

**SHREVEPORT METROPOLITAN PLANNING COMMISSION OF CADDO PARISH
SUMMARY MINUTES OF THE PUBLIC HEARING DECEMBER 1, 2021**

A regularly scheduled public hearing of the Shreveport Metropolitan Planning Commission of Caddo Parish was held on Wednesday, December 1, 2021 at 3:00 p.m. at Government Plaza Chamber, 505 Travis Street, Shreveport, Caddo Parish, LA. The members met virtually on November 30 for case manager presentations.

Members Present

Winzer Andrews, Chair
Curtis Joseph, Vice Chair
Chris Elbersen, Secretary
Laura Neubert
Rudy Morton
Gabriel Balderas
Rachel Jackson
Bill Robertson
Harold Sater

Staff Present

Alan Clarke, Executive Director
Stephen Jean, Deputy Director
Reginald Jordan, Zoning Administrator
Adam Bailey, Community Planning & Design Manager
Jasmin Samuels, Executive Assistant
Manushka Desgage, City Attorney's Office
Henry Bernstein, Parish Attorney's Office

Members Absent

None

The hearing was opened with prayer by **MS. JACKSON** . The Pledge of Allegiance was led by **MS. NEUBERT** .

The meeting was called to order & the procedure for hearing the applications on today's agenda was explained. Speakers should speak clearly into the microphone & give their name & mailing address for further reference. Comments on any item not on the agenda will be limited to 3 minutes at the end of the public hearing. Any written comments that were submitted may be viewed in the public record files.

All decisions rendered by the Metropolitan Planning Commission are subject to appeal to the appropriate governing body, either the City Council or the Caddo Parish Commission. Appeals must be filed within 10 days from the date a decision is rendered by the Metropolitan Planning Commission.

A motion was made by MS. NEUBERT, seconded by MR. JOSEPH, to approve the minutes of the November 3, 2021 public hearing as submitted.

The motion was adopted by the following 9-0 vote: Ayes: Messrs. ANDREWS, BALDERAS, ELBERSON, JOSEPH, MORTON, ROBERTSON, & SATER and Mses. JACKSON & NEUBERT Nays: NONE. Absent: NONE

PUBLIC HEARING

CASE NO. 21-35-P ZONING REQUEST

Applicant: Troy Schleben
Owner: Troy Kevan and Barbara Ann Schleben
Location: 8553 Sandi Acres LP (West end of Sandi Acres Loop)
Existing Zoning: R-MHS
Request: R-MHS to R-A
Proposed Use: Single-Family Residential

Representative &/or support:

Troy Schleben 8553 Sandi Acres Loop, Shreveport, LA 71129

Mr. Schleben stated he purchased a property with eight single lots several years ago. He mentioned he re-plat the property to a single 13-acre subdivision for single-family home. He stated the cul-de-sac was turned back over to them through a prior. He shared he thought that the subdivision created was rural agriculture based on the tax records. Mr. Schleben stated when speaking with Mr. Mohler they realized it was not and it was zoned as a mobile home subdivision. He shared it was a single stick

built, two-story home and he does not intend on doing anything with the property, it's still wooded. He mentioned he would like to do a pond in the backyard, he started digging it, and realized he was not allowed to have a pond because of the current zoning, so he is asking for the property to be returned to R-A.

Opposition:

There was no opposition present.

A motion was made by MS. NEUBERT, seconded by MR. MORTON To recommend this application for approval.

The motion was adopted by the following 8-0 vote: Ayes: Messrs. ANDREWS, ELBERSON, JOSEPH, MORTON, ROBERTSON, & SATER and Meses. JACKSON & NEUBERT Nays: NONE. Absent: Messrs. BALDERAS.

CASE NO. 21-154-C ZONING REQUEST

Applicant: Chewee Bakery/New Direction Center
Owner: Beverly Smith
Location: 1535 HOLLYWOOD AVE (South side of Hollywood Ave., approx. 270' east of Linwood Ave.)
Existing Zoning: R-1-7
Request: R-1-7 to C-1
Proposed Use: Specialty Food Service, Personal Services Establishment

Representative &/or support:

Beverly Smith 1535 Hollywood Avenue, Shreveport, LA 71108

Ms. Smith stated she purchased a house three years ago and ended up buying some judicated property along with it. She stated she had a bakery that she was doing mobile and now she wants a place to conduct her bakery business. She also stated she wanted to have a center for the young ministry as well as a sandwich shop.

Opposition:

There was no opposition present.

A motion was made by MR. JOSEPH, seconded by MS. NEUBERT To recommend this application for approval.

The motion was adopted by the following 9-0 vote: Ayes: Messrs. ANDREWS, BALDERAS, ELBERSON, JOSEPH, MORTON, ROBERTSON, & SATER and Meses. JACKSON & NEUBERT Nays: NONE. Absent: NONE

CASE NO. 21-183-C ZONING REQUEST

Applicant: Venture One, LLC
Owner: Venture One, LLC
Location: 0 Southern Ave (West side of Southern Ave., approx. 220' north of Olive St.)
Existing Zoning: R-A
Request: R-A to I-1
Proposed Use: Light Industrial

Representative &/or support:

Elisa Torres 3203 Rose Place, Bossier City, LA 71112

Ms. Torres was present to represent Venture One. She stated that Charles Chaniyara is the current owner, and he is currently out of town. She shared that he purchases a joint parcel of land near 1802 Southern Avenue in Shreveport and they are requesting to change the zoning from R-A, Agricultural to I-1.

Opposition:

Carol Alan Berry 2002 Southern Avenue, Shreveport, LA 71104

Mr. Berry stated he is not necessarily for or against the application, he further explained her would like a little bit more clarification about what is intended. He shared that his residence is the C-3 block directly to the south of the proposed location requesting to be rezoned. He stated he spoke with the owner who indicated he's going to put a parking lot there, but he also

visited with the gentleman who was present at the site last week to do a survey. He stated that it was his understanding that the property is for sale again.

Mr. Jean stated from his understanding this was to be a part of the operation that is already there. He further explained the exact plans for the development is unknown, but he knows that parking was talked about. He reiterated as far as what exactly is happening on there, he is not sure other than it would be in support of the already existing business.

Rebuttal:

Ms. Torres stated the lot is for added parking for the roofing company.

Mr. Robertson wondered if it would be appropriate to delay the application to allow the applicant to be present in person.

Ms. Torres stated Mr. Charles would be back in town December 27th so if the Board members wanted to do it next month.

Ms. Neubert inquired if it was a requirement.

Mr. Andrews replied, no.

Mr. Clarke stated he would submit to Mr. Andrews unless the Board has serious doubts or serious concerns or questions that cannot be answered by the representatives there may not be a need to delay deciding today. He stated he does not know anything else the Board could instruct the staff to do.

Mr. Robertson stated he would like a little bit of clarification from staff as to what the requested rezoning will permit.

Mr. Jean stated that all of the uses are listed in the staff report, but if Mr. Robertson would like for him to read them out for the record he will do so.

Mr. Robertson stated he will not make Mr. Jean do that, but he inquired about if the decision made by the commission today doesn't tie the applicant to a parking lot. He stated any of these uses that the Board is granting today could be constructed on the vacant lot.

Mr. Jean stated that is correct and further explained they would have to go through a site plan process. He clarified that this is not a conditional use permit nor a special use permit, this is a zoning request.

A motion was made by MS. NEUBERT, seconded by MS. JACKSON To recommend this application for approval.

The motion was adopted by the following 9-0 vote: Ayes: Messrs. ANDREWS, BALDERAS, ELBERSON, JOSEPH, MORTON, ROBERTSON, & SATER and Meses. JACKSON & NEUBERT Nays: NONE. Absent: NONE

CASE NO. 21-184-C ZONING REQUEST

Applicant:	Theresa Dickey
Owner:	Theresa Dickey
Location:	8316 LINWOOD AVE (West of Linwood Ave & approx. 83' south of W. 83rd St.)
Existing Zoning:	R-1-7
Request:	R-1-7 to C-2
Proposed Use:	Restaurant

Mr. Clarke stated this is a case where the neighborhood participation plan meeting was required for rezoning applications. He explained due to miscommunication between the applicant and staff, the neighborhood participation plan meeting did not occur. Due to this, the applicant is asking that the case be deferred and continued.

Representative &/or support:

Opposition:

There was no opposition present.

A motion was made by MR. JOSEPH, seconded by MS. JACKSON To defer and continue this application to the next

regularly scheduled public hearing.

The motion was adopted by the following 9-0 vote: Ayes: Messrs. ANDREWS, BALDERAS, ELBERSON, JOSEPH, MORTON, ROBERTSON, & SATER and Meses. JACKSON & NEUBERT Nays: NONE. Absent: NONE

CASE NO. 21-185-C ZONING REQUEST

Applicant: A & E Thrift
Owner: A & E Thrift
Location: 2103 DAVID RAINES RD (NE corner of David Raines Rd. and Willis St.)
Existing Zoning: R-1-5
Request: R-1-5 to C-1
Proposed Use: Retail Goods Establishment

Representative &/or support:

Dedremus Norris 2103 David Raines Road, Shreveport, LA 71107

Mr. Norris stated he was trying to put a thrift store up, selling liquidation products from offline and everything else from Amazon Prime liquidation palettes. He stated you name it; he will have it.

Ms. Neubert asked if Mr. Norris anticipated that one of the products that he will be offering would be school clothes for children in the area.

Mr. Norris replied yes.

Ms. Jackson inquired about some examples of some of the things Mr. Norris will be selling.

Mr. Norris stated the products will be from the liquidation palettes, there are stack of microwaves from any kind of household good, non-breakable wears, housing decorations and pretty much a little bit of everything.

Mr. Morton inquired about the current size of the building and if Mr. Norris planned to do any kind of remodeling, expansion.

Mr. Norris stated he planned 40x60 or 30x50 size building.

Mr. Morton asked if he had plans to demolish the current building and rebuild.

Mr. Norris stated he already has. He shared it will be fully insulated with AC and restrooms.

Mr. Clarke shared as discussed previously, staff could not recommend to the Board to approve this spot zoning, C-1, in the middle of the R-1-5 in the area on David Raines, but the staff did suggest that it is a possibility that a SPUD could be proposed by the applicant. He explained it would retain the base zoning, R-1-5, but allow him to only do the thrift shop that he is proposing to do. He stated that would require that this case to be deferred and continued today. Mr. Clarke shared the staff would have to sit down with the applicant to determine some amenities that would be required in order to transform this site from residential to commercial site. He shared that the staff revisited records of the neighborhood participation planned meeting and initially he was under the impression that four people attended the meeting, when in fact 40 people attended and 40 citizens have shown an interest that done properly that this use could be beneficial to the area.

Mr. Andrews inquired about Mr. Norris having any problems with deferring and continuing to give him an opportunity to sit with staff.

Mr. Norris replied no sir.

Opposition:

There was no opposition present.

A motion was made by MS. NEUBERT, seconded by MR. ROBERTSON To recommend this application for approval.

The motion was adopted by the following 7-2 vote: Ayes: Messrs. BALDERAS, ELBERSON, MORTON, ROBERTSON, & SATER and Meses. JACKSON & NEUBERT Nays: Messrs. ANDREWS & JOSEPH. Absent: NONE

CASE NO. 21-191-C APPEAL

Applicant: Wiener, Weiss, & Madison
Owner: Citizens National Bank
Location: tbd Kings Hwy (SE corner of Captain HM Shreve Blvd. & Kings Hwy)
Existing Zoning: R-1-7
Request: Appeal of Executive Director's Decision
Proposed Use:

Representative &/or support:

Geoff Westmoreland 330 Marshall Street, Ste. 1000, Shreveport, LA 71101
Kenneth Sanders 245 Chemin Du Lac, Shreveport, LA 71115
Kendall Holley 155 Eagle Bend Way, Shreveport, LA 71115
Sandra Newell 270 Captain HM Shreve Boulevard, Shreveport, LA 71115
John Frazier 185 Captain HM Shreve Boulevard, Shreveport, LA 71115
Jay Merle 123 Eagle Bend Way, Shreveport, LA 71115
Debra Brown 8049 Laurel Hill Drive, Shreveport, LA 71115
Julie Glasgow 166 Colonel Ap Kouns Drive, Shreveport, LA 71115
Stephen Lamendola 8206 GW Sentell Drive, Shreveport, LA 71115
Caitlin Carter 202 Colonel Ap Kouns Drive, Shreveport, LA 71115
Richard Taki 8210 GW Sentell Drive, Shreveport, LA 71115

Mr. Westmoreland, present on behalf of the Haven Property Owners Association, stated they have filed an appeal to a site plan approval that was approved by the Executive Director. He asked the Board to note the package provided, dated November 29th, attached to that was a petition of 492 homeowners who are against the approval of the site plan based on what they believe are traffic and safety concerns with the property on this site in the location and with the site plan. Mr. Westmoreland additionally added he had a photo of the location. He pointed out one of the concerns was the curve where the speed limit is 45 miles an hour. He stated if you know anything about the area, people do not go 45 miles an hour. He explained they are coming from four lanes, and it changes into two lanes right in front of the Haven's entrance and right in front of the subject's property. Mr. Westmoreland took a moment to acknowledge members of the Haven, mentioning there were quite a few people who are concerned about this matter. He stated the property is south of LSUS campus, there are thousands of cars exit LSUS campus every day. He shared many of them coming on East Kings going this way to get to South Shreveport. He stated he was going to focus on the two major concerns the Haven have. One, is that the site plan does not do a lot for the staging and stacking for the number of cars that will be on this site daily. Two, what they believe is a needed turning lane on southbound traffic where it goes into a two-lane road and there will be cars stacked up waiting to turn left with cars coming at 45, 50 miles an hour. Mr. Westmoreland stated when looking at the site plan, it has 20 parking spaces. He shared at the Neighborhood Participation meeting it was stated by the Busy Bees owner that they were going to have up to 65 children and possibly 14 employees. He stated 14 employees are going to take 14 of those parking spaces, maybe 13, so there will be six left. He mentioned in the staff report on page two, they discussed there would be an area to stack approximately 14 cars on site before you get back up to East Kings. He stated the staff report also mentions and the Board discussed it in executive session yesterday that the trip generation are 40 to 60 cars per hour. He shared this is not a backdoor approach to attack the zoning and the use of the property. He stated it is a focus on the site plan and is the site plan right for this kind of property, a daycare. He stated the daycare has a heavy load of traffic in the morning at the same time that everywhere in that area has a heavy load of traffic and a heavy load of traffic at night or in the afternoon, late afternoon into five o'clock, at the same time everyone is having a rush hour traffic. He mentioned the concern is there will be 40 to 60 cars in there and it is not going to be in an hour. He shared they are going to be in there jammed in a small space of time and there is only room to stack 14 cars. He stated he would submit the site plan does not take that into account. The site plan, the parking lot simply is not big enough and you're going to have a problem stacking cars and they are going to be stacked out on Kings Highway. He stated people will be coming both ways trying to get into one curb cut at 7:30 in the morning and then 3:30-5 o'clock at night. He stated they are not attacking the use, the C-1 use of a daycare. What they are talking about here is that this site plan does not account for this type of business and the parking lot is simply not big enough to not create a major traffic and safety concern of cars backing onto the road. He stated the UDC at 16.8 approval criteria for site plan states, "circulation systems and off-street parking designed to provide adequate and safe access to the site for motor vehicles, eliminate dangerous traffic movements". He stated if this was a convenience store, you'd have a car coming in and a car coming out. He stated that is not what you have here, you have parents lines up to drop their kids off and especially in the afternoon, lined up to pick their kids up and unless there is a super-efficient system those cars are going to stack. He stated that it has been submitted by various folks and staff meeting in executive session the traffic is not the purview. He stated he submit that it is when you're looking at the site plan, it is in the UDC, and the safety is. He further explained the staff report says, page three, that the site plan is to identify any issues that may not allow the site to function actively within the context of the proposed location. He stated it is exactly what he is talking about, stacking of cars that are going to stack on the

Kings Highway. He stated if they do not address this now, once the business is in there and it's operating and it's successful and the cars start stacking out to the road what do they do then. He inquired if they wait until they have an accident, a major traffic concern, or until all these people are calling City Council's office or Mr. Clarke's office. He stated that he understands the traffic engineer did not suggest a traffic study, but he would suggest that a turning lane needs to be a stipulation to the site plan approval. He stated he think it needs to be appealed back to staff, a traffic study needs to be done, and a turning lane, southbound into this property needs to be studied. He shared in fact the traffic engineer's email, as stated in his letter, stated if they are concern with needing a turning lane, there should be a TIS done on this property so they can determine once and for all that is needed. He encouraged the Board to go out there at 5 o'clock at night and drive southbound around that curve going 50 MPH and consider whether when you have four, five, six cars stacked up, trying to turn left there whether they are going to have a concern. He stated now is the time to address this, not after they start having traffic accidents, people getting rear-ended there, owners and neighbors calling. He stated he wanted to also remind the Board that there are over 500 houses in the Haven coming out of there at that spot. He shared that there are four school buses that stop right there, right in front of the Haven in the morning and in the evening. So, it is not just traffic. He stated it is the safety of the traffic related to this site, do they need a turning lane, is the parking lot big enough. He stated he knows in the site plan, it stated they looked at approximately 14 cars that can stack in there. He shared he emailed Mr. Clarke and asked for exact measurements and the exact formula that were prepared to determine how many cars can stack in that parking lot and he did not get any information. He stated so either it was done earlier, and he wasn't provided that, or it wasn't done, he does not know the answer to that, but he believes in essence that it is putting, in essence, the cart before the horse. He stated it is expected to open up a business and hoping there are no stacking problems and turning lane problems. He shared the lighting concerns, he understands the issue from the executive session, will go to permits, but he thinks it is a consideration that is taken into account when permitting comes and he'll submit that on his written statement. He stated what he is asking the MPC to do today is overturn the site plan approval, send it back to staff with a directive to address the stacking staging problem, to figure out whether that parking lot is adequate to avoid that issue and requesting a traffic impact study. He stated he understands from Mr. Bradford's letter difficult for small businesses, but this is a location you must take into account the type of use and the levels of traffic in this location based on the proposed use. He stated is not a backdoor to zoning, but you must take that into account, and he thinks this creates safety concerns at this location.

Mr. Robertson stated he has Mr. Westmoreland's packet that he submitted and there appears to be 10 or 11 pages of names. He inquired if Mr. Westmoreland was representing that all those people are opposed to this project.

Mr. Westmoreland stated yes, let him clarify that. He further explained these are majority Haven owners, but also owners from Lanaison, which is south of this property. He stated it is another subdivision and other owners along that corridor. He stated this was an electronically logged into petition. He mentioned while you don't have signatures, it was done through their IT and so all these folks logged in and are opposed to this project in one way or another, but he will say that the majority of the comments received when they signed the petition were concerning traffic and safety.

Mr. Robertson inquired if he was representing that all these people are all residents of the area and they're all opposed to the project.

Mr. Westmoreland stated he was based on the information provide to him by the Haven Property Owners Association.

Mr. Robertson wondered if Mr. Westmoreland got a chance to visit with some of his clients to ask what might be an appropriate use of this property.

Mr. Westmoreland stated he visited with board members. He reiterated he understands the way zoning works. He understands that this use is a permit by right in a C-1. He stated the members of the community were not there to appeal that issue and say that you cannot have a daycare there. He stated they are there to appeal the site plan and the way it is designed currently, and they are just concerned about stacking and staging, spilling over onto East Kings and then also the need for a turning lane and he just simply disagrees. He stated he disagreed that a TIS wasn't needed, explaining this is extremely heavy traffic area, extremely fast vehicles, and it is not a business where you have people coming all day. He shared you have a big influx in the morning and a big influx of people coming in the late afternoon and evening and when you have that you are going to have cars backing up. Mr. Westmoreland stated he disagree, he thinks a traffic impact study was needed to determine if they need a turning lane there and he does not know if enough detail was put into the analysis of the parking lot and the thought process about if they are going to have 65 children and 14 employees, doesn't that mean they are going to have somewhere between 40 and 60 cars coming at peak hours.

Mr. Robertson asked knowing what Mr. Westmoreland knows about the property and about the proposed use, can those vehicle stacking issues that he addressed be cured and how.

Mr. Westmoreland stated he think quite possibly, yes. He explained the site plan will have to be redrawn, it'll have to make the parking lot bigger, have to move the building back. He stated there's quite a bit of yard space back there, adding the parking lot has to be larger and redesign it. He stated he is not an engineer, but he does a lot of land use planning and development. He referenced the site plan, stating parking could be placed in the area, explaining there is all this area that's not in the detention pond. He reiterated they are appealing the approval of this site plan, a new site plan in their position will also be with a turning lane as a stipulation is what should be approved by the executive director.

Mr. Robertson asked a turning lane to be constructed by the applicant at the applicant's cost.

Mr. Westmoreland stated yes sir.

Mr. Robertson stated he was intrigued by his reference to lights. He inquired about what kind of lights are at the Haven if they had streetlights.

Mr. Westmoreland stated no, not really. It is quite dark in there. You can barely see the street signs.

Mr. Joseph stated to an extent, Mr. Westmoreland kind of pre-terminated his question in his response to Mr. Robertson's question. He further stated he alluded to the issue that this is a use by right, is that correct? In this particular location?

Mr. Westmoreland stated a daycare is.

Mr. Joseph asked Mr. Westmoreland to please educate the body a little bit more as it regards his position given that it's a use of right because he was concerned with that.

Mr. Westmoreland stated he will address what Mr. Bradford said in his letter that it's a backdoor approach to attack the zoning and the use.

Mr. Joseph stated his staff is saying the same thing.

Mr. Westmoreland stated it is simply not. He mentioned his clients and the owners of the Haven are not happy that there's a daycare here, but that ship is sailed so to speak. He stated he think they would agree that they would rather have something like a liquor store or a convenience store or something of that nature, but the issue here has been that traffic and speeds are such a concern here that ideally, they would have rather seen a low-density office use.

Mr. Joseph stated Mr. Westmoreland mentioned earlier that there are literally tens of thousands of cars leaving LSUS on a daily basis and now referring to maybe about 80 and a few stopping to turn to enter into this daycare center. He stated he is trying to square that again with the use by right. He mentioned lots of times when people come before this body, it's not quite so clear that it is a use by right and it is in the staff report, which he is sure Mr. Westmoreland has been given a copy of, they referenced several local court cases that affirm that the site plan process cannot be utilized to deny a use by right and then they list the court cases.

Mr. Westmoreland stated he understands, and he is not disagreeing with him. What he is saying is this site plan does not address the two issues that he discussed here today.

Mr. Joseph clarified, the traffic study and the turning lane.

Mr. Westmoreland noted the turning lane and quite frankly, he believes that they won't know if they need a turning lane if the traffic study is done, but the stacking is of cars by the staff's own report. He mentioned you are looking at a trip count of 40 to 60 cars. You have 14 employees that are going to take up all but six of the parking spaces. So, you are not going to have a lot of parents pulling in and parking, going getting their kids because all the parking spaces will be taken up. So, now, at very concentrated times of day, you're going to have 40 to 60 cars coming in the morning at concentrated time in an hour or less and the same thing in the afternoon. He stated the parking lot needs to be enlarged, needs to be changed. He reiterated they are appealing the site plan, not the use by right. He stated the point is if you are going to address the stacking problem, which is a major safety concern, because you are going to have cars stacking south and stacking in the far-right lane north waiting to turn in there and the only way to address that is to send it back and look at that site plan in detail with that issue/concern and do some real measurements and see how many cars can be stacked in there. He stated, if you can't stack at least 30 cars in there then there is a problem, because the trip count 40 to 60 and there's 65 kids. He mentioned there was a statement in the staff report saying something about 10 participants a queuing space for every 10 participants which would mean six cars. He stated that is

not the case here and we all know that. He inquired how many of them carpoled. You are going to have at least one car per kid. One car per employee, not 10 per car. He stated that's not going to happen. He stated we are not a carpooling and walking and biking city. He stated there's going to be almost a car per child, a car per employee and so when do they fix that. He stated the MPC approves something, think it is going to work in theory, the business opens and all of sudden you got problems.

Ms. Neubert stated she was going through the list as part of Mr. Westmoreland's application and mentioned that the list was IT developed.

Mr. Westmoreland explained there are two reasons why the Board sees out of town addresses on there. One, there are quite a few who live out of state who own the smaller houses and rent them out. Two, he was told by their IT guy if they logged in from their phone to sign the petition, it's going to pick up the location in which they logged in. He stated that it was a website-based petition. He stated he represent that it is accurate.

Ms. Neubert asked if it was done from Mr. Westmoreland's office.

Mr. Westmoreland replied no and explained the person who does IT for the Haven was there and can answer questions.

The citizens that spoke in support of the appeal stated they understood the daycare was allowed by use. The main concerns they had were safety and the flow of traffic. One citizen stated it is amazing how quickly, if anyone stops for turning into a neighborhood, is hindered briefly going into the neighborhood because of traffic coming from the opposite direction, traffic begins to stack up. They mentioned the Byrd baseball practice field that is nearby and the traffic that comes from that around the same time pick up from the daycare is. As well as the road developing into an interstate almost. One citizen mentioned the use of southeast Shreveport as a cut off from Youree Drive and how people move quickly on this road. Another mentioned the potential health issues it could cause the elderly. They explained there's one entry for the emergency vehicles to come in and because of the traffic it takes longer for them to gain entry. The daycare would only add more traffic. The community feels there needs to be traffic lights regulating the flow of traffic at any point from Bert Kouns to Flournoy Lucas Drive.

Mr. Robertson asked Mr. Frazier what it is he wants the Board to do.

Mr. Frazier stated the site plan needs to be sent back to deal with traffic.

Mr. Robertson stated most of the neighbors are in favor of the MPC trying to redesign the project so that it would fit on the property, but he heard Ms. Carter say nothing there will fit.

Ms. Carter replied, things could be done to make it better, of course. She stated she is looking at it from a realistic standpoint of it. She explained it will cause worse traffic no matter what because she drops her daughter off at daycare right now and she knows how it works. She mentioned of course there are kids being dropped off late because of medical appointments, but the majority of kids are dropped off from 7:15 to 9:30 and they are being picked up at the same time. She stated really it is them all coming in around 5, 5:30 zooming in because they don't want to be charged a late fee for picking their kids up late, but it's all around the same time, so you're not going to be spacing this out enough for there not to be an enormous line of people and it is going to be unsafe for the children that are being dropped off as well. She stated because of the amount of people there that are going through you are going to have road rage incidents and that's not safe for the children that are being dropped off. She reiterated it is not safe for the community and it is not something they asked for. It is just dangerous.

Mr. Robertson expressed he has concerns about the zoning designation of this property, but as they have been advised that's not an issue today. So, to put Ms. Carter on the spot, he asked would she support the HOA buying the property, leaving it as green space.

Ms. Carter replied yes, she thinks it would be the best thing for everyone. She supports a daycare, but those children deserve a safe area.

Opposition:

William C. Bradford, Jr., 333 Texas Street, Suite 700, Shreveport, LA 71101

Manny Estrada 931 Monrovia Street, Shreveport, LA 71106

Michael Erlund 2123 Lakeshore Drive, Shreveport, LA 71103

Mr. Bradford stated he was present on behalf of Busy Bee and explained this is the landowner in question. He mentioned they find themselves at the most difficult intersection that the Board has as Board members. He stated that is the intersection of public

opinion and facts and law. He stated what the Haven is asking, is make the request to do is overturn the site plan approval. He explained it was administratively done based on the need for traffic report study and the need for a detailed engineering and detailed plans and specs for lighting. He gave background, stated Busy Bees purchased the property after it had been on the market for over two years. He stated if it was such a lunch pan property, such a cornerstone of concern for this community, why did they not purchase it. He stated his client purchased it lawfully and it was designated as C-1, a daycare center is a permitted use and a use by right. He stated he doesn't want to lose sight of this because the word traffic and safety concern keeps coming up and ultimately on that site, there must be a daycare. He stated there is an allowed use for a daycare and that traffic that goes there regardless of the layout of that site plan does not change. So, the real question is and as detailed in his letter to the Board today is this is a backdoor effort to attack the use on this property because ultimately if a daycare is located there then that traffic is what it is. He shared Busy Bees participated in the pre-application process, they developed a preliminary site plan, they received comments from planning and city including revisions on the site plan traffic flow. He stated if you look at the site plan review contained in the packet you see that under the parking designation, it shows that this site plan actually exceeds the recommended parking allocation. He shared Busy bees participated in a neighborhood participation program meeting that's not even required, but they did because they are good community citizens. Mr. Bradford stated the clear challenge from the neighborhood was "we don't want a daycare here" and they used the terms traffic and lighting as the reason to try and challenge the site plan, but this is a used conversation. He stated ultimately Busy Bees received final approval by the Executive Director and support from his staff. He stated he wanted to talk about the need for the traffic impact study because they keep saying kick it back, do a traffic impact study. He stated, one that is not a requirement and if the MPC's Board begins requiring small business and developers to do spot traffic impact studies based on public opinion, they're not required by law or fact, then what does that do to the business community. What does that do to citizens in the community that wish to develop. He stated particularly the site plan is demonstrated and as detailed as the staff report shows that expected use only contributes at most one car to this traffic flow. What he is hearing is an overarching concern for traffic in this area, but it is not directly derivative of Busy Bees. He stated this is one property, zoned C-1, it has a permitted use, the site plan conforms with the permitted use. He stated the request of the Haven, albeit a great advocacy point for them is contrary to the findings of the city engineer and a staff report. He read the findings from the staff report. Dr. Erlund, who's imminently qualified in an unbiased opinion, confirmed that scope and size of the proposed development would not warrant a traffic impact study and he did not find any compelling evidence to require additional construction for this site other than what was indicated in a site plan. The trips generated by daycare facilities are low too moderate compared to other uses such as supermarkets or convenient stores that serve fuel. A daycare center may only generate 40 to 60 trips per hour or one car per minute at peak times. For additional comparison, single family detached homes may generate approximately 1.01 trips per unit during peak. Meaning that a neighborhood comprised of 500 dwelling units would generate approximately 505 trips per hour or 8.4 cars per minute at peak times. With the expected trip generated for the daycare use during peak periods, only one additional vehicle at the most will be introduced in a cycle time for a typical signalized intersection. He stated using these rules of thumb estimates it is easy to see that the size and scope of the proposed use does not constitute a major change and check trip generation in this location. He stated this is fact, this is based on a scientific evaluation of this roadway and this site plan. He stated again the basis of the request from the Haven is speculative at best. He stated he understand they want the MPC to consider the impact of LSU and existing roadways, but he does want to bring to note businesses and services like daycares are services of convenience. He stated what they ignore is that many of the people that are already on these roadways are going to be the same citizens that utilize the services of Busy Bees. He stated it is not like 60 new cars are just coming out of west Shreveport. He stated families use daycares that are nearby either their work or their home. He stated further in this discussion, when they say kick it back for a traffic study what they are really asking the MPC to do is require a small business, lawfully permitted to be in this place on this site, to spend more money to suffer more delay, not develop their project for a study, that as demonstrated in the staff report will have no meaningful impact on traffic flow along Kings Highway. He stated they also asked for a detailed engineering and detailed plans and specs for lighting and not a lot of time spent is spent there because that's a premature request. He stated lighting plans required under section 7.2 of the UDC. So, lighting plan is part of the continuing on-site development standards of this project. The staff report also shows that because this property is separated from the Haven, the appellate here by Earth and burn is very little to no risk of light trespassed into the Haven. So, there is very low likelihood of any nighttime impact. One, because of the earth and burns. Two, because of the hours of operation. This is not a 24-hour operation, this is a daycare. He shared his client says that we would look at six hours between pick up and drop off. The rest, students are on campus and again, contributing at most one car per traffic cycle. He stated the site plan on a use by right on a permitted use should not be used to limit the already approved uses in a zoning district. He stated this is an effort to delay and starve out a small business. There are development costs that this business owner is carrying. There are taxes that they're paying. There's carry on the property and the property debt. So, the longer this property is not monetized, the more money out of the owner's pocket. The additional cost for the Haven's request would be unnecessary as demonstrated in the staff report. He stated he wanted to send the attention to some of the case law as referenced by the staff report. This has been decided in court before. He stated the court has already said, particularly, he thinks the best dictator on this finds itself in opinion in WRW properties versus the City of Shreveport, where WRW was requesting approval of a building site plan in conforming with all zoning regulations which is what they have. If the actual use of the proposed building, subsequently violated any zoning requirements, the city would always be able to seek redress in courts for the enforcement of any zoning laws. Without consistent zoning ordinances, there will be no planned in orderly growth of municipalities. Replacing long-term

rationality with short-term expediency, i.e., looking at each situation on a purely ad-hart political bases is no way to run Mayberry much less Shreveport. Zoning regulations must be uniformly applied within each district or zone of the municipality. He stated there are no facts that support the Haven's position. The indications from the engineering department, independently show that this is a very low impact use. The law requires that a use by right or a permitted use be allowed on this space. He stated if talking about the reconstruction of the site plan that's an additional cost when there is no need for that. So, ultimately, they are not just asking to get it kicked back, they are asking to require this small business owner to spend more money on a project for which she has been properly zoned and properly right or approved by the executive director. That's why the staff report supports this application by this business owner because she checks all the boxes, she goes above and beyond. She's worked with the city staff, the planning department, and engineering department and has provided a sufficient and adequate site plan. He asked the Board not to overturn the decision of the Executive Director based on the supposition and opinions the Board has heard today. He stated though they may be voluminous, they're not based on fact or law.

Mr. Robertson stated he thought the bank was the owner of this property.

Mr. Bradford stated no sir, Mrs. Bell has purchased that property, she is the owner.

Mr. Monrovia stated he and his wife are the owners of the property in question and he does not want to bore the Board with the same traffic talk. He stated Mr. Bradford did a great job of pointing out they would not add that many cars to the already existing traffic in place. He stated he does want to point out if they have 14 staff not everybody shows up at the same time. He explained you have part-time staff, people that will open, people that close, and as one of the Haven residents mentioned, peak hours for dropping off between 7:15 and 7:30. He stated not everybody comes at the exact same time. He shared they have an existing location on Youree Drive right now with a much smaller parking lot and there are 31 kids, so just about half of what existing now and at no point in time is there a backup onto Youree Drive that people have to deal with. He also wanted to point out, they mentioned they pretty much just do not want them there at this point. He shared at no point in time, has the HOA from the Haven offered to work with them on redesigning any part of the parking lot, anything of that matter rather they have taken the stance letting them know they do not want them there in the first place.

Mr. Erlund states that he recommended a traffic signal be placed to Captain HM Shreve and Kings Highway about two years ago and from his last conversation with Councilman Boucher, that is being added into the budget as amendment. So, that signal is more than likely going to happen within the year. He stated that will drastically change everything they've been talking about that the Board heard will be impacted by that particular comment. He stated outside of that be careful what's being said about the traffic volumes. The traffic volumes in the area are actually very moderate in comparison to other places. Kings and Youree for example see over 65,000 cars a day, this location sees at least 16,000 cars a day. He stated there's about a quarter of traffic is at this location. He explained it goes down to two lanes and part of the reason it goes down to two lanes is because the Haven asked it to go down two lanes so they could have a dedicated right turn lane coming out of their facility. He stated that means it's a free flow right turn of their particular neighborhood. He stated that's something they did several years ago. He explained this was a unique location and it is a little bit different than other locations. He shared they didn't request a traffic impact study because they don't ask that of small businesses. He mentioned it would be extremely difficult for small businesses to handle due to it being anywhere from \$12,000 to \$20,000 for a traffic impact study. He explained if you are talking about adding turn lanes, you're talking about added expense. Those are anywhere from \$20,000 to \$60,000, depending on how much right of way costs. He stated these are the reason they do these things and why they don't require this of some of the small businesses. It is also the reason that they are very careful about the amount of traffic and how they look at it. He stated now coming out of the Haven, they conducted a traffic count that they did a few weeks in preparation for looking for the traffic signal for the meeting. He explained it is fairly consistent throughout the day. He stated that most locations with triple digits will stay on a particular location and then drop off into the double digits coming out of a T intersection. He stated the number that was handwritten at the bottom was the number that was quoted to the Board. He explained traffic is actually down, explaining it was a statistical anomaly. He stated they consider anything upwards of ten percent to be the number that they would expect to see a rise and fall. He restated the numbers are fairly consistent and it's not a very high traffic location despite what people feel. He stated it is higher than it's been 30 years ago, and he remembers driving back down there when the Haven didn't exist and driving down Youree Drive when all the developments didn't exist. He stated on top of that, as a neighborhood develops and grows, the children get older and they start driving, that adds more trips into the generation of a neighborhood. He gave an example of an area not too far from the Haven, on the other side of Youree, most of those neighborhoods went through this and they heard a lot of complaints back then. He stated it's something that will go down again given another 20 years. He pointed out one accident withing the last 12 months and it's a rare end not a right angle. He stated even though he is telling the Board to put a traffic signal here, it has nothing to do with safety, it's all about the amount of traffic. He stated they look at the amount of traffic that is coming in and out of a subdivision over an eight-hour period and there's a set of federal warrants that he has to consider. When it meets those warrants, he starts asking for a traffic signal. He shared the ugliest thing he could tell the Board is if you really were concerned about safety and you really wanted to make an impact, you'd put a cut through and have them come out on HM Shreve, but you

are not going to find that the neighborhood is going to be very acceptant of that.

Mr. Joseph inquired about the opinions that have been relayed from him through the staff report and the opinions that he expressed before in open chamber, are they purely scientific.

Mr. Erlund explained for the most part yes. There is his opinion as a traffic engineer when he stated he would open a driveway onto HM Shreve.

Mr. Joseph state withstanding that Mr. Erlund indicated that the neighborhood is requesting not necessarily applicable required as regards to this particular location and this use, is that correct.

Mr. Erlund stated correct.

Mr. Robertson ask for clarification about the traffic light that he is proposing to the city at the entrance of the Haven. He inquired if Mr. Erlund think providing access for the daycare facility through HM Shreve Boulevard is the best approach here.

Mr. Erlund stated it is the safest and it will put all that traffic out at this traffic signal. He stated he would leave the access at East Kings for right turn in from northbound traffic.

Mr. Robertson shared he was told by the State Highway Department that traffic lights don't solve all problems.

Mr. Erlund replied, they don't. That is why he is very, very careful. He stated that 90% of all traffic signal request that they get he turns down. He shared the summary of the rationales for the traffic light. There are eight warranting conditions. This particular one meets warrant one, a, b, and c. It meets warrant two and three. He stated it does not meet warrant four or five. He shared he could possibly look at it for a school crossing, which they typically don't if it meets other requirements. He states it is a very difficult one to meet because it has to have 60 kids crossing in a single hour. This is not part of a coordinated signal system so six would be met. Seven, crash experience, he restated there's only been one accident and that was not one considered correctable by a traffic signal and then, the roadway network, it does meet. So, of the main warrants, if the state were being considered and the state were looking at this, the state usually considers warrant one, two, and the accident warrant to be the major warrant. So, meeting warrant one and two on a state route would actually qualify for a traffic signal.

Mr. Robertson stated given that property is vacant right now, the daycare facility is not a factor in the decision to be put in a traffic light.

Mr. Erlund stated that is correct.

Mr. Elberson inquired based on Mr. Erlund's professional experience what kind of differences would they see if they were to require a traffic study and that be done, would there be any recommendations in the traffic study that he would expect to see, considering right turn lanes.

Mr. Erlund stated that is a little bit speculative on his part, that would be hard for him to just say straight up. He stated he does not expect there would be, he doesn't think the Board will see any recommendations from them honestly. He stated if you considered that most of the traffic is probably going to be coming from the north, he would say no.

Ms. Neubert inquired about the red light, the proposed light being in this year's budget and an estimated time of installation.

Mr. Erlund stated it was a proposed amendment for next year's budget. He stated the biggest problem actually isn't the budget, it is actually pole delivery. The major United States pole company, union metal went out of business and that is actually been the slowdown on several traffic signals and street lighting improvements.

Rebuttal:

Mr. Westmoreland stated he understands the concerns that have been raised by the neighbors and generally, its traffic and safety. Those are broader concepts to the issue that he's trying to narrowly address at Mr. Robertson and Mr. Joseph asked. He stated Mr. Bradford didn't discuss stacking of cars at all and quite frankly neither did Mr. Erlund. He stated they are talking about traffic count because he understands the citizens, the owners are concerned about traffic count and how kind of crazy it is. He stated one of the best statements one of the ladies made is it is a funnel right there. He explained while it may only be a fourth of what Youree Drive is, when you have what is going on right here in this funnel with buses not just stopping at the Haven, but at all of those subdivisions, HOA south and you have 50 miles an hour, you got people turning left into the Haven and now you're

going to have people turning left into Busy Bees. He stated he will still submit to the Board that they don't know whether they are going to have a stacking problem or not and the light will help that, but again, now they don't even know when it's going to come in and it's not going to help a stacking problem of cars coming northbound, turning right into Busy Bees. He stated he doesn't believe that the parking lot is designed large enough for the amount of cars there are going to have, and Mr. Sanders made a great point. It might be 65 children now: it's going to be a 100+ in five years. He stated that issue has not been really addressed in rebuttal to Mr. Bradford. He stated he understands that another statement Mr. Bradford said, the traffic is what it is for that site. He stated yes out there on East Kings it is what it is, but how these cars enter and exit and whether they back up to East Kings, that's something that this owner can do something about. That's something that this Board can do something about. He stated, yeah, they can't control the number of cars coming down East Kings, but they can certainly control or take another look at whether they are going to have a stacking problem which quite frankly he does not feel has been addressed with specificity whatsoever and if you want to talk about facts and science, none of that exists in this discussion with respect to stacking.

Mr. Joseph inquired about his position on Dr. Erlund's statement that he would probably recommend the daycare entrance be of Captain HM Shreve Boulevard.

Mr. Westmoreland stated that is something very new and never been raised. He stated he can certainly say that's not part of this site plan and that conversation can't be made if they move forward today. He stated if they move forward, and they are approved that concept will die. He just feels like the owner will want to move forward with what she was approved for then they won't have that discussion. Mr. Westmoreland shared the HOA did put an offer to buy this property prior to the current owners buying it. He explained they had an offer in at the same time and they just closed like a month or two ago before the appeal process ran on Mr. Clarke's approval.

Mr. Elberson inquired about hiring a traffic engineer.

Mr. Westmoreland stated no, that's a new concept. He stated he think if they had enough time, they might have been able to do so, but it was a pretty quick process.

Mr. Robertson inquired about the news about the development of the traffic light at the Haven from Mr. Erlund undercut his primary argument.

Mr. Westmoreland stated he thinks it will control a lot of the craziness and possibly some of the danger that people feel exist the spot. He stated that some of the comments that were made that he didn't take into account were all of those subdivisions south, those school buses stop there and there are cars backing up constantly. He stated that will address some of the flow there, but again his primary position is if you look at this daycare's numbers and the trip counts that were set forth by Mr. Jean in the staff report they still have an issue or at least an unsolved issue as to whether they are going to have a stacking problem in this parking lot. He mentioned to compare a property on Youree Drive to this is apples and oranges. He stated Youree Drive has turning lanes and its five lanes wide, explain it as a whole different animal. He referred back to the site plan stating it has two lanes with nowhere to go if cars are sitting in your lane.

Mr. Clarke shared with the Board that they stand behind the determinations that were made and they have provided for the Board and even have the architect that designed the site present. He sates they have provided the information that they have utilized in making the determination to approve the site plan. They have provided the technical assistance from the City of Shreveport's traffic engineer, who is the authority on monitoring the flow of traffic for the City of Shreveport and this is what they utilize in every instance that they are involved in when they approve site plans. He stated there was a neighborhood participation planned meeting in order to provide and solicit input from all of the residents to try to get anything that is possible in order for it to be the best possible site development that they could possibly approve. He stated he feels that they did everything because they are never insensitive to neighborhoods, to their citizens. He listened to Mr. Westmoreland refer to something that was requested, if he did not receive information, he may not have got the email or he may have overlooked it and he will publicly apologize to him because they try to provide everything they are asked to provide in a timely manner, but everything they have and everything they saw supported them making the determination that they made.

Mr. Joseph stated he have friends and a former client out in the audience who are form the Haven and this is a difficult decision because he does not think he is going to make it in favor of his friends and his former client. He stated they have listened to Dr. Erlund, and he likes to try to make his decisions on this Board based on the science and facts and he understands that there's some concern regarding the potential application of traffic, but he thinks Dr. Erlund has more than sufficiently addressed those concerns. He stated what he couldn't get past is the fact that this is a use by right. He thinks to quote Mr. Westmoreland, that ship has sailed and so if they are going to be casting votes in this regard his support is going to be with the staff recommendation.

Ms. Neubert stated verbally her decision on the case due to the vote count being taken before she could get in her vote.

A motion was made by MR. JOSEPH, seconded by MS. JACKSON To deny this application.

The motion was adopted by the following 7-2 vote: Ayes: Messrs. ANDREWS, BALDERAS, JOSEPH, MORTON, ROBERTSON, & SATER and Meses. JACKSON Nays: Messrs. ELBERSON and Meses. NEUBERT. Absent: NONE

END OF PUBLIC HEARING

OLD BUSINESS

NEW BUSINESS

OTHER MATTERS TO BE REVIEWED BY THE COMMISSION

Mr. Clarke stated there was a resolution from the Shreveport City Council. He stated the resolution was encouraging the MPC to place a moratorium on the issuance of any occupational license and certificate of occupancy from liquor store, retail sale of alcohol-liquor, other than renewals for a period of six months and to otherwise provide with respect thereto. He stated the resolution was sponsored by Councilwoman Tabatha Taylor and Councilman John Nickelson and it read whereas the City of Shreveport is committed to undertaking a comprehensive review of his zoning and land use classification and regulation in regards to liquor stores, retail of alcohol-liquor to better serve, protect, and promote the health and welfare of its citizens and whereas the City Council believes that this is in the best interest of the City of Shreveport for the Metropolitan Planning Commission to establish a moratorium to only issuance of new occupational licenses and certificate of occupancy to any liquor store, retail sales of alcohol-liquor, pending for the study, and revision of its land use policies and regulations and whereas a six month moratorium on the issuance of new occupational licenses and certificates of occupancy to any liquor store, retail sales of alcohol-liquor, will allow the city time to develop a plan and guidelines for liquor stores moving forward. Now, therefore be it resolved by the City Council of the City of Shreveport and do legal and regular session convene that the Metropolitan Planning Commission is encouraged to place a moratorium on the issuance of any occupational license certificates of occupancy for liquor store/retail sale of alcohol-liquor other than renewals for a period of six months. Be it for the resolve that if any provision or item of this resolution or application, thereof is held invalid. Such invalidity shall not affect other provision items, applications of this resolution which can be given effect without the invalid provisions, items, and application and to this end, the provision of this resolution are hereby declared severable and be it further resolved that our ordinances and resolutions are part thereof and conflict here with or hereby repealed. Mr. Clarke stated this was the resolution that was adopted by the City Council, the City of Shreveport. He stated it was adopted after the City Council looked at the process. It was utilizing because you are able to approve special use permits in 15 districts that was encountered at this point and those are appealed to the City Council and when they appealed to the City Council, they wrestle with the same basic problem that the Board's wrestle with; establishing guidelines, establishing standards, and so forth of how they determine where liquor stores are located. He stated the proposed moratorium, it's important, does not effect on premise sales of alcohol for bars, restaurants, and the retail of beer and wine at convenience stores. He stated it does not affect recent approvals of liquor stores that have not yet been issued. He stated certificate of occupancy will not be affected by this moratorium for those type uses. Mr. Clarke shared if the moratorium is enacted, the MPC staff will conduct a study and report the findings and recommendations to the MPC Board and thus, this would be submitted onto the City Council for adoption of the proper ordinance. He stated over the years the citizens in inner city neighborhoods, predominantly African American neighborhoods have felt that liquor laws, zoning laws have not been enforced with the zealously that they have been enforced in other neighborhoods. They have continuously said this. They come like the citizens did today and broad numbers sharing with the Board their displeasure with liquor stores continuously opening in their neighborhoods and some instances liquor stores opening next door to family residents and so forth and they shared with City Council also. He stated the City Council is requesting the MPC stop and step back for six months to allow the MPC staff to do an intense study of the current liquor provisions, not the restaurants, not anything else but the liquor stores where they serve high alcoholic content. He stated he thinks there's been some confusion has occurred based on the MPC definition, a designation in the Unified Development Code of a liquor store and he shared with staff yesterday sometimes a liquor store should be designated as just a liquor store so that the general public would always understand exactly what the MPC is talking about, but this moratorium is only designed for six months. Initially, they requested 12 months, but it was reduced to six months to allow the MPC staff to do a thorough review of the liquor laws. He stated there was an application where other cities would allow persons to delivery liquor and other products, but the Chapter 10 liquor laws prohibit that. He stated there is a physical

separation requirement for liquor to be physically separated other retail sales within an establishment. He shared no other city in the entire state has that requirement. He stated City Council felt along with the MPC felt that it was time to take a thorough look. He stated that him, along with Stephen determined there were 55 liquor stores in the City of Shreveport. He stated in District A there are nine liquor stores, in District B there are eight, in District C there are ten, in District D there are seven, in District E there are eight, in District F there are eight, in District G there are five. He stated it shows that contrary to how they thought, liquor stores are evenly distributed throughout the city. He stated it looks good on paper, but where are these liquor stores are located possibly in District C and D as opposed to where they're located in District A and B might shed a totally different light on the situation. He stated when he took the position City Council shared with him, they do not want businesses going across the river because of onerous strenuous zoning laws. He stated to the Board it up to them to do everything to keep that from happening. He stated in order to do this MPC strongly believes there needs to not be a store being established that would be in conflict with everything being recommended to the Board and the only way to keep that store from being established is for the Board to vote to declare the moratorium. He stated staff is very much in support of the moratorium and they ask that the Board will support them and making sure that this happens.

Ms. Neubert asked Mr. Clarke to elaborate on what he does know what would be considered in the study. She stated she was trying to get an idea of what is to be accomplished.

Mr. Clarke stated staff will not be restricted by anything in the study. He shared staff will look at possible use standards, spacing requirements, district where liquor stores are more appropriate and less appropriate, where they're allowed now. He stated anything in the ordinance that addresses liquor stores, staff will look at it in depth and bring that information back to the Board with recommendations on a better approach to liquor stores.

Ms. Neubert inquired about once the study is done and the conclusions are made by the staff, that will come back to the Board for a vote, and then subsequently be approved by the Council.

Mr. Clarke stated it will come back to the Board for a vote and if the Board votes to declare the moratorium, the moratorium will be declared. He stated after the study is done and recommendations are given, the MPC will make ordinance amendments and those will be voted on by the Board and that will go to the Council.

Mr. Joseph stated to Mr. Clarke that he is aware how he feels about this particular issue. He stated he has tried to make his position on this plain each and every time. He stated one of these applications comes up particularly in neighborhoods where they're seeing a proliferation of liquor stores and he makes no bones about it. He stated he does not look to see the City of Shreveport enforce blue laws and become a dry parish, but with respect to the societal impact and the ways in which these liquor stores are affecting primarily black neighborhoods, he is concerned about that and he has been concerned about that, and so he is all in favor of this proposed moratorium. He stated he request in that regard that the staff and he have no doubt in his mind that the staff will be diligently, expeditious in doing this work because he does have a concern to the extent that it will, impact people who are business owners who are looking to establish business interest. He stated he wanted to balance those two concerns, but as it stands his conclusion would fall on the side of supporting this moratorium to have the work done.

Mr. Elberson stated he appreciated Mr. Joseph's position and he agrees with the need for a study. He inquired about the Board being restricted to not perform a study or would the MPC not be able to do a study if the Board does not institute a moratorium right now. He also inquired about how many liquor stores that are special use permits has the body approved over the last six months because he is curious what the Board would be looking at. He clarified that he is 100% for a study, but he is really hesitant to vote to limit something that's legal right now through the process that is already in place, to make these decisions. He stated he understands they're questioning the process and that's what the study will do, question the process.

Mr. Clarke stated reflecting back over the years he would not think it is over six liquor stores. He stated in all fairness he thinks this Board allows itself to subject itself to emotions. He stated it refuses to listen to its staff and it looks at a council full of people and many times those decisions are influenced by that. He stated sometimes as much as they are saying that they are business friendly and pro-business, they deny individuals an opportunity that are in appropriate areas in order to do liquors stores because those standards are not in place to just restrict us to stand for a lack of better term with the script and doing the checklist and going to that process, but what they are saying is that this would allow the staff an opportunity to look at everything's that's happening in the state of Louisiana first and then do some looking around the country of how other cities are dealing with it. He mentioned he was at an American Planning Association Conference and one of the sessions was the negative impact of liquor stores historically on the black communities. Mr. Clarke stated it is well documented and well substantiated that black communities are not treated with the same respect in many instances as other communities in cities around the country. He stated what this does is removes

it from that arena and say that a liquor store can go in places that meet these very strict standards and anything else, it would not provide it to happen.

Mr. Robertson stated it occurs to him that one of the reasons he was present there today because he is active in his neighborhood, and his neighborhood association was formed in a battle with Thrifty Liquor on Youree Drive. He stated there were some businesses he would chase out of Shreveport, payday loan companies, billboard companies. He stated he could do with a lot less of that, but he doesn't understand why this is quite controversial because there are 50 plus liquor stores in Shreveport, and they're scattered widely around each council district.

Mr. Clarke stated when mentioning payday loan institutions, they are scattered around each council district also. He shared they have a very negative impact on every individual that is a participant within a payday loan. He stated they have performed a moratorium on them through the same process, although they did not have the political muscles, so it was a 12-month moratorium on payday loan institutions that they came back with some good youth standards that address payday loan institutions by requiring them to be X number of feet from other payday loan institutions by saying they could not be X number of feet from residents. He stated that is what is being discussed here today, but you cannot do that unless they stop approving that use because what you come up with, these other uses that will be going on while doing the study will be in fight with everything that you're trying to accomplish.

Mr. Robertson inquired what the liquor industry is saying to Mr. Clarke.

Mr. Clarke stated they are not saying anything to the MPC and stated this a request from the Shreveport City Council. He stated this is not a moratorium that's being generated by the staff to the Board. He stated they have requested the Board to allow their staff to do a comprehensive, intense study of the placement of liquor stores in our cities.

Mr. Morton inquired if the study could be done without the moratorium.

Mr. Clarke stated the study can be done without the moratorium but as he stated, the conclusions that are drawn within the study will possibly be in conflict with liquor stores that are being approved while going through the process of the study. He explained why not wait the six-month moratorium and then after moratorium if adopted, this is what liquor stores will be based in the future.

Mr. Morton inquired if they do not do the moratorium, can the Council do one.

Mr. Clarke stated the Council didn't really need us, he doesn't think, but in an effort to work in synergy with the Metropolitan Planning Commission, they wanted to do something in concert with the MPC because the MPC will be doing reviewing the same applications that possibly will move onto them.

Mr. Joseph stated he did a little research when he learned that this matter would come before them and he saw similar moratoriums all over the country. So, this is not a matter of first impressions. He stated this is not a brand-new method for attacking this pervasive issue.

Mr. Clarke stated this has been prevalent. He stated the citizens of the city have cried out for at least 25 years to come up with ways of addressing the negative impact of these uses in their neighborhoods. He stated governments have ignored the citizens of Shreveport for 25 plus years. He stated this is an opportunity for the citizens.

Mr. John Settle stated number one, the current Board won't be here January 1. He stated he hoped the Board has taken the time to read House Bill 697, which in effect terminates the Caddo Shreveport Metropolitan Planning Commission and if they have not, he will be happy to forward it to them. He shared as of that date, they no longer exist, they are no longer in office. He stated that's fact and he will take a comment from William Bradford. Number two, if the Shreveport City Council adopts an ordinance to set up a Shreveport Metropolitan Planning Commission, then they will appoint nine Shreveport citizens to the Board. He stated they are trying to put a moratorium that will affect a Board that is not even in existence. He stated if the Council doesn't get their act together and quickly introduce an ordinance, which is a two reader, there won't be a Planning Commission Board of any sort come 1 January, that is the law. He stated this study could be done now by this staff. If it has been an issue for 25 years and Mr. Clarke's been here for 25 years, this study could have been done all along and can still be done. He stated if the study comes back and recommends UDC changes, that's at least a two-month process because one, he'll have to introduce UDC amendments to the Board and then if recommended it has to go to City Council. So, in effect if they vote for a moratorium, which he thinks is an illegal vote to bind a Board that's not even in existence. Mr. Settle state din reality that is nine months or longer before it is amended. He

stated the City Council has made it real clear they are not going to approve a liquor store in MLK, stating let's get over the Black issue that they are concentrating liquor stores and neighbors. He stated good counselors are not going to approve it, but you don't need a moratorium to stop a liquor store in Regents Tower or one on Pines Road across from Thrifty. He stated he doesn't think this is the appropriate action for those reasons set forth.

Mrs. Neubert stated that she is the only member on the Board that lives outside the city of Shreveport, so that would be the remaining eight people that would be citizens of Shreveport.

Mr. Settle said they will not automatically roll over to a new Board if it is created.

Ms. Neubert then stated it brings her to the statement that Mr. Settle said this Board won't be in existence on January 1 and may be in existence with or without her, that remains to be seen, but she wanted to see if Mr. Clarke or the staff attorney have any input on that because this is the first, she heard this Board will not be in a legal existence because of HB 697.

Mr. Clarke stated it is the understanding of the MPC and the MPC's attorney that House Bill 697 did not dissolve the Shreveport Caddo Metropolitan Planning Commission. It stated that it effectively removed the jurisdiction of authorities from the Parish and restricted it to just the city limits. He stated the only way this Board is dissolved it that the City of Shreveport City Council dissolves its existing Metropolitan Planning Commission and creates a board of its own. He stated the City Council and Mr. Settle may have information that he is not privileged to, but the City Council has not indicated to the MPC that it has any intentions of dissolving this board and creating a City of Shreveport Planning Commission Board. He states until they hear something to the contrary, the MPC will proceed on operating, accepting applications, doing everything that they have always done. He stated they have gone through the budget process with the City of Shreveport, and they have no reason to believe that they will not be in existence and as rumors have spread that he will be out the door as of December 31st, the MPC has no reason to believe that will happen.

Mr. Settle read the statute, the City Council may create a commission, the law of to be known as the Shreveport Metropolitan Planning Commission which will consist of nine members who shall be residents and qualified voters of Shreveport. He stated he guess it may be a legal issue the courts resolved but that still does not do away with the fact that the Council has not approved these and black neighborhoods, minority, depressed neighborhoods. So that is a trojan horse. He stated the moratorium can be done without this and they are looking at least nine months before a UDC amendment can be adopted.

Ms. Neubert inquired what happens if they do not meet the six-month deadline with the moratorium.

Mr. Clarke stated they have already established internally how they will beat the six-month deadline and they will meet the six-month deadline. He stated that would include any recommendations that the MPC have for amendments for the existing laws.

A motion was made by MS. NEUBERT, seconded by MR. ROBERTSON To approve the Consideration of Resolution.

The motion was adopted by the following 7-2 vote: Ayes: Messrs. ANDREWS, BALDERAS, JOSEPH, MORTON, ROBERTSON, & SATER and Mses. NEUBERT Nays: Messrs. ELBERSON and Mses. JACKSON. Absent: NONE

CHAIR/BOARD MEMBER'S COMMENTS

Mr. Clarke stated they have the progress report regarding cases heard by the MPC up until November 2021. He shared it gives the Board and idea of the work they got. He shared it shows that 61 cases have been processed prior to the cases that were before the Board today.

Mr. Andrews stated as they have been privy to understand that the city is in the process of making available to employees a possible 2.75 cost of living increase and when the Board found out about that, Mr. Andrew's concern was is that including the MPC staff that is in place and he talked to Mr. Whitehorn with the city and indicated that that does include all of the staff members upstairs and they would be eligible to receive a 2.75 cost of living increase but there was a caveat to it. He stated, Mr. Whitehorn said to him that the Executive Director would not be included in that 2.75 cost of living increase. He inquired what did they need to do. He stated, Mr. Whitehorn shared that it needs to be found in the budget to be able to able to do that. Mr. Andrews stated there was an Exec team meeting which happens to be him, Mr. Joseph, and Mr. Elberson and they chose to do two of three things. One, in order for them to make sure Mr. Clarke would be eligible for this pertains the Board to grant a 2.75, they requested from the Human Resource Department with the city an evaluation document that they could use to do an evaluation and appraisal of Mr. Clarke and his work here and also found out when they sat down with him that he has not received any kind of salary increment

increase since he has been climbing in the chair upstairs. He stated what they decided to do was put Mr. Clarke through a process with a performance evaluation and they got the document from the city and it involved accountability for department results, accountability for diversity, people, and workforce, and under that category there's diversity, human capital management, and performance management, accountability for taxpayer value, and the fourth category was accountability rating that they have come up with. He stated the rating document that he just enumerated was designed from one to five on a scale of rating. One being non satisfactory and five being successful or outstanding. He stated what he wanted to do was to present that information to them and to ask them to consider making a motion to recommend that Mr. Clarke be eligible to receive a 2.75 increase based on what the city is doing for employees throughout the City of Shreveport. He shared that Mr. Clarke scored a 4.8 out of 5. Mr. Andrews stated that Mr. Clarke provided documentation as to how he has treated the staff members themselves before they got to this point of the 2.75 salary increments for their services here and on the staff.

Mr. Joseph inquired about Mr. Jean not getting a pay increase.

Mr. Clarke stated he was not included in the 2.75. he stated he has the authority to make salary adjustments to each employee, but he did not have the authority to make anything to himself and for three years, nothing has been done.

Mr. Joseph stated that he is going to want to address Mr. Jean as well.

Mr. Clarke stated that Mr. Jean had a salary adjustment as Deputy Director. He stated this is the only adjustment that has been granted to him.

Mr. Joseph inquired if Mr. Clarke is saying that he made an upward move but retain lateral pay.

Mr. Clarke stated he got the salary that the Executive Committee made recommendations to the Board, granted three years ago. He stated that he is committed to ensuring that staff of the MPC is properly taken care of.

A motion was made by MR. ROBERTSON, seconded by MS. NEUBERT To approve the Executive Director Study.

The motion was adopted by the following 9-0 vote: Ayes: Messrs. ANDREWS, BALDERAS, ELBERSON, JOSEPH, MORTON, ROBERTSON, & SATER and Mses. JACKSON & NEUBERT Nays: NONE. Absent: NONE

ADJOURN 5:31 p.m.

Winzer Andrews, Chair

Chris Elbersen, Secretary