from A-4A Single-Family Residential District to HC-2 Highway Commercial District & Entertainment Overlay. This site is located on the west side of US Highway 190 East, north of Woodhaven Drive, south of Indian Village Road. The 2025 future land use plan calls for the area to be developed with residential uses. Staff does not have any objection to the request, considering that there are some existing parcels zoned HC-2 & NC-4 on the east side of Hwy 190 and that the original zoning change request to HC-3 has been amended to HC-2 & entertainment overlay.

Note that the purpose of the Entertainment Overlay is to accommodate for a limited number of entertainment uses, required to obtain a permit for the sale of beverages of high alcoholic content, other than beer and wine, in a limited geographic area, adjacent to residentially zoned neighborhood. It allows to maintain a balance of uses that are compatible with the surrounding residential neighborhoods and properties and to protect the character of surrounding residential neighborhoods and properties.

STAFF RECOMMENDATION:

The staff recommends that the request for a HC-2 Highway Commercial District & Entertainment Overlay be approved.