

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6322

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

COUNCIL SPONSOR: LORINO/COOPER

PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: MR. STEFANCIK

SECONDED BY: MS. O'BRIEN

ON THE 6 DAY OF FEBRUARY , 2020

AN ORDINANCE TO REVOKE AN UNOPENED PORTION OF PINE AVENUE, LOCATED SOUTH OF MAGNOLIA AVENUE AND NORTH OF US HIGHWAY 190 EAST, BETWEEN SQUARE 12 & SQUARE 13, IN THE BEVERLY HILLS SUBDIVISION, SLIDELL, LOUISIANA, WARD 8, DISTRICT 13. (REV 19-12-004)

WHEREAS, the petitioner, who owns property abutting the aforementioned Parish street right-of-way, has petitioned the St. Tammany Parish Council to revoke/alienate a portion of the dedication, specifically a portion of Pine Avenue, located south of Magnolia Avenue and north of US Highway 190 East, between Square 12 & Square 13, in the Beverly Hills Subdivision, Slidell, Louisiana; and

WHEREAS, the Department of Public Works, and Department of Development have reviewed and researched said request and have reported their findings to the St. Tammany Parish Planning Commission; and

WHEREAS, the St. Tammany Parish Planning Commission, upon review of said petition, and after having considered all of the facts relevant to this request, has concluded that said portion of said street right-of-way is no longer needed for public purposes as defined pursuant to statutory law, and therefore recommends to the Parish Council the adoption of the proposed revocation request.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that it hereby concurs with the findings of the Planning Commission and therefore grants approval of the revocation/alienation request for the portion of the street right-of-way as referred to above, subject to the following:

SECTION I. The revocation of the subject property will be conditioned upon a satisfactory drainage re-route plan being submitted by the petitioner's Engineering and approved by the Department of Public Works.

SECTION II: The petitioners, or any other adjacent property owner who wishes to participate, if any, shall enter into a private cash sale with the Parish to conclude the revocation/alienation process as set forth in St. Tammany Parish Code of Ordinances Section 35-1, and in accordance with the provisions of La. R.S. 48:701, et seq. and/or La. R.S. 48:711, et seq.

SECTION III: Following execution of the private cash sale(s), the petitioners shall assimilate the right-of-way into its abutting lots through the Parish's administrative resubdivision process.

SECTION IV: All subsurface mineral rights therein shall be retained by St. Tammany Parish, unless otherwise stated within this Ordinance; and the Parish shall reserve the right to retain any easements and/or servitudes existing at the time of revocation and/or may also require the establishment of same if the Parish deems it necessary

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 MARCH , 2020 ; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_.

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

ATTEST:

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

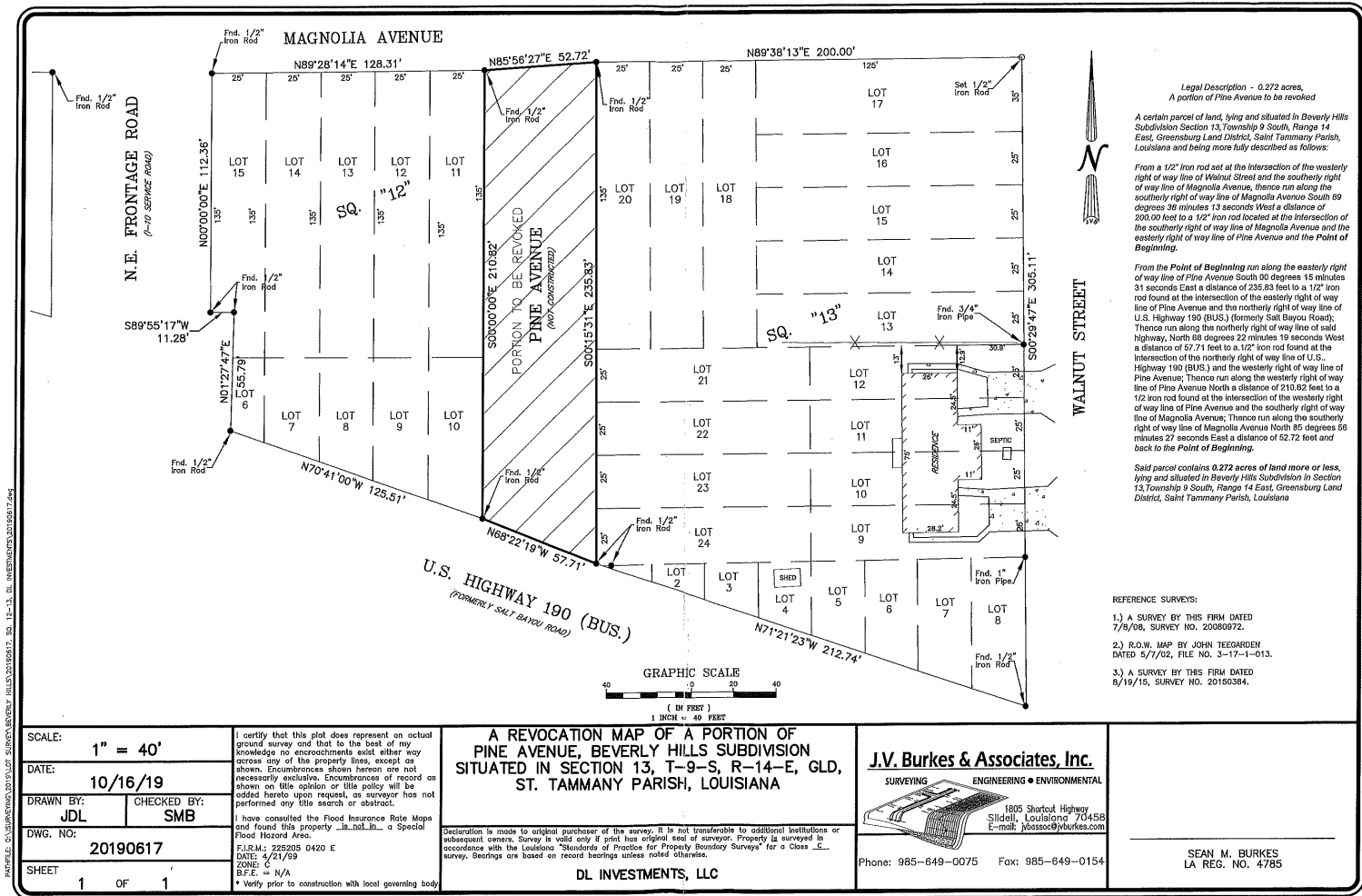
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MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: JANUARY 29 , 2020

Published Adoption: \_\_\_\_\_, 2020

Delivered to Parish President: \_\_\_\_\_, 2020 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2020 at \_\_\_\_\_



Administrative Comments

CASE NO.: REV19-12-004

NAME OF STREET OR ROAD: Unopened portion of Pine Avenue

NAME OF SUBDIVISION: Beverly Hills Subdivision

WARD: 8 PARISH COUNCIL DISTRICT: 13

PROPERTY LOCATION: The property is located south of Magnolia Avenue and north of US Highway 190 East, between Square 12 & Square 13, in the Beverly Hills Subdivision, Slidell, Louisiana, Ward 8, District 13

SURROUNDING ZONING: HC-2 Highway Commercial

PETITIONER/REPRESENTATIVE: DL Investments, LLC

**STAFF COMMENTARY:**

**Department of Planning & Development Comments:**  
The applicant is proposing to revoke an unopened portion of Pine Avenue. DL Investments, LLC desires to assimilate this property into the adjacent properties. However, the Department of Public Works has confirmed that the Parish maintains a drainage ditch within the street right-of-way that the applicant proposes to revoke. The petitioner's Engineer has been in contact with our Department of Public Works and is in the process of working out a plan to reroute the existing drainage on the site.

**Recommendation:**  
The revocation of the subject property should be conditioned upon a satisfactory drainage re-route plan being submitted by the petitioner's Engineering and approved by the Department of Public Works.