

1 **BY COUNCIL MEMBER FRALICK (Case No. TND-1-15)**

2
3 **CITY OF CENTRAL**
4 **PROPOSED ORDINANCE NO. 2015-_____**

5
6 **TO GRANT A CONDITIONAL USE PERMIT AND PRELIMINARY PLAN APPROVAL**
7 **FOR A TRADITIONAL NEIGHBORHOOD DEVELOPMENT LOCATED ON THE**
8 **WEST SIDE OF SULLIVAN ROAD SOUTH OF THE WAX ROAD INTERSECTION**
9 **NEAR THE BRENT AVENUE INTERSECTION**
10 **(THE SETTLEMENT ON SHOE CREEK)**
11

12 WHEREAS, application has been made by Shoe Creek, LLC, for a conditional use permit
13 and approval of a preliminary site plan for a Traditional Neighborhood Development including a
14 waiver to the residential density restrictions pursuant to Chapter 14 of the City of Central
15 Comprehensive Zoning Code on an approximately 135.3 acre site that is currently zoned R-1, R-
16 2 and B-4 and is designated Medium Density Residential, Low Density Residential, Restrictive
17 Greenspace, and General Commercial land use in the Master Plan; and
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19 WHEREAS the development is proposed to include 447 single family detached and
20 attached residential lots, 250 multifamily residential units and 100,000 square feet of commercial
21 space; and
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23 WHEREAS, subject to the conditions set forth in this ordinance, the proposed Traditional
24 Neighborhood Development is consistent with the zoning and uses of surrounding properties and
25 the Master Plan and is suitable for the purposes for which it is to be developed; and
26

27 WHEREAS, a public hearing was held on April 23, 2015 before the City of Central
28 Zoning Commission; and
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30 WHEREAS, the Zoning Commission recommended approval of the Preliminary Plan
31 subject to certain conditions.
32

33 NOW THEREFORE, BE IT ORDAINED by the Council of the City of Central, State of
34 Louisiana as follows:
35

36 **Section 1:** That the property that is the subject of this Ordinance is legally described
37 in Exhibit A attached hereto and made a part hereof.
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39 **Section 2:** That the subject property is hereby granted a conditional use permit and
40 approval of the Preliminary Plan for the Traditional Neighborhood Development proposed,
41 including a waiver to the residential density restrictions, subject to the terms and conditions set
42 forth in this Ordinance. Such documents and modifications thereto which condition this
43 approval and to which the development is subject are the following:

- 1 1. Preliminary Plan for the Settlement On Shoe Creek, dated February 15, 2015,
2 Sheets 1 and 3-10, by Southern Lifestyle Development Co., LLC.
- 3 2. Sheet 2 of the Preliminary Plan dated April 13, 2015, by Southern Lifestyle
4 Development Co., LLC.
- 5 3. Responses to questions in letter from Paul Burns, Zoning Commission Chair,
6 dated April 2, 2015.
- 7 4. Letter to Woodrow Muhammad, AICP, Planning and Zoning Director, from
8 Tradd Trahan, P.E., Southern Lifestyle Development Co., LLC, dated April 13,
9 2015.

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11 **Section 3:** Approval of the conditional use permit and preliminary plan is further
12 subject to the following terms and conditions:

- 13
14 1. Wax Road Extension: No final plan approval for any phase of the development
15 shall be granted without a revision to the site plan (Sheet 2 of the Preliminary
16 Plan identified above) resolving the location and construction of the Wax road
17 extension.
- 18 2. Additional Access: No final plan approval may be granted for any of the
19 commercial space or multifamily residential units unless the proposed final plan
20 for that phase includes the construction of at least two access points – one to
21 Sullivan Road and the other connecting the phase to Wax Road (or to an earlier
22 phase that has a connection to Wax Road).
- 23 3. Sagebrush Avenue: No construction traffic shall use Sagebrush Avenue. The
24 applicant shall assure that all construction contracts for any phase of the
25 development include a prohibition on the use of Sagebrush Avenue.

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27 **Section 4:** The specific terms and conditions of this Ordinance shall prevail against
28 other ordinances of the City to the extent that there may be any conflict. Except for the
29 foregoing, the development of the subject property is subject to the terms of all applicable
30 ordinances and regulations of the City of Central, including any amendment thereto.

31
32 **Section 5:** Severability. If any section, subsection, sentence, clause or provision of
33 this Ordinance is declared by a court of competent jurisdiction to be invalid, such declaration of
34 invalidity shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the
35 part declared invalid. The remainder of the Ordinance shall not be affected by the declaration of
36 invalidity and shall remain in force and effect.

1 **Section 6.** Effective Date. This Ordinance shall be effective upon publication.

2
3 Introduced before the Council on May __, 2015.

4
5 This Ordinance having been submitted to a vote, the vote thereon was as follows:

6
7 For:

8 Against:

9 Absent:

10
11 Adopted the _____ day of _____, 2015.

12
13 Signed the _____ day of _____, 2015.

14
15 Delivered to the Mayor on the _____ day of _____, 2015.

16
17 _____
18 Mark Miley, City Clerk

19
20 Approved:

21
22 _____
23 I.M. Shelton, Jr. Mayor

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25 Received from Mayor on the _____ day of _____, 2015:

26
27 _____
28 Mark Miley, City Clerk

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30 Adopted Ordinance published in The Advocate on the _____ day of _____, 2015

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EXHIBIT A

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Legal Description:

All or part of four certain tracts of land situated in Sections 68 and 69, Township 6 South, Range 2 East, City of Central, East Baton Rouge Parish, Louisiana, containing 135.29 acres, being labeled as The Settlement on Shoe Creek and being more fully described as follows:

Parcel No. 1, All of two undivided tracts of property owned by William Rufus Davis Gervasi, ET AL containing 102.21 acres more or less, being a certain parcel or tract of land taken from a larger tract, said larger tract being The Ruby Lee Carpenter Property (Eisworth Tract) and The Walter L. Vaughn Property (Vaughn Tract) and being shown on a map by Joffrion Associates, Inc., and recorded as EBRP Original 915, Bundle 9285;

Parcel No. 2, A 18.05 acre portion of the 20.83 acre undivided tract of property owned by R. Gene Cobb, being a certain parcel or tract of land taken from a larger tract, in Section 68 and 69, T6S-R2E, and being shown on a map dated December 9, 1963 by Alvin M. Bridges, C.E., and recorded as EBRP Original 651 Bundle 6535;

Parcel No. 3, A 15.02 acre portion of Tract-1 owned by Walter J. Vaughn, containing 15.90 acres more or less, situated in Section 68, T6S-R2E, G.L.D., East Baton Rouge Parish, State of Louisiana, and being a portion of the Quentin Bourke Tract, more particularly shown by that map of survey entitled "Map Showing Subdivision of A Certain 20.90 Acre Tract, Formerly The Quentin Bourke Tract into Tracts 1 & 2, Located in Section 68, T6S-R2E, G.L.D. ;City of Central, East Baton Rouge Parish, Louisiana for Darrin Vince" dated July 9, 2013 by Alvin Fairburn, Jr., P.L.S., a copy of which is filed and record as EBRP Original 129 Bundle 12513.