

North Little Rock Planning Commission
Regular Meeting
May 12, 2015

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
Chambers
Dietz
Foster
Harris
Phillips
Clifton, Chairman

Absent Members:

White

Staff Present:

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

Other Members Present:

Alderman Beth White
Alderman Debi Ross

Approval of Minutes:

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

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

Administrative:

Presentation from Traffic Engineer - Postponed

Subdivision Administrative:**A. NS-2437-15 Harris Industrial Park, Lots 1AR and 2AR (Replat of lots located at the NE corner of Harris and Diamond Drive)**

- 1. Requirements before the final plat/replat will be signed:**
 - a. Pay the drainage fee of \$5000/acre instead of providing on-site detention.
 - b. Final plat/replat will be submitted in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.
- 2. Meet the requirements of the City Engineer, including:**
 - a. Owner's Engineer shall submit final plat to City Engineer prior to receiving final Planning Department approval.
 - b. Show Developer's name and address.
 - c. Show street centerlines and ROW lines.
- 3. Meet the requirements of Community Planning, including:**
 - a. Provide the standard requirements of Zoning and Development Regulations.
 - b. No fence is to be within a front building line.
 - c. Continue 15' utility easements along frontage of both lots and along the western property line of lot 1AR. Provide 10' utility easement along all other property lines.
 - d. Site Plan Review required for any development.
- 4. Meet the requirements of the Master Street Plan.**
- 5. Meet the requirements of the Screening and Landscaping ordinance.**
- 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.
- 8. Meet the requirements of CAW, including:**
 - a. All CAW requirements in effect at the time of request for water service must be met.
 - b. Submit plans for water facilities and/or fire protection system to CAW for review.
 - c. Approval of plans by AR Dept. of Health Engineering Division is required.
 - d. Contact CAW for requirements on backflow protection on meter services.
 - e. Contact CAW for requirements on size and location of the meter.
- 9. Meet the requirements of NLR Wastewater, including:**
 - a. Provide a 10' Sanitary Sewer Easement along the perimeter of both lots.
 - b. Provide a 15' Sanitary Sewer Easement along the centerline of the existing gravity sanitary sewer lines along Diamond Road for both lots.
 - c. Show the location of the existing sewer facilities, mains, size, flow line elevations, rim elevations, etc.
 - d. Field verifies the location of the existing waterline, sewer force main and gravity line to confirm easement locations.
 - e. Provide documentation or easement information for the existing water line along Diamond Road. It appears there are overlapping conflicts of easements for the water line and sewer mains.

Mr. Chambers 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.

B. NS-2438-15 Rock City Crossfit Addition, Lot 1 (preliminary plat and Site Plan Review of a fitness center located at 6910 Dewafflebakker Drive) – POSTPONED

C. Rep-2439-15 Horseshoe Lake Estates, Lot A, B, C (replat of 7 residential lots into 3 residential lots located at the NW corner of Highway 165 and Planters Row)

- 1. Meet the County’s requirements.**
- 2. Requirements before the final plat/replat will be signed:**
 - a. County must sign plat before the City will sign the plat.
 - b. Final plat/replat will be submitted in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.
- 3. Meet the requirements of the City Engineer, including:**
 - a. Owner’s Engineer shall submit final plat to City Engineer prior to receiving final Planning Department approval.
 - b. Show legal descriptions on final plat.
 - c. Show Developer’s/Owner’s name and address on final plat.
 - d. Show and label ROW widths of streets.
 - e. Show zoning within and around plat.
- 4. Meet the requirements of Community Planning, including:**
 - a. Provide the standard requirements of Zoning and Development Regulations.
 - b. Provide 10’ utility easements around property perimeter.
- 5. Meet the requirements of the Master Street Plan, including:**
 - a. Provide signed sidewalk waiver for lot C.
- 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.
- 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.
- 8. Meet the requirements of CAW, including:**
 - a. CAW does not provide service in this area.
- 9. Meet the requirements of NLR Wastewater, including:**
 - a. NLRWW does not provide service in this area.

Mr. Chambers 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.

D. NS-2376-13 Seema Commercial Addition, Lot 1 (one-time, one year extension)

E. Rep-2378-13 Meadowlane Acres, Lot 36R (one-time, one year extension)

Public Hearings:

1. Special Use #782. To allow a daycare center in an R-3 zone located at 1217 West 22nd Street.

The applicant, Mrs. Tureana Smith-Johnson, was present.

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

Mr. Chambers asked for a clarification on item 9 under recommendations.

Mr. Spencer stated that this doesn't stop this application, it is to make applicant aware of surroundings.

Chairman Clifton asked if there were any further comments.

There were no further comments.

Conditions:

1. Hours of operation to be Mon – Fri, 6am-6pm.
2. Playground fence to be 6' wood privacy.
3. Playground to be directly accessed from the building.
4. Playground to have emergency exit away from the building.
5. applicant must meet all applicable Federal, State, County and City requirements,
6. business license to be issued after Planning Staff confirmation of requirements,
7. 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.
8. playground to meet DHS and City of NLR requirements for playground surface and equipment,
9. All daycare centers / home daycares shall perform a sex offender residence check through the NLR Police Department according to their rules and procedures, to determine if a level 3 or level 4 registered sex offenders resides within 2000 feet of the proposed site for the daycare center / home daycare facility.

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

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

Special Use # 782 was approved with (8) affirmative and (1) absent votes.

2. Special Use #783. To allow a daycare center in a C-1 zone located at 5307 JFK.

The applicant, Mr. Henry Rainey, was present.

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

Mr. Spencer stated that he has received phone calls concerning traffic and parking.

Mrs. Rainey stated that they will provide transportation for the children that come to the daycare to prevent an overflow of traffic at this location.

Mr. Spencer stated that parking on the neighbor's lot is not allowed due to the limitation of parking.

Chairman Clifton asked if there were any further comments.

Ms. Belasco stated that she also received phone calls concerning traffic and parking.

Mr. Rainey stated that they provide occupational and speech therapy for the children at this location, and they are offering daycare services to reinforce what they are already doing.

Conditions:

1. Hours of operation Mon – Fri, 5am-10pm
2. Playground fence to be 6’ wood privacy.
3. Playground to be directly accessed from the building.
4. Playground to have emergency exit away from the building.
5. applicant must meet all applicable Federal, State, County and City requirements,
6. business license to be issued after Planning Staff confirmation of requirements,
7. 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.
8. playground to meet DHS and City of NLR requirements for playground surface and equipment,
9. All daycare centers / home daycares shall perform a sex offender residence check through the NLR Police Department according to their rules and procedures, to determine if a level 3 or level 4 registered sex offenders resides within 2000 feet of the proposed site for the daycare center / home daycare facility.

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

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

Special Use #783 was approved with (8) affirmative and (1) absent votes.

3. Special Use #784. To allow a microbrewery in a C-6 zone located at 314 Maple Street.

The applicant, Mr. Jess McMullen, was present.

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

Mr. Chambers asked staff if there was anything on this plan that the Mainstreet overlay district design review board has to review such as dumpster, landscaping, etc.

Mr. Voyles stated that they are reoccupying an existing building, the overlay district address new construction and additions.

Mr. McMullen stated that the dumpster is currently behind their building

Mr. Clifton asked staff if they are not required to do a site plan review, when these issues comes into review.

Mr. Voyles stated that normally a site plan review is when you build some new or change something on the site. This is a reuse of a building and he is unaware of any changes at this time. He stated he will check the overlay.

Mr. Chambers recommended that staff review the overlay district.

Chairman Clifton asked if there were any other comments.

There were no further comments.

Conditions:

1. applicant must meet all applicable Federal, State, County and City requirements,
2. business license to be issued after Planning Staff confirmation of requirements,
3. 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.
4. Existing dumpster, or any future dumpster, will be screened and located at the rear of the building.

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

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

Special Use #784 was approved with (8) affirmative and (1) absent votes.

4. Special Use #786. To allow an event center in a C-3 zone located at 4514 Lynch Drive.

The applicant, Ms. Teresa Bridgeforth, was present.

Chairman Clifton asked if Ms. Bridgeforth spoke with the fire department.

Ms. Bridgeforth stated that she spoke with Captain Wilson and he inspected the building, they have done everything that was required. Captain Wilson stated that she wouldn't be required to have a sprinkler system.

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

Ms. Alexander asked approximately how many people will this building hold and will there be enough parking. She also asked if there will be any alcohol.

Ms. Bridgeforth stated that Captain Wilson said that the building will hold up to 300 people but they will only host events for 150 people. There is plenty of parking and no alcohol allowed.

Chairman Clifton asked if there were any further comments.

There were no further comments.

Conditions:

1. Hours of operation are Mon-Thu, noon to midnight and Fri-Sat noon to 1 am;
2. No alcohol will be sold or allowed to be served at this establishment;
3. Security will be provided at all events,
4. A valid business license will only be issued after Planning Staff confirmation of requirements;
5. 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; and
6. Applicant must meet all applicable Federal, State, County and City requirements.

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

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

Special Use #786 was approved with (8) affirmative and (1) absent votes.

5. Conditional Use #139. To allow vehicle sales in a C-4 zone located at 2914 Pike Ave.

The applicant, Mr. Bryant Mason, was present.

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

There were no comments.

Conditions:

1. Hours of operation, Mon-Sat, 7am-7pm
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. There shall be a ratio of one vehicle per every 450 square feet of open lot area. This ratio shall include sales, employee, and customer vehicles. Open lot area does not include any structures. Number of vehicles limited to 10 vehicles on the lot at any one time.

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

Conditional Use #139 was approved with (8) affirmative and (1) absent votes.

6. Rezone #1723. To down zone property from I-2 to I-1 to allow a fitness center located at 6910 Dewafflebakker Drive. **POSTPONED**
7. Public Hearing #1711. Review the Park Hill Development Overlay.

Mr. Voyles gave a brief presentation of the new regulations and zoning reclassification for the commercial area.

Chairman Clifton stated that in this study there are provisions throughout for waivers and variances on any of the regulations. He stated that there has been a miscommunication about this and some people thought this would be ironclad and their property would have to meet every regulation in this study without having the opportunity to request a waiver.

Mr. Voyles stated that was a big part of the debate on this study, the current proposal is if you come with a request that fits the regulations, staff looks at it and approves the permit, and you can start construction. If you were turned down by the Planning Commission, you may appeal to the City Council, which is the way it is done now.

There were further comments and concerns from the Commissioners.

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

Ms. Lambert with Central Arkansas Transit spoke positive about Park Hill and Levy Development Overlay.

Mr. Winchester is in favor of the Park Hill development overlay.

Ms. Hubbard is representing the Park Hill neighborhood association, she stated that they strongly support this Jump Start plan.

Mr. Michael agrees with the plan but not all the details of this plan. He expressed his concerns about making parking secondary.

Mr. Dan Scott is in favor of this project.

Ms. Jenna Rhodes explained that this plan came from the community, she explained how the committee and community came together and put this plan together.

A motion was made and seconded to send the Park Hill jump start to the City Council.

Chairman Clifton asked for a roll call vote on this public hearing.

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

Public Hearing #1711 was approved with (8) affirmative and (1) absent votes.

8. Public Hearing #1712. Review the Levy Development Overlay.

Mr. Voyles stated that the Levy area is very similar to Park Hill area. He gave a brief description about the Levy area.

Chairman Clifton asked if anyone would like to speak on this public hearing.

Ms. Cheryl River is in support of this plan but expressed her concerns about the business that are there now.

Mr. Brian Ashley is in support of this plan. He expressed his concerns about the regulations and safety.

Mr. Jerry Guzman is in favor of this plan.

A motion was made and seconded to move this Levy Overlay to the City Council.

Chairman Clifton asked for a roll call vote of this public hearing.

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

Public Hearing #1712 was approved with (8) affirmative and (1) absent votes.

9. Public Hearing #1725. To amend the permitted use table and the definitions of the zoning ordinance.

Mr. Spencer stated that these changes and additions would clean up the zoning ordinance and recognize some of the uses that were added during the Jump Start process.

Chairman Clifton asked for a roll call vote on this public hearing.

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

Public Hearing #1725 was approved with (8) affirmative and (1) absent votes.

Public Comments/Adjournment:

Mr. Timothy Armstead inquired about the Silver City area and around the Glory Land Baptist Church.

Mr. Voyles stated that Silver City will be reconstructed with modern homes.

A motion was made to adjourn and it was seconded. The motion passed with (8) affirmative votes and the meeting was adjourned at 6:20 pm.