



**OFFICIAL MINUTES OF THE
PLANNING AND ZONING MEETING
CITY OF THIBODAUX
THIBODAUX, LOUISIANA
November 3, 2021**

The Planning and Zoning Commission of the City of Thibodaux assembled in regular session at its regular meeting place, City Hall, 310 West 2nd Street, Thibodaux, Louisiana, on Wednesday, November 3, 2021 at 5:00 P.M.

There were present: Clay Breaud, Robert Mire, Mark Kearns, Cheryl Thomas and Drew Andrews
Absent: None

The minutes of the August 4, 2021 Planning and Zoning Commission were approved as written.

Dontrell Jones presented his request to amend Residential District Permitted Uses Table 5.1 to add “Personal Services Establishment” as a special exception within R-2 Zoning Districts. His brother and business partner Rontrell Jones noted what they plan to do is re-open the barbershop and hair salon at 309 Gerald T. Peltier that was there for over 30 years but unfortunately it was closed due to the owner’s death who was my father and we inherited the business and we would like to re-open the business. The square footage of the building is 456 sq. ft. and it is on the side of a bar which is currently open and connected to the bar is the American Legion Post 513 hall. There would be little impact on traffic due to the small footprint of the business, the hair salon just to provide hair cuts and maybe hair styling and washing hair, at most we would see 3 to 5 customers at one time. Rontrell Jones noted that the place has been there 30 years and the business hours would be 8:00 AM to 5:00 PM Tuesday through Saturday. People from all over Lafourche Parish have family who have been to this barber shop, generations and people always ask will it open again because this is a place where people enjoy getting a hair cut and getting services rendered to. Breaud – Roland this was on the agenda for last months meeting and we didn’t have the meeting it got cancelled but last month the agenda had this in an R-3 Zone and tonight it is in an R-2 Zone which is it. Soignet replied it is in an R-2 Zone. Breaud stated in an R-2 Zone we don’t have a special exception we’ve got a special exception for an R-3 Zone and we would have the authority to grant a special exception for this. So we’d have to change the rules to allow this in an R-2 Zone. Kearns stated this to amend the table to include personal establishments in an R-2, he’s not asking for a special exception. Breaud stated in 2018 we allowed a special exception in an R-3, so we’re getting a little less restrictive I guess, the definition of a “Personal Services Establishment” is “An establishment or place of business primarily engaged in the provisions of frequent or re-current services of a personal nature typical uses include but are not limited to beauty shops, barber shops, tanning salons, massage parlors, shoe repair, personal items repair shops, laundry mats, dry cleaners and tailors. Personal service establishments shall not include any adult uses.” The use that he is asking for would fit this definition but does it fit in this zone because we’re not only talking about the location that you want to do it we’re talking about all the R-2 Zones in the City of Thibodaux which is a big area so we’ve got to look at that from that standpoint. Soignet noted that R-1 & R-2 are the most restrictive residential zones we have because we already allow them in an R-3 with a special exception, if we put keep putting special exceptions everywhere we won’t have any strictly residential. Breaud stated so it would still be a special exception where you would have to come in front the commission to get the approval to do it. Let the records reflect that Ms. Thomas is at the meeting. Breaud stated it was a barber shop before but because it was closed so long it’s no longer grandfathered and that is why they have to come back to do this. There father had the business way back when. Right now the building is vacant and he hates to see buildings vacant, he likes to see uses for them. Kearns just based on what else is in that neighborhood, wouldn’t that neighborhood be better served as an R-3 instead of an R-2, it is not strictly residential now, you’ve got the American Legion hall. Jones replied yes, the Sports Page Bar that is open and you have Crescent Crown across the street. Soignet noted that across the street it is a C-1. Breaud noted that everything on that side is an R-2, this is between Bourbon and Narrow, so all of that is R-2 that whole section on that side of Gerald T. Peltier. Like Mark said it would be probably be better served as an R-3 Zone but the thing is we don’t want to spot zone, we don’t want to take one lot out and spot zone a certain section in there. Thomas noted that there is a house on the corner of Bourbon but it faces Bourbon and not Gerald T. Peltier and right next to that lot there is one trailer and that is it. Breaud noted the definition of an R-2 Zone is single family residential, “The purpose and intent of the R-2 single family residential district is to provide for the location and grouping of low-density, single family residences with accompanying accessory uses that are protected from the adverse impacts of incompatible non residential land uses” that is what an R-2 Zoning District is. Thomas asked what about the R-3 what were you saying about that. Breaud replied well an option would be to re-zone that whole tract of land along because we don’t want to take just their lot and re-zone it, we’d have to take the whole tract along Gerald T. Peltier and make that an R-3 Zone. Thomas are you talking about like from Canal all the way down. Breaud replied well the part by Canal is already C-1 so it would be all the way to Cleveland St. when you get to Cleveland St. we’ve got a section in there that is an R-3. Kearns so you have a lot of things in there the footprint is not a true R-2, the footprint that is there now is more of an R-3 which a special exception is already in an R-3. Breaud we’d just be granting that exception if it would have been in an R-3 but since it is in an R-2 we would have to change the rules to allow it first but what that does it doesn’t only apply to this one area it would apply to everything in yellow on this map which is a big area. Soignet commented it they wanted to change the zoning to R-3 you would have to take all the way from Cleveland St. to at least Bourbon

because that would tie it in with the other R-3 but that would have to be at another time. Gene Richard, 516 Foret St. stated he had a vested interest in the building next door to where their barber shop is going to be and it happens to be the Sports Page which is a bar room in an R-2 District, how the heck did that happen and of course it is right next to and in conjunction with American Legion 513. Mire stated by making this an R-3 it wouldn't affect the bar room. Richard replied it would make it better, his suggestion would be if possible if you could grant them a temporary and let's work on R-3 at the same time, he thought everything in that neighborhood lends itself more to an R-3 District than it does an R-2. Breaud replied we can't grant a temporary we ought to work towards rezoning the tracts of land along Gerald T. Peltier that whole distance to an R-3 Zone where we are not spot zoning and we're going all the way to the other R-3 Zone that is along Cleveland and talk to him and see how far we want to carry it, do we want to carry it, I'm not sure if we have other businesses all the way to Bourbon or do you want to go all the way to President. Richard stated at least to Narrow, that would be the way to do it. Soignet stated he is on the other side of Narrow, he'd have to go to Bourbon. Thomas it could go to Bourbon because there aren't any houses there, the homes front on Bourbon St. so you could actually go all the way down to Canal because that is the motel on Canal. Soignet noted the motel is already a C-1 where the motel is. Breaud commented does everybody agree to try to rezone rather than.... Kearns replied yes because you're going to get a lot of push back if you try to make a special exception in all of the R-2's throughout the city, I know we're talking about one establishment but we know as commissioners that is not the case, everything that we do becomes city wide. Breaud asked if there were any public comments on. No one responded. Breaud, Mr. Dontrell do you want to come back up here for a second, I'll explain to you what we are talking about doing, you understand I think what we've been talking about to allow this in an R-2 District doesn't only apply to your property it applies to everything in town so our recommendation would be to try to re-zone this area where you are at because it fits better in an R-3 Zone so the action we would have to take tonight is to deny this request and then you would have to get back with Roland and come back and make another request to change the zoning and you'd have to get the permission of the property owners that you want to change it to.

On motion of Thomas, seconded by Andrews, the Board voted on a motion to deny the request to amend Residential District Permitted Uses Table 5.1 to add "Personal Services Establishment" as a special exception within R-2 Zoning Districts..... upon roll call the vote was as follows:

YEAS: Bread, Mire, Kearns, Thomas, Andrews
NAY: None
ABSTAINED: None
ABSENT: None

Rebecca Matthews, 113 Jena Dr., Schriever presented a request to be granted a special exception to operate a hair and nail salon at 698 Gerald T. Peltier Dr. She wanted to purchase the property and wanted to make sure it would be allowed there, she was already established in Houma, LA. Breaud, Roland we are sure about this R-3 Zone. Soignet stated it was on the corner of Ledet St. and Gerald T. Peltier, he asked if she knew if the fuel tanks were ever taken out of the ground. Matthews replied yes, they had the receipt and the proof if you need it we can bring it to you. Soignet requested that she bring us proof of that for our records. Breaud stated we have the authority or right to grant an exception to allow a personal services in an R-3 Zone; are there any public comment, no one responded.

On motion of Kearns, seconded by Mire, the Board voted on a motion to grant a special exception for a personal services establishment (hair and nail salon) at 698 Gerald T. Peltier Dr. upon roll call the vote was as follows:

YEAS: Bread, Mire, Kearns, Thomas, Andrews
NAY: None
ABSTAINED: None
ABSENT: None

Roland Soignet, Jr., Zoning Administrator, presented his request to amend the City of Thibodaux's Comprehensive Zoning Ordinance Table 5.3: Commercial District Permitted Uses and Special Exceptions to allow three and four family dwellings as a Special Exception (SE) within B-1 Zoning District. Soignet replied 3 & 4 family dwellings are allowed in an R-3 & R-4 and he didn't understand why it wouldn't be allowed in a B-1 District. Breaud replied so in a B-1 we allow a single family, we're allowing two family and we're allowing dwelling townhouse but not dwelling 3 family and not dwelling 4 family or dwelling multi-family and you are looking to add this into as a special exception. Soignet replied yes he just didn't understand why and if it is allowed in the more restrictive zones why isn't it allowed there. Breaud replied B-1 is a special zone that we created to appease a lot of residents and it was a compromise to appease a lot of people and I know Mr. Block is here for a reason but do any commissioners have comments, if not public comment.

Harold Block, 515 Canal Blvd., commented the first thing he did find it a bit confusing the way the agenda is addressed, I assumed somebody was requesting this and I assume there would be an address for it and so forth, personally in my law practice I scan the agendas for the Parish Council for the City Council for Planning & Zoning and you want to notify the public what exactly is being requested and he thought this was very broad and very general and he would suggest it would be better to have more details, more specificity. He lived in R-B and didn't live in B-1 but when he walks out of his front door he was looking at R-B because it is across Canal Blvd. and if he turned left and walked 1 block he would be in B-1, so B-1 and R-B are just hand and glove next to each other and as the Chairman said this was subject to a whole lot of negotiations and discussions between the merchants and the commercial people and the residents and I personally remember the meeting with the commercial people when they agreed and we agreed ok you can have a two family dwelling but that is it in B-1 that was a specific agreement that we made. There are constant attempts to change R-B, to change B-1 we would be very please if everybody just left it alone and we wouldn't have to

bother you all and we wouldn't have to come to all of these meetings and take up your valuable time because we witnessed the first hearing and you have to do very difficult things and have to decide difficult issues. I admire the commitment and the civic work that you all do but I don't know why this has to keep coming up over and over again. He thought if they approve this he thought it was just one more effort to chip away at what B-1 is and what R-B is and he would ask them not to do it and he promised them if they did do it then the next step will be somebody that wants to have multiple family in R-B which is something that we absolutely agreed wouldn't happen with the commercial folks so he would ask that they deny this request and he appreciated their time and he appreciated what they do for the city. Breaud asked if there were any other public comments. Gene Richard, 516 Foret St. stated he had to agree with Mr. Block, he attended those meetings as well as you did Clay, and some members if the Board here and we all thought when we did this, there was argument after argument between the merchants and between the residents and Mr. Villavaso said well you know it is not etched in stone and we can always handle it down the road, well it is down the road and he thought there was enough compromises being made during the time we were doing this that to go ahead and change this right now would be a detriment to what we tried to do before. Breaud, commissioners any further comments. Mire stated he didn't see any sense in us moving this thing now, if somebody was requesting to do something in that area I'd say well let's accommodate them if we can but why are we shaking the bush now.

On motion of Mire, seconded by Andrews, the Board voted on a motion to deny the request to amend the City of Thibodaux's Comprehensive Zoning Ordinance Table 5.3: Commercial District Permitted Uses and Special Exceptions to allow three and four family dwellings as a Special Exception (SE) within B-1 Zoning District until we see a need upon roll call the vote was as follows:

YEAS: Bread, Mire, Kearns, Thomas, Andrews
NAY: None
ABSTAINED: None
ABSENT: None

Mike Blanchard of Acadia Land Surveying, LLC, 206 E. Bayou Rd., presented a request for sketch and preliminary plat approval of re-division of Lot 2 & 3-A into Lot 2-A & Kearny Dr. extension within Levert Business and Industrial Park located in Sections 42 & 43, T14S-R16E, City of Thibodaux, Louisiana. He stated they wanted to extend Kearny Dr. from where it dead ends to St. Patrick so they were looking to dedicate the right of way and form of what was left of Lot 3-A into 2-A just to make another lot on the corner.

Breaud commented we have two requests tonight the way he saw it, we're re-dividing property to allow this street construction so we are dividing lots, the way I see this we have Lot 1, 2, 3 & 4 and we're dividing Lot 2 and 3 and a part of 4? Blanchard indicated that Lot 4 was already done, it combined part of 3 & 4, that is when we created the line on what would be the North side of Kearny Dr. so now we're taking what was left of Lot 3 and making it into 2-A so we're widening 2-A to go up to the proposed right of way on Kearny Dr. Breaud noted the existing Northern lot line of 3 was the future right of way of Kearney Dr., is that correct? Blanchard replied it was Lot 3-A, we came a couple of months ago, we divided that lot once before. Breaud noted that we had never reserved right of way for Kearny Dr. and this will line up Kearny Dr. right of way extension and this is a 50' right of way and we're not even going to the back property line which he had a problem with, we've go another 300' to tie these two roads, who owns the tract between the two? Blanchard responded this should tie it all the way through, all the way up through J.B. Levert's property and we're tying into the existing right of way line of Lamar Dr. It goes all the way across the drainage ditch to where it stops for Lamar Dr. Breaud - it's not what you're construction drawings are showing, the construction drawings are stopping shy of the drainage ditch and he couldn't see leaving out a stretch of pavement right on the side by Academy, this is the drainage ditch servitude and we're stopping short of the property line here and he had a problem with that. Blanchard noted he would have to get with Gary because the intent was to go the whole way to St. Patrick. Bread noted that they could address the re-division of property but the construction allowing sketch and preliminary plat approval he had an issue with and there is a 20' drainage and utility servitudes along both sides but it is not showing it on here and when we talked to the design engineers when they show this typical section of the paved roadway they're not even grading all the way out to the 50' right of way line, they're doing the road and they're stopping 1' behind the road so I'd want to see 50' of right of way and I'd want to see the 20' servitudes because on one of the drawings they've got a drainage ditch and he didn't know if this drainage ditch is supposed to be in a servitude or whatever it is but it wasn't making sense to him, so we need to do something better than that. Breaud asked who with the City is checking this because he was getting aggravated he wants to get somebody with the City, the Public Works Director or somebody over here to look at this stuff before it comes to us. There are no utilities in this section and he knew when we did Kearny Dr. by the hotel we got utilities and all that had to go in here, there are no utilities at all on this so are we going to tie in utilities and make a loop with the water and the sewer and stuff like that are not? Blanchard asked if they could get sketch plat approval, approve the layout. Breaud stated he was ok with the division of property because he didn't know how they missed this and we didn't reserve this right of way for the street so I'm glad to see we at least got this. Blanchard stated the intent always was for it come back when they were ready to build the street. Breaud asked if the board members understood what they were discussing, it was two things tonight, one was the division of property and the other was to allow sketch and preliminary to allow them to go to construction with this. Mire stated but we're going with the division of the property. Breaud stated but we are going to table the construction part until next month, Mike are you good with that? Blanchard replied he was.

On motion of Kearns, seconded by Thomas, the Board voted to accept the re-division of Lot 2 & 3-A into Lot 2-A within the Levert Business and Industrial Park and table the sketch and preliminary plat approval of the construction of Kearny Dr. extension until next month ...upon roll call the vote was as follows:

YEAS: Bread, Mire, Kearns, Thomas, Andrews

NAY: None

ABSTAINED: None

ABSENT: None

There being no further business the meeting was adjourned.