

**Little Rock Board of Directors Meeting  
January 20, 2015  
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; Richardson; Webb; Cazort; Hines; Wyrick; Fortson; Adcock; Vice-Mayor Wright; and Mayor Stodola. Directors Absent: Kumpuris. Director Brad Cazort delivered the invocation, which was followed by the Pledge of Allegiance.

**PRESENTATIONS**

City of Little Rock Employee Retirement Recognition  
Captain Terry Hasting, Little Rock Police Department

**ADDITIONS**

**M-1 RESOLUTION:** To authorize the City Manager to enter into a contract with P. Jeff Hoggard, P.A., to provide Governmental Affairs and Consulting Services; and for other purposes. *Staff recommends approval.*

**Synopsis:** A Request for Qualifications was issued for Legislative Consultant Services during the 90<sup>th</sup> General Assembly. After interviewing five (5) candidates, the Selection Committee identified P. Jeffrey Hoggard, P.A. as the top candidate.

**DEFERRALS**

**10. ORDINANCE; Z-8989:** To reclassify property located in the City of Little Rock's zoning jurisdiction, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 8 ayes; 0 nays; and 3 absent. Staff recommends approval. (Deferred at staff's request until February 3, 2015)*

**Synopsis:** The owner of the 0.78-acre property located at 17911 Colonel Glenn Road is requesting that the zoning be reclassified from R-2, Single-Family District, to R-7A, Manufactured Home District. Located outside the City Limits, but within the City's zoning jurisdiction.

**14. ORDINANCE; Z-6532-G:** To approve a Planned Zoning Development and establish a Planned Residential District titled Lot 2 Chenal Heights Long-Form PD-R, located east of Chenal Parkway and south of Chenal Heights Drive, 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. (Deferred at the applicant's request until February 3, 2015)*

**Synopsis:** The applicant is requesting to amend the previously-approved PD-R, Planned Development – Residential, for Arkansas Teachers Retirement Community and approve a site plan to allow for the development of 229 units of age restricted housing. (Located in Ward 5)

Director Adcock made the motion, seconded by Director Cazort, to add Item M-1 to Separate Items and to defer Items 10 & 14 until February 3, 2015. By unanimous voice vote of the Board Members present, **Item M-1 was added to Separate Items and Items 10 & 14 were deferred until February 3, 2015.**

**CONSENT AGENDA (Items 1 – 6)**

1. **MOTION:** To approve the minutes of the October 6, 2014, October 21, 2014, and November 3, 2014, Little Rock City Board of Directors Meetings.

2. **RESOLUTION NO. 14,047; G-24-046:** To set February 3, 2015, as the date of hearing on the petition to abandon certain utility easements located in Lot 1, Greyrock Subdivision, an addition to the City of Little Rock, Pulaski County, Arkansas; located at 12700 Chenal Parkway; and for other purposes.

3. **RESOLUTION NO. 14,048; Z-8570-B:** To set February 3, 2015, as the date of hearing on the appeal of the Planning Commission's recommendation of denial of a Tower Use Permit to allow the existing wireless communication facility tower located at 20001 Kanis Road to be increased in height from 150 feet to 170 feet; and for other purposes.

4. **RESOLUTION NO. 14,049; Z-8997:** To set February 3, 2015, as the date of hearing on the appeal of the Planning Commission's recommendation of denial for a Planned Zoning District, titled 5514/5520 West Markham Street Short-Form PD-C, located at 5514 & 5520 West Markham Street, Little Rock, Arkansas; and for other purposes.

5. **RESOLUTION NO. 14,050:** To authorize the City Manager to purchase 2015 Little Rock Marathon Participant and Volunteer Shirts from Bluff City Sports, in the amount of \$74,118.20; and for other purposes. *Staff recommends approval.*  
**Synopsis: A resolution to authorize the City Manager to purchase 2015 Little Rock Marathon participant and volunteer shirts from Bluff City Sports for \$74,118.20.**

6. **RESOLUTION NO. 14,051:** To authorize the City Manager to enter into a contract with Cruse Uniforms and Equipment for the purchase of ten (10) L3 Night Vision Devices and Mounts for the Little Rock Police Department SWAT Team, in the amount of \$111,320.00; and for other purposes. *Staff recommends approval.*  
**Synopsis: The Little Rock City Manager's Office/Emergency Management Division is committed to improving emergency response operations throughout the City. In order to accomplish this goal, the City Manager's Office/Emergency Management Division proposes the purchase of ten (10) L3 Night Vision Devices and mounts for the Little Rock Police Department SWAT Team.**

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.**

**GROUPED ITEMS (Items 7 – 9 and 11 - 12)**

**7. ORDINANCE NO. 20,981; Z-7632-A:** To repeal Ordinance No. 19,136 (July 20, 2004) titled Malone Short-Form PD-R, located at 1100 Rock Street and revoking 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 previously held R-4A, Low Density Residential District. (Located in Ward 1)

**8. ORDINANCE NO. 20,982; Z-8850-A:** To approve a Planned Zoning Development and establish a Planned Office District titled A&A Investment Fillmore Street Revised Short-Form PD-O, located on the northeast corner of West Markham and Fillmore Streets, 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; and 2 absent. Staff recommends approval.*

**Synopsis:** The applicant is proposing a revision to the previously-approved PD-O, Planned Development Office, to allow for the development of a two (2) phase project with the first phase containing a surface parking lot and the second phase containing a three (3) story office building with parking on the lower level. (Located in Ward 3)

**9. ORDINANCE NO. 20,983; Z-8988:** To reclassify property located in the City of Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 6 ayes; 2 nays; and 3 absent. Staff recommends approval.*

**Synopsis:** The owner of the 0.16-acre property located at 317 South Park Street is requesting that the zoning be reclassified from R-3, Single-Family District, to R-5, Urban Residence District. (Located in Ward 3)

**11. ORDINANCE NO. 20,984; Z-8996:** To approve a Planned Zoning Development and establish a Planned Industrial District titled Kayla Cole Short-Form PID, located at 7600, 7604, 7604-½ Colonel Glenn Road and 4122 Stannus 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; and 2 absent. Staff recommends approval.*

**Synopsis:** The applicant is proposing a rezoning from I-2, Light Industrial District, to PID, Planned Industrial District, to add single-family as an allowable use. (Located in Ward 6)

Vice-Mayor Wright asked what type of development could go into a Light Industrial District. Planning & Development Director Tony Bozynski reported that uses included: appliance repair; auto class; muffler shop; cabinet/woodworking shop; car wash; day care; day nursery; restaurant; fire station; hauling/storage company; industrial laundry; light fabrication/assembly process; general & professional office warehouse; plumbing/electrical/heating contractor; small engine repair. Vice-Mayor Wright asked if there was any type of business being proposed. Mr. Bozynski stated that the proposed business was small engine repairs.

Director Wyrick stated that in looking at the Site Plan Map, there appeared to be several residential structures that would remain; however, with the zoning, they could be changed to whatever fit into the appropriate use for that designation. Mr. Bozynski stated that was the case.

**12. ORDINANCE NO. 20,985; Z-8998:** To approve a Planned Zoning Development and establish a Planned Office District titled MEMS Headquarters Short-Form PD-O, located at 1022 West 8<sup>th</sup> 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 seeking a rezoning from UU, Urban Use District to PD-O to allow the approval of a site plan for the redevelopment of the future MEMS headquarters. (Located in Ward 1)

The ordinances were read a first time. Director Adcock made the motion, seconded by Director Cazort, 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 Cazort, 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 voice vote of the Board Members present, with Director Wyrick voting in opposition on Item 11, **the ordinances were approved.**

#### **SEPARATE ITEMS (Items M-1, 13 and 15 - 19)**

**M-1 RESOLUTION NO. 14,052:** To authorize the City Manager to enter into a contract with P. Jeff Hoggard, P.A., to provide Governmental Affairs and Consulting Services; and for other purposes. *Staff recommends approval.*

**Synopsis:** A Request for Qualifications was issued for Legislative Consultant Services during the 90<sup>th</sup> General Assembly. After interviewing five (5) candidates, the Selection Committee identified P. Jeffrey Hoggard, P.A. as the top candidate.

Director Adcock asked why the contract was necessary. City Manager Bruce Moore that each Legislative Session the City engaged a consultant to assist staff in proactively ensuring that the City's legislative items were monitored and ultimately passed. Intergovernmental Relations Manager Emily Jordan Cox stated that the City had two (2) items that would require legislation. Ms. Cox reported that the first item was the returning of seized items when no criminal charges have been filed, and the second item was reducing the Administrative Fee from 3% to 2% that the Department of Finance and Administration assess for collecting local sales tax. Ms. Cox stated that there were several outstanding issues that impacted the City, such as prison overcrowding, that she would be monitoring throughout the session. City Manager Moore stated that the City originally had six (6) items in their Legislative Packet; however, it was determined that several of the items could be worked out with contact from State Agencies and did not require legislation.

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

**13. ORDINANCE NO. 20,986:** To create a Property Assessed Clean Energy (PACE) Act Improvement District named the Little Rock Energy Improvement District; to facilitate a PACE Program; and for other purposes. *Staff recommends approval.*

**Synopsis:** An ordinance establishing the Little Rock Energy Improvement District and organizing the District's Board. The establishment of the District is authorized by Act 1074 of 2013 (codified at Arkansas Code Annotated 8-15-101 et seq.). It is the first step towards creating a Property Assessed

**Clean Energy (PACE) Program in Little Rock. The PACE Program will make financing available to real property owners for energy efficiency, clean energy, water conservation, and similar projects and improvements.**

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 Richardson, 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.

Ben Brenner, 16 Shannon Drive: Stated that he was the Chair of the Little Rock Sustainability Commission and that he was in support of the creation of a PACE Program. Mr. Brenner stated that the program would connect private financing with commercial property owners to make energy efficiency, renewable energy and water conservation improvements. Mr. Brenner reported that once the program was implemented, commercial property owners within the District would be able to apply for loans to finance improvements and in some instances could finance up to 100% of the improvements. Mr. Brenner stated that each loan would be paid back through an additional property tax assessment only against the improved property. Mr. Brenner stated that the PACE Program would be an important tool for economic development and job creation.

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

**15. ORDINANCE NO. 20,989; Z6886-B:** To approve a Planned Zoning Development and establish a Planned Office District titled Church at Rock Creek Revised Long-Form POD, located at 11500 West 36<sup>th</sup> 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 request is to amend the previously-approved POD, Planned Office District, to eliminate the previously-approved western land use buffer. (Located in Ward 6)**

The ordinance was read a first time. Director Cazort 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.

Vice-Mayor Wright asked if the removal of the buffer would affect 36<sup>th</sup> Street and any future work planned for 36<sup>th</sup> Street. Mr. Bozynski stated that the request was to remove the western land use buffer to allow for future grading. Mr. Bozynski stated that the property located directly to the west (Item 16), was proposed for a multi-family development. Mr. Bozynski reported that the buffer did not go all the way to 36<sup>th</sup> Street.

Tim Daters, 24 Rahling Road: Stated that he was the Engineer Consultant with White Daters & Associates. Mr. Daters stated that church wanted to revise their Planned

Development to remove the fifty (50)-foot land use buffer that originally existed along the western property of the church. Mr. Daters stated that advanced grading would be completed on the site to make the hill more level so that it was more useable for parking.

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

**16. ORDINANCE NO. 20,987; Z6886-6:** To approve a Planned Zoning Development and establish a Planned Residential District titled Bowman Pointe Long-Form PD-R, located east of Bowman Road and north & south of 36<sup>th</sup> Street, between Interstate 430 and South Bowman 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 allow a rezoning of 31.07 acres from R-2, Single-Family District, to PD-R, Planned Development – Residential, to allow for the development of 500 units of multi-family housing. (Located in Ward 6)**

The ordinance was read a first time. Director Cazort 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.

Mr. Daters stated that the proposed project was thirty-one (31) acres of multi-family residential development with 500 apartments units, along with 7 acres of open space along Brodie Creek, south of 36<sup>th</sup> Street. Mr. Daters stated that within the thirty-one (31) acres, approximately fifteen (15) acres would be landscaped or courtyard areas, which would maximize the green space around the development. Mr. Daters stated that there would be a 100-foot buffer between the multi-family development and the property to the north, with eighty (80) feet of the buffer remaining natural and twenty (20) feet would be landscaped. Mr. Daters reported that the developer would be improving approximately 1,400 feet of Bowman Road to ½ of the Minor Arterial Street standards and was committed to working with the City and the adjacent property owners to the south and west of the project to eliminate the sharp curve in Bowman Road, which would improve safety and visibility. In addition, the developer had committed to constructing an additional lane on 36<sup>th</sup> Street from the church's driveway, west to the intersection with Bowman Road, so that when church services that were finished, one (1)-lane of traffic would be able to turn north onto Bowman Road and a separate lane that can turn southbound onto Bowman Road, which would significantly decrease congestion.

Ernie Peters: Stated that he was with Peters & Associates Engineers and that a comprehensive study had been conducted related to the development. Mr. Peters stated that there would be one (1) point-of-access on Bowman Road and another point-of-access on 36<sup>th</sup> Street. Mr. Peters stated that the two (2) points-of-access were adequate with improvements that will be made as a result of the development.

Vice-Mayor Wright asked if once the property was fully built out would there be the need for a traffic signal at the intersection of Bowman Road & 36<sup>th</sup> Street. Mr. Peters stated

that based on the actual full-build traffic volumes, they would not be sufficient to warrant a traffic signal at the intersection.

Director Richardson stated that he had a brother by the name of Keith Richardson; however, he taught school and was not the developer and he wanted the record to reflect that there was not a conflict of interest.

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

**17. ORDINANCE:** To adopt a Complete Streets Policy for the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 9 ayes; 0 nays; and 2 absent. Staff recommends approval.*

**Synopsis: Adoption of a Complete Streets Policy for Little Rock – to work such that all streets are safe for all modes of transportation.**

The ordinance was read a first time. Director Adcock made the motion, seconded by Director Richardson, 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 Richardson, 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.

Director Hines stated that in his research, it appeared that there were inconsistencies between the Master Street Plan, the Master Bike Plan and the Complete Streets Plan regarding the details of striping, costs, etc. Director Hines stated that he would like to have additional time for staff to obtain clarification regarding payment of improvements and to review any inconsistencies between the various Plans.

Director Hines made the motion, seconded by Director Hendrix, to defer Item 17 until April 21, 2015. By roll call vote, the vote was as follows: Ayes: Hendrix; Hines; Wyrick; Fortson; Adcock; and Vice-Mayor Wright. Nays: Richardson; Webb; and Cazort. Absent: Kumpuris. By a vote of six (6) ayes, three (3) nays and one (1) absent, **Item 17 was deferred until April 21, 2015.**

**18. ORDINANCE; MSP14-03:** To amend the Master Street Plan (Ordinance No. 20,117) to revise the requirements for dedication, construction and marking of bicycle paths and routes in the Master Street Plan text; and for other purposes. *Planning Commission: 9 ayes; 0 nays; and 2 absent. Staff recommends approval.*

**Synopsis: Adoption of a Master Street Plan Amendment to clarify the Bike Plan Section and require the Class II and III routes be constructed.**

The ordinance was read a first time. Director Adcock made the motion, seconded by Director Richardson, 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 Richardson, 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.

Director Hines made the motion, seconded by Director Hendrix, to defer Item 17 until April 21, 2015. By unanimous voice vote of the Board Members present, with Director Richardson, Webb and Cazort voting in opposition, **Item 17 was deferred until April 21, 2015.**

Director Richardson made the motion, seconded by Director Cazort, that the Board take a fifteen (15)-minute recess. By unanimous voice vote of the Board Members present, **the Board took a fifteen (15)-minute recess.**

**19. ORDINANCE NO. 20,990:** To prohibit the withdrawal and use of groundwater on certain lands in Little Rock, Arkansas; **to declare an emergency;** and for other purposes.

The ordinance was read a first time. Director Richardson 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 Richardson 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.

Director Wyrick asked why the Board was addressing the issue. City Attorney Tom Carpenter stated that the Arkansas Department of Environmental Quality (ADEQ) had issued a Remedial Plan due to the fact that there had been groundwater contamination not only on City-owned property used by the Little Rock airport, but also as result of a plume that had drifted downstream to other properties, that included residential properties within the City. City Attorney Carpenter stated that ADEQ stated that for remediation, the Board could adopt an ordinance which would prohibit certain activities that might interfere with the groundwater on the properties. City Attorney Carpenter stated that by resolution, the Little Rock Airport Commission had agreed to the limitations on the City-owned property; however, the problem was that they don't own the property. City Attorney Carpenter stated that the purpose of the ordinance was to ratify would could be done.

Director Adcock asked for presentation regarding the Timex property and how many pieces of property that they had purchased. Jordan Johnson stated that the project had been going on for approximately one (1)-year and that Timex had made offers to all the residential property owners in the area. Mr. Johnson stated that of the thirty-nine (39) properties. Either 1/3<sup>rd</sup> had been obtained by Timex or through some type of deed restriction on an individual's property. Mr. Johnson stated that although Timex was not included in the resolution, they were working with staff to draft an additional resolution.

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

## **PUBLIC HEARINGS (Item 20)**

**20. ORDINANCE NO. 20,998:** To establish and lay off City of Little Rock Municipal Property Owners' Multipurpose Improvement District No. 2014-317 of the City of Little Rock, Arkansas (Panther Branch Project); ***to declare an emergency***; and for other purposes.

Mayor Stodola opened the public hearing.

The ordinance was read a first time. Director Adcock made the motion, seconded by Director Hines, 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.**

## **EXECUTIVE SESSION (Item 21)**

**21. EXECUTIVE SESSION:** Election of Vice-Mayor and appointments of Little Rock City Board of Directors to represent Boards and Commission of the City of Little Rock, Arkansas.

Mayor Stodola stated that there had been a motion made at the January 6, 2015, Board of Directors Meeting to defer the organizational items regarding the Board Members to the January 20, 2015, meeting. Mayor Stodola stated that Director Kumpuris was out of town that evening and so he asked the Board to recess the meeting until January 27, 2015, so that the Board could address the organizational items.

## **CITIZEN COMMUNICATION**

Rohn Muse, 822 Lewis Street: Concerned Citizens of Ward 2.  
Rev. Benny Johnson, 9525 Interstate 30: Director Richardson.

Director Richardson addressed the concerns that were voiced regarding his leadership of Ward 2.

Jonathan Hancock, 324 Daisy Bates Drive: Pedestrian Safety.

Vice-Mayor Wright made the motion, seconded by Director Richardson, to recess the meeting until January 27, 2015, for the purpose of the election of Vice-Mayor and

Little Rock Board of Directors Meeting  
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6:00 PM

appointments of Little Rock City Board of Directors to represent Boards and Commission of the City of Little Rock, Arkansas. By unanimous voice vote of the Board Members present, **the meeting was recessed until January 27, 2015.**

**ATTEST:**

**APPROVED:**

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**Susan Langley, City Clerk**

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**Mark Stodola, Mayor**