

The below minutes and written decisions are taken from the meeting to represent items addressed and actions taken by this board. All meetings are recorded with video and audio for our records. In the event these minutes and written decisions are ever in question or controversy, the audio/video archive shall be used to determine the actual item or action taken by individuals present at this meeting.

**MINUTES AND WRITTEN DECISIONS
PLANNING COMMISSION
MAY 8, 2019**

The Planning Commission of the Parish of Ascension held a Public Meeting on Wednesday, May 8, 2019 at 6:00 p.m. in the Courthouse East Meeting Room, Gonzales, Louisiana in a regular session convened.

I. Meeting was Called to Order

Meeting was called to order by Chairman Matthew Pryor.

II. Roll Call of Members

The following members were present:

Julio Dumas, Ken Firmin, Morrie Bishop, Matthew Pryor, Wade Schexnaydre

The following members were absent:

Anthony Christy, Aaron Chaisson

III. Introduction of Staff

Stacie Webb – Recording Secretary, Planning Commission

Cody Martin – Legal Counsel

Jerome Fournier – Director, Planning and Development

Eric Poche – Planner

Shaun Sherrow – Engineering Review Agent

IV. Chairman's Comments

A) CPEX Presentation – Master Land Use Plan Update

Mr. Jerome Fournier announced that there will be a special meeting of the Planning Commission on Wednesday, May 29, 2019 at 6:00 p.m. The topic will be the Master Land Use Plan whereby the Commission will be considering the approval of said plan.

Ms. Janet Tharp with CPEX was present to brief the Commission on the draft Master Land Use Plan. She stated copies have been placed in the surrounding libraries, the courthouse in Donaldsonville, the Parish's Governmental Complex in Gonzales and it can also be downloaded online on the Parish's website.

The attached PowerPoint presentation was viewed at this time.

(SEE ATTACHMENT A)

She expressed they are looking to get a lot of input/comments from the public on the draft before the public hearing in order to recommend any changes if needed.

V. Public Comment on any Agenda Item

The following spoke:

1 – Kathryn Goppelt

Mrs. Goppelt expressed her opposition stating they are proposing urbanization of our parish using high-density development. She said this is their vision for our parish and their dream will become our nightmare if we do not speak up.

2 – Theresa Robert

Mrs. Robert stated she was involved and participated in the community meetings when the original master plan was created in 1998. She said the citizens were assured that zoning would be the tool used to guide growth throughout the Parish and would protect our community if we supported it. Since then, the Planning and Zoning Commission has ignored the master plan guidance principals to preserve rural character to the Parish; to protect public safety and property values; and encourage growth only in areas where infrastructure can support it. Once again citizens have participated in all four (4) public meetings and the majority of the residence soundly expressed, repeatedly, disappointments and concerns of the lack of infrastructure throughout our Parish. Not at any of the public meeting did citizens say they wanted to be urbanized.

VI. Staff Report

A) Subdivision Status – May 2019

Mr. Eric Poche presented and explained the attached status report on subdivisions.
(SEE ATTACHMENT B)

VII. Engineering Staff Report

Engineering has no report.

VIII. Minutes

A) Approval or Denial of the Minutes and Written Decisions of the April 10, 2019 Planning Commission Meeting

Commission Action: Moved by Mr. Wade Schexnaydre, seconded by Mr. Morrie Bishop and unanimously adopted, to approve the minutes and written decisions of the April 10, 2019 Planning Commission meeting as presented.

IX. Consent Agenda

Moved by Mr. Julio Dumas, seconded by Mr. Ken Firman and unanimously adopted, to remove consent agenda item 11(F) from the consent agenda.

A) Affidavit of Mortgage Declaration

Brian Bateman – Lots A-2-A & A-2-B (Lakeview Dr, Geismar, LA)

Mr. Ken Firmin stated the affidavit shows a clerical error of acreage. It shows 13.19 acres. The property is actually 3.79 acres.

B) Affidavit of Mortgage Declaration

Michael Ellis and Mona Ellis – Lots 3 & 4 (42738 Hwy 42, Prairieville, LA)

C) Affidavit of Mortgage Declaration

Dean Joseph Mire and Kelli Gautreau Mire – Unnamed Lot, 11.453 acres (11610 Beco Road, St. Amant, LA)

D) Affidavit of Mortgage Declaration

The Meadows at Oak Grove, LLC – Tract Y-3 (LA Hwy 42, Prairieville, LA)

E) Final Plat Approval

Reese Lane

The proposed subdivision is located on the east side of Braud Road (LA Hwy 929) approximately 850' south of Parker Road in Council District 7 and zoned Medium Intensity Residential (RM). The application is on behalf of D.R. Horton, Inc, Gulf Coast by Quality Engineering & Surveying, LLC.

The property consists of +/-17.5 acres. The applicant is coming before the commission for a major subdivision Final Plat containing 51 lots with a minimum size of 7,260 square feet. There are 25 lots at 53' in width and 26 lots at 65' in width. The proposed subdivision will contain 1.10 acres of park space, with all of that being upland space which complies with the major subdivision regulations. Approximately 5% of the property is within the A Flood Zone along a section of the upper end of Black Bayou. The applicant is adding servitude along that portion of the upper end of Black Bayou drainage canal running through the property in order for DPW to provide maintenance as well as providing a sewer treatment plant and collection system to be dedicated to Ascension Parish. The applicant has also completed a street stub-out to the north to continue Nicholas Street into the future Brookstone subdivision as shown in the approved Preliminary Plat. There are approximately 2 acres of detention proposed for the development.

Project Timeline:

- October 11, 2017 - Planning Commission approves the preliminary plat.
- April 5, 2018 - Construction plans approved.
- April 23, 2019 - Final Inspection Performed

STAFF/ERA FINAL PLAT REVIEW COMMENTS (see attached Final Plat Comments) (SEE ATTACHMENT C)

ENGINEERING DEPT/ERA OUTSTANDING ITEMS: (see attached punch list/inspection letter from final inspection) (SEE ATTACHMENT D)

STAFF RECOMMENDATIONS

Staff recommends approval contingent upon satisfactory completion of all outstanding punch list items, posting of the required maintenance bond(s) for infrastructure and sewer and any payment by the developer or credit offset being approved by the utilities department, for their portion of the sewer impact fee according to parish ordinances and final signoff by the following Parish

Departments:

1. Inspections
2. Utilities
3. Roads
4. Stormwater
5. Drainage

Note: Signature by the Planning Commission Chairman and the recording of the plat shall be withheld until all items have been completed as noted. Only after this has been completed will the developer be able to sell lots/and or begin construction of homes.

G) Final Plat Approval

The Meadows at Oak Grove, First Filing

The subject property is located on the north side of LA Hwy 42 approximately 1,184 feet east of Airline Hwy in Council District 7 and is zoned Mixed Use 2 (MU2) and Medium Intensity (RM). The application is on behalf of Oak Grove Meadows, LLC by MR Engineering & Surveying, LLC.

The property consists of +/-70.4 acres. The applicant is coming before the commission for a major private subdivision First Filing Final Plat containing 81 lots (212 overall) with a minimum size of 8,820 square feet and range from 63' – 121' in width. The proposed subdivision will contain 2.505 acres of designated park space as well as a pool and clubhouse equating to a stage 4 park allowing a 70% reduction in the amount of park space required. The total amount of park space required is 1.27 acres which they have exceeded complying with the major subdivision regulations. All of the property is within the X Flood Zone and not within the 100 year flood plain. The applicant is providing a sewer treatment plant/lift station and collection system along with customers that will be dedicated to Ascension Parish.

Project Timeline:

- August 9, 2015 - Planning Commission approves the preliminary plat.
- November 1, 2016 - Construction plans approved.
- April 23, 2019 - Final Inspection Performed

STAFF/ERA FINAL PLAT REVIEW COMMENTS (see attached Final Plat Comments) (SEE ATTACHMENT E)

ENGINEERING DEPT/ERA OUTSTANDING ITEMS: (see attached punch list/inspection letter from final inspection) (SEE ATTACHMENT F)

STAFF RECOMMENDATIONS

Staff recommends approval contingent upon satisfactory completion of all outstanding punch list items, posting of the required maintenance bond for sewer and any payment by the developer or credit offset being approved by the utilities department, for their portion of the sewer impact fee according to parish ordinances and final signoff by the following Parish Departments:

1. Inspections
2. Utilities
3. Roads
4. Stormwater
5. Drainage

Note: Signature by the Planning Commission Chairman and the recording of the plat shall be withheld until all items have been completed as noted. Since this is a private development, the applicant is not required to create an Infrastructure Development District as the streets will not be accepted into the Parish maintenance system, but be maintained by the Developer/Homeowner's Association. Only after all items have been completed will the developer be able to sell lots and/or begin construction of homes.

Commission Action: Moved by Mr. Ken Firmin, seconded by Mr. Wade Schexnaydre and unanimously adopted, to approve the consent agenda with a) the correction to item 11(A), acreage from 13.19 acres to 3.79 acres on the affidavit; and b) motion not to include item *11(F) Stoney Point Estates, Second Filing*, of the agenda.

F) Final Plat Approval

Stoney Point Estates – Second Filing

The subject property is located on the west side of LA Hwy 73 approximately 715 feet south of LA Hwy 429 in Council District 3 and is zoned Conservation (C). The application is on behalf of Stoney Point Estates, LLC by MR Engineering and Surveying, LLC.

The property consists of +/-126.5 acres. The applicant is coming before the commission for a major private subdivision 2nd Filing Final Plat containing 52 lots with a minimum size of 19,260 square feet and range from 90' – 175' in width. The proposed subdivision will contain 120 total lots, 2.4 acres of designated park space and 6.51 acres of total open space which complies with the major subdivision regulations. Approximately 70% of the property is within the A and AE Flood Zone along a section of New River and Coco Lateral. A LOMR-F has been approved placing the house pads within the X flood zone. The applicant has added drainage servitudes along those waterways running through the property in order for DPW to provide maintenance as well as providing a sewer treatment plant and collection system dedicated to Ascension Parish.

Project Timeline:

- December 9, 2015 - Planning Commission approves the preliminary plat.
- April 19, 2017 – Staff Level preliminary plat minor revision
- June 1, 2017 - Construction plans approved.
- April 24, 2019 - Final Inspection Performed

STAFF/ERA FINAL PLAT REVIEW COMMENTS (see attached Final Plat Comments) (SEE ATTACHMENT G)

ENGINEERING DEPT/ERA OUTSTANDING ITEMS: (see attached punch list/inspection letter from final inspection) (SEE ATTACHMENT H)

STAFF RECOMMENDATIONS

Staff recommends approval contingent upon satisfactory completion of all outstanding punch list items, posting of the required maintenance bond for sewer and any payment by the developer or credit offset being approved by the utilities department, for their portion of the sewer impact fee according to parish ordinances and final signoff by the following Parish Departments:

1. Inspections
2. Utilities
3. Roads
4. Stormwater
5. Drainage

Note: Signature by the Planning Commission Chairman and the recording of the plat shall be withheld until all items have been completed as noted. Since this is a private development, the applicant is not required to create an Infrastructure Development District as the streets will not be accepted into the Parish maintenance system, but be maintained by the Developer/Homeowner's Association. Only after all items have been completed will the developer be able to sell lots and/or begin construction of homes.

Commission Action: Moved by Mr. Julio Dumas, seconded by Mr. Morrie Bishop and unanimously adopted, to approve this final subdivision plat.

X. Public Hearing to Approve or Deny the following Family Partition:

A) Ewell S. Cambre Property – Lots A and B

The subject property is located on the north side of LA Hwy. 42 approximately 500' east of Manchac Point Road in Council District 5 and is zoned Conservation (C). The application is on behalf of Michael and Mona Ellis by Phillip J. Thomas, Professional Land Surveyor.

The Applicant is proposing a family partition of an unnamed Tract (1.386 acres) (eastern portion of existing Lot 3 and existing western portion of existing lot 4) into Tract A (0.886 acres) and Tract B (0.500 acres). Tract A is being retained by the owner and Tract B is being donated to a daughter.

STAFF REVIEW COMMENTS

Comments sent to Phillip J. Thomas, Professional Land Surveyor on 3-26-19:

1. Maximum scale on vicinity map is 1"=2,000' and a north arrow must also be on map.
2. Any building line vs. LA Hwy 42 must be a minimum of 75' from the centerline of the roadway.

3. Revise 'Drainage' Note to read, "...shall be constructed and maintained by the property owner(s)."
4. There must be a 12' utility servitude parallel to the 30' private servitude of passage to get to Tract A.
5. The name and relation to the applicant on all lots being conveyed must be on the map.
6. Revise 'Private Use and Maintenance Note' to read, "...into the public system unless and until brought up to hard surface and all other standards by the lot owners or developer, according to the subdivision regulations for the Parish of Ascension.
7. Property corners at LA Hwy. 42 are not identified.
8. Submit final plat in CAD prior to final plat being signed.

STAFF RECOMMENDATIONS

This property division does currently meet the requirements of the family partition section of the subdivision regulations. The owner has owned the property for at least three years or prior to January 1, 2015 as required by Paragraph 17-4026.B. Should the commission concur with the staff analysis, staff recommends approval contingent on addressing all comments on the final map as listed above and the required conveyance documents being completed and recorded according to Paragraph 17-4026.F of the Subdivision Regulations.

Applicant nor a representative attended meeting to present this item.

Public hearing was opened.

No comments.

Public hearing was closed.

Commission Action: Moved by Mr. Ken Firmin, seconded by Mr. Morrie Bishop and unanimously adopted, to approve this family partition as presented.

XI. Public Hearing to Approve or Deny the following Preliminary Subdivision Plats:

A) Pelican Point Golf Community – Major Revision

Large Scale Development Master Plan

This subdivision is located on the west side of LA Hwy. 44 approximately 2 miles south of Interstate Hwy. 10 in Council District 2 and the underlying zoning is Conservation (C), Medium Intensity Residential (RM) and Mixed Use (MU). The application is on behalf of Pelican Point Golf Community, LLC by Ferris Engineering & Surveying, LLC.

This plan was originally approved on January 15, 1997 under Section 17-4021 of the Subdivision Regulations pertaining to a Large Scale Development. On April 13, 2005, a revised Conceptual Plan for this Large Scale Development was approved. The revised preliminary layout provided for 1,029 lots on a site of approximately 788 acres. A new revised Conceptual Plan for the overall development is now being submitted for consideration. If this revised plan is

approved, there will now be a total of 1,037 proposed lots/units. There are currently 907 lots developed. This plan change will revise the Overall Development Master Plan as noted below.

STAFF REVIEW COMMENTS

All elements of the Master Plan as per ordinance have been provided and addressed on the plat along with the required notes and labels, as per Paragraph 17-406 of the Subdivision Regulations.

The developer is proposing the following changes to be addressed specifically by the Planning Commission as part of this application:

1. Revise the undeveloped portion of Plantation Commons from Townhomes to single family attached.
2. Revise Tract M-1-B-1-A from RV/Boat Storage to Commercial/Condos and move Boat/RV Storage next to the existing maintenance building at the end of Pelican Point Parkway.
3. Revised to incorporate additional lots and park space located to the west of the original property and adjust a portion of the additional 18-hole golf course accordingly.
4. Revised to designate a portion of the additional 18-hole golf course as a private undeveloped Tract OCG-1 including an 11 acre park space to be donated to the HOA.
5. Revised to designate Tract S-2 for additional Sales Center (not to interfere with existing entry features).
6. Revised to designate 'Clubhouse Area'.

The developer is proposing the following changes to revise the map based on previously approved changes and updates:

1. Revise areas designated as Royal Lake Estates Parts 1 & 2, The Greens Parts 3 & 4, Cypress Point Parts 1 & 2, and Hidden Cove to match approved Final Plan and/or Preliminary Plats.
2. Revised to show new flood zone and callouts as per 8/16/07 FIRM.
3. Remove a previously approved private entry on the Village, Phase III.
4. Note added to update underlying zoning designations to coincide with current information.
5. Revised to update clerical items on the plan and to show changes in the overall development plan in accordance with those updated final plats in previously developed areas as shown on plan .

ENGINEER REVIEW COMMENTS

Large Scale Development Master Plan:

The Large Scale Development Master Plan has been reviewed by Staff and the Engineer Review Agent (ERA). Comments are attached.

Drainage impact study:

The drainage impact study has been reviewed by the Engineer Review Agent (ERA). Comments are attached. (*SEE ATTACHMENT I*)

Traffic impact study:

The traffic impact study has been reviewed by the Engineer Review Agent (ERA). Comments are attached. (*SEE ATTACHMENT I*)

STAFF RECOMMENDATIONS

The proposed plan meets all guidelines for Large Scale Development Master Plan per current ordinance and should the commission concur with staff's analysis, staff recommends approval provided the applicant addresses any and all outstanding comments and conditions placed by the Commission.

**At this time Chairman Matthew Pryor recused himself, expressing he would not take part in any of the decision making and comment period, but would run the meeting in his ministerial capacity. **

Mr. Clint Kennerly with Ferris Engineering, Inc. presented this major revision to preliminary subdivision plat.

Mr. Kennerly stated since the January 2019 meeting, when this item was brought before the Commission, they have since made many changes and met with the various HOA representatives as well as others to try to vet some of the concerns that were heard at the previous meeting.

Mr. Kennerly explained the changes that have been made to the plat presented for approval.

Public hearing was opened.

The following spoke:

1 – Hal Dupre

Neither for or against the development – questioned when a new traffic study was going to be required.

2 – Jerry Folse, President of the Pelican Point HOA

Stated Mr. Doug Diez and some employees of the Parish did meet with the HOA to go over the plat. He expressed they pretty much met all of the questions or demands that the HOA had. He stated he could not speak on behalf of the entire HOA as he did not poll all members, but he personally approves this development.

Public hearing was closed.

Commission Action: Moved by Mr. Julio Dumas, seconded by Mr. Ken Firmin and unanimously adopted, to approve this major revision to preliminary subdivision plat.

B) Evelyn Estates

The proposed subdivision is located on the north side of LA Hwy. 429 (Cornerview Road) approximately ½ mile west of I.H.-10 in Council District 8 and is zoned Medium Intensity Residential (RM). The application is on behalf of First Horizon, Inc. by McLin Taylor, Inc.

The property consists of +/-24.75 acres. The applicant is proposing a preliminary plat for a major subdivision containing 43 lots with a minimum size of 9,000 square feet. There are 31 lots at a 60' width range and, 12 lots at a 70' width range. The proposed subdivision will require 0.86 acres of park space and the developer is providing 1.17 acres of upland park space which complies with the major subdivision regulations. Ninety percent of the property is within the AE flood zone with the remaining 10% being within the X flood zone and out of the 100-year flood plain. The project drains to Bayou Goudine which runs through the site. The applicant is proposing to provide a sewer treatment plant within this development with customers, collection system and treatment plant to be dedicated to Ascension Parish. All sewer discharge permitting is subject to approval from LDH.

STAFF REVIEW COMMENTS

All elements of the subdivision as per ordinance have been provided and addressed on the plat along with the required notes, labels, setbacks and servitudes as per Paragraph 17-406 of the Subdivision Regulations. Lot 51 in the adjacent subdivision, Dutchtown Meadows, was set aside for future connection to any development to the west and noted on the Final Plat as such. However, a home was permitted and is being constructed on this lot removing this option for connectivity. Since the developer is proposing the streets as public, this project is subject to the creation of an Infrastructure Development District with the approval of the final plat.

All other comments have been addressed by the consultant as noted in ERA Review Letter.

ENGINEER REVIEW COMMENTS

Preliminary Plat:

The Preliminary Plat has been reviewed by Staff and the Engineer Review Agent (ERA). Comments are attached. (*SEE ATTACHMENT J*)

Drainage impact study:

The drainage impact study has been reviewed by the Engineer Review Agent (ERA) Comments are attached. (*SEE ATTACHMENT J*)

Traffic impact study:

The traffic impact study has been reviewed by the Engineer Review Agent (ERA) Comments are attached. (*SEE ATTACHMENT J*)

STAFF RECOMMENDATIONS

The proposed plat meets all guidelines for a major subdivision per current ordinance and should the commission concur with staff's analysis, staff recommends approval provided applicant addresses all comments and receives approval from DEQ for the discharge of the Sewer Treatment Plant.

Mr. Rudy Crnko with McLin Taylor, Inc. presented this preliminary subdivision plat. He was joined by Mr. Ryan Powers, with First Horizon (developer) and Mr. Nick Ferlito with Neel-Shaffer, the consultant who did the traffic impact study.

Mr. Crnko expressed he wanted to highlight a few things about this subdivision: a) it is 24 acres in RM zoning which allows 3 units per acre. They are proposing 43 Lots at a density of 1.79 units per acre, which is considerably less than the surrounding developments; b) the sewer treatment plant will be located at the southwest corner of the development, to the east where it borders Dutchtown Meadows; c) their drainage impact study was based off the latest requirements approved January 2019 whereby they run everything from a 25 year storm and must meet the pre-development 10 year storm; d) there is no fill higher than 3 feet, with the average fill of less than 2 feet. These areas of fill where they are adjacent to other properties will be sloped down into rear yard swells to make sure they do not have any impact on neighboring property; e) the traffic impact study was based off the latest policy and their study was based off a 55 lot development and not 43 lots.

Mr. Crnko stated due to the existing traffic conditions of LA Hwy 429, they are proposing a “right turn in, right turn out only” connection to limit some of the confliction points in delay at this connection. He expressed that connection will be worked out though the permitting process with DOTD. In preliminary conversations with DOTD, he said DOTD did notify them that they are planning to put up a signal at LA Hwy 429 and LA Hwy 73 within the next 6 months.

Public hearing was opened.

The following spoke:

1 – Jeff Meely (lives off LA Hwy 42) –
Not in support of development, has an issue with fill

2 – Troy LeBeouf (lives in The Parks of Dutchtown, Lot 124) –
Had concerns regarding the maintenance access road that would be connecting to Audubon Park Avenue in The Parks of Dutchtown. He stated he bought into his subdivision with the understanding there would never be a connection to another subdivision.

It was explained to Mr. LeBeouf that the parcel of land that Audubon Park Avenue is being connected to will have no residences to it, only a pond and marsh land. This maintenance access would be used in order to upkeep the pond and land in that area only.

3 – Brenda Turnball (lives in The Parks of Dutchtown Lot 162) –
Complaint regarding the existing trees that have already fallen and broken her fence. Looking for the responsible party. Also asked if these trees will be cleared to stop future trees from falling on her and other residences’ fences. She expressed concerns regarding the existing marsh (wetlands) and the detention pond areas. Stating if it remains existing, she will continue to get small animals, snakes and rodents.

It was explained that the wetlands area, by law, will remain as is. Therefore, the trees that are along the property line near her fence are also in wetlands and cannot be cut down.

Public hearing was closed.

Motion was made by Mr. Ken Firmin to approve failed for the lack of a second.

Mr. Schexnaydre pointed out that the existing level of service is a level “F” and “E” and in some cases below a “D”. He stated according to the Parish’s traffic impact policy they cannot build their subdivision unless they improve or mitigate it.

There was a lengthy discussion regarding the interpretation of the traffic impact policy and what was required by the applicant.

Mr. Ryan Power explained with this being only a 43 lot subdivision, it does not change a level of service for either intersection. He expressed, to expect that 43 lots could potentially pay for a major improvement on a state highway is difficult, but they as developers would like to work with the Parish and DOTD and figure out what is on the horizon and what they can do to help mitigate and offset some of the traffic as well.

Substitute Motion was made by Mr. Wade Schexnayder, seconded by Mr. Julio Dumas and unanimously adopted, to approve this preliminary subdivision plat with the condition that the developer must meet the level of service to bring it up to a “D” in their traffic study, in whichever mitigation circumstances are necessary at LA Hwy 73 and Cornerview Road, possibility at Chester Diez Road, whatever is necessary to mitigate those circumstances to bring those level of services up to “D”. That must be done before final plat approval. (Developer expresses his clarification stating, “ we are talking specifically about LA Hwy 73 and Cornerview”). Mr. Schexnayder continues with motion stating he is talking about where it says the level of service is less than a “D”; it has to be mitigated up to a “D”. If you all (the developer) come up to where it says Cornerview Road at Chester Diez Road and it is at an “F”, and you can bring it up to an “A”, that is fine. If you all mitigate it on Old Jefferson at Cornerview Road with improvements, if it is at a “D” and it goes down to an “E”, you all have to keep it at a “D”. If it is at an “F”, you have to bring it up past a “D”. Wherever it is on your traffic study, if you go down below a “D”, you have to bring it up to a “D” in whichever mitigating circumstances are necessary

XII. Adjourn

A motion was made by Mr. Julio Dumas and unanimously adopted; meeting was adjourned at 7:22 p.m.

Matthew Pryor, Chairman