

**Little Rock Board of Directors
February 1, 2022
6:00 PM**

The Board of Directors of the City of Little Rock, Arkansas, met in a regular meeting with Mayor Frank Scott, Jr., presiding. City Clerk Susan Langley (via WebEx Teleconferencing) called the roll with the following Directors present: Miller; Richardson (via WebEx Teleconferencing); Webb (via WebEx Teleconferencing); Peck; Wright; Wyrick; Kumpuris; Phillips (via WebEx Teleconferencing); Adcock; Vice-Mayor Hines (via WebEx Teleconferencing); and Mayor Scott. Director Capi Peck gave the invocation followed by the Pledge of Allegiance.

ADDITIONS:

M-1 RESOLUTION: To address the recent community violence as a Public Health Emergency; and for other purposes. *Staff recommends approval.*

Director Phillips made the motion, seconded by Director Wright, to add Item M-1 to the Agenda. By unanimous voice vote of the Board Members present, **Item M-1 was added to the Agenda.**

CONSENT AGENDA (Item 1)

1. RESOLUTION NO. 15,614: To express the willingness of the City of Little Rock, Arkansas, to apply for, and utilize, Cost Share Grant Funds from the United States Army Corps of Engineers for Clearing and Channel Improvements to Stump Creek, south of Arehart Drive and east of Reck Road; and for other purposes. *(Funding from the 3/8-Cent Capital Improvement Sales Tax and the Limited Tax General Obligation Improvement Bonds) Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager, or his designated representative, to apply for and if received, execute agreements with the United States Army Corps of Engineers for the Stump Creek Clearing and Snagging Project. (Located in Ward 2)

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

CITIZEN COMMUNICATION

There were no cards received from individuals wanting to speak during Citizen Communication.

SEPARATE ITEMS (Item 2)

2. ORDINANCE; Z-6815-B: To approve a Planned Zoning Development and establish a Planned District - Industrial, titled Natural State Concrete Supply PD-I/OS, located at 8806 Mabelvale Pike, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *(Deferred from January 18, 2022, at the applicant's request)(Planning Commission: 9 ayes; 0 nays; and 2 absent) Staff recommends approval*
Synopsis: The applicant is requesting that the 20.71-acre property, located at 8806 Mabelvale Pike, be rezoned from I-2, Light Industrial District, to PD-I, Planned District – Industrial, and OS, Open Space District, to allow for the development of a concrete plant. (Located in Ward 7)

The ordinance was read the first time. Director Richardson made the motion, seconded by Director Wright, 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 Richardson made the motion, seconded by Director Webb, to suspend the rules and place the ordinance on third reading. By voice vote of the Board Members present, with Director Adcock voting in opposition, the rules were suspended and the ordinance was read a third time.

Director Wyrick stated that she had spoken with individuals within the adjacent neighborhood and they indicated that the proposed sound barrier for the concrete plant would actually be just a chain link fence. Director Wyrick stated that the applicant had sent a revised plan to her that reflected a sound barrier of 160 feet on the west side of the project and 240 feet on the south side. Director Wyrick asked what the Planning Commission had approved in regards to the proposed sound barrier. Planning & Development Director Jamie Collins stated that the application indicated that the entire property would be encompassed by a twelve (12)-foot minimum wall, berm and fence combination. Mr. Collins stated that the distance had yet to be determined pursuant to a Sound Study that was to be performed prior to the Building Permit. Director Wyrick asked if it was customary for an applicant to delay those type of details to the Planning Commission and the Board of Directors. Mr. Collins stated that in a Planned Development it depended on what was proposed.

Director Wyrick made the motion, seconded by Director Wright, to defer action on the item for two (2) weeks to obtain the Sound Study from the Sound Engineer before the application is approved.

Mayor Scott stated that the applicant's Sound Engineer was on the line to answer any questions from the Board. Director Wyrick asked how long it would take to complete a Sound Study.

Oz Richie (via WebEx Teleconferencing): Stated that he had worked with the applicant for the past two (2) months on the Sound Study and that it had been completed. Mr. Richie stated that as a result of their study, the applicant had changed the layout of the plant to move the majority of the sound away from the adjacent neighborhood.

Mr. Collins reported that the application that was heard at the Planning Commission did not contain any of the information that Mr. Richie had just shared with the Board and his recommendation was that the item be referred back to the Planning Commission. Mr. Collins referred to the Planned Development Review Process in the City Code that

stated, *“the Board of Directors shall not consider an application that has been modified by the applicant to a design other than that reviewed by the Planning Commission.”*

Director Wyrick stated that she would like to withdraw her motion to defer action on the item for two (2) weeks in order to send the item back to the Planning Commission. Director Wright stated that she would withdraw her second of Director Wyrick’s previous motion.

Director Wyrick made the motion, seconded by Director Wright, to refer the item back to the Planning Commission.

Director Miller asked for a time table regarding when the item would be heard at the Planning Commission and then back before the Board for action. Mr. Collins stated that the next Planning Commission Meeting was scheduled for February 10, 2022; however, with the fifteen (15)-day notification as required by Arkansas State Law, it would not be heard by the Planning Commission until the first scheduled hearing in March. Vice-Mayor Hines stated that he felt sending the item back to the Planning Commission was premature and that he favored a deferral of the item to give Planning Staff time to review the Sound Study to determine if there needed to be any changes to the plan. Vice-Mayor Hines stated that after staff had the opportunity to review the study and still felt that it warranted be sent back to the Planning Commission, than he would be supportive.

Grant Cox (via WebEx Teleconferencing): Stated that he was legal counsel representing the applicant and that they would be willing to defer action on the item for two (2) weeks.

Director Wyrick stated that she would like to withdraw her motion to send the item back to the Planning Commission. Director Wright stated that she would withdraw her second of Director Wyrick’s previous motion.

PUBLIC HEARINGS (ITEM 3)

3. ORDINANCE NO. 22,092; G-23-481: To abandon the Jack Stephens right-of-way, located from the south right-of-way line of Plateau Street to the south right-of-way line of West 6th Street, in the City of Little Rock, Arkansas; and for other purposes. *(Planning Commission: 9 ayes; 0 nays; and 2 absent) Staff recommends approval.*

Synopsis: The adjacent property owner requests to abandon the portion of Jack Stephens Drive, from the south right-of-way line of Plateau Street to the south right-of-way line of West 6th Street. (Located in Ward 3)

Mayor Scott opened the public hearing.

The ordinance was read the 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 ordinance was read a second time. Director Adcock made the motion, seconded by Director Wright, 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 Scott asked if there were individuals present that wished to speak for or against the item. There being none present, Mayor Scott closed the public hearing.

By roll call vote, the vote was as follows: Ayes: Miller; Richardson; Webb; Peck; Wright; Wyrick; Kumpuris; Phillips; Adcock; and Vice-Mayor Hines. By a vote of ten (10) ayes, **the ordinance was approved.**

SEPARATE ITEM (Item M-1)

M-1 RESOLUTION NO. 15,615: To address the recent community violence as a Public Health Emergency; and for other purposes. *Staff recommends approval.*

Director Phillips made the motion, seconded by Director Richardson, to approve the resolution.

By roll call vote, the vote was as follows: Ayes: Miller; Richardson; Webb; Peck; Wright; Wyrick; Kumpuris; Phillips; and Adcock. Nays: Vice-Mayor Hines. By a vote of nine (9) and one (1) nay, **the resolution was approved.**

PRESENTATIONS (Item 4)

4. PRESENTATION: Little Rock Police Department Update.

Director Peck made the motion, seconded by Director Wright, to adjourn the meeting. By unanimous voice vote of the Board Members present, **the meeting was adjourned.**

ATTEST:

APPROVED:

Susan Langley, City Clerk

Frank Scott, Jr., Mayor