

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5888                      ORDINANCE COUNCIL SERIES NO: \_\_\_\_\_

COUNCIL SPONSOR: STEFANCIK/BRISTER      PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: MR. SMITH                      SECONDED BY: MR. LORINO

ON THE 5 DAY OF OCTOBER , 2017

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE NORTH SIDE OF US HIGHWAY 190 SERVICE ROAD, EAST OF HELENBIRG ROAD AND WHICH PROPERTY COMPRISES A TOTAL OF 6.25 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT NC-1 (PROFESSIONAL OFFICE DISTRICT) AND HC-2 (HIGHWAY COMMERCIAL DISTRICT) TO AN HC-3 (HIGHWAY COMMERCIAL DISTRICT), (2017-739-ZC), (WARD 3, DISTRICT 5).

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. 2017-739-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-1 (Professional Office District) and HC-2 (Highway Commercial District) to an HC-3 (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-3 (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-1 (Professional Office District) and HC-2 (Highway Commercial District) to an HC-3 (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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 NOVEMBER , 2017 ; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_\_.

\_\_\_\_\_  
STEVE STEFANCIK, COUNCIL CHAIRMAN

ATTEST:

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

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

Published Introduction: SEPTEMBER 27 , 2017

Published Adoption: \_\_\_\_\_, 2017

Delivered to Parish President: \_\_\_\_\_, 2017 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2017 at \_\_\_\_\_

Exhibit "A"

2017-739-ZC

TOGETHER WITH ALL BUILDINGS AND IMPROVEMENTS LOCATED THEREON BEING PORTIONS OF SQUARE 1, SQUARE 3, AND PORTION OF FORMER FIRST AVENUE RIGHT OF WAY IN THE BIRG SUBDIVISION SOUTHERN DIVISION, ST TAMMANY PARISH, LOUISIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF US HWY 190 SERVICE ROAD AND THE EASTERLY RIGHT OF WAY LINE OF UNDEVELOPED NORTH STREET, ALSO KNOWN AS THE POINT OF BEGINNING;  
THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE NORTH 02 DEGREES 18 MINUTES 42 SECONDS WEST A DISTANCE OF 62.51 FEET TO A 1/2" IRON ROD SET; THENCE CONTINUING ALONG SAID RIGHT OF WAY IN A CURVE TO THE RIGHT HAVING A RADIUS OF 2,239.99 FEET AND AN ARC LENGTH OF 722.62 FEET CHORD OF SAID CURVE BEARING NORTH 07 DEGREES 02 MINUTES 41 SECONDS EAST A DISTANCE OF 719.49 FEET TO A 1/2" IRON ROD SET;  
THENCE LEAVING SAID CURVE SOUTH 89 DEGREES 24 MINUTES 32 SECONDS EAST A DISTANCE OF 260.89 FEET TO A 1/2" IRON ROD SET;  
THENCE SOUTH 00 DEGREES 35 MINUTES 28 SECONDS WEST A DISTANCE OF 866.00 FEET TO A 1/2" IRON ROD SET ON THE NORTHERLY RIGHT OF WAY LINE OF US 190 SERVICE RD; THENCE ALONG SAID RIGHT OF WAY NORTH 74 DEGREES 44 MINUTES 21 SECONDS WEST A DISTANCE OF 350.00 FEET TO THE POINT OF BEGINNING;  
CONTAINING AN AREA OF 6.10 ACRES (265,633.52 S.F.) ALL AS SHOWN ON A SURVEY BY LINFIELD, HUNTER AND JUNIUS, INC., DATED JUNE 23, 2017.

UNDESIGNATED 0.15 ACRE TRACT

TOGETHER WITH ALL BUILDINGS AND IMPROVEMENTS LOCATED THEREON IN PORTIONS OF SQ 1, PORTIONS OF FORMER BIRG BOULEVARD RIGHT OF WAY, THE BIRG SUBDIVISION, SOUTHERN DIVISION, ST TAMMANY PARISH, LOUISIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF US HWY 190 SERVICE ROAD AND THE EASTERLY RIGHT OF WAY LINE OF UNDEVELOPED NORTH STREET, ALSO KNOWN AS THE POINT OF BEGINNING; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 74 DEGREES 44 MINUTES 21 SECONDS EAST A DISTANCE OF 346.70 FEET TO A 1/2" IRON ROD SET;  
THENCE LEAVING SAID RIGHT OF WAY SOUTH 00 DEGREES 35 MINUTES 28 SECONDS WEST A DISTANCE OF 20.67 FEET TO A 1/2" IRON ROD SET ON THE NORTHERLY RIGHT OF WAY LINE OF INTERSTATE 12; THENCE ALONG SAID RIGHT OF WAY NORTH 74 DEGREES 44 MINUTES 21 SECONDS WEST A DISTANCE OF 345.61 FEET TO A 1/2" IRON ROD SET ON THE EASTERLY RIGHT OF WAY LINE OF UNDEVELOPED NORTH STREET; THENCE ALONG SAID RIGHT OF WAY LINE NORTH 02 DEGREES 18 MINUTES 42 SECONDS WEST A DISTANCE OF 20.98 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 6,923.47 SQUARE FEET (0.15 ACRES). ALL AS SHOWN ON A SURVEY BY LINFIELD, HUNTER AND JUNIUS, INC., DATED JUNE 23, 2017.

Case No.: 2017-739-ZC

**PETITIONER:** CarMax Auto Superstores, INC – K. Douglass Moyers & CenterPoint - Brad Lauth

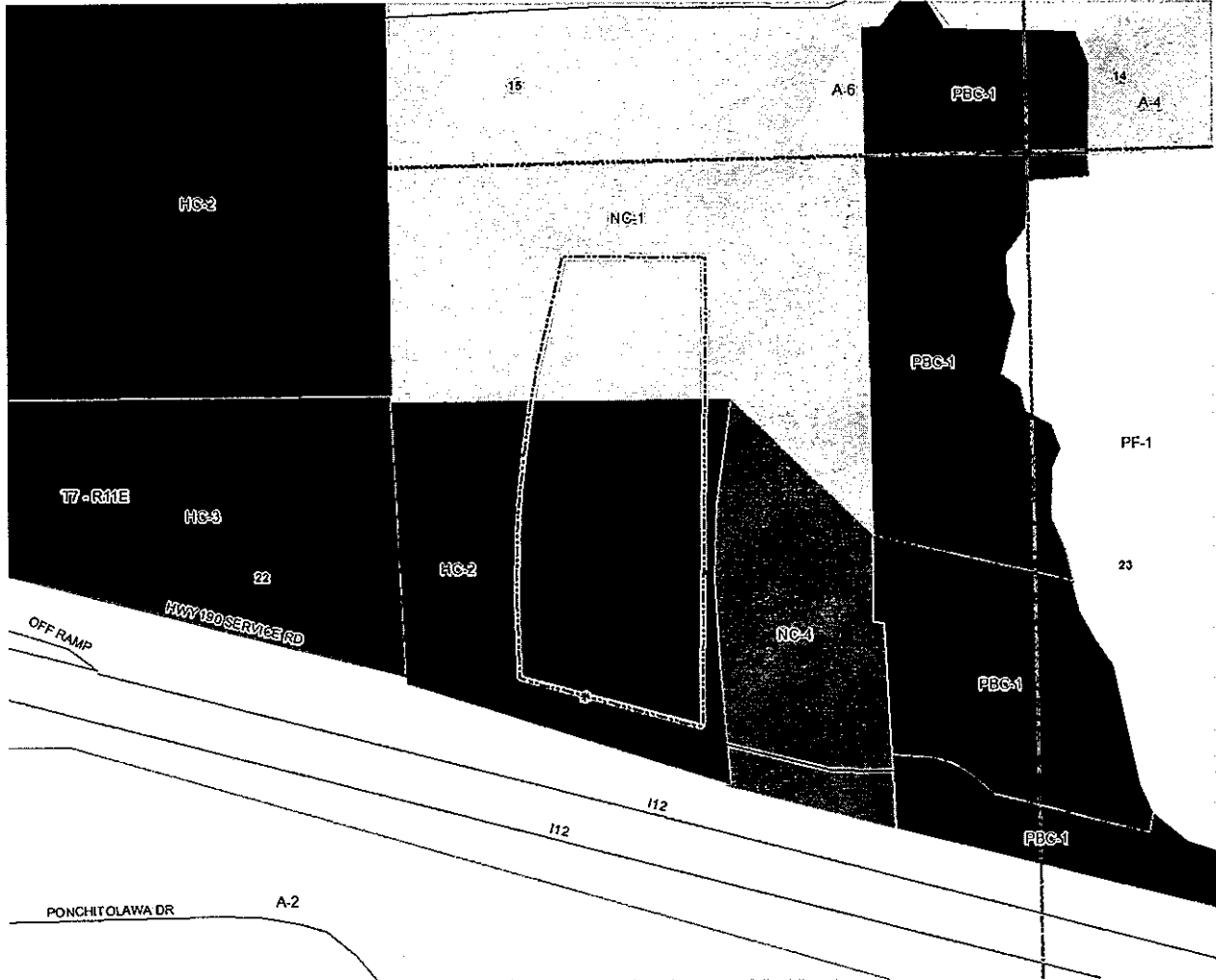
**OWNER:** Marie Elise Prieto, Ernest Prieto, Clay Carl Prieto, PTP Properties LLC, James Kent Jackson - Janet R. Jackson, Marilyn Stoessel, MKMHB, LLC, Marilyn Stoessel Seifert, Robert T. Doolittle, Jr., Benjamin Doolittle, Lauren B. Golden and Malloy C. Golden as The Co-Executors of the Succession of Mary Prieto Golden

**REPRESENTATIVE:** THE PRIETO FAMILY SELLERS - LIZBY EUSTIS

**REQUESTED CHANGE:** From NC-1 Professional Office District, HC-2 Highway Commercial District to HC-3 Highway Commercial District

**LOCATION:** Parcel located on the north side of US Highway 190 Service Road, east of Helenbirg Road ; S15 & 22, T7S, R11E; Ward 3, District 5

**SIZE:** 6.25 acres





2017-739-ZC

HELENBIRG

PRESERVE LAKE

15

T7-R1E

22

HWY 190 SERVICE

PONCHITOLA

0 280 Feet



**ADMINISTRATIVE COMMENT  
ZONING STAFF REPORT**

Date: 8/28/2017  
Case No.: 2017-739-ZC  
Posted: 08/10/17

Meeting Date: 9/5/2017  
Determination: Approved

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**GENERAL INFORMATION**

**PETITIONER:** CarMax Auto Superstores, INC – K. Douglass Moyers & CenterPoint - Brad Lauth

**OWNER:** Marie Elise Prieto, Ernest Prieto, Clay Carl Prieto, PTP Properties LLC, James Kent Jackson - Janet R. Jackson, Marilyn Stoessel, MKMHB, LLC, Marilyn Stoessel Seifert, Robert T. Doolittle, Jr., Benjamin Doolittle, Lauren B. Golden and Malloy C. Golden as The Co-Executors of the Succession of Mary Prieto Golden

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**GENERAL INFORMATION**

**ACCESS ROAD INFORMATION**

Type: Private

Road Surface: 1 lane

Condition: Moderate

**LAND USE CONSIDERATIONS**

**SURROUNDING LAND USE AND ZONING:**

<u>Direction</u>	<u>Surrounding Use</u>	<u>Surrounding Zone</u>
North	Undeveloped	NC-1 Professional Office District
South	I-12	
East	Undeveloped	NC-1 Professional Office District
West	Car Dealership	HC-2 Highway Commercial 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.

**STAFF COMMENTS:**

The petitioner is requesting to change the zoning from NC-1 Professional Office District, HC-2 Highway Commercial District to HC-3 Highway Commercial District. This site is located on the north side of US Highway 190 Service Road, east of Helenbirg Road. The 2025 future land use plan calls for the area to be developed with new commercial uses, compatible with the surrounding uses in the area. Staff does not have any objections to the request, considering the intensity of the adjacent commercial uses, and the location of the site, which is directly facing Interstate 12.

**STAFF RECOMMENDATION:**

The staff recommends that the request for a HC-3 Highway Commercial District designation be approved.