ORDINANCE NO. ___ OF 2015

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 MARTIN LUTHER KING DRIVE AND
DAVID RAINES ROAD, SHREVEPORT, CADDO
PARISH, LA, FROM B-1, BUFFER BUSINESS
DISTRICT AND B-2(SPI-2), NEIGHBORHOOD
BUSINESS (INDUSTRIAL PARK OVERLAY)
DISTRICT TO B-3(SPI-2), COMMUNITY BUSINESS
(INDUSTRIAL PARK OVERLAY) DISTRICT WITH
SITE PLAN APPROVAL, AND TO OTHERWISE
PROVIDE WITH RESPECT THERETO

SECTION I: BE IT ORDEIGNED 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 1, Oak Forrest Subdivision Unit 1, Lot 2 Oak Forrest Subdivision Unit 1, & Lot
43, Oak Forrest Subdivision Unit 1, Sec 19, T18, R14W, Shreveport, Caddo Parish, LA, property
located on the SW corner of Martin Luther King Drive and David Raines Road, be and the same
is hereby changed from B-1, Buffer Business District and B-2(SPI-2), Neighborhood
Business (Industrial Park Overlay) District TO B-3(SPI-2), Community Business (Industrial
Park Overlay) District with site plan approval.

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

1. An administrative approval of the re-plat of three lots into one.
2. ZBA approval of a variance in the front yard setback.
3. Provision of a complete and updated drainage plan to the City of Shreveport’s
   Department of Engineering prior to the issuance of any permits.

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conflict herewith are hereby repealed.

C-69-15
SUSLA CDC
CASE NO: C-69-15: ZONING REQUEST WITH SITE PLAN & USE APPROVAL
Applicant: SUSLA CDC
Owner: SUSLA CDC
Location: 3001 & 3003 Martin Luther King Jr. Dr. & 1938 David Raines Rd. (SW corner of MLK Jr. Dr. & David Raines Rd.)
Existing Zoning: B-1 & B-2 (SPI-2)
Requested: B-1 & B-2 (SPI-2) to B-3 (SPI-2) with Site Plan & Use Approval
Proposed Use: Open Air Farmers Market

DESCRIPTION:

The applicant is attempting to create an open air farmers market covering three separate, but adjacent lots in the MLK community. The farmers market is expected to operate, at least initially, on Saturdays from 8AM to 12 Noon with an expected 50-100 attendees per event.

The applicant is requesting a rezoning to B-3 to allow MPC use approval for the proposed farmers market as well as site plan approval. The establishment of the proposed farmers market will happen in two phases: (1) construction of a 3,750 SF open air steel pavilion at the NW corner of MLK Jr. Dr. & David Raines Rd., the addition of 19 concrete parking spaces and an information kiosk and (2) construction of a 4,000 SF enclosed pavilion that would sit next to the initial structure and 20 concrete parking spaces.

An initial temporary phase, not noted on the site plan, includes holding the farmers market under tents on the portion of the land fronting Jonquil St. The applicant has received two temporary permits (totaling 30 days) from the Zoning Administrator’s office to conduct this phase of the market.

The applicant has also submitted a ZBA application to allow the pavilions to be constructed at the property line, as a means to increase walkability at the site per the Master Plan goals (BAC-84-15). An approval of this request would immediately cancel the street frontage landscaping requirement.

Several prior cases have amended the zoning at the applicant's lots including: a rezoning from R-4 to B-2 for a filling station in 1962 (P-129), a rezoning from R-4 to B-2 for a restaurant in 1983 (C-95-63) and a rezoning from R-1H to B-1 for a parking lot (C-17-11) for a grocery store/deli in 2011. Other cases at the site include: a variance in the front yard setback (BAC-13-11) in 2011 and an MPC approval in a B-2 district for car sales (up to 10 cars) in 1993 (C-87-93).

The site is surrounded by a combination of residential (R-1D, R-1H and R-4) and commercial (B-1, B-2 and B-3) zoned properties. The future land use designation at the site is Urban Village Mixed Use Center.

REMARKS:

The project includes three separate lots totaling 1.375 acres. Although the lots are all owned by the applicant, they will need to be replatted into one lot, which can be accomplished administratively. The applicant is aware that any approval will be contingent upon a completed replat.

While the area surrounding the site is primarily residential in nature (R-1D, R-1H & R-4), there are a number of commercial uses (B-2, B-1 and B-3) that already exist within a 2 block radius of the site. Several of these sites (4) are zoned B-3.

Per the elevation drawings, each of the proposed pavilions and the information kiosk will meet the height limits per sec. 106-682.

The property meets the side and rear yard setbacks per sec. 106-683. However, the applicant is proposing to place the pavilions at the front property line (at MLK Jr. Dr.), which is the subject of the companion ZBA application (BAC-84-15). A survey submitted by the applicant revealed a 60' setback on the side facing David Raines Rd., which is required via covenant, per the applicant. The applicant intends to do away with this setback by replatting the separate lots into one.

A 10' utility easement sits in the center of the three lots, which will remain, per the applicant.

The site plan also indicates a 6' wood fence on the southwest end of the property separating it from the adjacent residential use.

An enclosed dumpster will be located in the phase 1 parking lot.

The site plan also indicates a detention pond enclosed with substantial landscaping on the northwestern edge of the property. However, this is not reflected on the accompanying grading and drainage plan. The applicant will still be required to submit a complete and updated drainage plan to the City of Shreveport’s Department of Engineering prior to the issuance of any permits. The applicant has been made aware of this fact.

As the current ordinance does not provide a parking ratio for a farmers market, the Executive Director has allowed the retail, general business ratio to be applied to the site, rendering the requirement as 39 spaces. Per the site plan, the applicant proposes to add concrete 40 parking spaces and a concrete driveway with access from David Raines Rd.

Landscaping at the site includes a combination of grass, shrubs and trees as required per sec. 106-1212(e). Five to six large trees surrounding the parking area are shown on the site plan, as required per sec. 106-1213(c). Per the site plan, there are 22 Crepe Myrtles, 36 Wax Myrtles and 15 Oleander, which will be 6' to 8' tall and a caliper of 3' to 4' wide, in addition to a handful of existing trees at the site.
STAFF RECOMMENDATION:

Staff recommends approval of this application subject to: (1) An administratively approved re-plat of the three lots into one, (2) approval of a variance in the front yard setback by the ZBA, and (3) provision of a complete and updated drainage plan to the City of Shreveport’s Department of Engineering prior to the issuance of any permits.

PUBLIC’S ASSESSMENT

There was no opposition present.

BOARD’S DECISION

The Board voted 7-0 (with 1 abstention) to recommend that the City Council approve this application subject to compliance with the following stipulations:

1. An administrative approval of the re-plat of three lots into one.

2. ZBA approval of a variance in the front yard setback.

3. Provision of a complete and updated drainage plan to the City of Shreveport’s Department of Engineering prior to the issuance of any permits.

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.
MPC DEVELOPMENT APPLICATION

PLEASE RETURN THE FOLLOWING REQUIRED FORMS TO THE SHREVEPORT/CADDADO PARISH
METROPOLITAN PLANNING COMMISSION (MPC) OFFICE
505 TRAVIS STREET, ROOM 440 PHONE 318-673-6480
SHREVEPORT LA 71101

Application Request (please check the appropriate items):

REZONING X (Existing Zoning B1, B2 (SP1-2), Proposed Rezoning B3 (SP1-2))
(Please verify with an MPC Planner whether or not rezoning is required for your project and which zoning district to apply for, prior to completing this section of the application)

USE APPROVAL X EXTENDED USE APPROVAL ___

SITE PLAN X REVISED SITE PLAN ___ PUD SITE PLAN (ADMIN.) ___

PUD REZONING & PRELIMINARY SITE PLAN ___ PLANNED BUILDING GROUP (PBG) ___

ADMIN. REVISED SITE PLAN – RESIDENTIAL ___ ADMIN. REVISED SITE PLAN – COMMERCIAL ___

PRELIMINARY PLAT ___ FINAL PLAT ___ RE-PLAT ___ ADMIN. REVISED PLAT ___

PUBLIC RIGHT-OF-WAY (ROW) CLOSURE & ABANDONMENT ___

Subject Property Information

Parcel Description: (existing platted subdivision name, block and lot designation; if un-platted, provide a detailed metes and bounds description)
Lot 1, Oak Forrest Subdivision, Unit No. 1 and Lot 2, Oak Forrest Subdivision, Unit No. 1

General Location of the Property: (street address and/or frontage, and distance to cross street) 3001 Martin Luther King Drive and 3005 Martin Luther King Drive Shreveport

Gross area of the Parcel: (to the nearest tenth acre)

Existing Use of the Property: vacant

Existing Zoning: B1 to B3, B2 to B3
Proposed Use of the Property: (please be specific, as this will determine how your application will be processed)
12 stall pavilion used to house farmer's market & community events
market created to address the fresh food desert and promote healthy eating

Property Owner and Authorization (sign and notarize)

Name (signature required below) Janice B. Sneed, President

Company Name
Southern University Shreveport Community Development Corporation

Mailing address for all correspondence:
4646 Hilry Huckaby Drive

City: Shreveport State: Louisiana Zip Code: 71107

Telephone 3186709715 Fax Email cdc@usla.edu

Tax Assessor's Account Number: 181419-001-002-00, 181419-001-0001-00
Found on tax notice - example: 171413-057-0047-00

Property Owner, check ONE of the following: ___ I will represent the application myself; OR X I hereby designate Von Jennings (name of project representative) to act in the capacity as my agent for submittal, processing, representation, and/or presentation of this request. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this request.

I hereby certify that I am the property owner of the property and further certify that the information provided on this development application is true and correct.

Property Owner’s Signature: ___________________________ Date: June 16, 2015

STATE OF LOUISIANA:
PARISH OF:

BEFORE ME, a Notary Public, on this day personally appeared Janice B. Sneed (printed property owner's name) the above signed, who, under oath, stated the following: "I hereby certify that I am the property owner for the purposes of this application; that all information herein is true and correct."

SUBSCRIBED AND SWORN TO before me, this the 16th day of June, 2015.

Notary Public in the and for the State of Louisiana

VALERIE L. ERVIN, # 2595
NOTARY PUBLIC
CADDO PARISH, LOUISIANA
MY COMMISSION IS FOR LIFE

C-69-15
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. If in business name or corporation, list all persons owning 6% or more. Attach separate sheet if necessary.

Project Representative (complete if designated by owner)

___ Purchaser ___ Tenant ___ Preparer of Development Application

___ Other (specify)________________________________________

Name ________________________________

Company Name _______________________

Address ________________________________

City __________________ State ___________ Zip Code __________

Telephone __________ Fax __________ Email __________________

This is your notice that either you or your designated representative MUST attend the public meeting at 1:00 p.m. on the date your case is scheduled for consideration before the MPC Board. Failure to attend the Public Meeting may result in a delay or a denial.

Public Meetings are held in the
Government Plaza Chambers
located on the 1st Floor of Government Plaza,
505 Travis Street.
SHREVEPORT METROPOLITAN PLANNING COMMISSION
SUMMARY MINUTES OF THE PUBLIC HEARING
AUGUST 5, 2015

A regularly scheduled public hearing of the Shreveport Metropolitan Planning Commission was held on Wednesday, August 5, 2015 at 1:00 p.m. at Government Plaza Chamber, 505 Travis Street, Shreveport, Caddo Parish, LA. The members met for lunch prior to the public hearing.

Members Present
Lea Desmarteau, Chair
Alan Young, Vice Chair
Ronnie Remedies, Secretary
Dale Colvin
Winzer Andrews
Dr. Phillip Pennywell, Jr
LeVette Fuller
Bessie Smith
Nancy Cooper

Staff Present
Mark Sweeney, Executive Director
Sandi Austin, Administrative Assistant
Diane Tullos, Office Administrator
Ebony Mapp, Planner 2
Alan Clarke, Zoning Administrator
Stephen Jean, Deputy Director
Lenetta English, Office Specialist

Members Absent
None

Others Present
Ingrid James, Assistant City Attorney

The hearing was opened with prayer by MR. ANDREWS.

The meeting was called to order & the procedure in hearing the applications on today’s agenda was explained. Speakers should speak clearly into the microphone & give their name & 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 at the end of our meeting.

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. ANDREWS, seconded by MRS. SMITH to approve the minutes of the July 1, 2015 public hearing as submitted.

The motion was adopted by the following 9-0 vote: Ayes: Messrs. ANDREWS, COLVIN, REMEDIES, YOUNG, & DR PENNYWELL, & Mses. DESMARTEAU, COOPER, SMITH, & FULLER. Nays: None. Absent: None.

The following Consent Agenda items have been thoroughly reviewed by staff & can be approved as a group under one motion & one vote by the Board Members. The approval includes all stipulations as outlined in the Staff Recommendations for each respective case. Each Commissioner has the right to remove any item off the Consent Agenda for separate consideration if they wish further deliberation on a particular matter. Consent Agenda items do not require a public hearing, however the Chair will offer an opportunity for comments on a particular item prior to deliberation if a citizen requests so by filling out the appropriate Comment Slip located on the table at the front of the Chamber.

CASE NO. C-69-15: ZONING REQUEST WITH SITE PLAN & USE APPROVAL
Applicant & Owner: SUSLA CDC
Location: 3001 & 3003 MLK & 1938 David Raines (SW corner of MLK & David Raines)
Existing Zoning: B-1 & B-2
Requested: B-1 & B-2 to B-3 With Site Plan & Use Approval
Proposed Use: Open Air Farmers Market

Representative &/or support:
Mrs. Von Jennings, SUSLA (4846 Hilry Huckaby, Shreveport, LA 71107) No slip filled out
Mrs. Mischa Farrell (435 Dalzell, Shreveport, LA 71104) No slip filled out

There was no opposition present.

A motion was made by DR. PENNYWELL, seconded by MS. FULLER to recommend that the City Council approve this application subject to compliance with the following stipulations:

1. An administrative approval of the re-plat of three lots into one.
2. ZBA approval of a variance in the front yard setback.
3. Provision of a complete & updated drainage plan to the City of Shreveport’s Department of Engineering prior to the issuance of any permits.

The motion was adopted by the following 7-0 vote: Ayes: Messrs. COLVIN, YOUNG, & DR PENNYWELL, & Mses. DESMARTEAU, COOPER, SMITH, & FULLER. Nays: None. Absent: None. Abstaining: Mr. ANDREWS, out of the room for the vote, Mr. REMEDIES.