

MINUTES
PLANNING AND ZONING COMMISSION MEETING
February 22, 2010
5:00 P.M.

THE FOLLOWING PROCEDURES AND RULES APPLY TO PUBLIC COMMENT:

In accordance with Title 1, Section 1.7 of the Code of Ordinances, all items on this agenda are open for public comment. Those members of the public desiring to speak on a particular item should approach the podium and request to speak after the item is announced by the Chairman. They will be required to give their name and address and the Chairman will allocate a specific amount of time for members of the public to speak.

1. A statement setting forth the applicant's proposal, together with the Planning Commission Staff recommendation will be made by the Planning Director and Staff after which the applicant and the public will be heard. Each speaker, before speaking on the proposal, shall give his or her name and the address and state whom he/she is representing. Anyone speaking as a civic association representative shall document that their presented views are those of the organization. A resolution or official minutes from the organization are acceptable forms of documentation.
2. Applicant and applicant representatives for the proposal will speak first for a period not to exceed fifteen (15) minutes. Proponents for the proposal will speak second and a period of three (3) minutes will be allowed for each proponent not to exceed fifteen (15) minutes in total time. Opponents or other interested parties will speak next and a period of three (3) minutes will be allowed for each opponent. There will be no limit to the number of persons who may speak, but speakers are encouraged to avoid duplication in their presentations.
3. Applicant will be allowed a total period of five (5) minutes to offer rebuttal. Opponents will not be allowed to rebut. This procedure shall be followed except as such time when the presiding officer may extend such time limitation in exceptional and unusual cases.
4. The Commission Members may ask any questions and make comments, but are urged to cooperate in an effort to spend no more than fifteen (15) minutes in discussion of a case after all speakers have been heard.
5. Items placed on the Consent Agenda by the Planning Commission Staff will not have time allocated for speaking, unless there is a member of the public present at the meeting who wishes to speak on the item. In such cases, the proposal will follow the standard.
6. Revocations, Street Name Changes, and Zoning cases heard tonight by the Planning Commission will be heard by the **Metropolitan Council on Wednesday, March 17, 2010, at 4:00 P.M.** unless the case is deferred by the Commission or has been pre-introduced by the Council. It is important that the applicant of each case also attend the Council Zoning Meeting to present the case before the Council.

1. ROLL CALL

Herb Gomez, Chairman of the Planning Commission called the meeting to order with the following members present for roll call: Herb Gomez, Kathleen Callaghan, Ervie Ellender, Audrey Nabors Jackson, Alison Neustrom, Roxson Welch, Councilwoman Tara Wicker, and W.T. Winfield. Also present were Troy Bunch, Planning Director, Ellen Miller, Assistant Planning Director, Lael Holton, Advance Division Manager, Gilles Morin, Tiffany Johnson and Kenneth Blair Leblanc, Current Division Planners.

2. APPROVAL OF THE MINUTES (January 25, 2010)

COMMISSION ACTION Motion by Callaghan and seconded by Welch to approve.

8 Yeas (Gomez, Callaghan, Ellender, Jackson, Neustrom, Welch, Wicker, and Winfield), 0 Nays, 1 Absent (Marien), and motion carried.

3. HORIZON PLAN

Lael Holton presented an update of the Horizon Plan.

- *Fregonese Associates will be in town March 2-4, leading three Comprehensive Plan Workshops. The Workshops are scheduled at the River Center Ballroom, Redemptorist High School and Woodlawn High School from 6:00p.m. – 8:30p.m., and will serve as the basis for the land use vision for the Parish.*

- *The Planning Commission Staff has been working hard in the Brownfields program; two primary projects are the Mid City Cleanup in partnership with LDEQ and the revitalization of the Lincoln Theatre in partnership with the East Baton Rouge Redevelopment Authority (EBRDA).*

4. AMENDMENTS AND CONSENT AGENDA

- 5.** Amending Title 7 (Unified Development Code), Chapter 18 (Landscape, Clearing, and Trees) of the Code of Ordinances of the City of Baton Rouge and the Parish of East Baton Rouge so as to amend and re-enact Chapter 18 entirely.

Dana Brown spoke in favor of amendment.

COMMISSION ACTION Motion by Jackson and seconded by Callaghan to approve.

8 Yeas (Gomez, Callaghan, Ellender, Jackson, Neustrom, Welch, Wicker, and Winfield), 0 Nays, 1 Absent (Marien), and motion carried.

-----**PLANNING**-----

- 6. SS-70-09 (Deferred from January 25, 2010) Giovanni Square** This property is located near the southwest intersection of Airline Highway and Highland Road. (Council District 9- Boé)

Planning Commission Staff Recommendation The Planning Commission Staff recommends approval of the subdivision provided that all comments from the Department of Public Works are met prior to the Planning Commission meeting.

COMMISSION ACTION Motion by Ellender and seconded by Winfield to approve.

8 Yeas (Gomez, Callaghan, Ellender, Jackson, Neustrom, Welch, Wicker, and Winfield), 0 Nays, 1 Absent (Marien), and motion carried.

- 7. SS-4-10 Hooper Pointe Phase II** This property is located east of the intersection of Plank Road and Hooper Road on the south side of Hooper Road on Tract B-1-A. (Council District 5-Edwards)

Planning Commission Staff Recommendation The Planning Commission Staff recommends approval of the subdivision provided that all comments from the Department of Public Works are met prior to the Planning Commission meeting.

COMMISSION ACTION Motion by Ellender and seconded by Winfield to approve.

8 Yeas (Gomez, Callaghan, Ellender, Jackson, Neustrom, Welch, Wicker, and Winfield), 0 Nays, 1 Absent (Marien), and motion carried.

- 8. SP-1-10 Sam's Club at Cortana** This property is located on the southwest intersection of Cortana Place and Airway Drive. (Council District 6-Collins-Lewis)

Planning Commission Staff Recommendation The Planning Commission Staff recommends approval of the subdivision provided that all comments from the department of Public Works are met prior to the Planning Commission meeting.

COMMISSION ACTION Motion by Ellender and seconded by Winfield to approve.

8 Yeas (Gomez, Callaghan, Ellender, Jackson, Neustrom, Welch, Wicker, and Winfield), 0 Nays, 1 Absent (Marien), and motion carried.

-----**ZONING**-----

- 9. Case 66-09 (Deferred from January 25, 2010) 16525 Jefferson Highway** This property is located on the north side of Jefferson Highway, south of Alder Drive on Tract A, now or formerly the Heard Tract. To amend the "2010 Land Use Plan" from Low Density Residential to Neighborhood Office, and to rezone from R (Rural) to NO (Neighborhood Office). Section 38, T8S, R2E, GLD, EBRP, LA. (Council District 9-Boé)

Withdrawn by Applicant

- 10. CUP 1-10 24120 LA Highway 19 (Kingdom Hall of Jehovah's Witnesses)** This property is located on the east side of LA Hwy 19 (Zachary-Slaughter Hwy) north of Safer Road on a portion of Tract S-2-B-2 of the Peggy Wicker Partition. To allow a CUP (Conditional Use Permit) for a proposed religious institution. Section 18, T4S, R1E, GLD, EBRP, LA. (Council District 1-Welch)

Planning Commission Staff Recommendation The proposed conditional use permit is consistent with the Horizon Plan. Therefore, the Planning Commission Staff recommends approval of the conditional use permit to allow the proposed religious institution on this site, provided that all comments from the Department of Public Works are met prior to the Planning Commission meeting.

COMMISSION ACTION Motion by Ellender and seconded by Winfield to approve.

8 Yeas (Gomez, Callaghan, Ellender, Jackson, Neustrom, Welch, Wicker, and Winfield), 0 Nays, 1 Absent (Marien), and motion carried.

- 11. CUP 2-10 1555 Seaboard Drive (Aposento Alto Sanctuary Addition)** This property is located east of the intersection of Seaboard Drive and GSRI Avenue on Lots 82, 83, 84, and 85 of Plantation Plaza Subdivision. To allow a CUP (Conditional Use Permit) for a proposed addition to an existing religious institution. Section 73, T8S, R1E, GLD, EBRP, LA. (Council District 3-Loupe)

COMMISSION ACTION Motion by Jackson and seconded by Winfield to defer until March 22, 2010.

8 Yeas (Gomez, Callaghan, Ellender, Jackson, Neustrom, Welch, Wicker, and Winfield), 0 Nays, 1 Absent (Marien), and motion carried.

- 12. CUP 3-10 18567 Hoo Shoo Too Road (Encore Equestrian Farms)** This property is located on the east side of Hoo Shoo Too Road to the north of Elliot Road on a portion of Tract A-1-B-1 now or formally of the S.E. Cooper Tract. To allow a CUP (Conditional Use Permit) for a commercial horse stable and equestrian center. Section 40, T8S, R2E, GLD, EBRP, LA. (Council District 9-Boe')

Planning Commission Staff Recommendation The proposed conditional use permit is consistent with the Horizon Plan. Therefore, the Planning Commission Staff recommends approval of the conditional use permit to allow the proposed commercial horse stable and equestrian center, provided that all comments from the Department of Public Works are met prior to the Planning Commission meeting.

*Leah Rhodes spoke in favor of application.
Bill Collett spoke in opposition of application.
Galvin Estonia spoke in opposition of application.*

COMMISSION ACTION Motion by Ellender and seconded by Callaghan to approve.

4 Yeas (Gomez, Callaghan, Ellender, and Winfield), 4 Nays (Jackson, Neustrom, Welch, and Wicker), 1 Absent (Marien), and motion failed for a lack of 5 votes.

- 13. Case 1-10 11271 Rieger Road** This property is located north of Rieger Road and Interstate 10 on Tract Y-1-C-1-A of the Estate of Mrs. Annie G. Pecue. To rezone from M1 (Light Industrial) to C-AB-2 (Commercial Alcoholic Beverage Two). Section 48, T8S, R2E, GLD, EBRP, LA. (Council District 11- Cascio)

Planning Commission Staff Recommendation The proposed rezoning to C-AB-2 (Commercial Alcoholic Beverage Two) is consistent with the "2010 Land Use Plan" Therefore, the Planning Commission Staff recommends to approve rezoning from M1 (Industrial) to C-AB-2 (Commercial Alcoholic Beverage Two) provided that the applicant submit a metes and bounds description of the location in which alcohol will be served and sold.

COMMISSION ACTION Motion by Ellender and seconded by Winfield to approve.

7 Yeas (Gomez, Callaghan, Ellender, Jackson, Neustrom, Welch, and Winfield), 0 Nays, 1 Abstention (Wicker), 1 Absent (Marien), and motion carried.

- 14. Case 2-10 Strain Road/F&G Services, Inc.** This property is located on the south side of Strain Road, west of McLemore Drive on Tracts E-1 and E-2, known as the Henry Richard Tract. To amend the "2010 Land Use Plan" from Light Commercial to Heavy Commercial on Tract E-1 and from Light Commercial to Industrial on Tract E-2 and to rezone from A3.1 (Limited Residential) to HC1 (Heavy Commercial One) on Tract E-1 and from A3.1 (Limited Residential) to M1 (Light Industrial) on Tract E-2. Section 74, T7S, R2E, GLD, EBRP, LA. (Council District 9- Boé)

COMMISSION ACTION Motion by Jackson and seconded by Winfield to defer until March 22, 2010.

8 Yeas (Gomez, Callaghan, Ellender, Jackson, Neustrom, Welch, Wicker, and Winfield), 0 Nays, 1 Absent (Marien), and motion carried.

- 15. Case 3-10 10330 Airline Highway** This property is located on the southwest intersection of Airline Highway and Professional Boulevard, north of Bluebonnet Boulevard on Tract 38-X, Suites B6 and B7, of the Inniswold Estates Subdivision. To rezone from C2 (Heavy Commercial) to C-AB-1 (Commercial Alcoholic Beverage One). Section 100, T7S, R1E, GLD, EBRP, LA. (Council District 11- Cascio)

Planning Commission Staff Recommendation The proposed rezoning to C-AB-1 (Commercial Alcoholic Beverage One) is consistent with the "2010 Land Use Plan" and with the surrounding land use character. Therefore, the Planning Commission Staff recommends to approve rezoning from C2 (Heavy Commercial) to C-AB-1 (Commercial Alcoholic Beverage One).

COMMISSION ACTION Motion by Ellender and seconded by Winfield to approve.

7 Yeas (Gomez, Callaghan, Ellender, Neustrom, Welch, Wicker, and Winfield), 1 Nay (Jackson), 1 Absent (Marien), and motion carried.

16. COMMUNICATIONS

The Planning Director informed the Planning Commissioners that the Louisiana Chapter of the American Society of Landscape Architects (ASLA) will present Professional Design Awards at their state conference in New Orleans, Saturday, February 27, 2010. Baton Rouge will receive an award for the Stormwater BMP Education Program in the category of "Special Projects, Communications". The jury consisted of professionals from the Nevada ASLA Chapter.

The Planning Director announced that the Spring Luncheon will be Tuesday, March 30, 2010 at noon in the Planning Commission office.

The Planning Director reminded the Planning Commissioners that the next Planning Commission meeting will be Monday, March 22, 2010 at 5:00 p.m.

17. ADJOURN

Meeting Adjourned at 5:40 p.m.