

**NLR Planning Commission**  
**June 14, 2016**  
**Agenda Meeting / Public Hearing 4:45 PM**

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**Agenda Meeting:**     ▪ Roll Call

**Reminder**             ▪ Turn off cell phones  
                              ▪ Planning Commission procedures on back of agenda

**Administrative:**     ▪ Reminder to speak into the microphone

**Approval of Minutes:**     ▪ May 10, 2016

**Development Review Committee:**

- A. SD2016-20     Northshore Business Park, Lot 13, Block 8 (Site Plan Review of an industrial lot located at 5400 Northshore Dr.)
  
- B. SD2016-21     Harris Industrial Park, Lot 1AR (Site Plan Review of Tri-State Truck located at SW corner of Harris Rd and Diamond Dr.)

**Public Hearings:**

- 1. Conditional Use 2016-6: To allow a car lot in a C-4 zone located at 2006 Highway 161.
- 2. Special Use 2016-6: To allow the selling of topsoil from the expansion of existing drainage and construction of a new pond in an R-2 Zone.
- 3. Conditional Use 2016-9: To allow a car lot in a C-4 Zone located at 3809 Highway 161.
- 4. Rezone #2016-4 & Conditional Use 2016-10: To rezone property located at 2410 Pike Ave from C-3 to C-4 to allow for the conditional use of a car lot.
- 5. Rezone 2016-5: To rezone land located at the NE corner of Randolph Rd. & McCain Ave from R-4 to C-2 to allow for commercial development.
- 6. Rezone #2016-3: (Postponed) To rezone the 1700 Block of Washington Ave from R-4 to I-2 to allow for truck and outdoor material storage.

**Public Comment / Adjournment:**

## NLR PLANNING COMMISSION MEETING PROCEDURES

**Public Hearings:** The regularly scheduled meeting is held on the second Tuesday of each month at 4:45 PM in the City Council Chambers. All Planning Commission meetings are open to the public. Typical meetings begin with a roll call, approval of minutes, correspondence and staff reports, committee reports, unfinished business, new business, public comments and adjournment. Public hearings, zoning actions and special uses are typically the latter half of the meeting and follow development review items presented as summary recommendations of the Development Review Committee.

**Voting:** There are 9 Commissioners. A quorum consists of 6 members. “Robert’s Rules of Order” apply unless the Commission has outlined alternative procedures. According to the current by-laws, all business must be approved by a minimum of 5 votes. A simple majority of those members present does not necessarily approve a motion.

1. No person shall address the Planning Commission without first being recognized by the Chair.
2. All questions and remarks shall be made from the podium and addressed through the Chair.
3. After being recognized, each person shall state their name and address for the record.
4. When a group of citizens is present to speak about an item, a spokesperson shall be selected by the group to address the Planning Commission. Each presentation by a spokesperson shall be limited to 3 minutes.
5. Anyone from a group may be recognized if they have something new or additional information to add to an item. This additional presentation shall be limited to 3 minutes.
6. Individual (not representing a citizen group) presentations shall be limited to 3 minutes.
7. All remarks shall be addressed to the Planning Commission as a whole and not to any individual member.
8. No person other than members of the Planning Commission and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Planning Commission, without permission of the Chair.
9. Once the question is called for or a public hearing is closed, no person in the audience shall address the Planning Commission on the matter without first securing permission to do so by a majority vote of the Planning Commission.
10. Anyone wishing to submit exhibits for the record shall provide the clerk with copies for each Planning Commissioner, one for the record, and for the Planning Director.
11. Anyone wishing to read a statement into the record shall provide the secretary with a written copy of the statement.

**North Little Rock Planning Commission  
Regular Meeting  
May 10, 2016**

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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  
White  
Clifton, Chairman

**Staff Present:**

Shawn Spencer, Director  
Tim Reavis, City Planner  
Bill Brown, City Attorney  
Keisa Stewart, Secretary

**Others Present:**

Marie Miller, Assistant City Attorney  
Alderman Baxter  
Alderman Witcher

**Approval of Minutes:**

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

**Administrative:**

Received a letter from Alderman Taylor concerning Rezone 2016-3 on the agenda.

**Subdivision Administrative:****A. SD2016-14      ATT Industrial Addition, Lot 1R (Site Plan Review of a 30 ft. Cell Tower at 2207 Central Airport Rd.)**

- 1. Permit requirements/approvals before a building permit will be issued:**
  - a. Provide CNLR Stormwater Permit with stormwater plans showing silt fence, storm inlet protection, and drainage details.
  - b. Prior to construction, Owner's Architect/Engineer shall submit approved, construction plans and specifications (PDF format) to the City Engineer.
  - c. Provide the landscaping/irrigation in-lieu fee of \$5000 due to the interior location of the tower on an industrial site.
- 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.
  - b. Allow footprint area less than 5625 square feet.
  - c. Allow existing site fence to serve as footprint fence.
- 4. Meet the following requirements concerning signage:**
  - a. All signs require a permit and separate review.
- 5. 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.
- 6. Meet the requirements of CAW, including:**
  - a. Water is available to the site.
- 7. Meet the requirements of NLR Wastewater, including:**
  - a. Sewer is available to the site.

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. SD2016-15      Transmontaigne Addition, Lot 1 (Site Plan Review of a 120 ft. Cell Tower at 2725 Central Airport Rd.)**

- 1. Permit requirements/approvals before a building permit will be issued:**
  - a. Provide letter from BOA on approved height variance.
  - b. Provide CNLR Stormwater Permit with stormwater plans showing silt fence, storm inlet protection, and drainage details.
  - c. Prior to construction, Owner's Architect/Engineer shall submit approved, construction plans and specifications (PDF format) to the City Engineer.
  - d. Provide the landscaping/irrigation in-lieu fee of \$5000 due to the interior location of the tower on an industrial site.
- 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.
  - b. Allow footprint area less than 5625 square feet.
  - c. Allow existing site fence to serve as footprint fence.
- 4. Meet the following requirements concerning signage:**
  - a. All signs require a permit and separate review.

5. **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.
6. **Meet the requirements of CAW, including:**
  - a. Water is available to the site.
7. **Meet the requirements of NLR Wastewater, including:**
  - a. Sewer is available to the site.

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.

**C. SD2016-17 Carrie F. Brooks, Plot H (Site Plan Review of a Contractor's Office at 6601 Crystal Hill Rd.)**

1. **Engineering requirements before the replat will be signed:**
  - a. Owner's Engineer shall submit final plat to City Engineer prior to receiving final Planning Department approval.
  - b. Provide ½ of 100' ROW dedication.
  - c. Replat will be submitted in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.
  - d. Provide approval from City Engineer on detention.
2. **Permit requirements/approvals before a building permit will be issued:**
  - a. Provide approved City ordinance allowing contractors office.
  - b. Prior to construction, Owner's Engineer shall submit stormwater plans and detention calculations to City Engineer who shall provide written approval to Planning Department if in compliance with City regulations. Drainage submittal shall also include:
    - i. Proposed pipe material specifications.
    - ii. Proposed trench and bedding details, materials and specifications.
  - c. Provide CNLR Stormwater Permit with stormwater plans showing silt fence, storm inlet protection, and drainage details.
  - d. Provide AHTD driveway permit.
  - e. Provide Arkansas Department of Environmental Quality (ADEQ) Stormwater Permit.
  - f. Provide Arkansas Department of Health approval for water and sewer facilities.
  - g. Prior to construction, Owner's Architect/Engineer shall submit approved preliminary plat, construction plans and specifications (PDF format) to the City Engineer.
3. **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.
  - b. Show street ROW.
  - c. Show building setbacks and label.
  - d. Show area in acres of proposed lot.
  - e. Construct driveways according to AHTD standards. Contact AHTD Resident Engineer Mike Hays at 501-945-9514.
  - f. Meet City Engineer's requirements on detention.
  - g. Proposed project is in a previously undeveloped area. Coordinate with ADEQ.

- h. Show existing and proposed contours on site plan.
  - i. Show existing and proposed utilities and service lines.
- 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
  - b. Provide ROW dedication.
- 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 40' on center.
  - d. Provide 2 parking lot shade trees.
  - e. 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.
  - c. Fire hydrants to be within 400 feet of all areas of building.
- 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. 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.
  - d. Meet CAW requirements for RPZ, private facilities, fire sprinkler systems, meter size, and meter location.
  - e. Approval of plans by AR Dept. of Health Engineering Division is required.
  - f. 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.

Mr. Chambers stated the applicant met with the Development Review Committee and has agreed to all the requirements. Ms. Karen asked what type of building is going into this location. Mr. Phillip Lewis stated that Bert Black Services will build a per-engineered building with a built up office on the front. They will use this location to store their company vehicles. Mr. Keith Hawkins asked if the zoning would change. Mr. Lewis answered no it will not change. There were no additional comments from Commissioners or the audience. The motion to approve was passed with (8) affirmative and (1) absent votes.

**D. SD2016-18          Strawn's Addition, Lot 9DR (Site Plan Review of a gym and education building at 5601 Pritchard Dr.)**

- 1. Permit requirements/approvals before a building permit will be issued:**

- a. Provide CNLR Stormwater Permit with stormwater plans showing silt fence, storm inlet protection, and drainage details.
  - b. Pay the drainage in-lieu fee of \$5000/acre for all new impervious surfaces or provide detention.
  - 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 preliminary plat, construction plans and specifications (PDF format) to the City Engineer.
- 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.
  - b. Driveway radii returns built to City Engineer's specifications.
- 3. Meet the requirements of Community Planning, including:**
- a. Provide the standard requirements of Zoning and Development Regulations.
  - b. Dumpster location to be behind building. Remove dumpster from ROW.
  - c. Dumpster to have masonry screening.
  - d. All exterior lighting shall be shielded and not encroach onto neighboring properties.
- 4. Meet the requirements of the Master Street Plan, including:**
- a. Sidewalks have previously been waived.
- 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 (10) street trees as shown
  - d. Provide (11) parking lot shade trees as shown
  - e. Parking lot shade trees must be at the furthest 10' from edge of paving.
  - 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. Meet Fire Marshal's requirements on fire hydrant location.
  - c. Meet Fire Marshal's requirements on sprinkler system.
  - d. Fire hydrants to be within 400 feet of all areas of building.
- 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. 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.
  - d. Meet CAW requirements for RPZ, private facilities, fire sprinkler systems, meter size, and meter location.
  - e. Approval of plans by AR Dept. of Health Engineering Division is required.
  - f. Proposed water facilities will be sized to provide adequate pressure and fire protection.

**9. 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.

Mr. Chambers stated the applicant met with the Development Review Committee and has agreed to all the requirements. Mr. White asked why are the sidewalks being waived. Mr. Spencer stated that over 10 years ago, it was industrial and it was rezoned commercial and City Council and Commissioners approved it for that subdivision. 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. **Conditional Use 2016-6: POSTPONED.** To allow a used automobile outdoor sales lot in a C-4 zone located at 2006 Highway 161.
- 2. **Conditional Use 2016-7:** To allow outdoor rental storage in a C-4 zone located at 3719 E. Broadway.

The applicant, Mike Marlar representing Hums Hardware, was present. He stated that they have made a request for sidewalk waiver.

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

There were no comments.

**Conditions:**

- 1. Outdoor area for display of rental equipment limited to area shown on map
- 2. All elevated or extended boom trucks, lifts, cranes, and any other heavy equipment that can be elevated or has extensions shall be displayed on the rear half of the display area.
- 3. New landscaping on Broadway to match the landscaping of the eastern abutting property.
- 4. Provide 7' ornamental fence along Broadway and 48' along Dixie to match existing 7' ornamental fence to the east.
- 5. Provide 6' black chain link fence along Dixie.
- 6. Current building existing on site to be demolished
- 7. Applicant must meet all applicable Federal, State, County and City requirements and codes
- 8. Business license to be issued after Planning Staff confirmation of requirements
- 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

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

|                  |               |               |            |                 |            |
|------------------|---------------|---------------|------------|-----------------|------------|
| <b>Alexander</b> | <b>Yes</b>    | <b>Dietz</b>  | <b>Yes</b> | <b>Phillips</b> | <b>Yes</b> |
| <b>Belasco</b>   | <b>Absent</b> | <b>Foster</b> | <b>Yes</b> | <b>White</b>    | <b>No</b>  |
| <b>Chambers</b>  | <b>Yes</b>    | <b>Harris</b> | <b>Yes</b> | <b>Clifton</b>  | <b>Yes</b> |

Conditional Use 2016-7 was approved with (7) affirmative, (1) opposed and (1) absent votes.

3. **Conditional Use 2016-8:** To allow a Contractor’s Office in a C-3 zone located at 6601 Crystal Hill Rd.

The applicant, Phillip Lewis, was present.

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

Mr. White stated that staff should give an explanation to Mr. Hawkins about the conditional use.

Mr. Shawn Spencer explained what the conditions are for this application. He stated that the house on site will remain for security and that someone will be living there.

Chairman Clifton asked if there were any further comments.

There were no further comments.

Conditions:

1. Allow existing house to remain.
2. Meet Site Plan Review requirements of Planning Commission.
3. Any gates meet requirements of the Fire Marshal.
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.
7. No outdoor storage of materials allowed.

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

|                  |               |               |            |                 |            |
|------------------|---------------|---------------|------------|-----------------|------------|
| <b>Alexander</b> | <b>Yes</b>    | <b>Dietz</b>  | <b>Yes</b> | <b>Phillips</b> | <b>Yes</b> |
| <b>Belasco</b>   | <b>Absent</b> | <b>Foster</b> | <b>Yes</b> | <b>White</b>    | <b>Yes</b> |
| <b>Chambers</b>  | <b>Yes</b>    | <b>Harris</b> | <b>Yes</b> | <b>Clifton</b>  | <b>Yes</b> |

Conditional Use 2016-8 was approved with (8) affirmative and (1) absent votes.

4. **Rezone 2016-3:** To rezone from R-4 to I-2 to allow for truck and outdoor material storage.

The email from Alderman Taylor was recognized, stating that he is opposed to this application.

The applicant, Mr. Jim Walker, was present. He stated that they would like to use this space to store materials and their company vehicles.

Alderman Witcher stated that this company is a very important business to the City, he gave a brief explanation of what this company business is and their profit.

Ms. Victoria Brown owns property in this area, she stated her opposition.

Ms. Taylor owns property in the area, she stated her concern about the truck noise and their hours of operation.

Mr. Foster asked if this is a cleanup situation and has the property been used for storage.

Mr. Spencer stated that this is an ongoing concern with Code Enforcement, there has been issues with the vehicles being stored there.

Mr. Foster stated that he understands the property owners and the company’s stand point, he asked if there was something that can be done to help out both parties such as a special use or conditional use.

Mr. Spencer stated that the applicant was given the option for a special use, but decided he wanted a straight rezoning.

Mr. Chambers stated that if the applicant filed for PUD and that shows how the materials would be stored, better screening, a 25’ buffer around the north, west and east side, he would likely support the application.

Ms. Alexander stated that she has received several phone calls opposed to this application.

There was further discussion regarding the standards of the PUD or postponement and oppositions.

Mr. Walker asked for this application to be postponed until next month.

A motion was made and seconded to postponed this application until next month.

Chairman Clifton asked for a roll call vote on the motion for postponement.

|                  |            |               |            |                 |            |
|------------------|------------|---------------|------------|-----------------|------------|
| <b>Alexander</b> | <b>Yes</b> | <b>Dietz</b>  | <b>Yes</b> | <b>Phillips</b> | <b>Yes</b> |
| <b>Belasco</b>   | <b>Yes</b> | <b>Foster</b> | <b>Yes</b> | <b>White</b>    | <b>Yes</b> |
| <b>Chambers</b>  | <b>Yes</b> | <b>Harris</b> | <b>Yes</b> | <b>Clifton</b>  | <b>Yes</b> |

Rezone #2016-3 was approved with (9) affirmative votes.

**Public Comments/Adjournment:**

A motion was made to adjourn and it was seconded. The motion passed with (9) affirmative votes and the meeting was adjourned at 5:30 pm.

Respectfully Submitted:

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Keisa Stewart, Secretary

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Shawn Spencer, Director

**A. SD2016-20 Northshore Business Park, Lot 13, Block 8 (Site Plan Review of an industrial lot located at 5400 Northshore Dr.)**

**1. Permit requirements/approvals before a building permit will be issued:**

- a. Provide CNLR Stormwater Permit with stormwater plans showing silt fence, storm inlet protection, and drainage details.
- b. Provide driveway/curb cut(s) from City Engineer
- c. Provide Arkansas Department of Environmental Quality (ADEQ) Stormwater Permit.
- d. Provide Arkansas Department of Health approval for water and sewer facilities.
- e. Prior to any excavation/street cuts within street ROW, obtain CNLR Excavation and Barricade Plan Application/Permit.
- f. Prior to construction, Owner's Architect/Engineer shall submit approved preliminary plat, construction plans and specifications (PDF format) to the City Engineer.

**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.
- b. Driveway radii returns built to City Engineer's specifications.
- c. Cross drains in the ROW are to be RCP with flared end section unless approved by Engineering.

**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. 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 or seeded, fertilized, watered and mulched.
- b. Provide automated underground irrigation to all required trees and shrubs.
- c. Provide (16) street trees 40' as shown.
- d. Provide (10) parking lot shade trees as shown.
- e. Parking lot shade trees must be at the furthest 10' from edge of paving.
- f. 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 and sprinkler requirements.
- c. 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. Submit applicable plans to the North Little Rock Wastewater Engineering Department prior to construction for review and written approval.

- b. A White Oak Interceptor Fee may apply to this project. Please contact Gina Briley with North Little Rock Wastewater (501-945-7186) for confirmation.
- c. A complete set of drawings for development must be submitted to NLR Wastewater.
- d. Approval of plans by AR Dept of Health Engineering Division is required.

**B. SD2016-21 Harris Industrial Park, Lot 1AR (Site Plan Review of Tri-State Truck located at SW corner of Harris Rd and Diamond Dr.)**

- 1. Permit requirements/approvals before a building permit will be issued:**
  - a. Pay the drainage in-lieu fee of \$5000/acre for commercial/industrial development or meet City Engineers requirements on drainage.
  - b. Provide CNLR Stormwater Permit with stormwater plans showing silt fence, storm inlet protection, and drainage details.
  - b. Provide driveway/curb cut from City Engineer or AHTD if State Highway
  - c. Provide Arkansas Department of Environmental Quality (ADEQ) Stormwater Permit.
  - d. Provide Arkansas Department of Health approval for water and sewer facilities.
  - e. Prior to any excavation/street cuts within street ROW, obtain CNLR Excavation and Barricade Plan Application/Permit.
  - f. Prior to construction, Owner's Architect/Engineer shall submit approved preliminary plat, construction plans and specifications (PDF format) to the City Engineer.
- 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. Allow 6' decorative front yard fence.
  - d. Fence at SW corner to be setback as not to block views of traffic on future Harris Road ROW.
  - e. 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 or seeded, fertilized, watered and mulched.
  - b. Provide automated underground irrigation to all required trees and shrubs.
  - c. Provide 13 street trees 40' on center.
  - d. Provide 33 parking lot shade trees, 11 of the 33 to be located in the interior of the lot.
  - e. Parking lot shade trees must be at the furthest 10' from edge of paving.
  - f. 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 electronic changeable copy sign permitted.
  - c. Allow a max. of a 20' tall pylon sign with a total max. area including the pylon of 64 sq feet.
- 7. Meet the requirements of the Fire Marshal, including:**
  - a. Provide an approved fire protection plan.
  - b. An automatic fire sprinkler is required for this building.
  - c. Meet Fire Marshal's requirements on fire hydrant location.
  - d. 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. Identify material for the sanitary sewer service line and provide justification for a 6" service line. Label as "Private SS Main".
- b. Core and Install a Kor-N-Seal Boot (or approved equal) when tying into an existing manhole. Install pipe no higher than 2.0' from the bottom of the manhole.
- c. An application/questionnaire is required to be submitted to NLRW to determine if Industrial User status is required.
- d. Show existing sanitary sewer force main located on the south end of the property.
- e. A Hill Lake Connection fee will likely apply before a permit is issued. Contact Gina Briley (501-945-7186) for confirmation.
- f. Prior to construction, floor plans, plumbing plans, and any other applicable plans shall be reviewed and approved in writing by the North Little Rock Wastewater Engineering Department.
- g. Provide a copy of the Final Plat as additional easements may be required.

CASE: Conditional Use #2016-6

REQUEST: To allow a used automobile outdoor sales lot in a C-4 Zone.

LOCATION OF REQUEST: 2006 Highway 161

APPLICANT: Edwin Johnson

OWNER: Shawn Shellenbarger

P.C. BACKGROUND: In 1967, PC approved a rezone of the property from R-1 to C-4.

SITE CHARACTERISTICS: The site was previously a car lot. The vehicle display area is near the street with a small office building with overhead doors in the rear. A white metal fence separates the lot from surrounding properties.

MASTER STREET PLAN: Minor Arterial

ZONING: C-4

LAND USE PLAN: Community Shopping

SURROUNDING USES:

NORTH: Single Family House / R-1

SOUTH: unoccupied commercial structure / C-3

EAST: Vacant Lot / R-1

WEST: Mobil home park / R-1

BACKGROUND:

1. COMPATIBLE WITH PREVIOUS ACTIONS: Lot was previously "grandfathered" as a car lot, but had not been in operation in the last year.
2. NEIGHBORHOOD POSITION: None at time of printing
3. EFFECT ON PUBLIC SERVICES AND UTILITIES: minimal
4. LEGAL CONSIDERATION/REASONABLENESS: Request is reasonable
5. WILL IT HAVE A STABILIZING EFFECT ON SURROUNDING PROPERTIES? If properly managed there should not be a negative impact on neighbors.
6. IS THE SITE OF ADEQUATE SIZE FOR THE DEVELOPMENT? Yes
7. WILL THIS SET A PRECEDENT FOR FUTURE REZONING? No. All car lots in a C4 zone require a conditional use permit.
8. SHOULD A DIFFERENT ZONING CLASSIFICATION BE REQUESTED? No

SUMMARY: Applicant wants to open a car lot in a C-4 Zone. All car lots in this zone require a conditional use. The applicant met with the Design Review Committee.

DESIGN REVIEW COMMITTEE RECOMMENDATION: Approval with Conditions

1. Hours of Operation shall be 6AM – 9PM Monday – Saturday
2. All signs must comply with the sign ordinance. Any illegal signs shall be removed before a business license is issued.
3. Fences shall not be allowed in the front yard of a vehicle sales lot, except as mandated under Article 15 hereof.
4. Existing fences located in the front yard of a vehicle sales lot shall be removed, unless required when adjacent to residential use.
5. Six foot privacy fence shall be required when vehicle sales lot abuts a residential use.
6. Vehicle sales lots shall not utilize barb wire or razor wire. Any existing barb wire or razor wire shall be removed.
7. 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. This allows for 33 on the property at any one time.
8. 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.
9. 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.
10. All signage shall meet the requirements of Article 14 of the zoning ordinance.
11. 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.
12. Vehicle sales lot shall be maintained at all times.
13. Sales vehicles shall be locked and secured after business hours.
14. Sales vehicles shall not be used as storage.
15. Vehicle sales lot and any structures located on the lot shall meet all applicable Federal, State, County and City requirements and codes.
16. Business license to be issued after Planning Staff confirmation of requirements.
17. 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.

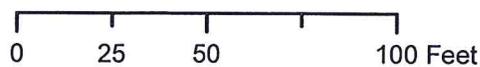


# Conditional Use # 2016-6



Ortho Map

1 inch = 50 feet



Date: 2/24/2016

Map is not to survey accuracy



# V.I.P. AUTO GROUP INC.

www.vipautogroup.com  
955-5556

2000 HWY 481 N. R. AR 77117

LAN TRIP

UNIVERSITY



CASE: Special Use #2016-6

REQUEST: to allow the selling of top soil from the expansion of existing drainage and the construction of a new pond in an R-2 zone.

LOCATION OF REQUEST: Faulkner Lake Rd - East of Faulkner Crossing Subdivision, South of Golf Course.

APPLICANT: AR Trison Farms, LLC

OWNER: Kaye Lynn Tankersley

P.C. BACKGROUND: First time on the agenda

SITE CHARACTERISTICS: Site is a 200+ acre unplatted parcel. A wire fence borders its frontage on Faulkner Lake Rd. The land is accessible from Faulkner Lake Rd via a gated gravel road.

MASTER STREET PLAN: Residential Collector

ZONING: R-2

LAND USE PLAN: Single Family

SURROUNDING USES:

NORTH: O-1, R-2 - Golf Course & Single Family Houses

SOUTH: R-5 - Vacant Land

EAST: RT-1 – Trailer Park

WEST: R-2 – Faulkner Crossing Subdivision - Single Family Houses

BACKGROUND:

1. COMPATIBLE WITH PREVIOUS ACTIONS: Other earth moving special uses, such as mining and creating private lakes, have been approved with conditions in the past.
2. NEIGHBORHOOD POSITION: None at time of printing
3. EFFECT ON PUBLIC SERVICES AND UTILITIES: Minimal
4. LEGAL CONSIDERATION/REASONABLENESS: Request is reasonable.
5. WILL IT HAVE A STABILIZING EFFECT ON SURROUNDING PROPERTIES? If a proper drainage plan is implemented, improved drainage for the developing Faulkner Crossing Subdivision can be expected.
6. IS THE SITE OF ADEQUATE SIZE FOR THE DEVELOPMENT? Yes.
7. WILL THIS SET A PRECEDENT FOR FUTURE REZONING? No.
8. SHOULD A DIFFERENT ZONING CLASSIFICATION BE REQUESTED? No. There is no zoning designation which allows for the selling of top soil. A special use request is appropriate.

SUMMARY: The applicant is applying for a special use to allow for the selling of topsoil and the construction of a new pond in an R-2 zone. The city engineer has reviewed the applicant's drainage plan.

STAFF RECOMMENDATION: Approval with conditions

CONDITIONS TO BE CONSIDERED:

1. Applicant to hire an Engineer to provide detailed drainage plan to properly handle stormwater runoff on adjacent property to the East.
2. Applicant to hire an Engineer that will accurately describe the drainage easements and easements to be recorded with the County.
3. City Engineer to approve the Drainage Plan.
4. City Engineer to approve the drainage easements before they are recorded with the County.
5. Dirt removal to meet all ADEQ requirements.
6. Drainage easements are not to be maintained by the City.
7. Dirt sales limited to 2 years for date of approval by City Council.
8. Hours of operation of any business on property to be Mon-Sat, 8am-6pm.
9. All Signage must comply with the sign ordinance for an R-2 Zone.
10. Applicant must meet all applicable Federal, State, County, and City requirements,
11. Business license to be issued after Planning Staff confirmation of requirements,
12. 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.

We are requesting a special use permit for the location at 12602 Faulkner Lake Road, NLR, AR to be able to sell excess topsoil obtained from the expansion of existing drainage ditches, and the building of a new pond. For over 30 years topsoil has been sold from this location.

After the last phase of Faulkner Crossing was built a few years ago, it directed all of its drainage into "4 Acre Lake" here on our farm. The size of this pond needs to be a lot bigger, so, at no cost to the city or to the Faulkner Crossing developers & homeowners, we are building a larger pond to compensate the over flow to keep the farm ground from flooding and relieve drainage problems in Faulkner Crossing.

Most of the dirt coming out of the new pond will be used to level our fields furthering positive drainage in turn allowing for higher yields. Some of the dirt will be stockpiled and some of the dirt will be sold to other contractors to use on other non-related construction sites. This sale of dirt is taxable under the state and local sales tax codes and will generate a sizable sales tax income for both state and local revenues.

As you know, there is a major beaver dam problem in our area. My plan along with building the smaller pond, is to also clean out and expand all the drainage canals that are already existing on my property which will help as well and be much easier to maintain.

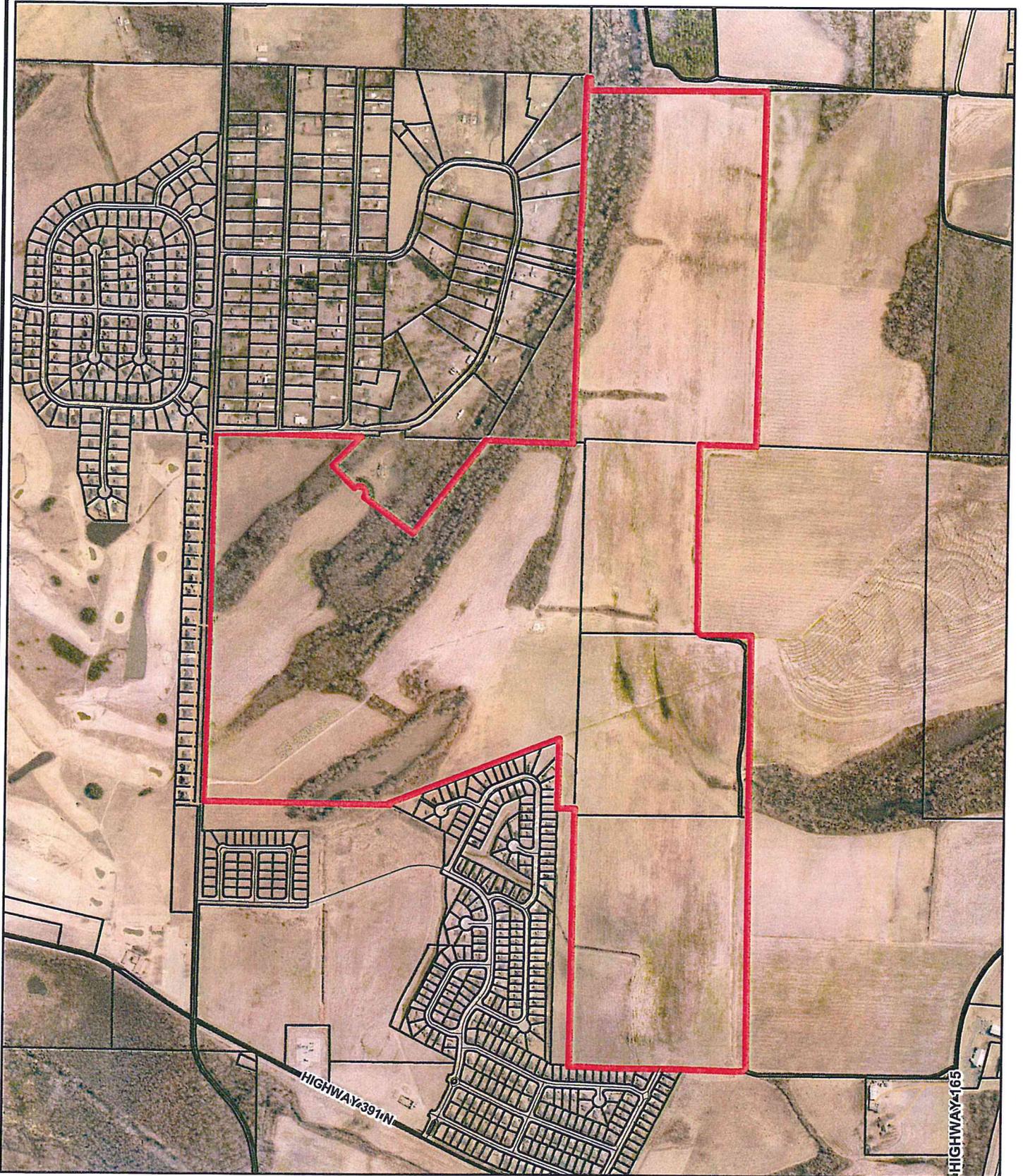
This will also regulate the drainage down stream so they won't be totally dry then totally covered in water every time a beaver damn is relieved and every time there is a major rain event.

On Monday May 9, 2016 there was some material tracked onto Faulkner Lake Road caused from trucks coming and going into and out of AR Trison's farm. We have graciously received some recycled material from the rebuilding of I 440 that we are using for a much needed farm road that can be used year round to retrieve the crops, cattle, hay, and topsoil in which we farm and take to market. After construction of this road the truck traffic will recede. And there will be no residue tracked out of the farm because the all weather road being finished by June 1.

We have improved our entrance to be larger and more conducive for the minor increase of traffic, and with the addition of the material from I440 improving our roads to the point there will be no residue or mud after rain events.

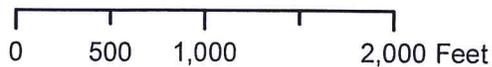
I think it is important to note that all of the items being sold, including hay, cattle, horses, crops, and topsoil are taxable under state and local sales tax codes and will add increased revenue of sales tax in the area.

# Special Use #2016-6



Ortho Map

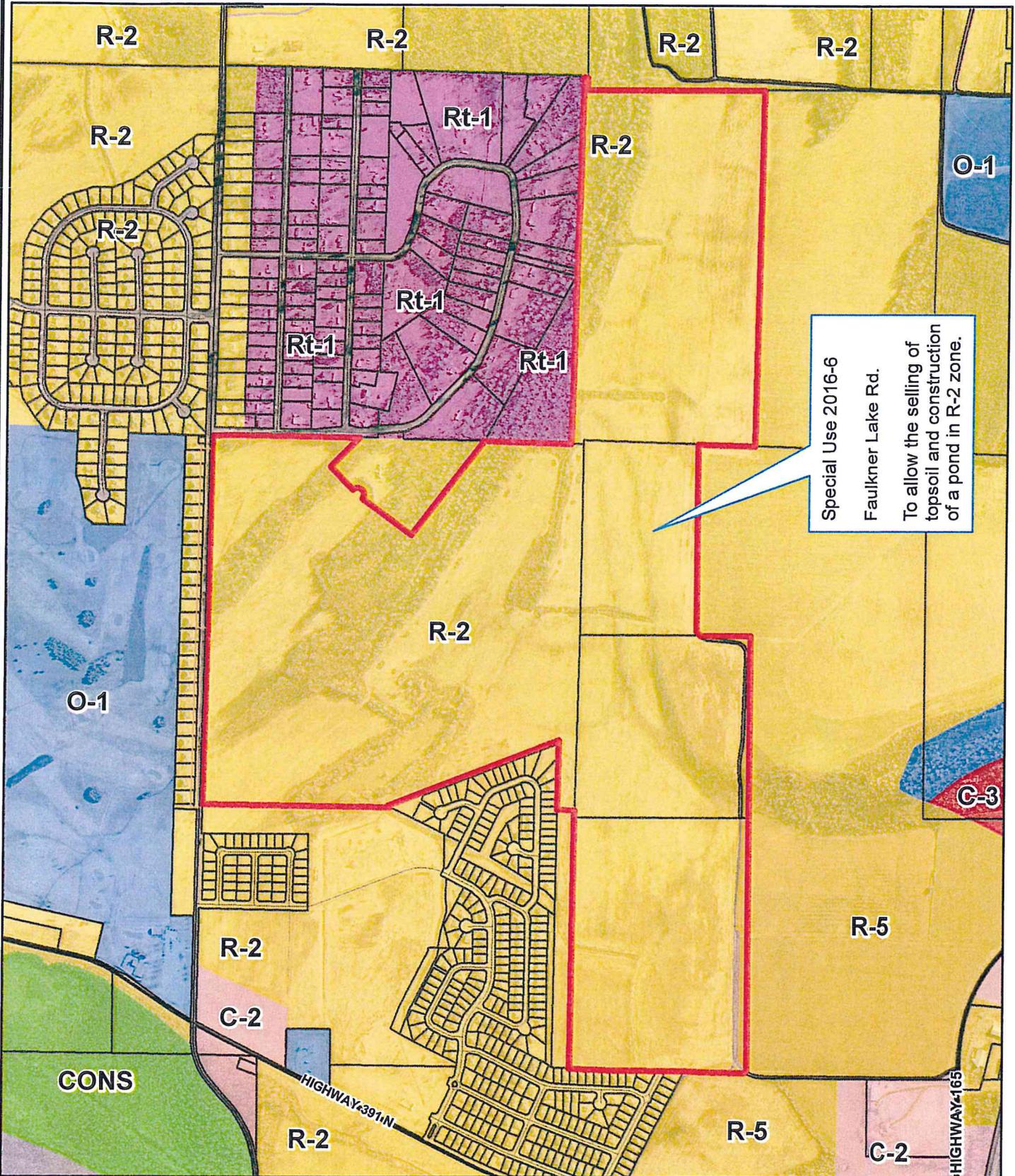
1 inch = 1,000 feet



Date: 5/13/2016

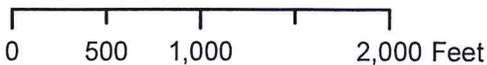
Not an actual survey

# Special Use #2016-6



Zoning Map

1 inch = 1,000 feet



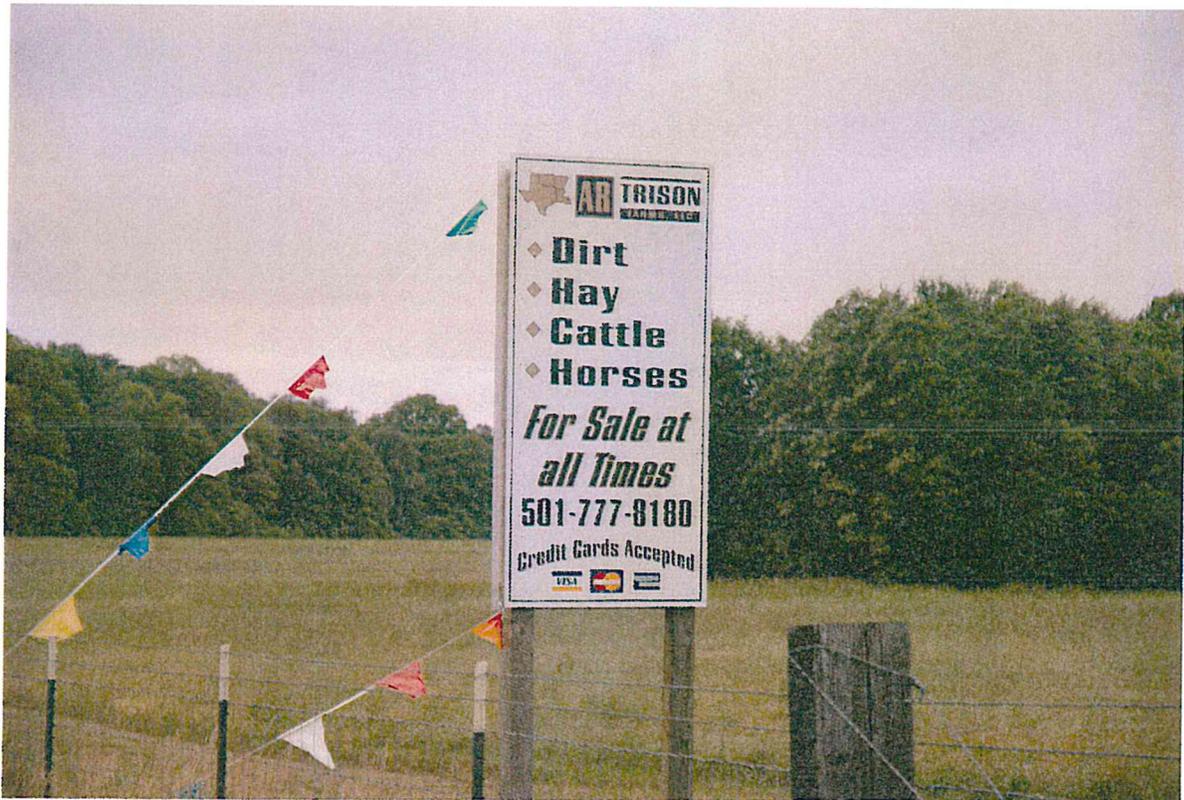
Date: 5/13/2016

Not an actual survey





Front Entrance on Faulkner Lake Rd.



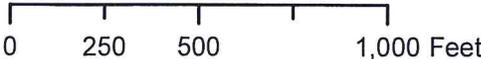
Sign Displayed near front gate.

# Special Use #2016-6



Ortho Map

1 inch = 500 feet



Date: 5/13/2016

Not an actual survey

CASE: Conditional Use #2016-9

REQUEST: To allow a car lot in a C-4 zone

LOCATION OF REQUEST: 3809 Highway 161

APPLICANT: Joseph Kim

OWNER: Darel & Annette Adelsberger

P.C. BACKGROUND: First time on the agenda

SITE CHARACTERISTICS: The site was previously a car lot, but did not have an active business license within the last year. The parcel is surrounded by a chain link fence with barb wire. The vehicle display area is in front of a small office building with a car port. The rear fence is slatted in order to provide a buffer between a residence.

MASTER STREET PLAN: Minor Arterial

ZONING: C-4

LAND USE PLAN: Trade Fair

SURROUNDING USES:

NORTH: C-4 / Convenience Store & Gas Pump

SOUTH: C-4 / Church

EAST: Outside city limits / Self Storage

WEST: C-4 / Single Family House

BACKGROUND:

1. COMPATIBLE WITH PREVIOUS ACTIONS: Yes. The lot was previously a car lot.
2. NEIGHBORHOOD POSITION: None at time of printing.
3. EFFECT ON PUBLIC SERVICES AND UTILITIES: Minimal
4. LEGAL CONSIDERATION/REASONABLENESS: Request is reasonable
5. WILL IT HAVE A STABILIZING EFFECT ON SURROUNDING PROPERTIES? If managed properly, no negative effect on surrounding properties is anticipated.
6. IS THE SITE OF ADEQUATE SIZE FOR THE DEVELOPMENT? Yes
7. WILL THIS SET A PRECEDENT FOR FUTURE REZONING? No. All car lots in C-4 require a conditional use permit.
8. SHOULD A DIFFERENT ZONING CLASSIFICATION BE REQUESTED? No. C-4 is appropriate.

SUMMARY: Applicant wants to open a car lot in a C-4 Zone. All car lots in this zone require a conditional use. The applicant met with the Design Review Committee.

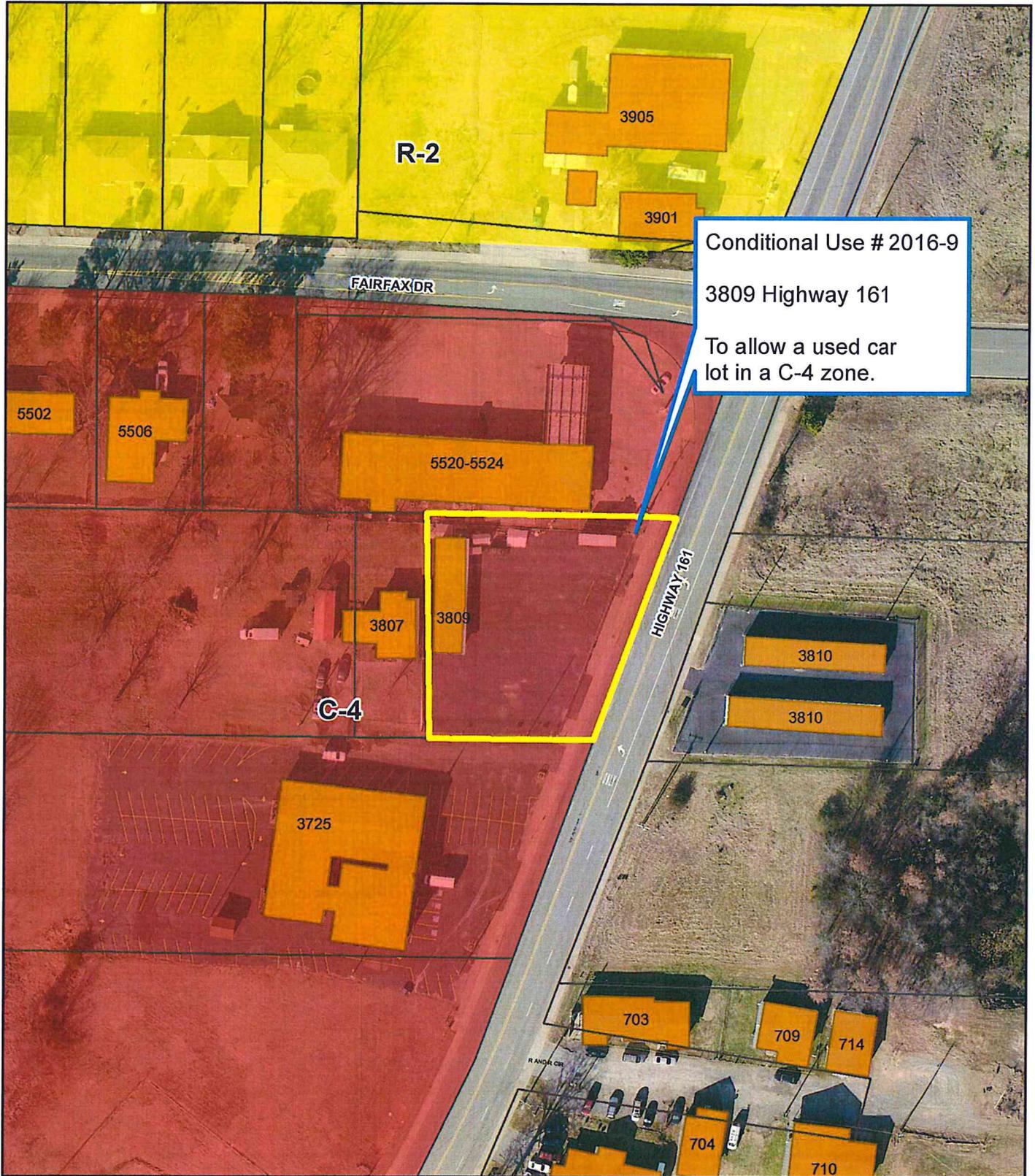
DESIGN REVIEW COMMITTEE RECOMMENDS THE FOLLOWING CHANGES TO THE SET 15 REQUIREMENTS:

1. The front yard fence be allowed to stay due to security concerns.
3. Allow the existing slatted chain link fence at the rear of the property be allowed to serve as a buffer for the existing residence.

DESIGN REVIEW COMMITTEE RECOMENDATION: Approval with conditions.

1. Fences shall not be allowed in the front yard of a vehicle sales lot, except as mandated under Article 15 hereof.
2. Existing fences located in the front yard of a vehicle sales lot shall be removed, unless required when adjacent to residential use.
3. 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.
4. Vehicle sales lots shall not utilize barb wire or razor wire. Any existing barb wire or razor wire shall be removed.
5. There shall be a ratio of one vehicle per every 450 square feet of open lot area. This allows for a maximum of 32 vehicles. This ratio shall include sales, employee, and customer vehicles. Open lot area does not include any structures.
6. 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.
7. 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.
8. All signage shall meet the requirements of Article 14 of the zoning ordinance.
9. 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.
10. Vehicle sales lot shall be maintained at all times.
11. Sales vehicles shall be locked and secured after business hours.
12. Sales vehicles shall not be used as storage.
13. Vehicle sales lot and any structures located on the lot shall meet all applicable Federal, State, County and City requirements and codes.
14. Business license to be issued after Planning Staff confirmation of requirements.
15. 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.

# Conditional Use # 2016-9

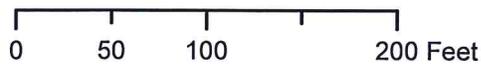


Conditional Use # 2016-9  
3809 Highway 161  
To allow a used car lot in a C-4 zone.



Zoning Map

1 inch = 100 feet



Date: 4/15/2016

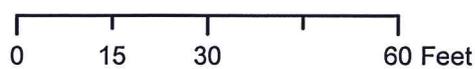
Map is not to survey accuracy

# Conditional Use # 2016-9



Ortho Map

1 inch = 30 feet



Date: 4/15/2016

Map is not to survey accuracy



Front of property



Front of Property



Fence at rear of property

CASE: Rezoning #2016-4 & Conditional Use #2016-10

REQUEST: To rezone from the C-3 zoning classification to the proposed C-4 zoning classification to allow for a car lot.

LOCATION OF REQUEST: 2410 Pike Ave

APPLICANT: CJS Enterprises Inc

OWNER: 59 Properties LLC

P.C. BACKGROUND: First time on the agenda

SITE CHARACTERISTICS: The site consists of a building with offices, a garage work area, and a parking lot out front that abuts Pike Ave. The vehicle display area will be only in the northern ¼ of the parking lot. The site was not designed to be a car lot.

MASTER STREET PLAN: Principle Arterial

ZONING: C-3

LAND USE PLAN: Community Shopping

SURROUNDING USES:

NORTH: C-3 / Discount Muffler & Old Kroger Building

SOUTH: C-3 / Beauty Salon

EAST: C-3 & R-3 / old daycare, duplexes, and single family house

WEST: C-3 / One Touch Auto Repair

BACKGROUND:

1. COMPATIBLE WITH PREVIOUS ACTIONS: No other outdoor car lots have been approved in the immediate area.
2. NEIGHBORHOOD POSITION: None at time of printing
3. EFFECT ON PUBLIC SERVICES AND UTILITIES: Minimal
4. LEGAL CONSIDERATION/REASONABLENESS: The proposed activity is a violation of the adopted land use plan. Any deviation from the plan is potentially suspect to legal challenges.
5. WILL IT HAVE A STABILIZING EFFECT ON SURROUNDING PROPERTIES? If managed properly, there should not be a negative impact on the neighbors.
6. IS THE SITE OF ADEQUATE SIZE FOR THE DEVELOPMENT? Yes. The area requested for a sales area is a small portion of the total lot for the building.
7. WILL THIS SET A PRECEDENT FOR FUTURE REZONING? Surrounding properties are zoned C-3. No properties in the immediate area are zoned C-4.
8. SHOULD A DIFFERENT ZONING CLASSIFICATION BE REQUESTED? No. A used car outdoor sales lot is conditionally allowed in the proposed C-4 zone.

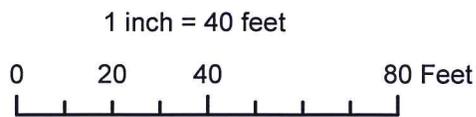
SUMMARY: Applicant wants to rezone property from C-3 to C-4 in order to turn part of the parking lot into a used car lot. The applicant plans to display the cars only during the day. Applicant will move them into the garage at night. The lot area will allow for a maximum of 4 cars to be on display at any given time. The applicant met with the Design Review Committee.

STAFF RECOMMENDATION: Deny the rezoning and conditional use proposal, but allow a special use. Due to the small portion of the property the applicant is proposing to use as a car lot, a rezoning request is too drastic. A special use request would be more appropriate. Staff supports a special use to allow the sale of vehicles in the proposed area with conditions.

DESIGN REVIEW COMMITTEE RECOMMENDATION: Approval with conditions

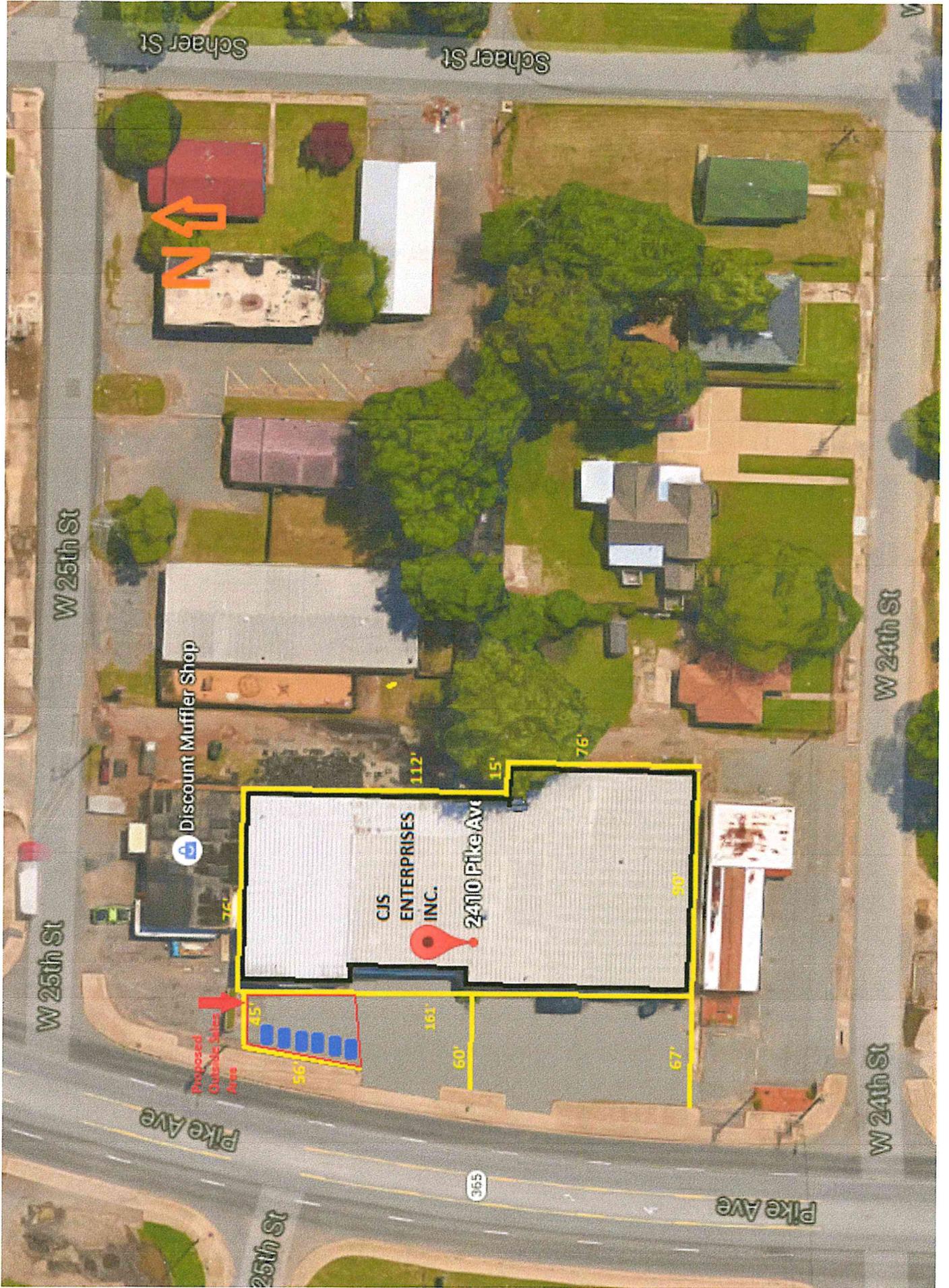
1. Fences shall not be allowed in the front yard of a vehicle sales lot, except as mandated under Article 15 hereof.
2. Existing fences located in the front yard of a vehicle sales lot shall be removed, unless required when adjacent to residential use.
3. Six foot wood privacy fence shall be required when vehicle sales lot abuts a residential use. Fences shall not extend beyond the front building line of the abutting residential use.
4. Vehicle sales lots shall not utilize barb wire or razor wire. Any existing barb wire or razor wire shall be removed.
5. There shall be a ratio of one vehicle per every 450 square feet of open lot area. This allows for a maximum of 4 cars for sale at any one time. Open lot area does not include any structures.
6. 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.
7. 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.
8. All signage shall meet the requirements of Article 14 of the zoning ordinance.
9. 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.
10. Vehicle sales lot shall be maintained at all times.
11. Sales vehicles shall be locked and secured after business hours.
12. Sales vehicles shall not be used as storage.
13. Vehicle sales lot and any structures located on the lot shall meet all applicable Federal, State, County and City requirements and codes.
14. Business license to be issued after Planning Staff confirmation of requirements.
15. 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.

# Rezone Case #2016-4 and Conditional Use #2016-10

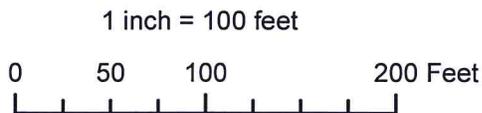
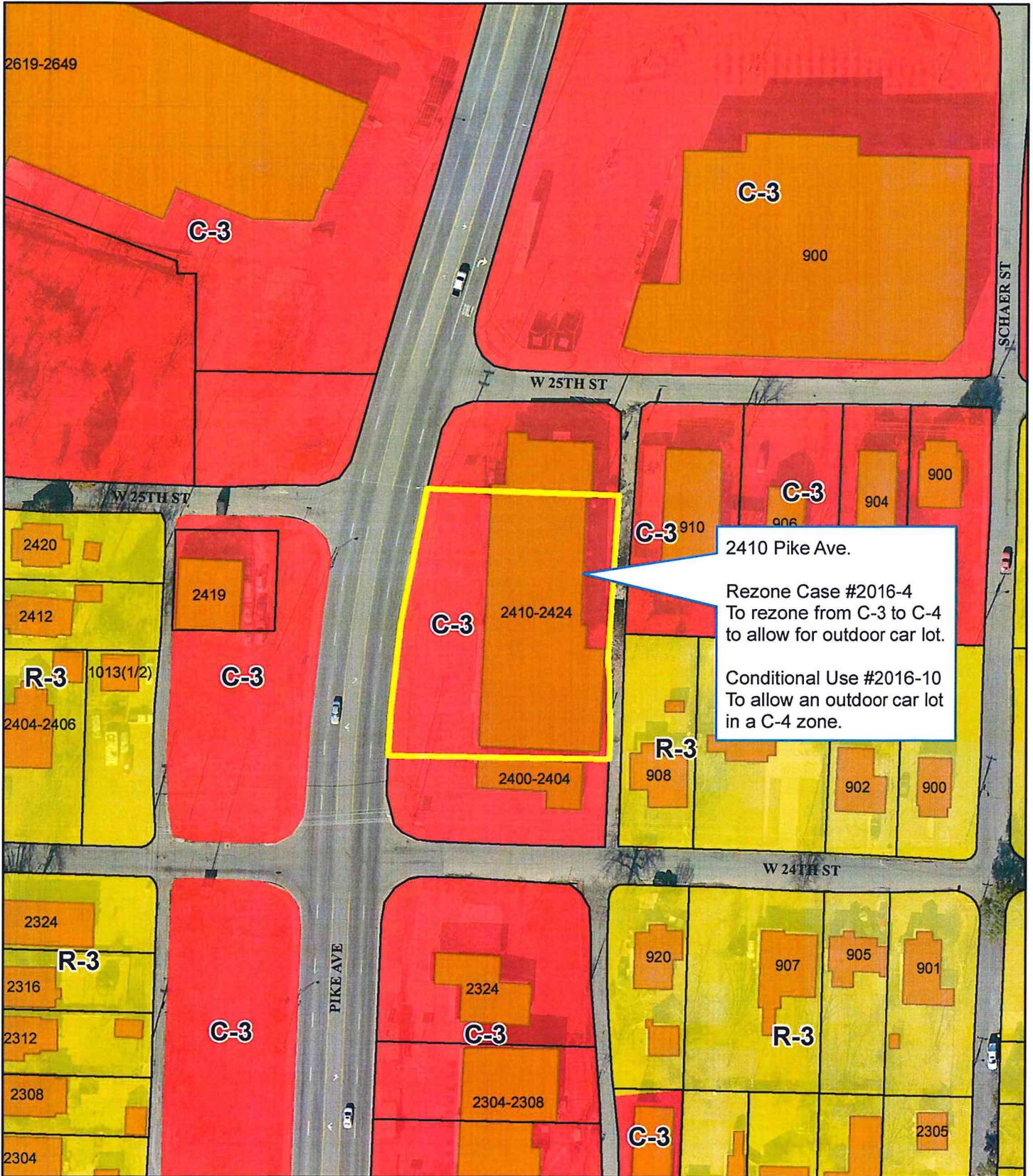


Date: 5/10/2016



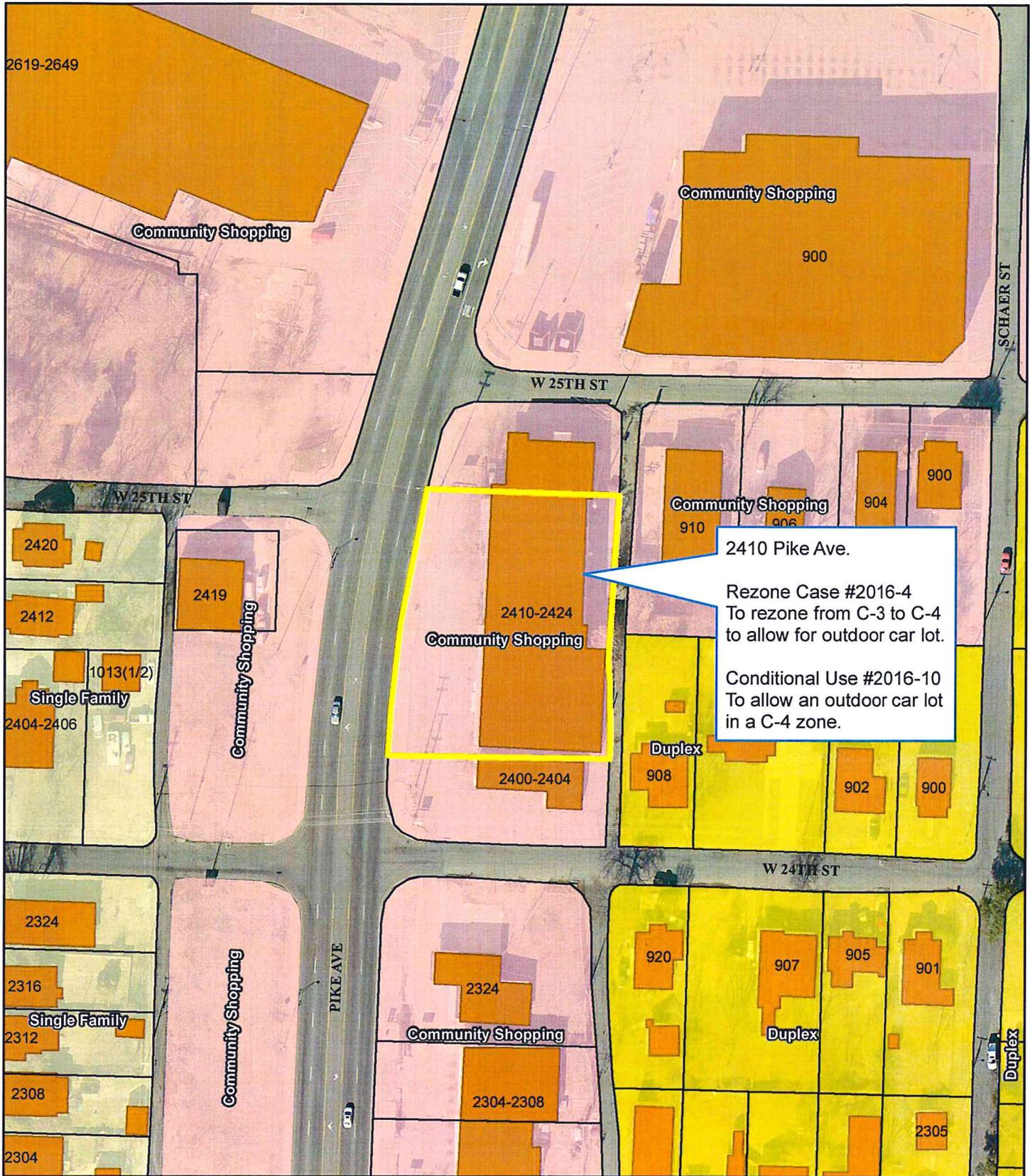


# Rezone Case #2016-4 and Conditional Use #2016-10



Date: 5/9/2016

# Rezone Case #2016-4 and Conditional Use #2016-10



Land Use Map

1 inch = 100 feet



Date: 5/9/2016



Area for displaying cars for sale



Front of entire building

CASE: Rezoning #2016-5

REQUEST: To rezone from the R-4 zoning classification to the proposed C-2 classification to allow for commercial development

LOCATION OF REQUEST: NE corner of McCain Blvd & Randolph Rd

APPLICANT: Marlar Engineering

OWNER: Apple Vali Crest NWA LLC

P.C. BACKGROUND: First time on the agenda

SITE CHARACTERISTICS: Oddly shaped, vacant, partially wooded, unplatted property

MASTER STREET PLAN: McCain Blvd - Minor Arterial; Randolph Rd – Local Street

ZONING: R-4

LAND USE PLAN: Single Family

SURROUNDING USES:

NORTH: R-1 - Single Family Houses

SOUTH: R-1 / R-4 - Single Family Houses / Lakewood Health & Rehab

EAST: R-4 / C-3 - One Banc / Lakewood House

WEST: R-1 - Single Family Houses

BACKGROUND:

1. COMPATIBLE WITH PREVIOUS ACTIONS: No. Most of the neighboring parcels in this immediate area are zoned for residential use.
2. NEIGHBORHOOD POSITION: One call voicing concern at time of printing
3. EFFECT ON PUBLIC SERVICES AND UTILITIES: Minimal
4. LEGAL CONSIDERATION/REASONABLENESS: The proposal does not conform to the land use plan. A deviation from the plan such as this is potentially suspect to legal challenges.
5. WILL IT HAVE A STABILIZING EFFECT ON SURROUNDING PROPERTIES? Doubtful. New commercial development adjacent to an established residential neighborhood may cause change.
6. IS THE SITE OF ADEQUATE SIZE FOR THE DEVELOPMENT? Yes.
7. WILL THIS SET A PRECEDENT FOR FUTURE REZONING? Possibly. Should this parcel be rezoned, future residential to commercial rezoning requests from neighboring properties is possible.
8. SHOULD A DIFFERENT ZONING CLASSIFICATION BE REQUESTED? No. C-2 is appropriate for commercial development.

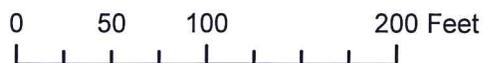
**SUMMARY:** Applicant wishes to rezone property from R-4 to C-2 to allow for commercial development.

**STAFF RECOMMENDATION:** Staff cannot support the rezoning. Allowing new commercial development to such close proximity of an established R-1 neighborhood raises questions of appropriateness and neighborhood stability. Additionally, the proposed rezoning would violate the adopted Land Use Plan.

# Rezone Case #2016-5



1 inch = 100 feet



Date: 5/12/2016

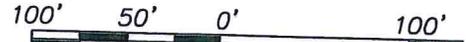


Ortho Map

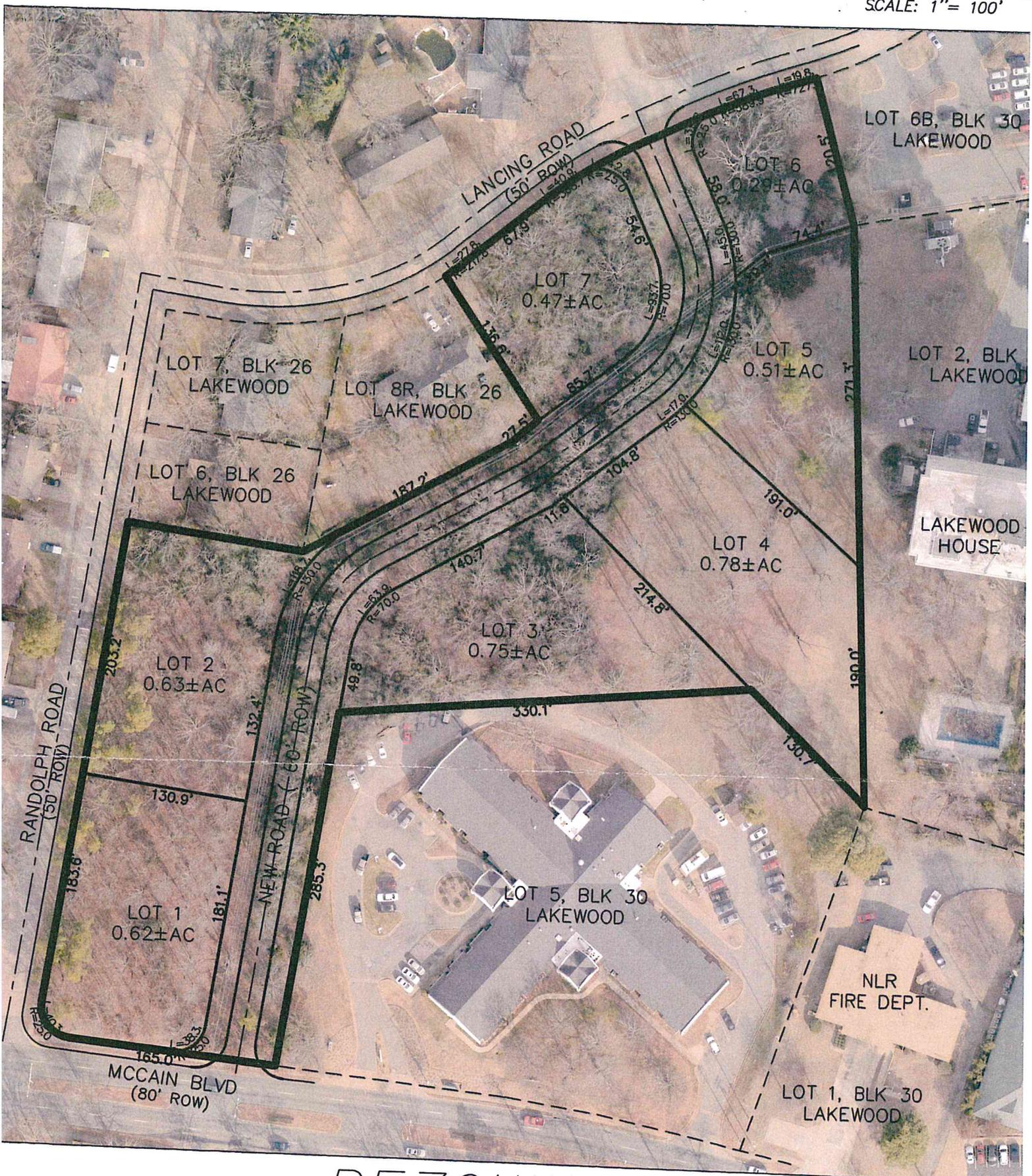








SCALE: 1" = 100'



RF ZONING



View of NE Corner of McCain and Randolph



View property from across Randolph Rd from adjacent neighborhood