

**North Little Rock Planning Commission
Regular Meeting
October 12, 2021**

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
Dietz
Foster
Wallace

Members Absent:

Phillips
White, Vice- Chairman

Staff Present:

Shawn Spencer, Director
Timothy Reavis, Assistant Director
Elaine Lee, City Attorney
Alyson Jones, Secretary

Approval of Minutes:

A motion was made and seconded to approve the September meeting minutes as presented.

Administrative:

Item #3 and #4 have been postponed until the November Planning Commission Meeting.

Public Hearing:

1. SD2021-44 White Oak Crossing, Lot C-3 (Preliminary Plat & SPR of a convenience store at 9340 White Oak Crossing)

1. Engineering requirements before the plat will be signed:

- a. Provide ½ street improvements (street, drainage, curb and gutter, sidewalk, street lights) or a performance bond.
- b. Provide clear calculations showing that detention volume is sufficient.
- c. Show and label boundary of detention area as drainage easement.

2. Planning requirements before the plat will be signed:

- a. Provide half of the required 50' foot right-of-way along White Oak Lake Dr.
- b. Provide cross access easement on plat with abutting property.
- c. Provide 40' front yard building line along White Oak Crossing as shown.
- d. Provide 30' utility & drainage easement along White Oak Crossing as shown.
- e. Provide 15' access, drainage, and utility easement along White Oak Lake Dr. as shown.

3. 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.

4. 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. Driveway radii shall have 25' minimum radii and be built according to CNLR standard details (available at NLR Engineering Department).
- c. Cross drains in the ROW shall be labeled and shall be RCP with flared end sections unless otherwise approved by Engineering.

5. Meet the requirements of Community 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 within a front building line.
- e. All exterior lighting shall be shielded and not encroach onto neighboring properties.

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

- a. Provide 5' sidewalks and ramps with a minimum of 5' green space between sidewalk and curb to ADA standards and City standards.
- b. Provide ½ street improvements.
- c. Provide ½ of 80ft ROW on White Oak Crossing.

7. 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 (9) street trees along White Oak Lake Dr. as shown.
 - d. Provide (7) street trees along White Oak Crossing as shown.
 - e. Provide (8) parking lot shade trees as shown.
 - f. Parking lot shade trees must be located within the parking lot or a maximum distance of 10' from the edge of the parking lot.
 - g. 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.
 - h. 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.
 - i. Provide 6 foot front yard landscape strip between property line and paving.
 - j. Provide 4 foot side yard landscape strip between property line and paving.
 - k. Provide full screen between commercial and residential zoning. Includes at 8ft opaque screen and trees every 20 feet.
- 8. Meet the following requirements concerning signage:**
- a. All signs require a permit and separate review.
- 9. Meet the requirements of the Fire Marshal, including:**
- a. Provide an approved fire protection plan.
 - b. Must meet the 2012 AFC and 2012 ABC.
 - c. Fire Apparatus Access roads must be able withstand 85,000 lbs.
 - d. A fire hydrant must be placed within 400 feet of non-sprinkled builds and within 600 feet of sprinkled buildings.
- 10. Meet the requirements of CAW, including:**
- a. All Central Arkansas Water requirements in effect at the time of request for water service must be met.
 - b. Please submit plans for water facilities and/or fire protection system to Central Arkansas Water for review. Plan revisions may be required after additional review. Contact Central Arkansas Water regarding procedures for installation of water facilities and/or fire service. Approval of plans by the Arkansas Department of Health Engineering Division and North Little Rock Fire Department is required.
 - c. The underground fuel tanks shall not be placed in a Utility easement.
- 11. Meet the requirements of NLR Wastewater, including:**
- a. White Oak Connection Fee applies and will be required.
 - b. Provide fifteen foot (15') exclusive sanitary sewer easement centered over existing gravity mains as well as proposed new construction.
 - c. Please provide detailed plans to NLRW for review and approval.
 - d. Grease interceptor required; if food will be prepared and sold.

Mr. Chambers stated the applicant met with the Development Review Committee and has agreed to all the requirements. There were no additional comments from Commissioners or the audience. The motion to approve passed with (7) affirmative votes.

2. SD2021-45 Massie West Subdivision, Tracts A-D (replat at 4900 Willow St.)

1. **Engineering requirements before the plat will be signed:**
 - a. Show drainage easements for Shilcotts Bayou.
 - b. Provide half of 80ft ROW per the Master Street Plan.
2. **Planning requirements before the plat will be signed:**
 - a. For Tract C, provide 7' side yard setback to meet the zoning ordinance requirement (10% of lot width).
 - b. Tracts A, B, and D, provide an 8' side yard setback to meet the zoning ordinance requirement (10% of lot width with a maximum of 8'), including along the property line of Tract A that abuts the rear of the lots along Willow St.
 - c. Provide half of 80' ROW dedication along Camp Robinson Rd.
 - d. Provide 25' front yard setback along Camp Robinson.
 - e. Allow existing encroachment on Tract B.
 - f. Provide a 15' exclusive sanitary sewer easement centered over existing sanitary sewer gravity mains.
3. **Meet the requirements of the Master Street Plan, including:**
 - a. Provide ½ of 80' ROW dedication along Camp Robinson
4. **Meet the requirements of the Fire Marshal.**
5. **Meet the requirements of CAW, including:**
 - a. All CAW requirements in effect at the time of request for water service must be met.
 - b. Provide a 10' utility easement along Hwy 176.
6. **Meet the requirements of NLR Wastewater, including:**
 - a. Provide a 15' exclusive sanitary sewer easement centered over existing sanitary sewer gravity mains.
 - b. Each lot must have access to sanitary sewer main or construction of extension to sanitary sewer main must be performed.

Mr. Chambers stated the applicant met with the Development Review Committee and has agreed to all the requirements. There were no additional comments from Commissioners or the audience. The motion to approve passed with (7) affirmative votes.

3. Rezone #2021-16 **POSTPONED** To amend Land Use Plan from Community Shopping to Multi-family & rezone from C4 to R4 to allow for apartments at 12000 Paul Eells Dr.

4. SD2021-46 **POSTPONED** Links at the Rock, Block 1, Lot 2 (Replat and Site Plan Review of apartments at 12000 Paul Eells Dr.)

5. SD2021-47 Giles Addition, Block 11, Lot 9R (Replat and SPR at 312 Parker St.)

- 1. Engineering requirements before the plat will be signed:**
 - a. Pay the drainage in-lieu fee of \$500/acre for residential development instead of providing onsite detention.
 - b. Provide ½ street improvements (sidewalk) or a performance bond.
- 2. Planning requirements before the plat will be signed:**
 - a. Provide a 10' rear building line as shown.
 - b. Provide a 4' front yard easement as shown.
 - c. Provide an 8' rear yard easement as shown.
- 3. 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 Stormwater Permit application to City Engineer with half size erosion control plan showing silt fence, storm inlet protection, and drainage details.
 - c. Provide CNLR driveway/curb cut permit application to City Engineer.
 - d. Provide copy of Arkansas Department of Environmental Quality (ADEQ) Stormwater Permit to City Engineer.
 - e. Prior to construction, Owner's Architect/Engineer shall submit signed construction plans and specifications (PDF format) to NLR Planning Department.
- 4. Meet the requirements of the City Engineer, including:**
 - a. Driveway radii shall have 25' minimum radii and be built according to CNLR standard details (available at NLR Engineering Department).
 - b. Driveways shall not be 10' from adjoining property lines.
 - c. Driveway widths shall be labeled and shall be 10' minimum to 40' maximum.
- 5. Meet the requirements of Community Planning, including:**
 - a. Provide the standard requirements of Zoning and Development Regulations.
 - b. Dumpster to have masonry screening.
 - c. No fence is to be within a front building line.
 - d. All exterior lighting shall be shielded and not encroach onto neighboring properties.
 - e. Label handicap accessible parking.
- 6. Meet the requirements of the Master Street Plan, including:**
 - a. Provide 5' sidewalks and ramps with a minimum of 5' green space between sidewalk and curb to ADA standards and City standards.
 - b. Provide ½ street improvements.
- 7. 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 3 street trees as shown.
 - d. Provide 4 parking lot shade trees as shown.
 - 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.
- 8. Meet the following requirements concerning signage:**
- a. All signs require a permit and separate review.
- 9. Meet the requirements of the Fire Marshal, including:**
- a. Provide an approved fire protection plan.
- 10. Meet the requirements of CAW, including:**
- a. All CAW requirements in effect at the time of request for water service must be met.
 - b. Please submit plans for water facilities and/or fire protection system to Central Arkansas Water for review. Plan revisions may be required after additional review. Contact Central Arkansas Water regarding procedures for installation of water facilities and/or fire service.
 - c. Approval of plans by the Arkansas Department of Health Engineering Division and North Little Rock Fire Department is required.
- 11. Meet the requirements of NLR Wastewater, including:**
- a. Provide an 8' easement along rear property line.

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

Mr. Foster asked staff if this has been proposed before.

Mr. Spencer stated that this property has been looked at least twice years ago. Once for a brewery company and once for a fourplex.

Mr. Foster asked staff what is being proposed at this location now.

Mr. Spencer stated it is combining 2 lots for 9 units split between 2 buildings. The buildings will share a community space between the 2 buildings.

There were no additional comments from Commissioners or the audience. The motion to approve passed with (7) affirmative votes.

6. SD2021-48 Country Club of Arkansas Phase XXV-C, Lots 79-171 (Preliminary Plat – residential subdivision)

- 1. Before the plat is signed, meet the Fire Marshal's requirement on access to the subdivision.**

2. Engineering requirements before the plat will be signed:

- a. Option to pay the drainage in-lieu fee of \$500/acre for residential development instead of providing on-site detention.
- b. Provide full street improvements for Kim Drive, Debbie Drive, and Marilyn Drive, and Paul Eells Drive (street, drainage, curb and gutter, sidewalk, cross walks, street lights) or a performance bond. 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. Pay for street signs.
- c. Provide a bond for one tree per lot.
- d. Street names to be approved by Planning Staff.
- e. Provide 50' ROW dedication for Debbie Drive, Marilyn Drive, and Kim Dr.
- f. Provide half of 80' ROW dedication for Paul Eells Dr.
- g. Provide a lot # for the alley.
- h. Provide 10' utility easements along front property lines.
- i. Minimum lot width for interior lots is 60 feet. Minimum lot width for corner lots is 75 feet.
- j. Add a note to the plat stating that lots 87 & 149-160 will not be accessed from Paul Eells Dr.
- k. Provide 10-ft Utility easements on the back side (alley side) of lots 133 – 160.
- l. In the general notes, correct the side yard setback label. Side yard setbacks are 10% of the lot width.
- m. Don't label detention areas as open space.
- n. Provide recreation space. Label on plat.

4. Permit requirements/approvals submitted before construction can begin:

- a. A signed and recorded plat must be on file with the Planning Department.
- b. Provide a full set of plans and specifications (PDF format) to the City Engineer for review.
- c. 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.
- d. Provide CNLR Grading Permit application to City Engineer with grading plans.
- e. Provide CNLR Stormwater Permit application to City Engineer with half size erosion control plan showing silt fence, storm inlet protection, and drainage details.
- f. Provide copy of Arkansas Department of Environmental Quality (ADEQ) Stormwater Permit to City Engineer.
- g. 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.

h. Schedule preconstruction meeting with City Engineer. The contractor's on-site superintendent must be present.

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

- a. Contractor shall notify City Engineer at least 1 day prior to the construction of all stormwater pipes and inlet structures within City ROW.
- b. At the end of construction, Owner/Developer shall have a Professional Engineer, licensed in the State of Arkansas, certify that all street and stormwater improvements in conjunction with this subdivision and/or the proposed development have been inspected and constructed in accordance with the approved plans and meet all City of North Little Rocks Standard Specifications.

6. Meet the requirements of Community Planning, including:

- a. Provide the standard requirements of Zoning and Development Regulations.

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

- a. Provide 5' sidewalks and ramps with a minimum of 5' green space between sidewalk and curb to ADA standards and City standards.
- b. Provide full street improvements.
- c. Provide half of 80' ROW dedication along Paul Eells Dr.
- d. Lots 87 & 149-161 shall not be accessed from Paul Eells Dr.

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 1 tree per lot.
- d. 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.
- e. 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.

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

- a. Provide an approved fire protection plan.
- b. Must meet the 2012 AFC
- c. Fire Apparatus Access roads must be able withstand 85,000 lbs.
- d. Any dead ends over 150 feet must have an approved turn around
- e. Turning radius around the buildings will be sufficient to accommodate Fire Dept. apparatus (vehicle dimensions available).

- f. Fire hydrants must be placed every 1000 feet and every 500 feet once development begins.

11. Meet the requirements of CAW, including:

- a. All Central Arkansas Water requirements in effect at the time of request for water service must be met.
- b. Please submit plans for water facilities and/or fire protection system to Central Arkansas Water for review. Plan revisions may be required after additional review. Contact Central Arkansas Water regarding procedures for installation of water facilities and/or fire service. Approval of plans by the Arkansas Department of Health Engineering Division and North Little Rock Fire Department is required.
- c. Provide 10-ft Utility easements on the back side (alley side) of lots 133 – 160.
- d. Indicate alley between lots 133 – 160 is a utility easement.

12. Meet the requirements of NLR Wastewater, including:

- a. White Oak Connection fee applies and will be required.
- b. Flow calculations will be required for collections system capacity analysis.
- c. Provide fifteen foot (15') exclusive sanitary sewer easement centered over existing gravity mains as well as proposed new construction.
- d. Please provide detailed plans to NLRW for review.

Mr. Chambers stated the applicant met with the Development Review Committee and has agreed to all the requirements. There were no additional comments from Commissioners or the audience. The motion to approve passed with (7) affirmative votes.

**7. Rezone #2021-17 To rezone from R4 to I1 to allow for an auto body shop at
3021 Lincoln Ave.**

Chairman Clifton asked if the applicant was present and agreed to all of the staff recommendations.

Osmond Valle stated he was the applicant.

Mr. Chairman asked if this has before the Design Review Committee.

Mr. Spencer stated that this is a straight Rezoning. He said the building has been there since the 80s if not longer. It has been used for the same use by the same owner since then. He said now there is a new owner who wants to correct the zoning to fit the use of Auto Body Repair.

Connie Cogshell Foster, 3104 Lincoln Ave, stated that she purchased this home 37 years ago. She stated that it has always been a residential zone. She stated that she is in opposition of the rezone. She stated that there are elderly people in the community. She stated that it is a quiet area. She said in the past there were several detriments that are since gone. She said that they now have a stable community. She stated that she has rented her property. She said if

the zoning is changed it will be detrimental to home owners. She said it will make it more difficult renting, leasing, or selling current property. She said when there was a similar use on that property, there were a lot of people hanging out on the property. She stated that she is asking the Planning Commission to not support this request for rezoning. She said there are several Commercial properties in the Broadway/ Washington area and she would like to preserve the residential areas. She stated she wants to remodel her property and she wants people to feel safe and comfortable. She is concerned with the traffic of people coming into the community for this business. She said she is concerned with the use and storage of chemicals at the property.

Scotty Stewart, 3107 Lincoln Ave, stated that he has been in that area for a long time. He stated that this community doesn't need this. He stated that he has grandkids and this use will cause commotion. He stated that there are a lot of elderly people in the area and he wants the community to remain peaceful. He stated that if this request was in Lakewood or Indian Hills, he doesn't believe it would not be wanted there. He stated that he doesn't want an Auto Body Shop in this area.

Mr. Foster asked if Mr. Valle currently operates the business at this location.

Mr. Valle stated that he rents a building on Washington Ave.

Mr. Foster asked if Mr. Valle currently operates the business at this location.

Mr. Valle stated that he did not.

Mr. Foster asked the applicant if he owned the property.

Mr. Valle said he is "going to say yes".

Chairman Clifton asked where he is currently operating his business.

Mr. Valle stated that his brother rents the property at 3900 E Washington Ave. but he wants to open his own business and doesn't want to work for someone else.

Mr. Chambers asked staff what the past use was at this location.

Chairman Clifton stated that it was Daniel Printing and Labeling.

Mr. Chambers asked how they began using the R1 property for a commercial use.

Chairman Clifton stated that they have just expanded over the years since the 50s. He stated that he is familiar with his brother's property. He stated that he believes that if this use is passed, then the property will be a storage yard, full of cars waiting within six months. He stated there is already an Auto Body Shop on this street.

Mr. Valle stated that he will only be painting maybe one car a week with only a little bit of chemical use. He stated there are several business around the area that use a lot more chemicals. He asked why he cannot run his business if they can.

Mr. Chambers asked Mr. Valle how he would handle the traffic of cars stored on the property.

Mr. Valle stated that it is a large building and he would keep most on the cars inside and maybe three cars outside.

Mr. Chambers stated that the Planning Commission has tried to limit the number of cars outside for other requests that have not been very successful.

There is cross discussion about past applications that were approved for a similar use.

Mr. Valle stated that the property would not be full of cars because he would park them inside.

Mr. Chambers stated that the Planning Commission would usually put conditions on the application to prevent this but it is a straight rezoning so they cannot. He stated that Conditional Rezoning is not allowed by the state.

Mr. Valle stated he is trying make his living the right way.

Eric Faye, 2300 Lincoln Ave, stated he is concerned with what this property can be used for as it has been a vacant eyesore for years.

Chairman Clifton asked for any questions or comments.

Chairman Clifton asked for a roll call to vote.

Banks	No	Dietz	No	Wallace	Absent
Belasco	Yes	Foster	No	White	Absent
Chambers	Yes	Phillips	Absent	Clifton	No

Rezone #2021-17 was **not** approved with only (2) affirmative votes.

Mr. Chambers asked staff if there was any way to put conditions on this request.

Mr. Spencer stated that the PUD cannot be used to get around the zoning ordinance. He said that it could be rezoned to a C1 with a Special Use to add conditions.

Chairman Clifton said that since it was turned down, they cannot come back for a year.

Mr. Spencer stated that they would be allowed to come back next month as long as the request is different.

8. Rezone #2021-18 To rezone from C3 to R3 to allow for a single family house at 1420 N. Magnolia St.

Chairman Clifton asked if the applicant was present and agreed to all of the staff recommendations.

Brandon Eason, 1420 N. Magnolia St, he stated that wants to build a home for his daughter at this address. He stated that he wants to better the community.

Mr. Chambers asked Mr. Spencer if there was a recent approved application for a similar use in the area.

Mr. Spencer stated that the previous request was a little further south but staff is in support of more housing in this area.

Chairman Clifton asked for any questions or comments.

Chairman Clifton asked for a roll call to vote.

Banks	Yes	Dietz	Yes	Wallace	Yes
Belasco	Absent	Foster	Abstain	White	Absent
Chambers	Yes	Phillips	Absent	Clifton	Yes

Rezone #2021-18 was approved with (5) affirmative votes.

Public Comments/Adjournment:

Mr. Foster asked if there were plans for the CNG property.

Mr. Spencer stated that would be a question for the mayor.

Chairman Clifton adjourned the meeting at 4:30pm.

Respectfully Submitted:

Tim Reavis, Planning