



# City of Lake Charles

326 Pujo Street  
P.O. Box 900  
Lake Charles, LA  
70602-0900

## Meeting Minutes Planning and Zoning Commission

Monday, December 9, 2024

5:00 PM

Council Chambers

### OPEN MEETING

Chairman David Berryhill called the meeting of the Planning and Zoning Commission to order at approximately 5:00pm, and requested a roll call.

### ROLL CALL

**Present** 5 - Adam McBride, Alvin Joseph, David Berryhill, Gus Schram III, and Reginald Weeks

**Absent** 0

**Excused** 2 - Thomas Sanders Jr., and Mitchell Gregory Pete

### MINUTES OF PREVIOUS MEETING

*Chairman David Berryhill asked the board members if they received a copy of the minutes from the previous meeting.*

*Chairman Berryhill called for a motion to approve the minutes as stated. Alvin Joseph made a motion to approve the minutes and Gus Schram seconded the motion. The motion passed unanimously.*

### SPECIAL ANNOUNCEMENTS

*Chairman David Berryhill asked if there are any special announcements.*

*Mrs. Bynum stated that any person aggrieved by the decision of this Commission for a Major Conditional Use permit, Variance, or Special Exception may file a written appeal with the Director of Planning within (15) days of the decision of the commission.*

*PREFNL 24-21 has been deferred and Var 24-52 has been withdrawn. The Zoning Office would like to make all applicants aware that there is a scam going around. "Since all our information is open to the public people have been contacting applicants requesting additional money for planning fees. Please call the Zoning Office if you have any questions," she said.*

### COMMISSION BUSINESS

**PREFNL  
24-21**

#### **LAKE CHARLES SUBDIVISION REGULATIONS**

**APPLICANT:** TROY STINE (TERRE SAINTE SUBDIVISION, PHASE 3)

**SUBJECT:** Applicant is requesting Preliminary and Final Subdivision approval (Sec. 2.3 & 2.4) in order to re-subdivide a 1.93-acre tract of land M/L into six (6) residential lots, within a Residential Zoning District. Location of the request is the **Southside 1100 Blk. W. Sallier Street.**

**STAFF FINDINGS:** The on-site and site plan reviews revealed the proposed

re-subdivision of a 1.93-acre tract of land into six (6) residential lots, within a Residential Zoning District, meets the minimum lot size and configuration set forth for a Residential Zoning District. Staff recommends approval of the application on the condition applicants adhere to any recommendations by the Department of Engineering and Public Works.

**MAJ 24-08 CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE**

**APPLICANT:** AUBRY ENTERPRISES/JAY O'DELL

**SUBJECT:** Applicant is requesting a Major Conditional Use Permit (Sec 5-302(3)(b)(ii)) in order to construct a drive thru coffee shop, within a Mixed Use Zoning District. Location of the request is the **Southside 1800 Blk. Country Club Road.**

**STAFF FINDINGS:** The on-site and site plan reviews revealed the applicant is requesting to construct a drive thru coffee shop, within a Mixed Use Zoning District. The proposal appears to meet the development standards outlined for a "Drive-in or drive thru facility" in Sec. 5-303 Mixed Use District. All other development standards must be adhered to or a variance obtained for any deviation from the development standards.

*Chairman Berryhill asked applicant to state name and address for the record.*

*Jay O'Dell, 5912 Maple Street, Mission, KS 66202 (applicant & engineer of record for the site)*

*Mr. O'Dell on behalf of Blue Ox Group (developer) and Dutch Breaux's Coffee (tenant) thanked the Planning & Zoning Commission members for their time and service to the community. He also thanked the Planning staff for its help in guiding him and the developers through the process. Mr. O'Dell stated he was available to answer any questions.*

*Chairman Berryhill asked Michael Hankins a supporter of the drive thru coffee shop if he had any questions. He stated, "No."*

**Chairman Berryhill called for a vote. The motion carried with the following vote.**

**For:** 5 - Adam McBride, Alvin Joseph, David Berryhill, Gus Schram III and Reginald Weeks

**Against:** 0

**Absent:** 0

**Excused:** 2 - Thomas Sanders Jr. and Mitchell Gregory Pete

**VAR 24-52 CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE**

**APPLICANT:** JOSHUA FUSELIER

**SUBJECT:** Applicant is requesting a Variance (Sec. 4-205) in order to maintain an existing unpermitted accessory building with a 3' rear setback vs. required 5' and 4' street side setback vs. required 15', within a Neighborhood Zoning District. Location of the request is **2225 Clooney Street.**

**STAFF FINDINGS:** The on-site and site plan review revealed that the applicant is requesting to maintain an existing unpermitted accessory building with a 3' rear setback vs. required 5' and 4' street side setback vs. required 15', within a Neighborhood Zoning District. Staff can find no evidence of hardship and therefore cannot forward a position of support.

**VAR 24-60 CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE**

**APPLICANT:** QUANMIN DU

**SUBJECT:** Applicant is requesting a Variance (Sec. 24-4-205) in order to establish a

massage therapy business within 300ft. of a Residential Zoning District, within a Mixed Use Zoning District. Location of the request is **307 W. McNeese Street**.

**STAFF FINDINGS:** The on-site and site plan review revealed that the applicant is requesting to establish a massage therapy business within 300ft. of a Residential Zoning District. Staff's review revealed that the proposal is bordered to the North by commercial businesses and to the East, West, and South by what appear to be residential properties. Ordinance #20031 states that no massage establishment shall be located less than 300ft. from the nearest property line of any land located in a Residential Dwelling District of Neighborhood District unless a variance is granted. If approved applicant will have to meet all other development standards including meeting the parking and landscaping requirements.

*Chairman Berryhill asked applicant to state name and address for the record.*

*Julie Yin, 307 W. McNeese Street, Lake Charles, LA (representing Quanmin Du)*

*Ms. Yin stated that Mr. Du is trying to open a massage business at 307 W. McNeese.*

*Chairman Berryhill asked Ms. Yin what would be the hours of operation.*

*Ms. Yin responded between 10:30 am - 8 pm.*

*Chairman Berryhill then asked Ms. Yin if the home had any modifications or is it still a residential house.*

*Ms. Yin responded that some modifications were made for the business; however, Mr. Du is waiting for a permit.*

*Mr. Schram asked Mrs. Bynum about parking requirements.*

*Mrs. Bynum stated code requires 1 space for every 300 sq. ft.*

*Mr. Schram stated that the layout of the lot has a typical driveway scenario which will not work for parking. He noted that for commercial facility parking customers cannot back into the street.*

*Ms. Yin stated that they would only need parking spaces for 2 cars.*

*Chairman Berryhill asked opponent to state name and address for the record.*

*Adam Johnson, 1419 Ryan Street, Lake Charles, LA*

*Mr. Johnson stated "This is not a massage parlor. it is a prostitution place." Quanmin Du has several massage parlors in Lake Charles and his businesses have been shut down due to prostitution. These types of businesses do not need to be in Lake Charles."*

*Chairman Berryhill asked opponent to state his name and address for the record>*

*Robert Williams, 314 State Street, Lake Charles, LA*

*Mr. Williams is opposed to the massage therapy business because the city ordinance does not allow massage parlors within 300 ft. of residential property. Mr. Williams brought a Sheriff's report to the meeting that was posted in 2019 regarding prostitution rings.*

*Chairman Berryhill asked Mr. Williams for the Sheriff's report so that it could be made part of the record.*

*Mr. Williams is objecting to the massage parlor for business reasons and is also concerned about protecting home owners' property.*

*Mr. Schram noted that the property is zero feet from the residential area instead of 300 ft.*

**Chairman Berryhill called for a vote. The motion failed with the following vote.**

**For:** 0

**Against:** 5 - Adam McBride, Alvin Joseph, David Berryhill, Gus Schram III and Reginald Weeks

**Absent:** 0

**Excused:** 2 - Thomas Sanders Jr. and Mitchell Gregory Pete

**VAR 24-61 CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE**

**APPLICANT:** MICHAEL LIVINGS

**SUBJECT:** Applicant is requesting Variances (Sec. 24-4-205) in order to construct a new retail business 1) 65ft. from front property line vs. required maximum 20ft. front setback and 2) allow parking in front of principal structure vs. required parking to be in rear of structure within the Nellie Lutcher Overlay District, within a Mixed Use Zoning District. Location of the request is **514 Enterprise Blvd.**

**STAFF FINDINGS:** The on-site and site plan reviews reveal the applicant is requesting to construct a new retail business with variances to exceed the maximum 20ft. front setback with parking in the front of the business (a requirement of the Nellie Lutcher Overlay District), within a Mixed Use Zoning District. Applicant is reapplying for this item due to failing to obtain a permit within the required timeframe, previous case was MAJ/VAR 23-05. If approved proposal should adhere to the landscape standards outlined in Sec 5-210 of the Zoning Ordinance and any recommendations by the Department of Engineering and Public Works.

*Chairman Berryhill asked applicant to state name and address for the record.  
Michael Livings, 512 Enterprise Blvd., Lake Charles, LA*

*Mr. Livings stated that there is not adequate property for parking in the rear. "I have permission for parking for the lot on the south side of the apartment. There is not enough room between the building and the house that is located on the property to be able to drive in the back. This is why I am asking for parking in the front. The type of business that will be located at 512 Enterprise Blvd. is a used appliance business (selling and repairing appliances.) The rear of the building is where the repairs on the appliances will be made"*

*Chairman Berryhill asked Mr. Livings if he has received approval for this location before.*

*Mr. Livings stated that the approval was for a different business, a restaurant. The person that was going to locate at this location backed out.*

*Mr. Livings plans to place landscaping in the front of the building. He is actually 45 ft. from the landscaping area.*

*Mr. Schram noted that Mr. Livings mentioned that there was not enough room to maneuver around the building.*

*Mr. Livings responded that the building is 10 feet from the property line on the south side*

*and there is a fence surrounding the house which does not leave enough room to maneuver in the back.*

*Mr. Schram then asked Mr. Livings if he could reorient the building to create more space around it.*

*Mr. Livings responded that the building is 50 ft. long and 40 ft. wide. In order to get the same square footage the building would have to be 50 ft. wide, which would take up the entire width of the property.*

*Mr. Schram asked Mr. Livings if it would work to take the same foot print, turn it 90 degrees and move it up to within 20 ft. of the property line*

*Mr. Livings responded that he would be on the property line because the building is 50 ft. long and the property is 50 ft. wide. Mr. Livings hired Curtis Vincent as his architect. He could not come up with the correct square footage and still have access to the rear.*

*Chairman Berryhill asked Mr. Livings why he thinks they put this requirement in the Nellie Lutcher District.*

*Mr. Livings responded that on the West side of Enterprise Blvd. there is not a street that comes up on the back side. On the East side of Enterprise Blvd. there is Boston Alley that allows access to the back. Mr. Livings said he could not answer Chairman Berryhill's question.*

*Mr. Joseph stated that when the Nellie Lutcher District was created he is not sure that everything was thought through when it comes to smaller businesses.*

*Chairman Berryhill commended Mr. Livings for wanting to do development in this area.*

**Chairman Berryhill called for a vote. The motion carried with the following vote.**

**For:** 3 - Alvin Joseph, David Berryhill and Reginald Weeks

**Against:** 2 - Adam McBride and Gus Schram III

**Absent:** 0

**Excused:** 2 - Thomas Sanders Jr. and Mitchell Gregory Pete

**VAR 24-62 CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE**

**APPLICANT:** JAMES GUILBEAUX JR.

**SUBJECT:** Applicant is requesting a Variance (Sec. 24-4-205) in order to re-construct a now attached garage with a 0' rear property line setback vs. required 10' rear setback, within a Residential Zoning District. Location of the request is **1835 Enterprise Blvd.**

**STAFF FINDINGS:** The on-site and site plan reviews reveal the applicant is requesting to re-construct a now attached garage with a 0' rear property line setback vs the required 10' rear setback. Staff cannot support construction impacting adjoining property.

*Chairman Berryhill asked applicant to state name and address for the record-> James Guilbeaux, Jr., 1835 Enterprise Blvd., Lake Charles, LA*

*Mr. Guilbeaux said he purchased his home in 2018 and did a full remodel on the inside of the home as well as added a small bedroom. Mr. Guilbeaux wants to incorporate the carport into a garage that would be attached to the home and provide more privacy and*

security. The problem lies with the property line. "Originally when I contacted the city I was told if I was going to build like-for-like on the same location to obtain a letter from the neighbor approving our being so close to the property line. My neighbor did submit a letter and approves the location of the carport. He noted that the neighbor is present at the meeting.

Mr. Schram asked Mr. Guilbeaux if the wall is on the property line.

Mr. Guilbeaux responded that the east wall would be on the property line and there would not be an overhang.

Chairman Berryhill asked applicant to state name and address for the record.  
Ronald McGiney, 1209 11th Street, Lake Charles, LA

Mr. McGiney stated that Mr. Guilbeaux has done a remarkable job of restoring the home. He noted that there are carports and garages which are on the property line in several places in the neighborhood. The residences in this area did not create this situation, they inherited it, he said.

Chairman Berryhill asked Mr. Guilbeaux if he has started construction on this project.

Mr. Guilbeaux replied, "No."

**Chairman Berryhill called for a vote. The motion carried with the following vote.**

**For:** 5 - Adam McBride, Alvin Joseph, David Berryhill, Gus Schram III and Reginald Weeks

**Against:** 0

**Absent:** 0

**Excused:** 2 - Thomas Sanders Jr. and Mitchell Gregory Pete

**VAR 24-63 CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE**

**APPLICANT:** ANGELICO CONSTRUCTION

**SUBJECT:** Applicant is requesting a Variance (Sec. 24-4-205) in order to construct a canopy to provide covered parking 3ft. from rear property line vs. required 15ft. rear bufferyard setback, within a Business Zoning District. Location of the request is **1419 Ryan Street.**

**STAFF FINDINGS:** The on-site and site plan reviews reveal the applicant is requesting to construct a canopy to provide covered parking 3ft. from the rear property line vs. the required 15ft. rear bufferyard setback. It was determined that the development did not adhere to the originally approved site plan and are now requesting to maintain the bufferyard encroachment and construct a new vehicular canopy.

Chairman Berryhill asked applicant to state name and address for the record>  
Brandon Jardneaux, Angelico Construction, 3912 Evergreen, Lake Charles, LA

Mr. Jardneaux stated that he applied for a permit to construct a covered parking canopy for the Johnson Law Firm on the rear property line. He is requesting a variance to allow construction with a 0 ft. rear property line setback. This is over an existing parking area that was there previously.

Mr. McBride asked the Planning staff if the concert section was not authorized from the original construction permit.

*Mrs. Bynum answered, "Correct."*

*Mr. McBride then asked Mrs. Bynum if it has been authorized since then.*

*Mrs. Bynum replied, "No."*

*Mrs. Bynum stated that Angelico Construction constructed something that did not meet what was approved through the permitting process. The Zoning Inspector missed at the final zoning inspection that it was supposed to have a bufferyard. Just because it encroached on the bufferyard does not mean it necessarily can now without board approval.*

*Chairman Berryhill asked if there are plans to build a fence.*

*Mr. Jardneaux stated there is an existing fence.*

*Mr. McBride replied that the zoning requirements require a 6 ft. privacy fence. At present there is a chain link fence with slats.*

*Mrs. Bynum stated that the zoning requirements require a 6 ft. wood privacy fence. I think that there is a chain link fence with slats.*

*Mr. McBride stated the fence does not conform.*

*Mrs. Bynum answered, "No."*

*Chairman Berryhill stated that this request mentions nothing about the fence. He then asked Mr. Jardneaux if there were plans on installing the required fence.*

*Mr. Jardneaux stated that what is there on the property is existing. Angelico was hired to install a canopy structure over the existing property. If there is a requirement to change the fencing then the contractor will consult with Johnson Law Firm. His intention is to build a canopy over the parking area, he said.*

*Mr. Schram asked where does that leave the board.*

*Mrs. Bynum said, "If the board approved the request, then that would mean approval of the bufferyard to be encroached. This would handle the concrete as well as the structure. If the board denies the request, the Planning Office will have to talk through the process. The site plan that was approved showed the bufferyard intact. At the time there was no red flags until after it was already constructed.*

*Mr. McBride stated that the permit process is intended to set out what can be built on a particular site. "You cannot just build whatever you want."*

*Mrs. Bynum replied, "Correct."*

*Chairman Berryhill asked applicant to state name and address for the record.*

*Adam Johnson, Johnson Law Firm, 1419 Ryan Street, Lake Charles, LA*

*Mr. Johnson stated that what was there previously was an 8,500 sq. ft. dilapidated building along with a 2,400 sq. ft. building that was also dilapidated. The buildings were demolished and our firm invested 3.3 million in a new building. There have been no*

complaints about the parking lot. It is landscaped. The neighbor was consulted about the fence to make it higher and better looking. The concrete parking was the first thing built on the property and existed for a little over a year. This is a fast track to help our law firm improve on the property and make it a little nicer for the area. The Johnsons did not know that the variance was not approved. This is something the architect/contractors take care of, he said.

Mr. Schram asked Mr. Johnson if the canopy is similar in style to the building.

Mr. Johnson replied, "Absolutely."

**Chairman Berryhill called for a vote. The motion carried with the following vote.**

**For:** 3 - Alvin Joseph, David Berryhill and Gus Schram III

**Against:** 2 - Adam McBride and Reginald Weeks

**Absent:** 0

**Excused:** 2 - Thomas Sanders Jr. and Mitchell Gregory Pete

**VAR 24-64**

**CHAPTER 24 - LAKE CHARLES ZONING ORDINANCE**

**APPLICANT:** CCW ENTERPRSES/CULLEN WASHINGTON

**SUBJECT:** Applicant is requesting a Variance (Sec. 24-4-205) in order to construct a radio station commercial building with an increased front setback to accommodate four (4) parking spots in front of the business, within a Business Zoning District in the Nellie Lutcher Overlay District. Location of the request is **413 Enterprise Blvd.**

**STAFF FINDINGS:** The on-site and site plan reviews reveal the applicant is requesting to construct a radio station commercial building with an increased front setback vs the maximum of 20ft. to allow for four (4) parking spots in front of the building vs. the requirement of no parking in front of the building. These requirements are outlined in the Nellie Lutcher Overlay District. If approved the development must meet all other development standards or obtain a variance. Project is subject to DOTD approval.

Chairman Berryhill asked applicant to state name and address for the record.

Cullen Washington, CCW Enterprises of Lake Charles, 413 Enterprise Blvd., Lake Charles, LA

Mr. Washington has owned the non-profit radio station for 10 years. This is a 24 hour gospel station. We are constructing a new radio station.

Chairman Berryhill received pictures of the new building to be constructed. It looks like a metal building.

Mr. Washington replied it is a metal building - Mallet Builders.

Chairman Berryhill informed Mr. Washington that this building is subject to all the requirements of the city. This meeting is about the parking spaces.

Mr. Schram stated that Mr. Washington is requesting 4 spaces for parking. The drawing only shows 2 parking spaces.

Mr. Washington stated that when people are purchasing advertisements they are only there for 10 - 15 minutes.



*Mr. Schram said in order to make an effort to comply with the Nellie Lutcher rules you will need a 15 ft. landscape buffer against the sidewalk and then 2 parking places.*

*Mr. Schram stated that the Nellie Lutcher requirement is a maximum of 20 ft.*

*Mr. Washington responded that from the building to the street is 60 ft.*

*Mr. Schram stated that he would be willing to approve 38 ft. to 40 ft. setback to provide 2 parking spaces and 15 ft. of landscaping against the street. This is the maximum. The building would have to be no more than 40 ft. from the property line.*

*Mr. McBride noted that the city council has set up specific guidelines for the zoning board to manage development in this area.*

*Mr. Schram agrees with Mr. McBride the rules are put in place to create a certain image once it is all built out, with variances we creates compromises for different situations. These district have a cohesive set of rules that are suppose to work together to create a certain look and environment to make it more dynamic.*

*Mr. Schram asked Mr. Washington why you need the parking spaces in the front instead of in the back.*

*Mr. Washington because Boston Alley's street is very narrow.*

*Mr. Schram suggested the Mr. Washington do away with the front parking and have everyone park in the rear.*

*Mr. Washington said "Yes, he could do that."*

*Mr. Weeks then asked Mr. Schram what does he propose they do in the front off Enterprise Blvd. to redirect people to Boston.*

*Mr. Schram responded they could place a sign which would say parking in rear.*

*Chairman Berryhill asked Mrs. Bynum, "Can there be no drive on Enterprise Blvd.*

*Mrs. Bynum replied, "Yes, that is an option."*

*Mrs. Bynum stated that Mr. Washington could access the building from Boston if there is room for a drive he could also enter from Enterprise and park in the rear as an option.*

*Chairman Berryhill asked applicant to state name and address for the record.*

*Whitney Washington, 703 N. Lyons St., Lake Charles, LA*

*Ms. Washington explained that Boston Alley is a one way street. The residence that live in the area are parking on the street. Since they are parking on the street we cannot access the area.*

*Mr. Weeks stated that Boston Alley is not conducive for in and out traffic.*

*Mr. Schram asked Mr. Washington how many employees he has..*

*Mr. Washington answered 2.*

*Mr. Schram then asked Mr. Washington where will the employees park.*

*Mr. Washington answered in the rear - Boston Alley. Mr. Washington also an agreement with his neighbor next door for employees to park.*

*Chairman Berryhill said that for clarification there is no problem with putting an entrance off of Enterprise Blvd. running along the side of the building to have access to parking in the rear.*

*Mrs. Bynum answered, "Correct."*

*Chairman Berryhill noted that the building can be moved or reconfigured to allow driving on the side of the building entering from Enterprise Blvd. driving on the side of the building and parking in the back. You will have to do some employee parking anyway.*

*Mrs. Bynum said based on the square footage there will be 7 parking spots required. So if there was an agreement to use some else's property and not provide all 7 spots on the development property then that would be another request of the commission.*

*Chairman Berryhill asked Mrs. Bynum what size is the lot.*

*Mrs. Bynum replied the lot size is 50 ft. There is going to be a 5 ft. side setback and the building with an awning with 5 ft. on the side; however, not including the awning it would be 33 ft. wide so that would be 38 ft. this is doable to get one car from the front to the back.*

*Mr. Joseph made a motion that the application be amended to allow 2 parking spaces in the front rather than of 4 parking spaces and a front setback of 40 ft. maximum.*

*Mr. Weeks seconded the motion.*

*Chairman Berryhill, Mr. Schram, Mr. Joseph and Mr. Weeks voted in favor of the amendment*

*Mr. McBride voted against the amendment.*

**Chairman Berryhill called for a vote on the application as amended. The motion carried with the following vote.**

**For:** 4 - Alvin Joseph, David Berryhill, Gus Schram III and Reginald Weeks

**Against:** 1 - Adam McBride

**Absent:** 0

**Excused:** 2 - Thomas Sanders Jr. and Mitchell Gregory Pete

## **OTHER BUSINESS**

*Chairman Berryhill informed the commission that it is time to elect a new Chairman and Vice-Chairman.*

*Mr. Joseph nominated Mr. Weeks as Chairman. All were in favor.*

*Chairman Berryhill nominated Mr. Schram as Vice-Chairman. All were in favor.*

## ADJOURN

*MEETING ADJOURNED.*

*APPROVAL OF THE MINUTES:*

\_\_\_\_\_  
*David Berryhill, Chairman*

*Lake Charles Planning and Zoning Commission*

\_\_\_\_\_  
*Lauren Bynum*  
*Director*  
*Office of Zoning & Land Use*