

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

2
3 CITY OF CENTRAL
4 ORDINANCE NO. 2020-_____
5

6 AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR THE
7 CONSTRUCTION AND OPERATION OF A DRIVE-THRU RESTAURANT
8 (City Market Renovation – 18564 Magnolia Bridge Road)
9

10 WHEREAS, application has been made by 2003 Realty for a Conditional Use Permit for
11 the construction and operation of a drive-thru restaurant along with a reconfiguration of the
12 building, parking and drive aisles at an existing shopping center on property zoned B-2 on the
13 south side of Magnolia Bridge Road between Greenwell Springs Road and Villa Crossing Drive;
14 and
15

16 WHEREAS, the current use of the subject property is a strip shopping center including
17 multiple restaurant type uses; and
18

19 WHEREAS, the shopping center owner is seeking to remove the two western most suites
20 and add additional parking and a drive-thru for the new end suite; and
21

22 WHEREAS, the proposed use of the property is consistent with the Master Plan; and
23

24 WHEREAS, a public hearing was held on December 19, 2019 before the City of Central
25 Zoning Commission; and
26

27 WHEREAS, the Zoning Commission, voted 4-0 to recommend approval of the
28 Conditional Use Permit subject to certain conditions.
29

30 NOW THEREFORE, BE IT ORDAINED by the Council of the City of Central, State of
31 Louisiana as follows:
32

33 Section 1: That the property that is the subject of this Ordinance is legally described
34 in Exhibit A attached hereto and made a part hereof.
35

36 Section 2: That the subject property is hereby granted a Conditional Use Permit to
37 construct and operate a drive thru restaurant subject to the terms and conditions set forth in this
38 Ordinance. Such documents and modifications thereto which condition this approval and to
39 which the Conditional Use Permit is subject are the following:
40

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

- 1 B. Proposed Site Plan, dated 10/18/2019, revised 1/6/2020, Sheet PL2, by Structural
2 Design Solutions;
3 C. Walls/Foundation Details, dated 10/18/2019, revised 1/6/2020, Sheet S1, by
4 Structural Design Solutions;
5 D. Preliminary Landscape Plan, dated December 3, 2019, by Viator & Associates,
6 Inc.
7

8 Section 3: Approval of the Conditional Use Permit is further subject to the following
9 terms and conditions:
10

- 11 A. Prior to issuance of construction permits, applicant shall provide a lighting plan to
12 City staff for review and approval showing that there will be no spillage of light
13 onto the property to the South.
14 B. Prior to issuance of construction permits, applicant shall either resubdivide the
15 properties on which the City Market shopping center is located (Lots J and D-2)
16 so that they are one Lot or provide proof that cross servitudes of access for
17 vehicles, parking and utilities have been recorded at the Parish Clerk's Office for
18 Lots J and D-2.
19 C. Prior to issuance of construction permits, applicant shall provide proof that cross
20 servitudes of access for vehicles and utilities have recorded at the Parish Clerk's
21 Office for Lots J, D-2 and D-1.
22 D. The drive-thru window shall be for pick-up only. There shall be no speaker
23 ordering system or outdoor menu board. Traffic flow shall be such that the pick-
24 up window is on the driver's side of the vehicle.
25 E. Prior to issuance of occupancy permits, applicant shall install appropriate signage
26 and/or roadway markings indicating that directional flow of traffic through the
27 drive-thru lane.
28 F. Notwithstanding anything to the contrary in any of the documents identified in
29 Section 2 above, construction of the building, including the choice of materials,
30 shall be in conformance with all City ordinances in existence at the time building
31 permits are granted.
32

33 Section 4: The specific terms and conditions of this Ordinance shall prevail against
34 other ordinances of the City to the extent that there may be any conflict. Except for the
35 foregoing, the development of the subject property is subject to the terms of all applicable
36 ordinances and regulations of the City of Central, including any amendment thereto.
37

38 Section 5: Severability. If any section, subsection, sentence, clause or provision of
39 this Ordinance is declared by a court of competent jurisdiction to be invalid, such declaration of
40 invalidity shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the
41 part declared invalid. The remainder of the Ordinance shall not be affected by the declaration of
42 invalidity and shall remain in force and effect.
43

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

2
3 Introduced before the Council on _____, 2020.

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 _____, 2020.

12
13 Signed the ____ day of _____, 2020.

14
15 Delivered to the Mayor on the ____ day of _____, 2020.

16
17 _____
18 Mark Miley, City Clerk

19
20 Approved:

21
22 _____
23 David Barrow, Mayor

24
25 Received from Mayor on the ____ day of _____, 2020:

26
27 _____
28 Mark Miley, City Clerk

29
30
31 Adopted Ordinance published in The Advocate on the ____ day of _____, 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

4821-5708-6384, v. 1