

Commissioner Granier: Next 2020-9-R, can we speak on all 3 of them and vote on them separately. I'm sorry case 2020-9-Rezoning. Can I get a motion to consider all 3 of them together as we speak since they're all in the same area, the same persons involved? Is the applicant and the representation for the applicant ok with us proceeding with them together?

2020-9-R requested by Paul J. Hogan for a change of zoning district from C-2 to C-3 on approximately 3.197 acres at Lot 69-A-2A, 16644 Highway 90, Des Allemands. Council District 4.

2020-10-R requested by Paul J. Hogan for a change of zoning district from C-2 to C-3 on approximately .982 acres at Lot 69-A-2B, 16626 Highway 90, Des Allemands. Council District 4.

2020-11-R requested by Paul J. Hogan for a change of zoning district from C-2 to C-3 on approximately .818 acres, Lot 69-A-2C, 16630 Highway 90, Des Allemands. Council District 4.

Mr. Authement: We'd prefer that.

Commissioner Granier: I'd like to make a motion that we consider all 3 of them and vote for them separately.

Commissioner Dunn: Second.

YEAS: Ross, Granier, Keen, Dunn, Galliano

NAYS: None

ABSENT: Petit, Frangella

Commissioner Granier: Motion passes unanimously. So we have 2020-9, 2020-10 and 2020-11. Mr. Welker.

Mr. Welker: What we have is 3 separate cases that deal with 3 separate lots but make up 1 large block of land. The request is to change the zoning from C-2 General Commercial to C-3 Highway Commercial. This is a piece of property that was brought to you a few meetings ago where the request was for R-1(M) that was ultimately denied by Council. And so they've come back with the C-3 request which we found meets the 3rd guideline for rezoning. The uses permitted in the district would not be incompatible with existing neighborhood character, as the site is, there are neighborhoods around it, there are neighborhoods along JB Green, Old Spanish Trail and a bit further down the highway there are few homes that do front on the highway but this particular piece of property is adjacent to some large tracts that extend from the highway that are currently very wooded, not particularly developed, so being that it is fronting on the highway in a kind of isolated manner we feel it would be appropriate based on the 3rd guideline to approve the zoning to C-3. The department recommends approval.

Commissioner Granier: Ok thank you. Is the applicant present or representation?

Yes thank you, good evening, I'm Louis Authement, 13919 River Road in Luling, appearing on behalf of Mr. Hogan the applicant who was not expected to be here tonight because he was out of town but he did manage to get it, the meeting has kind of extended over a while so it gave him a chance to get here. So he's available for any questions there may be. I like to appear just to ask for your support on this. As Chris noted there was an application to zone it to R-1(M) that was denied. The purpose of this is to address the fact that there are very limited uses that you can make of this property because of the new base flood elevation of 5 ft. at Highway 90. This property at its front along Highway 90 has a -2 ft. elevation, so that would mean 7 ft. of fill would have to be installed or hauled in to do anything with the property. In the rear it's at 0 so it would only take 5 ft. of fill there. Nonetheless, regardless of what happens here it's going to require a tremendous amount of fill to make it marketable, to keep it within commerce to have any real realistic hope of doing anything with it, the options need to expand, that's the reason for the C-2 to the C-3. Maybe to cut off the question that you've had before, has there been any opposition? Yes there is opposition, as of the 11th hour it was a total of 20 letters that had been written, emails that had been written by the neighbors opposing this, of the 20, 19 expressly

say they don't want any commercial use of this property whatsoever which flies in the face of the current zoning of the property, it's C-2. Fifteen years ago it was rezoned to C-2 and the department's recommendation in the report specifically says one of the reasons for doing that was to promote commercial growth and over the last 15 years the only growth I should say has been in the form of manufactured homes, not in commercial growth at all. Fifteen years ago the base flood elevation was not 5 ft. So you've had no commercial growth whatsoever and now you have a higher hurdle that you have to get over to do anything on the property of a commercial nature because of the elevation requirements. So I can represent to you right now there is no plan in place right now to do anything on this property, there is no buyer lined up to purchase this property if it gets rezoned to C-3, there is no deal conditioned upon or contingent upon rezoning this to C-3. The motivation of this application is to simply increase the odds to ever be able to do anything with this property. I think it's proper for me to suggest to you that 19 of 20 letters of opposition that say no commercial use whatsoever is acceptable to those 19 out of 20 people, it's 15 years too late, that public hearing was already held. The parish and the department and the property owner at the time felt like the best use for this property would be commercial. In fact if you look at the future land use map it calls for commercial use. So Mr. Hogan has invested not only the purchase price of the property but to get it to where it is vacant now, he had to pay mitigation damages so that's an additional cost incurred just to get to this point of having a hope of selling it to someone and developing it for some reason. I don't want to be disrespectful to the opposition but we have to remain mindful of the facts and the facts are it's zoned C-2 so commercial use is what's expected there. So I'd appreciate your support on this, I'm happy to answer any questions you may have, Mr. Hogan is here as I've said earlier to answer any questions that you may have but one of the things that folks in real estate are mindful of is keeping property in commerce. It does no one any good for it to be just vacant land other than the residents that are there now who are using it as a buffer zone, but that's a very expensive buffer zone at someone else's expense, not theirs. So I'd appreciate your support.

Commissioner Granier: Thank you Mr. Authement. I'd like to open up the public hearing for all three of these rezonings 2020-9, 2020-10 and 2020-11, anyone here to address the cases that were mentioned? Please state your name and address for the record when you get there.

I did not intend to come here to say anything, my elderly mother did but she was not feeling well so I'm here on her behalf. My name is Tania Joseph, I live at 377 Courthouse Lane, Hahnville, La. My mother's name is Lillie Williams Paul, she lives at 119 James Lane. Her family property abuts Mr. Hogan's property. I know that Mr. Welker said that there were no residents along this property but there are some here.

Mr. Welker: There are residents, a few that are on Highway 90, there are, yes.

Ms. Joseph: So with that being said, she's 78 years old, I understand what it is zoned for presently but what they're saying is they live there. What they received, the list of things that could potentially be put there, it was overwhelming because we don't know what is going to be put there, so it's concerning. So I think that with more information, be up front with us, the list that she's going to come up with, it's just so many things, broad areas. They're at the point of wondering what is he planning to put there, so they are in opposition of it. So before my time is up I'm just going to read her letter.

To: St. Charles Parish Department of Planning and Zoning

From: Lillie Williams Paul, property owner of Parcel 400306500065, Lot 65R and south ½ of 67, Coteau de France and Lot 63R, Coteau de France, Sunset Drainage District, which is next to Paul Hogan's property that is located at 166 Highway 90.

Our property runs from Old Spanish Trail to Highway 90. Please make it a part of the record that I Lillie Williams Paul am against Mr. Hogan's requested change of the zoning of this property from C-2 to C-3 zoning. My family and I are against a commercial business of this magnitude next to our property, which is our residential community, we live here. (I'll try to shorten her

letter because she's very long winded.) I stand with my family and we have so many concerns about this proposal. How would businesses of this magnitude affect our drainage

Commissioner Granier: Excuse me, your time has expired but we'll extend 3 more minutes, can I have that motion?

Commissioner Dunn: I'll make that motion to extend 3 minutes

Commissioner Ross: Second.

Commissioner Granier: Cast your vote.

YEAS: Ross, Granier, Keen, Dunn, Galliano

NAYS: None

ABSENT: Petit, Frangella

Commissioner Granier: 3 more minutes, reset.

Ms. Paul: a business of this sort would be a nuisance to this residential community, people who live in the rear and on the side of Mr. Hogan's property. The list of use regulations are so broad, I don't understand, it would not be fair to us if this rezoning is granted and we don't know what Mr. Hogan's real intentions are for this property. With this kind of proposal he's making we know that he will not take in consideration how it will affect the community or people who lives next door to this type of business because he wants what he wants and I know that it will affect this community. Lillie Paul. Thank you.

Commissioner Granier: Thank you. This is a public hearing for the 3 rezoning cases 2020-9, 10 and 11, anyone here to address?

Good evening, I was one of the ones who sent an email in but I was fortunate that I was able to make it in person. So if it's ok with you to be within my time limit, I'd just like to read what I wrote. My name is Laurien Coleman, residing at 401 Magnolia Ridge Road in Boutte. I'm part owner of family residential property on James Lane adjacent to Mr. Hogan's property. This letter is in opposition to the rezoning of said properties. C-2 limits land use to certain structures of business, C-3 greatly widens the latitude of different commercial businesses that would be allowed on the property. Yet again we're faced with the prospect of unwanted commercial business in the midst of residential neighborhood. Previously it was proposed there for an RV park and now with a rezone to C-3 there are absolutely too many options for any kind of business to be constructed there. It is an unwanted activity, to me anything beyond residential homes is a detriment to local residents. I suppose Mr. Hogan plans to use the depth of all of the property and we can review the list of uses according to the land use report and I doubt any would provide economic value to the neighboring residents, maybe it would provide economic value to the parish and Mr. Hogan but to the discomfort of the close residents. Mr. Hogan just what are your intentions for the property? The rezoning guidelines evaluation states potential use permitted by a proposed rezoning will not be incompatible with existing neighborhood character, I beg to differ, it is a small community of neighbors who know each other and get along well existing together. A proposed business will bring unwanted vehicular traffic, noises, emissions, odors, possible drainage issues and unwanted large construction. I prefer not to see any commercial business sitting there smack dab in the middle of the neighborhood. The report says the surrounding area is characterized by an aging stock of site built houses and manufactured homes on rental tracts and large family tracts. To me it's calling it a slum. The majority of the land is vacant and wooded, well if your house is more than a year old it's aging too. Manufactured homes, trailers, as you'd say is because people have not had economic opportunities to build custom homes and a trailer is what they can afford. They are on rental property because others that have come in and bought the property out from under them and now charge them rent for the property that these families thought they owned or were not given consideration for purchasing. The aging stock you speak of are generational family homes and many in the community have not had economic success as many of you or even myself

Commissioner Granier: Ms. Coleman your 3 minutes are up but we'll take consideration to give you 3 more. Anyone wants to make a motion?

Commissioner Galliano: I'll make a motion

Commissioner Keen: Second

YEAS: Ross, Granier, Keen, Dunn, Galliano

NAYS: None

ABSENT: Petit, Frangella

Commissioner Granier: Now you have it.

Ms. Coleman: Most are just trying to make a living. I currently live in Boutte but that is my community, simply to put it please do not grant a rezone in this area, my family property extends to Highway 90 next to his from Old Spanish Trail. We have a large heir family and I desire to see the whole of my family tract used for homes for many of my family without a commercial business sitting right next to it. Contrary to what it seems, we do care about our property and I would love to see it subdivided for 1st time homeowners homes that they can live in, perhaps somebody would be able to afford it and upgrade the community if that's what you think needs to be done to it. How be ever I thank you very much for your time.

Commissioner Granier: Thank you Ms. Coleman. This is a public hearing for 2020-9, 2020-10, and 2020-11, anyone else here to speak?

Mr. Authement: Just wanting to make a quick comment. Again Louis Authement, 13919 River Road representing Mr. Hogan. I have a letter from Verna Majors who I understand is the closest resident to this property and she's in favor of it. This letter I'll just read it quickly. As an adjacent property owner with the only residence next to Mr. Hogan's property I have no objection to his requested rezoning from C-2 to C-3, so I'd like to submit that to Chris and get that into the record and just for the sake of clarity the references to the types of homes that are there now that was not Mr. Hogan's explanation that was the department's analysis. This is really no different than what was in front of Commission just a minute ago with the Bosco property being rezoned to C-3. So we all know Highway 90, it's a corridor of mixed use – residential, light commercial, medium commercial, this is no different than that so I appreciate your support.

Commissioner Granier: The public hearing on these cases are still open, anyone here to address this case? State your name and address for the record.

Ms. Joseph: Ms. Verna Major she is an heir, her father's name is Earl Young but his son Joshua Young also sent a letter by email.

Commissioner Granier: We'll get to those. Thank you. Public hearing, anyone else here to address these cases? Public hearing closed. Ms. Stein can you characterize the opposition and favorable?

Ms. Stein: Yes we have 20 emails that we received between last night and today, they are overwhelmingly requesting denial an upgrade to a C-3 zone.

Commissioner Granier: Any favorable?

Ms. Stein: Nothing that we received until we got Ms. Verna's.

Commissioner Dunn: What's the difference between C-2 and C-3?

Ms. Stein: C-3 allows highway commercial uses, those are listed in your agenda. C- 2 is general neighborhood commercial and that is offices uses, small scale retail, not big box, hotels, motels and restaurants.

Mr. Albert: In general, C-3 ups it to not just selling things, but occasionally making a little bit of something and selling to sellers, wholesalers.

Commissioner Dunn: Manufacturing

Mr. Albert: Not manufacturing

Commissioner Granier: Alright any other questions? So we'll call for the vote for 2020-9-Rezoning first, correct?

YEAS: Ross, Granier, Keen, Dunn, Galliano

NAYS: None

ABSENT: Petit, Frangella

Commissioner Granier: That motion passes unanimously. Now we'll call for the vote for 2020-10-Rezoning

YEAS: Ross, Granier, Keen, Dunn, Galliano

NAYS: None

ABSENT: Petit, Frangella

Commissioner Granier: That motion passes unanimously. And for the trifecta 2020-11-Rezoning

YEAS: Ross, Granier, Keen, Dunn, Galliano

NAYS: None

ABSENT: Petit, Frangella

Commissioner Granier: That also passes unanimously. Good luck Mr. Hogan.
