

ORDINANCE NO. \_\_\_\_ OF 2013

BY:

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE SW CORNER OF WEST 70<sup>TH</sup> STREET AND BERNSTEIN AVENUE, SHREVEPORT, CADDO PARISH, LA, FROM B-3, COMMUNITY BUSINESS DISTRICT TO B-3-E, COMMUNITY BUSINESS/EXTENDED USE DISTRICT LIMITED TO "A COMPRESS NATURAL GAS FUELING STATION ONLY" AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, LA, in due, legal and regular session convened, that the zoning classification of Lot 2, Furniture Plaza, Shreveport, Caddo Parish, LA, property located on the SW corner of west 70<sup>th</sup> and Bernstein Avenue be and the same is hereby changed from B-3, Community Business District to B-3-E, Community Business/Extended Use District limited to "a compress natural gas fueling station only".

SECTION II: THAT the rezoning of the property described herein is subject to compliance with the following stipulation:

1. **Development of the property shall be in substantial accord with a revised site plan showing a sight-obstructing security fence around the above ground equipment. This plan shall be submitted to and approved by the Planning Director. Any significant changes or additions shall require further review and approval by the Zoning Board of Appeals. No permits shall be issued until the revised site plan and/or replatting of lots has been approved by the MPC Director or the Zoning Board of Appeals.**

BE IT FURTHER ORDAINED that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this ordinance which can be given effect without the invalid provisions, items, or applications and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all ordinances or parts thereof in conflict herewith are hereby repealed.

METROPOLITAN PLANNING COMMISSION  
LAND USE REPORT – NOVEMBER 6, 2013

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CASE NO: C-83-13: 501 West 70<sup>th</sup> Street District: F/Shyne  
APPLICANT: JONATHAN & TREY SMITH (IVAN SMITH PROPERTIES, LLC) District: 6/Baker  
LAND OWNER: Ivan Smith Properties, LLC  
LOCATION: SW corner of West 70<sup>th</sup> Street and Bernstein Avenue  
ZONING: B-3 to I-1  
PROPOSED: Compress natural gas fueling station or other uses within this zoning classification

GENERAL INFORMATION:

- The applicant is requesting to rezone this site for a fueling station to be put in for Ivan Smith with above ground tanks for compressed natural gas.
- The Zoning Ordinance requires an I-1 zoning designation with a Special Exception Use approval to provide for above ground storage of “liquefied petroleum gas products”.
- The ZBA will consider this cases on November 13<sup>th</sup> for the Special Exception Use.

SITE PLAN CONSIDERATIONS:

- There is a vacant building on the site that will remain vacant as labeled on the site plan. Due to this, no required parking for the building has been shown. Applicant has been told through his agent that if no parking is shown, the structure must remain totally vacant and can't even be used for storage.
- The pump island is located in the front of the existing structure on the site.
- Entrance to the pumps will be from the lot to the west. Both of these lots are under common ownership. Exit is on to Bernstein Ave.
- The equipment will be located to the west of the vacant building on this site.
- Landscaping is along W. 70<sup>th</sup> and the corner of Bernstein, but does not meet Ordinance requirements as there is no landscaping along Bernstein.

DEVELOPMENT REVIEW TEAM COMMENTS:

- The above ground storage equipment is enclosed by a chain link fence. Since this is across the street from a school and appears to be an “attractive nuisance”, it is suggested that the equipment be surrounded by a masonry wall. This would also help in buffering the noise associated with the equipment.

PUBLIC'S ASSESSMENT

There was no opposition present.

BOARD'S DECISION

The Board voted 9-0 to recommend approval of B-3-E zoning limited to “a compress natural gas fueling station only”, subject to compliance with the following stipulation:

1. Development of the property shall be in substantial accord with a revised site plan showing a sight-obstructing security fence around the above ground equipment. This plan shall be submitted to and approved by the Planning Director. Any significant changes or additions shall require further review and approval by the Zoning Board of Appeals. No permits shall be issued until the revised site plan and/or replatting of lots has been approved by the MPC Director or the Zoning Board of Appeals.

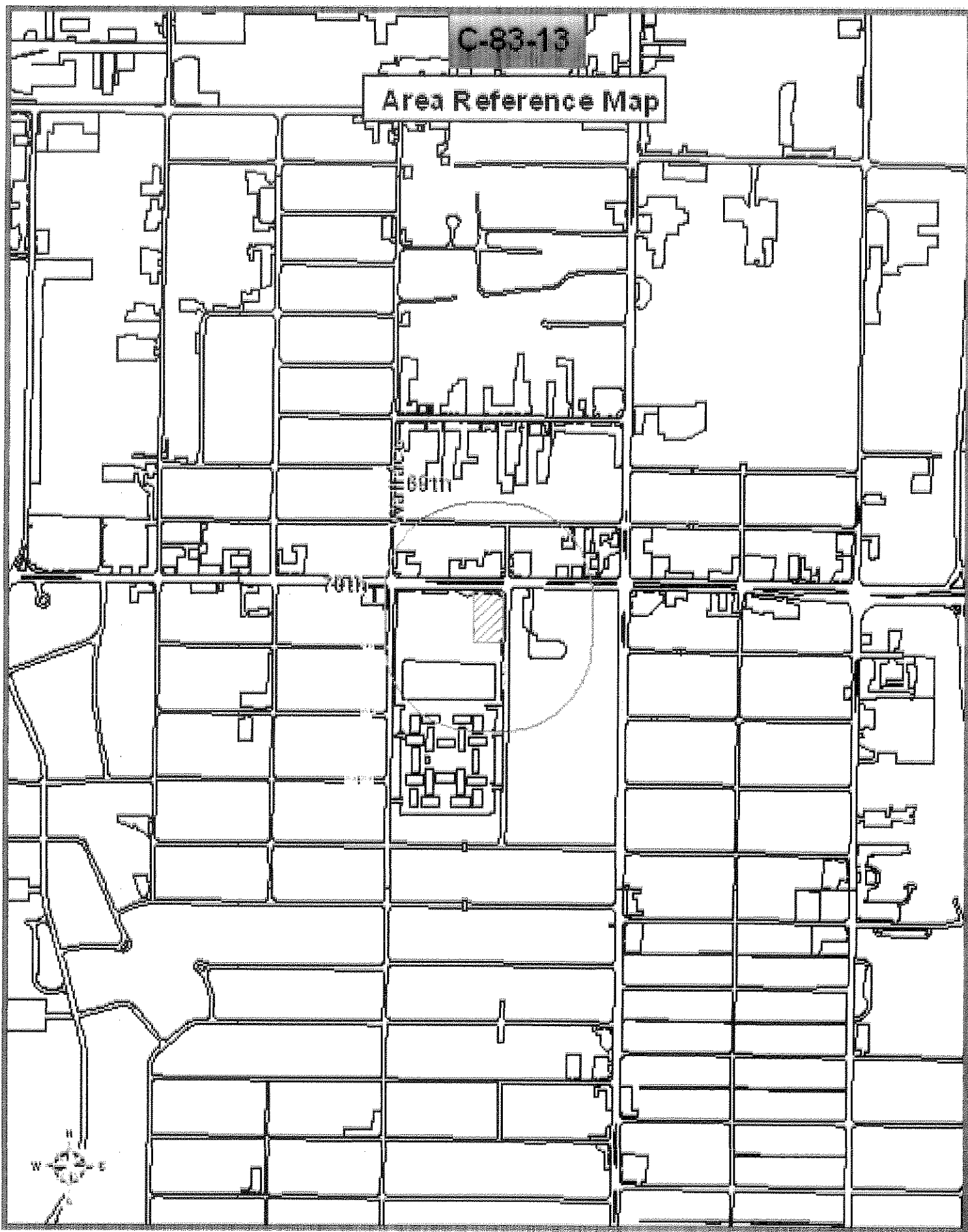
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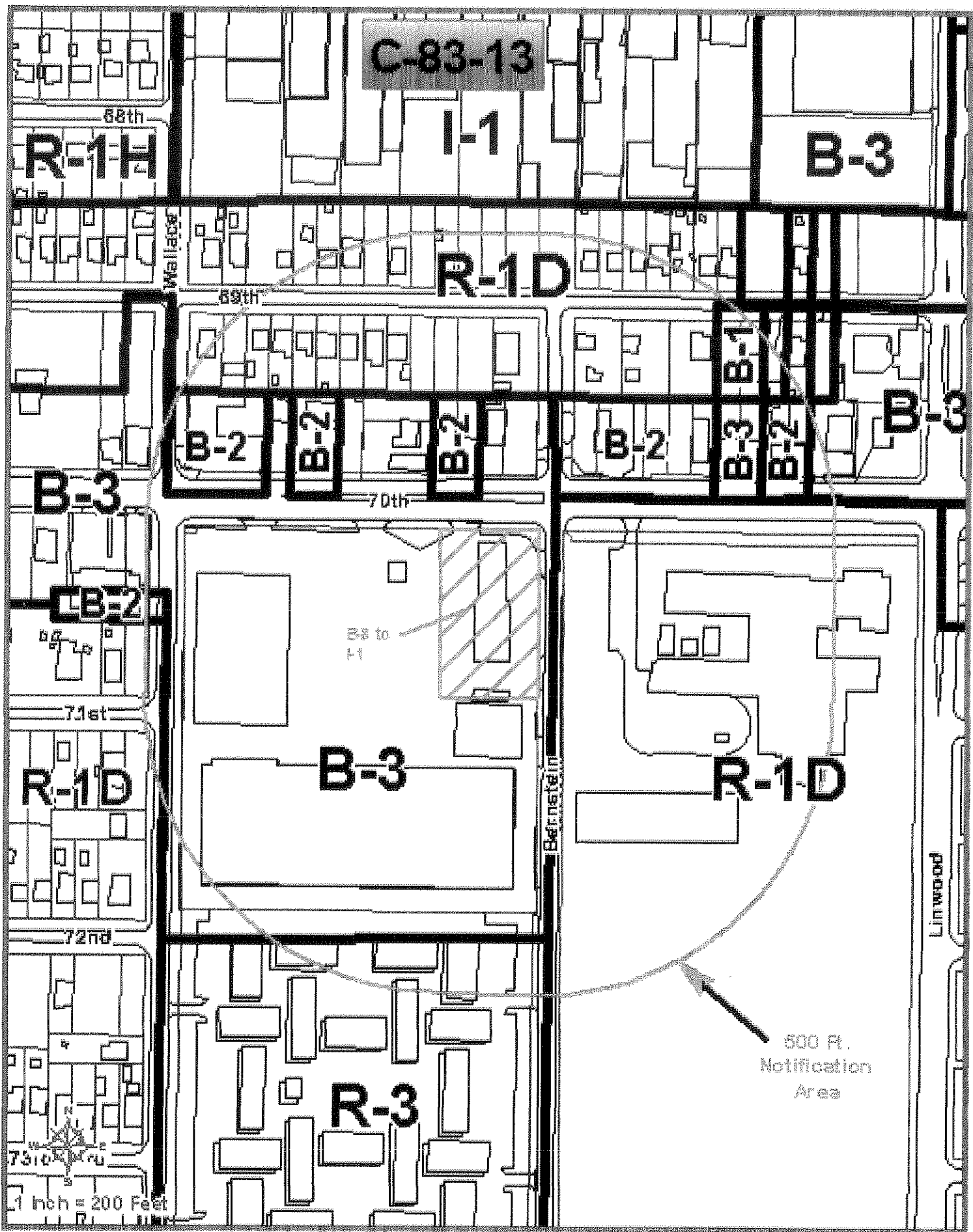
The information stated herein is the result of discussion by a staff review team. The Board members will use all information made available to them in making their decision.

A Planning Commission 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.

C-83-13

Area Reference Map





C-83-13

68th  
R-1H

I-1

B-3

68th  
R-1D

B-2

B-2

B-2

B-2

B-1

B-3

B-2

B-3

B-3

71st  
CB-2

69th  
B-3

R-1D

R-1D

72nd

R-3

500 Ft.  
Notification  
Area

1 inch = 200 Feet



PROJECT #	1277
REVISION	DATE
DRAWN BY	SGB
CHECKED BY	C
DRAWN BY	07-31-13
CHECKED BY	08-05-13
DATE	

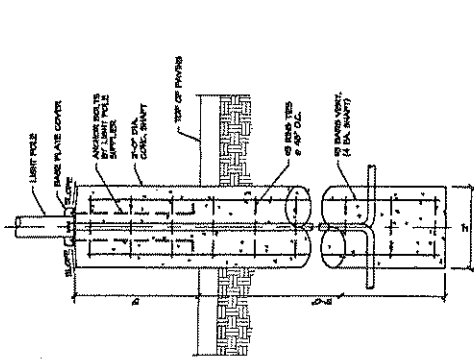
**Ivan Smith CNG Station**  
 501 10th Street  
 Shreveport, Louisiana 71106

**CD**  
 COMMERCIAL CONSTRUCTION  
 DEVELOPMENT

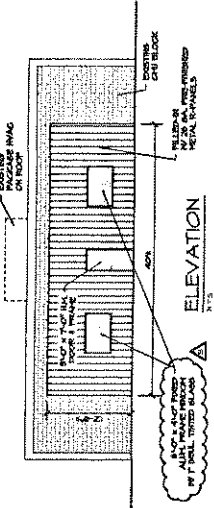
722 NORTH PARKWAY SUITE 100  
 SHREVEPORT, LA 71106  
 PHONE: (504) 484-2538

**JSP**  
 PROFESSIONAL ENGINEER  
 STATE OF LOUISIANA  
 NO. 10000

SET # 07-12-13  
 DATE 07-12-13  
 DRAWN BY SGB  
 CHECKED BY C  
 PROJECT IAN SMITH CNG STATION  
 CONSTRUCTION X  
 PRELIMINARY

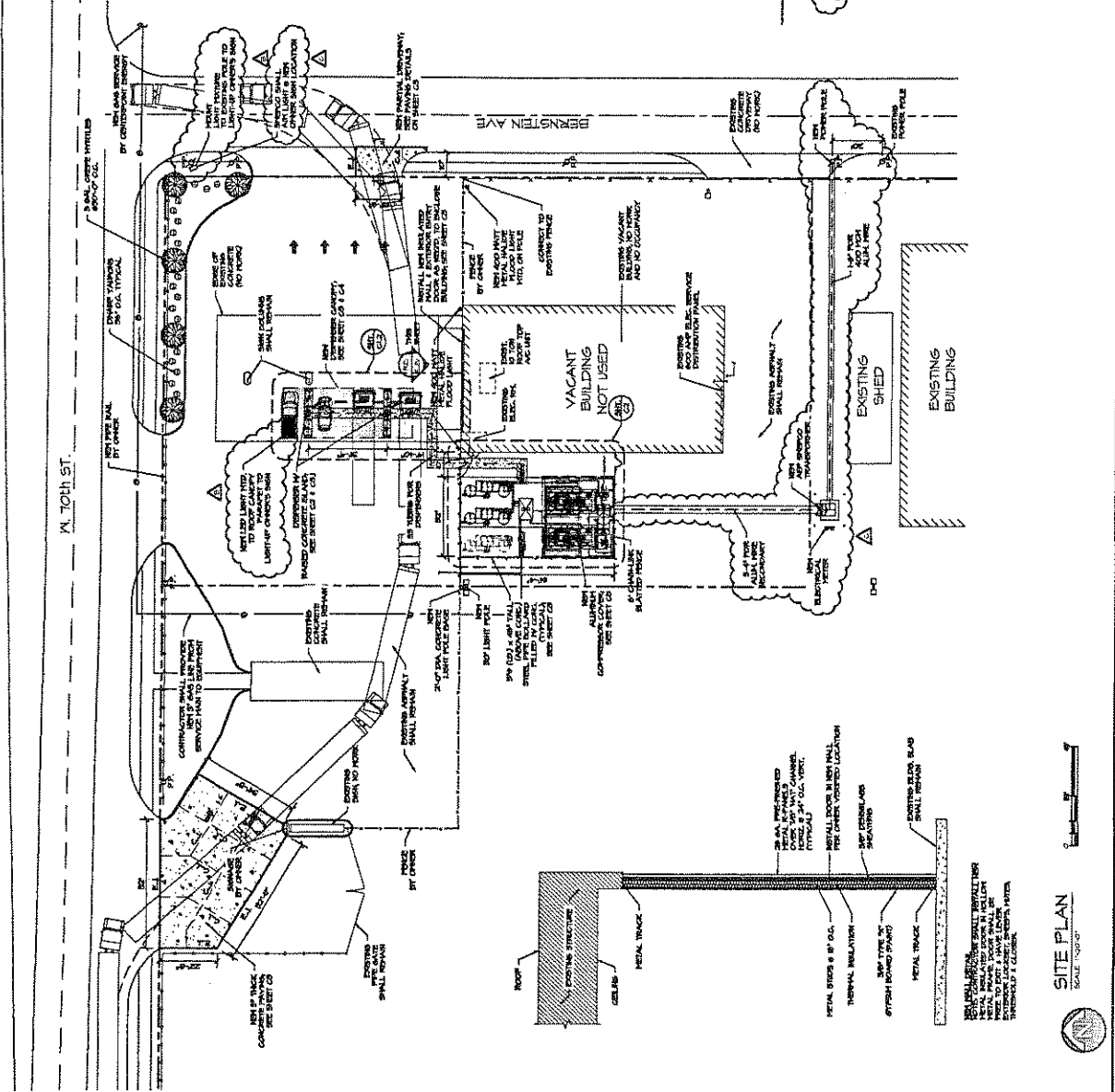


DETAIL - LIGHT POLE BASE



- ▲ ASBESTOS CONTAINING MATERIALS TO BE REMOVED TO EXISTING BUILDING
- ▲ ASBESTOS TRANSPORTATION AND ELECTRICAL SERVICE

NOTES:  
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES.



SITE PLAN  
 SCALE 1/8" = 1'-0"

REVISED 10-8-13 C- 83-173

Ivan I. Smith III  
APPLICANT'S SIGNATURE/ACKNOWLEDGMENT

\_\_\_\_\_  
Date submitted (filled in by applicant)  
See receipt for date received by MPC

APPLICATION:  CITY CASE  PARISH CASE

APPLICANT'S NAME: JONATHAN SMITH & TROY SMITH (IVAN SMITH PROPERTIES, LLC)

PEOPLE REPRESENTED BY APPLICANT other than self or property owner (if public information):

MAILING ADDRESS FOR ALL CORRESPONDENCE:

5434 TECHNOLOGY DRIVE PHONE: 318-688-1335  
SHREVEPORT ZIP CODE: 71129 FAX #: \_\_\_\_\_  
(between 8:00 & 5:00)

EXISTING ZONING:

PROPOSED ZONING:

ACCEPTABLE ALTERNATIVE:

B-3

I-1 <sup>Jr</sup> ~~SAME~~

B-3E

MPC APPROVAL  SITE PLAN  PBG APPROVAL  PUD APPROVAL

PROPOSED USE: CNG STATION

EXISTING USE: N/A

IMPROVEMENTS TO BE CONSTRUCTED/REMOVED/DEMOLISHED: PART OF EXISTING  
BLDG TO BE REMOVED, NEW CNG EQUIPMENT & CANOPY TO BE  
INSTALLED

REASON FOR APPLICATION (justification for zoning change):  
SITE PLAN APPROVAL / REZONING

ADDRESS OF SITE: 501 W. 70TH ST. 71106

ASSESSOR'S ACCOUNT NUMBER: 171426-054-00200 RE  
Found on tax notice - example; 171413-057-0047-00

LEGAL DESCRIPTION: ATTACHED

NAME, ADDRESS, AND SIGNATURE OF ALL PROPERTY OWNERS: **The property owner's signature is mandatory. ALL property owners must sign.** All property owners must sign unless one person has the power of attorney to sign for others and that power of attorney is submitted with the application. A managing partner in a corporation may sign and submit written authorization, or write "managing partner" by the signature

Ivan I. Smith III  
Name Ivan I. Smith III

Ivan Smith Jr.  
Name Ivan Smith Jr.

Jonathan Smith  
Name Jonathan Smith

STATEMENT OF INTENT  
GENERAL REZONING

APPLICANT'S NAME: JOHNATHAN & TREV SMITH (IVANSMIT PROPERTIES, LLC)

NATURE AND DESCRIPTION OF BUSINESS: COMPRESSED NATURAL GAS  
FILLING STATION ON EXISTING B-3  
SITE ADJACENT TO EXISTING BUILDINGS

REASON FOR AMENDMENT: (It is public policy to amend the Zoning Ordinance only when one or more of the following conditions prevail)

- SITE PLAN APPROVAL  
ERROR (there is a manifest error in the Zoning Ordinance)
- CHANGE IN CONDITIONS (changing conditions in a particular area make change in the Ordinance necessary and desirable)
- INCREASE IN NEED FOR SITES FOR BUSINESS & INDUSTRY (increased need for sites in addition to sites that are available)
- SUBDIVISION OF LAND (the subdivision of land into urban building sites makes reclassification necessary and desirable)

SQUARE FEET OF PROPERTY: TOTAL = SITE IMPROVEMENTS - 58,300 SF

SQUARE FEET OF STRUCTURE(S) 4080 (RENOVATION) 110,000 + 10,000 WAREHOUSE, 35000 SF ST

PARKING SPACES REQUIRED: EXISTING SPACES PROVIDED: EXISTING

HOURS OF OPERATION (state proposed hours) PER B-3 BELOW  
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

IS WATER PROVIDED BY THE CITY OF SHREVEPORT? YES IF NOT - WHAT IS THE SOURCE OF WATER? \_\_\_\_\_

IS SEWER PROVIDED BY THE CITY OF SHREVEPORT? YES IF NOT - WHAT IS THE SOURCE OF SEWER? \_\_\_\_\_

IF SEPTIC TANK - HAS IT BEEN APPROVED BY THE HEALTH DEPARTMENT? \_\_\_\_\_  
Water and/or Sewer availability letter will be required see the bottom of "check list" page (second page of application packet).

IS PROPERTY IN A FLOOD PLAIN/FLOOD WAY? NO

**SHREVEPORT METROPOLITAN PLANNING COMMISSION  
SUMMARY MINUTES OF THE PUBLIC HEARING  
NOVEMBER 6, 2013**

A regularly scheduled public hearing of the Shreveport Metropolitan Planning Commission was held on Wednesday, November 6, 2013, at 1:00 p.m. at Government Plaza Chamber, 505 Travis Street, Shreveport, Caddo Parish, LA. The Board members met for lunch prior to the public hearing.

**Members Present**

Winzer Andrews, Chairman  
Lea Desmarteau, Vice Chairman  
Larry Ferdinand, Secretary  
Dale Colvin  
Alan Young  
Mary Ruffins  
Dr. Mary Wilson  
Bessie Smith  
Nancy Cooper

**Staff Present**

Roy Jambor, Senior Planner  
Ione Dean, Senior Planner  
Sandi Austin, Board's Coordinator  
Alan Clarke, Zoning Administrator  
Stephen Jean, Senior Planner  
Diane Tullos, Office Administrator  
Dara Sanders, Master Plan Administrator

**Bus Tour**

Members were encouraged to individually tour the sites.

**Members Absent**

None

**Others Present**

Kosha Gilbert, Kristina Wimbley Asst City Attny  
KTAL – Channel 6

The hearing was opened with prayer by **MR. FERDINAND** with the public being invited to participate.

The meeting was called to order and the procedure in hearing the applications on today's agenda was explained. Speakers should speak clearly into the microphone and to give their name and mailing address for further reference. Anyone wishing to comment on any item on the agenda, not scheduled for public hearing on this date, will be permitted 3 minutes to do so prior to the Board's Deliberations.

All decisions rendered by the Metropolitan Planning Commission 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 Metropolitan Planning Commission.

A motion was made by **MR. YOUNG** seconded by **MRS. RUFFINS**, to approve the minutes of the October 2, 2013 public hearing as submitted.

The motion was adopted by the following 9-0 vote: Ayes: Messrs. **ANDREWS**, **COLVIN**, **YOUNG**, **FERDINAND** and Meses. **RUFFINS**, **DESMARTEAU**, **SMITH**, **COOPER**, and Dr. **WILSON**. Nays: None. Absent: None.

**CASE NO. C-83-13: 501 West 70<sup>th</sup>**

**JONATHAN & TREY SMITH (IVAN SMITH PROPERTIES, LLC)**

Ivan Smith Properties, LLC

SW corner of West 70<sup>th</sup> Street and Bernstein Avenue

B-3 to I-1

Compress natural gas fueling station or other uses permitted within this zoning classification

**Representative and/or support:**

Mr. Joe Partain (722 N. Ashley Ridge Loop, Shreveport, LA 71106)

There was no opposition present.

A motion was made by **DR. WILSON**, seconded by **MRS. SMITH**

The motion was adopted by the following 9-0 vote: Ayes: Messrs. **ANDREWS**, **COLVIN**, **YOUNG**, **FERDINAND** and Meses. **RUFFINS**, **DESMARTEAU**, **SMITH**, **COOPER**, and Dr. **WILSON**. Nays: None. Absent: None.