

2023-15-R requested by 3 C Riverside Properties, LLC for a change of zoning from O-L to M-2 on approximately 317.13 acres across portions of Lot B-1, a property designated Lot A, and Parcels H-3, and L-3, near 18545 River Road, Killona. Council District 1.

Mr. Welker- yea this request from OL to M2 received a denial recommendation from the department due to only meeting one of the three rezoning criteria, two of the three are needed in order to get a recommendation of approval. So to kind of summarize those criteria the request to M2 would not be considered a spot zone cause it's surrounded by M2 on either side but it does not comply with the comprehensive plan designation for this particular piece of ground which is wetland so it needs at least that to meet criteria one and because it doesn't meet that part of it, it does not meet that guideline. It does not meet criteria two that needs to determine if the existing OL zoning deprives the property of any kind of reasonable use the OL zoning permits things like agriculture, low intensity things that are kind of in line with the future land use designation their agricultural fields around there adjacent to it so in keeping with what's actually around it still allows for reasonable use. It did meet the third guideline which has to do with compatibility with the surrounding area once it again it's mostly agriculture fields, open land, but there is some industrial use on the other side of the railroad, specifically a land fill that front on 3127 so the industrial and agricultural uses that are permitted in the M2 zoning district would actually fit with the character in the area, so it meets criteria three. But due to only meeting one of the three criteria, like I said we recommended denial.

Louis Authement 13919 River Road Ste. 300, Luling – Appearing on behalf of the applicant 3 C Riverside Property. This is a rather unique situation in that we simply applying for permission to go back to the zoning classification that existed before Hurricane Katrina. So, what happen is after Katrina as yall know the levees were impacted and there was a lot of levee restoration work going on and the corp. of engineers was looking for suitable fill material so this land owner voluntarily applied to zone his property from M2 down to OL simply because that's the zoning district you had to be in order to excavate fill material so that was the sole purpose of the re-zoning. All that excavation work has finished, it played out in 2021, between 2019-2021, so the objective now is to simply go back to the way things were before Katrina now that the need has been met. The property in the application would meet two out of the three criteria had the land use plan had not changed. The land use plan changed to redesignate this property as wetlands, it's not wetlands, the corp. of engineers has even said it's not wetlands it's just the land use plan says it's use would be suitable as wetlands but the same landowner on his own had 1200 acres of dry land converted into wetlands in order to mitigate the destruction of wetlands in other areas. So, the wetland nature of this property has been fully satisfied by the landowner taking 1200 acres of dry land and converting it into wetlands. This particular area, and the wetland section is on the west, southwest side of the railroad tracks, this is on the northeast side of the railroad tracks. So to call this wet when even the corp. of engineers is saying it's not wet is kind of a bit of a contradiction, page, I think it's 47 of the land use plan also says Killona as a general geographical area is suited for manufacturing and industrial use which is the zoning classification that the land owner is applying to go back to. So nothing in historical sense is changing here, we're going back to the way it use to be and again the only reason why it changed was to meet that limited Hurricane Katrina levee restoration objective which has

now been met. The landowner has been very generous, very supportive of Killona there have been quite a few separate land donations made over a series of years for the park, for the cemetery, for community center, I think there is even an area set aside for a church, so 3 C Riverside has been a very good neighbor to the town of Killona. The other thing about this is at it was mentioned by Chris, the entire area surrounding this parcel is zoned M2, so you can see it, right now where the green part is surrounded by the purple part, the purple part is M2 we just trying to get that green part back to being purple. There is no deal on the table there is no development that's coming as a result of this re-zone, it's just to put that segment of the property consistent with the surrounding zoning so that the property can be marketed as an M2 zone property, without it you kinda got, it's almost like a donut and the hole is pulled out of it and that's going to be difficult to market the rest of the area when the middle part is zoned OL. The batture just across the River Road from this is owned by Southern Recycling, major metal recycling company it had plans of relocating it's recycling plant to that batture and to this area, but that plan has changed, but this is probably one the most prime areas in St. Charles Parish for industrial development and right now there is an inconsistent zoning area or patch that we would like to go back to the original M2 zoning. So, I appreciate your support and available to answer any questions you may have.

Commissioner Keen – yes quick question for you, 1200 acres?

Mr. Authement – yes.

Commissioner Keen – that was donated, where was that at?

Mr. Authement – no. no, not 1200 acres donated, 1200 acres permanently dedicated as wetlands and that's on the southwest side of the whole tract. The area donated, is on the east side of the highway, the Hwy. is 3141? 3161? It's the Killona Hwy. the property, the property donated is on the east side of that where you see the recreational park the community center, all that was donated by this applicant.

Commissioner Keen – alright, thank you.

Commissioner deBruler – approximately when was that last used as the land fill, I know you said Katrina, but what year, after Katrina.

Mr. Authement – so it was re-zoned in 2010 from M2 to OL, and then in 2019 – 20-21, that's when the excavation work ended. And just to correct, the landfill is not apart of this, the landfill is owned by a separate entity and that's on the southwest side of the railroad track. You can see it in the first image right below the red line, that's the landfill.

The public hearing was open.

Wendy Greyson 205 Lorraine St. Destrehan – My question is in accordance with the excavation that yall did. Is it still a donut? And you have all this M2 property or industrial around it, so

potentially is all their drainage going into this so-called donut. What problems is that going to cause? Any potential? Are they planning on filling it back in to bring it back up to elevation?

Mr. Authement – not much of it has actually been excavated into a pond, there is a pond there portion of it is kind of hard to see, but the intention is to leave it exactly the way it is, because if there is an industrial use that pond can be used for storm water retention, it also can use for recycling gray water and be part of the cooling operation of whatever development goes there, but it is not a giant the whole 300 and some odd acres that were talking about is not a hole in the ground, it's not even close to that there is a confined area that was excavated the rest of it is land like the rest of the surrounding land.

Ms. Greyson – is the recycling close enough to this to run off into it?

Commissioner Keen – at this time that is going to be a separate case.

Mr. Albert – Mr. Chairman, the site development specifics would be contingent upon whatever's happening there at the time, this is a land use matter it's purely about whether or not you believe the surrounding areas have changed in the sensation of the special permit use is at its end warranting it going back to M2. We are required to recommend denial by code, we don't have any specific actual objection to this proposed change. If that special permit had been done under the department's current tenure, we probably would have put some kind of sunset clause in there for when they were done with the borough pit to explore what change in zoning should happen after that fact, so I just wanted to clarify that for the moment.

The public hearing was closed.

Commissioner Frangella made a motion to consider, seconded by Price.

YEAS: Krajcer, Keen, deBruler, Ross, Frangella

NAYS: Price

ABSENT: Petit

PASSED