

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

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Chairman Clifton called the regular meeting of the North Little Rock Planning Commission to order at 4:45 PM in the Council Chambers, City Hall.

**Members Present:**

Alexander  
Belasco  
Chambers  
Clifton, Chairman  
Foster  
Parker  
White, Vice Chairman (arrived at 5:00)

**Members Absent:**

Armstrong  
Dietz

**Staff Present:**

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

**Others Present:**

Jason Carter, City Attorney  
Maurice Taylor, Alderman  
Cary Gaines, Alderman  
Don Wood, Code Enforcement

**Administrative:**

**Approval of Minutes:**

Motion was made and seconded to approve the February meeting minutes as submitted. The minutes were approved with 6 affirmative votes and 3 absent.

**Subdivision Administrative:**

- A. **SPR-2140-09** Northshore Business Park, Lot 10, Block 5 (Site Plan Review of a Crockett Business Machines at southwest corner of Northshore Lane and Northshore Place)

- 1. Meet the requirements of the City Engineer, including:**
  - a. Storm Water Detention previously waived.
  - 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. Site Plan Review of the development will be submitted in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates before a building permit issued.
  - c. Dumpster screening to match building.
- 3. Meet the requirements of the Master Street Plan, including:**
  - a. Sidewalks previously waived.
- 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 11 street trees 40' on center, about 5' from the parking lot curb to avoid a conflict with the water main.
  - d. Provide 8 parking lot shade trees: 2 in each isle at the front corners of the building, 2 on the south side of the building, and 2 around the rear parking spaces.
  - e. Parking lot shade trees must be at the furthest 10' from edge of paving.
  - f. Provide a continuous screen for any parking spots that face a street or abutting property.
- 5. Meet the following requirements concerning signage:**
  - a. All signs require a permit and separate review.
  - b. Provide sign location on site plan. Sign must be a minimum of 5 foot from property lines.
  - c. No pole sign permitted.
- 6. Meet the requirements of the Fire Marshal, including:**
  - a. Provide an approved fire protection plan. A fire hydrant is required to be placed near this building.
  - b. Fire hydrants to be within 400 feet of all areas of building.
- 7. Meet the requirements of the CAW and NLR Wastewater and Electric, including:**
  - a. All CAW requirements in effect at the time of request for water service must be met.
  - b. Contact CAW for requirements on backflow protection on meter services.
  - c. A complete set of drawings for development must be submitted to NLR Wastewater.
  - d. Gravity sanitary sewer service may require a main extension.
  - e. White Oak connection fees apply.

There were no additional comments from Commissioners or the audience. The motion to approve as submitted passed with 6 affirmative votes and 3 absent.

- B. SPR-2141-09** Boohers Addition, Lot 4, Block 14 (Site Plan Review for snow cone stand and self serve ice machine at southwest corner of Camp Robinson Road and West 37<sup>th</sup> Street)

- 1. Meet the requirements of the City Engineer, including:**
  - a. Pay impervious surface fee of .03 cents a square foot for all asphalted areas.
  - b. Obtain erosion control permit from City Engineer and ADEQ before any site work is started.
  - c. All vehicle area to be asphalted and gravel areas to be removed and landscaped.
  - d. Directional arrows to be painted to direct traffic flow.
  - e. Allow the revised circulation plan with two curb-cuts, the northern one being entrance only and the southern exit only.
  - f. Entrance and exit drives to be well marked by signs.
  - 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. Self Serve Ice Machines require a conditional use approved by City Council.
  - b. Provide an illustration of the final appearance of the ice vending trailer.
  - c. Provide the standard requirements of Zoning and Development Regulations.
  - d. Provide dumpster location with screening to match building.
  - e. The front facing Camp Robinson to appear as one building.
- 3. Meet the requirements of the Screening and Landscaping ordinance, including:**
  - a. Landscaping to be finished or a bond provided before CO will be issued.
  - 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 as shown.
  - e. Provide 1 parking lot shade trees as shown
  - f. Provide a continuous screen along both 37<sup>th</sup> and Camp Robinson Road with shrubs planted every three feet and irrigated.
  - g. Provide open green area as shown.
- 4. Meet the requirements of the Sign ordinance, including:**
  - a. All signs require a permit and separate review.
  - b. No pole or monument sign permitted.
- 5. Meet the requirements of the Fire Marshal, including:**
  - a. Fire hydrants to be within 400 feet of all areas of building.
- 6. Meet the requirements of the CAW and NLR Wastewater and Electric, including:**
  - a. All CAW requirements in effect at the time of request for water service must be met.
  - b. Contact CAW for requirements on backflow protection on meter services.
  - c. A complete set of drawings for development must be submitted to NLR Wastewater.

There were no additional comments from Commissioners or the audience. The motion to approve as submitted passed with 6 affirmative votes and 3 absent.

### **Public Hearing – Old Business:**

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

Mr. Spencer went over each amendment of the ordinance. He stated that no changes have been made except to item W, which has been split into 2 options. Option A allows full motion of LED signs. Option B allows for static LED signs that change every 5 seconds.

After further discussion on Options A and B, Mr. Chambers added Option C which would be no change in the ordinance (leave the time change at 15 seconds)

Mr. Parker stated that the restriction on the 15 second delay is too long and he believes it is a problem.

Alderman Cary Gaines stated that his church paid \$45,000 for a LED sign. The sign has been regulated to 15 seconds. He would like the time limit to be reduced. He believes that it will enhance the quality of the City.

A motion was made and seconded to adopt Option B, which limits sign changes to 5 seconds. Chairman Clifton asked for a roll call vote.

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

The motion passed with 6 affirmative votes, 1 negative vote and 2 absent.

Chairman Clifton then asked Staff to go into detail concerning Item S – farming. He had concerns with including goats and chickens in the description. There was discussion on what the municipal code allows.

Chairman Clifton made a motion to remove goats and chickens from Item S. Mrs. Belasco seconded. Chairman Clifton asked for a roll call vote.

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

The motion passed with 6 affirmative votes, 1 negative vote and 2 absent.

There were no additional comments from Commissioners or the audience. A motion was made and seconded to send this application with the 2 amendments to the City Council. Chairman Clifton asked for a roll call vote on the application.

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

The motion passed with 7 affirmative votes, and 2 absent.

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

Mr. Kowalski asked about starting a neighborhood association in that area. Mrs. Belasco asked him to contact Dan Scott at Neighborhood Services.

Mr. Henry Langston asked the reason for zoning in the area? Mr. Voyles replied that zoning this area would allow for minimal protection.

Kathleen Scoggins, lives in the proposed zoning area and she wanted to know why the City can have control over someone that lives in the County. Jason Carter, City Attorney, stated under State law the City has the right to zone an area that the may have future impacts on the City.

There was discussion on postponing this item one more month to allow for some of the neighbors to meet again. Mr. Merrill Parks, who lives in the area asked for this to be the last meeting on this application, since there was a petition that went around the area that received over 75 signatures in support.

Mr. Spencer added there needed to be a correction on the map. The maps handed out showed a small area of houses that were proposed to be zoned conservation and it should show the houses to be zoned residential.

After further discussion Mr. Foster motioned to amend the application with Mr. Spencer's correction. Mrs. Belasco seconded the motion. Chairman Clifton asked for a roll call vote on the amendment.

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

The motion passed with 7 affirmative votes, and 2 absent.

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>Yes</b>	<b>Foster</b>	<b>Yes</b>
<b>Armstong</b>	<b>Absent</b>	<b>Parker</b>	<b>Abstain</b>
<b>Belasco</b>	<b>Yes</b>	<b>White</b>	<b>Yes</b>
<b>Chambers</b>	<b>Yes</b>	<b>Clifton</b>	<b>Yes</b>
<b>Dietz</b>	<b>Absent</b>		

The motion passed with 6 affirmative votes, 1 abstention and 2 absent.

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

Mr. Marty Linn, the applicant, presented plans to Planning Commission which showed front and back views of the proposed duplex that he plans to build on the property with the existing single family homes.

Mr. Foster opposed to the property being called a “green” project. There was discussion on what was “green” about the project and what “green” meant.

Mrs. Alexander asked if the duplex was built, would the fire department have adequate space to access the complex with the additional building. It was stated that although the proposed building would create another barrier, there would still be fire access to all the structures.

After further discussion, Chairman Clifton stated to Mr. Linn that he has the option to postpone or withdraw the application and reapply at a later time. If a request is denied at the Planning Commission, the applicant would have to wait one year before reapplying. Mr. Linn decided against withdrawing his application and wanted to proceed with the Planning Commission’s decision.

A motion was made by Chambers and seconded. Chairman Clifton asked for a roll call vote on the application.

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

The motion was denied with 5 negative votes, 1 affirmative vote and 2 absent.

**4. Conditional Use #45. To allow auto detailing and auto sales in a C-3 zone. The request is located at 4314 East Broadway.**

Mr. Eric Watkins, the applicant, stated he would like to open automobile sales to an existing detail shop that is operating at this location now.

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

Terry Ester, Rose City Neighborhood Association spoke in opposition to the applicant’s request.

Paulette Long, Rose City Neighborhood Association has received several calls from neighbors opposing the request as well.

Mr. Watkins stated that there is plenty of room to have both the auto detail and sales at this location.

Mr. Chambers asked Mr. Watkins to assure him that the area would stay clean and up to code. He also suggested to Rose City NHA to speak with their Alderman to possibly get an overlay for that area.

Mr. Foster asked Mr. Watkins how long had he been at the location and if any code violations have been issued? Code enforcement officer, Don Wood, stated that citations had been issued to this property but were usually taken care of before the court date.

After further discussion, a motion was made and seconded to vote on the application. Chairman Clifton asked for a roll call vote on the application.

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

The motion was denied with 3 negative votes, 4 affirmative votes and 2 absent.

**5. Conditional Use #51. To allow a farmers market in a C-6 zone. The request is located at 512 North Main.**

Mr. Jody Hardin, the applicant, stated that they would like to move the farmer’s market to the 500 Block of North Main.

They would like to move locations to have more space to accommodate the growing number of customers and they have also agreed to the staff recommendations.

After some discussion, a motion was made and seconded to approve the request. Chairman Clifton asked for a roll call vote on the application.

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

The motion was approved with 7 affirmative votes and 2 absent.

**6. Rezone #1482. To reclassify property from the existing Conservation to the proposed R-1 to allow residential. AND. To amend the land use plan. The request is located at 5401 Baucum Pike.**

Mrs. Mildred Turnbow, the applicant, stated that she wanted to change the zoning to R-1.

Mr. Chambers asked if the land use amendment can be voted on the same time as the rezoning request. Mr. Voyles stated, yes.

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

Judy Smith, lives across the street from the proposed property. She had concerns that the acreage will get rezoned to residential and the houses that are built will be abandoned. She opposed the application.

Mrs. Turnbow stated that she would only build a few houses at a time

After some discussion a motion was made and second to approve the application. Chairman Clifton asked for a roll call vote on the application.

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

The motion was approved with 7 affirmative votes and 2 absent.

**Public Comments/Adjournment:**

A motion was made to adjourn and it was seconded. The motion passed with 7 affirmative votes and 2 absent the meeting was adjourned at 6:50 pm.

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

Respectfully Submitted:

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

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