

BOSSIER CITY-PARISH METROPOLITAN PLANNING COMMISSION

PUBLIC AND PRELIMINARY HEARING – MINUTES

MONDAY, MARCH 14, 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
Carlotta Askew, Planner
Lynda Davis, Secretary
David Alvis, Applicant
Steve Vercher, Rep./Appl.
Charles Broussard, Applicant
Ben Degweck, Rep./Appl.
Tim Miles, Rep./Appl.
Ed Kennon, Rep./Appl.
John Viola, Applicant
Reggie Lewis, Rep./Appl.
John Auzenne, Applicant
Michael Grasty, Applicant
Brian Farrar, Applicant
David Jones, City Councilman

Buster Constanzi, Chairman, called the meeting to order.

Walt Buckmaster gave the invocation, and Art Schuldt 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

Marsiglia had an addition to the agenda, P-10-11, Minor Plat, to be added at the end of Public Hearings.

Motion was made by Brett Mattison, seconded by James Harris, to add P-10-11 to Public Hearings and approve the amended agenda. Motion carried unanimously.

(C) PUBLIC HEARING/ACTIONS

1. C-14-11 – A public hearing to consider the application of David C. Alvis/Rib'Em & Blues, Inc. for Conditional Use Approval at a B-3 location, 1201 Dixie Overland Rd., Bossier City, LA, for on-premise consumption of low and high content alcohol at a restaurant. **(City Council District 4)**

David Alvis, applicant, was present.

Constanzi asked if this was the old BBQ place at I-220 and Hwy. 80?

Alvis said it is.

Constanzi asked if they had alcohol before?

Alvis said they did. It was the One-Eyed Jacks. It was only open for a year. He originally wanted to be open from 11 am until midnight, but now I'm applying to be open until 2 am.

Marsiglia said in that area, he would be allowed to be open 24 hours.

Harris said so they don't have to address that.

Marsiglia said the CUA would need to note that or they could restrict it, but the City ordinance only allows the sale of alcohol certain hours.

Harris asked Alvis what he wanted to do?

Alvis said go ahead with 24-hours.

There being no opposition or further discussion, motion was made by James Harris, seconded by Ben Rauschenbach, to approve C-14-11. Motion carried unanimously.

2. C-15-11 – Minor Plat, Chicken Express Barksdale, Bossier City, LA. (Shreveport/Bossier Chicken, LLC) (west side of Barksdale Blvd., just north of River Bend Dr.) **(City Council District 1)**

Steve Vercher was present to represent the applicant and said this business was originally going in Haughton, but they could never close the deal. They found a new location in South Bossier, south of the water tower. This is the only one in LA.

Harris asked if the ditch is behind the property?

Marsiglia said the ditch is on the commercial property and will be part of the residential buffer.

Vercher said it is 120'-150' to the residences.

Schuldt asked about the access agreement?

Vercher said that was submitted to the MPC Friday, but will be executed with the building plan.

Marsiglia said the driveways are controlled by the DOT, to avoid multiple driveways.

Vercher said the DOT will also determine if a deceleration lane is needed.

There being no opposition or further discussion, motion was made by Art Schuldt, seconded by James Harris to approve C-15-11, Minor Plat, with a shared drive-way. Motion carried unanimously.

3. C-16-11 – A public hearing to consider the application of Charles Broussard/Regional Urology, LLC for Conditional Use Approval at a B-3 location, 2539 Viking Dr., Bossier City, LA, to enlarge an existing sign. **(City Council District 5)**

Charles Broussard, applicant, was present and explained this is an existing sign on the back of the property toward I-220. Christus Schumpert limits what the tenants can do with signage, so the doctor wants a larger sign for separate property. This is just adding another sign on an existing structure.

Marsiglia said they have a monument sign in the front. That is the reason for coming to the board. All total, it will still be below the allowed sq. footage.

There being no opposition or further discussion, motion was made by Walt Buckmaster, seconded by Brett Mattison, to approve C-16-11. Motion carried unanimously.

4. C-18-11 – A public hearing to consider the application of Rob Walker/Virginia College for Conditional Use Approval at a B-3 location, 2950 East Texas St., Space , Bossier City, LA, for an educational facility. **(City Council District 2)**

Ben Degweck was present to represent the applicant. This college will have a variety of programs, with one-year certificates up to 4-year bachelors. About 60% are in the medical field. Other fields will be criminal justice and business.

Constanzi asked if their schools have grown in size in other areas?

Degweck said yes. The facility will have classrooms and labs.

Harris asked the number of students expected?

Degweck said no more than 500 to start.

Harris said the plans are very extensive.

Degweck agreed.

Schuldt asked the number of employees?

Degweck said about 100 jobs, with \$4.5 – 5 million annual payroll.

Harris asked how they decided to come to Bossier?

Degweck said they opened in Baton Rouge last year and it was a natural fit for the jobs here. The schools extend from Austin, to Georgia to Virginia.

Tim Miles was present to represent the applicant and stated he is in economic partnership to get this college here.

There being no opposition or further discussion, motion was made by James Harris, seconded by Art Schuldt, to approve C-18-11. Motion carried unanimously.

5. P-9-11 – Preliminary Plat, Forest Hills Subdivision, Unit 8, Bossier Parish, LA. (Tri-State Sand & Gravel, LLC) (north of Unit 5, an extension of Hollow Wood Way) (**Police Jury District 2**)

Ed Kennon was present to represent the applicant.

Schuldt asked if there would be more units?

Kennon said yes.

Constanzi said everything must be good.

Kennon said there are 12 homes going up now, \$250,000-\$300,000.

Constanzi asked if everything would be the same as the other units?

Kennon said yes.

There being no opposition or further discussion, motion was made by Brett Mattison, seconded by James Harris, to approve P-9-11, Preliminary Plat. Motion carried unanimously.

P-10-11 (ADD-ON) – Minor Plat, Newman Subdivision, Bossier Parish, LA. (John Viola)

John Viola, applicant, was present.

Marsiglia said normally this is an Administrative Review, but this is part of a rural subdivision, just dividing a piece off of a lot.

There being no opposition or further discussion, motion was made by James Harris, seconded by Brett Mattison, to approve P-10-11, Minor Plat. Motion carried unanimously.

(D) OTHER ACTIONS

After delaying the following case to the end of the meeting, due to the applicant not being present and motion being made by Brett Mattison, seconded by Donnie McDaniel, to do so, and motion carrying unanimously, the following discussion was held and action taken:

6. C-85-10 – Final Plat, The Village at Tiburon, Unit 9, Bossier City, LA. (Tiburon Development, LLC) (extension of Long Acre Dr.) **(City Council District 4)**

Reggie Lewis was present to represent the applicant and stated this will be the same as the rest of the development. This will tie to Unit 7 and head around Race Track Bayou. The street will be widened to 28', but within the same right-of-way.

Schuldt asked about the drainage?

Lewis said Lot 9000 will be a 2-acre detention pond and then it will drain slowly into Race Track. It is too far from Round Lake. The drainage will later be taken in to a series of lakes as the development continues. That will not increase the run-off into Race Track Bayou. The net affect will be the same, 25 CFS all draining into different areas.

There being no further discussion, motion was made by Art Schuldt, seconded by Ben Rauschenbach, to approve C-85-11, Final Plat. Motion carried unanimously.

Motion was made by Brett Mattison, seconded by Ben Rauschenbach, to discuss and act on the following three cases together. Motion carried unanimously.

7. C-10-11 – Temporary Use Approval, on a B-3 lot, 1886 Airline Dr., Unit E, Bossier City, LA, for a sno-cone stand. (M & M Sno-Cones) **(City Council District 3)**

8. C-11-11 – Temporary Use Approval, on a B-3 lot, 4807 Shed Rd., Bossier City, LA, for a sno-cone stand. (M & M Sno-Cones) **(City Council District 4)**

13. P-8-11 – Temporary Use Approval, on a B-3 lot, 1001 Hwy. 80 E., Bossier Parish, LA, for a sno-cone stand. (M & M Sno-Cones) **(Police Jury District 2)**

John Auzenne, applicant, was present, and explained he wants to be open from mid-April through late October, from 11 am – 7 pm.

Mattison asked if all 3 stands would be landscaped the same?

Auzenne said they would and that the pictures don't show good quality of the paint condition, but they were painted 1 ½ years ago.

Buckmaster asked the difference between the regular and New Orleans sno-cones?

Auzenne said the regular is more chunk ice and New Orleans is a shaved.

There being no further discussion, motion was made by Brett Mattison, seconded by James Harris, to approve C-10-11, C-11-11 and P-8-11, from April 1 thru Oct 31, 2011. Motion carried unanimously.

9. C-13-11 – Temporary Use Approval, on a B-3 lot, 4630 E. Texas St., Bossier City, LA, for the retail sales of plants. (Michael Grasty) **(City Council District 4)**

Michael Grasty, applicant, was present and explained this was to be in the old Barnhill's parking lot. His brother-in-law also has one in Bossier.

Mattison asked how long he would be there?

Grasty said March 15 – June 30.

There being no further discussion, motion was made by Brett Mattison, seconded by Walt Buckmaster, to approve C-13-11, from March 15 thru June 30, 2011. Motion carried unanimously.

10. C-17-11 – Temporary Use Approval, on a B-3 lot, 3350 Barksdale Blvd., Bossier City, LA, for a sno-cone stand. (Hunters Polar Ice Hut/Brian Farrar) **(City Council District 3)**

Brian Farrar, applicant, was present and explained he wants to put a sno-cone stand next to his car lot, from April 1 – October 30.

Constanzi asked if he was aware of the landscaping requirements?

Farrar said he was.

There being no further discussion, motion was made by Art Schuldt, seconded by Ben Rauschenbach, to approve C-17-11, from March 15 thru October 30, 2011. Motion carried unanimously.

11. P-4-11 –Final Plat, Redwood Place at Legacy, Unit 6, Bossier Parish, LA. (LP Development, LLC) (north end of Redwood Subd.) **(Police Jury District 6)**

Steve Vercher was present to represent the applicant.

There being no discussion, motion was made by James Harris, seconded by Ben Rauschenbach, to approve P-4-11, Final Plat. Motion carried unanimously.

12. P-6-11 – Final Plat, Belle Rose at Legacy, Unit 4, Bossier Parish, LA. (LP Development, LLC) (extension on eastern side of subdivision) **(Police Jury District 6)**

Steve Vercher was present to represent the applicant.

There being no discussion, motion was made by Brett Mattison, seconded by Ben Rauschenbach, to approve P-6-11, Final Plat. Motion carried unanimously.

David Jones, City Council District 4, asked in the case of the TUA, where does the business cross with sales tax?

Marsiglia explained when they apply for their Certificate of Occupancy and are then sent to the tax department to get their occupational license.

Jones then discussed the issue on the private streets in Stockwell Place Estates and shared that the action needs to be with the closing attorney, to disclose.

Marsiglia explained that was done back when the developments didn't require City codes on private streets.

Jones stated he lived in Victorian Point and had private streets, but the homeowners were aware of their responsibility for the upkeep, but the developments done since 2002 + had lots sold in unison to builders and then the buyers didn't realize the streets were private and they have no HOA. There is a similar situation in South Bossier. Victorian Point recently redid their streets themselves and wants to keep them private. GAP townhomes did the same thing, but Stockwell Place Estates has no HOA and their streets have big sections tore up.

Constanzi asked if the developer would have a product liability?

Jones said the residents need to form some kind of HOA and split the cost of a lawyer to settle that.....just like the Old Minden Road case lawyered-up and it will go to court. He just wanted to make sure the MPC was abreast of the issue.

Rauschenbach said that there must be some plans showing how the streets should have been built.

Jones said there were no requirements back then for private streets, but that the City didn't create this mess, nor did the MPC.

(E) PRELIMINARY HEARINGS - NONE

(F) MINUTES

Motion was made by Walt Buckmaster, seconded by James Harris, to approve the February minutes, as mailed. Motion carried unanimously.

(G) OLD BUSINESS/NEW BUSINESS

Marsiglia explained that an existing cell tower has to be relocated due to the widening of Swan Lake Rd., requiring new approval. He is asking to waive the preliminary hearing and go straight to the public hearing.

Motion was made by Brett Mattison, seconded by Ben Rauschenbach, to waive the preliminary hearing for the above described. Motion carried unanimously.

(F) ADJOURN

Motion was made by Brett Mattison, seconded by James Harris, to adjourn the meeting at 2:50 pm. Motion carried unanimously.


Buster Constanzi, Chairman