Minutes of the Broussard Planning and Zoning Commission Meeting

Held on Thursday, July 13, 2023

**Members Present**

**Russell Trahan, Craig Kimball, Teddy Eastin, Brad Hamman, Keith Rousseau**

**Members Absent**

N/A

**Others Present**

Sarah Hebert, BPC Clerk

Mike Breaux – for Thomas Desormeaux

Thomas Desormeaux – Property Owner

Christopher Simon – Trahan Engineering

Todd Mouton – Property Owner

Adam Mouton – Property Owner

Walter Comeaux III – Comeaux Engineering -City Engineer

Joseph Anzalone – Bourque Property – Eola Road

Brad Hamman called the meeting to order.

Brad Hamman opened the meeting with the Pledge of Allegiance followed by a Silent Prayer.

Keith Rousseau Moved to adopt the minutes of the June 8, 2023, Meeting.

Second by Russell Trahan

Roll Call

Russell Trahan, Yea - Craig Kimball, Yea -Teddy Eastin, Yea- Brad Hamman, Yea- Keith Rousseau, Yea

**PLANNING COMMISSION**

**Adam and Todd Mouton – 205 Madelyn Street – Lot 15 – Old Town Overlay District**

**As prepared by Walter S. Comeaux, III, PE, PLS – Comeaux Engineering**

This report, issued by the City of Broussard, is to determine general conformance with City requirements and does not constitute a certification by the City. This review in no way relieves the Surveyor/Engineer/Architect of Record from his professional duties.

The owner proposes to move a 26’ x 40’ home to this lot.

The owner will be required to provide a plat of survey of the lot showing the siting of the structure to ensure that all setback requirements are satisfied and that the structure will not encroach on existing city easements. This survey will also be used to determine that sufficient onsite parking exists for the residence.

The owner will be required to ensure that the placement of this structure and all other site work performed on this lot will not impede drainage or create drainage issues.

Based on our review it is our opinion that the submission be granted conditional approval based on the comments issued. This approval would be predicated on the owner providing satisfactory information on all issues not addressed in the review.

**Walter Comeaux, III**  Essentially, in this particular incidence the owner is proposing to move a home to the site. Typically if somebody builds a house, before they pour concrete, the city requires them to provide a survey showing the setbacks before they can get a inspection. Because they are not pouring a slab here, what we are asking is to provide a survey.

I think one of the issues he may have is parking, the Old Town Overlay District requires 4 parking spaces per lot. I am not sure this pertains to residential homes. Once he provides the survey then we work through some of those issues. We recommend you give approval.

**Keith Rousseau** – Is there any question on where they place the house on the lot once surveyed?

**Walter Comeaux III** – Well he has to meet the setback requirements, 20’ from the front – 5’ on the side and 5’ on the rear. The issue here is that there is a drainage coulee on the back of the property, there is a 20’ easement. So have to make sure that when the house is sited, it has to meet all of the setbacks.

Moved by Craig Kimball contingent upon the above recommendations being met.

Second by Teddy Eastin

Question Brad Hamman

Roll Call

Russell Trahan, Yea - Craig Kimball, Yea -Teddy Eastin, Yea- Brad Hamman, Yea- Keith Rousseau, Yea

**Dan Bourque – Proposed Woodworking Shop – Old Town Overlay District**

**As prepared by Walter S. Comeaux, III, PE, PLS – Comeaux Engineering**

This report, issued by the City of Broussard, is to determine general conformance with City requirements and does not constitute a certification by the City. This review in no way relieves the Surveyor/Engineer/Architect of Record from his professional duties.

**Section 6 Prohibited Uses**

Not Applicable

**Section 7 Sewer Requirements**

Not applicable

**Section 8 Access Management**

Please identify the 31’x 35’ red marked area adjoining the parking area.

**Section 9 Accessory Storage areas Including Trash holding Receptacles.**

Not addressed

**Section 10 Architecture**

Acceptable

**Section 11 Mechanical and Electrical Equipment**

Not Addressed

**Section 12 Parking**

Acceptable, provided that the number of spaces meets the city parking ordinance.

**Section 13 Drainage**

Not addressed

**Section 14 Landscaping Standards**

The Old Town Special Overlay Ordinance requires a 20’ building set back from all exterior property lines and public roads. This proposal does not provide the required setback, further the site plan does not match the plat provided. It I s our understanding the owner also needs to be combining lots for this project which will require planning approval. It is our recommendation that conditional approval be granted subject to administration approval and planning approval. A site plan, prepared by a licensed surveyor will be required.

The administration will also evaluate the need for buffer zones which are required under the Overlay District Ordinance.

**Section 15 Lighting Standards**

Not addressed

**Section 16 Sign Standards**

Not addressed

Based on our review it is our opinion that the submission be granted conditional approval based on the comments issued. This Approval would be predicated on the owner providing satisfactory information on all issues not addressed in the review.

**Walter Comeaux III** – This is one step – He will have to come back to the Planning Commission. The building setback – He has to come back to planning to combine some lots, I will have to go back through our ordinance to check on the setbacks. He may be able to resolve the setback issue with planning, if not he will have to go to Council.

We don’t want to hold him up. He knows he has to do this; he is willing to do this.

If he asks for the setback variance – he will have to put a sight proof fence. We will evaluate that as we get into it. He is aware of that; He will work with us. We recommend you give approval on this subject to him work through this – codes and planning commission later on etc.

**Russell Trahan -** On this site plan where will the building be located?

**Walter Comeaux III –** On the site plan, I could not decipher that so he will have to come back to the planning commission. He will be combining lots and if he wants a setback variance, he will have to provide that.

Russell Trahan - So there is a provision in the Code to allow alternative compliance.

Walter Comeaux III – On setbacks, under certain circumstances, the commission has the authority to grant a setback waiver, whether this particular one meets it, I am not quite sure. If y’all cannot do it, he will have to go to the Council. I will have to dig into this and get with the City Attorney to see if y’all can do this or if he has to go to the Council.

**Russell Trahan –** It is a little difficult to give conditional approval without knowing where the building is going, it is very little information. Do you feel confident that you can work with them?

**Walter Comeaux III –** Yes, if we are not satisfied – he has a couple of other stops to make, I think he is just trying to get through this hurdle before he gets to the next one. We would prefer to have more information earlier; it would just make the whole process simpler.

**Keith Rousseau** – What, are we approving?

Walter Comeaux III – If you don’t approve this, He has to come back. He is coming back anyway. That is why I am leaning towards letting him move forward. If this as the one shot, I would be left uncomfortable.

**Walter Comeaux III-** I do feel comfortable, what he wants to replace will be an improvement of what is there. We want our process to encourage certain things and making it better is what we want to encourage.

**Keith Rousseau** – that helps a lot, you saying it makes it better.

Russell Trahan moved to approve contingent upon all comments being addressed.

Second by Teddy Eastin

Question Brad Hamman

Roll Call

Russell Trahan, Yea - Craig Kimball, Yea -Teddy Eastin, Yea- Brad Hamman, Yea- Keith Rousseau, Yea

**James Thomas Desormeaux Residential Development – Single Family Residential**

This report, issued by the City of Broussard, is to determine general conformance with City requirements and does not constitute a certification by the City. This review in no way relieves the Surveyor/Engineer/Architect of Record from his professional duties.

**General Comments (Not Subject to Waiver)**

1. This proposed development is a 7.575-acre tract. The developer proposes to construct an 8 lot Single Family Residential Subdivision.
2. This Property is located in FEMA Zone X (outside of the 100-Year Flood Plain) and FEMA Zone A (within the 100-Year Flood Plain).
3. City ordinances require that the Finished Floor elevation of the structures be a minimum of 12” above the centerline of the road fronting the structure or 12” above the Base Flood Elevation whichever is greater.
4. A Louisiana Department of Health permit is required prior to commencement of construction.
5. The developer is solely responsible to provide water and sewer service to the point of service of each unit.
6. No Determination has been made at this time as to the adequacy of the city water infrastructure regarding fire flows or domestic water needs. The developer may be required to participate in infrastructure improvements with regard to the city’s ability to provide acceptable water service to the development. The developer may also be required to provide additional onsite infrastructure to ensure that the City’s Fire Rating is not impacted in a negative way.
7. The plat indicates that the developer proposes individual wells on each lot. This will not be permitted; the City of Broussard maintains an 8” water main along LA Hwy 92. The developer shall be required to extend an 8” minimum water main from Hwy 92 and provide fire protection and domestic water service to each lot.
8. Hydrant placement within the development shall be acceptable to the Broussard Fire Department.
9. The Developer proposes to provide individual sewer treatment units. Permits will be required from the Louisiana Department of Health, Lafayette Parish Health Unit.
10. This development is subject to the current Stormwater Management ordinance.

Construction plans, Specifications & Drainage Impact Analysis shall be submitted to the City for review. The proposed development shall be required to be constructed to the City of Broussard Requirements.

1. Place a note on the Plat that City Ordinances do not permit fences to be placed within or across City Servitudes.
2. Sidewalks are required within residential subdivisions and may be constructed at the time that the residence is constructed. Certificates of Occupancy will not be issued until such time that the sidewalks are constructed.
3. Identify the dashed lines crossing Tract 1, 2 & 3.

**STREET AND ACCESS COMMENTS**

1. Provide an additional 5’ right of way on Fabre Road
2. Provide a 15’ sidewalk, drainage and utility easement along Fabre Road.
3. The developer shall assign municipal numbers, acceptable to the City of Broussard for each lot.

**DESIGN REVIEW**

The City **DOES NOT** perform partial design review or issue partial approvals. Due to the interrelation of all design elements necessary to construct a subdivision a **complete** design package submission is required prior to the commencement of the design review process. It is the responsibility of the Engineer/Architect of record to provide the complete deign packet to the city. This packet shall include, at a minimum, the following items.

1. Construction Plans & Specification along with a written certification that the submission is in conformance with City Ordinances and requirements.
2. Drainage impact analysis along with a written certification that the analysis was performed in accordance with City Ordinances. A further written certification shall be required stating that in the construction of the proposed subdivision will have no “adverse or measurable negative impact to drainage with the area.”
3. State Law requires that prior to commencement of construction of water and sewer infrastructure a permit is required from Louisiana Department of Health. A copy of the LDH submittal (including data sheets) shall be provided to the City as part of the design review packet. A copy of the LDH Permit shall be required prior to commencement of construction of water and sewer infrastructure.
4. Copy of Driveway Permit Application, if applicable, for projects connecting to State Highways.
5. Copy of Utility Permit Application, if applicable, for projects requiring utility work within State Highway rights of way.
6. Copy of Notice of Intent filed with LDEQ.
7. Copy of Request for Preliminary Determination to LDEQ for those developments contemplating the installation of a Package Sewerage Treatment Plant.
8. Traffic Impact Analysis if Requires.

OTHER COMMENTS

It is assumed that the developer is responsible for the construction of all infrastructure improvements necessitated by construction of the development. City participation in infrastructure improvements shall require City Council approval.

**Mike Breaux- Surveyor for Mr. Desormeaux –** on the general comments, we can comply with 1, 2, 3, and 4, 9, 10, 11, 13 on the streets and access comments is the 15 foot utility side walk easement is that from the addition 5 feet.

Walter Comeaux III – From the additional 5 feet.

**Mike Breaux** – On the Design Review we can comply with 1-7 and get a waiver on number 8.

**Walter Comeaux III**- We are not requiring a traffic impact analysis, this is a standard –

Thomas Desormeaux- Thank Yall very much for looking at this stuff for me. I talked to a City Councilman today. There is a City Ordinance - I guess my question is, Mr. Walter- If someone buys a piece of property or annexes it, they are required to connect to city water?

**Walter Comeaux III** – Yes.

**Thomas Desormeaux** – It is a requirement. That right there will not be very feasible. I am looking at selling 6 lots at $50,000.00 per lot and water alone – what are you estimating, I was told approximately $150,000.00 to run the water. It is right there off of Hwy 92 about 1300 feet long. I forgot exactly how much it was, it was 125,000 to 150,000. I am just wondering why, whenever I brought this in front of Lafayette, I did bring this about a year ago, and they approved it. The only thing we had to do was drainage. So, I should have went in that direction. I called Broussard and talked to Broussard about getting annexed because I thought we could get water to the property. I had no idea that it would run this much. I did realize that it would run something, but not this much. I was told 150,000. Just that alone is not worth it. Is there any way around it? Broussard paying part of that bill? Or waive that water?

**Walter Comeaux III** Number 1 they cannot waive that and just so you understand. The lots that are currently in the City of Broussard currently have a fire rating of 3, which is good. Every time we have new development in the city, we are requiring this to maintain that 3.

**Thomas Desormeaux** so what you are saying is, every new piece of property that is annexed and going to be developed, they have to tie into the water and have to pay for it, that is what you are saying.

**Walter Comeaux III** Every subdivision that is developed has that same comment, it says, “the developer is solely responsible for to provide water to the point of service of each unit.” We don’t have sewer and cannot get it to you. But we do have water.

**Thomas Desormeaux** So do you think Broussard can pay part of that water bill?

**Walter Comeaux III** that is not up to me and not up to them you would have to go and talk to the City Council.

**Thomas Desormeaux** – Because I believe , besides water I have to connect sewer to each lot.

**Walter Comeaux III -** No, what I am saying, my understanding and Michael did not specifically say, but my understanding you desire to put individuals sewer package plants on each lot.

**Thomas Desormeaux** – Correct

**Walter Comeaux III –** All I said was if you do that there are some requirements that we don’t have , but the state does. You have to go to the health unit to get a permit.

Thomas Desormeaux - Also, sidewalks, when we went through Lafayette, we did not have to do sidewalks. We did not have to do fire, we did not have to do water.

Walter Comeaux III – they do not have water there, so they could not make you do it, but the Parish has a 5 fire rating we have a 3. That is a big difference. Now the sidewalks are in the ordinance, it is a law in Broussard. If you divide and put a residential subdivision, you have to put sidewalks. They (BPC) cannot waive that. That would be an issue for the City Council.

**Thomas Desormeaux** – So we need to go before the City Council. Ok, Let me ask you one more question. I hope you understand, I know its not your fault, I appreciate you guys listening to me, but, for some reason if it is not a feasible program, because I am not going to spend $200,000 to make $300,000, its just not worth it. Because it is just to much expense, what are the chances of y’all de-annexing me?

**Walter Comeaux III** that is not- These guys right here are volunteers and there are certain things they can handle and things they can’t. A lot of what you are talking about would go to the City

**Thomas Desormeaux** – That is what we are going to do.

**Walter Comeaux III** – that is the way our system works.

**Thomas Desormeaux** – So you are saying the Council can’t waive the water either.

**Walter Comeaux III** – The City Council Can do whatever they want, they make the laws, they can change the laws. They are the lawmaking body of the City.

**Thomas Desormeaux** – Thank You

**Walter Comeaux III –** Again, with that in mind, we are recommending approval and if he takes these things to the City Council then fine. That is our process. What we are doing here does not help him, does not hurt him, it just moves him forward.

Moved by Craig Kimball to approve contingent upon the stated items being met

Second by Keith Rousseau

Question Brad Hamman

Roll Call

Russell Trahan, Yea - Craig Kimball, Yea -Teddy Eastin, Yea- Brad Hamman, Yea- Keith Rousseau, Yea

Adjourn planning meeting

Moved by Craig Kimball

Second by Teddy Eastin

Question Brad Hamman

Roll call

Russell Trahan, Yea - Craig Kimball, Yea -Teddy Eastin, Yea- Brad Hamman, Yea- Keith Rousseau, Yea

Open Zoning Meeting

Teddy Moved to open the Zoning Meeting

Second by Keith Rousseau

Question Brad Hamman

Russell Trahan, Yea - Craig Kimball, Yea -Teddy Eastin, Yea- Brad Hamman, Yea- Keith Rousseau, Yea

At this time Russell Trahan recused himself from the meeting as he is working on this item.

**1270 South Bernard Road – Zoning Variance Request**

This report, issued by the City of Broussard, is to determine general conformance with City requirements and does not constitute a certification by the City. This review in no way relieves the Surveyor/Engineer/Architect of Record from his professional duties.

1. This proposed business would provide dog grooming, doggie day care and kenneling.
2. The subject property is within the Ambassador Caffery (CA) zoning district.
3. Permitted uses with this zoning district include “animal clinic or grooming” and “animal hospital.” Prohibited uses within this district include “animal kenneling.”
4. Animal clinics and hospitals typically kennel animals that are being cared for or as part of their business.
5. In a similar instance “Zen Dog,” a business located on Albertson’s Parkway, was granted a variance to allow them to board animals. This variance was granted by the City Council.

Based on the City’s recent action it is recommended that the Commission grant the requested waiver provided that the animals ae boarded indoors and that measures are taken to mitigate nuisance noise issues.

**Russell Trahan** –The intention is to mitigate the noise. I think the intent of the code the way it was written was to avoid for instance that has a bunch of kennels outside and the dogs are left there overnight barking and obviously being a good neighbor, that is not what is being done here. It is called a dog run, it will be a fenced in yard, it will be on the northern side of the facility. There is a pipeline easement, so nothing will be built from her property line in a 60-foot stretch on that northern side. So, there is not going to be a neighbor, business or residential on that piece of property. It also cuts through the yard of a adjacent resident which is also technically a business because it is a nursery. What we’re planning on doing for the dog run is a full wood fence and come back and apply vegetation to the outside of that which we call sound barriers. The dogs basically, in the mornings, the staff will come in, care for the dogs, open the doors, let the dogs go into the dog run, do their business, get fresh air. They are not being left outside. Most are just daycare; they will go home. But there will be kenneling that will be offered inside. We are requesting a variance to allow the kenneling.

**Walter Comeaux III** – they would be subject to the noise ordinance. They are subject to that. It looks like they are addressing that.

**Brad Hamman** – The neighbors would have recourse if all of a sudden, it’s not quiet when they are locked up and things get out of hand.

Owner- there will be a maximum of 50 dogs at any given time. When they go out they will go out in small groups of no more than 10 at a time. I also own a day care down the road and there is one right next door to this and children on a playground or loud too. They will be kept indoors.

**Keith Rousseau** – So the day care will be open 7 days a week?

**Russell Trahan** – This will be fully enclosed. The building will be insulated.

**Walter Comeaux III** – They hired an architect. There is some thought going into this.

Moved by Craig Kimball to Grant variance to allow kenneling.

Second by Keith Rousseau

Question Brad Hamman

Roll Call

 Craig Kimball, Yea -Teddy Eastin, Yea- Brad Hamman, Yea- Keith Rousseau, Yea

Adjourn

Moved by Craig Kimball to Adjourn meeting.

Second by Teddy Eastin

Question Brad Hamman

Roll Call

Craig Kimball, Yea -Teddy Eastin, Yea- Brad Hamman, Yea- Keith Rousseau, Yea