

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6276                      ORDINANCE COUNCIL SERIES NO: \_\_\_\_\_  
COUNCIL SPONSOR: LORINO /BRISTER                      PROVIDED BY: PLANNING DEVELOPMENT  
INTRODUCED BY: MR. CANULETTE                      SECONDED BY: MR. BELLISARIO  
ON THE 7 DAY OF NOVEMBER , 2019

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE EAST SIDE OF LA HIGHWAY 1077 AND ON THE WEST SIDE OF LA HIGHWAY 21, SOUTH OF DUMMYLINE ROAD, MADISONVILLE AND WHICH PROPERTY COMPRISES A TOTAL OF 7.675 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT A-3 (SUBURBAN DISTRICT) & NC-4 (NEIGHBORHOOD INSTITUTIONAL DISTRICT) TO AN NC-5 (RETAIL AND SERVICE DISTRICT) WARD 1, DISTRICT 4). (2019-1592-ZC)

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. 2019-1592-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-3 (Suburban District) & NC-4 (Neighborhood Institutional District) to an NC-5 (Retail and Service District) 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 NC-5 (Retail and Service 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 A-3 (Suburban District) & NC-4 (Neighborhood Institutional District) to an NC-5 (Retail and Service 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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given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 REGULAR MEETING OF THE PARISH COUNCIL ON THE 5 DAY OF DECEMBER , 2019 ; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_.

\_\_\_\_\_  
MICHAEL R. LORINO, JR. , COUNCIL CHAIRMAN

ATTEST:

\_\_\_\_\_  
THERESA L. FORD, COUNCIL CLERK

\_\_\_\_\_  
PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: OCTOBER 30 , 2019

Published Adoption: \_\_\_\_\_, 2019

Delivered to Parish President: \_\_\_\_\_, 2019 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2019 at \_\_\_\_\_

EXHIBIT "A"

2019-1592-ZC

THAT CERTAIN PARCEL OF LAND, with improvements thereon, being situated in Sections 38, 41, and 44, Township 7 South, Range 10 East, St. Tammany Parish, Louisiana, said property being more fully described as follows, to-wit:

From the Section corner common to Sections 38, 41, and 44, Township 7 South, Range 10 East, thence go North 57 degrees, 29 minutes West, a distance of 98.8 feet to a point located on the eastern boundary of Louisiana Hwy 1077 serving as the Point of Beginning.

From the Point of Beginning, thence go along the eastern boundary of Louisiana Highway 1077 North 04 degrees 32 minutes West a distance of 135.5 feet to a point; thence continue along the eastern boundary of Louisiana Highway 1077 North 04 degrees 34 minutes West a distance of 180.05 feet to a point; thence continue along the eastern boundary of Louisiana Highway 1077 North 04 degrees 34 minutes West a distance of 150.0 feet to a point; thence go North 89 degrees 50 minutes East a distance of 132.0 feet to a point; thence go South 89 degrees 54 minutes East a distance of 197.7 feet to a point; thence go North 89 degrees 05 minutes East a distance of 405.26 feet to a point on the western boundary of Louisiana Highway 21; thence along the western boundary of Louisiana Highway 21 go South 30 degrees 53 minutes West a distance of 84.5 feet to a point; thence continue along the western boundary of Louisiana Highway 21 go South 31 degrees 50 minutes West a distance of 112.4 feet to a point; thence go along the western boundary of Louisiana Highway 21 South 31 degrees 30 minutes West a distance of 170.0 feet to a point; thence go along the western boundary of Louisiana Highway 21 South 32 degrees 37 minutes West a distance of 98.5 feet to a point; thence go along the western boundary of Louisiana Highway 21 South 32 degrees 37 minutes West a distance of 98.5 feet to a point; thence go along the western boundary of Louisiana Highway 21 South 26 degrees 42 minutes 23 seconds West a distance of 141.3 feet to a point; thence go North 86 degrees 00 minutes West a distance of 146.1 feet to a point; thence go North 86 degrees 21 minutes West a distance of 14.5 feet to a point; thence go South 13 degrees 56 minutes West a distance of 104.2 feet to a point; thence go North 88 degrees 52 minutes West a distance of 135.75 feet to a point on the eastern boundary of Louisiana Highway 1077; thence along the eastern boundary of Louisiana Highway 1077 go North 05 degrees 24 minutes West a distance of 110.0 feet to a point; thence continue along the eastern boundary of Louisiana Highway 1077 North 03 degrees 41 minutes West a distance of 123.0 feet back to the Point of Beginning.

This tract contains 7.675 acres, consisting of Parcels 1-9 (inclusive), as more fully shown on the Zoning Sketch of Land Surveying, LLC, No. 19333, dated May 9, 2019.

**Case No.:** 2019-1592-ZC

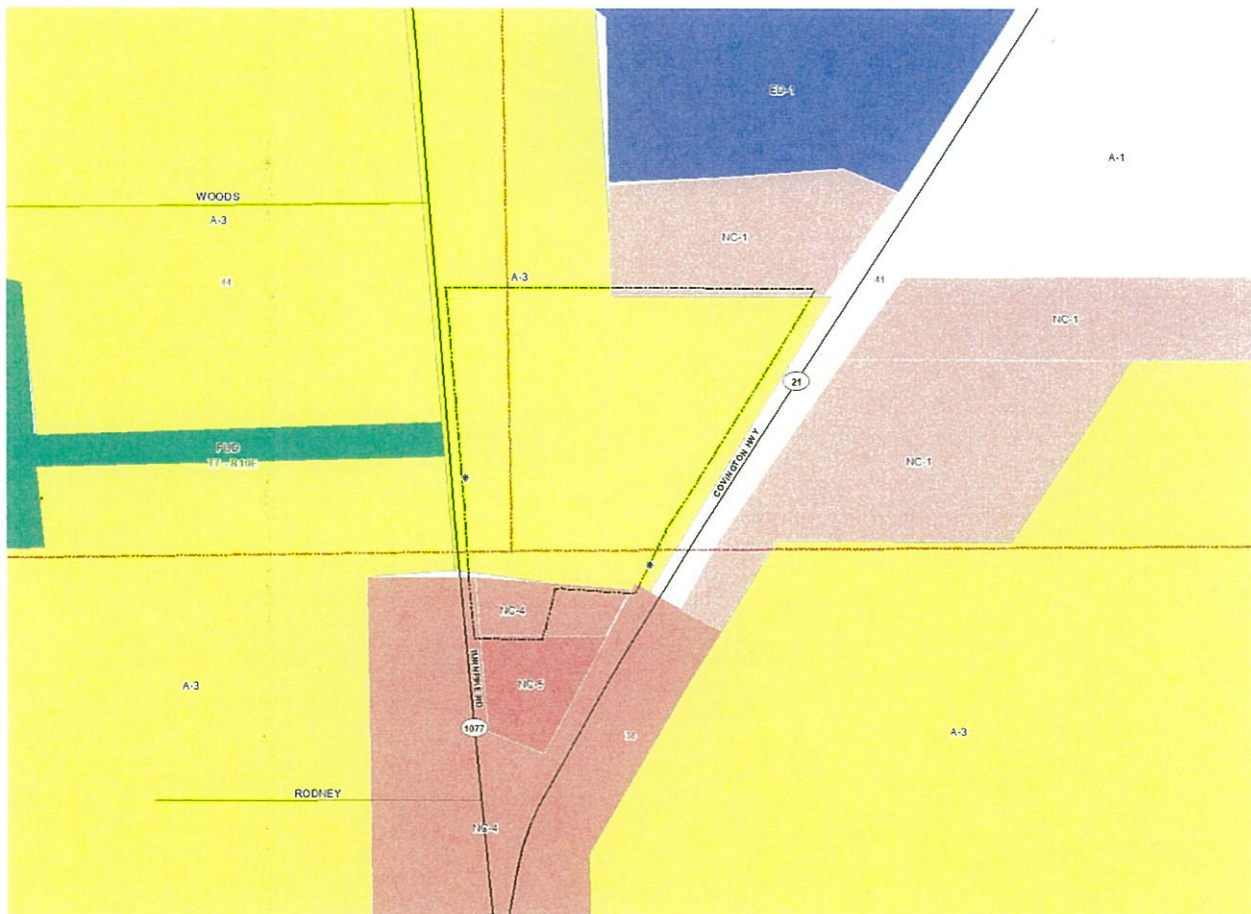
**PETITIONER:** Jones Fussell, L.L.P. - Jeffery Schoen

**OWNER:** Dale Derks, Donna Nobile Derks, Linda Cleland and Lloyd Ostendorf Jr., Randall Keith Ostendorf, Bryan Kirk Ostendorf, Johnnie LouAnn Ostendorf Alford, Gerald J. Olivier, Ila C. Ostendorf, Valerie O. Sussky, Trudy O. Busby, Irene Houlemard Reimonenq, Noel Houlemard Travers, James Travers, Stephen J. Plescia

**REQUESTED CHANGE:** From A-3 Suburban District and NC-4 Neighborhood Institutional District to NC-5 Retail and Service District

**LOCATION:** Parcel located on the east side of LA Highway 1077 and on the west side of LA Highway 21, south of Dummyline Road, Madisonville; S38, S41, and S44, T7S, R10E; Ward 1, District 4

**SIZE:** 7.675 acres





THIS MAP IS A SKETCH FOR  
ZONING PURPOSES ONLY  
OF PARCELS LOCATED IN  
SECTIONS 38, 41 & 44  
TOWNSHIP 7 SOUTH  
RANGE 10 EAST, ST. TAMMANY  
PARISH, LOUISIANA

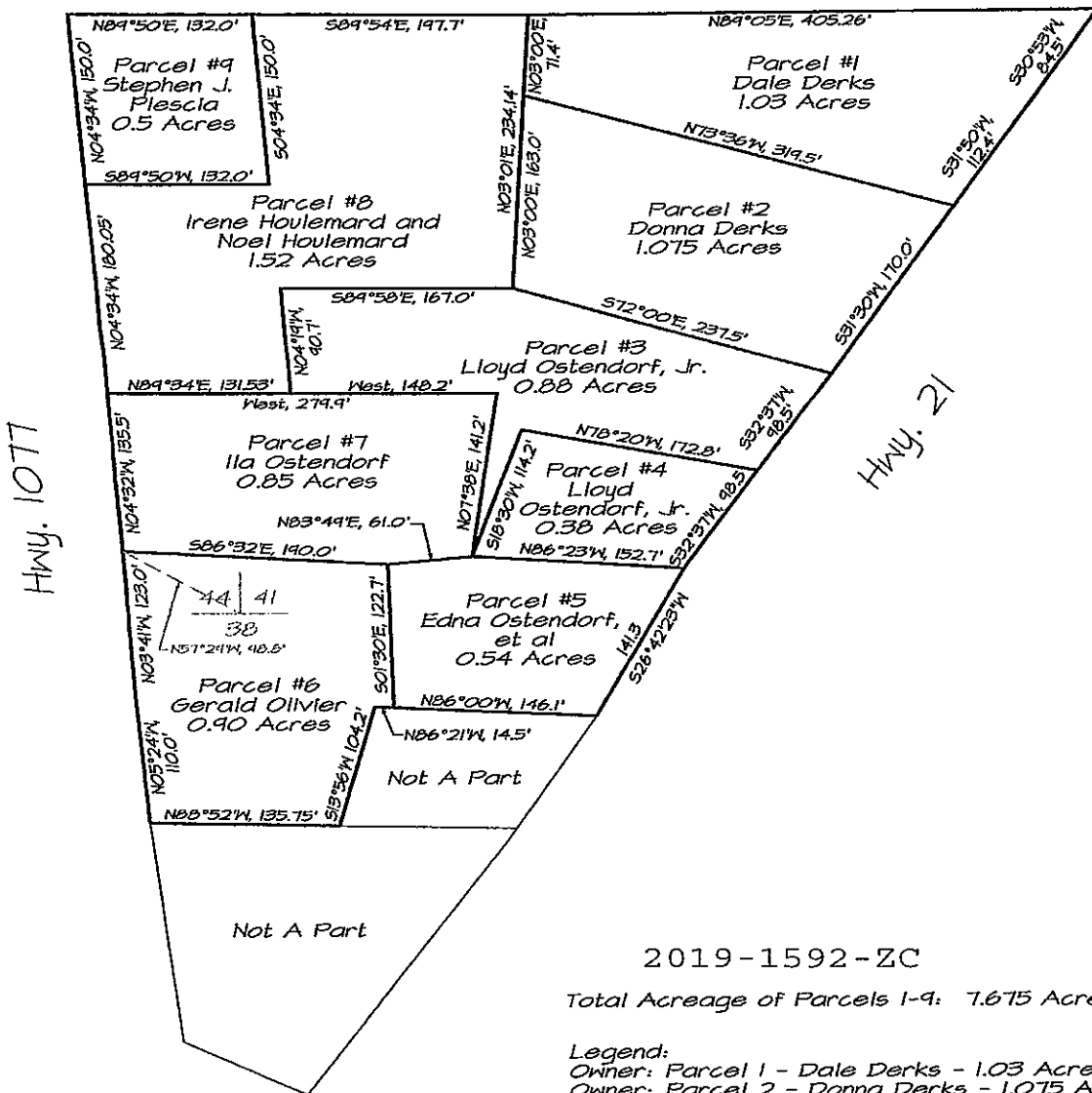
**LS**  
Land Surveying, LLC  
518 N. Columbia Street  
Covington, LA 70433  
(865) 842-6271 office (865) 848-0855 fax

MAP PREPARED FOR

**Lloyd C. Ostendorf, Jr. et al**

SCALE: 1" = 100'	DRAWN BY: PBO
DATE: 5-4-2019	
Located in Sections 38, 41 & 44 Township 7 South Range 10 East, St. Tammany Parish, Louisiana	
DRAWN NUMBER:	19333

Territory/EdnaOstendorfplotting-4-19



2019-1592-ZC

Total Acreage of Parcels 1-9: 7.675 Acres

Legend:  
Owner: Parcel 1 - Dale Derks - 1.03 Acres  
Owner: Parcel 2 - Donna Derks - 1.075 Acres  
Owner: Parcel 3 - Lloyd Ostendorf, Jr. - 0.88 Acres  
Owner: Parcel 4 - Lloyd Ostendorf, Jr. - 0.38 Acres  
Owner: Parcel 5 - Edna Ostendorf, et al - 0.54 Acres  
Owner: Parcel 6 - Gerald Olivier - 0.90 Acres  
Owner: Parcel 7 - Ila Ostendorf - 0.85 Acres  
Owner: Parcel 8 - Irene Houlemard and  
Noel Houlemard - 1.52 Acres  
Owner: Parcel 9 - Stephen J. Plescia - 0.5 Acres







**ADMINISTRATIVE COMMENT  
ZONING STAFF REPORT**

**Date:** 9/27/2019  
**Case No.:** 2019-1592-ZC  
**Posted:** 9/23/2019

**Meeting Date:** 10/9/2019  
**Determination:** Approved

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**GENERAL INFORMATION**

**PETITIONER:** Jones Fussell, L.L.P. - Jeffery Schoen

**OWNER:** Dale Derks, Donna Nobile Derks, Linda Cleland and Lloyd Ostendorf Jr., Randall Keith Ostendorf, Bryan Kirk Ostendorf, Johnnie LouAnn Ostendorf Alford, Gerald J. Olivier, Ila C. Ostendorf, Valerie O. Sussky, Trudy O. Busby, Irene Houlemard Reimonenq, Noel Houlemard Travers, James Travers, Stephen J. Plescia

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**GENERAL INFORMATION**

**ACCESS ROAD INFORMATION**

**Type:** State

**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, Commercial, and Civic	A-3 Suburban District and NC-1 Professional Office District
South	Residential	NC-4 Neighborhood Institutional District and NC-5 Retail and Service District
East	Residential, Commercial, and Undeveloped	NC-1 Professional Office District and A-3 Suburban District
West	Residential and Undeveloped	A-3 Suburban District, NC-4 Neighborhood Institutional District and PUD Planned Unit Development

**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.

**Planned Districts** - Coordinated development on several parcels, usually at a higher density – but not in all cases - than other parcels in the proximity, planned in an integrated fashion as single units including residential, commercial and possibly other (institutional, recreational, *e.g.*) uses, as well as the supporting infrastructure and public services they will require (*See "Small Area Plans," below*). Generally, such developments improve environmental qualities, preserve natural environments, provide for open space and recreational uses, and for residential as well as commercial uses, and are equipped with central utility systems and efficient and effective internal and external transportation access in multiple modes.

**Commercial – Mixed Use/ Light** - Multiple and complementary principal uses permitted to coexist within the same development program and area, typically more intense by land area than adjoining areas.

**STAFF COMMENTS:**

The petitioner is requesting to change the zoning from A-3 Suburban District and NC-4 Neighborhood Institutional District to NC-5 Retail and Service District. This site is located on the east side of LA Highway 1077 and on the west side of LA Highway 21, south of Dummyline Road, Madisonville. The 2025 future land use plan designates the site to be developed with residential uses that vary in site design and density, and as a planned district with a mix of commercial uses. Staff is not completely opposed to changing the zoning to commercial; however, a less intense NC designation would be more appropriate since the site is abutting A-3 Suburban on the north and west sides and NC-1 on the north & east sides.

**STAFF RECOMMENDATION:**

Staff recommends that the request for the NC-5 Retail and Service District designation be denied.