ZONING BOARD OF APPEALS LAND USE REPORT – JUNE 12, 2013

rm

CASE NO:

BAC-84-13: 5215 Monkhouse Dr.

APPLICANT: LAND OWNER:

MOONRIDER LLC Xiu Li & Yanping Gao

LOCATION:

East side of Monkhouse Dr. 300' north of Hollywood All

ZONING: PROPOSED Special Exception Use & variance in hours of operation in a B-3 District

Multi-purpose facility with the on-premise consumption of high alcoholic content beverages (on the second floor

only) operating to 2 am

GENERAL INFORMATION:

The applicant is requesting a Special Exception Use and variance in the hours of operation in a B-3 Community Business District to
permit a multi-purpose facility with on-premise consumption of high alcoholic content beverages (on the second floor only) operating to 2
am.

- Property to the north and south is zoned I-1
- To the west us zoned B-3 with existing hotels
- Property to the east is zoned 1-2
- This currently is an existing hotel
- The proposed multi-purpose facility will be on the second level above administrative offices and dining

SITE PLAN CONSIDERATIONS:

- Site plan shows 4.423 acres or 192,667 sq. ft. of property with 324.9' of frontage and a maximum depth of 625.07'
- There are two driveways to access the site
- Parking is existing and should not be a problem unless the hotel has maximum occupancy

ALTERNATIVES:

- A. Approve the application as submitted subject to compliance with the following stipulations:
- 1. Development of the property shall be in substantial accord with the site plan submitted with any significant changes or additions requiring further review and approval by the Zoning Board of Appeals.
- 2. Alcohol and food service and/or consumption shall be restricted to the areas on the second floor of the site and specifically designated as multi-purpose on the floor plan.
- B. Deny the application.

PUBLIC'S ASSESSMENT

- 6-12-13: There was no opposition present.
- 7-10-13: There was no opposition present.

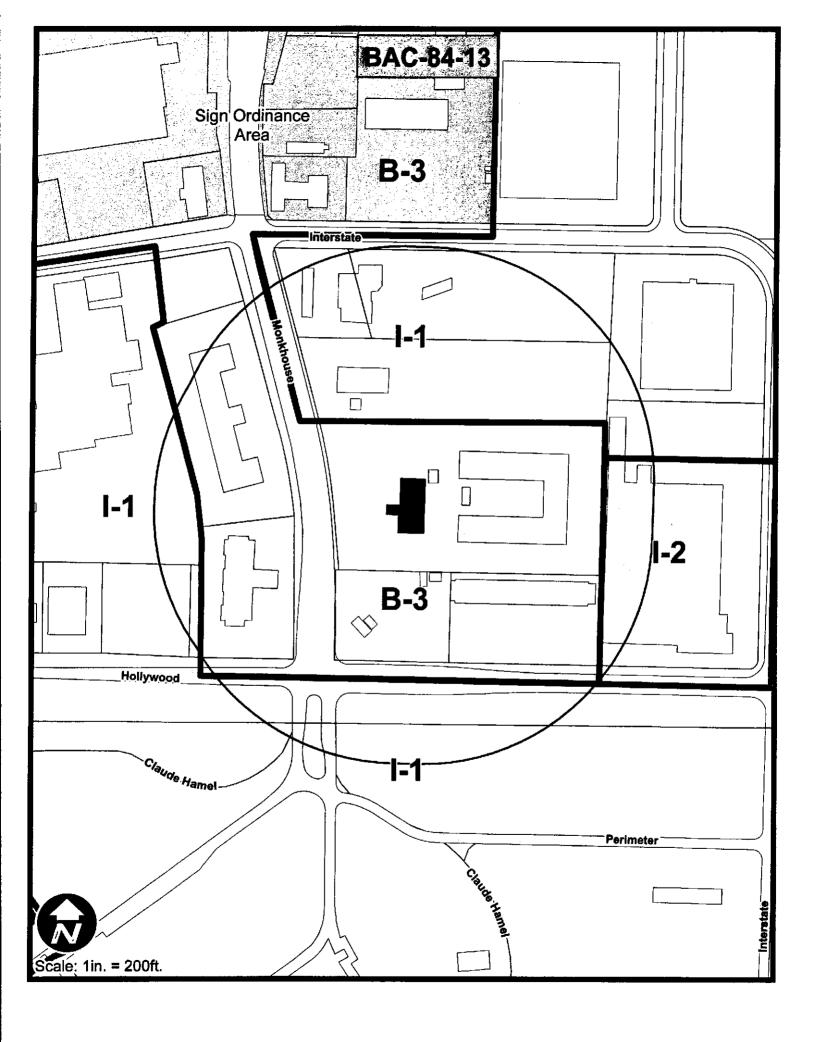
BOARD'S DECISION

- 6-12-13: The Board voted 5-0 to approve the applicant's request for deferral and continuance of this application to the July 10, 2013 public hearing.
- 7-10-13: The Board voted 6-0 to deny this application citing safety concerns.

The information stated herein is the result of discussion by a staff review team. The Board members will use all information made available to them in making their decision.

A Zoning Board of Appeals approval is a use approval only. The applicant is still responsible for complying with all other applicable Zoning Ordinance requirements and obtaining all necessary permits and approvals from other departments or agencies. This shall include, but not be limited to the requirements of the Zoning Administrator, building permits, liquor licenses, the parish health unit, and Certificates of Occupancy.

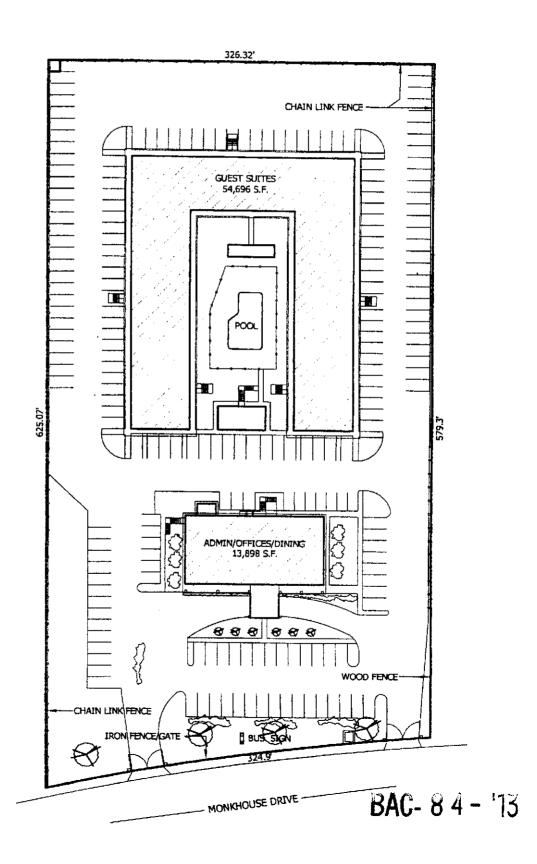
Special Exception Use approvals expire within 1 year if the property is not developed for the approved use.

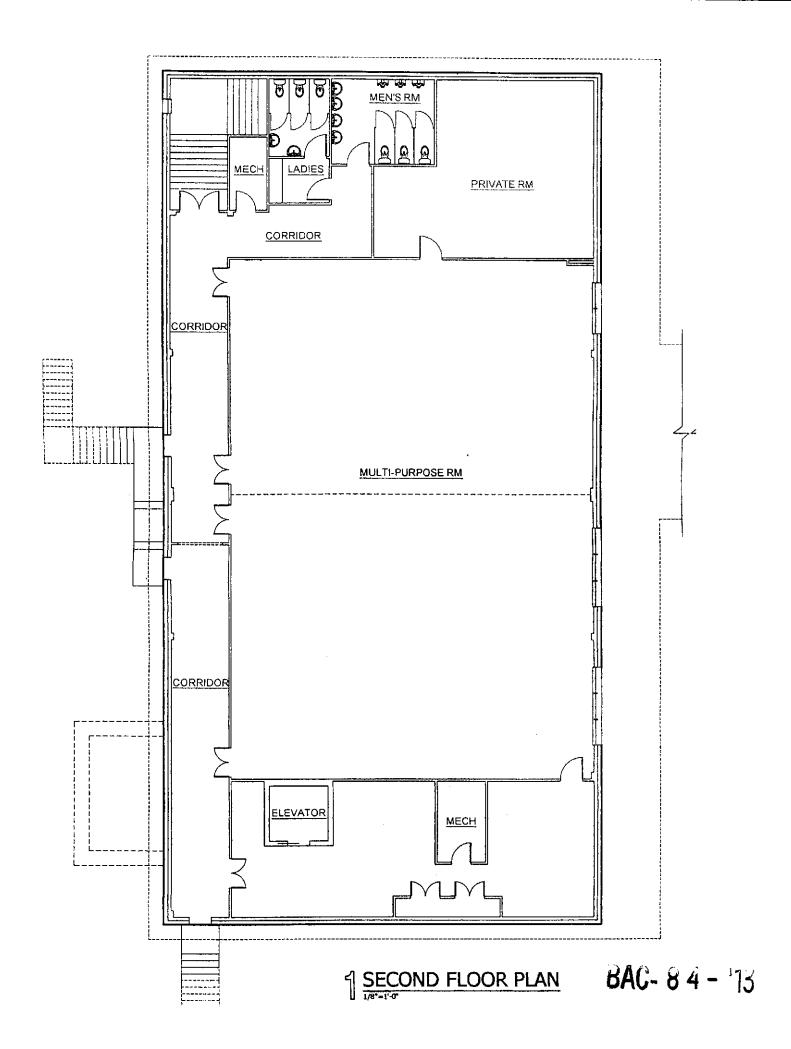


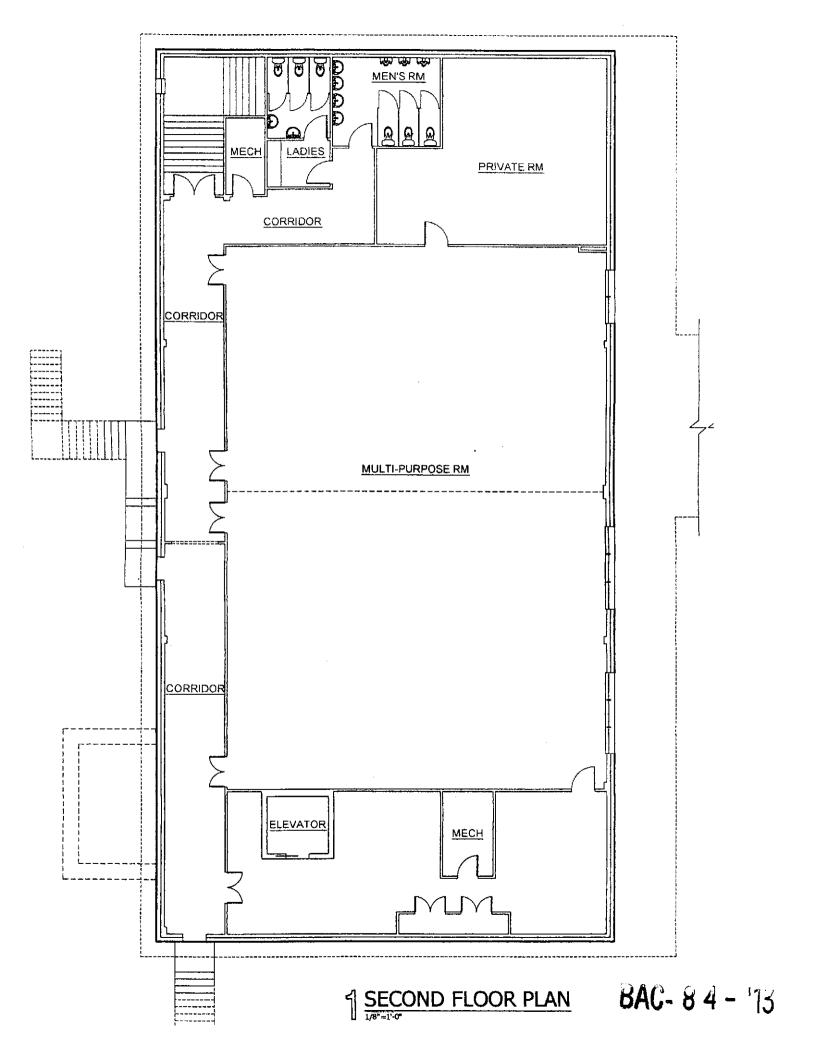
PROPOSED REZONING FOR: MOONRIDER INN

5215 MONKHOUSE DRIVE SHREVEPORT, LA. 71109

PARKING DATA:
ASHPHALT/CONCRETE FINISH SURFACE
(202) SPACES W/ (10) HANDICAP SPACE







| APPLICATION: | CITY CASE | PARISH CASE |
|--|---|---|
| APPLICANT'S NAME: MOO | URIDER | LLC. |
| PEOPLE REPRESENTED BY APPL | ICANT other than se | If or property owner (if public information). |
| sandy you | } | · |
| LESIE MONK HOU | RESPONDENCE: | PHONE: 318 - 210 - 0745 |
| SHREVE PORT. | LA | (between 8:00 & 5:00) ZIP CODE: 71109 FAX: 318 - 754-3193 |
| SPECIAL EXCEPTION REQUEST: | | |
| Church Use Mob | ile HomeS | econdary Residential Structure |
| Package Liquor Pack | kage Beer P | ackage wine & beer (high alcoholic content wine & beer) |
| Drive thru or pick up window | Tavern (be | er only) Lounge (high alcoholic content beverages) |
| *Restaurant with Beer sales | only*Restaur | ant with Liquor & Beer sales |
| with no | more than 40% from | of 60% of total restaurant sales shall be from the sale of food in the sale of alcohol and.or beer. |
| V Other MUTI-P | URDOS | E facility second floor |
| VARIANCE REQUEST: | - | |
| Front Yard Side Yard _ | Rear Yard | _ Site Area Parking V Hours of Operation |
| Other | | |
| EXISTING ZONING: 13 - 3 | | |
| PROPOSED USE: <u>Ge Cond</u> | e flour for | Muti- DURPOSE Facility |
| ADDRESS OF SITE: | | |
| | | sufficient for undeveloped property |
| ASSESSORS ACCOUNT NUMBER: _ Four | | 4000900 ample; 171413-057-0047-00 |
| EGAL DESCRIPTION: | | |
| See | attached | |
| · | | |
| • | · | |
| LL owners must sign. All property of that power of attorney is submitted | wners must sign unli with the application. g partner" by the sign | OWNERS: The property owner's signature is mandatory. ess one person has the power of attorney to sign for others A managing partner in a corporation may sign and submit nature. If in business name or corporation, list all persons |
| YANPING GAO | Xilli | |
| lame wonkhouse Dr. Shrwepa | Name 15515 Monkha | seor shreve port Name |
| ddress with my Prus | Address XuV. | Address |
| ignature | Signature | Signature |

STATEMENT OF INTENT VARIANCES AND SPECIAL EXCEPTIONS

| APPLICANT'S NAME: MOONRIDER LLC |
|---|
| REASON FOR EXCEPTION OR VARIANCE (be specific): RECEPTIONUS IS |
| URSTairs have liquor service allowed. |
| |
| |
| SQUARE FEET OF PROPERTY: |
| SQUARE FEET OF STRUCTURE(S) 13,898 S.F |
| PARKING SPACES REQUIRED: SPACES PROVIDED: |
| PLEASE STATE YOUR PROPOSED HOURS OF OPERATION TAM TO 2 AM (not necessary for residential uses) |
| THE FOLLOWING ARE THE TYPICAL HOURS OF OPERATION FOR COMMERCIAL USES |
| PLEASE NOTE: To operate beyond these hours, you will need to check "Hours of Operation" under "Variance Request" on the application page. |
| B-1 7AM to 7PM, |
| B-2 (within 300' of residential) 7AM to 10PM B-2 (not within 300' of residential) 7AM to 12 midnight |
| B-3 hours 7AM to 12 midnight |
| SPI-3 7AM to 9PM |
| *** PLEASE ANSWER THE FOLLOWING ONLY IF IT APPLIES TO YOUR REQUEST *** |
| CHURCH USE REQUESTS: (Please note: each standard pew seat is 18" wide) |
| Length of pews in sanctuary Total number of pews in sanctuary |
| Total number of seats in the sanctuary |
| Please note: An Interior floor plan showing total number of pews will b required. Your figures need to match the site plan submitted. |
| EXPANDED HOME OCCUPATION REQUESTS: |
| Square feet of building (or portion of residence) to be used |
| Number of employees, if any Hours of operation |
| Is a sign requested? Please state size: |



The Council City of Shreveport

ARTHUR G.THOMPSON CLERK OF COUNCIL POST OFFICE BOX 31109 SHREVEPORT, LA 71130

E-MAIL ADDRESS: Arthur.Thompson@ci.shreveport.la.us Рноме: (318) 673-5262 Fax: (318) 673-5270

July 22, 2013

Mr. Yanping Gao Ms. Emily Xiu Li 5215 Monkhouse Drive Shreveport, LA 71109

Subject: BAC-84-13: Moonrider Inn, east side of Monkhouse Dr., 300' north of Hollywood

Avenue

Dear Mr. Gao and Ms. Li:

Your appeal of the decision of the Shreveport Metropolitan Zoning Board of Appeals will be presented to the City Council at its regularly scheduled meeting at 3:00 p.m. on **Tuesday, August 13, 2013.** On that date (or some later date) the Council will either affirm, modify, reverse or remand the decision rendered in the above referenced case.

You are further advised that you (or any other interested party) may submit additional written comments summarizing your position. In order for written comments to become a part of the record and be considered by the Council, all written comments must be submitted to this office (Government Plaza, 4th Floor, 505 Travis Street, Shreveport, LA 71101) no later than 5:00 p.m. on **Wednesday, August 7, 2013**

If you have any questions regarding this information, please contact the Council Office at 673-5262.

Sincerely,

Arthur G. Thompson Clerk of Council

AGT:mkr

xc: Mr. Norm Shum *8600 Millicent Way, Shreveport, LA 71109 Corp. Russell Collins, Shreveport Police Department



MOONRIDER INN

5215 MONKHOUSE DRIVE SHREVEPORT LA 71109 318-828-1375 (HOTEL) 318-754-3193 (FAX) 318-210-0745 (OFFICE)

July 18, 2013

To: The honorable City Council of Shreveport

RE: Appeal of denial decision on Special Exception Use and variance in Hours of operation in a B-3 District for an on-site Multi-purpose facility with on-premise consumption of alcoholic beverage operate to 2 a.m. <u>CASE NO: BAC-84-13 5215 Moonrider Inn 5215 Monkhouse Dr Shreveport LA</u>

The Moonrider inn ownership hereby respectfully submit the appeal request for the above referenced case for reconsideration.

Respectfully submitted

RECEIVED

Yanping Gao

JUL 18 2013

Emily Xiu Li

SHREVEPORT CITY COUNCIL

NORM SHUEM. 318-703.6015.

Zmiss Lin.

Speaking in opposition:

Rev. Aaron Burgner, Pastor, Summer Grove Baptist Church - No slip filled out

Mr. Bo Williams, Former Mayor of Shreveport & former Council representative for this district (9328 Wrenwood, Shreveport, LA 71106)

- Mr. Ron Webb, City Council District E (2406 Helmsdale Court, Shreveport, LA 71118)

 Mr. John Lorrick, Southern Hills Business Assn (10555 Ellerbe Road, & 2705 Mackey Lane, Shreveport, LA 71106)

 Mr. Robert Duvall (9007 Mackey Court, Shreveport, LA) No slip filled out

 Mr. Ron Adams (1804 Emberwood Circle, Bossier City, LA)

 Mr. Earl Timmons (2000 McCutchen, Shreveport, LA)

 Mr. Earl Timmons (2000 McCutchen, Shreveport, LA)

 Alcohol is not in the best interests of this neighborhood that has worked hard to improve. Summer Grove Baptist Church and the Southern Hills Business Association have made huge investments and improvements in this community.
- Alcohol sales with drive-thru window only encourages reckless, dangerous behavior in young people (i.e., friend with license buying Alcohol.) Drunk driving and underage drinking are of concern, also loitering and litter problems are anticipated.
- Could have problems with "cruising" in nearby Summer Grove Church (aka Southpark Mall) parking lot.
- The ingress and egress to this site are awkwardly designed.

- They want to move the existing business ½ mile down the road because they lost their lease after 23 years at 8021 Jewella.
- They operate in a lawful manner selling legal products to adults.

A motion was made by MR. WILLIAMS, seconded by MR. STEWART to deny this application citing safety concerns related to ingress and egress to the site.

(Discussion)

While members OSBORN, STEWART, and WILLIAMS consider the ingress / egress issue to be a major safety concern and their reason for denial of this application, Mr. BERRY said he felt it was more of a "morality issue."

The motion was adopted by the following 5-1 vote: Ayes: Messrs. WILLIAMS, HOLLAND, COOPER, STEWART, and Mrs. OSBORN. Nays: Mr. BERRY, Absent: Mr. WALTMAN.

CASE NO. BAC-84-13: 5215 Monkhouse

East side of Monkhouse Drive, 300' north of Hollywood Avenue

Special Exception Use & variance in hours of operation in a B-3 District

Multi-purpose facility with the on-premise consumption of high alcoholic content beverages (on the 2nd floor only) operating to 2 a.m. On June 12th, this case was DEFERRED AND CONTINUED UNTIL THE JULY 10, 2013 PUBLIC HEARING

Representative and/or support:

Mr. Norm Shum (8600 Millicent Way & 5215 Monkhouse Drive, Shreveport, LA 71109)

There was no opposition present.

Comments by Corp. Russell Collins, Shreveport Police Department:

- In response to a question by the Board, Corp. Collins clarified that SPD officers are permitted to provide security for weddings. receptions, birthday parties and other special events, however, by order of the Police Chief, they are not permitted to provide security
- at any bar, lounge, etc. having to do strictly with the sales of alcohol.

 In March, 2013, there were 5 SPD officers working a party at this location and fights broke out; the officers had to call SPD for backup to control the situation. The number of people in the room exceeded the maximum capacity permitted.
- Considering the problem they have already dealt with concerning overcrowding, the negative effects would be intensified with alcohol.

MOTION #1: A motion was made by MR. HOLLAND, seconded by MRS. OSBORN to approve the application with stipulations.

After discussion, this motion and second were withdrawn.

MOTION #2: A motion was made by MR. COOPER, seconded by MR. STEWART, to deny this application citing safety oncerns.

The motion was adopted by the following 6-0 vote: Ayes: Messrs. BERRY, WILLIAMS, HOLLAND, COOPER, STEWART, and Mrs. OSBORN. Nays: None. Absent: Mr. WALTMAN.

CASE NO. BAC-94-13: 3949 Greenwood Rd.

JOE BEST Same South side of Greenwood Road, 490' east of Emory Street Special Exception Use in an I-1 District Salvage yard with outside storage

Representative and/or support:

Mr. Joe Best - No slip filled out

There was no opposition present.

ZBA Public Hearing Minutes 3 July 10, 2013

METROPOLITAN SHREVEPORT ZONING BOARD OF APPEALS SUMMARY MINUTES OF THE PUBLIC HEARING **JULY 10, 2013**

A regularly scheduled public hearing was held by the Metropolitan Shreveport Zoning Board of Appeals on Wednesday, July 10, 2013, at 1:00 p.m., at Government Plaza Chamber, 505 Travis Street, Shreveport, Caddo Parish, LA. Members meet for lunch prior to the public hearing.

Members Present Alan Berry, Chairman Betty Osborn, Secretary Eddie Cooper Rick Holland

Stacy Williams, Jr., Vice Chairman Robert Stewart

Members Absent

Jason Waltman

Staff Present

Roy Jambor, Senior Planner Alan Clarke, Zoning Administrator Stephen Jean, Senior Planner Ione Dean, Senior Planner Diane Tullos, Office Administrator Dara Sanders, Master Plan Administrator

Others Present Kosha Gilbert, Asst. City Attorney Corp. Russell Collins, SPD

Bus Tour

Tour was cancelled; members were encouraged to tour sites.

CHAIRMAN'S OPENING COMMENTS

The meeting was called to order and the procedure for hearing the applications on today's agenda was explained. Speakers were requested to give their name, mailing address, and to speak clearly into the microphone for the benefit of those present.

All decisions rendered by the Zoning Board of Appeals are subject to appeal to the appropriate governing body, either the City Council or the Caddo Parish Commission. Appeals must be filed within 10 days from the date a decision is rendered by the Zoning Board of Appeals.

Comments on any item not on the agenda nor scheduled for public hearing on this date, will be limited to 3 minutes and heard prior to the Board's deliberations session.

▶ APPROVAL OF MINUTES

A motion was made by MR. WILLIAMS, seconded by MR. COOPER, to approve the minutes of the June 12, 2013 public hearing as

The motion was adopted by the following 6-0 vote: Ayes: Messrs. BERRY, WILLIAMS, HOLLAND, COOPER, STEWART, and Mrs. OSBORN. Nays: None. Absent: Mr. WALTMAN.

PUBLIC HEARING

CASE NO. BAC-90-13: 3055 Knight PATRICK D. CORDARO Patrick & Angela Cordaro East side of Knight Street, 375' south of South Pointe Parkway Special Exception Use in a B-3 District Multi-purpose facility with the on-premise consumption of high alcoholic content beverages

Representative and/or support:

Mr. Pat Cordaro (3055 Knight Street, 71105 or 178 Sand Beach, Shreveport, LA 71105)

There was no opposition present.

A motion was made by MR. WILLIAMS, seconded by MRS. OSBORN to approve a Special Exception Use with the on-premise consumption of high alcoholic content beverages, subject to compliance with the following stipulation:

Development of the property shall be in substantial accord with the site plan submitted with any significant changes or additions requiring further review and approval by the Planning Commission.

The motion was adopted by the following 5-0 vote: Ayes: Messrs. BERRY, WILLIAMS, COOPER, STEWART, and Mrs. OSBORN. Navs: None. Absent: Mr. WALTMAN, and Mr. HOLLAND was out of the room for the vote.

CASE NO. BAC-91-13: 735 American Way GO HARD INC. Same SW end of American Way Special Exception Use & variance in off-street parking in an I-2 District Indoor Sports Training Facility

ZBA Public Hearing Minutes

July 10, 2013

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