Minutes of the Broussard Planning Commission Meeting.

Held on Thursday, December 14, 2023

Members Present

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

Members Absent

N/A

Others Present

Sarah Hebert, BPC Clerk

Mayor Ray Bourque

Walter Comeaux, III – City Engineer

Gerald Delauney- City Attorney

David Bonin- City Council – District II

Sharon Norbert – Property Owner

Concerned Neighbors of the area Glenn Street and South Morgan Ave

Cecil Little

Paul Tolliver, representing Christian Brothers

Brad Hamman called the meeting to order.

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

 Russell Trahan moved to adopt the Minutes of the Thursday, November 9, 2023.

Second by Keith Rousseau

Question Brad Hamman

Roll Call

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

**Planning Commission**

**SHARON NORBERT 200 ST DEPORRES ROAD – OLD TOWN OVERLAY DISTRICT – COMMERCIAL**

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 Addressed

**Section 8. ACCESS MANAGEMENT**

Not Applicable

**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**

Provide a site plan showing the proximity of the roadway to the property and provide angle parking along Alley 1 and St Deporres

**Section 13 Drainage**

Not Addressed

**Section 14 Landscaping Standards**

Not Addressed

**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 this review.

Report prepared by: Walter S. Comeaux, III, PE, PLS

 City Engineer

Craig Kimball Moved to Approve, contingent upon above recommendations being met.

Second by Keith Rousseau

Question Brad Hamman

Roll Call

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

Mrs. Sharon Norbert had one request about looking into extending the sidewalk along St Deporres

**Christian Brothers Automotive**

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General Comments (Not Subject to Waiver)

1. This proposed development is a 2.923-acre tract. The developer proposes to subdivide the Tract into 2 commercial lots with the remaining 0.931 acres “unplatted.”
2. Christian Brothers Automotive proposes to construct an automotive repair shop on Tract 2 of this development. During the October 2023 Planning/Zoning Commission Hearing, Christian Brothers requested a zoning variance for the proposed repair shop, the request was granted subject to two conditions:
3. Successfully obtaining preliminary plat approval
4. Providing color Renderings of the proposed building for the consideration of the Commission. The renderings and other information are included in the Commissioner’s packets.

 3.This property is in FEMA Zone X (outside of the 100- year floodplain) and FEMA Zone A

 (within the 100-year floodplain).

 4. 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 Elevations,

 whichever is greater.

 5. A Louisiana Department of Health permit is required prior to commencement of construction.

 6. The developer is solely responsible to provide water and sewer service to the point of service of

 Unit.

 7. 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 participated in

infrastructure improvements regarding 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.

 8. No determination has been made at this time as to the downstream capacity of the city sewer

 System. The developer may be required to participate in infrastructure improvements with

 regard to the city’s ability to accept sewer flows from the proposed development. Hydrant

 Placement with the development shall be acceptable to the Broussard Fire Department.

 9. This development is subject to the current stormwater management ordinance.

 10. Place a note on the plat that City Ordinances do not permit fences to be placed within or

 Across City Servitudes.

 11. Provide a 15’ sidewalk, drainage, & utility easement in the location of the existing 15” utility

 Servitude.

**STREET AND ACCESS COMMENTS**

1. Provide a common access servitude between Tract 1 and 2**.**
2. The developer shall assign municipal numbers acceptable to the City of Broussard for each lot.
3. The developer shall required to obtain a Driveway Permit from LDOTD.

**Design Review**

The City **does not** perform partial design reviews 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 design packet to the city. This packet shall include, at a minimum, the following items:

1. Construction plans and spec 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 within the area”.
3. State Law requires that prior to commencement of construction of water and sewer infrastructure a permit is required from the 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 required.

OTHER CONSIDERATIONS

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.

Report prepared by: Walter S Comeaux, III, PE, PLS

Keith Rousseau Moved to approve contingent upon above comments being met.

Second by Teddy Eastin

Question Brad Hamman

Roll Call:

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

Ms. Tolliver referring to #7 in General Comments- Is there a cost as we will have to budget for this.

Walter Comeaux Stated a package plant may be needed, we do not know a cost at this time.

Russell Trahan – for overnight parking, I am just asking to be creative with landscaping to conceal the vehicles.

Ms Tolliver – Overnight parking will be dedicated to the rear.

**Ibrahim NG Properties LLC – South Morgan Avenue at Glenn Street**

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

GENERAL COMMENTS (Not Subject to Waiver)

1. This proposed development is a 0.56-acre tract. The developer proposes to construct a 6 lot Single Family Residential Subdivision.
2. This development lies within the Old Town Special Overlay District and is subject to that ordinance as well. The overlay district report is included in the commissioner’s packet.
3. This property is located in FEMA Zone X (outside of the 100-year floodplain).
4. City ordinances require that the Finished Floor elevation of the structure or 12” above the Base Flood Elevation whichever is greater.
5. A Louisiana Department of Health permit is required prior to commencement of construction.
6. The developer is solely responsible to provide water and sewer service to the point of service of each unit.
7. 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 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.
8. No determination has been made at this time as to the downstream capacity of the city sewer system. The developer may be required to participate in infrastructure improvements with regard to the city’s ability to accept sewer flows from the proposed development.
9. Hydrant placement within the development shall be acceptable to the Broussard Fire Department.
10. This development is subject to the current Stormwater Management ordinance and to the drainage requirements of the Old Town Special Overlay District. 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.
11. Place a note on the plat that City Ordinances do not permit fences to be placed within or across City servitudes.
12. 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 times that the sidewalks are constructed.

**STREET AND ACCESS COMMENTS**

1. Provide an additional 10’ of right of way on South Morgan Avenue. Provide an additional 15’ of right of way along Glenn Street.
2. Provide a 15’ sidewalk, drainage, and utility easement along South Morgan Avenue and along Glenn Street.
3. Provide a 25’ fillet at the R/W intersection of South Morgan Avenue and Glenn Street.
4. The developer shall assign municipal numbers acceptable to the city of Broussard for each lot.
5. In accordance with the requirements of the Old Town Special Overlay District, provide a 20’ Building Setback from exterior perimeter property lines and from all public streets.
6. Head-in parking is not permitted, further each unit shall be required to have four parking spaces, refer to the Old Town Special Overlay District report.

**Design Review**

The City **does not** perform partial design reviews or issue partial approvals. Due to the interrelations 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 design packet to the city. This packet shall include, at a minimum, the following items:

1. Construction Plans and Specifications 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 the Louisiana Department of Health. A copy of the LDH submittal (included 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.
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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 required.

**OTHER CONSIDERATIONS**

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.

Based on our review it is our opinion that this proposed development does not adequately satisfy the requirements of the subdivision regulations and the Old Town Special Overlay District, we therefore recommend that this request be **denied.**

**Report prepared by: Walter S. Comeaux, III, PE, PLS**

**City Engineer**

Judy Keefe - I live behind this property. A 2-story affects my privacy. Back-room windows. The effects would be uncomfortable.

Michael Keefe- Transportation flow at Glenn and Morgan. Glenn is a narrow street. Six additional units int that postage stamp size lot places concerns about traffic, privacy parking and drainage.

Mark Gallagher – I did the development behind this proposed development. We went overboard with one-story, we did not do zero lot lines, we made sure we had parking for guests and residence.

We did look at two-story- it was shut down quickly by the city. In the past we were under the understanding that this was to be three single lot homes not six- two story homes.

Christina – I agree with everything that everyone has said. Traffic, Parking- it was a challenge when we built, but we built them with parking. You cannot park on Glenn Street, St Pierre, or Morgan. I do not like the Ideal of two-story homes looking down on our yards. I just hope whatever is built is similar to ours with space between the homes.

David Bonin- I can repeat but I won’t, all I have to say is, I am a victim of two-story homes on both sides of me.

Lance Fall – I just want to echo what was said, I have a special needs child.

Parking – I don’t want neighbor to have issues. We do not want to see properties turned into commodities.

**Cliff Guidry** – I am here on behalf of Ibrahim, as he is traveling out of the country with his family for the holidays. I do not disagree with these folks, but this is not my project.

The Engineer asked for waivers on 1, 2, 3 and 5, is that right Walter? If that happens this, it is like Mark’s with the side setbacks.

I do not see in any ordinance that prohibits 2-story houses being built. I don’t see what doesn’t allow this. I am just pointing out facts not here for a confrontation. You can vote how you want.

**Brad Hammans** – Cliff where would the access be to get into the parking area.

**Cliff Guidry** Off of Glenn. Its and Alley. One entrance on Glenn. I asked the engineer today, show me how you can turn a vehicle.

**Brad Hammans** – How would you get out?

**Walter Comeaux III** – In my opinion, You can’t

**Russell Trahan** - Look at this (a handout Cliff gave to the Commission) Privacy issues, houses get built next to houses. What I have issues with, you take 4 parking spaces, typical is 9 feet for parking spaces.

How will you do that within 35 feet? The density and the intent of the code is what I personally have issues with, the density and the number of houses, 20 front set back yes, side setbacks, the parking I get it. I do not think it meets the intent of the code. I agree with Walter. The terms of waiving those issues, what is the point of having code if we are going to waive them every time. I think this is the prime example where we would not want to waive the setbacks and the density issues. I agree with all of the residents.

**Cliff Guidry** – Yes, everyone has their own opinion, which is why we are here, right?

You talk about density, but I cannot find in the Ordinance of the Overlay District, where it doesn’t allow you to have density such as this. I agree with you, but guess what, legally it ain’t in here. That’s my problem.

**Walter Comeaux III** – Everything that is in the Old Town Special Overlay District is an Ordinance, which is a law. So, with the 20ft buffers, those are laws of Broussard.

**Mayor** \_ today, the property is platted 3 lots. With this it becomes a re-platting of all of the lots, it was one lot, Mr Guidry divided it into 3, the current owners request is to bring it up to 6 which absolutely throws up red flags in the old part of town. It’s not really a fair comparison in my opinion to compare the neighbor’s setbacks, or they were allowed to do this density, because that was done before the Overlay District Ordinance.

What do we want to end up with and can we put some rules in place to at least get people to the table?

When there is a rule that is not written, people will site that as an approval to do it. So, I don’t think we could put a law in place that would say 2-story buildings are not allowed in Broussard, I don’t think that is the right thing to do. Having them come in front of the Commission and the Council if necessary to have the conversation, to see if it is appropriate for the space., I think it is the right thing to do.

But, with all of the compliments given to Mr Gallagher today about his development, it would not be allowed today. With the Overlay District. That level of Density would not happen. Or it would require waivers to happen. That is just the honest truth. It’s all compliments, but the fact is, the new Ordinance we have in place would not allow us to have that level of density without a concession from the City Council.

**Russell Trahan –** That is a good point too, what’s there currently doesn’t necessarily get to be used as part of the code. Again, I am in favor of Walter.

**Cliff Guidry** – It’s good, but I don’t think it’s valid. You have people here saying that they love their house, you heard the builder and his wife talk about the house, not you say if they were up here today it would be denied.

**Walter Comeaux, III** – Today, you wouldn’t build a public street with a 30 foot right of way. 100 years ago, yes, how big was a fire truck 50- 75 years ago, they are monstrosities now, that is one of the main things that drives one we do. Can we go save someone’s life? That’s part of the unfair comparison. In the past it was done a certain way, but today is today. And the rules have changed significantly.

**Brad Hamman** – Does anyone have any other questions? Cliff?

**Keith Rousseau** – I have a comment – I tend to have to agree with Walter. I know exactly what you are saying, but being on the council 16 years ago, I have seen the progression, it’s a living breathing document, we are learning all of the time. It really concerns me, my mother lives back in that area and Glenn Street is extremely narrow and just the fact that, going back to what Walter said, because it was like that 10, 20, 30, 40, years ago, I have been in Broussard 44 years now and I have seen a lot of changes. I lived out in the country in Comeaux Estates. It is not Country anymore. But, it concerns me the density in this area because, the streets are so small, the streets are so narrow and we just keep pressing and pressing, and if we give 5 feet today, then the next guy may come, I’m not directing it towards you at all, but we have dealt with this on the city council before and I don’t feel like its fair for us to put this on the council. The Council Designed and constructed with the Mayor and Walter, the Overlay District regulations and laws. We are here to try and make sure we stay in compliance with it. Unless we feel that there is a chance of giving an easement. It this area, in my heart I cannot do it.

Parking is really my main deal. In my opinion it is unworkable.

**Russell Trahan** – again, I do not disagree with the 4 parking requirements. It falls back to that is the current code, you can’t apply the old code.

Russell Trahan moved by to deny this plat.

Second by Keith Rousseaux

Question Brad Hamman

Roll Call

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

**Ibrahim NG Properties LLC – South Morgan Avenue at Glenn Street – Old Town Special Overlay District**

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**Section 6. Prohibited Uses**

Not Applicable

**Section 7. Sewer Requirements**

Not addressed

**Section 8. Access Management**

This proposed development does not meet the requirements of Section 8 (h). Head in parking will not be permitted. Refer also to comments in Section 12.

**Section 9 Accessory Storage Areas Including Trash Holding Receptacles**

Not addressed

**Section 10 Architecture**

Not adequately addressed.

**Section 11 Mechanical and Electrical Equipment**

Not addressed

**Section 12 Parking**

Parking and access management do not meet the requirements of the Ordinance. 50% of the parking should be located in the rear of the building. The developer’s proposal does not appear to provide adequate space to provide the required four spots per unit. The developer proposes to provide head in parking, this is prohibited under the Old Town Special Overlay District. The city does not recommend a waiver of these conditions.

**Section 13 Drainage**

Not addressed.

**Section 14 Landscaping Standards**

The Old Town Special Overlay ordinance requires a 20’ building setback from all exterior property lines and public roads. This proposal does not provide the required setback. The city does not recommend a waiver of this ordinance.

**Section 15 Lighting Standards**

Not Addressed

**Section 16 Sign Standards**

Not addressed

Based on our review it is our opinion that the submission **does not** address the requirements of the Old Town Special Overlay District Ordinance. It is recommended that the Commission deny this request.

**Report prepared by: Walter S. Comeaux, III, PE, PLS**

 **City Engineer**

Moved by Craig Kimball to deny this.

Second by Keith Rousseau

Question Brad Hammans

Roll Call

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

**Adjourn**

Moved by Craig Kimball to adjourn the meeting.

Second by Russell Trahan

Question – Brad Hamman

Roll Call:

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