

Planning & Zoning Commission
Regular Meeting
June 16, 2014
6:00 p.m.
St. Mary Parish Courthouse Fifth Floor
Franklin, Louisiana

The Planning & Zoning Commission met on this date with Chairman Paul Gil presiding, and the following members present: Barry Druilhet, Deborah Tabor, Margie Luke and James Bennett, Jr. Absent was Jimmy Wiley

Mrs. Margie Luke led the Invocation.

Mr. Barry Druilhet led the Pledge of Allegiance.

Mr. Barry Druilhet moved that the reading of the minutes of the Regular Meeting, May 19, 2014 be dispensed with and that the same be approved. Mrs. Margie Luke seconded the motioned, which carried.

Mrs. Tammy Luke, Director of Planning & Zoning, introduced Mr. John Mouton who will be helping with the new Unified Development Code (UDC) at the Board of Adjustments meetings, the Planning & Zoning meetings and the Parish Council meetings.

Chairman Paul Gil read the request for Rezoning of Property by Sharon Bolden Representing Joseph C. Thomas located at 932 Irish Bend Rd., Franklin, LA from Single Family (SR) Residential Zoned District to Neighborhood Commercial(NC) Zoned District. Sec. 48 T14E R10E;-2324741001.00-Lot BD Road-Bowls-Teche-Svarrer Acq 28A 209881 Improvements.

Ms. Sharon Bolden stated that she is requesting to open a convenient store on the proposed property. Ms. Bolden apologized for past problems and stated that she can offer to have security to make sure that people are not on the premises with open containers or loitering. Ms. Bolden stated that she does not reside in Franklin but that she is from Franklin.

Mrs. Margie Luke questioned whether Ms. Bolden will apply for a liquor license.

Ms. Sharon Bolden stated that if her request is granted, she will be applying for a liquor license.

Mr. Barry Druilhet questioned the owner of the house that is located behind the proposed store.

In response to Mr. Druilhet's inquiry, Ms. Bolden stated that the house is owned by Mr. Clinton Thomas. Ms. Bolden stated that she intends to use the house as storage.

Mr. Barry Druilhet questioned the zoning of the property if a store had operated in the past.

Mrs. Tammy Luke stated that at the time of zoning, the building was probably not being used and went with what the surrounding area was.

Mrs. Margie Luke stated that the store was opened and closed a few times in the past.

Mrs. Tammy Luke stated that it may have changed owners a few times and was not closed for more than six (6) months at a time.

Ms. Bolden stated that she believes that the previous store closed in 2010.

Mr. Barry Druilhet stated that he feels that Ms. Bolden should not be penalized for what happened in the past and that equal consideration to opposition should be given.

Mrs. Margie Luke stated that there is a need for a store in the area. Mrs. Luke stated that she is aware of the issues in the past and questioned whether Ms. Bolden will run the business herself.

In response to Mrs. Margie Luke's inquiry, Ms. Bolden stated that she will run the business herself in the beginning.

Mr. Barry Druilhet made a motion to approve the request for Rezoning of Property by Sharon Bolden Representing Joseph C. Thomas located at 932 Irish Bend Rd., Franklin, LA from Single Family (SR) Residential Zoned District to Neighborhood Commercial(NC) Zoned District. Sec. 48 T14E R10E;-2324741001.00-Lot BD Road-Bowls-Teche-Svarrer Acq 28A 209881 Improvements. Mrs. Margie Luke seconded the motion which carried with the following 4-0-0-1 Roll Call Vote:

Yeas: Barry Druilhet, Deborah Tabor, Margie Luke and James Bennett, Jr.

Nays: None

Abstained: None

Absent: Jimmy Wiley

Chairman Paul Gil read the request for Preliminary & Final Subdivision/Development Approval for a Subdivision of Property for Agatha C. Hamilton located at 954 Verdunville Rd., Centerville, La. *Parcel Id# 2594524096.00; Sec. 4 T15S R10E; 3.44 ac por 18.79 ac Tract BD Lake-Vedun-Teche-Verdun lying South of Verdunville Rd. Acq. 195291.*

Mr. Lamon Miller, Miller Engineer & Associates stated that the Roman Catholic Church is located adjacent to the proposed property. For years, the Church and the cemetery's fence has been encroaching on the proposed property. The family of Agatha C. Hamilton has decided to donate one (1) acre of the proposed property to the Church to eliminate the encroachment and for any future use.

Mrs. Margie Luke questioned whether the proposed property will become part of the Church's property and whether there is a clause concerning construction.

Mr. Miller stated that the proposed property will become part of the Church's property and that there is not a clause concerning construction. Mr. Miller stated that the property is 80 ft. wide and believes that the intention is to expand the cemetery.

Mrs. Margie Luke made a motion to approve the request for Preliminary & Final Subdivision/Development Approval for a Subdivision of Property for Agatha C. Hamilton located at 954 Verdunville Rd., Centerville, La. *Parcel Id# 2594524096.00; Sec. 4 T15S R10E; 3.44 ac por 18.79 ac Tract BD Lake-Vedun-Teche-Verdun lying South of Verdunville Rd. Acq.*

195291. Mr. Barry Druilhet seconded the motion which carried with the following 4-0-0-1 Roll Call Vote:

Yeas: Barry Druilhet, Deborah Tabor, Margie Luke and James Bennett, Jr.

Nays: None

Abstained: None

Absent: Jimmy Wiley

Chairman Paul Gil read the request for Preliminary & Final Subdivision/Development Approval for a Subdivision of Property for Kerry Landry Estate located at 20323 Hwy. 90 W. Frontage Rd., Four Corners, La. *Parcel Id# 1814981015.00-1814981016.00; Sec. 34 T13S R8E; -Parcel Id#1814981015.00-Lot 5 Ernest G. Landry per Plat 28T 212712 Acq. 19N 164911; -Parcel Id#1814981016.00-Lot 4 Ernest G. Landry per Plat 28T 212712 Acq. 38E 250027.*

Mr. Lamon Miller, Miller Engineer & Associates stated that the proposed property is located near Landry's Seafood & the Truck Stop Casino. Mr. Landry acquired Lots 4 & 5 and built a house using Lot 5 and a small portion of Lot 4. As long as Mr. Landry owned both properties there wasn't a problem. Mr. Landry is now deceased and the children want to sell the house, garage and any improvements on the property. Mr. Miller stated that there is approximately a 15 - 20 foot area to go along with Lot 5 that is to be acquired by a buyer. The 15-20 foot area will always go along with Lot 5 to increase yard space. It will not be a separate piece of property.

Mr. Gil questioned whether it met all requirements.

Mrs. Tammy Luke stated that all requirements are met.

Mr. Barry Druilhet made a motion to approve the request for Preliminary & Final Subdivision/Development Approval for a Subdivision of Property for Kerry Landry Estate located at 20323 Hwy. 90 W. Frontage Rd., Four Corners, La. *Parcel Id# 1814981015.00-1814981016.00; Sec. 34 T13S R8E; -Parcel Id#1814981015.00-Lot 5 Ernest G. Landry per Plat 28T 212712 Acq. 19N 164911; -Parcel Id#1814981016.00-Lot 4 Ernest G. Landry per Plat 28T 212712 Acq. 38E 250027.*

Mr. James Bennett, Jr. seconded the motion which carried with the following 4-0-0-1 Roll Call Vote:

Yeas: Barry Druilhet, Deborah Tabor, Margie Luke and James Bennett, Jr.

Nays: None

Abstained: None

Absent: Jimmy Wiley

Chairman Paul Gil read the request for Preliminary Development Approval for a development of Property for Garden City Apartments, LLC-Lloyd Harris located at 128 Hwy. 3215, Garden City, LA; *Parcel Id#2354524018.00; Sec.11 T15S R10E; 58.46 Ac Tract por of Rem 529.72 Ac Tract situated in Sec 11 T15S R10E BD Williams in and Sterling Sugars Inc – Sutter Et Al-Teche-Sutter Et Al Acq 184 303579.*

Mr. Lloyd Harris stated that he is the developer for the proposed Garden City site located on the corner of Hwy. 182 and Hwy. 3215 in Franklin. Mr. Harris explained the development history of the proposed Garden City Apartment. The Parish Council passed Ordinance No. 1825 on December 9, 2008 to provide incentives for apartment complex renovations and new construction, a study to determine best land use in St. Mary Parish (i.e. Heavy Industrial, Light Industrial, Commercial and Residential) by area was done in August 2009. Therefore, the Garden City exit was identified for Commercial Development. The Parish Council approves Rezoning of Garden City property from Agricultural to High Density Residential by Ordinance No. 1860 on December 14, 2009. Cook & Moore independent study stated that St. Mary Parish need for market rate apartments was 1,325 units over four (4) year period 2010-2013. The study was conducted in reference to the 160 unit apartment development in Garden City on 1/26/2010. Parish Council approves Preliminary and Final Approval for subdividing the property on Hwy. 3215 for the sale to developer of market rate apartments was on May 14, 2014.

Mr. Harris stated that the study supports the need for apartments. The proposed apartments will be a gated community. The unemployment rate for this parish is less than five (5) percent, therefore, unemployment is low. There is a tremendous amount of thru traffic along Hwy. 90. Through all the analysis that have been done, this development can be supported by residents. Mr. Harris stated that there is an issue with Franklin with the water pressure from Centerville downstream, the pressure decreases as you go. Mr. Harris stated that he proposes to put in a 12 inch water line to relieve the pressure. There will be no impact on the city, the parish, the fire department or on the water or sewer districts. Mr. Harris realizes that there is over 160 signatures that have been gathered but there is also 160 people who are in favor that are also tax payers and voting citizens. Mr. Harris stated that there is no down side to the project and that being a good neighbor, he will be very responsible. Mr. Harris stated that research was done on the Francis Plantation and found that it is not located in the Historic Registry any longer and is not applicable to the Section 106 of the Historic Registry. Mr. Harris stated that the Parish has been very supportive and has had tremendous input with this project. Mr. Harris stated that the studies support the proposed area for development.

Mrs. Deborah Tabor stated that she was a board member when the first initiative was passed and that the parish was behind it then but it fell through. Mrs. Tabor stated that she believes that the residents in the area were not even aware that the zoning was changed. Mrs. Tabor stated that she does not believe "in my back yard". There were houses there before, there will be twice as many two (2) car households and that the infrastructure is not there to support it.

Mr. Harris questioned the reference to infrastructure.

Mrs. Tabor stated that she drove in from Morgan City and that the traffic was awful so she can imagine the on and off traffic at five o'clock that this will create. Mrs. Tabor questioned any reports from the fire department.

Mrs. Tammy Luke stated that she believes that the fire department has been in contact with Mr. Frank Fink and that the property does not fall in the jurisdiction of the Centerville Fire Department, which is a volunteer fire department, it falls in the jurisdiction of the Franklin Fire Department. In saying that, there are a great bunch of people that work for the fire department and the volunteer fire department that do help each other.

Mr. James Bennett, Jr. questioned the distance from the Franklin Fire Department to the proposed property.

Mrs. Tammy Luke stated that the Franklin Fire Department is located near the courthouse and that the proposed property is located in the middle of Franklin and Centerville.

Mr. Harris stated that the property is less than five (5) miles from Franklin Fire Department.

Mr. Randy Martin, the Fire Chief for Centerville Volunteer Fire Department, stated that the boundary line for Centerville Volunteer Fire Department is from Calumet Cut to one (1) mile before Hwy. 3215.

Mr. Bennett questioned the number of volunteer members for Centerville Volunteer Fire Department.

In response to Mr. Bennett's inquiry, Mr. Martin stated there are approximately 24 volunteer members for the Centerville Volunteer Fire Department.

Mr. Bennett stated that if an apartment complex of this size would catch fire, Mr. Martin would need back up.

Mr. Martin stated that the proposed property is that of Franklin Fire Department and that the Centerville Volunteer Fire Department would back up Franklin Fire Department in that type of situation.

Mr. Martin explained that Franklin Fire Department gets paid by the parish to cover that area because there is not any fire protection for that district. However, they assist each other when needed.

Mr. Frank Fink stated that he is the Director of Economic Development for St. Mary Parish. Mr. Fink stated that he recently spoke with Mr. Reed Miller from Miller Engineer concerning Sewer District No. 5. Mr. Miller relayed that there is sufficient sewer to handle 168 units. When Phase II is proposed, it will have to be reviewed and consider any additions that would offer to the capability. Mr. Fink spoke with the Sheriff and he was ok with the subdivision in the area. A 12 inch water line will be brought into the area that will have higher pressure and accommodate extending the line further west and also accommodate fires. Both the sewer and water will be installed to the parish's standards, paid for by the developer. Then the sewer and water line will be dedicated back to the appropriate water and sewer districts and they will have additional customers, in which they can charge. Mr. Fink stated that over 6,000 people commute from Terrebonne, Lafourche and Iberia Parish daily to work in St. Mary Parish. The Chamber sells an apartment rental list, in which they sold 4,000 lists last year. Mr. Fink stated that not everyone will be eligible to rent an apartment of this stature. The fact is that 4,000 lists were sold last year and this is only 168 apartments and feels that these can be filled. The gated communities were queried (i.e. the gated communities in Houma and Squirrel Run) relative to their occupancy rates. The fact is gated communities command a premium in the market. Squirrel Run is at 100 percent occupancy on 180 units, Houma Highlands is at 96 percent occupancy on 378 units, Southdown Pavilion is at 100 percent lease on 200 units, the Landing at Bayou Cane is at 93 percent lease on 240 units and Ansley Place is at 97 percent lease on 246 units. Two of these apartment complexes stated that the majority of their renters worked in St. Mary Parish. Mr. Fink stated that growth is important. St. Mary Parish grew two (2) percent in the last ten (10) years. Some areas within the parish grew faster than other because they had available housing to either buy or lease. There is growth on the Charenton Canal that will be developed. Mr. Fink stated that this apartment complex critical to the growth of St. Mary Parish and that Mrs. Tammy

Luke can answer questions as to whether the development meets the Unified Development Code (UDC). Mr. Fink stated that Mr. Harris has done everything including the request by the councilmen for the complex to sit back 200 feet for Single Family to be consistent with what is along Hwy. 182, remove the entrance from Hwy. 182 and put in another 50 foot buffer along with landscaping. The apartment will offer one (1), two (2) and three (3) bedroom apartments and feels that it will be good for the parish and for the residents.

Mrs. Tabor stated that two (2) RV Parks in Amelia were recently opened due to the need of housing. Mrs. Tabor questioned whether Amelia was an option.

Mr. Fink stated that Amelia was looked at and it had an issue with the flood maps. Mr. Fink stated that he contacted PHI (Petroleum Helicopters, Inc.) and the hotel in Amelia and suggested to lease rooms long term. The hotel negotiated a deal, took 70 rooms and made them furnished studios and is leasing these rooms as apartments. Morgan City also has issues with elevations. Mr. Fink stated that the areas where the land is right and the price is right you will see more development. Mr. Bailey is a land owner who is interested in selling & moving forward.

Mr. Harris stated that the traffic moving through Franklin is tremendous. The parish's economic studies show that this area has been under developed for the last 10 years.

Mr. Gil stated that he understands both sides and that he understands that the developer is taking a risk to build the apartments and also understands that the locals do not want the apartments in the area.

Mr. Harris stated that this is not an acceptable reason.

Mr. Druilhet questioned whether traffic is a main concern.

Mr. Harris explained that this is a D4 Loan Guarantee, a guarantee by the Federal Government. It will never be subsidized rent. If the rent rolls will support \$1200.00 or supports \$1.00 per square foot and in six (6) months it can only support .85 cents, the Federal Government will allow Mr. Harris to reduce the rent rolls to that \$850.00 per month. It is always market rate. Mr. Harris stated that HUD supports this project.

Mrs. Tabor questioned whether the proposed single family lots in the front of the apartment complex will be rental property.

Mr. Harris stated that his is unsure whether the single family lots will be rental property or not.

Mrs. Tammy Luke stated that she believes that Mr. Bailey will retain those lots along Hwy. 182.

Mr. Harris stated that he has an option from Mr. Bailey.

Mr. Harris stated that it has been known since 2008 that the intention was to develop apartments on Mr. Bailey's property and that the burden is not on himself or Mr. Bailey to inform homeowners.

Mr. Jeffery Daigle expressed concern that the school districts and the lack of infrastructure are needed to support the development. Mr. Daigle stated that a board member from the sewer district stated that the sewer lines will run from the property to the parish jail and that the retention pond is not sufficient enough to handle it.

Mr. David Hanagriff stated that in talking with Allen Pillaro, Superintendent of the Sewer Department, they can handle it but it will put it at the maximum capacity.

Mr. Fink stated that Mr. Reed Miller stated that in the next phase they will have to evaluate and either expand the pond or install bigger pumps.

Mrs. Tabor questioned who will pay for the sewer for phase II.

Mr. Fink stated that at this time, everything is being paid for by the developer.

Mr. Frost questioned since the sewer will be at maximum capacity due to the development of Phase I of the apartment complex, what will happen when someone builds a house in the area and the sewerage cannot handle it and Mr. Harris decides not to build the next phase.

Mrs. Kimberly Saucier appeared before the Planning & Zoning Commission to express her opposition for Preliminary Development Approval for a development of Property for Garden City Apartments, LLC-Lloyd Harris located at 128 Hwy. 3215, Garden City, LA. Mrs. Saucier stated that she resides in Garden City. Mrs. Saucier's expressed concern that several houses in the neighborhood that had problems renting and that people are not interested in living in the Garden City area.

Mr. Klutts stated that he would be in favor of a single family subdivision and expressed that his concern is that of traffic if Hwy. 3215 is used as hurricane evacuation route.

Mr. Druilhet questioned how long Mr. Klutts has resided on his property.

In response to Mr. Druilhet's inquiry, Mr. Klutts stated that he purchased the property two (2) years ago, built a house and has resided in the area for four (4) months. Mr. Klutts stated that the proposed property has always been in sugar cane and had no idea that there were any intentions of anything else.

Mrs. Margie Luke stated that she was on the board along with Deborah Tabor in 2008 when the 50 acres was first put into the new zoning. There were neighbors that were against it. The Planning & Zoning Board voted to approve it for the same reason as tonight, that people need it and that we need the housing and the Parish Council agreed with the board at that time. If the developer would not have only wanted ten (10) acres (from the existing 50 acres), the developer would be building. The property is currently zoned for what Mr. Harris wants to build. Mrs. Margie Luke stated that according to the codes of the book, Mr. Harris cannot be denied his request.

Mr. Hanagriff stated that Mr. Harris still needs approval for the development of the apartment complex.

Mr. James Bennett, Jr. made a motion to deny the request for Preliminary Development Approval for a development of Property for Garden City Apartments, LLC-Lloyd Harris located at 128 Hwy. 3215, Garden City, LA; *Parcel Id#2354524018.00; Sec.11 T15S R10E; 58.46 Ac Tract por of Rem 529.72 Ac Tract situated in Sec 11 T15S R10E BD Williams in and Sterling Sugars Inc – Sutter Et Al-Teche-Sutter Et Al Acq 184 303579*. Mrs. Deborah Tabor seconded the motion which failed with the following 2-3-0-1 Roll Call Vote:

Yeas: Deborah Tabor, James Bennett, Jr.

Nays: Barry Druilhet, Margie Luke and Paul Gil

Abstained: None

Absent: Jimmy Wiley

Mrs. Tammy Luke stated that none of the board members asked her whether Mr. Harris had met all requirements in the UDC to do his development. Mr. Harris has met all of our code requirements that the UDC allows.

Following a detailed explanation of requirements of the UDC, Mrs. Margie Luke made a motion to approve the request for Preliminary Development Approval for a development of Property for Garden City Apartments, LLC-Lloyd Harris located at 128 Hwy. 3215, Garden City, LA; *Parcel Id#2354524018.00; Sec.11 T15S R10E; 58.46 Ac Tract por of Rem 529.72 Ac Tract situated in Sec 11 T15S R10E BD Williams in and Sterling Sugars Inc – Sutter Et Al-Teche-Sutter Et Al Acq 184 303579.* Mr. Barry Druilhet seconded the motion which carried with the following 3-2-0-1 Roll Call Vote:

Yeas: Barry Druilhet, Margie Luke and Paul Gil

Nays: Deborah Tabor, James Bennett, Jr.

Abstained: None

Absent: Jimmy Wiley

Chairman Paul Gil read the request for Preliminary & Final Subdivision/Development Approval for a Subdivision of property for Gerald Hotard located in an Existing Neighborhood (EN) Zoned District located at 1411 Hwy. 182, Bayou Vista, LA; Sec. 15 T16S R12E;
-Parcel Id 2984321179.00-Lot 14 Clarke Bayou Vista Subd Acq 74 287981 Improvements.
-Parcel Id# 2984321138.00-Lot 13 Clarke Bayou Vista Subd Acq 74 287981 Improvements.

Mr. Henry Schwartz, Bayou Country surveying stated that he is representing Mr. Gerald Hotard. Mr. Hotard owns a mobile home park and wants to build his residence on the rear of the property along the river and wants to separate the commercial property from his residence.

Mr. James Bennett, Jr. made a motion to Approve the request for Preliminary & Final Subdivision/Development Approval for a Subdivision of property for Gerald Hotard located in an Existing Neighborhood (EN) Zoned District located at 1411 Hwy. 182, Bayou Vista, LA; Sec. 15 T16S R12E;
-Parcel Id 2984321179.00-Lot 14 Clarke Bayou Vista Subd Acq 74 287981 Improvements.
-Parcel Id# 2984321138.00-Lot 13 Clarke Bayou Vista Subd Acq 74 287981 Improvements.
Mrs. Margie Luke seconded the motion which carried with the following 4-0-0-1 Roll Call Vote:

Yeas: Barry Druilhet, Deborah Tabor, Margie Luke and James Bennett, Jr.

Nays: None

Abstained: None

Absent: Jimmy Wiley

Chairman Paul Gil read the request for Preliminary & Final Subdivision/Development Approval for a Subdivision of property for Michael Aloise Represented by Shannon Bruni located in a Single Family Zoned District located at 1025 Hwy. 182, Bayou Vista, LA; Sec. 15 T16S R12E; -Parcel Id#2984301295.00- Lot Por South 190 ft. No. 27 Clarke Bayou Vista Subd situated Sec 15 T15S R12E Acq 38V 252172 Improvements;
- Parcel Id#2984301296.00-Lot Por South 190 Ft No. 27 /Clarke Bayou Vista Subd situated in Sec 26 T16S R12E Acq 38V 252173.

Mr. Henry Schwartz, Bayou Country surveying stated that he is representing Mr. Michael Aloise. Currently there are two (2) house located on the proposed property. The request is to move the lot line between the two existing lots in order to meet the guidelines. This will be a separate piece of property that will be sold and attached to the rear lot.

Mrs. Margie Luke questioned right of passage.

Mr. Schwartz stated that there was an original right of passage that was granted when it was originally divided in the 1970's.

Mrs. Deborah Tabor made a motion to Approve the request for Preliminary & Final Subdivision/Development Approval for a Subdivision of property for Michael Aloise Represented by Shannon Bruni located in a Single Family Zoned District located at 1025 Hwy. 182, Bayou Vista, LA; Sec. 15 T16S R12E;
-Parcel Id#2984301295.00- Lot Por South 190 ft. No. 27 Clarke Bayou Vista Subd situated Sec 15 T15S R12E Acq 38V 252172 Improvements;
- Parcel Id#2984301296.00-Lot Por South 190 Ft No. 27 /Clarke Bayou Vista Subd situated in Sec 26 T16S R12E Acq 38V 252173. Mr. Barry Druilhet seconded the motion which carried with the following 4-0-0-1 Roll Call Vote:

Yeas: Barry Druilhet, Deborah Tabor, Margie Luke and James Bennett, Jr.

Nays: None

Abstained: None

Absent: Jimmy Wiley

There being no further business, Mr. Barry Druilhet moved for adjournment. Mrs. Margie Luke seconded the motion, which carried.

Chairman Paul Gil
St. Mary Parish Planning and Zoning Commission