

Commissioner Booth: PZSPU-2018-01 requested by White Boot Investments dba Tin Shed to expand a barroom at 13459 Hwy. 90, Boutte. Zoning District C-3. Council District 4. Yes sir.

Mr. Welker: As you mentioned this is a special permit to expand the existing Cajun Ice Daiquiri shop located on Hwy. 90. This is required to come before this board because the daiquiri shop was originally approved as a special permit in 2006 and any kind of addition or anything like that requires additional special permit approval. Based on the information provided on this expansion, there's not really going to be any pre-existing seating capacity which would cause any kind of increase in the required parking. This is mostly just the enclosing of some open areas that are already seating or taking some areas which are office space or refrigerator space and expanding the kitchen facilities. There is a proposed addition of a new separate structure which to our understanding is a boiling room and prep room. Towards the back of the property will be a small room that would have to adhere to the C-3 setbacks based on the site plan it is showing recognizing those setback requirements. So there are several criteria that special use permits and uses need to meet, most of those have to do with compatibility with existing uses in the neighborhood, if there would be any kind of burden that this use would have compared to other uses permitted typically in the zoning district. We don't really identify any major compatibility issues since it's an existing business that fronts on Highway 90, I do want to note that there is a mention in item 5 of that criteria about us not finding anything on the record on complaints regarding noise with the property. We did find with the help of some of the residents a noise complaints going back to 2009 and ending around 2010 or so with the previous ownership of the business, so it should be noted that there are complaints regarding that going back that far. I also want to note that we received some letters of complaints from some folks that live behind this property, mostly citing noise issues that they've had to deal with over some time. With that being said the request is compatible with pretty much all of our requirements, not too many site development requirements that they need to adhere to since there is no real proposed changes to parking, to landscaping, which a lot of it is existing right now, so based on all that the department does recommend approval with the stipulation that minor adjustments to the submitted site plan be approved through the building permit process if that is necessary.

Commissioner Booth: Public hearing for PZSPU-2018-01, White Boot Investments expanding their barroom at 13459 Hwy. 90 in Boutte. Anyone here to speak for or against this particular issue? Is the applicant here? Do you have anything to tell us? He explained it pretty well? State your name and address for the record please.

Baron Tregle, I live in Des Allemands. I bought this business about 5 months ago. The previous owner didn't have a lot of respect for the neighbors, since I took it over there shouldn't be any noise complaints because I don't do dj's or any bass music in there anymore. My goal is to transition from a bar to more of a restaurant. I want to put a kitchen, I want to do po-boys and do some seafood inside, like he said we're not adding any more seating than we already have, that's really all I have to say about it. We want to transition from bar to restaurant. The sign said and the letter said to expand a barroom, but really we're adding a kitchen to an existing bar to transition from bar to what's call a conditional restaurant and eventually, hopefully to a full restaurant when I retire from Monsanto in 5 years. I'm just looking to get from here to there.

Commissioner Booth: Great. Anyone else here to speak for or against this particular issue, any questions from the Commission? Yes ma'am. State your name and address for the record please.

Good afternoon, my name is Dana Hills and I live at 131 Williams Street and I talked to a Chris Welker and I submitted some documentation to him, but I just want to read something that I read to him – It's pretty much a statement, my name is Dana Hills and I own and I have lived at 131 Williams Street for almost 18 years with my son Gavin. My home is adjacent to what I refer to as the Cajun Ice Daiquiris. I'm here to state my opposition to the establishment request for expansion. I have supplied emails, photos, Planning and Zoning complain documents, notes of incidents, police reports and supporting opposition. This is something I emailed .pdf, you know you can get it

electronically or you can accept it from me today. On yesterday, I was just so happened to meet Mr. Tregle for the first time, I was talking with my neighbor Mr. Morris White regarding this upcoming meeting. So Mr. Tregle pretty much explained to us what his purpose, his vision was for the place and we understood what he was saying but he had to realize based on the notice that was sent to us, it stated an expansion of a bar, so Mr. White and I tried to make him understand what we went through when Cajun Ice was under the former owner, the noise violation and that the letter stated barroom, it said nothing about a restaurant. Mr. Tregle stated that the permit cannot be changed from bar to restaurant, he also stated that he wanted to retain the liquor license as well as the expansion for the restaurant. I wasn't aware of the business being sold, so I asked him how long has he had it and of course as he stated he said 5 months, but I did realize that I hadn't heard a whole lot of noise coming from that area for some time and I also noticed that the business activity was very light and I guess that's why because it was in the process of being sold. Mr. White and I proceeded to inform him of the problems we had in the past of the noise violations which was playing loud music, public fighting, public screaming, loud gathering in the public disturbing the neighbors, shouting obscenities, revving of car engines, someone probably had one of those souped up cars and then you know it's a fenced in area but it's not secured at the gate so there's a lot of times where the bottles and the cans from that area would go in the ditches. Williams Street always floods, it's always one of the streets on the news that is always closed and once the water recedes there's beer bottles and cans floating around in our ditch or in the property. So the request for the expansion is for a barroom I will state that again, in the past and at the current size of that establishment I've had issues with my peace in my own home. My home is my sanctuary. I work for the State of Louisiana as an auditor and my son is a high school senior. Quiet time is a must for me from work and from school and quiet time is a must for the weekend for rest, relaxation and rejuvenation. While I'm in my living room I might be binging Netflix, some series or whatever but I don't want to have to compete with the noise from the bar. Like I said Mr. Tregle, I just met him yesterday, like I said I haven't heard anything maybe one or two little blips since that time, I have nothing against him, like I said I met him yesterday but with the expansion it would only multiply with the problems we're having if it's a bar. Ok, your permit says it's a bar. If the restaurant portion does not pan out for him, he still has a large bar which would mean more people, more foot traffic, more people around in that area causing the problems that I pinpointed before. In the documents that I have, in the police report, it states in the police report that the bass from the music vibrates the walls in my home. When I called the police, I asked them to come into my house, I closed the door so they could see, I tell them not to go there first, I tell them to come to my home first so they could see what I'm talking about and the screen door, a glass door vibrates and also all the bullet points that I mentioned early on. What the prior owner and the current owner don't understand is they are not in my home, they don't hear this noise, they don't understand what we're going through. I understand that you're at your location you feel like the music is lower but when that bass is on, it's in our homes. Mr. White I know he sent the letter regarding this and there's another gentleman and a couple of other people know what I'm talking about. My issue today was I understand what Mr. Tregle is trying to do, trying to talk with us and make us understand what his vision is for the place, I understand that but today, I knew that I had to prepare for this particular meeting and I'm a crafter so I'm home painting just to be calm, I had a good day, traffic was wonderful, just to calm myself for this because this is something I've never done, but Mr. Tregle visited my home about 5:30 today right on the eve of this meeting to discuss it a little bit further with me to make me understand his needs and he pretty much covered that he wanted a business for his son, they're closed on Sundays, he's a Christian man and he's lost some money so forth with the business and he explained the percentages from sales of bar vs. a restaurant but what kind of got me a little bit from our conversation today right before this meeting was that if he can't get this permit then he's going to have to sell the bar and there are people that are interested in this bar that are worse than the person that had it before and I really didn't like the way that came across to me. I don't know how it comes across to you but it's like it's better that I have you otherwise you'd sell it to somebody else that you know for a fact is going to give me more hell than the person that had it before. I heard what he (pointing to Mr. Welker) mentioned about the expansion for a restaurant but your paperwork says bar and I work for my program with the state that's called federal government with policies and guidelines, we read that and we're strict with that and my thing is if it reads how it

reads then that's what it is. That's just my opposition to it and I'm just asking you please do not give him this permit to expand this bar.

Commissioner Booth: Thank you ma'am. Is there anyone else here to speak for or against this issue? State your name and address for the record please.

Good evening, my name is Rev. Carvin Smith, Pastor at the Philadelphia Baptist Church in Hahnville. I reside at 206 Magnolia Avenue which is directly behind the Cajun Ice Daiquiri shop. Though I have not publically made any complaints with the current establishment, there is another daiquiri shop that is approximately 1 mile down the street in Luling. There is also another bar in that area which is about ½ mile from where my house is. My family room as well as my study in the house, the windows are right there by the daiquiri shop, from the noise that's been there previously, I'm not going to compete with the noise but there has been issues with the noise going on. To grant an extension of this as it's going to bring more traffic, more noise and everything else. Every other establishment in that area with the exception of two places which is Domino's Pizza and Papa John's Pizza closes no later than 10 pm. So at 10 pm you can at least get some rest for the night for the next day work. With the daiquiri shop he said he's going to be closed on Sunday, but what about Friday, what about Saturday, when it's time to study or when it's time to go to sleep, you have the noise coming directly from there to this. One thing that was mentioned about the trash, the beer bottles, the other trash that's been coming through the fence lays in the ditch mostly during the summer months, the odor from that is in the neighborhood as well, so that's one of the things that I don't like and I just want to make it publically that I am opposed to the expansion of this particular facility. Thank you.

Commissioner Booth: Anyone else here to speak for or against? State your name and address please.

Charles Albert, 313 St. John Street, Luling. I own the property that I'm leasing to White Boots. The complaints I hear are all about the prior lessee who is no longer in business. We have a new business that wants to operate as a restaurant. I think the noise issue has been calmed and everybody admits that there is not a noise issue anymore and the trash issue that the gentleman just spoke about is not from the business, it's from the people driving back and forth on the street behind the business, they're throwing trash in the ditch. The business doesn't go there and throw trash behind their building, that's not what's happening. So I think if he has a complaint about the trash and the ditch it needs to be addressed to the parish or whomever but not the business. Thank you very much.

Commissioner Booth: Anyone else here to speak for or against this issue?

Mr. Tregle: Can I speak again?

Commissioner Booth: Yes sir.

Mr. Tregle: I just want to address what the lady said.

Commissioner Booth: State your name and address for the record.

My name is Baron Tregle, I'm the owner of White Boots. I did tell her what she told you about other people wanting to buy the business, they're younger and they want to have another place to party, but that one of the options, I told her 3 options, that was one for me to sell it, keep it the way it is now or shut it down and create a restaurant. I don't have the experience or the money to close it down and open it back up as a restaurant. My plan is to put a grill in and transition into a restaurant. I didn't approach it like she said like I was trying to blackmail her or anything I just want to put that on the record. Alright. Thank you.

Commissioner Booth: Thank you sir.

Commissioner Frangella: Mr. Tregle, there's a lot of talk about expansion, people think you're making it larger. The actual physical size of the building is staying the same, you're just taking out offices and all of that and putting in a kitchen area.

Mr. Tregle: Correct. No more capacity than what it is now.

Commissioner Frangella: It's not like you're expanding the building or adding an addition on, all you're doing is taking existing area in there and transforming into a kitchen area.

Mr. Tregle: We have a walk in cooler and I got an office and patio with outdoor seating and I'm going to put the cooler in the back by the boiling room and close in the patio so I can air condition it basically, but we're not adding any more seating capacity to the building.

Commissioner Frangella: Alright thank you.

Commissioner Gordon: One question also. What are going to be the hours?

Mr. Tregle: The hours are right now 10:30 in the morning til 10 and Friday nights and Saturday nights it's opened until 2:00 am as a bar.

Commissioner Galliano: What will your future hours be as a restaurant?

Mr. Tregle: Future hours probably will be until 10. I'm not telling you we're going to 10 right now, it's going to stay until 2 until we get conditional restaurant, once we get conditional restaurant we're not going to stay open until 2 in the morning. It would probably be 10, 11 o'clock at night.

Commissioner Booth: Ok. Anyone else here to speak? State your name and address please ma'am.

My name is Maudie McCoy and I live at 205 Williams Street. I have no objections is Mr. Tregle keeps it as a restaurant, but if it becomes bar I will object. Thank you.

Commissioner Booth: Thank you ma'am. Anyone else here to speak on this issue? State your name again please ma'am.

Dana Hills, 131 Williams Street and all I have to say is that I understand what the gentleman who's leasing the business to him is stating if we're having any noise, none, the guy has only had it for 5 months. So I'm thinking beyond that because I have absolutely no plans of leaving my area.

Commissioner Booth: Thank you. Anyone else here to speak on this issue? Seeing none, the public hearing is closed. The Department is recommending approval with stipulations that the minor adjustments to the submitted site plan can be approved through the building permit process and I would also like to add if the sheriff continues to receive noise complaints that this issue can be reviewed by Planning & Zoning and can be revoked. I'd like to add that as a stipulation. Cast your vote at this time.

Commissioner Frangella: Wait we need a second.

Commissioner Booth: Mr. Albert with stipulations we just add those correct?

Mr. Albert: You're effectively calling for the vote with those conditions. So traditionally someone would second the motion.

Commissioner Booth: Do we have a second for that?

Commissioner Richard: Second.

Commissioner Booth: Alright we have a second. Now we can call for the vote for either approval or denial. Approval would have the stipulation that the business license can be revoked if the noise problem continues to be reported to the sheriff. Let's cast your vote.

YEAS: Gordon, Petit, Richard, Booth, Frangella, Galliano

NAYS: None

ABSENT: Granier

That passes. It will go to the Parish Council on January 22<sup>nd</sup> (Update: The resolution will go to the Parish Council on February 5, 2018).

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