

BY COUNCIL MEMBER ROY (Case No. CUP-4-19)

CITY OF CENTRAL  
ORDINANCE NO. 2020-07

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR THE  
CONSTRUCTION AND OPERATION OF A DRIVE-THRU RESTAURANT  
(City Market Renovation – 18564 Magnolia Bridge Road)

WHEREAS, application has been made by 2003 Realty for a Conditional Use Permit for the construction and operation of a drive-thru restaurant along with a reconfiguration of the building, parking and drive aisles at an existing shopping center on property zoned B-2 on the south side of Magnolia Bridge Road between Greenwell Springs Road and Villa Crossing Drive; and

WHEREAS, the current use of the subject property is a strip shopping center including multiple restaurant type uses; and

WHEREAS, the shopping center owner is seeking to remove the two western most suites and add additional parking and a drive-thru for the new end suite; and

WHEREAS, the proposed use of the property is consistent with the Master Plan; and

WHEREAS, a public hearing was held on December 19, 2019 before the City of Central Zoning Commission; and

WHEREAS, the Zoning Commission, voted 4-0 to recommend approval of the Conditional Use Permit subject to certain conditions.

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

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

Section 2: That the subject property is hereby granted a Conditional Use Permit to construct and operate a drive thru restaurant subject to the terms and conditions set forth in this Ordinance. Such documents and modifications thereto which condition this approval and to which the Conditional Use Permit is subject are the following:

- A. Demolition Plan Drive Thru Plan, dated 10/18/2019, revised 1/6/2020, Sheet D2, by Structural Design Solutions;

- B. Proposed Site Plan, dated 10/18/2019, revised 1/6/2020, Sheet PL2, by Structural Design Solutions;
- C. Walls/Foundation Details, dated 10/18/2019, revised 1/6/2020, Sheet S1, by Structural Design Solutions;
- D. Preliminary Landscape Plan, dated December 3, 2019, by Viator & Associates, Inc.

Section 3: Approval of the Conditional Use Permit is further subject to the following terms and conditions:

- A. Prior to issuance of construction permits, applicant shall provide a lighting plan to City staff for review and approval showing that there will be no spillage of light onto the property to the South.
- B. Prior to issuance of construction permits, applicant shall either resubdivide the properties on which the City Market shopping center is located (Lots J and D-2) so that they are one Lot or provide proof that cross servitudes of access for vehicles, parking and utilities have been recorded at the Parish Clerk's Office for Lots J and D-2.
- C. Prior to issuance of construction permits, applicant shall provide proof that cross servitudes of access for vehicles and utilities have recorded at the Parish Clerk's Office for Lots J, D-2 and D-1.
- D. The drive-thru window shall be for pick-up only. There shall be no speaker ordering system or outdoor menu board. Traffic flow shall be such that the pick-up window is on the driver's side of the vehicle.
- E. Prior to issuance of occupancy permits, applicant shall install appropriate signage and/or roadway markings indicating that directional flow of traffic through the drive-thru lane.
- F. Notwithstanding anything to the contrary in any of the documents identified in Section 2 above, construction of the building, including the choice of materials, shall be in conformance with all City ordinances in existence at the time building permits are granted.

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

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

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

Introduced before the Council on January 14, 2020.

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

For: Evans, McKinney, Myer, Roy, Wells  
Against: None  
Absent: Freneaux, Moak

Adopted the 28<sup>th</sup> day of January, 2020.

Signed the 31<sup>st</sup> day of January, 2020.

Delivered to the Mayor on the 3<sup>rd</sup> day of February, 2020.

  
\_\_\_\_\_  
Mark Miley, City Clerk

Approved:

  
\_\_\_\_\_  
David Barrow, Mayor

Received from Mayor on the 3<sup>rd</sup> day of February, 2020:

  
\_\_\_\_\_  
Mark Miley, City Clerk

Adopted Ordinance published in The Advocate on the 7<sup>th</sup> day of February, 2020

EXHIBIT A

Lot D-2 of the L.E. Kennard Property. This property is located on the south side of Magnolia Bridge Road between Greenwell Springs Road to the east and Villa Crossing Drive to the west in Section 66, T6S, R2E, GLD, EBR, LA

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