

The below minutes 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 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
PLANNING COMMISSION
August 10, 2022

The Planning Commission of the Parish of Ascension held a Public Meeting on Wednesday, August 10, 2022 at 6:00 p.m. at the Ascension Parish Courthouse, 607 East Worthey Road, Council Chambers – 1st Floor, Gonzales, Louisiana in a regular session convened.

I. Call to Order

Meeting was called to order by Chairman Max Nassar.

II. Roll Call of Members

The following members were present:

Mark Villa, Nicholas Miller, Max Nassar, Wade Schexnaydre, Randy Clouatre, Jr.,
Todd Varnado

The following member was absent:

Dwayne Bailey

III. Pledge of Allegiance

IV. Introduction of Staff

Stacie Webb – Recording Secretary

Jarius Carey – Information Technology (IT)

Spencer Long – Legal Counsel

Jerome Fournier – Director, Planning and Development

Lance Brock – Zoning Official – Planning and Development

V. Chairman's Comments

Chair had no comment.

VI. Public Comment on any Agenda Item

No comments.

VII. Staff Report

A. Presentation by Kendig Keast Collaborative – ULDC Ordinance Progress Report

Mr. Jerome Fournier stated the presentation would be postponed until the next regularly scheduled meeting.

**B. Subdivision Status – August 2022
(SEE ATTACHMENT A)**

Mr. Jerome Fournier presented and explained the attached report on subdivisions.

VIII. Engineering Staff Report

No report.

IX. Minutes

A. Approval or Denial of the Minutes of the July 13, 2022 Planning Commission Meeting

Commission Action: Moved by Mr. Wade Schexnaydre, seconded by Mr. Mark Villa and unanimously adopted, to approve the July 13, 2022 Planning Commission minutes as presented.

X. Consent Agenda

A. Affidavit of Mortgage Declaration

DB Windsor, LLC – Creation of 94 Lots – Major Subdivision Final Plat (17138 Blue Ridge Rd, Prairieville, LA)

B. Affidavit of Mortgage Declaration

Gray Brothers Investments – Lots 12-B-1-A & 12-B-2 in Forest Oaks Subd, First Filing (15388 & 15394 Forest Oak Rd, Prairieville, LA)

C. Affidavit of Mortgage Declaration

Jodi R. Sheets and Cade A. Sheets – Lot Z (17208 Hwy 44, Prairieville, LA)

D. Affidavit of Mortgage Declaration

Dane Sutton – Lot 7-A-1 (9468 Split Log Rd, St. Amant, LA)

Commission Action: Moved by Mr. Wade Schexnaydre, seconded by Mr. Randy Clouatre, Jr. and unanimously adopted, to approve the consent agenda as presented.

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

A. Betty B. Arrington Property – Lots Z-1 and Z-2

The subject property is located on the east side of LA Hwy. 44 approximately 2,000' north of LA Hwy 933 in Council District 5 and is zoned Mixed Use Corridor-2 (MU2). The application is on behalf of Cade Sheets by BEI Surveying, LLC.

The Applicant is proposing a family partition of Lot Z (3.625 acres) into Lot Z-1 (1.281 acres) and Lot Z-2 (2.344 acres). Lot Z-1 is being retained by the applicant and Lot Z-2 is being donated to a daughter.

STAFF REVIEW COMMENTS

Comments sent to McLin-Taylor, Inc. on 7/06/2022.

1. 'Heirs' is misspelled in sheet title.

2. Both proposed map and reference map no. 1 refer to the existing SOP 'per reference map #1. State the instrument no. of the map with the original dedication, if possible.
3. Note lots in Private Dedication Statement being dedicated access.
4. Since the 40' servitude is dedicated as a servitude of passage, a 12' utility servitude must dedicated to new lot Z-2 from public ROW.
5. List offset from property line to found monument in inset 'A'.
6. Hatches and adjacent property owner labels are not showing up well. When clerk scans, it may be difficult to read.
7. Submit final plat in CAD prior to final plat being signed.

STAFF ANALYSIS

This property division meets all current 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. This family partition is creating one (1) new lot. 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 BEI Surveying, LLC presented this family partition.

Public hearing was opened.

No comments.

Public hearing was closed.

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

~~B. Alton LaBorde, Jr. Property – Lots A-D-2-B-5-A, A-D-2-B-5-B and A-D-2-B-5-C~~

~~Earles and Associates, LLC
(Council District 5)~~

~~*This item was removed from the agenda prior to meeting pending additional documentation from the applicant by the lender.*~~

C. Roy Sutton Property – Lots 7-A-2-A and 8-A-2-B

The subject property is located on the east side of Split Log Rd. approximately 1,050' north of LA Hwy 937 in Council District 2 and is zoned Rural (R). The application is on behalf of Roy Sutton by Earles and Associates, LLC.

The Applicant is proposing a family partition of Lot 8-A-2 (3.030 acres) into Lot 8-A-2-A (1.187 acres) and Lot 8-A-2-B (1.843 acres). Lot 8-A-2-A is being retained by the applicant and Lot 8-A-2-B is being donated to a daughter. Lots 7-A-1-A and 7-A-2-A are exchanging property with no additional lots being created.

STAFF REVIEW COMMENTS

Comments sent to Earles and Associates, LLC on 7/06/2022.

1. Note variance being requested to allow 20' SOP instead of required 30'.
2. Label 12' utility servitude as 'existing'.
3. Monument has not been 'set' between lots 8-A-2-A and 8-A-2-B along southern property line.
4. As Dane Sutton is also a party to this map, he must sign as well.
5. Submit final plat in CAD prior to final plat being signed.

STAFF ANALYSIS

This property division meets all current 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. This family partition is creating one (1) new lot. 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. Todd Varnado, seconded by Mr. Wade Schexnaydre and unanimously adopted, to approve this family partition as presented.

XII. Ordinance – Public Hearing to Recommend Approval or Denial to the Parish Council Amendments to the Ascension Parish Unified Land Development Code:

A. Ordinance – To Amend the Ascension Parish Unified Land Development Code, Appendix V – Drainage: Section 17-506.2.A Wetland Preservation: Major Residential and Commercial Subdivision exceeding 20 acres or 50 lots. (SEE ATTACHMENT B)

Mr. Jerome Fournier presented and explained the proposed modifications to the ordinance. He stated one recommendation is to revert back to where a consultant would outline any existing wetland areas on the preliminary plat and the Parish would require the jurisdictional determination from the Corps of Engineers when the final plat is approved. Also, to make a couple clerical corrections. He said when the ordinance was approved, it was approved at forty percent 40% of wetlands but the word “fifteen” was left.

Public hearing was opened.

1 - Polly Glover, Wetlands Advocate

Public hearing was closed.

Mr. Wade Schexnaydre expressed he would like more data on what determined the increase of permitted wetlands from fifteen percent 15% to forty percent 40%.

Mr. Nicholas Miller asked staff if they would reach out to one of the environmental consultants and see if they would be available to attend and make a presentation to explain how exactly they work with the Corps of Engineers to make the determinations.

Commission Action: Moved by Mr. Wade Schexnaydre, seconded by Mr. Todd Varnado, to defer this item until the next regularly scheduled meeting in order to gather more information. Mr. Todd Varnado rescinded his second from Mr. Schexnaydre's motion to defer this item until the next meeting. *Motion died for the lack of a second.*

Substitute motion by Mr. Nicholas Miller to recommend denial to the Parish Council modifications to the Ascension Parish Unified Land Development Code, Appendix V – Drainage: Section 17-506.2.A Wetland Preservation: Major Residential and Commercial Subdivision exceeding 20 acres or 50 lots. *Motion died for the lack of a second.*

Substitute motion by Mr. Randy Clouatre, Jr., seconded by Mr. Wade Schexnaydre and unanimously adopted, to defer this item until the next regularly scheduled meeting in order to gather more information. Some of the information requested from staff were documentation or technical information that is indicative of why this should be changed from 15% to 40%; and it would be helpful to the Commission to have some data that demonstrates what a normal time period is for these wetland activities in order to help the Commission in making an informed decision.

XIII. Adjourn

Moved by Mr. Wade Schexnaydre, seconded by Mr. Randy Clouatre, Jr, the meeting adjourned at 6:41 p.m.

Max Nassar, Chairman

ATTACHMENT A

<i>August, 2022</i> Subdivision Name	Location	Number of Lots	Prelim. Plat Approved	CD Submitted	CDs Approved	Current Status	PP Conditions	Engineer	Developer	Subject to I.D.D.
Belle Maison*	William Ficklin Rd., approx. 900' east of Braud Rd.	54	5/14/2014	2/19/2015	12/15/2015	In Construction	No Conditions	Quality Engineering& Surveying	KD Development Group	Yes
Belle Savanne-Ph. 3	LA Hwy 73 just north of Dutchtown High	96	12/9/2015 11/18/2020	7/10/2020	4/22/2021	In Construction	No Conditions	Quality Engineering& Surveying	Engquist-Level Development, LLC	Yes
Black Bayou Estates	Black Bayou Rd. between Lobell Ln. & Hilbert Young Rd.	20	1/11/2017	Revised CDs 8/20/2021	10/13/2021	Pre-Con meeting held 11/02/2021	No Conditions	Quality Engineering& Surveying	BSC Industries, LLC	Yes
Christy Place	LA Hwy. 929 between Daigle and Aikens Road	48	5/9/2018	5/6/2019	10/16/2019	In Construction	No Conditions	Quality Engineering& Surveying	American Homeland, LLC	Yes
Clare Court	Cornerview between Oak Run Dr. & Dutchtown Meadows Way	37	1/13/2021	3/21/2021	9/30/2021	In Construction	No Conditions	McLin-Taylor Engineering	H I Associates	Yes
Delaune Estates (fka Antebellum Pointe)*	West Side of LA Hwy 73 at Duplessis Road	237	7/14/2021	11/2/2021	3/4/2022	In Construction	Lawsuit Dismissed	Quality Engineering& Surveying	Lynn Levy, LLC	Yes
Pelican Crossing 6th Filing	LA Hwy 44, 1/2 mile north of LA Hwy. 22	66	5/13/2015	9/8/2021	12/20/2021	In Construction	All Prior to Recording Final Plat-Pay \$750/Lot in TIF	Quality Engineering& Surveying	Engquist-Level Development, LLC	Yes
Pelican Point-14th F-Phases 1 &2 Plantation Commons	LA Hwy 44, 1/2 mile north of LA Hwy. 22 off end of Green Tree Ave.	77	2/10/2021	1st-5/13/21		CDs Submitted 5/13/2021	No Conditions	Ferris Engineering	Doug Diez	Yes
Riverton-2nd Filing	LA Hwy 22-1 mile west of LA Hwy 44	91	3/9/2016	2/16/18 2/28/18	9/4/2018	In Construction	As stated in Planning Commission Meeting Minutes	Quality Engineering& Surveying	SLC, LLC	Yes
Riverton-3rd-5th Filings	LA Hwy 22-1 mile west of LA Hwy 44	220	3/9/2016	12/23/2020		CDs Submitted 12/23/2020	As stated in Planning Commission Meeting Minutes	Quality Engineering& Surveying	SLC, LLC	Yes
Windsor Park	S. Side of LA Hwy 42 east of John Broussard Rd.	92	11/18/2020	3/18/2021	9/24/2021	Final Plat Applied for 6/21/2022	Const. streets to Wrenwood- Reserve at Willow Lake-no tie-in.	Quality Engineering& Surveying	Dantin-Bruce	Yes
Windermere Crossing	Roddy Road about 1,500' north of Cannon Rd.	103	1/13/2021	10/7/2021	12/15/2021	In Construction	Cannon Rd expanded to 20' width from Roddy Rd to LA 44 prior to f-plat	Quality Engineering& Surveying	Dantin-Bruce	Yes

An asterisk (*) denotes a status change from last month's report

PARISH OF ASCENSION

OFFICE OF PLANNING AND DEVELOPMENT



Clint Cointment
Parish President

MEMORANDUM

Date: August 10, 2022

To: Planning Commission

From: Jerome Fournier, Director of Planning and Development

Subject: Suggested Ordinance Change to Unified Land Development Code, Section 17-506.2 Wetland Preservation.

Discussion

The Parish Council recently modified the Parish Unified Land Development Code and thereby created Section 17-506.2, Wetland Preservation. This new section requires that a US Army Corps of Engineer's Wetland Jurisdictional Determination (JD) be submitted with an application for a preliminary plat for the subdivision of property. That requirement will likely delay the project for a substantial time, (acquiring a JD typically takes 8 to 12 months) especially during the due diligence phase where the crucial financing occurs.

Staff is suggesting a change and we are placing the onus on the applicant to adhere to the wetland requirements and allow them to submit a USACOE JD with the final plat meaning they can submit a preliminary plat with a wetland determination by a "qualified consultant". Should the USACOE JD modify the initial determination, it may require a substantial change to the project that may trigger a redesign and a new public hearing before the planning commission but that concern is theirs.

Below is the suggested language change that allows for the JD to be submitted with the Final Plat and also corrects a clerical error within the ordinance:

Staff Recommended Modification

17-506.2 – Wetland preservation. [New Section]

A. Major Residential and Commercial Subdivisions exceeding 20 acres or 50 lots.

1. For developments exceeding 20 acres in size or exceeding 50 lots for all phases of development, the Parish hereby requires the preservation of hydrologically connected wetlands and/or wetlands greater than one acre as natural open areas for increased stormwater retention, groundwater recharge areas and outdoor recreation uses. Any existing wetlands, with buffers as noted in Paragraph ii below, delineated by a qualified

PARISH OF ASCENSION

OFFICE OF PLANNING AND DEVELOPMENT



Clint Cointment
Parish President

consultant, shall be identified on a proposed Preliminary Plat. All Corps of Engineers 'jurisdictional wetlands' shall be identified on ~~all~~ final subdivision plats and are generally to be preserved as undeveloped Stormwater Management Areas, with no draining or filling of such, subject to the exceptions provided through Section 10 of the Rivers and harbors Act and Section 404 of the Clean Water Act and those exceptions recognized by the Corps' Regional and Nationwide Permits and by the standards adopted herein by the Parish. The applicant or subdivision developer is also to indicate all FEMA identified Special Flood Hazard Areas (A, AE, X zones) on the preliminary and final subdivision plat and indicate the source of this information.

- i. *Use of jurisdictionally defined and "permitted," compensated wetlands (subject to the Army Corps of Engineers and/or State DNR requirements) may be used for primarily road and utility crossings with proper road and cross drains provided and for other Parish-approved uses in an amount not to exceed ~~forty fifteen~~ percent (40%) of the designated wetlands acreage shown in the wetlands determination. If the maximum ~~forty fifteen~~ percent 40% of wetlands acreage must be exceeded because of unavoidable adverse impacts or unusual property topography in which practicable avoidance and minimization has been analyzed, then the applicant or developer may bring this issue to the Parish's Planning and Development Director for consideration of a waiver.*
- ii. *A 25' minimum, 50' average undisturbed perimeter buffer zone along the edge of existing hydrologically connected wetlands and/or wetlands greater than one acre is to be protected.*