

**Little Rock Board of Directors Meeting
February 2, 2016
6:00 PM**

The Board of Directors of the City of Little Rock, Arkansas, met in a regular meeting with Mayor Mark Stodola presiding. City Clerk Susan Langley called the roll with the following Directors present: Hendrix; Webb; Cazort; Wright; Fortson; Kumpuris; Adcock; Vice-Mayor Hines; and Mayor Stodola. Directors Absent: Richardson and Wyrick. Director Gene Fortson delivered the invocation, which was followed by the Pledge of Allegiance.

PRESENTATIONS

NUSA Drawing

DEFERRAL:

21. ORDINANCE; Z-8503-D: To approve a Planned Zoning Development and establish a Planned Residential District titled Herrick Heights Long-Form PD-R, located on the west side of South Bowman Road between Brodie Creek Subdivision and The Pointe at Brodie Creek Apartments, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 7 ayes; 4 nays; and 0 absent. Staff recommends approval. (Deferred at the applicant's request until March 1, 2016)*

Synopsis: The applicant is requesting to rezone the site from R-2, Single-Family, to PD-R, Planned Development – Residential, to allow for a multi-phase development to include single-family, multi-family and office uses. (Located in Ward 6)

Director Cazort made the motion, seconded by Director Adcock, to defer Item 21 until March 1, 2016. By unanimous voice vote of the Board Members present, **Item 21 was deferred until March 1, 2016.**

Director Wright stated that she had distributed a copy of a resolution that she had asked City Attorney Tom Carpenter to draft that would declare a twelve (12)-month moratorium on multi-family developments along Bowman Road in order to determine traffic patterns and the impact on existing neighborhoods of the current multi-family developments and to consider whether multi-family should be a part of the Land Use Plan on Bowman Road. Director Wright stated that she would like for the Board to allow staff time to look at the area to determine the impact based on future development. Director Wright stated that she would like to add it to the agenda that evening; however, if it was not approved to add to that agenda, it would be placed on the February 16, 2016, agenda.

Director Wright made the motion, seconded by Director Adcock, to add the resolution to the agenda.

City Attorney Carpenter stated that according to the ordinance passed by the Board regarding a Board Member's request to add an item to the agenda on the night of a meeting, it would take a $\frac{3}{4}$ majority vote. City Attorney Carpenter stated that with an eleven (11)-member Board (counting the Mayor), a $\frac{3}{4}$ majority would be nine (9) votes. City Attorney Carpenter stated that there were only eight (8) Board Members present and the Mayor would not be allowed to vote, as it was a procedural matter; therefore, the item would have to be placed on the February 16, 2016, agenda for Board action.

CONSENT AGENDA (Items 1 – 5)

1. RESOLUTION NO. 14,279: To award a contract to Contractor's Specialty Service Company for pavement markings within the City of Little Rock, Arkansas; and for other purposes. *Staff recommends approval.*

Synopsis: Authorizes the City Manager to execute an agreement with the low bidder, Contractor's Specialty Service Company, for street pavement marking improvements in the City of Little Rock.

2. RESOLUTION NO. 14,280: To authorize the City Manager to enter into a contract with V.R. Smith & Sons, Inc., in an amount not to exceed \$54,173.00, for selective demolition and stabilization of the William E. Woodruff House, located at 1017 East 8th Street, in the City of Little Rock, Arkansas; and for other purposes. *Staff recommends approval.*

Synopsis: Staff is requesting approval to enter into a contract with V.R. Smith & Sons, Inc., to perform selected demolition and stabilization work at the Woodruff House located at 1017 East 8th Street.

3. RESOLUTION NO. 14,281: To authorize the use of Eminent Domain on the 36th and Shackleford Road Improvement Project; and for other purposes. *(Funding from the 2013 Limited Tax General Obligation Capital Improvement Bonds and the 2012 3/8-Cent Capital Improvement Sales Tax)* *Staff recommends approval.*

Synopsis: Authorizes the City Attorney to use eminent domain to complete acquisition of right-of-way, temporary construction easements and land for improvements to 36th Street and Shackleford Road from Dover Drive to Old Shackleford, Project No. 13-6-100. (Located in Ward 6)

4. RESOLUTION NO. 14,282: To authorize the City Manager to extend a contract with the Arkansas Municipal League – Municipal Vehicle Program, in a total amount not to exceed \$307,483.23, to administer a Self-Insurance Program for the City of Little Rock's Motor Vehicle Liability Insurance including Compensation and Collision Coverage for current vehicles; and for other purposes. *Staff recommends approval.*

Synopsis: Approval of a resolution authorizing the City Manager to extend a contract with Arkansas Municipal League - Municipal Vehicle Program to administer a Self-Insurance Program for the City of Little Rock's Motor Vehicle Liability Insurance including compensation and collision for current vehicles.

5. RESOLUTION NO. 14,283: To authorize the City Manager to enter into a contract with Bails and Associates, in the amount of \$89,920, plus any applicable taxes, for Infor Lawson upgrade and installation services; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager to enter into a contract with Bails and Associates for upgrade and installation services for INFOR Lawson Version 9.0.1.14 to the latest recommended INFOR Lawson Version 10. The City utilizes INFOR Lawson as its primary Enterprise Resource Planning application for Finance, Human Resources, and Purchasing.

Director Adcock made the motion, seconded by Director Cazort, to approve the Consent Agenda. By unanimous voice vote of the Board Members present, **the Consent Agenda was approved.**

CITIZEN COMMUNICATION

Cheryl Warden, 2723 South Chester Street: Housing and Neighborhood Programs.

GROUPED ITEMS (Items 6 and 8 - 19)

Mayor Stodola stated that he had received cards from individuals wanting to address the Board regarding Item 7 and that it would be read separately.

6. ORDINANCE NO. 21,168: To amend Chapter 36 of the Code of Ordinances of the City of Little Rock, Arkansas, to provide for the modification of various procedures, definitions and land use regulations; and for other purposes. *Planning Commission: 11 ayes; 0 nays; and 0 absent. Staff recommends approval. (Deferred from January 19, 2016, at staff's request)*
Synopsis: Staff, through the Little Rock Planning Commission, is proposing a package of amendments to Chapter 36 of the Code of Ordinances, the Zoning Ordinance.

8. ORDINANCE NO. 21,170; Z-4343-FF: To repeal Ordinance No. 19,507 (March 21, 2006), titled The Ranch Tract D Short-Form PCD and to revoke a Planned Zoning District; and for other purposes. *Planning Commission: 10 ayes; 0 nays; and 1 absent. Staff recommends approval.*
Synopsis: The request is a revocation of the existing PCD, Planned Commercial District, zoning and the restoration of the underlying C-3, General Commercial District, zoning. (Located in Ward 5)

9. ORDINANCE NO. 21,171; Z-4635-C: To approve a Planned Zoning Development and establish a Planned Commercial District titled Huffstutlar Property Long-Form PCD, located at 10600 Interstate 30, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 10 ayes; 0 nays; and 1 absent. Staff recommends approval.*
Synopsis: The applicant is requesting a rezoning of this site from C-3, General Commercial District, to PCD, Planned Commercial Development, to add equipment sales and service as an allowable use for the site. (Located in Ward 7)

10. ORDINANCE NO. 21,172; Z-4765-D: To approve a Planned Zoning Development and establish a Planned Commercial District titled Chenal Road Self-Storage Long-Form PD-C, located on the east side of Autumn Road, just north of Barnes and Noble, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 10 ayes; 0 nays; and 1 absent. Staff recommends approval.*
Synopsis: The applicant is requesting a rezoning of the site from O-2, Office and Institutional, to PD-C, Planned Development Commercial, to allow for the development of the site with conditioned storage. (Located in Ward 6)

11. ORDINANCE NO. 21,173; Z-5503-E: To approve a Planned Zoning Development and establish a Planned Residential District titled Panther Branch Lot 2 Revised Long-Form PD-R, located on the southwest corner of Kirby and Kanis Roads, Little Rock,

Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 10 ayes; 0 nays; and 1 absent. Staff recommends approval.*

Synopsis: The request is to amend the previously-approved PD-R, Planned Development - Residential, to allow for the placement of an identification sign on each side of the gated entrance. (Located in Ward 5)

12. ORDINANCE NO. 21,174; Z-5946-A: To repeal Ordinance No. 16,863 (March 21, 1995), titled 7510 Highway 300 Short-Form PD-R and to revoke a Planned Zoning District; and for other purposes. *Planning Commission: 10 ayes; 0 nays; and 1 absent. Staff recommends approval.*

Synopsis: The request is a revocation of the existing PD-R, Planned Development - Residential, zoning and the restoration of the underlying R-2, Single-Family, zoning. (Located in the City's Extraterritorial Jurisdiction)

13. ORDINANCE NO. 21,175; Z-6669-B: To approve a Planned Zoning Development and establish a Planned Commercial District titled Moxy Warehouse Revised Short-Form PCD, located at 2615 West 15th Street, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 10 ayes; 0 nays; and 1 absent. Staff recommends approval.*

Synopsis: The applicant is requesting to rezone the site from POD, Planned Office Development, to PCD, Planned Commercial Development, to allow for the reuse of the site with single-family residence and selected commercial uses. (Located in Ward 1)

14. ORDINANCE NO. 21,176; Z-8095-A: To approve a Planned Zoning Development and establish a Planned Industrial District titled Garden Home Addition Revised PD-I, located at 1800 East 17th Street, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 9 ayes; 1 nay; and 1 absent. Staff recommends approval.*

Synopsis: The applicant is proposing to amend the previously-approved PD-I, Planned Development - Industrial, to allow for the expansion of the previously-approved paved areas for the site. (Located in Ward 1)

15. ORDINANCE NO. 21,177; Z-8193-B: To approve a Planned Zoning Development and establish a Planned Commercial District titled Rawls Revised Short-Form PD-C, located at 801 South Chester Street, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 9 ayes; 0 nays; 1 absent; and 1 recusal. Staff recommends approval.*

Synopsis: The applicant is proposing to amend the previously-approved PCD, Planned Commercial Development, to allow for the use of the site as a food truck court and event center. (Located in Ward 1)

16. ORDINANCE NO. 21,178; Z-8605-B: To approve a Planned Zoning Development and establish a Planned Commercial District titled SRVC on Kanis Short-Form PD-C, located at 11601 Kanis Road, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 10 ayes; 0 nays; and 1 absent. Staff recommends approval.*

Synopsis: The request is to amend the previously-approved PD-C, Planned Development - Commercial, to allow for the redevelopment of this site with a new veterinary clinic, grooming and boarding facility with overnight pet stay. (Located in Ward 6)

17. ORDINANCE NO. 21,179; Z-9097: To approve a Planned Zoning Development and establish a Planned Commercial District titled O-Reilly Automotive Store Short-Form PD-C, located south of East Roosevelt Road, between Rock and Commerce Streets,

Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 10 ayes; 0 nays; and 1 absent. Staff recommends approval.*

Synopsis: The request is a rezoning from C-3, General Commercial District, to PD-C, Planned Development - Commercial, to allow for the development of this site with an auto parts store. (Located in Ward 1)

18. ORDINANCE NO. 21,180: To dispense with the requirement of competitive bidding and to authorize the City Manager to purchase a Curved LED Sign for the Creative Corridor's Main Street Mall Building, located at 101 East Capitol Avenue, in the City of Little Rock, Arkansas; and for other purposes. *Staff recommends approval.*

Synopsis: Authorizes the City Manager to purchase a Curved LED Sign for the Creative Corridor's Main Street Mall building and dispense with the competitive bidding requirement.

19. ORDINANCE NO. 21,183: To grant a franchise for the use of City right-of-way for the placement of restaurant tables and other items for the exclusive use of Raduno Brick Oven, located at 1318 South Main Street; to require the creation of a passageway consistent with the American with Disabilities Act and acceptable to the City as a part of this Franchise Agreement; to set the other terms and conditions of this franchise for the franchisee and the adjacent property owners; and for other purposes. *Staff recommends approval.*

Synopsis: Consideration of an ordinance to permit a franchise at 1318 South Main Street which blocks the passageway, creates an alternative ADA- compliant passageway and takes parking spaces to accommodate a business.

The ordinances were read a first time. Director Adcock made the motion, seconded by Director Wright, to suspend the rules and place the ordinances on second reading. By unanimous voice vote of the Board Members present, the rules were suspended and the ordinances were read a second time. Director Adcock made the motion, seconded by Director Wright, to suspend the rules and place the ordinances on third reading. By unanimous voice vote of the Board Members present, the rules were suspended and the ordinances were read a third time. By unanimous voice vote of the Board Members present, **the ordinances were approved.**

SEPARATE ITEMS (Items 7, 20 and 21)

7. ORDINANCE NO. 21,169; Z-3726-B: To approve a Planned Zoning Development and establish a Planned Commercial District titled Packett House Short-Form PD-C, located at 1406 Cantrell Road, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 9 ayes; 0 nays; 1 absent; and 1 recusal. Staff recommends approval.*

Synopsis: The request is to rezone the site from PD-O, Planned Development - Office, to PD-C, Planned Development - Commercial, to allow for the use of the existing restaurant building as a private club and special events center. (Located in Ward 1)

The ordinance was read a first time. Director Adcock made the motion, seconded by Director Cazort, to suspend the rules and place the ordinance on second reading. By unanimous voice vote of the Board Members present, the rules were suspended and the ordinance was read a second time. Director Adcock made the motion, seconded by Director Cazort, to suspend the rules and place the ordinance on third reading. By

unanimous voice vote of the Board Members present, the rules were suspended and the ordinance was read a third time.

Jeremy Hutchinson, 3 Chenal Woods: Stated that he was the applicant and the proposal was to open a Business Club for business professionals to host clients and to network. Mr. Hutchinson stated that the facility would only be open Monday – Friday from 4:00 PM – 11:00 PM. Mr. Hutchinson asked that the Board approve the rezoning.

Donnie Ferneau, 5205 F Street: Stated that he was the Chef for the proposed Business Club and asked that the Board support the project.

Russ Racop, 301 Alamo Drive: Stated that he was not in favor of the rezoning request and was concerned regarding the close proximity to Episcopal Collegiate School.

By unanimous voice vote of the Board Members present, **the ordinance was approved.**

20. RESOLUTION NO. 14,284: To authorize the City Manager to enter into a contract with Century 21 United for Real Estate Services; and for other purposes. *Staff recommends approval.*

Synopsis: Authorize the City Manager to execute a contract with Century 21 United for Real Estate Services to market and sell properties developed/acquired by the Community Development Division and Land Bank in the City of Little Rock.

Director Adcock made the motion, seconded by Director Cazort, to approve the resolution. By unanimous voice vote of the Board Members present, **the resolution was approved.**

22. ORDINANCE NO. 21,182; Z-9006-A: To approve a Planned Zoning Development and establish a Planned Commercial District titled Hounds Lounge Pet Resort and Spa Revised Short-Form PCD, located at 1711 Rebsamen Park Road, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 10 ayes; 1 nay; and 0 absent. Staff recommends approval.*

Synopsis: The applicant is proposing to revise the previously-approved PCD, Planned Commercial Development, to add pet boarding and pet daycare as an allowable use. (Located in Ward 3)

The ordinance was read a first time. Director Adcock made the motion, seconded by Director Cazort, to suspend the rules and place the ordinance on second reading. By unanimous voice vote of the Board Members present, the rules were suspended and the ordinance was read a second time. Director Adcock made the motion, seconded by Director Cazort, to suspend the rules and place the ordinance on third reading. By unanimous voice vote of the Board Members present, the rules were suspended and the ordinance was read a third time.

Mandy Marshall: Stated that she was the applicant and that over the past several years, she and her partner had conducted market research; ultimately determining that the Mid-Town area of Little Rock was in need of a facility for pet owners to board their dogs on a daily, weekly or long-term basis. Ms. Marshall stated that each dog would have their own room and there would be an indoor play area. Ms. Marshall stated that before they were to appear before the Planning Commission in November 2015, she received a letter of opposition stating that an individual was concerned about the noise. Ms. Marshall stated that they voluntarily pulled the item in order to meet with the concerned citizen, to reassure them that they wanted to be a good neighbor in the community;

however, a compromise was not met. Ms. Marshall stated that at the December 2015 Planning Commission Meeting, where the item passed, the suggestion was made to hire a Sound Engineer. Ms. Marshall stated that they had hired a Sound Engineer and felt like they had done everything possible to work with the neighborhood. Ms. Marshall asked that the Board support the project and approve rezoning request.

Stephanie Lopez, 1806 Iris Street: Stated that she was President of the Riverside Neighborhood Association and she felt that the applicants had addressed the noise concerns of the opposition.

Sammye Johnston, 5717 Stonewall Road: Stated that she felt that Hounds Lounge was a well thought out project and was in complete support of the proposal.

Claire Jones, 223 Auburn Drive: Stated that she was a resident in the neighborhood and was supportive of the project.

John Eberle, 120 Glen Drive: Stated that he had known both the applicants on a professional basis for many years and that he was very supportive of their proposed project.

Wayne Richie, 17200 Chenal Parkway: Stated that he was the owner of Sound Engineering and had been hired by the applicant to conduct a sound and smell analysis of the proposed facility. Mr. Richie stated that he measure the sound levels of barking dogs in similar facilities and to recreate the sound and sound pressure levels measured inside the proposed facility on Rebsamen Park Road. Mr. Richie stated that he had recreated the same sound levels externally to Mr. Roger Clark's residence, which was approximately 171 feet from the property line to the pet boarding facility.

Director Wright stated that she had received an e-mail from Ms. Marshall indicating that she would insulate the portion of the building where the dogs would be boarded at night. Director Wright asked how thick the insulation would be. Mr. Richie stated that he did not know how thick the insulation would be; however, with the sound test that he had conducted, the noise level outside the building was no louder than conversational levels.

Hannah Driskill, 8 Ridge Oak Cove: Stated that she lived in West Little Rock off of Pinnacle Valley Road and that the Pinnacle Valley Vet Clinic was located approximately 174 feet from her front door. Ms. Driskill stated that that at maximum, the Clinic could board up to 100 animals, and she had never been disturbed by any noise coming from the facility. Ms. Driskill stated that she worked in the downtown area and would love to be able to drop her dogs off at Hounds Lounge on the way to her office.

Roger Clark, 1708 Iris Street: Stated that he had a petition that had been signed by approximately forty (40) neighbors in the area that were opposed to the proposed facility. Mr. Clark stated that a proposal had been heard before the Board in October 2008 regarding a proposed similar facility Hillcrest. Mr. Clark stated that the item failed at the Planning Commission; however, it was approved at the Board level. Mr. Clark asked that the Board apply the same standard in the Riverdale area that was utilized to make the Hillcrest decision. Mr. Clark stated if the ordinance was approved, the Board could limit the amount of time that the dogs are allowed to go outside.

Director Wright asked if all the dogs would go outside at the same time. Ms. Marshall stated that all the dogs would not be taken out at the same time and that adjustments could be made if necessary to ensure that they were not a nuisance in the neighborhood.

Angela Norton, 1703 Iris Street: Stated that she commended Ms. Marshall for her willingness to work with the neighborhood; however, she was opposed to the project and asked that the Board deny the application.

Michele Rodgers, 1708 Iris Street: Stated that her property was approximately 111 feet to the proposed facility and she felt that the location was not the best place for the business.

Director Kumpuris made the motion, seconded by Vice-Mayor Hines, to call the question on the vote. By unanimous voice vote of the Board Members present, the question to vote was called.

By voice vote of the Board Members present, with Director Adcock voting in opposition, **the ordinance was approved.**

PUBLIC HEARINGS (Item 23)

23. ORDINANCE NO. 21,181; G-23-438-A: To abandon the undeveloped portion of the forty-four (44)-foot wide Rose Street right-of-way, located between North Lookout Road and Kenyon Street, located in the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 10 ayes; 0 nays; and 1 absent. Staff recommends approval.*

Synopsis: The adjacent property owners propose to abandon the undeveloped portion of the forty-four (44)-foot wide Rose Street right-of-way located between North Lookout Road and Kenyon Street (between 4301 and 4225 North Lookout Road) (approximately 179.5 linear-feet). (Located in Ward 3)

Mayor Stodola opened the public hearing.

The ordinance was read a first time. Director Adcock made the motion, seconded by Director Cazort, to suspend the rules and place the ordinance on second reading. By unanimous voice vote of the Board Members present, the rules were suspended and the ordinance was read a second time. Director Adcock made the motion, seconded by Director Cazort, to suspend the rules and place the ordinance on third reading. By unanimous voice vote of the Board Members present, the rules were suspended and the ordinance was read a third time.

Mayor Stodola asked if there were individuals present that wished to speak for or against the item. There being none present, Mayor Stodola closed the public hearing.

By unanimous voice vote of the Board Members present, **the ordinance was approved.**

Vice-Mayor Hines made the motion, seconded by Director Kumpuris, to recess the meeting until February 9, 2016, for the purpose of conducting the Annual Evaluation of the City Attorney and City Manager. By unanimous voice vote of the Board Members present, **the meeting was recessed until February 9, 2016.**

Little Rock Board of Directors Meeting
February 2, 2016
6:00 PM

ATTEST:

APPROVED:

Susan Langley, City Clerk

Mark Stodola, Mayor