

Commissioner Booth: Next item on the agenda PZR-2019-01 requested by Brennen & Melissa Friloux for a change in zoning classification from C-3 to R-3 on approximately 31,200 square feet at 14183 & 14189 Hwy. 90, Boutte. Council District 4. Mr. Welker.

Mr. Welker: This is a request to rezone 4 lots on Highway 90 from C-3 Highway Commercial to R-3 Multi-family Residential. The area will consist of 31,200 sf total, it's currently divided across 4 lots which are behind the other so they don't necessarily have frontage on the highway. If the rezoning is approved, any kind of development or any development that would occur would have to resubdivide. We've reviewed this rezoning request, we find that it did not meet any of the three rezoning criteria which we use to determine if the rezoning could be approved. It was found that it doesn't meet the first criteria doesn't meet the goals of the comprehensive plan which designates this area as commercial, it would also be considered a spot zone, so it would give rights and privileges to this particular property that others don't have in the area, there's no real multi-family residential in the area. It doesn't meet the second guideline, there is nothing about the existing zoning, which is commercial, that inhibits any kind of use, practical use of the property, this area is a commercial corridor as it's on Highway 90, coming right off of the exit ramp of 310, we found that there is a decent level of commercial permitting activity along this stretch. There's been a few new construction, renovations and what not, so the commercial zoning is not holding the property back from being used reasonably. And then the third criteria is whether or not the uses that are permitted in multi-family as a whole or goes along with the surrounding area and also if any kind of development would overburden the utilities. The main part of that is the overburdening of utilities which when we discussed this project or rezoning with the Department of Public Works they mentioned that the maximum capacity to develop this area with multi-family which is 12 units would overburden the existing sewer line which they said is currently strained, needs updating and an influx up to 12 units would increase this so the existing utilities cannot support what multi-family can permit. So because it does not meet each of those guidelines the department does recommend denial.

Commissioner Booth: Thank you Sir. This is a public hearing for PZR-2019-01, Brennen and Melissa Friloux changing zoning classification from C-3 to R-3, 14187 and 14189 Highway 90, Boutte, anyone here to speak for or against? Yes Sir, please state your name and address for the record please.

Brennen Friloux, 225 Lake Catherine Dr. Good evening. So currently I own the property. The houses that I have on this property are from the '50's. So I rent them out, they have 2 of them that face Hwy. 90 and one of them have a metal tin roof, like I said they are from the '50's, they are old houses, they probably need to be torn down. Behind the house, the old white house that I have is a duplex that's abandoned, flat roof, probably 2400 sq. ft., it's a big building, it's totally abandoned, it needs to be torn down. So that's 4 units right there already. So I just want to upgrade and make 8. Let's back up so you look at Hwy. 90 and I've been in real estate for years, if you look at Hwy. 90, I know it doesn't meet this zoning criteria, but if you look at Mimosa Park with the apartments in the commercial area. You go to Paradis they got commercial and they got apartments. Across the street in Paradis where these are, they got apartments. To build a commercial setting right there, I tried multiple people to come in, you can go down Hwy. 90 and buy 10 properties, there are multiple vacant commercial properties all through there, Paradis, Montz [Mozella] right there, it wouldn't work, nothing commercial would probably work right there. I don't know if yall are familiar with the area but it wouldn't do good. The only thing I don't understand is the third criteria that they're saying the sewer line is maxed out, so the C-3 use that I have, I can go tomorrow and do all kinds of things, I can build a hotel but I can't put 8 extra apartments right there. I kinda confused with that, I already have 4 and 4 was there already and they're old I'm going to tear them down, I would even do it in phases because to build 3 of them I would need 30 parking lots and I plan on doing all the work myself. So what I'm going to do is tear the white house down and tear the old duplex down, build the parking lot and build one in the back which would probably take a year at least and then I would do the other ones. I talked to LJ Brady at Waterworks and he pretty much said that sewer line right there is maxed out so he was telling me the sum of money that would be needed to upgrade it would be tremendous like \$500K. So I don't understand like tomorrow I can do a

commercial development but a residential wouldn't work, I don't understand it. I'm only bettering that area. If I put three 4 plexes right there I would have them all rented out. I currently have 12 units in the parish, I rent them out, they stay rented, people are always looking, it would do great and the stuff that's right there need to be, that whole little area right there, I don't know if you're familiar with it, it's houses, it just doesn't fit. The third criteria, sometimes yall recommend if the third criteria meets, right? The last one if the third criteria meet an overabundance of sewer, but I can't get it because I'm only putting eight more units. I don't understand it. I mean I talked to parish people, councilmen and they had no objection to it. They said it would be better for the area and they even recommended doing it in phases. If there is a stipulation where I can do one and could upgrade it then I would do that.

Commissioner Booth: Alright Sir.

Mr. Friloux: Any questions about anything?

Commissioner Frangella: I guess I have one, what about actually draining water coming off of that property, what that even looked at?

Mr. Welker: It was not really looked at but it was mentioned if any development were to occur on it there would be a DIA and all that stuff required as part of the permitting process and that would be addressed then.

Commissioner Galliano: So you're building 2 four plexes?

Mr. Friloux: 3, they would be nice 3 bedrooms 2 baths. I had the plans I don't know if yall got them, I probably should have printed yall some and some pictures of the houses. I've talked to people from Burger King, all of these different places to come in and nobody would come in, there's too many people close, too much of a risk. If I tear it down, I'll put a for sale sign on a vacant lot, they have vacant lots all down Hwy. 90, commercial. R-3 would definitely work right there.

Commissioner Booth: Alright, thank you Sir.

Commissioner Granier: How long have you had the property?

Mr. Friloux: About a year and a half.

Commissioner Booth: Thank you. Anyone else here to speak for or against this issue? Any other questions or comments?

Commissioner Richard: This is in my area, it is blighted housing. If he plans to do this I think it would be a benefit to the area.

Commissioner Booth: thank you Mr. Richard. Anyone else? Comments, questions?

Commissioner Petit: So with 12 dwelling units will there be some type of study automatically or is that the recommendation?

Mr. Albert: Study of what?

Commissioner Petit: The utilities. Basically the utilities thing says if developed a drainage impact analysis would be required but that's not going to do anything to the sewer right?

Mr. Albert: No, the drainage and the wastewater are separate issues. Wastewater Department ran a calculation that's based upon how they review residential vs. commercial and they gave us their statement on it. If as Mr. Friloux said he went and tried to build a hotel or any other commercial business, when that came in that would also be subject to wastewater review and there could be some kind of substantial cost incurred at that point. Yes they could build something but the cost in doing so might be prohibitive.

Mr. Friloux (from the audience): What that be the parish's cost or my cost?

Mr. Albert: I believe it would be the applicant's cost but I'm speaking outside of my department so I can't say for certain.

Commissioner Frangella: Did they say exactly how many units it could handle? They said that 12 would overburden, is it 6, 8?

Mr. Friloux (from the audience): They didn't say. They had 4 on it already

Commissioner Booth: You'll have to come to the microphone so we can get it on the record.

Mr. Friloux: I'm sorry.

Commissioner Booth: That's ok.

Mr. Friloux: They had 4 of them at one point in time. And like I said tomorrow I can go and build a splash park or a carwash and I don't believe that I would have to be liable for the sewer upgrade. The guy at the sewer department said that all of them businesses go to a lift station I think around RaceTrac and he said that he can't handle no more on that line, that's why I said I would be subject to take my time and build it which I would do, because I'm not just building 12 of them in 6 months, I'm doing all the work myself. So it would just be putting 8 because they already had 4 and I don't know if it was looked at really well. When I tried to call and talk to some people, I had some people working on it but I never heard nothing back in time to understand the situation more because I don't understand.

Commissioner Booth: Thank you Sir. Any other questions or comments? Call for the vote.

YEAS: Gordon, Granier, Richard, Booth, Frangella, Galliano
NAYS: Petit
ABSENT: None

Commissioner Booth: Mr. Petit is nay and everyone else is for it. It will go to the Council on February 4th and you can discuss with them what you would like to do.