

**North Little Rock Planning Commission**  
**Regular Meeting**  
**June 12, 2018**

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

**Members Present:**

Banks  
Belasco  
Chambers  
Dietz  
Foster  
Phillips  
Wallace  
White  
Clifton, Chairman

**Staff Present:**

Shawn Spencer, Director  
Timothy Reavis, City Planner  
Marie Miller, Deputy City Attorney  
Keisa Stewart, Secretary  
Dustin Free, Lt. Fire Marshal  
Shannon Carroll, City Clerk

**Approval of Minutes:**

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

**Administrative:**

Presentation from City Engineer  
Item #8 postponed

**Subdivision Administrative:****A. SD2018-40 Rockwater Village, Phase III (Preliminary Plat of a residential subdivision on Rockwater Blvd)****1. Engineering requirements on detention:**

- a. Before the plat will be signed, pay the drainage in-lieu fee of \$500/acre for residential development instead of providing onsite detention. Although property is zoned C-6, the use will be restricted to residential and will not need to pay the commercial fee.

**2. Engineering requirements before the plat will be signed:**

- a. Provide full street improvements (street, drainage, curb and gutter, sidewalk, street lights) or a performance bond.
- b. Provide 25' property line corner radii at all intersections. If unable to meet this requirement, City Engineering will waive this as long as street and alley radii have 25' radii (no less than 20' radii on alleys if unable to meet the 25' radii requirement).

**3. Planning requirements before the plat will be signed:**

- a. Provide approved City Council ordinance for rezoning property to C-6.
- b. Plat will be submitted to NLR Planning Department in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.
- c. Provide sidewalks on both sides of all streets. Sidewalk not required on the west side of the western north south street, due to no residential lots and abutting the apartment fence.
- d. Provide the required 50' ROW for local streets or approved City Council ordinance waiving the Master Street Plan requirements before the plat will be signed.
- e. Pay for street signs before the plat will be signed.
- f. Provide street trees of 1 per lot or provide a bond of \$250 per tree.
- g. Provide street lights or provide a bond.
- h. Provide 5' buffer along western property line.
- i. Show private alley as a separate tract.
- j. Provide street names to be approved by Planning Staff before submitting the final plat.
- k. Add note to plat that lots abutting Rockwater Blvd are not permitted to have direct vehicular access to Rockwater Blvd.
- l. Add note to plat that lots abutting the eastern north/south street are not permitted to have direct vehicular access to this north/south street.
- m. Maximum height on all lots shall be 35' measured to the highest point of the roof.
- n. Maximum height of the eave on lots 10-11, block 2 shall be 30'.

**4. Meet the requirements of the City Engineer, including:**

- a. A signed and recorded plat must be on file with the Planning Department.
- b. Street improvements must be approved by City Engineer and accepted by City Council.
- c. Prior to construction, Owner's Architect/Engineer shall submit digital maps for all stormwater drainage features in an ArcGIS or AutoCAD file to the City Engineer. The digital maps shall be natively in State Plane coordinate system, Arkansas North Zone, North American Datum 1983, units as feet; or the map must have sufficient points for georeferencing. The associated attribute data table from the submitted file shall match the fields contained within the "SW Attribute Data Entry Template.xlsx" as provided by City Engineering Department. All Control, Linear, and Junction map features will be annotated by a unique identifier that will correspond to the same unique identifier in the "SW Attribute Data Entry Template.xlsx" or GIS attribute table. Data for each attribute column in the "SW Attributed Data Entry Template.xlsx" file shall be chosen from the drop-down options of each cell, or chosen as "Other" (if not listed) and described in the

comments field. At the completion of the project, As-Builts of these shapefiles in ArcGIS or AutoCAD format, along with associated attribute data table, shall be submitted to the City Engineer.

- d. 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.
- 5. Meet the requirements of Community Planning, including:**
    - a. Provide the standard requirements of Zoning and Development Regulations.
  - 6. Meet the requirements of the Master Street Plan, including:**
    - a. Provide 5' sidewalks and ramps with a minimum of 4' green space between sidewalk and curb to ADA standards and City standards along both sides of streets. Sidewalk not required on the west side of the western north south street, due to no residential lots and abutting the apartment fence.
    - b. Provide full street improvements.
    - c. Provide ROW dedication.
  - 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 street trees 1 per lot.
    - c. Provide temporary all weather turnaround at end of western north/south street (this phase only). Or temporary all weather connection loop back to eastern north/south street. This is to be done before a building permit can be issued.
    - d. Provide buffer between dissimilar uses or zoning. Do not remove trees from full buffers.
  - 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. Street address numbers need to be visible from approaching street or access.
    - d. Gated access must work with yelp siren and a keypad for backup.
    - e. If structures are greater than 30 feet in height, fire apparatus access roads shall be a minimum of 26 feet wide.
  - 9. Meet the requirements of CAW, including:**
    - a. All CAW requirements in effect at the time of request for water service must be met.
    - b. If there are facilities that need to be adjusted and/or relocated, contact CAW. That work will be done at the expense of the developer.
    - c. Meet CAW requirements for RPZ, private facilities, fire sprinkler systems, meter size, and meter location.
    - d. Approval of plans by AR Dept. of Health Engineering Division is required.
    - e. Proposed water facilities will be sized to provide adequate pressure and fire protection.
  - 10. Meet the requirements of NLR Wastewater, including:**
    - a. Provide 15' exclusive sanitary sewer easement for any sanitary sewer mains not installed in the public ROW.
    - b. A complete set of drawings for development must be submitted to NLR Wastewater.

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

**Public Hearings:****1. Conditional Use #2018-8 (POSTPONED)**

To allow a car lot in a C-4 zone located at 1415 W. 36<sup>th</sup> St.

**2. Conditional Use #2018-10**

To allow a pawn shop in a C-3 zone located at 7117 JFK Blvd.

The applicant, Mr. Douglas Braswell, was present. He gave a brief explanation about the type of business that Braswell & Son runs.

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

Mr. Tom Brooks is opposed to this application. He expressed his concerns regarding the type of crowd this business will bring with there being a church/school across the street.

Mr. Foster asked what is the difference between the pawn shop crowd and the Goodwill crowd. He stated that it would be the same people that patronize the shopping center located behind the proposed pawn shop.

Mr. Brooks stated that he thinks there is a distinct difference between the two crowds.

Ms. Janice Starkey expressed her concerns regarding pawning of stolen merchandise at this location.

Mr. Greg Muller and Ms. Melanie Hogger stated that they are for the pawn shop. They spoke highly of Mr. Braswell and his business.

Mr. Chambers inquired about gun transactions.

Mr. Muller stated that their lease excludes the sale of guns, a customer may pawn a gun but you can't buy a gun with Braswell & Son.

Mr. Braswell stated that each customer is qualified, he stated that every item that comes into their store is reported to the law enforcement to eliminate potential thieves. He stated that 80% of their customers come back for their item.

Chairman Clifton asked if there were any further comments.

There were no further comments.

**CONDITIONS:**

1. Hours of operation to be Monday – Saturday 9AM – 6PM.
2. No outdoor display.
3. Any structures located on the lot shall meet all applicable Federal, State, County and City requirements and codes.
4. Business license to be issued after Planning Staff confirmation of requirements.

- 5. 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.

<b>Banks</b>	<b>Yes</b>	<b>Dietz</b>	<b>Yes</b>	<b>Wallace</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>Phillips</b>	<b>Yes</b>	<b>Clifton</b>	<b>Yes</b>

Conditional Use 2018-10 was approved with (9) affirmative votes.

**3. Special Use #2018-10**

To allow a funeral home with 22 parking spaces in a C-4 zone located 1901 E. Broadway.

The applicant, Ms. Venetta Peaster, was present.

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

Mr. Guy is opposed to the application. He expressed his concerns regarding another funeral in the area and parking. He asked if there would be any cremations.

Ms. Peaster stated that there will not be any embalming or cremations at this location. She came up with a plan for 22 parking spots and stated that a nearby church gave her permission to use their facility for family hour and funeral for a large crowd.

Mr. White asked if there can be 22 parking spaces at this location.

Mr. Spencer stated that the applicant met with the City Engineer and they came up with the drawing that staff presented and the Fire Marshal to determine how many people can be inside the building.

Chairman Clifton asked for any further comments.

There were no further comments.

**CONDITIONS:**

- 1. Parking lot to be striped as shown on the submitted plan before a business license is issued.
- 2. No more than 22 cars allowed to be parked on the lot at any time.
- 3. Any structures located on the lot shall meet all applicable Federal, State, County and City requirements and codes.
- 4. Business license to be issued after Planning Staff confirmation of requirements.
- 5. 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.

<b>Banks</b>	<b>Recused</b>	<b>Dietz</b>	<b>Yes</b>	<b>Wallace</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>Phillips</b>	<b>Yes</b>	<b>Clifton</b>	<b>Yes</b>

Special Use 2018-10 was approved with (8) affirmative and (1) recusal votes.

**4. Special Use #2018-11**

To allow a tire store in a C-3 zone located at 2324 Pike Ave.

The applicant, Mr. Ahmed Alshuga, was present.

Chairman Clifton asked Mr. Alshuga about tire storage at the location.

Mr. Alshuga explained that there will be a recycle company to come pick up once a month.

Mr. Shawn Spencer explained the tire ordinance states 100 tires per square feet, so he may have the tire company do a pick up every week.

Mr. White asked about selling of used tires.

Mr. Alshuga explained he wouldn't throw used tires away if they're in good condition, he can sell them to someone who need them.

Fire Marshal Dustin Free explained the reason for the letter from their office is because they are finding the tires outside of town in ditches. He explained that the tires need to be disposed properly.

Mr. Tim Reavis explained that the applicant was at design review meeting and John explained that to the applicant.

Chairman Clifton asked for further comments.

There were no further comments.

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

<b>Banks</b>	<b>Yes</b>	<b>Dietz</b>	<b>Yes</b>	<b>Wallace</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>Phillips</b>	<b>Yes</b>	<b>Clifton</b>	<b>Yes</b>

Special Use #2018-11 was approved with (9) affirmative votes.

**5. Rezone #2018-9**

To rezone from R-3 to a PUD to allow for custom setbacks at property located at 1518 Parker St.

The applicant, Mr. Mike Marlar, was present.

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

There were no comments.

**CONDITIONS:**

1. Allow zero ft. building setback line on Parker St.
2. Allow 5 ft. building setback on W. 16<sup>th</sup> St.
3. Allow 5 ft. building setback on shared property line to the south.
4. Allow a 15 ft. building line from the sidewalk along Moss St. as shown on drawing.

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

<b>Banks</b>	<b>Yes</b>	<b>Dietz</b>	<b>Yes</b>	<b>Wallace</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>Phillips</b>	<b>Yes</b>	<b>Clifton</b>	<b>Yes</b>

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

**6. Rezone #2018-10**

To rezone property from R-1 & R-3 to R-0 to allow for a zero lot line residential subdivision located at the NE corner of Division St. & W. 52<sup>nd</sup>.

The applicant, Mr. Butch Penny, was present. He stated JM Crites is his partner on this project.

Mr. Spencer explained that Mr. Penny has not been through subdivision, he has to get approval for the rezoning and then the next step will be subdivision. He stated that staff has received a few opposition calls regarding this application.

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

Ms. Cathy Montgomery stated that she has an issue with the zero property line. She asked to see a map of the proposed subdivision. She expressed her concerns about Mr. Penny obtaining the proper permits because they have stated clearing the property and didn't have permits to do so. She inquired about the lot size.

Mr. Chambers explained what zero property line meant.

Mr. Spencer stated that Mr. Penny hasn't gotten to the point of lot sizes yet, Mr. Penny will present something once this rezoning is approved.

Mr. Fred Trusty stated that he is not in favor of the R-0 zone. He stated that this will increase traffic and noise in this neighborhood.

Mr. Ron Cureton he is opposed to tiny homes, he's not against progress but the size of the homes.

Mr. White asked how many homes does he plan to develop. Will the homes have garages or will it be street parking.

Mr. Penny stated he plans to build 1200 sq. ft. homes, some with single and double garages. The plan right now is to build road with curbs and gutters into proposed neighborhood.

Mr. Spencer stated that we cannot put conditions on a rezoning. He stated that each lot has to have two paved parking spots.

Mr. Chambers asked for the minimum lot size in R-0.

Mr. Spencer stated that he believes it's 4000.

Mr. Foster asked what size house would be built on a 4000 sq. ft. lot.

Mr. Penny answered 950 sq. ft.

Ms. Janice Starkey inquired about what happens once this has been approved, would the neighbors be informed about the developments. She expressed her concerns about flooding once the new development starts.

Mr. Spencer stated that the developer would have to meet the City Engineer requirements. He explained that this application would go through City Council but the neighborhood would not be notified for the replat.

Mr. White explained that whether the Commissioners approve or disapprove, this application would go to City Council and afterwards someone would have to stay on top of it to see what happens next.

Ms. Tracy Gray asked about notification, she stated that she was told that she was outside the 200 feet perimeter. She asked about future notifications. She asked about how many homes will be build. She asked about the EP effects with building the home be a part of City Council.

Mr. Spencer stated that she can check the website about 10 days before the planning commission meeting. He stated that City Engineering would be part of the EP effects.

Mr. Penny stated that he proposes about 40 to 50 homes. He's going to start with 15 homes and see how that goes.

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

<b>Banks</b>	<b>Yes</b>	<b>Dietz</b>	<b>Yes</b>	<b>Wallace</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>Phillips</b>	<b>Yes</b>	<b>Clifton</b>	<b>Yes</b>

Rezone #2018-10 was approved with (9) affirmative votes.

**7. Rezone #2018-11**

To rezone from TND to C-6 to allow for a residential subdivision with zero front yard setbacks & to rezone property from R-4 to R-3 to allow for duplexes located on Rockwater Blvd.

The applicant, Mr. Thomas Pownall, was present.

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

Mr. Anthony Charles was inquiring if this rezone would affect his property.

After viewing the map, he realized that he property will not be effected.

Mr. Pownall stated that the majority of the homes are single family, there are 3 lots that would be zoned R-3 and that allows duplexes.

Mr. Chambers asked are there covenant to restrict the commercial side of the zone C-6 so that it's strictly residential.

Mr. Jim Jackson stated that once they file bill of assurance with the plat, it will restrict to residential use.

Chairman Clifton asked for any further comments.

There were no comments.

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

<b>Banks</b>	<b>Yes</b>	<b>Dietz</b>	<b>Yes</b>	<b>Wallace</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>Phillips</b>	<b>Yes</b>	<b>Clifton</b>	<b>Yes</b>

Rezone 2018-11 was approved with (9) affirmative votes.

**8. Rezone #2018-12(POSTPONED)**

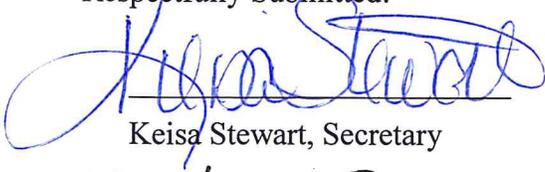
To rezone property from C-3 to C-4 to allow for commercial development located at 7521 Young Rd.

**Public Comments/Adjournment:**

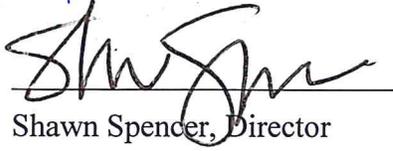
Mr. Chris Wilbourn did a presentation regarding the apartments going up on North Hills Blvd. and flooding issues.

A motion made to adjourn and it was seconded. The motion passed with (9) affirmative votes and the meeting was adjourned at 6:00 pm.

Respectfully Submitted:



Keisa Stewart, Secretary



Shawn Spencer, Director