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**PUBLISHED JANUARY 27, 2005 - POSTED AT PARISH COMPLEX FEBRUARY 1, 2005**

**AGENDA**

**ST. TAMMANY PARISH COUNCIL MEETING**

**THURSDAY, FEBRUARY 3, 2005 AT 6:00 P.M.**

**ST. TAMMANY GOVERNMENT COMPLEX**

**21490 KOOP DRIVE, MANDEVILLE, LA.**

**Call to Order by Honorable Steve Stefancik, Chairman**

**Invocation by**

**Pledge of Allegiance by**

**Roll Call: Marty Dean**

**Russell Fitzmorris**

**James A. "Red" Thompson**

**Patricia P. Brister**

**Marty Gould**

**Gary Singletary**

**Joe Impastato**

**Steve Stefancik**

**Jerry Binder**

**Chris Canulette**

**Barry D. Bagert**

**Henry Billiot**

**Joe "Coach" Thomas**

**Ken Burkhalter**

**PRESENTATIONS**

**1) Certificate of Recognition to Spiehler's Service as Business of the Month for outstanding service to the community.**

**CONSENT CALENDAR**

**MINUTES**

**Regular Council Meeting      January 6, 2005**

**Special Council Meeting      January 20, 2005**

**Council Committee Meetings      January 26, 2005**

## ORDINANCES FOR INTRODUCTION

(Public Hearing March 3, 2005)

1) Ord. Cal. No. 3006 - Ordinance to amend the Parish Code, Appendix C (Ord. 523 Land Use Regs), Section 5.16 relative to Standards for Landscaping and Tree Preservation Regulations.

2) Ord. Cal. No. 3007 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the west side of Highway 11 and the east side of 7th Street, being Lot 12 and the remainder of Lot 7, Square 60, Alton Subdivision, containing 8,100 sq. ft. from SA Suburban Agriculture to C-2 Highway Commercial. (Ward 8, District 14) (ZC 04-12-099) (Zoning Commission approved 1/4/2005)

3) Ord. Cal. No. 3008 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of permits for construction or placement of building structures on property within a portion of The Birg Boulevard Subdivision, less and except land removed by Resolutions adopted heretofore. (Ward 3, District 5)

4) Ord. Cal. No. 3009 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of permits for the construction or placement of building structures on certain property within a portion of Tammany Forest Subdivision. (Ward 7, District 7)

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5) Ord. Cal. No. 3010 - Ordinance to adopt Voluntary Developmental Agreement between the Parish and Marina Developers, LLC, developer of Marina Beau Chene Subdivision, Sections 3 and 4 in Ward 4, District 4. (Stefancik/President) (Planning Commission approved 1/11/2005)

6) Ord. Cal. No. 3011 - Ordinance to amend Parish Code, Appendix B (Ord. 499 Subdivision Regs), to create Section 40-045.0 Minor Subdivision Review, and Subsection 40- 045.01 Minimum Construction Standards for a Private Drive, to provide for administrative review of some subdivisions of property. (Planning Commission approved with changes 1/11/2005)

7) Ord. Cal. No. 3012 - Ordinance to correct Road Inventory to include South Road and an extension of Wilson Lane; also to correct Drainage Inventory to include ditch located off Deval Street. (Wards 2, 4 & 6, Districts 3, 5 & 6)

8) Ord. Cal. No. 3013 - Ordinance amending the 2005 Operating Budget.

9) Ord. Cal. No. 3014 - Ordinance amending the 2004 Operating Budget.

10) Ord. Cal. No. 3015 - Ordinance to amend Parish Code, Section 2-009.00 Parish Fees and Service Charges, particularly Ord. C.S. No. 04-0990, adopted 11/4/2004, relative to Transportation and Drainage Impact Fees.

### RESOLUTIONS

11) Resolution C.S. No. C-1330 - Resolution to approve *New Directions 2025 - Northern Ward 1 Area Plan for that portion of Ward 1 north of Interstate 12*, and to amend the Future Land Use Plan of the Land Use Element - Phase 1 of the Comprehensive Plan for St. Tammany, including the supporting map and text. (Planning Commission approved 1/11/2005)

12) Resolution C.S. No. C-1331 - Resolution approving issuance, sale and delivery of \$50,000 of Certificates of Indebtedness, Series 2005, of Fire Protection District No. 5.

13) Resolution C.S. No. C-1332 - Resolution establishing Warranty Obligations.

### WARRANTY

#### NAME OF SUBDIVISION RECOMMENDATION

ANGELIC ESTATES (AKA THE BIRG)      EXTEND FOR ONE (1) YEAR OR  
 AMOUNT: \$13,000                      UNTIL WORK SATISFACTORILY  
 EXPIRES: MARCH 9, 2005              ACCOMPLISHED  
 WARD: 3    DISTRICT: 5

FOREST BROOK SUBDIVISION, PHASE 5A      RELEASE L.O.C.  
 AMOUNT: \$19,000                      TO BE BROUGHT INTO THE  
 EXPIRES: MARCH 25, 2005              MAINTENANCE SYSTEM  
 WARD: 4    DISTRICT: 7

KINGSPPOINT SUBDIVISION, PH 8Q6      RELEASE L.O.C.  
 AMOUNT: \$17,100                      TO BE BROUGHT INTO THE  
 EXPIRES: DECEMBER 4, 2005              MAINTENANCE SYSTEM  
 WARD: 8    DISTRICT: 13

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Warranty Obligations continued:

#### NAME OF SUBDIVISION RECOMMENDATION

KINGSPPOINT SUBDIVISION, PH 8Q7      EXTEND FOR ONE (1) YEAR OR  
 AMOUNT: \$25,300                      UNTIL WORK SATISFACTORILY  
 EXPIRES: MARCH 5, 2005              ACCOMPLISHED

**WARD: 8 DISTRICT: 13**

**LES BOIS SUBDIVISION, PH 1 RELEASE L.O.C.  
AMOUNT: \$23,500 TO BE BROUGHT INTO THE  
EXPIRES: JANUARY 22, 2005 MAINTENANCE SYSTEM  
WARD: 1 DISTRICT: 1**

**NOTTOWAY SUBDIVISION, PH 2 RELEASE L.O.C.  
AMOUNT: \$5,600 TO REMAIN IN THE OWNERSHIP  
EXPIRES: FEBRUARY 20, 2005 OF HOMEOWNERS ASSOCIATION  
WARD: 1 DISTRICT: 1**

**RESERVE SUBDIVISION, PHASE 2 RELEASE L.O.C.  
AMOUNT: \$33,000 TO REMAIN IN THE OWNERSHIP  
EXPIRES: APRIL 9, 2005 OF HOMEOWNERS ASSOCIATION  
WARD: 4 DISTRICT: 10**

**TURTLE CREEK SUBDIVISION, PH 5-1-A RELEASE L.O.C.  
AMOUNT: \$16,400 TO BE BROUGHT INTO THE  
EXPIRES: MARCH 18, 2005 MAINTENANCE SYSTEM  
WARD: 8 DISTRICT: 8**

**THE TRACE SUBDIVISION EXTEND FOR ONE (1) YEAR OR  
AMOUNT: \$26,000 UNTIL WORK SATISFACTORILY  
EXPIRES: MARCH 2, 2005 ACCOMPLISHED  
WARD: 9 DISTRICT: 11**

**14) Resolution C.S. No. C-1333 - Resolution to concur/not concur with City of Mandeville annexation and rezoning of 21.25 acres on the east side of Highway 190, located between Greenleaves Subdivision and the First Baptist Church of Mandeville, from Parish C-1 Neighborhood Commercial to City of Mandeville Planned Combined Use District and R-3 Multi-Family District. (Ward 4, District 10)**

**15) Resolution C.S. No. C-1334 - Resolution to concur/not concur with City of Slidell annexation and rezoning of 58.3068 acres on the northeast corner of I-12 and Airport Road from Parish C-1 Neighborhood Commercial and A-4 Single Family District to City of Slidell C-4 Highway Commercial. (Ward 9, District 11)**

**16) Resolution C.S. No. C-1335 - Resolution to concur/not concur with City of Slidell annexation and rezoning of 1.001 acres, being a portion of Lots 6, 7 & 8, Square 28, Pearl Acres Subdivision, located west of W-15 Canal, north of Cornerstone Drive and east of Amber Street, from Parish A-6 General Multiple Family to City of Slidell A-9 Apartment District.  
(Ward 8, District 13)**

**END OF CONSENT CALENDAR**

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**1) Applicant Elliott Nelson appealing the Zoning Commission DENIAL on December 7, 2004 to rezone 1.81 acres on the east side of Highway 25, south of St. Gertrude Drive, north of Hard Hat Road, from LC Light Commercial to C-2 Highway Commercial. (Ward 3, District 2) (ZC 04-12-106)**

**2) Applicant Etienne Devlin appealing the Zoning Commission DENIAL on January 4, 2005 to rezone 6.61 acres on the west side of Riverside Drive, east of the Bogue Falaya River, north of L'Esperance Lane, from A-2 Suburban to a PUD (Planned Unit Development). (Ward 3, District 1) (ZC 05-01-002)**

**3) Attorney John S. Lawrence, Jr. for applicant Safe-Stor LLC, appealing the Zoning Commission DENIAL on January 4, 2005 of Conditional Use Permit for a 3-story retail center and mini storage facility on the southwest corner of Highway 22 and Ridgewood Drive. (Ward 4, District 4) (CP 04-11-126)**

**4) Applicant Suzanne Noques/McDonald's Corporation for Golden Arch Limited Partnership appealing the Zoning Commission DENIAL on January 4, 2005 for Plan Review of a 1,215 sq. ft. addition to an existing McDonald's Restaurant and alteration of existing parking lot on the west side of Highway 21, north of I-12, in a C-2 Highway Commercial District. (Ward 1, District 1)(PR 04-11-011)**

**5) Carlo Hernandez appealing the Zoning Commission APPROVAL on January 4, 2005 for a 1-year extension of a Conditional Use Permit, approved with conditions February 6, 2003, for a 143,215.41 sq. ft. mini storage on the north side of Highway 1088, west of Hickory Street, east of Trinity Drive, across from Quail Creek Subdivision, in a C-2 Highway Commercial District. (Applicant Attorney A. Wayne Buras for owner Bennett Brothers) (Ward 4, District 5) (CP 02-12-114)**

**ORDINANCES FOR ADOPTION**

**1) Ord. Cal. No. 2965 - Ordinance to amend Parish Code, Appendix B (Ord. 499 Subdivision Regs), Section 40-061.0 Additional Requirements to Preliminary Subdivision Review, to provide for back slope requirements of roadside ditches. (Introduced 11/4/2004) (Tabled 12/2/2004 & 1/6/2005) (Planning Commission approved 1/11/2005)**

2) Ord. Cal. No. 2987 - Ordinance amending the official zoning map of St. Tammany to reclassify land on northwest corner of Highway 1085 and Highway 1077, containing 14.406 acres, from R-Rural to M-2 Intermediate Industrial. (Ward 1, District 1) (ZC 04-10-079)

(Zoning Commission approved 12/7/2004) (Introduced 1/6/2005)

3) Ord. Cal. No. 2988 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the south side of Highway 22, east of Port Louis Road, containing 51.18 acres, from SA Suburban Agriculture to PUD Planned Unit Development. (Ward 1, District 1)

(ZC 04-10-089) (Zoning Commission approved 12/7/2004) (Introduced 1/6/2005)

4) Ord. Cal. No. 2989 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the southwest corner of Destin Street & Gerard Street ( 1446 Gerard Street) containing 30,178.8 sq. ft., from A-2 Suburban to LC Light Commercial. (Ward 4, District 10) (ZC 04-12-096) (Zoning Commission approved 12/7/2004) (Introduced 1/6/2005)

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5) Ord. Cal. No. 2990 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the east side of Krentel Road, west of Highway 434, containing 9.183 acres, from SA Suburban Agriculture to M-1 Light Industrial. (Ward 7, District 7) (ZC 04-12-097)

(Zoning Commission approved 12/7/2004) (Introduced 1/6/2005)

6) Ord. Cal. No. 2991 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the south side of Koeppe Road, west of Oullibert Road, containing 58.906 acres, from SA Suburban Agriculture to A-2 Suburban. (Ward 1, District 1) (ZC 04-12-102)

(Zoning Commission approved 12/7/2004) (Introduced 1/6/2005)

7) Ord. Cal. No. 2992 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the southwest corner of C.S. Owens Road and Highway 1077, containing 6.285 acres, from R-Rural to ID Institutional. (Ward 1, District 1) (ZC 04-12-104) (Zoning Commission approved 12/7/2004) (Introduced 1/6/2005)

8) Ord. Cal. No. 2993 - Ordinance to amend Parish Code, Appendix C (Ord. 523, Land Use Regs), Section 2.15, to provide for change in M-2 Intermediate Industrial District Regulation.

(ZC 04-12-105) (Zoning Commission approved 12/7/2004) (Introduced 1/6/2005)

9) Ord. Cal. No. 2994 - Ordinance to authorize Parish President to purchase Lots 3 and 4 in Square 4, Section C, East Addition to Alexiusville, to provide flood protection for area residents. (Introduced 1/6/2005)

10) Ord. Cal. No. 2995 - Ordinance to authorize Parish President to purchase right-of-way on Fitzgerald Church Road to replace bridge. (Introduced 1/6/2005)

11) Ord. Cal. No. 2996 - Ordinance to amend Ord. C.S. No. 00-0174, adopted July 6, 2000, to provide for changes in the Parish "Personnel Policies". (Introduced 1/6/2005)

12) Ord. Cal. No. 2997 - Ordinance accepting finalized subdivisions (Covington Meadows, Phase 4, Emerald Creek, Phase 2, Tammany West Multiplex, Phase 1, and Laurel Oaks Subdivision) into the Road and Drainage Inventories. (Wards 1, 3, 4 & 10, Districts 1, 5 & 7) (Introduced 1/6/2005)

13) Ord. Cal. No. 2998 - Ordinance to correct Drainage Inventory to include the ditch off Hard Hat Drive. (Ward 3, District 2) (Introduced 1/6/2005)

14) Ord. Cal. No. 2999 - Ordinance to adopt Voluntary Developmental Agreement between the Parish and AZBY Fund, developer of Wadsworth Subdivision. (Ward 4, District 7) (Introduced 1/6/2005)

15) Ord. Cal. No. 3000 - Ordinance to adopt Voluntary Developmental Agreement between the Parish and Kingspoint Dev., LLC, developer of Oak Plain Subdivision. (Ward 8, District 13) (Introduced 1/6/2005)

16) Ord. Cal. No. 3001 - Ordinance to adopt Voluntary Developmental Agreement between the Parish and Northpointe Development, developer of Northpointe Business Park Subdivision. (Ward 1, District 1) (Introduced 1/6/2005)

17) Ord. Cal. No. 3002 - Ordinance to adopt Voluntary Developmental Agreement between the Parish and Amsouth Construction Company, developer of Madisonville Trace Subdivision. (Ward 1, District 1) (Introduced 1/6/2005)

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18) Ord. Cal. No. 3003 - Ordinance to amend Parish Code, Appendix B (Ord. 499 Subdivision Regs), Section 40-036.02(B), relative to requirement for Community Sewerage Systems. (Introduced 1/6/2005) (Planning Commission approved 1/11/2005)

19) Ord. Cal. No. 3004 - Ordinance to amend Parish Code, Appendix C (Ord. 523 Land Use Regs), Section 5.03 Sign Regulations, relative to permitted signs for Events Center Districts. (ZC04-10-091) (Introduced 1/6/2005)

20) Ord. Cal. No. 3005 - Ordinance to authorize Parish President to negotiate and enter into an Oil, Gas & Mineral Lease with Oracle Gas, LLC, for land commonly known as Haas Road Detention Pond in Ward 8, District 14. (Introduced 1/6/2005)

## NOMINATIONS

**1) Resolution to appoint \_\_\_\_\_ to replace Edward P. “Bubby” Lyons (resigned) to the East Florida Parishes Retirement District (term expires 7/5/2005 per state law) (Parishwide) (Postponed 12/2/2004)**

### **APPOINTMENTS**

**1) Resolution to appoint David Champagne to replace Brad Gerken (declined appointment) to Building Regulatory Board. (Nomination made 1/6/2005)**

**2) Resolution to appoint David Champagne to replace Brad Gerken (declined appointment) to Construction Board of Adjustments and Appeals. (Nomination made 1/6/2005)**

**3) Resolution to reappoint Jimmy Wallace (term expired) to Fire Protection District No. 11. (Tabled 1/6/2005)**

**4) Resolution to appoint David Root to replace Benny Garcia (term expired 12/31/2003) to Fire Protection District No. 8.**