

1 **BY COUNCILMAN SHANE EVANS (Case No. CUP-1-16)**

2
3 **CITY OF CENTRAL**
4 **PROPOSED ORDINANCE NO. 2016-_____**

5
6 **GRANTING A CONDITIONAL USE PERMIT FOR THE OPERATION OF A**
7 **DAIQUIRI SHOP IN THE SUITE 106 OF THE WAX POINTE SHOPPING CENTER**
8 **(14790 WAX ROAD)**
9

10 WHEREAS, application has been made by Brian Clovatre, for a conditional use permit to
11 operate a daiquiri shop in an existing shopping center that is currently zoned B3, but is designated
12 Medium Density Residential in the Master Plan; and

13
14 WHEREAS the proposed operation will use not more than 1600 square feet of existing
15 commercial space within the existing Wax Pointe Shopping Center; and

16
17 WHEREAS, subject to the conditions set forth in this ordinance, the proposed daiquiri shop
18 is consistent with the zoning and uses of surrounding properties and is suitable for the purposes
19 for which it is proposed to be used; and

20
21 WHEREAS, a public hearing was held on April 28, 2016 before the City of Central Zoning
22 Commission; and

23
24 WHEREAS, the Zoning Commission failed to recommended approval of the conditional
25 use permit.

26
27 NOW THEREFORE, BE IT ORDAINED by the Council of the City of Central, State of
28 Louisiana as follows:

29
30 **Section 1:** That the property that is the subject of this Ordinance is legally described in
31 Exhibit A attached hereto and made a part hereof.

32
33 **Section 2:** That the subject property is hereby granted a conditional use permit subject
34 to the terms and conditions set forth in this Ordinance. Such documents and modifications thereto
35 which condition this approval and to which the conditional use permit is subject are the following:

- 36
37 1. Line Drawing of the Wax Pointe Shopping Center, including suite divisions/sizes
38 and parking layout dated 7/25/12.
39 2. Floor Plan showing a 1350 sq. ft. daiquiri bar, undated, submitted to Central City
40 Services.
41
42

1 **Section 3:** Approval of the conditional use permit is further subject to the following
2 terms and conditions:

- 3
4 1. Hours of Operation: The hours of operation of the establishment are limited to
5 12:00 p.m. – 10:00 p.m. Sunday through Thursday and 12:00 p.m. – 12:00 a.m.
6 Friday and Saturday.
7
8 2. No Entertainment: This conditional use permit does not include the performance
9 of live entertainment (including karaoke) and/or dancing at the subject property.

10
11 **Section 4:** The specific terms and conditions of this Ordinance shall prevail against
12 other ordinances of the City to the extent that there may be any conflict. Except for the foregoing,
13 the development of the subject property is subject to the terms of all applicable ordinances and
14 regulations of the City of Central, including any amendment thereto.

15
16 **Section 5:** Severability. If any section, subsection, sentence, clause or provision of this
17 Ordinance is declared by a court of competent jurisdiction to be invalid, such declaration of
18 invalidity shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the
19 part declared invalid. The remainder of the Ordinance shall not be affected by the declaration of
20 invalidity and shall remain in force and effect.

21
22 **Section 6.** Effective Date. This Ordinance shall be effective upon publication.

23
24 Introduced before the Council on May __, 2016.

25
26 This Ordinance having been submitted to a vote, the vote thereon was as follows:

27
28 For:

29 Against:

30 Absent:

31
32 Adopted the _____ day of _____, 2016.

33
34 Signed the _____ day of _____, 2016.

35
36 Delivered to the Mayor on the _____ day of _____, 2016.

37
38 _____
39 Mark Miley, City Clerk
40
41
42
43

1 Approved:

2

3 _____

4 I.M. Shelton, Jr. Mayor

5

6 Received from Mayor on the _____ day of _____, 2016:

7

8 _____

9 Mark Miley, City Clerk

10

11

12 Adopted Ordinance published in The Advocate on the _____ day of _____, 2016

EXHIBIT A

(insert legal description)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

4818-4245-7649, v. 1