

2019-0006 – Additional Data

St. Charles Parish

Planning Board of Commissioners
Minutes

January 10, 2019

Commissioner Booth: Next item on the agenda is PZS-2018-32 requested by MHI Investments LLC to modify the Preliminary Plat and Construction approvals for Oak Alley Subdivision to include an additional waiver to the dedicated public street frontage requirement for each new lot and to waive the geometric standards to the lot that will contain the private road. Zoning District C-2/R-1B. Council District 3. Ms. Stein.

Ms. Stein: Thank you Mr. Chair. In early December we received a letter from the developers requesting a waiver from the requirement for frontage on a dedicated street. The way the code is written is a little bit different now than when that waiver used to be used for the width of lots but the intent here is a little bit different anyway so the applicant is really requesting a waiver from the lot waiver requirement which states that all lots shall possess frontage on a street or roadway that meets all of the specifications of the subdivision regulations that are listed in geometric standards and also in design standards. Oak Alley lots would be accessed by a private street if the waiver is granted. So they intend to develop the street, develop the infrastructure lines for sewer, water and drainage alongside of it and dedicate those improvements for the facility lines but use the surface of the street privately. Dedication is the 3rd phase of a subdivision development, this subdivision is currently under construction, you approved construction I think back in September. Dedication generally occurs by the developer finishing the work, having the Public Works Department inspect it and approve it and then forward it to the parish council, so often a subdivision does not come back to you after you approve construction. In this case if the waiver is approved that surface of the street would have to be shown as something different as a street right of way, it would have to be its own lot, a private piece of ground. It might come back to you, we're working with the Legal Services Department to determine what the process is for creating that particular piece of ground. The department doesn't have any objection and we talked to representatives from Public Works and Waterworks who also do not object.

Commissioner Booth: Thank you Ms. Stein, there is a public hearing for PZS-2018-32

Mr. Albert: Just before you open the public hearing, of note, these properties are actually zoned commercial. Each of them have a special permit use for the building construction that's going on there with the homes. Several years ago the Commission heard, entertained and approved a similar measure in Ormond Center, where the underground utilities were dedicated and the street was not. So there is precedent and you've seen something like this prior.

Commissioner Booth: Thank you Sir, public hearing for PZS-2018-32, MHI Investments, LLC to modify their preliminary plat and construction approval for Oak Alley Subdivision as stated in the description we just heard. Anyone here to speak for or against?

Joey Murray with Murray Architects, 13760 River Road in Destrehan, I'm here representing MHI Investments with this project. As you know the Smith family intends to build their personal homes there on this property. This tonight will give them the option to keep the street private if you approve it tonight and it's just like it was done at Ormond Center where the street right of way will become a lot unto itself and then there is a cross servitude agreement that's granted to each of those lots unto each other to use that right of way to go to and from each one of those lots. This has been discussed with the Public Works Director who has overseen the construction of the entire subdivision and it's completely done in conformance with the subdivision regulations as it was approved by you and as it was approved and submitted to the St. Charles Parish Council. This was also brought before the district councilman who is in favor of this and who told us we should go ahead and come to you guys so that it could be heard here and if approved here it would go ahead to the parish council for approval. I'm here to answer any questions that you may have and I also want to let you know that Mr. Gary Smith Jr. is here if you have any questions of him he would be happy to answer them for you.

Commissioner Frangella: I guess my only question would be is since it's a private drive, if needed, would a bus be able to drive down there?

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Mr. Murray: Yes. The busses can still drive there, the garbage trucks can still drive there, but they're making it private.

Commissioner Booth: Ok.

Commissioner Granier: Ice cream trucks too?

Mr. Murray: Ice cream trucks too. If we can get the margarita trucks we'll get them to come too.

Commissioner Booth: Alright thank you Mr. Murray. Anyone else here to speak for or against this particular issue please step forward? Seeing none the public hearing is closed for PZS-2018-32. Any questions or comments from the Commission? Call for the vote.

YEAS: Gordon, Petit, Granier, Richard, Booth Frangella, Galliano
NAYS: None
ABSENT: None

Commissioner Booth: That passes unanimous in favor of the private road to include ice cream trucks.
