

BOSSIER CITY-PARISH METROPOLITAN PLANNING COMMISSION

PUBLIC AND PRELIMINARY HEARING – MINUTES

MONDAY, OCTOBER 10, 2011 AT 2:00 P M

CITY COUNCIL CHAMBERS, BOSSIER CITY HALL

620 BENTON ROAD, BOSSIER CITY, LOUISIANA

MEMBERS PRESENT

Walt Buckmaster  
Buster Constanzi  
James Harris  
Brett Mattison  
Donnie McDaniel  
Ben Rauschenbach  
Art Schuldt

OTHERS PRESENT

Sam Marsiglia, Ex. Director  
Lynda Davis, Secretary  
Carlotta Askew-Brown,  
City Planner  
Witt Caruthers, Rep./Appl.  
Tracy Sterling, Rep./Appl.  
Dan Fellows, Applicant  
Adam Powell, Rep./Appl.  
Jay Carney, Rep./Appl.  
Don Kennedy, Prop. Owner  
Barry Butler, Police Jury  
Don Mason, Property Owner  
Judy Hrdlicka, Applicant  
Jerry Sparkman, Applicant

Buster Constanzi, Chairman, called the meeting to order.

Donnie McDaniel gave the invocation, and Walt Buckmaster led in the pledge of allegiance.

**(A)** Lynda Davis, Secretary, called the roll and stated a quorum was present which consisted of Walt Buckmaster, Buster Constanzi, James Harris, Brett Mattison, Donnie McDaniel, Ben Rauschenbach and Art Schuldt.

**(B) APPROVE AGENDA**

Motion was made by Walt Buckmaster, seconded by Art Schuldt, to approve the agenda as presented. Motion carried unanimously.

**(C) PUBLIC HEARING/ACTIONS**

1. C-48-11 – A public hearing to consider an ordinance to Amend the Language of the Cyber Research Overlay District. (MPC)

Carlotta Askew, City Planner, said text changes have been made since the last meeting. Temporary Use will be restricted to festivals. Signage has been changed to allow a 35' signs. Evergreen shrubs and trees have been added.

We want to articulate the buildings of national chains, using stone and similar materials and not have them the national standard designs. Also pictures have been added of what is not allowed.

Marsiglia said only monument signs were allowed in the commercial areas before, but now 35' signs will be permitted with specified designs.

There being no opposition or further discussion, motion was made by Art Schuldt, seconded by Brett Mattison, to approve C-48-11. Motion carried unanimously.

2. C-52-11 – A public hearing to consider the application of Greg Kelley/Fred's for a zoning amendment to change the zoning classification of a 1.6 acre tract of land located in Section 7, T18N-R12W, Bossier City, LA, from R-A, Residential-Agriculture District, to B-2, Limited Business District, for retail sales. (south side of Shed Rd., across from entrance into Carriage Oaks.) **(City Council District 4)**

Witt Caruthers and Tracy Sterling were present to represent the applicant, and Caruthers explained this will be a prototype, upscale, full service store. The City engineer and Fred's engineer have addressed the ingress and egress.

Marsiglia said Hudson was waiting on the master plan.

Schuldt asked if they will connect the parking as property is developed to the east and west.

Caruthers said yes, it will all be connected to minimize curb-cuts. Drawings were shown that were included in the packets.

Constanzi asked if the building would face Shed Rd.?

Sterling said yes.

Schuldt asked if Sterling could work with Fred's on the color scheme?

Sterling said Fred's principle color is gray with blue.

Schuldt said they need to try to blend it more to the residential area.

Sterling said he would talk with Fred's.

Rauschenbach asked if the entrance would connect to Hickory Ridge? One drawing shows that it will and another shows that it won't.

Caruthers said the main entrance is directly across from Hickory Ridge.

There being no opposition or further discussion, motion was made by Brett Mattison, seconded by Ben Rauschenbach, to approve C-52-11. Motion carried unanimously.

3. C-55-11 – Amended Planned Unit Development, on an A-1 tract, 4335, 4361 and 4371 Marlana St., Bossier City, LA, for additional warehouse and office buildings. (JD Land Development, LLC) **(City Council District 4)**

Dan Fellows and Adam Powell were present to represent the applicant.

McDaniel asked if additional concrete could be added past the drive-in for another in and out?

Powell said the building back there is for the property owner and there will be more buildings added on St. Lucy by the same owner of the whole 10 acres.

McDaniel asked if the next section would tie in?

Powell said there are 2 buildings in the center and the other could be flipped 90° and tie into St. Lucy.

There being no opposition or further discussion, motion was made by Brett Mattison, seconded by Donnie McDaniel, to approve C-55-11. Motion carried unanimously.

4. P-32-11 – A public hearing to consider the application of Jay Carney/Heritage Construction Co., Inc., for a zoning amendment to change the zoning classification of a tract of land containing 42.54 acres, more or less, situated in Section 21, T19N-R13W, Bossier Parish, LA, from R-A, Residential-Agriculture District, to R-MD, Residential-Medium Density District, for a townhouse development. (north of and adjacent to Willow Lake Subd.) **(Police Jury District 6)**

Jay Carney, applicant, was present and stated the minutes of the group meeting had been provided to the MPC.

Mattison asked if they had reached a compromise?

Carney said no. They have concerns for crime and want the fencing to be masonry. This is not a low income project and masonry fencing is not necessary. We are well prepared to do what is put upon us for zoning and to satisfy the Police Jury.

Schuldt asked what if the masonry fence was made part of the approval?

Carney said we will take a look and see what we can do.

Buckmaster stated that in the minutes of their special meeting, it says the homeowners were told when they bought, there would be 175-300 home sites. People bought thinking that.

Opposition:

Don Kennedy, property owner in Willow Lake, said he was speaking for the others and they were united in their opposition. They had a meeting with Jay Carney and the MPC should have the minutes. They came to no agreement and the opposition still stands. The subdivision had turned in a petition of 94% of the residents. The abutting residents also have a petition. They are opposed on several grounds: 30 acres have been zoned R-1 for single family residential homes in 2003, when the developer said this would be an extension of the existing subdivision. She had the means to develop it then, but used it to recruit other buyers. It states in the handbook, this subdivision will have 175-300 homes. If I had known this would be changed to rental I wouldn't have bought in there. Also the street extension already built, shows it was to extend into the addition. If the 30 acres is sold or rezoned, it will be a violation of a grant the development received.

Constanzi asked if they had any problem with single family residences being developed on the property?

Kennedy said no. Willow Lake 55 and Up development, is the only one in north Louisiana. An apartment complex will kill this development and puts our property in jeopardy. It will decrease our property value and discourage any sellers or purchasers. There is more crime in higher density and that's a national record. We are senior citizens and safety is our major concern. It will also be a higher trafficked area, only 200' from Swan Lake Rd. It's just a bad, unsafe situation. We were told they would put up wood fencing, but masonry is needed for noise abatement. We are not against progress, just against an invasion of our privacy.

Schuldt asked if they were not opposed to a non-age restriction for single family residences?

Mattison said they want it no children and to extend as it is.

Barry Butler, Police Juryman, said a multi-story next to single is not good, unless it would be age 55 and older garden homes. There is a high demand for this.

Mattison said if there is such a demand, why were less homes/lots sold in there last year?

Butler said the developer hasn't sold any because they have been marked up so much higher.

Schuldt said when zoning, the MPC can't put an age restriction on it.

Butler said if that happens, he suggests to put a wall separation up where the street could extend.

Kennedy said if the developer had gone ahead and finished, the subdivision would have filled up, but not the way it is being handled now.

Butler said it is a beautiful development, but the lots are 20% higher than they were.

Schuldt asked if there was any way to compromise?

Rauschenbach said there is no way to distinguish age if the zoning is left as is.

Kennedy said there is a market for more housing for over 55.

Butler said if the zoning is left in place the property owners will be happy.

Rauschenbach asked how much are the lot prices?

Kennedy said \$40,000. When a builder comes out and is only offered a 5% discount, they go build in other developments.

Butler said the MPC does a great job. There is an area in Plano, just for multi-family developments.

Don Mason, property owner, explained how Willow Lake homeowners pay quarterly dues and if the 30 acres is rezoned for medium or high density it will take away income for their HOA.

There being no more opposition or further discussion, motion was made by Walt Buckmaster, seconded by Ben Rauschenbach, to disapprove P-32-11. Motion carried unanimously.

5. P-35-11 – Preliminary Plat, St. Charles Village, Unit 3, Bossier Parish, LA. (Brushy Creek Land Co., LLC) **(Police Jury District 5)**

Adam Powell was present to represent the applicant and stated this will have the same covenants and be 34 lots.

Barry Butler, Police Jury, stated he was in favor of this project.

Rauschenbach asked about the sewer?

Powell said they upsize the treatment plant with each unit.

Rauschenbach said he used to smell an odor along there, but not anymore.

Schuldt asked about Lots 223 and 224 going all the way back to the bayou and the back portion being in a flood zone. He stated he thought the owners would have to have flood insurance, even though the front of the lot is out.

Powell said the lots are deep and no structures will be back there.

Schuldt thought they still have to have flood insurance.

Constanzi said as long as the house is not in the flood zone, they wouldn't, but they would need a letter stating that.

Schuldt asked if that part of the lot should be on the plat?

Powell said that the property lines go to the middle of the bayou.

Constanzi said it would be reasonable to have flood insurance on that part.

There being no opposition or further discussion, motion was made by Art Schuldt, seconded by Brett Mattison, to approve P-35-11, Preliminary Plat. Motion carried unanimously.

#### **(D) OTHER ACTIONS**

6. C-53-11 – Temporary Use Approval, on a B-3 lot, 2389 Airline Dr., Bossier City, LA, for Christmas light sales. (TNT Lighting/Judy Hrdlicka) **(City Council District 5)**

Judy Hrdlicka, applicant, was present and stated she would be open Nov. 1 thru the end of the year.

There being no discussion, motion was made by Donnie McDaniel, seconded by Brett Mattison, to approve C-53-11. Motion carried unanimously.

7. C-56-11 – Temporary Use Approval, on an I-2 tract, Harrison Business Park, Lot 5, Bossier City, LA, for a temporary building, truck parking and equipment storage. (Thomas Petroleum/Jerry Sparkman) (west side of Fortune Dr.) **(City Council District 4)**

Jerry Sparkman was present to represent the applicant and stated the property they are located on has been sold and they are moving their equipment across the street to Fortune Dr. and plan to build there by the end of next year. The new property backs up to Tempco.

Constanzi asked about the surface of the property?

Sparkman said it has peaks and valleys, but they will put in rocks. They will only need this TUA for one year, if that long.

McDaniel asked when they would start?

Sparkman said immediately, October the 15<sup>th</sup>.

Marsiglia said they need off the existing property.

McDaniel asked if they were temporary where they are now?

Sparkman said yes, they have been there a year and ½. They will submit plans for their permanent building.

Marsiglia said they have already bought the property.

Sparkman said they would develop the back part first.

Constanzi asked the square footage of the warehouse? (95'X 60')

There being no further discussion, motion was made by Brett Mattison, seconded by Ben Rauschenbach, to approve C-56-11, from Oct. 15, 2011 until Oct. 14, 2012. Motion carried unanimously.

Marsiglia stated that Carlotta Askew was working on the ordinance to keep temporary uses from coming to the MPC.

Buckmaster wanted to amend his previous motion for P-32-11 to add his reason for denying the application: the existing zoning should remain R-1, as established in 2003.

Motion was made by Walt Buckmaster, seconded by James Harris, to amend the motion for P-32-11, as worded above. Motion carried unanimously.

**(E) PRELIMINARY HEARINGS – NONE**

**(F) MINUTES**

Motion was made by Brett Mattison, seconded by Ben Rauschenbach, to approve the September minutes, as mailed. Motion carried unanimously.

**(G) OLD BUSINESS/NEW BUSINESS**

- 1) Marsiglia stated he was served with a new lawsuit about the Teen Club. The C.O. applicant chose not to come to the MPC to request a Teen Club, but to file suit. They filed suit against the City, but they weren't supposed to. The Parish attorney told them who and how to sue, but they still got it wrong.
- 2) Marsiglia explained that he and one other MPC inspector are working Saturdays to pick up illegal signs, and taking another day off. Developers and others have been putting out signs on weekends because we don't work then.
- 3) Next Tues., Oct. 18<sup>th</sup>, from 12-2, there will be a workshop on the masterplan with the MPC and City Council. Lunch will be provided.

**(F) ADJOURN**

Motion was made by Donnie McDaniel, seconded by Brett Mattison, to adjourn the meeting at 3:00 pm. Motion carried unanimously.

---

Buster Constanzi, Chairman

ld