

North Little Rock Planning Commission
Regular Meeting
June 14, 2022

Chairman Clifton called the regular meeting of the North Little Rock Planning Commission to order at 4:00 PM in the Council Chambers, City Hall.

Members Present:

Banks
Belasco
Chambers
Clifton, Chairman
Foster
Phillips
Wallace
White, Vice-Chairman

Members Absent:

None

Staff Present:

Shawn Spencer, Director
Donna James, Assistant Director
Elaine Lee, City Attorney
Beau Cooper, Secretary

Administrative:

Item 2 has been postponed. Item 9 has been withdrawn.

Approval of Minutes:

A motion was made and seconded to approve the May 10, 2022, meeting minutes as submitted. Chairman Clifton called for a motion to approve the minutes as submitted. Mr. Chambers made the motion. Mr. Foster seconded the motion. The Commission unanimously voted in favor of the motion.

Public Hearing:

1. **SD2022-35 White Oak Crossing Commercial Park Lot 2 SPR (revised SPR for a mini-warehouse development at 8701 Kim Dr)**
 1. **Engineering requirements on detention:**
 - a. Provide on-site stormwater detention as well as clear calculations showing that detention volume is sufficient.
 2. **Engineering requirements before the plat will be signed:**
 - a. Provide sidewalks on White Oak Crossing.
 3. **Planning requirements before the plat will be signed:**

- a. All previous Planning requirements regarding signing the plat continue to apply (Case #SD2022-07)
- 4. Permit requirements/approvals submitted before a building permit will be issued:**
- a. A signed and recorded plat must be on file with the Planning Department.
 - b. Prior to construction, Owner's Engineer shall submit stormwater design report for review and approval by the City Engineer. Stormwater plans and detention calculations are to be approved by City Engineer and a written approval provided to Planning Department. Drainage submittal shall include, as a minimum, the following:
 - i. Proposed pipe material specifications.
 - ii. Proposed trench and bedding details, materials and specifications.
 - c. Provide CNLR Grading Permit application to City Engineer with grading plans.
 - d. Provide CNLR Stormwater Permit application to City Engineer with half size erosion control plan showing silt fence, storm inlet protection, and drainage details.
 - e. Provide CNLR driveway/curb cut permit application to City Engineer.
 - f. Provide copy of Arkansas Department of Environmental Quality (ADEQ) Stormwater Permit to City Engineer.
 - g. Provide copy of Corps of Engineers (COE) 404 Clearance/Permit to City Engineer.
 - h. Prior to construction, Owner's Architect/Engineer shall submit signed construction plans and specifications (PDF format) to NLR Planning Department.
 - i. Prior to construction, Owner's Architect/Engineer shall submit digital maps for all stormwater drainage features in an ArcGIS or AutoCAD file to the City Engineer. The digital maps shall be natively in State Plane coordinate system, Arkansas North Zone, North American Datum 1983, units as feet; or the map must have sufficient points for georeferencing. The associated attribute data table from the submitted file shall match the fields contained within the "SW Attribute Data Entry Template.xlsx" as provided by City Engineering Department. All Control, Linear, and Junction map features will be annotated by a unique identifier that will correspond to the same unique identifier in the "SW Attribute Data Entry Template.xlsx" or GIS attribute table. Data for each attribute column in the "SW Attributed Data Entry Template.xlsx" file shall be chosen from the drop-down options of each cell, or chosen as "Other" (if not listed) and described in the comments field. At the completion of the project, As-builts of these shapefiles in ArcGIS or AutoCAD format, along with associated attribute data table, shall be submitted to the City Engineer.
- 5. Meet the requirements of the City Engineer, including:**
- a. Driveway radii shall be labeled and shall have 25' minimum radii and be built according to CNLR standard details (available at NLR Engineering Department).
 - b. Driveway widths shall be labeled and shall be 10' minimum to 40' maximum.
 - c. Cross drains in the ROW shall be labeled and shall be RCP with flared end sections unless otherwise approved by Engineering.
- 6. Meet the requirements of Planning, including:**
- a. Provide the standard requirements of Zoning and Development Regulations.
 - b. Provide dumpster location.
 - c. Dumpster to have masonry screening.
 - d. No fence is to be located in front of the building.
 - e. All exterior lighting shall be shielded and not encroach onto neighboring properties.
 - f. The gates along Kim Drive are to be located 40' off the back of curb so the moving trucks do not block Kim Drive.
- 7. 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 standard and City standards.
 - b. Provide ½ street improvements.
- 8. Meet the requirements of the Screening and Landscaping ordinance, including:**
- a. All disturbed areas are to be sodded, fertilized, watered and mulched.
 - b. Provide automated underground irrigation to all required trees and shrubs.
 - c. Provide 24 street trees 30' on center along Kim Drive.
 - d. Provide 25 parking lot shade trees.
 - e. Parking lot shade trees must be located within the parking lot or a maximum distance of 10' from the edge of the parking lot.
 - f. Provide a continuous screen of shrubs for any landscape strip adjacent to any parking area. Shrubs shall be eighteen (18) inches in height at planting and be planted a maximum three (3) feet apart.
 - g. Ground cover, grass, or mulch of shredded bark or stone shall be applied in all landscaped areas to reduce moisture loss and to improve the appearance of plantings near streets.
 - h. Provide 6 foot front yard landscape strip between property line and paving.
 - i. Provide 4 foot side yard landscape strip between property line and paving.
 - j. Provide buffer between dissimilar uses or zoning. Do not remove trees from full buffers.
 - k. Meet the screening requirements between C4 and residential for the west property line. Provide an 8-foot opaque screen along the property line and trees every 20-feet to screen the outdoor boat and RV parking area.
 - l. Provide 10 screening trees along the southern property line to screen the development from the adjacent residential property.
- 9. Meet the following requirements concerning signage:**
- a. All signs require a permit and separate review.
- 10. Meet the requirements of the Fire Marshal, including:**
- a. Meet the requirements of the 2012 Arkansas Fire Prevention Code including:
 - i. Group S-1 storage facilities with fire areas exceeding 12,000 square feet shall be equipped with an automatic fire sprinkler system. (Volume 2 Section 903.2.9)
 - ii. Class 1 standpipes will be provided where required. (Volume 2 Section 905.4)
 - iii. Shall meet the required 250 foot exit access travel distance. (Volume 2 Section 1016)
 - iv. Meet the hydrant spacing and fire flow requirements of the fire code. (Volume 1 Appendix B & C)
 - v. Gates securing fire apparatus access roads will have a minimum width of 20 feet. (Volume 1 Appendix D 103.5)
 - b. Turning radius around the buildings will be sufficient to accommodate Fire Dept. apparatus (vehicle dimensions available).
 - c. Roads will support 85,000 lbs. (NLR Ordinance 9267)
- 11. Meet the requirements of NLR Electric.**
- 12. Meet the requirements of NLR Wastewater, including:**
- a. The White Oak Interceptor Fee applies to this project. Please contact Gina Briley at NLRW to discuss this fee.
 - b. Submit full set of plans to NLRW for review and approval.
 - c. Proposed main extension from the east is shown to connect to the sanitary sewer main that is not yet accepted for operation and maintenance from NLRW. The proposed main extension will not be approved until the main is accepted for operation and maintenance.
- 13. Meet the requirements of CAW.**

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

Chairman Clifton asked the applicant to approach the podium, if present. There were no questions from the Commission or the public.

Mr. Chambers stated that the Development Review Committee recommended the application for approval by the Planning Commission. Ms. Belasco seconded. Chairman Clifton called for a vote. The Commission unanimously voted to approve the application.

2. **Postponed - SD2022-36 North Argenta Addition Replat Blk 41, Lots 1R- 3R (a replat of 3 residential lots running east/west with no street access into 3 lots running north/south at 520 W 14th St)**
3. **SD2022-37 Loomis Addition Lot 1R Replat and SPR (replat of 4 lots into 2 and SPR for office and warehouse space containing 3,150 square feet at 110 S Beech St)**
 1. **Engineering requirements on detention:**
 - a. Option to pay the drainage in-lieu of fee of \$5000/acre instead of providing onsite detention.
 2. **Engineering requirements before the plat will be signed:**
 - a. Provide ½ street improvements (street, drainage, curb and gutter, sidewalk, streetlights) or provide a performance bond.
 - b. Street improvements must be approved by City Engineer and accepted by City Council.
 - c. Provide 25' property line corner radius.
 3. **Planning requirements before the plat will be signed:**
 - a. Plat will be submitted to NLR Planning Department in CAD compatible DXF and/or DWG format, tied to Arkansas State Plane Coordinates.
 - b. Provide street trees or provide a bond.
 - c. Provide 10' utility easements around property perimeter.
 4. **Permit requirements/approvals submitted before a building permit will be issued:**
 - a. A signed and recorded plat must be on file with the Planning Department.
 - b. Provide CNLR Grading Permit application to City Engineer with grading plans.
 - c. Provide CNLR Stormwater Permit application to City Engineer with half size erosion control plan showing silt fence, storm inlet protection, and drainage details.
 - d. Provide CNLR driveway/curb cut permit application to City Engineer.
 - e. Provide copy of Arkansas Department of Environmental Quality (ADEQ) Stormwater Permit to City Engineer.
 - f. Prior to construction, Owner's Architect/Engineer shall submit signed construction plans and specifications (PDF format) to NLR Planning Department.
 5. **Meet the requirements of the City Engineer, including:**
 - a. Prior to any excavation/street cuts within street ROW, provide CNLR Excavation Permit to City Engineer and Barricade Plan Permit to NLR Traffic Services.
 - b. Repair or replace existing sidewalk and curb to City Engineer's standards.
 - c. Driveway radii shall have 25' minimum radii and be built according to CNLR standard details (available at NLR Engineering Department).
 6. **Meet the requirements of Planning, including:**
 - a. Provide the standard requirements of Zoning and Development Regulations.
 - b. If a dumpster is added in the future the dumpster must provide masonry screening.
 - c. No fence is to be located in front of the building.
 - d. All exterior lighting shall be shielded and not encroach onto neighboring properties.
 7. **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 and City standards.

- b. Provide ½ street improvements.
- 8. Meet the requirements of the Screening and Landscaping ordinance, including:**
 - a. All disturbed areas are to be sodded, fertilized, watered and mulched.
 - b. Provide automated underground irrigation to all required trees and shrubs.
 - c. Provide 7 street trees 30' on center along E Washington and provide 5 street trees 30' on center along S Beech Street.
 - d. Provide 2 parking lot shade trees for 12 parking spaces as shown on the plan.
 - e. Parking lot shade trees must be located within the parking lot or a maximum distance of 10' from the edge of the parking lot.
 - f. Provide a continuous screen of shrubs for any landscape strip adjacent to any parking area. Shrubs shall be eighteen (18) inches in height at planting and be planted a maximum three (3) feet apart. Shrubs are required along E Washington Avenue, along the back-out area on S Beech Street and along the eastern perimeter of the paved area.
 - g. Ground cover, grass, or mulch of shredded bark or stone shall be applied in all landscaped areas to reduce moisture loss and to improve the appearance of plantings near streets.
 - h. Provide 6-foot front yard landscape strip between property line and paving along the street frontages.
 - i. Provide 4-foot side yard landscape strip between property line and paving.
 - j. Provide buffer between dissimilar uses or zoning. Do not remove trees from full buffers.
- 9. Meet the following requirements concerning signage:**
 - a. All signs require a permit and separate review.
 - b. Provide sign location on site plan.
 - c. No electronic changeable copy sign permitted.
- 10. Meet the requirements of the Fire Marshal, including:**
 - a. Fire Dept. vehicle access will support 85,000 lbs. (NLR Ordinance 9267)
- 11. Meet the requirements of NLR Wastewater, including:**
 - a. Submittal shows sanitary sewer mains that do not exist. See attachments for locations of NLRW sanitary sewer.
 - b. There is a sewer main to the south of the lot that is shallow. With careful control of the FFE and plumbing elevations, connection to this shallow main may be possible. If connection to this main is not possible, the connection point will be at a manhole southwest of the lot that is + 14' deep.
 - c. Please submit full set of plans, including plumbing plans, to NLRW for review and approval.
- 12. Meet the requirements of North Little Rock Electric.**
- 13. Meet the requirements of CAW.**

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

Chairman Clifton asked the applicant to approach the podium, if present. There were no questions from the Commission or the public.

Mr. Chambers stated that the Development Review Committee recommended the application for approval by the Planning Commission. Ms. Belasco seconded. Chairman Clifton called for a vote. The Commission unanimously voted to approve the application.

4. Rezone 2022-16 & Conditional Use 2022-09 a rezoning from R4 to C4 and a Conditional Use to allow warehousing within a C4 zone at 200 N Cedar St

Mr. Free, Assistant Fire Marshall, City of North Little Rock, addressed the Commission with a concern of what will be stored in this facility and if it will constitute needing a sprinkler system. The applicant

answered that it is used by a commercial real estate company to store signs and the like. Mr. Free stated that since this building falls under 12,000 sq ft, there is no ordinance requiring a sprinkler system.

Chairman Clifton asked if there were any other comments from the public or from any commissioners. There were none.

Chairman Clifton asked for a roll call to vote.

Banks	Yes	Belasco	Yes	Chambers	Yes
Foster	Yes	Phillips	Yes	Wallace	Yes
White	Yes	Clifton	Yes		

Rezone 2022-16 & Conditional Use 2022-09 were approved with (8) affirmative votes.

Mr. Foster asked Mr. Spencer how the city would know an applicant's intended use for a building, especially in regards to storing and meeting Fire Code. Mr. Spencer answered that if it's not caught in the application process, then it will be caught by the Fire Marshall's inspection.

5. Rezone 2022-17 a rezoning from R2 to PUD to allow a manufactured home to remain on the property located at 7001 Faulkner Lake Rd

The applicant, Delano Davis, addressed the Commission on the merits of his request. Mr. Spencer told the Commission that about 3 years ago, the applicant had applied and been granted a Special Use to put a manufactured home on a lot that was zoned for single family residential. This was a temporary Special Use for 3 years. In those 3 years, Mr. Davis has made significant improvements to the home and he is now applying for a Rezone. Mr. Spencer vouched that Mr. David has gone through all the right channels and followed the correct processes so far.

Chairman Clifton asked Mr. Davis to confirm that he has met all of the HUD requirements to make his home into an allowable 'stick built' home. Mr. Davis confirmed that he had. Chairman Clifton asked Mr. Spencer if Mr. Davis would need to have any inspections. Mr. Spencer answered that since this home is in the county and not in the city limits, no inspections are required. The Assessor has performed an inspection that was approved.

Mr. White asked if this was legal or not. Mr. Spencer answered that it is not at the moment, but that is why Mr. Davis is applying for the Rezone. Mr. White asked if this could set a precedent in the city for other manufactured homes to skirt the laws and ordinances. Mr. Spencer answered that they have had about 4 or 5 other similar applications in recent years.

Ms. Belasco stated that the Assessor's office adheres to very strict guidelines and that if they have approved it and consider it a 'stick-built' home, then it has passed a rigorous inspection. It will now be taxed as real property instead of separately and will be considered an improvement on the lot.

Chairman Clifton asked for a roll call to vote.

Banks	Yes	Belasco	Yes	Chambers	Yes
Foster	Yes	Phillips	Yes	Wallace	Yes
White	Yes	Clifton	Yes		

Rezone 2022-17 was approved with (8) affirmative votes.

6. Rezone 2022-18 a rezoning from I1 to I2 to allow a graveled parking area and outdoor laydown yard at 9401 Diamond Dr

Mr. Connor Sutton, representing Colliers International, addressed the Commission on the merits of the application. Mr. Sutton explained that they are asking to rezone this lot in order to provide the tenant with additional trailer parking. Chairman Clifton asked if this would be a permanent basis. Mr. Sutton answered that it would be.

Chairman Clifton asked if there was anyone in the audience who would like to address any issues with this application. Mr. Free, reminded Mr. Sutton that the lot will have to meet the weight limit in case any fire trucks need to access that lot. Mr. Spencer stated that they are still working on a site plan that has to go through review and that weight limit will be considered.

Chairman Clifton asked if there were any other questions or comments regarding this application. There were none.

Chairman Clifton asked for a roll call to vote.

Banks	Yes	Belasco	Yes	Chambers	Yes
Foster	Yes	Phillips	Yes	Wallace	Yes
White	Yes	Clifton	Yes		

Rezone 2022-18 was approved with (8) affirmative votes.

7. Conditional Use 2022-07 to allow an electric fence within an I2 zone located at 8700 HWY 70

Mr. Sheldon Jones addressed the Commission on the merits of this application. Mr. Chambers asked Mr. Jones if he was representing the property owner or the electric fence company. Mr. Jones stated that he is representing the auto auction.

Mr. Spencer stated that this will be the 6th application that has come before the Commission from the same company doing the same work. Every previous application was approved. The applicant will still have to receive approval from City Council as well as go through the commercial permit application process. Chairman Clifton asked if there had been any objections to any of the previous applications. Mr. Spencer stated that any previous opposition had been calmed when the applicant explained that the fence voltage was not high enough to injure, only to hinder.

Chairman Clifton asked if there were any other questions or comments regarding this application. There were none.

Chairman Clifton asked for a roll call to vote.

Banks	Yes	Belasco	Yes	Chambers	Yes
Foster	Yes	Phillips	Yes	Wallace	Yes
White	Yes	Clifton	Yes		

Conditional Use 2022-07 was approved with (8) affirmative votes.

8. Conditional Use 2022-08 to allow a Daycare Center in a C3 zone at 1724 Pike Avenue

Ms. Sheretta Morris addressed the Commission on the merits of her application. Chairman Clifton stated that some previous concerns about this application had been addressed by the Design Review Committee.

Chairman Clifton asked if there were any comments or questions from the public or any of the commissioners. There were none.

Chairman Clifton asked for a roll call to vote.

Banks	Yes	Belasco	Yes	Chambers	Yes
Foster	Yes	Phillips	Yes	Wallace	Yes
White	Yes	Clifton	Yes		

Conditional Use 2022-08 was approved with (8) affirmative votes.

9. ~~Withdrawn~~ - Special Use 2022-01 - To allow a Daycare Center in C2 and C3 zones at 4210 E Broadway Street

10. Special Use 2022-05 to allow an assisted living facility for 3 persons at 720 N Pine Street

Patricia and Andre Elliot addressed the Commission on the merits of their application.

Chairman Clifton asked if this was the same application that had been recently reviewed by the Commission. Mr. Spencer answered that this application is similar to that one but this one is different. This facility would be managed by DHS, not the VA like the previous application. Chairman Clifton asked the Elliots if they had received a copy of the conditions and if they agreed to them. They answered yes to both questions.

Mr. Chambers asked Ms. Lee if this project would fall under the Fair Housing Act. Ms. Lee answered that there are several factors that would determine that, but that she believes that it would.

Chairman Clifton asked if there were any more comments from the public or from the Commission. There were none.

Chairman Clifton asked for a roll call to vote.

Banks	Yes	Belasco	Yes	Chambers	Yes
Foster	Yes	Phillips	Yes	Wallace	Yes
White	Yes	Clifton	Yes		

Special Use 2022-05 was approved with (8) affirmative votes.

11. Special Use 2022-06 to allow a residence and a commercial business within a C3 zone at 4121 John F Kennedy Blvd

Mr. Tony Le addressed the Commission on the merits of his application. Mr. Le stated that his family bought this property over 20 years ago and have operated their Nail Salon and Spa from this address. He stated that when they bought the property it came with a living space attached and that the previous owner had lived there. He stated that a recent inspection by the Fire Department resulted in the Fire Marshall telling them that they are improperly zoned for a residence and need to contact the Planning Dept. He stated that this is the first they had ever been told about zoning after living there for 20+ years, so they were surprised to hear this, but they are happy to comply with whatever the city determines they need to do to keep their home.

Mr. White moved for approval of this application, with conditions. Ms. Belasco seconded the motion.

Mr. Free, Assistant Fire Marshall, addressed the Commission, stating that although the Fire Dept. has done regular inspections over the years at this business, they were not aware that there was a residence on the property. The Fire Department's concern was that if there was ever an emergency there, they would not

arrive knowing that there is a residence there. Also, there were concerns about bedrooms having windows, etc., in regards to the residents being able to exit in case of a fire or other emergency.

Mr. Le stated that the Fire Marshall has advised them on ways to rearrange the home layout to make it safer and they have followed those suggestions. He stated that if he does further modifications to the structure he will get permits.

Chairman Clifton asked Mr. Le if he had received the conditions and if he agreed to them. Mr. Le stated that he agreed to the conditions.

Chairman Clifton asked if there were any other comments from the commission or the public. There were none.

Chairman Clifton asked for a roll call to vote.

Banks	Yes	Belasco	Yes	Chambers	Yes
Foster	Yes	Phillips	Yes	Wallace	Yes
White	Yes	Clifton	Yes		

Special Use 2022-05 was approved with (8) affirmative votes.

Public Comments/Adjournment:

Chairman Clifton asked for any public comments.

Mr. White stated that he recently had a fire at his home and he recognized the professionalism and kindness of the Fire Dept.

Mr. Chambers moved to adjourn the meeting. Ms. Belasco seconded the motion. Chairman Clifton adjourned the meeting at 4:30 pm.

Respectfully Submitted:



Donna James, Planning