

**North Little Rock Planning Commission
Regular Meeting
November 12, 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
Phillips
White
Clifton, Chairman

Absent Members:

Harris

Staff Present:

Robert Voyles, Director
Matt Fleming, City Attorney
Keisa Stewart, Secretary

Others Present:

Alderman Robinson
Alderman White
Alderman Ross

Approval of Minutes:

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

Motion was made and seconded to excuse Mr. Harris from today's meeting. The minutes were approved with (8) affirmative votes.

Administrative:

Draft River Road Land Use and Development Study for discussion or to call a public hearing to advance certain Land Use Plan and Zoning amendments.

Development Review Committee:**A. Rep-2420-14 Vestal Addition – Lots 1R - 4R (Replat of single family lots located SW corner of 11th and Division Streets)****1. Requirements before the replat will be signed:**

- a. Replat will be submitted in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.
- b. Show 15' front setback line on replat.
- c. Provide note on replat stating “No vehicular access (driveway) along 11th Street”

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

- a. All driveways are to be concrete within the ROW.
- b. Prior to any excavation/street cuts within street ROW, obtain CNLR Excavation and Barricade Plan Application/Permit.
- c. Obtain driveway/curb cut from City Engineer.

3. Meet the requirements of Community Planning, including:

- a. Provide the standard requirements of Zoning and Development Regulations.
- b. Allow encroachment of existing buildings into setbacks. Any future buildings and/or addition shall meet the established setbacks of the zone.
- c. Allow lot sizes as presented.

4. Meet the requirements of the Master Street Plan.**5. Meet the requirements of the Fire Marshal, including:**

- a. Fire hydrants to be within 400 feet of all areas of building.

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 as amended was passed with (8) affirmative and (1) absent votes.

B. SPR-2422-14 Lakewood Addition – Lot BR, Block 67 (Site Plan Review of a dentist office located at 4601 Fairway Avenue)**1. Permit requirements/approvals before a building permit will be issued:**

- a. Provide CNLR Stormwater Permit.
- b. Pay the drainage fee of \$5000/acre (\$201) instead of providing on-site detention.
- c. Provide Arkansas Department of Health approval for water and sewer facilities.
- d. Building plans to include a fire wall (approved by Fire Marshal) along the east side of the building.

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

- a. Owner/Developer shall have a Professional Engineer, licensed in the State of Arkansas, certify that all 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. Provide City Engineer drainage calculations, as required for the proposed facilities.

3. Meet the requirements of Community Planning, including:

- a. Provide the standard requirements of Zoning and Development Regulations.
- b. Dumpster enclosure to be wood fence with gates. Dumpster screening to include Dwarf Buford Holly planted 3’ o.c.
- 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 2 street trees centered along Fairway. (2.5” caliper)
 - d. Provide 3 street trees centered along Crestwood. (2.5” caliper)
- 6. Meet the following requirements concerning signage:**
 - a. All signs require a permit and separate review.
- 7. Meet the requirements of the Fire Marshal, including:**
 - a. Provide an approved fire protection plan.
 - b. Meet Fire Marshal’s requirements on fire hydrant location.
 - c. 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. 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.
- 9. Meet the requirements of NLR Wastewater, including:**
 - a. Sewer is available to the site.
 - 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 as amended was passed with (8) affirmative and (1) absent votes.

C. Rep-2357-13 Military Heights Addition, Lot 1R (one-time 12 month extension)

Public Hearings:

- 1. Special Use #768. To allow a daycare, family outreach program and a community garden in an R-3zone, located at 425 Parkdale St.

The applicant, Mrs. Berthena Nunn and Mr. Parker, were present. Mrs. Nunn explained that on the vacant property she would like to have a fenced garden area.

Chairman Clifton stated that a report was given to him from the Code Enforcement office unfavorable to the applicant’s request. He asked if anyone in the audience would like to speak for or against this application.

Mr. Russ Elrod, Code Enforcement Officer, gave a brief description of the report that was given to the Commissioners. He also explained the violations on this property. He stated that their DHS

licenses for the daycare, it was pulled in August of this year because there hasn't been any activity since 2011.

Mr. Robert Voyles stated that staff recommended approval but based on the findings of Code Enforcement, he would like to retract his approval. He recommended postponement until staff gets a better understanding from the applicant.

Mr. White inquired about the fenced garden.

Chairman Clifton asked Mr. Elrod when is environmental court date.

Mr. Elrod answered December 18th.

Mr. Foster stated that he would like to see the Commissioners and the applicant to work together.

Mrs. Nunn explained the reason that the heavy equipment was on the property when code enforcement came by was because they were cleaning up the property in the back.

A motion was made and seconded to delay this application for 60 days.

Mr. Dennis is opposed to the application.

Chairman Clifton asked if there were any further comments.

There were no further comments.

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

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

The application was postponed for 60 days with (7) affirmative, (1) opposed and (1) absent votes.

2. Special Use #770. To allow an off premise sign in a C-4 zone, located at 4705 Somers Ave.

The applicant, Mr. Thomas Pownall, was present. He explained that the sign has been there for a decade and was informed by code enforcement that there was no permit on file for an off premise sign. He would like for it to be grandfather in.

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

Mr. Chambers asked if the applicant is willing to reduce the size of the sign.

Mr. Pownall stated that they are willing to compromise.

Mr. Chambers stated that he could support a 2' x 18" sign.

Mr. Voyles stated that the current sign is at the corner and the applicant realized that it is on the City right-of-way and they will have to move it back 10 feet to get it off the public right-of-way and meet set back requirements.

A motion was made and seconded to approve 24" x 18" sign with the company name and one directional arrow only and it shall meet setback requirements.

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

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

Special Use #770 was approved with (7) affirmative, (1) opposed and (1) absent votes.

3. Rezone #1706. To rezone from R-4 and C-3 to I-2 to allow contractor's offices with outdoor storage located at 7509, 7521 Young Road.

The applicant, Ron Keltner, was present. He stated that he was told a long time ago that his property was grandfathered in. He is asking the Commissioners to allow him to change zoning to continue to lease with his tenants.

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

Dr. Mike Zweifler is opposed to the application. He stated that in efforts to upgrade this area Mr. Keltner has declined to update his property.

Mr. Voyles stated asked Mr. Keltner how long has his tenants been at this location. He said that if the tenants were there before 1985 zoning, then the property would be grandfathered in.

Mr. Keltner was unsure as to how long the tenants have been at this location.

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

Mr. Gene Pfeifer is opposed to the application. He stated that Mr. Keltner property is not neighborly, inconsiderate and it is bring down the property values around it. He explained that this area came to City Council with a development plan to improve Young Road and all the surrounding owners in that area has upgraded their area except for Mr. Keltner. He stated that Mr. Keltner is opposed to improving Young Road.

Chairman Clifton asked for any further comments.

There were no further comments.

Chairman Clifton asked for a roll call vote.

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

Rezone #1706 received a negative recommendation (7) opposed, (1) affirmative and (1) absent votes.

4. Rezone #1707 / Conditional Use #134. To rezone from R-4 to C-4 and a Conditional Use to allow fencing company with outdoor storage located at 3020 E. 2nd.

The applicant, Billy Briggs, was present. He gave a brief description about what they would like to do 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.

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

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

Rezone #1707/Conditional Use #134 was approved with (8) affirmative and (1) absent votes.

5. Rezone #1709. To rezone from C-2 to R-1 to recognize and allow residential along Bayou Road.

The applicant, Josh Hollins representing for Holloway Engineering, was present.

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

There were no further comments.

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

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

Rezone #1709 was approved with (7) affirmative and (2) absent votes.

6. Public Hearing #1711. Park Hill Development Overlay

Mr. Voyles gave a brief description of the report for Park Hill Development Overlay.

Chairman Clifton asked if anyone in the audience would like to comment on the public hearing.

Mr. Hal Matthews, Mr. Michael Jeremy & Mr. Chris Diamond voiced their opinions about the current report that has been given out on the Park Hill Development Overlay. They weren't opposed to the project but are open to being involved with the project.

7. Public Hearing #1712. Levy Development Overlay

Mr. Voyles gave a brief description of the report for Levy Development Overlay.

Mr. & Mrs. Penny gave their opinions about the current Levy Overlay report.

Public Comment/Adjournment:

A motion was made to adjourn and it was seconded. The motion passed with (7) affirmative votes and the meeting was adjourned at 6:40pm.