

BENTON PARISH METROPOLITAN PLANNING COMMISSION

MINUTES

Monday, March 7, 2022 – 6:00 P.M.  
Benton Town Hall  
105 Sibley Street  
Benton, LA 71006

MEMBERS PRESENT

Martha Reyenga  
Steve Vercher  
Michael Jorgensen  
Brian Kauffer

MEMBERS ABSENT

Wes Shepherd

OTHERS PRESENT

Carlotta Askew-Brown  
Daniel Besinaiz  
Charles Grubb  
Kurt Nixon  
Wayne Cathcart  
Angela Lee  
RK Barnes  
Bo J Stephens  
Jim Broughton  
Pat Doane  
Kenneth O'Briant  
Micha Duffy  
Clarence McShan  
Phil Lewis  
Michael Kelsch  
Ray G Heath Jr.  
Kenneth O'Briant  
Gary Taylor  
Neil Erwin

Steve Vercher, Vice 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-2-22 – The application of Nixon Engineering Solutions, LLC requesting a Zoning Amendment to change the zoning classification of a tract of land being 1.52 acres, more or less, from R-1 (One-Family Residence District) to R-A (Residential – Agriculture) for a pest control business located in Section 10, Township 19 North, Range 13 West, Bossier Parish, LA. (Police Jury District 3)

Kurt Nixon was present to answer any questions.

Nixon: This is just a spot to fix. There is a piece of land that has two zonings and we need to correct that to be one.

Vercher: Can you explain what we are doing with both lots?

Nixon: Right now they are splitting into two lots and selling the rear lot.

As there were no further comments from the Board or the public, the Chairman called for a motion.

A motion to approve the application was made by Kauffer and seconded by Vercher.

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

2. BP-3-22 – The application of North Calvary 13th District Association requesting a Zoning Amendment to change the zoning classification of a tract of land being 7.856 acres, more or less, from R-A (Residential – Agriculture) to B-2

(Neighborhood Business Districts) for a proposed meeting room for a church located in Section 28, Township 20 North, Range 13 West, Bossier Parish, LA. (Police Jury District 3)

Angela Lee was present to answer any questions.

Lee: We just want to put the church building on the property.

Vercher: A church can be located in R-A, B-1, or B-2?

Askew-Brown: Correct. Based on what Ms. Lee told me, they are not building a church.

Lee: No, we are not building a church with a steeple but it is for church functions. There is not going to be a pulpit but there will be a room for religious activities. We are trying to restore what we used to have.

Reyenga: It is just a meeting room?

Lee: Yes, just to talk about things and activities.

Vercher: So we could stay with R-A?

Askew-Brown: Based on the conversations that we have had, they have described it as a meeting room so we have proposed to zone it as such.

Lee: Can someone give me a definition of what is a church?

Askew-Brown: I am searching now.

McShan: The original purpose of the church is to have a meeting space for the church. When the storm came through, it took away that activity. Now we have the funds to go back and reestablish it.

Askew-Brown: A church means a building together with its accessory buildings and uses where persons regularly assemble for religious worship.

Lee: That is us.

Askew-Brown: We asked several times and you said this is not a church. If they were defined as a church from the beginning, there is a separate process for that. They will have to go before the Board of Adjustments.

Lee: This particular building is not a church. It is a meeting room.

Askew-Brown: I understand. That is why we went forward with this process.

Vercher: If I was going to make a motion tonight, I would make a motion to refund their money and have them go through the proper procedure.

Askew-Brown: You will have to go before the Board of Adjustments.

Lee: I am sorry that we have gotten in your way. We have misunderstood.

As there were no further comments from the Board or the public, the Vice Chairman called for a motion.

A motion to withdraw the application with the intent to refund the application fee and have the applicant go through the Board of Adjustments was made by Vercher and seconded by Jorgensen.

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

3. T-1-22 – The application of Green Tree Ventures requesting Preliminary Plat approval for Lost River Estates North Unit 5, being a Planned Unit Development, being 17.086 acres, more or less, located in Sections 31 and 32, Township 20 North, Range 13 West, and Section 5, Township 19 North, Range 13 West, Bossier Parish, LA. (Town Council District 5) (Police Jury District 3)

Michael Kelsch, Raley and Associates, was present to answer any questions.

Kelsch: This is the next and last unit of Lost River North. It follows the master plan exactly how it was approved in 2020. We are trying to keep everything the exact same. We mislabeled lots 5000 and 5001 so we will need to adjust those.

Vercher: The lots will not be any smaller than the original master plan?

Kelsch: That is correct.

Broughton: The specific issue that I want to address this evening is the homeowner association situation. When you are talking about Lost River and you come into the entrance, it is assumed you are in Lost River. New residents are going to assume they have access to the amenities provided in Lost River without paying any of the fees.

O'Briant: New residents are going to feel that way, but current residents will also not be paying for the amenities on my side. We are coming to an agreement for my side to pay fees to use your amenities but I am not asking for your side to pay to use my amenities.

Cathcart: The people of Lost River are asking for some help for maintenance of the front entrance.

O'Briant: We have an assessment. We are working on an agreement right now to have an amount paid.

Grubb: The master plan for Lost River North contemplates common areas to be managed by the HOA. My understanding that the HOA does not own anything. It is owned by Foshay. Since he owns it, I do not know what the insurance is that it will be common area. He is also not complying with another part. There is supposed to be a pedestrian and bike path. That portion of the pedestrian and bike trail has not been constructed but he has sold all of the lots. I understand that it may be concrete or crushed granite. I think crushed granite can be acceptable if it is properly constructed.

Kelsch: It is my understanding that the HOA ownership comes in when the plan is completed. In regards to the sidewalk, it is a 4' concrete sidewalk that was on the master plan to be done in unit 4. It has been discussed greatly as to which ones will be concrete and which ones will be compacted, crushed granite. That is something that is being done, but it is not on the plat.

Vercher: I think that the approval of unit 5 should be contingent upon the construction of the sidewalk in unit 4. You said yourself that that can be done.

Cathcart: I would like to address the issue of unit 4 and unit 5. We know unit 4 was approved. We know what the outline is. There is a vertical line separating units 4 and 5. In unit 4, you will see what looks like a park with picnic tables and sidewalks.

Vercher: It does show a walking trail completed in unit 4.

Cathcart: And the park.

Vercher: No, that is in unit 5.

Cathcart: We have been in this position before in Lost River. We wonder why they never get around to the amenities and then we find out that they were never

guaranteed. I would like to ask this board to postpone approval of unit 5 until the concrete sidewalk in unit 4 reached unit 5.

Vercher: So let's talk about the drainage exhibit.

Kelsch: Yes, so this is a preliminary plan. I have sent many plans like this to Carlotta. We have to do a more detailed drainage study as things progress. It is very rare to have final studies in the preliminary stages of a development because the developer will not want to spend thousands of dollars on a project that will not pass.

Barnes: Will the pipe be installed in place of a ditch for overflow of the lake? What size is the pipe? Will it sit in the existing ditch or in a new ditch?

Kelsch: It's a 36" pipe in a new ditch. The existing ditch will be filled in.

Barnes: What provisions are there for keeping that pipe filled out? There are beavers in that lake that will damn the pipe. Is it possible to see a survey of Lot 141? My house is the first house closest to it.

Kelsch: Lot 141 will start 25' from your property. We can make sure you get a copy of the plan. A 36" pipe should not get beavers blocking it up. The HOA is responsible for taking care of that.

As there were no further comments from the Board or the public, the Vice Chairman called for a motion.

A motion to approve the application contingent on the construction of the concrete sidewalk in unit 4, completion of the pond and fountain as shown in the 2020 approved master plan, and seeding of the grass as shown in the 2020 approved master plan, completion of unit 4, and having the drainage design complete and approved by Balar before we approve the final plat for unit 5, was made by Vercher and seconded by Kauffer.

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

4. T-20-21 – The application of Kenneth O'Briant requesting Final Plat Pre Construction Layout approval for Lost River South Unit No. 1, being 10.088 acres, more or less, located in Section 5, Township 19 North, Range 13 West, Benton, LA. (Town Council District 5) (Police Jury District 3)

Michael Kelsch, Raley and Associates, was present to answer any questions.

Kelsch: The streets have been approved by Town Council. The only changes made to the plan are getting the descriptions correct with the attorney. As far as I know, everything is good to go.

Vercher: Carlotta, do you have any comments?

Askew-Brown: No, we have worked out the logistics behind the scenes.

Doane: It is common practice before we go final to add a notation for private common areas. For Lot 1002, it should be noted that it is not being dedicated to the town.

Askew-Brown: That it is being privately owned and maintained.

Vercher: That is for an athletic facility?

Kelsch: Yes, some sort of ball field with maybe a backstop.

Vercher: That is for the residents of both HOAs?

Kelsch: I believe he was going to open it up to everyone.

O'Briant: We have public streets and sidewalks. It is open to everybody.

Vercher: That plat shows existing burial sites? Is there anybody who wants to have access to that?

O'Briant: No.

Kelsch: The state was notified with that and they sent their own archaeologists. I don't think it's a requirement to have access to that.

Grubb: I trust that Kenny will maintain the property even that is not his. My concern is that the next property owner will not. Who will maintain the property?

Vercher: Between lots 14 and 15, you have a drainage easement for a pipe. You might as well put in a drainage easement. Even though it is his property, I would pull that pond back.

Kelsch: I see what you are saying. That is a good thought.

As there were no further comments from the Board or the public, the Vice Chairman called for a motion.

A motion to approve the application was made by Vercher and Kauffer.

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

5. BP-5-22 – The application of Black Cypress Benton, LLC requesting Amended Plat approval for Fairburn Subdivision Unit 5A, being 1.281 acres, more or less, located in Section 17, Township 19 North, Range 13 West, Bossier Parish, LA. (Police Jury District 3)

Micha Duffy, Coyle Engineering, was present to answer any questions.

Duffy: The owner wanted to take the two western lots in unit 5 and make them into one lot. If you remember, we did the opposite thing on the eastern side. It worked out for them.

As there were no further comments from the Board or the public, the Vice Chairman called for a motion.

A motion to approve the application was made by Jorgensen and seconded by Kauffer.

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

6. BP-7-22 – The application of Roy G. Hicks requesting Amended Plat approval for Montgomery Suburban Acres Unit 1C, being 5.393 acres, more or less, located in Section 35, Township 20 North, Range 13 West, Bossier Parish, LA. (Police Jury District 3)

Roy Hicks was present to answer any questions.

Hicks: I am trying to downsize some of the property because of some health issues. I am not able to take care of the property.

Vercher: Are you going to sell one of the properties?

Hicks: Yes sir.

Erwin: I see future problems because nobody will have access to the rear lot.

Askew-Brown: We were informed by Mr. Hicks that the rear lot and the neighboring lot will be sold together. There was concern that someone would build on the lot so we had it denoted as a non-buildable lot.

Erwin: What would happen if someone else bought the lot and sued for access to it?

Askew-Brown: The Police Jury wanted it cut off.

Erwin: We need some sort of denotation that the lot shall be sold in conjunction with Lot 23. Is that alright?

Hicks: That works. That was the engineer's thinking and I was not going to tell him he was wrong.

Askew-Brown: Correct.

Taylor: I just want to be assured that there will not be any homes on that lake property.

Vercher: It is labeled non-buildable and we are going to put in a land tie with the neighboring lot.

As there were no further comments from the Board or the public, the Vice Chairman called for a motion.

A motion to approve the application with the condition that there is a land tie added was made by Vercher and seconded by Jorgensen.

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

7. BP-6-22 – The application of Eric S. Clarke requesting Minor Plat approval for Clarke Subdivision Unit 1A, being 10.746 acres, more or less, located in Section 11, Township 20 North, Range 13 West, Bossier Parish, LA. (Police Jury District 3)

Jenny Clarke was present to answer any questions.

Clarke: We are trying to get the three-quarters of land added to our property.

Askew-Brown: With the addition, the property will become a complete rectangle.

As there were no further comments from the Board or the public, the Vice Chairman called for a motion.

A motion to approve the application was made by Kauffer and seconded by Jorgensen.

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

8. BP-31-21 – The application of Randall L. Hilton requesting Minor Plat approval for Lawrence Lands, being 0.746 acres, more or less, located in Section 11, Township 20 North, Range 13 West, Bossier Parish, LA. (Police Jury District 3)

The applicant was not present.

Askew-Brown: So this is to take the three-quarters of an acre from the applicant's property to the previous applicant's property.

As there were no further comments from the Board or the public, the Vice Chairman called for a motion.

A motion to approve the application was made by Jorgensen and seconded by Kauffer.

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

(C) PRELIMINARY HEARINGS

9. BP-4-22 – The application of Phil Lewis requesting a Zoning Amendment to change the zoning classification of a tract of land being 26 acres, more or less, from R-1 (One-Family Residence District) to R-A (Residential - Agricultural) for agricultural purposes located in Section 24, Township 20 North, Range 12 West, Bossier Parish, LA. (Police Jury District 3)

Phil Lewis was present to answer any questions.

Lewis: It is currently a horse farm but back in 1977, it was rezoned to become a subdivision. The property owner now wants to keep it for agricultural use.

Reyenga: Do they access it from English Road?

Lewis: Yes ma'am.

Reyenga: They want to make this into one big R-A lot to be the horse farm to put it back to the way it originally was.

As there were no further comments from the Board or the public, the Chairman called for a motion.

A motion to approve the application was made by Jorgensen and seconded by Vercher.

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

REGULAR MEETING

1. Approval of Minutes
  - a. A motion to approve the February 7, 2022 minutes was made by Vercher and seconded by Kauffer.

The motion passed unanimously.

2. Old Business

Askew-Brown: For accounting purposes, we had discussed last year getting a gift card for Rachel Hauser. She is the one that does our Police Jury meetings when we have to go there. She does not get paid. She stays after hours and we agreed to give her a \$50 gift card, which we did. We need it on the official record that the Board gave me authority to do that.

A motion to approve the \$50 gift card to Rachel Hauser was made by Kauffer and seconded by Jorgensen.

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

3. New Business

Besinaiz: This will be my last meeting here in Benton. I am moving on to be the Senior Planner at the City of Colorado Springs. It was an offer I could not turn down. It was the pleasure of a lifetime to be the sidekick to Mrs. Carlotta. Two weeks from today, I will walk out of Bossier City Hall and that will conclude my time here.

4. Adjourn

*Martha Reyenga* 4/4/22  
Martha Reyenga, Chairman