

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5607

ORDINANCE COUNCIL SERIES NO: \_\_\_\_\_

COUNCIL SPONSOR: DEAN/BRISTER

PROVIDED BY: DEVELOPMENT

INTRODUCED BY: MR. STEFANCIK

SECONDED BY: MR. BINDER

ON THE 2 DAY OF JUNE , 2016

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 59, NORTH OF VIOLA STREET, SOUTH OF HORACE ROAD AND WHICH PROPERTY COMPRISES A TOTAL OF 5.9 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT A-3 (SUBURBAN DISTRICT) TO AN NC- 6 (PUBLIC, CULTURAL AND RECREATIONAL DISTRICT), (WARD 5, DISTRICT 5). (2016-223-ZC)

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. 2016-223-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) to an NC- 6 (Public, Cultural and Recreational 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- 6 (Public, Cultural and Recreational 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) to an NC- 6 (Public, Cultural and Recreational 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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 7 DAY OF JULY, 2016; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_\_.

\_\_\_\_\_  
MARTY DEAN, COUNCIL CHAIRMAN

ATTEST:

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

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

Published Introduction: MAY 26, 2016

Published Adoption: \_\_\_\_\_, 2016

Delivered to Parish President: \_\_\_\_\_, 2016 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2016 at \_\_\_\_\_

## Exhibit "A"

### 2016-223-ZC

ONE CERTAIN PORTION OF GROUND, together with all the buildings and improvements thereon, and all the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in the Parish of St. Tammany, State of Louisiana, Section 1, Township 8 South, Range 11 East, described more particularly as follows:

Commence at the northeast corner of Section 1, Township 8 South, Range 11 East, thence run South 0 degrees 10 minutes West, a distance of 20.0 feet to a point; thence run South 89 degrees 49 minutes West, a distance of 2,373.6 feet to a point; thence run South 24 degrees, 35 minutes West, a distance of 564.07 feet to the POINT OF BEGINNING.

From the POINT OF BEGINNING, run North 89 degrees 42 minutes 03 seconds East, a distance of 350.03 feet to a point; thence run South 24 degrees 32 minutes 31 seconds West, a distance of 846.82 feet to a point; thence run South 89 degrees 57 minutes 0 seconds West, a distance of 350 feet to a point; thence run North 24 degrees 35 minutes 0 seconds East, a distance of 845.43 feet to the POINT OF BEGINNING.

LESS AND EXCEPT:

ALL THAT CERTAIN TRACT OR PORTION OF LAND, together with all the buildings and improvements thereon, and all of the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, in Section 1, Township 8 South, Range 11 East, Greensburg Land District, St. Tammany Parish, State of Louisiana, being a 0.270 acre parcel in accordance with a plan entitled Right of Way map for Viola Road widening Louisiana Highway 59 to Louisiana Highway 1088, dated March 19, 2007, being more fully described as follows: Commencing at the corner common to Section 1, Township 8 South, Range 11 East, Section 6, Township 8 South, Range 12 East, Section 31, Township 7 South, Range 12 East and Section 36, Township 7 South, Range 11 East; thence along the westerly right-of-way of Ceres Street, South 00°10'48" West for a distance of 1,345.84 feet to a point at the intersection of the westerly right-of-way of Ceres Street and the northerly right-of-way of Viola Road; thence along the northerly right-of-way of Viola Road, South 89°58'12" West for a distance of 472.17 feet to a point and corner; thence South 00°10'00" West for a distance of 60.00 feet to a point and corner; thence South 89°55'45" West for a distance of 821.78 feet to a point and corner; thence South 00°00'18" West for a distance of 24.90 feet to a point and corner; thence North 89°58'38" West for a distance of 406.03 feet to a point and corner; thence North 89°58'38" West for a distance of 417.73 feet to a point and corner; thence South 00°00'55" West for a distance of 17.43 feet to a point and corner; thence North 89°42'24" West for a distance of 453.22 feet to the Point of Beginning; thence South 89°58'46" West for a distance of 350.02 feet to a point and corner; thence North 24°37'18" East for a distance of 62.77 feet to a point and corner; thence South 25°04'09" East for a distance of 27.54 feet to a point and corner; thence North 89°43'33" East for a distance of 327.56 feet to a point and corner; thence South 24°34'49" West for a distance of 36.90 feet to the Point of Beginning. Said parcel contains 11,762 square feet or 0.270 acres of land, more or less.

The above described portion of ground contains 257,206.85 square feet, or 5.9058 acres

**Case No.:** 2016-223-ZC

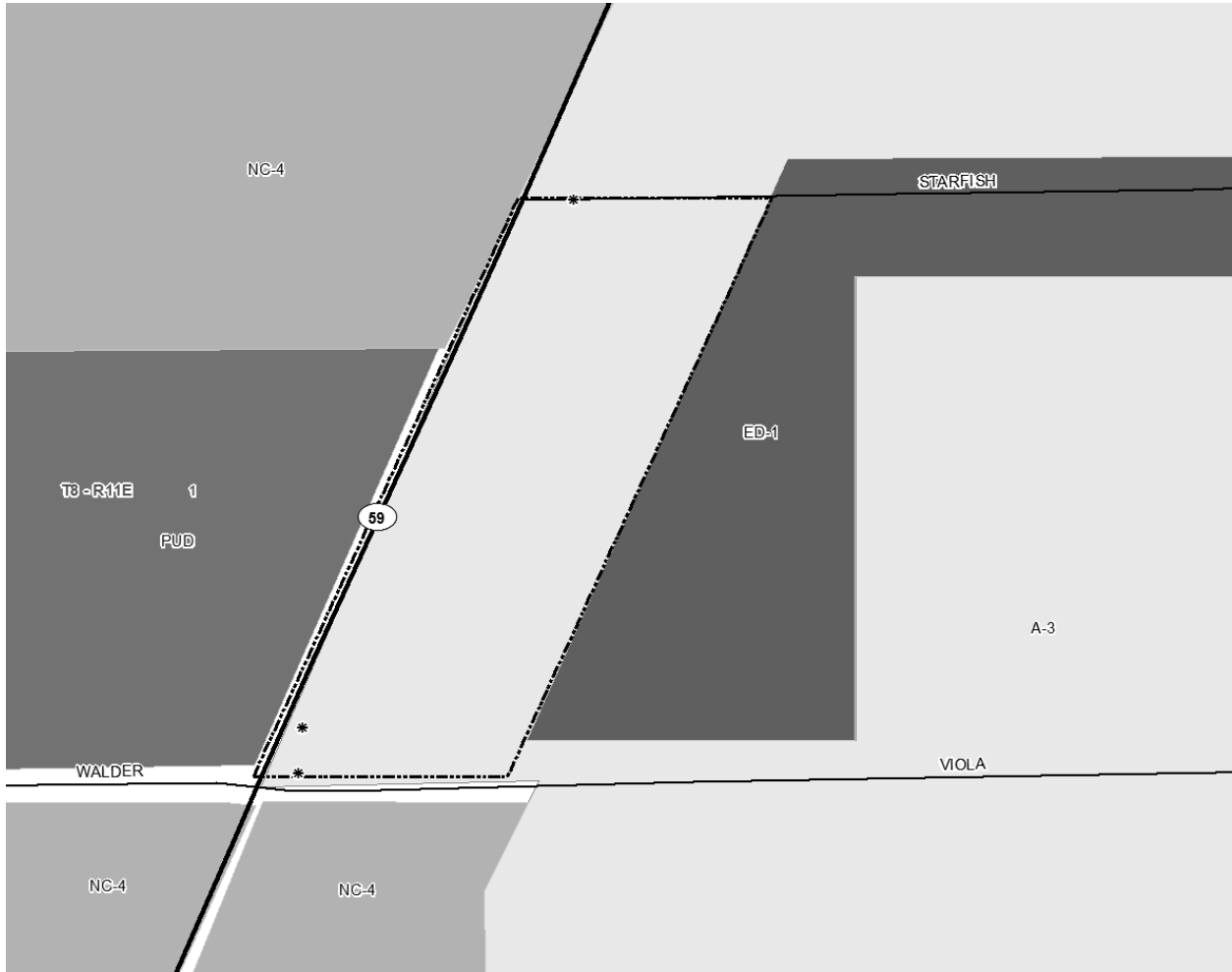
**PETITIONER:** Paul J. Mayronne

**OWNER:** Loyal Investment Corporation - Jane M. Gisevius

**REQUESTED CHANGE:** From A-3 Suburban District to NC-6 Public, Cultural, Recreational District

**LOCATION:** Parcel located on the east side of LA Highway 59, north of Viola Street, south of Horace Road; S1, T8S, R11E; Ward 4, District 5

**SIZE:** 5.9 acres



2016-223-ZC

T7S - R11E

T8S - R11E

20.0' S07°10'W

36

31

2373.6 S89°49'W

1

6



LA. STATE HIGHWAY NO. 59

TOTAL AREA  
279,479.24 Sq.Ft  
6.416 Acres

Less Roadway  
10,500.40 Sq. Ft.

Remaining Area  
268,978.84 Sq. Ft.

N 89°45' E (Plan)  
N 89°42'3" E (Act)

350.00  
350.03'

Set 1/2" L.R.

30' SERVITUDE OF PASSAGE  
FOR A PRIVATE ROADWAY

10,500.40 Sq. Ft.

N 24°35'0" E  
878.50

S 24°32'31" W  
879.88

P.O.B.

Set 1/2" L.R.

33.07'

33.05'

Set 1/2" L.R.

350.00  
S 89°57'0" W

1.0'  
3.0'

2.5'  
4.0'

7.0' DITCH

Set 1/2" L.R.

18' ASPHALT ROADWAY

VIOLA ROAD

T8S - R11E

T8S - R12E

SURVEY OF A 6.416 ACRE  
PORTION OF GROUND  
LOCATED IN SECTION 1, T8S - R11E  
ST. TAMMANY PARISH, LA.

CERTIFIED CORRECT TO:  
RICHARD HAMMEL, ATTY.

NOTE: This is to certify that I  
have consulted the Federal Insur-  
ance Administration Flood Hazard  
Boundary Map and found that the  
above described property is not in  
a Special Flood Hazard Area.  
ZONE "C"

SCALE: 1" = 200'  
DATE: SEPTEMBER 29, 1988



A Professional  
Land Surveying Company

CITY OF KENNER  
LOUISIANA

CERTIFIED CORRECT  
*R. P. Fenticuberta, Jr.*  
REGISTERED PROFESSIONAL LAND SURVEYOR

2016-223-ZC

NG-1

STARFISH

T8-R1E

PUD

ED-1

WALDER

VIOLA

2195

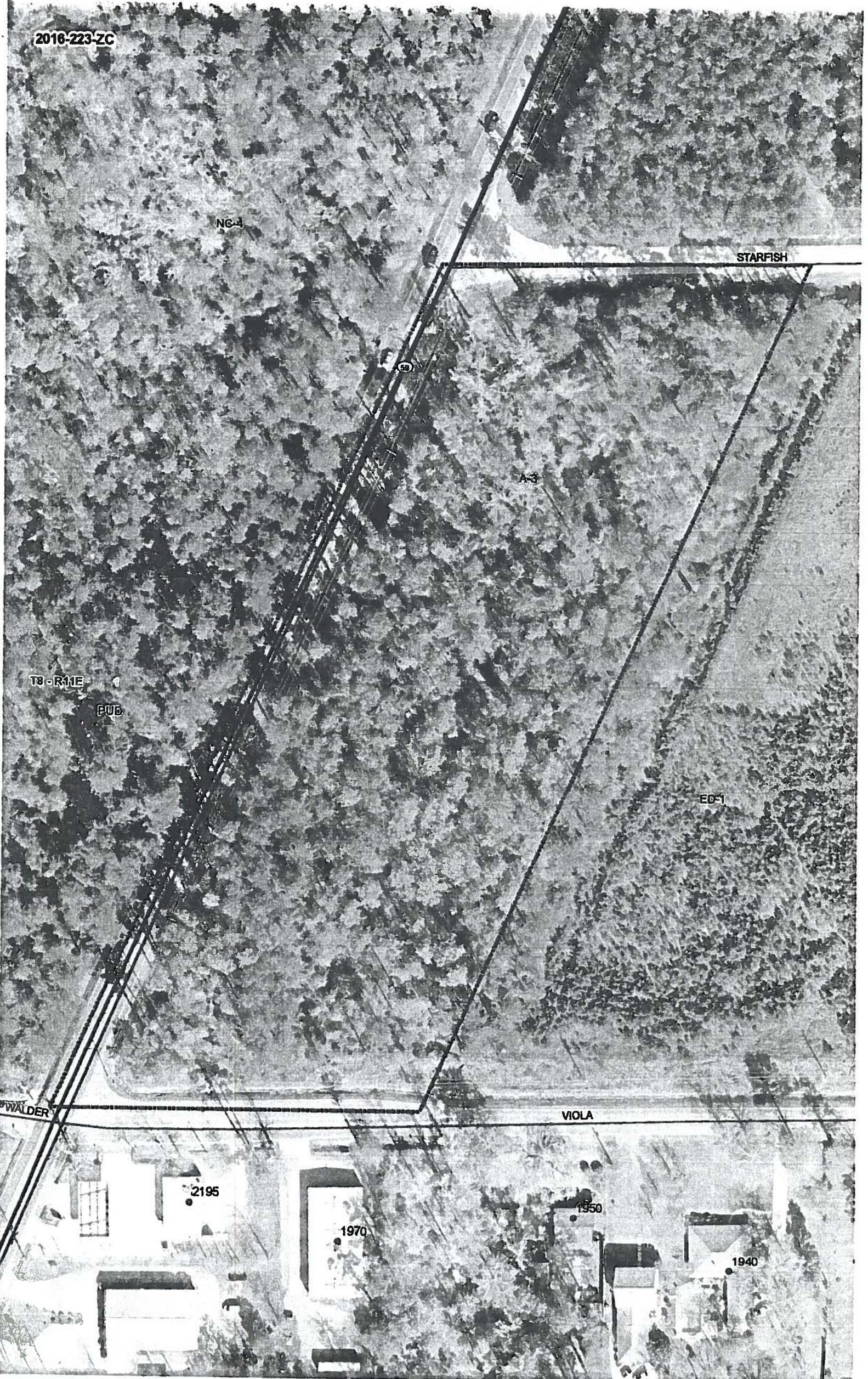
1970

1950

1940

0 270 Feet

N



ADMINISTRATIVE COMMENT

ZONING STAFF REPORT

Date: 4/25/2016  
Case No.: 2016-223-ZC  
Posted: 04/15/2016

Meeting Date: 5/3/2016  
Determination: Amended to N-6

**GENERAL INFORMATION**

**PETITIONER:** Paul J. Mayronne

**OWNER:** Loyal Investment Corporation - Jane M. Gisevius

**REQUESTED CHANGE:** From A-3 Suburban District to HC-1 Highway Commercial District

**LOCATION:** Parcel located on the east side of LA Highway 59, north of Viola Street, south of Horace Road; S1, T8S, R11E; Ward 4, District 5

**SIZE:** 5.9 acres

**GENERAL INFORMATION**

**ACCESS ROAD INFORMATION**

**Type:** State

**Road Surface:** 3 lane asphalt

**Condition:** Good

**LAND USE CONSIDERATIONS**

**SURROUNDING LAND USE AND ZONING:**

<u>Direction</u>	<u>Surrounding Use</u>	<u>Surrounding Zone</u>
North	Undeveloped	A-3 Suburban District
South	Commercial	NC-4 Neighborhood Institutional District
East	Undeveloped/school	ED-1 Primary Education District
West	Undeveloped	PUD Planned Unit Development Overlay & NC-4 Neighborhood Institutional District

**EXISTING LAND USE:**

**Existing development:** No

**Multi occupancy development:** Yes

**COMPREHENSIVE PLAN:**

**Commercial Infill** – New commercial uses developed on undeveloped tracts within existing commercial districts that are compatible with, or improve upon, those existing uses. Such uses may be allowed a greater density of use, in exchange for public benefits that would be provided.

**Residential Infill** – New residential uses developed on undeveloped tracts within existing residential districts that are compatible with, or improve upon, those existing uses. Such uses may be allowed a greater density of use, in exchange for public benefits that would be provided.

**STAFF COMMENTS:**

The petitioner is requesting to change the zoning from A-3 Suburban District to HC-1 Highway Commercial District. This site is located on the east side of LA Highway 59, north of Viola Street, south of Horace Road. The 2025 future land use plan calls for the front 200 foot portion of the site to be developed with commercial uses and for the remaining portion of the site to be developed with residential uses. Staff is not opposed to commercial development in the area; however, a less intense commercial zoning classification would be more appropriate for the site.

Note that before the comprehensive rezoning the front of the parcel was zoned C-2 Highway Commercial District.

**STAFF RECOMMENDATION:**

The staff recommends that the request for a HC-1 Highway Commercial District designation be denied.