Minutes of the Broussard Planning and Zoning Commission Meeting

Held on Thursday, May 11, 2023

 **Members Present**

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

**Members Absent**

**Others Present**

Sarah Hebert, BPC Clerk

Mayor Ray Bourque

Walter Comeaux, III – City Engineer

Ben Theriot – Floodplain Administrator

Bryan Champagne – Fire Chief

Connor Glennon, P.E. for Bilfinger Inc

Oscar Reed - Attorney

Vance Olivier- Police Chief

Tony Ashy – Asst. Police Chief

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 April 13, 2023, Planning Commission meeting.

Second by Russell Trahan

Question Brad Hamman

Roll Call:

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

**Bilfinger Inc – LaFlamme Road**

Report of review by Walter Comeaux III of Comeaux Engineering.

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

1. This proposed development is a 8.57 acre tract. The developer proposes to divide the property into two commercial tracts.
2. Existing structures are located on both proposed tracts.
3. The zoning commission has recommended that this property be zoned Light Industrial, however the zoning action has not been heard by the City Council for final approval.
4. This property is located in FEMA Zone X (outside of the 100-year floodplain).
5. City Ordinances require that the Finished Floor Elevation of any new 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 for providing 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 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 within 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 developments shall be required to be constructed to the City of Broussard requirements.
12. Place a note on the plat that City Ordinances do not permit fences to be placed withing or across City Servitudes.
13. Provide a 15’ sidewalk, drainage, and utility easement along Laflamme Road
14. Provide the type of plat e.g., commercial, industrial…
15. Provide a table showing the number of lots, total acreage, minimum frontage, minimum lot size.
16. North arrow for the plat.
17. Show the location of La Flamme Road and the extent of the R/W.
18. Provide municipal numbers for each tract.
19. Show Existing buildings, roads, easements, powerlines, gas lines and all features located in and abutting the plat.
20. Show the distance to the nearest intersections.

**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 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 Hwy 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.

Walter Comeaux, III, recommended that this plat be approved, subject to conditions being met.

Connor Glennon had questions about the 15-foot servitude.

**Walter Comeaux, III** – We have to have utility easements. We consistently require utility easements. There is no utility easements here, if your plat is correct, I am assuming it is. But this is very typical, very standard.

**Connor Glennon** – I understand. I will say to my knowledge, they are not planning on developing anything on that parcel.

**Walter Comeaux III –** But tomorrow they could. The minute we subdivide that second tract, they could sell it.

**Mayor Bouque –** The fence in easements – let’s say it’s a drainage easement and we have to go in there and clean it, we have fences in the way, and we have to take them down, and the property owner says fix our fence.

What was your other question on the easement with the parking lot?

Walter Comeaux III – Well if he gave us the 15-foot utility easement, it would go through his parking lot, which is pretty typical. Sidewalk/Drainage/Utility.

**Mayor Bourque-** How much overlap is there?

**Walter Comeaux III** – I don’t think we would be getting into the parking lot much, The Mayor may overrule me, but I think we have to insist on this utility servitude.

**Connor Glennon** - If someone were to come in here and develop the northern property would they have to come back before the planning commission meeting.

**Walter Comeaux III** – Once it is subdivided, they can sell tract A-1, now they still have to get building permits. This property falls under our drainage ordinance. If they wanted to significantly add buildings to tract A-1 or A-2 they have to go through our drainage ordinance. What is there now is there. We are not talking about that.

**Connor Glennon** – I guess my point is, they can’t build on it until we get the servitude on it.

**Walter Comeaux III** – No, now is the time when we do it. Not during building permit. Once this lot is approved, it is approved, as is.

**Mayor Bourque** – More Common, this would be what would happen, someone would go to develop that property and, in that development, plan the easement causes a problem. They can come to the city council for a variance to see if it would make sense to give them that variance. Our standards are what you are facing tonight.

**Walter Comeaux III, \_** The other thing is, if we had a desire to run utilities down here, we would do everything to avoid getting into someone’s parking lot. We have in many instances where projects get held up because we did not have servitude. That is why we are doing it now; this is what we need.

**Connor Glennon –** I guess, because it is not my property, I am just representing them, as a surveyor, I don’t know if they are entirely willing to give it or not.

**Walter Comeaux III -** Well, I am going to recommend that the council approve this based on my letter, they of course can vote anyway they wish, but that is what is going to be my recommendation. Once that happens, if they don’t like it, they will have to come to the council.

**Mayor Bourque –** And, they do have that option. It can be tabled tonight, and they can wait another 30 days, so that they can look at it more, or approve it as is, and if there is an issue that they really think is worth homing in on, we can bring it to our City Council, so they can make their argument to the City Council. But it would hold more weight if there were an actual project as to why they needed additional feet.

 C**onnor Glennon** I completely understand everything you are saying, but It is not my property

 **Walter Comeaux III** – you are just here doing your job.

 **Mayor Bourque** – if there is anything of great concern, we are happy to meet with them and talk about it. If it needs to be

 Brought to the council for approval.

 **Walter Comeaux III** – I can tell you this, if down the line and something happens, as long as he is mayor he will listen.

 Everything we are asking for; we have asked for over and over. We have to be consistent.

 **Connor Glennon**, if the council does move to approve with these conditions, from that point if they wanted to discuss not

 accepting the 15 foot if would not be approved.

 **Walter Comeaux III** – if your client wants to unwind that, they will have to go to the City Council.

 **Mayor Bourque** – Which is a different board.

 **Connor Glennon** – I think they would want to move it forward, but would not want it set in stone if there was a way

 **Mayor Bourque** - there is a way to get relief on a request if there was a good reason.

**Walter Comeaux III** - Generally we only looked at relief if there is a hardship and we don’t have one here. It is not present here that I am seeing. What is the hardship? Why do you want the waiver? If you have a hardship, with my experience , the Council has been very open to that.

**Teddy Eastin** – Is there any issue with that building being that close to the property line?

**Russell Trahan** – is that a building? The dark grey

**Walter Comeaux III** - he is looking on A-2 – it is showing a metal building, that is an existing building

**Mayor Bourque** – that property line is existing right?

**Walther Comeaux III** so if anything, he is grandfathered in on that.

Bear in mind, we annexed this, so it came as it came, so it would be grandfathered as far as that goes.

**Russell Trahan** – A question I have just for clarification – there is a dark grey square near the street.

**Connor Glennon** – that is asphalt parking.

Moved by Teddy Eastin to approve contingent upon all conditions stated above are met.

Second by Russell Trahan

Question Brad Hamman

Roll Call:

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

**Adjourn**

Moved by Russell Trahan

Second by Craig Kimball

Question Brad Hamman

Roll Call

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