Minutes of the Broussard Planning and Zoning Commission Meeting

Held on Thursday, March 9, 2023

 **Members Present**

Brad Hamman, Craig Kimball, Keith Rousseau, Teddy Eastin, Alton Pitre, Alternate

**Members Absent**

Russell Trahan

**Others Present**

Sarah Hebert, BPC Clerk

Mayor Ray Bourque

Walter Comeaux, III – City Engineer

Callie Laviolette-Chief Administrative Officer

Ben Theriot – Floodplain Administrator

Nathan Reaux – DDG

Bryan Champagne – Fire Chief

Brent Hollier – Spec Engineering

Angel Racca – City Councilwoman District 1

David Bonin – City Councilman District 2

Girouard Family- Property Owners

Dan Hart – Property Owner /Developer

 Trevor Evans – Comeaux Engineering

Brad Hamman called the meeting to order.

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

Keith Rousseaux Moved to adopt the minutes of the February 9, 2023, meeting.

Second by Alton Pitre

Question Brad Hamman

Roll Call:

Brad Hamman, Yea - Craig Kimball, Yea - Keith Rousseau, Yea -Teddy Eastin, Yea- Alton Pitre, Alternate, Yea

**Broussard Planning**

**Randy Lolley – Subdividing Property Located on Cummings Road Known as Tract A3 creating Tract A-3-1, A-3-2 and A-3-3.**

***Report of review by Walter Comeaux III of Comeaux Engineering***

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

1. This proposed development is a 5.467-acre tract. The developer proposes to divide the property into three Commercial Tracts.
2. An existing building is located on the proposed Tract A-3-1.
3. This property is zoned Light Industrial.
4. This property is located in FEMA Zone X (outside of the 100-year floodplains).
5. 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.
6. A Louisiana Department of Health permit is required prior to commencement of construction.
7. The developer is solely responsible to provide water and sewer service to the point of service of each unit.
8. 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.
9. No determination has been made at this time as to the downstream capacity of the 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.
10. Hydrant placement with the development shall be acceptable to the Broussard Fire
Department.
11. 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 City of Broussard Requirements.
12. Place a note on the plat that City Ordinances do not permit fences to be placed within or across City Servitudes.
13. Provide a 15’ Sidewalk, Drainage & Utility Easement along Cummings Road.

**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 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 & 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 in 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 provided 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.

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

Brent Hollier – Spec Engineering -

We agree to all the conditions set forth.

Craig Kimball Moved to approve the plat contingent upon all conditions per review being met.

Second by Keith Rousseau

Question – Brad Hamman

Roll Call:

Brad Hamman, Yea - Craig Kimball, Yea - Keith Rousseau, Yea -Teddy Eastin, Yea- Alton Pitre, Alternate, Yea

**Dan Hart – Subdividing Property Located at Second and Ave B into 5 Lots. Section 28 & 58, T-10-S, R-5-E to be used as Multi-Family Residential use.**

***Report of review by Walter Comeaux III of Comeaux Engineering***

General Comments (Not Subject to Waiver)

1. This proposed development is a 0.479-acre tract. The developer proposed to construct a 5-unit Townhome Development.
2. This property is subject to the Old Town Overlay District Ordinance.
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 structures be a minimum of 12” above the centerline of the road fronting the structure.
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 the 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.
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 with the development shall be acceptable to the Broussard Fire Department.
10. This development is subject to current Stormwater Management ordinance. Construction plans, specification plans, specification & 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 not on the plat that City Ordinances do not permit fences to be placed within or across City Servitudes.
12. Provide a 15’ Sidewalk, Drainage & Utility Easement along East Second Street & Avenue B.
13. Provide a 6’ wide (minimum) sidewalk along the frontage of tract.
14. Per the requirements of the Old Town Special Overlay District a 20’ building setback is required along the entire perimeter of the property.

**Street and Access Comments**

1. Parking and access for this development are not adequately addressed this development and do not meet the requirements of the Old Town Special Overlay District.
2. Provide a 25’ fillet at the r/w intersection of 2nd Street and Avenue B.

**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 & 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 certifications 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 (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 with 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.

1. 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.

**Brent Hollier – Spec Engineering**

Owners would like to work out something on the setback requirements. We also ask for zero lot line for townhomes and 10-foor on residential lot sides and 20 on the exterior lots.

**Brad Hamman** – How are we handling the variances.

**Walter Comeaux III** – We will discuss this in the Old Town Overlay District review.

We do not recommend waiving the 20-foot setback requirement.

**Mayor Bourque** – We have one or two items that may be crossing in reviews on this one.

**Gerald Delaunay** – The most restrictive one will apply.

**Brent Hollier**- The owner purchased 6lots on cash sale is recorded in the court house. This is not one lot.

**Walter Comeaux** - So based on that argument we need a 20 ft setback on each lot.

The only crossover on this is the setback requirements.

**Brent Hollier** - Asking for notation in approval –“ or as worked out with the City.”

The owner is willing to work with the city on this.

Teddy Eastin Moved to approve this plat with the 0 lot lines for the townhomes and or as worked out with the City on the Other setbacks,

Second by Craig Kimball

Roll Call:

Brad Hamman, Yea - Craig Kimball, Yea - Keith Rousseau, Yea -Teddy Eastin, Yea- Alton Pitre, Alternate, Yea

**Dan Hart Old Town Overlay District Review of Townhome Plans at 2nd Street and Avenue B**

***Report of review by Walter Comeaux III of Comeaux Engineering***

**Section 6. Prohibited Uses**

Not applicable

**Section 7 Sewer Requirements**

Not addressed

**Section 8 Access Management**

Not addressed, refer to comments on section 12. The city does not recommend a waiver of this requirement.

**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 access management do not meet the requirements of Ordinances. 50% of the parking should be located in the rear of the building. The developer proposes to provide three parking spaces per unit the ordinance requires four per unit. The developer proposes to provide head in parking, this is prohibited under the Old Town Special Overlay District. The city done recommend a waiver of these requirements.

**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.

**Brent Hollier with Spec Engineering**

There is a couple of things that I want to give to you about the setbacks. The setbacks are basically set up when you have a conflict of residential/commercial – Brent Hollier when on to read from the Old Town Overlay District Ordinance.

He wants to put 5 townhomes; he will have a single car garage with a driveway with 2 additional parking spaces.

He is asking for the parking waiver from 4 to 3 and a 10-foot side set back on that one particular lot.

**Walter Comeaux III**- I want to point out – that we were very careful when we wrote the ordinance. If they were building a building that was of the same square footage of the original building and was a single-family residential home, none of this would apply. What kicks this in is the increase in density. If you put a house that is roughly the same size are smaller, and a single family residential, this all goes away, what triggers the requirements, the 20-foot we can argue about the buffer and a setback – I don’t think they are the same thing, the ordinance specifically requires a 20-foot setback on multifamily. This whole ordinance was to get a handle on the high-density developments that trickle down other problems.

 **Mayor Bourque** – I would like to make a comment on the origin of the ordinance. Since Broussard has been

 investing so much in the Main Street Redevelopment, there has been a big interest in infield projects by

 developers/landowners deciding that it is now time to develop property that is undeveloped. What we face as a

 city, is neighboring property owners, and sort of an outcry from them, when a multifamily unit or a business came

 into the oldest area of Broussard. The buffers/setbacks don’t work as well in the older section of Broussard.

 The city welcomes development, we want to be easy to work with, there is likely, somewhere to meet on this,

 where all parties can be happy. There hasn't been a conversation that I have been involved with, thus far. But,

 we have an ordinance in place that our council has accepted, and that we have to uphold. Where that middle

 ground is I do not know. A small variance on a buffer is at times acceptable. But the list is a little long right now.

 none of the parking requirements are being respected, as far as the ordinance goes, they are head in- there is only 3

 instead of 4, there is none behind the building.

 **Brent Hollier**

 Can I say something about that? So, it says side are rear, It doesn’t say, It doesn’t have to be behind the building.

 **Mayor Bourque** is there an alternate you guys can suggest to get us in the right direction. The submittal is just kind

 of -there is no attempt to get where the city is trying to go, we welcome an attempt to get us here. We want new

 developments. We just don’t want the problems that we have seen in the past.

 **Brent Hollier**

 Your comment about that area, these are going to be single family residential homes. 5 units of single-family homes.

 Mayor Bourque – Multifamily Building. It’s the higher density, we are forced to pay attention because of that.

 What’s going to happen if we allow this to happen is -the street parking.

 **Angel Racca** – we took in account as well, when we created this ordinance, is emergency personnel, because the

 roads are so much smaller. I understand about the parking at the older homes only have a carport that you can just

 park one, but we sat there and we took into account families coming up, its going to take more, it impacts our drainage, the streets, emergency personnel, and that Is why we came up with this ordinance, to protect the older part of town. Most lots back in the day were 25’x125’. So, you had a little shotgun house and that was it. A lot of those lots are still those sizes. We are just trying to protect that.

Mayor Bourque – So Mr Brent if you can, even verbally tonight, offer us an attempt in the direction that helps us do what we are trying to do, with the parking, stop the head in parking, parking on the side or the rear, whatever the ordinance specifies.

Brent Hollier – So no parking would be allowed adjacent to 11A, that would be considered street parking.

Walter Comeaux III – You can parallel park.

Brent Hollier – So, You can parallel park along the street

Mayor Bourque – Yes, off street parallel park. Second Street is no longer a state highway, so that should work to your advantage.

Walter Comeaux III- Brent, I think what the mayor is telling you, is to try and meet us halfway. Bring us a proposal. The list is just a little too long.

Mayor Bourque – meet us in a way where we won’t feel like we are going to end up with problems that we face with the traditional multifamily homes and we will help you, that is what we are asking for. Now this is not my decision tonight. This is their (referring to the BPC) decision. If I were sitting on the board, I would want to hear this kind of collaborative chatter.

Dan Hart – what I am willing to do is, I have 5 units now, I can go down to 4 units and put side parking and a common area is that something that y’all are willing to work with.

Keith Rousseau – As long as we can follow the overlay ordinance, the overlay district was put there to protect the city.

I agree with the mayor, we want the development, we encourage it. But we also have to remember that we keep saying that it’s a single family -but you are taking one plat that was designed single family and you are putting multiple units. I think if you come up with something like that, as a planning commission our job is to prepare you. I agree with the mayor meet us somewhere that we can agree.

Walter Comeaux III – The administration is comfortable, if he is willing to reduce the number to 4 and come back to the administration with a proposal that we can digest, we are ok with the commission granting conditional approval based on that. Does that sound good Gerald?

Gerald Delaunay – you can do it as you want, it leaves a lot of unanswered questions. To say reduce it to 4 and satisfy everything else. If he can satisfy or substantially satisfy all of the requirements of the Old Town Overlay District, by reducing it to 4, which gives you a lot of area to deal with parking, it seems like a workable thing to me.

Walter Comeaux III, I guess what the mayor and I were discussing, instead of making him come back before the commission, because, he is agreeing to do this, it is on record, is that workable for us as far as you are concerned.

Gerald Delaunay - If that is what the commission wants to do, it is certainly workable.

Mayor Bourque - Mr Hart, if you are willing to go down to 4 its obvious you are trying to work with the City, we appreciate that. By doing that, it looks like you would have much more of a footprint to handle your parking, so you can theoretically do parallel parking on two sides of this property, I think you could handle most of the parking on the side or rear of the building whatever would work with you in your design team. So, are you comfortable with that, are you agreeable to that?

Dan Hart – Absolutely.

Mayor Bourque – if you make that commitment to the council, it would put them in a comfortable position to say that, I will meet the ordinance, my parking will be off street. All the administration has to do is look at your plans and say, it’s met and check the box. If you can’t meet it, you will have to come back here with some other argument. But, in the interest of trying not to slow you down. If you are going to meet our ordinance, we can look at your tweaked design and tell if you met it or not. Does that may sense to Gerald and the commission?

Gerald DeLaunay - Yes

Keith Rousseau – Are you Comfortable with making this decision now? do You want to wait a month and look at another design instead of losing a whole unit and still meet the overlay, then we would be willing to look at that.

Mayor Bourque – Walter would have to comment on this. At this point in the design engineer study hasn’t been done, there is some retention that has to be done, I am not sure where it will be placed, you look a little tight to get it all in with 5 units, but I can’t speak for you. Its looks like we need to create some greenspace to accommodate everything, but that can be done under the parking. So, I am comfortable with whatever, redesign and comeback to the commission or if you are willing to make a commitment that you will lose one of them to accommodate that, that’s fine with us too, we can work with you. We are at just an in past on it that those requirements were not being met. It did not leave us a lot of room to work with.

Dan Hart - I came here prepared, I was just trying to get max like everyone else. I have multiple scenarios, that I can cut back from the original plan, obviously I am pretty deeply invested in this. I can show you that I can go back to 4 units, I can get common area, parking area. It is already set up.

Mayor Bourque, so your choice would be to redesign and come back to the commission or commit to 4 and prove it to us and you can take the next step a little quicker.

Dan Hart -I commit to 4.

Mayor Bourque – if Gerald can put that in a term that holds water for the City it would make me happy.

Gerald DeLaunay - Subject to the agreement to 4 units, then you say you approve it as a 4-unit development, subject to compliance with all of the requirements. The Building requirements as well as the old town overlay requirements then take it from there. Go back to the administration from there.

Walter Comeaux III - the thing is, either one of us can come back here.

Mayor Bourque – if either one of us can’t check the boxes we can come back

Walter Comeaux III – you can ask for a rehearing.

Alton Pitre – We have a plan here that doesn’t meet any of our requirements, now we will verbally agree to do this, that or the other, and going to approve it based on the commitment. What is the problem with just starting from scratch and resubmitting.

Walter Comeaux III well number 1, when yall approve it, this is like the tip of the ice berg. Most of the work is what he is going to give us next. He is on record saying he is going to do certain things. Then it comes to the administration, and it will be reviewed at that point. If he is not happy with us he can come back to you or the City Council, if we are not happy we can come back to you. I am comfortable at this point, that they will work with us.

Dan Hart – I am a builder here in town, I have built multiple homes, I am not trying to do anything across the line.

Brad Hamman – we appreciate you coming.

Brent Hollier – I just have one more comment – for y’all, based on approval tonight, if he eliminates one lot, that all goes away. He is going to meet the 20’ setback and he is going to have the parking capacity. So if he eliminates the lot he meets all of the requirements.

Alton Pitre – A unit is not a lot.

Brent Hollier – well the lot will probably be converted into a common area.

Walter Comeaux III that is what we are saying, let us handle it at this point.

Moved by Keith to accept this plat contingent upon all requirements of the overlay district being met with the verbal commitment to reduce this from a 5 unit to a 4 unit townhome, and the previous comment of Gerald Delaunay

*Subject to the agreement to 4 units, then you say you approve it as a 4-unit development, subject to compliance with all of the requirements. The building requirements as well as the old town overlay requirements then take it from there. Go back to the administration from there.*

Second by Craig Kimball

Question – Brad Hamman

Roll Call:

Brad Hamman, Yea - Craig Kimball, Yea - Keith Rousseau, Yea -Teddy Eastin, Yea- Alton Pitre, Alternate, Yea

**Estate of Lawrence G Girouard – Partition of Property, Known as Plot J, creating Plot J-1 and J-2 Sections 47, T-10-S, R-5-E**

 As reviewed by Shawn Macmenamin, PLS

Needs addresses added.

Nathan Reaux - All comments have been met we recommend that you approve this Plat.

Sarah Hebert – If anything is built on this property, a drainage analysis will be needed.

Moved to approve by Teddy Eastin

Second by Keith Rousseau

Question – Brad Hamman

Roll Call:

Brad Hamman, Yea - Craig Kimball, Yea - Keith Rousseau, Yea -Teddy Eastin, Yea- Alton Pitre, Alternate, Yea

**Adjourn**

Teddy Eastin moved to adjourn.

Second by Craig Kimball

Question Brad Hamman

Roll Call:

Brad Hamman, Yea - Craig Kimball, Yea - Keith Rousseau, Yea -Teddy Eastin, Yea- Alton Pitre, Alternate, Yea