



Staff Report

Rezoning

Case #: Z-2019-05-00062

Attachments:

Staff Report, Photos, Survey, CH & CN Uses, Application, Zoning Map, Future Land Use, Aerial Map

Zoning Commission Public Hearing: Thursday, June 6, 2019

City Council Introduction: Tuesday June 11, 2019

City Council Final: Tuesday June 25, 2019

City Council Request (Ordinance):

Introduction to an Ordinance to approve rezoning request by Bertucci Enterprises LLC & N&B LLC (Owners) to rezone Lot 2 of the Bertucci Subdivision from C-N to C-H in accordance with survey by Wm. J. Bodin Jr. dated 5/1/2019 (Z-2019-05-00062) Recommend approval (3-2) by the Zoning Commission

Site Information:

Location (Address): 400 Natchez St

Council District: City Council District 4

Existing Zoning: CN

Future Land Use: Mixed Use

Existing Land Use: Vacant

Site Description:

Property located on the corner of Natchez and Corbin. Southern portion of the property is undeveloped.

Adjacent Land Use and Zoning:

<u>Direction:</u>	<u>Land Use/Zoning:</u>
North	A/C Supply Store/CN
South	Industrial Uses/IL
West	Church/CN
East	Undeveloped/CN

Additional Information:

- 1) Minor Subdivision also applied for to create this Lot 2 of the Bertucci Subdivision was approved by the Planning Commission on June 6, 2019
- 2) Uses for CN & CH (to allow light industrial/bottling plan)
- 3) CN (Commercial Neighborhood) should be adjacent to residential properties
- 4) Business Gnarly Barley received expanded conditional use by the City Council on 10/21/2014 to allow retail sales & alcohol consumption for property at 1709 Corbin Rd.
This would not be allowed on any other property in conjunction with this business unless granted by another ordinance.

Findings:

Commission

Will this diminish the value of the surrounding properties?	No
Will this alter the essential character of the neighborhood?	No
Will granting this request be detrimental to the public welfare?	No
Light and air?	No
Traffic congestion or hazard?	No
Overburden existing drainage and utilities?	No
Emissions of odors, fumes, gasses, dust, smoke?	No
Noise and vibrations?	No

Public Hearing:

For: Zachary Caramonta (Gnarly Barley Brewing)

In Attendance: Henry & Becky Jackson (46226 MC Moore) Asked to table
Devon Wells (Councilman) asked the business owner and members of church discuss plans.
Janice Beard (Natchez St) asked how much parking will they provide?

Commission Recommendation:

Motion: to recommend approval to rezone from CN to CH

For: Matt Sanider, Jimmy Meyer, Jeffrey Smith

Against: William Travis, Kylan Douglas

Abstain: NONE

Absent: NONE

Ordinance to Read:

WHEREAS on Thursday June 6, 2019 the Hammond Zoning Commission held a public hearing for a rezoning request by Bertucci Enterprises LLC & N&B LLC (Owners) to rezone Lot 2 of the Bertucci Subdivision from C-N to C-H in accordance with survey by Wm. J. Bodin Jr. dated 5/1/2019 (Z-2019-05-00062) Recommend approval (3-2) by the Zoning Commission

NOW THEREFORE BE IT ORDAINED, the City Council of Hammond, Louisiana hereby approves the rezoning request by Bertucci Enterprises LLC & N&B LLC (Owners) to rezone Lot 2 of the Bertucci Subdivision from C-N to C-H in accordance with survey by Wm. J. Bodin Jr. dated 5/1/2019





6.1.4 Commercial

A. C-N Commercial Neighborhood EXISTING ZONING

The C-N Neighborhood Commercial District is a non-industrial commercial area more restrictive than other Commercial districts and allowing multi-family residential uses. The C-N district allows buildings up to three stories in height.

A. Permitted Uses

1. Detached Living (Single-Family Dwelling)
2. Attached House
3. Row Houses
4. Modular without chassis
5. Apartments (multi-family dwelling)
6. Group living
7. Social Services
8. Civic Uses
9. Parks and open space
10. Minor utilities
11. Day Care
12. Country Club
13. All indoor recreation except sexually oriented business
14. All medical
15. All office
16. Overnight lodging
 - a. Bed and Breakfast
17. Services
 - a. All personal services
 - b. Tanning bed facilities
 - c. Barber and beauty shops
 - d. Florists
 - e. Mortuary
 - f. Real Estate office
 - g. Banks, financial institutions
 - h. Dry Cleaning
18. Animal Care
 - a. Animal hospital with side and rear yards of at least 20 feet each. The rear yard shall be at least 40 feet where there is adjacent residential zoning.
19. All restaurant
20. All retail sales
21. Art Studio/gallery, no including tattoo parlors
22. Convenience store without gas

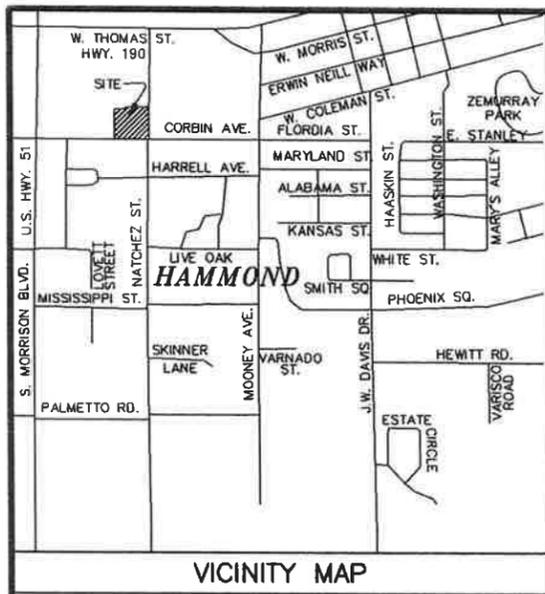
- 23. All Vehicle Sales and rentals
- 24. Reception/Banquet Hall
- 25. Cemeteries and/or Memorial Gardens
- B. Conditional Uses
 - 1. Tattoo parlor
 - 2. Major utilities
 - 3. Commercial parking lots and garages
 - 4. All outdoor recreation
 - 5. Sweet Shop
- C. Accessory Uses
 - 1. Gardens for non-commercial purposes
 - 2. Storage garages and parking lots for use solely by occupants and guests of the premises.
 - 3. Tennis courts, swimming pools
 - 4. Radio and television towers incidental to a permitted use
 - 5. Incidental storage not to exceed 40 percent of the floor area
 - 6. Home occupations
 - 7. Sale of alcohol in conjunction with a full-service restaurant

B. C-H Commercial Highway Corridor [Proposed Zoning](#)

The C-H Highway Commercial groups together those major retail office and service uses that generate high traffic volumes, that could create nuisances to residential area, and that require easy access to a major highway or interstate road. The C-H district allows buildings up to five stories in height.

- A. Allowed Uses:
 - 1. Attached House
 - 2. Row Houses
 - 3. Apartments (multi-family dwelling)
 - 4. Modular without chassis
 - 5. Group living
 - 6. Social Services
 - 7. Civic Uses
 - 8. Parks and open space
 - 9. Minor utilities
 - 10. Day Care
 - 11. Country Club
 - 12. All indoor recreation except sexually oriented business
 - 13. All medical
 - 14. All office
 - 15. All overnight lodging
 - a. Bed and Breakfast
 - 16. All passenger terminal
 - 17. All personal services
 - a. Tanning bed facilities
 - b. Barber and beauty shops
 - c. Florists
 - d. Mortuary
 - e. Real Estate office
 - f. Banks, financial institutions
 - g. Dry Cleaning
 - 18. Animal Care

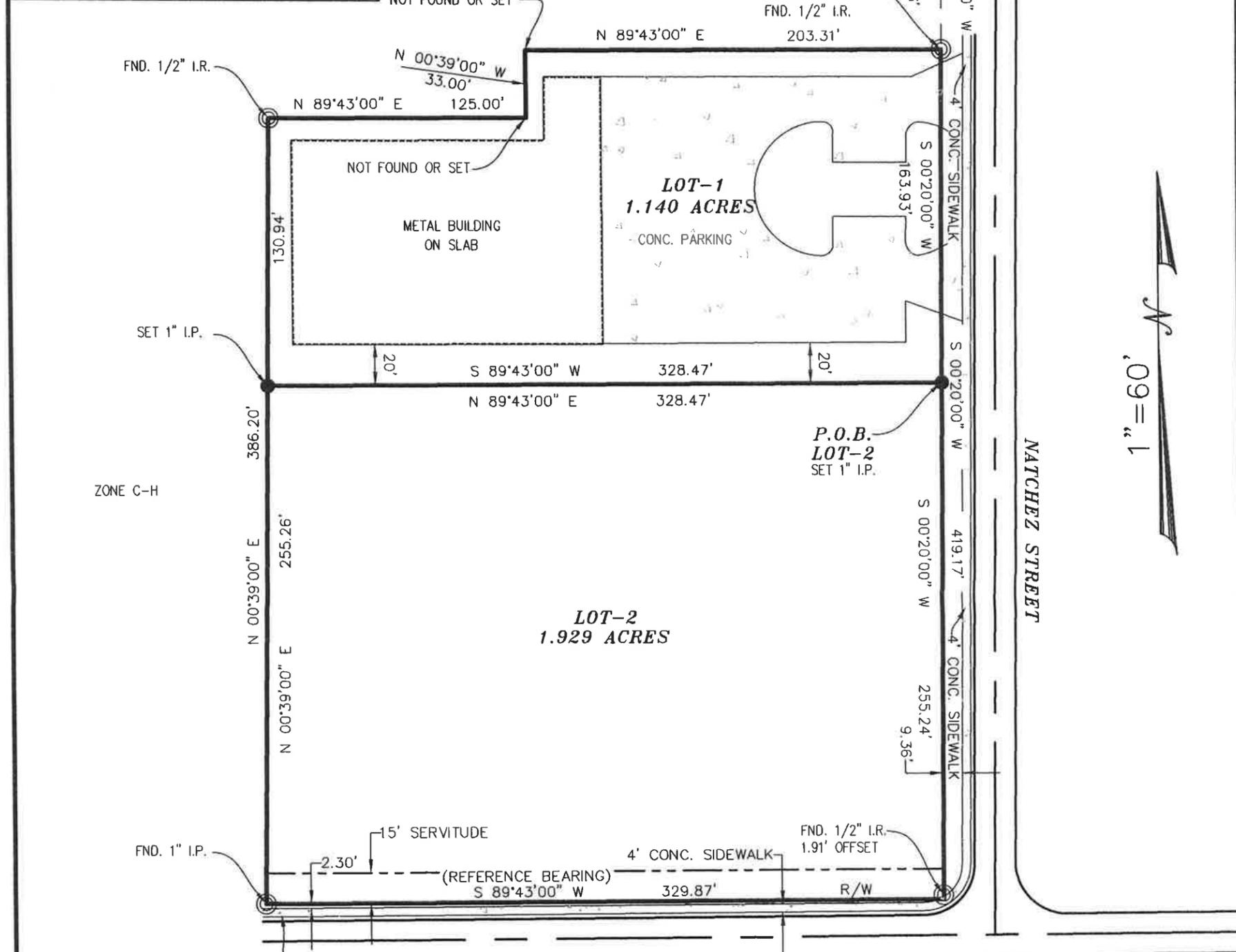
- a. Animal hospital with side and rear yards of at least 20 feet each. The rear yard shall be at least 40 feet where there is adjacent residential zoning.
- 19. All restaurant
- 20. All retail sales
- 21. Shopping Mall
- 22. Art Studio/gallery, no including tattoo parlors
- 23. Convenience store without gas
- 24. Convenience store with gas
- 25. All vehicle services
- 26. All vehicle sales rentals, and services
 - a. Sale of mobile or manufactured homes, trailers, and motor homes
 - b. Motor Truck terminal
- 27. All water oriented sales and services
- 28. All light industrial
 - a. Bottling plant
 - b. Publishing establishment, printing plant
 - c. Canning and preserving foods
 - d. Lumber yard as part of retail establishment
 - e. Contractor's storage yard
 - f. Carpentry shop
 - g. Any retail or wholesale use not the storage above ground of petroleum and other inflammable liquids in excess of 100,000 gallons.
 - h. Sheet metal or welding or machine shop or metal fabrication shop having a floor area of less than 10,000 square feet.
- 29. All research and development
- 30. All self-storage
- 31. Off street parking
- 32. Tattoo Parlor
- 33. Reception/Banquet Hall
- 34. Cemeteries and/or Memorial Gardens
- C. Accessory Uses
 - 1. Gardens for non-commercial purposes
 - 2. Storage garages and parking lots for use solely by occupants and guests of the premises.
 - 3. Tennis courts, swimming pools
 - 4. Radio and television towers incidental to a permitted use
 - 5. Incidental storage not to exceed 40 percent of the floor area
 - 6. Home occupations
 - 7. Sale of alcohol in conjunction with a full-service restaurant
- D. Conditional Uses
 - 1. Major utilities
 - 2. Commercial parking lots and garages
 - 3. All outdoor recreation
 - 4. Sweet Shop



DESCRIPTION OF LOT-1

A 1.140 ACRE PARCEL OF LAND, LOCATED IN SECTION 26, T6S-R7E, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE WEST R/W OF NATCHEZ STREET AND THE SOUTH R/W OF THOMAS STREET, THENCE PROCEED 299.58' S 00°08'03" W AND 558.33' S 00°20'00" W TO THE POINT OF BEGINNING; THENCE S 00°20'00" W A DISTANCE OF 163.93 FEET; THENCE S 89°43'00" W A DISTANCE OF 328.47 FEET; THENCE N 00°39'00" E A DISTANCE OF 130.94 FEET; THENCE N 89°43'00" E A DISTANCE OF 125.00 FEET; THENCE N 00°39'00" W A DISTANCE OF 33.00 FEET; THENCE N 89°43'00" E A DISTANCE OF 203.31 FEET; BACK TO THE POINT OF BEGINNING CONTAINING, 1.140 ACRES, ALL LOCATED IN SECTION 26, T6S-R7E, GREENSBURG LAND DISTRICT, CITY OF HAMMOND, PARISH OF TANGIPAHOA, STATE OF LOUISIANA. THIS DESCRIPTION IS BASED ON THE BOUNDARY SURVEY AND PLAT MADE BY WILLIAM J. BODIN, JR. PROFESSIONAL LAND SURVEYOR, DATED 5-1-2019.

3.069 ACRES DIVIDED INTO LOT-1 & LOT-2, OF THE BERTUCCI SUBD. LOCATED IN SECTION 26, T6S-R7E GREENSBURG LAND DISTRICT, CITY OF HAMMOND, PARISH OF TANGIPAHOA, STATE OF LOUISIANA.



REFERENCE PLAT
PLAT OF 3.0686 ACRES BY GILBERT SULLIVAN DATED 8-18-2007

REFERENCE BEARING
S 89°43'00" W AS PER REFERENCE PLAT

THIS SURVEY WAS PERFORMED BY MYSELF OR UNDER MY DIRECT SUPERVISION AND CONTROL AND REPRESENTS AN ACTUAL GROUND SURVEY OF A 3.069 ACRE PARCEL OF LAND DIVIDED INTO LOT-1 AND LOT-2, CERTIFYING THAT NO ENCROACHMENTS WERE FOUND TO EXIST EITHER WAY ACROSS ANY PROPERTY LINES OTHER THAN SHOWN, ALL LOCATED IN SECTION 26, T6S-R7E, GREENSBURG LAND DISTRICT, CITY OF HAMMOND, PARISH OF TANGIPAHOA, STATE OF LOUISIANA.

MAY 1, 2019 CERTIFICATION: THIS IS TO CERTIFY THAT THIS MAP IS MADE IN ACCORDANCE WITH LOUISIANA REVISED STATUTES 33:5051 AND CONFORMS TO ALL PARISH ORDINANCES GOVERNING THE SUBDIVISION OF LAND. THIS MAP IS MADE IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR BOUNDARY SURVEYS AND IS CLASSIFIED AS A CLASS "C" SURVEY.

THIS PERIMETER SURVEY SHALL NOT CONSTITUTE A LEGAL OPTION OF TITLE, AND SHALL NOT BE RELIED UPON FOR THAT PURPOSE. THERE IS NO WARRANTY THAT IT CONFORMS TO A LEGAL TITLE AND WAS MADE SOLELY ACCORDING TO INFORMATION PROVIDED TO THE SURVEYOR. MADE AT THE REQUEST OF NEIL BERTUCCI.

- LEGEND:**
● = 1" IRON PIPE SET
⊙ = FOUND CORNER

OWNER/NEIL BERTUCCI	DATE
CITY PLANNER/BUILDING OFFICIAL	DATE
PLANNING COMMISSION	DATE
CITY COUNCIL PRESIDENT	DATE

DESCRIPTION OF LOT-2
A 1.929 ACRE PARCEL OF LAND, LOCATED IN SECTION 26, T6S-R7E, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE WEST R/W OF NATCHEZ STREET AND THE SOUTH R/W OF THOMAS STREET, THENCE PROCEED 299.58' S 00°08'03" W AND 722.26' S 00°20'00" W TO THE POINT OF BEGINNING; THENCE S 00°20'00" W A DISTANCE OF 255.24 FEET; THENCE S 89°42'59" W A DISTANCE OF 329.88 FEET; THENCE N 00°39'00" E A DISTANCE OF 255.26 FEET; THENCE N 89°43'00" E A DISTANCE OF 328.47 FEET; BACK TO THE POINT OF BEGINNING CONTAINING, 1.929 ACRES, ALL LOCATED IN SECTION 26, T6S-R7E, GREENSBURG LAND DISTRICT, CITY OF HAMMOND, PARISH OF TANGIPAHOA, STATE OF LOUISIANA. THIS DESCRIPTION IS BASED ON THE BOUNDARY SURVEY AND PLAT MADE BY WILLIAM J. BODIN, JR. PROFESSIONAL LAND SURVEYOR, DATED 5-1-2019.

SURVEY FOR:
NEIL BERTUCCI
400 NATCHEZ STREET
HAMMOND, LOUISIANA

FLOOD ZONE "X"
(NOT FLOOD PRONE)
COMMUNITY NO. 220208
MAP NO. 22105C0430F
DATED: 7-22-2010

BODIN & WEBB INC.
ENGINEERS & SURVEYORS
1024 S. CYPRESS STREET
HAMMOND, LA. 70403
PROFESSIONAL LAND SURVEY
LICENSE NUMBER 4253
PH # (985)345-3947 FAX # (985)345-0213

DATE

APPLICATION FOR REZONING, CONDITIONAL USE, OR INITIAL ZONING
CITY OF HAMMOND

219 E. ROBERT ST, HAMMOND, LA 70401 / PHONE: (985) 277-5649 - FAX: (985) 277-5638

FILING DATE: 5/9/19

PERMIT# 7-2019-05-00062

The next Zoning Commission Meeting will be held on June 6, 2019, at 5:00pm in the City Council Chambers, 312 E. Charles Street. Application to be submitted to the Planning Department according to the deadline schedule.

This Application for: REZONING CONDITIONAL USE: EXPANDED --OR-- RESTRICTED
 INITIAL ZONING/ANNEXATION

REZONING FEE: Single Lot \$120.00 Block or Area \$250.00 (fees are not refundable based on decisions)
Fifty percent (50%) of fee is refundable if application is withdrawn before first newspaper notice is filed.

PARCEL# OHMD000001140
SITE ADDRESS: 400 Natchez St.
Legal Description or Survey
PROPERTY OWNER NAME: Neil Bertucci
Owner Address: 1305 Edwards Ave Harahan LA 70123
Telephone: 504 415-1519

PLEASE READ AND SIGN BELOW

APPLICANT NAME: Zachary A Caramanta
COMPANY NAME: Gnarly Barley Brewing
Applicant Mailing Address: 1709 Corbin Rd Hammond LA 70403
Applicant Telephone: (985) 807-7989

PERMIT INFO-ADDITIONAL INFO
PRESENT ZONING: MX-N MX-C MX-CBD C-N C-H C-R I-H I I-L
RS-3 RS-5 RM-2 RS-8 RS-11 RM-3 RP RS-11.A S-1 S-2 SC
REQUESTED ZONING: MX-N MX-C MX-CBD C-N C-H C-R I-H I I-L
RS-3 RS-5 RM-2 RS-8 RS-11 RM-3 RP RS-11.A S-1 S-2 SC
REASON FOR REZONING: Expanding Operations
SPOT ZONING NOTE: Rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding uses and not for the purpose or effect or furthering the comprehensive zoning plan. Spot zoning is discouraged in Hammond

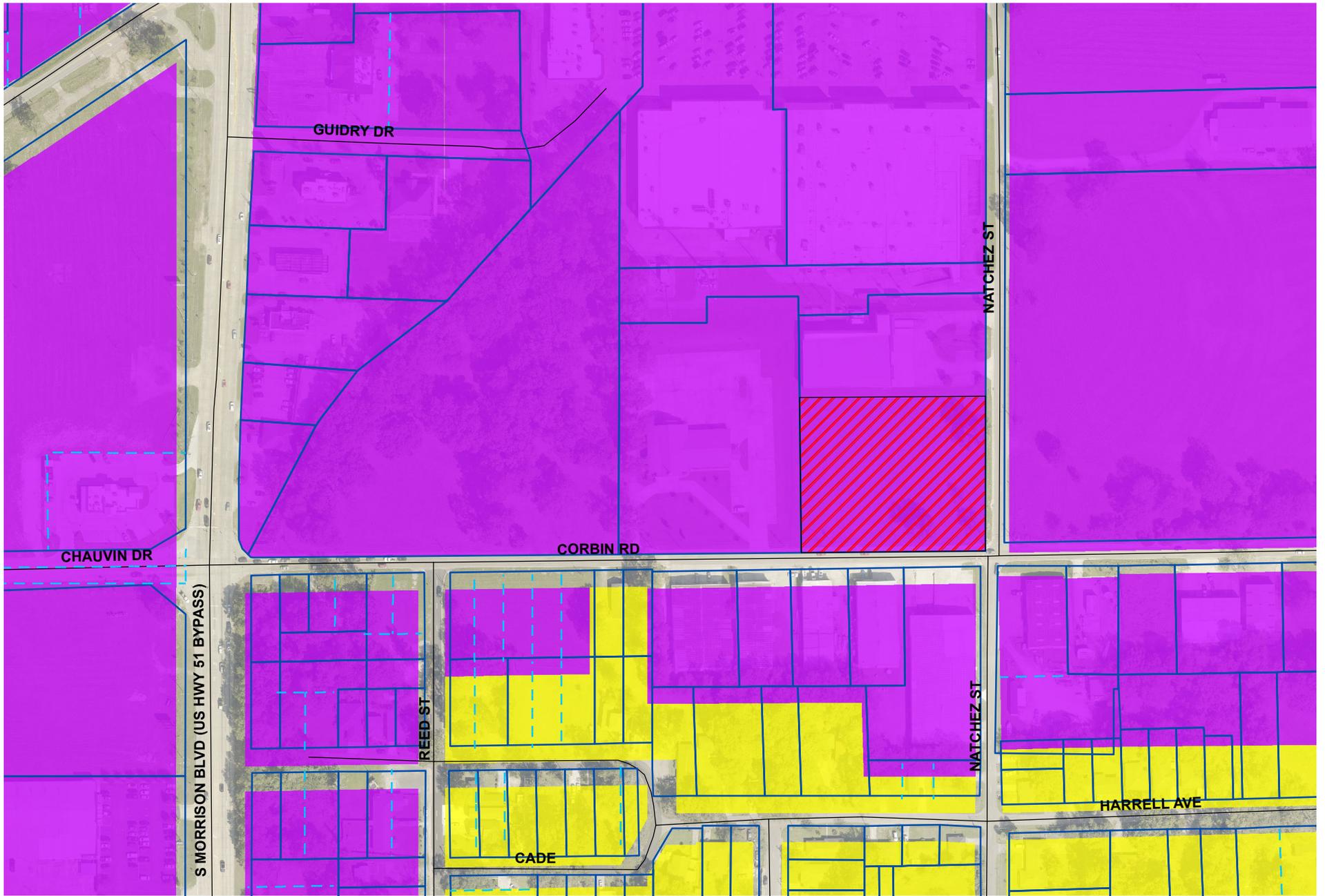
I/We being the legal owner(s) request zoning of my property from a _____ District to a _____ District. I/We fully understand and agree to abide by the zoning restrictions for a _____ District. I am including with this application a copy of any covenants or restrictions and deeds governing this property.

If there is more than one owner or a corporation is the owner of the property, each owner or authorized agent of the corporation must sign. If conditional zoning, submit in writing an explanation for this request on separate sheet. If you are applying for an area or block zoning furnish a map of area or block and a petition signed by at least 50% of the property owners in the area (including their addresses).

ALL INFORMATION ON THIS APPLICATION MUST BE COMPLETE, ALL FEES PAID, AND ALL REQUIRED DOCUMENTS RECEIVED BEFORE THIS APPLICATION WILL BE ACCEPTED ON THE AGENDA FOR THE CITY OF HAMMOND ZONING COMMISSION.

X [Signature] 5-2-19
APPLICANT SIGNATURE DATE
X [Signature] 5-6-19
OWNER(S) SIGNATURE DATE
X _____
CITY PLANNER DATE

***** FOR OFFICIAL USE *****
AMOUNT PAID \$ _____ CHECK# _____ CASH DATE PAID / / _____

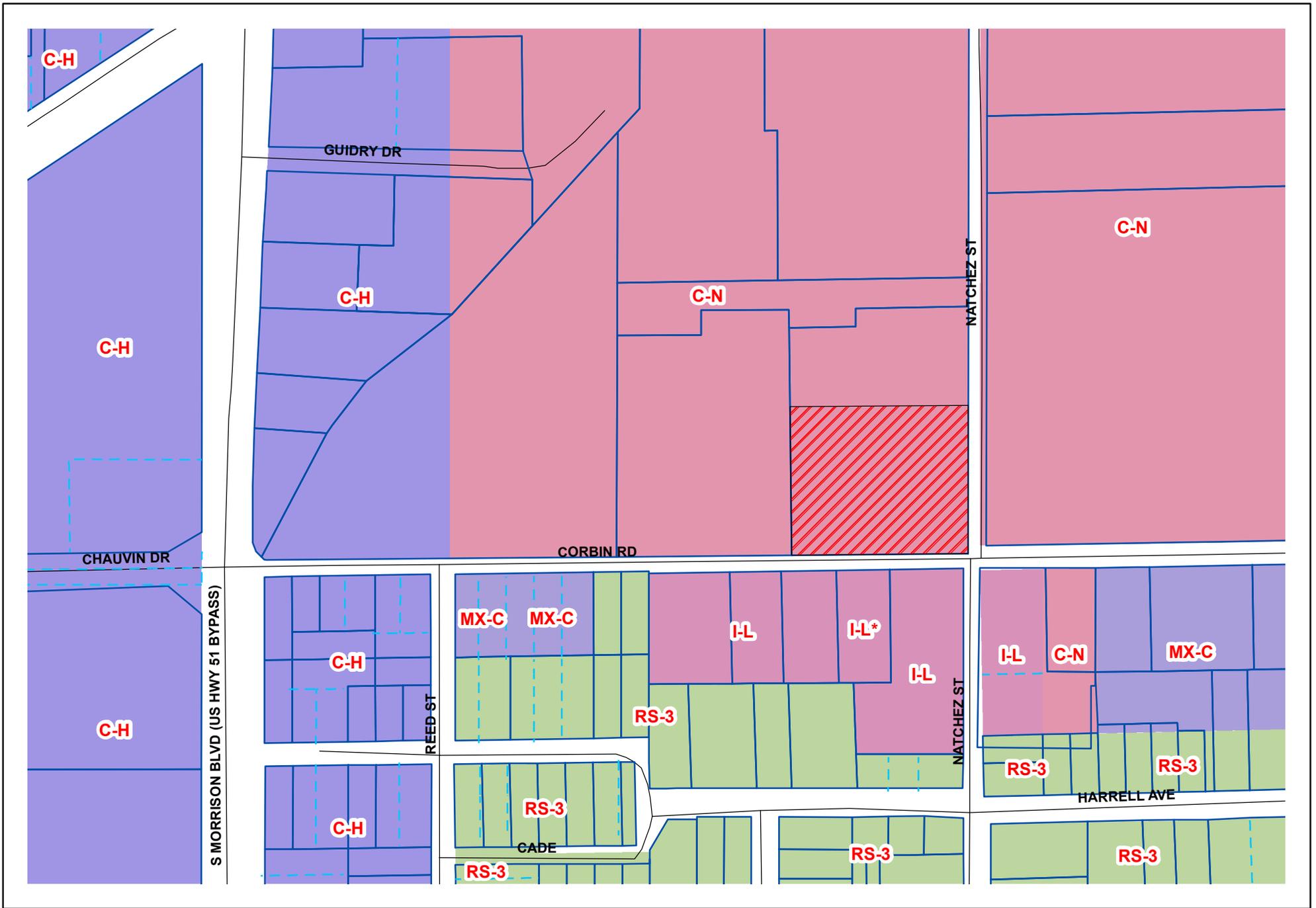


Rezoning - Z-2019-05-00062
 Lot 2 of the Bertucci Subdivision



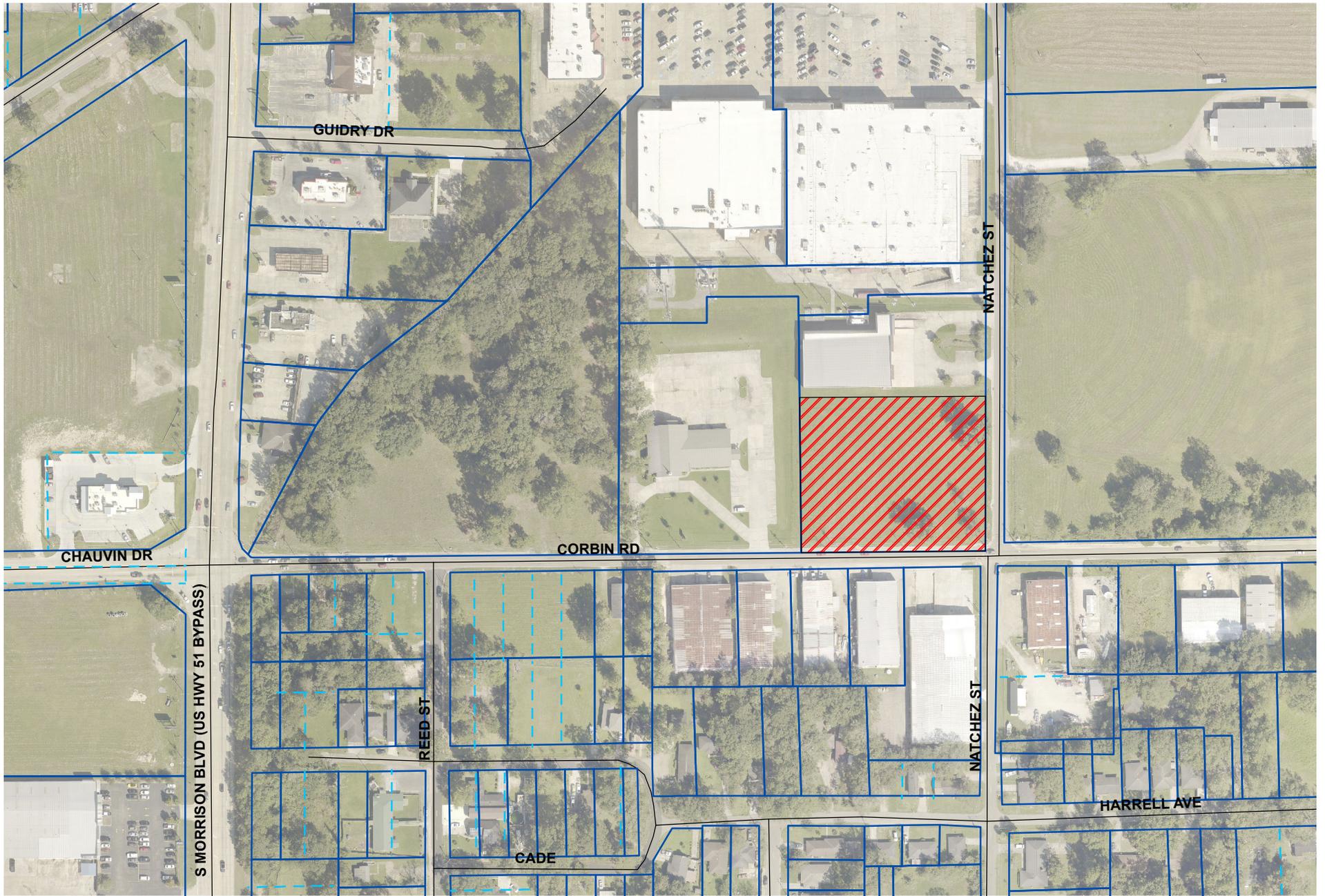
Legend

-  Case Parcel
-  City Tax Parcels
-  Railroad



Rezoning - Z-2019-05-00062
 Lot 2 of the Bertucci Subdivision

- Legend**
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Rezoning - Z-2019-05-00062
 Lot 2 of the Bertucci Subdivision

Legend

-  Case Parcel
-  City Tax Parcels
-  Railroad