

BOSSIER CITY-PARISH METROPOLITAN PLANNING COMMISSION

PUBLIC AND PRELIMINARY HEARING – MINUTES

MONDAY, MAY 10, 2010 AT 2:00 P M

CITY COUNCIL CHAMBERS, BOSSIER CITY HALL

620 BENTON ROAD, BOSSIER CITY, LOUISIANA

MEMBERS PRESENT

Buster Constanzi
James Harris
Brett Mattison
Ben Rauschenbach

MEMBERS ABSENT

Donnie McDaniel
Art Schuldt

OTHERS PRESENT

Sam Marsiglia, Ex. Dir.
Lynda Davis, Secretary
Carlotta Askew, Planner
Mike Boggs, Rep./Appl.
Mark Knox, Prop. Owner
Michan Holbrook, Rep./Appl.
Butch Smith, Prop. Owner
Johnny Kruithof, Prop. Owner
Brian Hammons, Rep./Appl.
Doug Brown, Rep./Appl.
Reggie Lewis, Rep./Appl.
Gerald Trainer, Prop. Owner
Ted Ward, Prop. Owner
Frank Viviano, Prop. Owner
Vince DeFatta, Rep./Appl.
Adam Powell, Rep./Appl.
R. R. Robinson, Rep./Appl.
Tommy Salley, Applicant
Steve Vercher, Rep./Appl.

James Harris, Chairman, called the meeting to order.

Buster Constanzi gave the invocation, and Ben Rauschenbach led in the pledge of allegiance.

(A) Lynda Davis, secretary, called the roll and stated a quorum was present which consisted of Buster Constanzi, James Harris, Brett Mattison and Ben Rauschenbach.

(B) APPROVE AGENDA

Marsiglia added 2 cases to Other Actions on the agenda: C-36-10, a request for a landscape waiver and C-38-10, TUA for a snocone stand.

Motion was made by Brett Mattison, seconded by Ben Rauschenbach, to approve the additions to the agenda. Motion carried unanimously.

(C) PUBLIC HEARING/ACTIONS

1. C-25-10 – A public hearing to consider the application of Indian Investment Properties, LLC for a zoning amendment to change the zoning classification of Lots 4, 5, 6, 59 & 60, Northside Addition, Bossier City, LA, from R-LD, Residential-Low Density District, to B-3, General Business District, for an automated car wash. (northeast corner of Benton Rd. and Broadway Dr.) **(City Council District 2)**

Mike Boggs was present to represent the applicant and stated they had reviewed the Broadway entrance and moved it to the east with the DOTD approval.

Opposition:

Mark Knox, property owner, was present and explained he lived behind this property and has concerns about the privacy fence, lighting, drainage and the existing trees.

Boggs said there were 2 entrances, one on Benton and one on Broadway. They will put up a concrete block fence and add trees, but they are taking down the big trees. The business will operate 7 until 7 and have one attendant on duty.

Marsiglia said the lighting cannot have any bleed-over to the residential lots.

Knox said he liked the large trees because they shade his building and asked how tall the trees they were going to plant would be?

Boggs said they would be large crepe myrtles.

There being no further discussion or opposition, motion was made by Buster Constanzi, seconded by Brett Mattison, to approve C-25-10. Motion carried unanimously.

2. C-26-10 – A public hearing to consider the application of James M. Brown Builder, Inc. for a zoning amendment to change the zoning classification of Lots 32 and 33, Southern Gardens Subdivision, Bossier City, LA, from R-A, Residential-Agriculture District, to B-3, General Business District, for retail and warehouse /storage. (southeast corner of Barksdale Blvd. and Rossie Lee) (City Council District 1)

Michan Holbrook was present to represent the applicant.

There was no Board discussion.

Opposition:

Butch Smith, property owner, stated he owns the property adjacent to this property and doesn't understand what is proposed. There are drainage issues now. He asked where the water would go and about the ingress and egress?

Holbrook explained the 2 properties are separated by another tract, They are only zoning Lots 33 & 34.

Johnny Kruihof, property owner, explained the city put in a storm drain 6 blocks down several years ago, but he is still concerned about the water.

Marsiglia said the City Engineer approved the drainage.

Kruihof asked about the problem with the existing drainage?

Smith said there is an existing drainage pipe on this property and he doesn't want them digging it up.

Mattison said this development can't impact the drainage.

Smith asked what they could do if it does?
Bossier Planning Commission

Marsiglia said it would be a civil matter.

Kruithof asked if he could be contacted about the drainage plan?

Marsiglia said he needs to leave his name and address.

Smith said if the water would go toward the railroad track, it would be ok.

Holbrook said they may have to do retention on site.

Harris said they have several fail-safes.

Marsiglia said they are only constructing one building.

Holbrook said they haven't done any topos yet.

Rauschenbach said the drainage can't impact any other property, but it is possible to improve it.

Smith asked about the entrance? When north bound trucks turn in they hang up on the railroad tracks. Even small boat trailers hang up. There's not enough turning room. There are a lot of unanswered questions.

Brian Hammons with Brown Builders was present and stated they have already contacted the City Engineer, Mark Hudson and a City Councilman to widen the entrance.

Smith suggested this development wait until it is in place.

Marsiglia said they could delay the case, but not add conditions to its approval.

Doug Brown was present to represent the applicant and said Rossie Lee has been there a long time. There have been a lot of trailers in there before Southgate was developed. The property owner tried to contact Mr. Smith about his plan. There is a hodge-podge of houses and trailers on that street. South Bossier needs to grow and not have everything opposed.

Smith said he was not opposing this, they just need the turn fixed.

Brown said there would be no more large trailers coming in there.

Hammons said he had spoken with Councilman Montgomery and he spoke with Mark Hudson. They are working on a resolution for the street.

Mattison said if it wasn't for the rezoning there wouldn't be this concern.

Hammons said the street needs to be fixed anyway.

Rauschenbach asked what would occupy this building?

Hammons said it will be a warehouse location, with an electric company and lighting business. It will not be a retail shopping center though. The traffic won't be different.

There being no further discussion or opposition, motion was made by Brett Mattison, seconded by Ben Rauschenbach, to approve C-26-10. Motion carried unanimously.

3. C-30-10/P-9-10 – A public hearing to consider amending the Unified Development Code (UDC) by reducing the rear building setback to 20', in the R-LD, Residential-Low Density District. (MPC)

Marsiglia explained how people are building larger homes on smaller lots to cut costs, but the larger homes aren't fitting. There has been a larger number of variance requests, mostly in the parish. The Parish Subdivision Committee would like to see this reduction from 25' rear setback to 20'.

Harris said it will take a serious hardship to reduce the setback any more.

Marsiglia said it's typical to be at 20'.

Reggie Lewis, with Raley and Associates, commented they were in support of this because it's a problem they see everyday.

There being no opposition or further discussion, motion was made by Buster Constanzi, seconded by Ben Rauschenbach, to approve C-30-10/P-9-10. Motion carried unanimously.

4. C-32-10 – Preliminary Plat, Tiburon Subdivision, Unit 5, Bossier City, LA. (Tiburon Development, LLC) (east of Willow Chute Bayou, north of Unit 2, extension of Horseguards Ave.) (City Council District 4)

Reggie Lewis was present to represent the applicant and explained this is a 14-lot addition to the existing subdivision. It was approved a couple of years ago, but was never filed. Section 6 in the covenants will have to state the new rear setbacks of 20'.

Marsiglia said it also needs to be put on the plats.

Rauschenbach asked if he got with the staff about putting that on the plats?

Lewis said yes, and he needs to pull up some plats and update them.

Opposition:

Gerald Trainer, property owner, said he lives in the last house on Horseguards. He stated they have cleared some trees where there was supposed to be a lake. He asked if the lot sizes are changing?

Lewis said they were not and they are building along there where the trees are down.

Trainer said that was not what was shown to him when he bought his lot. It was supposed to be a green space and lake.

Lewis said they were only putting one row of houses along Horseguards for economic reasons.

There was discussion on where they were building the houses. This will not decrease the size of the lake.

Lewis explained when the lake is constructed it will take in the detention pond and be larger. They will take in a piece at a time and they will do it in phases. Lot 5000 is a non-buildable lot, with access to the lake. There will be multiple green spaces along the street with accesses to the lake. There are no plans to change the lot sizes.

Trainer requested they put water access on both sides of the street. When building across from him, they had to tie into his water and broke his sprinkler.

Lewis said that has been a problem and they have had complaints about it.

Ted Ward, property owner, asked if there was a time table on the lake?

Lewis said it will take 2-3 years to complete.

Frank Viviano, property owner, said he was told he would be the last house on the street and asked if this proposed tract was in a flood zone?

Lewis said all the houses have been built above the flood zone, but the flood zone has changed on that street. The new lots will be lower than his and the others.

Viviano said he built his driveway up and the dirt slopes. Can they take that dirt out?

Lewis said they would probably put a swale to the front or back instead.

Harris said there was nothing the MPC can say or do about that.

Rauschenbach said the builder would probably build up the lot towards him more.

Viviano asked the number of homes to be built on the east side of the street?

Lewis said there are 4 lots, but one is a green space.

Harris said but the subdivision will continue on passed them.

Lewis said they will add more green lots between houses.

Viviano asked if they would be able to walk up to the lake?

Lewis said yes and that possibly they would have a boat launch, but he can't commit to it for sure.

Viviano asked what's there now?

Lewis said a hole with water about 6 months of the year. It serves the purpose of getting dirt out and holding run-off.

There being no further discussion or opposition, motion was made by Brett Mattison, seconded by Buster Constanzi, to approve C-32-10, Preliminary Plat. Motion carried unanimously.

5. C-33-10 – Preliminary Plat, Gardens of Southgate Subdivision, Unit 9, Bossier City, LA. (Southgate Gardens, LLC) (south of Unit 8, an extension of Antietam) (City Council District 1)

Reggie Lewis was present to represent the applicant and stated this is a continuation of Unit 9. Unit 10 will be ready for next month.

There being no opposition or discussion, motion was made by Ben Rauschenbach, seconded by Buster Constanzi, to approve C-33-10, Preliminary Plat. Motion carried unanimously.

6. P-2-10 – A public hearing to consider the application of River Rouge Plantation, LLC for a zoning amendment to change the zoning classification of a tract of land located in Section 30, T19N-R13W, Bossier Parish, LA, from I-1, Light-Industrial District to I-2, Heavy-Industrial District, for an impound facility. (southwest of the levee at Cash Point) (Police Jury District 6)

Marsiglia stated he had not received the needed information, so this needs to be tabled.

Motion was made by Buster Constanzi, seconded by Brett Mattison, to table P-2-10. Motion carried unanimously.

7. P-4-10 – A public hearing to consider the application of The Colony, LLC for a zoning amendment to change the zoning classification of a 6.97 acre tract located in Sections 32 and 33, T19N-R13W, Bossier Parish, LA, from R-LD, PUD, Residential-Low Density District, Planned Unit Development, to B-2, Limited Business District, for a commercial development. (south side of Wemple Rd. between Old Brownlee Rd. and Benton Rd.) (Police Jury District 6)

Reggie Lewis was present to represent the applicant.

Harris asked about the zoning across the road from this property?

Lewis said they were waiting to see what's going on in the area. They already have some clients on the hook. The developer feels the entire frontage on Wemple should be prime commercial development with the residential all around. They want to market it all.

There being no opposition or further discussion, motion was made by Brett Mattison, seconded by Buster Constanzi, to approve P-4-10. Motion carried unanimously.

8. P-10-10 – A public hearing to consider the application of Energy Transfer for a zoning amendment to change the zoning classification of a tract of land located in Section 9, T16N-R12W, Bossier Parish, LA, from R-A, Residential-Agriculture District, to I-2, Heavy-Industry District, for an office and storage building facility. (just south of Red River Marina on Hwy. 71) (Police Jury District 2)

Vince DeFatta was present to represent the applicant and stated they have added 2000 sq. ft. to the back of the building. The entrance is onto Hwy. 71. The owner is going to SWEPCO to ask for an easement to have access. The plat is not ready.

Constanzi asked why they need I-2?

DeFatta said because of making pipe on the site.

Rauschenbach asked if they routinely do that or just occasionally?

DeFatta said it depends, but they can do it expediently on site.

Bossier Planning Commission
May 10, 2010

Minutes
Page 7

Rauschenbach asked if it would only be done intermittently, why not just ask for I-1?

Marsiglia said all the energy companies do this.

DeFatta said they assemble pipe there, not manufacture it. This location will be made up of field engineers.

Constanzi said he has no problem with the I-2, so if they change the operation, they will be ready.

DeFatta said they do maintenance there also. It's just more convenient to do the fabrication in place.

There being no opposition or further discussion, motion was made by Buster Constanzi, seconded by Brett Mattison, to approve P-10-10. Motion carried unanimously.

9. P-13-10 – Minor Plat, Roberts Subdivision, Bossier Parish, LA. (Energy Transfer) (just south of Red River Marina on Hwy. 71) (Police Jury District 2)

Marsiglia said the applicant is not ready with this.

Motion was made by Brett Mattison, seconded by Buster Constanzi, to delay P-13-10. Motion carried unanimously.

Marsiglia suggested he could sign the plat. It's just a minor plat, and they are having to work out the road.

DeFatta said because of the 90° turn, they will have a triangular tract.

Motion was made by Brett Mattison, seconded by Buster Constanzi, to allow this plat to be approved administratively. Motion carried unanimously.

(D) OTHER ACTIONS

10. C-31-10 – Final Plat, Chinaberry Square, Unit 3-A, Bossier City, LA. (NBOC, LLC) (southeast corner of Benton Rd. and Chinaberry) (City Council District 5)

Adam Powell was present to represent the applicant.

Marsiglia said this is the case where they decided to subdivide within the walls of the building in order to sell the spaces.

There being no further discussion, motion was made by Buster Constanzi, seconded by Ben Rauschenbach, to approve C-31-10. Motion carried unanimously.

Add on:

C-36-10 – Landscape waiver request, 2151 Airline Dr., Bossier City, LA for additional parking. (Airline Plaza/R. R. Robinson)

R. R. Robinson, applicant, was present and explained he needs to add 13 parking spaces next to 2 Johns. A fence will keep the headlights from shining towards the residences. No extra lights will be added. This area will be for valet parking.

Bossier Planning Commission

May 10, 2010

Minutes

Page 8

There being no discussion, motion was made by Brett Mattison, seconded by Buster Constanzi, to approve C-36-10. Motion carried unanimously.

C-38-10 – Temporary Use Approval, 3500 E. Texas, Bossier City, LA for a snocone stand. (Tommy Salley)

Tommy Salley, applicant, was present and said this stand is for his kids to run this summer.

Rauschenbach asked if 6 months was okay?

Salley said all he was waiting for was health. He wants to open it this month. It was leased from Jim Wells. He couldn't get in touch with him, so he sent him the lease and a 6-month check in advance.

Constanzi asked if the stand would be skirted?

Salley said it would be.

Motion was made by Brett Mattison, seconded by Ben Rauschenbach, to approve C-38-10, May 15th – Oct. 31st, 2010. Motion carried unanimously.

(E) PRELIMINARY HEARINGS

11. C-17-10 – A preliminary hearing to consider the application of Brown Builders, Inc., for a zoning amendment to change the zoning classification of Lot 2, Northgate Temperature Controlled Subdivision and a tract of land located in Section 35, T18N-R13W, Bossier City, LA, from B-3, General Business District, to R-MD, Residential-Medium Density District, for an addition to an existing apartment complex. (west side of Northgate Rd. at Lexington Apts.) (City Council District 2)

Michan Holbrook and Kristin Rockett, were present to represent the applicant.

Rauschenbach asked about the decibel rating and the windows, etc. to buffer the sound?

Holbrook said they were aware of the codes. They had to install the proper windows, etc. in the other units of this complex.

Marsiglia added that the inspection department said they complied before.

There being no further discussion, motion was made by Brett Mattison, seconded by Ben Rauschenbach, to put C-17-10 up for a public hearing. Motion carried unanimously.

12. P-12-10 – A preliminary hearing to consider the application of Mary Elizabeth Tuminello, for a zoning amendment to change the zoning classification of a tract of land located in Section 16, T18N-R12W, Bossier Parish, LA, from R-A, Residential-Agriculture District, to B-3, General Business District, for a restaurant and future commercial use. (south side of Hwy. 80 and north side of Bodcau Rd.) (Police Jury District 2)

Steve Vercher was present to represent the applicant.

Rauschenbach asked if they had looked at the water and sewer availability?

Vercher said he thought so at first, but Eagle Sewer is there and water too. He had a letter from Eagle granting access to the lift station. Tuminello is selling 1 acre for a chicken fast food place. They are asking for B-3, because it is on both sides. The heirs are scattered.

There being no further discussion, motion was made by Buster Constanzi, seconded by Brett Mattison, to put P-12-10 up for a public hearing. Motion carried unanimously.

(F) MINUTES

Motion was made by Buster Constanzi, seconded by Brett Mattison, to approve the April minutes, as mailed. Motion carried unanimously.

(G) OLD/NEW BUSINESS

1) Marsiglia said the off-premise sign ordinance may be reviewed again and changed to “cap and replace”, a credit system....put up a new sign and take down a certain decided number.

Mattison asked if the moratorium is still in effect?

Marsiglia said no, not since the last ordinance was approved. Also, this will only pertain to the City. The Parish is going with the previous ordinance.

NEW:

Marsiglia thanked everyone who bailed him out of jail for the MD fundraiser.

(F) ADJOURN

Motion was made by Buster Constanzi, seconded by Brett Mattison, to adjourn the meeting at 3:30 pm. Motion carried unanimously.

James Harris, Chairman

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