

November 17, 2008

The Land Use Commission of the City of Sulphur, Louisiana, met in regular session at its regular meeting place at City Hall, Sulphur, Louisiana, at 5:30 p.m., on the 17th day of November, 2008, after full compliance with the convening of said meeting, with the following members present:

JAY SHELTON, Land Use Commission of District 1

(arrived at 5:40 p.m.)

TROY DARBY, Land Use Commission of District 2

JOHNNY PEEL, Land Use Commission of District 3

LAWRENCE DAVID, Land Use Commission of District 4

GERRIT LAWRENCE, Land Use Commission of District 5

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

The Chairman asked if there were any changes to the agenda. Motion was made by Mr. David seconded by Mr. Darby that at the request of Mr. Horton item #2 and #3 be removed from the agenda. Motion carried.

Motion was then made by Mr. David seconded by Mr. Peel that on item #4 (30) feet needs to be changed to 20 feet. Motion carried.

Motion was then made by Mr. Darby seconded by Mr. Peel that the agenda stand as changed. Motion carried.

The first item on the agenda a presentation from Tim Jackson concerning Land Use, Planning and Zoning Technical Analysis Report. Mr. Jackson gave a brief powerpoint presentation (see attached)

After Mr. Jackson gave his presentation, Mr. Lawrence asked if there was anything in the report that addressed old downtown buildings and if they need to have a

separate district. Mr. Jackson stated that downtown areas do need to have their own district if you want to keep it looking like a separate district and have there own regulations.

Mr. Darby stated that he is concerned with gambling property. How do we protect these properties? Do we leave them alone or hand-pick these properties? We don't want these casinos next to residential neighborhoods or schools. Mr. Bruce stated that Mr. Jackson has sent a draft amendment concerning truck stops but isn't quite ready for distribution. Tracy Birch, associate with Steve Villavaso, stated that they have worked with other cities on establishing truck stop districts and they have regulated them without causing law suits. You can keep them away from residential uses, libraries and churches. By doing this it narrows down where a truck stop can be located. An amendment would not be hard to do. Another issue Mr. Darby had was controlling federal housing that wants to come into the City. Does the City have any say so whether more housing can come in? We need something in place that says what the City does allow. Mr. Jackson stated that's when the Comprehensive Plan steps in. You'll have a lot of community input when it comes to this Plan.

Mr. Peel asked how the Board of Zoning Adjustment would be established. Mr. Jackson stated that in other cities it is the Chief Executives final decision with nominations from the Council.

The next item on the agenda a resolution granting a variance to the City of Sulphur, 101 North Huntington Street, to allow for City Hall to be located not less than 8 feet from the edge of roadway rather than the required 20 feet. Mr. Lawrence stated that he thought there was an awning over the front entrance of the Burton Building a few years ago. Mr.

Bruce stated that the existing building is a little less than 10 feet from Huntington Street right-of-way. In a Business District the front setback is 20 feet but it is an existing use which is only 10 feet. There was once a canopy hanging 6 feet over the sidewalk when entering into the Burton building. The street has been paved all the way to the right-of-way line. This is only a two-lane road with side street parking. On the original building, the east wall is approximately 35 feet off the center line of pavement with 25 foot of actual pavement. The old Burton Building has been taken down and reconstructed. The area in question is the main entrance that comes out onto the sidewalk. There is also a 9 foot 4 inch stretch of area that is going to be a lawn area. Many cities have this same type of design that's called "traffic calming". We are proposing to have some curbside parking along the front of City Hall for UPS trucks, etc. This is not part of the City Hall project but as part of the Concrete Street Rehab Project.

As far as a travel lane, there will be 10-11 feet of travel lane with another 2 feet of curb-and-gutter which is 13 feet from center line to back-of-curb which leaves roughly 15 feet left after the grassy area is taken out. Aesthetically, this will look very nice. The structure itself is behind the right-of-way line, the excavation into the roadway is actually a narrowing of the roadway but will still have two travel lanes. The variance is worded "not less than 8 feet from the edge of roadway rather than the required 20 feet" because this is a restriction in the Land Use ordinance. The Land Use ordinance prohibits any variance that will place a structure within 8 feet of the edge of the roadway. This variance is not encroaching on those limits as well outside of that. The grassy area is 9 foot 4 inches which is well in excess of the 8 foot requirement.

Mr. Lawrence asked if the canopy would be grandfathered in since it was there before. Mr. Drost stated that this canopy is much bigger than the previous one so it would not be grandfathered. Mr. Bruce stated that this canopy will stick out 3-4 more inches.

Mr. Peel asked if the Land Use Commission adopted this resolution would we let someone else do the same thing. Mr. Drost stated that there are only so many places you would be able to do something like this and it would probably only be in the downtown area. You definitely wouldn't want to do this on Maplewood Drive for instance. If we ever created a Downtown District this would fit right in.

Mr. Darby asked if Misses Grocery would want to put an awning on the west side of his building where the delivery trucks load and unload, would they be able to do this. Mr. Dupre stated that the City would try to accommodate him. We would have to take this case by case. Mr. Darby stated that in Mr. Jacksons previous presentation he stated that public property could pretty much do what they wanted and if taken to court the City would win no matter how the public felt about it. Mr. Jackson stated that because public property is owned and administered by the City they can do things of this sort. Just because the City grants a variance to themselves, does not mean they have to grant the same variance to someone else. Each case will have different circumstances. You'd probably want to grant the same variance to the business adjacent to City Hall but not necessarily to the business down the road.

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

RESOLUTION

Resolution granting a variance to the City of Sulphur, 101 North Huntington Street, to allow for City Hall to be located not less than 8 feet from the edge of roadway rather than the required 20 feet.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a variance to the City of Sulphur, 101 North Huntington Street, to allow for City Hall to be located not less than 8 feet from the edge of roadway rather than the required 20 feet.

A vote was then called with the results as follows:

YEAS: Mr. Shelton, Mr. David, Mr. Lawrence

NAYS: Mr. Darby, Mr. Peel

ABSENT: None

And the said resolution was declared duly adopted on this 17<sup>th</sup> day of November, 2008.

ATTEST:

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ARLENE BLANCHARD, Secretary

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GERRIT LAWRENCE, Chairman

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

ATTEST:

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ARLENE BLANCHARD, Secretary

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GERRIT LAWRENCE, Chairman

11/17/08  
6:30 P.M.