The Planning Commission Board of the City of Rayne, State of Louisiana, met at their regular meeting place, the City Hall, Rayne, Louisiana, on April 24, 2017 at 12:30 P.M.

Members present: Sanders Senegal, Lee Seilhan, Wayne Wyatt and Ronald Sonnier

Members absent: David Lalande

The meeting was called to order by Lee Seilhan

On a motion by Sanders Senegal and a second by Ronald Sonnier, the Planning Commission approved a request by Mr. and Mrs. Steve Robicheaux to construct a drive-thru for a snow cone business located at the corner of North Adams Avenue and West Edwards Street if a stop sign is added at the end of the drive thru with additional sign for no parking on North Adams, in front of the yellow curb.

On a motion by Wayne Wyatt and a second by Ronald Sonnier, the Planning Commission approved a vote as follows:

Aye- Wayne Wyatt, Ronald Sonnier, Lee Seilhan

Abstain- Sanders Senegal

A request by concerned citizens to revert the property known as 400 North McGown Street, Lots 2 & 4 of Block 88 E.L. Chappuis First Addition, from its current C-2 zoning, back to its original zoning of R-3

Other Business: None

There being no further business to discuss, there was a motion by Wayne Wyatt that the meeting be adjourned; this was seconded and carried by Ronald Sonnier.

CHAIRMAN

SECRETARY
April 18, 2017

Rayne Planning Commission Member:

A regular meeting has been scheduled for Monday April 24, 2017 at 12:30 p.m. The meeting will be held at the City Hall Chambers.

Below is the scheduled agenda:

1. To consider a request by Mr. & Mrs. Steve Robicheaux to construct a drive thru for a snow cone business located at the corner of N Adams Ave and W Edwards St.

2. To consider a request by concerned citizens to revert the property known as 400 N McGown St from its current C-2 zoning, back to its original R-3.

3. To consider any other business which may be properly brought before the Planning Commission.

Very truly yours,

CITY OF RAYNE, LOUISIANA

Rayne Planning Commission

cc: Annette R. Cutrera
Charles E. “Chuck” Robicheaux
Mark Daigle
The Acadian Tribune
Timeline of Events at 400 north McGown:

5/5/2011  Purchased property
8/6/2011  Applied for liquor license
8/9/2011  Background check performed by Rayne police Department
11/14/2011  Liquor permit denied by Rayne City Council
5/23/2012  Mr. Coonie issued letter to The City advising that construction was taking place with no plan review or permits and recommends all utilities be shut off.
5/25/2012  Power was disconnected by City for non-compliance
5/30/2012  Mr. Coonie met Mr. Joubert at property and told him he need permits and old permits were for next door and not this address
3/15/2013  I visited site with Mr. Donnie Oussse, and he informed me of the prior activity at this address and the current situation
2/26/2014  Another letter was issued by Mr. Coonie advising that illegal activity was still taking place at this address, and compile a list of demands that need to be complied with.
3/10/2014  I delivered a letter to Mr. Joubert, advising him that the utilities will be disconnected for non-compliance with the demands by the City to submit drawings, obtain a plan review and building permits. He had continued to perform construction activities and had actually placed a flashing sign at the road saying, open for business, Jouberts Palace.
8/10/2014  Received Fire Marshall approval pending compliance with City demands.
11/24/2014  Received final inspections from Building Code Inspections
12/9/2014  Issued an Occupational License by The City to operate as an assembly hall
12/24/2014  Party had to be shut down for excessive noise. Police Department videoed with body cameras, and demonstrates the noise level

Police Department received numerous complaints over the next couple of years concerning noise and various complaints. We also received numerous complaints at City Hall.

4/3/2017  Mrs. Sylvia Mouton filed a petition with my office to re-zone the property at 400 and 402 North McGown St.
4/24/2017  The Zoning and Planning Committee, voted to recommend to The City Council to re-zone the property from its current C-2, back to its original R-3. By doing this, the business could continue to operate as a non-conforming use in the district, but would not be able to obtain a liquor license.
4/25/2017  Mr. Joubert requested to file an appeal to the re-zoning of the property, and I sent request to Parish assessor's Office to request list of signatures. I advised him that an appeal can't be submitted until The Council actually made a decision to re-zone the property, but he wanted to go ahead and get his signatures.

5/2/2017  Received letter from DA's office advising The Mayor that the prosecutor has decided to charge the three people in the case by The Department of ATC, concerning sale of Alcohol without a valid Alcohol Beverage Permit, Date of Offense 2/24/17
Section 2.5 - C-2 commercial (central business district).

2.501. Permitted uses. In C-2 commercial districts, only the following uses of property shall be permitted: Any use permitted in C-1 commercial district; amusement enterprises, including the provisions of stage entertainment; bowling alleys, skating rinks and pool rooms; auto retail, wholesale or repair services; newspaper; or business not specifically restricted or prohibited; transportation terminals; warehouse; manufacturing not specifically prohibited incidental to retail business where articles are sold at retail on the premises; construction storage; barrooms; nightclubs and lounges.

2.502. Prohibited uses. [Prohibited uses in the C-2 district are] uses detrimental to a neighborhood because of odor, smoke, dust, gas, excessive glare, light, noise or vibrations.

2.503. Height regulations. No building or structure [in the C-2 district] shall exceed 65 feet in height.

2.504. Area regulations. [Area regulations in the C-2 district are as follows:]

(1) Yards:
   (a) Front yard. No front yard is required except for a dwelling and it shall be the same as for R-3 residential district. See [subsection (1)(d) below.
   (b) Side yard. No side yard is required except for a dwelling, and it shall be the same as R-3 residential. See [subsection (1)(d) below.
   (c) Rear yard. No rear yard is required except for a dwelling and it shall be the same as R-3 residential district. See [subsection (1)(d) below.
   (d) [ Abutting areas. ] Whenever a C-2 district abuts on a residential district which requires front, side and rear yards, these requirements shall apply for the C-2 district for the entire block in which the abutment occurs.

(2) Lot size. For dwelling[s in the C-2 district the regulations are the] same as [for the] R-3 residential district.

2.505. Off-street parking regulations. [Off-street parking regulations for the C-2 district are] as provided for under part 4.

2.506. Loading zone requirements. [Loading zone requirements for the C-2 district] shall be provided as set forth in part 4.

(Ord. No. 862, § 2, 12-14-87)
Sec. 10-143. - Issuance conditions; change of location not allowed.

(a) If the mayor and board of aldermen are convinced that the applicant, if a natural person, is of good moral character, reliable and responsible and may be depended upon to conduct the business conformably to this article, or if a corporation, is authorized to do business in this state, and if the officers or agents thereof conform to such qualifications as are required of individuals, they may issue a permit to such persons to engage in such business during the year for which permit application specifies or so long during such period as he complies with such laws and this article. If a firm or corporation applies for a permit the moral qualifications named in this section shall be met by the officers and agents of such firm or corporation responsible and actively engaged in the business.

(b) The mayor and board of aldermen may deny the application for a permit because of the proposed location of the business alone if, in the opinion of the mayor and board of aldermen, the location is an improper one, is difficult of police regulation, offensive to the neighborhood, or apt to become a nuisance; too near churches, schools or other similar institutions; or for other reasons for the manifest best interest of the community and public policy and morals. No change in location shall be allowed under a permit once granted, but a new application shall be presented if another location is desired and the manner handled as in the case of a new application, except no additional permit fee shall be charged.

(Code 1958, § 3-29)
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