

**North Little Rock Planning Commission  
Regular Meeting  
February 10, 2009**

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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  
Clifton, Chairman  
Dietz  
Foster  
Parker  
White, Vice Chairman (arrived at 5:20)

**Members Absent:**

None

**Staff Present:**

Robert Voyles, Director  
Shawn Spencer, Assistant Director  
LaToya Watkins, Secretary

**Others Present:**

Jason Carter, City Attorney  
Debi Ross, Alderman  
Beth White, Alderman  
Don Wood, Code Enforcement

**Administrative:**

- Chairman Clifton welcomed new Planning Commissioner Jackie Alexander.
- Mr. Voyles spoke briefly on the 2007 Maryland State Highway report. The report showed an evaluation that was done regarding sign lighting and usage in Maryland. It showed evidence that commercial signage can be hazardous. The report was presented to the Commission for their review.
- Mr. Spencer talked about the LED brightness study that was done by the staff. Staff measured the brightness of various signs including the two signs in Maumelle. After review of various signs, a comparison was made and now staff recommends that no more than 0.3 foot candle increase in ambient lighting will be the standard used to measure LED sign brightness.

- Mr. Voyles read proposed additions to revise the definition of farming and to remove “OD” (outdoor display) from the “Tire Shop” category regarding case #1472. If approved by the Planning Commission he would like to see these added to the zoning ordinance amendments. He also gave provisions of sign codes from other cities such as Conway, Fayetteville and Little Rock regarding case #1472. These provisions are being made due to community character and safety issues.

- Mr. Voyles explained a letter he received from Mr. John Ott, who operates a heating and air conditioning business out of his home on Hattie Lane east of Walkers Corner Rd. He proposed two plans: Plan A: He would like 10 acres of the land to be zoned C-4 which allows continued operation and possible expansion of the business or Plan B: Provide a letter recognizing the business as nonconforming and allow it to remain on the property with the assignment of R-2 zoning. The staff recommends Plan B recognizing that this could limit any expansion. Mr. Voyles also referred to a letter he received from Mr. Kowalski regarding case #1477.

Roll was called; a motion was made and seconded to excuse those absent from the meeting. The motion was approved with seven (8) affirmative votes and one (1) absent.

**Approval of Minutes:**

Motion was made and seconded to approve the January meeting minutes as submitted. The minutes were approved with eight (8) affirmative votes and one (1) absent.

**Subdivision Administrative:**

**A. NS-2137-08** Burkhalter Apartments, Lot 1  
(Preliminary plat review and Site Plan review of apartments at Paul Eells Drive and Counts Massie)

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

- a. Provide storm water detention. Storm Water Detention calculations are to be approved by City Engineer and an approved copy provided to Planning Department.
- b. Avoid any adjoining wetland or obtain clearance from the Corp of Engineers.
- c. Obtain erosion control permit from City Engineer and ADEQ before any site work is started.
- d. The first floors of any building are to be a minimum of 1' above any flood plain.
- e. Provide street signs and illumination on new streets.
- f. Drainpipes in the ROW are to be RCP with flared end section.
- g. All driveways are to be concrete in the ROW.
- h. Secure curb cut from City Engineer.
- i. Ask abutting property owner to dedicate 25 foot property corner radius.

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

- a. Allow phasing of development (phase 1 and 2).
- b. Provide 10 foot utility easement along east/west/south borders of lot 1.

- c. Provide the standard requirements of Zoning and Development Regulations.
  - d. Final plat and/or Site Plan Review of the development will be submitted in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates before the final plat will be signed or a building permit issued.
  - e. Set the 2 required subdivision boundary corner monuments with blank brass caps. This is to be done before a final plat will be signed.
  - f. Obtain and submit a standard control data form for each required subdivision boundary corner tied to a NLR geodetic control monument by closed traverse before the final plat will be signed.
  - g. Dumpster screenings to match building (wood fence not permitted).
  - h. Provide sign location for complex.
- 3. Meet the requirements of the Master Street Plan, including:**
- a. With approval of deferrals by City Council allow:
    - i. Provide 60' ROW dedication of Paul Eels Drive for a length of 420'. Record a 60' easement for the rest of the length of lot 1. Easement to be recorded before a building permit will be issued.
    - ii. Provide full street improvements for a length of 420', including curb, gutter, street trees and sidewalks on both sides of the street. During phase 1 an all weather access drive with a 65' radius all weather turnaround will be provided at the end of the adjacent south property line. Drive and turnaround must be built before any occupation of buildings of phase 1. During phase 2 the all weather access drive will be extended to connect to the paved drive between building 8 and 12. A 65' radius turnaround will be required past that connection. The required access gate shall meet Fire Marshal's requirements. Drive and turnaround must be built before any occupation of buildings of phase 2.
    - iii. Paul Eels Drive, curb, gutter, street trees and sidewalks (420') to be completed before plat can be signed. (or provide a bond)
    - iv. Paul Eels Drive, curb, gutter, sidewalks and street trees to be completely built to east edge of lot 1 and ROW dedicated before any future platting of property to the south or east of lot 1.
- 4. 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. Minimum tree caliper to be 2 ½ inches.
  - d. Provide street trees 40' on center.
  - e. Parking lot shade trees must be at the furthest 10' from edge of paving.
  - f. Provide a continuous screen for any parking spots that face a street or abutting property.
  - g. Provide 30 foot full buffer at north property line. Do not remove trees from full buffers.
- 5. 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.
- 6. Meet the requirements of the CAW and NLR Wastewater and Electric, including:**
- a. Water is not available without extension of facilities.
  - b. All CAW requirements in effect at the time of request for water service must be met.
  - c. Contact CAW for requirements on backflow protection on meter services.
  - d. A complete set of drawings for development must be submitted to NLR Wastewater.
  - e. White Oak connection fee applies.

There were no additional comments from Commissioners or the audience. The motion to approve as submitted passed with eight (8) affirmative votes and (1) absent.

**Public Hearing – Old Business:**

**1. Public Hearing #1472. Amendments to the zoning ordinance.**

Mr. Chambers wanted to make certain that when voting on case #1472 each amendment is discussed one by one. The three amendments that were previously discussed will be added to the agenda for the March 10 meeting.

There were no additional comments from Commissioners or the audience. The motion to approve the application as submitted and approved with eight (8) affirmative votes and one (1) absent.

**2. Public Hearing #1477. To recommend zoning to an area southeast of the City.**

Mr. Kowalski lives southeast of the City in the proposed zoning area on Whitehead Dr. He would like the Planning Commission to amend Whitehead Dr. to R-6 due to the high percentage of mobile homes on this street.

Mr. Voyles, stated that the proposed zoning to the southeast area of the City is to allow minimal zoning. This will provide some protection to the area. He also, wanted to make certain that the people of this community understood this is not an annexation to the City.

After some discussion, Mr. Spencer told Mr. Kowalski that the Planning Commission will need letters from the property owners stating they would like to see the area zoned R-6.

Mr. Chambers asked if there were any additional comments from the audience.

Mrs. Pam Owen lives on Old River Dr. which is proposed to be zoned R-2 and Upper Steele Bend Rd be amended to R-6. She has concerns about her neighbors that live on Old River Dr. and those that live on Upper Steele Bend Rd. Some of her neighbors live in mobile home and can not afford to build another home to meet the zoning requirements.

Mr. Carter, City Attorney gave further information about exterritorial zoning to make things clear to the people that live in the southeast area of the City. Exterritorial zoning means the City wants to forecast use in the southeast area. It's to help keep obscene businesses from moving in next door to your house or property.

After further discussion, no additional comments were made. March 10 will be the third public hearing on Case #1477.

There were no additional comments from Commissioners or the audience. The motion to hear this case at the March Planning Commission Meeting was approved with nine (9) affirmative votes.

**Public Hearing – New Business:**

**3. Special Use #671. To allow an additional duplex on property now having 3 existing single family homes in R-3 zone. The request is located at 524 West 47<sup>th</sup> Street.**

Mr. Marty Linn, the applicant, stated he would like to add an additional duplex on a property that has 3 existing single family homes.

Chairman Clifton asked if anyone was present to speak for or against the request. No one was present.

Mr. Chambers wanted to know if he would consider taking two units out.

Mr. Linn stated that he would not be willing to do so.

Mr. Parker asked about the setback from the driveway and wanted to know about the restriction for the lots.

After some discussion, Mr. Chambers stated he had safety concerns.

Mr. White asked that Mr. Linn present architectural plans to the commission at the next meeting on March 10.

Mr. Dietz stated that regardless of adding another building, there is going to be a fire safety issue.

There were no additional comments from Commissioners or the audience. The motion was made and seconded to table the discussion until next time. The motion was approved with nine (9) affirmative votes.

**4. Special Use #662 To allow a mobile concession truck in a C-3 zone. The location is 915 West 22<sup>nd</sup>.**

Ms. Myra Garcia, the applicant, stated that she would like to open a mobile concession truck while renovating the building into a restaurant.

Mr. Chambers met with the applicant prior to the meeting. He stated that they plan renovate the building into a restaurant.

Chairman Clifton asked if anyone was present to speak for or against the request. No one was present.

Vice-Chairman White wanted to know if the Health Department approved this?

Ms. Garcia responded no, not at that time.

Mr. Armstrong asked how long will they be allowed use the vehicle?

The staff stated that they would have until June.

Vice-Chairman White motioned to amend conditions requiring Health Department approval motion was seconded by Chambers.

Conditions are as listed:

- (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) Hours of operation to be 10am-10pm,
- (4) Special use permit expires June 30, 2009,
- (5) The concession truck is not to be parked overnight at location,
- (6) During hours of operation, concession truck to be parked up against the Pike side of the building – and as far north on the lot as possible, and
- (7) Once the restaurant has opened, the concession truck can not be used at this site.
- (8) Health Department approval of concession truck.

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

<b>Alexander</b>	<b>Yes</b>	<b>Foster</b>	<b>Yes</b>
<b>Armstong</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>Abstain</b>
<b>Dietz</b>	<b>Yes</b>		

The motion was approved with eight (8) affirmative votes and one Abstain vote.

**5. Rezone #1479. To reclassify property from the existing R-2 zone to the proposed R-3 zone to allow a duplex. The request is located at 14 Martin Drive.**

Dick Gardner representative of Levy Church of Christ, would like to build a duplex on Martin Drive.

Chairman Clifton asked if anyone was present to speak for or against the request. No one was present.

After some discussion, a motion was made and seconded to approve the request.

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

<b>Alexander</b>	<b>Yes</b>	<b>Foster</b>	<b>Yes</b>
<b>Armstong</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>

**Dietz Yes**

The motion was approved with nine (9) affirmative votes.

**6. Rezone #1480. To reclassify property from the existing R-3 to the proposed C-3 to allow a barbershop and to amend the land use plan from duplex to quiet business. The request is located at 4020 Camp Robinson Road.**

Mr. Reginald Hayes, the applicant, would like to build a barbershop at 4020 Camp Robinson Rd.

Chairman Clifton asked if anyone was present to speak for or against the request. No one was present.

After some discussion a motion was made and second to approve the application with a restriction of no parking in front of the barber shop.

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

<b>Alexander</b>	<b>Yes</b>	<b>Foster</b>	<b>Yes</b>
<b>Armstong</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>		

The motion was approved with nine (9) affirmative votes.

**7. Rezone #1481. To reclassify property from the existing R-4 to the proposed C-2 to allow a restaurant. The request is located at 2809 East Washington.**

Mr. Antimoore Jackson, the applicant, would like to build a restaurant at 2809 East Washington.

Chairman Clifton asked if anyone was present to speak for or against the request. No one was present.

Mr. Chambers suggested that he ask the hair salon next door to use their parking after hours.

After some discussion, a motion was made and second to approve the request.

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

<b>Alexander</b>	<b>Yes</b>	<b>Foster</b>	<b>Yes</b>
<b>Armstong</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>		

The motion was approved with nine (9) affirmative votes.

**Public Comments/Adjournment:**

Mr. Voyles encourage the Planning Commission Board to go to a Spring conference March 12-13 that will be held in Hot Springs, AR.

A motion was made to adjourn and it was seconded. The motion passed with nine (9) affirmative votes and the meeting was adjourned at 6:10 pm.

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

Respectfully Submitted:

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

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