

**THE FOLLOWING RESOLUTION WAS INTRODUCED BY CITY COUNCIL MEMBER \_\_\_\_\_; AND SECONDED FOR INTRODUCTION BY COUNCIL MEMBER \_\_\_\_\_**

**ORDINANCE NO. 24-01**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO EFFECT THE ANNEXATION OF A PORTION OF GROUND SITUATED IN CHINCHUBA SUBDIVISION, SECTION 34, TOWNSHIP 7 SOUTH RANGE 11 EAST INTO THE CORPORATE LIMITS OF THE CITY OF MANDEVILLE DESIGNATING AND ASSIGNING THE PROPERTY FOR PURPOSES OF ZONING AS B-2, HIGHWAY BUSINESS DISTRICT AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH**

**WHEREAS**, the Planning Commission has received a petition by Flick Properties, LLC seeking the annexation of a Parcel of Ground being more fully described as an undesignated portion of ground in Chinchuba Subdivision, Section 34, Township 7 South Range 11 East containing 80,758 square feet as surveyed by Dading, Marques & Associates, Inc. dated January 25, 2002 into the corporate limits of the City of Mandeville attached as Exhibit A; and

**WHEREAS**, the said petition is made and signed by the owners of the said property and there are no registered voters currently residing on the said property; and

**WHEREAS**, the property is contiguous to the present boundaries of the City of Mandeville; and

**WHEREAS**, the proposed annexation will serve the best interests of the City of Mandeville and of its citizens by providing enhanced development of a commercial area of the City, promoting additional tax revenues for the City and employment opportunity for area citizens; and

**WHEREAS**, the City of Mandeville desires to include in its corporate limits all properties along major corridors and gateways which, because of their visibility, define the character of Mandeville to both residents and visitors alike; and

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Mandeville that the municipal limits of the City of Mandeville be and they are hereby enlarged to include the below described immovable property which is hereby annexed into the City of Mandeville:

**ALL THAT CERTAIN PIECE OR PORTION OF GROUND**, together with all the buildings and improvements thereon, and all the rights, ways, privileges, servitudes, appurtenances, and advantages thereunto belonging or in anywise appertaining, situated in the Parish of St. Tammany, State of Louisiana, better described as follows, to-wit:

A CERTAIN PIECE OR PORTION OF LAND together with all the buildings and improvements thereon and all of the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in CHINCHUBA SUBDIVISION, Section 34, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, and more fully described as follows, to-wit:

From the corner common to Sections 33, 34 and 38 of the above township and range, run South 67 degrees 25 minutes East 924.2 feet to the line or corner of Lots 41 and 42, Chinchuba Subdivision; thence run along the line between Lots 41 and 42 North 89 degrees 07 minutes East 383.8 feet to a highway right of way monument on the east line of North Causeway Approach (North Causeway Frontage Road) and the POINT OF BEGINNING.

From the above POINT OF BEGINNING run along the east right of way line of North Causeway Frontage Road North 14 degrees 20 minutes 49 seconds East 256.95 feet (Title - North 14 degrees 06 minutes East 257.5 feet) to an iron rod on the south right of way line of LaSalle Street; thence along the south right of way line of LaSalle Street North 89 degrees 00 minutes 30 seconds East 255.08 feet (Title - North 89 degrees 07 minutes East 252.7 feet) to an iron rod; thence South 17 degrees 17 minutes 55 seconds East 258.96 feet (Title South 17 degrees 21 minutes East 258.8 feet) to an iron pipe; thence South 89 degrees 07 minutes West 395.76 feet (Title - 394.9 feet) to a highway monument on the east right of way of North Causeway Frontage Road and the POINT OF BEGINNING.

All as more fully shown on survey of Dading, Marques & Associates, Inc., R.L.S., dated January 25, 2002.

Being the same property acquired by Ronnie Lamarque Properties, L.L.C from Ronald M. Lamarque, per act passed before Ellen Mullins, Notary Public, dated September 12, 2001, filed September 21, 2001, at Instrument No. 1266388, St. Tammany Parish, Louisiana.

**BE IT FURTHER ORDAINED**, that upon annexation into the municipal limits of the City of Mandeville the above described property be designated for purposes of zoning as a B-2, Highway Business District, as defined and regulated by the provisions of The Comprehensive Land Use Regulations Ordinance of the City of Mandeville, and that the Official Zoning Map of the City of Mandeville be amended to reflect this annexation and zoning.

**BE IT FURTHER ORDAINED**, that this property will be located in Council District two (2); and

**BE IT FURTHER ORDAINED**, that following the annexation of the above-described immovable property into the corporate limits of the City of Mandeville that the boundaries of the City of Mandeville shall thereafter be as set forth and described on the process verbal attached hereto and made a part hereof

**BE IT FURTHER ORDAINED**, that this site is located in the Priority One Area, "Infill" for annexation and that all generated Sales Tax Revenues shall be 100% to the City of Mandeville in accordance with Ordinance No. 90-10 and that certain Sales Tax Enhancement

Plan entered into by and between the City of Mandeville and the Parish of St. Tammany on September 20, 1990, or as modified by written agreement between the Parish of St. Tammany and the City of Mandeville by subsequent Annexation Growth Plan(s); and

**BE IT FURTHER ORDAINED**, that all sections and provisions of this ordinance be deemed separate and severable, and that in the event that any one or more of the provisions of this ordinance be deemed unenforceable or unconstitutional by any final judgment, order, or decree of any court of competent jurisdiction, that such finding shall have no effect on the remaining sections and provisions of this ordinance.

**BE IT FURTHER ORDAINED** that the Clerk of this Council be and she is hereby authorized and empowered to take any and all actions which she, in the exercise of her discretion, deems necessary to promulgate the provisions of this ordinance.

The ordinance being submitted to a vote, the vote thereon was as follows:

- AYES:
- NAYS:
- ABSENT:
- ABSTENTIONS:

and the ordinance was declared adopted this \_\_\_\_ day of \_\_\_\_\_ 2024

\_\_\_\_\_  
Kristine Scherer  
Clerk of Council

\_\_\_\_\_  
Jason Zuckerman  
Council Chairman

**SUBMITTAL TO MAYOR**

The foregoing Ordinance was **SUBMITTED** by me to the Mayor of the City of Mandeville this \_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_ o'clock \_\_m.

\_\_\_\_\_  
**CLERK OF COUNCIL**

**APPROVAL OF ORDINANCE**

The foregoing Ordinance is by me hereby **APPROVED**, this \_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_ o'clock \_\_ m.

\_\_\_\_\_  
**CLAY MADDEN, MAYOR**

**VETO OF ORDINANCE**

The foregoing Ordinance is by me hereby **VETOED**, this \_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
**CLAY MADDEN, MAYOR**

**RECEIPT FROM MAYOR**

The foregoing Ordinance was **RECEIVED** by me from the Mayor of the City of Mandeville this \_\_\_ of \_\_\_\_\_, 2023 at \_\_\_ o'clock \_\_ m.

\_\_\_\_\_  
**CLERK OF COUNCIL**

**CERTIFICATE**

**I, THE UNDERSIGNED** Clerk of the City Council of the City of Mandeville do hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the City Council of the City of Mandeville at a duly noticed, called and convened meeting of said City Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2024 at which a quorum was present and voting. I do further certify that said Ordinance has not thereafter been altered, amended, rescinded, or repealed.

WITNESS MY HAND and the seal of the City of Mandeville this \_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
**CLERK OF COUNCIL**

WILLIAM J. JONES, JR.  
JEFFREY D. SCHOEN  
JOHN R. WALKER  
MARGARET H. KERN  
CALVIN P. BRASSEAU  
THOMAS H. HUVAL  
PAUL J. MAYRONNE  

---

ANDREW J. WALKER  
KATHERINE L. RIECKE

**JONES FUSSELL, L.L.P.**

ATTORNEYS AT LAW  
NORTHLAKE CORPORATE PARK, SUITE 103  
1001 SERVICE ROAD EAST, HIGHWAY 190  
  
P.O. BOX 1810  
COVINGTON, LOUISIANA 70434-1810  
  
TELEPHONE (985) 892-4801  
FAX (985) 892-4925

HOWARD R. FUSSELL  
(1937-2015)

December 14, 2023

**VIA HAND DELIVERY**

City of Mandeville  
Attn: Cara Bartholomew, AISP, Director  
3101 E. Causeway Approach  
Mandeville, LA 70448

**Re: Flick Properties, LLC – Banner Ford  
Application for Annexation and Variances**

Dear Cara:

In accordance with the above-referenced matter, please find enclosed the following documents, to-wit:

**I. Annexation**

- a. Application for Annexation;
- b. Two (2) site plans;
- c. Legal description and survey;
- d. Certificate from the Registrar of Voters;
- e. Flood Zone Determination Letter from the Parish;
- f. Certificate of Property Values by the Parish Assessor; and
- g. Our firm check in the amount of \$927.00 for the applicable fees.

**II. Variances**

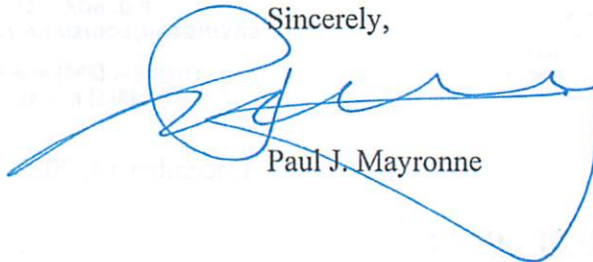
- a. Application for Variances;
- b. Legal description and survey;
- c. Deed of Acquisition;
- d. My letter of explanation regarding the variances requested;
- e. Two (2) site plans referenced in my letter of explanation; and
- f. Our firm check in the amount of \$300.00 for the applicable fees.

I have not included the estimate of sewer impact fees from the Mandeville Public Works Department. If this is a separate request I need to make directly to Public Works, please advise, and I will be glad to do so.

Ms. Cara Bartholomew  
December 14, 2023  
Page 2 of 2

Thank you for processing our applications, and should you have any questions or need any additional information or documents, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul J. Mayronne", is written over the word "Sincerely,". The signature is stylized and somewhat illegible due to its cursive nature.

Paul J. Mayronne

PJM/amh  
Enclosures

cc: Flick Properties, LLC – Banner Ford

WILLIAM J. JONES, JR.  
JEFFREY D. SCHOEN  
JOHN R. WALKER  
MARGARET H. KERN  
CALVIN P. BRASSEAU  
THOMAS H. HUVAL  
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NORTHLAKE CORPORATE PARK, SUITE 103  
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COVINGTON, LOUISIANA 70434-1810

TELEPHONE (985) 892-4801  
FAX (985) 892-4925

HOWARD R. FUSSELL  
(1937-2015)

December 12, 2023

City of Mandeville  
Attn: Cara Bartholomew, AISP, Director  
3101 E. Causeway Approach  
Mandeville, LA 70448

**Re: Application for Variance  
Flick Properties, LLC – Banner Ford**

Dear Cara:

In accordance with the Application for Annexation filed by Flick Properties, LLC (“Flick”) for the Banner Ford property located along the U.S. Highway 190 frontage road (the “Property”), please allow this letter to serve as our statement for the variances requested and the applicable practical difficulties giving rise to each such request.

As you are aware, if annexed, the Property will be zoned B-2 Highway Business District and will be within the Gateway Overlay District. It is my understanding that the current use of the Property, as a Banner Ford sales and service facility, would be a permitted use. It is Flick’s desire to annex the Property into the City of Mandeville, provided that in doing so it does not unreasonably impact the operation of its business. In light of the fact that the Property is fully built-out, and has been so for decades, it is simply impossible or otherwise not feasible to bring the Property into full compliance with the CLURO.

In light of the foregoing, we are requesting the following variances, to-wit:

**I. B-2 SITE DEVELOPMENT REGULATIONS:**

- A. **Maximum Building Height.** The precise height of the existing buildings on the Property are unknown. However, to the extent that the buildings exceed the maximum height required under the CLURO, we are seeking a variance. The practical difficulty giving rise to this request is that the buildings are already constructed and have been so for many, many years.

- B. **Maximum Impervious Site Coverage.** As part of our submittal, we have provided the impervious site coverage for the Property, which exceeds the seventy-five (75%) percent maximum allowed under the CLURO. We are requesting a variance as it relates to this matter and the practical difficulty is that the vast majority of all impervious surfaces are in place and have been for an extended period of time. While we will be installing some additional impervious surface on the property to be acquired from Emerald Corner, LLC (which property is currently in the City), we will be preserving some non-pervious areas around the existing live oak tree and along our eastern property line.
- C. **Signs.** There is an existing pylon sign on the Property which has been in place for many, many years. This pylon sign is critical to Flick's business and is a requirement from Ford. Accordingly, we are requesting a variance to allow this sign to be maintained on the Property. Furthermore, we are requesting a variance to allow Flick to replace the sign, if and when it should become necessary, with a new sign not to exceed the height of the current sign.

## II. MINIMUM OFF-STREET PARKING REQUIREMENTS:

It is our understanding that the CLURO requires Flick to have 183 parking spaces on the Property. The Property currently has 81 parking spaces. We are requesting a variance as to this requirement. The practical difficulty giving rise to the variance request is that the Property is built out and has been for many years. In addition, we are requesting a variance because although the Property does not contain the required parking spaces, Flick has well more than 183 parking spaces on adjacent properties which are owned by Flick. As part of our submittal, the City has been provided with an overall site plan of the Flick holdings in the area, which demonstrate that Flick has significantly more parking than is required.

## III. LANDSCAPING REQUIREMENTS:

- A. Twenty-five (25') foot in-depth greenbelt along Causeway frontage with required plantings – Variances are requested for the practical difficulties described below.
- B. Fifteen (15') foot greenbelt along LaSalle Street with required planting – Variances are requested for the practical difficulties described below.
- C. Screen of Vehicular Use Area – A variance is requested for the practical difficulties described below.
- D. Site interior plantings – Variances are requested for the practical difficulties described below.



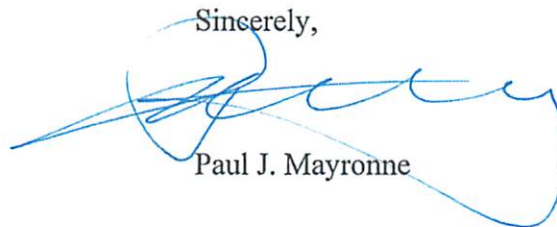
Ms. Cara Bartholomew  
December 12, 2023  
Page 3 of 3

All of the foregoing variances are requested as result of the fact that the site is fully developed, and the greenbelts and plantings simply cannot be practically achieved. However, it should be noted, Flick has requested and received approval for landscaping within the Louisiana Department of Transportation Development right-of-way along the east and west sides of the U.S. Highway 190 frontage road adjacent to and near the Property. Flick has installed and maintained these plantings for many years. It is the intent to continue to maintain these plantings which provide significant benefit to the entire area.

I hope the City, and its respective commissions, will give due consideration to the variance requested. This is a unique situation, given that we are dealing with a long-time operating business on a site that has been fully built out for decades. We believe that the annexation of the Property into the City of Mandeville can be beneficial for all parties. We look forward to the opportunity to further explain our requests at the appropriate time.

As always, thank you for processing our request, and should you have any questions, or need any additional information, please do not hesitate to contact me.

Sincerely,

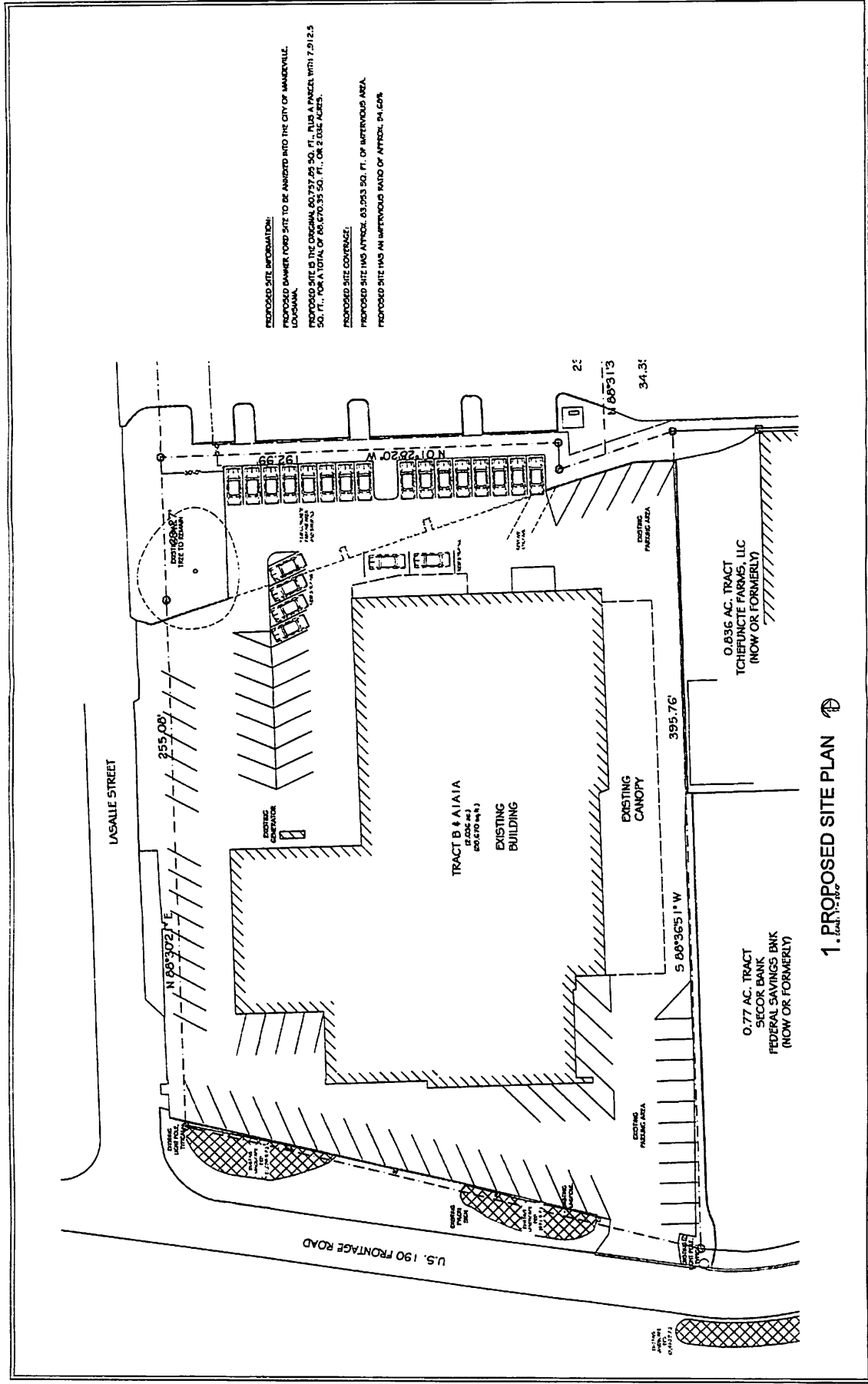


Paul J. Mayronne

PJM/amh

cc: Flick Properties, LLC – Banner Ford





**PROPOSED SITE INFORMATION:**  
 PROPOSED BANNER FORD SITE TO BE ANNEXED INTO THE CITY OF MANDEVILLE, LOUISIANA.  
 PROPOSED SITE IS THE ORIGINAL 60,757.29 SQ. FT., PLUS A PARCEL WITH 7,912.5 SQ. FT., FOR A TOTAL OF 68,670.35 SQ. FT., OR 2.036 ACRES.

**PROPOSED SITE COVERAGE:**  
 PROPOSED SITE HAS APPROX. 63,263 SQ. FT. OF WATERLOO AREA.  
 PROPOSED SITE HAS AN INTERVOLUTION RATIO OF APPROX. 04.60%

**1. PROPOSED SITE PLAN**

project 1423  
 date 7.26.13  
 revision 03.03

sheet

C.2

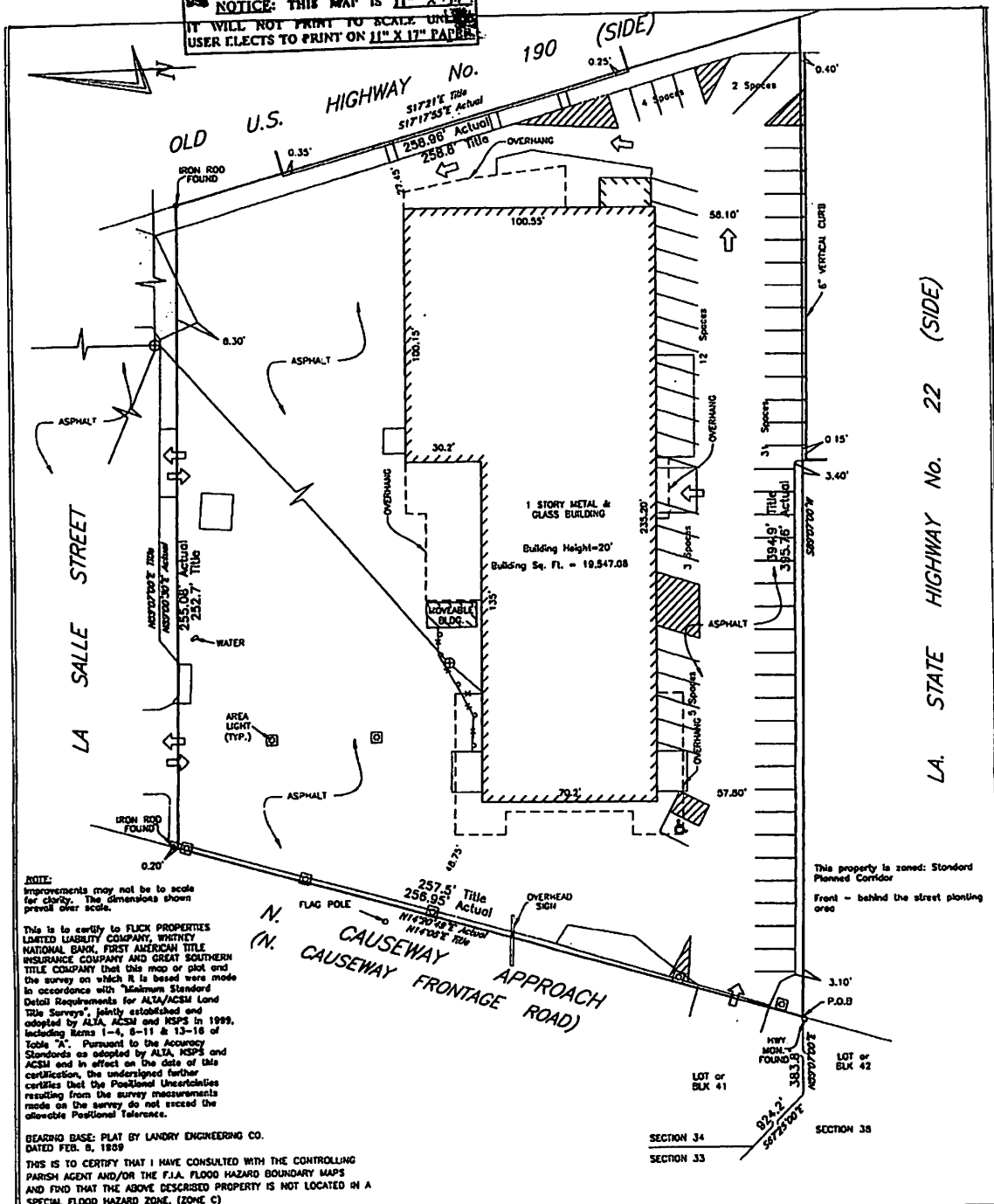
~ **Banner Ford** ~  
 1943 N. Causeway Blvd.  
 Mandeville, Louisiana 70471

**Piazza Architecture Planning APC**  
 Mandeville, Louisiana



P.L.S. 0. 0022

NOTICE: THIS MAP IS 11" X 17"  
IT WILL NOT PRINT TO SCALE UNLESS  
USER ELECTS TO PRINT ON 11" X 17" PAPER



**NOTE:**  
Improvements may not be to scale for clarity. The dimensions shown prevail over scale.

This is to certify to FLICK PROPERTIES LIMITED LIABILITY COMPANY, WHITNEY NATIONAL BANK, FIRST AMERICAN TITLE INSURANCE COMPANY AND GREAT SOUTHERN TITLE COMPANY that this map or plat and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys", jointly established and adopted by ALTA, ACSM and NSPS in 1999, including items 1-4, 6-11 & 13-16 of Table "A". Pursuant to the Accuracy Standards as adopted by ALTA, NSPS and ACSM and in effect on the date of this certification, the undersigned further certifies that the Positional Uncertainties resulting from the survey measurements made on the survey do not exceed the allowable Positional Tolerance.

BEARING BASE: PLAT BY LANDRY ENGINEERING CO. DATED FEB. 8, 1989

THIS IS TO CERTIFY THAT I HAVE CONSULTED WITH THE CONTROLLING PARISH AGENT AND/OR THE F.I.A. FLOOD HAZARD BOUNDARY MAPS AND FIND THAT THE ABOVE DESCRIBED PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD ZONE. (ZONE C)

This property is zoned: Standard Planned Corridor  
Front - behind the street planting area

<p>SURVEY OF AN UNDESIGNATED PORTION OF GROUND CHINCHUBA SUBDIVISION SECTION 34, TOWNSHIP 7 SOUTH RANGE 11 EAST ST. TAMMANY PARISH, LA.</p>		<p><b>DADING, MARQUES &amp; ASSOCIATES, INC.</b></p> <p>P.O. BOX 790 METAIRIE, LA. 70004 (504) 834-0200</p>		<p><i>[Signature]</i> SURVEYOR</p>	
<p>I CERTIFY THAT THIS SURVEY AND PLAT WAS PREPARED BY ME OR BY THOSE UNDER MY DIRECT SUPERVISION, MADE AT THE REQUEST OF: CARVER, DARDEN, KORETZKY, TESSIER, FINN, BLOSSMAN &amp; AREAUX LLC</p>		<p>THE SERVITUDES AND RESTRICTIONS SHOWN ON THIS SURVEY ARE LIMITED TO THOSE SET FORTH IN THE DESCRIPTION FURNISHED US AND THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVITUDES AND RESTRICTIONS ARE SHOWN HEREON THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPILING THE DATA FOR THIS SURVEY.</p>			
<p>THIS SURVEY MEETS THE MINIMUM REQUIREMENTS FOR A CLASS "C" SURVEY ACCORDING TO THE "LOUISIANA MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS."</p>		<p>DATE: 1-25-2002    SCALE: 1" = 40'    DRAWN BY: C.A.M.    CHECKED BY: R.T.D.    JOB NO.: 213387    PLAT No.: M-859A</p>			