

**North Little Rock Planning Commission
Regular Meeting
September 9, 2014**

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

Members Present:

Alexander
Belasco
Chambers
Dietz
Foster
Harris
Phillips
White
Clifton, Chairman

Staff Present:

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

Others Present:

Alderman Debi Ross
Alderman Bruce Foutch
Alderman Beth White

Approval of Minutes:

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

Administrative:

Letter concerning Item 1 – Special Use 756
Special Use 765 withdrawn

Development Review Committee:

- A. Rep-2414-14 New Hum's Addition – Lots 1 (Replat and Site Plan Review of commercial lot located north of the intersection of East Broadway and Vance Street)**
- 1. Property is not zoned for outdoor display of rental equipment. An approved ordinance from City Council will be required to allow outdoor display of rental equipment.**
 - 2. Requirements before the final plat/replat will be signed:**
 - a. Pay the drainage fee of \$5000/acre (based on total lot acreage) instead of providing on-site detention.
 - b. Replat will be submitted in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.
 - 3. Permit requirements/approvals before a building permit will be issued:**
 - a. Provide CNLR Stormwater Permit.
 - b. Provide driveway/curb cut from City Engineer or AHTD if State Highway.
 - c. Provide Arkansas Department of Health approval for water and sewer facilities.
 - 4. Meet the requirements of the City Engineer, including:**
 - a. The first floors of any building are to be a minimum of 1' above any floodplain.
 - b. Prior to any excavation/street cuts within street ROW, obtain CNLR Excavation and Barricade Plan Application/Permit.
 - c. Provide City Engineer drainage calculations for existing and proposed facilities.
 - d. All driveways are to be concrete within the ROW.
 - e. Remove any unused entry/exit and patch to match existing ½ street improvements.
 - 5. Meet the requirements of Community Planning, including:**
 - a. Provide the standard requirements of Zoning and Development Regulations.
 - b. Due to dumpster location, screening is not required. If dumpster is moved to a location that can be seen from a public ROW, masonry screening will be required.
 - c. Provide a 6' decorative iron fence within the 40' front building line.
 - d. All exterior lighting shall be shielded and not encroach onto neighboring properties.
 - e. Any gates along Broadway are to be set back 20' from property line. The furthest gate to the west to be set back 40' from property line to allow for larger vehicles.
 - 6. Meet the requirements of the Master Street Plan.**
 - 7. 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 as shown.
 - d. Provide 10 parking lot shade trees
 - 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 a continuous screen of shrubs between western property line and entrance gate (approx. 170').
 - 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.
 - j. Provide buffer between dissimilar uses or zoning. Do not remove trees from full buffers.
 - 8. Meet the following requirements concerning signage:**
 - a. All signs require a permit and separate review.
 - b. Provide sign location on site plan.

c. No pole sign permitted. No electronic changeable copy sign permitted.

9. 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.

10. Meet the requirements of CAW, including:

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

11. Meet the requirements of NLR Wastewater, including:

- a. The existing sewer lines and manholes need to be fully shown on the drawing along with the flow line elevations.
- b. Provide a 10' Sanitary Sewer Easement along Broadway Road.
- c. There is an existing sewer main that serves the old building 3913 Broadway that will need to be disconnected. Coordination with NLRWU will be required.
- d. Show the service line to the proposed building.
- e. A complete set of drawings for development must be submitted to NLR Wastewater.
- f. Approval of plans by AR Dept. of Health Engineering Division is required.

12. Meet the requirements of Central Arkansas Transit Authority (CATA).

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 as amended was passed with (9) affirmative votes.

B. SPR-2415-14 Shorter College Renewal Addition, Lot A (Site Plan Review of an addition to 7th Street Elementary located at 1200 Bishop Lindsey Street)

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

- a. Provide CNLR Stormwater Permit.
- b. Provide CNLR Access Driveway/Curb Cut Permit.
- c. Provide Arkansas Department of Health approval for water and sewer facilities.

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

- a. The first floors of any building are to be a minimum of 1' above any floodplain.
- b. Prior to any excavation/street cuts within street ROW, obtain CNLR Excavation and Barricade Plan Application/Permit.
- c. Driveway radii returns built to City Engineer's specifications.
- d. Pay the drainage fee of \$5000/acre (based on building footprint) instead of providing on-site detention.
- e. All driveways are to be concrete within the ROW.

3. Meet the requirements of Community Planning, including:

- a. Provide the standard requirements of Zoning and Development Regulations.
- b. Dumpster to have masonry screening.
- c. No fence is to be within a front building line.
- d. 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 5 street trees 40' on center along Beech.
 - d. Provide 3 parking lot shade trees.
 - e. Provide 5 street trees 40' on center along Bishop Lindsey.
 - f. Provide a continuous screen of shrubs for any parking spots that face a street or abutting property along Beech and Bishop Lindsey.
 - g. Provide a 6 foot wood privacy fence along west property line.
- 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. Provide all weather access to three sides of the building.
 - d. Fire hydrants to be within 400 feet of all areas of building.
 - e. All exterior portions of a building must be within 150' of a FD access road.
- 8. Meet the requirements of CAW, including:**
 - a. Water is available to the site.
 - b. All CAW requirements in effect at the time of request for water service must be met.
 - c. Submit plans for water facilities and/or fire protection system to CAW for review.
 - d. Approval of plans by AR Dept. of Health Engineering Division is required.
 - e. Contact CAW for requirements on backflow protection on meter services.
 - f. Contact CAW for requirements on size and location of the meter.
 - g. Provide static pressure, residual pressure and flow for nearest fire hydrant.
- 9. Meet the requirements of NLR Wastewater, including:**
 - a. Show sewer service for proposed building.
 - b. The sewer main at the NW corner of the school property needs to be relocated around the outparcel that appears to belong to New Calvary Temple with a dedicated easement of 15' which is consistent with the 15' Building Line.
 - 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.
- 10. Meet the requirements of Central Arkansas Transit Authority (CATA).**

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

C. NS-2399-14 Rockwater Village Phase 2 – Lots 1-33 (amendment to the Preliminary Plat of residential subdivision located east of intersection of River Road and Rockwater Blvd)

- 1. Requirements before the final plat will be signed:**
 - a. Pay the drainage fee of \$500/acre instead of providing on-site detention.
 - b. Final plat/replat will be submitted in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.

- c. Provide full street improvements on Rockwater Lane (a private street) or a performance bond. Street improvements must be approved by City Engineer.
 - d. Written approval from CAW on final water service location.
 - e. Written approval from NLR WW on final sewer service location.
 - f. Written approval from Fire Marshal on fire hydrant locations.
 - g. Show Rockwater Lane as a separate private tract of land.
 - h. Remove mention of street signs and Fire truck access from plat.
 - i. Provide note on plat stating all vehicular access to each lot will be from Rockwater Lane. (No driveways on Rockwater Blvd and the River Road Trail.
 - j. Show building setbacks (front, back) on each lot. If there is an easement that matches the setback – label the line as “building setback and drainage/utility easement”. Rear yard setbacks – 10 feet on all lots. Front yard setbacks 15 feet on all lots. Side yard setbacks on lots 1-17 are 5 feet. Side yard setbacks on lots 18-33 are 7.5 feet.
- 2. Meet the requirements of the City Engineer, including:**
- a. The first floors of any building are to be a minimum of 1' above any floodplain.
 - b. Provide 10' drainage/utility easement along Rockwater Blvd. and 5' along the West line of Lot 16.
 - c. Provide 10' drainage/utility easement along River Road, and 5' along the West line of Lot 17 and 5' along the East line of Lot 33.
 - d. Show the existing water, sewer, and electric mains to services the proposed subdivision.
 - e. Prior to any excavation/street cuts within street ROW, obtain CNLR Excavation and Barricade Plan Application/Permit.
 - f. Provide City Engineer drainage calculations for existing and proposed facilities.
 - g. Cross drains in the ROW are to be RCP with flared end section unless approved by Engineering.
 - h. All driveways are to be concrete within the ROW.
- 3. Meet the requirements of Community Planning, including:**
- a. Provide the standard requirements of Zoning and Development Regulations.
 - b. All exterior lighting shall be shielded and not encroach onto neighboring properties.
 - c. Rockwater Lane gate will be located at least 50' back from Rockwater Blvd ROW to allow stacking of 2 vehicles at the gate.
- 4. Meet the requirements of the Master Street Plan, including:**
- a. Provide full street improvements on Rockwater Lane.
 - b. Rockwater Lane to be a private street.
- 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 1 street tree per lot.
- 6. Meet the following requirements concerning signage:**
- a. All signs require a permit and separate review.
 - b. No pole sign permitted. No electronic changeable copy sign permitted.
- 7. Meet the requirements of the Fire Marshal, including:**
- a. Provide an approved fire protection plan.
 - b. Fire Marshal to approve gate.
 - c. Meet Fire Marshal's requirements on fire hydrant location.
 - d. Fire hydrants to be within 400 feet of all areas of building.
 - e. Developer to provide “no parking” signs along Rockwater Lane.
- 8. Meet the requirements of CAW, including:**
- a. Water service is not available to the site without an extension of facilities.

- b. Provide easements (if required)
 - c. All CAW requirements in effect at the time of request for water service must be met.
 - d. Submit plans for water facilities and/or fire protection system to CAW for review.
 - e. Approval of plans by AR Dept. of Health Engineering Division is required.
 - f. Contact CAW for requirements on backflow protection on meter services.
 - g. Contact CAW for requirements on size and location of the meter.
 - h. Provide static pressure, residual pressure and flow for nearest fire hydrant.
- 9. Meet the requirements of NLR Wastewater, including:**
- a. Sewer collection system is currently available for lots 1-13.
 - b. Main extension with wyes will be required for lots 14-33.
 - c. Service taps will have to be added to main for each lot.
 - d. A complete set of drawings for development must be submitted to NLR Wastewater.
 - e. Approval of plans by AR Dept. of Health Engineering Division is required.

Mr. Chambers stated the applicant met with the Development Review Committee and has agreed to all the requirements. There were no additional comments from Commissioners or the audience. The motion to approve as amended was passed with (9) affirmative votes.

Public Hearings:

1. Special Use #756. To recognize a 2nd residence on a lot in an R-3 zone located at 1412 W 18th.

The applicant, James Lockrin representing Ryan Aclin, was present.

Mr. Shawn Spencer updated the Commissioners on the application since last month's meeting.

Mr. Chambers inquired about item #3 on the letter the applicant submitted to staff. He suggested having inspections done at the residence for the next three years.

Mr. Lockrin stated that according to the guidelines for landlords, he is required to supply heat but not air conditioning. He is willing to have inspections done at the residents.

Mr. Jim Briley, the City official of NLR, stated that it would be more expensive to do repairs at this residence. He gave a brief description of the conditions at this residence that are not up to code according to the building codes.

Mr. Foster asked Mr. Briley if Commissioners were to approve this application with all these restrictions, would the inspectors be able to verify that all the repairs are done.

Mr. Briley explained that the applicant would have to buy permits in order to get inspections.

Mr. Spencer explained that the inspectors only inspect when a permit has been issued, they do not do random inspections.

Mr. Foster expressed his concerns about code enforcement of this application.

Mr. Chambers asked Mr. Cedric Williams, NLR Code Enforcer, if their office inspects livability.

Mr. Williams answered yes.

Mr. White expressed his concerns about this application and stated that he cannot support this application.

Chairman Clifton asked if anyone in the audience or Commissioners have any further comments.

Captain John Pflasterer stated that his main concern is the distance between the two structures; he said the smoke alarms would help but there's no guarantee that the alarms will work.

Mr. Lockrin asked Captain Pflasterer if he put a sprinkler system on the property would that help.

Captain Pflasterer answered yes.

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

Alexander	No	Harris	No
Belasco	Yes	Phillips	No
Chambers	No	White	No
Dietz	Yes	Clifton	No
Foster	No		

Special Use #756 received a negative recommendation with (7) opposed and (2) affirmation votes.

2. Special Use #761. To allow car sales in a C-3 zone located at 7525 Young Road.

The applicant, Dr. Michael Zweifler, was present.

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

Alderman Bruce Fouch stated that he's in support of this application.

Chairman Clifton asked if there were any further comments.

There were no further comments.

Conditions:

1. Only 5 sales vehicles to be displayed outside.
2. Hours of operation by appointment only.
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. Vehicle sales lots shall not utilize barb wire or razor wire. Any existing barb wire or razor wire shall be removed.
6. There shall be a ratio of one vehicle per every 450 square feet of open lot area. This ratio shall include sales, employee, and customer vehicles. Open lot area does not include any structures. Limited to 5 vehicles for outside sales.
7. All exterior vehicle sales lot lighting, located on a building or free standing, shall be shielded and directed downward. Lighting shall be directed away from abutting residential uses.

- 8. Sales vehicles shall be displayed on one of the following surfaces: asphalt paving or concrete. Asphalt paving shall meet the standards of the City Engineer. Sales vehicles shall not be displayed on grass or gravel surfaces.
- 9. All signage shall meet the requirements of Article 14 of the zoning ordinance.
- 10. No inoperable or wrecked vehicles shall be stored or sold from the sales lot. Vehicle sales lots shall not store inoperable or wrecked vehicles, nor any parts thereof, as those terms are defined under the North Little Rock Property Maintenance and Nuisance Abatement Code.
- 11. Vehicle sales lot shall be maintained at all times.
- 12. Sales vehicles shall be locked and secured after business hours.
- 13. Sales vehicles shall not be used as storage.
- 14. Vehicle sales lot and any structures located on the lot shall meet all applicable Federal, State, County and City requirements and codes.
- 15. Business license to be issued after Planning Staff confirmation of requirements.
- 16. Business license holder understands that failure to comply with these conditions may result in loss of the Special Use and/or loss of Business License and/or removal of Electric Power Meter.

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

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

Special Use #761 was approved with (9) affirmative votes.

- 3. Special Use #762. To allow a community center for youth in an R-2 zone located at 5301 Summertree Drive #B.

The applicant, Debora Washington, was present.

Mr. Dietz asked if Ms. Washington has had this in operation prior to this meeting and for how long.

Ms. Washington answered yes and it has been operating for 2 years.

Mr. Spencer asked if DHS was involved.

Ms. Washington answered no.

Mr. Chambers moved for approval with staff recommendations.

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

Mrs. Debra Phelps stated that her concern is the noise level it's unbelievable. She expressed the unacceptable activities that the kids have done in the past. She asked if Ms. Washington would be willing to put up a privacy fence to close off the noise and to keep the kids from coming into her back yard.

Mr. Foster asked about the use of the other structure on this property.

Ms. Washington stated that it was a church.

Mr. Charles Redding asked about the age group that will be at this location.

Ms. Washington answered school age children from 4 to 18 years of age. She stated that this will be an after school care from 3 – 6p.m., the kids are from the nearby neighborhood. She stated that she is willing to put up a privacy fence and they will limit the noise.

Mr. Clifton explained that the back of the building sits up on a 3’ pad site and there is a back fence with heavy vegetation across the back of this property. To build a privacy fence back there would be difficult because of property grade is solid rock.

Mr. Chambers asked if they would be willing to put a privacy fence from the back of the building to the existing fence to keep kids from going back there.

Mr. Clifton answered yes.

Mr. Redding asked how many children will be at the after school program.

Ms. Washington stated about 20 to 25.

Ms. Alexander asked if Ms. Washington would keep open communication with people in the neighborhood.

There was further discussion on the application.

A motion was made and seconded to amend to add #5 to add 8’ chain link fence from the west corners of the building to the west property line. Also to amend item #1 to state hours of operation will be 3 – 6pm Monday thru Friday. Add item #6 to close off vents on the northwest corner of the building.

Chairman White asked for a roll call vote on the amendments.

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

The amendment passed with (8) affirmative votes.

Approve with conditions:

1. Hours of operation M-F, 3-6pm.
2. Provide an 8’ chain link fence from west corners of building to west property line connecting to existing fence.
3. Close off vents at northwest corner of building.

4. applicant must meet all applicable Federal, State, County and City requirements,
5. business license to be issued after Planning Staff confirmation of requirements,
6. applicant/owner understands that failure to comply with these conditions may result in loss of the Special Use and/or loss of Business License and/or removal of Electric Power Meter.

Chairman White asked for a vote on the application as amended.

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

Special Use #762 was approved with (8) affirmative and (1) recused votes.

4. Special Use #763. To allow the sale of beer for off-site consumption in a C-3 zone located at 3941 McCain Blvd.

The applicant, Jerry Taylor, was present. He gave a brief description of the business and what will take place at this location.

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

There were no further comments.

Conditions:

1. applicant must meet all applicable Federal, State, County and City requirements,
2. business license to be issued after Planning Staff confirmation of requirements, and
3. applicant/owner understands that failure to comply with these conditions may result in loss of the Special Use and/or loss of Business License and/or removal of Electric Power Meter.

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

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

Special Use #763 was approved with (9) affirmative votes.

5. Special Use #765. Withdrawn. To allow a roofing company in a C-3 zone located at 600 East 14th Street.

6. Rezone #1696. To rezone from R-3 to C-1 to allow office located at 1307 Maple.

The applicants, Jeff Yates and Debra White, were present.

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

There were no comments.

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

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

Rezone #1696 was approved with (9) affirmation votes.

Public Comment/Adjournment:

A motion was made to adjourn and it was seconded. The motion passed with (9) affirmative votes and the meeting was adjourned at 5:45pm.