MINUTES
PLANNING AND ZONING COMMISSION MEETING
December 8, 2008
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.

6. Revocations, Street Name Changes, and Zoning cases heard tonight by the Planning Commission will be heard by the Metropolitan Council on Wednesday, **January 21, 2008, 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.

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1. ROLL CALL

The Planning Director called the meeting to order with the following members present for roll call: Martha Jane Tassin, Herb Gomez, Kathleen Callaghan, Ervie Ellender, Audrey Jackson, Frank Muscarello, Laurie Marien, Roxson Welch, and W. T. Winfield. Also present were Troy L. Bunch, Planning Director; Ellen A. Miller, Assistant Planning Director; Lael Holton, Advance Division Manager; Gil Morin, Kenneth B. LeBlanc, and Rachael Ivie, Current Division Planners; and Armedia Hamilton, Administrative Specialist Current Division.

2. APPROVAL OF THE MINUTES (November 17, 2008)

COMMISSION ACTION Motion by Jackson and seconded by Welch to approve the minutes.

9 Yeas (Callaghan, Ellender, Gomez, Jackson, Marien, Muscarello, Tassin, Welch, and Winfield), 0 Nays, 0 Absent, and motion carried.

The Planning Director presented the Lead Agency Award to Annette I. Bookter, Ph.D., Director of the Department of Human Resources.

The Planning Director recognized and presented Donna Bennett with a pin from the Mayor and the City of Baton Rouge for 30 years of service.

The Planning Director recognized the Chairwoman of the Planning Commission, Martha Jane Tassin, for services she provided the Planning Commission. Emanuel Zanders read a poem written especially for Ms. Tassin. Justin Priola presented Ms. Tassin with a gift from the Planning Commission staff. The Planning Director honored Ms. Tassin with a plaque for her service and dedication.

3. HORIZON PLAN

Lael Holton presented an update of the Horizon Plan.

HORIZON PLAN UPDATE

Advance Planning and Research staff is continuing to examine opportunities to improve our Unified Development Code as related to Smart Growth and to analyze policies in place that accomplish Smart Growth principles. Lead Agency meeting was December 4, 2008, at 9:00 A.M; all but three (3) Agencies attended. This year's Lead Agency Award was given to Human Resources. Request for Qualifications Question and Answer session with potential planning consultants for Horizon Plan update was held on November 11, 2008, from 2:00-3:30 P.M. in Council Chambers. Request for Qualification is open until December 18, 2008; Selection Working Committee will meet in January to choose three (3) firms, then Advisory Committee will hear from firms in February, sending a recommendation on to the Mayor.

Grant Activity

The Planning Commission is partnering with other cities and regional planning offices for United States Environmental Protection Agency Revolving Loan Fund, with up to one million dollars in cleanup funding. Planning Commission staff has submitted a proposal for grant funding that will fund wetlands restoration and bird habitat enhancement along portions of Ward's Creek and Dawson Creek. The staff has submitted a proposal for United States Environmental Protection Agency one million dollar assessment grant funding for Brownfields.

Other Activity

The staff is working on this year's Planning Commission Annual Report; final distribution is scheduled for the January 22, 2009 Planning Commission meeting. Planning Commission Staff is working on 25 Active Enterprise Zone Applications, 11 of which have moved into the contract phase.

4. AMENDMENTS AND CONSENT AGENDA

The Planning Director presented deferred items, withdrawn items, and consent items.

----------PLANNING----------

5. SS-107-08 Benjamin L. Bufkin Subdivision. This property is located southwest of the intersection of Lemon Road and Jacocks Road on Tracts B-1 and B-2. (Council District 1 – Carter)

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

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

9 Yeas (Callaghan, Ellender, Gomez, Jackson, Marien, Muscarello, Tassin, Welch, and Winfield), 0 Nays, 0 Absent, and motion carried.

6. SS-108-08 Harelson Property Subdivision. This property is located to the south of the intersection of Jones Creek Road and Tiger Bend Road on Tract D-1 of the Harelson property. (Council District 9 – Ourso)

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

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

9 Yeas (Callaghan, Ellender, Gomez, Jackson, Marien, Muscarello, Tassin, Welch, and Winfield), 0 Nays, 0 Absent, and motion carried.

7. S-27-06 Springlake at Bluebonnet Highlands 9th Filing Revision to Preliminary Plat. This property is located to the south of Burbank Drive near Siegen Lane on Tract FF-6. (Council District 3 – Culbertson)

Planning Commission Staff Recommendation. The Planning Commission staff recommends to approve this subdivision provided that all comments from the Department of Public Works are addressed prior to the Planning Commission meeting.

Taylor M. Gravois, CSRS spoke in favor of the application.

COMMISSION ACTION Motion by Callaghan and seconded by Jackson to approve with connection to Burbank.

9 Yeas (Callaghan, Ellender, Gomez, Jackson, Marien, Muscarello, Tassin, Welch, and Winfield), 0 Nays, 0 Absent, and motion carried.

8. RV-15-08 Howell Community Farms 10 foot Servitude Revocation. This property is located on the north side of Harding Boulevard near the intersection of Plank Road on a portion of Lot 4-B. (Council District 2 – Addison)

Planning Commission Staff Recommendation The Planning Commission Staff recommends to approve this revocation provided that the applicant resolves all comments with the Department of Public Works.

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

9 Yeas (Callaghan, Ellender, Gomez, Jackson, Marien, Muscarello, Tassin, Welch, and Winfield), 0 Nays, 0 Absent, and motion carried.

9. RV-16-08 Right of Way Revocation of Santa Rosa Avenue, and Amanda Avenue in Destin Place Subdivision. This property is located on the south side of Gardere Lane east of the Intersection of Nicholson Drive. (Council District 3 – Culbertson)

Planning Commission Staff Recommendation. The Planning Commission Staff and the Department of Public Works recommend that this revocation be denied based on the substantial redesign of the subdivision or any portion thereof which would change the street pattern or overall layout of the previously approved plat and impede connectivity in the area.

Phil Britton spoke in favor of the application.

COMMISSION ACTION Motion by Welch and seconded by Muscarello to deny.

5 Yeas (Gomez, Muscarello, Tassin, Welch, and Winfield), 4 Nays (Callaghan, Ellender, Jackson, and Marien), 0 Absent, and motion carried.

----------ZONING----------

10. PUD 5-08 **(Deferred from November 17, 2008)** Joor Crossing Concept Plan. This property is located on Joor Road north of the intersection of Mickens Road on a portion of Parcel A-3 of the Nell Stipe property. To amend the "2010 Land Use Plan" from Low Density Residential to Planned Unit Development and to rezone from A1 (Single Family Residential) to PUD (Planned Unit Development). Section 44, T-6-S, R-1-E, GLD, EBRP, LA. (Council District 5-Kelly)

Planning Commission Staff Recommendation. The proposed Concept Plan is consistent with the general character requirements, minimum development standards and review criteria. The Planning Commission Staff recommends to approve this Concept Plan provided that all comments from the Department of Public Works are addressed prior to the Planning Commission meeting.

Wayne Sledge spoke in favor of the application.

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

9 Yeas (Callaghan, Ellender, Gomez, Jackson, Marien, Muscarello, Tassin, Welch, and Winfield), 0 Nays, 0 Absent, and motion carried.

11. CUP 8-08 This property is located north of Monitor Avenue and west of Elm Shadow Drive, on a portion of the Jos. Goldstone Property for a CUP (Conditional Use Permit). Section 54, T7S, R2E, GLD, EBRP, LA. (Council District 9-Ourso)

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

WT-2-08 Verizon Wireless- Lands End. This property is located north of Monitor Avenue and west of Elm Shadow Drive, on a portion of the Jos. Goldstone Tract. (Council District 9 – Ourso)

Planning Commission Staff Recommendation. The Unified Development Code allows height waivers of up to 300 feet with a minimum setback waiver of 200 feet or 1.5 times the tower height, whichever is greater. The actual height proposed by the applicant is 100 feet with a setback of 178 feet from the property line of the nearest residence. The height and setback waivers the applicant is requesting may be granted by the Planning Commission. Therefore, the Planning Commission Staff recommends approval of the wireless tower site plan with the requested height and setback waivers.

Chris Reynolds spoke in favor of the application.

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

9 Yeas (Callaghan, Ellender, Gomez, Jackson, Marien, Muscarello, Tassin, Welch, and Winfield), 0 Nays, 0 Absent, and motion carried.

12. Case 73-08 **(Deferred from November 17, 2008)** This property is located on the east side of Plank Road, north of Guice Drive on Lot 1 of Kleinpeter Place. To amend the "2010" Land Use Plan" from HC (Heavy Commercial) to CW (Commercial Warehousing) and rezone from A1 (Single Family Residential) and C2 (Heavy Commercial) to CW1 (Commercial Warehousing One). Section 75, T6S, R1E, GLD, EBRP, LA. (Council District 2-Addison)

Planning Commission Staff Recommendation. The proposed rezoning to CW1 (Commercial Warehousing One) is not consistent with the "2010 Land Use Plan" but is consistent with the surrounding land use character. Therefore, the Planning Commission Staff recommends to amend the "2010 Land Use Plan" from Heavy Commercial to Commercial Warehousing and the rezoning from C2 (Heavy Commercial) and A1 (Single Family Residential) to CW1 (Commercial Warehousing One).

Mark B. Hebert spoke in favor of the application.

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

9 Yeas (Callaghan, Ellender, Gomez, Jackson, Marien, Muscarello, Tassin, Welch, and Winfield), 0 Nays, 0 Absent, and motion carried.

13. Case 78-08 This property is located on the west side of Lee Drive, between Whitehaven Street and Bluebell Drive, on Lot A, Square 45 of Southdowns Subdivision. To amend the "2010 Land Use Plan" from Low Density Residential to Neighborhood Office and to rezone from A1 (Single Family Residential) to NO (Neighborhood Office). Section 45, T7S, R1E, GLD, EBRP, LA. (Council District 12-Skyring)

Planning Commission Staff Recommendation. The proposed rezoning to NO (Neighborhood Office) is not consistent with the "2010 Land Use Plan" or consistent with the surrounding land use character. Therefore, the Planning Commission Staff does not recommend to amend the "2010 Land Use Plan" from Low Density Residential to Neighborhood Office or to approve rezoning from A1 (Single Family Residential) to NO (Neighborhood Office).

James Sonnier spoke in favor of the application.
Kevin Carmen spoke in favor of the application.
Don Ristroph spoke in opposition of the application.
Tad Hardy spoke in opposition of the application.
Marlene King spoke in opposition of the application.
William Gladney spoke in opposition of the application.
Steve Wylie spoke in opposition of the application.
J. Kennard Kinten spoke in opposition of the application.

COMMISSION ACTION Motion by Muscarello and seconded by Welch to deny.

9 Yeas (Callaghan, Ellender, Gomez, Jackson, Marien, Muscarello, Tassin, Welch, and Winfield), 0 Nays, 0 Absent, and motion carried.

14. Case 79-08 This property is located on the north side of Perkins Road, at the northeast intersection of Perkins Road and Acadian Thruway. On a portion of Tract A-2-A of the Robert G. Claitor Tract. To rezone from C1 (Light Commercial) to C-AB-2 (Commercial Alcoholic Beverage Two). Section 94, T7S, R1E, GLD, EBRP, LA. (Council District 12-Skyring)

Planning Commission Staff Recommendation. The proposed rezoning to C-AB-2 (Commercial Alcoholic Beverage Two) is consistent with the "2010 Land Use Plan" and with the surrounding land use character. Therefore, the Planning Commission Staff recommends to approval of the requested rezoning from C1 (Light Commercial) to C-AB-2 (Commercial Alcoholic Beverage Two).

Darin Domingues spoke in favor of the application.
Angela Angelloz spoke in opposition of the application.
William Gladney spoke in opposition of the application.
Carolyn Brown spoke in opposition of the application.

COMMISSION ACTION Motion by Gomez and seconded by Marien to defer until January 26, 2009.

5 Yeas (Callaghan, Gomez, Marien, Tassin, and Winfield), 4 Nays (Ellender, Jackson, Muscarello, and Welch), 0 Absent, and motion carried.

15. COMMUNICATIONS

No communications.

The Planning Commission members acknowledged their appreciation to Ms. Tassin.

16. ADJOURN

Meeting adjourned at 6:10 P.M.