

LITTLE ROCK PLANNING COMMISSION
PLANNING – REZONING – CONDITIONAL USE HEARING

MINUTE RECORD

NOVEMBER 5, 2009

4:00 P.M.

I. Roll Call and Finding of a Quorum

A Quorum was present being seven (7) in number.

II. Members Present: Pam Adcock
William Changose
J. T. Ferstl
Troy Laha
Obay Nunnley, Jr.
Bill Rector
Billy Rouse

Members Absent: Candice Smith
Jeff Yates
Open Positions (2)

City Attorney: Cindy Dawson

III. Approval of the Minutes of the September 17, 2009 Meeting of the Little Rock Planning Commission. The Minutes were approved as presented.

LITTLE ROCK PLANNING COMMISSION
PLANNING – REZONING – CONDITIONAL USE HEARING
NOVEMBER 5, 2009
4:00 P.M.

I. OLD BUSINESS:

No Old Business

II. NEW BUSINESS:

<u>Item Number:</u>	<u>File Number:</u>	<u>Title</u>
1.	<u>Z-1465-B</u>	Little Rock Prep, Inc. Charter School – Conditional Use Permit 4601 S. University Avenue
2.	<u>Z-7482-B</u>	Geyer Springs Church of Christ Day Care Center – Conditional Use Permit 6004 West 53 rd Street
3.	<u>Z-8498</u>	Dodds Duplex – Conditional Use Permit 2423 West 13 th Street
4.	<u>Z-8499</u>	Higgins Multisectional Manufactured Home – Conditional Use Permit 4305 West Line Road
5.		Adoption of 2010 Planning Commission Calendar

November 5, 2009

ITEM NO.: 1

FILE NO.: Z-1465-B

NAME: Little Rock Urban Prep, Inc. Charter School –
Conditional Use Permit

LOCATION: 4601 S. University Avenue

OWNER/APPLICANT: SBF Investments II, Inc./Rick Freeling, RPM and
Little Rock Urban Prep

PROPOSAL: A conditional use permit is requested to allow a
charter school for young males in grades kindergarten
through 8th grade with an enrollment cap of 696
students on this C-4 zoned 9.14 acre tract.

1. SITE LOCATION:

The site is located on the east side of S. University Avenue, approximately ¼ mile south of Asher Avenue.

2. COMPATIBILITY WITH NEIGHBORHOOD:

The property is located along the S. University Avenue Commercial corridor. Just north of the site is the University/Asher/Colonel Glenn intersection which contains a wide range of C-3 commercial uses. Just north and south of the site are OS zoned floodways. The floodway designation continues to the east of the site. An undeveloped Planned Development is located north of site. South of the site are a variety of uses including a golf driving range and a church. Across S. University Avenue, uses include a technical school, the City's Animal Village, First Tee and a vacant auto sales lot. The proposed reuse of this vacant property for a school is compatible with uses and zoning in the area.

All owners of properties located within 200 feet of the site, any residents within 300 feet who could be identified and SWLR United for Progress and the University District were notified of this request.

3. ON SITE DRIVES AND PARKING:

The parking requirement for elementary and middle schools is 1 space per classroom plus 1 space for every employee plus adequate stacking space for drop-off and pickup of students. This school is proposed to have a total of 63 employees and 696 students who will be located in 36 classrooms. A total of 99 parking spaces are required. 138 spaces are proposed. Two separate drop-off/pickup areas and associated stacking lanes are proposed; one in front of the school and the second on the west

side of the school. Staff is continuing to analyze the proposed vehicle stacking to determine if it is sufficient.

4. SCREENING AND BUFFERS:

If rehabilitation costs of the project exceeds 50% of the replacement costs then the site must be brought up to code; including the landscape ordinance.

5. PUBLIC WORKS COMMENTS:

The property lies within the 100 year floodplain of Fourche Creek. No future construction of any structures, improvements to the interior of the structures over 50% of the market value of the structures are allowed without the entire structure being in compliance with the current City of Little Rock Floodplain regulations (Chapter 13). The installation of any new parking areas, or placement of fill material are not allowed within the floodplain prior to City approval and issuance of a Grading Permit for Special Flood Hazard areas. Provide an appraisal of the structure(s) prepared by a licensed appraiser. Provide an estimate of the cost of the proposed improvements to the structure prepared by a licensed contractor.

A small portion of the northeast corner of the site appears to be located in the floodway. The floodway must be shown in an easement or dedicated to the City of Little Rock. A 25 ft. access easement is required adjacent to the floodway.

Applicant needs to provide a traffic study to determine if there is sufficient room for pickup and drop-off.

6. UTILITY, FIRE DEPT. AND CATA COMMENTS:

Wastewater: Sewer available to this project.

Entergy: No Comments received.

CenterPoint Energy: No Comments received.

AT&T (SBC): No Comments received.

Water: No Objection.

Fire Department: Fire sprinklers may be required. Additional fire hydrant will be required.

November 5, 2009

ITEM NO.: 1 (Cont.)

FILE NO.: Z-1465-B

County Planning: No Comments.

CATA: The site is located on a CATA bus route.

SUBDIVISION COMMITTEE COMMENT:

(OCTOBER 8, 2009)

The applicants were present. Staff presented the item and noted additional information was needed regarding use of the specific buildings, signage, number of employees and classrooms, site lighting, fencing, playground and outside play areas, dumpster location and vehicle stacking areas. The applicants presented a site plan showing responses to some of the issues. Staff commented that the proposed stacking space for student drop-off and pickup appeared inadequate. A discussion followed of possible alternatives.

Public Works Comments were discussed. The applicants stated they understood the floodplain issue and felt they could comply with floodplain regulations.

Fire Department and Landscape Comments were noted. Again, the applicants stated they would comply with the conditions.

The applicants were advised to respond to staff issues by Wednesday, October 14, 2009. The Committee forwarded the item to the full Commission.

STAFF ANALYSIS:

The C-4 zoned, 9.14 acre tract located at 4601 S. University Avenue is occupied by vacant commercial buildings and asphalt paved parking lots. The property was previously occupied by an automobile/truck sales business and has been vacant for several years. Two buildings are located on the south half of the site. The larger, one-story, metal building contains approximately 32,285 square feet in area. The second one-story, metal building contains approximately 7,287 square feet in area. The west half of the north half of the property contains a small, 800 square foot building and a large, paved parking lot. The east half of the north half of the property is currently undeveloped and tree-covered. Access to the site is via a single driveway off of a fully signalized intersection onto S. University Avenue.

Little Rock Urban Prep, Inc. is requesting approval of a conditional use permit to allow a public charter school to occupy the property. The proposed charter school will educate young men in grades kindergarten through eighth grade with an enrollment cap of 696 students. Employees will consist of 48 teachers and 15 support staff.

The larger building will be remodeled to contain offices, classrooms, kitchen, dining/auditorium and a gymnasium. The smaller building will be remodeled to contain a library/audio center and staff lounge. An addition onto the smaller building will contain additional classrooms. The two buildings will be tied together with a small addition. Playground area will be located adjacent to the main building. The new classroom addition will have a setback of 20± feet from the rear (east) property line. The C-4 zoning district typically requires a rear yard setback of 25 feet. Staff is supportive of this slight reduction in setback since the property to the east is undevelopable floodway.

The large area of asphalt paving will be removed from the west half of the north half of the property and a football field will be installed in its place. Seating bleachers and a building containing locker rooms, restrooms and concession stands will be built on the east side of the football field. A new, 72 space parking lot will be constructed on the currently undeveloped east half of the north half of the property. The Zoning Ordinance would typically require a buffer of 20 feet on the east side of the proposed new parking lot. The applicant is proposing a 9-foot wide landscape strip in this area to comply with the landscape ordinance. Staff is supportive of the reduction in the buffer depth since the property to the east is undevelopable floodway. Staff is also supportive of a reduced buffer depth along S. University in front of the new football field. Again, a 9-foot landscape strip is shown in this area. The proposed landscape strip and grassy football field are a substantial improvement over the existing asphalt parking lot that currently extends nearly to the front property line.

The existing asphalt paved area in front (west) of the main building will be configured to provide additional landscaping, parking and pickup/drop-off space. The existing buffer along S. University Avenue in this area is deficient but staff is supportive of allowing the reuse of the paved area as proposed. Additional landscaping in the form of a landscaped island and lawn will greatly enhance this area. A substantial grassy area is located in the University Avenue right-of-way as well which provides the appearance of more buffer.

The applicant has stated all remodeling and new construction will comply with the City's requirements for construction in the floodplain. The small portion of the property at the northeast corner of the site has been indicated as floodway and will be shown as an easement. Site lighting will consist of parking lot/driveway lighting and football field lighting. A single ground mounted sign will be placed on the site. Signage will comply with that allowed in commercial zones. No fencing is currently shown on the site plan; however, it is anticipated that the playground area and ball field will be fenced.

In response to staff's request, the applicant has shown areas for stacking of vehicles and multiple locations for drop-off and pickup of students. Staff is

November 5, 2009

ITEM NO.: 1 (Cont.)

FILE NO.: Z-1465-B

continuing to work with the applicant to determine if the stacking is sufficient to prohibit vehicles from stacking onto S. University Avenue.

To staff's knowledge there are no other outstanding issues. The proposed school is a good reuse of a vacant site, which could lead to additional revitalization of unused properties in the area. There is no bill of assurance covering this acreage tract.

STAFF RECOMMENDATION:

Staff is supportive of the proposed C.U.P. The final recommendation is forthcoming, depending upon resolution of the vehicle stacking question.

PLANNING COMMISSION ACTION:

(NOVEMBER 5, 2009)

The applicants were not present. There were no objectors present. Staff informed the Commission that, on October 27, 2009, the applicants had requested deferral of the item to the December 17, 2009 agenda to allow time to work with staff on traffic issues. There was no further discussion.

The item was placed on the consent agenda and approved for deferral by a vote of 7 ayes, 0 noes, 2 absent and 2 open positions.

November 5, 2009

ITEM NO.: 2

FILE NO.: Z-7482-B

NAME: Geyers Springs Church of Christ Day Care Center –
Conditional Use Permit

LOCATION: 6004 West 53rd Street

OWNER/APPLICANT: Geyer Springs Church of Christ/
McGetrick and McGetrick

PROPOSAL: A conditional use permit is requested to allow a day
care center in the existing church building located on
this R-2 zoned tract.

1. SITE LOCATION:

The site is located on the north side of West 53rd Street, one lot east of S. University Avenue.

2. COMPATIBILITY WITH NEIGHBORHOOD:

The site is located in an area of mixed use and zoning; including multifamily, commercial and industrial. The church has been a part of this neighborhood for many years. No changes are proposed for the buildings or driveways and parking. A day care and private school were previously located in the church. Allowing a day care center to utilize some of the church's existing facilities will not affect the church's continued compatibility with the neighborhood.

All owners of properties located within 200 feet of the site, all residents within 300 feet who could be identified and the SWLR United for Progress and Geyer Springs Neighborhood Associations were notified of this request.

3. ON SITE DRIVES AND PARKING:

A day care center for up to 40 children with 6 employees will require 10 on-site parking spaces and adequate stacking area for drop-off and pickup of children. The main portion of the church property, located north of West 53rd street, contains over 150 parking spaces. An additional 125± parking spaces are located in a lot on the south side of the street. The drop-off/pickup point is to be located near the rear of the auditorium building, with access off of West 53rd Street and more than sufficient stacking and parking space being available.

4. SCREENING AND BUFFERS:

No comments on this use-only issue.

5. PUBLIC WORKS COMMENTS:

1. 53rd Street is classified on the Master Street Plan as a collector street. A dedication of right-of-way 30 feet from centerline will be required.
2. Due to the proposed use of the property, the Master Street Plan specifies that Geyer Springs Road for the frontage of this property must meet commercial street standards. Dedicate right-of-way to 30 feet from centerline.
3. A 20 feet radial dedication of right-of-way is required at the intersection of Geyer Springs Road and 53rd Street.
4. Obtain a franchise agreement from Public Works (Bennie Nicolo, 371-4818) for the private improvements located in the right-of-way.

6. UTILITY, FIRE DEPT. AND CATA COMMENTS:

Wastewater: Sewer available to this project.

Entergy: Approved as submitted.

CenterPoint Energy: No Comments received.

AT&T (SBC): No Comments received.

Water: No objection.

Fire Department: Additional fire hydrant is needed. Fire sprinklers may be required.

County Planning: No Comments.

CATA: This site is not located on a CATA bus route. A bus route is located just to the west, along University Avenue.

SUBDIVISION COMMITTEE COMMENT:

(OCTOBER 8, 2009)

Pat McGetrick was present representing the application. Staff presented the item and noted some additional information was needed regarding signage, site

November 5, 2009

ITEM NO.: 2 (Cont.)

FILE NO.: Z-7482-B

lighting, and dumpster location and screening. Staff asked the applicant to specify which building was to be used for the day care and to indicate the area for drop-off/pickup of students. It was noted that there appeared to be adequate stacking and parking space on the site to accommodate this small day care use (30 – 40 students).

Public Works Comments were presented. Fire Department Comments were noted regarding placement of a fire hydrant and the possible requirement of fire sprinklers.

Mr. McGetrick was advised to respond to staff issues by Wednesday, October 14, 2009. The Committee forwarded the item to the full Commission.

STAFF ANALYSIS:

Geyer Springs Church of Christ is requesting approval of a conditional use permit to allow a day care center to be operated within a portion of the existing church facilities. The day care center is proposed to have an enrollment of up to 40 students with 6 employees. Days and hours of operation are Monday through Friday, 6:00 a.m. to 7:00 p.m.

The main part of the church campus is located on the north side of West 53rd Street and contains a 150+ space parking lot, the auditorium building, a two-story education addition, a separate two-story classroom building and a playground. Located on the south side of West 53rd Street is a 125± space parking lot and a smaller office building. The day care center is proposed to be located in a portion of the two-story education addition, northeast of the auditorium building. The playground is located adjacent to the north of the building. Drop-off and pickup of children will occur at the north end of the auditorium building, with access and stacking of vehicles located within the existing parking lot.

No changes will be made to the site to accommodate the day care other than for the possible addition of a small, ground mounted sign on West 53rd Street. No new site lighting will be added. The dumpster and required screening are located at the north end of the main parking lot.

The applicant submitted responses to the issues raised at Subdivision Committee and has agreed to comply with Public Works and Fire Department Comments. There is no bill of assurance for this acreage tract. To staff's knowledge, there are no outstanding issues. Allowing a portion of this existing church facility to be used for a small day care center is, in staff's opinion, an appropriate use for the site.

November 5, 2009

ITEM NO.: 2 (Cont.)

FILE NO.: Z-7482-B

STAFF RECOMMENDATION:

Staff recommends approval of the requested C.U.P. subject to compliance with the conditions outlined in Sections 5 and 6 of the agenda staff report.

PLANNING COMMISSION ACTION:

(NOVEMBER 5, 2009)

The applicants were present. There were no objectors present. Staff presented the item and a recommendation of approval subject to compliance with the conditions noted in the "staff recommendation" above. There was no further discussion.

The item was placed on the consent agenda and approved as recommended by staff by a vote of 7 ayes, 0 noes, 2 absent and 2 open positions.

November 5, 2009

ITEM NO.: 3

FILE NO.: Z-8498

NAME: Dodds Duplex – Conditional Use Permit

LOCATION: 2423 West 13th Street

OWNER/APPLICANT: Urban Frontier, Inc./Paul Dodds

PROPOSAL: A conditional use permit is requested to allow for the renovation of the existing residential structure on this R-3 zoned lot into a duplex residence.

1. SITE LOCATION:

The property is located on the south side of West 13th Street, between Rice and Jones Streets.

2. COMPATIBILITY WITH NEIGHBORHOOD:

The property is located in an area consisting primarily of single family and two family residences on R-3 and R-4 zoned lots. Most of the structures are older with some dating from the 1920's. Condition of the homes ranges from very good to unsafe, boarded and vacant. The Central High School campus is located ½ block to the south. The applicant proposes to remodel the structure as a "certified historic rehabilitation", maintaining the structure's historic significance and assuring its continued compatibility with the neighborhood.

All owners of properties located within 200 feet of the site, all residents within 300 feet who could be identified and the Central High and Capitol Hill Neighborhood Associations were notified of this request.

3. ON SITE DRIVES AND PARKING:

The proposed duplex requires 1 ½ parking space per unit, a total of 3 spaces. The applicant proposes to construct 3 parking spaces at the rear of the site with access off of the alley.

4. SCREENING AND BUFFERS:

No Comments.

5. PUBLIC WORKS COMMENTS:

No Comments.

6. UTILITY, FIRE DEPT. AND CATA COMMENTS:

Wastewater: Sewer available to this project.

Entergy: Approved as submitted.

CenterPoint Energy: No Comments received.

AT&T (SBC): No Comments received.

Water: No objection.

Fire Department: Approved as submitted.

County Planning: No Comments.

CATA: This site is not located on a CATA bus route. A bus route is located one block to the north, along West 12th Street.

SUBDIVISION COMMITTEE COMMENT:

(OCTOBER 8, 2009)

George Wittenberg was present representing the applicant. Staff presented the item and noted some additional information was needed. Staff asked the applicant to provide the height of the proposed fencing and to indicate the material to be used for the parking spaces. Staff asked if the duplex would be an upstairs/downstairs residence or side-by-side. The applicant was asked to provide a copy of the bill of assurance for Park Addition.

Staff presented an analysis of the project based on the criteria of the recently adopted Central High Design Overlay District. Staff stated the application complied with the spirit of the DOD.

There were no other issues. The applicant was advised to respond to staff issues by Wednesday, October 14, 2009. The Committee forwarded the item to the full Commission.

STAFF ANALYSIS:

The R-3 zoned property located at 2423 West 13th Street is occupied by a vacant, 1920's residential structure. The structure had fallen into disrepair and has been condemned by the City. The structure apparently has had some history of use as an illegal duplex. Since purchasing the property, the applicant has invested over \$28,000 on renovations; including rubbish removal, fresh paint, a new roof and a new front porch. He is requesting approval of a conditional use permit to allow for remodeling of the structure into a legal duplex residence.

The house is estimated to contain approximately 1,800 square feet of living space. The applicant proposes to complete a certified historic rehabilitation of the house as two, one-bedroom, rental units. The renovation will not change the way the residence looks now other than for replacing the missing deck on the rear of structure with a larger one. All original windows will be kept and new, historic-looking front doors will be installed. Parking will be located at the rear of the property, with access off of the alley.

The duplex will be downstairs on the west side and upstairs/downstairs on the east side. The picket fence in the front yard will be 4 feet in height. A 6-foot tall wood privacy fence will enclose the rear yard. There will be a small entrance pergola that will be approximately 8 feet tall and 4 feet wide. The parking at the rear of the lot will be either concrete or asphalt. The bill of assurance for Park Addition does not address use issues.

The property is located within the newly approved Central High Neighborhood Design Overlay District. The application was filed prior to approval of the overlay and the property is not required to comply with the new overlay standards. However, staff believes the proposed rehabilitation of this historically significant structure does comply with the overlay. Staff analysis of the project in relation to the overlay is as follows:

This project is in the proposed Central High Neighborhood Design Overlay District. The DOD regulations apply to new development, expansion of existing development, tree protection and planting, and redevelopment exceeding 50% of the structure's assessed value according to the county tax assessor minus land value. The County assessor shows the "improvements" (structures) valued at \$1,000.00. This renovation exceeds the 50% threshold.

The application complies with the spirit of the DOD. The DOD was approved by the Planning Commission on September 17, 2009 and is scheduled to be heard by the Board of Directors on October 20, 2009 with no exterior changes to the house (roof, exterior shell materials, orientation, entrances, setback, porches), the structure complies with the ordinance. Parking is to be provided for the

tenants off the alley, a desired location according to the proposed ordinance. A driveway to the east is shared between this property and 2419 West 13th Street, which is acceptable to the proposed ordinance. There are no accessory buildings proposed.

The proposed ordinance states “Mechanical Service Equipment (including air conditioner condensing units, transformers, solar collectors, satellite dishes, etc.) shall be located in the rear yard or on a rear facing roof.” The locations of condensing units have not been specified. These should be in the rear yard, which will have a privacy fence surrounding it.

The proposed ordinance states “Trees greater than fourteen (14) inches in diameter, measured at four and one-half (4 ½) feet above the ground, shall be protected from removal and damages in future development of the district. Any development within fifty (50) feet of any such tree shall be reviewed prior to development to assure protective measures are included and in place. Tree removal can only be done if approved by the City’s Urban Forester. Penalties for violations shall be listed in Chapter 1-9. For trees in the Public Right-of-Way, see Section 15-51.”

“Planting of trees in areas void of shade and canopy will be conducted as follows. Tree species will be selected based on its mature size, growth, habit, and optimal site requirements. In any development that requires compliance with the provisions of this district, at least two (2) trees shall be planted in the front yard setback. Trees shall be selected from the list of appropriate trees listed in Chapter 15. Ensure that tree plantings do not interfere with above or below ground utilities, obstruct views at intersections, or cause other public safety concerns.”

To staff’s knowledge, there are no outstanding issues. Staff is supportive of the requested C.U.P.

STAFF RECOMMENDATION:

Staff recommends approval of the requested C.U.P., as filed.

PLANNING COMMISSION ACTION:

(NOVEMBER 5, 2009)

The applicant was present. There were no objectors present. One letter of support and a second letter expressing concern about parking had been received by staff and forwarded to the Commission. Staff informed the Commission that

November 5, 2009

ITEM NO.: 3 (Cont.)

FILE NO.: Z-8498

the applicant had determined the alley was unusable for access to the rear of the lot. The applicant has proposed to use the existing driveway off of W. 13th Street to access three parking spaces that will be located in the rear yard area of the lot. Staff recommended approval of the amended plan. There was no further discussion.

The item was placed on the consent agenda and approved as recommended by staff by a vote of 7 ayes, 0 noes, 2 absent and 2 open positions.

November 5, 2009

ITEM NO.: 4

FILE NO.: Z-8499

NAME: Higgins Multisectional Manufactured Home –
Conditional Use Permit

LOCATION: 4305 West Line Road

OWNER/APPLICANT: Mark and Lucille Higgins

PROPOSAL: A conditional use permit is requested to allow for the placement of a multisectional manufactured home on this R-3 zoned lot.

1. SITE LOCATION:

The property is located west of College Station, south of Frazier Pike and 3M Road.

2. COMPATIBILITY WITH NEIGHBORHOOD:

The property is located in a sparsely developed area characterized primarily by undeveloped property and vacant lots. Several homes in this area were destroyed by the 1997 tornado and have never been rebuilt. One single-family residence is located to the north and what appears to be a vacant residential structure is located to the east. Large areas of vacant properties are located to the west and south with mining properties (3M) located beyond in both directions. The proposed home does not appear to be incompatible with the area.

All owners of properties located within 200 feet of the site, all residents within 300 feet who could be identified and the College Station Neighborhood Association were notified of this request.

3. ON SITE DRIVES AND PARKING:

One parking space is required. A single driveway is existing on the site. A second, singlewide driveway is proposed.

4. SCREENING AND BUFFERS:

No Comments.

5. PUBLIC WORKS COMMENTS:

No Comments.

6. UTILITY, FIRE DEPT. AND CATA COMMENTS:

Wastewater: Sewer main extension required with easements for this project.

Entergy: Approved as submitted.

CenterPoint Energy: No Comments received.

AT&T (SBC): No Comments received.

Water: No objection.

Fire Department: Approved as submitted.

County Planning: No Comments.

CATA: The site is not located on a CATA bus route.

SUBDIVISION COMMITTEE COMMENT:

(OCTOBER 8, 2009)

The applicants were present. Staff presented the item and noted little additional information was needed. In response to a question from staff, the applicants stated the home would be a new, 2008 or 2009 model with a vinyl siding exterior. Staff asked the applicants to indicate any porches or decks to be added to the home. It was noted that the home, including decks and porches, would have to meet setback requirements. Staff noted the siting criteria of Section 36-254(d)(5) of the Code and stated placement of the home would have to meet those criteria.

Utility Comments were noted.

The applicants were advised to respond to staff issues by Wednesday October 14, 2009. The Committee forwarded the item to the full Commission.

STAFF ANALYSIS:

The applicants are requesting approval of a conditional use permit to allow placement of a multisectional manufactured home on this R-3 zoned lot. The property currently contains a two-story accessory building, which will be used solely for storage purposes. The property is located in a sparsely developed area characterized primarily by vacant lots and undeveloped properties. Several properties in the area remain vacant after the homes on them were destroyed by

November 5, 2009

ITEM NO.: 4 (Cont.)

FILE NO.: Z-8499

the 1997 tornado. 3M Company mining property is located one block to the south and 3 blocks to the west.

The proposed 28' X 56' home will be placed on the property so as to comply with zoning setbacks. The home is a 2009 model with vinyl siding and a pitched, shingled roof. Porches will be added to the front and rear of the home. A single car driveway will provide access to the site.

To staff's knowledge, there are no outstanding issues. The 1902 bill of assurance for the subdivision does not address use issues.

STAFF RECOMMENDATION:

Staff recommends approval of the requested C.U.P. subject to compliance with the following conditions:

1. Compliance with the utility comments in Section 6 of the agenda staff report.
2. Placement of the home, including porches, must comply with the Zoning Ordinance setbacks.
3. Placement of the home must comply with the following siting criteria from Section 36-254(d)(5) of the Code.
 - a. A pitched roof of three (3) in twelve (12) or fourteen (14) degrees or greater.
 - b. Removal of all transport elements.
 - c. Permanent foundation.
 - d. Exterior wall finished so as to be compatible with the neighborhood.
 - e. Orientation compatible with placement of adjacent structures.
 - f. Underpinning with permanent materials.
 - g. All homes shall be multisectional.
 - h. Off-street parking per single-family dwelling standard.

PLANNING COMMISSION ACTION:

(NOVEMBER 5, 2009)

The applicants were present. There were no objectors present. Staff presented the item and a recommendation of approval subject to compliance with the conditions noted in the "staff recommendation" above. There was no further discussion.

November 5, 2009

ITEM NO.: 4 (Cont.)

FILE NO.: Z-8499

The item was placed on the consent agenda and approved as recommended by staff by a vote of 7 ayes, 0 noes, 2 absent and 2 open positions.

PLANNING COMMISSION CALENDAR - 2010

SUBDIVISION HEARINGS:

<u>Filing Date</u>	<u>Legal Ad</u>	<u>Subdivision Committee (2)</u>	<u>Hearing Date (1) (3)</u>
12-07-09	12-18-09	12-22-09 (Tuesday)	01-14-10
01-19-10 (Tuesday)	01-29-10	02-04-10	02-25-10
03-01-10	03-12-10	03-18-10	04-08-10
04-12-10	04-23-10	04-29-10	05-20-10
05-24-10	06-04-10	06-10-10	07-01-10
07-06-10 (Tuesday)	07-16-10	07-22-10	08-12-10
08-16-10	08-27-10	09-02-10	09-23-10
09-27-10	10-08-10	10-14-10	11-04-10
11-08-10	11-19-10	11-24-10 (Wednesday)	12-16-10
12-20-10	01-03-11	01-05-11 (Wednesday)	01-27-11

PLANNING – REZONING – CONDITIONAL USE HEARINGS:

<u>Filing Date</u>	<u>Legal Ad</u>	<u>Subdivision Committee (2)</u>	<u>Plans Committee (5)</u>		<u>Hearing Date (1) (3)</u>
11-09-09	11-20-09	11-24-09 (Tuesday)	11-25-09	12-09-09	12-17-09
12-21-09	01-04-10	01-07-10	01-06-10	01-20-10	01-28-10
02-01-10	02-12-10	02-18-10	02-17-10	03-03-10	03-11-10
03-15-10	03-26-10	04-01-10	03-31-10	04-14-10	04-22-10
04-26-10	05-07-10	05-13-10	05-12-10	05-26-10	06-03-10
06-07-10	06-18-10	06-24-10	06-23-10	07-07-10	07-15-10
07-19-10	07-30-10	08-05-10	08-04-10	08-18-10	08-26-10
08-30-10	09-10-10	09-16-10	09-15-10	09-29-10	10-07-10
10-11-10	10-22-10	10-28-10	10-27-10	11-10-10	11-18-10
11-22-10	12-03-10	12-09-10	12-08-10	12-22-10	01-06-11

AVAILABLE INFORMAL MEETING DATES:

(to be scheduled as required)

Meeting Date (4)

- 11-19-09
- 02-11-10
- 03-25-10
- 05-06-10
- 06-17-10
- 07-29-10
- 09-09-10
- 10-21-10
- 12-02-10

- NOTE:
- (1) All public Hearings shall be held at 4:00 P.M. unless otherwise changed by the Commission. (City Hall, Board Rm)
 - (2) All meetings shall be held at 12:00 P.M. unless changed by the Subdivision Committee. (City Hall, Board Rm)
 - (3) An agenda meeting will be held prior to each public hearing date and will begin at 3:30 P.M. in the Sister Cities Conference Room.
 - (4) All informal meetings shall be held at 3:30 P.M. unless otherwise changed by the Commission.
 - (5) All meetings shall be held at 12:00 NOON unless otherwise changed by the Plans Committee. (723 W. Markham)

NOTICE: AN INTERPRETER WILL BE PROVIDED FOR THE HEARING IMPAIRED UPON REQUEST. REQUEST SHOULD BE MADE TO THE DEPARTMENT OF PLANNING AND DEVELOPMENT AT LEAST TWO WORKING DAYS PRIOR TO THE SCHEDULED MEETING DATE.

November 5, 2009

There being no further business before the Commission, the meeting was adjourned at 4:04 p.m.

Date _____

Secretary

Chairman