



St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043
(504) 278-4228 Fax (504) 278-4209
www.sbp.net

#13

Kerri Callais
Councilmember
at Large

Richard "Richie" Lewis
Councilmember
at Large

Gillis McCloskey
Councilmember
District A

Nathan Gorbaty
Councilmember
District B

Howard Luna
Councilmember
District C

Wanda Alcon
Councilmember
District D

**Manuel "Monty"
Montelongo III**
Councilmember
District E

Roxanne Adams
Clerk of Council

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, FEBRUARY 5, 2019 AT SEVEN O'CLOCK P.M.

On motion of Mr. McCloskey, seconded by Ms. Callais, it was moved to **adopt** the following ordinance:

ORDINANCE SBPC #2134-02-19

Summary No. 3679

Planning Commission recommended **APPROVAL** on 1/3/19

Introduced by: Administration on 1/15/19

Public Hearing held on 2/5/19

AN ORDINANCE TO APPROVE **DOCKET Z-2019-001**, PETITION OF MYRTY MENDOZA FOR A CONDITIONAL USE PERMIT TO OPERATE AN ABUSE ADDICTION TREATMENT FACILITY, FOR THE FOLLOWING DESCRIBED PROPERTY: LOT 55 GALLO EXT CORNER OF JUDGE PEREZ & GALLO. PROPERTY LOCATION: 1520 E. JUDGE PEREZ DR. CHALMETTE, LA 70043.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council does hereby approve **Docket Z-2019-001**, petition of Myrty Mendoza for a Conditional Use Permit to operate an Abuse Addiction Treatment Facility, for the following described property: Lot 55 Gallo Ext Corner of Judge Perez & Gallo

PROPERTY LOCATION: 1520 E. Judge Perez Dr. Chalmette, LA 70043.

Planning Commission recommends APPROVAL with the following WAIVERS AND CONDITIONS:

WAIVERS:

1. A waiver of the requirements of Section 22-3-1 - Existing nonconforming use to allow the petitioned property a change of use to a less conforming use: Pharmacy to Abuse Addiction Treatment Facility.
2. A waiver of the requirements of Section 22-3-13 - Discontinuance of legally nonconforming site development standards to allow the proposed development plan to conform to the site development standards, as reasonably achievable as determined by the director of community development, in section 22-7 site development standards and approved by planning commission.



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3. A waiver of the requirements of Chapter 22-7-3.4(i) – Parking Lot Design to include permit a reduction of the 25' setback to a 0' setback along the front property line and a reduction of the 10' setback to a 0' setback along the east side of the structure, as shown on the existing development.
4. A waiver of the requirements of Chapter 22-7-3.2 – Number of Parking Spaces to include a parking space reduction from 22 spaces plus four (4) per licensed healthcare provider to the existing and non-conforming 13 spaces currently developed.

CONDITIONS:

1. The applicant shall submit a Landscape Plan prepared by a Louisiana Licensed Landscape Architect and meet all of the requirements of Chapter 22-7-1 – Landscape regulations and Chapter 22-7-2 – Planting, maintenance and removal of trees on public land, subject to the review and approval of the staff of the Department of Community Development.
2. The applicant shall erect a 7' in height solid wood fence along the rear and western side property lines, subject to the review and approval of the Department of Community Development.
3. The applicant shall place a commercial trash dumpster and pen at the property.
4. The applicant shall provide 24-hr closed-circuit television (CCTV) surveillance security systems and one (1) security guard stationed at the facility during all operational hours.
5. The applicant shall remove all vending machines outside of building.
6. The applicant shall place no loitering signs in parking lot.
7. The applicant shall not have any benches or seating areas outside building.
8. The applicant shall meet all requirements of the American Disabilities Act and approved by the Department of Community Development.

SECTION 2. Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of



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competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Ordinance with the invalid portions omitted.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:


YEAS: McCloskey, Luna, Alcon, Montelongo, Callais

NAYS: Gorbaty

ABSENT: None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 5th day of February, 2019.


ROXANNE ADAMS
CLERK OF COUNCIL


RICHARD "RICHIE" LEWIS
COUNCIL CHAIR


Delivered to the Parish President 2/8/19 10:50 am
Date and Time

Received by Maegen Campu

Approved ✓

Vetoed _____

Parish President


Guy McInnis

Returned to Clerk of the Council

2/11/19 8:30am
Date and Time

Received by

Elisa Mello