

2024-15-R requested by Traci L. Johnson for Luling Exchange, LLC for a change of zoning from R-1A, R-3, and C-3 to O-L and M-1 on approximately 250 acres designated Tract L, Davis Plantation, 11831 River Road, Luling. Council District 2.

Mr. Welker – yea as mentioned during the previous request to receive a recommendation of approval from the department you have to meet two of the three rezoning criteria we found that this request met the second and third items and got an approval recommendation to go over each of those items, criteria one whether or not it meets the future land use designation and would be considered a spot zone, we do not find it to be considered a spot zone because it would cover a large area while and the while being lower industrial zoning district it would expand on an existing higher intensity industrial zoning district but due to only 55 acres of the 250 acres conforming to the future land use map that would be the portion of M1 that falls within the business part designation it doesn't meet the future land use map categories on majority of the site and for that reason it doesn't meet criteria one, specifically the other designations are industrial buffer and wetland. For criteria two on whether or not the existing zoning is unreasonable we found this guideline to be met the existing zoning pattern in this area is C3, R3, and R1A this zoning is sandwiched between the developed subdivision zoned R1A and then the M2 zoning district just down river, that type of use isn't permitted within 2,000 feet of an M2 zoning district so those zoning districts cover is 2,000 feet so just like the M2 zoning should not encroach any further towards the residential area residential zoning shouldn't be put within that 2,000 foot area that it exist in now, so that area is basically undevelopable for the reason it is zoned for because it falls within that 2,000 foot buffer that a major operation that can be permitted in the M2 zoning district would have so we found the existing proposed zoning to be more reasonable the lower intensity industrial zoning district would allow for certain accessory supplemental uses that would go with the larger M2 zoning area that the property already has while the OL zoning district would allow for a buffer between the existing residencies and the site 500 feet is where it's at consistently 500 feet along where the residential neighborhood is located so we found that to be a reasonable zoning pattern compared to what exist now. Regarding the third criteria whether are not the potential use is permitted in the proposed rezoning will be incompatible with the existing neighborhood character or over burden public facilities most of the site is zoned C3 highway commercial, while it's a highway commercial zoning district there are a lot of uses that could be permitted that kind of skew or wouldn't be out of place in an industrial area, the proposed M1 zoning which is what most of the area and the C3 zoning specifically would be converted to there really is not much of a step up as far as of the industrial nature of what could be permitted, we also found that the buffer requirements that could be applied under M1 zoning for the uses that can be permitted are stronger than what is allowed in C3 it gives the department more latitude to increase buffer requirements increase protection when next to conflicting uses so for those reasons we don't find there is a major difference in neighborhood character change, so we find the criteria three is met and the department recommends approval.

Mr. Albert – Mr. Chairman before you continue their having a problem with the sound recording, they've asked us to pause the meeting for a moment they going to try and get

someone to sort it out because it's not showing up on the channel and with the public here, we want to make sure we get an accurate recording.

Commissioner Petit- so we take a quick recess?

Mr. Albert – I would take a recess and let me make a call and see what I can find out.

Commissioner Petit – so we will take a temporary recess for a few minutes, 10 minutes or so and see if we can get that working.

Commissioner Petit- thanks everyone for your patience the audio wasn't on the web page where you can view this live. Thank you for your patience.

Applicant- Matt Rosenboom 107 North Lake Court Mandeville, I'm CFO of IMTT, IMTT has a long history in St. Charles Parish that date's back to 1961 when we began operating the terminal in St. Rose under the ownership of the Coleman family. The terminal was originally constructed in 1922 by City Services while IMTT now has a multi-national footprint St. Rose is our flagship facility we consider St. Charles Parish to be our home. We are not a faceless organization our headquarters are right here in New Orleans since 1939 we all work and live in this area and many which live right here in St. Charles Parish. As our St. Rose terminal has grown, we look for ways to continue to expand our presence in St. Charles Parish. In September of 2023 we acquired the 600-acre Davis property although we do not have any definitive plans to develop the property at this time, we are committed to addressing any concerns in the community in a way that allows is to continue to invest in the parish while remaining a good neighbor. In order to make sure that community concerns were taken into consideration we met with members of the Parish Council, Parish leadership, and Planning and Zoning Commission to develop a proposal that would address those concerns. We believe the rezoning proposal provides many benefits to the local community and puts our neighbors in a better position than they are today. First, were implementing a 500-foot open land buffer that ensures no development will be undertaken adjacent to the Davis Heights neighborhood, the zoning that is currently in place today allows for residential development that would back up to the houses on Evelyn Dr. where a new subdivision apartment building or condo could be developed right now. This new zoning will ensure nothing can be built within 500 feet of the houses on Evelyn Dr. and eliminates the risk of any high-density residential neighborhoods in their backyard. Second, we are not proposing to expand or change the existing M2 acreage in any way, all M2 zoning will remain exactly as it is today, which is at least 2,000 feet from any residential area. This is the largest setback requirement from any parish in the region. This zoning reconfirms that the 2,000-foot setback from houses will not change and remains the same as it is today. To be clear under this proposal there will be no tanks within 2,000 feet of any of the residences on Evelyn Dr. Finally, we know drainage and traffic are very large concerns for many in the area. We are currently working with the parish on an easement to enhance the drainage alongside of the property that abuts Evelyn Dr. we have also committed to working with the parish for building a new roadway that would connect River Road and Hwy. 90 to alleviate traffic that currently goes through the neighborhood on Barton Ave. We will also ensure that any access to the property

will have adequate shoulders or turning lanes to keep traffic from backing up on River Road or Hwy. 90. We don't anticipate any access from the neighborhood onto the facility, the access we expect will be from River Road or Hwy. 90 or from the new Hwy. that is potentially to be developed in the future that will connect between River Road and Hwy. 90. Rezoning this property is the first step in the process that will require numerous approvals to ensure that there are no adverse impacts from flooding, traffic or noise. Any future development that we plan on taking or would take in the future will require additional parish approvals to ensure that any of these issues continue to be addressed. We value our relationship with St. Charles Parish, and we look forward to working with the community to address any concerns they have. Thank you.

The public hearing was open.

Gary Deroche 357 Evelyn Dr. it's gonna border this change. I've been living there since 1977 along time Mr. Levet, the Levet Company that owned the property before was good neighbors to us had no impact on our environment and I guess what I'm nervous about is this tank farm with the 500 feet buffer zone is not a long ways as you know which means I'll be sitting in my backyard viewing these tanks at my residents and I'm sure a lot of people that live in a residential neighborhood would not like. So anyway, what I'd like to do is just offer to you to leave the way it is now with the buffer zone that's there and the way it is now and if they want to put their tanks, they can put them further back that way, so I appreciate y'all if y'all take that into consideration. Thank you.

Commissioner Petit – Thank you Mr. Deroche, and just to clarify Chris this request does not change existing M2 zoning so, M1 does not allow for storage tanks or any type of hazardous materials, correct?

Mr. Welker – large major operation like that would be confined to M2 zoning the M1 basically any kind of accessory facilities, offices, warehouses.

Commissioner Petit – thank you.

Robert Monti 350 Evelyn Dr. Luling. LA – I really think I didn't know about this meeting, I heard about the one that took place, was going to take place 2 months ago and it was cancelled for whatever reason. This one here I would strongly recommend I think this ought to be tabled. I really think IMTT even though they are a good corporate in the parish, I think they need to have a neighborhood meeting, do a lot more explaining on what their plans are before this is approved and I think that is a very reasonable request.

Patrick Cronin 233 Evelyn Dr. – I have experience with IMTT as a delivery driver, I'm concerned about the smell that's gonna permeate through all the neighborhoods that I'm sure a lot people who have driven down 310 have smelled when the wind blows the smell across 310. This isn't something that is going to be pleasant for anybody who lives on any street in my neighborhood. I think a lot needs to be considered in what's being asked for the

people that lives in this neighborhood we already deal with Bayer formally known as Monsanto. We have a gas pipeline that runs through our neighborhood, we have high powerlines that runs through the fields that they talk about putting this, this is gonna affect people in this neighborhood and other neighborhoods surrounding areas so adversely that I don't understand what he was talking about earlier about how they was gonna be very minimal change that is going on with us and our street and out neighborhood. It's like we're being told we gonna sacrifice a little more for property value, for our health so these people can have more room to put their tank farms. I think it really needs to be looked at harder and really need to look at what y'all asking your citizens and the people in our neighborhood to sacrifice for them to have what they want. Thank you.

Steve Huffman 348 Evelyn Dr. Luling – I bought this house 20 years ago or more to raise my family in a nice little quiet neighborhood and I did look at the zoning on the other side where it is now and that's one of the reasons I bought the house. We were looking in St. Rose I didn't like the esthetics if St. Rose with the plant pretty much owning everything in St. Rose, so we ended up on Evelyn Dr. Right now we have problems now without anymore building going on, it's zoned wetland now the water is pumped across that levee and into this land right now to get it out of our neighborhood so I think you need a water drainage plan, EPA plan, a traffic plan, our fire protection right now is inadequate just for the houses, the neighborhood access is not enough and kids are running all up and down in this neighborhood and as he spoke the health benefits, the smell of whatever is gonna be stored in these tanks and what size are these tanks and what exactly is going in them nobody knows. The notification at this meeting was last minute and less than 10% of the residents in the neighborhood knew anything about this until yesterday with a big group Facebook message and it just looks like it's trying to get snuck through without the neighborhood knowing anything about it and beyond the tank farm what is the next plan. Is it a bid plant to be built on that land? And off the parish St. Charles Parish website Department of Planning and Zoning is committed to maintaining the high quality of life in St. Charles Parish, while ensuring fair and consistent applications of parish codes and ordinances. The department provides the public with the necessary technical assistance and professional expertise to ensure safe and orderly neighborhoods and businesses. So, I'm asking yall to continue to be the gate keeper of the zoning and subdivisions ordinances as it states on our website here and hopefully, we can have another meeting about this when everybody is informed of the plans. Thank you.

Mark Dufrene 323 Evelyn Dr. – I'm that the gentlemen that spoke earlier met with Council members, members of the Planning and Zoning board, but they didn't meet with the people who had really mattered, the residents of the neighborhood. So, maybe that's who they should have met with first before they started talking to politicians. Next thing, the notifications does not meet the requirements, it's supposed to be sent out certified mail not to say that certified that you sent it out but certified that the person you trying to notify received it. So, you might as well start right from the beginning because you did not meet the requirement of the ordinance. Now let's get to the changing of the zoning itself. If you gonna sit and tell the people who like the gentlemen said earlier I bought my house in 1993 I

looked at the zoning, I looked at around my house and I said well one day you know wetland zoning could possibly be changed and I may have a subdivision behind my house you know I have to stand on my diving board and see some houses behind my house I maybe could live with that, I'm not gonna live with a tank farm behind my house with all kind of different chemicals coming in I have grandkids I'm not interested in having that change behind my house. If these folks want to change the zoning let em try but what we saying is we gonna fight, we not just gonna lay down and let it go. Good evening.

Marshall Dantin 354 Davis Dr. – this is the first Planning and Zoning meeting I've been to. I have not seen any traffic impacts, any surveys what's it gonna do with the drainage. Do we just go ahead and change the zoning without having these things done first?

Commissioner Petit –yes, so typically any type of drainage analysis traffic would come with construction type plans.

Mr. Dantin – so we gonna change it not knowing how it's gonna impact the traffic. Are we dumping traffic into our neighborhood? I heard him say new access road, those railroad crossings aren't cheap. Who's going to pay for that? Is the parish going to pay for the railroad crossings?

Commissioner Petit- if you please keep your comments down, we are recording.

Mr. Dantin – are you going to take the two that's on Barton and move it down further and make a new access road like that?

Commissioner Petit – at this point this is only a change of zoning request, there's no changes proposed any of that.

Mr. Dantin – I would hope we don't do any changes until some surveys are done. Some impact studies are done on it. (Petit and Dantin speaking at the same time)

Commissioner Petit – and if that were to happen, if IMTT were to come with construction proposal, roadway proposal, all of that would come back before the Planning Commission depending on the requirements and/or the Parish Council.

Mr. Dantin – but then we changed the zoning before that though.

Commissioner Petit- that is correct, the request is (inaudible)

Mr. Dantin – that's putting the cart before the horse.

Tim Boudreaux 310 Davis Dr. – I think a lot of us have concerns with what is going to do with our property value, what is going to do to our flood insurance, what is going to do to our homeowner's insurance it's already through the roof as it is. We need more information. I

heard about this on Facebook, no mail, no nothing. I know that I don't live on Evelyn Dr. but it's more than a rocks throw away I think everybody in the neighborhood all the way to Barton Ave. should be involved in this, this is a huge project that could possibly be in our backyard. Thank you.

Jessie Sherman 308 Davis Dr. – Question? Said there's gonna be a zone or easement of 500 feet, I think the gentleman said there is going to be about 2,000 feet for the rest of its stuff. How far away is Bayer from Barton Ave.? How far away is Bayer, I think, to Sugarhouse? I think it's more than 2,000 feet.

Commissioner Petit – I'm not sure of those numbers, the 2,000-foot buffer was likely put in after those facilities were constructed. Right? So, it could be more or less depending.

Mr. Sherman – the other night I let my dog out and I told the wife to come out in the front yard, and I said do you smell it, smell what, smelling IMTT with that crude oil being transferred. Right, I think the M1 M2 if not mistaken M1 is to get residential. Is that correct?

Commissioner Petit- sorry?

Mr. Sherman – M1 they asking for is that for residential or is that also for industrial?

Commissioner Petit – M1 is for industry but it's light industry, it wouldn't allow the tank farm storage it could be within the buffer but store it, warehouses, parking lots, things like that.

Mr. Sherman – and again was talking about, even thus so right now I live at 308 and I watch the water come very close to my door. The pumping system is not adequate, and even without them I just want to know what they gonna do about zoning more stuff or whatever to get our water out of it. (inaudible) Cause I think we gonna have a greater impact after that. So, oh also I moved here in 71 we used to have access from Davis onto Hwy. 90. The railroad said nope can't do it anymore that's why it's closed and that the only access you could go Hwy. 90 west, but you could come from the east you could get back on it, but you couldn't cross over Hwy. 90 so if their going there and they doing the will the railroad shut them down. Then you only have, then you locked in again.

Commissioner Petit- yea, I'm not sure what they would be proposing, what the railroad would allow.

Mr. Sherman – yea I don't know what the railroad would tell them or what they would say. Thank you for your time.

Jenna Zeringue 362 Evelyn Dr. – I just want everybody to be aware that our entire neighborhood Davis Heights was not informed of this, only the odd side of Evelyn Dr. was given any warning the only reason why most of these people are here tonight is because we reached out to our fellow neighborhood people. So, I think that in order for this to be a fair

process the entire neighborhood needs to be aware of what's gonna be going on in our backyard because whether your one street away or 3 streets away your breathing the same air, you have the same water problems, it's just not right, it's not fair that only one side of a street was notified of major impacts that are going to be happening to our neighborhood and to our kids. So, we would really like yall to take that into consideration that, I'm not saying we can't do it but get a consensus from the whole neighborhood, not just one side of the street being aware of what's going on. If we wouldn't talk to each other if we wouldn't be good neighbors half of us wouldn't be in here because I didn't get a notice, my across the street neighbors got a notice. So please take that into consideration.

Commissioner Petit- just for clarification notifications would go to adjacent property owners only. Correct?

Mr. Welker – that's our requirement.

Commissioner Petit – that's the ordinance.

Nicole Cronin 233 Evelyn Dr.- I grew up in my home, my father built that house, my house was the second house in the neighborhood. I live at the corner of Nola and Evelyn. I have the gas pipeline right behind my house with the pumping station. I had stage 4 kidney cancer, I don't if that, what kind of chemicals are coming from them it's bad enough I have the other chemicals coming from Bayer whatever comes from Norco, you can smell whatever's in the air. My concern is my health, how's it going to affect my health and everybody else's health in the neighborhood. Also, my property that's my home, I grew up there. My dad built that house I don't want to have to lose my house because, I shouldn't say lose my house but my property value is gonna go down. I would never be able to leave because I'm not gonna get what my house is worth eventually in the future if I do decide to leave or if my daughters there, she's not, she doesn't deserve that either if she wants to stay in her home when she gets older. But please consider what's going on in the parish. Granted, it's a financial, the parish is gonna collect some money for it but think about the people who live in the parish too, you got to think about their health and their property and how it affects them as well. Money is not everything. Thank you.

Susan Keller 364 Davis Dr. – of course I was one of the ones that did not get notified. How can we get that ordinance changed? So, when there is manufacturing changes in the neighborhood that the whole neighborhood would be notified.

Commissioner Petit- a request would like that would need to go to the department and/or council person for that district. Correct?

Mr. Albert- it would require an act of the council to amend the notice requirement. The notices are consistent because it's set by property, it was also posted on the subject property with a sign for anyone to see that was outside the adjacency requirement.

Ms. Keller – where was the sign?

Commissioner Petit – there was a sign on River Road, so the sign. If everybody would keep it down if you want to talk you can come up but we are recording this and you need to speak into the mic.

Mr. Albert – right so, the only that wouldn't, your in a situation where how much further, what's the distance if it's adjacent lots, if it's 500 feet there's always a question of how much further, how much further should someone be notified. But the direct answer to the question the council would have to pass an ordinance to change it and would have to follow in accordance to state laws under those requirements as well.

Commissioner Petit – and I'm not defending the rules I'm just explaining the current process is adjacent property owners.

Ms. Keller – that's what we need to know, and also consider River Road traffic. When they put the turning lane on Barton that helped a lot but it's still bad. Thank you.

Melanie Landry – 409 Louisiana St. Paradis – So good evening, everyone I'm Melanie Landry I'm a lifelong resident of St. Charles Parish as well as an employee of IMTT. As Matt said we truly feel that IMTT is home especially for me. At IMTT our most important license to operate is issued by the communities in which we operate so that end we are deeply committed to being good neighbors. At our St. Rose facility this is demonstrated throughout our continued community efforts including supporting and formally adopting the St. Rose Elementary School and Albert Cammon Middle School, supporting the St. Rose Community Center and our you guys mention our fire department we definitely have continued to support our fire department through multiply measures including whether we buying equipment or additional training for them. We have also established community advisory panels or CAPS at all three of our Louisiana terminals. CAPS serve as a vital platform to facilitate dialogue between the residents of the neighboring areas and the management of IMTT, we want to know what you guys have to say and we would like to give you additional feedback on what were doing or anything that's going on. In the event that this property is developed we intend to mirror these same community efforts in Luling and will be actively seeking out residents that would like to participate in the CAP. I look forward to developing a relationship with our neighbors and learning more about how we can serve the Luling community. Thanks.

Commissioner Petit – Anyone else? No I'm sorry you can only speak once. Anyone else that hasn't spoken and would like to speak? Comments? Questions? You will get and additional, this will go before the Council as well so you will get additional time to ask questions. At this time, regardless of the outcome this goes to the Council this is just a recommendation. So this goes to the parish Council on one of the up coming meetings and there will be a public hearing there as well.

Audience asking questions.

Commissioner Petit- notice for the Council meeting.

Mr. Albert – the Council does not send a direct notice to the residents; you will have to pay attention to the agenda postings through the website.

Commissioner Petit- thank you Michael. Ok last call for anyone to speak, questions at this time. Ok

Donald Dikes 309 Evelyn Dr. – I have one major question. What happens when lightning strikes one of these tanks? We don't have full time fire department here. When I lived on Davis I watched the house behind me burn down before the fire department got there. So what's gonna happen when lightning strikes or as you know a tropical storm. What's gonna happen? That fires gonna spread to the residential? I mean I'm right there, I'm next to the (inaudible) That's it. Thank you.

Ray Gregson 314 Lac Cypriere Dr. – I'm here representing River Region Chamber of Commerce. Um look the residents are, the drainage and the traffic is absolutely you know a concern and I think they will address that and address that through and to mention something about the fire they do, all the plants as maybe you guys probably know they do have ERT's they have their own staff that's there 24/7 to address that but also work with our local fire departments I'm sure you guys are aware of. The 500-foot buffer I believe is for the parking lot and buildings and the 2,000-foot buffer is for the tanks if I'm correct on that.

Mr. Albert – the 2,000 foot-buffer is major operations of whatever M2 use is happening.

Mr. Gregson – I just wanted to clarify that. Thank you appreciate it. Um at the end of the day look it's yes, a few things that were mentioned just to clarify. Does this add economical development, as a chamber we support economic development, um we support any economic development as long they in operating within the requirements and guidelines that their suppose to do. There are (inaudible) monitors matter fact the LDQ actually had one in St. Rose and pulled without even telling IMTT moved over to St. James so, they they many of these plants actually want the air quality monitors it actually proves that the airs just fine so those are things that actually want I think they will create I think if they not on it if those people who have never been on a community action panel I'm on several they invite people from the neighborhood to support so um hopefully if you guys have questions feel free to lets us know but we support it from a Chambers side, obviously as they operating within the community and being community citizens which I think they proved with their other three facilities is that we actually you know their part of the Chamber as well. Thank you very much.

Commissioner Petit – anyone else, last call for 2024-15-R. At this time, we will close the public hearing.

Commissioner Keen made a motion to approve, second by Price.

YEAS: KEEN, PRICE, FRANGELLA, FOLSE, PETIT, ROSS

NAYS: NONE

ABSENT: KRAJECER

PASSED