

November 18, 2013

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, at 5:30 p.m., on the 18th day of November, 2013, after full compliance with the convening of said meeting with the following members present:

LENORE CARROLL, Land Use Commission District 1
TROY DARBY, Land Use Commission District 2
LAWRENCE DAVID, Land Use Commission District 4
GERRIT LAWRENCE, Land Use Commission of District 5
ABSENT - JOHNNY PEEL, Land Use Commission District 3

After the meeting was called to order and the roll called with the above results, prayer was led by Mr. Lawrence followed by the reciting of the Pledge of Allegiance led by Mrs. Carroll.

The Chairman asked if there were any changes to the minutes of the previous meeting. With no changes made, motion was made by Mr. Lawrence seconded by Mr. David that the minutes stand as written. Motion carried.

The Chairman then asked if there were any changes to the agenda. Motion was made by Mr. Lawrence seconded by Mrs. Carroll that item #5 be removed at the request of the applicant:

5. Resolution accepting final plat from Doreen Bernice Shilts for 7 lots located on the southeast corner of Alivia and Franklin Street.

Motion carried.

Motion was then made by Mr. Lawrence seconded by Mr. David that the agenda stand as changed.

Motion carried.

The first item on the agenda is a resolution accepting petition from Henry Charles Misse and Lucille Ann Misse for the annexation of property located on the northeast corner of Patton

and Broussard Streets. Motion was made by Mr. David seconded by Mr. Lawrence that the following resolution be adopted to-wit:

RESOLUTION

Resolution accepting petition from Henry Charles Misse and Lucille Ann Misse for the annexation of property located on the northeast corner of Patton and Broussard Street.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept petition from Henry Charles Misse and Lucille Ann Misse for the annexation of property located on the northeast corner of Patton and Broussard Street for the following described property:

THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE SOUTHWEST QUARTER (SW/4) OF SECTION 2, TOWNSHIP 10 SOUTH, RANGE 10 WEST, LA. MERIDIAN, CALCASIEU PARISH, LOUISIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 353.50 FEET OF LOT SIXTY-TWO (62) OF SECOND SUBDIVISION SULPHUR FARMS, LESS AND EXCEPT PARCEL NO. 44 SOLD TO THE STATE OF LOUISIANA DEPARTMENT OF HIGHWAYS PER CONVENYANCE BOOK 654, PAGE 496, A SUBDIVISION LOCATED IN SECTIONS 2, 3 AND 11, TOWNSHIP 10 SOUTH, RANGE 10 WEST, AS PER PLAT RECORDED IN PLAT BOOK 3 AT PAGE 146, RECORDS OF CALCASIEU PARISH, LOUISIANA.

HEREIN DESCRIBED TRACT CONTAINING 2.41 ACRES, MORE OR LESS, AND SUBJECT TO ANY RIGHT OF WAYS, SERVITUDES AND/OR EASEMENTS OF RECORD OR BY USE.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mr. Darby, Mr. David, Mr. Lawrence

NAYS: None

ABSENT: Mr. Peel

And the said resolution was declared duly adopted on this 18th day of November, 2013.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a resolution enlarging and extending the boundaries of the City of Sulphur for the annexation of Henry Charles Misse and Lucille Ann Misse for the annexation of property located on the northeast corner of Patton Street and Broussard Road.

Motion was made by Mr. David seconded by Mr. Lawrence that the following resolution be adopted to-wit:

RESOLUTION

RESOLUTION ENLARGING AND EXTENDING THE BOUNDARIES OF THE CITY OF SULPHUR FOR THE ANNEXATION OF HENRY CHARLES MISSE AND LUCILLE ANN MISSE FOR PROPERTY LOCATED ON THE NORTHEAST CORNER OF PATTON AND BROUSSARD STREET.

WHEREAS, the City of Sulphur has received a petition from Henry Charles Missee and Lucille Ann Misse for the annexation of certain property which is adjacent to and contiguous to the existing corporate limits of the City of Sulphur, which said property is generally described as lying on the northeast corner of Patton and Broussard Street; and

WHEREAS, this resolution will serve as the introduction of ordinance proposing to enlarge and extend the boundaries of the City of Sulphur, Louisiana, to include the said property; and

WHEREAS, a Public Hearing will be held in accordance with State law and will be duly advertised with Public Notice to enlarge and extend the boundaries to include said property. At time of Public Hearing a complete description of the geographic boundaries of the City of Sulphur will be included; and

WHEREAS, said property, currently zoned as a Light Industrial type land use district by the Parish; and

WHEREAS, the City of Sulphur requires protection relative to orderly development of compatible land use types; and

WHEREAS, the City of Sulphur requires protection relative to orderly development of compatible land use types; and

WHEREAS, all land use classifications will subsequently require specific definition of types and delineation, mutually agreeable.

NOW, THEREFORE, BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana that the boundaries of the City of Sulphur, Louisiana, be and the same are hereby enlarged and extended to include the following described property situated in the Parish of Calcasieu, State of Louisiana, to-wit:

THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE SOUTHWEST QUARTER (SW/4) OF SECTION 2, TOWNSHIP 10 SOUTH, RANGE 10 WEST, LA. MERIDIAN, CALCASIEU PARISH, LOUISIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 353.50 FEET OF LOT SIXTY-TWO (62) OF SECOND SUBDIVISION SULPHUR FARMS, LESS AND EXCEPT PARCEL NO. 44 SOLD TO THE STATE OF LOUISIANA DEPARTMENT OF HIGHWAYS PER CONVENYANCE BOOK 654, PAGE 496, A SUBDIVISION LOCATED IN SECTIONS 2, 3 AND 11, TOWNSHIP 10 SOUTH, RANGE 10 WEST, AS PER PLAT RECORDED IN PLAT BOOK 3 AT PAGE 146, RECORDS OF CALCASIEU PARISH, LOUISIANA.

HEREIN DESCRIBED TRACT CONTAINING 2.41 ACRES, MORE OR LESS, AND SUBJECT TO ANY RIGHT OF WAYS, SERVITUDES AND/OR EASEMENTS OF RECORD OR BY USE;

And that the Applicant may request the annexation to be rescinded within 45 days of the adoption of the Land Use Classification by the City of Sulphur;

And should said request be received, the City Council binds itself to rescinding the annexation.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mr. Darby, Mr. David, Mr. Lawrence

NAYS: None

ABSENT: Mr. Peel

And the said resolution was declared duly adopted on this 18th day of November, 2013.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a resolution accepting petition from Henry Charles Misse and Lucille Ann Miss for the annexation of property located on Hwy. 27 South, between Chennault and Clay Streets. Motion was made by Mr. Lawrence seconded by Mr. David that the following resolution be adopted to-wit:

RESOLUTION

Resolution accepting petition from Henry Charles Misse and Lucille Ann Misse for the annexation of property located on Hwy. 27 South, between Chennault and Clay Street.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept petition from Henry Charles Misse and Lucille Ann Misse for the annexation of property located on Hwy. 27 South, between Chennault and Clay Street for the following described property:

LOTS 4, 5, 6 AND THE SOUTH 19.00 FEET OF LOT 3 OF BLOCK 1 AND THE NORTH 49.00 FEET OF THE EAST 63.70 FEET OF LOT 3 OF BLOCK 1 AND THE EAST 63.70 FEET OF LOT 2 OF BLOCK 1 THAT LIES SOUTH OF A DRAINAGE CANAL ALL IN THE J.A. BEL ETAL SUBURBAN ACRES NO. 1, A SUBDIVISION IN SECTION 10, TOWNSHIP 10 SOUTH, RANGE 10 WEST, LA. MERIDIAN AS PER PLAT RECORDED IN PLAT BOOK 5, PAGE 94 RECORDS OF CALCASIEU PARISH, LOUISIANA, HEREIN DESCRIBED TRACT CONTAINING 1.07 ACRES, MORE OR LESS.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mr. Darby, Mr. David, Mr. Lawrence

NAYS: None

ABSENT: Mr. Peel

And the said resolution was declared duly adopted on this 18th day of November, 2013.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a resolution enlarging and extending the boundaries of the City of Sulphur for the annexation of Henry Charles Misse and Lucille Ann Misse for the annexation of property located on Hwy. 27 south, between Chennault and Clay Streets. Motion was made by Mr. Lawrence seconded by Mr. David that the following resolution be adopted to-wit:

RESOLUTION

RESOLUTION ENLARGING AND EXTENDING THE BOUNDARIES OF THE CITY OF SULPHUR FOR THE ANNEXATION OF HENRY CHARLES MISSE AND LUCILLE ANN MISSE FOR PROPERTY LOCATED ON HWY. 27 SOUTH, BETWEEN CHENNAULT AND CLAY STREETS.

WHEREAS, the City of Sulphur has received a petition from Henry Charles Misse and Lucille Ann Misse for the annexation of certain property which is adjacent to and contiguous to the existing corporate limits of the City of Sulphur, which said property is generally described as lying on Hwy. 27 South, between Chennault and Clay Streets; and

WHEREAS, this resolution will serve as the introduction of ordinance proposing to enlarge and extend the boundaries of the City of Sulphur, Louisiana, to include the said property; and

WHEREAS, a Public Hearing will be held in accordance with State law and will be duly advertised with Public Notice to enlarge and extend the boundaries to include said property. At time of Public Hearing a complete description of the geographic boundaries of the City of Sulphur will be included; and

WHEREAS, said property, currently zoned as a General Commercial type land use district by the Parish; and

WHEREAS, the City of Sulphur requires protection relative to orderly development of compatible land use types; and

WHEREAS, the City of Sulphur requires protection relative to orderly development of compatible land use types; and

WHEREAS, all land use classifications will subsequently require specific definition of types and delineation, mutually agreeable.

NOW, THEREFORE, BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana that the boundaries of the City of Sulphur, Louisiana, be and the same are hereby enlarged and extended to include the following described property situated in the Parish of Calcasieu, State of Louisiana, to-wit:

LOTS 4, 5, 6 AND THE SOUTH 19.00 FEET OF LOT 3 OF BLOCK 1 AND THE NORTH 49.00 FEET OF THE EAST 63.70 FEET OF LOT 3 OF BLOCK 1 AND THE EAST 63.70 FEET OF LOT 2 OF BLOCK 1 THAT LIES SOUTH OF A DRAINAGE CANAL ALL IN THE J.A. BEL ETAL SUBURBAN ACRES NO. 1, A SUBDIVISION IN SECTION 10, TOWNSHIP 10 SOUTH, RANGE 10 WEST, LA. MERIDIAN AS PER PLAT RECORDED IN PLAT BOOK 5, PAGE 94 RECORDS OF CALCASIEU PARISH, LOUISIANA, HEREIN DESCRIBED TRACT CONTAINING 1.07 ACRES, MORE OR LESS;

And that the Applicant may request the annexation to be rescinded within 45 days of the adoption of the Land Use Classification by the City of Sulphur;

And should said request be received, the City Council binds itself to rescinding the annexation.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mr. Darby, Mr. David, Mr. Lawrence

NAYS: None

ABSENT: Mr. Peel

And the said resolution was declared duly adopted on this 18th day of November, 2013.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a resolution granting a rezone to Palvest Inc., 1411 Shasta Street, from Residential to Commercial. Motion was made by Mr. David seconded by Mr.

Lawrence that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a rezone to Palvest Inc., 1411 Shasta Street, from Residential District to Commercial District.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone to Palvest Inc., 1411 Shasta Street, from Residential District to Commercial District with the following stipulations:

1. 6' privacy fence along south and west property lines, abutting Residential Land Use.
2. Maintain 6' wide buffer yard along south and west property lines
3. Develop a drainage plan and have it approved as part of the Permit process
4. Containers for solid waste shall be located no closer than fifteen feet to an adjacent property line and screened with a 6' tall, gated, masonry or lumber fence.
5. Design drawings for the Indoor Firing Range shall bear the seal of the design professional and clearly indicate maximum caliber and/or gauge of the fire arm on which the design was based. Additionally, it shall clearly state any additional limitations necessary for public safety including any signage stating range use limitations such as maximum caliber allowable.
6. Indoor Firing Range shall meet all Regulatory requirements, including those for
 - a. Chemical exposure (airborne lead, lead dust, carbon monoxide, etc.),
 - b. Ventilation system,
 - c. Personal protection (hearing and eye protection, etc.)
 - d. Ballistic design (floors, walls, ceilings, baffles, bullet traps, etc.)
 - e. Noise exposure and
 - f. Operations (record keeping, signage, notice of range use restrictions, etc.).

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mr. Darby, Mr. David, Mr. Lawrence

NAYS: None

ABSENT: Mr. Peel

And the said resolution was declared duly adopted on this 18th day of November, 2013.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a resolution granting an exception to Palvest Inc., 1411 Shasta Street, to allow for a shooting range in a Commercial District. Steve, with Stockwell Law Firm, addressed the Commission and stated that they have safety measures on walls that will stop the bullet impact and sound. There will be 3 lanes with back-stops. The company has built many shooting ranges.

He also stated that a building plan will be presented to Building Official prior to getting permits. Mr. Bruce stated that there are many stipulations in the Resolution. Motion was then made by Mr. Lawrence seconded by Mr. David that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting an exception to Palvest Inc., 1411 Shasta Street, to allow for a shooting range in a Commercial District.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant an exception to Palvest Inc., 1411 Shasta Street, to allow for an indoor shooting range in a Commercial District with the following stipulations:

1. 6' privacy fence along south and west property lines, abutting Residential Land Use.
2. Maintain 6' wide buffer yard along south and west property lines
3. Develop a drainage plan and have it approved as part of the Permit process
4. Containers for solid waste shall be located no closer than fifteen feet to an adjacent property line and screened with a 6' tall, gated, masonry or lumber fence.
5. Design drawings for the Indoor Firing Range shall bear the seal of the design professional and clearly indicate maximum caliber and/or gauge of the fire arm on which the design was based. Additionally, it shall clearly state any additional limitations necessary for public safety including any signage stating range use limitations such as maximum caliber allowable.
6. Indoor Firing Range shall meet all Regulatory requirements, including those for a.
 - a. Chemical exposure (airborne lead, lead dust, carbon monoxide, etc.),

- b. Ventilation system,
- c. Personal protection (hearing and eye protection, etc.)
- d. Ballistic design (floors, walls, ceilings, baffles, bullet traps, etc.)
- e. Noise exposure and
- f. Operations (record keeping, signage, notice of range use restrictions, etc.).

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mr. Darby, Mr. David, Mr. Lawrence

NAYS: None

ABSENT: Mr. Peel

And the said resolution was declared duly adopted on this 18th day of November, 2013.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

The next item on the agenda is a resolution granting a rezone to Zimmerman Street LLC, 2601 Fasske Street, from Mixed Residential to Business to allow for a business office. A petition from the neighborhood opposing this rezone was presented to the Commission. After discussion, Gary Masico, applicant, withdrew his application and thanked the neighbors for standing up for their neighborhood. He stated that he will make it a rental home instead of a business.

The next item on the agenda is a resolution accepting final plat from Michelle Scott, 902 Invader Street, to subdivide property. Motion was made by Mr. Lawrence seconded by Mr. David that the following resolution be adopted to-wit:

RESOLUTION

Resolution accepting final plat from Michelle Scott, 902 Invader Street, to allow for 1 single family dwelling per lot

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept final plat from Michelle Scott, 902 Invader Street, to allow for 1 single family dwelling per lot.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mr. Darby, Mr. David, Mr. Lawrence

NAYS: None

ABSENT: Mr. Peel

And the said resolution was declared duly adopted on this 18th day of November, 2013.

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

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

ATTEST:

ARLENE BLANCHARD, Secretary

TROY DARBY, Chairman

11/18/13

5:55 P.M.