

Commissioner Petit: 2021-8-R requested by Nabut Bros, LLC for a change of zoning district from R-1A to C-2 on Lot B-2, Kellogg Subdivision, 112 Monsanto Avenue, Luling. Council District 7.

Mr. Welker: Just to recap this was postponed at last meeting, the original request was for a change from C-2 and R-1A to C-3 on 2 lots, B-1 and B-2. They decided at the last meeting to postpone it and come back with a scaled down request for a change from R-1A to C-2 just on Lot B-2. So we're reviewing this revised request, we found that it meets the second and third guidelines for rezoning, there's actually a type in your report that says it still only meets the third, but it meets the second and the third. It meets the second guideline because right now the lot that is zoned R-1A is surrounded by C-2 zoning on 3 sides, the rear, across from the front and the Hwy. 90 side. Changing R-1A to match the C-2 that's on 3 of 4 sides would remove significant conflict between what's residential zoning and 3 different commercial zoning districts. The current zoning and land use pattern resulted in this lot kind of being surrounded by commercial zoning and a couple of commercial uses, so that's how it meets the second guideline.

It' meets the third guideline because the uses permitted in a C-2 zoning district we don't find it likely for it to put an increase burden on existing infrastructure and would be compatible with an area that has a kind of transition from commercial uses into a residential neighborhood with commercial use directly to its rear, across the front and catty corner on the Hwy. 90 side with the commercial uses fronting on Hwy. 90 so we find that it would be compatible with the makeup of that direct area. The department recommends approval based on meeting the second and third guidelines.

Commissioner Petit: Thank you Chris, Mr. Nabut anything to add? If you don't mind state your name and address for the record please.

Mike Nabut, 1104 Primrose Drive, Boutte, 70039. I'd just like the Council to consider the zoning change. I know last time I wasn't prepared to present, I was trying to apply on the front commercial piece. I just submitted my application today for a Baskin Robbins, it's not a stand-alone, now this is in the future because obviously there is some planning involved in getting with Planning and Zoning but it is something nice that will come to the parish. I want the Council to look at my track record, I've left everything that we've done in the parish better than we've received it and I don't plan to change now. Thank you.

Commissioner Petit: So since this does change the request from C-3 to C-2 we will reopen the public hearing so public hearing is now open for 2021-8-R. Anyone here present that wishes to speak for or against please come to the podium, state your name and address for the record please.

Good evening, my name is Cory Savoie, 301 Maryland Drive and I am a lifelong member of Mimosa Park. I am in full support of what Mr. Nabut wants to do with this property, we have done this in several other pieces of property including one that my brother formerly owned which is now the Today's Car Care on Hwy. 90. That property was C-2 and residential and I wish I would have been here for the last meeting because we actually turned that from residential and C-2 to C-3 and when it went before the Council, this Commission actually rejected it, recommended denial and when it went to the Council, the Council was the one that said hey there's not a whole lot of open C-3 property out there and this is all highway frontage property and we need to open this back up to commercial usage. Cory Fauchaux, the Economic Development Director was quoted in the newspaper as well saying the same thing that we need to open that corridor up. People that know me know I'm pretty vocal on social media, they know that I don't pull a whole lot of punches when it comes to speaking the truth. We have a hard enough time getting businesses out here to begin with because we don't have a big population density and for Mr. Nabut to make this kind of investment in our parish and in our community to try and bring some businesses in here, I think it's a worthwhile endeavor so I would appreciate your support in what Mr. Nabut would like to do. Thank you.

Commissioner Petit: Thank you Mr. Savoie. Anyone else here to speak for or against?

Kirk Jumonville, 117 Monsanto, Luling. I'm speaking about 112 Monsanto Ave., rezoning to C-2. I have no issue with what was just mentioned about the Baskin Robbins and that development that abuts Hwy. 90. The zoning I'm talking about is the zoning that's right across the street from my home, I'm at 117 and my wife's dental office is at 111. We built the dental office building approx. 30 years ago and the house was built approx. 16 years ago so it is a residential neighborhood directly contiguous is another neighbor on Monsanto so it is a residential type area. The property that I'm speaking of for rezoning is a home that's being leased, an apartment that is also being rented and a metal building that I think was a point of issue to get rezoned so Mr. Nabut can use that in a commercial type business. I didn't see anything in the write-up, the land use report, about some kind of compromise instead of total zoning to C-2 possibly allowing an area that has a house and an apartment to be used as a residential. My concern is going to C-2 which could allow over 40 types of businesses to be built there and my concern is the negative impact that it could have on property values, road usage, drainage, a multitude of other items. I did speak to Nabut about it and he was very open and very helpful and no issue with that and I take him for his word. What I would ask you to think about if you had your home there would you want that whole tract of land zoned differently and then you lose all control of what could adversely affect your home, this is my retirement home and as I said I would relinquish all control and what happens about future use if he would sell that property. I do trust what the man has said and he seems to be a man of his word, my concern is future use and what could happen. Thank you.

Commissioner Petit: Thank you. So this is a public hearing for 2021-8-R, anyone else here to speak for or against?

Mike Nabut just to rebut Mr. Kirk's statements here, I appreciate him coming out, very great guy, but I have to bring this up. Mr. Kirk is throwing rocks from a glass house. He actually operates a commercial business next door to his house but doesn't want me to enjoy the same commercial zoning that he has. He can say I can sell this tomorrow and somebody else can come and develop it just as easily as he can sell that dentist office that's right next door to his house that enjoys a commercial zoning right now and someone else can come and open up a doggy daycare if they want. So him worried about what I'm going to do versus him having the same luxury, denying me the same luxury, something is wrong with that picture, I just wanted to point that out. Thank you.

Commissioner Petit: Thank you Mr. Nabut.

Kay Mazzell, 109 Monsanto. Mr. Galliano did you get my email with the pictures?

Commissioner Galliano: I did

Ms. Mazzell: Last night I was in my house and I heard a thump. I thought it was thunder and I looked out and there was no rain. I had a Suburban turn into Sonic going the wrong way, hit one of their poles at one of their drive through then back out about 24 ft. from my kitchen, come into my yard, we're constantly fighting trash from Sonic. Granted I am commercial, my parents always told me I was commercial residential, I have a beauty shop in the house which is no longer in business. I'm a widow, 3 months after I lost my husband, I lost my mother. I have no siblings, no children, my husband's 3 children died after he did and so I am by myself. I live next door to Mr. Kirk's and his wife's dental office, I don't need another business across the street. I have no problem with the shed. If he needs to take some of the residential and add it to the frontal, but we're constantly having vehicles coming screaming off of 90, we've had them go through the ditch, almost hit the culvert and miss our mailboxes across the street. Kids are always screaming tires through Sonic, I'm constantly fighting trash, picking it up out of my yard, it's all in the ditch from Sonic. I understand these kids, they're kids, I was a kid once too but I did not do the things these kids do. Also, when we get a heavy rain and the pumps cannot handle it, the street from Sonic's driveway which is next to mine, towards Hwy. 90 floods. I've had water pushed into my garage because trucks with big

tires think it's fun to run through there. Water comes up into my garage and I've seen it come to the threshold of my house. Develop that and my house is going to flood. I don't need this. I understand I'm commercial, Sonic is commercial, their house is commercial, I'm not saying that he shouldn't be commercial but I don't need more flooding in that area. I think the parish is trying to correct flooding, are they not? You need to see the the text that I sent him and the damage that was done. He took out Sonic's fence, a flowerbed that I had worked hard on. I'm disabled, it's hard for me to do my yard and this kid come driving through, then he left, we didn't get a license plate number and he left, he's got damage on his vehicle so I'm hoping we find him. So I really don't care to have another business across the street like a gas station, that's all I need is for people zipping in and out of there. My truck sits out front, I'm waiting for someone to wipe my truck out. You need the metal shed there at the other end so he can use that commercially fine, you know, even if he doesn't do it if they offer him the right price he can sell that and somebody else could put something else in there. You know it's going to create more trouble, more hassle on Monsanto right there with the driveways coming in and out. The front property I always knew, it's a beautiful piece of property, there are beautiful oak trees there, I always knew that something was going to be done with that, that's not a problem. That's one of the things when you live on commercial property and you've got commercial property across from you, you know that's going to be developed, it's progress but I don't need another vehicle coming up in my yard. If I would have been in my kitchen and that vehicle would have been going faster, I could have been killed in my kitchen last night, I mean I had police out there, now they have to try and find that vehicle. Some of the people that saw it said he looked to be about 20 years old. Whether he was drunk or on drugs or whatever I don't know, but I told them I want first shot at him for tearing up my flower bed. I hate to do this, I was trying to get on board with it but after last night no. The front part with the Baskin Robbins I have no problem with that but a gas station or something across I'm afraid I'm against it, especially after last night that freaked me out. Thank you.

Commissioner Petit: Thank you Ms. Mazzell. This is the public hearing for 2021-8-R, anyone else here to speak for or against? Please come to the podium and state your name and address for the record.

Good evening my name is Claude Adams. I reside at 100 Gardenia Court, Luling, La. I am here to speak on behalf of Mr. Nabut. I have talked with him a lot about what he plans to develop and quite honestly any business that's going to be zoned there will have to get permitting, it's not like he can come there and put something that's not going to have the approval of the Council or people in this building. The building is already built, that part that's being looked at for commercial, it's not going to be any more dirt trucked in or anything of that nature that's going to flood the last lady's property and I'm sorry to hear that she had the problem with Sonic but to hold Mr. Nabut responsible for something that happened at Sonic and then her to get up here and say perhaps he can sell what he's not going use and do something else, maybe she can just sell and move and let somebody else develop her commercial property. It's just not a fair standard and I think that we should look into bringing more businesses into the parish and not restrict people that are willing to make meaningful efforts to increase the value of our neighborhoods. That's all I have to say.

Commissioner Petit: Thank you Mr. Adams. Anyone else here to speak for or against? Seeing none the public hearing is closed for 2021-8-R. Any questions or comments from Commissioners? I guess I have 1 for Mr. Nabut if you wouldn't mind. I know it's probably early to be asking this type of question, but Baskin Robbins, the plan is to take this entire portion or is it partial and I guess the bigger question the one I really want the answer to is would that have an entrance to and from off of Hwy. 90 versus on Monsanto Avenue where it would reduce the traffic or not increase the traffic on Monsanto.

Mr. Nabut: Entrances on Hwy. 90 is determined by DOTD, they regulate that, there will need to be an entrance and exit on Monsanto, I'd be lying if I told you there wouldn't because just look at the track history of any commercial property, there is always an entrance and an exit on a corner like that. Like I expressed when I met with every single

neighbor there and I tried to reassure them, I said look before me coming to the board and asking for zoning, it's just basically to get the first step of the front project on its feet because I know I will need about 20-30 ft. off of the residential side to do something meaningful in the front. Because I just mentioned Baskin & Robbins which is a big thing for this parish, we don't have anything, but that won't sustain itself on a stand-alone building, I have to build a shopping center, an L-shaped strip, I have to bring other businesses in there. So her mentioning flooding that's going to be something that's addressed with Planning & Zoning when we come with plans, there's a regulation for every step. So it's just not something I can just snap my finger and oh I'm going to put up a brick building and that's it. There's codes I have to follow and I'm sure they're going to make sure they're done correct. What happened at Sonic, we can't control that but let me tell you one thing that I do at all my businesses, we have security cameras, we assist the Sheriff's Office and this could be verified at least 2-3 times a week in multiple stations in the parish because we have good security cameras, we can locate somebody's driver's license, license plate, ID who came into the store, even if they just drove by so we can help where Sonic might not have that ability because we do have security cameras at all stations. And I'm not saying there's a station going there but security cameras are a must everywhere and if we were there we might have helped catch that individual. But to hold me for something that happened at Sonic, it's unfortunate.

Commissioner Petit: I understand. Thank you Mr. Nabut.

Mr. Nabut: Thank you sir. Anything else?

Commissioner Petit: Any other questions? Seeing none, the public hearing is closed, no other questions from the Commission can I have a motion?

Commissioner Keen moved to approve.

Commissioner Schexnaydre second.

YEAS: Ross, Petit, Schexnaydre, Keen Dunn
NAYS: Galliano
ABSENT: Frangella

Motion carries.
