



Department of Planning & Zoning Staff Report – Map Amendment Case No. 2025-7-R

APPLICATION INFORMATION

- **Submittal Date:** 7/21/2025
- **Applicant / Property Owner**
Richard D. Whitney, Jr.
Whitney Properties VII, LLC
14471 River Road
Hahnville, LA 70057
- **Request**
Change of zoning:
 - Current - C-2, *General Commercial District – Retail Sales*
 - Proposed - C-3, *Highway Commercial District - Wholesale and Retail Sales*

SITE INFORMATION

- **Location**
Lots 1B-1 and 1B-2, Block J, Ellington Gardens; 207 & 211 Angus Drive, Luling
- **Size:** 80,573.64 sq. ft. (1.849 acres)
- **Current Use**
There is currently no permitted use on this site.

This is the former location of the Ellington Swim Club, with Lot 1B-1 formerly containing the outdoor swimming facilities and Lot 1B-2 the indoor facility and tennis courts. The club is no longer in operation and the pool has been filled.
- **Surrounding Zoning:** R-1A and MS, Medical Services
- **Surrounding Uses**
The neighborhood consists of various institutional uses, including St. Charles Parish Hospital and surrounding medical facilities, Luling Elementary, and St. Anthony of Padua Church. A large undeveloped property is directly across Angus Drive.
- **Zoning History**
The subject site was originally zoned R-1A but rezoned to the current C-2 in 2016 (PZR-2016-04; Ord. 16-4-7).
- **Future Land Use Recommendation**
Town Center: Mixed-use development concentrated around employment uses. Uses include retail, office, services, restaurants, and residential. The town centers are envisioned as walkable districts and are anticipated to range in scale and density. The highest density uses and activity would take place near high access major corridors.

Recommended Zoning Districts: Mix of R-2 (two-family residential), R-3 (multi-family residential), CR-1 (residential/commercial transitional), C-1 (general commercial office), C-2 (general commercial retail)
- **Flood Zone & Minimum Building Elevation**
1992 Flood Insurance Rate Map: X Zone
2013 Digital Flood Insurance Rate Map: AE4

▪ **Traffic Access**

Lot 1B-1 is a corner lot with 207.73 ft. of frontage on Milling Avenue and 147.50 ft. of frontage on Angus Drive. It does not have a dedicated, paved driveway.

Lot 1B-2 has 171.65 ft. of frontage on Angus Drive and is developed with a 20 ft. wide driveway leading to parking on the repurposed tennis courts.

▪ **Utilities**

Per the Parish GIS, Angus Drive is improved with sewer and water facilities. Milling Avenue is improved with water facilities.

No objections have been received from representatives of Public Works, Wastewater or Waterworks.

APPLICABLE REGULATIONS

Appendix A. Section VI. – Zoning District Criteria and Regulations

[IV.] C-3. *Highway commercial district*—Wholesale and retail sales:

1. Use Regulations:
 - a. A building or land shall be used for the following purposes.
 - (1) All uses allowed in the C-2 District.
 - (2) Commercial auditoriums, coliseums or convention halls
 - (3) Retail manufacturing
 - (4) Automobile sales and service
 - (5) Wholesale uses
 - (6) Warehouses (less than 10,000 sq. ft.)
 - (7) Bus, railroad, passenger and truck terminals (without video poker gaming facilities)
 - (8) Bottling works
 - (9) Dog pound
 - (10) Building supply
 - (11) Heating and air conditioning service
 - (12) Plumbing shops
 - (13) Automotive repair, minor and major
 - (14) Glass installation
 - (15) Fabrication of gaskets and packing of soft metal material
 - (16) Creameries
 - (17) Parcel delivery service
 - (18) *Reserved.*
 - (19) Frozen food lockers
 - (20) Public stables
 - (21) Bulk dairy products (retail)
 - (22) Animal hospitals
 - (23) Gymnasiums
 - (24) Sheet metal shops.
 - (25) Upholstery
 - (26) Other uses of similar intensity
 - (27) Customary accessory uses incidental to the above uses when located on the same lot.
 - b. Special exception uses and structures:
 - (1) Temporary construction facilities for a period of one (1) year upon approval of the Planning Director.
 - c. Special permit uses and structures include the following:
 - (1) Barrooms, night clubs, lounges, and dancehalls upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (2) R-1A and R-1B uses upon review and approval by the Planning Commission.
 - (3) R-3 uses upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (4) *Reserved.*
 - (5) Cellular installations and PCS (personal communication service) installations.
 - (6) *Reserved.*
 - (7) Warehouses (non-hazardous materials) over ten thousand (10,000) square feet.
 - (8) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.
 - (9) Bingo Halls, Video Bingo Parlors, and Off-Track Betting Establishments upon review of the Planning Commission and Ordinance of the Parish Council.
 - (10) Outdoor storage, when accessory to an otherwise permitted use in the district.
 - (11) Automobile Fleet Services: Examples include rental car facilities, overnight truck parking, dispatch locations, and any use related to the temporary or periodical parking of operative motor vehicles.
2. Spatial Requirements:
 - a. Minimum lot size: Seven thousand (7,000) square feet, minimum width - seventy (70) feet.
 - b. Minimum yard sizes:
 - (1) Front - twenty (20) feet
 - (2) Side - five (5) feet

- (3) Rear - ten (10) feet
 - (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, not withstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999.
- 3. Transportation System: Arterial, local industrial, rail, water.
- 4. Special Provisions:
 - a. Where any commercial use in a C-3 zoning district abuts any residential district or use, a six-foot high solid wood fence or masonry wall shall border the same and there shall be a buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones unless the Planning and Zoning Department shall require a greater or lesser buffer strip.

Appendix A. Section XV. - Amendment procedure

- D. Rezoning guidelines and criteria: The proponent for a change should present reasonable factual proof that two or more of the following criteria are met:
 - 1. The proposed rezoning conforms to land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zone that is incompatible with the surrounding neighborhood.
 - 2. The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property, and that the proposed zoning does. In order to determine what is reasonable use of the property, the proponent for the zoning change should consider one or more of the following:
 - a. Consideration of uses on adjacent properties that would limit the use of the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects which can be shown to limit the usefulness of vacant land or buildings.
 - 3. Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.

The Planning Staff shall base rezoning analyses on these criteria but shall not be prohibited from factoring unique circumstances of the application into the analysis. The Planning and Zoning Commission may state in its recommendations to the Council: its concurrence with, or rejection of, any or all of the proponents' case for the suggested amendment, and/or its position relative to proponents' statements on the case. Planning Staff analyses and recommendations shall be forwarded to the Council along with the Commission's recommendations.
- E. Rezoning approval criteria: Before the Council votes to approve a rezoning, there should be reasonable factual proof by the applicant that:
 - 1. The proposed map amendment is in compliance, or is not in conflict, with the goals and recommendations of the St. Charles Parish Comprehensive Plan and Future Land Use Map, also
 - 2. The proposed map amendment does not negatively impact the health, safety, and welfare of the community.

REZONING GUIDELINE & CRITERIA EVALUATION

- 1. *The proposed rezoning conforms to the land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zoning that is incompatible with the surrounding neighborhood.*

The Comprehensive Plan Future Land Use Map designates the subject site as *Town Center*, which anticipates a walkable, mixed-use neighborhood with a blend of higher-density residential and commercial activity focused around employment centers. The Comprehensive Plan recommends the R-2, R-3, CR-1, C-1, and C-2 zoning districts to achieve this style of development. These districts permit the neighborhood scale, public serving uses which contribute to the anticipated neighborhood character and are appropriate for development around the St. Charles Parish Hospital. C-3 is excluded from the list of recommended districts as it may permit higher intensity uses more appropriate along major roadways (e.g., warehousing, wholesale trade, fabrication).

The request is also considered a spot zone as it involves only two parcels totaling approximately 1.8 acres and does not expand on an existing C-2 zoning district or add to C-3 zoning in the immediate vicinity. This rezoning request is incompatible with the neighborhood and the goals of the Comprehensive Plan. **The request does not meet the first guideline.**

2. *The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property and the proposed zoning does.*

The subject site was rezoned from R-1A to C-2 in 2016 (PZR-2016-04; Ord. 16-4-7) and no changes to the land-use pattern or character could be identified to render the current zoning unreasonable. The C-2 zoning district provides a broad array of uses including retail, restaurants, personal services, and offices. Single through multi-family residential and some higher intensity commercial uses may be permitted through the Special Permit Use (SPU) process, providing flexibility while ensuring potential impacts from more intensive uses can be evaluated and mitigated through conditions of approval.

As part of the applicant's testimony a letter from the St. Charles Parish Assessor's Office was submitted addressing the "economic obsolescence" of this property and how a change from C-2 to C-3 can remedy this condition. The letter particularly notes "the C-2 zoning restricts the property's commercial utility to a set of uses that are not compatible with the property's physical characteristics." Also noted in this letter, economic obsolescence is typically the result of external factors having significant impact on a property (e.g. roadway expansion, industrial encroachment, changes in flight patterns near airports, etc.). As mentioned in the previous paragraph, the Department cannot clearly identify any such external factors, especially those specific to changes in land-use pattern and character.

Recent development seems to support the viability of this area and the existing C-2 zoning, including the renovation of Luling Living Center, ongoing improvements and expansions within the St. Charles Parish Hospital site, and the recently completed improvements to Paul Maillard Road. And as mentioned above, the C-2 district still provides flexibility to consider some C-3 uses within the SPU process without broadly applying a zoning designation inconsistent with the area. **The request does not meet the second guideline.**

3. *Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.*

The uses permitted in the C-3 zoning district include wholesale trade, warehousing, light manufacturing/fabrication, and various trades. These uses are not consistent with the existing neighborhood character, which includes an elementary school, religious institution, various medical and neighborhood-serving commercial facilities, and residences of varying densities.

Additionally, the subject site is located at the intersection of Angus Drive and Milling Avenue, which are considered collector and local streets respectively. The C-3 zoning district is most appropriate along arterial roadways due to the intensity and volume of traffic its uses may generate. **The request does not meet the third guideline.**

DEPARTMENT RECOMMENDATION

Denial, due to not meeting any of the rezoning criteria.

This request will be forwarded to the Parish Council for a second public hearing with the Planning Commission's recommendation.