

**North Little Rock Planning Commission**  
**Regular Meeting**  
**March 9, 2010**

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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:**

Armstrong  
Belasco  
Clifton, Chairman  
Dietz  
Foster  
Parker  
White, Vice Chairman

**Members Absent:**

Alexander  
Chambers

**Staff Present:**

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

**Others Present:**

Bill Brown, Asst. City Attorney  
Maurice Taylor, Alderman

**Administrative:**

Mr. Voyles submitted a memorandum for the Commission's review. The memorandum included the requirements relative to a traffic signal on Maumelle Boulevard at Vestal.

The memo stated:

I submitted a letter to Kent Vestal and John Burkhalter advising of status of a needed traffic signal as a result to the Lexington Apartment development and requesting contribution towards the signal.

In 2005, the Planning Commission approved Granite Heights Apartments and required a letter of credit for a traffic signal at the Vestal Boulevard and Maumelle Boulevard intersection. Financing of the signal was listed as a responsibility of the apartment developer but allowed the developer the option to seek contributions from the City and Highway Department.

In 2007, an additional phase of the apartment complex, now called Lexington Park Apartments, was considered and the outcome was a Planning Commission requirement of posting a \$60,000 letter of credit to cover 1/3 of the estimated cost (\$180,000 estimated by the Traffic Engineer).

The City has assisted in lobbying for financing assistance from the State and federal government and this signal was added as a needed safety improvement. The bids have been completed and the bid price for the signal project is about \$170,000. The City is required to provide 10% of the cost of this construction or \$17,000. The State will also be paying 10% of the cost and the remainder will be federal funds.

I requested that the developer provide \$17,000 (the City's expense for awarding this project) with the offer to appeal to the Planning Commission to reduce the developer's requirement listed as \$60,000.

The developer's response was to offer to pay \$5,600, or 1/3 of the City's contribution.

Staff requests that the Commission consider this response when considering future phases of this apartment development. (end memo)

Chairman Clifton asked for staff to keep the Commission informed about its progress.

**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:**

Motion was made and seconded to approve the February meeting minutes as submitted. The minutes were approved with (7) affirmative votes and (2) absent.

**Subdivision Administrative:**

- A. To allow clearing & grubbing of 2 acres for Paul Pinston on MacArthur with the understanding that a preliminary plat will be filed this calendar year.

Mr. Dietz stated the applicant met with the Subdivision Committee and has agreed to filing a preliminary plat by the end of the year. There were no additional comments from Commissioners or the audience. The motion to approve passed with (7) affirmative votes

and (2) absent.

B. SPR-2175-10 John Adkins School Addition, Lot 2R, Block 97 (Site Plan Review of a Church located at 4833 Coral Street) (refer to expired file SPR-2051-07)

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

- a. Provide storm water detention "in lieu of" fee of \$500/acre.
- b. Obtain erosion control permit from City Engineer and ADEQ before any site work is started.
- c. Driveway radii (10') 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 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. Dumpster screening to match building.
- d. No fence is to be within a front building line.

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

- a. Provide 6' landscape strip at property line then provide 5' sidewalks/ramps to ADA standards and City standards.

**4. Meet the requirements of the Screening and Landscaping ordinance, including:**

- a. Provide 8' wood privacy fence at property lines, but not encroaching past the 25' front building setback line.
- b. All disturbed areas are to be sodded or seeded, fertilized, watered and mulched.
- c. Provide irrigation to all required trees.
- d. Provide 6 street trees 40' on center.
- e. Provide 9 parking lot shade trees
- f. Provide a continuous screen for any parking spots that face a street or abutting property.
- g. Provide 6 foot front yard landscape strip between property line and parking lot.
- h. Provide 4 foot side yard landscape strip between property line and parking lot.

**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. Additional fire hydrant will be required.

**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. A short water main extension will be required to provide fire service.
- 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. Sewer main near NE corner is very shallow, check finish floor elevation if connection to this.
- c. A minimum extension may be required.

Mr. Dietz 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-2176-10 Basswood Estates, Lots 1-13 (preliminary plat of residential subdivision located at Fulkner Lake Road and Whitehead Drive) (refer to expired file NS-2038-07)

**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. Provide street signs and illumination on new streets.
- e. Drainpipes in the ROW are to be RCP with flared end section.
- f. Water system under Grand Prairie Water. Water infrastructure to meet NLR standards
- g. Lots 3,7,8,9 subject to flooding from Ashley Bayou.

**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. 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. Lot 1 to have access only to Whitehead Drive. (add note on plat)
- f. Lots 4 and 13 to have access only to Basswood. (add note on plat)

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

- a. Provide 5' sidewalks/ramps or signed waiver.
- b. Provide 6' paved shoulder plus an 8' drain/utility easement on both Faulkner Lake road and Whitehead Drive within the property line.
- c. Provide ROW dedications as shown.

**4. Meet the requirements of Pulaski County, including:**

- a. Must submit to County for review.

- b. County must sign final plat before City will sign
- c. Lot 3 access needs to meet design standards for site distance and guard rails.
- d. Perform a flood study to establish BFE and the floodway or include all of the Bayou in this plat and dedicate is as open space with a POA.
- e. Meet all other County requirements.

Mr. Dietz stated the applicant met with the Subdivision Committee and has agreed to all the requirements. Mr. Voyles wanted to verify that the attached conditions were being placed within the requirements. The Commissioners agreed. There were no additional comments from Commissioners or the audience. The motion to approve passed with (7) affirmative votes and (2) absent.

D. Rep-2177-10 Brockington Industrial Addition, Lot A (Replat and Site Plan Review of an industrial storage building at 7821 Highway 70)

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

- a. Detention not required.
- 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 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. Allow 6' fence along front property line. Offset gates 10' to allow for parking out of street.
- d. Building not to be used as residences.

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

- a. Provide 5' sidewalks/ramps or signed waiver.
- b. Provide 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 5 street trees 40' on center.

**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. Meet Fire Marshals requirements on gate access.

- 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. No sewer available.

Mr. Dietz 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.

- E. Rep-2178-10 Riverview Luxury Townhouses Add, Blocks A-S (Replat of townhouses located at Crystal Hill Road) (refer to NS-1811-05, Crystal Condominiums, Lot 1)

- 1. Meet the requirements of the City Engineer, including:**
  - a. Streets are proposed to be private.
  - b. Storm water detention to go to river
  - c. Obtain erosion control permit from City Engineer and ADEQ before any site work is started.
  - d. Provide street signs and illumination on private streets.
  - e. Drainpipes in the ROW are to be RCP with flared end section.
  - f. All driveways are to be concrete in the ROW.
- 2. Meet the requirements of Community Planning, including:**
  - a. City Council approval of PUD rezoning must be obtained before plat signed.
  - b. Provide the standard requirements of Zoning and Development Regulations.
  - c. 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.
  - d. Set the 2 required subdivision boundary corner monuments with blank brass caps. This is to be done before a final plat will be signed.
  - e. 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.
- 3. Meet the requirements of the Master Street Plan, including:**
  - a. Provide 5' sidewalks/ramps or provide signed waiver.
  - b. Provide ½ street improvements.
  - c. Provide 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.
- 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.
- 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. Verify that the easements depicted on the plat meet NLRWW width requirements.

Mr. Dietz 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.

F. Rep-2179-10 Rich Acres Addition, Lots 176R and 177R (Replat of 4 lots into 2 lots, and Site Plan Review of an office/warehouse located at 5000 East Broadway.

- 1. Meet the requirements of the City Engineer, including:**
  - a. Storm water detention not required.
  - 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. All driveways are to be concrete in the ROW.
  - e. 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.
- 3. Meet the requirements of the Master Street Plan, including:**
  - a. Provide 10' ROW dedication.
  - b. Provide 5' sidewalks/ramps or provide 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 2 Redbud street trees 40' on center with 6'x6' cutouts.
  - d. Allow street trees to serve as parking lot shade trees
  - e. Provide a continuous screen for any parking spots that face a street or abutting property.
  - f. Waive 6 foot front yard landscape strip between property line and parking lot.
  - g. Provide 8' wood privacy fence at rear of 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.
- 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.

Mr. Dietz 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.

G. SPR-2181-10 Shorter College Addition, East half Block E (Site Plan Review for a industrial storage building at 815 SA Jones Drive)

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

- a. Provide storm water detention "in lieu of" fee of \$5000/acre for new paving and roof areas.
- b. Obtain erosion control permit from City Engineer and ADEQ before any site work is started.

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

- a. Provide the standard requirements of Zoning and Development Regulations.
- b. Dumpster to be screened.
- c. Allow fence as shown.
- d. Lower half of fence along SA Jones and Cedar to be opaque screening.
- e. Back of new building to serve as "fence" facing SA Jones.

**3. 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. Existing street trees along Cedar are not to be removed.
- c. Provide 2 irrigated street trees along SA Jones Drive.

**4. 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.

Mr. Dietz stated the applicant met with the Subdivision Committee and has agreed to all the requirements. Ms. Belasco verified that the conditions were to be added to the requirements. There were no additional comments from Commissioners or the audience. The motion to approve passed with (7) affirmative votes and (2) absent.

**Public Hearing – Old Business:**

1. **Rezone # 1512.** To rezone property from R-3 to PUD to allow 2 zero lot line residences on two 3,500 square feet lots. The request is located at 611 Orange Street.

The applicant, Mr. Lawrence Finn, was present. Mr. Finn wished to split the property to allow financing on separate lots with the same appearance as previously approved.

The applicant stated that he has received and agreed to the conditions that were placed on his request.

Chairman Clifton asked if the applicant would also be living in one of the homes. Mr. Finn confirmed that he would occupy one of the townhomes.

Mr. Voyles stated that the lot was previously approved for a rezone to R-3 to allow for a duplex structure. The previous applicant has since then sold the lot to Mr. Finn who wants to separate them so that he could have financing on two separate small lots.

Mr. Foster stated he believes his application is marvelous and hopes residents follow Mr. Finn's example.

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.

Conditions:

1. Allow zero lot line development as presented with lot sizes being 3500 square feet.
2. Meet the requirements of the Building Code requiring a 3 hour fire wall on the common line.
3. Provide 3 street trees on each lot before CO will be issued.
4. Allow curb cut/driveway to be located 7' from property line.
5. Apply for two separate building permits.
6. Meet the requirements of Site Plan Review.
7. Applicant must meet all applicable Federal, State, County and City requirements.

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

<b>Alexander</b>	<b>Absent</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>Absent</b>	<b>Clifton</b>	<b>Yes</b>
<b>Dietz</b>	<b>Yes</b>		

Rezone #1512 was approved with (7) affirmative votes and (2) absent votes.

## **Public Hearing – New Business:**

2. **Special Use #688.** To allow a fireworks stand in an I-2 zone. The request is located at 11608 Maumelle Blvd.

The applicant, Mr. Scott Deaton, was present. He stated that the fireworks stand has served the city for nine years. Last year, the area was annexed by the City of North Little Rock; however they were given the opportunity to continue to sell fireworks for one year due to the property owner not being properly informed that his property was being annexed. The Little Rock Church wishes to continue to sell in the North Little Rock area because they are not allowed to sell in Little Rock or Maumelle. The fireworks stand supports the church youth mission trips each year.

Mr. Deaton further stated locations are limited as to where you can put a fireworks stand. They have not had any trouble there. He has attained a letter of approval from the property owner and the restaurant manager who owns the parking lot adjacent to the property.

Mr. Voyles confirmed the area was annexed last year. Because of the problem with proper notification, the mayor issued an order to allow the firework stand to operate for one year with the understanding that they would not be allowed to sell fireworks in that location because it is clearly within the city limits. There have been some objections from neighbors in the past including kids igniting fireworks late at night after closing. Mr. Voyles does not know any other site in the city where the City of North Little Rock allows firework sells. This request has never been made before.

According to Mr. Deaton the matter recalling students igniting fireworks after closing happened three years ago and has since been resolved.

Mr. Dietz stated he also knows firework sells are not permitted within the city. He further stated that he is more than hesitant to permit the special use due to the possibility of others applying for similar request.

Mr. Foster asked where Mr. Deaton's other businesses located and if he could possibly move the firework stand at one of his other locations. Mr. Deaton stated he has businesses in many locations. The one in question is currently on Maumelle Boulevard. They have looked at other locations and included maps within the Commissioner's packets of three possible sites that are within Pulaski County but outside of North Little Rock city limits. However, the other sites would not grant permission to operate at the location due to the zoning uses allotted on the property. Mr. Deaton stressed to the Commissioners that the current location is the only location that allows them to serve not only Maumelle Boulevard, but for the entire I-30/I-40 Corridor.

Chairman Clifton asked the Assistant City Attorney, Bill Brown, if the Planning Commission has the right to grant authority to allow a fireworks stand. Current legislation states that there are to be no firework stands within the City of North Little Rock. Mr. Brown stated that the Planning Commission would be giving a recommendation on the matter and the final vote was rest with the City Council.

Mr. White stated that he agreed with Mr. Dietz. He suggested for the Commission to grant a two year extension. After two years, the applicant would no longer be granted to sell nor use fireworks in the city limits. Mr. White stated this would give the church youth group a chance to find another location. Mr. Deaton stated such a waiver was not his first choice and given how many years that the fireworks stand has operated at that specific location and the amount of money being able to generate for the fundraiser, the applicant would urge the Commission to grant the Special Use.

Chairman Clifton asked if there was anybody in the audience who wanted to speak on this item.

Mr. Jay Jacobs, the Youth Minister, spoke to support the special use stating that the students were able to use the money last year from the firework stand to go to Canada. This year the youth planned a mission trip to South Korea. Mr. Jacobs further explained that the firework stand is its biggest fundraiser and provides the majority of the funds used for the mission trips.

Mr. Armstrong asked Mr. Jacobs if the Commission were to not approve the Special Use, if it would at all hinder the fundraising efforts of the youth group. Mr. Jacobs stated that it would. The fireworks stand makes up a majority of the funds used for the mission trips. In addition, the minister stated that the youth really like working at the firework stand.

Mr. Parker asked Mr. Brown if it was legal in any city in Pulaski County to sell fireworks. Mr. Deaton responded that you can use fireworks in the Maumelle area, but you cannot sell fireworks.

Mr. Foster reiterated his support for the youth groups efforts; however, he questioned the message being sent to other children if the Commissioners granted the special use. In addition, Mr. Foster did not want to further burden the Code Enforcement and Law Enforcement.

Mr. White made a motion to extend the order to allow the stand to operate for one year under a special use with the condition that the applicant would have to obtain a city business license and operate only June 20, 2010 to July 10, 2010. Chairman Clifton seconded the motion and asked for a roll call vote on the amendment to extend the special use for one year.

<b>Alexander</b>	<b>Absent</b>	<b>Foster</b>	<b>No</b>
<b>Armstrong</b>	<b>No</b>	<b>Parker</b>	<b>Yes</b>
<b>Belasco</b>	<b>Yes</b>	<b>White</b>	<b>Yes</b>
<b>Chambers</b>	<b>Absent</b>	<b>Clifton</b>	<b>Yes</b>
<b>Dietz</b>	<b>No</b>		

The amendment failed with (4) affirmative votes, (3) denials, and (2) absent votes.

Chairman Clifton asked for a roll call vote on the application as requested by the applicant.

<b>Alexander</b>	<b>Absent</b>	<b>Foster</b>	<b>No</b>
<b>Armstrong</b>	<b>No</b>	<b>Parker</b>	<b>No</b>
<b>Belasco</b>	<b>No</b>	<b>White</b>	<b>No</b>

<b>Chambers</b>	<b>Absent</b>	<b>Clifton</b>	<b>Yes</b>
<b>Dietz</b>	<b>No</b>		

Special Use #688 was denied with (6) denial votes, (1) affirmative, and (2) absent votes.

- 3. Special Use #682.** To allow sales, repair and inventory of pressure washers and accessories in a C-3 zone. The request is located at 5000 East Broadway.

Staff represented the case before the Planning Commission. The applicants has meet with the Subdivision Committee and agreed to the conditions that were placed on their application. Chairman Clifton stated that the preliminary plat must be reviewed prior to the end of the calendar year.

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.

Conditions:

1. Provide 8’ wood privacy fence at rear of property,
2. Provide 2 irrigated street trees placed in 6’ x 6’ cutouts,
3. Use to be contained on this property and not encroach onto abutting properties,
4. Applicant must meet all applicable Federal, State, County and City requirements.
5. Business license to be issued after Planning Staff confirmation of requirements,
6. 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.

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

<b>Alexander</b>	<b>Absent</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>Absent</b>	<b>Clifton</b>	<b>Yes</b>
<b>Dietz</b>	<b>Yes</b>		

Special Use #682 was approved with (7) affirmative votes and (2) absent votes.

- 3. Special Use #685.** To allow a hotdog stand in a C-6 zone. The request is located at 304 Main Street.

The applicant, William Harris, was present. Mr. Harris explained his request that he was wanting to re-open the hotdog stand that was previously approved. Mr. Harris stated he had received the staff write-up and agrees with the requirements.

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.

Conditions:

1. the daily operation (including customer line) of the hot dog stand will not block the sidewalk,
2. applicant will provide two trash receptacles that match the streetscape,
3. the location of the hot dog stand will be on private property at 304 Main Street,
4. applicant must meet all applicable Federal, State, County and City requirements,
5. business license to be issued after Planning Staff confirmation of requirements,
6. applicant/owner understands that failure to comply with these conditions may result in loss of the Special Use and/or loss of Business License.

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

<b>Alexander</b>	<b>Absent</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>Absent</b>	<b>Clifton</b>	<b>Yes</b>
<b>Dietz</b>	<b>Yes</b>		

Special Use #685 was approved with (7) affirmative votes and (2) absent votes.

4. **Special Use #687.** To allow a Daycare Center in an I-2 zone. The request is located at 8000 Industry Drive.

The applicant, Rico Harris, was present. Mr. Harris stated his plans to establish an Early Head Start Facility at the site to serve children 0 to 2 years old.

Chairman Clifton asked if anything has changed to the original application. Mr. Harris stated that it has and the drawing in the packet reflects the changes requested by the Subdivision Committee.

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

Mr. Joe Marconi spoke against the application. Mr. Marconi declared that the industrial park is not a facility for a daycare. Mr. Armstrong asked Mr. Marconi if the daycare would actually support his business and other businesses by providing a service to its employers. Mr. Marconi stated that it would, but the actually facility does not need to be in an industrial park. He further explained that the traffic within the industrial park is heavy with very heavy equipment. Prospective businesses looking to locate within the Industrial Park would not put businesses near a Daycare Center.

Byron House and Mark Cunningham also spoke against the application. Mr. House stated that as a developer and property owner of 70 acres within the area, he feared that businesses would not want to buy near a daycare. The equipment and materials used within an industrial park could possibly be a danger to children. The industrial park is set up to be North Little Rock’s premier industrial park and placing a daycare center would jeopardize this image.

Kim Falls, the Director of the Early Head Start Program spoke for the application. She stated that the Early Head Start program would provide service for forty children and would operate as the only Head Start Program within the Little Rock – North Little Rock area. Chairman Clifton asked, why would she choose this site? Ms. Falls stated that this site fit all of the program’s criteria. It provided enough green space and parking and allotted area for the children to play outside.

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

<b>Alexander</b>	<b>Absent</b>	<b>Foster</b>	<b>No</b>
<b>Armstrong</b>	<b>No</b>	<b>Parker</b>	<b>No</b>
<b>Belasco</b>	<b>No</b>	<b>White</b>	<b>No</b>
<b>Chambers</b>	<b>Absent</b>	<b>Clifton</b>	<b>No</b>
<b>Dietz</b>	<b>No</b>		

Special Use #687 was denied with (7) denied votes and (2) absent votes.

5. **Rezone #1514.** To rezone property from R-5 to PUD to allow zero lot line residences. The request is located at 11530 Crystal Bay Circle.

Staff represented the applicant. Mr. Voyles stated this was a previously approved condominium development. Currently, buyers are having a very hard time finding mortgage companies to approve financing for a condominium. The applicant is proposing a rezone to allow this unique configuration of shared walls, but also property to allow for separate financing that would alleviate this hardship on potential buyers.

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.

<b>Alexander</b>	<b>Absent</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>Absent</b>	<b>Clifton</b>	<b>Yes</b>
<b>Dietz</b>	<b>Yes</b>		

Rezone #1514 was approved with (7) affirmative votes and (2) absent votes.

6. **Rezone #1515.** To rezone property from C-3 to I-1 to allow office/warehouse. The request is located across from the intersection of Counts Massie and Hominy Lane.

The owner, Keith Richardson, was present. Mr. Richardson stated that he purchased fifteen acres of land nine years ago at the corner of Counts Massie. In 2007, he asked for a rezone to C-3 from O-1 and was successful; however, he was unsuccessful in acquiring retail tenants for the site. Mr. Richardson is asking the Commission to now reclassify his property from the present C-3 zoning classification to the proposed I-1 classification to allow office/warehouse.

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.

<b>Alexander</b>	<b>Absent</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>Absent</b>	<b>Clifton</b>	<b>Yes</b>
<b>Dietz</b>	<b>Yes</b>		

Rezone #1515 was approved with (7) affirmative votes and (2) absent votes.

**Public Comments/Adjournment:**

Chairman Clifton asked if there were any public comments from the public or the Commission. Mr. White asked for clarification on the screening of wood fences. He further asked for Code Enforcement to look at residents fences. Mr. Voyles stated that the building inspector and/or planning staff could also inspect fences.

Mr. White suggested that the Planning Staff develop design guidelines for fences and to update the Commission at a future meeting.

A motion was made to adjourn and it was seconded. The motion passed with (7) affirmative votes and the meeting was adjourned at 5:45 pm.

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

Respectfully Submitted:

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

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