

DRAFT NOT APPROVED

AGENDA
PLANNING AND ZONING COMMISSION MEETING
May 21, 2012
5:00 P.M.

ALL ITEMS ON THE ATTACHED AGENDA ARE PUBLIC HEARINGS

The rules for conducting such public hearings are as follows.

1. Applicant and applicant representatives for the proposal will speak first for a period not to exceed fifteen (15) minutes.
2. Proponents will speak, then the opponents. Each speaker will not be allowed more than three (3) minutes. The speakers are requested to limit their remarks and to avoid duplication in their presentations.
3. Applicant will be allowed a total period of five (5) minutes for rebuttal.
4. 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.

1. ROLL CALL

Tara Wicker, Chairman of the Planning Commission called the meeting to order with the following members present for roll call: Tara Wicker, W.T. Winfield, Darius Bonton, Dr. James Gilmore, Jr., Sarah Holliday-James, Audrey Nabors-Jackson, Laurie Marien, John J. Price, and Martha Jane Tassin. Also present were Troy Bunch, Planning Director, Ellen Miller, Assistant Planning Director, Lael Holton, Advance Division Manager, Glenn Hanna, Current Division Manager, Collin Magee, Current Division Planner.

2. APPROVAL OF THE MINUTES (April 23, 2012)

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

9 Yeas (Wicker, Winfield, Bonton, Gilmore, Holliday-James, Nabors-Jackson, Marien, Price, and Tassin), 0 Nays, 0 Absent and the motion carried.

3. COMPREHENSIVE PLAN

Ellen Miller provided an update on the FUTUREBR Strategic Implementation Plan.

4. AMENDMENTS AND CONSENT AGENDA

The Planning Director presented deferred items and consent items.

5. Amending Title 7 (Planning and Zoning), 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 10 (Supplementary Uses), Section 10.102f (Urban Design Overlay District Six – Florida Boulevard) (By: Councilwoman Collins-Lewis)

The Planning Director presented the amendment sponsored by Councilwoman Collins-Lewis.

COMMISSION ACTION Motion by Tassin and seconded by Bonton to approve.

9 Yeas (Wicker, Winfield, Bonton, Gilmore, Holliday-James, Nabors-Jackson, Marien, Price, and Tassin), 0 Nays, 0 Absent and the motion carried.

PLANNING

6. **PK-1-12 Marcello's Wine Warehouse (4201 Perkins Road) (Deferred from April 23, 2012)** This property is located on the northeast corner of Perkins Road and Balis Drive, on a portion of Lot D of the Richland Plantation Subdivision. (Council District 12-Bourgeois)

Planning Commission Staff Recommendation *The Planning Commission Staff recommends approval of this parking waiver provided that the applicant resolves all comments from the Department of Public Works prior to the Planning Commission meeting.*

Eugene Todaro spoke in favor of the application.

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

8 Yeas (Wicker, Winfield, Bonton, Gilmore, Holliday-James, Marien, Price, and Tassin),
1 Nay (Nabors-Jackson), 0 Absent and the motion carried.

- 7. RV-1-12 Revocation of a portion of a two hundred (250) foot servitude**
This property is located on the west side of Briarlake Avenue and north of Ward Creek, on Lots 8 and 9 of the Briarlake Estates Subdivision. (Council District 9-Boé)

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 Marien and seconded by Winfield to approve.

9 Yeas (Wicker, Winfield, Bonton, Gilmore, Holliday-James, Nabors-Jackson, Marien, Price, and Tassin), 0 Nays, 0 Absent and the motion carried.

- 8. RV-3-12 Revocation of a portion of a two hundred (200) foot servitude**
This property is located on the south side of Perkins Road and north of Dawson Creek, on an undesignated 10.65 Acre Tract of Moss Side Plantation. (Council District 12-Bourgeois)

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 Marien and seconded by Winfield to approve.

9 Yeas (Wicker, Winfield, Bonton, Gilmore, Holliday-James, Nabors-Jackson, Marien, Price, and Tassin), 0 Nays, 0 Absent and the motion carried.

- 9. PK-2-12 533 Spain Street** This property is located on the northwest corner of Spain Street and Royal Street, on Lot 3 of Beauregard Town Subdivision. (Council District 10-Wicker)

Planning Commission Staff Recommendation *The Planning Commission Staff recommends approval of this parking waiver provided that the applicant resolves all comments from the Department of Public Works prior to the Planning Commission meeting.*

COMMISSION ACTION Motion by Tassin and seconded by Bonton to approve.

8 Yeas (Wicker, Winfield, Bonton, Gilmore, Holliday-James, Marien, Price, and Tassin),
1 Nay (Nabors-Jackson), 0 Absent and the motion carried.

-----ZONING-----

- 10. TND 1-07 Rouzan Final Development Plan (Phase 3C Creekside) (Deferred from April 23, 2012)** This property is located on the east side of Glasgow Avenue, north of Mimosa Avenue, on a portion of Tract M-3B of Richland Plantation. A proposed Final Development Plan. Section 94, T7S, R1E, GLD, EBRP, LA. (Council District 12- Bourgeois)

Planning Commission Staff Recommendation *The proposed plan is consistent with the general character requirements, minimum development standards and review criteria. The Planning Commission Staff recommends to approve the Final Development Plan for Phase 3C of this Traditional Neighborhood Development, provided that all comments from the Department of Public Works and the Planning Commission Staff have been resolved prior to the Planning Commission meeting.*

*Daniel Hoover spoke in opposition of the application.
Aby St. Amant spoke in opposition of the application.
Bob Welch spoke in opposition of the application.
Carole Anne Brown spoke in opposition of the application.
Tad Hardy spoke in opposition of the application.
Joe Donchess spoke in opposition of the application*

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

7 Yeas (Winfield, Bonton, Gilmore, Holliday-James, Nabors-Jackson, Marien, and Tassin), 2 Nays (Wicker and Price), 0 Absent and the motion carried.

- 11. PUD 3-11 Fairfield at Baton Rouge Final Development Plan** This property is located on the southwestern side of Burbank Drive, south of the intersection of Ben Hur Road and Burbank Drive, on Lots F-1, F-2, F-3, and a portion of the John P. Nelson Tract. A proposed Final Development Plan. Sections 31 and 64, T7S, R1E, Sections 6 and 49, T8S, R1E, and Section 36, T7S, R1W, GLD, EBRP, LA. (Council District 3-Loupe)

Planning Commission Staff Recommendation *The proposed Planned Unit Development Final Development Plan is consistent with the PUD 3-11 Fairfield of Baton Rouge Concept Plan that was approved on October 19, 2011 and with the "Comprehensive Land Use Plan". Therefore, the Planning Commission Staff recommends to approve this Final Development Plan provided that the applicant resolves all comments from the Department of Public Works prior to the Planning Commission Meeting.*

*Charles Landry spoke in favor of the application.
Doug Daigle spoke in opposition of the application.
Kathy Wascom spoke in opposition of the application.
Gail Gaienne spoke in opposition of the application.*

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

6 Yeas (Bonton, Holliday-James, Nabors-Jackson, Marien, Price, and Tassin), 3 Nays (Wicker, Winfield, and Gilmore), 0 Absent and the motion carried.

- 12. PUD 2-12 Mallard Park Concept Plan** This property is located on the north side of Hoo Shoo Too Road, east of Montrachet Drive, on Tracts A, B-1, and B-2 of Audubon Plantation. To amend the "Comprehensive Land Use Plan" from Agriculture/Rural to PUD (Planned Unit Development) and to rezone from RE/A-1 (Residential Estate/Agriculture One) to PUD (Planned Unit Development). Section 42, T8S, R2E, and Section 51, T8S, R3E, GLD, EBRP, LA. (Council District 9-Boé)

Planning Commission Staff Recommendation *The proposed rezoning to PUD (Planned Unit Development) is not consistent with the "Comprehensive Land Use Plan". Therefore, the Planning Commission Staff recommends to deny rezoning from RE/A-1 (Residential Estate/Agriculture One) to PUD (Planned Unit Development). Furthermore, the Planning Commission Staff recommends to deny amending the "Comprehensive Land Use Plan" from Agriculture/Rural to PUD (Planned Unit Development).*

*Al Bagas spoke in favor of the application.
Brent Rhoc spoke in favor of the application
David Cohn spoke in favor of the application.
Deric J. Murphy spoke in favor of the application.
Jerry Chapman spoke in opposition of the application.
Brenda Cagsona spoke in opposition of the application.
Juliette Dauterive spoke in opposition of the application.*

COMMISSION ACTION Motion by Tassin and seconded by Jackson to deny.

9 Yeas (Wicker, Winfield, Bonton, Gilmore, Holliday-James, Nabors-Jackson, Marien, Price, and Tassin), 0 Nays, 0 Absent and the motion carried.

- 13. SPUD 3-11 Bethany WPC Towne Center Final Development Plan Revision**
This property is located on the south side of Jefferson Highway, west of the intersection of Jefferson Highway and Town Center Boulevard, on Tract 5-1-B of Cedar Lodge Plantation. Section 91, T7S, R1E, GLD, EBRP, LA. (Council District 11-Gary)

*Councilwoman Alison Gary spoke on this item.
Mack Gregorie spoke on this item.
Hank Henagan spoke in favor of the application..
Gail Gaienne spoke in opposition of the application.
Dennis Vidrine spoke in opposition of the application.
Joe Donchess spoke in opposition of the application.
Paul Aiggins spoke in opposition of the application.
Neil Buchanan spoke in opposition of the application.*

COMMISSION ACTION Motion by Holliday-James and seconded by Tassin to defer to June 18, 2012.

6 Yeas (Winfield, Bonton, Gilmore, Holliday-James, Marien, and Tassin), 1 Nay (Nabors-Jackson), 2 recusals (Wicker, Price), 0 Absent and the motion carried.

- 14. ISPUD 3-12 Lot 4-B, Beauregard Town** This property is located on the east side of Grandpre Street and the west side of Maximilian Street, north of Louisiana Avenue, on Lot 4-B, Square 56 of Beauregard Town. Section 49, T7S, R1W, GLD, EBRP, LA. (Council District 10-Wicker)

Planning Commission Staff Recommendation *The proposed rezoning to ISPUD (Infill/Mixed Use Small Planned Unit Development) is consistent with the "Comprehensive Land Use Plan" and with Comprehensive Plan Goal H5.1.1: Encourage development in downtown Baton Rouge, the City's inner neighborhoods, and the transportation-efficient locations across the City-Parish. Therefore, the Planning Commission Staff recommends to approve rezoning from B1 (Transition) and A4 (General Residential) to ISPUD (Infill/Mixed Use Small Planned Unit Development) provided that the applicant resolves all comments from the Department of Public Works prior to the Planning Commission Meeting.*

Tommy Benton spoke in favor of the application

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

9 Yeas (Wicker, Winfield, Bonton, Gilmore, Holliday-James, Nabors-Jackson, Marien, Price, and Tassin), 0 Nays, 0 Absent and the motion carried.

- 15. ISPUD 4-12 MCRA 2012** This property is located on the southwest corner of Convention Street and Eugene Street, on Lots 1-A, and 3 thru 5, Block 1, of Wilson Place. Section 74, T7S, R1W, GLD, EBRP, LA. (Council District 10-Wicker)

Planning Commission Staff Recommendation *The proposed rezoning to ISPUD (Infill/Mixed Use Small Planned Unit Development) is consistent with the "Comprehensive Land Use Plan" and with Comprehensive Plan Goal LU4.1.3: Maintain the desirability of existing neighborhoods through public and private investment. Therefore, the Planning Commission Staff recommends to approve rezoning from B1 (Transition) to ISPUD (Infill/Mixed Use Small Planned Unit Development) provided that the applicant resolves all comments from the Department of Public Works prior to the Planning Commission Meeting.*

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

9 Yeas (Wicker, Winfield, Bonton, Gilmore, Holliday-James, Nabors-Jackson, Marien, Price, and Tassin), 0 Nays, 0 Absent and the motion carried.

- 16. CASE 7-12 4502 Doral Drive** This property is located on the southwest corner of Coursey Boulevard and Doral Drive, on Lot 93 of the Sherwood Oaks Subdivision. To rezone from A1 (Single Family Residential) to NC (Neighborhood Commercial). Section 55, T7S, R2E, GLD, EBRP, LA. (Council District 8-Walker)

Planning Commission Staff Recommendation The proposed rezoning to NC (Neighborhood Commercial) is consistent with the "Comprehensive Land Use Plan". Therefore, the Planning Commission Staff recommends to approve rezoning from A1 (Single Family Residential) to NC (Neighborhood Commercial).

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

8 Yeas (Wicker, Winfield, Bonton, Gilmore, Nabors-Jackson, Marien, Price, and Tassin), 1 Nay (Holliday-James), 0 Absent and the motion carried.

CUP 4-11 Salon Avenue, 4502 Doral Drive This property is located on the southwest corner of Coursey Boulevard and Doral Drive, on Lot 93 of the Sherwood Oaks Subdivision. Section 55, T7S, R2E, GLD, EBRP, LA. (Council District 8-Walker)

Planning Commission Staff Recommendation The proposed conditional use permit is consistent with the "Comprehensive Land Use Plan" and with Comprehensive Plan Goal ED 2: Support private sector business development. Therefore, the Planning Commission Staff recommends approval of the conditional use permit to allow the 2,446 square foot hair salon, provided that all comments from the Department of Public Works are met prior to the Planning Commission meeting.

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

8 Yeas (Wicker, Winfield, Bonton, Gilmore, Nabors-Jackson, Marien, Price, and Tassin), 1 Nay (Holliday-James), 0 Absent and the motion carried.

17. Case 9-12 216 South Foster Drive This property is located on the east side of South Foster Drive, south of North Boulevard, on Lot A of the Piper Property. To rezone from B1 (Transition) to HC1 (Heavy Commercial One). Section 82, T7S, R1E, GLD, EBRP, LA. (Council District 7-Marcelle)

Planning Commission Staff Recommendation The proposed use of the subject property as a rehabilitative care center is consistent with the "Comprehensive Land Use Plan" and with Comprehensive Plan Goal PS 2.1.4: Promote a system of physical health maintenance and treatment for City-Parish residents. Therefore, the Planning Commission Staff recommends to approve rezoning from B1 (Transition) to HC1 (Heavy Commercial One).

Blake McGehee spoke in favor of the application.
Lisa Bailey spoke in favor of the application.
Jeff Couvillion spoke in favor of the application.

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

9 Yeas (Wicker, Winfield, Bonton, Gilmore, Holliday-James, Nabors-Jackson, Marien, Price, and Tassin), 0 Nays, 0 Absent and the motion carried.

18. Case 10-12 Briarwood Estates This property is located on the southeast side of Airline Highway, east and west side of Briarwood Place on Lots A-1-A, A-1-B, A-2-A, A-2-B, A-2-C, A-2-D, A-2-E-1, A-2-E-2, and A-2-E-3 of Briarwood Estates. To rezone from C2 (Heavy Commercial) to A1 (Single Family Residential). Section 49, T8S, R2E, GLD, EBRP, LA. (Council District 9-Boe)

Planning Commission Staff Recommendation The proposed rezoning to A1 (Single Family Residential) is consistent with the "Comprehensive Land Use Plan". Therefore, the Planning Commission Staff recommends to approve rezoning from C2 (Heavy Commercial) to A1 (Single Family Residential).

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

9 Yeas (Wicker, Winfield, Bonton, Gilmore, Holliday-James, Nabors-Jackson, Marien, Price, and Tassin), 0 Nays, 0 Absent and the motion carried.

- 19. Case 11-12 Tract X-3 of Joor Road** This property is located on south side of Joor Road, west of the Comite River on Tract X-3 of the Anna Lusk Jones Property. To amend the "Comprehensive Land Use Plan" from Agricultural/Rural to Industrial and to rezone from A1 (Single Family Residential) to M1 (Light Industrial). Section 44, T6S, R1E, GLD, EBRP, LA. (Council District 5-Edwards)

COMMISSION ACTION Motion by Nabors-Jackson and seconded by Winfield to defer until June 18, 2012.

9 Yeas (Wicker, Winfield, Bonton, Gilmore, Holliday-James, Nabors-Jackson, Marien, Price, and Tassin), 0 Nays, 0 Absent and the motion carried.

- 20. Case 12-12 7248 Perkins Road, Suite A** This property is located on the south side of Perkins Road, west of Camellia Trace Drive, on a portion of Tract A-1-B-1-A a portion of the E. Roger Jones Property. To rezone from LC3 (Light Commercial Three) to C-AB-2 (Commercial Alcoholic Beverage Two). Section 52, T7S, R1E, GLD, EBRP, LA. (Council District 12-Bourgeois)

Planning Commission Staff Recommendation *The proposed rezoning to C-AB-2 (Commercial Alcoholic Beverage Two) is consistent with the "Comprehensive Land Use Plan". Therefore, the Planning Commission Staff recommends to approve rezoning from LC3 (Light Commercial Three) to C-AB-2 (Commercial Alcoholic Beverage Two).*

Scott Gremillion spoke in favor of the application.

Joshua Duke spoke in favor of the application.

Lee Anne Miracle spoke in favor of the application.

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

7 Yeas (Winfield, Bonton, Gilmore, Holliday-James, Marien, Price, and Tassin), 2 Nays (Wicker and Nabors-Jackson), 0 Absent and the motion carried.

- 21. Case 13-12 Lot 8-A of Florida Street** This property is located on the north side of Florida Street, east of Connell Street, on Lot 8-A of Duchein Place Subdivision. To rezone from A3.1 (Limited Residential) and C2 (Heavy Commercial) to HC1 (Heavy Commercial One). Section 73, T7S, R1W, GLD, EBRP, LA. (Council District 10-Wicker)

Planning Commission Staff Recommendation *The proposed rezoning to HC1 (Heavy Commercial One) is consistent with the "Comprehensive Land Use Plan". Therefore, the Planning Commission Staff recommends to approve rezoning from A3.1 (Limited Residential) and C2 (Heavy Commercial) to HC1 (Heavy Commercial One).*

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

9 Yeas (Wicker, Winfield, Bonton, Gilmore, Holliday-James, Nabors-Jackson, Marien, Price, and Tassin), 0 Nays, 0 Absent and the motion carried.

- 22. Case 14-12 Tract A of Pryce Drive** This property is located on the west side of Veterans Memorial Boulevard, south of Pryce Drive on Tract A of Pryce Place and East Pryce Place Subdivisions. To rezone from A3.1 (Limited Residential) to LC1 (Light Commercial One). Sections 69 and 72, T6S, R1W, GLD, EBRP, LA. (Council District 2-Addison)

Planning Commission Staff Recommendation *The proposed rezoning to LC1 (Light Commercial One) is consistent with the Comprehensive Land Use Plan". However, the Planning Commission Staff recommends that the applicant withdraw his proposal and resubmit as a SPUD (Small Planned Unit Development).*

David Hall IV spoke in favor of the application.

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

9 Yeas (Wicker, Winfield, Bonton, Gilmore, Holliday-James, Nabors-Jackson, Marien, Price, and Tassin), 0 Nays, 0 Absent and the motion carried.

23. COMMUNICATIONS

The Planning Director reminded the Commission that the next Planning Commission Meeting is June 18, 2012 at 5:00 p.m.

The Planning Director wished a Happy Birthday to Laurie Marien (June 11).

24. ADJOURN

The meeting adjourned at 7:38 p.m.

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