

**2023-4-R requested by Conrad Frey for Elitestor, LLC for a change of zoning from C-2 to C-3 and C-2/C-3 to M-1 on Lots P-A & 33-A, 10436 Airline Drive, St. Rose. Council District 5.**

**Chris Welker** – This is another rezoning request which must two of the three criteria to receive approval recommendation from the department, the department finds it meets the second and third guidelines. We found the land use pattern or character of the area has changed that the existing zoning no longer allows reasonable use of the property, and the proposed zoning does, right now the property zoned, it's split zoned about three different ways so the front portion is, actually it's currently split zoned between two different commercial zoning districts, C2 & C3. The front portion is used as a convenient store right now and it's within that C2 zoning but the remainder of the property being zoned C2 and C3 with the way it is kind of thin up front and then kind of expands back with no real visibility or frontage on the road way we find that the commercial zoning which the uses there kind of benefit being visible and being accessible from the road way with a parking lot and all that stuff doesn't necessarily fit with how this lot is laid out so the proposed M1 zoning which usually has uses which that don't need public facing which would kind of more appropriate setback from the road way the M1 zoning located changing the C2 and C3 zoning on the back portion to M1 would be more appropriate this also goes along with a lot of changes that accrued over the years in this area of Airline Dr. in St. Rose where there have been a number of request to change zoning to M1, a lot of the corridor is M1 now and that's all been through several different rezoning request that have been approved, so there has been a change on going over the past decade plus and more than that, and so the request meets the second guideline. We found the request meets the third guideline the uses permitted in M1 district include warehousing, various manufacturing operations, open storage, heavy equipment sales and service which is what exist adjacent to this site and throughout this corridor in St. Rose, so we found the propose zoning would fit the neighborhood character, we do understand that there are adjacent residential uses on Fox Place that directly abuts this property so usually when we see an intrusion industrial zoning approaching residential area we also found that the provisions that would be in there to protect adjacent residences are the same in both commercial and M1 zoning so both districts have buffering requirements and also the M1 district has greater buffer requirements as far as protecting the adjacent residents from whatever might go there compared to the existing commercial zoning we found that is a kind of way to mitigate that conflict there so, we find the third guideline is met and the department recommends approval.

The public hearing was open.

**Denise Wilson** and I'm here with the other three that are sitting. I'm representing my dad who is 89 years old and one of the residents that is buffering this property and these three also has property that buffers that and we just have some concerns. We realize Fox Lane is the only residential property street on the lake side of Airline Hwy. those of us that are here tonight, of couple of us have collectively have close to 200 years living there, my dad bought property there 60 years ago raised my entire family, my brother still lives there next door to my dad, we have someone that has been there 65 years, and Betty has been there 54. And we just have some concerns of what type of manufacturing there going to be doing and how this property will

affect, what will the effects be on the back side, cause literally you walk out my dad's back door and he has a small back yard then there's a ditch and this is where it's going to be. So we would just like to know what's going to be manufactured there and from there we will know what our concerns are as far as business hours, noise regulations, fencing, privacy fencing, we just have some concerns as would anybody living adjacent to something like this. If he could help answer some of these concerns.

**Applicant** – Conrad Frey 275 I- 310 Service Road St. Rose. So they won't be any manufacturing going on there, the back half of the property is gonna be used to store Conex shipping containers, hours of operation are normal business hours 7-5 Monday through Friday, it's a company that is storing them in New Orleans and they just want to get out of New Orleans they just need a piece of ground they will be going in and out containers as they need to but it's nothing emergency really not a whole bunch of traffic the office will be on the front part which is next to the rental company and then I'm going to build a new grocery store and tear the old one down because it's deplorable.

Speaking in the audience and it's inaudible.

**Betty Grass** 827 Fox Lane – Could you repeat what's gonna be done fronting Airline Hwy.

**Mr. Frey** – On Airline Hwy. I'm gonna relocate the store closest to the truck rental place that way I got a straight shot to the back for a driveway and behind that is going to be the office building which is still going to be in the same area at the truck rental place and on the back four acres is going to be storage for shipping containers.

**Ms. Grass** – Will there be a privacy fence? And not a chain link, a privacy fence.

**Mr. Frey** – inaudible

**Ms. Grass** – The property that's already being filled right there is higher.

**Mr. Frey** – responding without the microphone (inaudible)

**Ms. Grass** – And you will be able to still maintain that drainage ditch.

**Mr. Frey** - responding without the microphone (inaudible)

**Ms. Grass**- It's never been that way and I have been there since 69 and it has never ever been cleaned and clear all the way like that before, since I been there.

**Mr. Frey** – I did that.

**Ms. Grass** – And there won't be any strange odors.

**Mr. Frey** – I mean it's shipping containers (inaudible)

**Commissioner Petit** – One second, Michael.

**Michael Albert** – The new proposed zoning has restrictions on any kind of order or any business activities that would present the kind of concerns your worried about. Also right now there is no protection on your property versus theirs the rezoning would take away the grandfather status that would require them to come up to the current code. The propose zoning will give you better protection than you currently have.

**Ms. Wilson** – The question they wanting to be asked is if we change the zoning now and it becomes manufacturing and we ok with storage containers if he sells in 10 years can it then become some type of manufacturing that comes in with something totally different that could possibly be more of concern to us than just empty storage containers.

**Michael Albert** – It could change, but there is also a list of things that it is limited to. Mr. Albert shows Ms. Wilson a copy of the agenda.

**Ms. Wilson** – So we could get a copy of this.

**Commissioner Petit** – Yes there is a copy online.

**Ms. Wilson** – And the only other question was we understand your going to put a privacy fence but since that property is higher is the privacy fence going to be on the higher property or the lower, we just want to make sure it's on the lower you will be able to look over and still see into their back yards, so it's gonna be on the higher.

**Mr. Frey** – Stated yes.

**Ms. Wilson** – I know what he is asking, I'm sorry. If it's on the higher then there is gonna be a piece of land and it's gonna be between him and the home owners, whose responsibility is it to keep that clean, the ditches.

**Ms. Grass** – How will the change in the zoning affect our property value?

**Commissioner Petit**- That's not something we can answer, sorry.

**Ms. Grass** – Well who could give me an answer.

**Commissioner Keen** – Responded without the mic on.

**Commissioner Frangella** – I'd only recommend you have that copy and if you look what's in C2 and C3 and M1 and base it on any of those (inaudible)

**Mr. Frey** – I'm just gonna make this last comment I have a piece of property down the road that use to flood by the Turtle Pond area and since I developed it, it don't flood anymore because I like everything I owned maintained properly and kept up and the service road use to flood I drained that whole service road at my expense, cleaned the ditches I maintain the ditches, so once, well now that I have the property if I'm able to do what I want I'll make sure everything drains.

**Donald McMillian** 817 and 820 Fox Lane – My question was if they put the fence from the higher property and I put a fence on my property line I'm gonna have a 15 ft. area that is a ditch besides keeping the word drain we don't want a bunch of brush and trees grow up like it has been in the past. Is that going to be up to you to maintain and keep cleaned out?

**Mr. Frey** – So my fence will be on the property line and you will have positive flow from there after that I'm gonna maintain my side property and you will have to maintain your side the property. I will build a chain wall in order to contain my dirt in before I start with the fence cause I'm not gonna have a wooden fence there because within a year of dirt up against it water and all that stuff I'll have to keep repairing it so once I put the fence it will either have a chain wall or drive sheet piles in order to contain the higher part of the dirt and the fence will go on top of that.

Public hearing is closed.

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

YEAS: Keen, Frangella, deBruler, Ross, Price, Petit, Krajcer, Jr.

NAYS: None

ABSENT: None

**PASSED**