

Ordinance No. 2577

ORDINANCE TO APPROVE A ZONING MAP AMENDMENT, TO AUTHORIZE
A CHANGE IN ZONING DISTRICT CLASSIFICATION FOR TWO PARCELS
OF LAND, FROM THEIR PRESENT ZONING DISTRICT CLASSIFICATION OF
LB LIMITED BUSINESS TO NB NEIGHBORHOOD BUSINESS FOR LAND
IDENTIFIED AS 221 & 223 BEAUVOIR ROAD

WHEREAS, on Thursday, January 2, 2025, the Biloxi Planning Commission held a public hearing in the Auditorium of the Dr. Martin Luther King, Jr., Municipal Building, 676 Dr. Martin Luther King, Jr. Boulevard, Biloxi, Mississippi, to hear Case No. 25-001-PC, Mark Kluempke, a request for a Zoning Map Amendment, upon property identified as 221 & 223 Beauvoir Road; and

WHEREAS, the Planning Commission members were apprised of the particulars of this case, being made cognizant of the fact that Mark Kluempke had submitted the request for Zoning Map Amendment, to authorize a change in zoning district classification for two parcels of land measuring approximately half of an acre (more or less) in size, from their present zoning district classification of LB Limited Business to NB Neighborhood Business, in order to accommodate a Child Care Center, identified as 221 & 223 Beauvoir Road (re: Tax Parcel Nos. 1110I-04-037.000 & 1110I-04-036.000); and

WHEREAS, January 2, 2025, the Biloxi Planning Commission, after some discussion, voted 11-0, to recommend approval for this Zoning Map Amendment, to authorize a change in zoning district classification for two parcels of land measuring approximately half of an acre (more or less) in size, from their present zoning district classification of LB Limited Business to NB Neighborhood Business, identified as 221 & 223 Beauvoir Road, having determined that a Change in the Character of the Neighborhood is of notice in this area of the City of Biloxi; and

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WHEREAS, the Biloxi City Council, after consideration of all facts presented, hereby adopts the report and findings of the Biloxi Planning Commission, and in so doing, determines that approval of the Zoning Map Amendment, is appropriate for the properties as related in Case No. 25-001-PC, 221 & 223 Beauvoir Road.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI THAT AS PER THE FINDINGS OF THE PLANNING COMMISSION, BASED UPON A DETERMINATION THAT A CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD IN THIS AREA OF THE CITY OF BILOXI IS OF NOTICE, THAT THE FOLLOWING SHALL BE AUTHORIZED:

SECTION ONE: That the boundaries of the Geographical Information System Format Zoning District Map of the City of Biloxi, Mississippi, be hereby further amended by a change in zoning district classification from LB Limited Business to NB Neighborhood Business, for the properties identified as 221 & 223 Beauvoir Road (re: Tax Parcel Nos. 1110I-04-037.000 & 1110I-04-036.000), more fully described as follows:

Parcel 1 (221 Beauvoir)

Lot 1, Block 3, of Beauvoir Park Subdivision in Harrison County, Mississippi, as per map or plat thereof recorded in Book 21, Page 11 of the Records of plats on file in the office of the Chancery Clerk of Harrison County, Mississippi; AND ALSO that certain parcel of land located in Section 34, Township 7 South, Range 10 West, Harrison County, Mississippi, more particularly described as follows: Beginning at the Southeast corner of Lot 1, Block 3, of Beauvoir Park Subdivision and run thence South a distance of 10 feet to a point; run thence West a distance of 142.5 feet to the East margin of Lot 9, Block 3 of Beauvoir Park Subdivision; run thence North along the East margin of said Lot 9, a distance of 10 feet to the Southwest corner of said Lot 1, Block 3, run thence East, along the South margin of said Lot 1, a distance of 142.5 feet to the Point of Beginning. Said parcel of land located in the area marked "reserved area" on the plat of said Beauvoir Park Subdivision.

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Parcel 2 (223 Beauvoir)

Lot 2, Block 3, Beauvoir Park Subdivision, a subdivision located in the Second Judicial District of Harrison County, Mississippi, as per the official map or plat thereof on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi in Plat Book 21 at Page 11 (Copy Plat 4 Page 36).

Further described as land most nearly bounded by the following streets: to the North of Oakwood Drive, South of Arbor Drive, East of and fronting upon Beauvoir Road, and West of Pinewood Drive.

SECTION TWO: Upon unanimous vote of the members of the City Council, this ordinance shall be in full force and effect from and after passage, because it serves the public peace, health and safety of the citizens of Biloxi, and good cause exists for same. If not a unanimous vote this Ordinance shall become effective as soon thereafter as is signed, certified, and as is otherwise provided by law.

The foregoing Ordinance having first been reduced to writing, was read by the Clerk and moved by Councilmember Tisdale, seconded by Councilmember Newman, and was adopted by the following vote:

YEAS:	Gines	Tisdale	NAYS:	None
	Newman	Glavan		
	McGilvary	Shoemaker		

ABSENT: Lawrence-*

(*-Absent from the room during discussion and voting only)

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The President then declared the Ordinance adopted this the 28th day of January, 2025.



ATTEST:

APPROVED:

Kei Campbell
CLERK OF THE COUNCIL

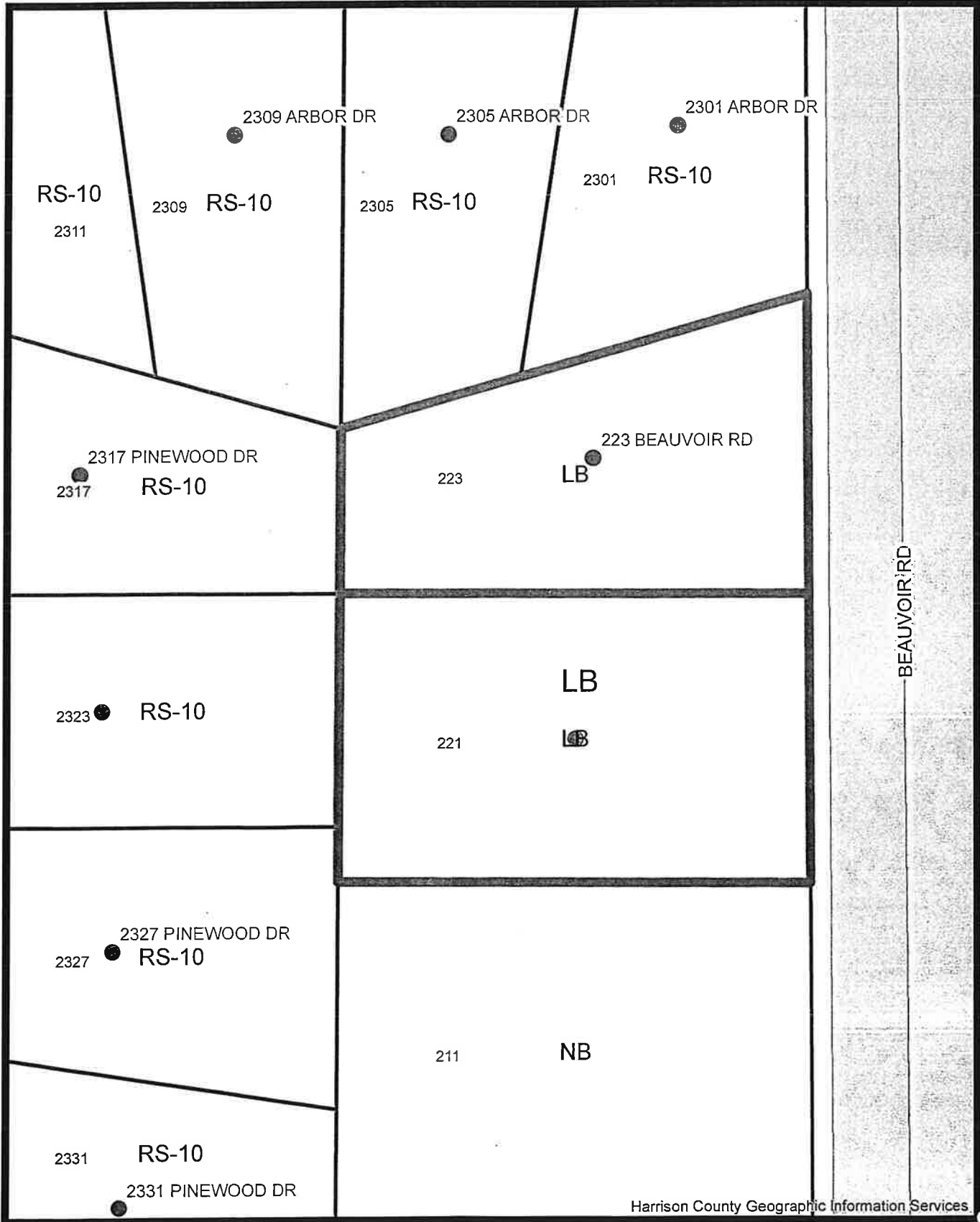
Paul L. Tisdel
PRESIDENT OF THE COUNCIL

Submitted to and approved by the Mayor, this the 31st day of January, 2025.

APPROVED:

[Signature]
MAYOR

Case No. 25-001-PC
Mark Kleumpke
211 & 223 Beauvoir Rd
Map Amendment LB to NB



Scheduled for
January 2, 2025
PC Meeting

Mark Kluempke
Case No. 25-001-PC
Zoning Map Amendment
LB to NB



**Planning Commission
Case Fact Sheet**

Case No.: 25-001-PC
Name of Owner: Mark Kluempke
Address of Properties: 221 & 223 Beauvoir Road
Tax Parcels/Ward: 1110I-04-037.000 & 1110I-04-036.000/Ward 5

Request: **Zoning Map Amendment**

Purpose of Request: To consider an application for a **Zoning Map Amendment**, to authorize a change in zoning district classification for two parcels of land measuring approximately half an acre (more or less) in size, from their present zoning district classification of **LB Limited Business** to **NB Neighborhood Business**, identified as 221 & 223 Beauvoir Road (re: Tax Parcel Nos. 1110I-04-037.000 & 1110I-04-036.000).

Size of Property: 1/2 acre (More or Less)

Present Zoning: **LB Limited Business**

Flood Zone: X

Present Use: Vacant

Most Nearly Bounded By (streets): To the North of Oakwood Drive, South of Arbor Drive, East of and fronting upon Beauvoir Road, and West of Pinewood Drive.

Adverse Influences: A **Zoning Map Amendment** should only be authorized when conditions clearly suggest that a change in zoning is warranted, that a change of the character of the neighborhood is of evidence, coupled with a community need to address this change and that the change proposed is consistent with uses found upon adjacent or nearby properties.

Positive Influences: This rezoning, if approved, will be a continuation of the existing

Neighborhood Business zoning located south of these properties, also the applicant intends to rearrange lot lines turning three parcels into two, this rezoning will keep the parcels from being split-zoned.

Concerns stated:

The Planning Division Office has not received any letters or other written communications relative to this case, as of December 26, 2024.

Comments/

Recommendations:

Mark Kluempke has submitted a **Zoning Map Amendment**, to authorize a change in zoning district classification for two parcels of land measuring approximately half an acre (more or less) in size, from their present zoning district classification of **LB Limited Business** to **NB Neighborhood Business**, identified as 221 & 223 Beauvoir Road (re: Tax Parcel Nos. 1110I-04-037.000 & 1110I-04-036.000).

The applicant explained that they plan to open a childcare facility in the adjacent building and a portion of these parcels will be used as a playground.

As with all requests for **Zoning Map Amendment**, discussion points should focus on the merits or demerits of the Zoning Map change proposed, considering the following criteria:

- 1) Consistency (or lack thereof) with the Comprehensive Plan;
- 2) Compatibility with the present zoning and conforming uses of nearby property and to the character of the neighborhood;
- 3) Suitability of the property affected by the amendment for uses permitted by the present district;
- 4) Suitability of the property affected by the amendment for uses permitted by the proposed amendment;
- 5) Change in the character of the neighborhood and established community need for uses permitted by the district applicable to the property at the time of the proposed amendment;
- 6) Availability of utilities and infrastructure sufficient to address the impacts associated with the allowed uses in the proposed district; and
- 7) Mistake in the original zoning

Options:

1. Recommend approval of this request for **Zoning Map Amendment**, for a parcel of land from its present zoning district classification of **LB Limited Business** to **NB Neighborhood Business**, having determined that a Change in the Character of the Neighborhood is of evidence and that this zoning change will authorize a consistent development pattern.
2. Recommend denial of this **Zoning Map Amendment**, having determined that insufficient evidence has been provided to establish that a mistake in original zoning is of evidence, or a Change in the Character of the Neighborhood, coupled with no valid Community need to warrant the level of zoning change, herein proposed for the parcels of land under consideration for zoning change.



Planning Commission Application
 City of Biloxi Planning Division
Mailing Address: P.O. Box 508, Biloxi, MS 39530
 Office Location: 676 Dr. MLK Blvd.,
 Building (228) 435-6270 Planning (228) 435-6266 Fax (228) 435-6188
 Case No. 25-001 PC

To Be Completed by Owner/Applicant Date: 12/2/24
 Name of Rightful Owner(s): MARC KLEMPKE Name of Applicant: (if different than Owner)

Property Address: 211 BEAUVOIR ROAD Ward Number 5

Tax Parcel Identification Number(s):

11101-04-037.000	□□□□-□□-□□□□.□□□□
11101-04-037.001	□□□□-□□-□□□□.□□□□
11101-04-036.000	□□□□-□□-□□□□.□□□□

Mailing Address of Property Owner: <u>9491 Belle LA VIE PARKWAY</u>	Mailing Address of Applicant (if different than Owner):
City: <u>Biloxi</u>	City:
State: <u>MS</u>	State:
Zip: <u>39532</u>	Zip:
County: <u>Harrison</u>	County:
Telephone: <u>(601) 940-5934</u>	Telephone: ()

Property Size (please give in acres or by dimension): 2.5 ACRES
 Present Zoning Classification: NB AND LB
 Is the property located within an AHRC District? Yes ___ No ___ If so, which District?
 Is this property a Historic Landmark? Yes ___ No X

Flood Zone(s) of Property: <u>N/A</u>	North	South	East	West
Property is most nearly bounded by what streets?	-	-	<u>BEAUVOIR</u>	-
If property directly fronts or is adjacent one of the streets above, please indicate with a ✓.			✓	

REQUESTED ACTION BY THE PLANNING COMMISSION (A separate supplement form is required for each): ✓

- Text Amendment
- Zoning Map Amendment – must include zone classification change in narrative LB to NB
- Planned Development
- Master Plan/Update
- Preliminary Subdivision Review
- Conditional Use
- Public ROW Vacation
- Street Name Change
- Variance
- Appeal
- Tree Removal

GENERAL INFORMATION, READ BEFORE EXECUTING. Attendance by the applicant(s) at the public hearing is mandatory; however, the applicant may designate a representative to attend the public hearing on his/her behalf, provided said representative has been properly designated to speak on the applicant's behalf either by written permission or oral designation by the applicant at the Public Hearing. If a continuance is to be granted, the applicant must request same in writing a minimum of seven (7) days in advance of the scheduled public hearing. The applicant acknowledges that, in signing this application, all conditions and requirements inherent in the application process have been fully explained and understood, including the timetable for processing of the application; the applicant has further received the following appropriate handouts: Application Processing Timetable; Instructions for Application Completion, Procedures for a Conditional Use or Community Unit Plan; and Variance Procedures. The completed application must be returned to the Planning Office not later than the first or third Thursday of any month in order that a public hearing may be held on the first or third Thursday of the following month. Receipt of fee(s) does not constitute receipt of a completed application.

The Planning Commission (PC) is a recommendation board, all cases will go to the Biloxi City Council for a final determination. If any case is denied by the Biloxi City Council, you will have ten (10) days to appeal their decision.

<p>_____ Signature of Rightful Owner</p> <p>_____ Notary Signature (Seal)</p> <p>_____ Signature of Rightful Owner</p> <p>_____ Notary Signature (Seal)</p>	<p>_____ Signature of Rightful Owner</p> <p>_____ Notary Signature (Seal)</p> <p>_____ Signature of Applicant</p> <p>_____ Notary Signature (Seal)</p>
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If someone other than the applicant needs to be notified concerning this case, please note name(s) and address(es) below:

NOTES:

NOTE: Please see attached instructions for details on documents required for a complete application.



PLANNING COMMISSION SUPPLEMENT

Map Amendment

(Master Plan update)

City of Biloxi Planning Division
 Mailing Address: P.O. Box 508, Biloxi, MS 39530
 Office Location: 676 Dr. MLK Blvd.,
 Planning (228) 435-6266 Fax (228) 435-6188

TO BE COMPLETED BY APPLICANT	DATE: 12/2/2024
<i>Shaded Areas for Staff Only</i>	

MAP AMENDMENT – When the public necessity, convenience, general welfare or appropriate land use practices justify such action, and after the required review, public notice and report by the Planning Commission, the City Council may undertake the necessary steps to amend the Zoning District Map.
 Please note that no application for the same parcel(s) requesting the same change may be made more often than once every 24 months.

PLEASE ATTACH A SEPARATE STATEMENT OF SUPPORT - This narrative must set forth proposed use and justification for the change, utilizing criteria set forth in Section 23-2-4(B)(3) of the Biloxi Code of Ordinances and including all proposed and existing structures as well as the uses planned for the site in question. Be specific as to development proposals, sale of property, or other transactions/plans proposed or scheduled for preparation subject to this rezoning request being granted approval.

	Existing	New
I am requesting a zoning change from this zone to this zone:	<u>LB</u>	<u>NB</u>

If zoning change request includes more than one parcel, you must provide a wraparound legal description.

Detailed Site Plan Attached (If no site plan is attached, this application is considered incomplete and will not be accepted.)

Criteria:	✓	
	Yes	No
1. Is the proposed map amendment consistent with the Comprehensive Plan?	X	

Please explain:
 I am removing 2 derelict house and revitalizing property with it (child day care business)

2. Is the proposed map amendment compatible with present zoning and conforming uses of nearby property and with the character of the neighborhood?	X	
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Please explain:
 I am combining properties to make one large property to increase viability of street, neighborhood property



PLANNING COMMISSION SUPPLEMENT Map Amendment

City of Biloxi Planning Division
Mailing Address: P.O. Box 508, Blvd., Biloxi, MS 39530
Office Location: 676 Dr. MLK Blvd.,
Planning (228) 435-6266 Fax (228) 435-6188

Criteria (continued)	✓	
	Yes	No
3. Is the property suitable for uses permitted in the present zoning district?	X	
Please explain: The building will be filled with child Day care & Adult Day Care services.		
4. Is the property suitable for uses permitted in the proposed zoning district?	X	
Please explain: The property will be used by Child Day Care & Adult Day Care		
5. Has there been a change in the character of the neighborhood?	✓	X
Please explain: Removing the clutter houses will improve the area and improve the character and value of the neighborhood		
6. Is there an established community need for uses permitted in the proposed zoning district?	X	
Please explain: Better Business are relocating from within 1 mile of the property to increased square footage		
7. Was there a mistake in the original zoning of the property?		X
Please explain: No, we are improving and increasing the zoning of the property		
8. Are utilities and infrastructure sufficient to address the impacts associated with allowed uses in the proposed district?	X	
Please explain: The utilities and infrastructure will remain largely intact. There is no need for a change		
Site Plan attached: (please circle): Yes	Case No. <input type="checkbox"/> <input type="checkbox"/> - <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
No		



December 2, 2024

City of Biloxi Planning
PO Box 508
Biloxi, MS 39530

RE: 211 Beauvoir Road Narrative

Dear Council Members,

I wish to propose a change in both the zoning and the mapping of my property located at 211 Beauvoir Road in Biloxi. The previous Kawasaki dealership site.

Currently there are 3 lots, all on Beauvoir Road, just north of the railroad tracks. I request that the middle lot, lot 2 be absorbed by lots 1 and 3 to make 2 new lots.

The currently zoning for Lots 1 and 2 is Limited Business (LB) and for Lot 3 it is Neighborhood Business (NB). I would like to request that the new lot be zoned as NB.

The reason for the change in zoning and mapping is to accommodate a new tenant, Miss Mae's Day Care. The tenant requires 1500 s/f of fenced playground area, which can only be accommodated by collapsing the lot line between lots 2 and 3.

Thank you for your consideration.

Sincerely,

Mark Kluempke

CEO | Pavilion Health Services

Cell 612-940-5934

Fax 228-967-7977

Ph 228-207-0407

email mark@pavilionhealthservices.com

1

1 BILOXI PLANNING COMMISSION MEETING
2 JANUARY 2, 2025
3 COMMUNITY DEVELOPMENT,
4 DR. MARTIN LUTHER KING JR. MUNICIPAL BUILDING,
5 676 DR. MARTIN LUTHER KING JR. BOULEVARD,
6 BILOXI, MISSISSIPPI,
7 BEGINNING AT 2:00 P.M.

8
9 PLANNING COMMISSION MEMBERS PRESENT:

10 David Washer, Chairman
11 Ronnie Bogard
12 Kyle Carron
13 Steve Delahousey
14 Dr. Drawdy
15 Joe King
16 Gary Lechner
17 August Parker
18 Jimmy Poulos
19 Shante' Shaw
20 John Snow
21 Michael Todaro

22
23 ALSO PRESENT:

24 Jerry Creel, Director of Community Development
25 Felicia Serpas, Senior Planner
Zach Harris, City Arborist
Mandy Hornsby, Historical Administrator
Rodney McGilvary, Councilman Ward 4
Dr. Paul Tisdale, Councilman Ward 5

26
27 REPORTED BY

28 Melissa Burdine-Rodolfich
29 Simpson Burdine & Migues

3

1 CHAIRMAN WASHER:

2 Let us call the Planning Commission
3 meeting to order, please.

4 We'll record the members present.

5 Mr. Lechner, Mr. Todaro, Mr. Bogard, Mr. Poulos,
6 Dr. Drawdy, Mr. Carron, Mr. King, Mr. Snow,
7 Mr. Delahousey; myself, David Washer.

8 To my right is Jerry Creel, Director of
9 Community Development; Zach Harris, Arborist. At
10 the table in the front there is Felicia Serpas,
11 Senior Planner; and Melissa Rodolfich, our court
12 reporter today. Behind them is Mandy Hornsby,
13 Historical Administrator.

14 I would like to also recognize a couple
15 councilmen in the audience, Dr. Tisdale and also
16 Rodney McGilvary.

17 Coming in, Ms. Shaw.

18 I'd ask Mr. Delahousey to, please, lead
19 us in a moment of prayer.

20 (Moment of prayer.)

21 CHAIRMAN WASHER:

22 Mr. Carron, would you, please, lead us
23 in the Pledge?

24 (Pledge of Allegiance.)

25 CHAIRMAN WASHER:

2

C-O-N-T-E-N-T-S

1 CONTINUED PUBLIC HEARING(S): PAGE:

2 (None) --

3 NEW PUBLIC HEARING(S):

4 25-001-PC 5

5 25-002-PC 14

6 TREE HEARING(S):

7 TR-25-001 24

8 EXHIBITS:

9 Exhibit 1, E-mail from Carroll
10 Campbell

11 Exhibit 2, Letter from Deonne
12 Linenberger

4

1 We welcome everyone here with us today.

2 We would ask if you desire to speak, if you would,
3 please come to the podium when your case is
4 called, sign in at the pad provided and give us
5 your name and address for the record, please.

6 Ask if all members received a copy of
7 the minutes from the last meeting? Any additions
8 or corrections? If not, we will entertain a
9 motion.

10 MR. DELAHOUSEY:

11 Move they be approved.

12 MS. SHAW:

13 Second.

14 CHAIRMAN WASHER:

15 Motion by Mr. Delahousey recommending
16 approval; seconded by Ms. Shaw.

17 All those in favor, say "aye."

18 (Unanimous vote.)

19 CHAIRMAN WASHER:

20 Any opposed?

21 (None opposed.)

22 CHAIRMAN WASHER:

23 Thank you.

24 Committee reports, Mr. Creel.

25 MR. CREEL:

1 Yes, sir. Mr. Chairman and members of
 2 the Commission, over the past two weeks, the
 3 department has issued 228 building permits, with a
 4 construction valuation of \$2.3 million. We have
 5 collected \$20,000 in permit fees, issued licenses
 6 for 14 new businesses and also 27 renewals. We
 7 have also issued 50 certificates of occupancy.
 8 Three of those were for short-term rental. And of
 9 the permits issued, 14 were for new single-family
 10 houses.
 11 CHAIRMAN WASHER:
 12 Thank you.
 13 No continued public hearings.
 14 New public hearing, Case Number
 15 25-001-PC, Mark Kluempke. This is a request for a
 16 zoning map amendment to authorize a change in
 17 zoning district classification to two parcels of
 18 land measuring approximately half an acre, more or
 19 less, in size from their present zoning district
 20 classification of LB, Limited Business, to NB,
 21 Neighborhood Business, identified as 221 and 223
 22 Beauvoir Road, being Municipal Tax Parcel Numbers
 23 1110I-04-037.000 and 1110I-04-036.000. This case
 24 was advertised on December 22nd, December 29th.
 25 Felicia, view the video, please, ma'am.

1 line, and it will end up being two parcels instead
 2 of three parcels.
 3 And then the zoning on the main building
 4 is NB, so the request is that we just change the
 5 other lot that would be left -- or right now, it's
 6 two lots. The survey has been done and it's at
 7 the lawyers', but eventually it will be two lots
 8 and just change it so that they are both NB.
 9 That's the request.
 10 CHAIRMAN WASHER:
 11 All right, sir. Thank you.
 12 Do we have any questions from the
 13 members of the Commission of Mr. Kluempke?
 14 MR. DELAHOUSEY:
 15 So is it your plan to expand what used
 16 to be the motorcycle shop, to expand that into a
 17 part of the daycare or exactly what?
 18 MR. KLUEMPKE:
 19 30 feet of the lot -- yes, that one --
 20 will become part of the 211. So 30 feet of the
 21 221 will become part of 211 and then the remaining
 22 of 221 and 223 will become one lot.
 23 MR. CREEL:
 24 So you're not expanding the building,
 25 though?

1 MS. SERPAS:
 2 Yes, sir.
 3 (Video played.)
 4 CHAIRMAN WASHER:
 5 All right, sir.
 6 MR. KLUEMPKE:
 7 The request is --
 8 CHAIRMAN WASHER:
 9 For the record, your name and address.
 10 MR. KLUEMPKE:
 11 Oh, sorry.
 12 Mark Kluempke, 221 Beauvoir Road.
 13 CHAIRMAN WASHER:
 14 Thank you.
 15 MR. KLUEMPKE:
 16 The request is due to a tenant that has
 17 been renting the showroom side of the building.
 18 It is a child daycare. As part of the plan or
 19 requirement from Department of Health, Mississippi
 20 Department of Health, she needs 1,500 square feet
 21 of playground space.
 22 As part of that, it's going to cross
 23 over the Lot 3, which is the main building, over
 24 into the first house there. So the entire plan is
 25 that we're collapsing a lot line, the first lot

1 MR. KLUEMPKE:
 2 No. Oh, sorry. No, no, no, no. The
 3 property only. Not the building.
 4 MR. DELAHOUSEY:
 5 Okay.
 6 MR. KLUEMPKE:
 7 Yeah. The building stays the way it is.
 8 It's not going to expand at all.
 9 MR. DELAHOUSEY:
 10 The existing building, is it going to be
 11 utilized for more daycare? The building that was
 12 once part of the motorcycle shop, is it going to
 13 be used for the daycare instead?
 14 MR. KLUEMPKE:
 15 The showroom side, so 5,500 of it. It's
 16 11,000 total. 5,500 will be child daycare. The
 17 current -- that's finished space.
 18 The unfinished space, yes, will be
 19 converted into adult daycare. So the entire
 20 building at some point will be daycare, child and
 21 adult, two separate businesses.
 22 MR. DELAHOUSEY:
 23 And did you say that there is a
 24 requirement from the State for you to have a
 25 playground?

1 MR. KLUEMPKE:
 2 For her -- for the tenant's licensure
 3 under healthcare because of the 5,500 square feet,
 4 she needs 1,500 square feet of playground space.
 5 And in order to accommodate that, the 1,500 will
 6 cross over the lot line of 221, so we're
 7 collapsing that lot line and just kind of moving
 8 it over and then re-mapping as well. I do have
 9 those plans. They're at the attorneys' right now,
 10 but I do have the surveys done, if you want that.
 11 CHAIRMAN WASHER:
 12 Do we have any other questions, members
 13 of the Commission? No other questions.
 14 Is there anyone in the audience that
 15 would like to speak in favor of the applicant's
 16 request? Anyone speaking in favor? No one
 17 speaking in favor.
 18 Anyone speaking in opposition?
 19 You speaking in favor?
 20 MS. RITCHIE:
 21 I am. Mary Ritchie.
 22 I live in the neighborhood right behind
 23 it, so I am quite pleased to know that it is going
 24 to be a playground area of another childcare
 25 center. I think that's lovely and congruent with

1 MR. DELAHOUSEY:
 2 Onc more question, Mr. Kluempke. Do you
 3 anticipate if this was approved and there are
 4 events at the Coliseum, like all-day events, like
 5 the Crawfish Festival and all that kind of stuff,
 6 do you anticipate any conflict with the traffic
 7 and everything if they have those big events
 8 there?
 9 MR. KLUEMPKE:
 10 No. We were -- yeah. We were around
 11 during Cruisin' the Coast, an event that was
 12 there, so -- both daycares -- the adult daycare
 13 has some buses. The child daycare, they're more
 14 day events, so, no, I don't see where that would
 15 affect it.
 16 MR. DELAHOUSEY:
 17 Thank you.
 18 MR. CARRON:
 19 One thing I didn't quite understand,
 20 once you subdivide this into two lots, if the
 21 motorcycle section of it is Lot 1, what's Lot 2
 22 going to be?
 23 MR. KLUEMPKE:
 24 Undetermined?
 25 MR. CARRON:

1 the type of feel that we would like to upkeep in
 2 that area, so I just wanted to speak in favor of
 3 that.
 4 I'm -- let's see. Do I have to put the
 5 e-mail?
 6 CHAIRMAN WASHER:
 7 No.
 8 MS. RITCHIE:
 9 I'm Mary Ritchie, 2317 Arbor Drive,
 10 which, again, is in that neighborhood right
 11 behind. I just wanted to come here because I
 12 wasn't sure what was going to be putting -- being
 13 put there. It wasn't clear in the letter that was
 14 sent out. So I support that it is becoming a
 15 daycare center and the playground of it. So we're
 16 excited to see that come.
 17 MR. KLUEMPKE:
 18 Thanks.
 19 MS. RITCHIE:
 20 Yes, of course.
 21 CHAIRMAN WASHER:
 22 Is there anyone else to speak in favor?
 23 No one else speaking in favor.
 24 Is there anyone to speak in opposition?
 25 No on speaking in opposition.

1 Undetermined.
 2 MR. KLUEMPKE:
 3 Yes. Right now, it's an open lot. It's
 4 just a lot.
 5 MR. CARRON:
 6 All right. Thank you.
 7 MR. KLUEMPKE:
 8 Both houses -- I know they're still on
 9 there -- they were termite infested. There were
 10 unliveable. So at this point, I have got about
 11 two dumpster loads left of the brick one that's
 12 still there, and by next week, they should all be
 13 gone. So it's just going to be an open lot at
 14 this point, but there are no current plans for
 15 that property.
 16 MR. CARRON:
 17 Thank you, sir.
 18 CHAIRMAN WASHER:
 19 Anything else you wanted to add, sir?
 20 MR. KLUEMPKE:
 21 No. I'm good. Thank you.
 22 CHAIRMAN WASHER:
 23 All right. We'll consider that hearing
 24 closed, then.
 25 MR. CREEL:

1 This is a request to have the
2 property -- the two lots of the property rezoned
3 to LB. The property where the existing motorcycle
4 sales building is located is already zoned NB, so
5 this is just an extension of the zoning that
6 already exists.

7 The only two houses on that side of the
8 road that face Beauvoir are the ones that
9 Mr. Kluempke took down. There are two other
10 houses on there. They both face that street that
11 turns to the west off of Beauvoir.

12 In developing the property, anywhere
13 where this development joins or is adjacent to
14 single-family residential would have to have a
15 buffer between the two of them and we will work
16 with them on that. But the staff has no objection
17 to his request. It's required for a daycare, and
18 the staff would recommend approval.

19 CHAIRMAN WASHER:

20 All right. Thank you.

21 MR. TODARO:

22 I move for approval.

23 MR. BOGARD:

24 Second.

25 CHAIRMAN WASHER:

1 We've got a motion by Mr. Todaro
2 recommending approval; seconded by Mr. Bogard.
3 MR. CARRON:

4 Jerry, is it required to have like a --
5 the fencing on that that separates the residential
6 area that that would be something that cannot be
7 see-through?

8 MR. CREEL:

9 This doesn't require what's called on
10 opaque buffer. It requires a semi-opaque buffer,
11 and it can be achieved either through a solid
12 fence where it's adjacent to it or it can be done
13 with landscape, either one.

14 MR. CARRON:

15 Thank you.

16 CHAIRMAN WASHER:

17 All right. We have a motion and second
18 on the floor recommending approval.

19 We'll ask that all those in favor, raise
20 your hand, please. Mr. Lechner, Mr. Todaro,
21 Mr. Bogard, Mr. Poulos, Dr. Drawdy, Mr. Carron,
22 Mr. King, Mr. Delahousey, Mr. Snow; myself, David
23 Washer, and Ms. Shaw. Let the record reflect that
24 everyone here today voted in favor.

25 Our next hearing today, Case 25-002-PC,

1 Robert Jesse Nguyen, owner; Sherry Owen,
2 applicant. It's a request for a vacation of an
3 unimproved public right-of-way, measuring 75 feet
4 by 29 feet, more or less, for a portion of Elk
5 Street adjacent to 319 and 323 Caillavet Street.
6 Tax Parcel Numbers 1410E-01-039.000 and
7 1410E-01.038.000. This case was advertised on
8 December 22nd and December 29th.

9 Felicia, the video, please, ma'am.

10 MS. SERPAS:

11 Yes, sir. This is Elk Street right
12 here, and this is the other section of Elk right
13 here.

14 That's it.

15 CHAIRMAN WASHER:

16 Okay. Thank you. Ms. Owen.

17 MS. OWEN:

18 I'm Sherry Owen with Owen and Company
19 Real Estate, and I'm here representing a client of
20 mine that's been trying to sell -- I've been
21 trying to sell this property.

22 And this is my second contract on the
23 property, and no one wants to loan money on a
24 building with no parking. I think the owners over
25 the years have paved that and paved it, but,

1 legally, it's not their parking.

2 So we were trying to request that they
3 would vacate this road. It was never developed.
4 And each property owner, I guess y'all would
5 give -- split it in half and give to them.

6 And there is a plat there showing the
7 dimensions of the property, but that's our
8 request.

9 CHAIRMAN WASHER:

10 Any questions from the members of the
11 Commission?

12 MR. POULOS:

13 Ms. Owen, I believe that the house to --
14 that would be to the west end of that property --

15 MR. CREEL:

16 It's gone.

17 MR. POULOS:

18 That's gone?

19 MR. CREEL:

20 Yes.

21 MR. DELAHOUSEY:

22 So, Ms. Owen, are you advocating that
23 the property on the east and the west side be
24 vacated or just on one side?

25 MS. OWEN: