



The City Beautiful Commission held its regular meeting Thursday, March 5th 2009, at 11:30 a.m. in the Sister Cities Conference Room on the second floor of City Hall. Chair Homeyer called the meeting to order.

MEMBERS PRESENT: Bill Wiedower Steve Homeyer
Jennie Cole Debra Redding
Kay Tatum Lynn Warren
Walter Jennings

MEMBERS ABSENT: Ben Jackson
Lee Ann Overall

ALSO PRESENT: Dana Carney, Zoning and Subdivision Manager, Department of Planning & Development, City of Little Rock
Christy Marvel, Plans Development Administrator, Department of Planning & Development, City of Little Rock
Beth Blevins Carpenter, Deputy City Attorney, City of Little Rock

David Smith, Supervising partner, Sonic Americas Drive-In
Ken Marcus, Supervising partner, Sonic Americas Drive-In
Scott Slifka, Supervisor, Sonic Americas Drive-In
Betsy Luten, upcoming CBC member

APPROVAL OF THE FEBRUARY MINUTES:

Motion: Vice-Chair Wiedower made a motion to accept the minutes as submitted.

Second: Commissioner Jennings seconded the motion and it passed unanimously.

C.B.C. LANDSCAPE VARIANCE PUBLIC HEARING CASE NO. 614:

City staff began the meeting for Sonic, America's Drive-In which is located on the C-3 zoned property at 2917 Cantrell Road. This particular Sonic was constructed approximately five (5) years ago. It includes outdoor seating, indoor seating, and one drive through lane. The applicant would like to have an additional drive through lane added to this site. According to the applicant, this proposed lane would be for the beverage pick-up only. Currently, the waiting time for customers is longer than wanted for optimal customer service. The majority of customers are for beverage purchase only. This additional lane would allow for faster service to all their customers. The lane would be ten foot (10') wide and fifty (50) foot in length. For the addition of this drive through lane to commence the nine (9') foot wide perimeter landscape strip will be eliminated in its entirety for fifty (50') foot. It is the intention of the applicant to relocate

the three (3) trees affected by this additional drive through lane. A Splash Carwash is located on the northwestern property line of this site and an antique mall along the southeastern property line. Residential properties lie long the rear of the property. Staff has received two (2) phone calls in conjunction with this request. Mr. Max Brantley whom resides at 3210 Edgerstoune Lane, sent the following email and requested that it be forwarded onto the commission: "I continue to have questions about the portable building and their inability to police the litter strewn over neighboring property. But I also have a very real concern about putting a parallel lane of traffic into Cantrell Road. This property was too narrow for this development. The shared entrance driveway with the car wash is already a huge problem. The curve and inadequate turn lane on Cantrell are the cause of frequent accidents and near misses. Putting two lanes of traffic exiting the building simultaneously into an already difficult traffic situation strikes me as imprudent. Don't know if that's a city beautiful issue or not. But the Sonic sold this plan in part with the landscaping, which was a pleasant departure. They knew the rules. They should abide by them, not try to change them when they think nobody is looking." Mr. Brantley wanted to go on record as being against. Secondly, a phone call from Mr. Mort Geeter, co-owner of the Splash Carwash next door wanted to go on record as being indifferent and really has no problem with the applicants request because its on the opposite side of his property. Staff does not support the total elimination of the perimeter landscape requirement. Staff's recommendation was that of denial for the requested perimeter landscape strip variance.

Scott Slifka, Supervisor for Sonic Drive-In, informed the CBC that the company had produced a 1-800 phone number for their customers to comment and respond to service. One of the primary issues they kept hearing was in regards to the wait time in the drive-thru being to long. Mr. Slifka also noted that he felt Mr. Brantley was inadequate in his comments and he didn't include the site in its entirety. Sonic is requesting this additional lane to help meet the needs of their customers and requests the CBC's approval. Vice-chair Wiedower noted that other drive-thru in town have people/cars pull up and noted that might be an option for this location also. Sonic noted they'd investigated that option already and it wasn't viable. Additional traffic congestion was mentioned and Mrs. Beth Carpenter noted that traffic issues aren't really within the CBC's purview for review. Commissioner Warren inquired to applicant as to whether they'd considered just asking the customers to pull forward. The applicant noted, yes they had; however, about 50 % refuse to do so. Chair Homeyer inquired on the plans for a curb located between the two properties. The applicant noted yes, indeed there will be a curb which will eliminate the cars from driving upon the adjoining property. Commissioner Cole asked if all of the trees on that side of the property will be removed. The applicant noted that a total of three trees located in that area will simply be relocated on the site, the rest are to remain. Applicant also noted that any trees that died would be replaced immediately.

Vice-chair Wiedower inquired about the property owner next door, the Antique store, and their opinion of the additional drive isle. The owner of the antique stores only concern was the overhanging of parked cars(since there are no wheel stops on his parking spaces). Otherwise, he was indifferent to the request. Mr. Slifka noted that Sonic had tried to purchase some additional property from the antique store and were unable to do so due to the parking restraints it would cause on the owner of the adjoining store. Commissioner Redding inquired the representatives whether or not the CBC would be reviewing other Sonic sites in town for this same request. The applicant noted that indeed this store was the only one in this situation; therefore, this will be the

only request as such. Commissioner Warren inquired whether they'd investigated other locations on the site for beverage only pick-up. The applicant noted they had not done so as of yet. Commissioner Jennings noted he was glad to hear that business was good for the Sonic Corporation; however, he didn't want to see the elimination of an entire landscape strip. Commissioner Jennings inquired about other locations having less wait time than this location in question. The applicant noted that it usually averaged seven (7) to (8) cars at any given wait time, which is typical of all locations. Vice-chair Wiedower noted he hated to lower the city standard for one application. It was pointed out that one of Mr. Brantley's points was that there wasn't sufficient room to build the Sonic to begin with, in his opinion. It was also noted that the elimination of the landscape strip would only allow one car to pass before it could potentially be bottlenecked again. Commissioner Warren inquired about the rear of the property being used for a beverage only pick-up area and the applicant noted that wasn't their property to use. Commissioner Jennings noted the CBC had a lot of sympathy for your problem and are trying to offer suggestions; however, doesn't feel comfortable making an exception for this one application. Vice-chair Wiedower noted he agreed with Commissioner Jennings and couldn't support the application as is; however, the applicant has the option to re-design the area and re-apply for another variance.

Motion: Commissioner Warren made a motion to approve the variance as requested.

Second: Commissioner Jennings seconded the motion.

Deputy City Attorney, Beth Carpenter, clarified the recent occurrences at the Board level regarding membership and requested a roll call vote by staff.

Chair Homeyer- no

Vice Chair Wiedower- no

Commissioner Warren-no

Commissioner Cole-no

Commissioner Jackson-absent

Commissioner Redding-no

Commissioner Overall-absent

Commissioner Tatum-no

Commissioner Jennings-no

Motion failed.

Introduction of new CBC members:

Ms. Carpenter explained the Board of Directors had decided to appoint Ms. Lynn Warren, Mr. Walter Jennings, and Mrs. Betsy Luten to the CBC. Mrs. Luten introduced herself and noted that she was a Master Gardener and President of the Little Rock Garden Council. Mrs. Luten also noted that she had taken the Little Rock Citizens Academy, 2 hours for 6 weeks and highly recommends it to all.

It was noted that Brad Cazort had been placed as the CBC ex-officio.

Ms. Carpenter also noted that the CBC will need to amend their by-laws to reflect the addition of one member, total now of ten (10).

Motion: Commissioner Warren made a motion to amend the by-laws to reflect ten (10) Commissioners per the recent vote by the Board of Directors. It was also noted that any item that doesn't get six (6) votes will fail as a motion.

Second: Commissioner Tatum seconded the motion.

It was noted the by-laws may have other changes needed due to the Commission body number changing; therefore, review should occur of the document in full, prior to a vote.

Motion failed.

Ms. Carpenter noted she'd be out on personal medical leave; however, will work on this issue upon her return to work.

TREASURER'S REPORT: Per Debra Redding, Treasurer:

Little Rock City Beautiful Commission
Treasurer's Report
02-05-09

Beginning Balance as of December 23 rd , 2008		<u>\$2,191.10</u>
Credits		
	Interest on Account	.00
	Total credits	\$ 0.00
Debits	none	<u>\$2,191.10</u>
Ending Bank Balance as of February 5 th , 2009		\$2,191.10

Commissioner Jennings noted that the Chair, Steve Homeyer, had purchased some roses in the amount of \$103.15 for the LR Garden Show and incurred some printing costs.

Motion: Commissioner Jennings made a motion to reimburse Chair Homeyer for the expenses incurred.

Second: Commissioner Warren seconded the motion and it passed unanimously.

Chair Homeyer will get the receipts to Commissioner Redding.

LANDSCAPE ORDINANCE PROPOSED CHANGES:

City staff continues to collect data, work within the planning department staff and with city hall and requests the CBC table the discussion for another date.

COMMITTEE REPORTS: UPDATES:

OLD BUSINESS:

Landscape Awards(Ben)- no report.

Eye of the Beholder (Kay) - Commissioner Tatum will get the certificates to Vice-chair Wiedower and will also compose a letter requesting recommendations. This letter can be sent out around the month of May.

Future Projects

City Hall Rear Entry Garden –Per a conversation with Mr. Scott Carter, a new liaison will be appointed soon and the ceremony needs to include Mr. Brad Cazort. It is tentatively going to be in either April or May.

I-630 Trees-no report.

PR-Website- Commissioner Warren noted she had added the agenda and the minutes. Also added were the gardens show flyers, etc. under, “Things Coming Up”. Commissioner Tatum noted that her granddaughter had an Iris named after her recently, the Avalee Tatum. Commissioner Tatum also noted that the City of Sherwood currently had a “Little Miss Sherwood” and discussion with them might be insightful.

Commissioner Tatum noted the library exhibit can commence, the CBC just needs to decide where or which library branch the exhibit should be showcased at first. Chair Homeyer noted that he had various items from the Garden Show that would go nicely with an exhibit. Commissioner Tatum agreed to make a few inquiries with the Central Arkansas Library System.

KLRB- Commissioner Jennings noted that Mr. Tom Gibbens Mrs. Leslie Gibbons were leaving the KLRB board; however, things are looking up with the new city staff involvement. Ms. Kelly Ross with the recycling committee has also been very positive and involved; especially with the local schools. They continue to look for an office location, set up may have a flag and phone number. Continue having trouble raising funds. The median project at 2nd Street and Cumberland, should be signed off by the City Manager within the next month. The next site will likely be near the University at Little Rock.

Adopt-A-Street- This upcoming Saturday should be good for litter pick-up. Commissioner Jennings wrote a letter regarding appreciation to the following: Steve Beck, Kevin Pruitt, and David Hathcock.

Illegal tree cutting

Trees being cut illegally along Interstate 430, at Playtime Pizza, were mentioned. Staff noted they'd already been out on site to cease work and written a courtesy notice to the owners. Staff will keep the CBC updated on this site.

Garden Show 2009-Overall great year. Commissioner Jennings noted that signing up for the drawing really pulled people in so that discussion of adopting a street could commence easier. It was noted there was almost too much stuff at the booth. Commissioner Warren noted the booth next to the CBC had an individual that was very loud vocally; therefore, next year perhaps a different location maybe warranted. Commissioner Cole noted the 1-800 phone number stickers were also a hit at the show. Commissioner Jennings noted that next year the winners “must be present to win”. It was also a great opportunity to present information and for communication with the audience.

NEW BUSINESS:

Chair Homeyer handed out CBC’s goals and mission statement to remind Commissioners the focus of the duties.

Chair Homeyer handed out forms for updating the contact information of all the Commissioners for the city clerk.

Commissioner Warren noted that she would write thank you letters to all the participants in the Garden Show after the statistics come out.

Motion: Vice-Chair Wiedower made a motion to adjourn.

Second: Commissioner Warren seconded the motion and it passed unanimously.

Adjournment: 12:54 p.m.