

**North Little Rock Planning Commission
Regular Meeting
May 11, 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
Foster
Wallace
White, Vice- Chairman

Members Absent:

Dietz
Phillips

Staff Present:

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

Approval of Minutes:

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

Administrative:

A motion was made and seconded to excuse members Dietz and Phillips.

Public Hearing:

1. SD2021-19 McCain Mall Addition, Block 1, Lots 1A & 1B (Replat at 3930 McCain Blvd)

- 1. Planning requirements before the plat will be signed:**
 - a. Provide access easement so that lot 1-b is guaranteed access from existing entrance from McCain Blvd.
 - b. Provide sanitary sewer easement to cover the sewer main and manhole inside the southeast property line of lot 1-b.
 - c. Provide a 10-ft utility easement along the road frontage of McCain Blvd.
- 2. Meet the requirements of Community Planning, including:**
 - a. Provide the standard requirements of Zoning and Development Regulations.
- 3. Meet the requirements of the Master Street Plan, including:**
 - a. The existing sidewalks were recently installed. No repairs necessary.
- 4. Meet the following requirements concerning signage:**
 - a. All signs require a permit and separate review.
- 5. Meet the requirements of the Fire Marshal, including:**
 - a. Provide an approved fire protection plan.
- 6. Meet the requirements of CAW, including:**
 - a. Provide a 10-ft utility easement along the road frontage of McCain Blvd.
- 7. Meet the requirements of NLR Wastewater, including:**
 - a. Provide sanitary sewer easement to cover the sewer main and manhole inside the southeast property line of lot 1-b.

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

Chairman Clifton asked for any 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	Absent	Clifton	Yes

SD2021-19 was approved with (7) affirmative votes.

2. SD2021-20 McCain Mall Addition, Block 1, Lot 3RR & Lot 3C (Replat at 4101 Warden Rd.)

- 1. Planning requirements before the plat will be signed:**
 - a. Provide and label cross access easement for lot 2.
 - b. Provide 15' sanitary sewer easement to cover the sewer main serving BJ's Brewhouse.
 - c. Provide a 10 foot utility easement along Warden Rd.
- 2. Meet the requirements of Community Planning, including:**
 - a. Provide the standard requirements of Zoning and Development Regulations.

- 3. Meet the requirements of the Master Street Plan, including:**
 - a. Sidewalks not required due to location along highway.
- 4. Meet the following requirements concerning signage:**
 - a. All signs require a permit and separate review.
- 5. Meet the requirements of the Fire Marshal, including:**
 - a. Provide an approved fire protection plan.
- 6. Meet the requirements of CAW, including:**
 - a. Provide a 10-ft utility easement along the road frontage of Warden Rd.
- 7. Meet the requirements of NLR Wastewater, including:**
 - a. Record 15’ sanitary sewer easement to cover the sewer main serving BJ’s Brewhouse.

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

Chairman Clifton asked for any other questions or concerns.

Chairman Clifton asked for a roll call to vote.

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

SD2021-20 was approved with (7) affirmative votes.

3. Conditional Use 2021-6 To allow a warehouse – office business in a C4 zone at 775 Judi Dr.

Chairman Clifton asked that applicant if they agreed with all of the recommendations from the Design Review Committee.

The applicant agreed.

Chairman Clifton asked for any other questions or concerns.

Chairman Clifton asked for a roll call to vote.

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

Conditional Use 2021-6 was approved with (7) affirmative votes.

4. SD2021-21 D & B Commercial, Lot 5 (SPR warehouse at 775 Judi Dr.)

- 1. Provide an approved City Council Ordinance for a Conditional Use in C4 for warehouse / office use.**
- 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. Option to pay the drainage in-lieu of fee of \$5000/acre instead of providing onsite detention.
 - 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 CNLR Floodplain Development Permit application to City Engineer.
 - 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 signed construction plans and specifications (PDF format) to NLR Planning Department.
- 3. Meet the requirements of the City Engineer, including:**
 - a. If the proposed subdivision/development is located in a FEMA designated floodplain, the first floors of any building or house are to be a minimum of 1' above the 100-Year Base Flood Elevation (BFE). At the completion of the project, submit Elevation Certificate to City Engineer.
 - b. Label floodplain boundary. If the proposed subdivision/development is located in a FEMA designated floodplain, submit Letter of Map Revision Based on Fill (LOMR-F) at end of project and provide a copy of FEMA approval to City Engineer.
 - c. Driveway radii shall be labeled and shall have 25' minimum radii and be built according to CNLR standard details (available at NLR Engineering Department).
 - d. Cross drains in the ROW shall be labeled and shall be RCP with flared end sections unless otherwise approved by Engineering.
- 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 shall be shielded and not encroach onto neighboring properties.
- 5. Meet the requirements of the Master Street Plan, including:**
 - a. Sidewalks previously waived for the subdivision.
- 6. 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 30' on center.
 - d. Provide (3) 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.
- 7. Meet the following requirements concerning signage:**
 - a. All signs require a permit and separate review.
- 8. Meet the requirements of the Fire Marshal, including:**
 - a. Provide an approved fire protection plan.
 - b. Must meet the 2012 Arkansas Fire Code and the 2012 Arkansas Building Code
 - c. Must meet the 85,000 lb weight requirement for fire apparatus access.
 - d. Must meet the fire hydrant location requirements in the AFC.
 - e. Plan for sprinkler system for the future expansion.
- 9. 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. 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.
 - c. 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 Fire Department is required.
 - d. The facilities on-site will be private. When meters are planned off private lines, private facilities shall be installed to Central Arkansas Water's material and construction specifications and installation will be inspected by an engineer, licensed to practice in the State of Arkansas. Execution of Customer Owned Line Agreement is required.
- 10. Meet the requirements of NLR Wastewater, including:**
 - a. Contact Ed Toland at etoland@nlrwu.com to ensure no pretreatment or industrial permitting is required.
 - b. Non-metered discharge and any surface runoff is not permitted.
 - c. Please submit a full set of plans to NLRW for review and approval.
 - d. Wilcox Connection fee is required.

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

Chairman Clifton asked for any other questions or concerns.

Chairman Clifton asked for a roll call to vote.

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

SD2021-21 was approved with (6) affirmative votes.

5. SD2021-24 Quapaw Subdivision – Master Plan

- 1. Each phase will require a separate preliminary plat review by the Design Review Committee and approval from the Planning Commission.**
- 2. Engineering Comments:**
 - 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. Detention areas shall be shown and labeled as common areas that will be owned and maintained by POA.
 - c. Provide full street improvements (street, drainage, curb and gutter, sidewalk, cross walks) or a performance bond. Street improvements must be approved by City Engineer and accepted by City Council.
 - d. Stone Links Drive to be built as a collector. The small existing section of Stone Links that was not built as a collector will be used for traffic calming.
- 3. Planning Comments**
 - a. Maximum block length is 1,320 feet.
 - b. Maximum length of a cul-de-sac is 750 feet.
 - c. Provide common recreation space.
 - d. Collector Right-of-Way is 60’.
 - e. As Stone Links is to be built as a collector with 60’ ROW, recommend reconfiguration so that individual driveways are not directly accessed from Stone Links.
- 4. Fire Marshal Comments**
 - a. The 2nd Fire apparatus access must be developed prior to the 30th house being built.
 - b. Fire Hydrants every 1,000 feet of undeveloped areas and every 500 feet once houses are developed.
- 5. NLR Electric Comments**
 - a. NLR Electric will be the electric provider for this subdivision.
- 6. CAW Comments**
 - a. All Central Arkansas Water requirements in effect at the time of request for water service must be met.
 - b. A water main extension will be needed to provide water service to the property along Highway 391.
 - c. A hydraulic evaluation of the water system will need to be conducted to size the water facilities.
 - d. Provide 15-ft utility easement along road frontage of AR HWY 391 and Faulkner Lake Rd.
 - e. 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.

- f. 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.
- g. 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 Fire Department is required.

7. NLR Wastewater Comments

- a. Wilcox Connection Fee required.
- b. Public Sewer main extension required at the developer's expense.

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

Mike Marlar, owner, Jason Shepard, Land Surveyor, Joann Johnson Engineer over planning, all of Halff+Marlar Engineering

Mr. Marlar stated that this is a Pre-preliminary plot plan. He stated he adjusted some of the block boundaries to meet the City requirements. On the east side, there are two proposed commercial lots that the client would like to change to C-4 zoning from C-2. He gave staff a revised submittal to Mr. Spencer today to include this change. He stated that he was aware that the approval will come when they turn in the formal submittal.

Chairman Clifton asked Mr. Spencer if it is worked out could this request be approved by Planning Commission today.

Mr. Spencer confirmed that it could be approved today. He stated that this will just be a guide for the future of that area. He stated that they will have to submit in phases and things could change.

Chairman Clifton asked for any other questions or concerns.

Marie Calwell, Stone Links resident, stated that this area has recently become heavily populated with the new addition of Amazon and other changes in the area. She stated there are problems with Faulkner Lake Road being opened and closed. She stated that she is concerned with the traffic becoming a problem. She asked how the current traffic problems would be corrected. Also, she stated that there are comments that Stone Links Road will be used as a collector road and wants clarification.

Chairman Clifton asked staff if the applicant would be required to do a traffic study in the area.

Mr. Spencer confirmed a traffic study would be done. He stated that this is just a plan and the applicant was looking into building a grocery store there. Also, He stated that Stone Links Road is a wider road and allows for more vehicles to get through. He said that the lower part of Stone Links Road is already a collector, built to that standard, so the new addition is being built to match that.

Ms. Calwell asked if the construction traffic would affect her neighborhood.

Mr. Spencer stated that the construction traffic would have the drive through to get to the new phase just as they drove through phase 1 to get to phase 2.

Ms. Calwell asked if this was actually a phase of Stone Links.

Mr. Spencer confirmed it was a phase that was planned 30 years ago.

Ms. Calwell stated that she was confused on if it was going to be a phase of Stone Links.

Mr. Marlar stated that it is another phase but it will be called Quapaw Edition. He confirmed that construction equipment would have to drive through that area to get to the new phase.

Ms. Calwell stated that she is worried about the condition of the roads in the area.

Mr. Foster stated that he did not see any pocket parks in the proposed plan and asked Mr. Marlar if he was only going to develop the conservation area for parks and not break up the sea of houses with pocket parks.

Mr. Marlar stated that he does plan on having parks, lakes, pedestrian and bike trails.

Ms. Johnson stated that they will repurpose the existing golf cart paths into walking and bike trails. Also, they will have public areas around the lake.

Mr. Foster stated that it was talked about breaking up the housing with pocket parks and is disappointed that this is not being done.

Chairman Clifton asked if that was something that could be considered to add to the development in the future.

Mr. Marlar confirmed. He stated that he has met with the Mayor about different uses for the residents in the area.

Mr. Foster asked if that meant they were planning this but it just wasn't shown on the plan presented.

Mr. Marlar confirmed. He stated he could show an aerial map that includes all of these uses.

Chairman Clifton asked for any other questions or concerns.

Chairman Clifton asked for a roll call to vote.

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

SD2021-24 was approved with (7) affirmative votes.

- 6. SD2021-22 Quapaw Subdivision, Phase 1 (preliminary plat – residential subdivision on Stone Links Dr.)**
 - 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.
 - 2. Planning requirements before the plat will be signed:**
 - a. Show Stone Links as 60' ROW.
 - b. Provide a bond for 1 tree per lot.
 - 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.
 - 4. Meet the requirements of Community Planning, including:**
 - a. Provide the standard requirements of Zoning and Development Regulations.
 - 5. Meet the requirements of the Master Street Plan, including:**
 - a. Street improvements and sidewalks are existing.
 - 6. Meet the requirements of the Screening and Landscaping ordinance, including:**
 - a. All disturbed areas are to be sodded, fertilized, watered and mulched.
 - b. Provide 1 tree per lot.
 - 7. Meet the requirements of the Fire Marshal, including:**
 - a. Provide an approved fire protection plan.
 - b. Fire hydrants every 1000 feet of undeveloped areas and every 500 feet once houses are developed.
 - 8. 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. Contact CAW New Service Department for obtaining water meters.
 - 9. Meet the requirements of NLR Wastewater, including:**
 - a. Wilcox Connection fee required.
 - b. Please submit a full set of plans for review and approval.

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

Chairman Clifton asked for any other questions or concerns.

Ms. Calwell stated she is confused on if it is a phase of Stone Links, why is it called Quapaw Edition.

Mr. Spencer stated that the new owner decided to change the name to Quapaw Edition.

Ms. Calwell stated that she wanted to be clear that it is not a phase of Stone Links, it is phase one of Quapaw subdivision.

Ms. Spencer confirmed that there are 7 or 8 lots that will be considered that will be named Quapaw Edition.

Mr. Chambers stated that the new developer changed the name.

Chairman Clifton asked for a roll call to vote.

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

SD2021-22 was approved with (7) affirmative votes.

7. Public Hearing 2021-11 To accept a hillside cut at 5503 JFK Blvd.

Thomas Pownall, Thomas Engineering, stated that they are going to tear down the existing building that is being used as a salon and replace it with an Orthodontic office. He stated that they will be expanding the parking lot to the rear that creates a hillside cut. This will generate a hillside cut permit. He stated that they have submitted a preliminary report to the City Engineer about the hillside cut. There is some question if the final plan needs to be submitted before it can be approved.

Mr. Spencer stated that it is required before the final plat is signed and before the building permit is issued if there is not a plat.

Elaine Lee, City Attorney, stated that the City Attorney's office would concur that the final plat would be due before any building permits can be issued.

Mr. Chambers asked the City Engineer if this was an adequate report and if he supports this wall,

David Cook, City Engineer, stated that they are following the hillside cut ordinance. He feels that it is necessary for a final report before it is passed by Planning Commission due to the expense and the chance of being turned down.

Mr. Foster stated that he had some comments from a resident in the area. He stated that the report gives a lot of good information. He asked the applicant if there is enough information in the report to build the wall.

Mr. Pownall asked Engineer, Steve Garrett, to explain it further.

Mr. Garrett stated that he has looked at the site several times. He stated that the area is solid rock all the way down. He has given the contractor several choices, none of them being concrete due to not having room to pour the footings. He stated that it will be some kind of segmental gravity wall. There are two or three options being looked at.

Chairman Clifton asked if Mr. Garrett anticipates anything stopping the applicant from being able to complete this plan.

Mr. Garrett stated he did not believe so but it would be a very costly project to remove all of the rock. He stated that they will meet the City's requirement that the wall will be sufficient for weathering.

Mr. Foster asked if the design would be approved by the City Engineer.

Mr. Cook confirmed he would have to approve the design before a building permit is issued.

Mr. Chambers asked that with this wall being such a costly to build, if the applicant needs six extra spaces.

Mr. Pownall stated that he asked the same question and was told the applicant knows the expense and does need the spaces.

Mr. Chambers stated that from what he sees the parking lot is at 5%. He stated that if you go up steeper, maybe not desirable, to 6% or 7% that would allow the wall to be lower.

Mr. Pownall stated that he has taken that driveway up as high as he is comfortable with.

Mr. Chambers stated that he was just trying to find a solution to make the wall 10' instead of 14'. He stated that this is the same geological formation as the Hobby Lobby site that has historically had problems with rock slippage. He stated that this is not the same height of cut at all and with a wall in front of it, it will be protected from weathering. He asked Mr. Garrett if this design would be more stable.

Mr. Garrett confirmed it would be stable.

Mr. Foster added that the report stated that the sandstone would be stable at 10

feet. Chairman Clifton asked for any other questions or concerns.

Chairman Clifton asked for a roll call to vote.

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

Public Hearing 2021-11 was approved with (7) affirmative votes.

Mr. Chambers stated that concerning condition 7 about the trees that trees behind a segmental wall helps strengthen the wall.

Mr. Garrett stated that this is true for Segmental Block wall, whereas this will be a rock wall and will not have a grid behind it. So they do not want the roots to spread to rocks out.

8. SD2021-23 Park Hill Add, Blk 201, Lot 22 (SPR orthodontics office at 5503 JFKBlvd)

- 1. Before a building permit is issued, meet the requirements of the Hillside Cut Ordinance.**
- 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 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. If necessary, provide copy of ARDOT driveway 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.
- 3. Meet the requirements of the City Engineer, including:**
 - a. Meet the requirements of the hillside cut ordinance.
- 4. 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. A 3 ½ foot safety fence is required on top of the retaining wall.
- 5. 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.
- 6. 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.
 - d. Provide 5 parking lot shade trees. Large shrubs may be substituted for trees near the retaining wall.
 - 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. Large shrubs may be substituted for trees near the retaining wall.
- 7. Meet the following requirements concerning signage:**
- a. All signs require a permit and separate review.
 - b. Property is located in the JFK Blvd Sign Overlay District.
- 8. Meet the requirements of the Fire Marshal, including:**
- a. Provide an approved fire protection plan.
 - b. Must meet the 2012 Arkansas Fire Code and the 2012 Arkansas Building Code.
 - c. Must meet the fire hydrant location requirements in the AFC
- 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. Approval of plans by AR Dept of Health Engineering Division is required. Proposed water facilities will be sized to provide adequate pressure and fire protection.
 - c. 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 Fire Department is required.
- 10. Meet the requirements of NLR Wastewater.**

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

Mr. Pownall asked how to meet the tree requirement if the trees are bad for the wall.

Mr. Chambers stated that shrubs would be allowed in place of the trees.

Mr. Spencer agreed and added that the issue would be addressed and there would be a railing and a fence around it as well.

Mr. Pownall stated that the fence would be 8 feet as required for buffering.

Mr. Foster asked what kind of fence it would be.

Mr. Pownall stated it would be an 8' wood fence.

Mr. Chambers proposed that in light of the engineering report and the wall, in place of the trees we will replace them with large shrubs.

Chairman Clifton asked the applicant if they agreed. Mr.

Pownall agreed.

Chairman Clifton asked for any other questions or concerns.

Chairman Clifton asked for a roll call to vote.

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

SD2021-23 was approved with (7) affirmative votes.

9. SD2021-25 Massey Subdivision, Lot 1 (Prelim Plat and SPR at 6910 Dewaffelbakker Dr.)

1. Engineering requirements before the plat will be signed:

- 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. Provide ½ street improvements (street, drainage, curb and gutter, sidewalk, street lights) or a performance bond.
- c. Street improvements must be approved by City Engineer and accepted by City Council.

2. Planning requirements before the plat will be signed:

- a. Provide half of 70' ROW dedication along Dewaffelbakker. Dr.
- b. Provide access easement for the cemetery.
- c. Provide 10' utility easement along Dewaffelbakker 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 CNLR driveway/curb cut permit application to City Engineer or copy of ARDOT driveway permit if State Highway.

- e. If applicable, 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. 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.
- 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 half of 70' ROW dedication for Dewaffelbakker Dr.
- 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 center.
 - d. Provide 8 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.
- 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. Must meet the 2012 Arkansas Fire Code and the 2012 Arkansas Building Code.
 - b. Must meet the fire hydrant location requirements in the AFC.
- 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. Provide a 10-ft utility easement along road frontage of Dewaffelbakker Dr..

- c. 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.
- d. 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 Fire Department is required.
- e. The facilities on-site will be private. When meters are planned off private lines, private facilities shall be installed to Central Arkansas Water's material and construction specifications and installation will be inspected by an engineer, licensed to practice in the State of Arkansas. Execution of Customer Owned Line Agreement is required.

11. Meet the requirements of NLR Wastewater, including:

- a. White Oak Connection fee required.
- b. Sand/oil interceptor required if any floor or trench drains are proposed in the shop area.
- c. Submit full set of plans for review and approval.

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

Chairman Clifton asked for any other questions or concerns.

Chairman Clifton asked for a roll call to vote.

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

SD2021-25 was approved with (7) affirmative votes.

10. Special Use 2021-8 To allow an event center in an R2 zone at 503 Morris Rd.

Karen Martin stated that she owns a wedding and event center that has been in business for over 5 years.

Mr. Spencer stated that she is not in the city limits. He stated she just wanted to do the right thing and get legal.

Mr. White made a motion for approval.

Mr. Foster seconded the motion.

Chairman Clifton asked for any other questions or concerns.

Chairman Clifton asked for a roll call to vote.

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

Special Use 2021-8 was approved with (7) affirmative votes.

11. Rezone 2021-10 To rezone 32 lots along N. Olive, N. Magnolia, and N. Poplar Streets from R4, I1, & C5 to C6 to allow for mixed use development.

Fletcher Hansen, Newmark Moses Tucker Partners, stated that they have looked at developing this area since the original 2010 plan for Argenta. He stated they have been acquiring several lots of the years but have found it difficult to develop something so special for Argenta. He stated that they believe it is a great way to create walkability. He stated they have done studies with large companies and this is what the employees want to see.

Mr. Chambers stated that there are no lots on Cypress unlike what it shows. He stated that there are lots in the middle of these lots. He asked the applicant if they planned on working around these lots or planned on purchasing the lots.

Mr. Hansen stated that the ultimate goal is to purchase these lots but if that is not possible they will design around them.

Chairman Clifton asked for any other questions or concerns.

Ardie Kinsey stated that in 1994 he and his team purchased the location at 824 N. Magnolia and the adjacent lot to the south of the Masonic lodge building. He stated that for many years he and his team have worked together with the city to improve that area. He said he was helpful in getting rid of the bad apples for that area. He stated that he has worked with many families in this area to improve the neighborhood. He stated that they fully support the development and want to continue to be good neighbors. He stated that they are not interested in selling their property. He wants to make sure the new development will not affect what they are doing at the Masonic Lodge and American Legion. He likes what they are doing and has some ideas on how to improve his property as well. He stated that he has reached out to Roger Coburn about trees that are affecting his property but Mr. Coburn has not addressed the issue. He stated that he will continue to support them.

Mr. Hansen stated that he wants to embrace what is there and work with it.

Mr. Lamb, 806 Magnolia, wants to know how this will affect his property.

Mr. Spencer stated that they are not rezoning his property.

Applicant asked how much would be residential and how much would be commercial. He asked what types of uses the developer has planned.

Mr. Spencer stated that this is just a plan and could change as needs change.

Mr. Hansen stated that it is their plan to build a neighborhood not buildings. He stated that it would be something like an art studio or a café on the corner. He stated it would be soft commercial to create a friendly, walkable area.

Mr. Chambers stated that sidewalks are required and already exist.

Mr. Hansen stated that towards the north of the development there is a greenbelt that would use for parks and would also have pocket parks to bring connectivity.

Chairman Clifton asked for a roll call to vote.

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

Rezone 2021-10 was approved with (7) affirmative votes.

12. Conditional Use 2021-7 To allow a coffee shop with a drive-thru in a CPH zone at 3515 JFK Blvd.

Mark Whitehead stated that he would like to open a second location in Park Hill. This will be a lounge, sitting area. He stated that they want to add a drive thru window to take the load off of the location in the Hobby Lobby parking lot.

Mr. Foster asked staff what the calls in opposition were concerned about.

Mr. Spencer stated that they were concerned with the ownership of certain parking spots.

Dr. Alexander Kita, 3517 JFK Blvd., stated he shares the driveway with the applicant. He stated that he is concerned that the drive thru will leave more room for human error. He is worried it will increase the danger for pedestrian traffic in the parking lot. He stated that he is concerned that a child will dart out into the parking lot and get hit by someone in the drive thru not paying attention. He stated that there is on 18.5 feet of clearance between the buildings. He stated that his AC unit has been taken out twice. He stated that the café is a great idea. He believes that the new café will increase visibility and foot traffic. The concern is peak traffic times. He stated that Mr. Whitehead has said that in the future they want to expand that location. Dr. Kita believes this will cause more traffic concerns. He stated he is concerned with the traffic issues for new drivers and patients. He stated that he believes the coffee shop is a good idea but doesn't feel the drive thru is possible.

Mr. Chambers stated that he is conflicted about the application. He stated that the traffic issues being pointed out are universal for any parcel from A Ave. to H Ave. He stated that it was once residential and has been converted into commercial over decades. He stated that none of the traffic movements are ideal on any parcel. He is conflicted because Park Hill has been begging for development for the last decade. He stated that he was part of the original team for the Jump Start program and he is very familiar with the improvements that are about to take place. He said that the traffic will be worse over the next 2 years and hopefully resolve after that.

Shannon Hicks stated that Park Hill is a special ordinance that does not allow drive thrus. She stated that people don't want call boxes because they are close to the neighbors behind. She said that there is 20 feet between the buildings. She doesn't believe that is not enough space for big trucks in the drive thru. She is will endanger the pedestrians, patrons, and children. She stated she is concerned that they are staying open until 10pm at night.

Mr. Spencer corrected Ms. Hicks stating that Park Hill does not restrict drive thrus completely but will allow them with a Conditional Use.

Ms. Hicks stated that there is not room for two cars to use the entrance and exit.

Mr. Chambers stated that humans are creatures of convenience. He believes if it is difficult to use the drive thru than people will stop using it naturally. He stated that it is the same amount of traffic that they have at the original location, this location was just a little more urban and tight.

Mr. Whitehead stated that he has been investigating the pivotal placement of the order board. He stated if he puts it on the Southwest corner it will encourage everyone to hug the building and they will still be on Mr. Larson's property. He stated that Ms. Hicks only has 8 feet behind her building but he would allow her to use his drive to get through.

Dave Larson, property owner, stated that he ran a bike sales business at this location for 7 years. He stated there are two drive ways to this property. He said he talked with both Dr. Kita and Ms. Hicks to resolve any issues before he thought about signing the lease for the coffee shop. He said he proposed making the entrance on Dr. Kita's side a one way entrance. He stated that delivery trucks drive thru this property and he doesn't see traffic issue. He stated that he will talk to an HVAC contractor and the city on moving the unit closer to the building.

Ms. Hicks stated that she did speak with Mr. Larson on three or four times. She said that she loves the idea of the coffee shop but she said there is no way she could make that a one way. She is worried about children and pedestrians. She said they are trying to get foot traffic to the area and this will be the opposite.

Mr. Foster asked Ms. Hicks if she uses Mr. Larson's property to access the back of her property.

Ms. Hicks denied.

Mr. Foster asked her how far it is from her building to her property line.

Applicant and Ms. Hicks argued over property lines.

Mr. Larson stated that there is a concrete divider. He stated that the 1963 plot plan from the original owner shows 8'2" clearance from building to property line.

Mr. White called the questions and asked for a vote. It was seconded.

Chairman Clifton asked for a roll call to vote.

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

Conditional Use 2021-7 was approved with (6) affirmative votes.

13. Special Use 2021-9 To allow dumpsters, picnic tables. And a storage container in a C3 zone at 4621 JFK Blvd.

Mark Whitehead stated that he owns the coffee shop kiosk in front of Planet Fitness. He said the added a storage container to store their products, picnic tables were added due to customer suggestion, added trash cans to keep up liter. He stated that the owner of the property has told him that from the entrance to the 4th or 5th parking spots are Mr. Whitehead's. He stated that he is willing to put a screen around the dumpsters.

Mr. Foster asked if the property owner or business owner would be responsible from screening the dumpsters.

Mr. Whitehead stated he would screen the dumpsters not the property owner.

Mr. Chambers stated that this building is a kiosk but the business has grown outside of the kiosk. He believes that the business owner should look into purchasing a new property. He feels they either need to subdivide into a real shop or accept the business as a kiosk.

Mr. White stated that he agrees with Mr. Chambers and cannot support this application.

Chairman Clifton asked Mr. Chambers if this area was included when the Park Hill overlay was planned.

Mr. Chambers said it was not included. The overlay stops at H Ave.

Chairman Clifton stated that coffee is very popular. He stated that just 50 feet down in the same parking lot, Our House has 2 dumpsters in front of their business. He stated that it is something that will need to be addressed.

Ms. Spencer asked if he was referring to the donation containers.

Chairman Clifton confirmed those are the dumpsters he is concerned about. He stated the dumpsters are the same, just have a different sign. He expressed that if staff will allow them to screen the dumpsters then he would support it. He stated that he has no problem with the picnic tables.

Mr. Whitehead addressed Mr. Chambers. He stated that this their Phase II. He stated as soon as he gets the Park Hill location running it is his intent to remodel the original kiosk location. He stated he is just waiting on approval from Dollar General. He stated the new design would be modern, with a spiral staircase to sit on the roof. Also, the remodel will include adequate storage for them to get rid of the picnic tables and the storage container will be part of his structure. He stated it was meant to be temporary due to initial storage issues.

Chairman Clifton asked if Mr. Whitehead could put a timeline on the removal.

Mr. Whitehead stated that it will be removed by the end of 2021. He stated he is just waiting on approval from Dollar General.

Chairman Clifton reiterated that if this is approved Mr. Whitehead would have the items removed by the end of 2021.

Mr. Whitehead confirmed.

Chairman Clifton asked for any other questions or concerns.

Mr. Chambers asked how the timeline would be enforceable.

Chairman Clifton stated that it is a Special Use case and a condition can be added.

Mr. Foster asked Mr. Spencer if that was possible.

Mr. Spencer confirmed that a sunset clause could be included. He said that Mr. Chambers was asking if the dumpsters, picnic tables, and storage container are not moved by December 31st, will the business really be shut down. He stated that it comes down to the enforcement.

Chairman Clifton stated that if the applicant doesn't comply with the conditions the business license would be revoked.

Mr. Chambers made a motion to approve the storage container, picnic tables, and dumpsters as submitted with the addition of screening around the dumpsters until December 31, 2021.

Mr. Whitehead stated that he will still need the dumpsters. He said he was referring to the picnic tables and the storage container being removed.

Mr. Foster asked Mr. Chambers included the dumpsters.

Mr. Chambers stated that he included the dumpsters, storage container, and the picnic tables all be included in a new facility by December 31, 2021. He stated that the dumpsters could be included with the property if it has the proper screening but can be included as shown until the December 31, 2021.

Chairman Clifton asked Mr. Spencer to reread the motion.

Mr. Spencer read the motion as “to allow two dumpsters, one storage container, and two picnic tables as shown with full screening until December 31, 2021.” He stated that full screening would have to be approved by Design Review Committee.

Mr. Chambers stated that he is in agreement with that movement.

Ms. Belasco stated that she was under the impression that the applicant had approval from the property owner to install the proper screening for the dumpsters. She asked if the dumpsters still have to be removed, screened or not screened, approved or not approved.

Chairman Clifton stated that they would be allowed now with approved screening but need to be removed by December 31, 2021.

Ms. Belasco stated that is because that is when he believes the renovation will be completed.

Chairman Clifton any renewing of the site plan would have to go through site plan review.

Ms. Belasco stated she just wanted to make sure the applicant wasn't being forced out of business because he does have approval from the landlord, but she stated that she understands now.

Ms. Lee stated that there may be some confusion. She stated that the applicant may have a timeline issue with the dumpsters as he is needing them passed December 31, 2021.

Mr. Whitehead confirmed and added that he doesn't necessarily have to have the recycle bin but he will need the screened dumpster.

Chairman Clifton asked if the applicant could request approval of his proposal for 2022 at the December Design Review Committee for a site plan review.

Mr. Spencer confirmed and added that it may not be in the same location but could be

included somewhere on his proposal.

Mr. Whitehead stated that with the preliminary plan he gave the property owner, he is only allowed a certain envelope before he starts encroaching on any traffic. He asked Mr. Reavis if the screens have to be masonry.

Mr. Reavis confirmed.

Mr. Chambers stated that the difficulty is that they are setting a president to allow dumpsters in the front yard. He stated that not just this property but he is against dumpsters in any front yard. He addressed Mr. Whitehead stating that he could incorporate the dumpsters into the building. He stated that temporarily because he doesn't want to shut down the business.

Chairman Clifton stated that the motion on the floor states that the dumpsters will be removed by December 31, 2021. He told Mr. Whitehead that if he needed them past that time he would have to include them in the Site Plan Review for 2022.

Mr. Spencer stated that the dumpsters could be stored in the building behind a garage door and rolled out on trash day only.

Mr. Whitehead asked if they just can't be visible from JFK Blvd.

Mr. Spencer stated that Mr. Whitehead would have to propose something to Site Plan Review for 2022. He stated that the idea is to move the dumpsters closer to the building and not standing alone.

Mr. White asked if they are going to vote on the amendment first then the application.

Chairman Clifton confirmed.

Chairman Clifton asked for a roll call to vote on the amendment only.

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

The amendment to Special Use 2021-9 was approved with (6) affirmative votes.

Mr. White asked Mr. Spencer if the applicant would be required to replat that area if he puts a building at that location.

Mr. Spencer stated that a replat would not be required but a building permit would be required.

Mr. White stated that he does not believe this will be completed in the timeline presented due to the shortage of labor and materials. He questioned if the City would actually enforce this. He stated that he will not be able to support this application.

Chairman Clifton stated that he believes that it should be left up to Mr. Whitehead on whether he will be done in time.

Chairman Clifton asked for a roll call to vote.

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

Special Use 2021-9 was not approved with only (4) affirmative votes. 5 required to pass.

Public Comments/Adjournment:

Chairman Clifton adjourned the meeting at 5:43pm.