

Mr. Gibbs: Next item on the agenda is PZR-2014-04 requested by Angelo Puglise for a change in zoning from OL to C-3 at proposed Lot F-4 Youngs Estates (93,512 sq. ft.) south of 14031 Hwy 90. Council District 4. Ms. Stein.

Ms. Stein: Thank you Mr. Chair. The applicant requests a rezone from OL, Open Land, to C-3, Highway Commercial, on a portion of Lot F of the Young's Estate which is not subdivided. Staff has requested written authorization for the applicant to act on behalf of all property owners. Staff has also requested information on the availability of community sewer and drainage in the vicinity. The Department of Waterworks indicates water does not serve this location and that in order to *resubdivide*, the property, a developer would have to build an extension of approximately 450' of 8' watermain to serve the site. The area proposed for rezoning is also proposed for resubdivision, but currently, it does not have frontage on a developed public street.

This request is to extend the C-3 zoning boundary to the south to incorporate property that is already cleared and graded, for commercial purposes. In order to receive a recommendation for approval, a rezoning request must meet all of the criteria of at least one of three tests. This request meets the criteria of the **first test**.

OL zoning is designed to preserve open space and prevent scattered businesses and industry from developing in uncoordinated ways; however, OL zoning is also intended to be "reclassified to its appropriate residential, commercial or industrial category in accordance with the amendment procedure set forth in the St. Charles Parish Code." The site is adjacent to commercial development on Highway 90; therefore, a request to extend the C-3 zoning boundary meets criterion 1a which addresses similar adjacent land uses. Under criterion 1b, environmental or physical restrictions unique to the property are evaluated. Property directly to the west of the subject site is encumbered by a power line right of way which severely restricts the development of the land lying under it. This right of way functionally limits the frontage of the property on Hwy 90; therefore expanding the lot depth will allow the property owner the necessary area to install all the code-required improvements upon development. In consideration of the power line right of way restrictions, the request meets criterion 1b. Criterion 1c addresses changes in economic aspects which may limit the usefulness of vacant land or buildings under the current zoning. Given that the access to the property is via Hwy 90 and through a commercial development, it is unlikely that the subject property will develop in a manner consistent with the OL zoning designation; therefore, the request meets criterion 1c. So we recommend approval.

Mr. Gibbs: Thank you Ms. Stein. This is a public hearing for PZR-2014-04 is there anyone in the audience to speak in favor of or against?

Good Evening Commission, Terry Authement, 102 Angel Drive. I'm just here to speak on behalf of my family if there are any questions I'll be happy to answer.

Mr. Gibbs: Any questions?

Mr. O'Malley: I do have not a question but a comment, and I know we spoke before the meeting and we just want any future business going in there to realize and recognize that they are located in close proximity to any school does place some restrictions on the use of the property, but with that being understood there are certainly no objections.

Mr. Authement: Prior to this one of the individuals or corporations that was interested in the property but chose to move further down Highway 90 because they wanted that highway visibility was Bent's RV. Some of the clients are hotels but I don't know the names, I've never met the individual that has made an offer. I'm clear on the water and where that hydrant is, it's just west of us right next to the orthopedic center on that drive that goes into Hahnville. So with that roughly 200 feet and 200 ft. right of way, it's approximately 400 ft. to our usable property which we also own the property under the power line, as mentioned earlier there are some serious restrictions but with meeting with Entergy once we come to some agreement and specs are given to them with proposing to put the road in the right way that they offered to send us a letter of no objection. Whoever is going to definitely work with them as far as what type of lighting so that there is nothing sticking 30-40 ft. in the air as they make their entrance into their property. We're not developers, the property has been in the family since the Hahnville School property was purchased. From what I understand was intended to be sold with the school property at one time and the power line wasn't there and then the power line came in but that

right of way had already been made before that property had been bought by my family. So the power line does restrict the property, some of the use of.

Mr. Gibbs: Thank you Mr. Authement.

Ms. Marousek: There was some discussion prior to the hearing about the actual extent of the area of the property that they are looking to rezone. Can you clarify on that aerial that's shown up there. When I talked to the representative she was looking at the area that was intended.

Mr. Authement: That was the intent.

Ms. Marousek: What about the area under the power line because the survey submitted showed that 50 ft. area for access outside of the area requested for rezone, could you clarify whether you're going to extend the C-3 into that 50 ft. as well?

Mr. Authement: I didn't know if that would be a major change here to try and make that kind of adjustment. The property was advertised that the people that would be impacted would be the school. What Ms. Kim is saying is that right of way that we would go into to put the road is the thought is that it should be C-3 as well.

Ms. Marousek: We discussed that the portion fit the 50 ft. area the road should probably also be rezoned.

Mr. Authement: I think what we would like to do and having these conversations when we have a consumer identifies exactly what piece of that property they want we have to come and resubdivide and we have to come to some agreement as to who is going to put what on the property, the road, the water, the sewerage and at that time I was going to submit another \$40 application and rezone if you needed to do the whole power line so all the maps are nice and neat and don't have lines zig zagging all over and talking with our local councilman and talking with me he asked why didn't I just go and rezone the whole property. It's about 13 acres deep. I said well I already submitted the application, I've already done some surveying for a proposed subdivision and now we don't know how much we are going to sell to this one individual and I asked him if he would be in favor of it as it is right now, he said absolutely and I said if you want and if other people think so I'll come back later and ask for the extension of rezoning the right of way, but that's not what our intent is right now. It's just to get this rezoned and then sit down with the individual who's made the offer and come up with how to subdivide. It's a clear area that you see and it's maybe another 50 ft. beyond that lower horizontal line. It would be the cleared area.

Mr. Gibbs: Right.

Mr. Authement: A major portion is already C-3. Also you mentioned sewer and I met with LJ Brady this morning for about 2 hours on the property and trying to review all of the lines from Hahnville and they'll have to do more things, go through some lines with some cameras and tell me what our options are and what we have to do. The water, we're already getting some prices. I've already talking to some engineering firms so we'd know what we need to do to negotiate the price.

Mr. Gibbs: Thank you Mr. Authement. This is a public hearing for PZR-2014-04 anyone else in the audience care to speak for or against?

Mr. Booth: This seems to make sense he's going to put more land in commerce and we need all the commerce we can get in this parish. Good luck.

Mr. Gibbs: Thank you Mr. Booth. Any other questions or concerns? Cast your votes please.

YEAS: Pierre, Booth, Gibbs, Galliano, Loupe, Frangella
NAYS: None
ABSENT: Foster

Mr. Gibbs: That passes unanimously. Mr. Authement you know the drill.

Mr. Authement: The next meeting is the Council meeting is?

Mr. Gibbs: the 19th.

Mr. Authement: Thank yall very much and I haven't seen yall in a long time and it's a pleasure to see yall.
