**AGENDA**

**Wednesday, February 15, 2012**

**METROPOLITAN COUNCIL ZONING MEETING**

**4:00 P.M.**

**Governmental Building**
**Room 348**

**ALL ITEMS ON THE ATTACHED AGENDA ARE PUBLIC HEARINGS**

The rules for conducting such public hearings are as follows:

1) The proponents will speak first, then the opponents. Each speaker will be allowed not more than three minutes. The speakers are requested to limit their remarks and to avoid duplication in their presentations.

2) The proponents will be allowed three minutes for rebuttal.

3) The Council Members may ask questions and make comments but are urged to cooperate in an effort to spend not more than 30 minutes on any one zoning case.

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1. Metropolitan Council Roll Call.

2. Amending the Comprehensive Zoning Map of the City of Baton Rouge and Parish of East Baton Rouge of June 1976, as contained in and made a part of the "Comprehensive Zoning Ordinance of the City of Baton Rouge and Parish of East Baton Rouge for 1958," as amended so as to:

A. **RV-6-11** Revocation of a portion of a sixty (60) foot public right-of-way This property is located on the south side of Cornell Avenue at the intersection of Cornell Avenue and Lakeshore Drive in the College Town Subdivision, being a portion of the unimproved Princeton Avenue. (Council District 12-Bourgeois)

***Planning Commission Staff Recommendation*** *The Planning Commission Staff recommends to approve this revocation provided that the applicant submits a revised final plat for approval by the Planning Commission Staff that provides all subject lots with adequate street frontage to Cornell Avenue and that the applicant resolves all comments with the Department of Public Works.*

***COMMISSION ACTION*** *Motion to approve.*
*7 Yeas, 0 Nays, 1 Absent and the motion carried.*

B. **RV-7-11** Revocation of portions of two (2) fifteen (15) foot public servitude This property is located on the north side of Essen Park Avenue and the south side of One Calais Avenue, east of Essen Lane, on Tract C of Essen Commercial Park and Lots 23 thru 26 of One Calais Place Subdivision. (Council District 3-Loupe)

***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 to approve.*
*7 Yeas, 0 Nays, 1 Absent and the motion carried.*

C. **Case 49-11** 8342 Perkins Road This property is located on the west side of Perkins Road, northwest of Madeira Drive, on a portion of Tract Z-4-2-A of the George H. Baker and Mary Francis Baker Property. To rezone from C1 (Light Commercial) to C-AB-2 (Commercial Alcoholic Beverage Two). A CERTAIN AREA OR PORTION OF LAND CONTAINING APPROXIMATELY 6,997 SQUARE FEET, BEING A PORTION OF TRACT Z-4-2-A, OF THE GEORGE H. BAKER AND MARY FRANCIS BAKER PROPERTY, LOCATED IN SECTION 55, T-7-S, R-1-E, GREENSBURG LAND DISTRICT, EAST BATON

ROUGE PARISH, LOUISIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at a point being the Southeast corner of Tract Z-4-2-A, said point being located along the westerly right of way line of Perkins Road, thence leaving the Perkins Road right of way proceed South 62˚24'00" West, a distance of 231.14 feet to a point and corner, then proceed North 27˚36'00" West, a distance of 32.00 feet to a point, said point being the "POINT OF BEGINNING".

Thence proceed South 62˚24'00" West, a distance of 70.11 feet to a point and corner;

Thence proceed North 72˚36'07" West, a distance of 42.78 feet to a point and corner;

Thence proceed North 27˚36'00" West, a distance of 45.15 feet to a point and corner;

Thence proceed North 62˚24'00" East, a distance of 60.25 feet to a point and corner;

Thence proceed North 17˚24'00" East, a distance of 10.40 feet to a point and corner;

Thence proceed South 72˚36'07" East, a distance of 21.26 feet to a point and corner;

Thence proceed North 62˚24'00" East, a distance of 17.72 feet to a point and corner;

Thence proceed South 27˚36'00" East, a distance of 67.72 feet to a point and corner, said point being the "POINT OF BEGINNING". Section 55, T7S, R1E, GLD, EBRP, LA. (Council District 12-Bourgeois)

***COMMISSION ACTION*** *Motion to approve.*
*5 Yeas, 2 Nays, 1 Absent and the motion carried.*

D. **Case 51-11** 6160 Airline Highway This property is located on the west side of Airline Highway, north of St. Katherine Avenue, on a portion of Tracts A and X of the Brookstown Place Subdivision. To rezone from C2 (Heavy Commercial) to C-AB-2 (Commercial Alcoholic Beverage Two).

Existing building located on Tract "A" and Tract "X", Brookstown Place Subdivision (Sam Cefalu Property), having a municipal number of 6160 Airline Highway and located in Section 51, T-6-S, R-1-E, Greensburg Land District, East Baton Rouge Parish, Louisiana and being more particularly described as follows:

Commencing at the southeast corner of Tract "A" which is at the intersection of Airline Highway and St. Katherine Street, proceed along west right-of-way line of Airline Highway N 31˚ 48' 45" W a distance of 70.40 feet to a point and corner;

Thence, proceed S 59˚ 50' 58" W a distance of 60.80 feet to a point and corner, being the Point of Beginning;

Thence, proceed S 59˚ 50' 58" W a distance of 52.70 feet to a point and corner;

Thence, proceed N 30˚ 09' 02" W a distance of 48.10 feet to a point and corner;

Thence, proceed N 59˚ 50' 58" E a distance of 4.70 feet to a point and corner;

Thence, proceed N 30˚ 09' 02" W a distance of 15.10 feet to a point and corner;

Thence, proceed N 59˚ 50' 58" E a distance of 48.00 feet to a point and corner;

Thence, proceed S 30˚ 09' 02" E a distance of 17.00 feet to a point and corner;

Thence, proceed S 65˚ 12' 26" E a distance of 11.30 feet to a point and corner;

Thence, proceed S 04˚ 54' 22" W a distance of 11.30 feet to a point and corner;

Thence, proceed S 30˚ 09' 02" E a distance of 27.70 feet to the Point of Beginning. Section 51, T6S, R1E, GLD, EBRP, LA. (Council District 5-Edwards)

***COMMISSION ACTION*** *Motion to defer until February 13, 2012.*
*7 Yeas, 0 Nays, 1 Absent and the motion carried.*

E. **Case 52-11** 7707 Bluebonnet Boulevard, Suite 120 This property is located on the east side of Bluebonnet Boulevard, north of Perkins Road, on a portion of Blocks A and A-1 of Perkins Rowe, formerly the George M. Paulat Property. To rezone from C2 (Heavy Commercial) to C-AB-1 (Commercial Alcoholic Beverage One).

A certain tract of land together will all improvements containing 3,524 square feet located in Section 58, Township 8 South, Range 1 East, Greensburg Land District, East Baton Rouge Parish, Louisiana. Shown as Portions of Block A & A-1, Perkins Rowe Formerly the George M. Paulat Property on an Exhibit by Benchmark Group, L.L.C. and more fully described as follows:

Commencing on the South servitude line of Park Rowe (a Private Servitude of Access) and the Common Property Boundary Line between Block A-1 and Block A;

Thence leaving said servitude line and along sold Property Boundary line South 28 degrees 47 minutes 05 seconds West, 9.08 feet to the POINT OF BEGINNING;

Thence leaving said Property Boundary line South 77 degrees 33 minutes 52 seconds East, 5,18 feet;

Thence South 60 degrees 56 minutes 56 seconds East, 9.68 feet;

Thence South 29 degrees 03 minutes 04 seconds West, 13.67 feet;

Thence South 60 degrees 56 minutes 56 seconds East, 61.75 feet;

Thence South 29 degrees 03 minutes 04 seconds West, 45.33 feet;

Thence North 60 degrees 56 minutes 56 seconds West, 61.75 feet;

Thence North 29 degrees 03 minutes 04 seconds East, 22.00 feet;

Thence North 60 degrees 56 minutes 56 seconds West, 22.59 feet;

Thence North 29 degrees 03 minutes 04 seconds East, 23.44 feet;

Thence South 60 degrees 56 minutes 56 seconds East 8.00 feet to the Common Property Boundary Line between Block A-1 and Block A;

Thence along said line North 28 degrees 47 minutes 05 seconds East, 12.07 feet to the POINT OF BEGINNING. Section 58, T8S, R1E, GLD, EBRP, LA. (Council District 3-Loupe)

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

***COMMISSION ACTION*** *Motion to approve.*
*6 Yeas, 1 Absent and the motion carried.*

F. **Case 53-11** Lot 4-B of North Flannery This property is located on the west side of North Flannery Road, north of Morlaix Court, on Lot 4-B of Chene Rouge Subdivision. To rezone from C2 (Heavy Commercial) to CW1 (Commercial Warehousing One). Section 5, T7S, R2E, GLD, EBRP, LA. (Council District 6-Collins-Lewis)

***Planning Commission Staff Recommendation*** *The proposed rezoning to CW1 (Commercial Warehousing One) is consistent with the "Comprehensive Land Use Plan". Therefore, the Planning Commission Staff recommends to approve rezoning from C2 (Heavy Commercial) to CW1 (Commercial Warehousing One).*

***COMMISSION ACTION*** *Motion to approve.*
*7 Yeas, 0 Nays, 1 Absent and the motion carried.*

G. **Case 50-11** 684 Jefferson Highway This property is located on the west side of Jefferson Highway, north of Capitol Heights Avenue, on a portion of Lot 17-A of the Capitol Heights Subdivision. To rezone from C1 (Light Commercial) to C-AB-1 (Commercial Alcoholic Beverage One).

A CERTAIN PORTION OF GROUND KNOW AS 684 JEFFERSON HIGHWAY, SITUATED ON LOT 17-A, EAST BATON ROUGE PARISH, LOUISIANA, IN SECTION 82, TOWNSHIP 7 SOUTH, RANGE 1 EAST, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WESTERLY RIGHT OF WAY LINE OF JEFFERSON HIGHWAY (LA 73) AND THE NORTHERLY RIGHT OF WAY LINE OF CAPITAL HEIGHTS AVENUE, PROCEED ALONG CAPITAL HEIGHTS AVENUE IN S 88˚22'50"W A DISTANCE OF 58.88 FEET TO A POINT, THENCE, N01˚37'10"W A DISTANCE OF 4.60 FEET TO A POINT, THE SOUTHEAST CORNER OF THE PORTION OF GROUND HEREIN AFTER DESCRIBED AND THE POINT OF BEGINNING;

THENCE S88˚22'50"W A DISTANCE OF 56.10 TO A POINT;

THENCE N01˚37'10"W DISTANCE OF 115 FEET TO A POINT;

THENCE N88˚22'50"E A DISTANCE OF 56.10 FEET TO A POINT;

THENCE S01˚37'10"E A DISTANCE OF 115 FEET, TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PROPERTY CONTAINS 6,451.50 SQUARE FEET MORE OR LESS. Section 82, T7S, R1E, GLD, EBRP, LA. (Council District 11-Gary)

H. Amending Title 7 (Unified Development Code), Chapter 2 (Definitions), of the Code of Ordinances of the City of Baton Rouge and Parish of East Baton Rouge, so as to add a definition for "Restaurant, Specialty" and revise the definitions for "Housing for the Elderly" and "Elderly"; and Chapter 17 (Parking), Table 1: Section 17.7: Schedule of Off-Street Parking Requirements to add parking ratios for "Restaurant, Specialty" and "Housing for the Elderly". (By: Planning Director)

***COMMISSION ACTION*** *Motion to approve.*
*7 Yeas, 1 Nay, 0 Absent and the motion carried.*

**(This item was deferred from the December 7, 2011 and January 18, 2012 Council Zoning Meetings)**

I. Amending Title 7 (Unified Development Code), of the Code of Ordinances of the City of Baton Rouge and Parish of East Baton Rouge, so as to amend and re-enact Chapter 4 (Permits and Final Plat Approval), Section 4.3.D (Preliminary Plats); Chapter 5 (Waivers, Variations and Exceptions), Section 5.1 (Waivers); and Chapter 13 (Streets and Sidewalks), Section 13.6.I.4 (Street and Sidewalk Improvement Standards) (By: Planning Director)

***COMMISSION ACTION*** *Motion to approve.*
*6 Yeas, 1 Nay, 1 Absent and the motion carried.*

J. Amending Title 7 (Unified Development Code), of the Code of Ordinances of the City of Baton Rouge and Parish of East Baton Rouge, so as to amend and re-enact Chapter 16 (Signs), Section 16.7.E (Calculations) and Sections 16.14.A.2 and 16.14.A.3 (Permanent On-Premise Signs by Zoning District). (By: Councilwoman Gary)

***COMMISSION ACTION*** *Motion to approve.*
*7 Yeas, 0 Nays, 1 Absent and the motion carried.*

3. **ADJOURN.**