

North Little Rock Planning Commission
Regular Meeting
March 11, 2014

Chairman Clifton called the regular meeting of the North Little Rock Planning Commission to order at 4:45 PM in the Council Chambers, City Hall.

Members Present:

Alexander
Belasco
Dietz
Foster
Harris
Phillips
White
Clifton, Chairman

Members Absent:

Chambers

Staff Present:

Robert Voyles, Director
Shawn Spencer, Assistant Director
Daniel McFadden, City Attorney
Keisa Williams, Secretary

Approval of Minutes:

Motion was made and seconded to approve the February meeting minutes as submitted. The minutes were approved with (8) affirmative votes.

Motion was made and seconded to excuse Mr. Chambers from today's meeting. The motion was approved with (8) affirmative votes.

Administrative:

Mr. Voyles informed the Commissioners about the APA Conference in Fayetteville.
Mr. Voyles gave an update about Parkhill and Levy Jump Start meetings.

Development Review Committee:

- A. SPR-2389-14 Lakewood Addition – Lot 9, block 14 (SPR of Crestwood Elementary located at 1901 Crestwood)**
- 1. Permit requirements/approvals before a building permit will be issued:**
 - a. Provide CNLR Stormwater Permit.
 - b. Provide CNLR Access Driveway/Curb Cut Permit.
 - c. Provide Arkansas Department of Environmental Quality (ADEQ) Stormwater Permit.
 - d. Provide on-site storm water detention. Storm Water Detention calculations are to be approved by City Engineer and a written approval provided to Planning Department.
 - 2. Meet the requirements of the City Engineer, including:**
 - a. The first floors of any building are to be a minimum of 1' above any floodplain.
 - b. Prior to any excavation/street cuts within street ROW, obtain CNLR Excavation and Barricade Plan Application/Permit.
 - c. Provide 25' easement along rear lot line for drainage facilities.
 - d. Show the roof drains connecting to the proposed drainage system.
 - e. Cross drains in the ROW are to be RCP with flared end section unless approved by Engineering.
 - f. All driveways are to be concrete within the ROW.
 - 3. Meet the requirements of Community Planning, including:**
 - a. Provide the standard requirements of Zoning and Development Regulations.
 - b. Dumpster to have masonry screening.
 - c. All exterior lighting shall be shielded and not encroach onto neighboring properties.
 - d. Provide 8' wood privacy fences around west, north, and east property lines.
 - e. Provide site plan to Bike Friendly group for comments.
 - 4. Meet the requirements of the Master Street Plan, including:**
 - a. Provide 5' sidewalks and ramps with a minimum of 5' green space between sidewalk and curb to ADA standards and City standards.
 - 5. Meet the requirements of the Screening and Landscaping ordinance, including:**
 - a. All disturbed areas are to be sodded or seeded, fertilized, watered and mulched.
 - b. Provide automated underground irrigation to all required trees and shrubs.
 - c. Provide (11) street trees 40' on center, as shown.
 - d. Provide (3) parking lot shade trees on western lot.
 - e. Provide (7) parking lot shade trees on eastern lot, minimum of 2 trees are to be provided on the interior of the lot
 - f. Parking lot shade trees must be at the furthest 10' from edge of paving.
 - g. Provide a continuous screen of shrubs for any parking spots that face a street or abutting property.
 - 6. Meet the following requirements concerning signage:**
 - a. All signs require a permit and separate review.
 - b. No pole sign permitted. No electronic changeable copy sign permitted.
 - 7. Meet the requirements of the Fire Marshal, including:**
 - a. Provide an approved fire protection plan.
 - b. Meet Fire Marshal's requirements on fire hydrant location.
 - c. Fire hydrants to be within 400 feet of all areas of building.
 - d. All exterior portions of a building must be within 150' of a FD access road.
 - 8. Meet the requirements of CAW, including:**
 - a. Water is available to the site.

- b. All CAW requirements in effect at the time of request for water service must be met.
- c. Submit plans for water facilities and/or fire protection system to CAW for review.
- d. Approval of plans by AR Dept. of Health Engineering Division is required.
- e. Contact CAW for requirements on backflow protection on meter services.
- f. Contact CAW for requirements on size and location of the meter.
- g. Provide static pressure, residual pressure and flow for nearest fire hydrant.

9. Meet the requirements of NLR Wastewater, including:

- a. Sewer is available to the site.
- b. Standard commercial connection fee required.
- c. Food service will require grease interceptor.
- d. A complete set of drawings for development must be submitted to NLR Wastewater.
- e. Approval of plans by AR Dept. of Health Engineering Division is required.

Mr. Dietz stated the applicant met with the Development Review Committee and has agreed to all the requirements. Mr. Foster abstained. There were no additional comments from Commissioners or the audience. The motion to approve was passed with (7) affirmative, (1) abstain and (1) absent votes.

B. Rep-2390-14 Kierre Addition – Lots 1R, 2R (Replat of lot located 22 Remount)

1. Requirements before the replat will be signed:

- a. Replat will be submitted in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.
- b. Provide ½ street improvements and buffer/landscape requirements or approved City Council ordinance waiving those requirements:
 - i. half of 44' paved surface, including bike lane
 - ii. curb and gutter
 - iii. sidewalk
 - iv. parking lot shade trees
 - v. 6' front yard landscape strip
 - vi. 4' side yard landscape strip
 - vii. concrete driveway in ROW
 - viii. maximum driveway width 40 feet
 - ix. driveway closer than 10' of property line
 - x. 8' wood privacy fence along residential property
 - xi. Buffer trees planted every 20 feet along residential property
- c. Repair/replace any fencing around cell towers.
- d. Meet the landscaping requirements of Special Use #383. (A 6' fence around the perimeter, and a planted buffer along all property boundaries with a minimum depth of 10 feet with planting materials to reach a height of 20' at maturity) (year 1998 – front tower)
- e. Meet the landscaping requirements of Special Use #496. (An 8' opaque fence is installed around the tower with irrigated greenery every 3-6 feet around the fence) (year 2003 – back tower)

2. Meet the requirements of the City Engineer:

3. Meet the requirements of Community Planning, including:

- a. Provide the standard requirements of Zoning and Development Regulations.

4. Meet the requirements of the Master Street Plan, including:

- a. Provide 5' sidewalks and ramps to ADA standards and City standards or signed waiver.
- b. Recommend waiver of ½ street improvements.
- c. Any waiver of the Master Street Plan must be approved by City Council.

- 5. Meet the requirements of the Screening and Landscaping ordinance, including:**
 - a. All disturbed areas are to be sodded or seeded, fertilized, watered and mulched.
 - b. Provide funds for 8 street trees to be planted in a location to be determined by the Planning Director.
 - c. Recommend waiver of buffer requirements.
 - d. Any buffer waiver must be approved by City Council.
- 6. Meet the requirements of the Fire Marshal.**
- 7. Meet the requirements of CAW.**
- 8. Meet the requirements of NLR Wastewater.**

Mr. Dietz stated the applicant met with the Development Review Committee and has agreed to all the requirements. There were no additional comments from Commissioners or the audience. The motion to approve was passed with (8) affirmative and (1) absent votes.

C. Rep-2391-14 B and M subdivision – Lot 1AR (Replat and Site Plan Review of Restaurants located at SW corner of Camp Robinson and 47th)

- 1. Requirements before the final plat/replat will be signed:**
 - a. Storm Water Detention calculations are to be approved by City Engineer and a written approval provided to Planning Department.
 - b. Final plat/replat will be submitted in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.
 - c. Provide 10' setback on plat along Camp Robinson.
- 2. Permit requirements/approvals before a building permit will be issued:**
 - a. Provide CNLR Stormwater Permit.
 - b. Provide CNLR Access Driveway/Curb Cut Permit.
 - c. Provide CNLR Floodplain Development Permit.
- 3. Meet the requirements of the City Engineer, including:**
 - a. The first floors of any building are to be a minimum of 1' above any floodplain.
 - b. Prior to any excavation/street cuts within street ROW, obtain CNLR Excavation and Barricade Plan Application/Permit.
 - c. Driveway radii returns built to City Engineer's specifications.
 - d. Provide City Engineer drainage calculations for proposed facilities.
 - e. Provide final grading plan to City Engineer.
 - f. All driveways are to be concrete within the ROW.
 - g. Secure driveway/curb cut from City Engineer or AHTD if State Highway.
 - h. Coordinate utility easements with City Engineer.
- 4. Meet the requirements of Community Planning, including:**
 - a. Provide the standard requirements of Zoning and Development Regulations.
 - b. Dumpster to have masonry screening.
 - c. All exterior lighting shall be shielded and not encroach onto neighboring properties.
 - d. Reduce driveway width on 47th Street to 34' (moving the entrance further from Camp Robinson)
- 5. Meet the requirements of the Master Street Plan, including:**
 - a. Provide 6' sidewalks and ramps to ADA standards and City standards.
- 6. Meet the requirements of the Screening and Landscaping ordinance, including:**
 - a. All disturbed areas are to be sodded or seeded, fertilized, watered and mulched.
 - b. Provide automated underground irrigation to all required trees and shrubs.
 - c. Provide (9) street trees.

- d. Provide (3) parking lot shade trees, located on interior of lot.
 - e. Recommend waiver of continuous screen of shrubs for parking spots that face the ditch.
 - f. Recommend a 4 foot front landscape strip between property line and paving along Camp and 47th, instead of a 6 foot landscape strip.
- 7. Meet the following requirements concerning signage:**
- a. All signs require a permit and separate review.
 - b. Provide monument sign location on site plan.
 - c. Signage must meet the sign overlay district guidelines.
- 8. Meet the requirements of the Fire Marshal, including:**
- a. Provide an approved fire protection plan.
 - b. Meet Fire Marshal's requirements on fire hydrant location.
 - c. Provide all weather access to three sides of the building.
 - d. Fire hydrants to be within 400 feet of all areas of building.
 - e. All exterior portions of a building must be within 150' of a FD access road.
- 9. Meet the requirements of CAW, including:**
- a. Water is available to the site.
 - b. All CAW requirements in effect at the time of request for water service must be met.
 - c. Submit plans for water facilities and/or fire protection system to CAW for review.
 - d. Approval of plans by AR Dept. of Health Engineering Division is required.
 - e. Contact CAW for requirements on backflow protection on meter services.
 - f. Contact CAW for requirements on size and location of the meter.
- 10. Meet the requirements of NLR Wastewater, including:**
- a. Sewer is available to the site, but a main extension should be considered to cross drainage structure.
 - b. Standard commercial connection fee required.
 - c. Food service will require grease interceptor.
 - d. A complete set of drawings for development must be submitted to NLR Wastewater.
 - e. Approval of plans by AR Dept. of Health Engineering Division is required.

Mr. Dietz stated the applicant met with the Development Review Committee and has agreed to all the requirements. There were no additional comments from Commissioners or the audience. The motion to approve was passed with (8) affirmative and (1) absent votes.

Public Hearings:

1. **Special Use #748.** To allow car sales in a C-3 zone that requires a Special Use located at 4620 E. Broadway.

The applicant, Ms. Steffanie Mahaney, was present. She stated that she received and understood the conditions.

Mr. Spencer stated that there have been complaints from the neighbors saying the applicant has been selling cars from this location and staff and code has investigated and could not find proof of cars being sold.

Chairman Clifton asked if anyone in the audience or Commissioners would like to speak for or against the application.

Ms. Alexander stated the calls that she received was concerns for blocking the sidewalk. She stated that there's no room for cars to be parked there to be sold.

Ms. Mahaney stated that their agreement says that they can have no more than 6 vehicles and the way the parking lot is outlined, there is enough room for walking space and to park the cars.

Chairman Clifton explained that item 6 states: Only 5 vehicles on the lot shall include sales, employee, and customer vehicles.

Ms. Mahaney acknowledges the misunderstanding and stated that they do internet sales usually there maybe one vehicle on the lot along with their personal vehicles.

Ms. Alexander asked Ms. Mahaney if they have been selling cars on the lot.

Ms. Mahaney stated no cars have been sold on the lot, they have had customers come by and make payments on existing accounts from their Little Rock location.

Conditions:

1. No expansion of the parking lot is allowed without a future amendment to this Special Use request.
2. Fences shall not be allowed in the front yard of a vehicle sales lot, except as mandated under Article 15 hereof.
3. Existing fences located in the front yard of a vehicle sales lot shall be removed, unless required when adjacent to residential use.
4. Six foot wood privacy fence shall be required when vehicle sales lot abuts a residential use. Fences shall not extend beyond the front building line of the abutting residential use.
5. Vehicle sales lots shall not utilize barb wire or razor wire. Any existing barb wire or razor wire shall be removed.
6. Only 5 vehicles on the lot shall include sales, employee, and customer vehicles.
7. All exterior vehicle sales lot lighting, located on a building or free standing, shall be shielded and directed downward. Lighting shall be directed away from abutting residential uses.
8. Sales vehicles shall be displayed on one of the following surfaces: asphalt paving or concrete. Asphalt paving shall meet the standards of the City Engineer. Sales vehicles shall not be displayed on grass or gravel surfaces.
9. All signage shall meet the requirements of Article 14 of the zoning ordinance.
10. No inoperable or wrecked vehicles shall be stored or sold from the sales lot. Vehicle sales lots shall not store inoperable or wrecked vehicles, nor any parts thereof, as those terms are defined under the North Little Rock Property Maintenance and Nuisance Abatement Code.
11. Vehicle sales lot shall be maintained at all times.
12. Sales vehicles shall be locked and secured after business hours.
13. Sales vehicles shall not be used as storage.
14. Vehicle sales lot and any structures located on the lot shall meet all applicable Federal, State, County and City requirements and codes.
15. Business license to be issued after Planning Staff confirmation of requirements.
16. Business license holder understands that failure to comply with these conditions may result in loss of the Special Use and/or loss of Business License and/or removal of Electric Power Meter.

Chairman Clifton asked for a roll call vote on the application.

Alexander No Harris Yes

Belasco	No	Phillips	No
Chambers	Absent	White	Yes
Dietz	Yes	Clifton	Yes
Foster	Yes		

Special Use #748 was approved with (5) affirmative, (3) opposed and (1) absent votes.

2. **Rezone #1666 and Conditional Use #126.** To rezone property from R-1 to C-2 to allow offices, and a Conditional Use to allow contractor’s office, and a Land Use Plan amendment from single family to quiet business located at 3 Kierre Drive.

The applicants, Jason with Marlar Engineering, Jerry Thompson and Mr. Kerry, were present.

Mr. Spencer stated that the original request was for C-4, but staff worked with the applicant on changing the request to C-2.

Chairman Clifton asked if anyone in the audience would like to speak for or against the application.

Mrs. Lewis requested more information concerning this lot, what type of business will this be, the deterioration of a road between her lot and the applicant’s lot.

Mr. Thompson stated that the building would be used for light office space; it is not suitable for heavy equipment. He stated that where the road is deteriorated does not belong to them.

There was further discussion with Mr. Lewis, the applicants and the Commissioners about his concerns.

Chairman Clifton asked if anyone of the Commissioners would like to speak on the application.

There were no further comments.

Conditions:

1. No outside storage,
2. Meet all buffer requirements,
3. Office uses only – no retail sales,
4. Applicant must meet all applicable Federal, State, County and City requirements,
5. Business license to be issued after Planning Staff confirmation of requirements,
6. Applicant/owner understands that failure to comply with these conditions may result in loss of the Conditional Use and/or loss of Business License and/or removal of Electric Power Meter.

Chairman Clifton asked for a roll vote on the application.

Alexander	Yes	Harris	Yes
Belasco	Yes	Phillips	Yes

Chambers	Absent	White	Yes
Dietz	Yes	Clifton	Yes
Foster	Yes		

Rezone #1666 & Conditional Use #126 was approved with (8) affirmative and (1) absent votes.

3. **Special Use #754.** To allow a 3’x4’ Electronic Changeable Copy gas price sign located at 623 N Cypress.

The applicant, Mr. Steve Morley, was present.

Chairman Clifton asked if anyone in the audience or Commissioner would like to speak for or against the application.

Mr. Foster asked why so many restrictions for LED signs.

Mr. Spencer stated that City Council met for over a year on this topic, and a long list of restrictions were developed to allow these type of signs.

There were no further comments.

Conditions:

1. Allow a maximum of 3’ x 4’ ECC gas price sign, that is static with a message change to occur no more than once per day,
2. No scrolling or movement of copy in text area,
3. Current time and temperature change of copy allowed,
4. No advertising of goods permitted in text area of sign,
5. Applicant must meet all applicable Federal, State, County and City requirements,
6. Applicant/owner understands that failure to comply with these conditions may result in loss of the Special Use and/or loss of Business License and/or removal of Electric Power Meter.

Chairman Clifton asked for a roll call vote on the application.

Alexander	Yes	Harris	Yes
Belasco	Yes	Phillips	Yes
Chambers	Absent	White	Yes
Dietz	Yes	Clifton	Yes
Foster	Yes		

Special Use #754 was approved with (8) affirmative and (1) absent votes.

Public Comment/Adjournment:

Mr. White inquired about home office business licenses, what are the requirements to retain a home office business license. He also inquired about clean up committee that was assigned by City Council.

A motion was made to adjourn and it was seconded. The motion passed with (8) affirmative votes and the meeting was adjourned at 5:35 pm.