



# Staff Report

## Subdivision Case#SDF2009-8-1

**Attachments:** Property Information Sheet, Photos, Zoning Map, Aerial Map, Applicant Letter, Final Subdivision Plat, Ordinance#09-5170, Original Bond, Extension Bond

Planning Commission: Public Hearing: Thursday January 5, 2012  
City Council: Introduction – 01/17/2012 Final – 02/07/2012

### CITY COUNCIL AGENDA REQUEST: (Ordinance)

Approval to amend Ordinance #09-5170 as requested by Alack Properties LLC (Greg Alack) to extend deadline to construct cul-de-sac on Arc Way in Alack Business Park until 10/06/2013, and to accept an extension of the performance bond for construction of the cul-de-sac in the amount of \$69,500, expiring 10/06/2013; located at 17420 Hwy 190 East; zoned C3 (Case#SDF2009-8-1)

### SITE INFORMATION:

COUNCIL DISTRICT: 1- Johnny Blount

**Location (Address):** 17420 Hwy 190 East

**Site Description:** Alack Business Park is a 9.74 acre development. This development includes a dedicated street (Arc Way) which intersects with Hwy 190 East. Alack Business Park has 5 lots. Lot 1 currently has a commercial kitchen equipment supply store, and Lots 2, 3, 4A & 4B are undeveloped.

**Existing Zoning:** C3

**Existing Land Use:** Commercial & Vacant Land

### ADJACENT LAND USE AND ZONING:

| <u>Direction</u> | <u>Land Use/Zoning</u>                                    |
|------------------|---|
| <b>North:</b>    | Commercial & Residential/C2, C3 & RS (across Hwy 190)     |
| <b>South:</b>    | Residential/ Outside City Limits (No Zoning)              |
| <b>East:</b>     | Vacant Land/ Outside City Limits (No Zoning)              |
| <b>West:</b>     | Residential & Vacant Land/Outside City Limits (No Zoning) |

### ADDITIONAL INFORMATION:

On September 3, 2009 the Planning Commission recommended final approval of Amended Final Plat of Alack Business Park Subdivision and the dedication of Arc Way and all public improvements in accordance with the survey by Dennis L. Gowin dated 8/14/09 and that the council waives the following:

- 1) Waiver of the requirement to install the cul-de-sac prior to final approval in lieu of a two-year Performance Bond in the amount of \$69,500 guaranteeing the construction of the cul-de-sac (within two years);
- 2) Waiver of the requirement to provide a one-year maintenance bond to allow for a maintenance bond in the amount of \$28,647.00 that will expire on June 30, 2010 (slightly less than nine months from a 10-6-09 final approval by Council); and

Conditioned upon the applicant making the drainage ditch between lots 1 & 4B subsurface prior to the City Council approval to address the maintenance issues as requested by the Streets Director in his letter of 8-24-09; OR prior to the end of the maintenance bond period in conjunction with the applicant providing a nine-month Performance Bond for the installation of the sub-surface ditch.

**NOTE:** Applicant accepted the option to construct the subsurface ditch prior to Council approval and ditch was constructed.

On October 6, 2009 the City Council approved Ordinance #09-5170 for the final subdivision of Alack Business Park and accepted the dedication of Arc Way and all public improvements, accepted a two-year Performance Bond (\$69,500) for the construction of the cul-de-sac to expire on 10-06-11, and accepted a one-year maintenance bond (\$28,647) to expire on 6-30-2010.

On 10-06-11 the Performance Bond for the cul-de-sac expired and the cul-de-sac was not constructed.

**PUBLIC HEARING (January 5, 2012):**

**For:** Jason Reibert (Gulf States Real Estate Services)

**Against:** None

**PLANNING COMMISSION RESULTS:**

**Motion:** William Travis to approve extension of deadline to construct the cul-de-sac on Arc Way until 10/06/2013 and recommend acceptance of a performance bond in the amount of \$69,500 conditioned upon the prohibition of the issuance of any certificate of occupancy on lots 2, 3, 4A or 4B until the cul-de-sac is constructed and accepted by the City Council.

**For:** Sam McClugage, Stanley Young, William Travis **Against:** None **Absent:** Jimmy Meyer, Ralph Ross

**ORDINANCE TO READ:**

**WHEREAS,** on January 5, 2012 the Planning Commission approved the extension of deadline to construct the cul-de-sac on Arc Way until 10/06/2013 with the condition that the cul-de-sac shall be constructed and accepted by the City Council prior to issuance of any certificates of occupancy on lots 2,3,4A, or 4B;

**WHEREAS,** the Planning Commission recommended acceptance of the performance bond extension in the amount of \$69,500 to expire on 10/06/2013; and

**WHEREAS,** the Planning Commission recommended amendment of Ordinance#09-5170 to accept the extension of the performance bond for the construction of the cul-de-sac to expire on 10/06/2013 and add the condition the cul-de-sac shall be constructed and accepted by the City Council prior to issuance of any certificates of occupancy on lots 2,3,4A, or 4B.

**NOW, THEREFORE, BE IT ORDAINED,** that the City Council of Hammond, Louisiana hereby accepts the extension of the deadline for the construction of the cul-de-sac on Arc Way to expire on 10/06/2013 and hereby approves the amendment of Ordinance#09-5170 to extend the two-year performance bond in the amount of \$69,500 to expire on 10/06/2013 with the condition that the cul-de-sac shall be constructed and accepted by the City Council prior to the issuance of any certificates of occupancy on lots 2,3,4A, or 4B.

**From:** Ginger Fortson, City Planner \_\_\_\_\_ **Date:** \_\_\_\_\_