

**MINUTES**  
**HOUMA-TERREBONNE REGIONAL PLANNING COMMISSION (HTRPC)**  
**ZONING & LAND USE COMMISSION**  
**MEETING OF OCTOBER 25, 2012**

- A. The Chairman, Dr. L.A. “Budd” Cloutier, Jr., called the meeting of October 25, 2012 of the HTRPC, convening as the Zoning and Land Use Commission, to order at 6:02 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by himself and the Pledge of Allegiance led by Mr. Gerald Schouest.
- B. Upon Roll Call, present were: Dr. L.A. “Budd” Cloutier, Jr., Chairman; Mr. Richard Elfert; Mr. Jeremy Kelley; Mr. Keith Kurtz; Mr. Alex Ostheimer, Vice-Chairman; Mr. Gerald Schouest; and Mrs. Marsha Williams, Secretary/Treasurer. Absent at the time of Roll Call were: Mr. James Erny and Mr. Wayne Thibodeaux. Also present were Patrick Gordon, Director, and Christopher Pulaski, Senior Planner, Department of Planning & Zoning and Laddie Freeman, Legal Advisor.
- C. APPROVAL OF THE MINUTES:
1. Mr. Ostheimer moved, seconded by Mrs. Williams: “THAT the HTRPC, convening as the Zoning & Land Use Commission, accept the minutes, as written, for the Zoning and Land Use Commission for the regular meeting of September 20, 2012.”  
  
The Chairman called for a vote on the motion offered by Mr. Ostheimer. THERE WAS RECORDED: YEAS: Mr. Elfert, Mr. Kelley, Mr. Kurtz, Mr. Ostheimer, Mr. Schouest, and Mrs. Williams; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: Mr. Erny and Mr. Thibodeaux. THE CHAIRMAN DECLARED THE MOTION ADOPTED.
- D. COMMUNICATIONS:
1. Mr. Pulaski read a letter from David A. Waitz Engineering & Surveying, Inc. requesting to withdraw the planned building group application from the agenda [See *ATTACHMENT A*]. This matter will be on the agenda again in November.
- E. PUBLIC HEARING:
1. The Chairman called to order a Public Hearing for an application by Janice Freeman Powell and Robert & Ryan Powell requesting to rezone from R-1 (Single-Family Residential District) to C-3 (Neighborhood Commercial District) 1396 West Tunnel Boulevard (±77,000 sq. ft.).
    - a) The Chairman recognized Robert Powell, applicant, who stated they wished to rezone the property to C-4 rather than C-3 and wished to place boat and RV storage on the property.
    - b) No one from the public was present to speak.
    - c) Mrs. Williams moved, seconded by Mr. Schouest: “THAT the Public Hearing be closed.”  
  
The Chairman called for a vote on the motion offered by Mrs. Williams. THERE WAS RECORDED: YEAS: Mr. Elfert, Mr. Kelley, Mr. Kurtz, Mr. Ostheimer, Mr. Schouest, and Mrs. Williams; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: Mr. Erny and Mr. Thibodeaux. THE CHAIRMAN DECLARED THE PUBLIC HEARING CLOSED.
    - d) Mr. Pulaski discussed the Staff Report and stated Staff recommended approval of the rezoning request conditioned upon the applicant agreeing to revise the request to C-4 and submitting a revised plat document per Parish Zoning Regulations.
    - e) Discussion was held with regard to preserving most of the oak trees and Staff’s recommendation to change the request to C-4 rather and C-3.
    - f) Mr. Ostheimer moved, seconded by Mr. Schouest: “THAT the HTRPC, convening as the Zoning and Land Use Commission, recommend approval of the request to rezone from R-1 (Single-Family Residential District) to C-4 (Transition-Commercial) 1396 West Tunnel Boulevard (±77,000 sq. ft.) to the Terrebonne Parish Council for final consideration conditioned upon the applicant agreeing to revise the request to C-4 and submitting a revised plat document per Parish Zoning Regulations.”

- g) Discussion was held with regard to the applicant acquiring Special Exception approval through the Board of Adjustments, a buffer between the C-4 and R-1 districts, and preserving the oak trees.

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

*The Chairman recognized Councilwoman Beryl Amedée in the audience.*

F. OLD BUSINESS:

- 1. The Chairman stated the next item on the agenda under Old Business was an application by Danos Properties, L.L.C. requesting to rezone from O-L (Open Land) to I-1 (Light Industrial District); Tracts B, C, & D, Proposed Valhi Boulevard Extension South of the Lakes Subdivision.

- a) The Chairman recognized Mr. Al Danos who stated he would answer any questions anyone had.
- b) The Chairman recognized Ms. Shirley Palmisano, 218 S. French Quarter Drive, who inquired as to which lots were being rezoned and stated they were still against industrial zoning.
- c) Mr. Pulaski clarified that this matter was a different one from the application to rezone the new Valhi Boulevard Extension corridor. He stated Staff recommended tabling the request until the matter regarding the Zoning Plan for Valhi Boulevard Extension between Equity Boulevard and Savanne Road was resolved.
- d) Discussion was held with regard to the sewer pit and why it was also being requested to rezone whereas there was no specific intention but possibilities for the future.
- e) Mr. Ostheimer moved: “THAT the HTRPC, convening as the Zoning & Land Use Commission, recommend approval of the request to rezone from O-L (Open Land) to I-1 (Light Industrial District); Tracts B, C, & D, Proposed Valhi Boulevard Extension South of the Lakes Subdivision to the Terrebonne Parish Council for final consideration.” THE CHAIRMAN STATED THE MOTION DIED DUE TO THE LACK OF A SECOND.
- f) Mr. Schouest moved, seconded by Mrs. Williams: “THAT the HTRPC, convening as the Zoning & Land Use Commission, table the request to rezone from O-L (Open Land) to I-1 (Light Industrial District); Tracts B, C, & D, Proposed Valhi Boulevard Extension South of the Lakes Subdivision until the Parish Council accepts the zoning recommendation for the remaining tracts along Valhi Boulevard Extension.”

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

- g) Mr. Ostheimer stated there was no reason to delay the matter and both should go to the Council at the same time.

- 2. TABLED Cypress Court Duplex Addendum *See Item D1*

- a) Mr. Ostheimer moved, seconded by Mrs. Williams: “THAT the HTRPC, convening as the Zoning and Land Use Commission, table the planned building group application for the placement of five (5) buildings (duplexes), Cypress Court Duplex Addendum, Property behind 405 Westside Boulevard until the next regular meeting of November 15, 2012.”

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

3. The Chairman stated the next item on the agenda under Old Business was discussion and possible action with regard to an application to rezone from R-1 (Single-Family Residential District) to R-2 (Two-Family Residential District); 7124 Main Street which was sent back by the Terrebonne Parish Council.

- a) The Chairman recognized Mr. Marshall White, 206½ Boykin Street, who stated he wished to place a mobile home on the property.
- b) Mr. Freeman discussed the matter where it was passed by the Commission and sent to the Parish Council for final consideration but was sent back. He read Chapter 28-201 (f)(2) from the Zoning Ordinance: “*Reconsideration*. No land for which an application for reclassification has been acted upon in a public hearing by the zoning commission shall be considered again by the zoning commission for the same classification for at least six (6) months from the date such application was acted upon.” He suggested the matter be sent back to the Council informing them that the Zoning Commission has no legal authority to act on the matter at this time.
- c) Mr. Ostheimer moved, seconded by Mr. Kelley: “THAT the HTRPC, convening as the Zoning and Land Use Commission, notify the Parish Council, with regret, per their Attorney’s advisement, to await six (6) months before reconsideration of the application to rezone from R-1 (Single-Family Residential District) to R-2 (Two-Family Residential District); 7124 Main Street.”
- d) Mr. Gordon discussed the matter and stated the reason the Council sent it back was because there were a larger number of notices that went out for the Board of Adjustments application submitted with another public hearing which led to confusion. He stated the necessity of uniformity amongst all of the boards in the notification process. He also discussed ownership issues as well with the property on Main Street that needed to be resolved.
- e) Mr. Ostheimer discussed making Council aware that they can’t send applications back because of the Planning Commission having no authority to consider as well as having an incomplete application.
- f) Discussion was held with regard to no public being present when the public hearing was held.

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

G. NEW BUSINESS:

1. Planning Approval:

The Chairman stated the next item on the agenda under New Business was a planning approval application for Apostolic Revival Church, 1226 Barrow Street.

- a) The Chairman recognized Mr. Mike Kenney, 1226 Barrow Street, applicant, who stated he wished to have a revival church in which members mostly bussed in with a passenger van.
- b) No one from the public was present to speak.
- c) Mr. Pulaski discussed the Staff Report and stated Staff recommended approval conditioned the applicant is able to acquire additional off-street parking at the vacant lot across Zeringer Street sufficient to meet the requirements of 1 per 3 seats as the church membership increases.
- d) Mr. Elfert moved, seconded by Mr. Kurtz: “THAT the HTRPC, convening as the Zoning and Land Use Commission, grant approval of the Planning Approval application for Apostolic Revival Church, 1226 Barrow Street conditioned the applicant is able to acquire additional off-street parking at the vacant lot across Zeringer Street sufficient to meet the requirements of 1 per 3 seats as the church membership increases.”

- e) Discussion was held with regard to parking, traffic, turn-around issues, members being bused in, and acquiring more parking.

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

2. Planned Building Group:

The Chairman stated the next item on the agenda was an application by Maharrami, Inc. requesting Planned Building Group approval for the placement of a food trailer, TGS Deli at 905 Barataria Avenue.

- a) The Chairman recognized the applicant, Mr. Sadeq Gubran, 3411 Bayou Black Drive, who stated he wanted to place a food truck on the property to sell deli sandwiches because there was no room inside the station.
- b) Mr. Pulaski discussed the Staff Report and stated a revised plan was submitted since the last submittal. He stated Staff recommended approval of the Planned Building Group conditioned the applicant agrees to provide landscaping, signage, and building façade improvements in keeping with the Overlay District standards as defined in the Parish Zoning Regulations.
- c) Mr. Ostheimer moved, seconded by Mr. Kurtz: “THAT the HTRPC, convening as the Zoning & Land Use Commission, approve the Planned Building Group application for the placement of a food trailer, TGS Deli at 905 Barataria Avenue conditioned the applicant agrees to provide landscaping, signage, and building façade improvements in keeping with the Overlay District standards.”

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

3. Preliminary Hearing:

Mrs. Williams moved, seconded by Mr. Kelley: “THAT the HTRPC, convening as the Zoning and Land Use Commission, call a Public Hearing to rezone from OL (Open Land) to C-3 (Neighborhood Commercial District) and I-1 (Light Industrial District) Lots fronting Valhi Boulevard Extension Right-of-Way between Equity Boulevard and Savanne Road, T.P.C.G., applicant; for Thursday, November 15, 2012 at 6:00 p.m.”

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

H. STAFF REPORT:

- 1. Mr. Pulaski read a letter he drafted, and revised due to comments from the previous meeting, to Parish President Michel Claudet concerning storm water drainage in the Alma Street and Westside Boulevard areas [See *ATTACHMENT B*].
- 2. Mr. Pulaski discussed changes made to the rezoning application.
  - a) Discussion was held with regard to concerns on distance of adjacent property owner notifications and revisions to the same.
  - b) Mr. Gordon stated they would address the changes to make uniform among all of the boards as well and send it to the Commission for approval of the changes. Changes will also be made to signage on properties to be rezoned.
- 3. Discussion was held with regard to rezoning public notice postings on sites.
  - a) Mr. Schouest moved, seconded by Mrs. Williams: “THAT the HTRPC, convening as the Zoning and Land Use Commission, approve the documents as presented with regard to rezoning public notices on site.”

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

I. COMMISSION COMMENTS:

1. Planning Commissioners' Comments: None.
2. Chairman's Comments: None.

J. PUBLIC COMMENTS:

1. The Chairman recognized Ms. Shirley Palmisano who stated it was crucial to notify property owners around the entire property to be rezoned. She stated that if signs go up, it doesn't mean they stay up due to weather, etc.
2. The Chairman recognized Mr. Johnson, 282 Waterplant Road, who expressed the importance of signs that are weatherproof, etc.
3. The Chairman recognized Ms. Debby Terry, Waterplant Road, who expressed concerns of better ways to post notice signs.

K. Mrs. Williams moved, seconded by Mr. Kelley: "THAT there being no further business to come before the HTRPC, convening as the Zoning and Land Use Commission, the meeting be adjourned at 7:05 p.m."

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

L.A. "Budd" Cloutier, Jr., O.D., 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 OCTOBER 25, 2012.**

**PATRICK GORDON, DIRECTOR  
PLANNING & ZONING DEPARTMENT**