

Commissioner Frangella: 2021-12-R requested by Helm Developments, LLC for a change of zoning from M-1 to R-1B and C-2 on 3 acres, Lot J-2A, Plantation Business Campus, 101 Campus Drive East, Destrehan. Council District 2.

Mr. Welker: This is actually a follow up rezoning application to something similar on this property that failed at Council earlier this year. They have come back with a different zoning layout, the previous request was to take the entirety of the lot that's zoned M-1 and rezone it to R-1B for the purpose of resubdividing and developing several single family homes on each of the lots that will be on this property. They have since come back, the different proposal is to have it a split zoning, R-1B and C-2, general commercial. The R-1B zoning would be focused on 2 lots that would have primary frontage on River Road, the C-2 zoning would be on another 4 lots that would have frontage of East Campus Drive. Even with this change we do find like last time the zoning proposal doesn't meet any of our guidelines for rezoning, it doesn't meet the Future Land Use designation for the business park and we do find that the existing M-1 zoning is still reasonable given that it is at the entrance of the business park and the additional mix of uses, single family and commercial, just might have some compatibility issues with the more industrial kind of nature of the industrial park setting of this area so with not meeting any of those we do recommend denial of the proposal.

Commissioner Frangella: Is the applicant present and does he wish to speak? State your name and address for the record please.

My name is Darren Helm, I'm at 105 Lac Claiborne Drive in Luling. I want to thank yall for having me again getting through this process. I appreciate your comments and concerns. Today I want to talk about a quick recap and kind of tell you where we're at and how we got here. A lot of people bought up about compatibility. When we purchased the property we tried to find the best solution for the property in the area. We feel and I'm not sure about the exact maps or the zoning that's being looked at as far as the map or plan going forward in St. Charles Parish for this property that was prior to the Audubon Place Subdivision being put next to this property. We talked a little bit last time about what M-1 means, compatibility to this neighborhood to me is what's most important. I met with these resident's, sat down with them, the first go round I had over 15-20 signatures of everybody that back this property, that backed the first proposal. In the first proposal we were trying to make it compatible with the neighborhood that's next door. M-1 uses are assembly plants, bottle and gas services, cellophane products manufacturing, glass production, ironwork, millwork, paint mixing, plastic products manufacturing in my opinion is not compatible, while it may be compatible with the business area, it's not compatible with the homes adjacent to it. These residents during numerous meetings do not want that type of property with kids, the parish said that possible buffer zones would be bushes but bushes don't stop smell, noise. So we're trying to do the best thing for everybody involved here so going back to the first plan was to make it all residential, face those lots to East Campus and that was important trying to find a way to satisfy these residents. We had a lot of support from the residents and support from the adjacent business owners. We came before yall and received a 5-1 vote for approval which we're very thankful for from this Commission then we went to the Council and there were concerns and we got a 5-3 vote against. The main concern from one of the business owners was having residential homes facing the Campus Boulevard and the potential of kids coming out of that or people coming out of their driveways in their cars. So Council discussed it, that was the biggest conflict or issue in the plan so I spoke to the gentleman privately after the meeting and he didn't have a problem with residential he just has a problem with the houses facing Campus Boulevard. So what we did we went back to the drawing board to try to solve every problem. I feel like this is a good plan, we have 2 lots facing River Road and if you look at the Audubon Place Subdivision, they have 2 lots already that are on River Road so we'll be compatible with the neighborhood next door and also the lots that would be behind, you have the R-1B lots facing River Road and not affecting the businesses on Campus Drive Boulevard and then the C-2 lots. In this plan I could have left the back portion of this property M-1. Meeting with the residents I feel an obligation at this point to try to do the right thing and I didn't feel trying to keep this at M-1, that I was given by the residents to put their trust in me to try to find the best solution. So although it can be residential let's eliminate assembly plants and bottle glass services and cellophane

products from the potential of being behind people's homes. I really think everybody that lives in that neighborhood would really appreciate it. This C-2 would still be within the business district, there's a lot of things that you can do in C-2, retail, and I believe it's a perfect buffer zone from a neighborhood zoned R-1B into C-2 into M-1 in the back of this area. So this is the new plan, I feel like it satisfies the Council's needs of not having the residential lots facing River Road and I believe it satisfies the neighborhood the best possible way that we can. It's too an opportunity of people moving into this area of St. Charles Parish on a beautiful piece of property. With that I'll take any questions that you may have.

Commissioner Frangella: Seeing none, thank you. We're going to open public hearing for 2021-12-R anyone here to speak for or against please step forward

Good afternoon ladies and gentleman my name is Ed Renton I own the property on Alpha Drive north of this subdivision. I did not appear before this Commission the last time this came before you. Mr. Helm has adequately demonstrated our concern, I represent my property, Penny Lenders, Southeast Freight, as well as the 11 industrial tenants that I have on Alpha Drive. Mr. Helm demonstrated my concerns adequately with potential driveways on Campus Drive. What this Commission may not be aware of at the moment, Southeastern Freight Lines just bought 48 acres on Alpha Drive, they have a building permit in place and they are moving forward with that. So this will be in excess of 200 tractor trailers coming down, traversing Campus Drive. Personally I don't have any problems with it, like Mr. Helm said, it's residential providing it is not going to have children. The adverse impact is all of these trucks are going to be passing in front of these houses, whether it's on the corner or on Campus Drive, the Council and the landowners ask what do you do about this truck traffic? I can't control it, it's an industrial business park, that's what it's laid out for, that's what it's zoned for. I applaud Mr. Helm for his tenacity but I'm going to stand before you tonight and suggest that this is a wolf in sheep's clothing. C-2 by the ordinance only requires this Commission's approval to allow residential, R-1A and R-1B in the C-2 zoning classification. So if it is Mr. Helm's belief that this is forever going to be C-2, I would respectfully be in favor of his rezone provided that legally he's going to give up the right to ever come back and bring those C-2 to lots to R-1A or R-1B. The history of this property as Mr. Helm illustrates is a little bit cloudy. It's forever been zoned M-1 when the business park was developed. His employer Riverlands Insurance bought this piece of property with the intention of building their office there. They've since found a better opportunity and that's what free enterprise is about, they remodeled a building in James Park and they moved there. When those residents that Mr. Helm refers to bought their homes in the adjoining neighborhood, that's what the zoning was. He's not here to protect them, they have their own protection and their own protection was if I don't want to live near or around an industrially zoned piece of property then I go buy something somewhere else. But I've invested just 2 ½ years ago, built an 80,000 sq. ft. industrial building, when my tenant has to field those phone calls about truck traffic, safety and all those things that are applicable, they're going to find somewhere else to go. So how do I tell the next guy that has the same issues, what do we do go buy the houses? So the Council has already weighed in on this albeit this, the Commission voted in favor of it and when I asked the question they said nobody came an opposed this. So I'm here in opposition representing the 10 property owners that are north of this property, all of which are industrial use. The property right at the corner has just right before Hurricane Ida, it changed hands, a company called Hug and Haul Equipment acquired that property and they're in the equipment rental business, forklifts, telehandlers, so not only is there the potential for tractor trailers and van trucks, but now you're talking about oversized equipment which they are legally permitted to do in that zoning classification. In closing, I wish Mr. Helm all the luck in developing his property, go find an industrial use for it because there is plenty of opportunity for it especially because Hurricane Ida, there are people looking for properties that don't flood. Thank you so much for your time I'll be happy to answer any questions that you may have.

Commissioner Frangella: thank you. This is open public hearing for 2021-12-R, anyone else here to speak for or against?

Mr. Helm: can I go back up?

Commissioner Frangella: I'll call you back up. Seeing none, we'll close public hearing 2021-12-R. You want to come back up?

Mr. Helm: I want to first thank Mr. Renton for coming here. You know I feel throughout this process a lot of push back from certain individuals. I've gone a long way to try to address the concerns of Mr. Renton. I do want to state for the record that Mr. Renton legally does not represent anybody but himself, he may have friends the business park but I don't think it's fair unless there is some legal documentation stating that he is the representative of anybody but himself. I've gone a long way to try to like he stated he didn't want them facing East Campus Boulevard, we went a long way to try to alleviate that concern and did exactly what him and some other people that were against it. So I just feel like it's a push back no matter what happens on the property. We're not forcing the 2 residents in the front to buy these properties, they know exactly where they're buying. When you buy on River Road or when you buy on Ormond Boulevard in Destrehan, you have to be a specific family for that, maybe if you had young kids maybe you don't want to be on Ormond Boulevard, the same things with these two properties. Mr. Joey Murray was able to get his development approved in 2016 in the same M-1 zoning. So all I'm looking for is the fair opportunity to address everyone's concerns. If you listen to Mr. Renton we did do that but we're still not in favor of it and I know there are other potential uses in the back of this business park but at the same time we can't let another property affect one property that's trying to do the right thing, trying to put everybody in consideration. I just want the Commission to hear that we've tried to do the right thing here, tried to make everybody happy. I believe as a resident of St. Charles Parish, the residents of St. Charles Parish should come first in everything that we do and it's not a wolf in sheep's clothing, I am not trying to take these properties and take them any further and to me that kind of looks down on the Commission in my opinion, if you have the right to make determinations later on and somebody who's bought one of these C-2 properties, they would come before this Commission and I have the faith that you all would do the right thing going forward. Obviously Council may not have to approve it but I have the faith in the Commission that yall would do what's necessary for St. Charles Parish no matter who was on the Commission. So there is an outlet if yall never want them to be C-2. Our goal is to sell the properties, we may have someone that may want to come in like Riverlands Insurance and buy all 4 of them and if they want to do that then great for them, I have no plan as of now to develop any of those 4 properties, the goal is to sell them, if someone wants to buy 2, 3 or 4, they can have all 4. We divided them just to make them separate, where if there is an opportunity and someone does want a smaller piece that they're able to do that. I just want to make it clear, there's no goal here into making those R-1B at any point. For me going forward if somebody wants to buy that and then try to come before the Council or the Commission that's at the discretion of the Commission and I have faith that yall will do exactly what yall need to do to secure Mr. Renton's concern and anybody else's concerns.

Commissioner Frangella: so Mr. Helm you said something that went totally against what you first said. You said that these people are going to buy these houses and it's going to take a special person that's going to have know what's around their area. All these other people you're talking about they had to know what they were buying when they bought it correct?

Mr. Helm: You are correct

Commissioner Frangella: The other issue that we had were the trucks and now more trucks coming through there and the bouncing on the ground, there's nothing to protect the kids that are going to be coming on the side because the house on the corner when the trucks are turning on the corner, so the same hazards and the same weight and the same ground shaking and all of that that was there before is still there today.

Mr. Helm: Sure and I understand what you're saying but that was there when Mr. Murray go this subdivision developed on River Road. There's properties all around St. Charles Parish on River Road when trucking and traffic is always in place. I'm not forcing anyone to buy anything here. They're going to review the property and if they go drive to the back and they don't want a truck, just like if someone doesn't want to live on

River Road with truck traffic that's their discretion, that's all I was trying to point out. I wasn't pointing out that it's going to take a special person, I have 2 people already that want to buy these 2 properties and they know exactly where it's at and exact location. The same way the 2 lots on River Road in the Audubon Place Subdivision are the same way. So I understand your concerns I know you had concerns before about the residents but why not if we can solve a problem that makes everybody happy then I don't see why even though the residents maybe should have done a little research. Not everybody goes dig up or maybe they should have but I don't believe that they knew there was potential to have some of these hazards in their backyard, whether that's their fault or not, here's a way to easily make everybody happy. You get 2 lots facing River Road and you get no residential property facing East Campus Boulevard to avoid the traffic. That is exactly what Mr. Renton asked for at the last meeting and we're providing the same detail and at this point it just seems like no matter what opportunity that's put on there, there's going to be push back from Mr. Renton on that specific topic. Regardless of what happens.

Commissioner Frangella: I personally see push back because are the people aware of everything that's in C-2, not the good stuff but anything else that could be put back there.

Mr. Helm: Right but that's better than M-1.

Commissioner Frangella: There's a few in M-1 and some in C-2 so it's a wash.

Mr. Helm: But you are eliminating a lot of the hazards. I'm not saying, there still could be something but it helps the residents eliminate some of the potential issues.

Commissioner Frangella: Any questions or comments for Mr. Helm.

Commissioner Petit: I was just going to say another one of the challenges is we can't put stipulations on zoning request. While this creates the options for the driveways to sit on the River Road it's doesn't guarantee that. So that still would have to be handled separately right? Same thing with a rezoning request with a C-2, you sell the lot and it's not a stipulation we can put in this rezoning right?

Mr. Helm: Correct but it will be in the deed with the property. It can be deeded where they cannot allow and we cannot allow and I would most certainly do that and show the paperwork to show that on that one property to make sure there's no possible way going forward it is deeded, there's no right of way to be able to put a driveway into that property.

Commissioner Frangella: Ok. Any other questions or comments? Call for the vote

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

Motion Fails.

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