

North Little Rock Planning Commission
Regular Meeting
June 8, 2010

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
Parker
White
Clifton, Chairman

Members Absent:

Armstrong

Staff Present:

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

Others Present:

Paula Jones, Asst. City Attorney
Maurice Taylor, Alderman

Administrative:

None

Roll Call:

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

Approval of Minutes:

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

Subdivision Administrative:

- A. Rep-2190-10 North Argenta Addition, Lot 1RX-A (Replat of multiple lots into one lot located at 1317 Orange Street)**
- 1. Meet the requirements of the City Engineer, including:**
 - a. Obtain erosion control permit from City Engineer and ADEQ before any site work is started.
 - b. The first floors of any building are to be a minimum of 1' above any flood plain.
 - c. Provide utility easements as needed/required.
 - 2. Meet the requirements of Community Planning, including:**
 - a. Provide the standard requirements of Zoning and Development Regulations.
 - b. Final plat 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. No fence is to be within a front building line.
 - d. Site Plan Review required on future development.
 - 3. Meet the requirements of the Master Street Plan, including:**
 - a. Provide 5' sidewalks/ramps to ADA standards and City standards.
 - b. Repair any broken sidewalks or any substandard sidewalk to City standards.
 - c. Provide ½ street improvements on 13th Street.
 - 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 at Site Plan Review.
 - d. Provide 6' wood privacy fence to serve as the buffer, which runs from the 30' building line on 14th Street to the rear of the house that faces 13th Street. At the point in time the house is demolished the 6' wood privacy fence is to be continued to the 30' building line on 13th Street. This buffer must be approved by City Council.
 - 5. Meet the requirements of CAW, including:**
 - a. All CAW requirements in effect at the time of request for water service must be met.
 - b. Approval of plans by AR Dept of Health Engineering Division is required.
 - c. Contact CAW for requirements on backflow protection on meter services.
 - 6. Meet the requirements of NLR Wastewater, including:**
 - a. Gravity sanitary sewer service is available
 - b. Easements for sewer are not abandoned by this action.

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

- B. Rep-2191-10 Park Hill Addition, Lot 1A and 1B, Block 50 (Replat of a commercial lot with two buildings located at the NE corner of JFK Blvd and 'H' Avenue)**

- 1. Meet the requirements of the City Engineer, including:**
 - a. Storm water detention not required.
 - b. Provide access easement to both lots for full area of parking lot.
 - c. Provide easement at SW corner to cover traffic signal location.
- 2. Meet the requirements of Community Planning, including:**
 - a. Provide the standard requirements of Zoning and Development Regulations.
 - b. Final plat 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. Each lot must provide an ADA parking spot.
 - d. Approve waiver of lot width.
 - e. Approve waiver of lot area.
 - f. Approve waiver of front yard setback.
 - g. Approve waiver of corner side yard setback.
 - h. Approve waiver of rear yard setback.
 - i. Approve waiver of parking requirements.
- 3. Meet the requirements of the Master Street Plan, including:**
 - a. Provide 5' sidewalks/ramps to ADA standards and City standards on "H" Street.
- 4. Meet the requirements of the Screening and Landscaping ordinance, including:**
 - a. Approve waiver of street trees.
 - b. Approve waiver of parking lot shade trees.
 - c. Approve waiver of 6' front yard landscape strip.
- 5. Meet the requirements of CAW, including:**
 - d. All CAW requirements in effect at the time of request for water service must be met.
 - e. Approval of plans by AR Dept of Health Engineering Division is required.
 - f. Contact CAW for requirements on backflow protection on meter services.
- 6. Meet the requirements of NLR Wastewater, including:**
 - a. Gravity sanitary sewer service is available.

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

C. NS-2192-10 Percy Machin Addition, Lot 1 (Preliminary Plat of property with no proposed use located at the SE corner of Percy Machin and Interstate 40)

- 1. Meet the requirements of the City Engineer, including:**
 - a. Provide storm water detention at time of development.
 - 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. Provide corner property line radius at NW corner.
 - e. Ascension Ave has been changed to Sheriff Lane.

- 2. Meet the requirements of Community Planning, including:**
 - a. Provide the standard requirements of Zoning and Development Regulations.
 - b. Final plat 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. Site Plan Review required at development.
- 3. 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 with cul-de-sac for fire truck turnaround at time of development.
 - c. Provide 10 foot ROW dedication on Sheriff Lane.
- 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 buffer between dissimilar uses or zoning. Do not remove trees from full buffers.
- 5. 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 without the extension of water facilities.
- 6. Meet the requirements of NLR Wastewater, including:**
 - a. Gravity sanitary sewer service is not available at this time. A main extension will be required when service is requested.

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

D. SPR-2193-10 Scott Pentecostal Church addition, Lot 1 (Site Plan Review of a church located at the NW corner of Highway 165 and Alexander Rd)

- 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 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. 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 AHTD.
- 2. Meet the requirements of Community Planning, including:**
 - a. Provide the standard requirements of Zoning and Development Regulations.
 - b. 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. Dumpster screening to match building.
 - d. Show dedication as separate from main lot.
 - e. Meet the requirements of the Highway 165 access plan.

- 3. Meet the requirements of the Master Street Plan, including:**
 - a. Provide ½ street improvements.
- 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 11 parking lot shade trees. Trees must be at the furthest 10' from edge of paving. (some shown are further than 10 feet)
 - e. Provide a continuous screen for any parking spots that face a street or abutting property.
- 5. 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.
- 6. Meet the requirements of the Fire Marshal, including:**
 - a. Provide an approved fire protection plan.
- 7. Meet the requirements of CAW, including:**
 - a. Water is not available from CAW at this time.
 - b. Area is inside Grand Prairie Water System.
- 8. Meet the requirements of NLR Wastewater, including:**
 - a. Gravity sanitary sewer service is not available.
 - b. Septic system with field lines must be approved by AR Health Dept.
- 9. Meet the requirements of Pulaski County, including:**
 - a. Provide Bill of Assurance.
 - b. Provide State Plan Coordinates.
 - c. Show contours.
 - d. Show street center lines.
 - e. Provide storm drainage plan.
 - f. Provide a certificate of owner.
 - g. Provide a \$33 review fee.

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

E. NS-2194-10 Cranford Addition, Lot 2 (Preliminary Plat and Site Plan Review of an office building just north of the intersection of Highway 70 and Eanes Road)

- 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. Drainpipes in the ROW are to be RCP with flared end section.
 - f. 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. 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. If dumpster is utilized it is to be located at rear of building, and to be screened to match the bldg.
 - f. No fence is to be within a front building line.
- 3. Meet the requirements of the Master Street Plan, including:**
- a. Provide 5' sidewalks/ramps to ADA standards and City standards or provide waiver.
 - b. Provide 15' ROW dedication.
- 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. 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.
- 5. 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.
- 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. All exterior portions of a building must be within 150' of a FD access road.
- 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. Gravity sanitary sewer service is not available.

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

Public Hearing – New Business:

- 2. Conditional Use #65.** To allow a food vending trailer in a C-3 zone. The request is located at 4720 East Broadway.

The applicant, Mrs. Kimberly Young, was present. The applicant stated that she has received and agreed to the conditions placed on her request.

Chairman Clifton asked if anyone was present to speak for or against the request.

T.K. Garrett stated that she owned a home behind the property and wanted to know if the food vending trailer would be a permanent fixture.

Mr. Spencer stated that the trailer would not be a permanent fixture; however, the privacy fence and 3 foot planter would be permanent.

Ms. Garrett asked if the business were to fail, would the privacy fence and planter be removed.

Mr. Spencer stated that it would not be removed, but remain on the property.

Mr. White asked Ms. Garret if she was comfortable with the request.

Ms. Garrett stated that she was not comfortable with the trailer, but would not want that to hinder Mr. and Mrs. Young's request.

Ms. Sheila Summers, the owner of the Laundromat next door, asked the applicant several questions regarding the hours of operation, cleanliness of the area, bathroom locations, dumpsters, and seating. Ms. Summers stated that she is currently picking up the trash in the area and has been for a long time.

Mrs. Young answered Ms. Summers's questions by stating the hours of operation as 10am to 10pm, Monday thru Saturday. She also stated plans to provide picnic tables for seating; however there will not be any bathrooms on location. Mrs. Young concluded by stating all employees are advised to pick up trash within the parking lot and that she plans to have both trashcans and a dumpster on site.

Mr. Voyles stated that although this is a portable food vending business, all commercial businesses are supposed to have a bathroom for its employees. He went on to state that Mr. and Mrs. Young should devise a plan where their employees are able to use the restroom during their hours of operation.

Mr. White asked staff if the food vending trailer could rent a portable toilet on-site. Mr. Spencer stated that in the past, the Planning Commission has not required food vending trailers to provide bathrooms on-site.

Mr. Young stated the beauty salon next door has offered to allow the food trailer's employees to use their facilities during their hours of operation. Mr. Young also stated that his mother-in-law lives within two blocks of the property and has offered to allow employees to use her facilities.

Ms. Summers stated that she would not have a problem allowing their employees to use her facilities as long as she knows who they are. It would become a real bother if outside customers were to use her facilities.

Mr. Chambers asked staff whether or not the planter would block the sidewalks. Mrs. Young stated that there were not any sidewalks. Mr. Spencer stated that the planter would leave room for what would appear to be a sidewalk.

Mr. Chambers told Mr. and Mrs. Young that a dumpster is not allowed on the property side facing the street and the dumpster must be enclosed. Mr. Chambers also made a suggestion for the concern of the neighbors that they may not need a dumpster, but because of the nature of their business, they may want to take the trash off site after hours every day.

Ms. T.K. Garrett asked if dumpsters are allowed. Mr. Spencer confirmed that dumpsters are not permitted in that location, only trashcans. The trashcans must be dumped daily.

Chairman Clifton advised Mrs. Young that failure to comply with the conditions could result in the loss of their business license and Conditional Use.

Mr. White asked if there was going to be lighting on the parking lot. Mrs. Young stated that she would have lighting. Mr. White stated that she should make sure that the lighting does not intrude onto their neighbor's property.

Ms. Belasco asked Mr. Spencer to read the added conditions to the application. Mr. Spencer stated that the conditions will now include that the planter placement must leave a 10' sidewalk, dumpsters are not permitted, and that site lighting cannot intrude upon their neighbors' property.

There were no additional comments from Commissioners or the audience.

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. Unit to be skirted with solid exterior material that will also hide the tongue,
5. Unit to be anchored,
6. Unit to be connected to water, sewer, and electric,
7. Provide 6' wood privacy fence on rear property line from NE corner to 25' from property line on Parkdale,
8. Restrict access from parking lot away from the intersection of Parkdale and Broadway with planters.
9. Hours of operation, 10am-10pm, Mon-Sat.
10. Planter placement to leave a 10' sidewalk.
11. Dumpsters are not permitted. Trash cans are allowed, but must be dumped daily.

12. Site lighting must not intrude onto neighbors' property.

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

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

Conditional Use #65 was approved with (8) affirmative votes and (1) absent vote.

3. Conditional Use # 64. To allow car sales in a C-4 zone. The request is located at 1423 East Broadway.

The applicant, Mr. Arthur Cuen, was present. The applicant stated that he has received and agreed to the conditions placed on his request.

Ms. Alexander asked Mr. Cuen about the sudden clean-up of the property. She stated that she drives by the property regularly and notices cars with an enormous amount of dust on them and cars that do not run out front. She recently drove by, and the cars were gone and the area had been cleaned.

Chairman Clifton stated that the Highway State Department was widening the road along Broadway, which could have led to the clean-up.

Mr. Spencer rephrased the question to ask the owner if the area was cleaned only because they had an application before the Planning Commission. If so, would the area return back to storing junk cars or remain clean.

The owner of the business stated that the area will not return to storing junk cars on the lot.

Mr. White asked the owner if the cars were his cars. He stated that the cars were his cars and is currently being stored at another location outside the city.

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	No	Foster	No
Armstrong	Absent	Parker	No
Belasco	Yes	White	Yes
Chambers	No	Clifton	Yes
Dietz	Yes		

Conditional Use #64 was denied with (4) affirmative votes, (4) denied votes, and (1) absent vote.

1. **Special Use #694.** To allow an Alternative School in a R-3 zone. The request is located at 200 W. 20th Street.

The applicant, Mr. Randy Frazier, was present, along with Mr. Doug Stadter, Ms. Cookie Higgins, Ms. Judy Ebanks, and Mr. Skipper Polk. Mr. Frazier explained that the Centers for Youth and Families are a nonprofit organization that offers many services to the community. The Center wishes to relocate its school from Baring Cross to leased space at the St. Patrick Church at 200 W. 20th Street. The Centers for Youth and Families will operate the specialty school. Mr. Frazier stated that the school will be for youth who have behavioral or health issues. The school allows youth with social, emotional, and behavioral problems to continue their education in an academic environment. Students who are recommended to the school are there no longer than one year. The school plans to use four classrooms, with 10 students per classroom. The hours of operation will be 7:30 am to 6:00 pm. The Center will also have summer programs. The Center plans to operate much like a small school with 14 staff members. The traffic pattern will be much less than the St. Patrick Day school that was there before with the option of parents, busses, or vans to drop off students. It will be fully accredited and in compliance with all state and federal laws.

Mr. Chambers asked the group if the children would be under constant supervision until their picked up. Mr. Frazier answered yes.

Mr. Chambers asked if the children are violent children. Mr. Frazier stated that the children are not juvenile defenders. The children that come to the school are recommended by their school district and live at home.

Mr. Chambers stated that the neighborhood impact will have a lot to do with how the operation is ran, including whether the children are able to walk to school or are being dropped off at the school. Mr. Doug Stadter, the Chief Executive Officer, stated that students are not allowed to leave campus; however, it is not a locked facility. Mr. Stadter stated there are policies in place by which if a student leaves without permission, the police are notified immediately.

Mr. Skipper Polk, the Property Manager for St. Patrick's Church, stated that they have looked around for some time and realized that this is the best fit for the neighborhood and their organization. He has been in contact with the Mid-City neighborhood association's president that polled her members and they have no objections to the school. Their only concern was if it was an overnight facility, which it is not. Mr. Polk went on to state that he has had experience with this group from his police days of twenty years ago. The Center has done a lot of good for a lot of people.

Mr. Parker asked the group where did they move from and why are they moving to St. Patrick Church's facility. Mr. Stadter stated they were in the Old Baring Cross elementary school on Parker Street. They are moving because the St. Patrick Church's facility is a better facility for the kids.

Mr. Parker asked Mr. Polk if he believes that this is something that is imitated by the church and the community. Mr. Polk agreed that this is a better facility and imitated within the neighborhood and the church. He stated that he also did a background check to see if there were any previous

issues at the location on Parker Street and he did not find a history of any problems that the school created within the neighborhood.

Ms. Alexander asked Ms. Ebanks, the Program Manager, if this school will be ran under the Elizabeth Mitchell Children Center. Ms. Ebanks explained that the Elizabeth Mitchell Children Center was their old name and it is part of the North Little Rock Center for Youth and Families.

Ms. Suzanne Stevens spoke from the audience. She asked the group in what way is the facility going to be better at the new St. Patrick’s facility. Mr. Stadter stated that the interior is in much better shape than the Parker Street location. If you just walk in to the front of the building, you can immediately tell the difference.

Ms. Stevens stated that she had a special needs child that attended the school on Parker Street and know that there are some very volatile students that attend the school; her major concern is security.

Ms. Ebanks stated that they do have clients that are physically aggressive. Such issues are part of the reason why they are at the school, so that staff can work with them on those issues. Ms. Ebanks stated that when violence occurs the North Little Rock Police Department is notified and they respond very quickly. In addition, the parents are notified and the students are sent home or to the hospital, depending upon their emotional level.

Ms. Stevens mentioned that in the past there was no public record of issues with the school at the previous location because the school worked to keep it quiet and from ever reaching the public.

Mr. Polk stated that when he stated earlier that there was no public record, he meant within the community. While the school will certainly have its share of problems, Mr. Polk stated that such problems have not nor will not spillover into the community. The Center works to keep the problems contained within the school.

Ms. Ebanks added that each staff member is trained to deal with volatile students. When a client becomes volatile, staff is able to restrain them until further help arrives. The school works to ensure that the problem is contained within the program.

Mr. White asked how old are the children attending the school. Ms. Ebanks stated kindergarten to twelfth grade.

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

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

Conditional Use #694 was approved with (8) affirmative votes and (1) absent vote.

Public Hearing – Old Business:

- 2. **Special Use #690.** To allow a daycare center in a C-6 zone. The request is located at 600 N. Olive Street.

Ms. Patti King was present. She stated that she received and agreed to the conditions that were placed on her request.

There were no additional comments from the Commissioners or the audience.

Conditions:

- 1. Hours of operation to be M-F, 6am-7pm with a maximum of 30 kids.
- 2. Playground fence to be 6' wood privacy fence, with emergency exit gate.
- 3. Applicant must meet all applicable Federal, State, County and City requirements,
- 4. Business license to be issued after Planning Staff confirmation of requirements,
- 5. Applicant/owner understands that failure to comply with these conditions may result in loss of the Special Use and/or loss of Business License and/or removal of Electric Power Meter.
- 6. Playground to meet DHS and City of NLR requirements for playground surface and equipment,
- 7. Paint arrows in parking lot, showing drop off/pick up entrance and exit.

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

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

Special Use #690 was approved with (8) affirmative votes 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 5:25 pm.

Passed: _____

Respectfully Submitted:

Norman Clifton, Chairman

Robert Voyles, Director