

Mr. Gibbs: Next item on the agenda is PZR-2014-18 requested by Alvin Guillard for a change in zoning classification from OL to C-2 at (Lots 16-22, Sq. 79, New Sarpy Subdivision) Council District 6. Ms. Stein.

Ms. Stein: Thank you Mr. Chair. The applicant has requested a change from OL to C-2 and it's in a really very unique area. New Sarpy Subdivision was platted in the 1920s as a large subdivision with predominantly 20' wide x 80' deep lots on small squares. The market drove the size of properties houses were built on, people bought as many lots as they could rather than having a zoning that required a 6000 sq. ft. lot. In 1981, the area was zoned C2 along River Road and R-1A(M) all the way back to the Canadian National Railroad. Soon after the 1981 zoning, the area was rezoned to R-1A single family residence with no mobile homes permitted at resident's request.

The result is a built-out neighborhood with commercial uses along River Road, and predominantly site-built houses of varying sizes to the railroad. Eighteen squares were developed on the north side of the railroad and another 54 squares with 2144 lots were drawn on a plat indicated as "investment lots", they were not built, the roads weren't built and it resulted in what we call "paper lots". There are no infrastructure: streets, drainage, waterlines, sewer lines, gas, electricity, and telecommunications; further, most of these lots are wetlands. Owners of these lots inquire with Planning staff often about when infrastructure will be installed and the answer is that the Parish is not going to install infrastructure for those lots, it's kind of a difficult situation.

The Guillard family bought some of these paper lots in the 80s and built a single-family house. The only other development in the area at the time was a five building apartment complex on a large site. A nightclub was built adjacent to the housing complex sometime in the 80s.

In 1981, the comprehensive zoning ordinance created an R3 zoning district around that and the rest of the paper lots were zoned OL and they were never built. There have been four things that were built in the area since 1981:

- In 1986, ordinance 86-7-11 rezoned 11,800 sq. ft. of the R3 area to C2 to permit neighborhood commercial uses that were proposed to be a laundromat, dry cleaner, deli, game room, convenience store and hair salon. Department records do not indicate that these uses developed.
- In 1988, ordinance 88-3-15 rezoned 8,000 square feet around the existing lounge to permit renovation and expansion of it.
- In 2003, the applicant for this rezoning petitioned to change 14,400 square feet to C3 to build a commercial storage building (ordinance 03-6-7). At that time, the Parish had occupied much of the area zoned R3 with a laydown yard.
- In 2007, ordinance 07-5-5 rezoned 43,200 square feet of property owned by a religious institution that had some buildings on the site and wished to expand. While the expansion could have been permitted under the OL zone, the change to C2 increased the buildable area for the church (C2 has smaller minimum yard sizes than OL).

The Planning Department recommended approval of every one of those rezoning requests. The result is that this section of East Harding Street in is sparsely developed with low-intensity uses that do not generate steady traffic and that are served by individual utilities (sewer in particular, but drainage is also not developed in this area as a complete system).

While this request could be considered a spot zone, it appears that zoning *precedent* on these investment lots is to recognize a property owner's efforts to permit and complete clearing, filling and grading and approve rezoning when that difficult work is complete. For that reason the request meets all the criteria of the third test, which is designed to ensure that a proposed zoning change is in keeping with zoning law and precedent.

Considering the history of these investment lots and of zoning changes in the area, granting this request would not be capricious or arbitrary in nature or intent. Likewise, rezoning this property would not create a monopoly, or limit the value or usefulness of neighboring properties, particularly because owners of these investment lots inquire often about when development will occur in the area; people really want to see subdivisions back there. Owners of these investment lots appear to hope to see development in the area which further suggests granting the request

would not adversely affect the reliance that neighboring property owners or occupants have placed upon existing OL zoning. While granting the request will *look* like a spot of C2 in an OL zone, the peculiar nature and history of these lots is that ad hoc development is what's likely to occur. So we recommend approval.

Mr. Gibbs: Thank you Ms. Stein. This is a public hearing for PZR-2014-18 any in the audience care to speak in favor or against?

My name is Tracy Brizzel I am one of the family members of the property owner at 1232 E. Harding. I just rose to speak on trying to help revitalize and develop and step forward for other property owners and things like that. We're asking and hoping to kick off a trickle down effect to try to help get this area stimulated. We've been trying so hard and so many people in the community are asking, what can you do? He's a home builder and it's incorporated. So this is going to be tough, because he's trying to help keep that area nice and like you said stimulated and things like that, because right now, someone is tearing into like the spillway on the side of E. Harding they take their 4x4 and they are revving up and down and it's just such an eyesore. I wish I had a camera to catch whoever it is. But anyway, the proposal of this is actually what we're trying to do is a hall in that area, parties, banquets, birthday parties, all sorts of things that maybe a school would want to use anniversaries and stuff like that. So I don't think it would be too harmful to the area, just to introduce something a little new for the community, a little variety and then there are some other areas that are around the corner in the Ormond Subdivision right before that and I think it compliments that area.

Mr. Gibbs: Thank you. Again this is a public hearing for PZR-2014-18 anyone else care to speak in favor or against? Seeing none, Commission members any comments/questions? Cast your vote please.

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

Mr. Gibbs: That passes unanimously. This will go in front of the Council on December 1st, same venue and good luck.
