

AGENDA
ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, JUNE 3, 2010 AT 6:00 P.M.
ST. TAMMANY GOVERNMENT COMPLEX
21490 KOOP DRIVE, MANDEVILLE, LA.

Call to Order by Honorable Jerry Binder, Chairman

Invocation by

Pledge of Allegiance by

Roll Call: Marty Dean
Gary Cooper
James A. "Red" Thompson
R. Reid Falconer
Marty Gould
Rebecca Crawford-Howell
Jerry Binder
Al Hamauei
Chris Canulette
E. L. Gene Bellisario
Henry Billiot
Steve Stefancik
Richard Artigue
Ken Burkhalter

PRESENTATION

- 1) Introduction of the Junior Council Member for June - Henry James Calamari. (Binder)
- 2) Recognition of Northshore High School Graduate - Brad Hewitt. (Bellisario)
- 3) Recognition of members of the Mandeville Magic Baseball Team. (Hamauei)

CONSENT CALENDAR

Any items not pulled from the Consent Calendar are automatically approved in whole by one vote. Items pulled from the Consent Calendar are discussed and voted upon individually.

MINUTES

Regular Council Meeting	May 6, 2010
Council Committee Meeting	May 26, 2010

ORDINANCES FOR INTRODUCTION
(Public Hearing July 1, 2010)

- 1) **Ord. Cal. No. 4278** - Ordinance to amend the Parish Unified Development Code, Volume 1 (Zoning) to amend Section 6.05 Planned Corridor District. (ZC10-03-036) (Zoning Commission approved 3/2/10) (Tabled 4/1/10 & 5/6/10) (Binder/Davis)
- 2) **Ord. Cal. No. 4314** - Ordinance amending the Official Parish Zoning Map to reclassify 1.5 acres located on the south side of Gause Blvd, west of Malborough Street, address 1725 Gause Boulevard, Slidell, from NC-2 (Indoor Retail and Services) to HC-2 (Highway Commercial). (Ward 8, District 13)(ZC10-05-046) (Zoning Commission approved 5/4/2010) (Binder/Davis)
- 3) **Ord. Cal. No. 4315** - Ordinance to correct the Road and Drainage Inventory to include three (3) Sandy Brook Circle Laterals, Blackjack Oak Drive Lateral; South 24th Street Lateral; South 23rd Street; two (2) Heather Drive Laterals; Lazy Creek Drive Lateral; Haas Road Pond; an extension of Surrey Lane; and to remove a portion of Barbee Road. (Wards 1, 3, 4, 7, & 8, Districts 1, 3, 7, 13 & 14) (Binder/Davis)

4) **Ord. Cal. No. 4316** - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning), Article 4-Non-conformities, Section 4.02-Abandonment of or Restoration after Damage, to clarify the provisions thereof and to extend the time for repair and replacement of mobile homes. (ZC10-06-058) (Zoning Commission Hearing 6/1/10) (Crawford-Howell)

5) **Ord. Cal. No. 4317** - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning), Section 5.25 I-2 Industrial District to add all I-1 District Uses as Permitted Uses. (ZC10-06-059) (Zoning Commission Hearing 6/1/10) (Hamauei)

6) **Ord. Cal. No. 4318** - Ordinance to extend for an additional six (6) months the moratorium on the approval of rezoning, issuance of conditional use permits and issuance of plan review permits, not previously received, for property abutting the Louisiana Highway 21 Planned Corridor from Keys Road North to Azalea Drive. (Ward 1, District 1) (Dean)

7) **Ord. Cal. No. 4319** - Ordinance to extend for six (6) months the moratorium on the issuance of permits for construction or placement of building structures on certain right-of-way parcels needed for listed capital projects. (Binder/Davis)

8) **Ord. Cal. No. 4320** - Ordinance amending the Official Parish Zoning Map (CRA-1) to reclassify 1.90 acres located on the south side of Montana Drive, east of Shady Pine Road from A-2 (Suburban) to ED-1 (Primary Education). (Ward 7, District 7) (ZC10-06-061) (Zoning Commission Hearing 6/1/10) (Hamauei)

RESOLUTIONS

9) **Resolution C.S. No. C-2855** - Resolution to concur/not concur with the Town of Pearl River annexation and rezoning of 13.28 acres from Parish Rural to Pearl River Residential which property is located at 6197 Highway 41 Spur, 6201 and 6203 Highway 41 Spur, Section 38, Township 7 South, Range 14 East, Pearl River. (Ward 6, District 6) (Tabled 5/6/10) (Annexation #PR2010-01) (Binder/Davis)

10) **Resolution C.S. No. C-2875** - Resolution to amend Ordinance C.S. No. 09-2166 - 2010-2014 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Binder/Davis)

11) **Resolution C.S. No. C-2876** - Resolution to amend Ordinance C.S. No. 09-2166 - 2010-2014 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Binder/Davis)

12) **Resolution C.S. No. C-2877** - Resolution supporting Parish Government's Grant Application and Obligation of Funds as the Match Requirement for the Recreational Trails Program to Construct Camp Salmen's Flatwoods Crescent Loop – Camp Circuit Trail. (Binder/Davis)

13) **Resolution C.S. No. C-2878** - Resolution calling a special election to authorize the renewal of a special drainage tax and making application to the State Bond Commission. (Binder/Davis)

14) **Resolution C.S. No. C-2879** - Resolution Establishing Warranty Obligations. (Binder/Davis)

WARRANTY

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
Ashland Oaks Business Park S/D Amount: \$32,400 Expires: June 26, 2010 Ward:1, District: 1	RELEASE WARRANTY OBLIGATION ESTABLISH PERFORMANCE OBLIGATION FOR SIX (6) MONTHS
Abita Lakes S/D, Phase 3A Amount: \$59,400 Expires: June 15, 2010 Ward: 10, District: 2	RELEASE L.O.C. TO BE BROUGHT INTO THE SELECTIVE PARISH MAINTENANCE SYSTEM

WARRANTY OBLIGATIONS CONTINUED:

Enter Parish R.O.W. (Resolution No. 08-137)	RELEASE L.O.C.
Glendale Heights S/D (Horace St.)	TO BE BROUGHT INTO THE
Amount: \$16,500	SELECTIVE PARISH MAINTENANCE
Expires: July 16, 2010	SYSTEM
Ward: 4, District: 5	

15) **Resolution C.S. No. C-2880** - Resolution authorizing the Parish President to sign and/ or execute a Cooperative Endeavor Agreement between the Parish and Drainage District No. 4. (Binder/Davis)

16) **Resolution C.S. No. C-2881** - Resolution stating Parish Council's endorsement of Mr. Mudbug, Inc., for participation in the Louisiana Enterprise Zone Program. (EZ#20100504). (Binder/Davis)

17) **Resolution C.S. No. C-2882** - Resolution to vacate, in part, the moratorium established by Ordinance C. S. No. 10-2208 on issuance of building permits for construction or placement of building structures on property within a portion of unincorporated Town of Alton Subdivision. (Ward 9, District 14) (Burkhalter)

END OF CONSENT CALENDAR**APPEALS**

1) Jeffery Schoen for Louis G. (Pat) Miramon appealing the Zoning Commission DENIAL on April 6, 2010 to rezone 13.08 acres east of Military Road, south of Cross Gates Boulevard from A-6 (Multiple Family Residential) to A-8 (Multi Family Residential. (Ward 8, District 9) (ZC10-03-035) (Tabled 5/6/10)

NOTE: To concur with Zoning DENIAL, a simple majority vote is required and adoption of a resolution.

NOTE: To override Zoning DENIAL, a majority vote of the entire Council is required and introduction of an ordinance.

2) Michel D. Richard appealing the Zoning Commission DENIAL on April 6, 2010 to rezone 0.78 acres south of Interstate 12, east of Gray Lane and north of Dove Park Road from A-1A (Suburban) to HC-1 (Highway Commercial). (Ward 4, District 5) (ZC10-04-039) (Tabled 5/6/10)

NOTE: To concur with Zoning DENIAL, a simple majority vote is required and adoption of a resolution; and removal of Ordinance Cal. No. 4243 from the agenda.

NOTE: To override Zoning DENIAL, a majority vote of the entire Council is required and adoption of Ordinance Cal. No. 4243.

3) Jeffery Schoen representing Maurmont Properties, LLC appealing the Zoning Commission DENIAL on May 4, 2010 of a text change in the Parish Unified Development Code, Section 7.0213 Sign Regulations. (ZC#10-05-048)

NOTE: To concur with Zoning DENIAL, a simple majority vote is required and adoption of a resolution.

NOTE: To override Zoning DENIAL, a majority vote of the entire Council is required and introduction of an ordinance.

4) Robert Schank, Leon and Jane Golemi, Cori Renfro, and Karen Brantly, individually appealing the Zoning Commission APPROVAL to rezone 529.6 acres located on the north, south, east and west sides of Three Rivers Road and west of Highway 190 from PF-1 (Public Facilities) to MD-4 (Medical Research). (ZC10-05-045)

NOTE: To concur with Zoning APPROVAL, a simple majority vote is required and introduction of an ordinance.

NOTE: To override Zoning APPROVAL, a majority vote of the entire Council is required and adoption of a resolution.

ORDINANCES FOR ADOPTION

1) Ord. Cal. No. 4171AAII - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning), Article 2 Definitions and Section 5.2102, Paragraph (2) Convenience Stores (w/gas), to provide a definition for convenience store and to provide requirements for convenience stores selling gas as an accessory use in the HC-2 Highway Commercial District. (Introduced 11/5/09) (ZC10-01-009) (Zoning Commission approved 2/2/10) (Tabled 12/3/09, 1/7/10, 2/4/10, 3/4/10 & 4/1/10) (reintroduced 5/6/10)

2) Ord. Cal. No. 4209AA - Ordinance to amend the Parish Unified Development Code, Volume I (Zoning), Section 8.01, Minimum Standards for Specific Uses, relative to agricultural and decorative ponds. (Tabled 12/3/09 & 1/7/10)(Amended & re-introduced 2/4/10) (ZC10-01-016) (Zoning Commission approved 3/2/10)(Tabled 3/4/10, 4/1/10 & 5/6/10)

3) Ord. Cal. No. 4213AAII - Ordinance to amend Parish Unified Development Code, Volume I (Zoning) Sections 5.24 - 5.26a, I-1, I-2, I-3 and I-4 Industrial Districts, relative to Commercial Excavations. (ZC09-11-032) (Zoning Commission approved 12/1/09) (Introduced 1/7/10 & reintroduced 2/4/10) (Adopted 3/4/10) (Reconsidered, rescinded & tabled 4/1/10) (Tabled 5/6/10)

4) Ord. Cal. No. 4243 - Ordinance amending the Official Zoning Map of the 2009 South West Comprehensive Rezoning Area (CRA-2) to reclassify 0.78 acre located in Section 24, Township 7 South, Range 11 East from A-2 (Suburban) to HC-1 (Highway Commercial). (Ward 4, District 5) (Introduced 2/4/10) (ZC10-04-039) (Tabled 3/2/10 & 4/1/10) (Zoning Commission Denied 4/6/10) (Related to Appeal #2) (Tabled 5/6/10)

5) Ord. Cal. No. 4244AAII - Ordinance to amend Parish Code of Ordinances, Appendix B, Chapter 40 Subdivision Regulatory Ordinance No. 499, Section 40-045.00 Minor Subdivision Review, to provide criteria for the waiver of public hearing and administrative approval of minor subdivisions. (Introduced 2/4/10) (Amended and reintroduced 3/2/10) (Planning Commission approved 3/9/10) (Tabled 4/1/10) (Amended and reintroduce 4/28/10) (Tabled 5/6/10)

6) Ord. Cal. No. 4252 -Ordinance to amend and reenact Parish Code of Ordinances, Chapter 20, Roads and Bridges Section 20.010.03 Location and Placement of Public and Private Utility Equipment and Collection and/or Distribution Lines in Parish Rights of Way. (Introduced 2/4/10) (Tabled 3/2/10, 4/1/10 & 5/6/10)

7) Ord. Cal. No. 4275 - Ordinance to amend the Parish Unified Development Code, Section 7.02 Sign Regulations, relative to permitted signs for properties located along the Interstate 10 Service Road. (Ward 9, District 13) (Introduced 3/4/10)(ZC#10-06-054) (Zoning Commission Hearing 6/1/10) (Tabled 4/1/10 & 5/6/10)

8) Ord. Cal. No. 4287 - Ordinance to amend the Parish Unified Development Code, Volume I (Zoning) Sections 5.10 and 7.08 to include provisions for development of land on the south side of Lakeview Drive. (Ward 9, District 13) (Introduced 4/1/10) (ZC10-05-047) (Zoning Commission Approved 5/4/2010) (Tabled 5/6/10)

9) Ord. Cal. No. 4289 - Ordinance revoking the dedication of the unopened right of way known as Ozone Street, part of which is located in the Pineland Park Estates Subdivision and in the

Deer Run Subdivision (a/k/a Woodridge on the Lake Subdivision).(Ward 4, District 4)(Introduced 4/1/10) (Planning Commission approved 5/11/2010) (Tabled 5/6/10)

10) **Ord. Cal. No. 4296** - Ordinance Amending Ordinance C. S. No. 09-2038, adopted May 7, 2009, making changes to Land Use Regulations Ordinance No. 523 As Amended, Section 6.01, and Unified Development Code Section 7.0801, Modifications and Exceptions, Lots of Record, Amending Side Yard Setback and Driveway Requirements. (Introduced 4/1/10)(ZC#10-07-068) (Zoning Commission Hearing 7/6/10) (Tabled 5/6/10)

11) **Ord. Cal. No. 4297** - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning), Section 2 Definitions and Section 5.26a I-4 Heavy Industrial District, Relative to Waste Transfer Stations. (Introduced 4/1/10) (ZC#10-06-065) (Zoning Commission Hearing 6/1/10) (Tabled 5/6/10)

12) **Ord. Cal. No. 4299** - Ordinance to authorize the Parish President to acquire certain parcels of immovable property approved by the Hazard Mitigation Grant Program. (Introduced 5/6/10)

13) **Ord. Cal. No. 4300** - Ordinance revoking the tacit dedication of a portion of the right of way known as Rob Road. (Ward 2, District 2) (Introduced 5/6/10)

14) **Ord. Cal. No. 4301** - Ordinance to correct the Road and Drainage Inventory to include Clesi Avenue Lateral; Oak Cove Lateral; Blue Crane No. 1 Drive Lateral; Glenwood Street Lateral; Comanche Drive Lateral; Smith Road Lateral; R.R. Avenue Lateral; and an Extension of Allison Road; and to remove Creole Road Lateral; 2 Fish Hatchery Road Laterals; and Mandane Drive Lateral. (Wards 2, 3, 5, 7 & 8, Districts 2, 3, 6, 7 & 9) (Introduced 5/6/10)

15) **Ord. Cal. No. 4302** - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically Penn Mill Lakes, Phase 2C; Guste Island Estates, Parcel A”the Village”; and Pine Creek Acres, Phase 1A Subdivisions. (Wards 1 & 3, Districts 1 & 3) (Introduced 5/6/10)

16) **Ord. Cal. No. 4303** - Ordinance amending the 2010 Operating Budget. (Binder/Davis)

17) **Ord. Cal. No. 4304** - Ordinance amending the official parish zoning map to reclassify land located south of Central Avenue, west of Chris Kennedy Road, being 36464 Central Ave, Pearl River containing 1.0331 acres from A-2 (Suburban) to A-2 (Suburban) & MHO (Mobile Home Overlay). (Ward 6, District 6). (ZC10-04-041) (Zoning Commission approved 4/6/10) (Introduced 5/6/10)

18) **Ord. Cal. No. 4305** - Ordinance to amend Parish Unified Development Code, Volume I (Zoning), Sections 5.13 A-7(d) and 5.13a A-8(d) Multi-family Residential District - Density, to provide for a building height restriction of thirty-five (35') feet under specified circumstances. (ZC10-04-042) (Zoning Commission approved 4/6/10) (Introduced 5/6/10)

19) **Ord. Cal. No. 4306** - Ordinance accepting the Act of Dedication and Donation of Spinner Road for inclusion into the Road Maintenance System. (Ward 6, District 6) (Introduced 5/6/10)

20) **Ord. Cal. No. 4307** - Ordinance accepting the Act of Dedication and Donation of Ford Drive for inclusion into the Road Maintenance System. (Ward 6, District 6) (Introduced 5/6/10)

21) **Ord. Cal. No. 4308** - Ordinance amending the 2009 Parish Zoning Map of the South West Comprehensive Rezoning Area (CRA-2) to rezone 54.56 acres commonly referred to as Covington Country Club, located south of Country Club Drive and is designated as CB-1 (Community Based Facilities), in part, and in part as A-2 (Suburban). (Ward 4, District 4) (ZC10-01-008) (Introduced 5/6/10)

22) **Ord. Cal. No. 4309** - Ordinance amending the 2009 Zoning Map South West Comprehensive Rezoning Area (CRA-2) to reclassify 90.60 acres commonly referred to as Covington Country Club, located North of Country Club Drive and designated as CB-1 (Community Based Facilities), in part, and, in part, as A-2 (Suburban). (Ward 4, District 4) (ZC10-01-007) (Introduced 5/6/10)

23) **Ord. Cal. No. 4310** - Ordinance to extend for an additional six (6) months the moratorium on the placement of fill and on the issuance of permits for construction, renovation, improvement or placement of any building or structures on property within the boundaries of the subdivision known as Serenity Oaks.(Ward 9, District 14) (Introduced 5/6/10)

24) **Ord. Cal. No. 4312** - Ordinance amending the Official Parish Zoning Map to reclassify 7.49 acres located on the Northwest Corner of La Highway 59 & Lonesome Road from NC-4 (Neighborhood Institutional) to a HC-2 (Highway Commercial).(Ward 4, District 10) (ZC10-04-043) (Zoning Commission Denied 4/6/10) Council overrode denial and introduced 5/6/10)

25) **Ord. Cal. No. 4313** - Ordinance to authorize the Parish President to purchase, expropriate or otherwise acquire certain roads and/or road rights-of-way in and around subdivision entrances for Parc du Lac and Lakewood Heights Subdivisions and certain drainage servitudes and common grounds for the Parc du Lac Project. (Introduced 5/6/2010)

AWARD OF BIDS

<u>BID ITEM</u>	<u>BID NUMBER</u>	<u>FUND</u>
Parish Official Journal July 1, 2010 - June 30, 2011	502-03-10-13-2	

DISCUSSION AND OTHER MATTERS

1) **Motion** to refer to the Zoning Commission for recommendation the proposed rezoning of a 6 acre parcel bearing physical address 120 Fairview Drive, Madisonville, within the South West Comprehensive Rezoning Area (CRA-2) currently zoned A-4 to HC-2. (survey attached)(Ward 4, District 4) (Falconer)

2) **Motion** to refer to Zoning Commission for recommendation the proposed rezoning of .0994 acres situated in Section 35, Township 8 South, Range 14 East, from PF-1 (Public Facilities) to HC-1 (Highway Commercial). (Ward 8, District 9)(Bellisario)

3) **Motion** to refer to Zoning Commission for recommendation the proposed rezoning of 3 parcels situated in Section 14, Township 7 South, Range 11 East, from A-1A (Suburban District) to A-2 (Suburban District). (Ward 3, District 5)(Gould)

4) **Motion** to refer to Zoning Commission for recommendation the proposed rezoning of 9.232 acres situated in Section 17, Township 5 South, Range 11 East, from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 2)(Cooper)

5) **Motion** to refer to Zoning Commission for recommendation the proposed rezoning of 4 acres situated in Section 50, Township 5 South, Range 12 East, from A-1 (Suburban District) to A-2 (Suburban District).(Ward 2, District 2)(Cooper)

6) **Motion** to refer to Zoning Commission for recommendation the proposed rezoning of 9.82 acres situated in Section 29, Township 4 South, Range 11 East, from A-1 (Suburban District) to A-1A (Suburban District). (Ward 2, District 2)(Cooper)

7) **Motion** to refer to Zoning Commission for recommendation the proposed rezoning of a certain area on Perkins Road currently zoned A-2 (Suburban District) to MHO (Manufactured Housing Overlay). (Ward 7, District 7) (Hamauei)

8) **Motion** to refer to the Zoning Commission for consideration of amendment to the Unified Development Code, Volume 1-Zoning, Section 5 Zoning Districts, to delete from Household Agriculture as a permitted use in the A-4 and A-4A- Zoning Districts the raising of any livestock weighing more than ten (10) pounds and to delete Household Agriculture as a permitted use in A5 - A8 zoning districts. (Gould)

9) Motion to refer to Zoning Commission for recommendation the proposed rezoning of that portion of ground situated on the westerly side of Highway 11 beginning at the intersection of Highway 11 and Northshore Circle to Lake Pontchartrain from A-4-A (Single Family Residential) to CB-1 (Community Based Facilities). (Ward 9, District 13) (Artigue)

10) Motion to refer to the Zoning Commission for recommendation of an amendment to the Official Zoning Map of St. Tammany Parish (North East Comprehensive Rezoning Area CRA-3) to reclassify 10 parcels totaling 133.01 acres east of Jack Lloyd Road from A-2 (Suburban) to NC-6 (Public, Cultural, Recreational). (Ward 6, District 6)(Crawford-Howell)

11) Motion to refer to the Zoning Commission for recommendation an amendment to the Official Parish Zoning Map (South Central Comprehensive Rezoning Area CR-1) to reclassify Phase II of Hickory Village Subdivision as MHO. (Ward 6, District 6) (Crawford Howell)

EXECUTIVE SESSION

- 1) Authorization to pay property damage claim of Iona D. Norcise.