

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, March 15, 2023

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, March 15, 2023 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

.....

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:

.....

The following proposed ordinance was introduced by Mr. Hudson and read in full at the meeting of the Metropolitan Council on January 18, 2023. On February 15, 2023, the public hearing was held and final action deferred until March 15, 2023. With a public hearing called thereon for this meeting, the proposed ordinance was read in full.

PROPOSED ORDINANCE

PA-1-23 18910 OLD SCENIC HIGHWAY

TO AMEND THE COMPREHENSIVE LAND USE PLAN FROM RESIDENTIAL NEIGHBORHOOD TO COMMERCIAL ON PROPERTY LOCATED ON THE EAST SIDE OF OLD SCENIC HIGHWAY, SOUTH OF COPPERMILL BOULEVARD, ON PROPERTY NOW OR FORMERLY KNOWN AS TRACT A OF THE HAROLD WHEELER TRACT. SECTION 58, T5S, R1W, GLD, EBRP, LA (COUNCIL DISTRICT 1 - NOEL)

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. Noel and seconded by Mr. Dunn Jr. to deny the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:

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

Nays: None

Abstains: None

Did Not Vote: None

Absent: Amoroso

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

.....

The following proposed ordinance was introduced by Mr. Hudson and read in full at the meeting of the Metropolitan Council on January 18, 2023. On February 15, 2023, the public hearing was held and final action deferred until March 15, 2023. With a public hearing called thereon for this meeting, the proposed ordinance was read in full.

PROPOSED ORDINANCE

CASE 1-23 18910 OLD SCENIC HIGHWAY

TO REZONE FROM RURAL TO LIGHT COMMERCIAL TWO (LC2) ON PROPERTY LOCATED ON THE EAST SIDE OF OLD SCENIC HIGHWAY, SOUTH OF COPPERMILL BOULEVARD, ON PROPERTY NOW OR FORMERLY KNOWN AS TRACT A OF THE HAROLD WHEELER TRACT. SECTION 58, T5S, R1W, GLD, EBRP, LA (COUNCIL DISTRICT 1 - NOEL)

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. Noel and seconded by Mr. Dunn Jr. to deny the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:

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

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

.....

The following proposed ordinance was introduced by Ms. Racca and read in full at the meeting of the Metropolitan Council on February 22, 2023. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

PROPOSED ORDINANCE

CASE 78-22 10925 TAMS DRIVE

TO REZONE FROM SINGLE FAMILY RESIDENTIAL (A1) TO TWO-FAMILY (A2.9) ON PROPERTY LOCATED ON THE NORTH SIDE OF TAMS DRIVE, EAST OF GREEN OAK DRIVE, ON PROPERTY NOW OR FORMERLY KNOWN AS LOT 184 OF RED OAK SUBDIVISION, 4TH FILING. SECTION 1, T7S, R2E, GLD, EBRP, LA (COUNCIL DISTRICT 6 - DUNN JR.)

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

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

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

.....

The following proposed ordinance was introduced by Ms. Racca and read in full at the meeting of the Metropolitan Council on February 22, 2023. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 18783

TA-1-23 AMENDING TITLE 7 (PLANNING AND ZONING), CHAPTER 5, (WAIVERS) REPEALING AND REPLACING SECTION 5.1.4, WAIVERS GRANTED BY THE DIRECTOR OF DEVELOPMENT, 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 City of Baton Rouge that:

Section 1. Title 7, Chapter 5, (Waivers) to repeal and replace Section 5.1.4 in 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 5.1.4 Waivers Granted by the Director of Development

The Director of Development may consider requests for and grant approval of waivers to:

- A. The requirement to treat specific water pollutants, pursuant to Section 15.12, Variances and Waivers if the developer provides documentation proving the specific pollutant does not exist on the site and will not be generated by specific activities proposed to occur on the site post construction;
- B. The requirement to provide a Drainage Impact Study pursuant to Section 15.15, Drainage Impact Study, provided that:
 - 1. Sufficient information is submitted by the developer indicating that the runoff from the proposed development is consistent with and discharges to a previously approved development having adequate drainage facilities or is a part of an approved larger plan of development with an approved drainage study, or is served by a network of subsurface public storm drainage facilities engineered to accommodate the runoff from the developed site.
- C. The requirement to provide on-site retention/detention areas for stormwater runoff when it is demonstrated that the applicable existing streets have been designed to accommodate the stormwater runoff from paved parking areas and adequate catch basins and inlets are available pursuant to Section 15.21, Specific Standards.

Section 2. 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 3. 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. Hurst 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, Banks, Cole, Coleman, Dunn Jr., Gaudet, Hudson, Hurst, Moak, Noel, Racca
- Nays: None
- Abstains: None
- Did Not Vote: None
- Absent: Amoroso

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

.....

The following proposed ordinance was introduced by Ms. Racca and read in full at the meeting of the Metropolitan Council on February 22, 2023. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 18784

CASE 2-23 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 WEST SIDE OF SOUTH 14TH STREET, SOUTH OF NORTH BOULEVARD, ON A PORTION OF PROPERTY NOW OR FORMERLY KNOWN AS LOT 27 OF THE BONNECAZE SUBDIVISION. SECTION 74, T7S, R1W, GLD, EBRP, LA, TO REZONE LIGHT INDUSTRIAL (M1) 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 February 13, 2023, the Planning Commission approved an amendment to the Light Industrial (M1) 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 7,690 SQUARE FEET, BEING A PORTION OF LOT 27 OF BONNECAZE, BLOCK 1 (or 216), BEING LOCATED IN SECTION 74, T-7-S, R-1-W, GREENSBURG LAND DISTRICT, EAST BATON ROUGE PARISH, CITY OF BATON ROUGE, LOUISIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: Commencing at a point being the intersection of the centerline line of Government St. (LA Hwy 73) and the centerline line of S. 14th St., thence proceed along the centerline line of S. 14th St. North 01°48'55" West a distance of 739.58 feet to a point and corner, thence leaving the S. 14th St. centerline proceed South 88°10'51" West a distance of 38.87 feet to a point and corner, said point being the Southeast building corner of the area to be rezoned and the "Point of Beginning"; Thence proceed South 88°01'21" West a distance of 150.50 feet to a point and corner; Thence proceed North 01°58'39" West a distance of 58.20 feet to a point and corner; Thence proceed North 88°01'21" East a distance of 51.50 feet to a point and corner; Thence proceed South 01°58'39" East a distance of 10.80 feet to a point and corner; Thence proceed North 88°01'21" East a distance of 99.00 feet to a point and corner; Thence proceed South 01°58'39" East a distance of 47.40 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 March 15, 2023, 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. Coleman and seconded by Ms. Adams to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:

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

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

.....

The following proposed ordinance was introduced by Ms. Racca and read in full at the meeting of the Metropolitan Council on February 22, 2023. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 18785

CASE 3-23 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 WEST SIDE OF METAIRIE DRIVE, NORTH OF PERKINS ROAD, ON PROPERTY NOW OR FORMERLY KNOWN AS LOTS A-1-A-2, A-1-A-3 AND A-1-A-4 OF THE PERKINS VILLAGE COMMERCIAL SUBDIVISION. SECTION 54, T8S, R1E, GLD, EBRP, LA, TO REZONE TRANSITION (B1) 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 February 13, 2023, the Planning Commission approved an amendment to the Transition (B1) 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 west side of Metairie Drive, north of Perkins Road, on property now or formerly known as Lots A-1-A-2, A-1-A-3 and A-1-A-4 of the Perkins Village Commercial Subdivision. Section 54, T8S, R1E, 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 March 15, 2023, 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. Hudson and seconded by Mr. Hurst to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:

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

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

.....

The following proposed ordinance was introduced by Ms. Racca and read in full at the meeting of the Metropolitan Council on February 22, 2023. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 18786

CASE 6-23 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 BLUEBONNET BOULEVARD, WEST OF PICARDY AVENUE, ON A PORTION OF PROPERTY NOW OR FORMERLY KNOWN AS LOT 4-A OF THE MALL OF LOUISIANA, PHASE I AND II. SECTION 58, T7S, R1E, GLD, EBRP, LA, TO REZONE 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 February 13, 2023, 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:

LOCATED IN SECTION 57, T7S-R1E, GREENSBURG LAND DISTRICT, EAST BATON ROUGE PARISH, LOUISIANA. COMMENCING FROM THE SOUTHWEST CORNER OF LOT 4-A, MALL OF LOUISIANA, PHASE I & II; THENCE PROCEED NORTH 88 DEGREES 16 MINUTES 56 SECONDS EAST A DISTANCE OF 38.97 FEET TO A POINT AND CORNER; SAID POINT ALSO BEING THE POINT OF BEGINNING. THENCE PROCEED NORTH 28 DEGREES 01 MINUTES 59 SECONDS EAST FOR A DISTANCE OF 64.55 FEET TO A POINT AND CORNER; THENCE PROCEED SOUTH 61 DEGREES 56 MINUTES 34 SECONDS EAST FOR A DISTANCE OF 56.83 FEET TO A POINT AND CORNER; THENCE PROCEED SOUTH 28 DEGREES 07 MINUTES 53 SECONDS WEST FOR A DISTANCE OF 64.51 FEET TO A POINT AND CORNER; THENCE PROCEED NORTH 61 MINUTES 59 MINUTES 09 SECONDS WEST FOR A DISTANCE OF 56.72 FEET BACK TO THE POINT OF BEGINNING. SAID PROPERTY CONTAINS 3663 SQ FT/ 0.084 ACRES 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 March 15, 2023, 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. Adams and seconded by Mr. Hurst to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:

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

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

.....

ADJOURN

.....

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

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

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

The Presiding Officer declared the meeting adjourned

Council Administrator/Treasurer

Mayor-President Pro-Tempore