

**SHREVEPORT METROPOLITAN PLANNING COMMISSION OF CADDO PARISH
SUMMARY MINUTES OF THE PUBLIC HEARING
May 6th, 2020**

The Metropolitan Planning Commission does hereby certify that it was unable to hold a commission meeting under regular quorum requirements due to COVID-19. On authority of the Governor under Section 4 of Proclamation Number JBE 2020-30, the next Commission meeting will be held via video/teleconference conference on Wednesday, May 6, 2020 at 1:00pm. All efforts will be made to provide for observation and input by members of the public.

A regularly scheduled virtual public hearing of the Shreveport Metropolitan Planning Commission of Caddo Parish was held on Wednesday, May 6th, 2020 at 1:00 p.m. via a live video/teleconference. The members met prior to the public hearing for the case manager presentations.

Members Present

Winzer Andrews, Chair
Nancy Cooper, Immediate Past Chair
Lea Desmarteau, Vice Chair
Curtis Joseph, Secretary
Chris Elberson
Dale Colvin
Laura Neubert

Staff Present

Alan Clarke, Executive Director
Stephen Jean, Deputy Director
Reginald Jordan, Zoning Administrator
Adam Bailey, Community Planning & Design Mgr.
Markeya Daniel, Admin. Assistant
Gernine Mailhes, City Attorney's Office
Emily Trant, Executive Assistant
Alice Correa, Land Use Coordinator
Jake Palant, Planner
James Djamba, Planner
Ben Mohler, Planner

Members Absent

Mauricio Roca
Bessie Smith

The hearing was opened with prayer by **MR. ELBERSON**. The Pledge of Allegiance was led by **MR. CURTIS**.

The meeting was called to order & the procedure for hearing the applications on today's agenda was explained. Comments submitted by the public were read into record by members of the MPC Board. Comments on any item not on the agenda will be limited to 3 minutes at the end of the public hearing. All 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 MR. COLVIN, seconded by MR. JOSEPH, to approve the minutes of the March 4th, 2020 public hearing as submitted.

The motion was adopted by the following 7-0 vote: Ayes: Messrs. ANDREWS, COLVIN, ELBERSON, & JOSEPH & Meses. COOPER, DESMARTEAU & NEUBERT Nays: NONE. Absent: Messrs. ROCA & Meses. SMITH.

CONSENT AGENDA

There were no items on the consent agenda.

PUBLIC HEARING

CASE NO. 20-3-C ZONING MAP AMENDMENTS

Applicant: CENTURY 21 ELITE
Owner: Ellis and Janie Phillips
Location: 4725 North Market St. (South side of North Market Street, approx. 530' southeast of Devereaux Road)
Existing Zoning: R-1-7
Request: R-1-7 to R-3 and C-2
Proposed Use: Commercial and Residential

Jake Palant presented the application to the Board.

There were no comments submitted to represent or support this application.

There were no comments submitted in opposition to this application.

A motion was made by MR. COLVIN, seconded by MRS. COOPER, to recommend this application for approval.

The motion was approved by the following 7-0 vote: Ayes: Messrs. ANDREWS, COLVIN, ELBERSON, & JOSEPH & Mses. COOPER, DESMARTEAU & NEUBERT Nays: NONE. Absent: Messrs. ROCA & Mses. SMITH

CASE NO. 20-1-AXM ANNEXATION

Applicant: MOHR AND ASSOCIATES
Owner: Jenel, LLC
Location: 11500 Blk. Ellerbe Rd. (West side of Ellerbe Rd. at the intersection of Ellerbe Rd. and Bent Tree Dr.)
Existing Zoning: R-E
Request: Annexation
Proposed Use: Single Family Residential

James Djamba presented this application to the Board.

Mr. Djamba informed the Board that the applicant has requested deferral.

A letter was submitted by the applicant; however it was not read due to the applicants request for deferral. The letter can be viewed in the public record files.

There were no comments submitted in opposition to this application.

A motion was made by MS. DESMARTEAU, seconded by MS. NEUBERT, to defer and continue this application.

The motion was approved by the following 7-0 vote: Ayes: Messrs. ANDREWS, COLVIN, ELBERSON, & JOSEPH, & Mses. COOPER, DESMARTEAU & NEUBERT Nays: NONE. Absent: Messrs. ROCA & Mses. SMITH.

CASE NO. 20-32-C ZONING REQUEST

Applicant: KENNY GORDON
Owner: Kenny Gordon
Location: 4044 Mansfield Rd (West side of Mansfield Road approx. 137' North of Desoto Street)
Existing Zoning: I-2
Request: I-2 to I-1
Proposed Use: Bar

Jake Palant presented this application to the Board.

Comments submitted by the representative &/or support:

Kenny Gordon 4044 Mansfield Road, Shreveport, LA 71103

Mrs. Cooper read the letter that was submitted by the applicant. The applicant stated that Shreveport is in need of a bar that is welcoming to people over the age of 40, and explained the requirements of being a patron of the bar. Further details of the applicant's letter can be viewed in the public record files.

There were no comments submitted in opposition to this application.

A motion was made by MRS. COOPER, seconded by MR. JOSEPH to recommend this application for approval.

The motion was approved by the following 7-0 vote: Ayes: Messrs. ANDREWS, COLVIN, ELBERSON, & JOSEPH, & Mses. COOPER, DESMARTEAU & NEUBERT Nays: None. Absent: Messrs. ROCA & Mses. SMITH.

CASE NO. 20-33-C SPECIAL USE PERMIT & SITE PLAN

Applicant: SUNSHINE HEALTH MARKET
Owner: N/A
Location: 5725 Youree Dr. (East side of Youree Drive approximately 60' North of Kayla Street)
Existing Zoning: C-UC
Request: Special Use Permit & Site Plan Approval
Proposed Use: Drive-Through Facility

Ben Mohler presented this application to the Board.

There were no comments submitted to represent or support this application.

There were no comments submitted in opposition to this application.

Mr. Colvin questioned whether there would be a screening requirement for the playground along Kayla Street. Currently there is a chain link fence. Mr. Mohler stated that there would not be a screening requirement along this portion of Kayla Street.

A motion was made by MR. JOSEPH, seconded by MS. DESMARTEAU, to approve this application.

The motion was approved by the following 7-0 vote: Ayes: Messrs. ANDREWS, COLVIN, ELBERSON, & JOSEPH, & Meses. COOPER, DESMARTEAU & NEUBERT Nays: None. Absent: Messrs. ROCA & Meses. SMITH.

CASE NO. 20-2-SC FINAL PLAT (MINOR)

Applicant: MOHR AND ASSOCIATES
Owner: N/A
Location: 0 Ashley River Road (West side of Ashley River, approx. 480' south of East Flournoy Lucas Road)
Existing Zoning: C-UV
Request: 1-Lot Commercial Subdivision
Proposed Use: Daycare

Stephen Jean presented this application the Board.

Mr. Jean explained that there is a state statute that requires the MPC to act on the application after 60 days of receiving the application; if the Board did not act on the application then it is automatically deemed approved, therefore it could not be deferred.

Mr. Joseph stated that he is aware of the traffic concerns that were presented by the residents, and asked if he understands correctly that the applicant is proposing access inside the gate. Mr. Jean responded that was correct and stated that it is a public street, which has to remain open from 7:00 am to 9:00 pm- 7 days a week.

Mrs. Cooper asked if there have been differing legal opinions about whether or not the 60 day approval requirement would still stand as a result of the Governors Proclamation. Mr. Clarke stated that he and Gernine Mailhes, Assistant City Attorney, have been in contact with another Attorney that was soliciting advice from the Attorney General. They did not hear back from them with information otherwise.

Mr. Colvin understood that there was no opposition to the zoning; he asked Mr. Jean to clarify. Mr. Jean stated that there is opposition to the use, and some may not want it, however it is permitted here.

Mr. Colvin asked if there was a reason that the applicant was not using the curb cut before the gate. Mr. Jean explained that because it is a public street, there was no legal reason to deny the access.

Representative &/or support:

Tony Janca P.O. Box 6007 Shreveport, LA 71136

Mrs. Cooper read the letter that was submitted by Tony Janca. Mr. Janca explained that the median cut in the boulevard was part of his original design and was always intended to provide an easy residential access to the commercial tract. Mr. Janca stated that it has been difficult to anchor a tenant for this proposed neighborhood development, but he has always attempted to bring business that will service the Twelve Oaks community. Further details of the applicant's letter can be viewed in the public record files.

Opposition:

67 letters were submitted in opposition to this application and a petition with hundreds of names was submitted in opposition to this application. All documents can be viewed in the public record files.

Mrs. Cooper stated that there were many letters of opposition submitted which have been sent to all of the Board members prior to the public hearing. The letters are all available on the website for the public to view. In lieu of reading hours of the comments that were submitted, Mrs. Cooper read a letter that was submitted by the representative of the Twelve Oaks HOA.

The representative stated that the homeowners are extremely concerned about the increased traffic on Ashley River Drive, which will aggravate an already dangerous traffic situation. The HOA objects to the MPC conducting a hearing during the pandemic, depriving hundreds of homeowners the right to appear and publicly voice their opinions as required under the Louisiana Open Meetings Law. Additionally, there was a disagreement that the application would be deemed approved should it pass the 60 day requirement. The Governor Proclamation (52 JBE 2020, Section 5A) stated "Legal deadlines...applicable to all legal proceedings in courts, administrative proceedings, and boards are hereby suspended until at least Friday, May 15, 2020..." and 5B stated "in addition, all other deadlines in legal proceedings in all courts, administrative agencies, and board shall be suspended until Friday, May 15, 2020." Based on the number of residents in opposition, the HOA urged the MPC to continue the hearing of the application to a later date when interested parties could attend in person to voice their opinions. Further details of the representative's letter may be viewed in the public record files.

Mr. Clarke reiterated that the MPC has received legal advice from the City and Parish Attorney's office. The Attorney General did not reply that the subdivision case could not proceed to the public hearing.

Mr. Clarke stated that a call came through during the 30 minute recess from a resident in the Twelve Oaks Subdivision. The resident explained that the curb cut which Mr. Jean alluded to was a side walk and not a curb cut. Mr. Clarke stated that the MPC will visit the site.

Rebuttal:

Mrs. Cooper read the rebuttal that was submitted by Tony Janca. He explained that the two critical issues that are cited in most of the letters, (61 of 67) or 91% cited traffic as their main concern; with (64/67) 95% concerned about the day care entrance behind the gates. Mr. Janca stated that the streets in the Twelve Oaks Subdivision are public streets. With regard to the traffic issues, only the State can install a traffic signal, flashing caution, or lower the speed limit. In response to the use of the existing curb cut, this design needs to be in harmony with whatever "larger" user that may come in the future. Further details of the applicant's rebuttal may be viewed in the public record files.

A motion was made by MR. ELBERSON, seconded by MRS. COOPER, to approve this application.

Mr. Colvin stated that he would have to vote against the motion due the opposition concerns of the entrance being behind the gate and not knowing exactly where it will be.

Mrs. Cooper questioned if this was just the decision on the subdivision, Mr. Clarke confirmed and stated that it does not have anything to do with the curb cuts. The curb cuts will be dealt with during the site plan process.

The motion was approved by the following 5-2 vote: Ayes: Messrs. ANDREWS, ELBERSON, & JOSEPH, & Meses. COOPER, DESMARTEAU Nays: Messrs. COLVIN & Meses. NEUBERT Absent: Messrs. ROCA & Meses. SMITH.

CASE NO. 20-46-C ZONING REQUEST

Applicant:	COOK, YANCY, KING & GALLOWAY
Owner	Superior Bar & Grill, Inc & PBC Properties, LLC
Location:	6123 Line Ave.
Existing Zoning:	R-1-7, R-1-7
Request:	R-1-7 to C-UC
Proposed Use:	Parking Lot

Alice Correa presented this application to the Board.

Mr. Colvin questioned whether or not the Board and MPC could mandate that the fence be 8 feet and made of cinderblock. Ms. Correa explained that the UDC states that the fence can be between 6-8 feet, but that the MPC is unable to mandate that it be 8 feet.

Mr. Colvin expressed concern that if this property is rezoned, years later the property owner could reconstruct the building in a manner that is more intrusive to the neighbors. Mr. Colvin felt that if this were a zoning change with an extended use stipulation it would better protect the residents. The subject property could be stipulated to be used as a parking lot only. Ms. Correa explained that the extended use zoning no longer exists; however a Small Planned Unit Development could be possible, which would offer amenities and ordinance relief. The applicant would have to apply for this, but the MPC couldn't impose it.

Representative &/or support:

Luke Whetstone P.O. Box 22260, Shreveport, LA 71120

Mrs. Cooper read the applicant comments submitted by Luke Whetstone. The letter submitted on behalf of Superior Grill explained the necessity of the rezoning. The applicant states that the restaurant and surrounding areas have grown in popularity, which has caused a dangerous traffic concern. To mitigate concerns of noise and lighting, the applicant preliminarily intends to erect a ten foot buffer yard around the relevant area and high quality screening. Construction of a masonry or cinderblock wall is costly; however the applicant is considering this as a screening measure to alleviate those in opposition. The applicant further explained that the buffer yard will contain elements to help absorb sound. Further details submitted by the applicant can be viewed in the public records files.

Opposition:

Richard Hansil 6139 Dillingham Avenue, Shreveport, LA 71106

Jeff Goodpaster 737 Drexel Drive, Shreveport, LA 71106

Timothy and Lindsey Higgins 6206 Dillingham Avenue, Shreveport, LA 71106

Kenneth Beatty 6225 Dillingham Avenue, Shreveport, LA 71106

Jennifer Goodpaster 737 Drexel Drive, Shreveport, LA 71106

Patricia Chidlow 6047 Dillingham Avenue, Shreveport, LA 71106

Lucy Medvec 736 Drexel Drive, Shreveport, LA 71106

The letters of opposition were read aloud by Mrs. Cooper, Ms. Desmarteau, and Ms. Neubert. The opposition expressed a shared sentiment that the owner of Superior Bar and Grill does not consider the protection of surrounding residential neighbors from the intrusive nature of the business. The opposition agreed that the use of a parking lot does not benefit the City from an economic standpoint and that it creates a more auto centric environment resulting in dangerous conditions for pedestrians. Additionally, there was a common concern that this rezoning would negatively change the existing character of the area.

A petition with 195 signatures was submitted to the MPC in opposition to the rezoning application.

Rebuttal:

Mrs. Cooper read the applicant rebuttal.

The applicants believe that the approval of the rezoning will not change the existing character of the area; would reduce the potential for safety incidents; would result in a more uniform urban corridor depth; and would be consistent with the anticipated development of the area. The parking lot would help to stop patrons from parking in the surrounding areas including the adjacent neighborhood. The applicant further expressed concern that the opposition was against the owner and did not address practical issues; requesting that Board look beyond personal issues.

Mr. Colvin expressed that he understood the need for additional parking, however he respects the concerns from the neighborhood, citing that once rezoned the property could be used for other uses. He would like to defer and delay to allow the applicants to consider a SPUD with more conditions to allow everyone to be on the same page.

Mrs. Cooper did not feel that the neighbors were agreeable to a parking lot.

Mr. Colvin felt that there was room for mitigation between the two parties; by deferring they could explore this.

Mr. Andrews questioned if the previous case regarding this property was still in court; Mr. Clarke could not confirm but believes it is.

Mrs. Cooper asked if the option of a SPUD came up in dealings with the applicant; Ms. Correa said that it did not.

Mr. Joseph asked how the issues in this application differ from Pizza Rev, which is located across the street. Ms. Correa said that it does not and is used in the rationale for the recommendation. Ms. Correa further explained that the proposal would not be inconsistent with the surround commercial uses, considering density and depth.

A motion was made by MR. JOSEPH, seconded by MRS. COOPER to recommend this application for approval.

The motion was approved by the following 5-2 vote: Ayes: Messrs. ANDREWS, ELBERSON, & JOSEPH, & Mses. COOPER, DESMARTEAU Nays: Messrs. COLVIN & Mses. NEUBERT. Absent: Messrs. ROCA & Mses. SMITH.

CASE NO. 20-47-C SPECIAL USE PERMIT & SITE PLAN

Applicant: MOHR AND ASSOCIATES, INC
Owner: Yolanda Burnom
Location: 1519 Creswell Ave. (South side of Jordan Street, approx.. 80' east of Creswell Avenue)
Existing Zoning R-HU
Request Special Use Permit & Site Plan
Proposed Use: Office with Expanded Parking Lot

Alice Correa presented this application to the Board.

Ms. Correa stated that a letter of opposition was submitted in response to this case. The applicant and owner have requested deferral in order to talk with the opposition to come to an agreement.

Representative &/or support:

Yolanda Burnom 1519 Creswell Avenue, Shreveport, LA 71101

Mrs. Cooper read the letter submitted by the owner, which explained that this case is to expand a previously approved SUP to accommodate a new parking lot. No lighting plan is required and the effect on the surrounding neighborhood should be minimal. A Certificate of Appropriateness has been submitted to the Highland Historic District.

Opposition:

Tom Arceneaux 533 Jordan Street, Shreveport, LA 71101

The letter of opposition was not read, the opposition was requesting that the case be deferred, which the applicant is requesting to do as well.

A motion was made by MR. JOSEPH, seconded by MS. NEUBERT, to defer and continue this application.

The motion was approved by the following 7-0 vote: Ayes: Messrs. ANDREWS, COLVIN, ELBERSON, & JOSEPH, & Mses. COOPER, DESMARTEAU & NEUBERT Nays: None. Absent: Messrs. ROCA & Mses. SMITH.

CASE NO. 20-48-C SPECIAL USE PERMIT & SITE PLAN

Applicant: MOHR AND ASSOCIATES, LLC
Owner: Five L Properties, LLC
Location: 420 North Market St. (Northeast corner of North Market Street and Island Street)
Existing Zoning C-3
Request C-3 to C-4
Proposed Use: Vehicle Display w/Outdoor Display

Ben Mohler presented this application to the Board.

He stated that the staff recommendation is for denial; therefore the applicant has requested deferral in order to further discuss the application with their client.

There were no comments submitted in support or opposition.

A motion was made by MRS. COOPER, seconded by MR. JOSEPH, to defer and continued this application.

The motion was approved by the following 7-0 vote: Ayes: Messrs. ANDREWS, COLVIN, ELBERSON, & JOSEPH, & Mses. COOPER, DESMARTEAU & NEUBERT Nays: None. Absent: Messrs. ROCA & Mses. SMITH.

CASE NO. 20-49-C PRELIMINARY SITE PLAN FOR PREVIOUSLY APPROVED PUD

Applicant: MOHR AND ASSOCIATES, INC
Owner: PW Property, LLC
Location: 7020 Klug Pines Rd. (West side of Klug Pines Road approx. 550' south of West 70th Street)
Existing Zoning: R-1-7, R-1-7 (PUD)
Request: Preliminary Site Plan Approval
Proposed Use: Residential Care Facility

Jake Palant presented this application to the Board.

Representative &/or support:

Brian Hollins brian.hollins@foreverwellnessandrecovery.com

Mrs. Cooper read the comments that were submitted by the property owner. The property owner stated that the application is for a Preliminary Site Plan approval for residential drug, alcohol, and substance abuse rehabilitation services and was previously approved by the MPC Board; however, the previous owners did not complete all of the required amenities, so they are seeking approval of a Preliminary Site Plan.

Opposition:

Naomi Bailey 6230 S Windermere Drive, Shreveport, LA 71129
Gary Jiles PO Box 29056, Shreveport, LA 71149
David and Linda Bass 6118 South Weatherby Drive, Shreveport, LA 71129
Peter Chaisson 6110 South Weatherby Drive, Shreveport, LA 71129
Yolanda Duckworth yolandamitch@outlook.com
Rosiland Edwards 7115 Beaufort Way, Shreveport, LA 71129
Beverly Winzer bawinzer@hotmail.com

Mrs. Cooper read the comments that were submitted by the opposition. The opposition stated concerns of undue crime and safety issues as a result of the drug and alcohol rehab facility. Further details of the oppositions concerns may be viewed in the public record files.

Rebuttal:

Mrs. Cooper read the rebuttal that was submitted by the owner. The owner reiterated that this application is for a Preliminary Site Plan approval that is consistent with the 2017 rezoning approval. To address the issue of safety as it relates to the surrounding neighborhood. The safety of the community, staff and the clients who have voluntary made the decision to seek the services of the center are of the highest priority for the center and the application. The center, while promoting an atmosphere of hope and recovery, will be professionally managed in a manner that adheres strictly to the requirements of National, State and Local Regulatory agencies that govern such services. Properties that have already been completed have been done so to increase the value of the properties in the surrounding neighborhood, the current property, and further demonstrate the commitment of the applicant to the neighboring community and the City of Shreveport. Further details of the applicant's rebuttal can be viewed in the public record files.

A motion was made by MR. JOSEPH, seconded by MS. NEUBERT, to approve this application with the staff recommended stipulations.

The motion was approved by the following 7-0 vote: Ayes: Messrs. ANDREWS, COLVIN, ELBERSON, & JOSEPH, & Meses. COOPER, DESMARTEAU & NEUBERT Nays: None. Absent: Messrs. ROCA & Meses. SMITH.

END OF PUBLIC HEARING

OLD BUSINESS

NEW BUSINESS

Research

Adam Bailey explained that the Community Planning Division has studied annexation procedures from five other Louisiana cities and drafted a report for the MPC to review. Community planning has drafted the Planning Area Development code for the areas outside of the City limits. Additionally, the HPC website is live. Adam Bailey updated the Board on the status of HB697; he explained that a response summary was sent to the LA APA Committee as well as the North Louisiana Legislative Delegation.

Reginald Jordan stated that new businesses have continued to open. There have been 71 new businesses open from March 1st to date and 53 pending applications. Zoning Administration is only being enforced in the Parish by call in complaints. Some dialog was lost due to the virtual connection

Mr. Clarke stated the MPC has been in contact with the Louisiana Delegation Representative, and officials with the City of Shreveport and Parish of Caddo. Mr. Clarke expressed that he believes the new code will serve the citizens in the Parish limits extremely well.

On May 18th, the MPC staff will return to work in office.

OTHER MATTERS TO BE REVIEWED BY THE COMMISSION

CHAIR/BOARD MEMBER'S COMMENTS

The Board members and Mr. Clarke thanked the MPC staff for their work in preparing for the public hearing.

The Board was all in favor to adjourn.

ADJOURN 4:56 p.m.

Winzer Andrews, Chair

Lea Desmarteau, Secretary