

**North Little Rock Planning Commission
Regular Meeting
November 12, 2019**

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:

Deitz

Staff Present:

Shawn Spencer, Director
Timothy Reavis, Assistant Director
Mike Mosley, Deputy City Attorney
Alyson Jones, Secretary
Jerry Robinson, Fire Marshal
Shannon Carroll, Deputy City Clerk

Approval of Minutes:

Mr. Chambers made a motion to amend to minutes to show the vote on the amendment of case Rezone 2019-19 and 20, to replace “until further notice” to “until the November meeting”.

Motion was made and seconded to approve the October meeting minutes as amended. The minutes were approved with (8) affirmative votes.

Administrative:

Motion was made and seconded to excuse members Deitz.

Mr. Spencer stated there was an updated staff report with a traffic study for request Conditional Use 2019-19. He also stated that staff is recommending an amendment in the bylaws on the voting process. He stated that the amendment would allow for a Planning Commissioner to attend and vote on a meeting via telephone.

A motion was made and seconded to limit telephone attendance to one commissioner at a time.

A motion was made and seconded to approve the amendment on voting in the bylaws.

Subdivision Administrative:

A. SD2019-41 Northshore Business Park, Block 10, Lot 11 (Preliminary plat & SPR of an office building at 5328 Northshore Cove)

1. Engineering requirements before the plat will be signed:

- a. Provide ½ street improvements or a performance bond.
Street improvements must be approved by City Engineer and accepted by City Council.

2. 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 10' utility easements around property perimeter.
- c. Provide 30 ft. setback along south property line. Allow covered patio encroachment.

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. Provide copy of Arkansas Department of Health approval for water and sewer facilities to NLR Planning Department if an extension of a main is required.
- g. Prior to construction, Owner's Architect/Engineer shall submit signed construction plans and specifications (PDF format) to NLR Planning Department.
- h. 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.

- 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. Contractor shall notify City Engineer at least 1 day prior to the construction of all stormwater pipes and inlet structures within City ROW.
 - c. 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.
 - d. Driveway radii shall be labeled on plans and shall have 25' minimum radii and be built according to CNLR standard details (available at NLR Engineering Department).
 - e. Driveways shall not be closer than 40' to adjoining streets or 10' from adjoining property lines.
 - f. Spacing between proposed commercial/industrial driveways shall not be closer than 40'.
 - g. Driveway widths shall be labeled on plans 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. Provide dumpster location.
 - c. Dumpster to have masonry screening.
 - d. All exterior lighting shall be shielded and not encroach onto neighboring properties.
- 6. Meet the requirements of the Master Street Plan, including:**
 - a. 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 (8) street trees as shown.
 - d. Provide (27) 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 parking spots that face a street or abutting property.
 - g. Provide 6 foot front yard landscape strip between property line and paving.
 - h. Provide 4 foot side yard landscape strip between property line and paving.
 - i. 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.
 - b. Provide fire hydrant at the south entrance to the parking lot.
- 10. Meet the requirements of CAW, including:**
 - a. Water is available to the site.

- b. All CAW requirements in effect at the time of request for water service must be met. Contact CAW for new service applications regarding the size and location of the water meter.
- c. Please submit plans for water facilities and/or fire protection system to CAW for review. Plan revisions may be required after additional review. That work would be done at the expense of the developer.
- d. Additional fire hydrant(s) will be required. Fire Hydrants must be placed within 400' of farthest point of proposed building and no farther than 150' from the nearest point.

11. Meet the requirements of NLR Wastewater, including:

- a. White Oak connection fee required prior to connecting to NLRW's collection system.

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 (8) affirmative votes.

B. SD2019-42 Seahawk Transportation Addition, Lot 1 (SPR of a warehouse at 2213 Central Airport Rd.)

1. 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. Prior to construction, Owner's architect / engineer shall submit signed construction plans and specification (pdf format) to NLR Planning Department.

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

- a. Option to pay the drainage in-lieu of fee of \$5000/acre instead of providing onsite detention or if using existing storm water detention, submit clear calculations showing that detention volume is sufficient to handle stormwater runoff from new impervious surfaces and showing that proposed stormwater runoff from new development is equal to or less than existing stormwater runoff.
- 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.

3. Meet the requirements of Community Planning, including:

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

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

- a. Sidewalks not required due to location in industrial subdivision.

5. 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 6 foot front yard landscape strip between property line and paving.

- d. Provide 4 foot side yard landscape strip between property line and paving.
- e. Provide buffer between dissimilar uses or zoning. Do not remove trees from full buffers.
- 6. Meet the following requirements concerning signage:**
 - a. All signs require a permit and separate review.
- 7. Meet the requirements of the Fire Marshal, including:**
 - a. Provide an approved fire protection plan.
 - b. Fuel tank installation shall be approved by state fire marshal.
- 8. Meet the requirements of CAW, including:**
 - a. If there are facilities that need to be adjusted and/or relocated, contact CAW.
 - b. Additional fire hydrant(s) may be required. Fire hydrants must be placed within 400' of farthest point of proposed building and no farther than 150' from the nearest point. Contact NLR Fire Dept to obtain information regarding placement of fire hydrants and fire flow requirements.

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 (8) affirmative votes.

C. SD2019-43 Argenta, Block 17, Lot AR (Replat and SPR of a restaurant with a drive-thru at 418 E. Broadway)

- 1. Provide City Council ordinance waiving the 4ft side yard landscape strip requirement.**
- 2. Engineering requirements before the plat will be signed:**
 - a. Option to pay the drainage in-lieu fee of \$5000/acre for the increase of impervious surfaces.
- 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 ROW along E. Broadway according to ARDOT requirements.
- 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 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 and copy of ARDOT driveway permit for Cypress Street.
 - 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.
 - f. If applicable, 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. 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. Contractor shall notify City Engineer at least 1 day prior to the construction of all stormwater pipes and inlet structures within City ROW.
- c. 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.
- d. Right turn driveway radius onto Broadway from Starbucks shall be 25’ radius.
- e. Driveway widths shall be labeled.
- f. Decrease drive-thru width to 10’ on the north side of the building in order to increase aisle width to 14’ to help with backing in and out of parking spaces.

6. Meet the requirements of Community Planning, including:

- a. Provide the standard requirements of Zoning and Development Regulations.
- b. Dumpster to have masonry screening.
- c. All exterior lighting shall be shielded and not encroach onto neighboring properties.
- d. Cypress exit to be one lane only.
- e. Curb at the northeast corner to extend around traffic signal pole.
- f. Add right in / right out island to the entrance on E. Broadway.
- g. Show bollard locations for drive-thru.
- h. Provide right-turn only directional sign on Cypress St.

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 ½ street improvements.
- c. Provide ROW dedication.

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 4 street trees along Cypress.
- d. Provide 5 street trees along E. Broadway.
- e. Provide 2 parking lot shade trees.
- 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 parking spots that face a street or abutting property.
 - h. Label landscape strip width on west side.
 - 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 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.
- 11. Meet the requirements of CAW, including:**
- a. Water is available to the site.
 - b. All CAW requirements in effect at the time of request for water service must be met. Contact CAW for new service applications regarding the size and location of the water meter water service shall come from the 8" main on the northwest portion of the property.
 - c. Please submit plans for water facilities and / or fire protection system to CAW for review. Plan revisions may be required after additional review.
- 12. Meet the requirements of NLR Wastewater, including:**
- a. Please submit a full set of plans to NLRW for review and approval prior to construction.
 - b. Grease interceptor and concrete sampling manhole required. Size will be determined during the review process.
 - c. Service line material shall be SDR 26 PVC.

Mr. Chambers stated the applicant met with the Development Review Committee and has agreed to requirements 1-11. In place of requirement number 12 the applicant has provided a waiver to the City Engineers.

Mr. Banks asked if Chris Wilbourn had reviewed and approved the waiver.

Mr. Spencer stated that the Highway department has been working with the city on the safety of the side of the property facing the freeway on ramp. He stated that the applicant would not be allowed to use the extra space of the parking lot on that side.

Mr. Banks stated he was worried about it encroaching on the freeway on ramp.

Mr. Chambers stated that there would be physical barriers blocking access to the freeway on that side of the property.

Mr. White asked if anyone had considered the potential problems with 18 wheelers entering and exiting the property.

Mr. Spencer stated that the issue had not been addressed at this time.

Mr. Banks stated that parking adjacent to the highway would encroach on the state right of way.

Mr. McNees stated that the curb would be located 12 to 15 feet off of the right of way.

Mr. Chambers asked if there were any additional comments from Commissioners or the audience. The motion to approve passed with (8) affirmative votes.

D. SD2019-44 Geo W. Heilmans Subdivision, Lot 2A & 2B (Replat & SPR of a Dollar General at 6700 MacArthur Dr.)

1. Engineering requirements before the plat will be signed:

- a. Option to pay the drainage in-lieu fee of \$5000/acre for commercial/industrial development or instead of providing on-site detention.

2. 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. A letter from the City Engineer is required stating whether or not this development is a hillside cut.
- c. Pay for street trees or provide a bond.
- d. Provide 10' utility easement along MacArthur Dr.

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 copy of ARDOT driveway permit.
- e. Provide copy of Arkansas Department of Environmental Quality (ADEQ) Stormwater Permit to City Engineer.
- f. Provide copy of Arkansas Department of Health approval for water and sewer facilities to NLR Planning Department if an extension of a main is required.
- g. Prior to construction, Owner's Architect/Engineer shall submit signed construction plans and specifications (PDF format) to NLR Planning Department.
- h. If applicable, 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.

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

- a. Provide on-site storm water detention as well as clear calculations showing that detention volume is sufficient, or demonstrate to City Engineer that on-site detention is not required (based on proposed development) by providing detention calculations showing pre and post site runoff comparisons.
 - b. Show and label boundary of detention pond if applicable.
 - c. 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.
 - d. Meet the requirements of the hillside cut ordinance.
- 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.
 - f. Provide 28 parking spaces.
- 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 either in the ROW or on the property.
 - b. Provide ½ street improvements or a letter from the Highway Department stating they won't allow it.
- 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 7 street trees as shown.
 - d. Provide 6 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 parking spots that face a street or abutting property.
 - g. Provide 6 foot front yard landscape strip between property line and paving.
 - h. Provide 4 foot side yard landscape strip between property line and paving.
 - i. 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.
 - b. Building shall comply with requirements set forth in the Arkansas Fire Code.
- 10. Meet the requirements of CAW, including:**
- a. Water is available to this property. All Central Arkansas Water requirements in effect at the time of request for water service must be met. Contact Central Arkansas Water for New Service applications; regarding the size and location of the water meter.

- 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. That work would be done at the expense of the developer.
- c. Due to the nature of this facility, installation of an approved reduced pressure zone backflow preventer assembly (RPZ) is required on the domestic water service. This assembly must be installed prior to the first point of use. Central Arkansas Water (CAW) requires that upon installation of the RPZA, successful tests of the assembly must be completed by a Certified Assembly Tester licensed by the State of Arkansas and approved by CAW. The test results must be sent to CAW's Cross Connection Section within ten days of installation and annually thereafter. Contact the Cross Connection Section at 377-1226 if you would like to discuss backflow prevention requirements

11. Meet the requirements of NLR Wastewater, including:

- a. Service line material shall be SDR 26 PVC.

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 (8) affirmative votes.

E. SD2019-45 POSTPONED The Breeze at Rockwater, Lots 1 & 2 (Replat & PUD Site Plan of a residential development located at SW corner of 7th & Parker St. & 414 & 416 Division St.)

Public Hearing:

1. Conditional Use 2019-18

To allow a contractor's office with outdoor storage and equipment parking in C-4 located at 3100 E. Broadway St.

Chairman Clifton asked the applicant if he agreed to all of the recommendations.

Nick Johnson stated his request.

Chairman Clifton asked the applicant what would be stored at this location.

Mr. Johnson stated that it would be things like equipment, trailers, and pickups.

Chairman Clifton stated that the applicant was confirming that there will not be any products stored outside at the location.

Mr. Spencer stated that staff has not received any phone calls on the application.

Mr. Chambers asked the applicant if the business would be an emergency services business.

Mr. Johnson stated that it would be a hazmat business.

Chairman Clifton asked for any other questions or comments.

Chairman Clifton asked for a roll call to vote.

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

Conditional Use #2019-18 was approved with (7) affirmative votes.

2. Conditional Use #2019-19

To allow a restaurant with a drive-thru in a C-6 zone located at 418 E Broadway St.

Eric Holloway stated that he had submitted the previously mentioned traffic study to staff.

Mr. Foster asked if the City Engineer had reviewed the study.

Mr. Spencer stated that the City Engineer had reviewed and approved of the study.

Mr. Banks asked if the applicant if they were going to extend the curb on the Cypress St side of the property

Mr. Holloway stated that they would be extending the ramp and curb to help prevent accidents.

Chairman Clifton asked for any other questions or comments.

Chairman Clifton asked for a roll call to vote.

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

Conditional Use #2019-19 was approved with (8) affirmative votes.

3. Special Use #2019-18

To allow a trailer and truck rental business in C-3 at 2010 Pike Ave.

Chairman Clifton asked the applicant to state name and address.

Malcolm and Carolyn Keener stated that they are the property owners of 2010 Pike Ave.

Mr. Spencer stated that the reason for the application was that they were operation without a business license or correct zoning.

Mr. White asked what type of business was operating out of this building.

Mr. Keener stated that it was Faith Beauty and Barber Salon and a U-Haul rental business.

Mr. Spencer stated that the lot is not big enough for both businesses.

Mr. Foster asked the applicant if they would be continue the Salon usage as well as the U-Haul company.

Mr. Kenner stated that parking has never been an issue. He also stated that he has never had a full staffed salon with 12 barbers. He stated if that was to happen he would remove the U-Haul business to make room for the Barbering business because it is more profitable. He stated that there are only three to four people in the salon at a time.

Mr. Chambers stated that the dilemma was the number of chair versus the parking. He stated that one way to eliminate the problem would be to limit the number of chairs to allow for more room for the U-Haul business.

Mr. Spencer stated that staff is considering the worst case.

Mr. Chambers questioned if it would work if the request was amended to only use six barber chairs and x number of U-Haul parking spots at any given time.

Mr. Keener stated that the employees of the business are self-employed and come and go as they please. He stated that there are never six barbers working at one time.

Mr. Spencer questioned how the use of the number of barber chairs be enforced.

Mr. Chambers stated that if you they could put six of the 12 barber chairs up. Also, he believes that it will be obvious if the business expanded.

Mr. Keener stated that if the business grew and he need to make room for parking, the U-Haul district manager would quickly remove as many U-Hauls as needed.

Mr. Foster stated that he believes that since it is an existing business and existing parking lot it would be ok to leave the decision up to the owners on how they use it.

Mr. Spencer stated that the city has to protect the neighbors of the business.

Chairman Clifton asked the applicant how long they have been operating at this location.

Mr. Keener stated that he has been operational since 1996. He recently added the U-Haul rental business in April of 2019.

Chairman Clifton asked if there have been any problems or concerns since the applicant opened the U-Haul business.

Mr. Spencer stated that neighbors just were concerned that there U-Hauls being stored at the location.

Mr. Banks stated that one of the trailers is parked where it is encroaching on the State Highway and was outside of the property bounds.

Mr. White asked the applicant where they were planning on planting the two required trees.

Mr. Keener stated that he would like the tree requirement to be waived. He stated that the neighbors do not have trees on their lots.

Chairman Clifton stated that a tree waiver must be requested at City Council.

Mr. Chambers made a motion to amend item 5 conditions to permit six barber chairs and six U-Haul trucks. Also, trucks must be stored within property lines.

Mr. White stated that it would be impossible to regulate the business to four stylists. He stated that he believes that it should be limited to one truck and five trailers. The parking will be regulated by the owner.

Mr. Banks asked that applicants if they accept the amendment.

Mr. White stated that it should not be a problem since it is easy for the district to deliver and pick up trucks at any time.

Mr. Keener stated that his business is just a U-Haul dealer with an existing business. He stated that he basically just houses the trucks. He stated that when people move out of state with the trucks, it is up to the district manager if they deliver you another truck.

Mr. White stated that there appears to be only one truck right now. He believes it would be feasible to allow only two large trucks at one time. He asked how large will the largest truck be.

Mrs. Keener stated that they house trucks between 10 and 26 feet. The one they have on the lot now is the largest size they will house. She stated that they would use the back lot for the larger trucks.

Chairman Clifton asked if they would wanting both trucks and trailers.

Mr. Keener confirmed that he would like to house both trailers and trucks.

Chairman Clifton asked someone to state the amendment as it reads.

Mr. White made a motion to amend item 5 to allow six total trucks or trailers to be housed on the property at any given time.

Mr. Chambers and Mr. Foster's motions were never voted on therefore they are null.

Mr. Foster asked if the truck was actually within the property lines or is it on the parking lot behind the property.

Mr. Keener stated that it was located within their property lines.

Mr. White stated that the chairs will not be affected by the amendment.

Chairman Clifton asked for any other questions or comments.

Alderman Debi Ross stated that she has been made aware of some safety concerns with the site view with the trucks being on the lot. As well as, the truck entering and exiting the lot. She stated that a few years ago a used car lot was denied. She told the applicant she hopes that the trucks stay within the property boundaries.

Chairman Clifton asked for a roll call to vote.

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

Special Use #2019-18 was approved with (8) affirmative votes.

4. Postponed Rezone #2019-21 and Rezone #2019-22

To rezone from R-4 to a PUD to allow for a multi-family development at the SW corner of Parker St. and 7th St & at 414 and 416 Division St.

5. Rezone #2019-19

From TND to C-4 at 1600 Rockwater Blvd.

Chairman Clifton asked staff to explain request.

Mr. Mosley stated that last month council for a concerned property owner of a neighboring property stated that there was an active litigation open between property owners and the piece of property in question. He stated that he has researched the situation and believes that on a rational basis it should be rezoned. The property doesn't comply with the regulation of

being 40 acres to be considered a TND property. He stated that the property owner could easily rezone if they want a different use for the property.

Chairman Clifton asked for any other questions or comments.

Chairman Clifton asked for a roll call to vote.

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

Rezone #2019-19 was approved with (8) affirmative votes.

6. **Rezone #2019-20**

From TND to R-4 & Conservation at property along Rockwater Blvd.

Chairman Clifton asked staff to explain request.

Mr. Mosley stated that this request was the same as the previous request.

Chairman Clifton asked for any other questions or comments.

Chairman Clifton asked for a roll call to vote.

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

Rezone #2019-20 was approved with (8) affirmative votes.

Public Comments/Adjournment:

Chairman Clifton asked if there are any comments.

Mr. Chambers made a motion to adjourn.

Chairman Clifton adjourned the meeting at 4:44pm.

Respectfully Submitted:

Tim Reavis, Planning

