

2025-7-R requested by Richard D. Whitney Jr. for Whitney Properties VII, LLC for a change of zoning from C-2 to C-3 on Lots 1B-1 and 1B-2, Block J, Ellington Gardens, 207 and 211 Angus Drive, Luling. Council District 7.

Mr. Welker – yeah just a little background on this request. This is a resubmittal or an additional following submittal for a request that was, that did not, was not approved by the council last year, it was, the department recommended denial. Last time out the commission recommended approval but ultimately failed at the council, it's the exact same request and the department could not find any differences over the past year or two to change our recommendation we did not find it meets any of the review criteria recommend denial, to go over those items whether or not the rezoning conforms to the land development pattern established by the Comprehensive Plan or creates a spot zone. The future land use designation here is again town center. It recommends a variety of zoning districts, residential and up to C-2 commercial. C-3 is excluded from those recommendations, and we would determine that this a spot zone, there's no C-3 in the immediate area. It wouldn't expand on any C-3, so we would consider this a spit zone and does not meet the first criteria. The second item, whether or not the land use pattern or character has changed the extent that the existing zoning no longer allows reasonable use this criteria we cannot find it to be met because ultimately the C-2 zoning district in one of the most flexible we have in the parish. It permits your standard commercial use by right anything you would go to like a store, office, anything like that but it also permits basically every kind of residential short of manufactured homes through a special permit. There's a few C-3 uses that are also considered through the special permit review process. So, you know because of the flexibility that the zoning district does have, it's hard for us to determine that it's actually unreasonable. I do want to highlight that as part of the applicants testimony that's specific to this criteria there was a letter from the St. Charles Parish Assessor's Office submitted highlighting the economic obsolescence of the property suggesting that the C-2 zoning you know kind of doesn't fit it anymore and that a C-3 rezone would address this issue. While the property is definitely unique, it's the former swim club, it's hard to find anything that goes in one for one with the type of facilities that may be there. The department just couldn't find any particular reason for us to kind of follow with what the Assessor's was you know, asserting in their letter. They may be correct, but we just didn't find enough there to dissuade us with this particular item. And then on number three, potential uses permitted by the proposed rezoning will not be incompatible with the existing neighborhood character. The C-3 zoning district permits wholesale trade, warehousing, some light manufacturing, fabrication other various trade uses. We couldn't find these consistent with the existing neighborhood character. There's an elementary school, religious institute, various medical and neighborhood serving commercial facilities and residences of varying densities, so the C-3 uses just we couldn't find fit within this area. So, the department does recommend denial based on not meeting any of the three guidelines.

Applicant – Richard Whitney 14471 River Road Hahnville. I'm resubmitting this, you guys approved it last year. I think you decided wisely. I respectfully disagree with all three of

your categories on this particular property. It's been idle now for, since before Ida. I've had potential applications or customers interested in the property and they don't meet C-2. I even brought one customer into Planning and Zoning and sat down with one of the Planners and was told no with the customer there. And I said what about a special permit use. They said we won't accept that on this property. That was in their office. So again, I disagree. I think if you look at the property I'm surrounded by institutional uses. I'm surrounded by the hospital, I'm surrounded by the school, the health unit this big swath of land across the street in the church. If you look in your package you should have a letter from the VFW where they say they have no objection as I said I have met with the council at the church. There was some stuff that happened last time that shouldn't have happened. The church called me in, I met with the council the commission, with the church. They apologized, they said you know we don't have an objection. The new priest as I understand it didn't want to issue a public statement. But from what I been told, the church has no objection. From what I understand the school board hasn't issued any sort of object, have they Mr. Rome?

Mr. Rome – no objection on record.

Mr. Whitney – Okay then, as I understand it, there is no objection from the hospital either. Those are the parties I'm surrounded by. It's a two, nearly two acre parcel. The suggestion that there's no C-3, if you scroll over I believe 1 or 2 more blocks toward the river from the hospital there's a C-3 right there. On the corner by across the street from the daycare, there is a C-3 there. If you go over into Luling, Dufresne Building Material is zoned M-1 right in the middle surrounded by four sides of residential. I get all these trucks from the school, the parish, the hospital, Dufresne I just want to put my property into commerce and I've tried for several years and I can't. There's nothing out there that C-2 meets and if you read the description of C-2, it calls for cobbler shops, rv repair shops, radio shops, bingo hall, off track betting all of these things that are preposterous. What I envision there is like an equipment rental company, and I don't have anything on, nobody on the hook. I'm just suggesting things. But you know we area parish of industry there are companies rent equipment there's no this property is perfect for that. But I can't do anything because C-2 designations not appropriate for that particular property. I'm happy to answer any questions, any concerns.

Walter Pile Ducayet Destrehan – I'm the councilman for district three, so this isn't my district. But a little history, I was here when they, when you as a council, excuse me as a Planning Commission approved this last year. It went to council and surprisingly, it got turned down. One of the issues was a stream of cars that lined up to get their kids at the school which has nothing to do with this gentlemen's endeavor here. So, I want to say that I've heard what he has to say, this in my opinion is stranded property as a result of the zoning that you have right now. When the Assessor comes out and says pretty much the same thing, well it's a smart decision here on the part of this commission. I hope that in this case the council will vote for him instead of against him. But I think there was some misinformation that came about last time and this has been about 14 months. So, the

gentlemen is trying to rent this property and you know put it in commerce. I fully support it. Thank you.

Commissioner Petit – while the gentlemen approaches, we do have a letter from the VFW in support and we also have a letter from Todd Gowan in support.

Victor Buccola 105 Burguieres Lane Destrehan – I've know Mr. Whitney for about 7 or 8 years now, I have a business relationship with him and he is about as close to being a perfectionist as I am. Having said that, when I heard about his situation with this rezoning request I visited the zoning map because I was curious to see what other situations are out there. It's impossible for any council, whether it's local, state, or you know the governing aurthotuyu, so to soeak to put a law that covers 100% of the situations in any community or any jurisdiction. And so when I visited the zoning map, I actually found that there are communities, there's one right there off of Paul Maillard Road and Mr. Whitney alluded to that one. But these other two that are in Norco, I found a number C-3 zonings that are in my opinion more intensive, if that the proper word to use where you actually have house R-1A and then it immediately jumps in a, in s single block and then it jumps to C-3 and these are on, they're not even on collectors streets they're on local streets. So there are at least two of them. One of them is a street in the 200 block of Barraca St. which I believe dead ends at the railroad tracks close to Airline Hwy. But on the second street which is closer to the river that's the only way in and out, I could be wrong on that, but according to the map it looks like it dead ends at the tracks. And then the other one is on Goodhope St., you go from C-3 to immediately R1A right next door to it. So with Mr. Whitney's situation I don't see any houses, you know really close by his situation. He's got medical around him and he's got some office buildings and then you know the school is way down the road. So, in my opinion, this situation deserves to be really thought out carefully, and I think it deserves to be approved so that he can move on with developing this property. And again, I know he's going to do a damn good job and not do anything that's detrimental to the entire area. Thank you. Oh I'm sorry this letter that you guys have that you received from the Assessor's I think it pretty much sums up some, you know he's not for it, he's not against it, he's just trying to help you all understand about the situation concerning something I've never heard of, the economic whatever it was, you got the letter.

Mr. Rome – yea just a point of note the school system does have no objection on file, but that does not equate to a vote in favor or a letter in favor of. The school board owns the property for the district, so any consideration or vote in favor of or letter would have to come through the school board once they convened. So, just wanted to make that clarification. While we don't have an objection on file it does not equate to a vote in favor.

Commissioner Petit – thank you.

Commissioner Frangella made a motion to approve, seconded by Commissioner Keen.

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

NAYS: NONE
ABSENT: KEEN
PASSED
