

**MINUTES OF THE IBERIA PARISH REGIONAL ZONING COMMISSION MEETING CONDUCTED ON
THURSDAY DECEMBER 16, 2010 AT 5:30PM IN THE IBERIA PARISH COUNCIL CHAMBERS
300 IBERIA STREET, NEW IBERIA, LOUISIANA 70560**

CALL TO ORDER: Chairman Tommy Granger determined there was a quorum and called the meeting to order.

MEMBERS PRESENT: Bruce Dupray, Tommy Granger, Lanie Borel, Jane Braud, Ronald Fremin, Perry Judice and David Fangue

MEMBERS ABSENT: Dana Dugas and Barbara Laviolette

OTHERS PRESENT: Dean Wattigny, Julie Armentor and John Raines

APPROVAL OF MINUTES: David Fangue made a motion to approve the November 18, 2010 minutes which was seconded by Jane Braud; the vote was unanimous.

RECLASSIFICATION REQUESTS:

Agenda Item #1: Sugar Hills Estates, Inc. property located on corner of Hwy 88/Coteau Rd and Sugar Hill Dr. – Reclassification from Mixed Residential (R-2) to General Business (C-2).

John Raines explained that the Sugar Hill Estate Subdivision was dedicated in 1998 and that at that time reserved the first two lots of the subdivision for commercial development which is a common occurrence of subdivisions with frontage on a highway or commercial roadway.

In 2009 when Zoning went into effect the area was zoned Mixed Residential. John also explained that there were two commercial/business zoning classifications in the Zoning Ordinance; a copy of both was provided to the Commissioners.

After the Director's presentation, Amy Romero, the applicant, addressed the Zoning Commission explaining the development of the property and the rationale for the General Business Reclassification Request. Ms. Romero expressed her original intention to develop the property commercial and was now attempting to market the property.

The Commissioners asked Amy Romero what the proposed use was going to be. Mrs. Romero said that she was talking to several different people and was trying to get this lot zoned commercial. She said she had been talking to banks, drug stores and Dollar General and other types of entities.

Several property owners spoke at the Meeting and were in opposition of the reclassification. The property owners in opposition cited possible negative impact on value of home, conflict with the residential nature of the subdivision, potential adverse impact of commercialism on their children, traffic impacts, negative impact on the aesthetics of the subdivision, etc. Those speaking in opposition were: Clyde Olivier, Brandon Barrilleaux, Richard George, Jimmy Landry, Ray Gary, and Glen Boudreaux.

Amy Romero rebutted indicating the property has frontage on a highway and was originally dedicated in 1998 to the Parish. She suggested that the community should be encouraging new commercial development in this area as they create employment opportunities, increase taxes, and foster further commercial development.

After much deliberation by the Zoning Commission Jane Braud made a motion to defer the reclassification request; the motion was to defer to allow the land owner an opportunity to apply for a Special Use/Conditional Use Permit. This type of permit would assure that the zoning of the property would not change from residential and would also offer comfort to the neighbors to know what type, size, scope, orientation and general design of the facility prior to commencing construction. Jane suggested light retail commercial, some type of neighborhood business that would enhance the residential neighborhood. This classification would be different from other commercial development along Hwy 88 because most other businesses do not front a residential neighborhood. Finally, Mrs. Braud recommended a buffer zone be included in the request.

Bruce Dupray seconded the motion; the vote was unanimous.

Agenda Item #2: Teche Bank and Trust property located on northwest intersection of Sugarhill Road and Hwy 88/Coteau Road – Reclassification from Mixed Residential (R-2) to General Business (C-2). The reclassification request of Teche Bank and Trust Coteau Branch has been deferred until January 20, 2011, no action was taken.

Agenda Item #3: Evelyn Ducote – Reclassification from Industrial (I-1) to Agricultural (A-1). John Raines explained that Evelyn Ducote had requested reclassification of the property as all preliminary maps and discussion indicated that the property would be zoned agriculturally, however, the finally adopted Zoning Map indicated that the property was zoned Industrial. Mr. Raines also explained that he assumed the property was owned by Evelyn Ducote but later discovered that she did not own the property but was only an adjoining property owner concerned about the adjacent property.

David Moore, who prepared the Zoning Map, attended the Commission's meeting to explain the map's development process. Mr. Moore explained that he had worked with Dr. Dennis Ehrhardt, the Zoning Consultant for Iberia Parish. Mr. Moore explained that the proposed zoning was overlaid on the existing land use aeriels and distributed around the community at various meetings in various locations. The intent was to assign a zoning classification suitable to the existing land use, but, in certain circumstances, Dr. Ehrhardt recommended different zoning classifications in an attempt to promote good planning principles. Obviously, in the case of the property adjacent to Evelyn Ducote, Dr. Ehrhardt felt an industrial zoning classification was more appropriate than a residential one.

Mr. William Ducote and Richard Pellerin spoke against the Industrial Zoning indicating that the property had always been agricultural and it should remain agricultural.

Jane Braud asked Mr. Moore if the approved Comprehensive Zoning Ordinance included the map part of approval. Mr. Moore said it was and prior to the adoption of the map there were several public hearings with the map available for the people to view concerning the zoning ordinance. If no one came forth to agree or disagree then the zoning stayed as it was.

John Raines explained that more of these issues will be coming up in the future and suggested that a step by step procedure be established on how to handle these reclassifications. John also explained the non-comforming use provision of the Zoning Ordinance and its impact on a specific piece of property.

Bruce Dupray made a motion to notify property owners around this industrial site to see if they wanted to rezone it Agricultural. A Study Area bounded by Weeks Island Road to the south/southeast to US Hwy 90 to the west/northwest was defined. Mr. David Fangué seconded the motion; all were in favor with one opposition, Jane Braud.

Agenda Item #4: David Mortuary, LLC property located on Hwy 88/Coteau Road –
Reclassification from Mixed Residential (R-2) to General Business (C-2). John Raines explained where the site was located. John also explained that everything in that area is zoned Mixed Residential (R-2). A request has been made to change to General Business (C-2) which is the classification required for a funeral home or mortuary. John suggested that it be handled as a Special Use/Conditional Use permit. The rationale is that a funeral home has very unique and specific traffic impacts that can overload the transportation network system if not done correctly. The Special Use/Conditional Use Permit will allow the Zoning Commission the opportunity to evaluate the impact of the proposed development on the surrounding elements of the transportation network and minimize the adverse impacts.

Mr. Danny David addressed the Commission and suggested he would not like the Special Use Zoning. He explained that a funeral home in Coteau would not be opened very often. He also explained that traffic from school and church and a funeral home would not conflict as all three uses have different operating times. Therefore, the collective impact of the three land uses would be minimal. He further explained that the proximity to the church and the cemetery

would reduce the amount of time a funeral procession would be on the transportation network. He explained that utilization of the Sheriff's Office would be of great assistance in minimizing adverse impacts.

Other property owners addressed the Commission with their comments.

Allen Babineaux, previous owner of the property, explained that the church had extra growth capacity to the rear of the cemetery and did not need his property.

Amy Romero addressed the Commission in support of the project.

Kathy Mouton, employee of Our Lady of Prompt Succor, said the traffic in the area was very hazardous and that the school and the church had several on-going activities involving the children. She felt adding traffic from a funeral home would only exacerbate an already bad situation. She added further that relying upon the Sheriff's Office to conduct traffic was not a very reliable bet.

Reverend Barry Crochet, pastor of the church, said that the church intended to utilize the land for expanded recreational opportunities for the community; acquisition of the property by the David Funeral Home only served to destroy these plans. He also said that the Parish was growing and now consisted of approximately 90 families; consequently, the church cannot afford to share any parking with the funeral home. Several property owners spoke in support of the project whereas others spoke against the project.

Lanie Borel made a motion to defer contingent upon a Traffic Impact Analysis and additional information on the layout of the facility which was seconded by Jane Braud; vote was unanimous.

Text Admendments: Consideration of Zoning/Land Use Matrix – No action taken at this time.

Special Use/Conditional Use: David and Suzanne Luke. John Raines explained the requested Special Use/Conditional Use Permit for the 11800 Block of the Old Jeanerette Road for the installation of a cell tower. This request has been deferred until January 20, 2011. The applicant requested additional time to secure FAA approval, if possible.

DIRECTOR'S REPORT: 2011 Meeting Schedule was discussed. Bruce Dupray made a motion to approve the dates and Perry Judice seconded the motion; the vote was unanimous.

OTHER BUSINESS: None

ADJOURNMENT: Jane Braud made a motion to adjourn which was seconded by Bruce Dupray; the vote was unanimous.

Submitted by John R. Raines
Director of Permitting, Planning and Zoning Department