

North Little Rock Planning Commission
Regular Meeting
April 8, 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, Assistant Director
Daniel McFadden, City Attorney
Keisa Williams, Secretary

Others Present:

Alderman Murry Witcher
Alderman Charlie Hight
Alderwoman Beth White
Alderwoman Debi Ross

Approval of Minutes:

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

Administrative:

Mr. Voyles informed the Commissioners about Levy meeting at North Heights April 22nd and April 23rd at Six Bridges.

Development Review Committee:

- A. NS-2392-14** Akshar Addition – Lots 1-2 (Preliminary plat of 2 lots located near the SE corner of Maumelle Blvd and Crystal Hill Rd)

1. Requirements before the final plat will be signed:

- a. Final plat/replat will be submitted in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.
- b. Provide 50' street ROW with a 100' diameter cul-de-sac to access Lot 2.
- c. Street must be built to City Engineers requirements and be accepted by City Council. Cul-de-sac may be gravel until development of Lot 2. Road must be completely finished along Lot 1 before the plat is signed (or provide a bond).
- d. Provide 70' cross access easement across front of Lot 1 giving access to abutting property and new road.
- e. Provide note on plat - no direct access to Maumelle Blvd. Lot 1 access to be only from new road or abutting property.
- f. Provide 10' utility/drainage easements around the perimeter of both lots.
- g. Show all building line setbacks (front, rear, sides) on both lots.
- h. Provide a 70' front yard building line setback on Lot 1.

2. Permit requirements/approvals before clearing the lot.

- a. Review and approval from City engineer.

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

- a. Storm Water Detention calculations are to be provided during the Site Plan Review process.

4. Meet the requirements of Community Planning, including:

- a. Provide the standard requirements of Zoning and Development Regulations.
- b. Site Plan Review required for all development.
- c. Full buffer will be required on west and east property lines at time of development.

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

- a. Sidewalks not required on Maumelle Blvd.
- b. Meet the requirements of Access Management Plan.

6. Meet the requirements of the Fire Marshal.**7. 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.

8. Meet the requirements of NLR Wastewater, including:

- a. Sewer service is not available to the site without a main extension.
- b. White Oak connection fee is required.
- c. 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. Mike Marlar representing the owner stated that they are in agreement with all requirements. There were no additional comments from Commissioners or the audience. The motion to approve was passed with (9) affirmative votes.

- B. Rep-2393-14** Rose City Oil Mill Addition – Lot BRR (Replat and Site Plan Review of a tire store located at 4017 East Broadway)

1. Requirements before the replat will be signed:

- a. Pay the drainage fee of \$5000 acre instead of providing on-site detention. Fee based on increased surface area.
 - b. Replat will be submitted in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.
 - c. Provide a 10' utility/drainage easement along the rear lot line parallel to the existing railroad.
 - d. Provide spot elevations to show direction and flow of Stormwater on site plan.
 - e. Dumpster to have masonry screening – label on site plan.
 - f. Provide the proposed finished floor elevation for the building on site plan.
 - g. Remove proposed tree from access easement on site plan. Provide and show location for 10 street trees on site plan. Trees are to be planted in a minimum 6'x6' cut out of the concrete.
- 2. 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 CNLR Floodplain Development Permit.
 - d. Provide complete drainage calculations to City Engineer's Office prior to building permit.
 - e. Provide Arkansas Department of Health approval for water and sewer facilities.
- 3. Requirements/approvals before a CO will be issued:**
- a. All landscaping must be installed.
 - b. Irrigation system must be installed.
 - c. All requirements of the Conditional Use must be met.
- 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. Show proposed service utilities for the proposed building such as the water, sewer, electric, etc.
 - c. Prior to any excavation/street cuts within street ROW, obtain CNLR Excavation and Barricade Plan Application/Permit.
 - d. All driveways are to be concrete within the ROW.
- 5. 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. Provide 22 dedicated employee and customer parking spaces. Parking spot lines are to be painted. Parking spots are not to be located along Broadway.
 - d. Dedicated parking spaces are not to be used for sales of cars or rental of trucks.
 - e. No parking of sales vehicles or any other vehicles in the west access easement. Access easement to be clear at all times.
- 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.
 - c. Provide and show location 4 parking lot shade trees. Trees are to be planted in a minimum 6'x6' cut out of the concrete.
 - d. Provide a continuous screen for any parking spots that face a street or abutting property.
 - e. Waive required 6 foot front yard landscape strip between property line and parking lot.
 - f. Waive required 4 foot side yard landscape strip between property line and parking lot.
- 8. 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.

- 9. Meet the requirements of the Fire Marshal, including:**
 - a. Provide an approved fire protection plan.
 - b. Fire hydrants to be within 400 feet of all areas of building.
- 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.
- 11. Meet the requirements of NLR Wastewater, including:**
 - a. Sewer is available to the site.
 - b. Standard commercial connection fee required.
 - 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.

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 (9) affirmative votes.

C. Rep-2394-14 Somers Commercial Park – Lots 4A,4B (Replat and Site Plan Review of retail and restaurant located at NW corner of Somers and Warden Roads)

- 1. Re-use of the existing sign as an off-premise sign for both lots must be approved by City Council.**
- 2. Requirements before the replat will be signed:**
 - a. Storm Water Detention plan is to be approved by City Engineer and a written approval provided to Planning Department.
 - b. Replat will be submitted in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.
 - c. Provide cross access reciprocal easement for both Lots 4A and 4B as well as the property to the north (Lot 5, Block 3). Physical connection of parking lots will not be required until redevelopment of property to the north.
- 3. Permit requirements/approvals before a building permit will be issued:**
 - a. Provide CNLR Stormwater Permit.
 - b. Provide driveway/curb cut from City Engineer and AHTD, if needed.
 - c. Provide Arkansas Department of Environmental Quality (ADEQ) Stormwater Permit.
 - d. Provide Arkansas Department of Health approval for water and sewer facilities.
 - e. Provide complete drainage calculations and drainage plans to City Engineer's Office prior to building permit.
- 4. Meet the requirements of the City Engineer, including:**
 - a. Show proposed service utilities for the proposed buildings such as the water, sewer, electric, etc.
 - b. Prior to any excavation/street cuts within street ROW, obtain CNLR Excavation and Barricade Plan Application/Permit.
 - c. All driveways are to be concrete within the ROW.
- 5. Meet the requirements of Community Planning, including:**
 - a. Provide the standard requirements of Zoning and Development Regulations.
 - b. Dumpster to have masonry screening.

- c. All exterior lighting shall be shielded and not encroach onto neighboring properties.
- 6. Meet the requirements of the Master Street Plan, including:**
 - a. Provide 5' sidewalks and ramps with a minimum of 5' green space between sidewalks and curb to ADA standards and City standards along Somers.
 - b. No sidewalk required on Warden.
- 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 40' as shown.
 - d. Provide (40) 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 6 foot front yard landscape strip between property line and paving.
 - h. Provide 4 foot side yard landscape strip between property line and paving.
- 8. Meet the following requirements concerning signage:**
 - a. All signs require a permit and separate review.
 - b. No pole signs permitted.
 - c. Re-use of the existing sign on Warden as an off-premise sign for both lots must be approved by City Council.
- 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. 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.
- 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. Sewer is available to the site.
 - b. Standard commercial connection fee required.
 - c. Food service will require grease interceptor.
 - 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 was passed with (9) affirmative votes.

D. NS-2395-14 Ben E Keith Addition – Lot 1 (Replat and Site Plan Review of Ben E. Keith's distribution center located at NW corner of Hwy 70 and Interstate 440)

1. Requirements before the final plat will be signed:

- a. Provide on-site storm water detention. Storm Water Detention calculations are to be approved by City Engineer and a written approval provided to Planning Department.
 - b. Final plat will be submitted in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.
 - c. Set the 2 required subdivision boundary corner monuments with blank brass caps.
 - d. Obtain and submit a standard control data form for each required subdivision boundary corner tied to a NLR geodetic control monument by closed traverse.
 - e. Recommend waiver of ½ street improvements. Waivers of the MSP must be approved by the City Council.
 - f. Provide a 15' utility easement around perimeter of lot.
 - g. Provide ½ of 80' ROW dedication.
- 2. Permit requirements/approvals before a building permit will be issued:**
- a. Provide CNLR Stormwater Permit.
 - b. Provide Arkansas Department of Environmental Quality (ADEQ) Stormwater Permit.
 - c. Provide CNLR Access Driveway/Curb Cut Permit (with approved AHTD permit along State Hwy. 70).
 - d. Provide CNLR Floodplain Development Permit.
 - e. Provide Corps of Engineers (COE) 404 Clearance/Permit.
 - f. Provide Arkansas Department of Health approval for water and sewer facilities.
- 3. 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 Permits.
 - c. Provide City Engineer drainage calculations for existing and proposed facilities.
 - d. Cross Drains in the ROW are to be RCP with concrete headwalls approved by Engineering. Use of concrete flared end sections shall be approved by the City Engineer.
 - e. All driveways are to be concrete within the ROW.
- 4. Meet the requirements of Community Planning, including:**
- a. Provide the standard requirements of Zoning and Development Regulations.
 - b. Dumpster to have masonry screening.
 - c. No fence is to be within a front building line.
 - d. All exterior lighting shall be shielded and not encroach onto neighboring properties.
 - e. Show all proposed fencing and type on the landscape plan.
- 5. Meet the requirements of the Master Street Plan, including:**
- a. Provide 5' sidewalks and ramps with a minimum of 5' green space between sidewalks and curb to ADA standards and City standards.
 - b. Recommend waiver of ½ street improvements. Waivers of the MSP must be approved by the City Council.
- 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 (27) street trees 40' on center.
 - d. Provide 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 half buffer between C-3 zoned property on the west side and I-2. Show plan on landscape drawing.
- 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. 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.
- 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. 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.
- 10. Meet the requirements of NLR Wastewater, including:**
 - a. Sewer collection system is not currently available for the development.
 - b. Special connection fees may apply
 - c. A detailed analysis of an existing sewage force main will be required by a registered engineer to determine pressure and flow characteristics
 - d. Pump station operations, maintenance and replacement fees may apply
 - e. No permanent signs or structures over existing sewer mains or force mains
 - f. A complete set of drawings for development must be submitted to NLR Wastewater.
 - g. 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 was passed with (9) affirmative votes.

E. NS-2396-14 Akshar Addition – Lot 1 (Site Plan Review of a Dunkin Donuts located near the SE corner of Maumelle Blvd and Crystal Hill Rd)

- 1. Permit requirements/approvals before clearing the lot.**
 - a. Review and approval from City engineer.
- 2. Permit requirements/approvals before a building permit will be issued:**
 - a. Provide CNLR Stormwater Permit.
 - b. Pay the drainage fee of \$5000/acre instead of providing on-site detention.
 - c. Final plat/replat will be signed and recorded by the county.
 - d. Provide CNLR Access Driveway/Curb Cut Permit.
 - e. Provide Arkansas Department of Environmental Quality (ADEQ) Stormwater Permit.
- 3. 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. Provide City Engineer drainage calculations for existing and proposed facilities.
 - e. Cross drains in the ROW are to be RCP with flared end section unless approved by Engineering.

- f. All driveways are to be concrete within the ROW.
 - g. Recommend a waiver of 10 feet of the side yard setback from the required 25 feet to the proposed 15 feet.
- 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. Remove fence from west side of street ROW. The owner of the property to the west may place a fence on his side of the property line.
 - e. All exterior lighting shall be shielded and not encroach onto neighboring properties.
 - f. Recommend a waiver of 10 feet of the side yard setback from the required 25 feet to the proposed 15 feet.
 - g. Remove Note #2. Neither lot is to have direct access to Maumelle Blvd.
 - h. Site Plan Review required on Lot 2.
- 5. Meet the requirements of the Master Street Plan, including:**
- a. Provide 5' sidewalks and ramps with a minimum of 5' green space between sidewalks and curb to ADA standards and City standards on both sides of proposed street.
 - b. Provide full street improvements.
 - c. Provide full ROW dedication.
 - d. Meet the requirements of Access Management Plan.
 - e. Sidewalks not required along Maumelle Blvd.
- 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 (11) street trees 40' on center, as shown
 - d. Provide (8) parking lot shade trees, with at least 4 trees on the interior of the parking 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.
 - g. Provide 6 foot front yard landscape strip between property line and paving along new road and Maumelle Blvd.
 - h. Provide 4 foot side and rear yard landscape strip between property line and paving.
 - i. Provide half screen buffer on the east property line, (show on drawing)
- 7. Meet the following requirements concerning signage:**
- a. Relocate proposed sign location further from intersection, as current location may block view of traffic.
 - b. All signs require a permit and separate review.
 - c. No pole sign permitted.
 - d. Meet the requirements of the Maumelle Blvd sign overlay district.
- 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. 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.

10. Meet the requirements of NLR Wastewater, including:

- a. Food service may require grease interceptor.
- b. A complete set of drawings for development must be submitted to NLR Wastewater.
- c. Approval of plans by AR Dept. of Health Engineering Division is required.

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

Public Hearings:

1. Special Use #755. Postponed. To allow agriculture, goat dairy, agri-tourism, fall harvest festival and a local festival in an R-4 zone that requires a Special Use located at 6800 Camp Robinson.
2. Special Use #756. To recognize an existing 2nd residence on a lot in an R-3 zone located at 1412 W 18th.

The applicant, Mary Aclin representing Ryan Aclin, was present.

Mr. Spencer stated that the applicant is asking for a separate meter on the property.

Mr. Chambers stated the he is opposed until code enforcement can bring back a report stating that the 2nd residence meets codes standards. He recommended the application to be postponed for 30 days.

A motion was made and seconded to postpone the application for 30 days.

Ms. Aclin asked when they put the second meter in would they have not looked to see if this was a residence.

Mr. Chamber s explained that Code Enforcement does not automatically go to a site without being notified by City officials. He stated that if Code Enforcement says that it meets building code standards then he is willing to vote yes.

There was further discussion about the application and Commissioners decision.

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 #756 was postponed for 30 days.

3. Special Use #757. To allow a mobile home park with 19 slips in a C-3 zone located at 4401 E. Broadway.

The applicant, Bjorn Roset with B & K Enterprise group, was present.

Chairman Clifton asked what the proposal for the existing homes is. He also asked if Mr. Roset plans to resurface the road.

Mr. Roset explained that some of the existing homes will be taken down and remodeled but he would like to put in new mobile homes. He stated that he will resurface the road; the damage was due to a fire.

Mr. Chambers asked how many mobile homes are allowed on this property.

Mr. Voyles stated that there could be nine mobile homes per acre.

Mr. Foster asked how many acres this property has.

Mr. Roset answered 2 acres.

A motion was made and seconded to change to 18 slips.

Chairman Clifton asked if there were any further comments.

There were no further comments.

Conditions:

1. Allow the reuse of previously used slips, limiting the total number to 18 slips.
2. Provide a recreation area for residents.
3. Any additional units added to the site must be4ar the HUD manufactured home certification label.
4. Rear gate to be locked at all times with approved fire marshal access.
5. Applicant must meet all applicable Federal, State, County and City requirements;
6. business license to be issued after Planning Staff confirmation of requirements; and
7. 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 #757 was approved with (9) affirmative votes.

4. Conditional Use #127. To allow a pawn shop in a C-3 zone located at 6907 JFK and described as: Lot 1A, Block 100, Indian Hills Subdivision.

The applicant, Douglas Braswell, was present. He gave a brief explanation about their business and what they do, he stated that this is not your typically pawn shop.

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

Mr. Greg Muller representing the Ashley Company stated that he is opposed to this business. He stated that they have upgraded the shopping center and pawn shop use is not a use that is appropriate in the shopping center.

Mr. White stated that he is opposed to this application.

Mr. Chambers asked about the building finish, he asked if the applicant would be willing to shorten their addition to be the same width of the building and extend to sidewalk of the current bank.

Mr. Braswell stated that the plan is to remove the awning and the two drive-thru lanes and that would open up some visibility to the shopping center.

Mr. Toby Burkett and Mr. Don Crow are in support of this application.

Mr. Steve Whiting, president of the Indian Hills Neighborhood Association, asked to delay this application due to the meeting that will be held tonight with concerned residents in this neighborhood.

Mr. Chambers and Mr. White asked Mr. Braswell if he would like to postpone the application until he has had time to talk with the residents in this community.

A motion was made and seconded to postpone this application for 30 days.

Mr. Dietz asked Mr. Braswell if he's in agreement with postponing or would he like a vote tonight.

Mr. Braswell explained that this is the first time he has heard about a meeting with the Indian Hills Neighborhood Association, he did explain to Alderman Witcher that if anyone in the neighborhood had any concerns that he would address with them. His concern was about the timing on the real estate contract. He stated that he is not opposed to the postponement but he is under a legal obligation.

Mr. Crow, the owner, stated that he is willing to extend the real estate contract to accommodate the Conditional Use application.

There was further discussion about the application.

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

Alexander	Yes	Harris	No
Belasco	No	Phillips	No

Chambers	No	White	No
Dietz	No	Clifton	No
Foster	No		

The amendment to postpone for 30 days received a negative recommendation with (8) opposed and (1) affirmative votes.

Alderman Charlie Hight spoke about the application going before City Council and about meeting with the residents in the Indian Hills Neighborhood.

Alderman Murry Witcher spoke about the Braswell’s another existing locations and the type of business they operate.

Conditions:

1. No firearms sales allowed on the property.
2. No outside display or storage of sales items.
3. Provide 3 shade trees on interior of parking lot and a continuous row of shrubs along JFK.
4. Provide a sidewalk along JFK.
5. Applicant must meet all applicable Federal, State, County and City requirements,
6. A business license to be issued after Planning Staff confirmation of requirements, and
7. Applicant/owner understands that failure to comply with these conditions may result in loss of the Conditional Use and/or loss of Business License and/or removal of Electric Power Meter.

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

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

Conditional Use #127 was approved with (7) affirmative and (2) abstain votes.

5. Rezone #1661. To rezone property from R-4 to PUD to 4 residential units on 1 lot located at 306 W 6th Street.

The applicant, Lawrence Finn, was present. He gave a brief description about the project he is doing at this location and the reason for rezoning to a PUD.

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

Mr. Foster and Mr. Dietz are in support of this application.

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 #1661 was approved with (9) affirmative votes.

6. Rezone #1670. To rezone property from I-2 to C-2 to allow a retail center located southeast of the intersection of Crystal Hill and Maumelle Blvd.

The applicant, Mike Marlar, was absent.

Chairman Clifton stated that staff has performed the back ground history and has recommended for approval. He asked if anyone in the audience or Commissioners have any comments.

Mr. Chambers asked for a vote in the absence of the applicant.

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 #1670 was approved with (9) affirmative 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 5:45 pm.