

METROPOLITAN COUNCIL
GREATER BATON ROUGE AIRPORT AUTHORITY
EAST BATON ROUGE SEWERAGE COMMISSION
CAPITOL IMPROVEMENTS DISTRICT
CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE

Wednesday, January 19, 2022

4:00 PM

The Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge convened in zoning session on Wednesday, January 19, 2022 at 4:00 PM, in the Council Chambers of the Governmental Building, Room 348, Baton Rouge, Louisiana.

The Meeting was called to order by the Presiding Officer and the following members were present:

Present: Adams, Amoroso, Banks, Cole, Coleman, Dunn Jr., Gaudet, Hudson, Hurst, Moak, Noel, Racca

Absent: None

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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:

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The following proposed ordinance was introduced by Ms. Banks and read in full at the meeting of the Metropolitan Council on August 25, 2021. On October 20, 2021, the public hearing was held and final action deferred until November 17, 2021. On November 17, 2021, the public hearing was held and final action deferred until January 19, 2022. With a public hearing called thereon for this meeting, the proposed ordinance was read in full.

PROPOSED ORDINANCE

TND-1-07 ROUZAN, CONCEPT PLAN REVISION 16
REVISE TO ADD SIX LOW DENSITY RESIDENTIAL LOTS, ON PROPERTY LOCATED SOUTH OF PERKINS ROAD, EAST OF GLASGOW AVENUE, ON TRACT RZ-1 OF THE RICHLAND PLANTATION. SECTION 94, T7S, R1E, GLD, EBRP, LA (COUNCIL DISTRICT 12 - RACCA)

The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. Interested citizens speaking in favor of the proposed ordinance were Tommy Spinoso and Matt Estopinal. Interested citizens speaking in opposition of the proposed ordinance were Salvadore Christina, William Gladney, Kyle Ruckert, and Ann Guercio. Interested citizens submitting emailed comments in favor of the proposed ordinance were Beth and John Tomlinson. Interested citizens submitting emailed comments in opposition to the proposed ordinance were Carolyn Grimes, Lauren Lee, Mary Fry, Donald Patt, Elizabeth Cox, Amy Sherman, Kirt Raymond, Mary H. Burns, Jeff Montgomery, Carole Brown, David Randall, Anne Roberts, Ann Elizabeth Treppendahl, Frederick G. Benton, III, Charles G. Hargon, Mignonne Gutierrez, Hubert Gutierrez, Adelaide Gladney, Sharon Perez, Catherine Collins, Salvadore Christina, David Post, Jason Ayres, Carol Patriarco, Lisa Knotts, Gordon Gagliano, Robin P. Marschall, Erik Hoffpaur, Angie Rogers, Jim Voitier, Kenneth Hornsby, Wanda Hornsby, Merritt Voitier, Marsha Raymond, Mariette Acocella, Cherie March, Brookman G. March, Tad Hardy, Susan D. Hardy, Fran Calhoun, Peggy Lowe, Foster DeGeneres, Jennifer Wilbourn, M. Donalson, Winifred Ross Reilly, Carol Breland, Donny Boudreaux, Bradley Lowe, Elissa McKenzie, Angela H. Angelloz, Irwin Spreen, Dianna Tully, Tuan Pham, Canning Patricia, and Karen L. Jones.

A motion was made by Ms. Racca and seconded by Mr. Hurst to deny the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:

- Yeas: Adams, Amoroso, Banks, Coleman, Dunn Jr., Gaudet, Hudson, Hurst, Moak, Noel, Racca
- Nays: None
- Abstains: None
- Did Not Vote: None
- Opposing: Cole
- Absent: None

With 11 yeas, 0 nays, 0 abstains, 0 not voting, 1 opposing, and 0 absent, the motion was adopted.

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The following proposed ordinance was introduced by Ms. Racca and read in full at the meeting of the Metropolitan Council on November 10, 2021. On December 1, 2021, the public hearing was held and final action deferred until January 19, 2022. With a public hearing called thereon for this meeting, the proposed ordinance was read in full.

ORDINANCE 18379

PUD-5-04 REVISION 8 AMENDING THE COMPREHENSIVE ZONING MAP OF THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE OF 2018, AS CONTAINED IN AND MADE A PART OF THE "COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE", AS AMENDED, SO AS TO REVISE EXISTING PLANNED UNIT DEVELOPMENT LOCATED ON THE SOUTH SIDE OF BURBANK DRIVE, NORTH OF INNOVATION PARK DRIVE, ON TRACTS A-1-A-1, B-1-A-2-A, D-1, C-1-A-1 OF THE T.P. STUCKEY TRACT PROPERTY, LOTS 1A-6A AND 7-74 OF THE STONELAKE VILLAGE SUBDIVISION, AND LOTS 1-132, 133A-141A, 142-169, 170-310 OF THE PELICAN LAKES SUBDIVISION. SECTIONS 75 AND 76, T8S, R1E, GLD, EBRP, LA, TO INCREASE MEDIUM DENSITY RESIDENTIAL UNITS AND DECREASE OPEN SPACE, AS SHOWN ON A SKETCH PREPARED BY THE PLANNING COMMISSION, A COPY OF WHICH IS ATTACHED.

WHEREAS, at its meeting of December 13, 2021, the Planning Commission denied an amendment to increase medium density residential units and decrease open space, after due advertisement and the conduct of a public hearing, pursuant to law; and,

WHEREAS, public notice must be given of the intention of this Council to conduct a public hearing on this recommendation by the Zoning Commission, which public notice shall be advertised according to law, in The Advocate, Official Journal of the Parish of East Baton Rouge, a public hearing called thereon:

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge:

Section 1. That the Comprehensive Zoning Ordinance of the City of Baton Rouge and Parish of East Baton Rouge, as amended, and its accompanying Comprehensive Zoning Map of 2018, be and the same is hereby amended to revise a PUD (Planned Unit Development) District, which shall include the following described property, to wit:

Property located on the south side of Burbank Drive, north of Innovation Park Drive, on Tracts A-1-A-1, B-1-A-2-A, D-1, C-1-A-1 of the T.P. Stuckey Tract Property, Lots 1A-6A and 7-74 of the Stonelake Village Subdivision, and Lots 1-132, 133A-141A, 142-169, 170-310 of the Pelican Lakes Subdivision. Sections 75 and 76, T8S, R1E, GLD, EBRP, LA, as shown on a sketch prepared by the Planning Commission, a copy of which is attached.

Section 2. That a public hearing on the above proposed amendment be held at the Regular Zoning Meeting of the Metropolitan Council on January 19, 2022, according to the provisions of L.R.S. 33:4721-4730.

The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. An interested citizen speaking in favor of the proposed ordinance was Mickey Robertson.

A motion was made by Mr. Gaudet and seconded by Mr. Dunn Jr. to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:

- Yeas: Adams, Amoroso, Banks, Cole, Coleman, Dunn Jr., Gaudet, Hudson, Hurst, Moak, Noel, Racca
- Nays: None
- Abstains: None
- Did Not Vote: None
- Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

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The following proposed ordinance was introduced by Mr. Dunn Jr. and read in full at the meeting of the Metropolitan Council on December 8, 2021. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 18380

PA-20-21 AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE OF 2018, SO AS TO CHANGE THE FUTURE LAND USE ON THE PROPERTY LOCATED ON THE NORTH SIDE OF OLD HAMMOND HIGHWAY, EAST OF GLORIA DRIVE, ON TRACTS X AND Y-1 OF THE J.D. WELLS PROPERTY, AND TRACT Y-2 OF THE WILLIAM H. TURNLEY TRACT. SECTION 74, T7S, R2E, GLD, EBRP, LA, FROM RESIDENTIAL NEIGHBORHOOD TO COMPACT NEIGHBORHOOD, AS SHOWN ON A SKETCH PREPARED BY THE PLANNING COMMISSION, A COPY OF WHICH IS ATTACHED.

WHEREAS, at its meeting of December 13, 2021, the Planning Commission approved an amendment to the Residential Neighborhood Future Land Use hereinafter described, after due advertisement and the conduct of a public hearing, pursuant to law, and;

WHEREAS, public notice must be given of the intention of this Council to conduct a public hearing on this recommendation by the Zoning Commission, which public notice shall be advertised according to law, in The Advocate, Official Journal of the Parish of East Baton Rouge, a public hearing called thereon:

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge:

Section 1. That the Comprehensive Land Use Plan of the City of Baton Rouge and Parish of East Baton Rouge for the year 2018, as amended, and its accompanying Plan Map, be and the same is hereby amended so as to create a Compact Neighborhood Future Land Use, which shall include the following described property, to wit:

A certain piece or portion of ground, together with all the buildings and improvements on the property located on the north side of Old Hammond Highway, east of Gloria Drive, on Tracts X and Y-1 of the J.D. Wells Property, and Tract Y-2 of the William H. Turnley Tract. Section 74, T7S, R2E, GLD, EBRP, LA,

Section 2. That a public hearing on the above proposed amendment be held at the Regular Zoning Meeting of the Metropolitan Council on January 19, 2022, after public notice thereof, according to the provisions of L.R.S. 33:4721-4730.

The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. An interested citizen appearing in favor of the proposed ordinance, but not wishing to speak was Bo James Booty.

A motion was made by Mr. Moak and seconded by Ms. Racca to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:

Yeas:	Adams, Amoroso, Banks, Cole, Coleman, Dunn Jr., Gaudet, Hudson, Hurst, Moak, Noel, Racca
Nays:	None
Abstains:	None
Did Not Vote:	None
Absent:	None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

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The following proposed ordinance was introduced by Mr. Dunn Jr. and read in full at the meeting of the Metropolitan Council on December 8, 2021. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 18381

CASE 91-21 AMENDING THE COMPREHENSIVE ZONING MAP OF THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE OF 2018, AS CONTAINED IN AND MADE A PART OF THE "COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE", AS AMENDED, SO AS TO CHANGE THE ZONING ON THE PROPERTY LOCATED ON THE NORTH SIDE OF OLD HAMMOND HIGHWAY, EAST OF GLORIA DRIVE, ON TRACTS X AND Y-1 OF THE J.D. WELLS PROPERTY, AND TRACT Y-2 OF THE WILLIAM H. TURNLEY TRACT. SECTION 74, T7S, R2E, GLD, EBRP, LA, TO REZONE FROM RURAL TO ZERO LOT LINE (A2.6), AS SHOWN ON A SKETCH PREPARED BY THE PLANNING COMMISSION, A COPY OF WHICH IS ATTACHED

WHEREAS, at its meeting of December 13, 2021, the Planning Commission approved an amendment to the Rural District hereinafter described, after due advertisement and the conduct of a public hearing, pursuant to law, and;

WHEREAS, public notice must be given of the intention of this Council to conduct a public hearing on this recommendation by the Zoning Commission, which public notice shall be advertised according to law, in The Advocate, Official Journal of the Parish of East Baton Rouge, a public hearing called thereon:

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge:

Section 1. That the Comprehensive Zoning Ordinance of the City of Baton Rouge and Parish of East Baton Rouge, as amended, and its accompanying Comprehensive Zoning Map of 2018, and the same is hereby amended so as to create a Zero Lot Line (A2.6) District, which shall include the following described property, to wit:

Property located on the north side of Old Hammond Highway, east of Gloria Drive, on Tracts X and Y-1 of the J.D. Wells Property, and Tract Y-2 of the William H. Turnley Tract. Section 74, T7S, R2E, GLD, EBRP, LA, as shown on a sketch prepared by the Planning Commission, a copy of which is attached.

Section 2. That a public hearing on the above proposed amendment be held at the Regular Zoning Meeting of the Metropolitan Council on January 19, 2022, after public notice thereof, according to the provisions of L.R.S. 33:4721-4730.

The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. An interested citizen appearing in favor of the proposed ordinance, but not wishing to speak was Bo James Booty.

A motion was made by Mr. Moak and seconded by Ms. Racca to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:

Yeas:	Adams, Amoroso, Banks, Cole, Coleman, Dunn Jr., Gaudet, Hudson, Hurst, Moak, Noel, Racca
Nays:	None
Abstains:	None
Did Not Vote:	None
Absent:	None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

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The following proposed ordinance was introduced by Mr. Dunn Jr. and read in full at the meeting of the Metropolitan Council on December 8, 2021. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 18382

TA-5-21 AMENDING TITLE 7 (PLANNING AND ZONING), CHAPTER 2, (ADMINISTRATION) AND CHAPTER 6 (ENFORCEMENT) REPEALING AND REVISING SECTION 2.3.3 (AUTHORITY), SECTION 6.1 (AUTHORITY), IN THE CODE OF ORDINANCES OF THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE.

BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge that:

Section 1. Title 7, Chapter 2, to repeal and revise Section 2.3.3 of the Code of Ordinances of the City of Baton Rouge and Parish of East Baton Rouge is hereby amended, and shall read as follows:

Section 2.3.3 Authority

A. General

The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such facts, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be public records. A majority vote of members of the Board shall be necessary to decide in favor of the applicant on any matter upon which it is required to pass under the Unified Development Code or to effect any variation.

B. Interpretation

The Board may interpret the provisions of the Unified Development Code in order to carry out the intent and purpose of the zoning map where the street layout on the ground varies from the street layout as shown on the zoning map.

C. Variances

The Board shall have the authority to vary some requirements of the Unified Development Code where topographic or other extraordinary conditions specific to the property in question would make strict application of the regulations impractical or result in a hardship preventing reasonable use of the property and no other means of obtaining relief is provided in the UDC. Variances shall only be granted for the purposes listed below when there will be no substantial negative impact on surrounding properties.

Section 2. Title 7, Chapter 6, to repeal and revise Section 6.1 of the Code of Ordinances of the City of Baton Rouge and Parish of East Baton Rouge is hereby amended, and shall read as follows:

Section 6.1 Authority

The Building Official shall enforce the Unified Development Code. Appeals from the Building Official's decision may be taken to the Board of Appeals where it is alleged there is an error in the order, requirement, decision, or determination made by the Building Official in the enforcement of the Unified Development Code.

Section 3. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstances shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.

A motion was made by Mr. Moak and seconded by Ms. Adams to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:

- Yeas: Adams, Amoroso, Banks, Cole, Coleman, Dunn Jr., Gaudet, Hudson, Hurst, Moak, Noel, Racca
- Nays: None
- Abstains: None
- Did Not Vote: None
- Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

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The following proposed ordinance was introduced by Mr. Dunn Jr. and read in full at the meeting of the Metropolitan Council on December 8, 2021. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

PROPOSED ORDINANCE

CASE 88-21 4564 BENNINGTON AVENUE
TO REZONE FROM COMMERCIAL ALCOHOLIC BEVERAGE (RESTAURANT)(C-AB-1) TO COMMERCIAL ALCOHOLIC BEVERAGE (BAR AND LOUNGE)(C-AB-2) ON PROPERTY LOCATED ON THE SOUTH SIDE OF BENNINGTON AVENUE, EAST OF COLLEGE DRIVE, ON A PORTION OF LOT 32 OF CONCORD PARK SUBDIVISION, FIRST FILING, PART 2. SECTION 94, T7S, R1E, GLD, EBRP, LA (COUNCIL DISTRICT 12 - RACCA)

The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.

A motion was made by Ms. Racca and seconded by Mr. Dunn Jr. to delete the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:

- Yeas: Adams, Amoroso, Banks, Cole, Coleman, Dunn Jr., Gaudet, Hudson, Hurst, Moak, Noel, Racca
- Nays: None
- Abstains: None
- Did Not Vote: None
- Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

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The following proposed ordinance was introduced by Mr. Dunn Jr. and read in full at the meeting of the Metropolitan Council on December 8, 2021. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 18383

CASE 89-21 AMENDING THE COMPREHENSIVE ZONING MAP OF THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE OF 2018, AS CONTAINED IN AND MADE A PART OF THE "COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE", AS AMENDED, SO AS TO CHANGE THE ZONING ON THE PROPERTY LOCATED AT THE NORTHEAST CORNER OF FLORIDA BOULEVARD AND SOUTH TAMARI DRIVE, ON A PORTION OF LOT 1 OF NORTH SHERWOOD ESTATES SUBDIVISION. SECTION 6, T7S, R2E, GLD, EBRP, LA, TO REZONE FROM HEAVY COMMERCIAL (C2) TO COMMERCIAL ALCOHOLIC BEVERAGE (RESTAURANT)(C-AB-1), AS SHOWN ON A SKETCH PREPARED BY THE PLANNING COMMISSION, A COPY OF WHICH IS ATTACHED

WHEREAS, at its meeting of December 13, 2021, the Planning Commission denied an amendment to the Heavy Commercial (C2) District hereinafter described, after due advertisement and the conduct of a public hearing, pursuant to law, and;

WHEREAS, public notice must be given of the intention of this Council to conduct a public hearing on this recommendation by the Zoning Commission, which public notice shall be advertised according to law, in The Advocate, Official Journal of the Parish of East Baton Rouge, a public hearing called thereon:

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge:

Section 1. That the Comprehensive Zoning Ordinance of the City of Baton Rouge and Parish of East Baton Rouge, as amended, and its accompanying Comprehensive Zoning Map of 2018, and the same is hereby amended so as to create a Commercial Alcoholic Beverage (restaurant)(C-AB-1) District, which shall include the following described property, to wit:

ONE CERTAIN AREA OR PORTION OF LAND CONTAINING APPROXIMATELY 0.413 ACRES, BEING A PORTION OF LOT 1 OF NORTH SHERWOOD ESTATES SUBDIVISION, BEING LOCATED IN SECTION 6, T-7-S, R-2-E, GREENSBURG LAND DISTRICT, EAST BATON ROUGE PARISH, CITY OF BATON ROUGE, LOUISIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: Commencing at a point being southeast corner of the subject property, said point being the intersection of the northerly right of way line of Florida Boulevard (US HWY 190) and easterly right of way line of S. Tamari Drive, thence proceed North 00°04'14" West a distance of 463.42 feet to a point and corner, thence leaving the S. Tamari Drive right of way proceed North 89°55' 46" East a distance of 321.48 feet to a point and corner, said point being the "Point of Beginning"; Thence proceed North 00°05'57" West a distance of 84.00 feet to a point and corner; Thence proceed North 89°36'52" East a distance of 214.87 feet to a point and corner; Thence proceed South 00°05'57" East a distance of 84.00 feet to a point and corner; Thence proceed South 89°36'52" West a distance of 214.87 feet to a point and corner, said point being the Point of Beginning.

Section 2. That a public hearing on the above proposed amendment be held at the Regular Zoning Meeting of the Metropolitan Council on January 19, 2022, after public notice thereof, according to the provisions of L.R.S. 33:4721-4730.

The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. An interested citizen speaking in favor of the proposed ordinance was Justin Anderson.

A motion was made by Mr. Dunn Jr. and seconded by Mr. Hurst to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:

- Yeas: Adams, Amoroso, Banks, Cole, Coleman, Dunn Jr., Gaudet, Hudson, Hurst, Moak, Noel, Racca
- Nays: None
- Abstains: None
- Did Not Vote: None
- Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

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The following proposed ordinance was introduced by Mr. Dunn Jr. and read in full at the meeting of the Metropolitan Council on December 8, 2021. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 18384

CASE 90-21 AMENDING THE COMPREHENSIVE ZONING MAP OF THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE OF 2018, AS CONTAINED IN AND MADE A PART OF THE "COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE", AS AMENDED, SO AS TO CHANGE THE ZONING ON THE PROPERTY LOCATED ON THE EAST SIDE OF SCOTLAND AVENUE, NORTH OF SWAN AVENUE, ON A PORTION OF LOT 5 OF NORTH BATON ROUGE SUBDIVISION. SECTION 39, T6S, R1W, GLD, EBRP, LA, TO REZONE FROM HEAVY COMMERCIAL (C2) TO COMMERCIAL ALCOHOLIC BEVERAGE (RESTAURANT)(C-AB-1), AS SHOWN ON A SKETCH PREPARED BY THE PLANNING COMMISSION, A COPY OF WHICH IS ATTACHED

WHEREAS, at its meeting of December 13, 2021, the Planning Commission approved an amendment to the Heavy Commercial (C2) District hereinafter described, after due advertisement and the conduct of a public hearing, pursuant to law, and;

WHEREAS, public notice must be given of the intention of this Council to conduct a public hearing on this recommendation by the Zoning Commission, which public notice shall be advertised according to law, in The Advocate, Official Journal of the Parish of East Baton Rouge, a public hearing called thereon:

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge:

Section 1. That the Comprehensive Zoning Ordinance of the City of Baton Rouge and Parish of East Baton Rouge, as amended, and its accompanying Comprehensive Zoning Map of 2018, and the same is hereby amended so as to create a Commercial Alcoholic Beverage (restaurant)(C-AB-1) District, which shall include the following described property, to wit:

BEING A PORTION OF LOT 5, SQ. 6, NORTH BATON ROUGE LOCATED IN SECTION 39, T6S-R1W, GREENSBURG LAND DISTRICT, EAST BATON ROUGE PARISH, LOUISIANA.

COMMENCING FROM THE NORTHEAST CORNER OF THE INTERSECTION OF EAST MARGIN OF SCOTLAND AVENUE AND THE NORTH MARGIN OF SWAN AVENUE; THENCE PROCEED NORTH 11 DEGREES 32 MINUTES 56 SECONDS EAST ALONG THE EAST MARGIN OF SCOTLAND AVENUE FOR A DISTANCE OF 40.79 FEET TO A POINT AT THE SOUTHWEST CORNER OF LOT 5, THENCE PROCEED SOUTH 89 DEGREES 45 MINUTES 41 SECONDS EAST FOR A DISTANCE OF 11.73 FEET TO THE POINT OF BEGINNING. THENCE PROCEED NORTH 11 DEGREES 32 MINUTES 56 SECONDS EAST FOR A DISTANCE OF 13.27 FEET TO A POINT AND CORNER; THENCE PROCEED SOUTH 89 DEGREES 56 MINUTES 49 SECONDS EAST FOR A DISTANCE OF 77.18 FEET TO A POINT AND CORNER; THENCE PROCEED NORTH 00 DEGREES 03 MINUTES 11 SECONDS EAST FOR A DISTANCE OF 9.50 FEET TO A POINT AND CORNER; THENCE PROCEED SOUTH 89 DEGREES 56 MINUTES 49 SECONDS EAST FOR A DISTANCE OF 10.00 FEET TO A POINT AND CORNER; THENCE PROCEED SOUTH 00 DEGREES 03 MINUTES 11 SECONDS WEST FOR A DISTANCE OF 22.50 FEET TO A POINT AND CORNER; THENCE PROCEED NORTH 89 DEGREES 56 MINUTES 49 SECONDS WEST FOR A DISTANCE OF 89.82 FEET BACK TO THE POINT OF BEGINNING. SAID PROPERTY CONTAINS 1245 SQ.FT. MORE OR LESS.

Section 2. That a public hearing on the above proposed amendment be held at the Regular Zoning Meeting of the Metropolitan Council on January 19, 2022, after public notice thereof, according to the provisions of L.R.S. 33:4721-4730.

The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.

A motion was made by Ms. Banks and seconded by Ms. Racca to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:

- Yeas: Adams, Amoroso, Banks, Cole, Coleman, Dunn Jr., Gaudet, Hudson, Hurst, Moak, Noel, Racca
- Nays: None
- Abstains: None
- Did Not Vote: None
- Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

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The following proposed ordinance was introduced by Mr. Dunn Jr. and read in full at the meeting of the Metropolitan Council on December 8, 2021. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 18385

CASE 92-21 AMENDING THE COMPREHENSIVE ZONING MAP OF THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE OF 2018, AS CONTAINED IN AND MADE A PART OF THE "COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE", AS AMENDED, SO AS TO CHANGE THE ZONING ON THE PROPERTY LOCATED ON THE SOUTH SIDE OF BURBANK DRIVE, EAST OF PARKWAY DRIVE, ON LOT C-2-A-10-A AND C-2-A-10-B OF THE PARKWAY SUBDIVISION. SECTION 72, T8S, R1E, GLD, EBRP, LA, TO REZONE FROM RURAL AND COMMERCIAL ALCOHOLIC BEVERAGE (BAR AND LOUNGE (C-AB-2) TO LIGHT COMMERCIAL TWO (LC2), AS SHOWN ON A SKETCH PREPARED BY THE PLANNING COMMISSION, A COPY OF WHICH IS ATTACHED

WHEREAS, at its meeting of December 13, 2021, the Planning Commission approved an amendment to the Rural and Commercial Alcoholic Beverage (bar and lounge (C-AB-2) Districts hereinafter described, after due advertisement and the conduct of a public hearing, pursuant to law, and;

WHEREAS, public notice must be given of the intention of this Council to conduct a public hearing on this recommendation by the Zoning Commission, which public notice shall be advertised according to law, in The Advocate, Official Journal of the Parish of East Baton Rouge, a public hearing called thereon:

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge:

Section 1. That the Comprehensive Zoning Ordinance of the City of Baton Rouge and Parish of East Baton Rouge, as amended, and its accompanying Comprehensive Zoning Map of 2018, and the same is hereby amended so as to create a Light Commercial Two (LC2) District, which shall include the following described property, to wit:

Property located on the south side of Burbank Drive, east of Parkway Drive, on Lot C-2-A-10-A and C-2-A-10-B of the Parkway Subdivision. Section 72, T8S, R1E, GLD, EBRP, LA, as shown on a sketch prepared by the Planning Commission, a copy of which is attached.

Section 2. That a public hearing on the above proposed amendment be held at the Regular Zoning Meeting of the Metropolitan Council on January 19, 2022, after public notice thereof, according to the provisions of L.R.S. 33:4721-4730.

The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.

A motion was made by Mr. Gaudet and seconded by Ms. Adams to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:

- Yeas: Adams, Amoroso, Banks, Cole, Coleman, Dunn Jr., Gaudet, Hudson, Hurst, Moak, Noel, Racca
- Nays: None
- Abstains: None
- Did Not Vote: None
- Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

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The following proposed ordinance was introduced by Mr. Dunn Jr. and read in full at the meeting of the Metropolitan Council on December 8, 2021. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 18386

CASE 93-21 AMENDING THE COMPREHENSIVE ZONING MAP OF THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE OF 2018, AS CONTAINED IN AND MADE A PART OF THE "COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE", AS AMENDED, SO AS TO CHANGE THE ZONING ON THE PROPERTY LOCATED ON THE NORTH SIDE OF BOB PETTIT BOULEVARD, WEST OF NICHOLSON DRIVE, ON A PORTION OF LOT A-2-A OF TIGERLAND ACRES SUBDIVISION. SECTION 65, T7S, R1W, GLD, EBRP, LA, TO REZONE FROM HEAVY COMMERCIAL (C2) TO COMMERCIAL ALCOHOLIC BEVERAGE (BAR AND LOUNGE) (C-AB-2), AS SHOWN ON A SKETCH PREPARED BY THE PLANNING COMMISSION, A COPY OF WHICH IS ATTACHED

WHEREAS, at its meeting of January 18, 2022, the Planning Commission approved an amendment to the C Heavy Commercial (C2) District hereinafter described, after due advertisement and the conduct of a public hearing, pursuant to law, and;

WHEREAS, public notice must be given of the intention of this Council to conduct a public hearing on this recommendation by the Zoning Commission, which public notice shall be advertised according to law, in The Advocate, Official Journal of the Parish of East Baton Rouge, a public hearing called thereon:

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge:

Section 1. That the Comprehensive Zoning Ordinance of the City of Baton Rouge and Parish of East Baton Rouge, as amended, and its accompanying Comprehensive Zoning Map of 2018, and the same is hereby amended so as to create a Commercial Alcoholic Beverage (bar and lounge) (C-AB-2) District, which shall include the following described property, to wit:

THAT PART OF LOT A-2-A, TIGERLAND ACRES, CONTAINING 6918 SQUARE FEET, BEING A PORTION OF A PARKING LOT FOR REGGIE'S LOCATED AT THE NORTHWEST CORNER OF BOB PETTIT BOULEVARD AND NICHOLSON DRIVE, HAVING A MUNICIPAL ADDRESS OF 1176 BOB PETTIT BL VD., EAST BATON ROUGE PARISH, LOUISIANA AND BEING MORE PARTICULARLY DESCRIBED AS: Commencing at the intersection of westerly right-of-way line of Nicholson Drive and the northerly right-of-way line of Bob Pettit Boulevard, thence proceed along the westerly right-of-way line of Nicholson Drive, North $32^{\circ}39'37''$ West a distance of 200 feet; thence leaving said westerly right-of-way line of Nicholson Drive, proceed South $68^{\circ}41'23''$ West a distance of 324.00 feet; thence proceed South $21^{\circ}18'37''$ E a distance of 90.02 feet to a point and corner, said corner being the POINT OF BEGINNING, thence continue South $21^{\circ}18'37''$ East a distance of 70.64 feet to a point and corner; thence proceed South $78^{\circ}19'23''$ West a distance of 33.81 feet to a point and corner; thence proceed South $68^{\circ}41'23''$ West a distance of 71.64 feet to a point and corner; thence proceed North $21^{\circ}23'27''$ West a distance of 64.98 feet to a point and corner; thence proceed North $68^{\circ}41'23''$ East a distance of 105.06 feet to the POINT OF BEGINNING.

Section 2. That a public hearing on the above proposed amendment be held at the Regular Zoning Meeting of the Metropolitan Council on January 19, 2022, after public notice thereof, according to the provisions of L.R.S. 33:4721-4730.

The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.

A motion was made by Ms. Racca and seconded by Mr. Dunn Jr. to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:

- Yeas: Adams, Amoroso, Banks, Cole, Coleman, Dunn Jr., Gaudet, Hudson, Hurst, Moak, Noel, Racca
- Nays: None
- Abstains: None
- Did Not Vote: None
- Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

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The following proposed ordinance was introduced by Mr. Dunn Jr. and read in full at the meeting of the Metropolitan Council on December 8, 2021. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

PROPOSED ORDINANCE

**CASE 94-21 12047 OLD HAMMOND HIGHWAY
TO REZONE FROM TRANSITION (B1) TO NEIGHBORHOOD COMMERCIAL (NC) ON
PROPERTY LOCATED ON THE NORTHEAST CORNER OF OLD HAMMOND
HIGHWAY AND BEAVERDE COURT, ON LOT 1 OF REALTY MART SUBDIVISION.
SECTION 38, T7S, R1E, GLD, EBRP, LA (COUNCIL DISTRICT 4 - MOAK)**

The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.

A motion was made by Mr. Moak and seconded by Ms. Adams to delete the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:

- Yeas: Adams, Amoroso, Banks, Cole, Coleman, Dunn Jr., Gaudet, Hudson, Hurst, Moak, Noel, Racca
- Nays: None
- Abstains: None
- Did Not Vote: None
- Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

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The following proposed ordinance was introduced by Mr. Dunn Jr. and read in full at the meeting of the Metropolitan Council on December 8, 2021. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 18387

SPUD-2-12 REVISION 4 AMENDING THE COMPREHENSIVE ZONING MAP OF THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE OF 2018, AS CONTAINED IN AND MADE A PART OF THE "COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE", AS AMENDED, SO AS TO REVISE THE SMALL PLANNED UNIT DEVELOPMENT (SPUD) ON THE PROPERTY LOCATED ON THE NORTH SIDE OF BURBANK DRIVE, WEST OF SOUTH KENILWORTH PARKWAY, ON TRACTS A-3-1-A-1-A, A-3-1-A-1-B AND A-3-1-A-1-C OF THE CHATSWORTH PLANTATION PROPERTY. SECTION 5, T8S, R1E, GLD, EBRP, LA, TO REVISE PERMISSIBLE USES TO INCLUDE COMMERCIAL ALCOHOLIC BEVERAGE (BAR AND LOUNGE) (C-AB-2) AS SHOWN ON A SKETCH PREPARED BY THE PLANNING COMMISSION, A COPY OF WHICH IS ATTACHED

WHEREAS, at its meeting of December 13, 2021, the Planning Commission approved an amendment to revise permissible uses to include Commercial Alcoholic Beverage (bar and lounge) (C-AB-2), after due advertisement and the conduct of a public hearing, pursuant to law, and;

WHEREAS, public notice must be given of the intention of this Council to conduct a public hearing on this recommendation by the Zoning Commission, which public notice shall be advertised according to law, in The Advocate, Official Journal of the Parish of East Baton Rouge, a public hearing called thereon:

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge:

Section 1. That the Comprehensive Zoning Ordinance of the City of Baton Rouge and Parish of East Baton Rouge, as amended, and its accompanying Comprehensive Zoning Map of 2018, and the same is hereby amended so as to revise the Small Planned Unit Development (SPUD), which shall include the following described property, to wit:

Property located on the north side of Burbank Drive, west of South Kenilworth Parkway, on Tracts A-3-1-A-1-A, A-3-1-A-1-B and A-3-1-A-1-C of the Chatsworth Plantation Property. Section 5, T8S, R1E, GLD, EBRP, LA, as shown on a sketch prepared by the Planning Commission, a copy of which is attached.

Section 2. That a public hearing on the above proposed amendment be held at the Regular Zoning Meeting of the Metropolitan Council on January 19, 2022, after public notice thereof, according to the provisions of L.R.S. 33:4721-4730.

The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.

A motion was made by Mr. Gaudet and seconded by Mr. Dunn Jr. to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:

- Yeas: Adams, Amoroso, Banks, Cole, Coleman, Dunn Jr., Gaudet, Hudson, Hurst, Moak, Racca
- Nays: None
- Abstains: Noel
- Did Not Vote: None
- Absent: None

With 11 yeas, 0 nays, 1 abstain, 0 not voting, and 0 absent, the motion was adopted.

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The following proposed ordinance was introduced by Mr. Dunn Jr. and read in full at the meeting of the Metropolitan Council on December 8, 2021. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 18388

RV-11-21 REVOKING AN EXISTING PORTION OF a RIGHT-OF-WAY, LOCATED NORTH OF THE INTERSECTION OF LANGLEY DRIVE AND DUNLAY AVENUE, ADJACENT TO LOTS 28-A AND 30-A OF THE INDUSTRIPLEX PARK SUBDIVISION, SECTION 48, T8S, R2E, GLD, EBRP, LA, PROVIDED CERTAIN STIPULATIONS ARE MET.

WHEREAS, the owner of the property located North of the intersection of Langley Drive and Dunlay Avenue, in the Parish of East Baton Rouge, Louisiana, has requested to revoke an existing portion of a right-of-way, as shown on the attached map, be revoked and set aside;

WHEREAS, said right-of-way is not needed for public use and the public would not be inconvenienced by the revocation of the said right-of-way; and

WHEREAS, this Council believes that it would be in the public interest to grant the mentioned request:

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge, that:

Section 1. The dedication of an existing portion of the right-of-way, located north of the intersection of Langley Drive and Dunley Avenue, adjacent to Lots 28-A and 30-A of the Industriplex Park Subdivision, as shown on the attached map, located in the Parish of East Baton Rouge, Louisiana, is hereby revoked and set aside, pursuant to the provisions of L.R.S. 48:701, et seq., subject to the following stipulations:

- 1.) The existing public sanitary sewer collection lines within the subject right-of-way shall be maintained and centered within a new 15 foot wide public sewer servitude, to be dedicated on the revocation map. No structure, paving, or planting will be allowed to encroach within this servitude.
- 2.) Prior to occupancy or issuance of any further building permits on these lots, a map indicating the revoked right-of-way and dedicated public sewer servitude (referencing the Metro Council Ordinance) shall be prepared, approved and recorded.
- 3.) No objections from utilities and sewer departments. Did notice the double drain boxes in the curve are that will be need to be addressed.
- 4.) Letters of no objection were submitted from the utility companies.

Section 2. This Council does not warrant its authority to act pursuant to the above cited provision of the Revised Statutes, nor does it warrant title to any of the property contained in the area abandoned herein.

The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.

A motion was made by Ms. Adams and seconded by Ms. Racca to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:

- Yeas: Adams, Amoroso, Banks, Cole, Coleman, Dunn Jr., Gaudet, Hudson, Hurst, Moak, Noel, Racca
- Nays: None
- Abstains: None
- Did Not Vote: None
- Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

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The following proposed ordinance was introduced by Mr. Dunn Jr. and read in full at the meeting of the Metropolitan Council on December 8, 2021. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 18389

RV-12-21 REVOKING AN EXISTING PORTION OF RIGHTS-OF-WAY, LOCATED WEST OF THE INTERSECTION OF MILLS AVENUE AND AVENUE K OF THE HIGHLAND FARMS SUBDIVISION, SECTION 74, T6S, R1W, GLD, EBRP, LA, PROVIDED CERTAIN STIPULATIONS ARE MET.

WHEREAS, the owner of the property located West of the intersection of Mills Avenue and Avenue K, in the Parish of East Baton Rouge, Louisiana, has requested to revoke an existing portion of rights-of-way, as shown on the attached map, be revoked and set aside;

WHEREAS, said right-of-way is not needed for public use and the public would not be inconvenienced by the revocation of the said right-of-way; and

WHEREAS, this Council believes that it would be in the public interest to grant the mentioned request:

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge, that:

Section 1. The dedication of an existing portion of the rights-of-way, located west of the intersection of Mills Avenue and Avenue K, of the Highland Farms Subdivision, as shown on the attached map, located in the Parish of East Baton Rouge, Louisiana, is hereby revoked and set aside, pursuant to the provisions of L.R.S. 48:701, et seq., subject to the following stipulations:

- 1.) Prior to occupancy or issuance of any further building permits on these lots, a map indicating the revoked rights-of-way(referencing the Metro Council Ordinance) shall be prepared, approved and recorded.
- 2.) Letters of no objection were submitted from the utility companies.
- 3.) Entergy requires a new servitude contingent upon the existing servitude not being revoked until the new line is relocated to said new servitude
- 4.) Entergy will also require an exclusive 30 foot servitude for overhead or an exclusive 10 foot servitude for underground for the new route
- 5.) Entergy make the customer responsible for all cost associated with the proposed relocation of gas or electric facilities
- 6.) Cox Communications does not give up the right to access or work in the servitude at any time to install, repair or maintain facilities

Section 2. This Council does not warrant its authority to act pursuant to the above cited provision of the Revised Statutes, nor does it warrant title to any of the property contained in the area abandoned herein.

The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.

A motion was made by Ms. Coleman and seconded by Ms. Amoroso to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:

- Yeas: Adams, Amoroso, Banks, Cole, Coleman, Dunn Jr., Gaudet, Hudson, Hurst, Moak, Noel, Racca
- Nays: None
- Abstains: None
- Did Not Vote: None
- Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted.

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ADJOURN

A motion was made by Ms. Amoroso and seconded by Mr. Hurst to adjourn. A "Yea" and "Nay" vote was called for and resulted as follows:

- Yeas: Adams, Amoroso, Banks, Cole, Coleman, Dunn Jr., Gaudet, Hudson, Hurst, Moak, Noel, Racca
- Nays: None
- Abstains: None
- Did Not Vote: None
- Absent: None

With 12 yeas, 0 nays, 0 abstains, 0 not voting, and 0 absent, the motion was adopted. The Presiding Officer declared the meeting adjourned

Council Administrator/Treasurer

Mayor-President Pro-Tempore