

**North Little Rock Planning Commission
Regular Meeting
September 14, 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
Armstrong
Belasco
Chambers
Dietz
Foster
Parker
White
Clifton, Chairman

Members Absent:

None

Staff Present:

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

Others Present:

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

Approval of Minutes:

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

Administrative:

None

Subdivision Administrative:

- A. **Rep-2212-10 Parkdale Addition, Lot A (Replat and Site Plan Review of restaurant located at the southeast corner of Parkdale and Broadway)**

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

- a. Lot previously developed detention not applicable.
- b. Obtain erosion control permit from City Engineer and ADEQ before any site work is started.
- c. Driveways no closer than 35' of adjoining streets.
- d. Driveway radii returns built to City Engineer's specifications.
- e. All driveways are to be concrete in the ROW.
- f. Secure curb cut from City Engineer.

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. If a dumpster is utilized the location is to be in SE corner with concrete block and gates.
- d. Remove existing sign and base.

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

- a. Provide 6' striped sidewalk that meets ADA standards and City standards.

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

- a. All disturbed areas are to be sodded or seeded, fertilized, watered and mulched.
- b. Provide irrigation to all required trees.
- c. Provide 3 parking lot shade trees.
- d. Provide a raised planter located on property along Parkdale and Broadway. Planter is to be continuous with two breaks for entrances and exits. Planter will serve as continuous screen for parking spots.
- e. Provide 5 street trees within the planter, asphalt to be removed at locations where trees will be located. Street trees to be redbud or similar small growth trees.
- f. Provide buffer between dissimilar uses or zoning. Provide 6' wood fence and trees every 20 feet along SE property line.

5. Meet the following requirements concerning signage:

- a. All signs require a permit and separate review.
- b. Wall signs only.
- c. No electronic changeable copy sign permitted.

6. Meet the requirements of the Fire Marshal, including:

- a. Provide an approved fire protection plan.
- b. All exterior portions of a building must be within 150' of a FD access road.

7. Meet the requirements of CAW (see CAW comment sheet), 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 and grease interceptor must be submitted to NLR Wastewater.

Mr. Chambers stated the applicant met with the Subdivision Committee and has agreed to all the requirements.

There were no additional comments from Commissioners or the audience. The motion to approve passed with (9) affirmative votes.

Public Hearing – Old Business:

1. **Special Use #695.** *Postpone second time.* To allow a mobile home park with 19 slips in a C-3 zone. The request is 4401 East Broadway. *Item placed on October 12, 2010 agenda.*
2. **Special Use # 696.** To allow an emergency foster care home in a C-1 zone. The request is located at 221 West 18th Street.

The applicant, Mrs. Cynthia Robinson was present.

Chairman Clifton asked if the Subdivision Committee has reviewed the case. Mr. Chambers stated that the Subdivision Committee has reviewed the case and proposed several conditions.

Mr. White asked Mrs. Robinson to define an emergency foster care home.

Mrs. Robinson stated that an emergency foster care home provides a temporary residence to a child immediately after removal when there is not enough time to find a nonemergency caregiver. The emergency foster care provides temporary housing for any child in DHS custody that has been subjected to possible neglect or abuse.

Mr. Armstrong asked Mrs. Robinson what is the time frame of the care and if parents are allowed to visit the children while at the foster home.

Mrs. Robinson stated the psychiatrists or the child's social service worker determines the timeline. She also stated that the parents are unable to visit the child while at the emergency foster home, but are able to visit the child at a designated location away from the foster home.

Chairman Clifton asked Mrs. Robinson if she lived at the location. Mrs. Robinson stated that she does not live at the location. Chairman Clifton proceeded to ask Mrs. Robinson if this will be a facility where people live at the location around the clock.

Mrs. Robinson informed the Commissioners the foster home will operate 24 hours a day, seven days a week when there is a child in their care. Staff will work three separate shifts and stay at the location. Mrs. Robinson stated at least one staff member will be on location and on call 24 hours a day.

Mrs. Robinson stated children can be placed in her care for 90 days; if a child's biological parent(s) do not comply with the guidelines set by DHS, then either an extension is given where the child continues to stay at the emergency foster home, or the child is placed in a residential treatment facility, or adopted.

Mr. White asked how many children she will have at the home.

Mrs. Robinson stated she will have ten children for now, the building may hold twenty-one

children based on information from DHS.

Mr. White asked how DHS determines the number of children that can stay at an emergency foster care home at one time.

Mrs. Robinson stated that an emergency foster care home can hold a minimum of one child per 50 sq. ft. Mrs. Robinson stated that given the square footage of the building, she can hold eleven children on the second floor and ten children on the first floor. There will be three to four children per room.

Mr. Spencer stated in the past cases, the Commission has put restrictions on the number of children that can stay at a daycare, which have often been less than DHS. If the Commission would like to restrict the number of children that occupy the home, then they are more than welcome to do so. Mr. Spencer stated that typically on a home daycare that the Commission has often restricted to a maximum of ten children and DHS has always honored the maximum restrictions the Commission has set.

Mr. Foster asked Mrs. Robinson if she would have any objections to the Commission putting restrictions on the amount of children she can keep at the home.

Mrs. Robinson stated that she would not object.

Ms. Alexander stated that she has done some research based upon the summary she was given by the applicant and has concluded that many of the statements in the summary are untrue, including other emergency foster care centers being three hours or more away from the Little Rock-North Little Rock area. Mrs. Alexander stated that there are several other facilities that provide emergency care including Center for Youth and Families and Open Arms in Lonoke that are less than an hour away.

Mrs. Robinson stated Mr. Gilliland, a licensed representative for DHS, provided her with information for the summary. He stated that the Central Arkansas area needs emergency receiving homes for children.

Ms. Alexander stated many landowners are concerned about children leaving the premises. Ms. Alexander stated that many of the children that will be placed under Mrs. Robinson's care will be traumatized and Mrs. Robinson cannot give a written guarantee that children will not run away.

Mrs. Robinson stated that she will provide staff that will be on the premises twenty-four hours per day. She will also have cameras and can guarantee that the children will be supervised at all time.

Mrs. Robinson stated that she will have two full-time staff members on the premises to care for children ages 5-12.

Mr. Chambers stated that if the Commission was to restrict the maximum number of children to ten and later it becomes successful, Mrs. Robinson can come back before the Commission to increase the number of children she has at the home.

Mr. Armstrong asked Mrs. Robinson if she has talked with the neighbors. Mrs. Robinson stated they have spoken to their neighbors including St. Patrick's Catholic Church whom has given them their blessing.

Chairman Clifton asked how many restrooms are within the home. Mrs. Robinson stated there are four restrooms within the home and two kitchens.

Mrs. Alexander asked if any neighbors objected. Mrs. Robinson stated Mr. Youngblood, who is here today, has raised some concerns.

Ms. Alexander stated that she noticed there is a school nearby. She continued by stating that many people will walk by the home at different hours of the day and she feels uncomfortable with an emergency foster care home in such close proximity to a residential area. Mrs. Alexander stated there are several state agencies throughout the North Little Rock area that offer foster care services; however they are not located in residential areas.

Chairman Clifton asked Mrs. Robinson if she has ever operated a similar facility before. Mrs. Robinson stated her and her husband have over ten years experience. In the past, she operated a girls' home and a boys' home in Houston, Texas.

Mr. White asked Mrs. Robinson if the children would attend the school nearby. Mrs. Robinson stated that the students would attend the school assigned to the home.

Chairman Clifton asked if there was anybody in the audience who wanted to speak for or against the application.

Mr. Danny Youngblood spoke against the application. He stated that he has spoken with the applicant. Mr. Youngblood continued by stating that while speaking with Mr. and Mrs. Robinson he learned that Mr. Robinson was a minister, Mr. and Mrs. Robinson had two group homes in Houston, Texas.

Mr. Youngblood stated that Mrs. Robinson's plans are very general and the summary provided by Mrs. Robinson has untrue statements. Mr. Youngblood stated that like Ms. Alexander he also did some research and learned that there are similar facilities, including various churches and agencies that are less than one hour away.

Mr. Youngblood stated that he wanted to commend the Robinsons for wanting to provide a caring and nurturing environment for these children; however, he would like to have more information.

Senator Tracy Steele made comments in opposition to the application. He stated that he had more questions than anything including will the area be fenced in. He described the location of the proposed foster home near a busy traffic thoroughfare raising concern for the children's safety.

Senator Steele also stated that the number of kids is questionable. It has gone from ten kids to twenty-one kids. As a resident near the proposed emergency foster care home, he asked the Commissioners to gather more information before making a decision.

Mr. Chambers stated that dealing with these facilities is always difficult. Society creates these problems and we have to find a way to deal with them. Mr. Chambers suggested for the Commission to wait thirty days before making a decision in order to give Mrs. Robinson a chance to meet with her neighbors and gather more information.

Mrs. Robinson stated that she would be open to postponing her application in order to meet with neighbors.

Mr. White asked staff if DHS conduct background checks. Mr. Spencer stated that DHS does conduct background checks.

Mr. Voyles added that staff has created a list of conditions for the Commission to consider or amend.

Mr. White stated he would like to amend the conditions to allow a maximum of six kids. Mr. White stated that he would be against anything unless the maximum number of children allowed at the facility was six. Mr. White claimed having ten children for only two staff members to supervise is inappropriate.

A motion was made and seconded to amend the conditions to include a maximum of six children. The motion passed with (8) affirmative votes and (1) deny vote.

Mr. Chambers asked to amend the conditions to have the play area fenced with wood rather than chain link to discourage outsiders from watching the children at play, and to allow a 90 day maximum stay per child with a possible 30 day extension.

A motion was made and seconded to amend the conditions to have a wood fence and to allow 90 day maximum stay per child with a possible 30 day extension. The motion passed with (9) affirmative votes.

Ms. Belasco asked to postpone the application for thirty days until the next Planning Commission meeting.

Mr. Armstrong added to Mr. Chambers comments by stating that if this is not the appropriate area for such a facility, than Mrs. Robinson should explore moving the home to another location or maybe the Commission could help Mrs. Robinson identify other sites for the foster home. He stated that he knows that this neighborhood is on an upswing to revitalize and that Mrs. Robinson should have the community buy-in as much as possible before any opportunities are further explored.

Mr. Darin Robinson spoke on behalf of Mrs. Robinson by stating he has been a pastor for sixteen years in Houston and Little Rock. He wanted to clarify they are aware there are other similar foster homes outside of the city; however there are not any facilities within the Little Rock or North Little Rock city limits.

Senator Steele stated he will have a representative from the Department of Human Services to speak at the next meeting.

Ms. Belasco asked to postpone the application for thirty days until the next Planning

Commission meeting.

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 Special Use and/or loss of Business License and/or removal of Electric Power Meter.
4. Hours of operation – 24hrs a day.
5. A maximum of six children at the facility at one time.
6. Children ages 5-12.
7. 90 day maximum stay with a possible 30 day extension.
8. Facility to be staffed 24 hours a day.
9. Meet Fire Marshals requirements.
10. Allow existing fencing.
11. Play area to be fenced with wood, with emergency gate.

Chairman Clifton asked for a roll call vote to postpone the application.

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

Special Use #696 was postponed until October 12, 2010 with (9) affirmative votes.

3. **Public Hearing #1534.** Update the Bike Plan.

Mr. Voyles stated last year the City Council asked the planning staff to review and generate an annual update of the bike plan. While Metroplan and a Bicycle Friendly Committee have been involved, he has not received a lot of public input.

Mr. Voyles stated towards the back of the plan there is a list of cost estimates that define what needs to be implemented and how much it would cost the city. The total cost to implement the entire plan is 22 million.

Mr. Chambers stated he has spoken with the Bicycle Advocacy of Central Arkansas, BACA, about the Bicycle Plan. He stated the streets should be widened and the shoulders have a lot of debris. He advised the city to look into maintenance issues in cleaning up the debris due to it being hazardous to cycling.

Mr. Chambers stated that he is for the plan, but also would look into maintenance issues.

Mr. Voyles agreed with Mr. Chambers that streets need to be wider in order to accommodate the cyclists; however, widening the streets is a difficult proposition.

Mr. Voyles asked if the bicycle plan could move forward for City Council approval.

There were no additional comments from Commissioners or the audience. A motion was made and seconded to approve the Bike Plan. The motion to approve passed with (9) affirmative votes.

Public Hearing – New Business:

None

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 5:38 pm.

Passed: _____

Respectfully Submitted:

Norman Clifton, Chairman

Robert Voyles, Director