

March 15, 2021

The Land Use Commission of the City of Sulphur, Louisiana, met in regular session at its regular meeting place located at 500 N. Huntington Street, Sulphur, Louisiana, held at 5:30 p.m., on the 15th day of March 2021, after full compliance with the convening of said meeting with the following members present:

LENORE CARROLL, Land Use Commission District 1
PHYLLIS WILSON, Land Use Commission District 2
VERONICA ALLISON, Land Use Commission District 3
JONATHAN BRAZZELL, Land Use Commission of District 5

ABSENT: ROBIN BAUDOIN, Land Use Commission District 4

After the meeting was called to order and the roll called with the above results, motion was made by Mrs. Wilson seconded by Mrs. Carroll that the minutes from the previous meeting stand as written. Motion carried unanimously.

Motion was then made by Mrs. Wilson seconded by Mrs. Carroll that item #1 be removed from the agenda:

Resolution granting a rezone from Residential to Mixed Residential to West-Cal Homes, Inc., 2301 Broussard Road.

Motion carried unanimously.

Motion was then made by Mrs. Wilson seconded by Mrs. Allison that the agenda stand as amended.

Motion carried unanimously.

The first item on the agenda is a resolution granting a rezone from Residential to Commercial to Richard Cole, 2731 South Ruth Street to allow for future business use. Mr. Cole stated he has a buyer for the property. It won't be a bar or a casino. Lane Babin, Henderson Family Enterprises, stated that their current plans are for a quick service restaurant on the corner

and maybe office space in the rear. If the far east lot doesn't get rezoned to Commercial, then they'll probably build multi-family units.

The following people spoke against the rezone:

Gerald Hansen, Theresa Bourque, Ronald Wray – all residents of Southgate Street

After much discussion, motion was made by Mrs. Carroll seconded by Mrs. Wilson that item #2 and #3 be swapped so they could have discussions on removing the stipulations before rezoning the property.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mrs. Wilson, Mrs. Allison, Mr. Brazzell

NAYS: None

ABSENT: Ms. Baudoin

And the said items 2 and 3 were swapped on this 15th day of March, 2021.

ATTEST:

ARLENE BLANCHARD, Secretary

JONATHAN BRAZZELL, Vice-Chairman

The next item on the agenda is a resolution amending Resolution adopted May 17, 2010 by the Land Use Commission, which granted a rezone from Business and Residential to Commercial for Richard Cole, 2731 Ruth Street (*This amendment is to remove all stipulations placed on property*). Residents from Southgate Street were in opposition to this resolution. They stated that Southgate is a safe street for their kids to play. There's a handicap person that lives at the end of this road and he can ride in his wheelchair to each of the neighbors homes. Mr. Hanson stated that cars turn down this road by mistake and turn around in everyone's driveways. If these stipulations are removed from the previously adopted Resolution, that will bring too many cars down this quiet street.

Mrs. Wilson stated that Sulphur has been growing and it's growing south towards Carlyss.

Mr. Hanson addressed the drainage problem on Southgate and stated that this road can't take any more water.

After much discussion, motion was made by Mrs. Wilson seconded by Mrs. Allison that the following stipulations (#1 and #4) be removed from previously adopted Resolution adopted May 17, 2010 by the Land Use Commission:

1. Construct a wooden privacy fence, eight feet in height. Fence shall be placed along the south property line from the east right of way of Ruth Street to a point twenty-five feet west of the parcel's east property line (approximately 389 feet in length); along a line parallel to the parcel's east property line, located twenty-five feet west of that line, for the full length of that line; and along the north property line from a point 135 feet east of the east right of way line of Ruth Street to a point twenty-feet west of the parcel's east property line (approximately 254 feet in length). Fence shall be constructed upon completion of building construction.
4. Any points of ingress and egress connecting to Southgate Street must be entirely located between a point defined by the intersection of the east right of way line of Ruth Street and the north right of way line of Southgate Street to a point on the north right of way line of Southgate Street, located 175 feet east of the east right of way line of Ruth Street. The locations of said right of way lines shall be as defined as of the date of this rezone.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mrs. Wilson, Mrs. Allison, Mr. Brazzell

NAYS: None

ABSENT: Ms. Baudoin

And the said amendment was duly adopted on this 15th day of March, 2021.

ATTEST:

ARLENE BLANCHARD, Secretary

JONATHAN BRAZZELL, Vice-Chairman

Motion was then made by Mrs. Wilson seconded by Mrs. Carroll that the following resolution be adopted to-wit:

RESOLUTION AS AMENDED

RESOLUTION AMENDING RESOLUTION ADOPTED MAY 17, 2010 BY THE LAND USE COMMISSION, WHICH GRANTED A REZONE FROM BUSINESS AND RESIDENTIAL TO COMMERCIAL FOR RICHARD COLE, 2731 SOUTH RUTH STREET TO REMOVE CERTAIN STIPULATIONS PLACED ON PROPERTY.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby remove the following stipulations that were placed on 2731 South Ruth Street:

1. Construct a wooden privacy fence, eight feet in height. Fence shall be placed along the south property line from the east right of way of Ruth Street to a point twenty-five feet west of the parcel's east property line (approximately 389 feet in length); along a line parallel to the parcel's east property line, located twenty-five feet west of that line, for the full length of that line; and along the north property line from a point 135 feet east of the east right of way line of Ruth Street to a point twenty-feet west of the parcel's east property line (approximately 254 feet in length). Fence shall be constructed upon completion of building construction.
2. Any points of ingress and egress connecting to Southgate Street must be entirely located between a point defined by the intersection of the east right of way line of Ruth Street and the north right of way line of Southgate Street to a point on the north right of way line of Southgate Street, located 175 feet east of the east right of way line of Ruth Street. The locations of said right of way lines shall be as defined as of the date of this rezone.

BE IT FURTHER RESOLVED that the following stipulations shall stay in effect:

1. Provide a buffer strip twenty-five feet in width, along the full length of the parcel's east property line.
2. Permissible uses do not include casinos or bars.

BE IT FURTHER RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby amend the Resolution that was adopted on May 17, 2010 by the Land Use Commission which granted a rezone from Business and Residential to Commercial for Richard Cole, 2731 South Ruth Street to remove certain stipulations placed on property.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mrs. Wilson, Mr. Brazzell

NAYS: Mrs. Allison

ABSENT: Ms. Baudoin

And the said amendment was declared duly adopted on this 15th day of March, 2021.

ATTEST:

ARLENE BLANCHARD, Secretary

JONATHAN BRAZZELL, Vice-Chairman

The next item on the agenda is a resolution granting a rezone from Residential to Commercial to Richard Cole, 2731 South Ruth Street to allow for future business use. After discussion, motion was made by Mrs. Wilson seconded by Mrs. Allison that the following amendment be made:

Rezone to Mixed Residential rather than Commercial.

Motion carried unanimously.

Motion was then made by Mrs. Allison seconded by Mrs. Carroll that that the following resolution be adopted to-wit:

RESOLUTION AS AMENDED

RESOLUTION GRANTING A REZONE FROM RESIDENTIAL TO MIXED
RESIDENTIAL TO RICHARD COLE, FOR THE EASTERN 90 FEET OF 2731
SOUTH RUTH STREET.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone from Residential to Mixed Residential to Richard Cole, for the eastern 90 feet of 2731 South Ruth Street, for the following described property:

THE EASTERN 90 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

COMMENCING AT A POINT ON EAST SIDE OF LOUISIANA HIGHWAY NO. 27 AT A POINT 50 FEET EAST AND 244.9 FEET SOUTH OF NORTHWEST CORNER OF THE NORTHEAST ¼ OF SECTION 10, TOWNSHIP 10 SOUTH, RANGE 10 WEST, LOUISIANA MERIDIAN; THENCE RUNNING 104 FEET SOUTH ALONG THE SAID EAST SIDE OF HIGHWAY NO. 27; THENCE EAST 418 FEET; THENCE NORTH 104 FEET THENCE WEST 418 FEET TO THE POINT OF COMMENCING. THE SOUTH LINE OF SAID LOT BEING A DISTANCE OF 312 FEET NORTH OF THE NORTH LINE OF A FORMER DIRT ROAD, NOW PATCH STREET, AND THE WEST 182.0 FEET OF LOT "C" OF SOUTH ACRES SUBDIVISION AS PER PLAT RECORDED IN PLAT BOOK 4, PAGE 54 RECORDS OF CALCASIEU PARISH, LOUISIANA.

This rezoning is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said rezoning interfere with the rights and privileges owned by the City of Sulphur pursuant to a pre-existing right of way, servitude or easement. If withdrawn, any improvements constructed thereon shall be removed at the expense of owner thereof.

Grantee hereby agrees and contracts to hold Grantor harmless from any damages created and/or caused by the granting of this rezoning, including, but not limited to, litigation defense, litigation costs, violation of subdivision restrictive covenants, building code violations or any other damages, property and/or monetary or otherwise, relating thereto.

Upon approval of this rezoning the owner of this rezoning shall be responsible for the recordation thereof, with the Clerk of Court, Calcasieu Parish, Louisiana, and shall provide the City of Sulphur a receipt evidencing recordation within 10 days of the effective date of this rezoning.

No work shall commence until all applicable permits are obtained. In the event work is commenced prior to obtaining all applicable permits, this rezoning shall be withdrawn and considered null and void.

BE IT FURTHER RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezoning from Residential to Mixed Residential to Richard Cole, for the eastern 90 feet of 2731 South Ruth Street.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mrs. Wilson, Mrs. Allison, Mr. Brazzell

NAYS: None

ABSENT: Ms. Baudoin

And the said resolution was declared duly adopted on this 15th day of March, 2021.

ATTEST:

ARLENE BLANCHARD, Secretary

JONATHAN BRAZZELL, Vice-Chairman

There being no further business to come before the Commission, the Chairman declared the meeting adjourned.

ATTEST:

ARLENE BLANCHARD, Secretary

JONATHAN BRAZZELL, Vice-Chairman

3/15/21 6:10 P.M.