

**2024-3-R requested by Anna Nelson for DNA Real Estate, LLC for a change of zoning from O-L to R-1M and M-1 on an approximately 8.5 acre portion of Lot 19, Pecan Grove Plantation, 12320 River Road, Destrehan. Council District 2.**

**Mr. Welker** - The proposed rezoning conforms to the land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zoning that is incompatible with the surrounding neighborhood.

The subject site is designated Low-to-Moderate Residential, which anticipates development of those residential uses typically permitted in the R-1A, R-1B, and R-1A(M) zoning districts. The proposed R-1M district is considered under the High-Density Residential FLUM designation, and the proposed M-1 district is considered under the Industrial FLUM designation. Neither district conforms to the land development pattern established by the comprehensive plan. The proposed zoning would not be considered a spot zone as it covers a large area (8.34 acres) and would expand adjacent R-1M and M-1 districts. But conformance with the comprehensive plan takes precedence over not being a spot zone as part of the Department's analysis. The request does not meet the first guideline.

The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property and the proposed zoning does.

The existing O-L zoning has been in place since the St. Charles Parish Zoning Ordinance of 1981. While able to be used primarily for agricultural or low-density residential purposes, the policy statement of the Open Land zoning district states "It is intended that land in these districts will 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 subject site is located on a stretch of River Road bookended by the IMTT and Bunge facilities. Development within this stretch is limited, with the most notable improvements being dedication of the Oaklawn Ridge Subdivision in 2000 (Ord. 00-12-8), and permitting of the Nelson RV Park in 2016 (Permit No. 29955). The Nelson RV Park was developed upon approval of a similar rezoning to R-1M and M-1 approved in 2015 (PZR-2015-04; Ord. 15-3-5). This development, along with the corresponding M-1, is representative of a shifting land-use pattern/character within an area that has limited development options given the proximity to major industrial developments. A smaller and older RV park is also located nearby on Christina Lane. The proposed R-1M and M-1 districts is a reasonable and appropriate change for the area as per the O-L policy statement. The request meets the second guideline. Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.

The R-1M zoning district is specific to the permitting of Manufactured Home Parks and RV Parks. This is consistent with the neighborhood character which includes the Nelson RV Park immediately adjacent to the subject site and the Christina Mobile Home Park less than 200 ft. downriver. The proposed M-1 zoning would be located next to the existing M-1 district and industrial use established

in 2015, and would also be compatible with the neighborhood character established by the adjacent property.

Regarding infrastructure, as per the Utilities section of this report the Director of Wastewater stated existing sewer facilities in this area could not handle the development potential permitted with this zoning change (possibly 121 RV slots as per a preliminary site plan). Upgrades to the downstream lift station would be required. While this means current wastewater infrastructure would be “overburdened”, if the rezoning is approved an RV Park could not be placed without going through the full development review/permitting process. As part of that process the developer must work with the Department of Wastewater regarding necessary improvements to ensure infrastructure can handle the increased impact prior to starting development. Because the issues are known and there are processes in place to address them prior to development, the Department can consider this item met. The request meets the third guideline.

Approval, based on meeting the first and third rezoning criteria.

**Applicant** – Glen Nelson 12246 River Road St. Rose. Yes as far as the first guideline we only have one permanent resident in this area the left of us has been bought out by Bunge except for a few lots, there’s us with the RV Park, then we purchased the property in the middle, then there is Christina RV Park and Mr. Randy is the only resident, then on the other side of that is 2 gas lines and a pipeline so the chances for future development there slim to none. The M1 part is just my yard where we park our equipment behind our shop we are just adding on to the back of that if anyone had a question about that and the, as far as the waste water when we built this section the first section they collected, they told me that had to change a pump in the lift station they would have to upgrade it so I’m negotiable with that but I just want to say the first section we built we spent I think it was over 40,000 in sewage impact fees and with this section I’m sure it’s went up you talking 80 to 100 grand they collected just from us so upgrading a pump in a lift station is going to be a big deal, in my opinion.

**Commissioner Petit** – you are prepared to work with wastewater to sort that out before you would be issued a permit.

**Mr. Nelson** – yes, but I’m just bringing that out I’ll already be giving them a 100 grand just from that first time and this time if the prices were the same from when we built the first place, so and that’s just from one person, that’s from me, so and we don’t have any wastewater problems I don’t know where that’s coming but I don’t know what else it feeds but we don’t have any issues we have our own lift station there force main to the front but I’ve never heard of a problem there I don’t know where that’s coming from but we are willing to work with them.

**Commissioner Petit** - Thank you and that’s something we wouldn’t be able to answer, but that’s part of the process but you would have to sit down with them.

**Mr. Nelson** – Thank you.

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

Commissioner Price made a motion to approve, seconded by Keen.

YEAS: Price, Keen, Ross, Petit, Folse, Jr., Krajcer, Jr.

NAYS: None

ABSENT: Frangella

**PASSED**

Lane. The proposed R-1M and M-1 districts is a reasonable an appropriate change for the area as per the O-L policy statement. The request meets the second guideline.

Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.

The R-1M zoning district is specific to the permitting of Manufactured Home Parks and RV Parks. This is consistent with the neighborhood character which includes the Nelson RV Park immediately adjacent to the subject site and the Christina Mobile Home Park less than 200 ft. downriver. The proposed M-1 zoning would be located next to the existing M-1 district and industrial use established in 2015, and would also be compatible with the neighborhood character established by the adjacent property.

Regarding infrastructure, as per the Utilities section of this report the Director of Wastewater stated existing sewer facilities in this area could not handle the development potential permitted with this zoning change (possibly 121 RV slots as per a preliminary site plan). Upgrades to the downstream lift station would be required. While this means current wastewater infrastructure would be “overburdened”, if the rezoning is approved an RV Park could not be placed without going through the full development review/permitting process. As part of that process the developer must work with the Department of Wastewater regarding necessary improvements to ensure infrastructure can handle the increased impact prior to starting development. Because the issues are known and there are processes in place to address them prior to development, the Department can consider this item met. The request meets the third guideline.

Approval, based on meeting the first and third rezoning criteria.

This request will be forwarded to the Parish Council for a second public hearing with the Planning Commission’s recommendation.

