

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

Vice Chairman White 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
Dietz
Foster
Parker
White, Vice Chairman

Motion was made and seconded to excuse Clifton and Chambers from today's meeting. This was approved with 7 affirmative votes.

Staff Present:

Robert Voyles, Director
Shawn Spencer, Asst. Director

Others Present:

Paula Jones, Asst. City Attorney

Administrative:

Staff handed out the Planning Commission calendar for next year that includes submittal deadlines, Subdivision Committee meeting dates and Planning Commission meeting dates.

Staff handed out the White Oak Bayou Wetland Management Plan, and asked the members to review the document.

Approval of Minutes:

Motion was made and seconded to approve the October minutes as submitted. The minutes were approved with 7 affirmative votes.

Subdivision Administrative:

- A. **SPR-2162-09** River Breeze at North Shore, Lots 6A and 6B (revised preliminary plat and site plan review of medical offices located at corner of Northshore Drive and Northshore Court)
1. Meet the requirements of the City Engineer, including:
 - a. Storm water detention previously agreed on.
 - 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. 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 access easement along center property line between lots 6A and 6B.
 - d. Parking lot lighting to spill onto street to serve as street lighting for lot 6B.
 - e. Provide 1 street light for lot 6A
 - f. Dumpster screening to match building.
 - g. Allow phasing of project (by lots).
 - h. Provide a recorded access easement by 'instrument' from Northshore Drive to southern property line of lot 6B. This is to be done before building permit will be issued.
 - i. Owner has 18 months (after the CO has been issued for building on lot 6A) to provide an all weather surface access road from lot 6A through lot 6B to Northshore Drive.
 3. Meet the requirements of the Master Street Plan, including:
 - a. Provide 5' sidewalks/ramps to ADA standards and City standards on both lots.
 - b. Provide irrigated street trees 40' on center on both lots.
 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. Parking lot shade trees must be at the furthest 10' from edge of paving.
 - d. Provide a continuous screen for any parking spots that face a street or abutting property.
 - e. Provide buffer between dissimilar uses or zoning.
 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. White Oak connection fee applies.

Mr. Dietz stated the applicant met with the subdivision committee and has agreed to all the requirements. The applicant has submitted final drawings to staff and staff has confirmed that the requirements have been met. There were no additional comments from Commissioners or the audience. The motion and second to approve passed with 7 affirmative votes.

B. Rep-2163-09 Park Hill Addition, Lots A1 and A2, Block 35 (replat of a residential lot located at the SW corner of Magnolia and “A” Avenue)

- 1. Meet the requirements of the City Engineer, including:
 - a. Pay in-lieu fee on lot A2 upon development of \$500 acre.
 - b. Secure curb cut from City Engineer for lot A2 upon development.
- 2. Meet the requirements of Community Planning, including:
 - a. Provide the standard requirements of Zoning and Development Regulations.
 - b. Allow 15’ front setback.
 - c. On Lot A2 show and label a hatched area representing the buildable area for a primary structure. (15’ front and side setback, 25’ rear setback, and along the easement to the east). Show the dimensions on the four sides of the buildable area. This will allow a potential buyer to know exactly what size of an house can be built on the site.
 - d. Check on location of power lines. If located within the lots – show easements on the plat.
- 3. Meet the requirements of the Master Street Plan, including:
 - a. Provide signed waiver of sidewalks.
 - b. Waive ½ street improvements on Poplar.
- 4. Meet the requirements of CAW, including:
 - a. All CAW requirements in effect at the time of request for water service must be met.
 - b. Contact CAW regarding the size and location of the water meter.
- 5. Meet the requirements of NLR Wastewater, including:
 - a. A complete set of drawings for development must be submitted to NLR Wastewater.
 - b. Service is available for vacant lot at south property line
 - c. Vacant lot will require sewer tap at a cost of \$350.

Mr. Dietz stated the applicant met with the subdivision committee and has agreed to all the requirements. The applicant has submitted final drawings to staff and staff has confirmed that the requirements have been met. There were no additional comments from Commissioners or the audience. The motion and second to approve passed with 7 affirmative votes..

C. **Rep-2164-09** Springhill Plaza, Lots 1R and 2R (replat of commercial lot located at SE corner of McCain Blvd and Springhill Plaza Court)

1. Meet the requirements of the City Engineer, including:
 - a. Storm Water Detention to be addressed during Site Plan Review.
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. Provide 5' easement on both sides of dividing property line between lots 1R and 2R.
3. Meet the requirements of the Fire Marshal, including:
 - a. Provide an approved fire protection plan.
4. 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.
5. Meet the requirements of NLR Wastewater, including:
 - a. A complete set of drawings for development must be submitted to NLR Wastewater.
 - b. Service is available to both lots.

Mr. Dietz stated the applicant met with the subdivision committee and has agreed to all the requirements. The applicant has submitted final drawings to staff and staff has confirmed that the requirements have been met. There were no additional comments from Commissioners or the audience. The motion and second to approve passed with 7 affirmative votes.

D. **SPR-2165-09** Springhill Plaza, Lots 1R (Site Plan Review of a hotel and restaurant located at SE corner of McCain Blvd and Springhill Plaza Court)

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. New calculations are required due to enlargement of lot.
 - 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.
 - g. Evidence of standing water at south end of cul-de-sac. Construct swale ditch from curb line to concrete ditch along Springhill Plaza Court.
2. Meet the requirements of Community Planning, including:
 - a. Provide the standard requirements of Zoning and Development Regulations.

- b. Site Plan Review of the development will be submitted in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates before the final plat will be signed or a building permit issued.
 - c. No vehicular access to McCain Blvd.
 - d. Allow shared dumpster location.
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. Provide irrigation to all required trees.
 - c. Provide street trees 40' on center as shown.
 - d. Parking lot shade trees must be at the furthest 10' from edge of paving.
 - e. Provide a continuous screen for any parking spots that face a street or abutting property. (none shown)
 - f. Waive 4 foot side yard landscape strip between property line and access drive. (Allow paving to approach the property line in this location)
 - g. Provide buffer between dissimilar uses or zoning. Provide fence along eastern property line up to the 40' building line near McCain Blvd or obtain waiver from City Council.
 4. 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.
 5. 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.
 6. 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.
 7. Meet the requirements of NLR Wastewater, including:
 - a. A complete set of drawings for development must be submitted to NLR Wastewater.
 - b. Service is available to both lots.

Mr. Dietz stated the applicant met with the subdivision committee and has agreed to all the requirements. The applicant has submitted final drawings to staff and staff has confirmed that the requirements have been met. There were no additional comments from Commissioners or the audience. The motion and second to approve passed with 7 affirmative votes.

E. SPR-2166-09 Homer Graham, Lot 1 (Site Plan Review of a contractors office located at 1201 Parkway Drive)

1. Meet the requirements of the City Engineer, including:
 - a. Lot previously developed. Any additional paving to the impervious surface fee.
 - 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. Provide 5' painted pedestrian way along road connecting the sidewalks at each side of the property.
2. Meet the requirements of Community Planning, including:
 - a. Provide the standard requirements of Zoning and Development Regulations.
 - b. Site Plan Review of the development will be submitted in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates before the final plat will be signed or a building permit issued.
 - c. Allow dumpster in current location.
 - d. Allow existing fencing and screening, with approval of Conditional Use #58.
 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. Provide irrigation to all required trees (gator bags or hand watering allowed)
 - c. Provide 5 street trees 40' on center (3 shown).
 - d. Show parking spots at each building with dedicated handicapped spots.
 - e. Provide 3 parking lot shade trees at rear 1/3 of property around proposed building
 - f. Provide 4 parking lot shade trees between the 6' easement and asphalt on the west side of property (within the front 2/3 of property)
 - g. Provide buffer between dissimilar uses or zoning.
 4. 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.
 5. Meet the requirements of the Fire Marshal, including:
 - a. Provide an approved fire protection plan.
 - b. Interior fence to meet FM requirements on access.
 - c. Fire hydrants to be within 400 feet of all areas of building.
 6. 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.
 7. Meet the requirements of NLR Wastewater, including:
 - a. A complete set of drawings for development must be submitted to NLR Wastewater.
 - b. Recommend separate sewer service.
 - c. New sewer tap will cost \$350.

Mr. Dietz stated the applicant met with the subdivision committee and has agreed to all the requirements. The applicant has submitted final drawings to staff and staff has confirmed that the requirements have been met. There were no additional comments from Commissioners or the audience. The motion and second to approve passed with 7 affirmative votes.

- F. **SPR-2167-09** Counts Massie Industrial Park, Lot 14 (Site Plan Review of a warehouse located at the east end of Commerce Cove)
1. Meet the requirements of the City Engineer, including:
 - a. Provide storm water detention "in lieu of" fee of \$5000/acre.
 - 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. Provide evidence that Commerce Cove has been accepted by the City. If not, start process for City Council acceptance.
 - h. 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. Future warehouse to be reviewed through the Site Plan Review process.
 - d. Fenced yard to be enclosed by 8' wood privacy fence on north, east, and south sides.
 - e. Allow decorative iron fence with landscaping on west side of fenced yard. Landscaping is to provide full screening.
 - f. If dumpster is kept behind fence then no dumpster screening needed. If dumpster is kept outside the fence, but behind the building a wood screen will be required.
 - g. Gravel drives on northern and southern parts of property to be asphalt to the fenced yard.
 - h. No fence is to be within a front building line.
 - i. Provide a recorded access easement by 'instrument' from Commerce Cove to the temporary emergency access of Villas at Northwood Creek. This is to be done before building permit will be issued.
 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 street trees 40' on center as shown.
 - d. Provide 1 parking lot shade trees near SW corner of building.
 - e. Provide buffer between dissimilar uses or zoning. Provide 8' fence along east property line.
 5. 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.
 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. Sewer tap may be required at a cost of \$350.

Mr. Dietz stated the applicant met with the subdivision committee and has agreed to all the requirements. The applicant has submitted final drawings to staff and staff has confirmed that the requirements have been met. There were no additional comments from Commissioners or the audience. The motion and second to approve passed with 7 affirmative votes.

G. SPR-2168-09 Choctaw Addition, Lot 1, Block 32 (Site Plan Review of a restaurant located at the NE corner of East Washington and Palm Street)

1. Meet the requirements of the City Engineer, including:
 - a. Provide storm water detention "in lieu of" fee of \$800.
 - 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.
 - f. Provide utility easements as needed.
2. Meet the requirements of Community Planning, including:
 - a. Provide the standard requirements of Zoning and Development Regulations.
 - b. Dumpster screening to match front elevation type or wood fence.
 - c. Driveway for the front parking is to be no less than 39' from the Washington curb alignment.
 - d. Allow backing into rear alley.
 - e. Fence to start 25' from front property line and end 5' from rear property line (alley).
 - f. Building to be 25' x 60' or smaller.
 - g. Building fronts (Palm and Washington sides) are to have a residential look; including windows, shutters – metal siding is not permitted.
 - h. Rear and side elevations may be vertical metal siding.
3. Meet the requirements of the Master Street Plan, including:
 - a. Provide and/or repair sidewalks/ramps to ADA standards and City standards along Palm and Washington. Sidewalk work to be coordinated with City Engineer.
4. Meet the requirements of the Screening and Landscaping ordinance, including:
 - a. All disturbed areas are to be sodded or seeded, fertilized, watered and mulched.
 - b. Provide irrigation to all required trees.
 - c. Provide street trees 40' on center.
 - d. Provide a continuous screen for any parking spots that face a street or abutting property.
 - e. Provide 6 foot front yard landscape strip between property line and parking lot.

- f. Provide 4 foot side yard landscape strip between property line and parking lot, except along rear parking.
- g. Provide buffer between dissimilar uses or zoning.
- 5. Meet the following requirements concerning signage:
 - a. All signs require a permit and separate review.
 - b. No pole or ground sign permitted.
 - c. Wall sign only limited to 24 square feet. 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 regarding the size and location of the water meter.
 - 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. Grease interceptor may be required for restaurant.

The applicant met with the Subdivision Committee prior to the Planning Commission meeting to provide revised plans that fit within a neighborhood setting. Mr. Dietz stated the applicant met these conditions and has agreed to all the requirements. There were no additional comments from Commissioners or the audience. The motion and second to approve passed with 7 affirmative votes.

Public Hearing – Old Business:

None

Public Hearing – New Business:

1. **Conditional Use #58.** To allow a contractors office, auto detail shop and minor auto repair shop in a C-3 zone. The request is located at 1201 Parkway Drive.

The applicant, Amy Howard, was present and explained her request. Chairman White asked if she had read staff's comments and agreed to the conditions. Ms. Howard stated she had met with the subdivision committee and agreed with all the requirements they had placed on her request.

Mr. Foster asked staff which of the three uses were allowed under a conditional use. Staff stated that all the uses Ms. Howard was requesting were all changed from permitted uses to conditional uses in 2005.

Ms. Belasco commented that the applicant had did a great job in cleaning the site, that some of the unsightly shrubs that had once screened the commercial from the residential had been removed. Ms. Howard agreed that she could replace the screening to protect the residences. Ms. Belasco made a motion to add a condition that the screening ordinance requirements must be met. Motion was seconded. Motion passed with 7 affirmative votes.

Mr. Parker asked the applicant how close the new construction would be to the houses north of the property. Ms. Howard stated there were two wooded undeveloped lots north of her property, then some residences – over 250 feet away.

Chairman White asked if there was anybody in the audience wanting to speak for or against this request. None were present. Chairman White asked for a roll call vote with the conditions as amended.

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

Conditional Use #51 was approved with 7 affirmative votes with the following 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. Provide 5’ painted pedestrian way along road connecting the sidewalks at each side of the property.
4. Allow existing fencing and meet the requirements of the screening ordinance.
5. Met the requirements set by the Site Plan Review process.
6. No outside storage of materials permitted.
7. No pole sign permitted.
8. No electronic changeable copy sign permitted.
9. Interior fence gates to meet Fire Marshal’s requirements on access.
10. Repair asphalt to improve drainage.
11. No wrecked vehicles to be kept on the lot.
12. No outside storage of vehicles overnight.
13. No outside speaker system or music permitted.
14. Hours of operation for minor auto repair and detail shop to be 8am- 6pm.
15. Any lot lighting shall not overflow onto neighboring properties.
16. Auto repair activities limited to activities allowed under ‘minor’ auto repair definition

2. **Special Use # 684.** To allow 3 residential units with one unit being an office/residence combination in a R-2 zone. The request is located at 300 West 4th.

The applicants, Pamela and Robert McQuaid, were present and explained their request. Staff explained that Code Enforcement was called to this address due to the McQuaid’s running a

business in a residential area and not having a business license. The McQuaid's then made application for a Special Use to resolve this problem.

Staff recommended the following requirements:

1. Office use to be limited to only applicant's rental management offices for a period of six months while renovation of the large, primary house is completed.
2. The office use is to be relocated to the primary structure/house within six months after remodeling to appropriate building codes. The office portion of the primary house must meet ADA requirements and built to commercial codes.

Lynette Cox, representative from the First Presbyterian Church, spoke against the house being used as an office. She was concerned with the lack of upkeep the house has had in the past, as it is an eyesore to the neighborhood. She was also concerned with the amount of traffic the office use would create and the lack of on-site parking.

Mr. Foster asked Staff if there were other homes with offices in the area. Staff stated there was one that they knew of within a block.

Brad Williams, director of Argenta CDC, was concerned about the office use in a residence. He stated that there is plenty of office space available along Main Street. He was also concerned about the past upkeep of the property and what the future plans for the renovations would include.

Mr. Armstrong asked the applicant if the office use would be operated by the owner/occupant of the residence. Mr. Quaid responded that the office would be for the home rental business that his family operates.

Scott Miller, 214 W. 5th Street, spoke about the lack of detailed requirements for the Special Use. Mr. Miller, several years ago, went through a similar process to build a home/office. He stated that many conditions were added to his request, and he would like similar condition added to this request. Mr. Miller handed out photos of the McQuaid's past offices, and stated that there was lack of upkeep at the past location, and what would stop the applicant from the same lack of upkeep at this new location.

Chairman White asked how many customers would be coming to the office in a day. Mr. Quaid stated about 15 a day.

Ms. Belasco made a motion to postpone this request until the next meeting and require the applicant to meet with the Subdivision Committee to determine the requirements for the Special Use. Motion was seconded. Motion was approved 7 affirmative votes.

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

Special Use #684 was postponed until the December 8th Planning Commission meeting, with the applicant to meet with the Subdivision Committee on November 18th.

Public Comments/Adjournment

Mr. White asked staff if a member of code enforcement and the historic district could attend the subdivision meeting on November 18th. Staff responded that they will contact both offices to have a member attend the meeting.

A motion to adjourn was made and seconded. The motion passed with 7 affirmative votes and the meeting was adjourned at 5:35.

Passed: _____

Respectfully Submitted:

Norman Clifton, Chairman

Robert Voyles