

**North Little Rock Planning Commission**  
**Regular Meeting**  
**August 9, 2011**

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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  
Armstrong  
Belasco  
Chambers  
Dietz  
Foster (Left at 6:00 pm)  
Parker  
White (Arrived at 4:55 pm)  
Clifton, Chairman

**Staff Present:**

Robert Voyles, Director  
Shawn Spencer, Assistant Director  
Paula Jones, City Attorney  
Keisa Williams, Secretary

**Others Present:**

Beth White, Alderwoman

**Approval of Minutes:**

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

Motion was made and seconded to excuse the absent from today's meeting. This was approved with eight (8) affirmative votes.

**Administrative:**

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**Subdivision Administrative:****A. NS-2248-11 Springhill Development, Lot 3, Block 4 (preliminary plat and Site Plan Review located at Smokey Lane and Springhill Drive to allow doctors office)****1. Requirements before the final plat or replat 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 or pay the drainage fee of \$5000/acre instead of providing on-site detention for area of new construction.
- b. Final plat will be submitted in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.

**2. Requirements before a building permit will be issued:**

- a. Property must be platted and a recorded plat must be on file with the Planning Department.
- b. Provide CNLR Storm water Permit.
- c. Provide CNLR Access Driveway/Curb Cut Permit.
- d. Construction drawings shall be reviewed by the City Engineer's office.
- e. Provide lighting plan for parking lot and exterior of building.
- f. Provide drainage for parking lot and gutter drains from building.

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

- a. Provide a metes and bounds legal description of Lot 3 shown on the Preliminary Plat.
- b. Show service utilities for water, sewer and power to be shown to the building.
- c. Prior to any excavation/street cuts within street ROW, obtain CNLR Excavation and Barricade Plan Application/Permit.

**4. Meet the requirements of Community Planning, including:**

- a. Provide the standard requirements of Zoning and Development Regulations.
- b. Dumpster screening to match building.
- c. No fence is to be within a front building line.
- d. All parking lot lighting to be shielded and not to encroach onto abutting properties.

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

- a. Provide 5' sidewalks/ramps to ADA standards and City standards.

**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 irrigation to all required trees.
- c. Approve landscape plan as presented. (no waivers)

**7. 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.

**8. 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.

**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. Submit plans for water facilities and/or fire protection system to CAW for review.
- c. Approval of plans by AR Dept of Health Engineering Division is required.

- d. Contact CAW for requirements on backflow protection on meter services.
- e. Contact CAW for requirements on size and location of the meter.

**10. Meet the requirements of NLR Wastewater, including:**

- a. Sewer is available on site.
- b. Commercial connection fee \$150, tap fee \$350 may apply.
- c. A complete set of drawings for development must be submitted to NLR Wastewater.

Chairman Clifton stated the applicant met with the Subdivision Committee and has agreed to all the requirements. There were no additional comments from Commissioners or the audience. The motion to approve as submitted passed with (8) affirmative votes.

**B. Rep-2249-11 RGA Addition, Lot 1, (replat and Site Plan Review located on Progress Street to allow RGA office and warehouse)**

**1. Requirements before the final plat or replat 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. Replat will be submitted in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.
- c. Provide ½ street improvements on Progress St (north side of property) with a temporary gravel turnaround or a performance bond. Turnaround to be located on Lot 1.
- d. Street improvements must be approved by City Engineer and accepted by City Council.

**2. Requirements before a building permit will be issued:**

- a. Property must be replatted and a recorded plat must be on file with the Planning Department.
- a. Provide Arkansas Department of Environmental Quality (ADEQ) Storm water Permit.
- b. Provide CNLR Storm water Permit.
- c. Provide CNLR Floodplain Development Permit.
- d. Show parking lot or exterior building lighting plan.

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

- a. Prior to any excavation/street cuts within street ROW, obtain CNLR Excavation and Barricade Plan Application/Permit.
- b. All driveways are to be concrete in the ROW.

**4. Meet the requirements of Community Planning, including:**

- a. Provide the standard requirements of Zoning and Development Regulations.
- b. Provide dumpster location with screening to match building.
- c. Allow fence as shown. Any razor or barb wire must be approved by BOA.
- d. Allow building setbacks as shown on replat.

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

- a. Provide ½ street improvements on Progress Street (north side of property) with temporary gravel turnaround for fire vehicles. Turnaround to be located on Lot 1.

**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 irrigation to all required trees.
- c. Allow landscaping plan as shown.

**7. 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.

- 8. 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.
  - c. All gates must meet the requirements of the Fire Marshal.
- 9. Meet the requirements of CAW, including:**
  - a. Water is available to the property from East Progress (to the south).
  - 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.
- 10. Meet the requirements of NLR Wastewater, including:**
  - a. Sewer is available on site.
  - b. Commercial connection fee \$150, tap fee \$350 may apply.
  - c. A complete set of drawings for development must be submitted to NLR Wastewater.

Chairman Clifton stated the applicant met with the Subdivision Committee and has agreed to all the requirements. There were no additional comments from Commissioners or the audience. The motion to approve as submitted passed with (8) affirmative votes.

**C. Rep-2250-11 Richardson Multifamily, Lots 3A,B,C and 4A,B, (replat of apartments located at the end of Richsmith Lane and Site Plan Review of Lot 3C)**

- 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.
- 2. Requirements before a building permit will be issued:**
  - a. Property must be platted and a recorded plat must be on file with the Planning Department.
  - b. Provide detention and drainage calculations to City Engineer to include discharge of water off-site. Provide a statement showing the previously approved calculations and the current proposal changes, if any.
  - c. Provide Arkansas Department of Environmental Quality (ADEQ) Storm water Permit.
  - d. Provide CNLR Storm water Permit.
  - e. Provide CNLR Floodplain Development Permit.
  - f. Provide construction drawings to the City Engineer's office prior to construction.
- 3. Meet the requirements of the City Engineer, including: Replat:**
  - a. Check for possible drainage easement from SW around lot 3B to the NE to Lot 1. If all drainage facilities will be within the proposed easements along the lot lines, please provide a statement along with drainage information.  
**Site Plan:**
  - b. Street Improvement Plans will need to be submitted and approved by the City Engineer's office prior to construction.
  - c. Show Floodplain on the proposed development.
  - d. Need typical details of improvements.
  - e. Prior to any excavation/street cuts within street ROW, obtain CNLR Excavation and Barricade Plan Application/Permit.
- 4. Meet the requirements of Community Planning, including:**
  - a. Provide the standard requirements of Zoning and Development Regulations.
  - b. Provide dumpster location with screening to match building.

- c. Allow 6' front yard fence as shown.
- 5. Meet the requirements of the Master Street Plan, including:**
  - a. Provide 5' sidewalks/ramps to ADA standards and City standards.
  - b. Provide ½ street improvements.
  - c. 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 irrigation to all required trees.
  - c. Provide street trees 40' on center.
  - d. Parking lot shade trees must be at the furthest 10' from edge of paving.
  - e. Provide a continuous screen for any parking spots that face a street or abutting property.
  - f. Provide 6 foot front yard landscape strip between property line and parking lot.
  - g. Provide 4 foot side yard landscape strip between property line and parking lot.
  - h. 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. Provide sign location on site plan.
  - c. 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. Fire hydrants to be within 400 feet of all areas of building.
- 9. Meet the requirements of CAW, including:**
  - a. Water currently being extended to property by the developer.
  - 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.
- 10. Meet the requirements of NLR Wastewater, including:**
  - a. Sewer is available on site.
  - b. Commercial connection fee \$150, White Oak Connection Fees will apply.
  - c. A complete set of drawings for development must be submitted to NLR Wastewater.

Chairman Clifton stated the applicant met with the Subdivision Committee and has agreed to all the requirements. There were no additional comments from Commissioners or the audience. The motion to approve as submitted passed with (8) affirmative votes.

**D. NS-2251-11 George Addition, Lots 1-8, (preliminary plat of a commercial and industrial subdivision located at NW corner of Hwy 70 and I-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. Provide full street improvements on Glover road and Van Asche Lane (street, curb, gutter, sidewalk, trees, street signs, street lights) or a performance bond.
  - f. Provide ½ street improvements on Hwy 70.
  - g. Street improvements must be approved by City Engineer and accepted by City Council.
- 2. Requirements before a building permit will be issued:**
- a. Property must be platted and a recorded plat must be on file with the Planning Department.
  - b. Building must be reviewed and approved by the Planning Commission.
  - c. Provide Arkansas Department of Environmental Quality (ADEQ) Storm water Permit.
  - d. Provide CNLR Storm water Permit.
  - e. Provide CNLR Access Driveway/Curb Cut Permit.
  - f. Provide CNLR Floodplain Development Permit.
- 3. Meet the requirements of the City Engineer, including:**
- a. Drainage analysis is required for the Preliminary Plat.
  - b. Construction drawings shall be reviewed by the City Engineer's office.
  - c. Source of Title needs to be shown.
  - d. Prior to any excavation/street cuts within street ROW, obtain CNLR Excavation and Barricade Plan Application/Permit.
- 4. Meet the requirements of Community Planning, including:**
- a. Provide the standard requirements of Zoning and Development Regulations.
  - b. Allow length of cul-de-sac as shown with bulb at mid point.
  - c. Cul-de-sac diameters (including bulb) to be determined by Fire Marshal.
- 5. Meet the requirements of the Master Street Plan, including:**
- a. Provide 5' sidewalks/ramps to ADA standards and City standards.
  - b. Provide full street improvements on Glover and Van Asche.
  - c. Provide half street improvements on Highway 70.
  - d. Hwy. 70 is a Minor Arterial on the MSP. Comply with the 80' ROW dedication for Lot 1.
- 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 irrigation to all required trees.
  - c. Provide buffer between dissimilar uses or zoning. Do not remove trees from full buffers.
- 7. 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.
- 8. Meet the requirements of CAW, including:**
- a. Water is not available without the extension of water facilities.
  - 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. A complete set of drawings for development must be submitted to NLR Wastewater.
  - b. Gravity sewer is not available on site per the plans submitted.
  - c. Existing force main easement is not shown on plat.

Chairman Clifton stated the applicant met with the Subdivision Committee and has agreed to all the requirements. There were no additional comments from Commissioners or the audience. The motion to approve as amended passed with (8) affirmative votes.

**E. SPR-2252-11 Ranchettes at Deer Meadows, Lot 16B (Site plan review of an addition to a warehouse located at 7100 Col. Maynard Rd)**

- 1. Requirements before a building permit will be issued:**
  - a. Pay the drainage fee of \$1250 instead of providing on-site detention for area of new construction.
  - b. Property must be platted and a recorded plat must be on file with the Planning Department.
  - c. Provide CNLR Storm water Permit.
- 2. Meet the requirements of the City Engineer, including:**
  - a. Provide means for “good housekeeping” around the premises. The property has a history of trash or unused containers lying around the premises.
- 3. Meet the requirements of Community Planning, including:**
  - a. Provide the standard requirements of Zoning and Development Regulations.
  - b. Dumpster screening to match building.
  - c. All driveways are to be concrete in the ROW.
- 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 irrigation to all required trees.
  - c. Provide 8 street trees at 2.5 inch caliper.
  - d. Provide 2 parking lot shade trees at 2.5 inch caliper.
- 6. 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.
- 7. Meet the requirements of the Fire Marshal, including:**
  - a. Fire hydrant must meet Fire Marshals requirements on flow.
  - b. Provide an approved fire protection plan.
  - c. Fire hydrants to be within 400 feet of all areas of building.
- 8. Meet the requirements of CAW, including:**
  - a. Water is not available from CAW at this time. Area is inside Grand Prairie Water System.
- 9. Meet the requirements of NLR Wastewater, including:**
  - a. Gravity sewer is not available on site.

Chairman Clifton stated the applicant met with the Subdivision Committee and has agreed to all the requirements. There were no additional comments from Commissioners or the audience. The motion to approve as submitted passed with (8) affirmative votes.

**Public Hearing – New Business:**

1. **Rezone #1563.** To rezone property from C-3 to C-4 to allow retail and a Land Use Plan amendment. The request is located at NW corner of I-440 and Highway 70.

The applicant, Mr. Mark Redder with the Holloway Firm was present. Mr. Redder stated that he would like the property to be rezoned to C-4 to allow retail with outside sales.

There were no further comments from Commissioners or the audience.

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

<b>Alexander</b>	<b>Yes</b>	<b>Foster</b>	<b>Yes</b>
<b>Armstrong</b>	<b>Yes</b>	<b>Parker</b>	<b>Yes</b>
<b>Belasco</b>	<b>Yes</b>	<b>White</b>	<b>Absent</b>
<b>Chambers</b>	<b>Yes</b>	<b>Clifton</b>	<b>Yes</b>
<b>Dietz</b>	<b>Yes</b>		

Rezone #1563 was approved with (8) affirmative votes and (1) absent vote.

2. **Rezone #1565.** To rezone property from C-6 to R-2 to allow residential and a Land Use Plan amendment. The request is located at 808-818 Parker.

Mr. Voyles stated that the city has 3 lots through NSP and plan on building new homes on these properties. The elected officials believe that we shouldn't build new homes on commercial property, so staff is requesting that the property be down zoned to residential.

Mr. Chambers asked that in the future if one of the houses came up for rezone to a commercial use, should we place restrictions on the property now?

Mr. Voyles said no, the new owner has the right to ask once a year for a rezoning request.

There were no further comments from Commissioners.

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

<b>Alexander</b>	<b>Yes</b>	<b>Foster</b>	<b>Yes</b>
<b>Armstrong</b>	<b>Yes</b>	<b>Parker</b>	<b>Yes</b>
<b>Belasco</b>	<b>Yes</b>	<b>White</b>	<b>Absent</b>
<b>Chambers</b>	<b>Yes</b>	<b>Clifton</b>	<b>Yes</b>
<b>Dietz</b>	<b>Yes</b>		

Rezone #1565 was approved with (8) affirmative votes and (1) absent Vote.

3. **Conditional Use #80.** To allow a daycare in a C-3 zone. The request is located at 116 E. 23<sup>rd</sup> Street.

The applicants, Chris and Aurora Blake were present. They stated they received and agreed to the staff recommendations.

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

Mr. Armstrong asked how many daycares are in this area currently. He said that he knows of at least two.

Mr. Spencer stated that the applicants own one of them and they are just expanding onto another piece of property in this area for a different age group of kids.

There were no further comments from Commissioners or the audience.

**SUBDIVISION / STAFF RECOMMENDATION:** approval with 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,
3. 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.
4. playground to meet DHS and City of NLR requirements for playground surface and equipment,
5. Hours of operation 6am-6pm, Mon-Fri.
6. Playground to be enclosed by 6’ wood fence, with an emergency exit gate.

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

<b>Alexander</b>	<b>Yes</b>	<b>Foster</b>	<b>Yes</b>
<b>Armstrong</b>	<b>Yes</b>	<b>Parker</b>	<b>Yes</b>
<b>Belasco</b>	<b>Yes</b>	<b>White</b>	<b>Absent</b>
<b>Chambers</b>	<b>Yes</b>	<b>Clifton</b>	<b>Yes</b>
<b>Dietz</b>	<b>Yes</b>		

Conditional Use #80 was approved with (8) affirmative votes and (1) absent vote.

4. **Conditional Use #82. Postponed.** To allow a daycare and church in a C-4 zone. The request is located at 2323 E. Broadway.
5. **Public Hearing #1560. Postponed.** To review changes to the ETJ (extra territorial jurisdiction) zoning planning area. (presentation from City Attorney’s office)
6. **Public Hearing #1551.** To review requirements for Alternative Energy Sources.

Mr. Voyles stated that the alderman have concerns about changes in the community, they’re afraid that there will be a proposal for wind turbines 250 ft. in the air and a mass of solar panels. This proposal was generated through the Planning Commission Subdivision Committee and reviewed over a couple months. The Committee suggests that you can have these devices in

commercial industrial without much restriction, and in residential areas they suggest that they are placed on the rear of buildings, so they cannot be seen. Waivers in residential areas should require a special use permit.

Chairman Clifton asked if there were any comments from the audience. He stated that this has been discussed twice by this Commission, in Subdivision Meeting many times and has been presented to many of the Alderman. He suggested that it be passed to the City Council now or hold it for other public hearing.

Mr. Foster asked how these stipulations compare with other committees around the south. He stated that we do not want to be over restrictive and deter people from doing anything to their houses. He stated that new technology is coming forward with solar panels that don't have to face directly to the sun and they look like a regular roof.

Mr. Voyles stated there is a provision that if the device is a stealth type or made to look exactly like shingles or siding, that they will be treated as building materials and a special permit will not be needed.

Chairman Clifton asked if there were any other comments.

A motion was made and seconded to forward Alternative Energy Sources to the City Council for consideration.

Chairman Clifton asked for a roll call on this application.

<b>Alexander</b>	<b>Yes</b>	<b>Foster</b>	<b>Yes</b>
<b>Armstrong</b>	<b>Yes</b>	<b>Parker</b>	<b>Yes</b>
<b>Belasco</b>	<b>Yes</b>	<b>White</b>	<b>Yes</b>
<b>Chambers</b>	<b>Yes</b>	<b>Clifton</b>	<b>Yes</b>
<b>Dietz</b>	<b>Yes</b>		

Public Hearing # 1551 was approved with (9) affirmative votes.

7. **Public Hearing #1564.** To review requirements for Community Gardens.

Mr. Voyles stated that the City wants to encourage community gardening and the traditional zoning ordinance does not include provisions to allow it. A community garden will allow 2 or more people to use vacant property for agricultural purposes. It would allow water meters without buildings, some sales of products such as fresh produce and honey on the property. The City doesn't normally allow people to sell at residential lots and we want them to be able to setup seasonal stands. Other buildings that would be allowed are: sheds, hoop houses, bee hives, green houses, compost bins and etc.

A commissioner had concerns about gardens being registered.

Mr. Voyles stated that we would like to have a contact person to register and be responsible for that specific garden so that if/when they decide they don't want to do it anymore they will be responsible for clean up and restore back to the way the property was.

Mr. White stated he was against letting people have community gardens in the front yard; it should all be in the back yard. He was also concerned about vacant lots in neighborhoods that may become a community garden and then later on became abandoned due to lack of interest.

Mr. Clifton asked did we need to hold this for another month due to the verbiage that excludes anything as far as putting a garden in your front yard or anything else.

Mr. Dietz stated there would have to be a responsible party in the vacant lot situation, in order to have a community garden you would have to register it. The city would know who to call once it is no longer a garden and they would have to restore it back to the way it was.

Mr. Chambers stated that Code Enforcement currently goes out and mows those lots and then places a lien on the lot to sell. You could take the registered person and have them to sign an affidavit stating that they are the person in charge on the community garden or I will pay the city the cost to do the work to bush hog the foundation.

Ms. Bernadette Gunn, Fit 2 Live Coordinator, stated that she is over the Fit 2 Live community gardens grant program which has received \$19,556 for seven different projects in the community. She wanted to express her support for amending the zoning ordinance to regulate and also grant certain permissions to community gardens. She stated that this project is mainly for 2 or more people as community not individual property owners for their own private use and that she will definitely be the contact for the registered gardens. She stated that there are two important parts about this ordinance. First, to allowing sales from produce that is produced from that garden to be put back into the garden such as supplies, etc. Second, to allow structures without needing a special permit in the community garden to keep tools in and fencing to keep dogs and other rodents out of the gardens. She acknowledges that if the garden is not kept up within a 12 month period then the garden will be returned back its original state.

A motion was made and seconded to hold public hearing #1564 until the next month's meeting. This was approved with (9) affirmative votes.

8. **Public Hearing #1566.** To review a zoning plan for the Crystal Hill Road area.

Chairman Clifton stated that we are not going to pass anything today, it is a public hearing. He explained that if anyone wanted to have their property zoned a certain way; they could meet with staff at their offices and make a request.

Mr. Voyles stated the city is authorized to zone two miles outside the city and has been doing that in the west and east areas. The City's legal department will be in next month's meeting to explain the changes in the law is to initiate rezoning two miles outside the city limit which includes Crystal Hill and McAlmont area. This is not an attempt to annex this area. Code will not be working this area; they are restricted to the municipal boundaries. He stated the way the map was generated, there is a larger portion that is zoned R-1 which may get changed to R-2 because R-1 does not allow special use permits. Mr. Voyles stated that staff has handed out some amendments to the plan and would ask for those amendments to be added to the request.

Chairman Clifton stated the floor is open for questions or comments.

Mr. Rick McCraw stated he is against the City of North Little Rock coming out to turn this into the city limits, people don't want the change.

Mr. McHughes is representing his mother who has lived in the area for a long time; they are against changing this area to be zoned. He asked who authorized the city to rezone this area; the City Attorney told Mr. McHughes were he could read the statute from the state.

Ms. Mires stated that she doesn't feel the same way as the others who has spoken. She had inquires about whether the City is going to buy properties if this passes.

Mr. Voyles explained that the City is not going to buy any properties. He explained that zoning is a tool that protects private property.

Chairman Clifton stated that as it is unzoned now, the neighbors do not have any say so as to what can be built next to their property.

Mr. Dietz stated that the city is not buying properties and if the plan is acceptable, nothing will change until someone wants to do something. He stated that if someone wanted to buy property and build on that property, if zoned correctly, they would have to submit plans to the subdivision committee and meet all the codes.

Mr. Horton stated he is against this plan because he doesn't want the City come out to tell him what he can and cannot do on his property.

Mr. Bob Hardin is representing Jean Simmons construction; he stated that Mr. Simmons had concerns about putting his construction equipment on the yard where he is building a construction office on this property. He has asked staff for a different zoning on this property.

Ms. Billie Cunningstow stated that she doesn't want to live in the city limits, she doesn't approve if the city is trying to annex the Crystal Hill Area. She wants to keep it county property.

Chairman Clifton stated this is not an attempt to annex this area.

Mr. Jerome asked if he wanted to put up a storage shed would he have to get permission from the city. He stated that by the proposed map, he is zoned R1. He stated that he is opposed this zoning plan.

Mr. Voyles stated that we would have to check the setbacks for the storage shed; it shouldn't be on the property line. He proposed that R1 need to be changed to R2 on the map.

Mr. Bill Mosley asked what does North Little Rock bring to the table for this community. What will they get out of being zoned? He asked the City Attorney what is the community rights if they wanted to oppose this plan.

Mr. Voyles stated that the purpose of zoning is to protect private property so that others property is not ruin by what your neighbor is doing with new changes. Uncontrolled development can ruin property values and their lively hood.

Chairman Clifton stated that all the Commissioners are going to do is make a recommendation to the City Council and the City Council says yes or no to the plan. He stated that the Commissioners gather as much information from the residents to make the best recommendation to the City Council so that they can make their decision.

Ms. Debbi asked when the rezoning takes place will take change their taxes, the city services, the schools and etc. Does this lead to annexation?

Chairman Clifton said nothing will change, she will continue to pay her taxes to Pulaski County.

Mr. Parker stated his concerns are for the people that are here today, and most of the people here today were against the plan. He then informed the persons present to get with Staff to make any changes to the plan, as this was their chance to request what they wanted.

Chairman Clifton brought up that the east end community was being zoned 10 years ago and there were a lot of people against that area being zoned and the City Council passed the plan. He has had an equal amount of people glad that it happened because they have a voice to say what can be built and can't be built.

A motion was made and seconded to hold this over for 30 days. This was approved with (7) affirmative votes (1) opposed vote and (1) absent vote.

**Public Comments/Adjournment:**

A motion was made to adjourn and it was seconded. The motion passed with (8) affirmative votes and the meeting was adjourned at 6:05 pm.

Passed: \_\_\_\_\_

Respectfully Submitted:

\_\_\_\_\_  
Norman Clifton, Chairman

\_\_\_\_\_  
Robert Voyles, Director