

October 21, 2024

The Land Use Commission of the City of Sulphur, Louisiana, met in regular session at its temporary meeting place located at 1551 East Napoleon Street, Sulphur, LA, held at 5:30 p.m., on the 21st day of October, 2024, after full compliance with the convening of said meeting with the following members present:

TROY DARBY, Land Use Commission District 2
VERONICA ALLISON, Land Use Commission District 3
EDDIE LEBLANC, Land Use Commission District 4
JONATHAN BRAZZELL, Land Use Commission of District 5
LENORE CARROLL, Land Use Commission District 1

After the meeting was called to order and the roll called with the above results, prayer was led by Mr. Darby followed by the Pledge of Allegiance led by Mr. LeBlanc.

Motion was then made by Mrs. Carroll seconded by Mr. Brazzell that the minutes of the previous meeting stand as written. Motion carried unanimously.

Motion was then made by Mr. Brazzell seconded by Mrs. Carroll that item #7 be removed from the agenda:

Resolution granting a rezone to Paul Cox, Parcel Nos. 00678570 and 00636193A (Prater Road) from Residential District to Business District to allow for a retail flooring business.

Motion carried unanimously.

Motion was then made by Mr. Brazzell seconded by Mrs. Carroll that the agenda stand as written. Motion carried unanimously.

The first item on the agenda is a resolution accepting petition from Hackberry Four Investments, LLC for the de-annexation of 1 acre located at 521 Prater Road. The following people spoke against the de-annexation and all 6 items involving the de-annexation on the agenda:

Danny DiPetta, Bonin Drive – stated that if the Land Use Commission had any morals voting no would be the right thing to do. Vote NO on items 1-6 on the agenda. It was originally going to be a man-camp and that failed. Then they got cross with the Core of Engineers. Now they want a dirt pit. They asked for a variance from 5 acres to 70 acres. The borrow pit application was incomplete. They said it would be vegetative landfill once they were done with the removal of the dirt. We have one of these just to the west. We need a good, clean business located here and one that will stay for a long time.

Carolyn Peters, Sherwood Drive, stated that Mossville doesn't want another pit in our area. Please consider positive growth. Maybe put a strip mall, park, or even a subdivision. We don't want a 117 hole in our backyard that'll be turned into a toxic waste dump.

Kerry Rigmaiden, Smith Street, stated that if this passes it'll set a very bad precedence. Please vote no.

Cindy Robertson, West Verdine, stated that the owners didn't get what they wanted so now they want to de-annex. The pit will collect water and be a public health issue. The area is toxic and polluted now. The toxins will seep into the Chicot Aquifer System which is our main source of drinking water. At the last meeting with them they said they would provide an environmental study. We never received it.

Roishetta Ozane, Haygood Drive, stated that this community is being ignored. What will this area do to our children. They are against anything that'll harm their children. They are against it.

Keandrea Martin, Westwood Road, read a letter opposing the de-annexing and stating that this community deserves to thrive.

Girard Riggs, Duke Street, stated that the noise and traffic won't be good for anybody. They didn't sell to Sasol because Sasol didn't want to negotiate.

Bill LeBlanc, Roberta Drive, stated that if the borrow pit would be allowed to be put here it may require this community to get flood insurance. If that's the case, they won't be able to afford it. They've never had flooding in their neighborhood but if the borrow pit it allowed it could affect them.

Archie Darby, Westwood Road, stated that he moved here 30 years ago, and he's never been sick until now. Where's our safety representative. Why doesn't the city relocate us.

Mr. Bennett, Edgard Hardy Lane, stated that EPA says we are a polluted community.

After discussion, motion was made by Mr. Brazzell seconded by Mrs. Allison that the following resolution be adopted to-wit:

RESOLUTION ACCEPTING PETITION FROM HACKBERRY FOUR INVESTMENTS, LLC FOR THE DE-ANNEXATION OF PROPERTY FOR 1 ACRE LOCATED AT 521 PRATER ROAD.

WHEREAS, in accordance with 33:176 of the Louisiana Revised Statutes, the Land Use Commission is hereby accepting petition from Hackberry Four Investments, LLC, for the de-annexation for property described on the attached plat located at 521 Prater Road as depicted on the plat prepared by American Surveyors dated July 14, 2016.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept petition from Hackberry Four Investment, LLC for the de-annexation of 1 acre located at 521 Prater Road described as follows:

THE SOUTH HALF (S/2) OF THE FOLLOWING DESCRIBED PROPERTY: COMMENCING 626.10 FEET SOUTH (MEAS= S-00°13'14" -W, 634.36') OF THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4-SW/4) OF SECTION 29, TOWNSHIP 9 SOUTH, RANGE 9 WEST, LA. MER., CALCASIEU PARISH, LOUISIANA; THENCE SOUTH 208.7 FEET; THENCE WEST 417.4 FEET; THENCE NORTH 208.7 FEET; THENCE EAST 417.4 FEET TO THE POINT OF BEGINNING.

HEREIN DESCRIBED TRACT CONTAINING 1.00 ACRES, MORE OR LESS, AND SUBJECT TO A PUBLIC ROAD RIGHT OF WAY (PRATER ROAD) ON THE EAST SIDE THEREOF AND ANY OTHER RIGHTS OF WAY, SERVITUDES AND/OR EASEMENTS OF RECORD OR BY USE.

A vote was then called with the results as follows:

YEAS: None

NAYS: Mrs. Carroll, Mr. Darby, Mrs. Allison, Mr. LeBlanc, Mr. Brazzell

ABSENT: None

And the said resolution failed on this 21st day of October, 2024.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a resolution de-annexing one acre owned by Hackberry Four Investments, LLC for property located at 521 Prater Road and contracting the boundaries of the City of Sulphur. Billy Loftin, City Attorney, stated to let all comments from item #1 be reiterated (see all comments above). There was no representative from Hackberry Four Investments, LLC at the meeting. Motion was made by Mr. Brazzell seconded by Mr. LeBlanc that the following resolution be adopted to-wit:

RESOLUTION DE-ANNEXING CERTAIN PROPERTY OWNED BY
HACKBERRY FOUR INVESTMENTS, LLC FOR PROPERTY LOCATED AT
521 PRATER ROAD AND CONTRACTING THE BOUNDARIES OF THE
CITY OF SULPHUR.

WHEREAS, the Land Use Commission of the City of Sulphur, Louisiana, has received from Hackberry Four Investments, LLC, a petition for the de-annexation of property located at 521 Prater Road as depicted on the plat prepared by American Surveyors dated July 21, 2016; and

WHEREAS, a petition for annexation filed by Hackberry Four Investments, LLC was accepted by the Land Use Commission of the City of Sulphur, Louisiana on Monday, August 15, 2016; and

WHEREAS, the petition for annexation was then accepted by the Sulphur City Council on Monday, September 12, 2016 by Resolution No. 2990, M-C Series with a public hearing on ordinance being held on Tuesday, October 11, 2016 by Ordinance No. 1418, M-C Series and the effective date of the said ordinance was 30 days after the minutes of the October 11, 2016 Sulphur City Council minutes were published in the Official Journal.

NOW THEREFORE, BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that the boundaries of the City of Sulphur be and the same are hereby contracted so as to exclude the following described property:

THE SOUTH HALF (S/2) OF THE FOLLOWING DESCRIBED PROPERTY:
COMMENCING 626.10 FEET SOUTH (MEAS= S-00°13'14" -W, 634.36') OF
THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE
SOUTHWEST QUARTER (SE/4-SW/4) OF SECTION 29, TOWNSHIP 9
SOUTH, RANGE 9 WEST, LA. MER., CALCASIEU PARISH, LOUISIANA;
THENCE SOUTH 208.7 FEET; THENCE WEST 417.4 FEET; THENCE
NORTH 208.7 FEET; THENCE EAST 417.4 FEET TO THE POINT OF
BEGINNING.

HEREIN DESCRIBED TRACT CONTAINING 1.00 ACRES, MORE OR LESS,
AND SUBJECT TO A PUBLIC ROAD RIGHT OF WAY (PRATER ROAD)
ON THE EAST SIDE THEREOF AND ANY OTHER RIGHTS OF WAY,
SERVITUDES AND/OR EASEMENTS OF RECORD OR BY USE.

BE IT FURTHER ORDAINED that the boundaries of the City of Sulphur, Louisiana, be
and the same are hereby defined as follows, to-wit:

DESCRIPTION OF GEOGRAPHIC BOUNDARIES:

INSERT GEOGRAPHIC BOUNDARIES

A vote was then called with the results as follows:

YEAS: None

NAYS: Mrs. Carroll, Mr. Darby, Mrs. Allison, Mr. LeBlanc, Mr. Brazzell

ABSENT: None

And the said resolution failed on this 21st day of October, 2024.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a resolution accepting petition from Hackberry Four Investments, LLC for the de-annexation of property for 28 acres on the west side of Prater Road north of the railroad tracks. Billy Loftin, City Attorney, stated to let all comments from item #1 be reiterated (see all comments above). There was no representative from Hackberry Four Investments, LLC at the meeting. Motion was made by Mr. LeBlanc seconded by Mrs. Carroll that the following resolution be adopted to-wit:

RESOLUTION ACCEPTING PETITION FROM HACKBERRY FOUR INVESTMENTS, LLC FOR THE DE-ANNEXATION OF PROPERTY FOR 28 ACRES ON THE WEST SIDE OF PRATER ROAD NORTH OF THE RAILROAD TRACKS.

WHEREAS, in accordance with 33:176 of the Louisiana Revised Statutes, the Land Use Commission is hereby accepting petition from Hackberry Four Investments, LLC, for the de-annexation for property described as follows:

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 9 SOUTH, RANGE 9 WEST, CALCASIEU PARISH LOUISIANA, LESS 11 ACRES SOLD

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept petition from Hackberry Four Investment, LLC for the de-annexation of 28 acres located on the west side of Prater Road north of the railroad tracks.

A vote was then called with the results as follows:

YEAS: None

NAYS: Mrs. Carroll, Mr. Darby, Mrs. Allison, Mr. LeBlanc, Mr. Brazzell

ABSENT: None

And the said resolution failed on this 21st day of October, 2024.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a resolution de-annexing 28 acres owned by Hackberry Four Investments, LLC for property located on the west side of Prater Road north of the railroad tracks and contracting the boundaries of the City of Sulphur. Billy Loftin, City Attorney, stated to let all comments from item #1 be reiterated (see all comments above). There was no representative from Hackberry Four Investments, LLC at the meeting. Motion was made by Mrs. Allison seconded by Mr. Brazzell that the following resolution be adopted to-wit:

RESOLUTION DE-ANNEXING CERTAIN PROPERTY OWNED BY HACKBERRY FOUR INVESTMENTS, LLC, FOR 28 ACRES ON WEST SIDE OF PRATER ROAD NORTH OF RAILROAD TRACKS AND CONTRACTING THE BOUNDARIES OF THE CITY OF SULPHUR.

WHEREAS, the Land Use Commission of the City of Sulphur, Louisiana, has received from Hackberry Four Investments, LLC, a petition for the de-annexation of 28 acres for property located on the west side of Prater Road, north of the railroad tracks as depicted on the plat prepared by American Surveyors dated February 23, 2015; and

WHEREAS, a petition for annexation filed by Hackberry Four Investments, LLC was accepted by the Land Use Commission of the City of Sulphur, Louisiana on Monday, June 15, 2015; and

WHEREAS, the petition for annexation was then accepted by the Sulphur City Council on Monday, June 8, 2015, by Resolution No. 2852, M-C Series with a public hearing on ordinance being held on Monday, July 13, 2015 by Ordinance No. 1316, M-C Series and the effective date of the said ordinance was 30 days after the minutes of the July 13, 2015 Sulphur City Council minutes were published in the Official Journal.

NOW THEREFORE, BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that the boundaries of the City of Sulphur be and the same are hereby contracted so as to exclude the following described property:

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF
SECTION 29, TOWNSHIP 9 SOUTH, RANGE 9 WEST, CALCASIEU
PARISH LOUISIANA, LESS 11 ACRES SOLD

BE IT FURTHER ORDAINED that the boundaries of the City of Sulphur, Louisiana, be and the same are hereby defined as follows, to-wit:

DESCRIPTION OF GEOGRAPHIC BOUNDARIES:

INSERT GEOGRAPHIC BOUNDARIES

A vote was then called with the results as follows:

YEAS: None

NAYS: Mrs. Carroll, Mr. Darby, Mrs. Allison, Mr. LeBlanc, Mr. Brazzell

ABSENT: None

And the said resolution failed on this 21st day of October, 2024.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a Resolution accepting petition from KNI, LLC for the de-annexation of property for 88 acres located north of the railroad tracks and west of Prater Road. Billy

Loftin, City Attorney, stated to let all comments from item #1 be reiterated (see all comments above).

There was no representative from KNI, LLC at the meeting. Motion was made by Mrs. Allison

seconded by Mrs. Carroll that the following resolution be adopted to-wit:

**RESOLUTION ACCEPTING PETITION FROM KNI, LLC FOR THE DE-
ANNEXATION OF PROPERTY FOR 88 ACRES LOCATED NORTH OF THE
RAILROAD TRACKS AND WEST OF PRATER ROAD.**

WHEREAS, in accordance with 33:176 of the Louisiana Revised Statutes, the Land Use Commission is hereby accepting petition from KNI, LLC, for the de-annexation for property described as follows:

**A CERTAIN TRACT OR PARCEL OF LAND, CONTAINING 87.5 ACRES,
MORE OR LESS, LOCATED IN SECTIONS 29 AND 32, TOWNSHIP 9
SOUTH, RANGE 9 WEST, CALCASIEU PARISH, LOUISIANA, MORE
PATRICULARLY DESCRIBED AS FOLLOWS:**

**THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW ¼ OF
THE SW ¼) OF SECTION 29; AND THE NORTHWEST QUARTER OF THE
NORTHWEST QUARTER (NW ¼ OF THE NW ¼) OF SECTION 32, AND
THAT CERTAIN STRIP OF LAND DESCRIBED AS COMMENCING AT
THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE
NORTHWEST QUARTER (SW ¼ OF THE NW ¼) OF SECTION 32; THENCE
PROCEED IN AN EASTERLY DIRECTION 1,721.21 FEET ALONG THE
NORTH LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER (S
½ OF THE NW ¼); THENCE SOUTH 0°01'22" EAST, 191.53 FEET TO THE
NORTH BOUNDARY LINE OF THE RIGHT OF WAY OF THE SOUTHERN
PACIFIC RAILROAD RIGHT OF WAY, THENCE WEST 1,721.24 FEET
ALONG SAID RIGHT OF WAY TO THE WEST LINE OF SAID SECTION 32;
THENCE IN A NORTHERLY DIRECTION ALONG THE WEST LINE OF
SECTION 32, 184.2 FEET TO THE POINT OF BEGINNING, ALL BEING
LOCATED IN TOWNSHIP 9 SOUTH, RANGE 9 WEST.**

**BEING THE SAME PROPERTY ACQUIRED BY PWK TIMBERLAND, LLC
(THEN KNOWN AS KING II, NUCO #2, INC.) BY CONVEYANCE DEED
RECORDED AT FILE NO. 2264702 (AS CORRECTED AT FILE NO.
2271149) AND BY EXCHANGE DEED RECORDED AT FILE NO. 2264726
(AS CORRECTED AT FILE NO. 2271148).**

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept petition from KNI, LLC for the de-annexation of 88 acres located on the west side of Prater Road north of the railroad tracks.

A vote was then called with the results as follows:

YEAS: None

NAYS: Mrs. Carroll, Mr. Darby, Mrs. Allison, Mr. LeBlanc, Mr. Brazzell

ABSENT: None

And the said resolution failed on this 21st day of October, 2024.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a resolution de-annexing 88 acres owned by KNI, LLC for property located north of the railroad tracks and west of Prater Road and contracting the boundaries of the City of Sulphur. Billy Loftin, City Attorney, stated to let all comments from item #1 be reiterated (see all comments above). There was no representative from KNI, LLC at the meeting. Motion was then made by Mrs. Allison seconded by Mr. Brazzell that the following resolution be adopted to-wit:

RESOLUTION DE-ANNEXING CERTAIN PROPERTY OWNED BY KNI, LLC, FOR 88 ACRES ON WEST SIDE OF PRATER ROAD NORTH OF RAILROAD TRACKS AND CONTRACTING THE BOUNDARIES OF THE CITY OF SULPHUR.

WHEREAS, the Land Use Commission of the City of Sulphur, Louisiana, has received from KNI, LLC, a petition for the de-annexation of 88 acres for property located on the west side of Prater Road, north of the railroad tracks as depicted on the plat prepared by American Surveyors dated May 10, 2015; and

WHEREAS, a petition for annexation filed by KNI, LLC was accepted by the Land Use Commission of the City of Sulphur, Louisiana on Monday, May 18, 2015; and

WHEREAS, the petition for annexation was then accepted by the Sulphur City Council on Monday, June 8, 2015, by Resolution No. 2851, M-C Series with a public hearing on ordinance being held on Monday, July 13, 2015 by Ordinance No. 1315, M-C Series then amended on Monday, January 11, 2016 to correct the property description. The effective date of the said ordinance was 30 days after the minutes of the July 13, 2015 Sulphur City Council minutes were published in the Official Journal.

NOW THEREFORE, BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that the boundaries of the City of Sulphur be and the same are hereby contracted so as to exclude the following described property:

A CERTAIN TRACT OR PARCEL OF LAND, CONTAINING 87.5 ACRES, MORE OR LESS, LOCATED IN SECTIONS 29 AND 32, TOWNSHIP 9 SOUTH, RANGE 9 WEST, CALCASIEU PARISH, LOUISIANA, MORE PATRICULARLY DESCRIBED AS FOLLOWS:

THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW ¼ OF THE SW ¼) OF SECTION 29; AND THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW ¼ OF THE NW ¼) OF SECTION 32, AND THAT CERTAIN STRIP OF LAND DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW ¼ OF THE NW ¼) OF SECTION 32; THENCE PROCEED IN AN EASTERLY DIRECTION 1,721.21 FEET ALONG THE NORTH LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER (S ½ OF THE NW ¼); THENCE SOUTH 0°01'22" EAST, 191.53 FEET TO THE NORTH BOUNDARY LINE OF THE RIGHT OF WAY OF THE SOUTHERN PACIFIC RAILROAD RIGHT OF WAY, THENCE WEST 1,721.24 FEET ALONG SAID RIGHT OF WAY TO THE WEST LINE OF SAID SECTION 32; THENCE IN A NORTHERLY DIRECTION ALONG THE WEST LINE OF SECTION 32, 184.2 FEET TO THE POINT OF BEGINNING, ALL BEING LOCATED IN TOWNSHIP 9 SOUTH, RANGE 9 WEST.

BEING THE SAME PROPERTY ACQUIRED BY PWK TIMBERLAND, LLC (THEN KNOWN AS KING II, NUCO #2, INC.) BY CONVEYANCE DEED RECORDED AT FILE NO. 2264702 (AS CORRECTED AT FILE NO. 2271149) AND BY EXCHANGE DEED RECORDED AT FILE NO. 2264726 (AS CORRECTED AT FILE NO. 2271148).

BE IT FURTHER ORDAINED that the boundaries of the City of Sulphur, Louisiana, be and the same are hereby defined as follows, to-wit:

DESCRIPTION OF GEOGRAPHIC BOUNDARIES:

INSERT GEOGRAPHIC BOUNDARIES

A vote was then called with the results as follows:

YEAS: None

NAYS: Mrs. Carroll, Mr. Darby, Mrs. Allison, Mr. LeBlanc, Mr. Brazzell

ABSENT: None

And the said resolution failed on this 21st day of October, 2024.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a resolution granting a rezone to Dewey & Jessie Burnworth from Residential to Mixed Residential for property located at 1515 Weekly Road to allow for a mobile home. Mr. Darby stated that the city is working on a new comprehensive zoning ordinance, and they aren't sure how this area will be zoned. Mr. LeBlanc stated that there are 6 mobile homes on Weekly Road and 4 mobile home parks on Henning Drive. Motion was made by Mr. LeBlanc seconded by Mr. Brazzell that the following resolution be tabled to the November, 2024 Land Use meeting:

RESOLUTION GRANTING A REZONE TO DEWEY & JESSIE BURNWORTH FROM RESIDENTIAL TO MIXED RESIDENTIAL FOR PROPERTY LOCATED AT 1515 WEEKLY ROAD TO ALLOW FOR A MOBILE HOME.

Motion carried unanimously.

The next item on the agenda is Public to Address Council. *At this time Billy Loftin, City Attorney, stated that he will not be involved in this discussion nor give a legal opinion since he was the Attorney in a transaction involving this issue.* John Van Norman, Attorney for Josh Baden, Carr Lane property, stated that the Board voted on stipulations that they are required adhere to. His client has to be put an 8-foot fence and also have concrete for parking. This is only for his employees to park, no guest. Why can't they place rock rather than concrete. The ordinance doesn't require him to put up an 8-foot fence, only a 6-foot fence. His neighbor to the west doesn't even have a fence yet and his business is on the property so how can he put up a fence. He also stated that he went to City Hall to appeal their decision and was told he couldn't appeal it. He was given the City Attorney's phone number which was the wrong number. The City Attorney will not call him back. He asked if the Land Use Commission would hear an appeal.

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

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

10/21/24
6:25 P..M.