



Staff Report

Expanded Conditional Use

Case #: Z-2020-05-00075

Attachments:

Staff Report, Survey, Previous Ordinance, Application, Zoning Map, Aerial Map

Zoning Commission Public Hearing: Thursday, June 4, 2020

City Council Introduction: Tuesday, June 9, 2020

City Council Final: Tuesday, June 23, 2020

City Council Request (Ordinance):

Introduction to Amend Ordinance#16-5481 to allow change in occupancy/ownership from Joseph Ribando III to Timothy S. Shoaf for a existing microbrew pub located on Parcel 2 being 1110 CM Fagan Drive; Zoned C-H (Z-2020-05-00075) Recommend approval by the Zoning Commission

Site Information:

Location (Address): 1110 C M Fagan Dr

Council District: City Council District 3

Existing Zoning: ECU

Future Land Use: Commercial

Existing Land Use: MicroBrew Pub

Site Description:

Property fronting on CM Fagan Drive. Existing location previously allowed brew pub.

Adjacent Land Use and Zoning:

<u>Direction:</u>	<u>Land Use/Zoning:</u>
North	Commercial/Undeveloped/MX-C
South	Retail/C-H
West	Vacant/C-H
East	Commercial/C-H

Additional Information:

Previous Ordinance to allow for Micro brew pub only for Joseph Ribando III

Findings:

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: Timothy S. Shoaf, and Joseph Ribando III

Against: NONE

Commission Recommendation:

Motion: Recommend approval

For: Kylan Douglas, William Travis, Jeffrey Smith, Matt Sandifer

Against: NONE

Abstain: NONE

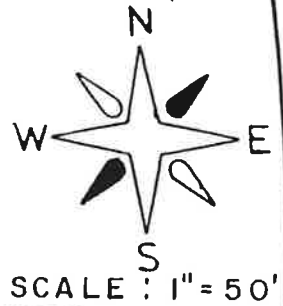
Absent: Jimmy Meyer

Ordinance to Read:

WHEREAS, on June 4, 2020 the Hammond Zoning Commission held a public hearing request to amend Ordinance#16-5481 to allow change in only the occupancy/ownership from Joseph Ribando III to Timothy S. Shoaf for an existing microbrew pub located on Parcel 2 being 1110 CM Fagan Drive; Zoned C-H (Z-2020-05-00075) and recommended approval.

NOW, THEREFORE, BE IT ORDAINED, that the City Council of Hammond, hereby approved the only change in occupancy/ownership to Timothy S. Shoaf for an existing microbrew pub located on Parcel 2 located at 1110 CM Fagan Drive.

PLAT OF SURVEY SHOWING PROPERTY LOCATED IN SECTION 35, T6S-R7E, CITY OF HAMMOND, PARISH OF TANGIPAHOA, STATE OF LOUISIANA.



DESCRIPTION OF PROPERTY

An actual ground survey was made of a certain piece or parcel of land situated in Section 35, T6S-R7E, City of Hammond, Parish of Tangipahoa, State of Louisiana, being divided into Parcels 1 and 2, containing a total of 0.9978 Acre, and being more fully described as follows:

PARCEL - 1: Beginning at a point 570.09' S89°45'44"E and 203.75' S00°22'21"E of the Northwest Corner of the South 1/2 of the Southeast 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 35, T6S-R7E; thence S00°22'21"E 150.51' to the north right of way line of Fagan Drive; thence along said right of way line, S74°39'58"W 22.32' and S76°36'33"W 49.85'; thence N00°18'10"W 170.88'; thence N89°38'45"E 69.02' to P.O.B. Contains 0.2545 Acre, all as shown on plat.

PARCEL - 2: Beginning at a point 570.09' S89°45'44"E and 203.75' S00°22'21"E of the Northwest Corner of the South 1/2 of the Southeast 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 35, T6S-R7E; thence S89°38'45"W 69.02'; thence along said right of way line, S72°36'33"W 50.00'; thence N00°22'21"W 389.14'; thence N89°34'28"E 117.04'; thence S00°22'21"E 203.75' to P.O.B. Contains 0.7433 Acre, all as shown on plat.

REFERENCE: Survey and Plat by George D. Sullivan, R.L.S., dated 4-1-1996.

NOTES:

- 1.) This perimeter survey shall not constitute a legal opinion of title, and was made solely according to the information provided to the surveyor.
- 2.) I certify that this plat is in accordance with the applicable standards of practice for a Class C survey.

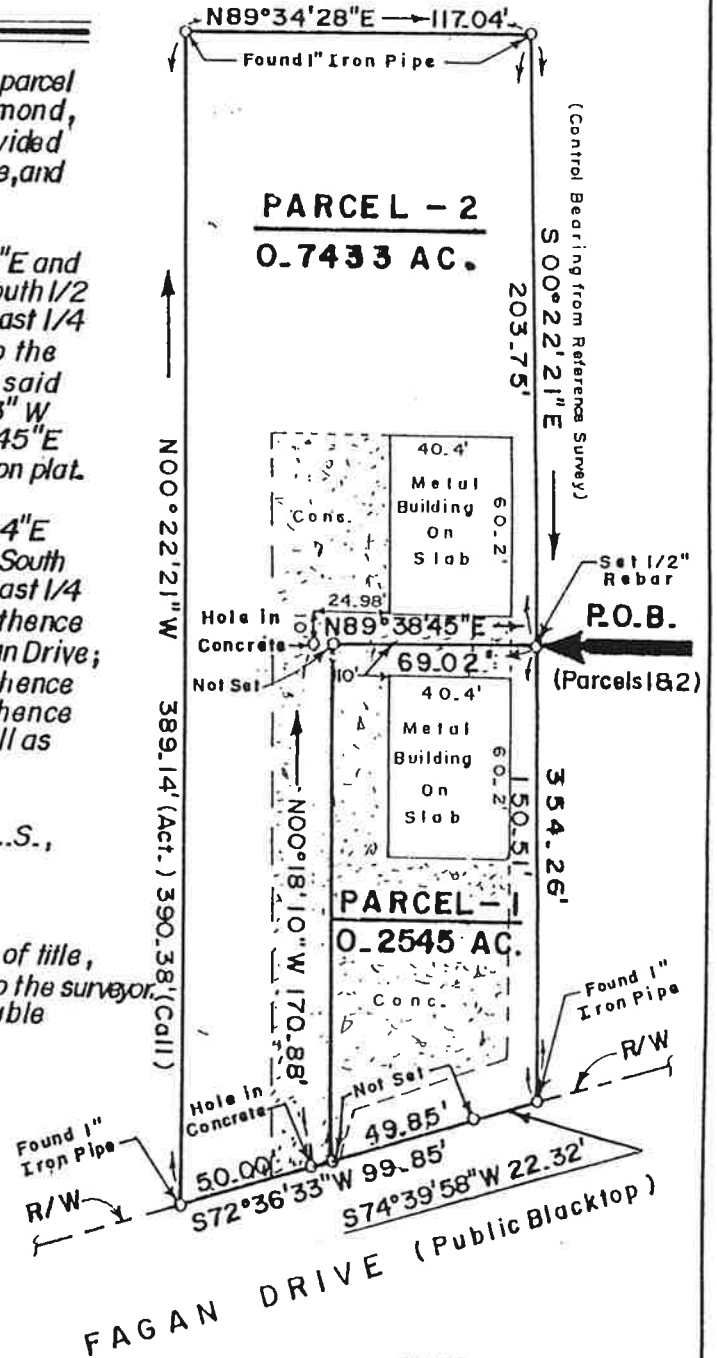
Approved by Planning Commission 1-2-03
J. Dardis

Property owner George Lerch

Revised Plat, 1-12-2003.

ROY EDWARDS
LAND SURVEYING, INC.
POST OFFICE BOX 1414
PONCHATOULA, LOUISIANA. 70454
PHONE: (985) 386-6495

ROY C. EDWARDS, JR.
PROFESSIONAL LAND SURVEYOR
DATE: 10 — 10 — 2002
DRAWN BY: Joseph L. Helg



1146



**CITY OF HAMMOND
ORDINANCE No. 16-5481 C.S.**

An Ordinance to approve Expanded Conditional Use request by Joseph Ribando III to allow a microbrew pub with sales and consumption in accordance with LA Alcohol and Tobacco Control Microbrewer guidelines located at 1110 CM Fagan Drive; Zoned CH (Z-2016-06-00026). Recommend approval by the Zoning Commission with the following conditions: 1) the approval shall be with the understanding such use is a personal right that expires upon change in occupancy as listed above; 2) must be in accordance with LA Alcohol and Tobacco Control Microbrewer Permit; and 3) 12% Alcohol Cap on any alcohol sold.

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:

WHEREAS, on July 7, 2016 the Hammond Zoning Commission recommended approval to an Expanded Conditional Use Case#Z-2016-06-000026 request by Joseph Ribando III to allow a microbrew pub with sales and consumption in accordance with LA Alcohol and Tobacco Control Microbrewer guidelines located at 1110 CM Fagan Drive; Zoned CH with the following conditions: 1) the approval shall be with the understanding such use is a personal right that expires upon change in occupancy as listed above; 2) must be in accordance with LA Alcohol and Tobacco Control Microbrewer Permit and; 3) 12% Alcohol Cap on any alcohol sold.

NOW, THEREFORE, BE IT ORDAINED, that the City Council of Hammond, hereby approves the Expanded Conditional Use Case#Z-2016-06-000026 request by Joseph Ribando III to allow a microbrew pub with sales and consumption in accordance with LA Alcohol and Tobacco Control Microbrewer guidelines located at 1110 CM Fagan Drive; Zoned CH with the following conditions: 1) the approval shall be with the understanding such use is a personal right that expires upon change in occupancy as listed above; 2) must be in accordance with LA Alcohol and Tobacco Control Microbrewer Permit and; 3) 12% Alcohol Cap on any alcohol sold.

The above and foregoing ordinance having being duly submitted to the Hammond City Council in writing; introduced at a public meeting on **July 12th, 2016** of the Hammond City Council and discussed at a public meeting held on **July 26th, 2016**; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by **Janice Carter Beard** and Second by **Lemar Marshall** the foregoing ordinance was hereby declared adopted on **June 26th, 2016** by the following roll call vote:

Votes: Johnny Blount (Y) Jason Hood (Y) Janice Carter Beard (Y) Lemar Marshall (Y) Mike Williams (Y)
Motion carried approved.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this **26th Day of July** in the year **2016**, at Hammond, Tangipahoa Parish, Louisiana.

Mike Williams
President, Hammond City Council

Honorable Pete Panepinto
Mayor, City of Hammond

Tonia Banks, Clerk
Hammond City Council

THE FOREGOING IS CERTIFIED
TO BE A TRUE & CORRECT COPY

CLERK OF COUNCIL

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: 5/12/2020

PERMIT# 7-2020-05-00075

The next Zoning Commission Meeting will be held on _____, 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# 2706601046-00
SITE ADDRESS: 1110 CM Fagan Dr
Legal Description or Survey 0.75A being parcel 2 located in section 35, T6S-R7E Hammond, Tangipahoa, Louisiana
PROPERTY OWNER NAME: Joseph Ribando III
Owner Address: 1110 CM Fagan Dr, Hammond, LA 70403
Telephone: () or Cell #: (504) 909-1900

PLEASE READ AND SIGN BELOW

APPLICANT NAME: Timothy S Shoaf
COMPANY NAME: LRB, LLC
Applicant Mailing Address: 26656 Highway 22, Springfield, LA 70462
Applicant Telephone: () or Cell #: (225) 323-3020

PERMIT INFO-ADDITIONAL INFO
PRESENT ZONING: MX-N MX-C MX-CBD C-N (C-H) C-R I-H I I-L
REQUESTED ZONING: MX-N MX-C MX-CBD C-N (C-H) C-R I-H I I-L
REASON FOR REZONING: Change of ownership of microbrew pub with onsite sales and consumption
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

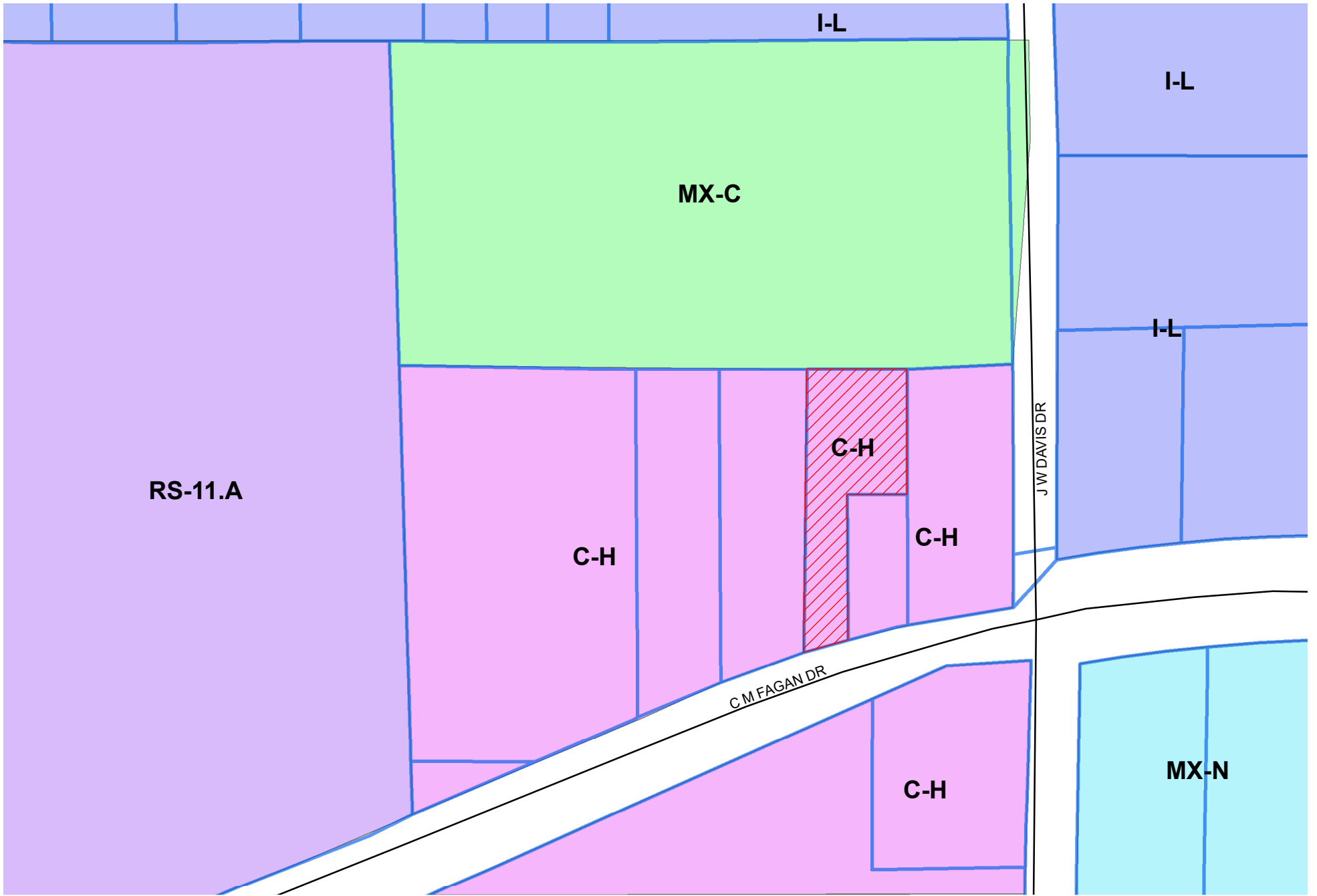
I/We being the legal owner(s) request zoning of my property from a _____ District to a _____ District. I/We fully understand and agree to abide by the zoning restrictions for a _____ District. I am including with this application a copy of any covenants or restrictions and deeds governing this property.

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.


APPLICANT SIGNATURE DATE 5-11-2020
OWNER(S) SIGNATURE DATE 5-11-2020
CITY PLANNER DATE

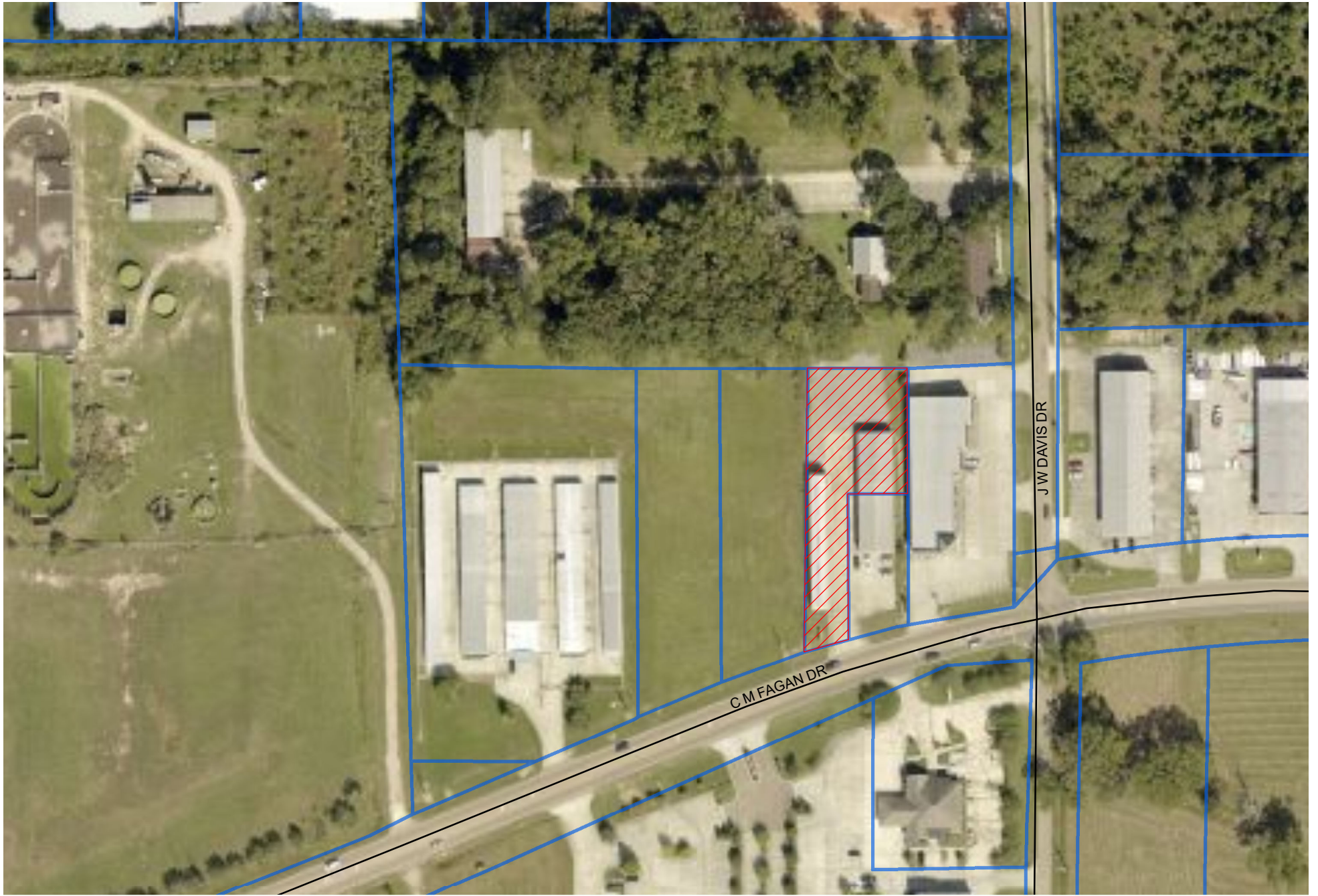
AMOUNT PAID \$ 120.00 CHECK# 1208 CASH [] DATE PAID 5/14/2020



Expanded Conditional Use
 Z-2020-05-00075
 1110 CM Fagan Drive

Legend


 Case Parcel



Expanded Conditional Use
Z-2020-05-00075
1110 CM Fagan Drive



Legend

 Case Parcel