

**MINUTES**  
**HOUMA-TERREBONNE REGIONAL PLANNING COMMISSION (HTRPC)**  
**ZONING & LAND USE COMMISSION**  
**MEETING OF APRIL 23, 2009**

- A. The Chairman called the meeting of April 23, 2009 of the HTRPC, convening as the Zoning and Land Use Commission, to order at 6:05 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by Dr. L.A. “Budd” Cloutier and the Pledge of Allegiance led by Mr. James Erny.
- B. Upon Roll Call, present were: Dr. L.A. “Budd” Cloutier, Vice-Chairman; Daniel Babin, Chairman; Mr. Richard Elfert; Mr. James Erny; Mr. Keith Kurtz; Mr. John Navy; Mr. Alex Ostheimer; and Ms. Marsha Williams, Secretary/Treasurer. Absent at the time of Roll Call were: Ms. Beryl Amedée. Also present were Patrick Gordon, Director and Jennifer Robinson, Senior Planner, Department of Planning & Zoning; and Laddie Freeman, Legal Advisor.
- C. Dr. Cloutier moved, seconded by Ms. Williams: “THAT the HTRPC, convening as the Zoning & Land Use Commission, accept the minutes, as written, of the Zoning and Land Use Commission for the regular meeting of March 19, 2009.”

The Chairman called for a vote on the motion offered by Dr. Cloutier. THERE WAS RECORDED: YEAS: Dr. Cloutier, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Navy, Mr. Ostheimer, and Ms. Williams; NAYS: None; ABSTAINING: Mr. Babin; ABSENT: Ms. Amedée. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

- D. COMMUNICATIONS: None.

- E. PUBLIC HEARINGS:

1. The Chairman called to order the public hearing for an application by Bayou Surgical Specialists, L.L.C. requesting to rezone from C-2 (General Commercial District) and R-3 (Multi-Family Residential District) to C-2 (General Commercial District) Revised Tract 3, property formerly belonging to and claimed by John L. Saia, et al, 5619 Highway 311.

- a) No one from the public was present.

- b) Mr. Navy moved, seconded by Dr. Cloutier: “THAT the public hearing be closed.”

The Chairman called for a vote on the motion offered by Mr. Navy. THERE WAS RECORDED: YEAS: Dr. Cloutier, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Navy, Mr. Ostheimer, and Ms. Williams; NAYS: None; ABSTAINING: Mr. Babin; ABSENT: Ms. Amedée. THE CHAIRMAN DECLARED THE PUBLIC HEARING CLOSED.

- c) Ms. Robinson discussed the Staff Report and stated Staff recommended approval.

- d) Dr. Cloutier moved, seconded by Mr. Erny: “THAT the HTRPC, convening as the Zoning and Land Use Commission, recommend approval of the application to rezone from C-2 (General Commercial District) and R-3 (Multi-Family Residential District) to C-2 (General Commercial District) Revised Tract 3, property formerly belonging to and claimed by John L. Saia, et al, 5619 Highway 311 to the Terrebonne Parish Council.”

The Chairman called for a vote on the motion offered by Dr. Cloutier. THERE WAS RECORDED: YEAS: Dr. Cloutier, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Navy, Mr. Ostheimer, and Ms. Williams; NAYS: None; ABSTAINING: Mr. Babin; ABSENT: Ms. Amedée. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

2. The Chairman called to order the public hearing for an application by James & Vicky Chaisson requesting to rezone from R-1 (Single-Family Residential District) to C-2 (General Commercial District) westernmost ±18’ of Lot A, Lots B, C, & D of property belonging to James & Vicky Chaisson, 402 Grand Caillou Road and 1602, 1608, & 1614 Morris Street.

- a) The Chairman recognized Jennifer Basco, 420 Leona Street, who expressed opposition of the rezoning request.

- b) The Chairman recognized James Chaisson, applicant, who stated he purchased the property as commercial and obtained permits as commercial.

- c) Dr. Cloutier moved, seconded by Ms. Williams: “THAT the public hearing be closed.”

The Chairman called for a vote on the motion offered by Dr. Cloutier. THERE WAS RECORDED: YEAS: Dr. Cloutier, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Navy, Mr. Ostheimer, and Ms. Williams; NAYS: None; ABSTAINING: Mr. Babin; ABSENT: Ms. Amedée. THE CHAIRMAN DECLARED THE PUBLIC HEARING CLOSED.

- d) Ms. Robinson discussed the Staff Report and stated Staff recommended approval.
- e) Discussion was held with regard to the adjacent property owner’s recent request to rezone their property to commercial, an area retention pond and drainage, and the circumstances involved concerning the property use as commercial and/or residential.
- f) Ms. Williams moved, seconded by Mr. Navy: “THAT the HTRPC, convening as the Zoning and Land Use Commission, recommend denial of the application to rezone from R-1 (Single-Family Residential District) to C-2 (General Commercial District) westernmost ±18’ of Lot A, Lots B, C, & D of property belonging to James & Vicky Chaisson, 402 Grand Caillou Road and 1602, 1608, & 1614 Morris Street to the Terrebonne Parish Council.”
- g) Ms. Williams suggested Staff to work with Mr. Chaisson on what happened with his property.
- h) Discussion was held with regard to the zoning of the surrounding properties, the existing uses of the property, and the history of the property regarding the redivision and permitting and the surveyor improperly marking the plat as commercial. Discussion ensued with regard to the matter coming to light when the Eschete’s came to rezone their property as commercial adjacent to this property.
- i) Discussion ensued with regard to having legal look into the matter concerning the property or possibly allowing a more restrictive commercial zoning district.
- j) Ms. Williams withdrew her motion at this time.
- k) Ms. Williams moved, seconded by Mr. Elfert: “THAT the HTRPC, convening as the Zoning and Land Use Commission, table the application to rezone from R-1 (Single-Family Residential District) to C-2 (General Commercial District) westernmost ±18’ of Lot A, Lots B, C, & D of property belonging to James & Vicky Chaisson, 402 Grand Caillou Road and 1602, 1608, & 1614 Morris Street until the next regular meeting of May 21, 2009.”

The Chairman called for a vote on the motion offered by Ms. Williams. THERE WAS RECORDED: YEAS: Dr. Cloutier, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Navy, Mr. Ostheimer, and Ms. Williams; NAYS: None; ABSTAINING: Mr. Babin; ABSENT: Ms. Amedée. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

- 3. The Chairman called to order the public hearing for an application by Joseph C. Fox requesting to rezone from C-3 (Neighborhood Commercial District) to R-3 (Multi-Family Residential District) Revised Tract “B”, Honduras Plantation Subdivision, 109 Simmons Drive.

- a) Dr. Cloutier moved, seconded by Mr. Navy: “THAT the public hearing be closed.”

The Chairman called for a vote on the motion offered by Dr. Cloutier. THERE WAS RECORDED: YEAS: Dr. Cloutier, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Navy, Mr. Ostheimer, and Ms. Williams; NAYS: None; ABSTAINING: Mr. Babin; ABSENT: Ms. Amedée. THE CHAIRMAN DECLARED THE PUBLIC HEARING CLOSED.

- b) Ms. Robinson discussed the Staff Report and stated Staff recommended denial.
- c) Discussion was held with regard to mobile homes not being allowed in commercial zoning districts.
- d) Mr. Ken Rembert, Keneth L. Rembert Land Surveying, representing Mr. Fox, discussed the request and stated Mr. Fox wished to live next to his business on the same property.

- e) Dr. Cloutier moved, seconded by Mr. Ostheimer: “THAT the HTRPC, convening as the Zoning and Land Use Commission, recommend denial of the application to rezone from C-3 (Neighborhood Commercial District) to R-3 (Multi-Family Residential District) Revised Tract “B”, Honduras Plantation Subdivision, 109 Simmons Drive to the Terrebonne Parish Council.”
  - f) Discussion was held with regard to mobile homes and manufactured homes.
  - g) The Chairman called for a vote on the motion offered by Dr. Cloutier. THERE WAS RECORDED: YEAS: Dr. Cloutier, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Navy, Mr. Ostheimer, and Ms. Williams; NAYS: None; ABSTAINING: Mr. Babin; ABSENT: Ms. Amedée. THE CHAIRMAN DECLARED THE MOTION ADOPTED.
4. The Chairman called to order the public hearing for an application by Randy Piazza requesting to rezone from R-1 (Single-Family Residential District) to R-2M (Two-Family Residential District, High Density) Lot 9, Block 4, Grand Caillou Heights Subdivision, 219 Carolyn Avenue.
- a) The Chairman recognized Jerry Duplantis, 10240 East Park Avenue, on behalf of his parents, who expressed opposition to the rezoning request.
  - b) The Chairman recognized Paul Billiot, 218 Carolyn Avenue, who expressed opposition to the rezoning request.
  - c) Dr. Cloutier moved, seconded by Mr. Erny: “THAT the public hearing be closed.”
- The Chairman called for a vote on the motion offered by Dr. Cloutier. THERE WAS RECORDED: YEAS: Dr. Cloutier, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Navy, Mr. Ostheimer, and Ms. Williams; NAYS: None; ABSTAINING: Mr. Babin; ABSENT: Ms. Amedée. THE CHAIRMAN DECLARED THE PUBLIC HEARING CLOSED.
- d) Ms. Robinson discussed the Staff Report and stated Staff recommended approval.
  - e) Mr. Ostheimer stated he respected the integrity of the neighbors.
  - f) Mr. Ostheimer moved, seconded by Dr. Cloutier: “THAT the HTRPC, convening as the Zoning and Land Use Commission, recommend denial of the application to rezone from R-1 (Single-Family Residential District) to R-2M (Two-Family Residential District, High Density) Lot 9, Block 4, Grand Caillou Heights Subdivision, 219 Carolyn Avenue to the Terrebonne Parish Council.”
  - g) Mr. Erny spoke of the area and existing structures.
  - h) Mr. Erny offered a substitute motion: “THAT the HTRPC, convening as the Zoning and Land Use Commission, recommend approval of the application to rezone from R-1 (Single-Family Residential District) to R-2M (Two-Family Residential District, High Density) Lot 9, Block 4, Grand Caillou Heights Subdivision, 219 Carolyn Avenue to the Terrebonne Parish Council.”
  - i) The Chairman stated the motion failed due to the lack of a second.
  - j) Discussion was held with regard to making small lots smaller.
- The Chairman called for a vote on the original motion offered by Mr. Ostheimer. THERE WAS RECORDED: YEAS: Dr. Cloutier, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Navy, Mr. Ostheimer, and Ms. Williams; NAYS: None; ABSTAINING: Mr. Babin; ABSENT: Ms. Amedée. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

#### F. NEW BUSINESS:

##### 1. Planned Building Group Approval:

- a) The Chairman stated the next item under new business was an application by Guidry Brothers Rental Properties, LLC requesting planned building group approval for the placement of four (4) duplexes; 720 & 724 Bayou Gardens Boulevard, Terrebonne Parish, Louisiana.
  - (1) The Chairman recognized Morille Guidry, applicant, who discussed his request for planned building group approval due to the new zoning before construction of the fourth duplex on his property.
  - (2) Ms. Robinson discussed the Staff Report and stated Staff recommended approval of the request for planned building group at 720 & 724 Bayou Gardens Boulevard.

- (3) Discussion was held with regard to the proposed residents backing out onto a 4-lane highway and no green space or play area being provided.
- (4) Dr. Cloutier moved, seconded by Mr. Elfert: THAT the HTRPC, convening as the Zoning and Land Use Commission, deny the planned building group application for the placement of four (4) duplexes; 720 & 724 Bayou Gardens Boulevard, Terrebonne Parish, Louisiana.”
- (5) Discussion was held with regard to three of the four duplexes already being constructed and the existing duplexes/apartments along Bayou Gardens Boulevard.
- (6) Mr. Erny offered a substitute motion, seconded by Mr. Kurtz: “THAT the HTRPC, convening as the Zoning and Land Use Commission, grant approval of the planned building group application for the placement of four (4) duplexes; 720 & 724 Bayou Gardens Boulevard, Terrebonne Parish, Louisiana.”

The Chairman called for a vote on the substitute motion offered by Mr. Erny. THERE WAS RECORDED: YEAS: Mr. Erny and Mr. Kurtz; NAYS: Dr. Cloutier, Mr. Elfert, Mr. Navy, Mr. Ostheimer, and Ms. Williams; ABSTAINING: Mr. Babin; ABSENT: Ms. Amedée. THE CHAIRMAN DECLARED THE MOTION FAILED.

The Chairman called for a vote on the original motion offered by Dr. Cloutier. THERE WAS RECORDED: YEAS: Dr. Cloutier, Mr. Elfert, Mr. Navy, Mr. Ostheimer, and Ms. Williams; NAYS: Mr. Erny and Mr. Kurtz; ABSTAINING: Mr. Babin; ABSENT: Ms. Amedée. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

- b) The Chairman stated the next item under new business was an application by Belmere, L.P. requesting planned building group approval for Belmere Luxury Apartments; Enterprise Drive Extension; Terrebonne Parish, Louisiana.

*NOTE: Mr. Elfert reclused himself at this time due to a conflict of interest.*

- (1) The Chairman recognized Robert Aiello, representative of Belmere, L.P., who discussed his request for planned building group approval for a 248-unit apartment.
- (2) Discussion was held with regard to the dumpster and lighting of the same.
- (3) Ms. Robinson discussed the Staff Report and stated Staff recommended approval of the request for planned building group for Belmere Luxury Apartments.
- (4) Discussion was held with regard to the complex being gated and fenced, drainage, and a proposed ditch to be dug.
- (5) The Chairman recognized Carroll Parr, Matherne Realty Partnership, who discussed the Southern Diversion Canal and stated bids have been received and the work would be completed shortly.
- (6) Upon questioning by Mr. Ostheimer, Mr. Gordon stated the motion could include that no construction take place until the outfall ditch is complete.
- (7) Discussion ensued with regard to the infrastructure and drainage.
- (8) Mr. Kurtz moved, seconded by Mr. Navy: THAT the HTRPC, convening as the Zoning and Land Use Commission, grant approval of the planned building group application for Belmere Luxury Apartments; Enterprise Drive Extension, Terrebonne Parish, Louisiana.”
- (9) Discussion was held with regard to the Engineering Division reviewing and/or approving the drainage requirements for the development prior to their obtaining a building permit.
- (10) The Chairman called for a vote on the substitute motion offered by Mr. Kurtz. THERE WAS RECORDED: YEAS: Dr. Cloutier, Mr. Erny, Mr. Kurtz, Mr. Navy, and Ms. Williams; NAYS: Mr. Ostheimer; ABSTAINING: Mr. Babin and Mr. Elfert; ABSENT: Ms. Amedée. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

c) The Chairman stated the next item under new business was an application by Start Corporation requesting planned building group approval for a New Start for Vets; 137 New Orleans Boulevard.

- (1) The Chairman recognized Casey Guidry, 420 Magnolia, who discussed his request for planned building group approval for homeless vets with disabilities.
- (2) Ms. Robinson discussed the Staff Report and stated Staff recommended approval of the request for planned building group for Start Corporation.
- (3) Mr. Erny moved, seconded by Ms. Williams: THAT the HTRPC, convening as the Zoning and Land Use Commission, grant approval of the planned building group application for a New Start for Vets; 137 New Orleans Boulevard.”
- (4) Discussion was held with regard to the occupants and no need for parking other than for employees.

The Chairman called for a vote on the substitute motion offered by Mr. Erny. THERE WAS RECORDED: YEAS: Dr. Cloutier, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Navy, Mr. Ostheimer, and Ms. Williams; NAYS: None; ABSTAINING: Mr. Babin; ABSENT: Ms. Amedée. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

2. Parking Plan Approval:

a) The Chairman stated the next item under new business was an application by Belmere, L.P. requesting parking plan approval for Belmere Luxury Apartments, for the creation of (519) parking spaces; Enterprise Drive Extension.

*NOTE: Mr. Elfert recused himself at this time due to a conflict of interest.*

- (1) The Chairman recognized Robert Aiello, representative of Belmere, L.P., who discussed their request for parking plan approval for Belmere Luxury Apartments.
- (2) Ms. Robinson discussed the Staff Report and stated Staff recommended approval of the request for the parking plan for Belmere Luxury Apartments.
- (3) Mr. Kurtz moved, seconded by Mr. Erny: THAT the HTRPC, convening as the Zoning and Land Use Commission, grant approval of the parking plan application for Belmere Luxury Apartments, Creation of (519) parking spaces; Enterprise Drive Extension provided that all parking spaces meet the minimum 180 square foot requirement.”

The Chairman called for a vote on the motion offered by Mr. Kurtz. THERE WAS RECORDED: YEAS: Dr. Cloutier, Mr. Erny, Mr. Kurtz, Mr. Navy, Mr. Ostheimer, and Ms. Williams; NAYS: None; ABSTAINING: Mr. Babin and Mr. Elfert; ABSENT: Ms. Amedée. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

3. Preliminary Hearings:

a) Dr. Cloutier moved, seconded by Mr. Erny: “THAT the HTRPC, convening as the Zoning and Land Use Commission, call a public hearing to Rezone from R-2M (Two-Family Residential District, High Density) to R-3M (Multi-Family Townhouse Condominium District) Lots 1-10, Village Square Subdivision; Michelle Parsons Properties, L.L.C., applicant; and call a public hearing on said matter for Thursday, May 21, 2009 at 6:00 p.m.”

The Chairman called for a vote on the motion offered by Dr. Cloutier. THERE WAS RECORDED: YEAS: Dr. Cloutier, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Navy, Mr. Ostheimer, and Ms. Williams; NAYS: None; ABSTAINING: Mr. Babin; ABSENT: Ms. Amedée. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

b) Dr. Cloutier moved, seconded by Ms. Williams: “THAT the HTRPC, convening as the Zoning and Land Use Commission, call a public hearing to Rezone from R-1 (Single-Family Residential District) and I-2 (Heavy Industrial District) to C-2 (General Commercial District), R-1 (Single-Family Residential District), and O-L (Open Land District) 65.4 acres, Lots 1A & 2A, Proposed Hollygrove Subdivision/Concord Business Park; South Hollywood Properties #1, L.L.C., applicant; and call a public hearing on said matter for Thursday, May 21, 2009 at 6:00 p.m.”

The Chairman called for a vote on the motion offered by Dr. Cloutier. THERE WAS RECORDED: YEAS: Dr. Cloutier, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Navy, Mr. Ostheimer, and Ms. Williams; NAYS: None; ABSTAINING: Mr. Babin; ABSENT: Ms. Amedée. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

- c) Mr. Erny moved, seconded by Ms. Williams: “THAT the HTRPC, convening as the Zoning and Land Use Commission, call a public hearing to Rezone from C-2 (General Commercial District) to I-1 (Light Industrial District) Parcel 1, Tracts 1, 2, D, BDC-1, JB-1, and JB-2 of Property belonging to James Buquet, Jr., or assigns; James J. Buquet, III, applicant; and call a public hearing on said matter for Thursday, May 21, 2009 at 6:00 p.m.”

The Chairman called for a vote on the motion offered by Mr. Erny. THERE WAS RECORDED: YEAS: Dr. Cloutier, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Navy, Mr. Ostheimer, and Ms. Williams; NAYS: None; ABSTAINING: Mr. Babin; ABSENT: Ms. Amedée. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

G. STAFF REPORT:

- 1. Mr. Gordon stated Mr. Ghirardi, Ms. Robinson, and himself have visited the hospital to inspect the parking situation and recommended the parking requirements remain as is with regard to the 2008 parking study submitted by the Center’s Facility Management Department. He recommended the hospital pursue a master parking plan on how to accommodate future development as well as pursue experts on how to address parking before any expansions to the hospital take place.
  - a) Mr. Ghirardi requested clarification on the regulations regarding parking requirements.
  - b) Discussion was held with regard to the proposed plans for the hospital.
  - c) Mr. Ostheimer requested that any interpretations of the parking requirements be presented to the Planning Commission and ratified by the same.

H. COMMISSION COMMENTS:

- 1. Chairman’s Comments:
  - a) The Chairman clarified the process of the preliminary hearings whereas the public hearing will be held at the next month’s meeting.
- 2. Planning Commissioners’ Comments: None.

I. PUBLIC Comments: None.

- J. Dr. Cloutier moved, seconded by Ms. Williams: “THAT there being no further business to come before the Zoning and Land Use Commission, the meeting be adjourned at 7:39 p.m.”

The Chairman called for a vote on the motion offered by Dr. Cloutier. THERE WAS RECORDED: YEAS: Dr. Cloutier, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Navy, Mr. Ostheimer, and Ms. Williams; NAYS: None; ABSTAINING: Mr. Babin; ABSENT: Ms. Amedée. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

Daniel J. Babin, Chairman  
Zoning & Land Use Commission

Becky M. Becnel, Minute Clerk  
Zoning & Land Use Commission

CERTIFICATION

CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE PROCEEDINGS OF THE ZONING AND LAND USE COMMISSION MEETING OF APRIL 23, 2009.

PATRICK GORDON, DIRECTOR  
PLANNING & ZONING DEPARTMENT