

North Little Rock Planning Commission
Regular Meeting
November 8, 2011

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
Harris
Parker
White
Clifton, Chairman

Staff Present:

Robert Voyles, Director
Shawn Spencer, Asst. Director
Paula Jones, City Attorney
Keisa Williams, Secretary

Others Present:

Approval of Minutes:

Motion was made and seconded to approve the October meeting minutes as submitted. The minutes were approved with (9) affirmative votes.

Administrative:

Items 4 and 6 have been postponed and moved to the December 13 meeting.
2012 Planning Commission Calendar is included in packets.

Subdivision Administrative:

A. NS-2259-11 TRL Addition, Lot 1 (Replat and Site Plan Review of parking lot located at Hwy 391 and I-40)

1. Requirements before the final plat will be signed:

- a. Pay the drainage fee of \$5000/acre instead of providing on-site detention.
- b. Final plat will be submitted in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.

2. Permit requirements/approvals before a building permit will be issued:

- a. Provide CNLR Storm water Permit.
- b. Provide CNLR Access Driveway/Curb Cut Permit.
- c. Provide CNLR Floodplain Development Permit.

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

Preliminary Plat:

- a. Prior to any excavation/street cuts within street ROW, obtain CNLR Excavation and Barricade Plan Application/Permit.
- b. Provide 10' utility/drainage easements along perimeter of lot.

Site Plan:

- c. The first floors of any building are to be a minimum of 1' above any flood plain.
- d. Prior to any excavation/street cuts within street ROW, obtain CNLR Excavation and Barricade Plan Application/Permit.
- e. Driveway radii returns built to City Engineer's specifications.
- f. Provide City Engineer drainage calculations for existing and proposed facilities.
- g. Cross drains in the ROW are to be RCP with flared end section unless approved by Engineering.
- h. Secure driveway/curb cut from City Engineer or AHTD if State Highway
- i. All driveways are to be concrete in the ROW.
- j. Provide spot grades along with grading and drainage plan for the proposed parking lot improvements.

4. Meet the requirements of Community Planning, including:

- a. Provide the standard requirements of Zoning and Development Regulations.
- b. Remove any mention of "lease area".
- c. No fence is to be within a front building line.
- d. Site Plan Review required for any future development.
- e. All exterior lighting shall be shielded and not encroach onto neighboring properties.

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

- a. Sidewalks are not required since the area is an Industrial Zone.
- b. Provide ½ street improvements along length of Lot 2.

6. 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 a continuous screen for parking spots that abut property on the west side of property.

- d. Allow landscaping plan as shown. Provide 6 street trees on developed area and future trees will be added when further development happens.
 - e. Provide buffer between dissimilar uses or zoning. Do not remove trees from full buffers.
- 7. 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.
- 8. Meet the requirements of the Fire Marshal, including:**
- a. Provide an approved fire protection plan.
- 9. Meet the requirements of CAW, including:**
- a. Water is not available to site without extension of facilities.
 - b. All CAW requirements in effect at the time of request for water service must be met.
 - 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.
 - f. Contact CAW for requirements on size and location of the meter.
 - g. Provide static pressure, residual pressure and flow for nearest fire hydrant.
- 10. Meet the requirements of NLR Wastewater, including:**
- a. Sewer service is available for this development.

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 submitted passed with (9) affirmative votes.

B. NS-2260-11 Horseshoe Lake Estates West, Lots 1-24 (Preliminary plat review of residential subdivision located at Hwy 165 and Planters Row)

- 1. Requirements before the final plat will be signed:**
- a. Provide on-site storm water detention. Storm Water Detention calculations are to be approved by City Engineer and a written approval provided to Planning Department.
 - b. Final plat will be submitted in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.
 - c. Set the 2 required subdivision boundary corner monuments with blank brass caps.
 - 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.
 - e. Provide ½ street improvements (street, curb, gutter, street signs, street lights) or a performance bond. Street improvements must be approved County and City Engineer and accepted by County.
 - f. Provide Arkansas Department of Environmental Quality (ADEQ) Stormwater Permit.
 - g. Provide Corps of Engineers (COE) 404 Clearance/Permit.
 - h. Arkansas Department of Health approval for water and sewer facilities is required.
 - i. Pulaski County Certificate shall be signed by the County prior to the CNLR signing.
- 2. Meet the requirements of the City Engineer, including:**
- a. The first floors of any building are to be a minimum of 1' above any floodplain.

- b. Cross drains in the ROW are to be RCP with flared end section unless approved by Engineering.
 - c. All driveways are to be concrete within the ROW.
 - d. Since the proposed subdivision is planned to be served by on-site septic tanks, a written certification of approval by the Arkansas Department of Health is required along with the submittal of the Preliminary Plat.
 - e. CNLR requires a minimum of 1 acre per residential lot.
 - f. All comments from Pulaski County Planning Department shall be met.
 - g. Construction plans shall be submitted and approved by the City Engineer's office prior to construction.
 - h. Provide City Engineer drainage calculations for existing and proposed facilities.
 - i. Provide permanent turn-around centered at west end of road (Lots 9-10). 100' diameter paved. ROW diameter of 110'.
 - j. Provide permanent turn-around at center of subdivision (Lots 5,4,13,18). 100' diameter paved. ROW diameter of 110'.
- 3. Meet the requirements of Community Planning, including:**
 - a. Provide the standard requirements of Zoning and Development Regulations.
 - b. Allow phasing.
 - 4. Meet the requirements of the Master Street Plan, including:**
 - a. Sidewalks not required due to lot widths.
 - b. Provide full street improvements.
 - c. Road design to be determined by the County.
 - 5. 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.
 - 6. Meet the requirements of the Fire Marshal, including:**
 - a. Provide an approved fire protection plan.
 - b. Provide static pressure, residual pressure and flow for nearest fire hydrant.
 - 7. Meet the requirements of CAW, including:**
 - a. Water is not available from CAW at this time.
 - 8. Meet the requirements of NLR Wastewater, including:**
 - a. Sewer service is not available for this development
 - 9. Meet the requirements of Pulaski County, including:**
 - a. Provide Bill of Assurance.
 - b. Provide existing covenants and restrictions or state if none apply
 - c. Provide AHD approval of Septic Systems
 - d. Provide approval letter from local Fire Department
 - e. Provide street cross sections
 - f. Provide street centerline profiles
 - g. Provide Storm drainage plan
 - h. Provide street design specifications
 - i. Comply with NPDES requirements
 - j. Pay \$53 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 submitted passed with (9) affirmative votes.

C. SPR-2261-11 Desoto Sand Addition, Lot 1 (Site Plan review of office and shop located at 220 Sand River Rd)

- 1. Permit requirements/approvals before a building permit will be issued:**
 - a. Provide CNLR Stormwater Permit.
 - b. Provide CNLR Floodplain Development Permit.
 - c. Provide Arkansas Department of Health approval for water and sewer facilities.
- 2. Meet the requirements of the City Engineer, including:**
 - a. Pay the drainage fee of \$5000/acre for new gravel and roof areas or provide detention. Storm Water Detention calculations are to be approved by City Engineer and a written approval provided to Planning Department.
 - b. The first floors of any building are to be a minimum of 1' above any flood plain.
 - c. Provide City Engineer drainage calculations for existing and proposed facilities along with drainage plans.
 - d. Provide spot grades along with grading and drainage plan for the proposed parking lot improvements.
 - e. Show the location of the nearest fire hydrant, public water main along with flow, static and residual pressures.
- 3. Meet the requirements of Community Planning, including:**
 - a. Provide the standard requirements of Zoning and Development Regulations.
 - b. Pave first 50 feet of Sand River Road (private) to control gravel onto Faulkner Lake road.
 - c. All exterior lighting shall be shielded and not encroach onto neighboring properties.
- 4. Meet the requirements of the Master Street Plan.**
- 5. 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 landscaping plan as shown.
 - d. Provide buffer between dissimilar uses or zoning. Do not remove trees from full buffers.
- 6. 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.
- 7. 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.
 - d. All exterior portions of a building must be within 150' of a FD access road.
 - e. Provide static pressure, residual pressure and flow for nearest fire hydrant.
- 8. Meet the requirements of CAW, including:**
 - a. Water is not available to this property without the extension of water facilities.

9. Meet the requirements of NLR Wastewater, including:

- a. Sewer service not available for this development.

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 submitted passed with (9) affirmative votes.

D. SPR-2262-11 Springhill Development, Block 4, Lot 3 (Site Plan review of Stonebriar Imaging located at 3320 Springhill Drive)**1. Permit requirements/approvals before a building permit will be issued:**

- a. Property must be platted and a recorded plat must be on file with the City.
- b. Provide CNLR Stormwater Permit.
- c. Provide CNLR Access Driveway/Curb Cut Permit.
- d. Provide Arkansas Department of Health approval for water and sewer facilities.

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

- a. The first floors of any building are to be a minimum of 1' above any floodplain.
- b. Prior to any excavation/street cuts within street ROW, obtain CNLR Excavation and Barricade Plan Application/Permit.
- c. Driveway radii returns built to City Engineer's specifications.
- d. Cross drains in the ROW are to be RCP with flared end section unless approved by Engineering.
- e. All driveways are to be concrete within the ROW.
- f. Secure driveway/curb cut from City Engineer or AHTD if State Highway.
- g. Provide on-site storm water detention or pay in lieu of fee. Storm Water Detention calculations are to be approved by City Engineer and a written approval provided to Planning Department.
- h. Provide City Engineer drainage calculations for existing and proposed facilities along with drainage plans or pay in lieu of fee.
- i. Show services connecting to the proposed building (sewer, water, electric, etc.).
- j. Show parking lot lighting and exterior building lighting plan.

3. Meet the requirements of Community Planning, including:

- a. Provide the standard requirements of Zoning and Development Regulations.
- b. Dumpster screening to match building.
- c. Allow waiver of 4 parking spots.
- d. All exterior lighting shall be shielded and not encroach onto neighboring properties.

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

- a. Provide 5' sidewalks and ramps with a minimum of 5' green space between sidewalks and curb to ADA standards and City standards.

5. 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.

6. 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.
- 7. 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 with FM on location of hydrant.
- 8. 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.
 - e. Contact CAW for requirements on size and location of the meter.
 - f. Provide static pressure, residual pressure and flow for nearest fire hydrant.
- 9. Meet the requirements of NLR Wastewater, including:**
 - a. A complete set of drawings for development must be submitted to NLR Wastewater.
 - b. Approval of plans by AR Dept of Health Engineering Division is required.

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 submitted passed with (9) affirmative votes.

E. Rep-2263-11 East Argenta Add, Lot C, Block 22 (Replat of 2 lots into 1 for a parking lot located at NW corner of Washington and Smothers)

- 1. Requirements before the final plat or replat will be signed:**
 - a. Provide on-site storm water detention or pay in lieu of fee for added paving. Storm Water Detention calculations are to be approved by City Engineer and a written approval provided to Planning Department.
 - b. Replat will be submitted in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.
- 2. Permit requirements/approvals before a building permit will be issued:**
 - a. Provide CNLR Stormwater Permit.
 - b. Provide CNLR Access Driveway/Curb Cut Permit.
 - c. Provide CNLR Floodplain Development Permit.
 - d. Provide Arkansas Department of Health approval for water and sewer facilities.
- 3. Meet the requirements of the City Engineer, including:**
 - a. The first floors of any building are to be a minimum of 1' above any floodplain.
 - b. Prior to any excavation/street cuts within street ROW, obtain CNLR Excavation and Barricade Plan Application/Permit.
 - c. Allow existing driveway location.
 - d. Driveway radii returns built to City Engineer's specifications.
 - e. Provide City Engineer drainage calculations for existing and proposed facilities.
 - f. Secure driveway/curb cut from City Engineer.
 - g. Provide a detail of the proposed paving improvements.
- 4. Meet the requirements of Community Planning, including:**

- a. Provide the standard requirements of Zoning and Development Regulations.
- b. All exterior lighting shall be shielded and not encroach onto neighboring properties.
- 5. Meet the requirements of the Master Street Plan, including:**
- 6. 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 6 street trees 40' on center, as shown.
 - d. Waive continuous row of shrubs on west property line and require trees every 20 feet along west P.L.
 - e. Waive landscape strip on east P.L., as it is an existing situation.
 - f. Provide 6 foot front yard landscape strip between property line and parking lot.
 - g. Show 4 foot side yard landscape strip between property line and parking lot.
- 7. Meet the following requirements concerning signage:**
 - a. All signs require a permit and separate review.
- 8. Meet the requirements of the Fire Marshal, including:**
 - a. Provide an approved fire protection plan.
- 9. 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.
 - e. Contact CAW for requirements on size and location of the meter.
- 10. Meet the requirements of NLR Wastewater, including:**
 - a. Sewer service is currently available to this site.

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 submitted passed with (9) affirmative votes.

Public Hearing:

- 1. **Conditional Use #72.** To allow car sales in a C-4 zone. The request is located at 1400 E. Broadway.

The applicant, Mr. Erick Sanchez, was present. He stated he received and understood the staff recommendations.

Chairman Clifton asked if there were any comments from the audience or Commissioners.

There were no further comments from audience or Commissioners.

Conditions:

- 1. Remove existing pole sign.
- 2. Fences shall not be allowed in the front yard of a vehicle sales lot, except as mandated under Article 15 hereof.

3. Existing fences located in the front yard of a vehicle sales lot shall be removed, unless required when adjacent to residential use.
4. Six foot wood privacy fence shall be required when vehicle sales lot abuts a residential use. Fences shall not extend beyond the front building line of the abutting residential use.
5. Vehicle sales lots shall not utilize barb wire or razor wire. Any existing barb wire or razor wire shall be removed.
6. There shall be a ratio of one vehicle per every 450 square feet of open lot area. This ratio shall include sales, employee, and customer vehicles. Open lot area does not include any structures. 30 vehicles are permitted on this lot.
7. All exterior vehicle sales lot lighting, located on a building or free standing, shall be shielded and directed downward. Lighting shall be directed away from abutting residential uses.
8. Sales vehicles shall be displayed on one of the following surfaces: asphalt paving or concrete. Asphalt paving shall meet the standards of the City Engineer. Sales vehicles shall not be displayed on grass or gravel surfaces.
9. All signage shall meet the requirements of Article 14 of the zoning ordinance.
10. No inoperable or wrecked vehicles shall be stored or sold from the sales lot. Vehicle sales lots shall not store inoperable or wrecked vehicles, nor any parts thereof, as those terms are defined under the North Little Rock Property Maintenance and Nuisance Abatement Code.
11. Vehicle sales lot shall be maintained at all times.
12. Sales vehicles shall be locked and secured after business hours.
13. Sales vehicles shall not be used as storage.
14. Vehicle sales lot and any structures located on the lot shall meet all applicable Federal, State, County and City requirements and codes.
15. Business license to be issued after Planning Staff confirmation of requirements.
16. Business license holder 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 roll call vote on the application.

Alexander	Yes	Harris	Yes
Belasco	Yes	Parker	Yes
Chambers	Yes	White	Yes
Dietz	Yes	Clifton	Yes
Foster	Yes		

Conditional Use #72 was approved with (9) affirmative votes.

2. **Conditional Use #85.** To allow a tire store in a C-4 zone. The request is located at 2023 E. Broadway.

The applicant, Mr. Robert Kilgore asked staff to represent him due to illness in his family. Mr. Voyles stated that the owner has a store in this building, everything is indoors and there were no major issues regarding operating at this location.

Chairman Clifton stated the applicant did operate a tire store across the street from this location so he knows there were no problems there.

A motion was made and seconded for approval.

Chairman Clifton asked if there were any comments from the audience or Commissioners.

There were no further comments.

Conditions:

1. All repair/maintenance of vehicles must be located inside structure,
2. No outdoor display of tires,
3. No outdoor storage of tires,
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 Conditional Use and/or loss of Business License and/or removal of Electric Power Meter.

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

Alexander	Yes	Harris	Yes
Belasco	Yes	Parker	Yes
Chambers	Yes	White	Yes
Dietz	Yes	Clifton	Yes
Foster	Yes		

Conditional Use #85 was approved with (9) affirmative votes.

3. **Conditional Use #86.** To allow a daycare center in a C-4 zone. The request is located at 4416 MacArthur.

The applicant, Carmell Boyd, was present. She stated that she received and understood the staff recommendations.

Chairman Clifton asked if anyone in the audience or Commissioners have any comments.

There were no further comments.

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. playground to meet DHS and City of NLR requirements for playground surface and equipment,

5. playground fence to be 6’ wood, with an emergency exit away from the building,
6. playground access to be directly from the building to the enclosed playground,
7. Hours of operation – 6am-6pm

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

Alexander	Yes	Harris	Yes
Belasco	Yes	Parker	Yes
Chambers	Yes	White	Yes
Dietz	Yes	Clifton	Yes
Foster	Yes		

Conditional Use # 86 was approved with (9) affirmative votes.

8. **Conditional Use #89.** *Postponed.* To allow a car sales and auto detailing in a C-4 zone. The request is located at 2500 East Broadway. *Postponed.*
9. **Conditional Use #91.** To allow car sales in a C-4 zone. The request is located at 5045 Warden Road.

The applicant, Mr. James Saxton, was present. He stated that he received and understood the staff recommendations.

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

Mrs. Delores Anderson stated that she is concerned about the noise; she said that when Toyota was at this location there was a lot of noise. She stated that she has a 6’ fence in her back yard and wanted to know if it could be replace with an 8’ fence to cut the noise.

Mr. Voyles stated that the list shows a 6’ fence but the normal buffer is an 8’ fence. He asked Mr. Saxton if he would be opposed to the 8’ fence on the back.

Mr. Saxton stated that he would have to speak with his client.

Mrs. Anderson stated that the property next door to her lives behind the convenience store, and they were told to put up an 8’ fence and it joins her property.

Mr. White stated that he would recommend amending that requirement for a fence.

Mr. Voyles stated that the City Council adopted the car lot requirement list and they required 6’ when normally we require 8’ under the buffer ordinance.

Mr. White stated that he would like to make a motion to amend number 4 and change it from a 6’ fence to an 8’ fence.

Mr. Spencer stated that a conditional use gets voted on every time it goes to City Council, so they would be amending the requirement in this one case to 6'. The conditions can change per property under conditional use, there wouldn't be a problem changing it to 8'.

A motion was made and seconded to change number 4 to an 8' wood privacy fence shall be required.

Mr. White asked did City Council know they went against the buffering.

Mr. Voyles stated that they did. They decided that there were a lot of car lots with 6' fencing and when they change business they won't require you to change the fencing which is contradicting with the buffer standard.

Mr. Chambers amend to add item #17 the existing landscape area behind the parking lot and brush buffer shall remain undisturbed.

A motion was made and seconded on adding item 17 to the recommendations.

Conditions:

1. Add 4 street trees, 2.5 inch caliper.
2. Fences shall not be allowed in the front yard of a vehicle sales lot, except as mandated under Article 15 hereof.
3. Existing fences located in the front yard of a vehicle sales lot shall be removed, unless required when adjacent to residential use.
4. Eight foot wood privacy fence shall be required when vehicle sales lot abuts a residential use. Fences shall not extend beyond the front building line of the abutting residential use.
5. Vehicle sales lots shall not utilize barb wire or razor wire. Any existing barb wire or razor wire shall be removed.
6. There shall be a ratio of one vehicle per every 450 square feet of open lot area. This ratio shall include sales, employee, and customer vehicles. Open lot area does not include any structures. 209 vehicles permitted on the lot at any one time.
7. All exterior vehicle sales lot lighting, located on a building or free standing, shall be shielded and directed downward. Lighting shall be directed away from abutting residential uses.
8. Sales vehicles shall be displayed on one of the following surfaces: asphalt paving or concrete. Asphalt paving shall meet the standards of the City Engineer. Sales vehicles shall not be displayed on grass or gravel surfaces.
9. All signage shall meet the requirements of Article 14 of the zoning ordinance.
10. No inoperable or wrecked vehicles shall be stored or sold from the sales lot. Vehicle sales lots shall not store inoperable or wrecked vehicles, nor any parts thereof, as those terms are defined under the North Little Rock Property Maintenance and Nuisance Abatement Code.
11. Vehicle sales lot shall be maintained at all times.
12. Sales vehicles shall be locked and secured after business hours.
13. Sales vehicles shall not be used as storage.

- 14. Vehicle sales lot and any structures located on the lot shall meet all applicable Federal, State, County and City requirements and codes.
- 15. Business license to be issued after Planning Staff confirmation of requirements.
- 16. Business license holder 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.
- 17. The existing landscape area behind the parking lot and brush buffer shall remain undisturbed.

Chairman Clifton asked for a roll call on the application.

Alexander	Yes	Harris	Yes
Belasco	Yes	Parker	Yes
Chambers	Yes	White	No
Dietz	Yes	Clifton	Yes
Foster	Yes		

Conditional Use #91 was approved with (8) affirmative votes and (1) opposed vote.

- 10. **Conditional Use #92.** *Postponed.* To allow car sales in a C-4 zone. The request is located at 4719 Aspen. *Postponed.*
- 11. **Rezone #1576.** To rezone from I-1 to C-3 to allow a medical clinic. The request is located at 4300 Landers Road.

The applicant, Todd Rice, was present. He stated that he received and agreed with the recommendations.

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

Mr. Spencer stated that the applicant wanted to discuss the issues with the Subdivision Committee about the sidewalk. He stated that the applicant wants to take those issues to subdivision for site plan review.

Mr. Voyles stated that there is no normal process to go to site plan review. He stated the parking is in the City’s right of way.

Mr. Rice stated that when asked by Chairman Clifton if he understood the conditions, he said yes but he had questions prior to this meeting about putting in sidewalks and what were the specifications of that and does it conform and fit with a medical clinic use.

Mr. Chambers stated that this is a rezone and unless the applicant and Commission agreed to a condition, we cannot put a condition on a zoning application. He stated since the applicant is not adding onto the building there should not be a requirement to add something that the applicant doesn’t agree to.

Assistant City Attorney stated that you cannot put a condition on a rezoning.

Mr. Dietz stated that he agrees with the landscaping requirements; however, if you go down McCain to Wildwood on Landers side there are no sidewalks and on Landers from 43rd St. to Richards’s road there are no sidewalks.

Mr. Voyles stated there is no requirement for sidewalks on freeway frontage roads, 43rd street was zoned as industrial lots and sidewalks are not required in industrial area. He stated that if you change industrial to commercial zoning, sidewalks are then required.

Mr. Rice stated that they prefer not to displace any parking and the group that is going into this location plans to do some nice improvements to the building as well as the parking lot. The sidewalk issue is a concern because it will displace some parking spaces, in putting a sidewalk that begins mid block and goes nowhere is really no use.

Mr. White stated that he doesn’t think that the side walk should be required, if it’s a regulation that is a requirement then, Mr. Rice would have to get 2 aldermen to sign off on it and take it to City Council.

Mr. Voyles asked if they want to drop the sidewalk requirement from staff recommendations.

A motion was made and seconded to remove the sidewalk from staff recommendations.

Chairman Clifton asked for a roll call on the application as amended.

Alexander	Yes	Harris	Yes
Belasco	Yes	Parker	Yes
Chambers	Yes	White	Yes
Dietz	Yes	Clifton	Yes
Foster	Yes		

Rezone # 1576 was approved with (9) affirmative votes. Chairman Clifton then recused himself and left the dais to sit in the audience.

12. **Rezone #1577.** To rezone from R-4 to PUD to allow retail and a residence. The request is located at 2001 East Washington.

The applicant, Mr. Norman Clifton, was present. He stated that the property has been a restaurant, a produce market, a barbeque stand and most recently was rezoned for a funeral home office. Due to regulations on the funeral home board, they wouldn’t issue a license to do business at this location because he couldn’t display bodies there. He stated that there is a lady who would like to live in the home and turn the back building into a restaurant again. Due to our regulations, you can’t have residential and commercial on the same property so he is asking for a PUD so that his renter will be able to live there and run a business. He stated that the staff asked for an 8’

wood privacy fence to be installed on the east and north side of the property, the north side is the back of the lot and the east is next door to the house. He is asking for the fence requirements to not be applied to this application, Commissioners were shown pictures of the property and where the possible fence would be located.

Mr. Chambers stated that an ordinance was passed prohibiting any fence within 3 feet of the fire department access. He said that fire department will not allow an 8 foot fence that close to the property.

Vice Chairman White asked if there were any other comments from the Commissioners or the audience.

Mr. Sheppard stated that he was standing in for his mother and they just wanted to know what was going into the property next to his mother. He stated that they have no problems and will support what the new renter would be doing.

Chairman White asked if there were any other comments.

Mr. Parker asked is there a recommendation either by the applicant or neighbor of what modifications that should or can occur to the property.

Mr. Spencer stated that the zoning ordinance requires an 8' fence between commercial and residential property.

Mr. Dietz asked to amend the requirements to waive the fence.

Mr. Voyles stated to list it as waiving buffer requirements as a condition so that City Council will be clear they are waiving a normal buffer.

A motion was made to amend removal of numbers 4 and 5 from staff recommendations and seconded.

Mr. Spencer stated the amendment should read as remove numbers 4 and 5 and add waive buffer requirements between any residential zoned properties.

Conditions:

1. Allow structure facing Washington to be a residence.
2. Allow structure facing Hemlock to be retail.
3. Provide 9 on-site parking spaces.
4. Waive buffer requirements between any residential zoned properties.

Chairman White asked for a roll call on the application as amended.

Alexander	Yes	Harris	Yes
Belasco	Yes	Parker	Yes

Chambers	Yes	White	Yes
Dietz	Yes	Clifton	recused
Foster	Yes		

Rezone #1577 was approved with (8) affirmative votes.

Public Comments/Adjournment:

A motion was made to adjourn and it was seconded. The motion passed with (9) affirmative votes and the meeting was adjourned at 6:00 pm.

Passed: _____

Respectfully Submitted:

Norman Clifton, Chairman

Robert Voyles, Director