

**LAFAYETTE CONSOLIDATED GOVERNMENT  
HEARING EXAMINER  
PUBLIC HEARING  
FRIDAY, JULY 10, 2020**

MINUTES OF THE JULY 10, 2020 MEETING OF THE LAFAYETTE CONSOLIDATED GOVERNMENT HEARING EXAMINER HELD AT 8:30 A.M., 220 WEST WILLOW STREET, BUILDING B, DEVELOPMENT AND PLANNING AUDITORIUM, LAFAYETTE, LOUISIANA.

**STAFF PRESENT**

Kyle Faber  
Sharon Wagner

**I. CALL TO ORDER**

Kyle Faber called the meeting to order at 8:40 a.m.

**II. DEVELOPMENT REVIEW**

**1. Estate of Marie Louise Carmouche, Tracts 2-A & 2-B (HE 2020-0057)**

MOTION: Sharon Wagner moved for Preliminary Plat approval subject to the following conditions and plat revisions.

**CONDITIONS OF DEVELOPMENT:**

1. All development activities on property must be in compliance with 89-42 (g) "Development within a Special Flood Hazard Area" of Article 3 of the Unified Development Code for the City and Parish of Lafayette, LA. Note: Less than 5 acres of the proposed development are located within a Special Flood Hazard Area.
2. The citizens of Lafayette requested enhanced measures be made to prevent additional flooding, therefore as of October 2017 any development that fills or modifies a designated Special Flood Hazard Area must mitigate that development activity volumetrically on a one to one excavation ratio. The volume to retain is that which was present on the site on November 1, 2017 to be verified via review of aerial imagery, site conditions (i.e. existing building, etc.) or prior engineering analysis or certifications. Any fill thereafter is subject to this provision. Submittal may take place at the time of building permit application. For details of this requirement, please review section 89-42 (g).
3. Adequate provisions shall be made such that development activities do not adversely affect the adjacent properties. These provisions should include an evaluation of existing and proposed conditions, lot grading plan, capacity of

roadside ditches and required drainage pipe diameter. All building permits and construction activities must be completed such that the adjacent properties are not impacted from alteration of the historical drainage patterns.

4. Provide a 10' utility servitude along all lots bordering public or private roadways. Provide servitude niches at all property corners bordering the roadways.
5. Lafayette Parish Waterworks District North is to be contacted by the owner/developer to determine if service of potable water to the subdivision is possible. Upon approval of service to the subdivision by Lafayette Parish Waterworks District North, submit complete construction plan to the Lafayette Parish Waterworks District North Office.
6. Beau Bassin Road is located within the Rural Area of the Lafayette Transportation Plan. An enhanced setback line of thirty-feet (30') must be placed along Beau Bassin Road.

The Hearing Examiner waived the Condition of Development requiring that Americans with Disabilities Act (A.D.A.) compliant sidewalks be constructed along Beau Bassin Road prior to final plat approval and recordation or to provide a letter of credit for the construction of the sidewalks.

#### **PLAT REVISIONS:**

1. Add the following **Special Flood Hazard Area** comments, including the **Zero Net Fill** comment to the final plat:
  - Any structure enclosed on three or more sides, built, placed or substantially improved on property which is subject to inundation by the 1% Annual Chance Flood as depicted on this plat, shall be elevated so as to ensure the lowest floor of such structure and all machinery servicing the structure if located at a minimum of one-foot (1') above the Base Flood Elevation height for that area at that time.
  - Any development that fills or modifies the Special Flood Hazard Area must mitigate the development volumetrically.
2. Provide on the final plat, a utility niche diagram with dimensions.
3. The final plat must include the surveyor's name, signature and stamp.
4. Label the adjacent properties owned by Jerry Glaude and Michelle & Leon Elaire as "unplatted".

5. Put the assigned addresses on the final plat.

**Beau Bassin Road**  
**Tract 2-A 1627**  
**Tract 2-B 1625**

#### MOTION CARRIES

#### **2. Property Belonging to Raul J. Viera & Mella Lowery Viera (HE 2020-0058)**

MOTION: Sharon Wagner moved for Preliminary Plat approval subject to the following conditions and plat revisions.

#### **CONDITIONS OF DEVELOPMENT:**

1. Adequate provisions shall be made such that development activities do not adversely affect the adjacent properties. These provisions should include an evaluation of existing and proposed conditions, lot grading plan, capacity of roadside ditches and required drainage pipe diameter. All building permits and construction activities must be completed such that the adjacent properties are not impacted from alteration of the historical drainage patterns.
2. Since Lot 2 is undeveloped, it may not drain to the rear without the benefit of a private drainage servitude upon development.
3. Private and/or public drainage servitudes may be required to achieve proper storm water management. An area of particular interest includes the ditch that traverses the southwestern portion of Lot 3.
4. Complete plans and specifications of the Water Distribution and Sewage Collection Systems need to be submitted to DHH-OPH, Engineering Section for approval before construction is begun. Submit plans to: Office of Public Health, Acadian Regional Office, 825 Kaliste Saloom Road, Building 3 – Suite 100, Lafayette, LA 70508.
5. Plot all existing electric facilities (cabinets, transformers, manholes, street light, electric lines, down guys, etc.) and provide the required 10' utility servitudes around these facilities.
6. Owner/Developer shall install LUS approved wastewater service prior to final plat approval or provide a letter of credit. Contact Jack Benoit, Wastewater Collection Superintendent, at (337) 291-5751 for a cost estimate.
7. Per the request of the owner, the existing addresses are allowed to remain out of sequence.

The Hearing Examiner waived the Condition of Development requiring the Americans with Disabilities Act (A.D.A.) compliant sidewalks be constructed

along Stone Hill Road prior to final plat approval and recordation or to provide a letter of credit for the construction of the sidewalks.

**PLAT REVISIONS:**

1. Remove the comment that LCG is currently using the **Revised Preliminary Flood Insurance Rate Maps**.
2. Revise the Flood Map comment to read:
  - According to the Federal Emergency Management Agency Flood Insurance Rate Map (FIRM), with an effective date of **December 21, 2018** Map Panel **#22055C0170 J**, this property is located in **Flood Zone X**, which are areas determined to be outside the 0.2% Annual Chance Floodplain and is not considered a Special Flood Hazard area.
3. Add **Atmos Energy** as the **Gas Provider**.
4. Revise the **Utility Providers** (Electricity, Water & Sewer) from the City of Lafayette to LUS.
5. Show the original **Utility Niches** for **Lots 1 & 2** when the lots were originally platted on the final plat. These niches have not been abandoned and remain unchanged.
6. Provide a written and graphic scale for the Vicinity Map.
7. In order to avoid confusion with the original approved **Lots 1 & 2**, it is recommended that these lot be renumbered as **Lots 1A & 2A**.
8. Instead of naming the plat **Raul J. Viera & Mella Lowery Viera**, it should be named as **Viera Estates, New Lots 1A, 2A & 3**.
9. Provide on the final plat, the distance to the nearest intersecting street right-of-way.
10. Provide on the final plat, the names of all abutting subdivisions.

**MOTION CARRIES**

**3. Richfield Subdivision, Rsubdivision of Lot 57 (HE 2020-0059)**

MOTION: Sharon Wagner moved for Preliminary Plat approval subject to the following conditions and plat revisions.

**CONDITIONS OF DEVELOPMENT:**

1. Adequate provisions shall be made such that development activities do not adversely affect the adjacent properties. These provisions should include an evaluation of existing and proposed conditions, lot grading plan, capacity of roadside ditches and required drainage pipe diameter. All building permits and construction activities must be completed such that the adjacent properties are not impacted from alteration of the historical drainage patterns.
2. Complete plans and specifications of the Water Distribution and Sewage Collection Systems need to be submitted to DHH-OPH, Engineering Section for approval before construction is begun. Submit plans to: Office of Public Health, Acadian Regional Office, 825 Kaliste Saloom Road, Building 3 – Suite 100, Lafayette, LA 70508.
3. Any access to South Richfield Road (LA 343) must be approved by LA-DOTD and must comply with the typical driveway standards. Platting of this parcel does not guarantee direct access to a state route. A copy of the approved permit must be provided to the Traffic & Transportation-Traffic Engineering Division prior to the approval and issuance of any building permit. **This requirement must be noted on the final plat.**
4. When measured along the curb line or edge of roadway, no residential driveway shall be located nearer than thirty-feet (30') to the projection of any intersecting street right-of-way line. Only right-in, right-out driveways will be permitted on Cezanne Drive for Lots 57A & 57B.
5. South Richfield Road (LA 343) and Cezanne Drive are located within the Rural Area of the Lafayette Transportation Plan. An enhanced setback line of thirty-feet (30') must be placed along South Richfield Road (LA 343) and Cezanne Drive.

The Hearing Examiner waived the Condition of Development requiring that Americans with Disabilities Act (A.D.A.) compliant sidewalks be constructed along South Richfield Road (LA 343) and Cezanne Drive prior to final plat approval and recordation or to provide a letter of credit for the construction of the sidewalks.

#### **PLAT REVISIONS:**

1. The following note must be placed on the final plat:  
“This development is designed and approved with an open ditch drainage system and as such, the installation of a subsurface drainage system is prohibited, with the exception of driveway culverts, unless approved by the Lafayette Consolidated Government (LCG) Public Works Department.”
2. Label South Richfield Road as **LA Hwy 343**.

3. Remove **Atmos Energy** as the **Gas Provider**. Atmos has indicated they do not provide service in this area.
4. Correct the name of the subdivision in the **Title Block**. The approved name of the subdivision is **Richfield Subdivision**, not **Richfield Place**.
5. Provide the names and mailing address of the adjacent properties owners on the final plat. Do not label as **“Or Assigns.”**
6. Final plat must include the surveyor’s signature.
7. Put the assigned addresses on the final plat.
 

<b>Cezanne Drive</b>	
<b>Lot 57A</b>	<b>100-B</b>
<b>Lot 57B</b>	<b>100-A</b>

MOTION CARRIES

**4. Partition of Property of Chester L. Richard Estate, Lot 1-B (HE 2020-0060)**

MOTION: Sharon Wagner moved for Preliminary Plat approval subject to the following conditions and plat revisions.

**CONDITIONS OF DEVELOPMENT:**

1. Submittal of complete construction plans to the Department of Public Works and to LA-DOTD will be required. Construction plans shall include, but not be limited to, a site grading, drainage and erosion control plans and details of all tie-ins to public infrastructure. **Submittal may take place at the time of building permit application.**
2. The citizens of Lafayette requested enhanced measures be made to prevent additional flooding, therefore as of October 2017 any development that fills or modifies a designated Special Flood Hazard Area must mitigate that development activity volumetrically on a one to one excavation ratio. The volume to retain is that which was present on the site on November 1, 2017 to be verified via review of aerial imagery, site conditions (i.e. existing building, etc.) or prior engineering analysis or certifications. Any fill thereafter is subject to this provision. **Submittal may take place at the time of building permit application.** For details of this requirement, please review section 89-42 (g).
3. All development activities on property must be in compliance with 89-42 (g) “Development within a Special Flood Hazard Area” of Article 3 of the Unified Development Code for the City and Parish of Lafayette, LA. Note: Less than 5 acres of the proposed development are located within a Special Flood Hazard Area.

4. Submittal of a drainage impact analysis to the Department of Public Works and to LA-DOTD for review and approval is required. Drainage impact analysis shall include, but not be limited to, a drainage area map for existing and proposed conditions, methodology, computations, lot grading plan, and summary, and if applicable, the capacity of roadside ditches and pipe sizing chart. Please note, a drainage impact analysis shall be submitted in the format noted in Public Infrastructure Design Standards which can be obtained from the Department of Public Works. **Building permits shall not be issued until the analysis has been approved or as worked out with the Public Works Department.**

Please note that all residential and commercial development that results in a post development runoff that exceeds the development areas pre-development runoff rate shall be required to mitigate the increase through drainage improvements. The development drainage design shall be based on a five (5) year storm event for residential developments and a ten (10) year storm event for commercial developments. (See UDC Art. 3, 89-42 (c) and (d)).

5. No construction of any development components which are the subject of any Preliminary or Final Plat approval by the Planning Commission shall be commenced until a favorable written approval of the drainage impact analysis has been made by the Public Works Director (or his/her designee). Violation of this provision can result in a cease and desist order being issued for the development.
6. Upon reviewing the drainage impact analysis, private and/or public drainage servitudes may be required to achieve proper storm water management. Areas of particular interest include the adjacent unplatted property.
7. The plans do not indicate the layout and perpetual maintenance of drainage. A note must be placed on the plat stating, "Effluent will drain to LA Hwy 1252, a public street maintained by LA-DOTD."
8. Provide the standard **Utility Servitude Niches** (10' x 5') at all property corners bordering public or private roadways.
9. Lafayette Parish Waterworks District North is to be contacted by the developer to determine if service of potable water to the subdivision is possible. Upon approval of service to the subdivision by Lafayette Parish Waterworks District North, submit complete construction plans to the Lafayette Parish Waterworks District North Office.
10. Any access to LA Hwy 1252 must be approved by LA-DOTD and must comply with the typical driveway standards. Platting of this parcel does not guarantee direct access to a state route. A copy of the approved permit must be provided to the Traffic & Transportation-Traffic Engineering Division prior to the approval and issuance of any building permit. **This requirement must be noted on the final plat.**

11. LA Hwy 1252 is located within the Rural Area of the Lafayette Transportation Plan. An enhanced setback line of twenty-five feet (25') must be placed along LA Hwy 1252.
12. A currently dated plat should be used instead of one that is 5 years old (July 29, 2015).

The Hearing Examiner waived the Condition of Development requiring that Americans with Disabilities Act (A.D.A.) compliant sidewalks be constructed along LA Hwy 1252 prior to the issuance of the Certificate of Occupancy.

#### **PLAT REVISIONS:**

1. Revise the Flood Notes on the final plat to the following:
  - According to the Federal Emergency Management Agency Flood Insurance Rate Map (FIRM), with an effective date of **December 21, 2018 Map Panel #22055C0100J** this property is located in **Flood Zone AE**, which are areas determined to be inside the 1% Annual Chance Floodplain and considered to be a **Special Flood Hazard Area**, where Base Flood Elevations have been determined by FEMA.
  - Any structure, enclosed on three or more side, built, placed or substantially improved on property which is subject to inundation by the 1% Annual Chance Flood as depicted on this plat, shall be elevated so as to ensure the lowest floor of such structures and all machinery servicing the structure is at a minimum of one-foot (1') above the Base Flood Elevation height for that area at that time.
  - Any development that fills or modifies the **Special Flood Hazard Area** must mitigate the development volumetrically.
2. A note must be placed on the final plat stating "Please be advised if greater than fifteen (15) lots are developed, a community type sewerage disposal system may be required and all lots and/or units shall be connected to the said system. See O-189-2011."
3. Remove **Atmos Energy** as the **Gas Provider**. Atmos has indicated they do not provide service in this area.
4. Correct the **Total Area** being platted. Only **.565 acres** is being platted for Tract 1-B; not 38.98 acres indicated.
5. Correct the **Number of Lots** being platted. Only 1 lot is being platted not 2 as indicated.
6. Also provide a **Graphic Scale** for the **Detail Area** that has a written scale of 1"=60'.



7. Provide the **right-of-way dimension** for **LA Hwy 1252** in the detail area.
8. Provide on the final plat the distance to the nearest intersecting street right-of-way.
9. Put the assigned address of **1620 LA Hwy 1252** on the final plat.

MOTION CARRIES

**5. Extension of Letters of Credit (HE 2020-0061)**

MOTION: Sharon Wagner moved that the letters of credit be extended and renewed for another year for the following subdivisions and amounts.

St. Thomas More High School	\$9937.50 for construction of sidewalks
Beau Savanne, Phase 2	\$75,000 for public works improvements

III. ADJOURNMENT

Kyle Faber moved to adjourn the meeting at 9:25 a.m.

Submitted by,

Anne Famoso  
Development Manager  
Department of Development and Planning