

AGENDA

Wednesday, July 21, 2010

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.

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. **PUD 1-10** Mt. Pleasant Concept Plan This property is located on the north side of Mount Pleasant Zachary Road, west of the intersection of Mount Pleasant Zachary Road and High Plains Drive on Tract 3 of the Presbyterian Church of Buhler's Plain Property. To amend the "2010 Land Use Plan" from LDR (Low Density Residential) to PUD (Planned Unit Development) and to rezone from R (Rural) to PUD (Planned Unit Development). Section 76, T4S, R1E, GLD, EBRP, LA. (Council District 1-Welch)

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 amend the "2010 Land Use Plan" from Low Density Residential to Planned Unit Development and approve rezoning from R (Rural) to PUD (Planned Unit 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.

COMMISSION ACTION Motion to approve.

7 Yeas, 0 Nays, 2 Absent (Marien and Winfield), and the motion carried.

(This item was deferred from the May 19, 2010 and June 16, 2010 Council Zoning Meetings.)

- B. **Case 17-10** 12691 Plank Road This property is located on the west side of Plank Road, north of Thomas Road, on Lot B formerly a portion of the A. L. Chaney Tract and J. L. Brashear Tract. To rezone from A1 (Single Family Residential) to LC3 (Light Commercial Three). Section 53, T5S, R1E, GLD, EBRP, LA. (Council District 2- Addison)

Planning Commission Staff Recommendation *The proposed rezoning to LC3 (Light Commercial Three) is consistent with the "2010 Land Use Plan" but not consistent with the Horizon Plan Goal LU 9: Encourage quality design that strengthens sense of place. Therefore, the Planning Commission Staff recommends to deny rezoning from A1 (Single Family Residential) to LC3 (Light Commercial Three). However, the Planning Commission Staff recommends that the applicant withdraw his proposal and resubmit as a SPUD (Small Planned Unit Development).*

COMMISSION ACTION *Motion to approve LC3 (Light Commercial Three).*

7 Yeas, 0 Nays, 2 Absent, and the motion carried.

(This item was deferred from the June 16, 2010 Council Zoning Meeting.)

- C. **Case 23-10** Zachary-Deerford Road and Tucker Road This property is located at the northwest intersection of Zachary-Deerford Road and Tucker Road, on Lots D-2-A, Z-1, W-1-A, W-1-B, and W-1-C of the J. R. Tucker Property. To amend the "2010 Land Use Plan" from Low Density Residential to Light Commercial and to rezone from R (Rural) to LC1 (Light Commercial One). Section 2 and 3, T5S, R1E, GLD, EBRP, LA. (Council District 1- Welch)

COMMISSION ACTION to defer until July 26, 2010.

8 Yeas, 0 Nays, 1 Absent, and motion carried.

THIS ITEM MUST BE DELETED – WITHDRAWN BY APPLICANT

- D. **Case 26-10** 1051 Millerville Road, Suite J This property is located on the southeast intersection of Old Hammond Highway and Millerville Road, on a portion of Tract M-1-A-1 of the Miller Village Shopping Center. To rezone from C2 (Heavy Commercial) to C-AB-2 (Commercial Alcoholic Beverage Two).

A certain tract of land together with all improvements containing 2,170 square feet located in Section 39, Township 7 South, Range 2 East, Greensburg Land District, East Baton Rouge Parish, Louisiana. Shown as Portion of Tract M-1-A-1, being Suite J of the Miller Village Shopping Center on an exhibit by Benchmark Group, L.L.C. and more fully described as follows:

Commencing at the South Right-of-Way line of Old Hammond Highway and the common property line between Tracts M-1-B-1 & M-1-A-1;

Thence leaving the South Right-of-Way line of Old Hammond Highway and along the common property line between Tracts M-1-B-1 & M-1-A-1 South 31 degrees 09 minutes 00 seconds East, 161.05 feet;

Thence North 58 degrees 51 minutes 00 seconds East, 147.00 feet;

Thence South 31 degrees 09 minutes 00 seconds East, 151.12 feet to the Northwest corner of Tract 5-B;

Thence leaving the Northwest corner of Tract 5-B South 24 degrees 36 minutes 39 seconds West, 43.55 feet to the Point of Beginning.

Thence South 31 degrees 04 minutes 25 seconds East, 41.14 feet;

Thence South 77 degrees 38 minutes 10 seconds West, 82.22 feet;

Thence North 31 degrees 07 minutes 30 seconds West, 14.58 feet;

Thence North 58 degrees 47 minutes 26 seconds East, 77.89 feet to the Point of Beginning. Section 39, T7S, R2E, GLD, EBRP, LA. (Council District 8- Walker)

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 C2 (Heavy Commercial) to C-AB-2 (Commercial Alcoholic Beverage Two).*

COMMISSION ACTION *to approve.*

6 Yeas, 2 Nays, 1 Absent, and motion carried.

- E. **Case 27-10** 15755 South Harrell's Ferry Road This property is located on the northwest corner of South Harrell's Ferry Road and Lirocchi Drive on a portion of an Undesignated 4.38 Acre Tract, formerly a portion of the G. B. Munding Tract. To amend the "2010 Land Use Plan" from Low Density Residential to Light Commercial and to rezone from R (Rural) to LC1 (Light Commercial One).

A certain tract or parcel of land being the remainder of a 4.35 acre Undesignated Tract of the G.B. Munding Tract, located in Section 47, Township 7 South, Range 2 East, Greensburg Land District, East Baton Rouge Parish, Louisiana.

Commence at the point formed by the intersection of the westerly right-of-way of Lirocchi Drive and the northerly right-of-way of South Harrell's Ferry Road; thence North 29°35'00" West a distance of 91.92 feet to the POINT OF BEGINNING.

Thence South 55°55'51" West a distance of 1.28 feet to a point;

Thence North 70°38'00" West a distance of 158.78 feet to a point;

Thence North 62°21'21" West a distance of 150.50 feet to a point;

Thence North 60°14'28" West a distance of 185.84 feet to a point;

Thence North 00°19'00" East a distance of 565.26 feet to a point;
Thence South 29°35'00" East a distance of 896.08 feet to the
POINT OF BEGINNING.

The above described tract of land contains 3.021 acres, more or less. Section 50, T6S, R1E, GLD, EBRP, LA. (Council District 8-Walker)

Planning Commission Staff Recommendation *The proposed rezoning to LC1 (Light Commercial One) is not consistent with the "2010 Land Use Plan" but is consistent with Horizon Plan Objective LU 10.5: Encourage and incentivize a mix of land uses which contribute to a diversified economic base. Therefore, the Planning Commission Staff recommends to approve amending the "2010 Land Use Plan" from Low Density Residential to Light Commercial and rezoning from R (Rural) to LC1 (Light Commercial One).*

COMMISSION ACTION to approve.

7 Yeas, 0 Nays, 2 Absent, and motion carried.

- F. Amending Title 7 (Unified Development Code), Chapter 3 (Administrative Mechanisms), of the Code of Ordinances of the City of Baton Rouge and Parish of East Baton Rouge, so as to amend and reenact Chapter 3, Section 3.522 Demolition by Neglect. By: Councilwoman Wicker

COMMISSION ACTION Motion to defer until July 26, 2010.

8 Yeas, 0 Nays, 1 Absent, and the motion carried.

(This item was deferred from the June 16, 2010 Council Zoning Meeting.)

- G. Amending Title 7 (Unified Development Code), Chapter 8 (Zoning Districts), of the Code of Ordinances of the City of Baton Rouge and Parish of East Baton Rouge, so as to amend and reenact Section 8.216 Planned Unit Development (PUD). (By: Planning Director)

COMMISSION ACTION to approve.

7 Yeas , 0 Nays, 2 Absent, and motion carried.

- H. **RV-8-10** Revocation of an existing 50 foot right-of-way located on Tract B-2-C of the Bahlinger, Inc. property. This property is located at the southeast corner of Lobdell Boulevard and Bishop Ott Drive. (Council District 6-Collins-Lewis) By: Planning Director

3. **ADJOURN.**