

North Little Rock Planning Commission
Regular Meeting
March 13, 2018

Chairman Clifton called the regular meeting of the North Little Rock Planning Commission to order at 4:00 PM in the Council Chambers, City Hall.

Members Present:

Banks
Belasco
Chambers
Dietz
Foster
Phillips
Wallace
White
Clifton, Chairman

Staff Present:

Shawn Spencer, Director
Timothy Reavis, City Planner
Marie Miller, Deputy City Attorney
Keisa Stewart, Secretary
John Pflasterer, Fire Marshal
Shannon Carroll, City Clerk
Robert Birch, Mayor Office

Approval of Minutes:

Motion was made and seconded to excuse Mr. Banks and Ms. Belasco from today's meeting. The motion was approved with (7) affirmative votes.

Motion was made and seconded to approve the February meeting minutes as submitted. The minutes were approved with (7) affirmative votes.

Administrative:

Subdivision Administrative:**A. SD2018-8 Springhill Campus Baptist Memorial Medical, Lots 1AR & 1BR
(Replat of hospital property west of Springhill Dr.)**

- 1. Planning requirements before the final plat/replat will be signed:**
 - a. Final plat/replat will be submitted to NLR Planning Department in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.
 - b. Provide 80' wide access easement around the internal perimeter to allow access to the private drive (Healthcare and Hospital drive)
 - c. Provide 10' utility easements around property perimeter.
 - d. Provide 40' building setback around property perimeter.
 - e. Provide 15' sanitary sewer easement for the 8" public sanitary sewer main that crosses Healthcare Drive.
- 2. Meet the requirements of Community Planning, including:**
 - a. Provide the standard requirements of Zoning and Development Regulations.
- 3. Meet the requirements of the Master Street Plan.**
- 4. Meet the requirements of the Fire Marshal.**
- 5. Meet the requirements of CAW, including:**
 - a. All CAW requirements in effect at the time of request for water service must be met.
 - b. If there are facilities that need to be adjusted and/or relocated, contact CAW. That work will be done at the expense of the developer.
- 6. Meet the requirements of NLR Wastewater, including:**
 - a. Provide 15' sanitary sewer easement for the 8" public sanitary sewer main that crosses Healthcare Drive.
 - b. A complete set of drawings for development must be submitted to NLR Wastewater.
 - c. Approval of plans by AR Dept. of Health Engineering Division is required.

Mr. Chambers stated the applicant met with the Development Review Committee and has agreed to all the requirements. Mr. Clifton asked who was the representative for this application. Mr. Spencer stated that staff was representing for the applicant. There were no additional comments from Commissioners or the audience. The motion to approve passed with (8) affirmative and (1) absent votes.

B. SD2018-9 River Breeze at Northshore, Lot 6A (SPR of a commercial lot located at 5410 Northshore Ct.)

- 1. Permit requirements/approvals submitted before a building permit will be issued:**
 - a. Provide bond or replace all missing landscape that was previously agreed on for lot 6B.
 - b. Provide CNLR Grading Permit application to City Engineer with grading plans.
 - c. Provide CNLR Stormwater Permit application to City Engineer with half size erosion control plan showing silt fence, storm inlet protection, and drainage details.
 - d. Provide copy of Arkansas Department of Health approval for water and sewer facilities to NLR Planning Department.
 - e. Prior to construction, Owner's Architect/Engineer shall submit approved preliminary plat, construction plans and specifications (PDF format) to NLR Planning Department.
- 2. Meet the requirements of the City Engineer, including:**

- a. At the end of construction, Owner/Developer shall have a Professional Engineer, licensed in the State of Arkansas, certify that all street and stormwater improvements in conjunction with this subdivision and/or the proposed development have been inspected and constructed in accordance with the approved plans and meet all City of North Little Rocks Standard Specifications.
- 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.
- 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 4 street trees as shown.
 - d. Provide 21 parking lot shade trees as shown
 - e. Parking lot shade trees must be located within the parking lot or a maximum distance of 10' from the edge of the parking lot.
 - f. Provide a continuous screen of shrubs for any parking spots that face a street or abutting property.
 - g. Provide buffer between dissimilar uses or zoning. Do not remove trees from full buffers.
- 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. Fire hydrants to be within 400 feet of all areas of building.
- 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. If there are facilities that need to be adjusted and/or relocated, contact CAW. That work will be done at the expense of the developer.
 - c. Meet CAW requirements for RPZ, private facilities, fire sprinkler systems, meter size, and meter location.
 - d. Approval of plans by AR Dept. of Health Engineering Division is required.
 - e. Proposed water facilities will be sized to provide adequate pressure and fire protection.
- 9. Meet the requirements of NLR Wastewater, including:**
 - a. Connect service line to manhole by core drilling the manhole and installing a Kor-n-seal boot.
 - b. Show proposed service line route and point of connection on plans.
 - c. White Oak connection fee applies.
 - 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. 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 passed with (9) affirmative votes.

C. SD2018-10 Robert McNutt Subdivision, Lot 1 (Preliminary Plat & SPR of commercial property located at 5322 Chiquito Rd.)

1. Planning requirements before the final plat/replat will be signed:

- a. Final plat/replat will be submitted to NLR Planning Department in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.
- b. Pay the drainage in-lieu fee of \$5000/acre for any increase of impervious surface.
- c. Provide 10' utility easements around property perimeter.
- d. Provide 30' building setback along all sides except a 40' building setback along Hwy 161. Allow existing building on Chiquito to encroach into the front building line.

2. Permit requirements/approvals submitted before a building permit will be issued:

- a. A signed and recorded plat must be on file with the Planning Department.
- b. Provide CNLR Stormwater Permit application to City Engineer with half size erosion control plan showing silt fence, storm inlet protection, and drainage details.
- c. Provide CNLR driveway permit application to City Engineer.
- d. Provide copy of Arkansas Department of Health approval for water and sewer facilities to NLR Planning Department.
- e. Prior to construction, Owner's Architect/Engineer shall submit approved preliminary plat, construction plans and specifications (PDF format) to NLR Planning Department.
- f. Prior to construction, Owner's Architect/Engineer shall submit digital maps for all stormwater drainage features in an ArcGIS or AutoCAD file to the City Engineer. The digital maps shall be natively in State Plane coordinate system, Arkansas North Zone, North American Datum 1983, units as feet; or the map must have sufficient points for georeferencing. The associated attribute data table from the submitted file shall match the fields contained within the "SW Attribute Data Entry Template.xlsx" as provided by City Engineering Department. All Control, Linear, and Junction map features will be annotated by a unique identifier that will correspond to the same unique identifier in the "SW Attribute Data Entry Template.xlsx" or GIS attribute table. Data for each attribute column in the "SW Attributed Data Entry Template.xlsx" file shall be chosen from the drop-down options of each cell, or chosen as "Other" (if not listed) and described in the comments field. At the completion of the project, As-Builts of these shapefiles in ArcGIS or AutoCAD format, along with associated attribute data table, shall be submitted to the City Engineer.

3. Meet the requirements of the City Engineer, including:

- a. Prior to any excavation/street cuts within street ROW, provide CNLR Excavation Permit to City Engineer and Barricade Plan Permit to NLR Traffic Services.
- b. Contractor shall notify City Engineer at least 1 day prior to the construction of all stormwater pipes and inlet structures within City ROW.
- c. At the end of construction, Owner/Developer shall have a Professional Engineer, licensed in the State of Arkansas, certify that all street and stormwater improvements in conjunction with this subdivision and/or the proposed development have been inspected and constructed in accordance with the approved plans and meet all City of North Little Rocks Standard Specifications.
- d. Driveway radii shall be labeled and have 25' minimum radii and be built according to CNLR standard details (available at NLR Engineering Department).
- e. Cross drains in the ROW shall be labeled and shall be RCP with flared end sections.
- f. All driveways are to be concrete within the ROW.

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. No fence is to be within a front building line.
 - d. All exterior lighting shall be shielded and not encroach onto neighboring properties.
- 5. 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 or signed waiver.
- 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 (4) street trees.
 - d. Provide a continuous screen of shrubs for any parking spots that face a street or abutting property.
 - e. Provide 6 foot front yard landscape strip between property line and paving.
 - f. Provide 4 foot side yard landscape strip between property line and paving.
 - g. Provide buffer between dissimilar uses or zoning. Do not remove trees from full buffers.
- 7. 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.
- 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. The existing building is 1000 feet from the nearest fire hydrant. Fire hydrants to be within 400 feet of all areas of building.
- 9. Meet the requirements of CAW, including:**
- a. All CAW requirements in effect at the time of request for water service must be met.
 - b. If there are facilities that need to be adjusted and/or relocated, contact CAW. That work will be done at the expense of the developer.
 - c. Meet CAW requirements for RPZ, private facilities, fire sprinkler systems, meter size, and meter location.
 - d. Approval of plans by AR Dept. of Health Engineering Division is required.
 - e. Proposed water facilities will be sized to provide adequate pressure and fire protection.
- 10. Meet the requirements of NLR Wastewater, including:**
- a. A complete set of drawings for development must be submitted to NLR Wastewater.
 - b. Approval of plans by AR Dept. of Health Engineering Division is required.
 - c. Provide a 15' sanitary sewer easement for portion of public sewer main not installed within the public ROW.
 - d. Provide proposed grading detail near manhole on the southern property line.

Mr. Chambers stated the applicant met with the Development Review Committee and has agreed to all the requirements. Mr. Foster asked if the applicant met the requires for the fire hydrants. The applicant stated that they have met those requirements. The applicant asked for a waiver for the sidewalk requirement. Mr. White asked what is the hardship for the sidewalk waiver. The applicant stated that there was not any sidewalks in the area. Mr. Chambers stated that industrial street doesn't require sidewalks. Mr. White stated his disagreement with the sidewalk waiver. Mr. Clifton stated that the council has the right to approve or disapprove the waiver. He asked if there is a motion to grant/recognize his waiver with the condition the mayor signs the waiver. The motion was made and seconded. Chairman Clifton asked for a vote on the motion. The motion passed with (7) affirmative and (2) opposed votes. There were no additional comments from Commissioners or the audience. The motion to approve passed with (9) affirmative votes.

D. SD2018-11 Park Hill Addition, Lots 6A & 6B, Block 135 (Replat of residential property located at 1522 Skyline Dr.)

- 1. Planning requirements before the final plat/replat will be signed:**
 - a. Final plat/replat will be submitted to NLR Planning Department in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.
 - b. Pay the drainage in-lieu fee of \$500/acre for residential development instead of providing on-site detention.
 - c. Provide a 15' front building line on both lots.
 - d. Provide a 25' rear building line on both lots.
- 2. Permit requirements/approvals submitted before a building permit will be issued:**
 - a. A signed and recorded plat must be on file with the Planning Department.
 - b. Provide CNLR Stormwater Permit to City Engineer with stormwater plans showing silt fence, storm inlet protection, and drainage details.
 - c. Provide CNLR driveway/curb cut permit to City Engineer.
 - d. Prior to any excavation/street cuts within street ROW, provide CNLR Excavation Permit to City Engineer and Barricade Plan Permit to NLR Traffic Services.
- 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 with a minimum of 5' green space between sidewalk and curb to ADA standards and City standards or signed waiver.
- 5. Meet the requirements of the Fire Marshal, including:**
 - a. Provide an approved fire protection plan.
 - b. Fire hydrants to be within 400 feet of all areas of building.

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 passed with (9) affirmative votes.

E. SD2018-12 Argenta Addition, Lot 10-R (Replat of commercial property located at 515 N. Olive St.)

- 1. Planning requirements before the final plat/replat will be signed:**
 - a. Final plat/replat will be submitted to NLR Planning Department in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.
 - b. Detention will be determined during the Site Plan Review process.
- 2. Permit requirements/approvals submitted before a building permit will be issued:**
 - a. A signed and recorded plat must be on file with the Planning Department.
 - b. Any development must be approved through the Site Plan Review process.
- 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.**
- 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. Screening and landscaping will be determined during the Site Plan Review process.
- 6. Meet the following requirements concerning signage.**
- 7. Meet the requirements of the Fire Marshal, including:**
 - a. Provide an approved fire protection plan.

- b. Fire hydrants to be within 400 feet of all areas of building.

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 passed with (9) affirmative votes.

Public Hearings:

1. Special Use #2018-2 (POSTPONED)

To allow a mobile home in an R-2 zone located at 7001 Faulkner Lake Rd.

2. Rezone #2018-1

To rezone from R-1 to I-3 to allow for a conditional use for mining and selling topsoil at the property located west of Graham Ave and north of Page Mill Road.

The applicant, Josh Minton with Minton Engineering representing Tim Mitchell, was present. He stated that a change was made to the plan sheet after meeting with Chris Wilbourn, the typical section of the property, they changed the slope from a 3 to 1 to a 4 to 1. That takes them out of any requirements for hillside encroachment ordinance.

Mr. Chambers inquired about the southwestern edge of the excavation, he stated that it would make more sense and be less abusive to the neighborhood if it had a regular edge. He mentioned in the cross section the maximum depth was 4', he asked how will they measure it.

Mr. Minton stated that they will have a minimum 50' natural vegetative buffer. Mr. Minton stated that he wasn't sure about the measurement inspection and asked if the City has an inspector.

Mr. Spencer stated that the City issues grading permits and there is an inspector to check it.

Mr. Foster asked how does the 4 foot excavation relate to the lake in the back, he said it looks like this would extend into the lake.

Mr. Minton stated that this will not be a lake, the area will be precision level that will be used for agriculture purposes. It will not hold water at all times, it will act as a detention pond under heavy rain. He showed the Commissioners a map that shows the elevations of the lot and explains where the rain water will flow once the lake fills up.

Mr. Chambers asked how accurate is PAgis regarding the land elevations.

Mr. Spencer stated that PAgis did a LiDar and its fairly accurate.

Mr. Foster asked if the meeting with Chris Wilbourn, the City Engineer, was to approve the hillside cut and not the grading.

Mr. Spencer stated that the City Engineer did a study and met with Mr. Minton regarding the hillside cut requirements and that is why the slope was change to 4 to 1. He stated that staff had issues with the zoning to I-3. The recommendation is to rezone to R-2 with a special use and the Commissioners can add conditions.

Mr. Banks stated that he has received calls from some of the neighbors with concerns of dust and future development of the land after all the mining is done.

Mr. Spencer stated that the definition of mining is 4 foot deep. If someone want to do residential subdivision, staff would review it and they could build however many houses, it would be the same amount of dirt/dust being moved.

Chairman Clifton asked about the time frame for this project.

Mr. Tim Mitchell stated the hours of operation can be set by the neighbors or whomever. He said that the time line would be less than 5 years. He agreed to amend the application to an R-2 with a special use.

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

Banks	No	Dietz	Yes	Wallace	No
Belasco	Yes	Foster	Yes	White	Yes
Chambers	Yes	Phillips	Yes	Clifton	Yes

Rezone #2018-1 was approved with (7) affirmative and (2) opposed votes.

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

Mr. Melvin Peoples is opposed to this application. He expressed his concerns about the existing mosquito farm and the noise issues.

Ms. Rebecca Lewis is for this application.

Chairman Clifton asked if there was a motion to reconsider the previous vote.

There was no motion to reconsider and the vote stands as is.

3. ~~Conditional Use~~ Special Use #2018-1

To allow mining and selling topsoil in an ~~R-2~~ R-2 zone located west of Graham Ave & north of Page Mill Rd.

Mr. Spencer stated that this was a conditional use case but it is changing to a special use with conditions and the Commissioners can add conditions.

Mr. Chambers asked if the applicant needed to change his request for the record.

The applicant, Mr. Tim Mitchell, was present. He asked to change his application from a conditional use to a special use.

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

Ms. Martha Capps representing the Rose City neighborhood association, they are opposed to rezoning this property. She expressed her concerns about the hauling of dirt and traffic.

Chairman Clifton explained that the application was amended from an I-3 to R-2, which is the existing zoning in the area. He stated that the applicant is asking for a special use to use this property for mining.

Ms. Mary Legs is opposed to this application. She expressed her concerns with flooding.

Ms. Kathy Stewart is opposed to the application.

Mr. Chambers made a motion to add hours of operation Monday – Saturday 8-5. The motion was approved with (8) affirmative and (1) opposed votes.

Conditions:

1. All work to cease until the City Engineer has given approval.
2. Selling of topsoil only allowed for 2 years from the City Council approval.
3. Provide the following to the City Engineer:
 - a. Corps of Engineers (COE) 404 Clearance/Permit or documentation that says such permit is not required.
 - b. CNLR Grading Permit application with grading plans.
 - c. CNLR Stormwater Permit application with erosion control plan showing silt fence, storm inlet protection, and drainage details.
 - d. CNLR Floodplain Development Permit application.
 - e. Arkansas Department of Environmental Quality (ADEQ) Stormwater Permit.
4. Applicant to meet the Zoning Ordinance buffer requirements.
5. All new construction must go through the Site Plan Review process.
6. All public streets may be used for haul trucks but stone tracking pads must be utilized before trucks re-enter streets from construction site to keep streets clear of debris.
7. Access to site is to be only via Page Mill Road and Texoma Ave.
8. Any blasting requires permit from the Fire Marshal.
9. Business license to be issued after Planning Staff confirmation of requirements.
10. 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.
11. Hours of operation are Monday – Saturday 8 am – 5 pm.

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

Banks	Yes	Dietz	Yes	Wallace	No
Belasco	Yes	Foster	Yes	White	Yes
Chambers	No	Phillips	Yes	Clifton	Yes

Special Use #2018-1 was approved with (7) affirmative and (2) opposed votes.

4. Conditional Use #2018-2

To amend a conditional use for metal work and custom fabrication in a C-4 zone to allow for a garage door on the front of the building.

The applicant, Jason with Marlar Engineer, 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. Meet the requirements of the Site Plan Review Process
2. Allow garage door on front of building.
3. No outdoor storage of materials
4. Scrap metal dumpster to be located behind 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 conditional 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.

Banks	Yes	Dietz	Yes	Wallace	Yes
Belasco	Yes	Foster	Yes	White	Yes
Chambers	Yes	Phillips	Yes	Clifton	Yes

Conditional Use #2018-2 was approve with (9) affirmative votes.

5. Rezone #2018-5

To rezone from C-3 to R-1 and to amend the land use plan from community shopping to single family to allow for a single-family residence.

The applicant, Mr. Rudy Ealy, 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.

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

Banks	Yes	Dietz	Yes	Wallace	Yes
Belasco	Yes	Foster	Yes	White	Yes
Chambers	Yes	Phillips	Yes	Clifton	Yes

Rezone #2018-5 was approved with (9) affirmative votes.

Public Comments/Adjournment:

A motion made to adjourn and it was seconded. The motion passed with (9) affirmative votes and the meeting was adjourned at 4:58 pm.

Respectfully Submitted:

Keisa Stewart, Secretary

Shawn Spencer, Director