

May 18, 2015

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 May, 2015, after full compliance with the convening of said meeting with the following members present:

LENORE CARROLL, Land Use Commission District 1
SANDRA VINCENT, Land Use Commission District 2
BRIAN LEVENS, Land Use Commission District 3
LAWRENCE DAVID, Land Use Commission 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. Lawrence followed by the reciting of the Pledge of Allegiance led by Mrs. Vincent.

Motion was made by Mrs. Carroll seconded by Mr. Levens that the minutes from the previous meeting stand as written. Motion carried.

Motion was then made by Mr. David seconded by Mrs. Vincent that the agenda be amended as follows:

4. Resolution granting a rezone with exception to Joseph Smith and Joseph Smith III, 1808 Ruth Street, from Residential to Commercial to allow for future development.

Motion carried.

Motion was then made by Mr. Lawrence seconded by Mrs. Carroll that the agenda stand as amended. Motion carried.

The first item on the agenda is a resolution electing a Chairman and Vice-Chairman for the Land Use Commission. Motion was made by Mr. David seconded by Mrs. Vincent that the following resolution be adopted to-wit:

RESOLUTION

Resolution electing a Chairman and Vice-Chairman for the Land Use Commission of the City of Sulphur.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby elect Lenore Carroll as Chairman and Brian Levens as Vice-Chairman for the Land Use Commission of the City of Sulphur.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mrs. Vincent, Mr. Levens, Mr. David, Mr. Lawrence

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 18th day of May, 2015.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

The next item on the agenda is a resolution approving a Home Business for Connie Britton, 516 South LeBanon Street, to allow for a canine boarding business (3 Dogs Hotel). Mrs. Britton stated that she will be pet sitting. Most of the time the dogs will be inside except for when they go outside to potty. She has a fenced in yard and the room that the dogs will be staying in is less than 10% of the total square footage of my home. All the dogs will be under 25 lbs. There will be no more than 6 dogs at one time. Two of the dogs are my own. The dogs will not be in cages. I will allow dogs to stay overnight if they need to. I'm a very responsible and clean person. If the Land Use won't allow the dogs to go outside I will try to use puppy pads but that will be hard to do.

Mark Drymon, South LeBanon, stated that he owns property on the side and behind Mrs. Britton and he has no issue with her keeping dogs. She is very responsible and her yard is immaculate. He has discussed the business with Mrs. Britton and has no concerns.

Pat Billedeaux, LeBanaon Street, addressed the Commission and stated that Mrs. Britton is a very good neighbor. The best neighbor I've ever had. She then stated that she doesn't have a problem with her keeping dogs also.

Mike Daigle, Land Use Administrator, stated that he did not approve this home business since it wasn't within the enclosed structure of the home and didn't meet some of the criteria for a home business. After discussion motion was made by Mr. David seconded by Mr. Lawrence that the following resolution be adopted to-wit:

RESOLUTION

Resolution approving Home Business application for Connie Britton, 516 South Lebanon Street, to allow for a canine boarding business (3 Dogs Hotel).

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby approve a Home Business for Connie Britton, 516 South Lebanon Street, to allow for a canine boarding business (3 Dogs Hotel) in accordance with Article III, Part 2, Section 3 of the Land Use Ordinance of the City of Sulphur, Louisiana.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mrs. Vincent, Mr. Levens, Mr. David, Mr. Lawrence

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 18th day of May, 2015.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

The next item on the agenda is a resolution approving a Home Business for Sharon & Ronald Poindexter, 1415 Christie Drive, to allow for a guitar business which will include occasional painting of guitars outside. Mrs. Poindexter addressed the Commission and stated that there will be occasional painting outdoors. Their main focus is the components of the guitar. When they get a guitar body they will shape it and sand it. The components are very small and

the cooper wiring is very, very thin. Last year we made 3 guitars so it's not very often that we will do this. When we do make an entire guitar we will have to paint it outdoors. The noise of the paint sprayer is about the same noise as a lawn mower. One neighbor works shift work so we will be very respectful of his sleep. The other neighbor is a musician. Everything is bought on-line and there will be no traffic. Once a guitar is done we ship it out. The painting will be done in an enclosed shop and our yard is fenced. The paint is water-based. After discussion, motion was made by Mr. Lawrence seconded by Mr. David that the following resolution be adopted to-wit:

RESOLUTION

Resolution approving Home Business application for Sharon & Ronald Poindexter, 1415 Christie Drive, to allow for a guitar business which will include occasional painting of guitars outside.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby approve a Home Business for Sharon & Ronald Poindexter, 1415 Christie Drive, to allow for a guitar business which will include occasional painting of the guitars outside in accordance with Article III, Part 2, Section 3 of the Land Use Ordinance of the City of Sulphur, Louisiana.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mrs. Vincent, Mr. Levens, Mr. David, Mr. Lawrence

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 18th day of May, 2015.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

The next item on the agenda is a resolution granting a rezone with exception to Joseph Smith and Joseph Smith III, 1808 Ruth Street, from Residential to Commercial to allow for future development. Mr. Smith submitted a petition of support. He stated that he would like to open an RV park in the rear of the property. He would like to have 23 stalls. There will be a

wash room and the park will have a rolling gate in front with a code. He will have age requirements on the RV's. He runs a tight ship and there will be no noise. We will have lighting all in the park at all hours. There will also be security cameras. This park will be convenient for workers. Mr. Lawrence had concerns of all the vehicles at all hours of the night. This is adjacent to residential neighborhoods.

Mike Daigle, Land Use Administrator, stated that since the City doesn't have regulations on RV parks new owners will have to follow state law. This law requires showers for men and women, a washateria and restrooms for men and women. They will have to get a state permit for layout of the facility.

Mr. Lawrence stated that he doesn't want an RV park in the middle of town. What will happen at the end of this work expansion? Mr. Smith stated that even in 10 years you'll never see an old RV in my park.

Mrs. Carroll stated that some of the names on the petition don't even live in this area. Mr. Smith stated that these people are still in support of the park. Mrs. Vincent stated that she received several calls against this park. There are concerns of the children's safety. RV parks seem to have more transient people than apartments or a house.

Larry Bagwell, Mustang Street, stated that Mr. Smith does have nice apartments in the neighborhood but what will happen if Mr. Smith sells this property to someone else and that new owner doesn't care about what kind of clientele lives there. Mr. Smith stated that he isn't selling the property. He's handing it down to his son later on. His son is just as responsible as he is.

Another resident of Mustang Street addressed the Commission and stated that she has a baby and their neighborhood is very quiet. It wouldn't take anything for one of those people living in an RV to jump the fence. An 8 foot tall fence isn't stopping a pedifile. The less

neighbors we have the less trouble we'll have. Mr. Smith stated that something will be built on this property. We live in a country where people invest in property to make a living. He also stated that he really didn't want to open up offices here because there are office buildings closed all around town. After discussion, motion was made by Mr. Levens seconded by Mr. Lawrence that the following amendment be made:

1. 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.

Motion carried.

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

Resolution granting a rezone and exception to Joseph Smith Jr. and Joseph Smith III, 1808 Ruth Street, from Residential to Commercial to allow for an RV park.

WHEREAS, in accordance with Article IV, Part 3, Section 5 (3) recreational facilities are permitted by exception by Land Use and Council approval; and

WHEREAS, an 8 foot tall privacy fence shall be constructed along less restricted uses; and

WHEREAS, 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.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant a rezone and exception to Joseph Smith Jr. and Joseph Smith III, 1808 Ruth Street, from Residential to Commercial to allow for an RV park for the following described property:

THE WEST 220 FEET AND THE EAST 220 FEET OF LOT 24 OF A SUBDIVISION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 9 SOUTH, RANGE 10 WEST, AND THE WEST HALF OF THE EAST HALF OF SECTION 3, TOWNSHIP 10 SOUTH, RANGE 10 WEST, AS PER PLAT RECORDED IN PLAT BOOK 3, PAGE 141, RECORDS OF CALCASIEU PARISH, LOUISIANA, TOGETHER WITH ALL IMPROVEMENTS SITUATED THEREON, AND,

COMMENCING 220 FEET EAST OF THE NORTHWEST CORNER OF LOT 24 OF A SUBDIVISION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 9 SOUTH, RANGE

10 WEST, AND THE WEST HALF OF THE EAST HALF OF SECTION 3, TOWNSHIP 10 SOUTH, RANGE 10 WEST, AS PER PLAT RECORDED IN PLAT BOOK 3, PAGE 141, RECORDS OF CALCASIEU PARISH, LOUISIANA, THENCE SOUTH 100 FEET; THENCE EAST 5 FEET; THENCE NORTH 100 FEET; THENCE WEST 5 FEET TO THE POINT OF COMMENCEMENT, TOGETHER WITH ALL IMPROVEMENTS SITUATED THEREON, AND,

COMMENCING 225 FEET EAST OF THE NORTHWEST CORNER OF LOT 24 OF A SUBDIVISION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 9 SOUTH, RANGE 10 WEST, AND THE WEST HALF OF THE EAST HALF OF SECTION 3, TOWNSHIP 10 SOUTH, RANGE 10 WEST, AS PER PLAT RECORDED IN PLAT BOOK 3, PAGE 141, RECORDS OF CALCASIEU PARISH, LOUISIANA, THENCE SOUTH 100 FEET; THENCE EAST 75 FEET; THENCE NORTH 100 FEET; THENCE WEST 75 FEET TO THE POINT OF COMMENCEMENT, TOGETHER WITH ALL IMPROVEMENTS SITUATED THEREON, AND,

COMMENCING 300 FEET EAST OF THE NORTHWEST CORNER OF LOT 24 OF A SUBDIVISION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 9 SOUTH, RANGE 10 WEST, AND THE WEST HALF OF THE EAST HALF OF SECTION 3, TOWNSHIP 10 SOUTH, RANGE 10 WEST, AS PER PLAT RECORDED IN PLAT BOOK 3, PAGE 141, RECORDS OF CALCASIEU PARISH, LOUISIANA, THENCE SOUTH 100 FEET; THENCE EAST 80 FEET; THENCE NORTH 100 FEET; THENCE WEST 80 FEET TO THE POINT OF BEGINNING, TOGETHER WITH ALL IMPROVEMENTS SITUATED THEREON. (SAID PROPERTY DESCRIPTIONS DESCRIBING ALL OF LOT 24), BEING THE SAME PROPERTY AS DESCRIBED IN AFFIDAVIT OF CORRECTION OF CASH DEED, DATED JANUARY 20, 2010, RECORDED JANUARY 21, 2010, BEING CLERK'S FILE NO. 2949526, RECORDED IN CONVEYANCE BOOK 3630, PAGE 365, RECORDS OF CALCASIEU PARISH, LOUISIANA.

THIS SALE IS MADE SUBJECT TO ANY RESTRICTIONS, MINERAL OR ROYALTY RESERVATIONS, MINERAL LESSES, RIGHTS OF WAY OR ANY OTHER SERVITUDE OR EASEMENT WHICH MAY APPEAR OF RECORD AND BEAR UPON THE PROPERTY HEREIN CONVEYED, ALL OF WHICH AS SPECIFICALLY EXCLUDED FROM THE GENERAL WARRANTY OF TITLE HEREIN CONTAINED.

LESS AND EXCEPT 185 FEET EAST OF THE CENTERLINE OF RUTH STREET WHICH SHALL STAY ZONED BUSINESS.

Motion failed.

The next item on the agenda is a resolution granting an Exception to Palermo Land Company, Inc. and AJP Family Limited Partnership, for hotel height to exceed the 50 foot requirement for property located on Beglis Parkway, south of R.W. Vincent Elementary School. Jeff Kudia, architect for developer, stated that one of the hotels will be 58 feet in height and the other will be 65 feet in height. The tallest hotel will have signage so that's why it's so tall. They will be 4 story, brick, shingle hotels. Mayor Duncan asked if the north side of the hotels can have something put over the windows so occupants couldn't see into the school yard. Jeff stated that they could maybe leave a buffer of trees. Motion was then made by Mr. Lawrence seconded by Mr. Levens that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting an Exception to Palermo Land Company, Inc. and AJP Family Limited Partnership, for hotel height to exceed the 50 foot height requirement for property located on Beglis Parkway, south of R.W. Vincent Elementary School.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby grant an Exception to Palermo Land Company, Inc. and AJP Family Limited Partnership, for hotel height to exceed the 50 foot height requirement for property located on Beglis Parkway, south of R.W. Vincent Elementary School in accordance with Article IV, Part III, Section 5 (3) (b) of the Land Use Ordinance of the City of Sulphur, Louisiana, for the following described property:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 2 TOWNSHIP 10 SOUTH, RANGE 10 WEST, OF CALCASIEU PARISH, LOUISIANA, THENCE SOUTH 89°19'50" EAST A DISTANCE OF 1,327.74 FEET; THENCE SOUTH 00°34'15" WEST A DISTANCE OF 662.60 FEET; THENCE NORTH 89°26'14" WEST A DISTANCE OF 1,327.74 FEET; THENCE NORTH 00°34'15" EAST A DISTANCE OF 663.07 FEET TO THE POINT OF COMMENCEMENT.

CONTAINING 881,403.11 SQUARE FEET OR 20.23 ACRES, MORE OR LESS.

BEING SUBJECT TO A ROAD RIGHT OF WAY ALONG THE WEST SIDE THEREOF AND A UTILITY EASEMENT ACROSS THE CENTER.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mrs. Vincent, Mr. Levens, Mr. David, Mr. Lawrence

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 18th day of May, 2015.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

The next item on the agenda is a resolution accepting petition for annexation from KNI, LLC, for 88 acres north of railroad tracks and west of Prater Road. Tom Gayle, attorney for developer, addressed the Commission and stated that they want to put labor housing (man camp) on this property. Sasol bought out most of this property in this area. After discussion, motion was made by Mr. Lawrence seconded by Mrs. Vincent that the following amendment be made:

AND WHEREAS, said property shall be zoned Commercial with Exception for recreational use/labor housing.

A vote was then called with the results as follows:

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

NAYS: Mr. Levens

ABSENT: None

And the said amendment was declared duly adopted on this 18th day of May, 2015.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

The following people of this area spoke against the annexation stating that they didn't want this sort of environment in their neighborhood: Lucius Handy, Prater Street; Claudia Handy, Prater Street; Clarence LeDoux. Motion was made by Mrs. Vincent seconded by Mr. Lawrence that the following resolution be adopted to-wit:

RESOLUTION AS AMENDED

Resolution accepting petition from KNI, LLC, for the annexation of property for approximately 88 acres north of railroad track and west of Prater Road.

WHEREAS, in accordance with Article III, Part 1, Section 1 (6) of the Land Use Ordinance of the City of Sulphur, Louisiana, the Land Use Commission is revising the official Land Use map for 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 PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$) OF SECTION 29; AND THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW $\frac{1}{4}$ OF THE NW $\frac{1}{4}$) 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 $\frac{1}{4}$ OF THE NW $\frac{1}{4}$) 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 $\frac{1}{2}$ OF THE NW $\frac{1}{4}$); 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 11, 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).

AND WHEREAS, said property shall be zoned Commercial with Exception for recreational use/labor housing.

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 annexation of property for approximately 88 acres north of railroad track and west of Prater Road.

A vote was then called with the results as follows:

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

NAYS: Mr. Levens
ABSENT: None

And the said resolution was declared duly adopted on this 18th day of May, 2015.
ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

The next item on the agenda is a resolution accepting petition for annexation from Hackberry Investments Four, LLC for 28 acres on west side of Prater Road north of railroad tracks. Motion was made by Mr. Lawrence seconded by Mr. David that the following amendment be made:

AND WHEREAS, said property shall be zoned Commercial with Exception for recreational use/labor housing.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mrs. Vincent, Mr. David, Mr. Lawrence
NAYS: Mr. Levens
ABSENT: None

And the said amendment was declared duly adopted on this 18th day of May, 2015.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

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

RESOLUTION

Resolution accepting petition from Hackberry Investments Four, LLC, for the annexation of property for 28 acres north of railroad track and west of Prater Road.

WHEREAS, in accordance with Article III, Part 1, Section 1 (6) of the Land Use Ordinance of the City of Sulphur, Louisiana, the Land Use Commission is revising the official Land Use map for 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

AND WHEREAS, said property shall be zoned Commercial with Exception for recreational use/labor housing.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept petition from Hackberry Investments Four, LLC, for the annexation of property for 28 acres north of railroad track and west of Prater Road.

A vote was then called with the results as follows:

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

NAYS: Mr. Levens

ABSENT: None

And the said resolution was declared duly adopted on this 18th day of May, 2015.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

The next item on the agenda is a resolution acknowledging that Brian Levens attended the mandatory workshop for zoning boards and planning commissions. Motion was made by Mr. David seconded by Mr. Lawrence that the following resolution be adopted to-wit:

RESOLUTION

Resolution acknowledging that Brian Levens attended the mandatory workshop for zoning boards and planning commissions.

WHEREAS, Act 859 of the 2004 Louisiana Legislature requires that newly appointed members of Planning Commission, Zoning Boards of Adjustments and similar boards must receive at least four hours of training in the duties and responsibilities of planning commissioners; and

WHEREAS, it is important that all Commissioners, Zoning Boards of Adjustments members and similar board members should have a basic understanding of planning, land use, zoning laws and ethics in order to better fulfill their responsibilities; and

WHEREAS, a Planning Commissioners workshop was held on Tuesday, January 20, 2015 in the City of Sulphur Council Chambers located at 500 North Huntington Street, Sulphur, LA.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby acknowledge that Brian Levens attended the mandatory workshop for zoning boards and planning commissions on January 20, 2015.

YEAS: Mrs. Carroll, Mrs. Vincent, Mr. Levens, Mr. David, Mr. Lawrence

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 18th day of May, 2015.

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

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

ATTEST:

ARLENE BLANCHARD, Secretary

LENORE CARROLL, Chairman

5/18/15

6:55 P.M.