

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
August 11, 2021

The Planning Commission of the Parish of Ascension held a Public Meeting on Wednesday, August 11, 2021 at 6:00 p.m. at the Ascension Parish Courthouse, 607 East Worthey Street, Council Chambers - 1st Floor, Gonzales, LA 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:

Ken Firmin, Julio Dumas, Matthew Pryor, Shannon Hutchings, Todd Varnado, Aaron Chaisson

The following members were absent:

None

III. Pledge of Allegiance

IV. Introduction of Staff

Stacie Webb – Recording Secretary, Planning Commission

Spencer Long – Legal Counsel

Jerome Fournier – Director, Planning and Development

Eric Poche – Sr. Planner, Planning and Development

Shaun Sherrow - Engineering Review Agent

Lance Brock, Zoning Official

V. Chairman's Comments

The Chair had no comment.

VI. Public Comment on any Agenda Item

No comments.

VII. Staff Report

a. Subdivision Status – August 2021

Mr. Eric Poche presented and explained the attached report on subdivisions.

(ATTACHEMENT A)

- b.** Mr. Jerome Fournier gave status on the moratorium. He stated there are six (6) family partitions being presented at this meeting and three (3) scheduled for the September meeting. He expressed that we will have exhausted all the applications that the Planning Department has received for the subdivision of

property since the moratorium went into effect. He also said there were no preliminary plats submitted prior to the moratorium that will move forward. Mr. Fournier stated there will be final plats in upcoming meetings that were in the works since the moratorium occurred and those will be presented as they move forward through the process.

Mr. Fournier also stated that due to the moratorium and the provisions of the moratorium the Parish has consulted and contracted with a planning firm out of Houston named Kendig-Keast. He said they will be assisting the Parish with looking at our Unified Land Development Code, the Master Plan, the Transportation Master Plan and other things. He expressed this firm will be making a preliminary presentation to the Council at their next scheduled meeting (via Zoom).

VIII. Engineering Staff Report

No report.

IX. Minutes

a. Approval or Denial of the Minutes and Written Decisions of the July 14, 2021 Planning Commission Meeting

Commission Action: Moved by Mr. Julio Dumas, seconded by Mr. Ken Firmin and unanimously adopted, to approve the minutes and written decisions of the July 14, 2021 Planning Commission meeting as presented.

X. Consent Agenda

a. Affidavit of Mortgage Declaration

Simpson Properties, LLC – Babin Tract 1, 2 & 3 and Dedon Tract (40491 William Ficklin Rd, 14233 & 14201 Hwy 44, Gonzales, LA)

b. Affidavit of Mortgage Declaration

Tosh Properties, LLC – Lot 16 (12317 ONeal Rd, Gonzales, LA)

c. Final Plat Approval

Pelican Point Golf Community – Victoria Court

The subdivision is located in Pelican Point Golf Community on the west side of Beau Douglas Ave. approximately 480' south of Pelican Point Pkwy. in Council District 2 and is zoned Medium Intensity Residential (RM). The development is governed under a Large Scale Development Master Plan. The application is on behalf of SLC, LLC by McLin-Taylor, Inc.

The applicant is seeking approval of a minor subdivision final plat on +/-6.71 acres. The subdivision contains 13 lots with a minimum lot size of 15,680 square feet. The proposed subdivision will use existing recreation and open space contained within the development. There is approximately 3 acres within the AE flood zone with a Base Flood Elevation of 8.6'. The project discharges to the Panama Canal to the north.

Project Timeline:

- December 14, 2005 -Planning Commission approves the preliminary plan.
- May 24, 2018 – Staff approves minor revision to the preliminary plat.
- May 8, 2019 – Planning Commission approves major revision to the preliminary plan.
- October 14, 2020 - Construction plans approved.
- August 2, 2021 - Final Inspection Performed

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

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

STAFF ANALYSIS

This final plat complies with all code requirements. Should the Planning Commission approve this final plat, Staff will provide for Chairman signature and recording upon satisfactory completion of any outstanding punch list items, posting of the required maintenance bond(s) for infrastructure and any payment by the developer or credit offset being approved by the utilities department for their portion of the sewer development fee according to parish ordinances as well as the previously agreed upon traffic impact fees and final signoff by the following Parish Departments:

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

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 all items have been completed will the developer be able to sell lots and/or begin construction of homes. This is a public development and the applicant petitioned the Parish Council to create an Infrastructure Development District that was approved on April 1, 2021. The streets will be accepted into the Parish maintenance system upon final inspection at the end of the maintenance period.

d. Final Plat Approval

Hidden Lakes – Phase 1

The subdivision is located on the west side of LA Hwy. 931 at the west end of Karmen Rd. (Formerly Tommy King Rd.) approximately 3,000' north of Norwood Rd. in Council Districts 5 & 6 and is zoned Rural (R). The application is on behalf of Ascension Properties, Inc. by Quality Engineering & Surveying, LLC.

The applicant is seeking approval of the first phase of a private major subdivision final plat on +/-188.4 acres including a 63 acre tract on the south side of a branch of Henderson Bayou to be dedicated to Ascension Parish and not considered part of the development. The subdivision contains a total of 89 lots with 63 lots in this first phase and a minimum lot size of 1 acre. The proposed subdivision has no open space/recreation requirements as it is not required to follow the major

subdivision park guidelines as 70% of the lots are 1 acre or larger. The site is entirely within the AE flood zone with base flood elevations ranging from 14.1' to 15.2'. The drainage for this project discharges into Henderson Bayou to the north. There were approximately 12 acres of wetlands in the development. Of those, 2.11 acres were mitigated for development and 9.88 acres were preserved. This project was granted a waiver from the sewer ordinance to allow dedication to a private 3rd party utility provider as well as the requirement to charge sewer development fees by action of the Parish Council on November 5, 2020. Variances were also granted by the Planning Commission upon initial preliminary plat approval to allow an open ditch roadway without curb and gutter.

Project Timeline:

- June 10, 2020 -Planning Commission approves the preliminary plan.
- March 16, 2021 – Staff approves minor revision to the preliminary plat.
- October 5, 2020 – Earthwork construction plans approved.
- December 9, 2020 – Infrastructure construction plans approved.
- August 2, 2021 - Final Inspection Performed

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

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

STAFF ANALYSIS

This final plat complies with all code requirements. The following conditions imposed by the Planning Commission upon approval of the preliminary plat have been satisfied or altered as noted.

- Construct a right turn lane “in” on Hwy. 931 onto Tommy King Rd. (Karmen St.).
- Widen Tommy King Rd. (Karmen St.). to a minimum of 20ft of pavement.
- Developer is encouraged to do the very best to save as many trees as possible and minimize the environmental impact of it.
- Construct a sewer collection system
- Dedicate the sewer plant site at the rear of Lot 58 as indicated on the amended site plan to Ascension Parish with unrestricted access over the private roads to and from that treatment plant. Waived by action of Parish Council and dedicated to a third party sewer provider.
- Parish is to construct the sewer facilities and assume responsibility for the maintenance. Waived by action of Parish Council and dedicated to a third party sewer provider.
- Dedicate Lot C-2 to Ascension Parish as shown on the revised plan with access of Molly Grace Road, with unrestricted access to the Parish to said road. Noted on final plat with transfer to occur upon recording of plat.

Should the Planning Commission approve this final plat, Staff will provide for Chairman signature and recording upon satisfactory completion of any outstanding punch list items, posting of the required maintenance bond(s) for infrastructure and any payment by the developer or credit offset being approved by the utilities department for their portion of the sewer development fee according to parish

ordinances as well as the previously agreed upon traffic impact fees and final signoff by the following Parish Departments:

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

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 all items have been completed will the developer be able to sell lots and/or begin construction of homes. This is a private development and the streets will not be accepted into the Parish maintenance system or maintained by Ascension Parish.

Commission Action: Moved by Mr. Julio Dumas, seconded by Mr. Aaron Chaisson and unanimously adopted, to approve the consent agenda as presented.

XI. Public Hearing to Approve or Deny the Following Family Partitions:

- a. **Smitty J. Lee Estate – Lots SJL-1-A-1, SJL-1-A-2, SJL-1-A-3 & SJL-1-A-4 and SJL-2-A** (completed application received, 6/14/21)

The subject property is located on the west end Fontenot Road approximately 1.75 miles west of LA Hwy. 22 in Council District 2 and is zoned Rural (R). The application is on behalf of the heirs of Smitty J. Lee by B E I Surveying, LLC.

The Applicant is proposing a family partition of Lot SJL-1-A (5.576 acres) into Lot SJL-1-A-1 (0.775 acres), Lot SJL-1-A-2 (1.419 acres), Lot SJL-1-A-3 (1.390 acres), Lot SJL-1-A-4 (1.577 acres) and Lot SJL-2-A (1.438 acres). Lot SJL-1-A-1 is being donated to a granddaughter, Lot SJL-1-A-2 is being donated to a daughter, Lot SJL-1-A-3 is being donated to a son, Lot SJL-1-A-4 is being donated to a daughter and Lot SJL-2-A is owned by a daughter.

STAFF REVIEW COMMENTS

Comments sent to B E I Surveying, LLC on 7/14/2021.

1. Private Access Servitude dedication statement must specifically state which lots are to be granted access.
2. The existing 25' drainage servitude from the top of bank of Bayou Francois must also be labeled as the rear building line. 20' rear building line cannot be within the 25' drainage servitude.
3. Submit final plat in CAD prior to final plat being signed.

STAFF ANALYSIS

This property division currently meets 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 approve this family partition, staff will have the Chairman sign the plat when all comments have been addressed on the final map as listed above and the required conveyance documents completed and recorded according to Paragraph 17-4026.F of the Subdivision Regulations.

Mr. Seth Mosby with B E I Surveying, LLC presented this family partition.

Public hearing was opened.

No comments.

Public hearing was closed.

Commission Action: Moved by Mr. Aaron Chaisson, seconded by Mr. Todd Varnado and unanimously adopted, to approve this family partition as presented.

- b. **Murphy Bourque Subdivision – Lots 3-A-1, 3-A-2 and 3-A-3** (completed application received, 6/22/21)

The subject property is located on the south side of Bea Lane approximately 625' west of O'Neal Road in Council District 9 and is zoned Medium Intensity Residential (RM). The application is on behalf of Eddie Bourque by Earles and Associates, LLC.

The Applicant is proposing a family partition of Lot 3-A (3.311 acres) into Lot 3-A-1 (1.103 acres), Lot 3-A-2 (1.104 acres) and Lot 3-A-3 (1.104 acres). Lot 3-A-1 is being donated to a granddaughter, Lot 3-A-2 is being donated to a granddaughter and Lot 3-A-3 is being donated to a granddaughter.

STAFF REVIEW COMMENTS

Comments sent to Earles and Associates, LLC on 7/15/2021.

1. Add new lot 3-A-3 to the private servitude of access dedication statement.
2. Show routing and discharge point of individual sewer treatment systems to parish maintained ditch with public drainage servitude and/or to 'blue line stream'. It is the responsibility of the Owner to consult with the Ascension Parish Board of Health to confirm routing for permitting purposes and show/make statement of such on final plat. Plat will not be signed and recorded without this information.
3. Submit final plat in CAD prior to final plat being signed.

STAFF ANALYSIS

This property division currently meets 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 approve this family partition, staff will have the Chairman sign the plat when all comments have been addressed on the final map as listed above and the required conveyance documents completed and recorded according to Paragraph 17-4026.F of the Subdivision Regulations.

Mr. James Falgout with Earles and Associates, LLC presented this family partition.

Public hearing was opened.

No comments.

Public hearing was closed.

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

c. **Jeffery P. Diez Property – Tracts B-1-A-3-A and B-1-A-3-B** (completed application received, 6/25/21)

The subject property is located on the north side of Cotton Patch Lane approximately ½ mile west of Bantam Tracks Road in Council District 10 and is zoned Medium Intensity Residential (RM). The application is on behalf of Chester Diez by Earles and Associates, LLC.

The Applicant is proposing a family partition of Lot B-1-A-3 (5.003 acres) into Lot B-1-A-3-A (2.502 acres) and Lot B-1-A-3-B (2.501 acres). Lot B-1-A-3-A is being retained by the applicant and Lot B-1-A-3-B is being donated to a daughter.

STAFF REVIEW COMMENTS

Comments sent to Earles and Associates, LLC on 7/19/2021.

1. The addition of the proposed 30' Private Servitude of Passage is not allowed.
2. Note adjacent lot Z3, to the east.
3. Submit final plat in CAD prior to final plat being signed.

STAFF ANALYSIS

This property division currently meets 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 approve this family partition, staff will have the Chairman sign the plat when all comments have been addressed on the final map as listed above and the required conveyance documents completed and recorded according to Paragraph 17-4026.F of the Subdivision Regulations.

Mr. James Falgout with Earles and Associates, LLC presented this family partition.

Public hearing was opened.

No comments.

Public hearing was closed.

Commission Action: Moved by Ms. Shannon Hutchings, seconded by Mr. Todd Varnado and unanimously adopted, to approve this family partition as presented.

d. **Duplessis Estate – Tracts 1A-1, 1A-2 and 1A-3** (completed application received, 6/23/21)

The subject property is located on the east side of Kramer Road approximately 1,050' north of LA Hwy. 942 in Council District 3 and is zoned Conservation (C). The application is on behalf of the Duplessis Estate by Earles and Associates, LLC.

The Applicant is proposing a family partition of Tract 1A (243.151 acres) into Tract 1A-1 (237.409 acres), Tract 1A-2 (2.920 acres) and Tract 1A-3 (2.822

acres). Tract 1A-1 is being retained by the estate, Tract 1A-2 is being donated to a son and Tract 1A-3 is being donated to a grandson.

STAFF REVIEW COMMENTS

Comments sent to Earles and Associates, LLC on 7/19/2021.

1. Records show existing Tract as 1-A-1-A-1-A. Verify and correct as necessary.
2. Submit final plat in CAD prior to final plat being signed.

STAFF ANALYSIS

This property division currently meets 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 approve this family partition, staff will have the Chairman sign the plat when all comments have been addressed on the final map as listed above and the required conveyance documents completed and recorded according to Paragraph 17-4026.F of the Subdivision Regulations.

Mr. James Falgout with Earles and Associates, LLC presented this family partition.

Public hearing was opened.

No comments.

Public hearing was closed.

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

- e. **Horace Popularas Property – Lots HP-1 through HP-5** (completed application received, 7/06/21)

The subject property is located on the west side of LA Hwy. 73 approximately 2,350' south of LA Hwy. 74 in Council District 8 and is zoned Medium Intensity Residential (RM). The application is on behalf of Eric Popularas by Earles and Associates, LLC.

The Applicant is proposing a family partition of Lot HP (4.282 acres) into Lot HP-1 (1.842 acres), Lot HP-2 (0.610 acres), Lot HP-3 (0.610 acres), Lot HP-4 (0.610 acres) and Lot HP-5 (0.610 acres). Lot HP-1 is being retained by the applicant, Lot HP-2 is being donated to an heir of the estate, Lot HP-3 is being donated to an heir of the estate, Lot HP-4 is being donated to an heir of the estate and Lot HP-5 is being donated to an heir of the estate.

STAFF REVIEW COMMENTS

Comments sent to Earles and Associates, LLC on 7/19/2021.

1. Reference map no. 4 is a duplicate of reference map no. 1.
2. The subject property is covered by FEMA map panel "...0105 E" only.
3. Add note that no building permit will be issued until all existing structures are removed from new lot HP-1.

4. Submit final plat in CAD prior to final plat being signed.

STAFF ANALYSIS

This property division currently meets 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 approve this family partition, staff will have the Chairman sign the plat when all comments have been addressed on the final map as listed above and the required conveyance documents completed and recorded according to Paragraph 17-4026.F of the Subdivision Regulations.

Mr. James Falgout with Earles and Associates, LLC presented this family partition.

Public hearing was opened.

No comments.

Public hearing was closed.

Commission Action: Moved by Mr. Julio Dumas, seconded by Mr. Ken Firmin and unanimously adopted to approve this family partition with the condition that a note be added to the plat stating the mobile homes must be moved before a building permit is issued for any of the lots in the subdivision.

f. MacKay Estate – Lots 4-A, 4-B and 4-C (completed application received, 7/07/21)

The subject property is located on the east side of Old Jefferson Hwy. (LA Hwy. 73) approximately 635' south of Perkins Road in Council District 7 and is zoned Medium Intensity Residential (RM). The application is on behalf of William M. Brown et als by McLin-Taylor, Inc.

The Applicant is proposing a family partition of a 3.45 acre portion of Tract 4 (3.45 acres) into Lot 4-A (1.445 acres), Lot 4-B (1.001 acres) and Lot 4-C (1.001 acres). Lot 4-A is being donated to an heir of the estate, Lot 4-B is being donated to an heir of the estate and Lot 4-C is being donated to an heir of the estate.

STAFF REVIEW COMMENTS

Comments sent to Earles and Associates, LLC on 7/20/2021.

1. Instrument no. for reference map no. 3 is 364069.
2. Submit final plat in CAD prior to final plat being signed.

STAFF ANALYSIS

This property division currently meets 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 approve this family partition, staff will have the Chairman sign the plat when all comments have been addressed on the final map as listed above and the required conveyance documents completed and recorded according to Paragraph 17-4026.F of the Subdivision Regulations.

Mrs. Ellen Jackson with McLin Taylor, Inc. presented this family partition.

Public hearing was opened.

The following spoke:

1 – Danny Marble – In Support

2 – Milton Hock III – In Support

*Both speakers were both concerned with the existing drainage issue.

Public hearing was closed.

Commission Action: Moved by Mr. Ken Firmin, seconded by Mr. Julio Dumas, this family partition was approved by the following roll call vote:

YEAS: Ken Firmin, Julio Dumas, Todd Varnado, Aaron Chaisson, Matthew Pryor

NAYS: Shannon Hutchings

ABSENT: None

(5) YEAS; (1) NAY; (0) ABSENT and motion CARRIED.

XII. Old Business

a. Charles Brown Property – Lots 7-B-1-A-1 and 7-B-1-A-2 ***Family Partition***

Earles and Associates, LLC
(Council District 5)

Mr. Eric Poche explained the applicant applied for a family partition and came before the Planning Commission last month. He said there was a public speaker that contested the family partition. He stated the speaker said she had legal documentation that would prove it was illegal for the subdivision to move forward. He stated the Commission deferred the application last month in order for her to bring forward any evidence she had to support her claim. Mr. Poche said the Planning Department received nothing and it is now up to the Commission as to whether or not they want to bring it up for public hearing at next month's meeting.

Ms. Masie Vaughn, on behalf of the applicant Cheri Vaughn, stated the property for family partition was purchased in 2017 (cash sale) from Ms. Lois Brown. Ms. Vaughn had the cash sale that was done in 2017 as well as the survey that was done in 2016 to support her sale. Ms. Vaughn stated a title search was done as well.

Chairman Pryor stated court records will be checked once more to see if there are any pending suits.

Commission Action: Moved by Mr. Julio Dumas, seconded by Mr. Aaron Chaisson and unanimously adopted, to place this family partition on next month's agenda for public hearing.

XIII. Adjourn

A motion was made and meeting adjourned at 6:20 p.m.

Matthew Pryor, Chairman