



St. Charles Parish
Department of Planning & Zoning

14996 River Rd / P.O. Box 302 • Hahnville, LA 70057
 Phone (985) 783-5060 • Fax (985) 783-6447
 www.stcharlesparish-la.gov

Permit/Case #:	<u>2021-12-R</u>
Receipt #:	<u>3969418</u>
Application Date:	<u>2/4/21</u>
Zoning District:	<u>M-1</u>
FLUM Designation:	<u>Bus. Pk.</u>
Date Posted:	_____

APPLICATION FOR ZONING MAP AMENDMENT
(CHANGE OF ZONING DISTRICT OR REZONING)

Fee: \$40 - \$200

Applicant: Helm Developments LLC

Home address: 105 Lac Claiborne Ct. Luling, LA 70070

Mailing address (if different): Same

Phone #s: 985-210-9131 Email: dhelm@rivins.com

Property owner: Helm Developments LLC

Municipal address of property: 101 E. Campus Dr. Destrehan, LA 70047

Lot, block, subdivision: Lot J-2A of Plantation Business Campus of Destrehan Plantation

Change of zoning district from: M-1 Light Industrial to: C-2 Commercial and R1-B Residential

Future Land Use designation of the property: Business Park
 (A fact sheet on Future Land Use designations is available at the Planning and Zoning Department).

Your written responses below will be forwarded to the Planning and Zoning Commission and Parish Council to help them make a determination on the merits of your request.

Describe how you plan to use the property if the rezoning is granted: Property is roughly 3 acres
1 acre rezoned into 2 half-acre lots as R1-B Residential
2 acres rezoned into 4 half-acre lots as C-2 Commercial
Properties would be put for sale

What types of activities occur on adjacent properties today? How is your proposed use compatible with the neighborhood?
See attached

Is there something about the property or the surrounding neighborhood that make the rezoning necessary?
See attached

How does your proposed use of the property comply with the Future Land Use designation for the property?
See attached

If the property is rezoned, but your project does not develop, explain how other uses allowed in the new zoning district are compatible with the existing neighborhood? A list of allowed uses is available at the Planning and Zoning Department.
Property will be sold

I/we swear to be the sole owner(s) of the property in this rezone request; I/we endorse this application to change zoning from M-1 to E2/R1B at Lot 5-2A of Plantation Business Campus of Destrehan plantation

[Signature]
(Property owner)

(Property owner)

(Property owner)

(Property owner)

(Property owner)

(Property owner)

[Signature]
(Notary signature & seal)

7/22/2021
(Date)



PHILLIP M. KEL
Notary Public
Bar Roll # 34615
State of Louisiana
My Commission is for

Rezoning Application Process:

- Property owners complete a rezoning application form and submit it to the Department of Planning and Zoning (call the Planning Section of the Department with any questions about the application form).
- The Planning Department reviews the application & makes a recommendation to the Planning and Zoning Commission using the rezoning guidelines and criteria (attached).
- Public notice describing the rezoning request is posted in the Herald Guide, by mail to abutting property owners, and by a sign on the property.
- The Planning Commission hears the request along with the Department's recommendation and public comment at a public hearing.
- The two recommendations and minutes of the public meeting are forwarded to the Parish Council.
- The Parish Council approves the rezoning by ordinance or denies it.

Application Checklist:

- CMH 1. Completed application. If the owner is a corporate entity, an authorized representative must sign the application and a corporate resolution authorizing the representative must be attached.
- CMH 2. Act of Sale to Property/Deed (available at Clerk of Courts Office), must include a legal description of the property including lot, block, & subdivision, dimensions, restrictions, easements, and servitudes.
- CMH 3. Survey of property
- CMH 4. Completed abutting property owner form. Information should be obtained from the St. Charles Parish Assessor. An abutting property is any property that touches the subject property. Property owners across a street right of way or other servitude or easement must also be included on the list.
- CMH 5. Notarized endorsement of all property owners—affidavits.
- CMH 6. Fee. \$5 per acre of fraction thereof--\$40 minimum; \$200 maximum; check or money order payable to St. Charles Parish Department of Finance.

Planner Certification of Completed Application:

[Signature]
(Planner signature)

8/4/21
(Date)

Notes/comments: _____

**St. Charles Parish
Department of Planning & Zoning**

**LAND USE REPORT
CASE NUMBER :**

GENERAL APPLICATION INFORMATION

Application Date: 7/23/21

- **Name/Address of Applicant**
Helm Developments LLC
105 Lac Claiborne Court
Luling, LA 70070
(985) 210-9131
dhelm@rivins.com
- **Location of Site**
River Road & East Campus Drive on the west side. See attached survey.
- **Requesting Action**
Change of Zoning classification from M-1 to:
C-2 Commercial – 4 lots facing East Campus Blvd. (2 acres)
R-1B Residential – 2 lots facing River Road (2 half acre lots)

SITE – SPECIFIC INFORMATION

- **Size of Parcel**
Approximately 3 acres to be divided into:
2 acres of C-2 Commercial (4 half acre lots)
1 acre of R1-B Residential (2 half acre lots facing River Road)
- **Current Zoning and Land Use**
M1/C1. The property is vacant and has been for a long period of time. The land doesn't appear to ever have had any structures or been used for anything useful.
- **Development History**
The property is in the "southern portion of the Pan American Southern Refinery site. The refinery was dismantled in 1958. The property was then purchased by Plantation Business Campus in 1970's and portions were purchased back by Amoco Oil. From our research the area which we own has been reviewed by (Louisiana Department of Environmental Quality (LDEQ) Remediation Services Division (RSD) and determined to be "Ready for Reuse" "Environmentally Clear" (LDEQ Agency interest 4356).

The site proposed (East Campus Drive) for rezoning is within the "Ready for Reuse" limits (map attached). This property per our research were developed with "offices, open areas, and sports fields" (ready for reuse letter, enclosed). And have been deemed "non-impacted by the refinery which makes it suitable for residential development and use.

The previous owner, BP Products North America, was proactive encouraging redevelopment of the site with particular focus on a civic or town center. The Comprehensive Land Use Plan indicates the area as "Plantation Civic/Town Center anticipating a future concentration of civic facilities and other community-serving activities and functions due to the proximity to I-310.

- Currently with the more recent development to the west of the said property, the proposed rezoning would now conform to the current adjacent land pattern and would not create spot zoning that is incompatible with the surrounding neighborhoods and businesses. Said property is separated from the business park side by a median which creates an atmosphere of business and neighborhood working cohesively side by side. The development of 4 commercial lots(C-2) facing the west side of the boulevard would protect the adjacent residents from the current M-1 Industrial zoning and also enhance the business park which is already mixed commercial use. The 2 lots facing river road(R-1B) would not interrupt the business park and fits with the current adjacent neighborhood and the rest of Destrehan with homes facing river road in all areas.
- Due to the size of the property and access for any larger vehicles, the potential Industrial uses are limited. This is possibly why the land was never developed as such. Although said property is zoned M-1 and is lawfully permitted to be such, the opposition to this type development would be high like we saw with the previous submission. We feel that the re-subdivision of said property would come with little or no opposition from the neighborhood to the west and we don't feel there should be any objections from any of the businesses in the area as we have adjusted the proposed plan eliminating residential homes fronting East Campus which was the only opposition to the original plan. The business park is not interrupted and the adjacent residents are protected.
- The development of (C-2) commercial properties along East Campus drive would be compatible with the surrounding business park while protecting the neighborhood to the west and only enhance the business park area which in turn would bring more tax revenue the parish. The development of (2) R1-B residential lots facing river road would also be comparable to the neighborhood to the west while not interrupting or changing the business district. These 2 residential homes would also be compatible with the 100's of homes in St Charles parish that front river road. The addition of the (4) C-2 properties and the (2) R1-B residential single-family homes to the current sewer and water systems would not over burden the current infrastructure as opposed to a hotel or large industrial businesses.
- It is with this we respectfully request for acceptance to re-zone and subdivide this property if not on the points above but for the unique circumstance that now exist with the new development to the west. We feel we have compromised with all parties. The current business park commercial residents, current residential homes adjacent to the property, and the parish.

Sincerely,



Helm Developments LLC.

- 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 zoning that is incompatible with the surrounding neighborhood.**

The proposed rezoning of this property from M-1 (Light industrial) to C-2 (Commercial) down East Campus Blvd and R1-B(residential) facing river road does conform to the St. Charles Parish Comprehensive Plan Future Land Use Map. This plan originally recognized the area for redevelopment based around a mix of commercial and industrial activities but that original concept has changed with the introduction of the regional library, expanded historical site, and medical offices in this area. That original plan significantly changed with the development of the Audubon place subdivision which added 30 residential lots to this area. This new development changed the direction of the area and was accepted by the parish back in 2015. This development created a mixed-use area of residential, commercial and light industrial which we are staying in the boundaries of.

The rezoning to C-2 Commercial and R1-B Residential also does not create any spot zoning as the C-2 lots facing east campus conform to the parish plan and the business district. The 2 R-1B lots facing river road it is matching the exact R1-B zoning of the adjacent property (Audubon Place 30 lot subdivision with 2 homes directly on river road) and with the 100's of homes facing river road in St. Charles parish. We would suggest that the current M-1 zoning is incompatible with the adjacent residential 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. One or more of following examples may be used in evaluating reasonableness: 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.**

The current M-1 zoning of light industrial would be extremely limited due to the adjacent neighborhood. These residents would push back on multiple uses of this property in its current zoning. Since the property abuts 6 residential homes backyards this extremely limits to whom would want to purchase the property or operate a light industrial business for multiple reasons including liability hazards from air quality, noise, children and general push back from these residents which would be within good reason. Per the previous zoning request at the meeting, it was mentioned that the parish felt that trees or shrubs could create a buffer. Trees or shrubs do not remove noise, smell, or potential air pollutants from these residents' homes and I urge the parish planning and zoning department to take this into account.

b. Consideration of changes in land value, physical environment or economic aspects which can be shown to limit the usefulness of vacant land or buildings.

The Property was put into M-1 Light industrial zoning before a 30-lot subdivision was established in 2015. Because of the new Audubon place subdivision, the properties new physical environment has substantially changed limiting the use of this Vacant land. Again, these adjacent homeowners do not want an industrial business adjacent to their backyards and physical barriers like trees and shrubs suggested by the planning and zoning department in the previous meeting on this property does not protect the residents as stated before because these barriers do not protect residents from noise, smell, and air quality. This was also acknowledged by the resident who pleaded with the council and parish in the last meeting on this property to have the M-1 zone changed.

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 rezoning of the 4 lots facing East Campus to C-2 commercial are compatible with the business district established. The rezoning of 2 lots facing river road to R1-B residential makes the property compatible with the existing neighborhood (with 2 lots directly on River Road) and with the 100s of homes in St, Charles and Destrehan facing river road. The Residential lots facing River Road will have no impact on the business district as all driveways would face river road. We would argue that the current zoning of M-1 Light industrial is incompatible having a new residential neighborhood adjacent to a possible industrial business. These adjacent residential homeowners have made significant investments in their homes and in St. Charles Parish and rezoning the property would ensure their investment is protected from industrial uses.