

AGENDA

Wednesday, November 18, 2009

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. **ISPUD 1-09 - COUNCIL DISTRICT 11 - CASCIO** - Murphy Law Firm This property is located north of Jefferson Highway to the east of Keed Avenue. To amend the "2010 Land Use Plan" from Low Density Residential and Neighborhood Office to Planned Unit Development and to rezone from A1 (Single Family Residential) and B1 (Transition) to ISPUD (Infill/Mixed Use Small Planned Unit Development). Section 90, T7S, R1E, GLD, EBRP, LA.

PLANNING COMMISSION STAFF RECOMMENDATION: The proposed rezoning to ISPUD (Infill/Mixed Use Small Planned Unit Development) is not consistent with the Horizon Plan or the Jefferson Highway Land Use Study and is not consistent with the surrounding land use character. Therefore, the Planning Commission Staff recommends to deny amending the "2010" Horizon Land Use Plan from Low Density Residential and Neighborhood Office to PUD (Planned Unit Development) and to rezone from R (Rural) to ISPUD (Infill/Mixed Use Small Planned Unit Development).

COMMISSION ACTION: Motion to approve. 8 Yeas, 1 Nay, 0 Absent and motion carried.

(This item deferred from the October 21, 2009 Zoning Meeting.)

- B. PUD 4-09** Long Farm Concept Plan This property is located on the east of Baringer Foreman Road, south of Jefferson Highway, and north of Airline Highway on Tract A-1. To amend the “2010 Land Use Plan” from Low Density Residential to Planned Unit Development and to rezone from R (Rural) to PUD (Planned Unit Development). Section 50, 51, & 52, T8S, R2E, GLD, EBRP, LA. (Council District 9-Boe’)

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.

COMMISSION ACTION: Motion by Ellender and seconded by Marien to approve. 9 Yeas, 0 Nays, 0 Absent, and motion carried.

- C. Case 50-09** This property is located on the south side of Mason Avenue to the east of Casper Street, on Lots 36-A and 36-B, formerly a portion of Lot 36 of Monte Sano Highland Farms Subdivision. To amend the “2010 Land Use Plan” from Light Commercial and Low Density Residential to Industrial and to rezone from A2 (Single Family Residential) and C1 (Light Commercial) to M1 (Light Industrial). Section 37, T6S, R1W, GLD, EBRP, LA. (Council District 5 – Edwards)

Planning Commission Staff Recommendation: The proposed rezoning to M1 (Light Industrial) is not consistent with the “2010 Land Use Plan” and is not consistent with a portion of the surrounding land use character, specifically the southern portion of the lots. Therefore, the Planning Commission Staff recommends to deny the requested amendment to the “2010 Land Use Plan” from Low Density Residential and Light Commercial to Industrial and to deny the rezoning from A2 (Single Family Residential) and C1 (Light Commercial) to M1 (Light Industrial).

COMMISSION ACTION: Motion by Marien and seconded by Muscarello to approve with a 50 foot buffer on Shada Avenue. 9 Yeas, 0 Nays, 0 Absent, and motion carried.

- D. Case 51-09** This property is located to the west of North Flannery Road between South Choctaw Drive and Chene Avenue, on Tract F of the James Bruno O'Neal property. To rezone from A1 (Single Family Residential) to R (Rural). Section 5, T7S, R2E, GLD, EBRP, LA. (Council District 6 – Collins-Lewis)

Planning Commission Staff Recommendation: The proposed rezoning to R (Rural) is consistent with the “2010 Land Use Plan” but is not consistent with the surrounding land use character. Therefore, the Planning Commission Staff recommends to deny the rezoning from A1 (Single Family Residential) to R (Rural).

COMMISSION ACTION: Motion by Ellender and seconded by Welch to approve. 9 Yeas, 0 Nays, 0 Absent, and motion carried.

- E. **Case 53-09** This property is located on the east side of Mission Drive to the south of Winbourne Avenue on Lots 13-A and 15 of Berkeley Subdivision. To amend the “2010 Land Use Plan” from Low Density Residential to Neighborhood Commercial and to rezone from A2 (Single Family Residential) to NC (Neighborhood Commercial). Section 61, T6S, R1E, GLD, EBRP, LA. (Council District 7 – Marcelle)

Planning Commission Staff Recommendation: The proposed rezoning to NC (Neighborhood Commercial) is not consistent with the “2010 Land Use Plan” and is not consistent with the surrounding land use character. Therefore, the Planning Commission Staff recommends to deny the requested amendment to the “2010 Land Use Plan” from Low Density Residential to Neighborhood Commercial and deny the rezoning from A2 (Single Family Residential) to NC (Neighborhood Commercial).

COMMISSION ACTION: Motion by Winfield and seconded by Wicker to defer until November 9, 2009. 9 Yeas, 0 Nays, 0 Absent, and motion carried.

- F. **Case 54-09** This property is located on the north side of Mason Avenue to the east of Scenic Highway on Lots 13-A, 13-B, and an undesignated lot, formerly a portion of Lot 6 of Monte Sano Highland Farms Subdivision. To amend the “2010 Land Use Plan” from Light Commercial and Low Density Residential to High Density Residential and to rezone from A2 (Single Family Residential) and C1 (Light Commercial) to A3.3 (Limited Residential). Section 37, T6S, R1W, GLD, EBRP, LA. (Council District 5 – Edwards)

Planning Commission Staff Recommendation: The proposed rezoning to A3.3 (Limited Residential) is not consistent with the “2010 Land Use Plan” but it is consistent with the surrounding land use character. Therefore, the Planning Commission Staff recommends to approve the requested amendment to the “2010 Land Use Plan” from Low Density Residential and Light Commercial to High Density Residential and to approve the rezoning from A2 (Single Family Residential) and C1 (Light Commercial) to A3.3 (Limited Residential).

COMMISSION ACTION: Motion by Welch and seconded by Wicker to approve. 8 Yeas, 0 Nays, 1 Absent, and motion carried.

3. Amend Title 7 (Unified Development Code), Chapter 2 (Definitions) and Chapter 4 (Requirements for Improvements, Reservations, and Design), Section 4.103.A.4.h so as to define the term Flag Lot and state the standards for the design of Flag Lot Subdivisions. By: Planning Director.

COMMISSION ACTION: Motion to approve. 9 Yeas, 0 Nays, 0 Absent and motion carried.

(This item deferred from the October 21, 2009 Zoning Meeting.)

