

Minutes of the Broussard Planning Commission Meeting Held on
Thursday, September 8, 2022

Members Present

Brad Hamman, Russell Trahan, Craig Kimball
Adam Mouton-Alternate, Charles Sharma- Alternate

Members Absent

Teddy Eastin – David Forbes

Other Present

Sarah Hebert, BPC Clerk
Walter Comeaux IV, Comeaux Engineering
Daniel Hutchinson, Comeaux Engineering
Ben Theriot, Flood Plain Administrator,
Mayor Ray Bourque
Callie Laviolette
Fire Chief Bryan Champagne
Cliff Guidry – Guidry Land Development.
David Bonin, Councilman District II
Steven Hebert- Billeaud Companies
Tom Holiman – TriCom – Vertical Bridge
Laura Carlisle – Attorney for TriCom-Vertical Bridge
Wendell Clark – Attorney for SBA
Christopher Ventre – Hammerhead Capital

Brad Hamman called the meeting to order. Brad Hamman opened the Meeting with the Pledge of Allegiance followed by a Silent Prayer.

Russell Trahan moved to adopt the minutes of the Thursday, September 8, 2022 meeting.

Second by Craig Kimball

Discussion-

Question Brad Hamman

Roll Call: Brad Hamman, Yea - Russell Trahan, Yea - Craig Kimball, Yea

Adam Mouton-Alternate, Yea- Charles Sharma- Alternate, Yea

Mr. Rene Prejean – Old Town Overlay District

This one was exempt as it is a residential home being rebuilt on a lot that previously had a residential home that burned.

Guidry Land Development – Old Town Overlay District

As per review by Walter Comeaux III- Comeaux Engineering.

Section 6 Prohibited Uses

The intended use is for a fitness gym which is not prohibited

Section 7. Sewer Requirements

This is an existing structure, and the intended uses should not adversely affect the sewer system.

Section 8. Access Management

The existing access appears to be in conformance with this section.

Section 9. Accessory Storage Area Including Trash Holding Receptacles

No information was provided regarding this section of the ordinance. The developer shall be required to provide this information to insure conformance with this section.

Section 10. Architecture

Due to the fact that this is an existing metal faced building it is recommended that the requirements of this section be waived subject to the developer providing the improvements to the façade as shown on the rendering. The entrance and window portion of this section should be adhered to subject to the ordinance.

Section 11. Mechanical and Electrical Equipment

Information regarding this has not been provided, this item will be required to be addressed to the City's satisfaction during plan review.

Section 12. Parking

The plans provided indicates limestone parking, this section of the ordinance requires parking to be dust free (asphalt or concrete).

A berm or continuous evergreen shrubs are required between the parking area and the public roads.

Section 13. Drainage

This property is subject to the City Stormwater Ordinance.

Section 14. Landscaping Standards

Information regarding this has not been provided, this item will be required to be addressed to the City's satisfaction during plan review

Section 15. Lighting Standards

Information regarding this has been provided, this item will be required to be addressed to the City's satisfaction during plan review.

Section 16. Sign Standards

Additional information regarding this shall be provided at plan review to address this section to the City's satisfaction.

Please note, this review is to determine general conformance with the City of Broussard requirements and does not constitute a certification by myself. This review in no way relieves the Surveyor of Record/Engineer of Record from his professional responsibilities.

Russell Trahan- I have a question, I am assuming that the occupancy is changing, is that correct?
When the occupancy is changing, the compliance with the general item will kick in.

Walter Comeaux IV – It is our understanding that the council intent was to apply these standards as developers come in and modify existing or develop something.

Brad Hamman -Cliff you want to say something?

Cliff Guidry – Yes

Cliff Guidry – Good Evening, Cliff Guidry with Guidry Land Development: On the previous Rene Prejean – they are keeping the same footprint, so they are exempt- So therefore, if I am keeping the same footprint am I exempt?

Walter Comeaux IV- that was a house.

Cliff Guidry: So, there is a difference between residential and commercial as far as exemption is concerned?

Daniel Hutchinson – it was a residence, and he is going back to that.

Cliff Guidry: Just some of the Overlay District is unclear -where it comes to this section, not just for me but for my neighbors - if starts at this building to the railroad tracks, but yet across the street, is not part of the overlay district. When driving down Albertson Parkway you see restrictions on the left side of the street and not the right side of the street. I just think that should be addressed. The other question I had was section 12- the asphalt concrete, I do have intention to asphalt, the intent is to asphalt, but I do not think this should be made a requirement. Just for that I ask for a variance for now. I am 99% certain that I will do the overlaying, but I should not be required to do it. If I could just the variance for the hard surface, that is all I am looking for.

He does have intentions of asphaltting the parking. But this should not be made a requirement.

Russell Trahan – I still have questions on going back to section 10- I just want to make sure I understand the City's position and how they are working with Cliff. As these new occupants come in- Cliff has done a good job in the past as making sure the architecture fits, but, is there going to be any re-review as the tenants come in? In terms of the architecture.

Walter Comeaux IV – You are talking about this building in particular?

Russell Trahan – Yes, this building

Walter Comeaux IV – It is my understanding, that the way the ordinance is written-seeing as far as the renderings go, because it is already an existing structure and it is an existing metal building, regardless of that as long as they would adhere to the improvements as are shown, then it would satisfy the ordinance.

Daniel Hutchinson – It's our understanding that the Council would not want to make Cliff – go put a brick façade around 3 sides of the building. The Council is only trying to fix it up.

Russell Trahan – Getting a good understanding on how it applies to an existing structure.

Walter Comeaux IV – I think on existing structures it will be on a case-by-case basis. In this case, the building will be significantly modified.

Russell Trahan – As of right now, but maybe I'm wrong, I just a paint job and a fence in the front with some trees.

Charles Sharma – is it the same footprint that is currently there?

Cliff Guidry – Yes, it is the same footprint. The intention when I purchased it was to beautify it and take out the ugly fence, landscaping it. What I did not realize, is that I was in the overlay district. I come here before you to ask you for some concessions, I did not think I would get hit with all of the things you just described. So, to put more cost and restrictions on this particular building and project.

Charles Sharma -Excuse me, I have a question in regard to this building, the current building, we are talking about the old Flowers building, right? It was a gravel parking lot previously, right?

So, we are asking Mr. Guidry to pave, why?

Walter Comeaux IV – That is part of the overlay district.

As these properties get improved or developed- we are getting rid of the gravel lots in place of dustless concrete or asphalt.

Charles Sharma – it seems like it's a rather large parking lot to pave. It's the same building, you know, changing ownership and now they have to pave, it a lot.

Daniel Hutchinson – It changed ownership, and it changed use. The same thing is in our zoning. Some people are grandfathered in.

Charles Sharma – in regard to our earlier exemption, Mr Rene Prejean, it was an existing home, (that burned) and will be a home.

Daniel Hutchinson -If they go back to the same footprint. The intent was if you are going back to the same rooftop area, you are exempt from drainage.

Charles Sharma. – Mr. Cliff – so he knew proposal if it any bigger footprint than it was previously?

Cliff Guidry – No, it's the same.

Charles Sharma – So it's a commercial building currently and will continue to be a commercial building, but we are asking for upgrades on the commercial side.

Daniel Hutchinson – That was the Councils intent – it is a residence where someone lives.

Cliff Guidry – I think It will be a work in progress.

With that said, I am 99% certain I will do the asphalt parking lot because of the handicap kids, I have to do it. But, to adhere to the overlay district, I think the line needs to be moved.

Russell Trahan motioned to accept

Second by Craig Kimball

Sarah: Are you granting his variance he requested?

Charles Sharma – I think he kind of answered that he is obligated to do it, because of the school, (Cliff Guidry- Handicap Gym) that being the case this is no longer a variance, correct?

Walter Comeaux IV –if he is going to conform to the Ordinance – there would be no variance.

Russell Trahan – I motion we accept it with the recommendations from Comeaux Engineering

Second by Craig

Question Brad Hamman

Roll Call: Brad Hamman, Yea - Russell Trahan, Yea - Craig Kimball, Yea

Adam Mouton-Alternate, Yea- Charles Sharma- Alternate, Yea

Adjourn Planning Meeting

Moved Russell Trahan

Second Craig Kimball

Question Brad Hamman

Roll Call: Brad Hamman, Yea - Russell Trahan, Yea - Craig Kimball, Yea

Adam Mouton-Alternate, Yea- Charles Sharma- Alternate, Yea

Craig Kimball moved to open the Zoning Commission

Second by Russell Trahan

Question Brad Hamman

Roll Call Brad Hamman, Yea - Russell Trahan, Yea - Craig Kimball, Yea

Adam Mouton-Alternate, Yea- Charles Sharma- Alternate, Yea

Broussard Zoning Commission

Mr. Tom Holiman w/TriCom Real Estate.

Variance request for Cell Tower on Albertson Parkway

I represent Vertical Bridge- A Cell Tower Developer out of Boca Raton Florida. I want to introduce Ms. Laura Carlisle – he is our Legal Council that is assisting us with this. I will let her make some comments, I will follow her and then have some questions from yall.

Laura Carlisle – I am an attorney from New Orleans representing Vertical Bridge- the company constructing the proposed tower. Thank you for the opportunity to speak tonight.

Monopine Tower – will look like a pine tree

The City of Broussard has been identified in need for both enhanced coverage and capacity in this area. (Showing Visuals).

Charles Sharma – can you give a reference to what we are looking at.

Laura Carlisle – You are looking at Albertson Parkway.

The Proposed Tower is a 150' monopine. It is designed to blend in the background with forestry. Proposed site will be a 60' x 60' compound which will include ground equipment and a gravel driveway off of Albertson Parkway. Proposed tower can accommodate up to 3 carriers, where A T & T will be anchored. We are here today because we are requesting

They are requesting two variances

1st one is the setback requirements from a residential district.

And 2nd the minimum size of the site for a 100' x 100' to a 65'x75'.

Tom Holiman- They already have a couple of sites, but they are trying to cover Broussard from the outside looking in. They cannot keep up with demand.

One of the first things I do is check the zoning ordinance. Right off the bat, there was one provision I saw that (it's fairly onerous) from the site wireless acquisition standpoint, a 1000' you require from any residence or residential district. That's almost a ¼ of a mile. It's hard to find that, you go out in the country and there is a house within a ¼ of a mile somewhere, so in my professional opinion that is a strict requirement, to be able to come into Broussard and to be able to find a location, you would never meet that.

Vertical Bridge/AT&T agreed to lower down to 150' and build it to look like a pine tree.

That 1000' is very restrictive. The other variance is the size of the site 100' x 100'. That's a lot of land to take up. We are backed up against the ditch. So, we would like a slight variance on the size.

Laura Carlisle – Regarding the minimum lot size the proposed compound is 65' x 75' has opposed to the 100' x 100'. I believe where that comes from is your Ordinance require as the sole use yard. This compound is important to note that it is located within approximately a 6-acre parcel of land. That is Mr. Anzalone's property. So, it is not like its 65'x75' laid out against some adjacent property owners. It is within a 6-acre parcel of property. One finally point, which I think is the biggest area of contingent tonight, is I believe you have received a lot of letters. From both SBA and some property owners, I believe that were contacted by SBA, which to contact the commission. SBA has a tower that is located right here (pointing to a map). Mr Clark – SBA will have an opportunity to speak (he is very good at his job). SBA is out to oppose the new tower. Co-locating on this tower will not deliver any enhanced coverage and capacity, what the new tower will deliver. From engineering perspective, it's just not going to happen. Second, your ordinance does not require the new tower to consider co-location opportunities unless they are in a ¼ mile location. The SBA tower is located I think .83 miles. Well outside the core-radius. So, we are not required to consider that opportunity. SBA is not a carrier- it's a landlord. SBA is a competitor of Vertical Bridge; it makes money having carriers locate on its site. Since 2012 SBA and AT&T have been somewhat in a business dispute about rates and they have not been able to agree on lease rates. For two primary reasons, one- SBA does not allow its carriers and tenants to have real estate rights. It also has unrestricted fee schedules, which means every time A T & T goes to upgrade, SBA increases its fees on its tenants.

Charles Sharma – Could you please explain to me in laymen's terms the coverage a tower gives. The reason I am asking this is another tower .83 miles away, that gives out so much coverage, now you will put one .83 miles away and it's going to extend so much coverage, to me, it seems like this can snowball into a tower less than a mile away from each other which will become an eyesore. So can you tell me, the power the range, the hertz, whatever frequency it is that is emitted from the top.

Laura Carlisle – I can. It may be an unsatisfied answer. It depends in terms on the length the coverage depends on the area, if you have tall buildings, how many users you have in the area. Typically, ½ mile to a mile. Referring to the map again.

Charles Sharma- Next question, is there another site location that is farther away from the residence, in development that you could have looked at, that would still provide the same amount of coverage?

Laura Carlisle – That is a site acquisition question and that is a fair question. As Tom said at first, you have to locate near demand. You have a neighborhood with people on the internet all of the time and using you know and calling the first responders and all of that, you can't, you have to get somewhere near them to be able to deliver coverage and capacity. Site acquisition is an extremely complicated process, where they go out and identify and valuate a whole number of different sites before they settle on the one, they bring you.

Tom Holiman – I suspect there is not a site without a house within 1000 feet.

Charles Sharma – Referring to the map. The bottom red line is Albertson Parkway.

Tom Holiman – This is Albertson Parkway – referring to map.

Charles Sharma – So Ambassador Caffery – There isn't something closer to that, further away from the residents that would appease them and still provide coverage.

Laura Carlisle- Not that would provide the same coverage.

Tim Holiman – If you start moving, here is the existing sites, we looked at several sites. We want to stay right in here.

Laura Carlisle - your ordinance protects within a ¼ mile.

Tom Holiman – Agreement to go to a pine tree that's even more reason to allow the tower to be there, it's going to be a pine tree we will not have a pole. We know behind this site there are trees.

Russell Trahan - I have a couple of questions, first thing 150' is it possible to have it reduced some. I have looked at the scale of that amongst the buildings that are in that area. If you are further back, you could push it to the other side of that coulee. Amongst the trees. Just trying to disguise it as the only pine tree amongst this is a stretch.

Is there a net effect by reducing the height of this thing so it is not sticking up so tall?

Laura Carlisle -Yes

Russell Trahan – so that it looks more natural.

Laura Carlisle – So as Tom started off, originally, ideally, we wanted 195'. We came down to 150' which would kind of a minimum.

Russell Trahan -I understand, but you are asking for a reduction of the 1000'. I'm just asking a question, can you still get net effect in terms of the coverage, at least starting to fill the void by reducing the general height of this tower?

Laura Carlisle – You are not going to get what you need. Probably in a couple of years down the road we will come back as ask if we could put another one there somewhere.

Russell Trahan, the second question is, The general distance from the adjacent, the gentleman Has a point, you get into much more commercial as you push a little bit more south. Because what we are talking about is a few hundred more feet at this point.

Charles Sharma, we are talking about across that coulee.

Russell Trahan, I know acquisitions is an issue, I do respect that, not everyone wants this in their back yard. That is why we are here today. Is there any way on this particular property to push

it back any further? Because you have some substantial neighborhoods that is right across the street from this thing.

Tom Holiman – We are right up against the ditch now.

Charles Sharma – is that where the property line ends at the ditch?

Tom Holiman – I think it goes right back on the other side of that ditch, in the trees.
It's landlocked. Evidentially when he bought that 6-acres at one time, that came with it.
And it did not go out to the next street.

Charles Sharma – it does not go out to Ambassador Caffery?

Tom Holiman- referring to map

If we put the tower across the ditch, we couldn't get to it, we would have to build an expensive bridge. That is why we did not want it over there. I don't know it would make that much difference, by the time we do the landscaping around the fence, whatever land scape you want.

Russell Trahan – I fail to see how the fence is doing anything other than hiding the mechanical

Tom Holiman – we can put trees, smaller trees then the pine tree.
When you start lowering the height, that makes a substantial difference. Not sure of going lower than 150'

Laura Carlisle – to give you a point of reference the SBA Tower is 280 feet. It is significantly taller so 150' these things can go 400', so 150' is on the lower end.

Charles Sharma- I have another question for you, So, one of the reasons you said that you are proposing to build this tower is because AT&T requested it, and the SBA contract they were not comfortable with, So What prevents AT&T a year from now the Vertical Bridge and coming to Horizontal Bridge and wanting them to build one a ¼ of a mile down the road, because they are not happy with the rates or the color of the building or whatever?

Laura Carlisle – There are two things, it is not only the ongoing dispute, with SBA that has motivated AT & T to want to ???/, It is also that SBA does not allow them to do what they want to do, in terms of the technology and scope of the coverage and capacity. The lease agreement though, well just secured that AT&T doesn't start shopping, and this lease I believe at the mayor's request, Vertical Bridge went back and is renegotiating the lease to some extent, with this property owner, that would allow, if there is no equipment, I believe on this tower in 6 months or a year period this tower has to come down.

Charles Sharma – I'm just concerned that another one will pop up with the same reasons you are giving and then another one will pop up. The only thing that I am understanding right now is because of the conflict that AT&T has with SBA is the reason for the feud. To me that doesn't

hold any argument when we are considering allowing this to be constructed, the dispute between the two entities.

Laura Carlisle – I totally agree that it should not be part of a zoning discussion and SBA has made it a part of the zoning discussion, that's why they are here today. Any new tower is going to have to come to you and they are going to have to make their case, so

Brad Hamman – Let's move on

Adam Mouton – I have a question, once you build this tower, what kind of restrictions will be placed on the businesses located near you or the property owners on either side of you? I know they had a problem with a tower across from the middle school.

Laura Carlisle – I am not aware of any restrictions it would place on the surrounding neighbors. I am not sure of what type of a tower that is, but a lot of times you will hear a voice of concern from the surrounding property owners is what if it fails what if it falls. These towers are not like traditional towers. They are designed be fail proof, they are designed to withstand high winds. But also, if they do fail, they are designed to break like straw and fall in on themselves. So, they are not taking out any type of large radius, that is just part of their engineering. I am not aware of any restrictions per say, the fact of the tower being placed by surrounding landowners.

Russell Trahan – what would be the agreement with the city in terms of maintenance? Should you change companies, or anything else, with the tower being abandoned. If this becomes disrepair or its basically no longer used because of change in technology, what assurance does the city have that you will take this down or repair it or maintain it in the proper manner.

Laura Carlisle – So the Mayor actually requested that those provisions be put in, renegotiated into the lease. I think there are 4 points- one was maintenance, maybe like grass cutting, one was painting every so often to keep fresh, not only the fence put the tower itself, one provision was if it goes abandoned, I think it was 6 months or a year period it has to be taken down, so those were specific protections that the mayor requested, we are in the process of rolling those out in the form of an amendment, to the lease of the landlord.

Tom Holiman – and the landlord will do that, Mr. Anzalone. He will want that too. One of those 4 points the mayor wanted was every 5 to 10 years we touch up the paint.

Russell Trahan – that brings the next question, I see on the drawing it is a galvanized finish is this supposed to be a galvanized tower with tree on top?

Laura Carlisle - Dark green

Russell Trahan – So, it's a painted service over the galvanize finish?

Laura Carlisle- correct

Tom Holiman– Per the mayor’s request we are going to do that, we already have maintenance of our facilities anyway in our agreement with the landlords, but we are going to make it a little more specific because of the pine tree back in the agreement with Mr. Anzalone as amended.

Adam Mouton- will you put a light on the top of that thing?

Laura Carlisle – So, the only lighting required is I believe the lighting required by the FAA, like for pilots. There will be minimal lighting required by federal standards, no other artificial lighting.

Tom Holiman – There may not be any lighting – normally if it is 200’ or above requires lighting, this is 150’. The only time a 150’ structure requires lighting is if it is near an airport.

Brad Hamman - I think we are ready to hear from the SBA representative.

Wendell Clark – Good evening and thank yall – my name is Wendell Clark, and I am from Baton Rouge, and I do represent SBA, whose name has already been thrown around a pretty good bit. I want to say up front that, we don’t dispute that there is a contract dispute with AT&T in the big picture. But we have AT&T on about 7000 of SBA’s towers across the country. So, it is not like we are not doing business with them at all, number one. Number two, the contract dispute doesn’t come into play on what we are talking about tonight. And the reason is that back in July when we found out about this application for the new tower, SBA’s marketing director contacted AT&T and offered to co-locate on the other tower that we have been talking about at a rent less than what they would pay on the proposed tower. But SBA hasn’t heard anything from AT&T, to explore that option. It is also significant, because I don’t know how they can say that SBA’s tower can’t provide what they need on the proposed tower because they have not talked to us about it. Our engineers show they can provide the same scope of service, all of the same frills and opportunities, for emergency services and future buildouts on the existing tower that they could on the proposed tower. So have got AT&T saying you can’t, SBA saying you can do the same, provide the same services and AT&T refusing to talk about it to really find out what is available. Now, I will tell you this, as Ms. Carlisle said, The SBA tower is 283’ tall so it can provide much greater coverage then the coverage where the 150’ tower where it’s proposed. So, I believe that our studies, our propagation studies for where the radio waves go across the landscape, even our far they go and all that, are just as valid as AT&T’s. And they are not taking into account the fact that we can provide a facility much higher than what they can at 150’, on an existing tower that is not within a 1000’ of a residential area and otherwise complies with your ordinance. Now, I know we are here to talk about the variance request, and they are asking for two different variance requests. You all know this better than I do, code requires that they show some sort of urgent need or inability to comply with the requirement and undue hardship and several other factors that are listed under your code. I did not hear or show of any undue hardship as they lay their presentation tonight, particularly when you consider that this tower is not needed, and it may very well be that AT&T can provide the same services on the tower that SBA has not too far down the road. Now, I know we are

not really here talking about co-location, under your code tonight. It is true the code says if you are locating with a ¼ of a mile of another tower that there are several different things that you have to show in order to negate those as options. The code clearly shows the preference for co-location where possible- regardless of whether it is within a ¼ of a mile or not and I would suggest to you that it's to the city's benefit to reduce the number of towers when some towers are just not needed, and something ought to be done to find out if this tower is really needed or not and that would involve discussion between AT&T and SBA of what they really need and if we can provide it. Now we provided the commission the letter from August 11th our marketing manager that explained the efforts she had made to contact AT&T. We provided another letter yesterday, confirming that we have still not heard from them. I think I heard Ms. Carlisle say, that they had responded and that they couldn't do what they needed to do on our tower. But I am not aware of that. Again, I spoke to our marketing manager yesterday when we prepared the letter to send you. In any event, there has not been a discussion on about they think what we can't do for them on our tower. I also, will note that there have been several communications from your local residents indicating their concerns and objections to the tower as proposed and specifically to any variegation from the restrictions that are properly executed and implemented in your code. Now I will answer any questions that you may have.

Brad Hamman – How long has the existing tower been there?

Wendell Clark – I know it has been there since before 2012. But I don't know the specific date. I can tell you it has been there at least 10 years.

Brad Hamman – What percent of room available for more communications

Wendell Clark – I think it can accommodate two more tenants. One of which would be AT&T if that were to work out.

Brad Hamman – So AT&T is not on that tower now?

Wendell Clark – No Sir.

Brad Hamman- Common Sense 280' sounds like you can spread that a lot farther than 150'. That technically makes sense

Wendell Clark – Your common sense in this case is correct. Now there are different radio waves that have more of an affect (and I am just a lawyer) higher on a tower than lower on a tower. There is a low band and a high band. A low frequency and a high frequency. And they are really for different purposes. But for purposes of the scope of coverage you can get that coverage from the higher location.

Any other questions?

Charles Sharma - how many other current occupants are on the current tower?

Wendell Clark – we have one occupant equipment on our tower.

Russell Trahan – are we talking about 5g or 4g service, what is the level of service that we are referring to. I know there are distance issues with those particular bands.

Laura Carlisle – That would be a carrier question, but as I understand, I could get you an answer, but I think that would be 5g I like stated that would be a carrier question.

Wendell Clark - for 5g it's the equipment that is put on the tower. It's not whether if the tower can accommodate 5g or not, it's the equipment that you place on it.

Russell Trahan – it's my understanding that 5g does not extend this far

Wendell Clark – not right now, they are working on expanding the coverage

Craig Kimball – if this tower is built will that cause yall to lose money? It's like a CVS and Walgreens built on opposite corners.

Wendell Clark – this is an unusual situation in capitalist economy. Because normally you are talking about competitors, and they may be on opposite street corners and one may succeed, and one may not. The difference here is that governments regulate the number of towers that you are going to allow in a certain area. So that you don't have a tower on every block. And they do that based upon, included in that they require towers to have the capacity to carry at least 3 and some do have 5 carriers. So, it's really what the governments are doing to regulate carriers to minimize the number of towers, so I can't really give an answer to your question because that added regulatory factor changes the normal competition dynamics.

Brad Hamman- We don't want to many towers, but we want enough for good coverage. Where's the sweet spot? And I am not technically no where near enough to understand a lot of this technology talk. I am not sure what we do tonight, does the council still, mayor the council still have another

Mayor- I will refer you to our legal to answer that question.

Gerald DeLaunay – The Commission can accept or reject or make a recommendation and someone else who is unhappy can bring it to the council to consider it. So, the final word is with the council

Brad Hamman – So tonight we a ruling on whether we grant the variance

Gerald DeLaunay – to recommend the variance and once you say no then the party that disagrees with you can go to the council and if you say yes then the party that disagrees with you can go to the council. The council is going to have the final say so.

Laura Carlisle – if this tower doesn't go up SBA in all likely hood gets more revenue That is competition. Your leaders here, officials deemed the protection that ???? that is outside of this, so why is SBA even coming into this discussion is not really a zoning issue, because that is not the variance that is requested. Regarding the height of 283' tower, that is a guidewire tower, there is an occupant already at the top of it. So, it is not 150' versus 283'. There's not the top, then there are guidewires and I believe there is a microwave dish so by the time AT& T or any other carrier gets to locate on it, we are well down from the top of that tower, so that is not really Thank Yall

Tom Holiman- In Response to the Gentlemen with SBA, about the height, it is not always true that the higher are the better you cover. That is not a true statement anymore. Because, if you look down at all of the towers, they have an integrated system based on the heights they are on those towers. You can be too high, if you go on a tower and its to high it doesn't fit, if messes up the integration of their coverage system. They do not need to have a conversation with SBA, figuring out what they are going to do with that tower. It doesn't take rocket science, they could just take the lats and longs, they know why how tall the tower is. AT&Ts engineers can figure out for themselves whether they can make that tower work, they don't have to have a conversation with them. That's a moot point. You have a competing tower company with an engineer arguing with the actual carrier that wants a new tower, so that doesn't even make sense, so they don't have to have that conversation. AT & T has looked at that tower, its not going to work. so that is a moot issue from AT&T's standpoint. I do want to say about the height, you can be too high, going up high doesn't always solve the problem. I did this before I came up here, I was just curious, I took a 1000' radius around the SBA tower, and I count about 29 houses within that 1000'. I may be off. I don't know when this ordinance passed, but they don't meet it either. Maybe it was grandfathered in, so. To make the comment that they don't have any houses in that area is just not true.

Charles Sharma - How long have these gaps in coverage been in existence?

Tom Holiman – Well we don't know, everyday changes. The evolvement of the use these things, it gets worse by the day because people are using it and using it.

Charles Sharma – Now, these gaps of coverages only represent AT&T?

Tom Holiman – This is AT&T. There is somebody else on the SBA tower, probably Verizon. There are only 3 carriers now – Verizon – AT&T and T-Mobile. Dish is coming on; they will be the 4th carrier out there. I don't know this for a fact, but he could probably tell you, its Verizon.

Adam Mouton – Is dish owned by AT&T

Laura Carlisle and Tom Holiman – No

Tom Holiman – T-Mobile bought Sprint they merged as they bought, the FCC only would allow them to merge if they would allow a 4th carrier to come on the scene, DISH.

Because of the demand you may have heard the word small cells. The 5g technology coming on is on these micro towers. We want to encourage you to have a provision in your ordinance to allow for the small cell all over town on light poles. They are all over, AT&T is doing it, Verizon is doing it. T-Mobile is going to do it.

Gerald DeLaunay – We have a small cell ordinance.

Chatter going on – off subject

Laura Carlisle- this tower will have the capacity to house up to 3 tenants. So, for instance if Verizon has a gap they need to fill, they can come on the tower. Typically, you see cell companies co-locate but, really any entity or body that needs a radio frequency can go on a tower.

Charles Sharma – So there are 4 total carriers – you have the capacity to carry 3 – the other has the capacity to carry 4 so we will have 7 available spots for 4 people

Laura Carlisle- Well, not exactly you need a. You don't have to be a cell company to locate on a tower.

Charles Sharma- it's not exclusive to

Laura Carlisle – Correct, anybody you need a radio frequency.

Tom Holiman – Verizon map is different from this map; they don't have the same exact map. They may be on some of the same towers. Its just different.

Charles Sharma – To answer these concerns from the citizens, the proposal for the tree/

Laura Carlisle – Monopine

Charles Sharma – was that initially the discussed when you came to the city? Or was it after, I am just wondering if the residents are aware of that? We have letters that came in that citizens have voiced their opinions. Were they aware?

Tom Holiman – You can ask the gentleman here; he is the one that sent those letters out. We did not send those letters out. We sent out letters to the surrounding landowners adjacent to the property.

Mayor - One of the letters did come from City Hall so I have read. The City only requires that AT&T invite or notify the landowners adjacent to the property as with all rezoning. The city has not sent any letters out, residents beyond that scope. The only letter that I saw would have come from SBA. That would have gone out, some kind of notification and it did not describe

the look of the tree. It was a one-sided look; it came from one company. I did not know if AT&T had sent letters out or not until tonight. But one company did send letters out.

Brad Hamman – Based on the fact that we are not the final judge, I feel like they presented a point a gap needs to be filled, there are still things left in my mind, the have a variance request.
2 variances

Sarah Hebert – You have to vote on them separately

Brad Hamman – For the variance request Within a 1000' of a residential district.

Craig Kimball – I make the motion

Charles Sharma – I second

Brad Hamman Question

Roll Call: Brad Hamman Yea, Charles Sharma, Alternate Yea, Craig Kimball Yea, Adam Mouton, Alternate Yea, Russell Trahan NO

Brad Hamman The second variance is for size of compound area 100' x 100' versus 65' x 75'

Charles Sharma – I make the Motion

Craig Kimball - I second.

Question Brad Hamman

Roll Call: Brad Hamman Yea, Charles Sharma, Alternate Yea, Craig Kimball Yea, Adam Mouton, Alternate Yea, Russell Trahan NO

Champion X LLC/Hammerhead Capital- Requesting Zoning change from General Industrial to Single Family Residential with Multifamily Residential and Residential Accessory upon Sale /Purchase of Property.

Steven Hebert –Thank you very much gentlemen- I am Steven Hebert, I am with the Billeaud Companies. We own the adjacent piece of property, from the railroad track behind our existing Boat and RV Storage to the property line of this proposal. I am pro-development. I think it is very important and concerned how will this re-zoning affect by property. There are two industrial zoned properties, which is zoned with the most intense use can be put in this current zoning. Now our neighbor is proposing to be rezoned, if you vote for it to the most restricted zoning classification. Right now, are thinking we may expand our boat and RV storage. But the company can do anything they want in the zoning classification. So let's say the zoning gets done tonight, they build this development and a few years down the road, I come over here to put in a, maybe a Boat and RV storage, I am backing up a boat and rv storage maybe 20 feet from these single family residential homes- maybe a trucking facility with trucks in and out in the middle of the night, I am going to look like a pretty awful developer coming in there and invading this single family residential neighborhood. I don't have any problem with its use, any problem with this rezoning, you can be taking something from our property, what we have right now is an industrial zoning property with a neighbor that is an industrial zoned property. And we can do some pretty intense use on these properties. I may be prevented of doing something in the future. My main concern, I am very familiar with a lot of different zoning ordinance that require when you have different uses that the use that is more intense requires

buffers, fencing, increase setbacks, even landscaping. I believe Sarah and the City Engineers have checked and I have been told that doesn't exist, but if I am coming here in 5 years from now after the residences are there, you may want to make me set my buildings back farther, put a fence, make me put some landscaping, because you are wanting to satisfy the 50 or 60 people that are going to be here in a single family resident

Brad Hamman – Steven what road are we talking about?

Steven Hebert – This is Moulin Road near St Etienne

Sarah Hebert – It is right next to the Reserve Subdivision

Charles Sharma – Currently you said, what do you have there right now?

Steven Hebert – right now we don't have anything, it is just an open field that we are bushhogging, but right across the tracks we have a boat and rv storage unit.

By Mike's Marine. We have the property line with the railroad tracks.

I think what I am looking for is to ask you, I just want some assurance to not be required to not do anything in terms of rezoning, buffer, setbacks, landscaping, fencing that is not required today, in the future.

Christopher Ventre with Hammerhead Capital - I am the potential purchaser of the land, Champion X is the current owner. So, this rezoning request is contingent upon the sale of the property. In which it would become official when we have the preliminary plat approved and subsequent sale. What we are proposing is a built to rent community. It is all rental all owned by the same entity. So, in any rezoning case, I am not anticipating renters showing up here. This property is currently zoned industrial right next to The Reserve, west of the property. You would have the same issue down the line, with the residents adjacent to the property

Charles Sharma – is it butted against your current proposed development.

Christopher Ventre- The Reserve is adjacent to this development, so we are residential on one side, currently zoned industrial and then the rv storage property is industrial. We are requesting residential to a conformed use.

Russell Trahan – Going back to Steven, I don't think this board can put a contingency that would affect the adjacent property. I think that would be the City Council or working with the Administration. Before us is just the matter of rezoning that piece of property. Am I correct.

Gerald DeLaunay – I think that is correct.

Steven Hebert – I am familiar with putting plat restrictions on plats. That reference on the property outside, that you could require on this plat when you approve it, this will be in the planning process, that you could put notes on this plat that would reference the adjacent

property that could cement that for me in perpetuity instead of just counting on the next council.

Russell Trahan – I would ask that you come in speak your peace regarding that at that time.

Steven Hebert – I am just asking that you be sensitive when rezoning property that you don't take away from the other property owner, what they already have.

Charles Sharma- I move to recommend that this property be re-zoned

Russell Trahan – Second

Roll Call: Brad Hamman, Yea - Russell Trahan, Yea - Craig Kimball, Yea

Adam Mouton-Alternate, Yea- Charles Sharma- Alternate, Yea

Revised Map F-7 adding 2 strips of property off of Garber Road and Ibx Road to be zoned as Light Industrial.

As requested by the property owners – this shall be presented to the City Council to be zoned as Community Commercial –

Moved by Adam Mouton

Second by Charles Sharma

Question Brad Hamman

Brad Hamman, Yea - Russell Trahan, Yea - Craig Kimball, Yea

Adam Mouton-Alternate, Yea- Charles Sharma- Alternate, Yea

Revised Map F-14 adding 1302 La Hwy 92 to be zoned as Community Commercial.

Moved by Russell Trahan to present to City Council as Community Commercial.

Second by Craig Kimball

Question Brad Hamman

Roll Call: Brad Hamman, Yea - Russell Trahan, Yea - Craig Kimball, Yea

Adam Mouton-Alternate, Yea- Charles Sharma- Alternate, Yea

Revised Map G-6 Adding the Girouard/Simon property off Garber Road to be zoned as Community Commercial.

Moved by Craig Kimball to present to City Council as Community Commercial

Second by Charles Sharma

Question: Brad Hamman

Roll Call:

Brad Hamman, Yea - Russell Trahan, Yea - Craig Kimball, Yea

Adam Mouton-Alternate, Yea- Charles Sharma- Alternate, Yea

Revised Map G-7 adding 325-327 North Girouard Road to Be Zoned as Community Commercial.

Moved by Craig Kimball to present to City Council to be zoned as Community Commercial

Second by Russell Trahan

Question Brad Hamman

Roll Call:

Brad Hamman, Yea - Russell Trahan, Yea - Craig Kimball, Yea
Adam Mouton-Alternate, Yea- Charles Sharma- Alternate, Yea

Revised Zoning Maps G-14 and G-15 Adding the areas known as Whispering Meadows Phase 3. To be zoned as Single Family Residential with Residential Accessory

Moved by Charles Sharma to present to City Council to be zoned as Single Family Residential with Residential Accessory.

Second by Craig Kimball

Question: Brad Hamman

Roll Call:

Brad Hamman, Yea - Russell Trahan, Yea - Craig Kimball, Yea
Adam Mouton-Alternate, Yea- Charles Sharma- Alternate, Yea

Adjourn

Moved by Craig Kimball to adjourn this meeting

Second by Russell Trahan

Question: Brad Hamman

Roll Call