

**2024-13-R requested by Richard D. Whitney Jr. for Whitney Properties XII, 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** – The department recommends denial of this request finding it does not meet any of the zoning criteria. Regarding the first criteria whether or not it conforms to the land use development pattern established by the comprehensive plan future land use map the designation here is Town Center which allows for a variety of different zoning districts with the goal of creating a more mixed use walkable type environment so that includes R2, R3, CR1, C1 and C2 zoning it does not include the C3 zoning district so we found it does not meet the first criteria because it doesn't meet the future land use recommendation. The second criteria whether or not the land use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use the current C2 zoning allows a significant amount of uses across various types and zoning districts along with the standard commercial uses that are permitted in C2 it also captures those from the C1 and lower commercial zoning districts, residential uses can be permitted upon special permit, special permit approval and there are few uses which are considered more C3 appropriate that can also be permitted as special permit so zoning districts rather robust and wide ranging and allows for a significant amount of different uses that could be permitted there so we find it more than reasonable for the site and this location. Three where potential use permitted by the proposed rezoning would be incompatible with the existing neighborhood character C3 uses can include wholesale, warehousing, manufacturing fabrication and various trades we don't find that compatible with the existing area there's residential neighborhoods in the area, there's various large uses institutional use such as an elementary school, religious institution, and various medical facilities that are visited by a wide range of the public so we don't find the uses that are permitted in C3 which is Hwy. commercial fit within this area. So, it does not meet the third guideline and we recommend denial.

**Applicant** – Richard Whitney 14471 River Road Hahnville – um so are y'all all familiar with this property this is the old Ellington swim club property it's right by the hospital, it's by the VFW, it's by Luling Elementary, it's got Access Health on the other side of it it's surrounded by institutional uses. As we know the swimming pool went belly up years ago I've had it for at least now for over 2 years every single interested party in that property has been of the C3 designation and they just, I couldn't go anywhere with it there is no interest in that property as a C2 property. If you read the descriptions and I politely disagree with Planning and Zoning on this particular one the uses in C2 are retail, office space, things of that nature if you look at this property and this is almost a 2 acre parcel squeezed in between the hospital, the board of health the health unit, the schools it's not going to be a retail space it's just not likely. I got a retail space for lease next to Subway on Paul Mallard Road that's been vacant for a year and a half now, we cant get a tenant in there so to think we gonna get retail space in a or office space on Angus is not realistic with regard to use of the property or the street in front

of the property I'm subjected to the traffic from my friends over at Dufrense Building Material they run 20-30 trucks a day down that road, school board runs buses down that road they get institutional food service delivery trucks supply trucks at the schools at the hospital at the health unit at the old folks home um all of the businesses in that area they come to me to use for over flow parking, just yesterday I had a parish excavator and a heavy equipment trailer loaded right there in my front yard nobody called me nobody asked or anything I'm not complaining but what I'm saying is C2 is not a viable use for this property it's too large and we know that multi family is not to very welcomed in this parish so I don't want to go down that road I think the best use for this property is C3 I'm ok with being subjected to some restrictions you know if it's something onerous on the community I don't have a problem with that but C2 is just not flying on this property. I've tried, I've had agents try, it's just not a viable property for that it's not office, it's not retail, and I'd appreciate y'all consideration. Again, I know they recommend no but I think you got to look at the extenuating circumstances and you gotta look at the property itself. Again, I cooperate with all the neighbors you can call the Access Health, you can call the hospital, you can call the church, you can call VFW I work with all of these people, but I can't do anything with the property the way it is.

**Commissioner Petit** – Thank you. At this point you have no tenant, no plans, you just want to market it as C3.

**Mr. Whitney** – I just want to market it so I can expand the potential for use on the property. Again, I don't have a problem with Planning and Zoning, being strict with me on the use of the property, I don't have a tenant lined up.

**Commissioner Petit** – unfortunately that's not something we can do; we can't put restrictions this commission can't put restrictions on a rezone.

**Mr. Whitney** – I understand, I'm saying for the record I'm willing to be accommodating to them being firm with what's allowed there. I will point out to you that years ago if you know where Four Season's property is like Four Season's Landscaping on Paul Mallard Road that property was owned by Bob Monti at the time a good friend of mine he had that property leased for years I believe it was C2 couldn't get any tenants, he fought and fought and fought, finally got C3 now you got a flourishing prosperous business there, doesn't have any negative impact on it. One of the things you can do in C3 and I have no intention of going into competition with my friend Johnny at Johnny's Upholstery look on this list upholstery shop, air conditioning business, plumbing business it's a viable property for those uses and I would argue that the traffic there is the same as it is on Paul Mallard Road I get all the same heavy traffic that Paul Mallard Road gets. If y'all have any questions id be glad to answer. Thank you

The public hearing was open and closed, no one spoke for or against.

Commissioner Keen made a motion to approve, second by Commissioner Krajcer.

YEAS: KEEN, PRICE, FRANGELLA, KRAJCKER, JR. FOLSE, PETIT

NAYS: ROSS

ABSENT: NONE

**PASSED**

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