



**MINUTES - CITY OF HAMMOND
PLANNING AND ZONING COMMISSIONS AND
BOARD OF ADJUSTMENTS MEETING
312 EAST CHARLES ST.
AGENDA - Thursday, October 20, 2022 at 5:00 P.M.**

Work Session Thursday, October 13, 2022 NOON in City Council Chambers

I. CALL PUBLIC HEARING TO ORDER

The meeting was called to order by Kylan Douglas at 5:11pm

II. ROLL CALL: Matt Sandifer (P), Kylan Douglas (P) Monica Perez (P) Ron Matthews (P)
Trey St. Romain (Absent, later arrived)

III. APPROVAL OF MINUTES: June 3, 2021, July 1, 2021, September 8, 2022

Motion By: Kylan Douglas to approve minutes from June 3, 2021, July 1, 2021, September 8, 2022.

Seconded By: Monica Perez

Vote:

For: Kylan Douglas, Monica Perez, Ron Matthews

Abstain: Matt Sandifer

Absent: Trey St. Romain

Motion Approved

IV. BOARD OF ADJUSTMENT - Public Hearing

OLD BUSINESS: NONE

NEW BUSINESS:

VAR-2022-09-00114 Variance request by Southeast Urology Clinic, LLC (owner) and Greenleaf Architects, (applicant) to waive UDC #14-5364 Article 6.3.4 (F) Primary street build -to line and (P) Transparency, located at 42439 Pelican Professional Park; Zoned C-H.

Kylan Douglas read the request and skipped it for discussion due to owners not being present yet. This item was later discussed after the variance for the Montecino property.

VAR-2022-09-00115 Variance request by Hayven LaFrance (owner) to waive UDC #14-5364 Article 6.3.2 (M) Street facing entrance required, located at 3605 Delia Randall Rd.; Zoned RM-2.

Public Hearing:

For: Hayven LaFrance, Owner and applicant

Against: Don Zerangue, Representing adjacent property owner at 115 and 117 Mallard Drive

In Attendance: Councilman Devon Wells

Discussion: Hayven LaFrance stated that he bought the lot and wants to put a mobile home there. The lot isn't wide enough for a mobile home, so the front door would be facing the side instead of the street. Douglas asked if there were any public comments, and Zerangue, representing the adjacent property owner, said he was opposed to the variance and to placing the mobile home there because it goes against the city plan for mobile home locations. LaFrance emphasized that the adjacent property across the street was fenced off and not affected by his proposed mobile home placement. Matthews asked if the adjacent properties were rentals. Zerangue confirmed they were rentals. Councilman Wells said that LaFrance had found the land, and the realtor sold it to him. He's already spent his resources. Perez asked for the mobile home specifications, and the commission reviewed those. Sandifer said that the purpose of street-facing entrance is to limit mobile home placements. **[Trey St. Romain entered the meeting.]** He asked LaFrance if he had already purchased the mobile home. LaFrance stated no, just the land.

Motion By: Ron Matthews to approve variance

Seconded By: Monica Perez

Vote:

For: Matt Sandifer, Kylan Douglas, Monica Perez, Ron Matthews, Trey St. Romain

Against: NONE

Motion Approved

VAR-2022-09-00117 Variance request by John Montecino (owner) and Cretin Townsend Homes (applicant) to **UDC #14-5634 Article 6.3.2 (C)** to allow for a 0’ side street setback where 10’ is required, per survey by Richard Daniel, PLS dated 9/29/2022, located at 15146 Montecino Dr; Zoned RM-2.

[Prior to the public hearing beginning, Matt Sandifer recused himself and left the meeting.]

Public Hearing:

For: John & Kathy Montecino, Owner and applicant

Against: NONE

In Attendance: Councilman Devon Wells

Discussion: James Doufin of Cretin Townsend Homes presented the application and explained how the company had made a mistake in their layout of the house on the lot. What they had approved by the city was later staked incorrectly at the site, resulting in the house being too close to Brauner Street, which is an undeveloped street. The lot has limited buildable area due to an Entergy powerline on the west side of the lot, so they shifted away from that location. The shift to the east has resulted in less than one foot from Brauner Street instead of the ten feet required for the setback for the house and driveway. Originally, Brauner Street was needed to provide access to lots south of Montecino Drive, running alongside Brauner. However, the Montecinos combined those lots into a single L-shaped lot with access from Montecino Drive and Rebekah Street, making Brauner Street no longer needed. When the company realized the error, they had already poured the foundation and begun framing, but they stopped construction to come for the variance to correct the mistake. Councilman Wells spoke in favor of the variance because he said the overall goal is for homeownership. Douglas asked if there were any other comments, and no one replied.

Motion By: Ron Matthews to approve variance with the condition of the Montecinos signing a letter stating their understanding that the city retains the right to develop Brauner Street in the future.

Seconded By: Trey St. Romain

Vote:

For: Kylan Douglas, Monica Perez, Ron Matthews, Trey St. Romain

Against: NONE

Abstain: Matt Sandifer

Motion Approved

[Matt Sandifer returned to the meeting after recusing himself on the prior case.]

VAR-2022-09-00114 Variance request by Southeast Urology Clinic, LLC (owner) and Greenleaf Architects, (applicant) to waive **UDC #14-5364 Article 6.3.4 (F)** Primary street build -to line and **(P)** Transparency, located at 42439 Pelican Professional Park; Zoned C-H.

Kylan Douglas read the request again now that the property representatives were present.

Public Hearing:

For: Kyle Schroeder, Applicant

Against: NONE

In Attendance: NONE

Discussion: Kyle Schroeder, Greenleaf Architects, presented the application and said they want to situate the building on the parcel to facilitate a better parking layout and accessibility for their customers, so they are asking for the build-to line variance. The proposed building location will match setbacks of the surrounding buildings, and the lot is an odd shape since it is at the end of the cul-de-sac. The second variance relates to transparency and is needed since this is a medical facility and the consultation, exam and procedure rooms need privacy. Perez commented that they did a good job in the site plan and layout with the proposed lot dimensions and shape. Douglas asked if there were any public comments, and no one replied.

Motion By: Monica Perez to approve variance requests

Seconded By: Matt Sandifer

Vote:

For: Matt Sandifer, Kylan Douglas, Monica Perez, Ron Matthews, Trey St. Romain

Against: NONE

Motion Approved

V. PLANNING COMMISSION - Public Hearing

OLD BUSINESS: NONE

NEW BUSINESS:

SP-2022-09-01135 Major Site Plan Review request by Southeast Urology Clinic, LLC (owner) and Greenleaf Architects, (applicant) to approve a site plan by Greenleaf Architects dated 9/2/2022, located at 42439 Pelican Professional Park; Zoned C-H.

Public Hearing:

For: Kyle Schroeder, Applicant

Against: NONE

In Attendance: NONE

Discussion: Schroeder presented elements of the site plan. The parking spaces are a few over the required number of 37 spaces. The primary entrance faces the end of the cul-de-sac, and the rear of the building will be for additional staff. There will be a second tenant entrance on the north side of the building. The dumpster and generator are screened from view. They are retaining mature trees and adding landscaping. Sandifer asked how the drainage was handled on the left side of the building and whether there was detention on the site. Schroeder said the drainage is subsurface and that more details would be presented in the overall drainage plan presented with the full construction documents. The civil engineer (Kyle Associates) is just now coming onto the project. Douglas asked if there were any public comments, and no one replied.

Motion By: Matt Sandifer to approve major site plan with the stipulation that a subsurface drainage plan would be included in the construction documents submitted prior to a permit.

Seconded By: Monica Perez

Vote:

For: Matt Sandifer, Kylan Douglas, Monica Perez, Ron Matthews, Trey St. Romain

Against: NONE

Motion Approved

VI. ZONING COMMISSION AGENDA-Public Hearing

OLD BUSINESS: NONE

NEW BUSINESS:

Z-2022-09-00111 Expanded Conditional Use request by Hayven LaFrance (owner) to allow for a mobile home located at 3605 Delia Randall Road per survey by Gilbert Sullivan, RLS dated 3/1/78; Zoned RM-2.

Public Hearing:

For: Hayven LaFrance, Owner and applicant

Against: Don Zerangue, Representing adjacent property owner at 115 and 117 Mallard Drive

In Attendance: Councilman Devon Wells

Discussion: Hayven LaFrance requested to place the mobile home on the lot. Zerangue is opposed. Landrum requested that the additional conditions typically attached to mobile home ECUs would apply here, including that the right is for the current owner only, that the mobile home must meet the UDC standards, and that the survey be recorded as the official lot of record. Douglas asked if there were any public comments, and no one replied.

Motion by: Ron Matthews to approve ECU with conditions

Seconded By: Monica Perez

Vote:

For: Matt Sandifer, Kylan Douglas, Monica Perez, Ron Matthews, Trey St. Romain

Against: NONE

Motion Approved

Z-2022-05-00110 Rezoning request by Christopher Ruffin (owner) to rezone Lot A, Block 1 of Pine Ridge Addition, located at 712 Magazine St. from RS-3 to MX-N in accordance with a survey by William Bodin, PLS dated 1/31/22.

Public Hearing:

For: Christopher Ruffin, Owner and applicant

Against: Mary Short, Adjacent property owner at 719 Magazine St

In Attendance: Councilman Devon Wells and Tracy Wells

Discussion: Christopher Ruffin stated that he wanted to rezone the property to build a BBQ restaurant at the location. It would be a small building with no alcohol and limited seating. Douglas asked if there were any public comments. Mary Short opposed the rezoning. She has no problem with his project but has concerns about all the eligible uses under MX-N. What happens if it closes down? What if he wants to put something else that is allowed under MX-N? We would like for him to come back for another approval if this restaurant closes before he can place something new. Sandifer explains that it would have to be an Expanded Conditional Use for that to happen. Short explains the past problems with clubs and other venues that have been located nearby. Matthews asked about modifying request as an ECU and whether that could be allowed since only this rezoning

was on the agenda. Ruffin emphasized that he has additional lots at this location and will build his house behind the restaurant on another lot. He wouldn't want something problematic that close to his house. He doesn't want anything but the restaurant. The commission debated the process to use and past similar cases including Church Street and North Cherry Street cases. Sandifer said one of the good things about an ECU is the ability to add conditions even though they might be hard to enforce. Douglas asked if there was additional paperwork required. Landrum stated that the council would be republishing and having the public hearing regarding the ECU. Sandifer asked if they could vote both ways and send both to the city council. Douglas asked for any additional comments or concerns. Tracy Wells spoke in favor of the rezoning and reiterated that Ruffin is an outstanding guy and businessman. Matthews wanted to make sure the commission did the process correctly.

Motion by: Ron Matthews to approve rezoning request

Seconded By: Kylan Douglas

Vote:

For: Kylan Douglas, Ron Matthews

Against: Matt Sandifer, Monica Perez, Trey St. Romain

Motion Denied to Approve Rezoning

Commission debated additional items related to this rezoning case.

Motion by: Sandifer makes a motion to amend the agenda to add a recommendation for an ECU for a restaurant for Christopher Ruffin at 712 Magazine St.

Seconded by: Monica Perez

Vote:

For: Matt Sandifer, Kylan Douglas, Monica Perez, Ron Matthews, Trey St. Romain

Against: NONE

Motion Approved

Discussion: Commission discussed the ECU and explained that their intent is to save the property owner time instead of sending him to the city council and then coming back to planning and zoning for a different consideration. Matthews asked who would explain to the property owner the legal implications of the ECU regarding a restaurant. Sandifer stated that the mobile home ECU is similar. Short stated that's what she had to do with her flower shop. Sandifer suggested asking the city attorney. Douglas stated that this may be similar guidelines that TP has on Church Street. Matthews stated his concern that this part wasn't advertised. Councilman Devon Wells said he is upset that the rules are being changed. Sandifer explained that this is a recommendation and that they are trying to help Ruffin expedite his request with both options. Wells said if the concern is over alcohol, Ruffin is willing to agree in writing that he will not provide alcohol. The commission had further discussion about the impacts of a rezoning versus the ECU. Sandifer stated that it's a big deal to change residential to commercial. Landrum directed commissioners to the definitions of Restricted Conditional Use versus Expanded Conditional Use. Matthews explained his concerns about what is discussed in work session versus the regular meetings and wanting to be sure the commission is clear about their work. Short stated that she is a taxpayer, too. Sandifer clarified his comments and pointed out that he's trying to give two options instead of just one. Landrum suggested that what might be the cleanest is to advertise both options and send them at the same time to the city council. Sandifer said that it will benefit Ruffin to bring more people in support. Ruffin requests to table this today so that he can research it further. Annie Collins, neighbor across the street from this location, asked for the commission to help Ruffin out because he is doing something positive.

Motion by: Douglas to remove the agenda item for the ECU for 712 Magazine St

Seconded by: Matt Sandifer

Vote:

For: Matt Sandifer, Kylan Douglas, Ron Matthews, Trey St. Romain

Against: Monica Perez

Motion Approved to Remove Agenda Item

Z-2022-09-00112 Rezoning request by RE 3 Properties, LLC (owner) to rezone Lots 60, 61, & 62 of Block 3 of Vacarro Park Subdivision, located at 1409 W. Church Street from RM-2 to MX-C.

Public Hearing:

For: Nick Gagliano, Owner and applicant

Against: NONE


Discussion: Nick Gagliano presented the case and asked for the rezoning to match the adjacent properties. Landrum confirmed that this aligns with the future use map. Douglas asked if there were any public comments, and no one replied.

Motion by: Ron Matthews to approve rezoning request
Seconded By: Trey St. Romain

Vote:
For: Matt Sandifer, Kylan Douglas, Monica Perez, Ron Matthews, Trey St. Romain
Against: NONE

Motion Approved

Motion to Adjourn: Kylan Douglas at 6:23pm. No opposition.

Certification of Secretary

I, Lacy Landrum, Recording Secretary of
The Hammond Planning & Zoning Commission,
and Board of Adjustments
do hereby certify that the above and foregoing
is true and correct recitation of the business transacted at the
regular meeting of the Hammond Planning & Zoning Commission
and Board of Adjustments held on October 20, 2022