

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, August 16, 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, August 16, 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

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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 Mr. Hudson and read in full at the meeting of the Metropolitan Council on June 28, 2023. On July 19, 2023, the public hearing was held and final action deferred until September 20, 2023. On July 19, 2023, the public hearing was held and final action deferred until August 16, 2023. With a public hearing called thereon for this meeting, the proposed ordinance was read in full.

ORDINANCE 18945

CASE 29-23 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 PLANK ROAD, NORTH OF BLOUNT ROAD, ON PROPERTY NOW OR FORMERLY KNOWN AS THE REMAINING PORTION OF LOT 10 OF GIBBENS PLACE. SECTION 75, T6S, R1E, GLD, EBRP, LA, TO REZONE HEAVY COMMERCIAL (C2) TO LIGHT INDUSTRIAL (M1), AS SHOWN ON A SKETCH PREPARED BY THE PLANNING COMMISSION, A COPY OF WHICH IS ATTACHED

WHEREAS, at its meeting of June 20, 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 Light Industrial (M1) District, which shall include the following described property, to wit:

Property located on the west side of Plank Road, north of Blount Road, on property now or formerly known as the remaining portion of Lot 10 of Gibbens Place. Section 75, T6S, 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 August 16, 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. An interested citizen speaking in favor of the proposed ordinance was Dwayne Hayes.

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, Moak, Noel, Racca
- Nays: None
- Abstains: None
- Did Not Vote: None
- Absent: Hurst

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

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

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

With 3 yeas, 3 nays, 0 abstains, 6 not voting, and 0 absent, the motion failed.

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The following proposed ordinance was introduced by Ms. Amoroso and read in full at the meeting of the Metropolitan Council on July 26, 2023. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

PROPOSED ORDINANCE

CASE 39-23 11023 DEVALL LANE
TO REZONE PROPERTY FROM RURAL TO LIGHT COMMERCIAL ONE (LC1)
LOCATED ON THE WEST SIDE OF DEVALL LANE, NORTH OF BLOUNT ROAD, ON
PROPERTY NOW OR FORMERLY KNOWN AS LOT
A-1 OF GIBBENS PLACE. SECTION 74, T6S, R1E, GLD, EBRP, LA (COUNCIL DISTRICT
2 - BANKS)

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. Gaudet to defer the proposed ordinance to the council meeting on September 20, 2023. A "Yea" and "Nay" vote was called for and resulted as follows:

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

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

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The following proposed ordinance was introduced by Ms. Amoroso and read in full at the meeting of the Metropolitan Council on July 26, 2023. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 18946

MCUP-1-23 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 ALLOW A MAJOR CONDITIONAL USE ON THE PROPERTY LOCATED ON THE NORTH SIDE OF JEFFERSON HIGHWAY, EAST OF ALDER DRIVE, ON PROPERTY NOW OR FORMERLY KNOWN AS THE W. DENHAM TRACT AND TRACT A OF THE HEARD TRACT. SECTION 38, T8S, R2E, GLD, EBRP, LA, TO APPROVE MAJOR CONDITIONAL USE PERMIT FOR A RECEPTION HALL SERVING ALCOHOL, AS SHOWN ON A SKETCH PREPARED BY THE PLANNING COMMISSION, A COPY OF WHICH IS ATTACHED

WHEREAS, at its meeting of July 19, 2023, the Planning Commission denied an amendment to grant a Major Conditional Use Permit to allow a reception hall serving alcohol 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 Major Conditional Use Permit, which shall include the following described property, to wit:

Property located on the north side of Jefferson Highway, east of Alder Drive, on property now or formerly known as the W. Denham Tract and Tract A of the Heard Tract. Section 38, T8S, 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 August 16, 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. Interested citizens speaking in favor of the proposed ordinance were Richard Babin, Michael McDowell, Pam Baumann, Adam Fields, Julia Fields, Chad Stevens, Darlene Quebedeaux, Tess Chustz, Renee Soileau, Barry Mele, Ron Johnson, Victoria Passman, Alice Lestrupes, Tandy Perrino Passman, and Walter Monsour. Interested citizens appearing in favor of the proposed ordinance, but not wishing to speak were Vickie Phillips, Charlotte Berard, John Corcoran, Cheryllyn Boyd, Matthew Landry, Mark Berard, and Charles McDowell. Interested citizens speaking in opposition of the proposed ordinance were Billy Aguillard, Dr. Melanie Tichenor, Richard Stewart, Joel Hedick, Lester McKinney, Brian Aguillard, James Parker, Tasha Stockwell, and Jessica Walker. Interested citizens appearing against the proposed ordinance but not wishing to speak were Barbara Aguillard, Kathie McKinney, Frenda Shepard, Leroy Evans, Jr., and Thomas Parker. Interested citizens submitting emailed comments in favor of the proposed ordinance were Gregory Diffendal, Angela Diffendal, Cheryllyn Boyd, Tracy Lavigne Brister, Randall Brister, Dr. Darold Boyd, Stephen Boyd, Karen Boyd, Carol Blank, Richard Blank, McCall Blank, Randy Brister, Renee Soileau, Leslie Poche, Lila Graham, Pam Mistretta, Lloyd Tabary, II, Helen Tabary, Ali Branigan, George Branigan, Michael Hackler, C.J. Mistretta, Ashley Langford, Michael Porter, Sarah Pitre, Connie Chenevert, Robert Breaux, Anna Walker, Denis Bourgeois, Sharon Bourgeois, Celeste Rabalais, Geri Guarino, Kate Peake, Mona Gary, Penne Leier, Kristy Reine, Art Bourg, John Hoffpauir, Lauren Hoffpauir, Terry Ledet, Ferrell Marcel, June Webre, Ken Marba, Keith Didier, Marian Munro, Vickie Phillips, Emilie Wright, Anthony DeMarco, Stephen Barnett, Tyleen Didier, Don Musso, Barry Eggie, Tess Chustz, Randi Bergum, Mark Adamski, Christian Jacomine, Chendo Mayorga, Ashley Ferrer, Larry Kern, Robyn Bravata, Scotti Vermaelen, Steven Adamksi, Kenneth Comeaux, Sarah Hackler, Ramona Porter, Ulysse Pitre, Morris Rabalais, James Gary, Christopher Reine, Caryn Didier, Mark Schoen, Jeanne Baker, Liz Wallabillich, Susie Whitlow, Charlotte Chaplin, Marcia Weber, Melanie Coye, Kelly Lafield, David Dietch, Lisa Mongrue, Jon Gary, Kasey Gary, Roy Mongrue, John Mongrue, Judith Bourg, Randi Bergeron, Lori Marcel, Mark T. Berard, Charlotte Berard, Kathy Comeaux, Buddy Webre, Stacie Didier, Charles Munro, Randal Phillips, Brian Wright, Mary DeMarco, Julie Mongrue, Julie Barnett, John Didier, Janice Musso, Brenda Eggie, Bobbie Adamski, Mia Jacomine, Rosalpina Mayorga, Ricky Bravata, Chris Didier, Betsy Otken Barnes, Michael Vermaelen, Daniel Novak, Chris Baker, Bruce Wallbillich, Mike Green, Nicole Green, Rich Whitlow, Corbin Green, David Chaplin, John Weber, Sarah Ganong, Aaron Duff, Rafat Roman, Victoria Tiner, Matthew Lafield, Thomas Tiner, Darlene Quebedeaux, Denise Goodman, Joanna Barraza, Tim Goodman, Mark Quebedeaux, Cory Yaun, Jennifer Place, Hector Barraza, Andrew Carter, Jackson Carter, Adrian Crawford, Carla Crawford, Matthew Hiatt, Lawrence Schane, Mark Sheldon, Mallory Roberts, Greg Savitske, Nick Millet, Ellen Richard, Daniel Yety, John Cavanaugh, Thomas Hicks, Mallory Barre, Ricky Craig, Scott McGrew, Scott Simeon, Barbara Stelly, Li Yang, Juan Cheng, Kathy McDowell, David Summers, Cliff Phillips, John Moggio, Louise Moggio, Tracy C. Alleman, and Charles McDowell. Interested citizens submitting an emailed comment against the proposed ordinance were Christie Aguillard, Laurie Jacobson, Tasha Stockwell, Victoria Simmons, Leighton Stagg, Nikolas Sens, Raven Stagg, Yvonne Roberts, Gary Bishop, Liana Techow, Bruce Techow, Dan Stagg, Jeanne Monteilh, Frenda Shepard, Leland Songe, Anna Langlois, Olivia Wells, Jacob Stagg, Lester Layne McKinney, Landon Braud, Kathie E. McKinney, Melody Underwood, Kathy Cavanaugh, John and Stacey Guilbeau, Laurie LaFrance, Jeremy M. Cavanaugh, Jonathan Chaffin, Sharon Harrelson, Emma Johnson, and Byron Johnson.

A motion was made by Mr. Hudson and seconded by Mr. Hurst to deny the proposed ordinance.

A substitute motion was made by Ms. Banks and seconded by Mr. Cole 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., Moak, Noel, Racca
- Nays: Hudson, Hurst
- Abstains: None
- Did Not Vote: Gaudet
- Absent: None

With 9 yeas, 2 nays, 0 abstains, 1 not voting, and 0 absent, the motion was adopted.

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Other items

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PROVIDING A REPORT ON THE POTENTIAL OF AMENDING THE UDC REGARDING DISTANCE LIMITATIONS FOR FORENSIC PSYCHIATRIC HOSPITALS.

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

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ADJOURN

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A motion was made by Mr. Cole and seconded by Ms. Racca 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