

North Little Rock Planning Commission
Regular Meeting
February 11, 2020

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
Clifton, Chairman
Dietz
Foster
Phillips
Wallace
White, Vice- Chairman

Members Absent:

Belasco
Chambers

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. Foster asked for his vote to be corrected on case Special Use #2020-1.

Motion was made and seconded to approve the January meeting minutes as amended. The minutes were approved with (7) affirmative votes.

Administrative:

A motion was made and seconded to excuse members Belasco and Chambers.

Subdivision Administrative:

A. SD2019-50 Martha B. Cohens Addition, Block 12, Lot 15 (SPR for townhomes at 809 Maple)

- 1. Permit requirements/approvals submitted before a building permit will be issued:**
 - a. Pay the drainage in-lieu fee of \$5,000/acre for commercial development instead of providing on-site detention.
 - b. A signed and recorded plat must be on file with the Planning Department.
 - 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 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.
- 2. 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 be labeled and shall meet the City Engineer's requirements and be built according to CNLR standard details (available at NLR Engineering Department).
 - c. Driveway widths shall be labeled and shall be 10' minimum to 40' maximum.
- 3. Meet the requirements of Community Planning, including:**
 - a. Provide the standard requirements of Zoning and Development Regulations.
 - b. No fence is to be within a front building line.
 - c. All exterior lighting shall be shielded and not encroach onto neighboring properties.
- 4. Meet the requirements of the Master Street Plan, including:**
 - a. Sidewalks are existing.
- 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 2 street trees as shown.
 - d. Provide 3 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 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 half-screen buffer between multi-family and single family uses. 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. Meet Fire Marshal's requirements on fire hydrant location.
- c. Meet the requirements for Fire Department access.

8. 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. Approval of plans by the Arkansas Department of Health Engineering Division and Little Rock Fire Department is required.
- c. Contact Central Arkansas Water regarding the size and location of the water meter.
- d. 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 for this project.
- e. Fire sprinkler systems which do not contain additives such as antifreeze shall be isolated with a double detector check valve assembly. If additives are used, a reduced pressure zone backflow preventer shall be required.

9. Meet the requirements of NLR Wastewater, including:

- a. No comments or objections.

10. Meet the requirements of Rock Region Metro (CATA), including:

- a. This site is a block from our shelter stop at Maple & 8th (2018 ridership: 1,063). Given that this is transit-adjacent housing, we recommend building an ADA sidewalk from the sidewalk in front of the property to the property's front door.

Chairman Clifton 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.

B. SD2020-3 McCain Mini Storage Subdivision, Tracts 1 & 2 (Replat located at 3636 Hwy 161)

1. 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 half of 80' ROW dedication.
- c. Provide 10' utility easements around property perimeter and along shared property line between tracts 1 & 2.

2. Meet the requirements of Community Planning, including:

- a. Provide the standard requirements of Zoning and Development Regulations.
- b. Allow encroachment of existing residence on tract 1 of the 40' setback.

- 3. Meet the requirements of the Master Street Plan, including:**
 - a. Provide half of 80' ROW dedication.
- 4. Meet the requirements of the Screening and Landscaping ordinance, including:**
 - a. All disturbed areas are to be sodded, fertilized, watered and mulched.
 - b. Provide buffer between dissimilar uses or zoning. Do not remove trees from full buffers.
- 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. Central Arkansas Water has easements and water lines on the properties. Show the easements and water lines on the plat. Easements #2006066711, 2006066717, 2006066722 and any others.
 - c. Provide a 15' utility easement along the road frontage.
- 6. Meet the requirements of NLR Wastewater, including:**
 - a. A main extension is required to connect to public sanitary sewer.
- 7. Meet the Requirements of Pulaski County Planning, including:**
 - a. Dedicate Right of Way to meet Master Street Plan.
 - b. Provide NLR certificate of final approval.
 - c. Provide Bill of assurance for Tract 1.
 - d. Tract 2 exceeds the county's definition of a subdivision.

Chairman Clifton 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.

C. SD2020-4 Northshore Business Park, Block 9, Lot 20 (plat and site plan review of recreational fields located at 5460 Northshore Dr.)

- 1. 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.
- 2. 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. 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.
 - f. Prior to construction, Owner's Architect/Engineer shall submit signed construction plans and specifications (PDF format) to NLR Planning Department.
- 3. 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.
- 4. 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, including lights for night games, shall be shielded and not encroach onto neighboring properties.
- 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 (5) street trees as shown.
 - d. Provide (14) 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 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.
- 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. Building to meet the requirements of 2012 AFC.
 - c. An additional fire hydrant is to be added.
- 8. Meet the requirements of North Little Rock Police Department, including:**
- a. Due to being in an isolated area with only one road in and out, an alarm system is advised.
- 9. Meet the requirements of CAW, including:**
- a. All CAW requirements in effect at the time of request for water service must be met.
 - b. The North Little Rock Fire Department needs to evaluate this site to determine whether additional public and/or private fire hydrant(s) will be required. If additional fire hydrant(s) are required, they will be installed at the Developer's expense.
- 10. Meet the requirements of NLR Wastewater, including:**
- a. A main extension is required to connect to public sanitary sewer.
 - b. White Oak Connection Fee is required to connect to sanitary sewer.

Chairman Clifton 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.

Public Hearing:

1. Conditional Use #2019-23

To allow a daycare center in a C-PH zone located at 3623 JFK Blvd.

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

LaAngela Medley stated that she did agree with all of the recommendations.

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	Yes	White	Yes
Chambers	Absent	Phillips	Yes	Clifton	Yes

Conditional Use #2019-23 was approved with (7) affirmative votes.

2. Conditional Use #2020-1

To allow a food truck court in a C-PH zone located at 3623 JFK Blvd.

Chairman Clifton asked the applicant to state name and address.

Joy Evans, 3623 JFK Blvd.

Chairman Clifton asked Ms. Evans to state the intention of the request and use, as well as, any plans for the parking situation.

Ms. Evans stated that she has obtained the back parking lot behind Red Door Art Gallery to the right of her property. The lot is to be used for overflow parking. She stated that use would be that similar to a flea market with crafts, farmers' market, and food trucks.

Chairman Clifton asked for clarification that the property in question does not have the required amount of parking spaces for the use requested.

Ms. Evans stated that the parking spaces are enough for the interior business but with the addition of food trucks it would not be enough.

Mr. Spencer asked Ms. Evans if she obtained a written or verbal agreement for the overflow parking.

Ms. Evans stated that it was a verbal agreement with the written agreement being created.

Mr. Spencer asked if Ms. Evans would be able to obtain the written agreement before the City Council meeting.

Ms. Evans confirmed that was possible.

Mr. Spencer asked if the overflow parking would be available during all business hours.

Ms. Evans stated that it would be available during all operating hours. She stated that there will be over 30 parking spots available.

Chairman Clifton confirmed with the applicant that they were given verbal permission. As well as, they are in the process of getting written approval.

Mr. White asked how many food trucks would be allowed in the food court.

Ms. Evans stated that up to four food trucks at a time would be allowed on the property. She stated that the trucks would park under the canopy. Also, ADA parking is located on the left side of the building closest to the bay. There will be 13 parking spaces located on the property, along with a barricade for safety located at the corner of the property nearest G St. and JFK Blvd.

Mr. White asked if the overflow parking was across the street and if patrons will have to cross the street to reach the food truck court.

Ms. Evans stated that the patrons would have to cross the street.

Mr. White stated that he believes that "No Parking" signs will be necessary for the corner of the street. He believes the pedestrian traffic will cause traffic issues and safety concerns. He questioned if there would be sanitation facilities located on the property.

Ms. Evans stated that there are two preexisting restrooms located in the store on the property.

Mr. White asked if the facilities are functional.

Ms. Evans stated that it is functional but she does plan on making some cosmetic repairs.

Mr. Foster asked staff if the applicant was providing the required number of parking spaces for the location and the use.

Mr. Spencer stated that the requirement was three spaces per truck plus the requirement for the grocery store part of the use. There was a negotiation to go to two spaces with a written lease to use neighboring parking lot.

Mr. Foster stated that the written lease is a good idea and believes it will alleviate most of the parking concerns.

Chairman Clifton stated that the use of the property has been sought after for quite some time by Park Hill residents. He believes that it will increase the food traffic, visitor and shopping numbers will increase, as well as increase revenue to the area, all around benefiting the neighborhood.

Mr. White asked if staff had received any calls from neighbors.

Mr. Spencer stated that all calls were in concern with the parking moving up G St. not the use of the property.

Mr. White asked if “No Parking” signs could be placed near the corner of G St. near the JFK intersection.

Mr. Spencer stated that if that was to happen then it would affect the residents’ parking.

Chairman Clifton asked if there was anyone else who would like to speak on this application.

Jim Fore, 505 W F St.

He stated that he is a long time neighbor of the property in question. He believes the use is a great idea but the parking is concerning. He believes there are too many activities for the use in question for the amount of parking that is being presented. He stated that most residential lots on G St. are very narrow and residents are forced to park on the street in most cases. He believes that the business would be a good fit as long as the parking concerns are remedied beforehand. He stated that he does not believe that the lot in question is big enough for the use requested.

Mr. Foster stated that he believes the business will attract more foot traffic and help create a more livable space.

Mr. Fore stated that the traffic will be forced up G St.

Chairman Clifton stated that he believed that Ms. Evans agreed to “No Beer Sales” during the staff meeting. He asked the applicant if this was correct.

Ms. Evans stated that she is not actively seeking to sale beer but would consider it depending the success of the business.

Chairman Clifton asked staff if there was a condition in place to prevent beer sales at this location.

Mr. Spencer stated that recommendation R states that food trucks will not be allowed to sale beer but it would be allowed inside the building.

Mr. Foster asked if the applicant had met with Park Hill Development Association.

Ms. Evans stated that she had only spoken with Ken Walker on the phone.

Roger Emersol stated that he is also for the idea but is very concerned about the parking issues. He stated that he would feel more comfortable when the applicant obtains the written agreement for the overflow parking. He stated that signs reading “Residential Parking Only” should be installed. He stated that the street is already congested with residents only.

Mr. Foster stated that recommendation T addresses the requirement to obtain written agreement for the parking.

Mr. White stated that the parking is the only thing that needs to be addressed. He asked if staff could contact the traffic department to find out if the requested signs would be allowed.

Mr. Spencer stated that he would contact the traffic department and retrieve a decision on the parking signs.

Mr. White asked if the decision would be made before City Council.

Chairman Clifton asked if conditions could be put on a Conditional Use or only on Special Use permits.

Mr. Spencer stated that conditions are attached to the property not the street.

Chairman Clifton stated that the committee should make motion to prohibit alcohol sales until parking lease expires. After that the applicant would have to go through the steps for alcohol sales. As well as parking signage.

Mr. Foster stated that he is not in favor of signage unless it is recommended by the City Engineer. Also, he does not believe the parking lot lease and beer sales should be dependent on one another.

Chairman Clifton stated that he is trying to fix it so beer sales would not be allowed.

Mr. White stated that a condition for required parking signage on G St. as well as prohibition of beer sales needs to be added as an amendment.

Mr. Spencer asked if they were speaking for the trucks only or the sale of alcohol as whole.

Mr. White stated that he would like it to include all alcohol sales.

Mr. Banks stated that the Planning Commissioners should only be considering the request on the table in regards to food trucks. He stated, in regards to street signage, traffic engineers will not install signs based on probability. He stated signs don't stop anything, enforcement does. In regards to beer sales, he stated that there were many steps that would have to be taken to allow for beer sales. He stated that the only thing to be considered should be the active request. He cautioned the board members on putting too many conditions on the request.

Mr. Mosley stated that he agrees with Mr. Banks statement about only focusing on the request at hand. He stated that the proposal that states that they are not going to sale alcohol from the food trucks. As well as, have a written lease for parking before the request goes before City Council. He stated that Mr. Banks addressed the issue correctly.

Mr. White asked the applicant if they were wanting beer sales.

Mr. Mosley stated that the request states “craft beer sales”. He stated there needs to be a distinction made whether the request was for sales from food trucks or the premises in general.

Ms. Evans stated that at the moment it was not a request but in the future if business grows, it would become a consideration.

Mr. Mosley asked if there was anything in the current zoning ordinance preventing the sale of beer at this location as written as part of a Conditional Use.

Mr. Spencer stated that there was nothing preventing beer sales.

Mr. Mosley agreed with Mr. Banks on not adding too many additional conditions. He stated that there are also two entities that also have to vote on the sale of alcohol if the applicant chooses to request this use. He stated that in the future similar requests or uses should be treated alike.

Mr. Foster stated that recommendation R covers the sales of alcohol from the food trucks. He stated that the only thing that needs to happen is to obtain the parking lot lease before City Council.

Mr. White requested that the applicant provide signage directing patrons to the overflow parking area to protect the residents, patrons, and business owners.

Mr. Fore stated that the designated parking signs would add comfort to the parking concerns.

Council Member, Beth White, stated that she has been working with the applicant on this request for several months. She stated that the Park Hill business group is in support of the concept. She stated that Park Hill residents are excited for the addition but no set on the location. She stated that many residents are forced to park on the street due to the limited driveway space. She stated that the applicant has worked hard with the community to create a concept to fit the entire neighborhood.

Chairman Clifton asked for any other questions or concerns.

Chairman Clifton asked for a roll call to vote.

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

Conditional Use #2020-1 was approved with (7) affirmative votes.

3. Rezone #2020-1

To allow property at 7123 Service Rd. from c-3 to R-2 and to amend the Land Use Plan from Single Family to Community Shopping to allow the expansion of a single family house.

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

John Jacoby stated that he did agree with all of the recommendations.

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	Yes	White	Yes
Chambers	Absent	Phillips	Yes	Clifton	Yes

Rezone #2020-1 was approved with (7) affirmative votes.

4. Rezone #2020-2

To allow rezone property at 2524 Gribble St. from Conservation to R-4 and to amend the Land Use Plan from Light Industrial to Multi- Family to allow for a duplex.

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

Jack King stated that he did agree with all of the recommendations.

Chairman Clifton asked if there were any oppositions on the application.

Mr. Spencer confirmed there were no oppositions.

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	Yes	White	Yes
Chambers	Absent	Phillips	Yes	Clifton	Yes

Rezone #2020-2 was approved with (7) affirmative votes.

5. Special Use #2020-2

To allow a food trailer at 10401 Maumelle Blvd.

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

Westley Wibachman stated that he did agree with all of the recommendations and can accommodate all conditions for the request.

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	Yes	White	Yes
Chambers	Absent	Phillips	Yes	Clifton	Yes

Conditional Use #2020-2 was approved with (7) affirmative votes.

Public Comments/Adjournment:

Chairman Clifton asked staff to review the changes made in the zoning ordinance.

Mr. Spencer stated that the commissioners were provided with a copy to review and send in changes but it was still under review by legal so it was not ready for public review. He stated that he is hopeful to have it ready by the March meeting.

Mr. White asked why the food truck court applicant had to have restroom facilities and the food truck did not.

Mr. Spencer stated that the zoning ordinance only requires food truck courts, consisting of two or more food trucks, to provide restroom facilities. He said the zoning ordinance does not regulate trucks or trailers.

Chairman Clifton stated that the ordinance should be reviewed so that the Commissioners and public would be aware of the changes.

Mr. Spencer stated that there are some major changes that he will go over after it is approved through legal. He stated that this will not be an amended ordinance. It will be completely new.

Mr. Foster stated that one issue that is lingering is concerning Air BnB.

Mr. Spencer stated that Mr. Chambers is to meet with Air BnB representative to review the idea.

He said right now there is only a stand-alone ordinance regulating Air BnB. He stated that the main concern would be to reduce the number of homes being subleased and becoming basically a hotel type atmosphere.

Mr. White asked if there was anything in the ordinance regulating the parking of RV's in residential driveways.

Mr. Spencer stated that the issue would be covered of a vacant RV sitting at a residence would be covered.

Mr. Foster asked if requirements could be put on residential RVs.

Mr. Mosley said that he would look into question if there is a regulation on residential RVs. He also made known that it is very important to understand the balance between public health and welfare.

Mr. Foster stated that it would not be right to ask someone to move something or change something that was not a condition or requirement set in place when the property was purchased.

Mr. Mosley stated that something of this nature is prevented by being "Grandfathered In" or nonconforming, preexisting use with vesting rights.

Mr. Foster made a motion to adjourn and it was seconded.

Chairman Clifton adjourned the meeting at 5:02pm.

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Tim Reavis", written over a horizontal line.

Tim Reavis, Planning