

North Little Rock Planning Commission
Regular Meeting
July 13, 2010

Chairman Clifton called the regular meeting of the North Little Rock Planning Commission to order at 4:50 PM in the Council Chambers, City Hall.

Members Present:

Alexander
Belasco
Chambers
Dietz
Parker
White
Clifton, Chairman

Members Absent:

Armstrong
Foster

Staff Present:

Robert Voyles, Director
Shawn Spencer, Assistant Director
Samantha Evans, Secretary

Others Present:

Paula Jones, Asst. City Attorney
Debbi Ross, Alderwoman
Beth White, Alderwoman
Murry Witcher, Alderman

Administrative:

Mr. Voyles reported to the board about the Argenta District Master Plan. He stated the city along with other stakeholders have been working on the Master Plan for a year to provide a solid plan that address livability, environmental, and land use issues. Mr. Voyles stated staff was asked to wait until this meeting to recommend the Master Plan to City Council.

Mr. Voyles reported he has been working with a bike friendly committee to develop a draft plan that addresses bike parking requirements. He announced that the group will meet July 15, 2010, to finish the draft. There have been many suggestions to include the bike parking requirements into the Master Street Plan; however, he would suggest having the bike plan as a separate document. In addition, he asked to hold a public hearing on the bike parking requirements once the draft was complete. Chairman Clifton agreed to hold a public meeting on the bike plan.

Mr. Voyles discussed an article that he included in the Commissioners packet titled, "How green is your valley?" In the article, he stated that it talks about the benefits of trees and how inexpensive and resourceful trees are for our communities.

Roll Call:

Roll was called; a motion was made and seconded to excuse those absent from the meeting. The motion was approved with (7) affirmative votes and (2) absent.

Approval of Minutes:

Suspended until August 10, 2010 Planning Commission Meeting.

Subdivision Administrative:

A. NS-2198-10 Calvary Addition, Lot 3 (Preliminary Plat and Site Plan Review of a parking lot located west of the First Pentecostal Church at 1401 Calvary Road)

Mr. Dietz stated that the applicant has met with the subdivision committee and has agreed to all the requirements.

Thomas Pownall, a representative for First Pentecostal Church, was present.

Mr. White asked Mr. Pownall if the buffer will be 70'. It is his understanding that you must have 26' dedicated for utility easements. Mr. White stated he would like the conditions to state the buffer as 96' rather than 70'.

Mr. Pownall asked Mr. Voyles if the 96' buffer is required. Mr. Voyles stated that Mr. White is correct in his statement that the buffer must include the 26' utility easements.

Mr. Pownall asked the Commissioners to not change the requirements and do the grating according to what they have submitted. He does not think the 96' buffer would be successful nor reforestation to the area.

Mr. Voyles stated that the 26' utility easements must be included into the original screening buffer.

Mr. Pownall stated that he could plant trees in other areas, but would like to keep the 70' buffer untouched.

Mr. White asked Mr. Voyles if the Commissioners allow First Pentecostal to continue with their application as it currently is would it be in violation of the Screening Ordinance.

Mr. Voyles stated that the drawing would violate the Screening Ordinance, but staff's and Subdivision Committee's comments are properly worded.

Mr. Bobby McBryde, a resident on Skyline Drive, stated that he had concerns about the buffer area. He felt that it was not enough to allow protection. He was also concerned with the lighting. He agreed with Mr. White that the 96' buffer would be an efficient buffer to detract interstate noise and lighting.

Mr. McBryde asked the Commissioners if a decision on the buffer would be made tonight.

Chairman Clifton explained that everything that passes before the Planning Commission is only a recommendation. The hillside cut and the retaining wall will have to go before the City Council.

Mr. Pownall showed the audience a map of the area. In his demonstration he explained exactly which areas will be affected by the hillside cut.

Mike Gerfen from the audience asked what impact the additional 26' utility easements would have on the parking plan. Mr. Pownall stated that the 96' buffer would possibly increase the size of the retaining wall.

Cary Tyson spoke as the president of the Park Hill Neighborhood Association in opposition to the hillside cut and additional parking spaces. He stated that there should be a long term study on the effects of the cut on neighboring land owners. In addition, he fears such activity could recreate a situation such as seen in the Lakewood area where hill cuts 40 years ago are now bringing serious detriment to the area. Mr. Tyson stated that the hillside cut along with the additional parking lot will surely increase the ambient noise and the lighting will further wither away the ambiance that Park Hill has long held.

For the record, he stated that he lives on the other side of the street so this is not a NIMBY issue, but a planning issue and concern for safety.

Ms. Laura Mitchell stated she is a new resident in the area and one of her main concern is property values. She stated she personally could never be in favor of adding a parking lot because it does not add value to the beauty of the area. She went on to state that it may be a lovely parking lot and the church may need it, but even a property that has met all the requirements can still be a nuisance.

Ms. Mitchell stated the lighting is a big concern for her because when it is dark that is what everyone is able to see. The additional parking lot would add extra lights that will have an effect on property values on Skyline Drive and across the Park Hill neighborhood. She stated she has looked at the plans and must say Mr. Pownall was very polite in answering her questions. She stated she asked Mr. Pownall where the lighting would go and it was not on the schematics. She went on to state that fifty beautiful lights pointing down in certain areas can be pretty but the same fifty lights, even pointed down with a different candle power can actually look like the circus came to town. Ms. Mitchell stated she could never be an advocate for the project but does not want to be an opponent. She stated to the applicant that if they really need the parking lot that is not for her to say at all, but she is really concerned with how fast the project is moving.

Larry Pruitt, a resident on Skyline Drive, stated he has several concerns. His main concern is the buffer strip. He stated that even with the additional 26' buffer for the utility easements, it still is not adequate protection against noise.

Mr. Pruitt stated he is concerned with adequate methods used to ensure that construction does not encroach into the buffer zone accidentally. In addition, Mr. Pruitt worried about the geology of the area and the effects blasting would have on the neighborhood's foundation and vegetation.

Mr. Pruitt stated he is hopeful that the setbacks and the configuration of the parking lot will be open to modification in order to maximize the buffer zone.

Mr. Pruitt asked if the church owns the land. Mr. Clifton answered by stating the church did not own the property, but are bringing the preliminary plat and site plan before the Commission as an agent of the owner.

Deeana Montgomery, a resident on Skyline Drive, passed out a profile of the Historic Preservation in Arkansas and a document chronicling the history of Park Hill. Ms. Montgomery stated no one has really spoken to the value of Park Hill as a historic neighborhood and the value it brings to the city. In her presentation she noted how Argenta is featured as a success story in the Arkansas Historic Preservation Profile.

Ms. Montgomery stated that her main concern is property values being devalued by the project and the buffer not containing enough trees that will shield her and neighboring residents from the noise and light below. She stated the lighting is currently excessive and she would not want any additional lighting.

Ms. Montgomery stated she is hopeful of a compromise where everyone is successful and everyone can be happy with the result

Mr. Voyles stated that staff received several emails and letters mostly in opposition to the project with trees and lighting concerns.

Mr. White clarified to the audience that no matter how the Commission votes, it does not have anything to do with the hillside cut. The hillside cut is the City Council's responsibility. Mr. White stated the area is already zoned for a parking lot. The Planning Commission's objective is to follow the rules and regulations set by the ordinances of North Little Rock, such as making sure the lights are shining down.

Mr. White asked that since the regulation of the ordinance already stipulates there has to be a 96' buffer, then there does not have to be an amendment to the application to state the additional 26' buffer for utility easements. Mr. White also asked staff if the applicant would have to apply for a waiver if they chose to remove the required 26' utility easements.

Mr. Voyles stated it is towards the buffer a matter of interpretation. He pointed out that he believes utility easements would not count. The ordinance specifically states to provide the required buffer to meet regulations; therefore, Mr. Voyles stated he believes that it could be argued that it means to provide a 96' buffer south of the property line.

Mr. Voyles further stated he agrees with Mr. White that the buffer should be 96' and it should be indicated on record. Mr. Voyles stated the City Council is the one that also grants waivers to the buffer area and the Commissioners should specifically state to provide a 70' buffer that excludes existing utility easements.

Mr. Dietz suggested re-wording Section 4, Condition D to state the applicant must replace all trees removed from buffer.

Ms. Jones stated she agrees with Mr. Dietz re-wording Section 4, Condition D.

Rachel McGrew from the audience asked will the condition state to replace trees removed with similar trees, because Mr. Pownall stated that he could not replace all trees removed.

Mr. Pownall stated they will not be able to replace all trees with a similar type tree. He stated there is a geographical report that details the replacement of trees. It will be presented to the City Council for their full review.

Ms. Belasco asked if the application is just dealing with parking. She wanted to know if the applicant wanted to erect a building on the property twenty years later would they have to first appear before the Planning Commission and City Council. Chairman Clifton replied yes.

Mr. Chambers asked staff how many votes the applicant needs for approval. Mr. Voyles stated the application would need five votes for approval.

There were no additional comments from Commissioners or the audience.

Conditions:

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. Obtain erosion control permit from City Engineer and ADEQ before any site work is started.
- c. Driveway radii returns built to City Engineer's specifications.
- d. Drainpipes in the ROW are to be RCP with flared end section.
- e. All driveways are to be concrete in the ROW.
- f. Secure curb cut from AHTD.

2. Meet the requirements of Community Planning, including:

- a. Provide the standard requirements of Zoning and Development Regulations.
- b. 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.
- c. Set the 2 required subdivision boundary corner monuments with blank brass caps. This is to be done before a final plat will be signed.
- 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 before the final plat will be signed.
- e. Allow front yard fence that matches fence on east side of church.
- f. All parking lot lighting to be shielded and pointed downward.

- g. Allow phasing of parking lot.
- h. Hillside cut must be approved by City Council before any site work is started.
- 3. Meet the requirements of the Master Street Plan, including:**
 - a. Provide 5' sidewalks/ramps to ADA standards and City standards or signed waiver.
- 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. Allow landscape plan as shown.
 - d. Provide a 70' full buffer in the northern 96' of the parcel. The buffer excludes existing utility easements.
 - e. Do not remove trees from northern 70' of 96' buffer (trees in easements may be removed to allow access within easement).
 - f. Trees in the southern 26' of 96' easement may be disturbed during the grading process, but must be replaced with a similar type tree.
- 5. 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.
- 6. Meet the requirements of the Fire Marshal, including:**
 - a. Provide an approved fire protection plan.
- 7. 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. Contact CAW for requirements on backflow protection on meter services.
- 8. Meet the requirements of NLR Wastewater, including:**

Gravity sanitary sewer is located at the northern limits of the proposed slope and hillside cut. Exact location of the main will be necessary for protection of sewer service and preservation of the main. Protection could consist of relocation of the main or replacement with ductile iron pipe.

Chairman Clifton asked for a roll call vote on the amended subdivision requirements with a change to Section 4.

Alexander	Yes	Foster	Absent
Armstrong	Absent	Parker	Yes
Belasco	Yes	White	Yes
Chambers	Abstain	Clifton	Abstain
Dietz	Yes		

The amendment passed with (5) affirmative votes, (2) absent votes, and (2) abstentions.

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

Alexander	Yes	Foster	Absent
Armstrong	Absent	Parker	Yes
Belasco	Yes	White	Yes

Chambers	Abstain	Clifton	Abstain
Dietz	Yes		

NS-2198-10 passed with (5) affirmative votes, (2) absent votes, and (2) abstentions.

B. Rep-2199-10 Richmond Addition, Lots 1-2 (Replat and Site Plan Review of industrial loading platform and warehouse located at the SE corner of Baldwin and E. Washington)

- 1. Meet the requirements of the City Engineer, including:**
 - a. Provide storm water detention "in lieu of" fee of \$5000/acre for Lot 1.
 - b. Obtain erosion control permit from City Engineer and ADEQ before any site work is started.
 - c. The first floors of any building are to be a minimum of 1' above any flood plain.
 - d. Driveway radii returns built to City Engineer's specifications.
 - e. All driveways are to be concrete in the ROW.
 - f. Secure curb cut from City Engineer.
 - g. Sidewalks on Baldwin and Washington to be approved by City Engineer.
 - h. Curb and gutter and pavement on Baldwin to be approved by City Engineer.
- 2. Meet the requirements of Community Planning, including:**
 - a. Provide the standard requirements of Zoning and Development Regulations.
 - b. 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.
 - c. Provide dumpster location with screening to match building.
 - d. Allow 6' iron front yard fence along Broadway and Baldwin.
 - e. 36' wide access from Baldwin permitted with gate approved by fire marshal.
 - f. SPR required for any development on lot 2.
- 3. Meet the requirements of the Master Street Plan, including:**
 - a. Provide 5' sidewalks/ramps to ADA standards and City standards.
- 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. Provide street trees 40' on center along both Baldwin and Broadway.
 - d. Provide 6 foot front yard landscape strip between property line and paving on Baldwin and Broadway.
 - e. Provide buffer between dissimilar uses or zoning. Buffer to include fence as trees planted every 20 feet (Class A – full screen).
 - f. Provide 8' wood privacy fence on N property line of Callahan property from the front building line of the house and along the rear property line of the Callahan property.
 - g. Provide 8' wood privacy fence on the rear property line of the Turner property and along the east property line to the front building line of the residence.
- 5. Meet the following requirements concerning signage:**
 - a. All signs require a permit and separate review.
 - b. No pole sign permitted.
- 6. 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.
- 7. Meet the requirements of CAW, including:**
 - d. All CAW requirements in effect at the time of request for water service must be met.

- e. Only domestic water is available to this site. An extension will be needed to supply fire service.
- f. Submit plans for water facilities and/or fire protection system to CAW for review.
- g. Approval of plans by AR Dept of Health Engineering Division is required.
- h. Contact CAW for requirements on backflow protection on meter services.

8. Meet the requirements of NLR Wastewater, including:

- a. A complete set of drawings for development must be submitted to NLR Wastewater.
- b. Gravity sanitary sewer is located on the property and should be included and accurately shown on the plat. Locate sewer easement on plat. No permanent structures are to be built across the sewer easement.

Mr. Chambers 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 passed with (7) affirmative votes and (2) absent.

C. NS-2200-10 Southern Tire Mart, Lot 1 (Preliminary Plat and Site Plan Review of a truck tire center located at Valentine Road west of Maverick Trucking)

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

- a. Provide storm water detention "in lieu of" fee of \$5000/acre.
- b. Obtain erosion control permit from City Engineer and ADEQ before any site work is started.
- c. The first floors of any building are to be a minimum of 1' above any flood plain.
- d. Driveways no closer than 35' of adjoining streets or 10' of other property lines.
- e. Driveway radii returns built to City Engineer's specifications.
- 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 AHTD.

2. Meet the requirements of Community Planning, including:

- a. Provide the standard requirements of Zoning and Development Regulations.
- b. 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.
- c. Set the 2 required subdivision boundary corner monuments with blank brass caps. This is to be done before a final plat will be signed.
- 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 before the final plat will be signed.
- e. Dumpster screening to match building.
- f. No fence is to be within a front building line.
- g. Provide 10 utility easement on west, south and east property lines.

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

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

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. Provide street trees 40' on center as shown.
- d. Parking lot shade trees must be at the furthest 10' from edge of paving.
- e. Provide buffer between dissimilar uses or zoning. Do not remove trees from full buffers.

5. 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.
- 6. 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.
- 7. 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.
- 8. Meet the requirements of NLR Wastewater, including:**
 - a. A complete set of drawings for development must be submitted to NLR Wastewater.
- 9. Meet the requirements of Pulaski County, including:**
 - a. All requirements must be met unless the County and City has approved the annexation request.

Mr. Chambers 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 passed with (7) affirmative votes and (2) absent votes.

D. NS-2196-10 Pinkston Commercial Addition, Lot 1 (Preliminary Plat and Site Plan Review of a pawn shop west of the intersection of Virginia Drive and MacArthur Drive)

- 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. Obtain erosion control permit from City Engineer and ADEQ before any site work is started.
 - c. The first floors of any building are to be a minimum of 1' above any flood plain.
 - d. Driveway radii returns built to City Engineer's specifications.
 - e. Drainpipes in the ROW are to be RCP with flared end section.
 - f. All driveways are to be concrete in the ROW.
 - g. Secure curb cut from City Engineer and AHTD.
- 2. Meet the requirements of Community Planning, including:**
 - a. Provide the standard requirements of Zoning and Development Regulations.
 - b. 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.
 - c. Provide dumpster location with screening to match building.
- 3. Meet the requirements of the Master Street Plan, including:**
 - a. Provide 5' sidewalks/ramps to ADA standards and City standards. (staff is against waiver)
- 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. Provide street trees 40' on center. (2 additional trees required on Virginia)
 - 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 buffer between dissimilar uses or zoning. Do not remove trees from full buffers.
- 5. Meet the following requirements concerning signage:**
- a. All signs require a permit and separate review.
 - b. No pole sign permitted.
 - c. Signs are not to encroach into sewer easement.
- 6. Meet the requirements of the Fire Marshal, including:**
- a. Provide an approved fire protection plan.
 - b. Provide all weather access to three sides of the building.
 - c. Fire hydrants to be within 400 feet of all areas of building.
- 7. 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.
- 8. Meet the requirements of NLR Wastewater, including:**
- a. A complete set of drawings for development must be submitted to NLR Wastewater.
 - b. Provide plumbing plan and detailed connection to gravity sewer.

Mr. Chambers 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 passed with (7) affirmative votes and (2) absent votes.

E. NS-2197-10 Clifton Industrial Park, Lot 1 (Preliminary Plat and Site Plan Review of office / warehouses located on the south side of Hwy 165 east of I-440)

- 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. Obtain erosion control permit from City Engineer and ADEQ before any site work is started.
 - c. The first floors of any building are to be a minimum of 1' above any flood plain.
 - d. Driveway radii returns built to City Engineer's specifications.
 - e. Drainpipes in the ROW are to be RCP with flared end section.
 - f. All driveways are to be concrete in the ROW.
 - g. Secure curb cut from City Engineer.
- 2. Meet the requirements of Community Planning, including:**
- a. Provide the standard requirements of Zoning and Development Regulations.
 - b. 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.
 - c. Provide dumpster location with screening to match building.
 - d. Allow 6' front yard chain link fence at 40' from front property line.
 - e. No dumpsters or other built items to be placed in between the buildings.
 - h. Provide 10' utility easements around property.
 - i. Locate proposed sewer easement on plat.
 - j. Future development will require Site Plan Review.

- k. Show 15' side and rear yard setbacks on plat.
 - l. Site Plan is to show in detail: all grass areas, all gravel/paved areas, parking layout on each building, garage door access points, parking lot shade trees, and turnaround area for fire trucks/semis. Lack of information will cause request to be postponed.
- 3. Meet the requirements of the Master Street Plan, including:**
- a. Provide 5' sidewalks/ramps to ADA standards and City standards or signed waiver
- 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. Provide street trees 40' on center.
 - d. Provide parking shade trees on interior of lot (none provided).
 - 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 paving.
 - g. Provide 4 foot side yard landscape strip between property line and paving.
- 5. Meet the following requirements concerning signage:**
- a. All signs require a permit and separate review. Provide sign location on site plan.
 - b. No pole sign permitted. No electronic changeable copy sign permitted.
- 6. 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. Enter-connected driveway or turn around needed.
 - d. Gate must be approved by Fire Marshal.
 - e. Number of buildings to be determined by agreement with Fire Marshal based on water service
- 7. Meet the requirements of CAW, including:**
- a. All CAW requirements in effect at the time of request for water service must be met.
 - b. Water is not available to this property. Existing water is 1100 feet to the West or 180 feet to the north.
 - 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.
- 8. Meet the requirements of NLR Wastewater, including:**
- a. A complete set of drawings for development must be submitted to NLR Wastewater.
 - b. Gravity sanitary sewer is not currently available. A new large diameter main is planned to cross the southern portion of the site. Planning for the new main would include provisions for service to current and future development on this lot. No permanent structures are to be built across any sewer easement.

Mr. Chambers 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 passed with (7) affirmative votes and (2) absent votes.

- F. NS-2138-08 Cougill Addition, Lot 1 (1 time 12 month extension) (Preliminary Plat and SPR of Cougill Roofing located at Dewafflebaker and Riverview Corporate Drive)**

Mr. Chambers 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 passed with (7) affirmative votes and (2) absent votes.

Public Hearing – Old Business:

None

Public Hearing – New Business:

1. **Conditional Use #66.** To allow outdoor car sales in a C-4 zone. The request is located at 3604 Highway 161.

Postponed until August 10, 2010 Planning Commission meeting.

2. **Rezone 1530.** To rezone property from R-3 to C-2 to allow a grocery store. The request is located at 600 W. 22nd Street.

The applicant, Johnny Hudspeth, was present. Mr. Hudspeth stated forty years ago the property was a grocery store. In 2004, the property was sold and down zoned to R-3 from C-2 by City Council during a Special Use request for a daycare. The owner, Jeff Vogele, now has a buyer that wants to turn the property back into a grocery store.

Mr. Chambers stated that as much as he supports grocery stores in the neighborhood, he opposes the grocery store selling alcohol. If the owner could restrict the sale of alcohol, he would support the application.

Mr. Voyles stated that staff made its recommendations based on the traffic engineer's opposition of the applicant's parking plan with cars backing out into oncoming traffic. It is possible to have parallel parking there or parking south of the building, but they are showing parking backing out onto both 22nd Street and Allen Street. Mr. Voyles confirmed that Allen Street has the lighter traffic but it's also the narrowest.

Mr. Hudspeth stated the reason they chose this parking plan was in order to meet the parking requirements.

Mr. Chambers asked staff how many parking spaces are needed for the building

Mr. Voyles stated retail requires five parking spaces for the first 3000 sq. ft. Since the building is 2400 sq. ft., then the building will only need five parking spaces.

Mr. Chambers asked Mr. Hudspeth if there parking plan could be re-modified to have parking in the back.

Mr. Hudspeth stated that the grocery store will use the back of the building as a loading zone.

Mr. Hudspeth stated that the buyer does not have to sell alcohol at the location.

Mr. Voyles stated he does not think the Commission could take over the Alcohol Beverage Control’s responsibilities; that is a state regulation.

Mr. Chambers stated that since the application is a rezone and not a special use or conditional use, the Commission is unable to place conditions on the application to approve a condition to not sell beer. There is nothing stopping the owner from requesting a liquor license six months from now.

Chairman Clifton asked Mr. Hudspeth if they would be willing to reconfigure their parking plan.

Mr. Hudspeth stated they could modify their parking plan to show only five parking spaces.

Mr. Chambers stated that one of the parallel parking stalls should be designated for handicap parking.

Chairman Clifton asked if there was anybody in the audience who wanted to speak on this item. There were no additional comments from Commissioners or the audience.

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

Alexander	Yes	Foster	Absent
Armstrong	Absent	Parker	Yes
Belasco	Yes	White	Yes
Chambers	Yes	Clifton	Yes
Dietz	Yes		

Rezone 1530 was approved with (7) affirmative votes and (2) absent votes.

3. Argenta Downtown Master Plan

Laurence Finn, a representative, discussed the updated Master Plan.

Mr. Parker stated he appreciates Mr. Finn taking an interest in the city and coming up with a great plan. He stated he is curious about some of the recommendations, two in particular that seem to be of some concern to the long-term development of the city that include taking Maple Street and practically excluding it from the traffic grid by eliminating a wing of the bridge. He asked Mr. Finn if the plan would be a binding plan that is going to necessitate a re-engineering of the river bridge and the bayou duct or is this just a recommendation to planning.

Mr. Finn stated it is just a recommendation to planning. Any strategy from the plan that is

implemented would need the support of the Planning Commission and City Council, but the plan is not binding. Mr. Finn stated the plan will ultimately provide some “teeth” to add modifications to the zoning ordinance.

There were no additional comments from Commissioners or the audience. A motion was made and seconded to approve the Argenta Downtown Master Plan and recommend to City Council.

At this time, Chairman Clifton excused himself from the meeting and Vice Chairman Steve White assumed the Chairman’s responsibilities.

- 4. **Rezone 1528.** To rezone property from R-3 to C-3 to allow a retail strip center. The request is located at 4508 East Broadway.

The applicant, Norman Clifton, was present. He stated he wants to develop a small shopping center on the property and as the background provided by staff states all of Broadway is zoned C-3, but this small parcel.

Mr. Parker asked Mr. Clifton what is on the lot. Mr. Clifton stated the lot is vacant.

Mr. Parker asked what the adjacent property is zoned. Mr. Clifton stated next door is Church’s Fried Chicken and a vacant lot on the corner. Across the street is a church and body shop and on the next corner there is a repair shop. Mr. Clifton stated there is a residence behind the property.

Mr. Parker asked if Mr. Clifton is going to do the construction. Mr. Clifton stated yes.

Ms. Alexander asked Mr. Clifton how many buildings he plans to put on the space. Ms. Alexander stated she went by the site and it seems rather small. Mr. Clifton stated that he plans to put one building on the lot with four 25 ft. bays.

Vice Chairman White asked for a roll call vote on the application.

Alexander	Yes	Foster	Absent
Armstrong	Absent	Parker	Yes
Belasco	Yes	White	Yes
Chambers	Yes	Clifton	Absent
Dietz	Yes		

Rezone 1530 was approved with (6) affirmative votes and (3) absent votes.

Public Comments/Adjournment:

Mr. Chambers announced Ray LaHood’s, the Secretary of Transportation, huge support for bicycling and pedestrian accommodations. He stated the Argenta Master Plan seems to line up with his policy regulations and recommendations.

A motion was made to adjourn and it was seconded. The motion passed with (7) affirmative votes and the meeting was adjourned at 6:00 pm.

Passed: _____

Respectfully Submitted:

Norman Clifton, Chairman

Robert Voyles, Director