

BENTON PARISH METROPOLITAN PLANNING COMMISSION

MINUTES

Monday, May 11, 2020 – 6:00 P.M.
Virtual - Zoom

MEMBERS PRESENT

Martha Reyenga
Steve Vercher
Bryan Kauffer
Grace Jenkins
Ray Delia

OTHERS PRESENT

Carlotta Askew-Brown
Neil Erwin
Pat Doan
Jeff Raley
Michael Kelsch
Charles Grubb
Mayor Shelly Horton
Brandon Holly
Tom Arceneaux
Tom Myrick
Thomas Foshee
James Broughton

MEMBERS ABSENT

n/a

Steve Vercher, Chairman called the meeting to order.

(A) Carlotta Askew-Brown, MPC Executive Director, called roll and stated a quorum was present.

(B) PUBLIC HEARINGS

1. BP-3-20 - The application of CRC Rentals requesting Minor Plat approval for property being 1.9 acres more or less located in Section 28, Township 20 North, Range 13 West, Bossier Parish, LA. (Police Jury District 3)

Brandon Holly, applicant, was present to answer any questions.

Holly - basically we are squaring up the property lines with Hwy 162 and square with the houses.

The acting chairman called for public comments.

Vercher – you’re working with a surveyor and Butch Ford to have your minor plat approved?

Holly – yes.

Vercher – I’m surprised we have to hear this with it being such a minor change.

Askew-Brown – there are no administrative powers within the Benton MPC Jurisdiction for plats.

With no additional comments from the board or the public, the Vercher called for a motion.

A motion to approve the application was made by Bryan Kauffer and seconded by Grace Jenkins.

A roll call vote was held and the motion carried unanimously.

(C) PRELIMINARY HEARINGS

2. BP-4-20 – The application of Randall Hilton, requesting preliminary plat approval of Myrick Acres Subdivision being 12.140 acres more or less, located in Section

17, Township 20 North, Range 13 West, Bossier Parish, LA. (Police Jury District 3)

Tom Myrick, property owner, was present to answer any questions

Myrick – Mr. Hilton recently had back surgery and I told him I would handle this for him.

Vercher – I hate to hear that, I know Randall personally.

Myrick – he’s doing much better.

Vercher - can you give us some back ground on this?

Myrick – my grandfather purchased all of these 12 acres back in 1955 and built a house. My mother and father later built a house. Through the years I built a house on lot 3 and during the years, we did the old country thing and built houses and fences and we want get the land straight now.

Vercher - I understand, we have some of that in my family.

With no additional comments from the board or the public, Vercher called for a motion.

A motion to approve the application was made by Bryan Kauffer and seconded by Ray Delia.

A roll call vote was held and the motion carried unanimously.

3. T-1-20 – The application of Green Tree Ventures, LLC requesting preliminary plat approval of Lost River Estates North Unit 4, Planned Unit Development being 19.822 acres, more or less, located in Sections 31 & 32, Township 20 North, Range 13 West, Bossier Parish, LA (Police Jury District 3)

Jeff Raley, Michael Kelsch and Thomas “Jeff” Foshee were present to answer any questions.

Raley – Ill be glad to answer any questions - Benton City water and sewer, streets and drainage, similar size lots as the master plan and we have 58 lots in unit 4. The north end has room for one more unit and that’s unit 5.

Vercher – so we are just talking strictly about the north unit?

Raley – yes.

Vercher- with that said, I’m going to open for public comment.

Tom Arceneaux, Lost River Attorney – I represent Lost River Preservation Coalition which is an unincorporated association of homeowners that are very concerned about the development. This is part of a larger PUD. We don’t believe the development is following along with what the PUD intended. The most specific thing is the existence of a second entrance and exit on Palmetto Rd. Currently, the subdivision has only one entrance and exit and is gated, with the addition to the north, it’s going to create some real traffic and other issues with how these lots were designed and planned. It’s very significate to the homeowners that the second entrance and exit onto Palmetto Rd. be constructed. The main thing that needs to happen is that the subdivision be expanded to include the entrance before lots are sold. Construction access should not be through the subdivision but should be some additional entrance from Palmetto Rd. or some other road so that you won’t have the heavy trucks and traffic going up and down roads that are not designed with that in mind.

Raley – that second entrance out to Palmetto Rd. will be built in the future and not during this unit. It will be maintained as the construction entrance. We are going to

require all the builders and contractors come through that entrance. It will be an all-weather road and emergency exit. It will be 121 lots when you put Unit 4 in. I'm not really concerned about a traffic issue at the main boulevard because there are other subdivisions with single entry's that have well over 120 lots and it's never a traffic issue. But we are trying to maintain that entrance at the north until Unit 4 is built out. In the meantime we will maintain it as a construction entrance to keep the heavy trucks off the main entrance.

Vercher – can you define an all-weather road and have you spoken with Butch about this?

Raley – it'll be SB-2 aggregate base all the way to the road. It serves two purposes, it serves as construction entrance and it gets all the mud off the tires before its gets to Palmetto Rd.

Vercher – have you worked with Butch Ford on this already?

Raley – that's where the construction entrance is now, that comes into the old lift station down there. I haven't spoken to Butch about it recently. I don't mind visiting with Butch about it.

Askew-Brown – let the record reflect that Martha Reyenga is present.

Vercher – I would like for you to do that before the public hearing. We would like to know how Butch feels about that, especially the rock up by Palmetto Rd. I don't speak for Butch but I would like to know how he feels about that. It could probably be a maintenance issue with trucks coming in and out. An all-weather road needs to be maintained. I've seen aprons come in and out so you don't have that rock spilling onto the road but that's something I would like you to visit with Butch.

Raley – I'm working on one right now, so I'll get with Butch to see how it's done.

Reyenga – is the new unit going to wrap around where the access into the unit already exists that has the gated entrance?

Raley – yes it connects to Unit 3.

Reyenga – so someone in the north unit could enter into the gated area to get to theirs and not use the second entrance that's planned at some point.

Raley – correct, they should use the main boulevard to access their homes.

Reyenga – the one's in the north unit also?

Raley – yes

Reyenga – well what about this future entrance and exit?

Raley - it'll be completed when we finish the last lots up there on the north end but will be used as a construction entrance to keep the trucks off the main boulevard and the main street that has homes on it already.

Reyenga – I understand.

Vercher – any additional questions from the Board? Hearing none, I'll call for public comment.

Mayor Shelly Horton, Town of Benton – there's already a construction entrance that's been established, coming down the lift station road and going south, that's been in place for 2 weeks. The Town of Benton would desire that the secondary entrance be completed along with this phase of the subdivision. Also, I talked to Mr. Raley and we are waiting on a drainage study and we need new calculations for the lift station for capacity to make sure the current lift station in place is going to handle the new additions.

Raley – Steve, I did talk to the Mayor and we gathered that information up and sent it to the Town Engineer, Balar. They got it a couple of weeks ago. If you remember when we started this subdivision, it was in the Parish before it was annexed into the Town of Benton and we did the drainage study back several years ago and of course passed it through Butch and he approved that drainage study and that approved study has been sent over to Balar at the Mayors request and they have all the lift station calculations as well.

Vercher – when was that sent Jeff?

Michael Kelsch, Raley and Associates - I emailed it to David Kunz over at Balar a couple of weeks ago. I'll have to follow up and make sure he received it. But I sent them the overall drainage study and explained in the email that we've been following that overall drainage study. As a part of this north unit, we'll have to install a new proposed detention pond as well as connect the existing pond with a 36" pipe and then there will be an outfall pipe out of the new proposed pond... all of this was done in the original drainage study and we're following that. And then as far as the lift station, I looked back in our files and Balar actually did some start up inspections etc. on the lift station so they were there when the lift station was installed and the lift station was designed for the entire Lost River Subdivision and we're not adding any additional lots that wasn't already proposed on the original master plan. So since we have the same amount of lots, the lift station should have capacity but here in the design phase, Balar will have to review all of our sewer and drainage calculations... that's just what they do.

Raley – they do it on behalf of the Town of Benton.

Vercher – I want to recap on what the Mayor said I want to make sure I understood you. Number 1 – you want the permanent road built first, is that correct?

Mayor of Benton – that's correct.

Vercher - Number 2- you have not received, from Balar your consultant, the drainage study or hydraulic study information for the lift station as well as for the water capacity issues.

Mayor of Benton – I have not received any summary. I will call them in the morning and see. They are also, like everyone else in the world, working with Coronavirus staffing so I will call in them morning and see where we are on that.

Vercher – ok, so according to Raley they have submitted it to David Kunz at Balar. Is that all your points Mayor?

Mayor of Benton – I'll just mention that we worked with DLSD a couple of weeks ago on establishing a construction entrance that they're presently using which encompasses the existing lift station road to the west and then it goes to the south 250' to enter the construction area where they are working right now.

Reyenga – I just want to make sure that everything is ironed out before this goes to a public hearing because I'm quite sure the next month we might possibly be meeting maybe at the Town Hall and you will have so many more visitors in regard to this so I don't think there needs to be any open topics.

Vercher – well at the request of the Board, I was actually going to mention that if this does go to a public hearing, I would want to request, Carlotta, that we use the Police Jury Chambers so that we do not have to all get stacked up in the Town Hall. I love the Town Hall but let's think a little bit bigger.

Askew-Brown – that can definitely be arranged.

Vercher – that will allow anyone in the room and not have them in the parking lot mad at us. That was going to be a request.

Vercher – is there another Board Member that would like to talk and address anything or any other public comment?

Charles Grubb, Lost River Resident – 413 N. Lost River Dr. – I appreciate yalls consideration of this. We appreciate Mr. Raley's comments about the construction of the new homes and the infrastructure that will be done through a separate construction entrance. In the PUD the second entrance is described as a secondary entrance, not a future entrance and on the plat that's before yall, is described as a future entrance and from our standpoint, there's no reason to not construct that secondary entrance now. Not only for the obvious safety issues with having one entrance and exit with a subdivision with so many homes in it, but more importantly, the entrance and exit out the secondary entrance will be down Lost River Dr. which happens to be the street that I live on. It's just a standard, residential street with parking permitted as far as the public is concerned and this street was never designed to take the kind of traffic that would be implied if the mean of ingress and egress by the residents of this new subdivision, came down it. And it wasn't designed for that because the PUD states that those people that live north of us in the subdivision will have their own entrance. We don't want to see this as a future entrance. This needs to be constructed as part of the infrastructure for this unit. All our neighbors want is what we were promised and what we were promised is in the PUD. The PUD promised us a second entrance, a space for a pool and clubhouse, as I appreciate, is not depicted on this plat and it shows some walking trails. And whether that develops as a pool and clubhouse or playground for the kids, it's not something that's before the board when approving the plat but we just would request that the plat include the amenities that are shown in this particular area that's on the PUD and we won't be filling up the Police Jury Chambers. We just want what we were promised.

Vercher – do we have another public comment?

Jim Broughton, Lost River Resident – 419 N. Lost River - a few weeks ago when the foundation work was started on a few houses in the north section, we literally had to flag down the trucks to stop them because they were going too fast down the street so it's definitely a safety issue going up and down North Lost River. So I agree with Charles wholeheartedly that we need to start from the beginning to have these trucks coming in a different direction but we also don't need to add all the traffic on North Lost River because there are a number of children up and down the street and as much as we would like to assure that they will never venture into the street, the day the trucks are running crazy on the street, the kids that are on the edge of the street... so as Charles said, we would like to minimize the traffic on that street as much as possible and once again we were promised a secondary entrance not a future secondary entrance.

Vercher – Palmetto is a Parish Rd. correct Jeff?

Raley – correct.

Vercher – are the interior streets private?

Raley – no, they are Town of Benton streets.

Vercher – the Town of Benton has expressed that they would like those streets to be built prior to any homes being constructed.

Raley – yes.

Vercher – do we have any more public comments?

Raley – if the developer chooses to build it out to Palmetto Rd., then that's going to become the construction entrance and that road is going to take a beating while all the houses are being built.

Vercher – I'm not going to support anything that puts the construction traffic through the existing subdivision. So, it will need to be constructed off the north entrance or I'm not going to support it. Of course I'm just one of the votes.

Raley – well I guess what I'm saying is, where that street comes out, that is the only other entrance to the subdivision. The other piece of ground to north of that street is not all that accessible. That's why we were gonna try to leave the whole north end, a nice all-weather construction entrance, because if we put the paving out there, all the construction traffic is going to come in and out on that pavement. That's why we wanted to leave it until the end.

Vercher – so you would rather them come through the existing pavement and tear it up then?

Raley – no, we don't want them to come through the boulevard because like the neighbors are saying, they don't want all that construction traffic coming through their existing home areas.

Vercher – but normally, in all subdivisions as you know Jeff, the streets are built and accepted and then the builders come in.

Raley – Yeah, that's correct. That's what we're doing now.

Vercher – do we have any other comments from the Board?

Reyenga – Well I'm afraid Steve that I'm in agreement with you about the entrance and the streets prior to.

Vercher – right. I'm not going to support it, and again I'm not the last vote, without the entrance being built so that construction comes in off its own entrance. I get what you are saying, that's just not the norm with development that I've seen in our area as well as anything in Bossier City, Bossier Parish or Benton. I think in order to move forward we have to understand, does the developer that you represent want to go back and think about this or does he want to proceed with a gravel road.

Jeff Foshee, Developer – there seems to be some confusion on the road. Where it shows future entrance on the plat, that entrance exists, it's a gravel road and all construction has to use that. We are requiring that to keep all construction out of the main boulevard so today, I know DSLD has worked with the Mayor to make some improvements to extend that to where the existing road is. So all the trucks are coming in through the construction entrance and that happening today. When we do the 58 lot phase, we're gonna improve part of that road...it will be paved. And there will be about 400' that will not. It will be improved weathered gravel and all construction will have to keep on that road. We want to designate it for that so all concrete trucks and everything else building the 58 lots, will have to use it. Then the last phase in North river, we would pave the last 400' and make it a permanent entrance so that's the plan. We thought it was a good plan because one, it's less wear and tear on an improved road that the City has to maintain. But it is a required road that the construction has to use so it keeps traffic out of the entrance of Lost River. We don't want that either. We agree with that and we agree that it would be a lot safer if all construction came through one end.

Vercher – you say we agree, I don't think that I hear we, I hear you and Jeff but the Mayor has already spoken that he wants the road built. Is that correct Mayor?

Mayor of Benton - that is correct, we want the road built.

Vercher – ok, so there's no we, it's just you and your engineer.

Foshee – well, I do not own the property that the 400' is on so are you saying that I have to build that and that I have to buy that property?

Vercher – well how can you go across it if you don't buy it.

Foshee – Can you make somebody buy property for that? Is the traffic study allude to having to have it today? I agree that when built out, Lost River should have a second entrance.

Vercher – now you've brought up a bigger concern, that if you do not acquire it, you might not ever get to build it. I will definitely not support anybody that has not bought the property yet.

Foshee – I bought the property the 58 lots is on.

Vercher – but you lack enough property to finish out the planned PUD.

Foshee – well, there's lots of lots in the PUD that aren't being built today. This is just a portion of that property.

Vercher – I'm going to support the Town of Benton who will own and maintain the road and as far as I'm concerned the Town of Benton should say when the road gets built and they should also require you acquire the property. But I'm just one board member, and I will turn it over to Neil, our Attorney because I'm not an Attorney.

Neil Erwin, MPC Attorney – well what I heard was, I think it's a question of timing rather than disagreement. What I heard the Mayor say and everybody ought to know if they don't now, the Mayor is very experienced in construction matters, the words he used, were I would like to see the road built along with this phase. Steve, you then asked, you want it built first. And the Mayors original term was "along with," so I think it would be useful to first get exactly when the Town of Benton would like to see the road get built and what you meant, Mayor by along with. It's ok Mayor if you meant before any lots get sold. As Tom Arceneaux said, as to the timing, but it might be useful for everybody's discussion to know when the Town and residents would like the road to be built and then hear the developer say when he would agree to the timing of that and then it's up to the Board to decide. So Mayor what did you mean with along with this phase?

Town of Benton Mayor – along with the streets that will be built in the new phase.

Reyenga – so Steve, do I understand the Mayor wants the road built first?

Town of Benton Mayor – along with the streets that are being put in the new development, along with the new phase.

Vercher – so you would like the streets to be built first Mayor before we bring in concrete trucks for the slabs and the home builders and everybody else.

Town of Benton Mayor – yes.

Vercher – there's two phases of construction. There's the utilities, streets, and drainage. You would like that complete. Then we allow the home builder traffic to come in from the north.

Mayor of Benton – that's correct.

Erwin – then I think the question would be, Steve just as a suggestion, does the developer agree to that timing.

Vercher – his dilemma is, he hasn't purchased the property yet to complete the road.

Erwin - right

Foshee - can somebody explain the timing to me.

Vercher - complete the streets, drainage and utilities as part of this phase before you start pulling homebuilder permits.

Foshee - no, there's two things, there's the north unit that in front of you today with the 58 lots. Then there is also the extension of Palmetto which is about 400' additional. If we show the 400' additional in this plan, is that what the Mayor would like to see. In other words, I would build it simultaneously with the 58 lots.

Mayor of Benton - correct.

Foshee - ok. For the record, I thought we had a good plan. We were very cautious about safety that's why we wanted to use this entrance. And we thought that it served the need. We didn't think that any traffic studies would require that portion to be made in this phase of the development. If I'm forced to build that section as part of the 58 lots, I'll do it to please the Mayor and the constituents. If that is the case, we'll just have to do it.

Vercher – well I look at the Town of Benton and his appointed engineer, Balar as reviewing the submittals that you gave him and its normal for the Town to permit the utilities, streets and drainage once its complete and once accepted, then the building permits are behind it so I don't think we are doing anything out of the norm and that's what the Town has requested.

Foshee – the utilities are already there.

Vercher – but we haven't approved the capacity issues yet, so in my mind, its still not resolved.

Foshee – so I would like to ask a question legally. If a traffic study said we don't have to put the entrance in just yet, that this phase in the north would be sufficient to sustain that, is this by science or...is this legal?

Erwin – yes. It says under the provision of Article 3 planned building groups and residential planned unit developments, we are now on a preliminary plan for this area, approval or disapproval, report to the applicant including any conditions of approval, which may include a performance bond. So if this Board would place a condition of approval on your plan, that the secondary road be built along with the streets in the unit, then that would be consistent with the provisions of this ordinance that say they can place conditions of approval on it. It's a PUD and it gives them greater latitude over it. So yes, it's legal.

Foshee – thank you. If that's the case, we will make the connection to Palmetto. Mayor you had brought up the expansion of Palmetto Rd. and you weren't quite sure on the timing of that but do you know when that project is going to happen?

Mayor of Benton – initially the first phase was supposed to be built in 21 was expansion from 911 Office to Vance Rd. From Vance to Burt Blvd, looking at 23 or 24. But I can speak to Butch tomorrow about that.

Askew-Brown – I concur with that, I spoke with Nguyen last Thursday and he said the next phase is from Old Palmetto to Vance and the plan is to start clearing and grubbing to start the project this summer. But that's just the first phase. They don't anticipate the next phase for another 3 to 5 years.

Mayor of Benton – one thing I will mention is that I picked up in the Police Jury minutes, when Lost River was originally approved, when Matt Locke was the owner, that Butch Ford stated in the minutes that the road was going to be expanded and that there would need to be some ROW's in the future. So it was public record.

Foshee – I think he had mentioned that it would be expanded on both sides of Palmetto right?

Mayor of Benton – I can't answer that. What they are doing currently, they are trying to grab a little bit on each side of the road. It's going to be a three lane road. but it is in the Police Jury Minutes from 2014. If you don't have them, we can get them to you.

Raley – I remember when Butch talked to us originally when we master planned all this. I think Mr. Locke had been told that the Parish was going to take 10' off the Lost River Side. We made provisions for this.

Reyenga – the second entrance is coming out at what location? Is it down from Reyenga Rd. or across from the Catholic Church, right there where the pond levee is?

Raley – it's a little ways south of Burt Boulevard. It's just south of Reyenga Rd. South of the lift station.

Reyenga – well I don't think they'll be getting any on the Reyenga road side because of the pond levee, Mayor but I don't know that for sure, but I'm just assuming because of the layout of the land.

Mayor of Benton – it's just been some simple schematics so far and none of that has been surveyed.

Raley – Steve, just to let you know, our master plan did take that 10' strip into consideration on the westerly side of Palmetto Rd. So it has been taken into account.

Vercher – just follow up with Butch and work out the permanent ROW needs. I'm sure he can give you something to work with even though its 4 or 5 years down the road.

Raley – it's not a problem.

Vercher – there are so many unknowns until they get the survey.

Vercher – so, Carlotta how do you want to handle this? Do they give it to us in writing, do they make a statement?

Askew-Brown – we can put it up for public hearing. Mr. Foshee has stated that he's going to add that entrance. So we can move it forward if everyone agrees.

Erwin – I do think, Steve, that it could be a potential condition, on the transition of the preliminary plan to public hearing.

Vercher – I agree. I actually want to see some sort of exhibit, or something from the engineer and developer on what their intent is now.

Foshee – Jeff can we resubmit the plat showing that entrance.

Raley – yes, I'll just need to figure those geometrics correctly to show that ROW coming out to Palmetto Rd. on the plat. That way well have where it's going.

Foshee – so basically it's a revised preliminary plat that will be submitted.

Askew-Brown – will it have an additional signature line for the additional owner?

Raley – yes we can put the Bank on there.

Vercher – is that something you can work out between now and next month working with the purchase of the property?

Raley – yes, I'm sure Mr. Foshee can have it worked out.

Foshee – yes.

Erwin – will you also need to have a conversation with Butch Ford?

Raley – I'll have that conversation. He knows the road's coming, he just doesn't know the timing of the road. I'll just get with Butch and ask him what he wants us to do right there.

Reyenga – so Steve, as a member, I can assume then the streets and entrance will be in place prior to any construction within the unit?

Vercher – yes that's our agreement.

Reyenga – just wanted to be sure.

Vercher – any further comments? Hearing none, I'll call for a motion.

Kauffer – I make a motion for move forward with T-1-20 for a public hearing with the amendments to be added with the new submission to include water, drainage, and sewer lift station capacity studies being reviewed by Balar.

Jenkins – seconded that motion.

Roll call vote was held. Motion passed unanimously.

REGULAR MEETING

1. Approval of March 2, 2020 Minutes
 - a. Motion passed unanimously.
2. Old Business – None
2. New Business – Askew-Brown – I will keep you posted on the location of the next meeting.
Ronnie Hickman – Discuss Personal Food Truck – Kingston Rd.

4. Adjourn


Steve Vercher, Acting Chairman