

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5765

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: STEFANCIK/BRISTER

PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: MR. BELLISARIO

SECONDED BY: MR. BINDER

ON THE 2 DAY OF FEBRUARY, 2017

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE SOUTHEAST CORNER OF LA HIGHWAY 59 & VIOLA ST AND WHICH PROPERTY COMPRISES A TOTAL OF .5 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT NC-4 (NEIGHBORHOOD COMMERCIAL DISTRICT) TO AN HC-2 (HIGHWAY COMMERCIAL DISTRICT), (WARD 4, DISTRICT 5). (2016-486-ZC)

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. 2016-486-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 NC-4 (Neighborhood Commercial District) to an HC-2 (Highway Commercial 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 HC-2 (Highway Commercial 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 NC-4 (Neighborhood Commercial 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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 REGULAR MEETING OF THE PARISH COUNCIL ON THE 2 DAY OF MARCH , 2017 ; AND BECOMES ORDINANCE COUNCIL SERIES NO ____.

STEVE STEFANCIK, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: JANUARY 26 , 2017

Published Adoption: _____, 2017

Delivered to Parish President: _____, 2017 at _____

Returned to Council Clerk: _____, 2017 at _____

Exhibit "A"

2016-486-ZC

THAT CERTAIN PIECE OR PORTION OF GROUND, together with all buildings and improvements thereon, and all the rights, ways, means, privileges, servitudes, appurtenances, and advantages thereunto belonging or in anywise appertaining, situated in the **PARISH OF ST. TAMMANY, STATE OF LOUISIANA**, in **SECTION 1, TOWNSHIP 8 SOUTH, RANGE 11 EAST** and according to a survey of Landry Engineering Co., Inc., dated December 29, 1989, the said property is described as follows, to-wit:

From the Southeast corner of the Northwest 1/4 of Section 1, Township 8 South, Range 11 East, Greensburg District, St. Tammany Parish, Louisiana, go North 1305.62 feet to the South side of Viola Road; thence South 89 degrees 30 minutes West 100 feet to an iron rod at the point of beginning. Thence South 103.96 feet to an iron rod; thence West 234.94 feet to the East side of Highway 59; thence along the East side of Highway 59, North 24 degrees 34 minutes 10 seconds East for 112.5 feet to an iron rod on the South side of Viola Road, thence along the South side of Viola Road, North 89 degrees 30 minutes East 188.17 feet to an iron rod at the Point of Beginning, containing approximately 0.50 acres.

Case No.: 2016-486-ZC

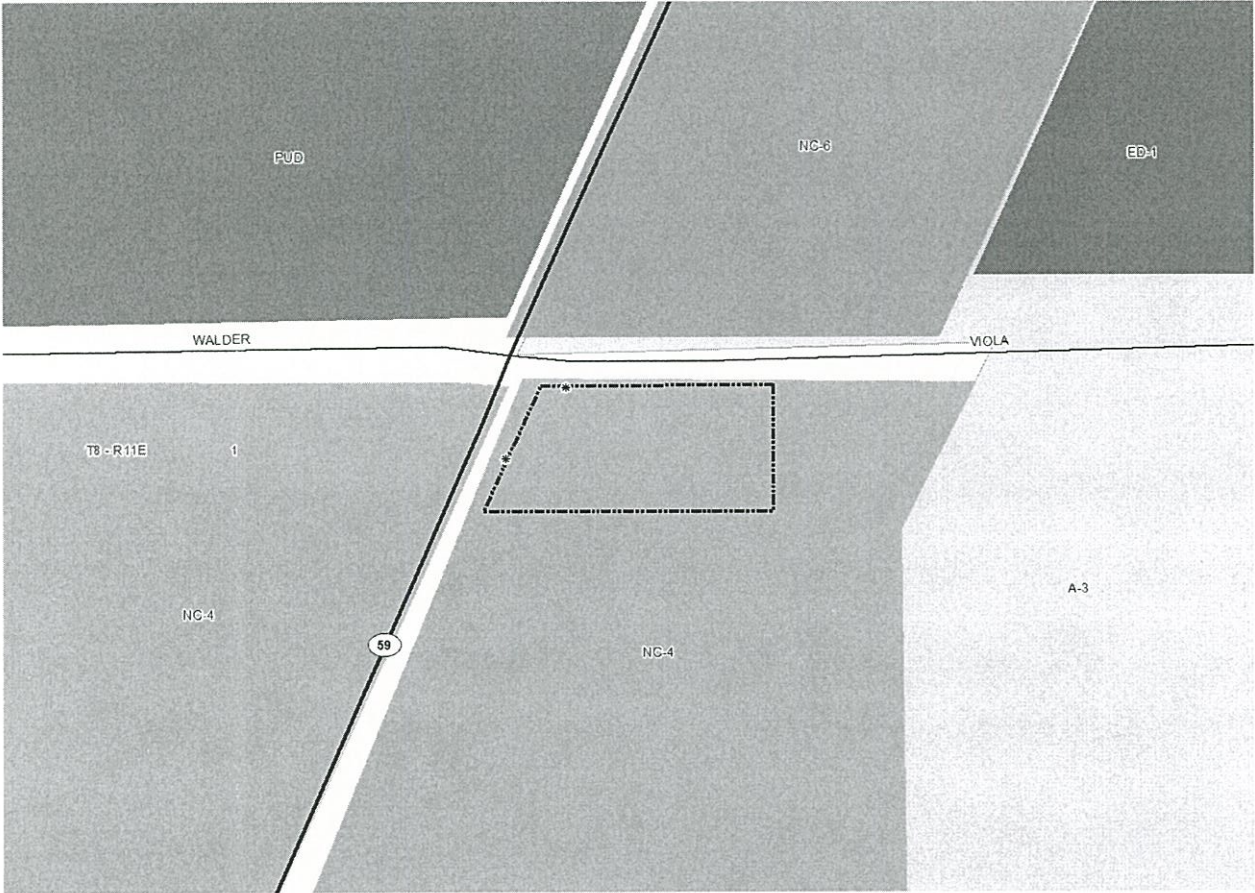
PETITIONER: Jones Fussell, LLP - Jeff Schoen

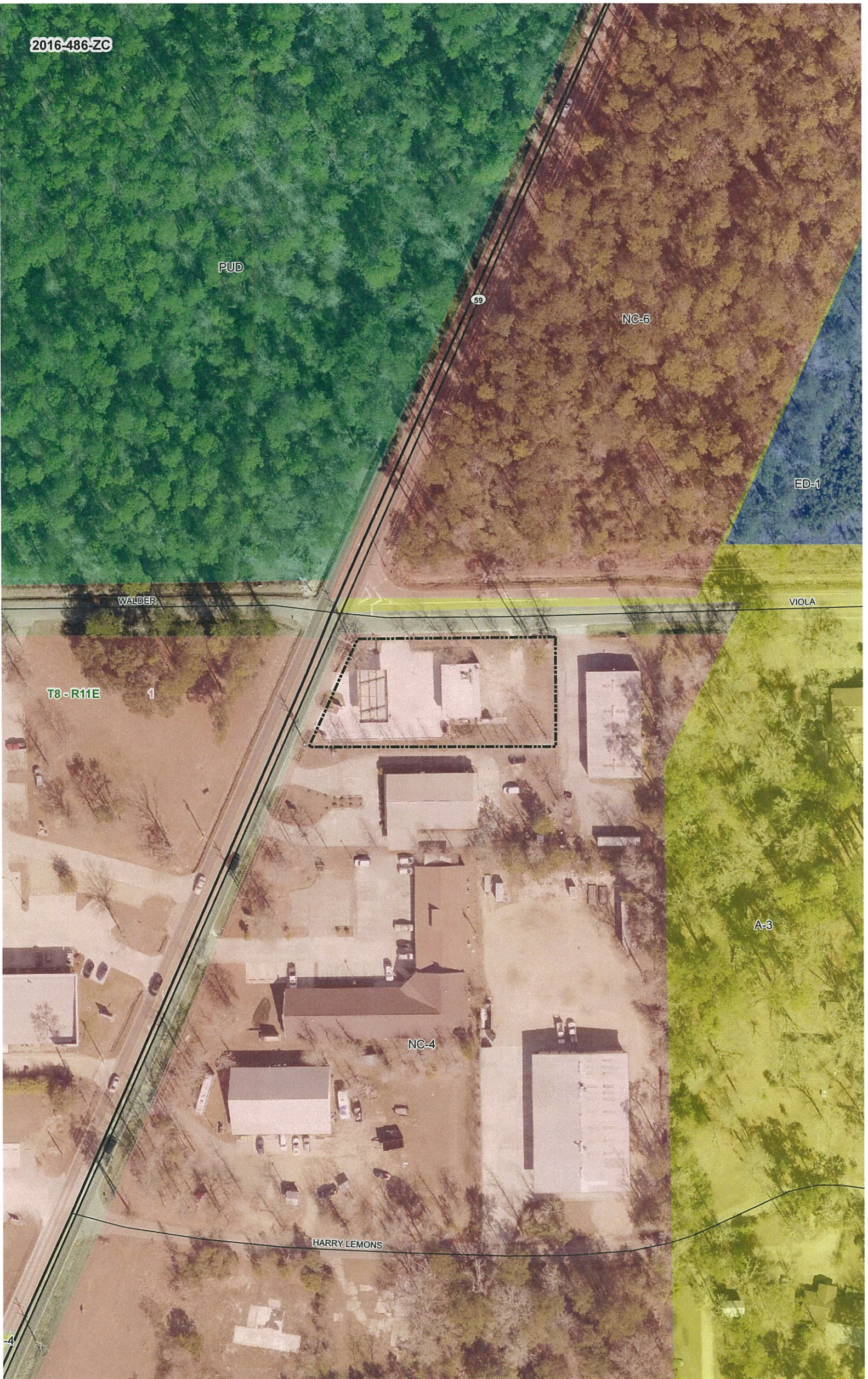
OWNER: BBC Petro Holdings, LLC - Bhavin B. Chauhan

REQUESTED CHANGE: From NC-4 Neighborhood Institutional District to HC-2 Highway Commercial District

LOCATION: Parcel located on the southeast corner of LA Highway 59 & Viola Street; S1, T8S, R11E; Ward 4, District 5

SIZE: 0.50 acre





T8-R11E

1

NC-4

NC-6

ED-1

A-3

WALDER

VIOLA

HARRY LEMONS

59

4

ADMINISTRATIVE COMMENT

ZONING STAFF REPORT

Date: 12/27/2016
Case No.: 2016-486-ZC
Posted: 12/14/16

Meeting Date: 1/3/2017
Determination: Approved

GENERAL INFORMATION

PETITIONER: Jones Fussell, LLP - Jeff Schoen
OWNER: BBC Petro Holdings, LLC - Bhavin B. Chauhan
REQUESTED CHANGE: From NC-4 Neighborhood Institutional District to HC-2 Highway Commercial District
LOCATION: Parcel located on the southeast corner of LA Highway 59 & Viola Street; S1, T8S, R11E; Ward 4, District 5
SIZE: 0.50 acre

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	Undeveloped	NC-6 Public, Cultural & Recreational District
South	Commercial	NC-4 Neighborhood Institutional District
East	Commercial	NC-4 Neighborhood Institutional District
West	Commercial	NC-4 Neighborhood Institutional District

EXISTING LAND USE:

Existing development: Yes **Multi occupancy development:** No

COMPREHENSIVE PLAN:

Commercial - Sales outlets for goods and services. Several levels or forms of commercial structures include: limited or specialty; neighborhood service centers; generous “highway commercial” uses; offices; public uses; planned mixed commercial and residential centers, and the traditional village or town central business district.

STAFF COMMENTS:

The petitioner is requesting to change the zoning from NC-4 Neighborhood Institutional District to HC-2 Highway Commercial District. This site is located on the southeast corner of LA Highway 59 & Viola Street. The 2025 future land use plan calls for the area to be developed with commercial uses. The site is currently developed with a gas station and a convenience store, which have not been in operation for more than 6 months. The objective of the request is to bring the existing building and gas station in compliance with the appropriate zoning to allow to reopen the business as it was previously operated.

STAFF RECOMMENDATION:

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