

Mr. Gibbs: First item on the agenda is PZR-2014-06 requested by Mahesh Konevu for a change in zoning classification from R-1A(M) to C-2 for Lot C, St. Rose S39, T-13-S, R9E, (5,700 SF approx.), at 118 St. Rose Ave, St. Rose. Council District 5. Mr. Romano.

Mr. Romano: Thank you Mr. Chair. Good Evening. This is a request to rezone a 35 x 162.53 foot portion of existing Lot C, located at 114 St Rose Ave from R-1AM to C-2. The purpose of this request is for the applicant to subdivide this portion with Lots D & E to make a lot 164.40 wide x 163.76 ft.

The applicants neighboring C-2 property housed a bar and restaurant building that has been vacant for more than a decade. The applicants purchased the property, gutted and renovated the building, opening a fast food operation on the front side and wish to convert the rear to 3 or 4 apartments, which requires approval of a special permit use. Required parking for the fast food operation has been met; but potential conflicts between commercial and residential uses will result under the current parking configuration. In order to reduce these conflicts and provide a degree of separation between commercial and proposed residential land uses the applicant proposes to acquire additional land. That additional land is the subject property being considered to rezone. It is large enough to accommodate required parking but is not zoned C-2, which is required to convert to the required parking. Without that additional land, there are use limitations due to size that will be resolved if this lot portion is rezoned C-2.

A rezoning request must meet all of the tests of at least one of three criteria listed in applicable regulations if a recommendation for approval is stated. This request meets the second criteria.

Rezoning the 35 foot wide portion of property and resulting land use will not create undue congestion of streets and traffic or over burdening of public facilities. The proposal is to combine the portion of land with the existing commercial use to the south to create additional area for parking. The applicant has filed the necessary subdivision paperwork which will be processed if the rezone is approved. Approval of a rezone to C-2 on this portion of property would be consistent with the zoning directly to the south and across St Rose Avenue to the west. Landscape buffering and fencing is required between residential and commercial uses. These improvements will be required upon redevelopment of the property to a C-2 use and should help to ensure compatibility among land uses. Additionally, commercial and institutional uses already extend along the opposite side of St Rose Avenue to Bart Street. Rezoning a small portion of a lot to C-2 in order to incorporate it into an existing commercial property should not create an oversupply of commercial land uses in proportion to the population and surrounding uses. The Department recommends approval.

Mr. Gibbs: Thank you Mr. Romano. This is a public hearing for PZR-2014-06 is there anyone in the audience that care to speak in favor of or against?

LaVera Betty Portera, I'm at 118 and I sold them the 35 ft. because they needed that so they could comply with zoning. I originally owned the other building that they bought and I sold it. I ended up dropping \$20,000 so I could get the owner off of it and get somebody decent in there which they have done and if you saw how deplorable it was they've done a great job. The 35 ft. that I sold there is a trailer there that I don't even want. I don't want to rent being a widow, I can't repair every time someone moves out. So they have promised me they would give me my driveway and my concrete and I'm fine and they'll put a nice fence up and if they do that like they've done everything else, I think everyone should be happy, because it had really gotten down bad. After Katrina I was stupid and signed the insurance check because I had a mortgage so the man could do the repairs and he never did and just let the rain come in and all down so I'm so glad these people bought it and I really hope yall approve it. If you go so I'm telling you the truth.

Mr. Gibbs: Thank you. This is a public hearing for PZS-2014-06 anyone else in the audience care to speak in favor of or against? Is the applicant here? Would you care to speak?

Mahesh Konevu, I own the property adjacent to the property we are buying. Right now we are running the Subway, we make sure that everything is in order and we follow everything that's required by the Zoning and Planning Commission in order to get the rezoning. Thank you.

Mr. Gibbs: Thank you sir and good luck. Anyone else care to speak in favor or against PZR-2014-06?

Mr. Booth: I pass this often and this would clean up an eyesore that was there. I think it's the right thing to do.

Mr. Gibbs: Any other comments or questions? Cast your votes please.

YEAS: Pierre, Loupe, Gibbs, Booth, Frangella, Galliano

NAYS: None

ABSENT: Foster

Mr. Gibbs: That's unanimous. This will go to the Council for final approval on July 7<sup>th</sup>, same venue, 6 o'clock.

---