



MEMORANDUM

TO: Zoning Commission

FROM: Woodrow Muhammad AICP, Planning & Zoning Director

SUBJECT: **RZ-07-14, REZONING FROM R/A (RURAL AGRICULTURE) TO B2 (NEIGHBORHOOD BUSINESS TWO) WITH A CONDITIONAL USE PERMIT FOR A BANQUET FACILITY (FINDINGS OF FACT)**

LOCATION This property is located at 14759 Denham Road, Lot B-1-A-1 of the former Tom Ed Shaffett Property, which is on the north side of Denham Road near the East Beaver Drive intersection in Section 48, T5S, R2E, GLD, EBR, LA.

EXISTING LAND USE	Church and Gym Facilities
PROPOSED LAND USE	Wedding and Reception/Event Venue
MASTER PLAN	Rural Agriculture
PRESENT ZONING	R/A (Rural Agriculture)
PROPOSED ZONING	B-2 (Neighborhood Business Two) with Conditional Use Permit approval for a banquet/event venue with a waiver of <b>Section 26:401 (b)</b> of the <b>City of Central Code of Ordinances</b> to allow an alcoholic license within 300 feet of a church.
APPLICANT	Amanda Moody

STAFF COMMENTS

1. **Existing land use** is Church and Gym Facilities.
2. **Surrounding land uses** includes predominantly Residential with a few Commercial uses.
3. **Existing zoning** is R/A (Rural/Agriculture).
4. **Surrounding zoning** is R/A (Rural/Agriculture), R-1 (Single Family Residential One), LC-3 (Light Commercial Three) and C-1 (Light Commercial One).
5. **Size of Subject Property** is approximately 2.1 acres.
6. **Master Plan Statement.** The City of Central Master Use Plan specifies Rural/Agriculture at the subject property (**See Attachment A**). The proposed rezoning is not consistent with the Master Plan. (**See Consultant's Opinion**)



7. **Rezoning Criteria.** Land use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the proponents' property and adjacent property. Reasonableness is defined as:

**a. Consideration of changes in land value, physical environment or economic aspects which tend to limit the usefulness of vacant land or buildings.**

*Staff is of the opinion that consideration should be given to limit the usefulness of vacant land or buildings.*

**b. The proposed zoning change, and the potential of a resulting land use change, will comply with the general public interest and welfare and will not create undue congestion of streets and traffic access.**

*Staff is of the opinion that the proposed use may create undue congestion and traffic access on Denham Road. There are similar facilities in the City that are on 4 lane roads with shoulders. Denham Road is a two lane road without shoulders and is not fit for commercial use of this intensity.*

**c. The proposed zoning change is in keeping with zoning law and precedent, and does not create a spot zone, that is, an incompatible or unrelated classification which would prevent the normal maintenance and enjoyment of adjacent properties.**

*A spot zoning is the awarding of a use classification to an isolated parcel of land which is detrimental or incompatible with uses of the surrounding area, particularly when such an act favors a particular owner. The Staff is aware that there are a few commercial zonings within the vicinity; however, these properties were grandfathered or retained during the zoning map implementation and are not consistent with the City of Central's Master Plan. Spot zoning has been deemed illegal unless there is a reasonable basis defined in a land use or comprehensive plan. Factors in what is reasonable can include relative harm and benefit to owner, neighbors and community. The Staff is of the opinion that in general terms the B2 (Neighborhood Business Two) Zoning District has permitted uses (i.e. convenience store) that may benefit the adjacent properties owners or neighborhood. However the proposed conditional use (banquet facility) may create undue congestion and access related issues on Denham Road. In addition, the proposed use with intermittent alcohol consumption on site may impact the adjacent properties owners.*

8. **Site Plan Comments.** The applicant may need additional parking depending upon a final assembly area to be determined. The applicant, if this application is approved, will be required to meet all parking requirements or request a variance. The applicant is required to meet all other site plan requirements such as landscaping.

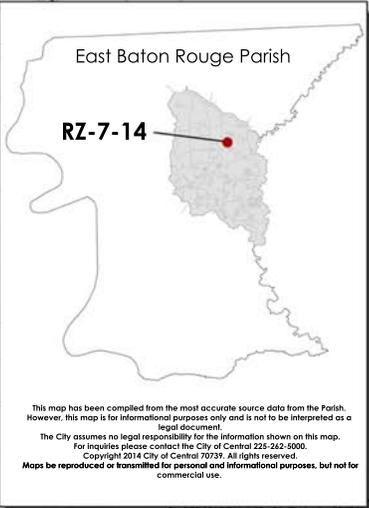
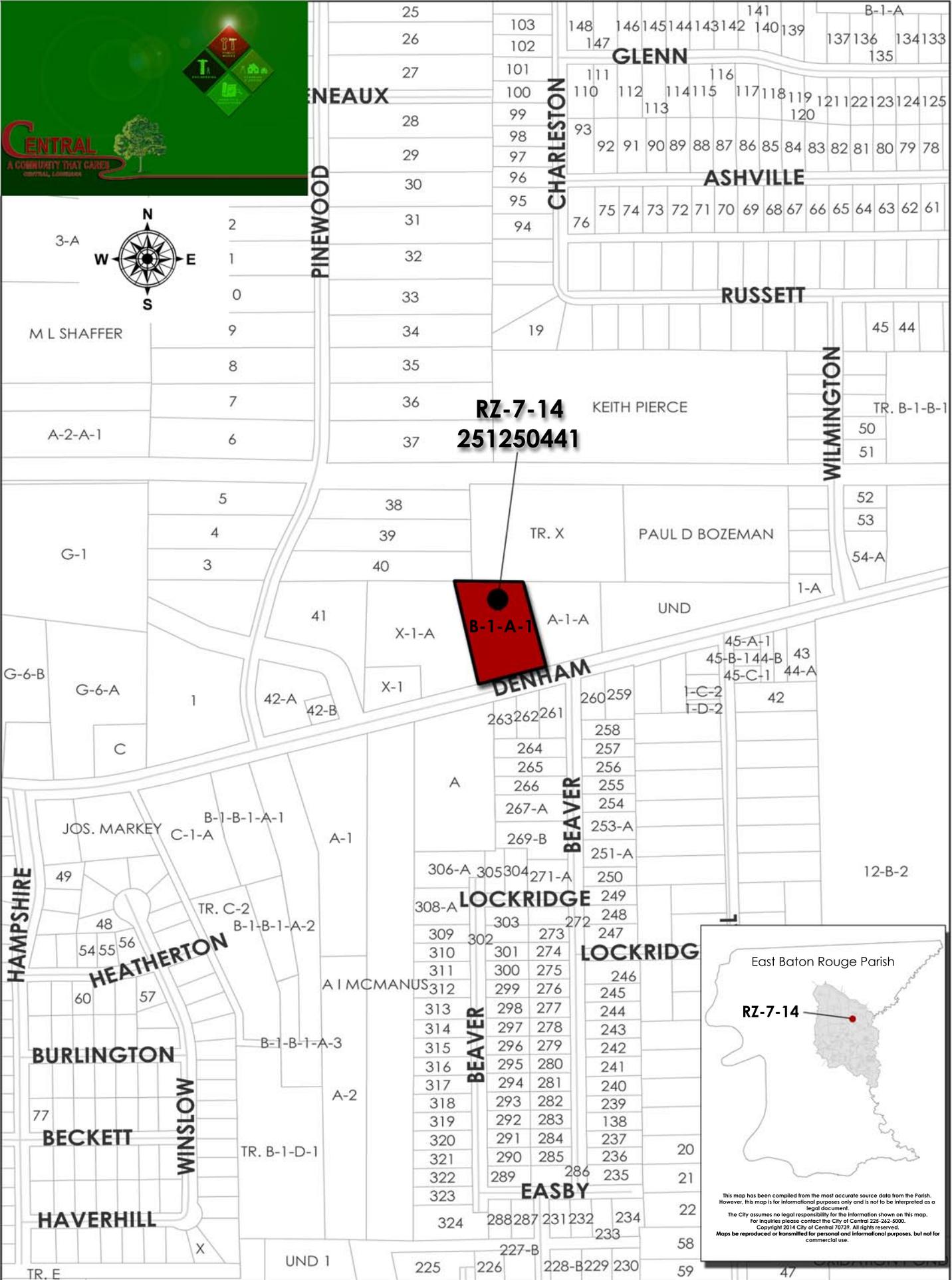


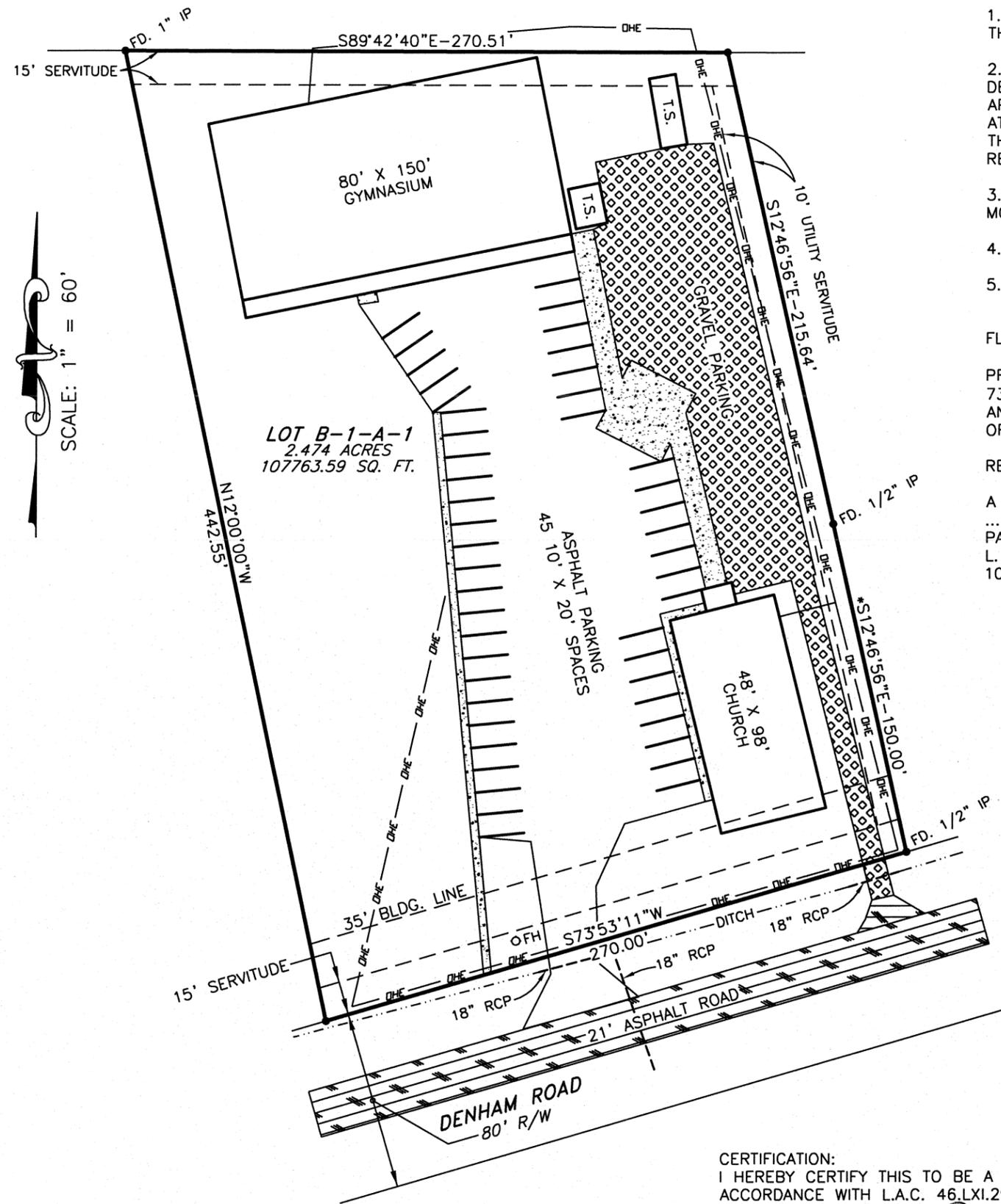
9. **Staff Recommendation.** The Staff understands the need to consider keeping existing buildings in commerce to alleviate the potential for blight. However, the Staff would advise the Commission to consider the long range consequence of the request and the potential adverse impacts it could have upon the predominantly residentially zoned area. If approved, the request could set a precedent for other commercial request in the area which again is not consistent with the goals of the Master Plan. Therefore, the Staff is not in favor of the rezoning request or the conditional use permit.

10. **Schedule**

Scheduled for Zoning Commission on November 20, 2014.







NOTES:

- \*BEARINGS BASED ON THIS LINE BETWEEN FOUND MONUMENTS TAKEN FROM THE REFERENCE MAP.
- THE SERVITUDES SHOWN HEREON ARE LIMITED TO THOSE SET FORTH IN THE DESCRIPTION FURNISHED TO US, AND THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVITUDES ARE SHOWN HEREON. THE SURVEYOR HAS MADE NO ATTEMPT TO VERIFY TITLE, ACTUAL LEGAL OWNERSHIP, OR OTHER BURDENS ON THIS PROPERTY OTHER THAN THAT FURNISHED BY THE CLIENT OR HIS REPRESENTATIVE.
- ALL PROPERTY LINE BEARINGS AND DIMENSIONS NOT BETWEEN FOUND MONUMENTS WERE TAKEN FROM THE REFERENCE MAP.
- MUNICIPAL ADDRESS: 14758 DENHAM ROAD, PRIDE, LA, 70770.
- OWNER: COMMUNITY CHRISTIAN CENTER, INC.

FLOOD DATA:

PROPERTY IS IN FEMA FLOOD ZONE AE. BASE FLOOD ELEVATION = 73' TO 73.5'. FIRM 220060 22033C 0185F. THIS INFORMATION IS SUBJECT TO CHANGE AND CURRENT INFORMATION SHOULD BE VERIFIED WITH THE ENGINEERING DIVISION OF THE EAST BATON ROUGE DEPARTMENT OF PUBLIC WORKS.

REFERENCE MAP:

A SURVEY PLAT SHOWING THE RESUBDIVISION OF LOT B-1-A AND LOT A-1 INTO ... TOM ED SHAFFETT PROPERTIES ... LOCATED IN SECTION 48, T5S-R2E, G.L.D., PARISH OF EAST BATON ROUGE, LA FOR OPEN DOOR BAPTIST CHURCH; BY LOUIS L. HIGGINBOTHAM, P.L.S.; RECORDED JANUARY 5, 1998 AS ORIGINAL 763 BUNDLE 10852.

GENERAL NOTES:

ZONING: RURAL/AGRICULTURAL  
ELECTRIC: DEMCO  
GAS: GAS UTILITY DISTRICT #1  
WATER: PARISH WATER  
SEWER: APPROVED INDIVIDUAL PRIVATE TREATMENT PLANTS  
EXISTING LAND USE: PSP  
FUTURE LAND USE: RA  
FIRE DISTRICT: CENTRAL  
SCHOOL DISTRICT: CENTRAL

ABBREVIATIONS:

BLDG. - BUILDING  
FD - FOUND  
FH - FIRE HYDRANT  
IP - IRON PIPE  
RCP - REINFORCED CONCRETE PIPE  
T.S. - TEMPORARY STORAGE

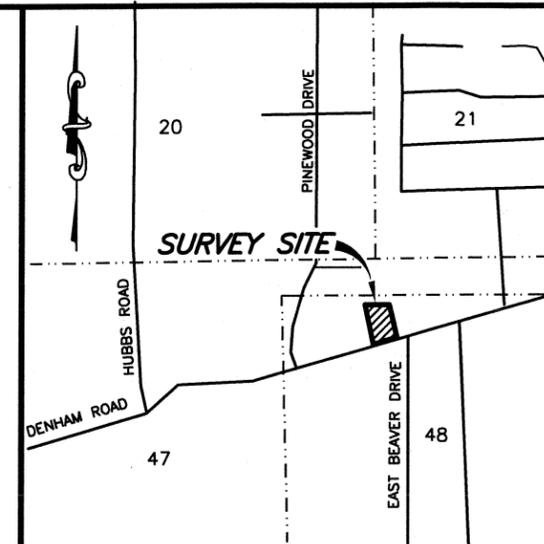
LEGEND:

ASPHALT

CONCRETE

GRAVEL

OVER HEAD ELECTRIC

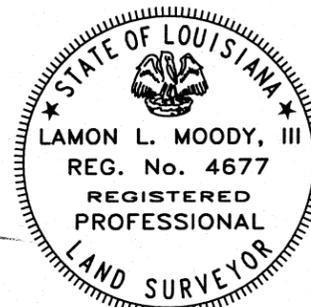


SURVEY MAP SHOWING  
SITE PLAN OF EXISTING IMPROVEMENTS ON  
LOT B-1-A-1 OF THE TOM ED SHAFFETT PROPERTY  
LOCATED IN SECTION 48, T5S-R2E, G.L.D.,  
CITY OF CENTRAL,  
EAST BATON ROUGE PARISH, LOUISIANA

FILE NO. MOODY LEE CHURCH

CERTIFICATION:  
I HEREBY CERTIFY THIS TO BE A CLASS C SURVEY, IN  
ACCORDANCE WITH L.A.C. 46.LXI.29.

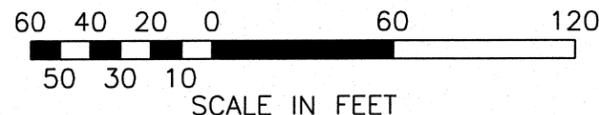
*Lamon L. Moody, III*  
LAMON L. MOODY, III, P.L.S.  
LA REG. NO. 4677  
OCTOBER 7, 2014



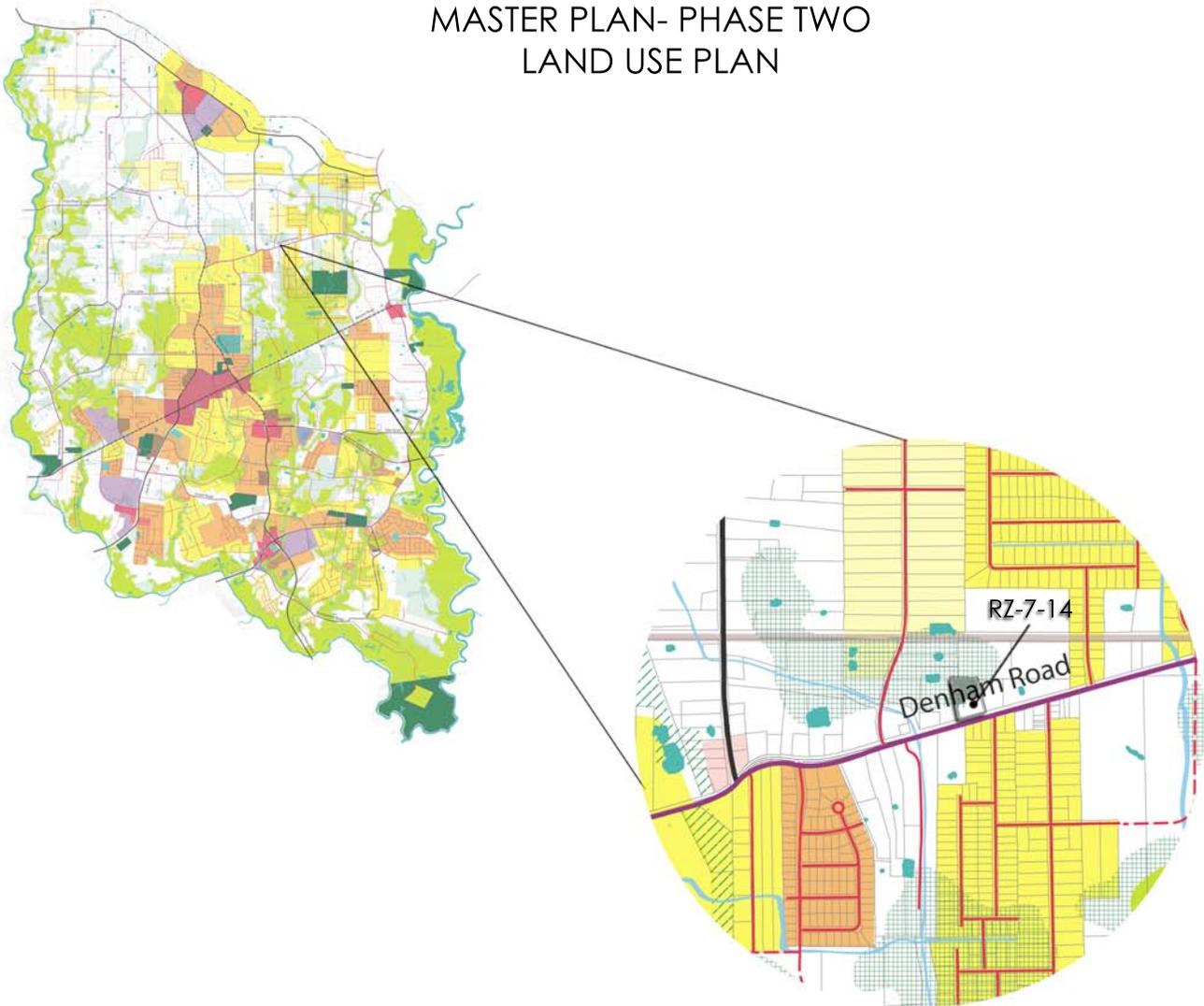
MOODY PROFESSIONAL LAND SURVEYORS, INC.

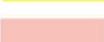
8723 CEDAR GLEN B.R., LA 70811 PH./FAX (225) 356-6012

THIS DRAWING IS THE PROPERTY OF M.P.L.S., INC. AND IS NOT TO BE COPIED, REPRODUCED OR USED IN ANY MANNER WITHOUT WRITTEN PERMISSION OF M.P.L.S., INC.



MASTER PLAN- PHASE TWO  
LAND USE PLAN



-  Utility
-  Schools
-  Conservation Areas
-  Restricted Greenspace
-  Incentive Greenspace
-  Rural/Agriculture
-  High Density Residential
-  Medium Density Residential
-  Low Density Residential
-  Neighborhood Commercial
-  General Commercial
-  Office/Technology Park
-  City Center
-  Parks/Recreation

## Woodrow Muhammad - COC

---

**From:** Nathan Gaspard <Nathan.Gaspard@erm.com>  
**Sent:** Tuesday, November 11, 2014 11:02 AM  
**To:** Woodrow Muhammad - COC  
**Cc:** David Barrow - CoC  
**Subject:** RE: Rezone Request

David and Woodrow,

This rezone request is clearly not compatible with the adopted land use plan. Changing the zoning to a commercial use in this area contradicts the stated goal of the master plan to concentrate businesses in the commercial nodes and would therefore constitute a spot zone. The area is served by sanitary sewer infrastructure and considerations about existing capacity to handle the increased load of this type of business should also be considered carefully. The area is also in the 100 year flood zone.

Please let me know if you have additional questions.

Thank you,

**Nathan Gaspard**  
Senior Consultant

### ERM

301 Jackson Street, Suite 304  
Alexandria, Louisiana  
71301

Tel: +(318) 266-8317 (direct line)  
Tel: + (318) 445-2825 (switchboard)

[www.erm.com](http://www.erm.com)  
[nathan.gaspard@erm.com](mailto:nathan.gaspard@erm.com)

---

**From:** Woodrow Muhammad - COC [<mailto:Woodrow.Muhammad@central-la.gov>]  
**Sent:** Tuesday, November 11, 2014 9:51 AM  
**To:** Nathan Gaspard  
**Cc:** David Barrow - CoC  
**Subject:** RE: Rezone Request

We are still putting together the packet. I can send what we have to date. I was hoping to have your opinion in the packet to send out by Thursday at the latest.

RZ-7-14 Rezoning from R/A (Rural Agriculture) to B2 (Neighborhood Business Two with a Conditional Use Permit) This property is located at 14759 Denham Road, Lot B-1-A-1 of the former Tom Ed Shaffett Property, which is on the north side of Denham Road near the East Beaver Drive intersection in Section 48, T5S, R2E, GLD, EBR, LA. The applicant is proposing to rezone to B2 with a conditional use permit for a banquet facility with a waiver of Section 26:401 (b) of the City of Central Code of Ordinances to allow an alcoholic license within 300 feet of a church. (Applicant: Amanda Moody)

## Woodrow Muhammad - COC

---

**From:** Ryan Magee <rmagee223@gmail.com>  
**Sent:** Wednesday, November 12, 2014 10:23 PM  
**To:** Woodrow Muhammad - COC  
**Subject:** 14759 Denham Road rezoning

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I am writing to you in regards to the rezoning of the property at 14759 Denham Rd. As a long time resident of the area, 11 years owning my own home in Sherrington Place and, 25 years living in Crystal Place; the area and population has changed, but still remains a rural community. I was very troubled to learn of this proposed rezoning which would allow a local area church to be rezoned as a licensed establishment serving alcohol. This part of Central should not be allowed for spot rezoning, as it is a rural area and very family friendly. Should the rezoning take place, this action will forever negatively impact the local area and lose the family centered dynamic that exists.

I hope you will consider not re-zoning this area. There are plenty of other commercial areas of Central that could support this type of business.

--

**Ryan Magee**  
225-937-1520

Candace L. Stockstill  
15320 Ashville Ave.  
Pride, Louisiana 70770  
225-262-0575

November 10, 2014

Dear Central Planning & Zoning Board Members,

I am writing this letter to voice my opposition to the following rezoning request:

*RZ-7-14 Rezoning from R/A (Rural Agriculture) to B2 (Neighborhood Business Two with a Conditional Use Permit) This property is located at 14759 Denham Road, Lot B-1-A-1 of the former Tom Ed Shaffett Property, which is on the north side of Denham Road near the East Beaver Drive intersection. The applicant is proposing to rezone to B2 with a conditional use permit for a banquet facility with a waiver of Section 26:401 (b) of the City of Central Code of Ordinances to allow alcoholic license within 300 feet of a church. (Applicant: Amanda Moody)*

I am a resident of Sherrington Place subdivision. There are many reasons for my opposition to this request. Rezoning this property from R/A to B2 is inconsistent with the cities Master Plan. The City spent a significant amount of money and time to develop this plan and it is time to start implementing the plan. This type of "spot zoning" is not beneficial to this area. The proposed facility would not impact the area in a positive way. As nice as the proposed facility may be, it is still a party facility that will be serving alcohol. This leads to problems of noise, intoxicated individuals and possible altercations between guests. These problems would have a definite negative impact on the surrounding area.

Denham Road is one of the most dangerous roads in Central. With two new subdivisions going in, there is going to be more traffic on a road that has no shoulders or adequate lighting. There is a genuine concern that if this property is rezoned to a commercial property with a waiver to serve alcohol there will be serious safety issues. As someone who drives the road every day, I do not want to see anyone pulling out of a facility onto Denham Road that has been drinking, putting others in danger.

If this property is rezoned to commercial, where does it end? It could be just the beginning to the end of our rural area as we know it. If the current business fails, the property is zoned commercial and there is no telling what the next property owner would choose to open there.

I live in this area because I enjoy the rural, residential living. I respectfully ask you to please deny this rezoning request so that my family and others can continue to enjoy our way of life.

Respectfully,

  
Candace L. Stockstill

**PUBLIC HEARING**  
**CITY OF CENTRAL**  
**PLANNING AND ZONING COMMISSION**

Date: Nov. 20, 2014 Time: 6pm  
Location: Kristenwood 14025 Greenwell Springs Rd.

Case Number: BZ-7-14  
**REQUEST TO REZONE**

**REQUEST** R/A Banquet Facility

**FROM:** B2 for Banquet

**TO:** OTHER REQUEST  
REVISION

**ALCOHOL**  
**FOR MORE INFORMATION**  
Call: 300-5000  
City of Central 202-500-5000

10/30/2014 10:43