Minute s of the Broussard Planning and Zoning Commission Meeting

Held on Thursday, DECEMBER 8, 2022

**Members Present**

Brad Hamman Alton Pitre-Alternate Craig Kimball

Russell Trahan Adam Mouton-Alternate

**Members Absent**

Teddy Eastin

**Others Present**

Sarah Hebert – BPC Clerk

Walter Comeaux IV – Comeaux Engineering

Gerald DeLaunay- City Attorney

Mayor Ray Bourque

Callie Laviolette – Chief Administrative Officer

Ben Theriot – Floodplain Administrator

Rhena Garcia – Property Owner

Logan Riche- Property Owner

Chris Ventre- Property Owner/Developer

Steven Hebert- Representing Adjoining Property Owner

Joseph Marino - DDG

Brad Hamman called the meeting to order.

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

Adam Mouton moved to adopt the minutes of the November 10, 2022; meeting has written.

Second by Craig Kimball

Question- Brad Hamman

Roll Call:

Brad Hamman, Yea Alton Pitre-Alternate, Yea Craig Kimball, Yea

Russell Trahan, Yea Adam Mouton-Alternate, Yea

**Broussard Planning Commission**

**Logan Riche & Mary Rhena Garcia- Boundary Line Adjustment of Lots 1 & 2 Known as Camp Marteau into Lots 1A and 2A – Residential - Marteau Road**

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.

Recommendations/Comments as prepared by Walter Comeaux III- Comeaux Engineering.

General Comments

1. This proposed boundary line adjustment would reduce the flag portion of Lot 1A to a width of 15’. The proposed location of the new boundary line would be located within the existing driveway of Lot 1A. This access is the only access available to Lot 1A.
2. Subdivision regulations require that Access Servitudes have an unobstructed width of 28’.
3. It is our understanding that the reason for this boundary line adjustment is to accommodate a proposed building on Lot 2A that would encroach onto Lot 1A and/or violate the requirements 5’ setback.
4. It is recommended that a 28’ Access Servitude be shone on the proposed lot 2A configuration in order to meet the requirements of the Subdivision Regulations. The proposed building may be no closer to the proposed property line than 5’. At the specific location of the proposed building the servitude bay be lowered to a width of 25’.

Logan Riche and Rhena Garcia – Property Owners agree to all of the above comments.

Moved to Approve Alton Pitre

Second by Craig Kimball

Question Brad Hamman

Roll Call:

Brad Hamman, Yea Alton Pitre-Alternate, Yea Craig Kimball, Yea

Russell Trahan, Yea Adam Mouton-Alternate, Yea

**Moulin Road Residential Development- Single Family/Multifamily Development.**

*Walter Comeaux- Before I get into the report – this is something that we have not seen before.*

*It is a zero-lot line subdivision - What is unusual about this, what’s different is that this subdivision is for rent. They will build for rent houses, they will not sale them. There are a few comments that you have never seen before.*

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Recommendations/Comments as prepared by Walter Comeaux III- Comeaux Engineering.

GENERAL COMMENTS (Not Subject to Waiver)

1. This proposed subdivision is to divide a 28.455-acre tract into 171 residential lots with 8.826 acres reserved for a future multifamily development. While the Preliminary Plat depicts the proposed multifamily development approval for that portion of the development is not being pursued at this time. Approval of this plat is only for the single-family development. Please provide a name for the development and indicate the type of development.
2. The second entrance depicted preliminarily on the multifamily portion of the development shall be required at the time that section is developed. Further, the location of that connection shall be subject to city approval and shall be connected to the single-family development.
3. It is the understanding of the city at this time that the development will consist of zero lot line homes that will be presented to the public for rent. Based on the approval being sought these individual lots will be able to be presented for individual sale at a later date. It is recommended that the Preliminary Plat be granted with the condition that the developer, at some future date, decide to sell these lots to separate owners that the plat be reheard by the commission to address potential issues resulting from that decision.

*The reason for this, is in a typical subdivision, the lots would be sold, a homeowner’s association would be created, they would maintain the common areas. In this instance, you will have a property owner that maintains everything.*

1. The subject property is located within Special Flood Hazard Area, Zone X.
2. In accordance with City of Broussard Ordinances the Finished Floor Elevation of all structures shall be 1’ above the road fronting the structure.
3. The developer shall be required to submit street names for Streets A & B that are acceptable to the Lafayette Parish Communications District. Further, the developer shall assign municipal numbers, acceptable to the City of Broussard, for each lot. *Also, an area must be provided for a mail kiosk.*
4. This development is subject to the current Stormwater Management Ordinance.
5. Construction plans, Specifications and 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.
6. Place a note on the plat that the City Ordinances do not permit fences to be placed with or across City Servitudes.
7. 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.
8. Provide a 15’ Sidewalk and drainage and Utility Easement along Moulin Road.
9. The “40’ Private Servitude of Passage” noted on the plat shall be changed to “40-foot Private Servitude of Passage & Public Utility Servitude.
10. The developer is requesting that the front setback be reduced to 11’. It is recommended that this waiver be granted with the understanding that the City will not be liable for damages to the private streets incurred as a result of repair work to utility infrastructure in the future. An Agreement, Acceptable to the City Attorney, will be executed prior to final plat recordation.

**STREET AND ACCESS COMMENTS**

1. The streets in this development are noted on the plat to be “Asphalt, Curb and Gutter with Sidewalks. The City Standard for residential streets is a 27’ back of curb to back of curb asphalt (or concrete) street having 2-2’ curbs and 23’ of paved road.
2. Provide an additional 10’ of R/W along Moulin Road.
3. Provide 25’ fillets at all intersections.

**WATER & SEWER COMMENTS**

1. A Louisiana Department of Health permit is required prior to commencement of construction.
2. The developer is solely responsible to provide water and sewer service to the point of service to each lot.
3. 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.
4. Hydrant placement within the development shall be acceptable to the Broussard Fire Department.
5. Public watermains shall in no instance be situated with 10’ of a structure foundation.
6. Sanitary sewer mains shall in no instance be situated with 6’ of a structure foundation.

The 6’ clearance cited may be increased depending on the depth of the sewer main so as to address trench stability issues in proximity to structures.

**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 Engineers/Architect of record to provide the complete design packet to the city. This packet includes, at a minimum, the following items.

1. Construction Plans & specifications along with a written certification and 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 infrastructures 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.

Adam Mouton- Given that the roads are only 40’ wide – how is that going to affect parking?

Walter Comeaux -It is private, what we are requiring is a full 27-foot typical subdivision street. You do have room to park.

Russell Trahan – I know that we have been approving for allowing- some of these tighter front setbacks for these developments. But we keep going against the City Code and keep allowing it. At a certain point when do we stop. The question I have, we are allowing the services so many distances to a foundation. These city services are starting to fall under the sidewalks and in some cases under the road. Well, they are having to replace the road, wouldn’t still cost the city more money to saw cut sidewalks, roads rather than digging through the yards?

Walter Comeaux – The only places so far, we have contemplated this are in private roads.

We haven’t given on public roads. In this instance in my opinion, there is enough room to work with.

Russell Trahan – Ok, that is something that you are looking at.

Walter Comeaux – During design if we see a problem we will get with the developer. We have not yet gotten away from City Standards on public roads.

Chris Ventre – Representative of the Development - The project that we are proposing-as stated before- is a for rent subdivision, which will look and feel and be constructed as a private street residential subdivision but will operate like an apartment complex. There will be a leasing office, community center club house, pool house, if looking at the plat the partial that is on the southwest side of the retention pond, that will be the community center. The development entity will perform all maintenance on the yards and common areas and perimeter fences. (Spoke of the future multi-family units – Not part of this review). We originally approached the city with this project, the property being a whole piece. It was recommended to us by several members of the city to have it platted into individual lots for addressing and metering reasons, where everything is easier to find, per address. That is what we are doing with Phase 1, individual lots. Addressing any future possible sales. We would be more than happy to place on the plat that if lots were sold off a neighborhood association must be formed, accordingly. It would be in the best interest of the city, Neighborhood and Development as well.

Walter Comeaux –We spoke yesterday on the phone about that, and I suggested that he has his lawyer contact you – (speaking to Gerald Delaunay). That you can come up with some language. He is going to put it on the plat. Just for clarification, the reason, when they came to us originally, he did it as one lot, the problem is, it’s not an apartment complex, you will have 171 separate structures here. The way everything is set up in the city, a building permit is issued based on a municipal address, a water meter. That is why we suggested that this be done the way we are doing it.

Chris Ventre - The streets in the subdivision, we fully intend to build the full width of 27’ streets. We as the developer do not want traffic issues, parking street issues or fire truck issues. It does not do use any good if we have issues. The setbacks we have, the 10’ utility servitude and 11’ building setback, that is to give us a little wiggle room, in case the worker doing the form board or foundation and happen to go over and inch to far an inch of the slab will be in the utility servitude. The notes that have been provided to us; we have already addressed with our engineer. We have a version of the plat that we can distribute showing that the items have been addressed. Street names and few other items. Do yall have any questions.

Brad Hamman -Two Entrances? Both are secure gates?

Chris Ventre – Yes

Adam Mouton – The future apartments – will it be 1- or 2-bedroom configurations?

Chris Ventre- So the multi-family will not be apartments, it will be more single-family structures with the same spacing as the residential development, it will be just on parking courts. They will have sidewalks and landscaping. That is a little more difficult to lot.

Adam Mouton – How many bedrooms?

Chris Ventre – they will be 2- 3- and 4- bedrooms.

Brad Hamman – Walter- 27’ allow with the West Coast mirrors for a fire truck to get down.

Walter Comeaux – Yes, it’s a good wide road.

Chris Ventre- we are putting 6’ sidewalks starting at the back of the curb. They are roll over curbs.

Steven Hebert- with the Billeaud Companies- I just want to go on record, that first of all having a residential subdivision – we own the adjacent piece of property that is zoned industrial, doing this development does not encumber our property in any way, with additional setbacks, regulation on fencing, we would have to provide fencing, because we are a more intense use of this newly zoned property. I was assured of this at the zoning meeting. I want to rethread that again to get on record, because of the development of this property we are not surprised with some sort of increased buffer easement, landscaping and fencing requirements. That is the purpose why I am here.

Russell Trahan – Yours is the property with the railroad adjacent, correct?

Steven Hebert- Actually there is a utility line between us. If you look at the plat, there is a powerline.

Russell Trahan- is there anything, anyway in addressing that, that the highline would act as that buffer between these properties.

Walter Comeaux- if he wants to be absolutely sure about that, he will have to go the council to get that set-in stone. They are just looking at this as it pertains to the subdivision regulations.

On industrial I will have to research the buffers. Property is zoned Light industrial.

Steven Hebert – I am not speaking against this development, I am more concerned about

Something you said about the second phase of the development, the access – what is the spacing on driveways, if I come to you with a plat on the next property, and I want a driveway access, very close to the property line, is there a spacing between those driveways that you will require.

Walter Comeaux – I can’t see that right now and I did put the language right here that they will have to come back, what they have given us is not final. I have two caveats right here, number 1 there has to be a second one, and number 2 I would rather space them out somewhat.

Steven Hebert – I doubt that the access would be right on the property line because of the powerline right there.

Walter Comeaux – that is a good question, but I can’t imagine how theirs would affect yours.

Driveways are street placement. A lot of times, it depends on what is going on, on the other side of the road. Typically, you want to align it, if there is another road or driveway. It becomes more of a practical and safety issue. There is nothing that I am aware of that says, there is a minimum spacing.

Steven Hebert- So that is it, I am definitely not speaking against the development, I just wanted to make sure to the best of my ability that the development of this plot will not encumber or place new requirements on any development that we do on our property. Thank y’all very much.

Mayor Bourque- thank you- Ray Bourque – Mayor City of Broussard – Just a couple of comments, I think that are relevant, Mr. Hebert’s comments first, the property was zoned in the recent past from light industrial to residential so that buffering question is important, I believe the solution for that might be tied into my original reason for addressing this Board. What is unusual about this development for the city, and I have met with the developers, in my opinion they have put forth a quality development that will satisfy if not or eventually our building requirements. We have never had a subdivision 100% rental come before the city to be reviewed and that has put the city in somewhat of a cautious position and that is why I have had a meeting with them. They have been working with our civil engineer and our whole package at City Hall to make sure we understand what it would mean, but as of late, since this public meeting has been advertised, I have had a few of our City Council call me wanting to understand what is coming before this planning commission and through me they have made a request, and I am making a request to you, that a presentation be done in front of our city council for final approval. So, I would ask that you do everything that you normally do, to approve/disapprove within your powers but, that we ask the developer to schedule on a regular city council meeting, so they can hear the information from the developer and decide. The only way we can get them all together is in a public meeting, and of course they have the right to accept your approval or deny it. So, we will exercise that right. They do need to hear it and as a city we need to understand what a rental property neighborhood could mean to us. I am not saying it is bad, I am not saying it is good, it could just unfold some new questions and at that same time, that would be the city council’s opportunity to address the buffering question that Mr. Hebert is asking. Because they have the authority to wave those requirements and it may be a moot point with the railroad and the powerline, but it would be their right to make that determination to satisfy Mr. Hebert’s request. As our legal advisor, Mr. Delaunay am I phrasing that right?

Gerald Delaunay- I think what he is asking you. Is if you choose to approve, you do so as a condition upon council approval.

Mayor Bourque- I know that is an additional meeting for the developer. It is in the best interest to satisfy our city councils concerns, as we move forward with this project in our city limits.

Thank you

**Moved to Approve** Russell Trahan- I motion a conditional approval with the presentation of final review by the City Council as well as the addition with Walter’s recommendation of the mail kiosk within the development

**Second by –** Craig Kimball

**Question** Brad Hamman

Roll Call:

Brad Hamman, Yea Alton Pitre-Alternate, Yea Craig Kimball, Yea

Russell Trahan, Yea Adam Mouton-Alternate, Yea

**Adjourn**

Moved to adjourn Russell Trahan

Second by – Craig Kimball

Question-Brad Hamman

Roll Call:

Brad Hamman, Yea Alton Pitre-Alternate, Yea Craig Kimball, Yea

Russell Trahan, Yea Adam Mouton-Alternate, Yea