

Mr. Gibbs: Next item on the agenda PZR-2015-11 requested by Betty and Donald Muller for a change of zoning from OL to C-2 at Lot B-1A of Loupe Subdivision, 12801 River Road, Luling. Council District 2. Ms. Stein.

Ms. Stein: Thank you Mr. Chair. This is a tricky one. Last month Mrs. Muller came in to resubdivide the property. Turns out that they also want to renovate the building to officially be two residential units in one older house. You can see the front yard is in C-2. The house is 100% on the Open Land portion of the property. Open Land technically does not permit duplexes. The applicant wants to turn the house into a duplex. The easiest remedy is for them to change the zoning district line which really cuts across all of the front yard and runs in front of Monsanto. So this property is between Monsanto, Sugarhouse Road. It's got 75 acres and mostly zoned OL and has this really inconvenient commercial strip across the front. We recommend approval of changing the zoning district line to encompass the whole property that will eliminate a split zone.

It meets the second criteria. Unfortunately it also requires that if their zoning is approved, they also have to get a special permit to convert the house to a duplex which is the next case on the agenda, which we also recommend approval of.

Mr. Gibbs: This is a public hearing for PZR-2015-11. Is there anyone in the audience that would care to speak in favor or against? State your name and address please.

Michael Rivet, I live at 10 Michael Drive in Luling. I am one of the adjacent property owners, 12811 River Road. I have a couple of concerns. I'm not really against rezoning the property, but my concern is going to be more questions, so if you don't mind I'll take a few minutes to try to understand. My concern, let me first state that I'm not objecting rental of the property, of the home. What I'm concerned with is if we, right now you said the line is up front for commercial, if we move that back, my question is does that move that back for everyone's property?

Ms. Stein: No. The request is to change it according to that red line.

Mr. Rivet: So that's inconsistent with the rest of the property.

Ms. Stein: Yes it would be a larger commercial property.

Mr. Rivet: I just want to understand it. My concern is my property is the property adjacent to it, so now we're moving 300 ft. back down the side of my property and turning it commercial and we recently bought this property, it actually had quite a few complaints through Planning & Zoning on the property I purchased, we put significant work into it. I moved 50 something trees, the grass was 10 ft. tall, there were rats, I mean we just put a lot of investment. Our plan is to retire here, so now I'm concerned because I'm going to have the whole front next to me commercial. While I don't mind it being a rental, if it's commercial, what I've read was the options that could be done on commercial property, it's just wide open and it's not consistent with the rest of the properties in the area. I understand that you can put stipulations, but commercial is commercial and someone can come behind them and change the site. To me it's inconsistent with the long term plan and it tucks me between a couple of commercial, especially that much of it far back. So my request is consideration that I don't mind them renting the property, my concern is that, that can turn into a duplex, 4-plex, 5-plex, so that's my concern.

Ms. Stein: In order to increase the number of units for rental for residential rental, they would have to come back. Their request to change it to a duplex is limited to a duplex, but you are right it could change to a commercial use.

Mr. Rivet: What is C-2 available to? Apartment complexes, gas stations, convenience stores. I don't think that's the Parish's long term plan for density is in the area. The few things that I read it seems to be wild. I love my neighbors, we're good neighbors. This just doesn't seem to fit well into the structure of the neighborhood right there and certainly affects me significantly if that becomes commercial, something happens, it's succeeded and someone else gets it, the rules change, I know they change. So what's done today doesn't mean that I can live with the change.

Mr. Gibbs: That's correct. We've struggled with that in the past. With what's in front of us right now, it seems wonderful, but if they sell the property and then whoever buys it, you don't have no idea of what they are going to do.

Mr. Rivet: I know there is no intent but you never know.

Mr. Gibbs: Exactly.

Mr. Rivet: I just ask for the consideration, I don't mind being around but it's a single home, so rent it as a single home and traffic is a concern if we have that many people on that small street. I do want them to be able to get their income investment home, but I think it's open land you can rent it as is, why put commercial and open up all these problems down the road? Thank you.

Mr. Gibbs: Thank you Mr. Rivet. This is a public hearing for PZR-2015-11 anyone else in the audience care to speak in favor or against? Is the applicant here? State your name and address please.

Betty Muller, 141 Loupe St., Luling.

Mr. Gibbs: Ms. Muller I think you heard Mr. Rivet.

Ms. Muller: Right.

Mr. Gibbs: You understand his concerns?

Ms. Muller: Yes.

Mr. Albert: First of all the property is split zoned, so right now the front has C-2 anyway. So they can expand the building to the front basically and still do all of those uses that we're afraid of. The argument about what can be done there is slightly moot because it can technically be done now depending on how they arrange the building. The C-2 change would make the split zone site conform. The other part of that is the rezoning recommendation can't be conditioned, however, the special permit absolutely can be so if you want to set this at two you can absolutely do that set it as a duplex and it think that's what the applicant is looking to do.

Mr. Gibbs: So if Ms. Muller were to sell it, it would have to stay?

Mr. Albert: the next owner would have to change the special permit as well to get more units. They are affectively locked in to do that.

Mr. Gibbs: So we would stipulate locked in at 2?

Mr. Albert: Yes. That's what they've asked for.

Mr. Gibbs: Right. Mr. Rivet, you understand that?

Mr. Rivet: Yes, I am still concerned about the density.

Mr. Gibbs: Ok. Thank you Ms. Muller. This is still a public hearing.

Mr. Frangella: As far as with the C-2 right now commercial, does that mean that you have access off of River Road and Loupe Street or strictly River Road?

Ms. Stein: Right now the property can be accessed from either way. You have a corner lot and the zoning would not change that.

Belinda Rivet, 10 Michael Drive, Luling, LA. I'm just concerned. If there is potential to then adding another unit in the back of the property?

Ms. Stein: For a residential use no. C-2 doesn't permit apartments outright. They would have to come back to this Board.

Ms. Rivet: But can they add on to it? He said that they could add on to the front of it and cross the line.

Ms. Stein: The interpretation from when a property is split like this, where ever the majority of the structure is built. Should the house be extended into the C-2 or the structure be extended to the C-2, it puts everybody at a disadvantage.

Ms. Rivet: When we bought our house it was zoned Open Land and our home right now at 12811 River Road is zoned commercial. We chose to leave it as a home because all of the houses along that area are single residences, the neighborhood behind us is all single residences. It's just destroying our little dream of what we were hoping for and I'm disappointed that it's changing to be more commercial area. We're putting a farm there. I'm just really upset and disappointed that it's becoming 5 guys to live in that house. They're funding their retirement which I can understand because they have a lot of people that do that, I'm just upset because we put a lot of blood sweat and tears. Now we'll just put it up for sale, now it's a place where all these men rent there because they work at the plant. Honestly I'm thinking about tearing down that fence down and put up a 6 ft. wall but I don't want to do that, I don't want to live in fear and that's the thing. I'm upset.

Mr. Gibbs: Thank you Ms. Rivet. This is a public hearing for PZR-2015-11 anyone else in the audience care to speak in favor or against? Any questions?

Mr. Loupe: I'll have to excuse myself from voting on this, I'm related to Donald & Betty Muller. I appreciate your approval and that we can come to some sort of agreement.

Mr. Gibbs: Ok Mr. Loupe. Before we cast our vote we're going to put a stipulation?

Ms. Stein: No for the next one, the special permit.

Mr. Gibbs: Any questions or concerns? Cast your vote please.

YEAS: Pierre, Gibbs, Booth Frangella  
NAYS: None  
ABSENT: Foster, Galliano  
ABSTAIN: Loupe

Mr. Gibbs: That passes with Mr. Loupe abstaining.

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