

**North Little Rock Planning Commission
Regular Meeting
December 8, 2020**

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 In-person:

Clifton, Chairman
Chambers
Foster

Members Present via Phone / Zoom:

Banks
Belasco
Dietz
Phillips
Wallace
White

Staff Present:

Shawn Spencer, Director
Tim Reavis, Assistant Planning Director
Elaine Lee, Assistant City Attorney
David Cook, City Engineer's Office

Approval of Minutes:

Motion was made and seconded to approve the November meeting minutes. The minutes were approved with (9) affirmative votes.

Administrative:

Chairman Clifton announced that item #8 was withdrawn and item #9 was postponed

Planning Commission Items:

1. **SD2019-22 To allow a one time, one year extension of Maverick Addition, Tract 1A-R (SPR of an industrial shops building located at 13301 Valentine Rd.)**
1. **Permit requirements/approvals submitted before a building permit will be issued:**
 - a. Provide stormwater plan including detention calculations showing pre and post site runoff, demonstrating that proposed detention volume is sufficient.
 - b. Provide CNLR Stormwater Permit with stormwater plans showing silt fence, storm inlet protection, and drainage details.
 - c. Provide CNLR Floodplain Development Permit.
 - d. Provide Arkansas Department of Environmental Quality (ADEQ) Stormwater Permit.
 - e. Provide Arkansas Department of Health approval for water and sewer facilities.
 - f. Prior to construction, Owner's Architect/Engineer shall submit approved construction plans and specifications (PDF format) to the City Engineer.
2. **Meet the requirements of the City Engineer, including:**
 - a. Provide grading plan and detailed contours for detention ponds.
 - b. 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. All exterior lighting shall be shielded and not encroach onto neighboring properties.
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, fertilized, watered and mulched.
 - b. Provide automated underground irrigation to all required trees and shrubs.
 - c. Provide street trees 40' on center. In lieu of planting shade trees for the truck parking spaces, plant street trees along Valentine Rd from the driver's quarters to the end of the property.
 - d. Provide (24) 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 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.
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. Gravel areas shall be able to support 75,000 lbs per the 2012 Fire Code.
 - d. Sprinkler system required.
8. **Meet the requirements of CAW.**
9. **Meet the requirements of NLR Wastewater, including:**

- a. Please make a formal submittal to NLRW for review and approval.
- b. Provide oil interceptor.

10. Meet the requirements of Rock Region Metro (CATA)

The applicant’s representative, Robert Brown, was present.
 There were no comments from the Commissioners.
 There were no comments from the audience.

Chairman Clifton called for a vote.

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

The application passed with (9) affirmative votes.

2. SD2020-55 Military Heights Renewal Addition, Block 23, Lot 1R (Replat and SPR for a commercial building expansion at 2501 Willow St.)

1. Engineering requirements on detention:

- a. Pay the drainage in-lieu of fee of \$5000/acre instead of providing onsite detention.

2. Engineering requirements before a certificate of occupancy will be issued:

- a. Provide ½ street improvements to the end of the property along W. 25th (sidewalk, street lights) or a performance bond.

3. Planning requirements before the plat will be signed:

- a. Plat will be submitted to NLR Planning Department in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.
- b. Provide 10’ utility easement along Willow St. & W. 25th St. as shown.
- c. Provide 6’ utility easement along north property line as shown.
- d. Provide 25’ building setback lines along Willow St. & W. 25th St. as shown.

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

- g. A signed and recorded plat must be on file with the Planning Department.
- h. Prior to construction, Owner’s Engineer shall submit stormwater design report for review and approval by the City Engineer. Stormwater plans and detention calculations are to be approved by City Engineer and a written approval provided to Planning Department. Drainage submittal shall include, as a minimum, the following:
 - i. Proposed pipe material specifications.
 - ii. Proposed trench and bedding details, materials and specifications.
- i. Provide CNLR Grading Permit application to City Engineer with grading plans.
- j. Provide CNLR Stormwater Permit application to City Engineer with half size erosion control plan showing silt fence, storm inlet protection, and drainage details.
- k. Provide CNLR driveway/curb cut permit application to City Engineer or copy of ARDOT driveway permit if State Highway.
- l. Provide CNLR Floodplain Development Permit application to City Engineer.

- m. If applicable, Provide copy of Arkansas Department of Environmental Quality (ADEQ) Stormwater Permit to City Engineer.
 - n. Prior to construction, Owner's Architect/Engineer shall submit signed construction plans and specifications (PDF format) to NLR Planning Department.
- 5. Meet the requirements of the City Engineer, including:**
- c. Prior to any excavation/street cuts within street ROW, provide CNLR Excavation Permit to City Engineer and Barricade Plan Permit to NLR Traffic Services.
 - d. Driveway radii along W. 25th shall be labeled and shall have 25' minimum radii and be built according to CNLR standard details (available at NLR Engineering Department). Willow St. driveway radii may remain as existing.
 - e. Driveway widths shall be labeled and shall be 10' minimum to 40' maximum.
 - f. Both driveways are to be concrete within the ROW.
- 6. Meet the requirements of Community Planning, including:**
- c. Provide the standard requirements of Zoning and Development Regulations.
 - d. Provide dumpster location.
 - e. Dumpster to have masonry screening.
 - f. No fence is to be within a front building line.
 - g. All exterior lighting shall be shielded and not encroach onto neighboring properties.
- 7. Meet the requirements of the Master Street Plan, including:**
- a. Before a Certificate of Occupancy is issued, provide 5' sidewalks and ramps with a minimum of 5' green space between sidewalk and curb to ADA standards and City standards to the end of the property along W. 25th St.
 - b. Provide ½ street improvements to the end of the property along W. 25th (sidewalk, street lights) or a performance bond before a Certificate of Occupancy is issued.
- 8. Meet the requirements of the Screening and Landscaping ordinance, including:**
- g. All disturbed areas are to be sodded, fertilized, watered and mulched.
 - h. Provide automated underground irrigation to all required trees and shrubs.
 - i. Provide street trees 30' on center.
 - j. Provide (4) parking lot shade trees.
 - k. Parking lot shade trees must be located within the parking lot or a maximum distance of 10' from the edge of the parking lot.
 - l. Provide a continuous screen of shrubs for any landscape strip adjacent to any parking area. Shrubs shall be eighteen (18) inches in height at planting and be planted a maximum three (3) feet apart.
 - m. Ground cover, grass, or mulch of shredded bark or stone shall be applied in all landscaped areas to reduce moisture loss and to improve the appearance of plantings near streets.
 - n. Provide 6 foot front yard landscape strip between property line and paving. Parking spots along W. 25th do not meet this requirement.
 - o. Provide 4 foot side yard landscape strip between property line and paving.
 - p. Provide buffer between dissimilar uses or zoning. Do not remove trees from full buffers.
- 9. Meet the following requirements concerning signage:**
- b. All signs require a permit and separate review.
- 10. Meet the requirements of the Fire Marshal, including:**
- e. Provide an approved fire protection plan.

11. Meet the requirements of CAW.

12. Meet the requirements of NLR Wastewater.

The applicant, Brian Dale of White-Daters Associates, was present.

There were no comments from the Commissioners.

There were no comments from the audience.

Chairman Clifton called for a vote.

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

The application passed with (9) affirmative votes.

3. Special Use #2020-12 To allow a security structure consisting of approximately 200 shipping containers stacked 2 containers high (approx. 18') around the perimeter of the property (approx. 4200 feet) at 6915 Hwy 70.

The applicant Thomas Pownall of Thomas Engineering representing Metro Scrap, was present.

Chairman Clifton asked if all the notification requirements had been met.

Mr. Reavis confirmed that they had been met.

Chairman Clifton asked if anyone in the audience would like to speak on the case.

Mary Wagley, 202 Eureka Garden Rd., said that previously the neighborhood hadn't opposed Metro's rezoning efforts. Since then, they have seen the piles of metal pile up on the site, and find it un-sightly. She fears that the three rental properties she owns near the sight won't be rentable if the current tenants move out due to the expansion of the business. She and her husband oppose the special use request.

Mr. Foster asked Ms. Wagley to clarify where she lived. Mr. Chambers assisted Mr. Foster using the map provided. Mr. Foster asked what time of day she hears the noise from the business. She said it was around 5pm.

Mr. Chambers stated that he does not support the Special Use in part because there is no effort on the applicant's part to mitigate the negative appearance of the containers with landscaping.

Mr. Pownall stated the containers will function as a sound barrier. Mr. Pownall asked Mr. Chambers for clarification on the landscape issues. Mr. Chambers asked for the applicant to treat the neighbors right.

Mr. Clifton asked the applicant what items he was asking for a waiver for in the site plan

review case. Mr. Pownall said they were asking for the street trees to be waived except for the area in front of the retail area and parking area. Also, applicant asked for a waiver of the ROW dedication of 10 ft. on Hwy 70 and a waiver for buffer trees along the east side. Mr. Chambers asked what the hardship for each of the waivers was.

The applicant questioned if a hardship was necessary.

Mr. Spencer confirmed it was.

Mr. Pownall did not provide a hardship but stated security reasons for the containers. He offered to paint the containers a neutral color.

Mr. Foster asked about an alternative to turn in area for trucks entering the site. Possibly a turn lane.

Mr. Pownall asked for the gates to setback “as required by ARDOT”.

Mr. Chambers suggested that the Fire Marshal, City Engineer, and City Traffic Engineer also be included on the list.

Mr. Spencer stated that Mark Headley with ARDOT had emailed stating the gate be set back as long as the longest vehicle entering the site, 75 feet for the main site or 40 feet for the parking lot.

Mr. Foster supports Mr. Chambers’s suggestion.

Mr. Pownall stated that the owner doesn’t want a truck to have to back out onto the highway if the gate is closed.

Mr. Chambers asked for a phasing timeline.

Mr. Pownall stated that the 2 ½ years allowed with SPR approval and a one year extension isn’t going to be enough.

Mr. Spencer said we should follow the rules on deadlines and extensions.

David Cook, with the City Engineer’s office, stated that the DOT has said that the gate should be setback an appropriate number for what size the vehicles are entering the property.

Mr. Chambers proposed a condition that the containers be painted the south, west, and east sides.

Mr. Foster suggested that painting the west and east sides of the container structure were not necessary.

Mr. Spencer clarified that it would be easier to enforce the special use than the site plan

because the special use will be a specific ordinance voted on by City Council.

Mr. Clifton called for a 2nd. There was none.

Mr. Chambers proposed a condition that the containers be painted solid colors the south and west sides. Mr. White seconded the motion.

Sam Hillburn, attorney for Metro, discussed murals. He said the City Attorney may have a comment if the Commission was going to require a mural to be painted on the containers.

Mr. Chambers said he was not proposing a mural.

Mr. White asked why they wouldn't just paint them brown or black?

Mr. Spencer clarified that since it is a special use, the commission can require a certain color. If it was a requirement of the site plan review, since there is nothing in the zoning ordinance that regulates color of buildings, the commission couldn't require it as a condition of approval.

Mike Rawnell, Metro Scrap Metal owner, requested the painting of the containers be done only on the south side.

Mr. Foster agreed.

Mr. Dietz made a motion to amend the motion to only include the south side.

On the motion to amend Mr Chambers's motion:

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

On the amended motion:

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

There were no further comments from the Commissioners.

Chairman Clifton called for a vote on the application:

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

The application passed with 9 affirmative votes with the following conditions:

1. Paint the shipping containers near the southern property line a neutral / earth tone color.
2. Any structures located on the lot shall meet all applicable Federal, State, County and City requirements and codes.

4. SD2020-56 Metro Scrap Metal Addition, Lot 1R (Replat & SPR for a new construction at 6915 Hwy 70).

The applicant, Thomas Pownall of Thomas Engineering, was present.

Mr. Foster asked about the dedication of the right of way on Hwy 70. He said that if the highway department doesn't require it, then the City shouldn't burden the project with the ROW dedication requirement.

Mr. Spencer said that the highway department supports the City's Master Street Plan. The Plan calls for an 80 foot ROW.

Mr. Chambers and Mr. Foster recalled the Design Review Committee's position on the ROW dedication requirement. It should be voted on separately.

Mr. Spencer stated that since that requirement is from an ordinance, the Commission can't delete it.

Mr. Chambers and Mr. Foster agreed the vote should be a recommending vote to the Council.

Mr. Dietz stated that the land across from Hwy 70 is pretty much a swamp. Mr. Clifton agreed and for that reason, Hwy 70 probably won't be widened.

To recommend item #7 be unchanged and support requiring the ROW dedication:

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

The Commission voted 5 No, 4 Yes.

Mr. Pownall asked that item 1A be based on phasing. Instead of paying for all drainage up front before the plat is signed, he requests that Metro Scrap be allowed to pay it as they implement each new phase.

Mr. Cook asked Planning if it could be administered properly for each phase.

Mr. Spencer said that Planning would have to remember to collect it each time the applicant applies for a building permit. The item was moved from #1 to #4.

Mr. White called for a vote

1. Engineering requirements before the plat will be signed:

- a. Provide half of the required 80 foot right-of-way (on the unplatted property) per the Master Street Plan. The dedication was provided on the 1983 plat and also shown as 80' right of way on the 1990 replat. Highway Department supports right of way dedication per the City of NLR Master Street Plan.
- b. Half street improvements not required by the Highway Department to sign the plat.

2. Planning requirements before the plat will be signed:

- a. Plat will be submitted to NLR Planning Department in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.
- b. Provide a 10' utility easement around the west, south, and east property lines.
- c. Provide a 9' utility easement on the north property line (on the unplatted property) to match the existing 9' easement that is shown on the 1983 plat and 1990 replat.
- d. Provide a 16.5' AT&T easement on the north property line (on the unplatted property) to match the existing 16.5' easement that is shown on the 1983 plat and 1990 replat or provide documentation from AT&T stating that they do not want to continue this easement. This easement is in addition the 9' utility easement.
- e. If AT&T is not utilizing the existing easement, provide documentation of AT&T's support to abandon the easement through City Council action.

3. Other Boards approvals required.

- a. Provide approval from Board of Zoning Adjustment on variance of chain link fence with barbwire height and locations.
- b. Provide approval from City Council for a Special Use to allow a security structure consisting of approximately 200 shipping containers stacked 2 containers high (approx. 18') around the property (approx. 4200 feet).

4. 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. Allow phasing. All phases to begin construction before site plan review file expires.
- c. Provide phasing plan that shows what construction/parking/landscaping will be done in each phase.
- d. Pay the drainage in-lieu of fee of \$5000/acre, by phase, for property that has not previously been platted, before any building permit will be issued for that phase.
- e. If applicable, provide CNLR Grading Permit application to City Engineer with grading plans.
- f. Provide CNLR Stormwater Permit application to City Engineer with half size erosion control plan showing silt fence, storm inlet protection, and drainage details.
- g. Provide copy of ARDOT driveway permit.
- h. Provide copy of Arkansas Department of Environmental Quality (ADEQ) Stormwater Permit to City Engineer.
- i. Prior to construction, Owner's Architect/Engineer shall submit signed construction plans and specifications (PDF format) to NLR Planning Department.

- j. Before a fence/gate permit is issued, the gate setback for vehicles entering the property shall be determined by the following entities – City Engineer, Fire Marshal, Highway Department, Traffic Engineer. The gate location shall be the farthest distance from the pavement edge of the Highway, as determined by one of the perviously mentioned entities.

5. Meet the requirements of the City Engineer.

- a. Meet the following requirement of the District 6 Engineer for the Arkansas Department of Transportation: “If a property owner wants to gate their driveway, and it is reasonable to expect vehicles to have to stop at the gate before they enter the property, the gate should be set back from the pavement edge of the highway enough to allow the expected vehicle to pull up to the gate without blocking the travel lane or shoulder of the highway”. (per email from Dec 8, 2020)

6. Meet the requirements of Planning, including:

- a. Provide the standard requirements of Zoning and Development Regulations.
- b. Provide dumpster location.
- c. Dumpster to have masonry screening.
- d. Any new front yard fence requires Board of Adjustment approval.
- e. Any new fence requires a separate permit.
- f. Structures cannot be located in an easement.
- g. Barbwire to be inclined inward or vertical.
- h. Entry gates to be setback from edge of pavement for all vehicles. Vehicles should not block the travel lane or shoulder of the highway while waiting for the gate to open. Applicant has also previously agreed at the Board of Adjustment meeting (May 2019) that “If any gates are added to the site in the future, the gates must be setback a *minimum* of 40-feet from the property line.”
- i. All exterior lighting shall be shielded and not encroach onto neighboring properties.
- j. Allow phasing. All phases to begin construction before site plan review file expires.
- k. Provide phasing plan that shows what construction/parking/landscaping will be done in each phase.

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

- a. Provide half of 80’ ROW dedication. Highway Department supports right of way dedication per the City of NLR Master Street Plan.

8. Meet the requirements of the Screening and Landscaping ordinance, including:

- a. All disturbed areas are to be sodded, fertilized, watered and mulched.
- b. Provide automated underground irrigation to all required trees and shrubs.
- c. Provide street trees along Hwy 70.
- d. Provide parking lot shade trees as required.
- e. Provide a continuous screen of shrubs for any landscape strip adjacent to any parking area.
- f. Ground cover, grass, or mulch of shredded bark or stone shall be applied in all landscaped areas to reduce moisture loss and to improve the appearance of plantings near streets.
- g. Provide required landscape strip between property line and paving.
- h. Provide the required buffer screening.

9. Meet the following requirements concerning signage:

- a. All signs require a permit and separate review.

- 10. Meet the requirements of the Fire Marshal, including:**
 - a. Provide an approved fire protection plan.
 - b. Any setbacks for vehicle gates to meet Fire Marshal requirements. Fire Marshal agrees any vehicle should not block the travel lane or shoulder of Highway 70 while waiting for any gate to open.
 - c. Meet Fire Marshal's requirements on fire hydrant location. Additional fire hydrants required as per 2012 AFC and CAW requirements.
- 11. Meet the requirements of CAW.**
- 12. Meet the requirements of NLR Wastewater, including:**
 - a. No Public sanitary sewer available to property. Public main extension required for access to sanitary sewer.
- 13. Meet the requirements of NLR Electric.**

Chairman Clifton called for a vote.

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

The application did pass with (9) affirmative votes.

5. SD2020-57 Lvl Addition, Lot 2 (Preliminary plat & SPR for a building expansion at 8418 Hwy 70).

The applicant, Thomas Pownall of Thomas Engineering, was present.

- 1. Engineering requirements before the plat will be signed:**
 - a. Option to pay the drainage in-lieu of fee of \$5000/acre instead of providing onsite detention.
 - b. ½ street improvements on McNeil Drive not required due to existing site conditions.
- 2. Planning requirements before the plat will be signed:**
 - a. Plat will be submitted to NLR Planning Department in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.
 - b. Add 15' wide exclusive sanitary sewer easement to cover the public force main at the northwest corner of the property.
 - c. Provide half of 80' ROW dedication along Hwy 70 as shown.
 - d. Provide half of 70' ROW dedication along McNeil Dr. as shown.
 - e. Provide 10' utility easement along Hwy 70 and McNeil Dr. as shown.
- 3. 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/curb cut permit application to City Engineer for McNeil Drive and copy of ARDOT driveway for Hwy. 70 (if necessary).
permit if State Highway.
 - d. Provide copy of Arkansas Department of Environmental Quality (ADEQ) Stormwater Permit to City Engineer.
 - e. Prior to construction, Owner's Architect/Engineer shall submit signed construction plans and specifications (PDF format) to NLR Planning Department.
- 4. 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. For McNeil Dr. - driveway radii shall be labeled, have 25' minimum radii, be concrete within the ROW, and be built according to CNLR standard details (available at NLR Engineering Department).
- 5. Meet the requirements of Community Planning, including:**
- a. Provide the standard requirements of Zoning and Development Regulations.
 - b. Provide dumpster location.
 - c. Dumpster to have masonry screening.
 - d. No fence is to be within a front building line.
 - e. All exterior lighting shall be shielded and not encroach onto neighboring properties.
 - f. Provide 1 paved handicap parking space.
 - g. Comply with the City's tire storage ordinance before a certificate of occupancy will be issued.
- 6. Meet the requirements of the Master Street Plan, including:**
- a. Sidewalks not required due to location in industrial subdivision.
 - b. Provide 10' ROW dedication along Hwy 70 and McNeil Dr. as shown.
- 7. Meet the requirements of the Screening and Landscaping ordinance, including:**
- a. All disturbed areas are to be sodded, fertilized, watered and mulched.
 - b. Provide automated underground irrigation to all required trees and shrubs.
 - c. Provide street trees 30' on center along McNeil Dr.
 - d. Provide (1) parking lot shade trees.
 - 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 landscape strip adjacent to any parking area. Shrubs shall be eighteen (18) inches in height at planting and be planted a maximum three (3) feet apart.
 - g. Ground cover, grass, or mulch of shredded bark or stone shall be applied in all landscaped areas to reduce moisture loss and to improve the appearance of plantings near streets.
 - h. Provide 6 foot front yard landscape strip between property line and paving.
 - i. Provide 4 foot side yard landscape strip between property line and paving.
- 8. Meet the following requirements concerning signage:**
- a. All signs require a permit and separate review.
 - b. The sign that, due to ROW dedication with this plat, is now in ROW may remain until street improvements are needed or any public use of the ROW is required. If the sign is destroyed or taken down, any replacement sign must comply with all current sign regulations.

- 9. Meet the requirements of the Fire Marshal, including:**
 - a. Provide an approved fire protection plan.
 - b. Gravel areas shall be able to support 85,000 lbs per the 2012 Fire Code.

10. Meet the requirements of CAW.

- 11. Meet the requirements of NLR Wastewater, including:**
 - a. Add 15’ wide sanitary sewer easement to cover the public force main at the northwest corner of the property.
 - b. Ensure the private pump station has adequate capacity to handle additional flows from the proposed expansion.

There were comments from the Commissioners or the audience.

Chairman Clifton called for a vote.

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

The application passed with (9) affirmative votes.

6. Rezone #2020-18 From R4 to PUD and Conservation to allow for mini-storage and greenspace at 3000 N. Hills Blvd.

The applicant, Brian Dale with White-Daters and associates, was present.

Mr. Dale stated they had been working with the neighborhood on the project and wanted to propose additional conditions for the project.

- 1. Signage lighting on the building to be reduced to 50% brightness from 10pm until daylight.
- 2. Plant an additional 150 seedlings in the Conservation area without disturbing existing trees.
- 3. No red lighting will be on the exterior of the buildings nor on the signage at the top of the tower.

Mr. Spencer stated that Planning had received emails since the Commissioners had received their packet. He stated there were three dozen against the proposal and 30 for the proposal.

Mr. Foster asked Mr. Spencer where the people who were against it lived.

Mr. Spencer stated most of them he didn’t know because they were auto-generated forms, not individually written emails. Some were from the Park Hill / Lakewood area.

Mr. Dale stated that a neighborhood poll was taken and 27 people supported the proposal and 9 opposed it.

Mr. White asked if any more trees would be cut down due to the project.

Mr. Dale said no additional trees would be removed.

Mr. White asked where the additional 60 trees will be planted.

Mr. Dale said some would be on the hillside, along the interstate frontage, and on-site.

Mr. White asked why the owner wants to put mini-storage units in front of the apartments.

Mr. Dale said apartment dwellers need additional storage, and the storage units will generate less traffic than more apartments.

Mr. White asked the applicant to confirm the lighting on the sign will be reduced at night.

Mr. Dale answered in the affirmative.

Keith Richardson, Richardson Properties, owner of the property stated he had met with the neighbors on several different occasions and the sign's brightness was discussed. He stated that should accommodate the concerns the neighbors have about the sign. The sign will be facing the interstate. It shouldn't be visible to the subdivisions around the area.

Mr. Foster stated he didn't think those that live in Lakewood would be able to see the sign.

Chairman Clifton asked if there were any comments from the audience.

Tiffany Nelson, 209 Goshen Ave, stated that she wanted the area around N. Hills to remain natural. She stated that 75% of the people she surveyed supported the proposal with the conditions.

Marlen Walker, 1708 Waterside Dr., opposes the development since it is commercial development, not commercial. He has concerns about the wetlands and wildlife in the area.

Mr. White asked for clarification on what trees had been cut down and what trees were still there.

Mr. Dale stated that the aerial photo he had was old.

There was no further comments from the audience.

Chairman Clifton called for a vote with the following conditions:

4. Western portion of the lot to be zoned Conservation as shown on drawing.
5. Eastern portion of the lot to be used as mini-storage.
6. Allow a maximum of 2 mini-storage warehouse buildings on the property.
7. Maximum height for each building is a 40' tall tower.
8. Existing trees in Conservation zone to remain.

9. Provide location for 60 additional trees.
10. Plant an additional 150 seedlings in the Conservation area without disturbing existing trees.
11. Building Materials on the South Façade to consist of hardi-board, concrete and aluminum panels (ACM). The remaining three sides will consist of mega rib panels with Janus doors. The roof of the tower will consist of a TPO membrane, and the roofing on the remaining structure will consist of a standing seam roof.
12. Provide a minimum of 8 parking spots.
13. Building setbacks to be a minimum of 25' on north, east, and west. 60' on the south.
14. Provide 6ft privacy fence opaque fence with factory inserted slats along west side of development.
15. Provide 6ft tall aluminum picket fence along south side of property.
16. Provide 6ft tall black chain link fence along the north property line.
17. 6' tall masonry screening wall with plantings on outside required along eastern property line.
18. Retaining walls greater than 5' in height to be approved by the City Engineer.
19. Downward directional LED lighting shall be utilized on the parking light and on the site.
20. Gate Hours shall be limited to 6:00 am to 10:00 pm, 7 days a week except for less than 10% of the customer base who have a premium account that provides 24-hour access.
21. No exterior paid outside vehicle/RV parking storage will be provided with this project.
22. No red lighting will be on the exterior of the buildings nor on the signage at the top of the tower.
23. Signage lighting on the building to be reduced to 50% brightness from 10pm until daylight.
24. Any structures located on the lot shall meet all applicable Federal, State, County and City requirements and codes.
25. Business license to be issued after Planning Staff confirmation of requirements.
26. Business license holder understands that failure to comply with these conditions may result in loss of the PUD approval and/or loss of Business License and/or removal of Electric Power Meter.

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

The application passed with (8) affirmative votes, 1 abstain.

7. SD2020-58 The Pointe at North Hills, Lots 1R and 2 (Replat at 3000 N. Hills Blvd).

- 1. Engineering requirements before the plat will be signed:**
 - b. Provide on-site storm water detention as well as clear calculations showing that detention volume is sufficient.
 - c. Show and label boundary of detention area as drainage easement.
- 2. Planning requirements before the plat will be signed:**

- e. Plat will be submitted to NLR Planning Department in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.
- f. Provide 60' access easement on plat for Lots 1R & 2 as shown. Property line may be adjusted to accommodate existing sign.
- g. Provide 15' utility easements around property perimeter as shown.
- h. Provide two easements for CAW water transmission lines.
- 3. Meet the requirements of Community Planning, including:**
 - h. Provide the standard requirements of Zoning and Development Regulations.
- 4. Meet the requirements of the Master Street Plan, including:**
 - c. Sidewalks along N. Hills Blvd are existing.
 - d. Provide half of 100' ROW along N. Hills Blvd.
- 5. Meet the requirements of the Fire Marshal, including:**
 - f. Provide an approved fire protection plan.
- 6. Meet the requirements of CAW, including:**
 - a. Central Arkansas Water has two 20" water transmission mains, inside easements, in this property. Include the easements on the plat.
- 7. Meet the requirements of NLR Wastewater, including:**
 - c. Add all sanitary sewer easement for lots 1R and 2 to the plat.

Mr. Chambers stated the applicant met with the Development Review Committee and has agreed to all the requirements.

There was no comment from the audience.

Chairman Clifton called for a vote

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

The item passed with (8) affirmative votes.

8. Special Use #2020-8 To allow a daycare in R2 at 5301 Summertree Dr.

Item has been withdrawn

9. Special Use #2020-11 To allow an outdoor gun range at 8504 MacArthur Dr.

Item has been postponed

10. Conditional Use #2020-15 To allow a daycare in C4 at 10331 Maumelle Blvd.

The applicant, Briona Slaughter, was present. She stated that she agreed to the conditions.

Mr. Clifton asked if there had been any calls on this application.

Mr. Reavis said there had not been.

There were no comments from the Commissioners or anyone in the audience.

Mr. Clifton called for a vote on the application with the following conditions:

1. Hours of operation 5AM – 8PM.
2. Allow for children to access, via the parking lot, the existing playground located to the north of the adjacent building.
3. Playground to have emergency exit away from the building
4. Playground fence to be 6’ wood privacy fence,
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. Playground to meet DHS and City of NLR requirements for playground surface and equipment,
8. 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 offender resides within 2000 feet of the proposed site for the daycare center / home daycare facility.
9. 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.

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

The application passed with 9 affirmative votes.

11. Rezone #2020-19 & Conditional Use #2020-16 To rezone from R4 to C4 to allow for a conditional use for the expansion of outdoor storage for a contractor’s office at 3002 E. 2nd St.

The applicant, Josh Cecil of United Fence, was present. He agreed to all the conditions.

There were no comments from the Commissioners.

The applicant stated that the only lot on the block he didn’t own, he intended to buy. The current owner of the lot as agreed to waive his right to buffer requirements between C4 and residential.

There were no comments from anyone in the audience.

Mr. Clifton called for a vote on the application with the following conditions:

1. Allow fence 6 ft. tall chain link fence with slats along the west, and north property lines plus 1 ft. of barbwire. Fence along the north to be setback 25ft or provide a letter from the abutting property stating the setback is unnecessary.

2. Provide full buffer of trees every 20 ft. and an 8ft wood privacy fence between residential and commercial or a letter from the abutting property owner stating they are unnecessary.
3. Allow outdoor storage of fence materials and equipment.
4. Any structures located on the lot shall meet all applicable Federal, State, County and City requirements and codes.
5. Business license to be issued after Planning Staff confirmation of requirements.
6. Business license holder 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.

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

The application passed with 9 affirmative votes.

Public Comments/Adjournment:

The meeting was adjourned at 5:35 PM