

FILE NO.: Z-5817-I

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NAME: 15000 Cantrell Road Short-form PD-C

LOCATION: Located at 15000 Cantrell Road

DEVELOPER:

Rector Phillips Morse  
1501 N. University Avenue, Suite  
Little Rock, AR 72207

SURVEYOR:

White-Daters and Associates  
24 Rahling Circle  
Little Rock, AR 72223

AREA: 1.53 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 5

PLANNING DISTRICT: 1

CENSUS TRACT: 42.05

CURRENT ZONING: R-2, Single-family

ALLOWED USES: Single-family

PROPOSED ZONING: PD-C

PROPOSED USE: Restaurant

VARIANCE/WAIVERS: None requested.

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BACKGROUND:

On May 19, 2016, the Little Rock Planning Commission approved a request to withdraw an item to allow the rezoning and the redevelopment of this site with a fast food restaurant. The request was a rezoning of the site from R-2, Single-family to Planned Commercial Development, PCD. The applicant proposed the placement of a 3,847 square foot fast food restaurant and a 5,000 square foot office building on this site containing 1.53-acres. The site plan indicated 42 parking spaces for the fast food

restaurant and 20 parking spaces were proposed for the office building. The site plan indicated the placement of a 40-foot landscape strip and a 100-foot building setback along Cantrell Road. The plan indicated a 13-foot landscape strip along the eastern and western perimeters of the site. A 25-foot landscape strip and building setback were proposed along the northern perimeter of the site.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is now proposing a rezoning of the site from R-2, Single-family to PD-C, Planned Development Commercial, to allow the development of 1.53-acres with a 3,847 square foot fast food restaurant. The plan indicates 44 parking spaces to serve the restaurant user. The site is located within the Highway 10 Design Overlay District area. The plan is indicated meeting the typical development standards of the Overlay with the exception of the minimum lot size but the lot is currently platted and has been for some time. The plan as presented indicates a 100-foot building line along Cantrell Road, a minimum building setback of 40-feet along the rear and 30-feet on the sides. The plan also indicates the placement of landscape buffers per the Overlay. The plan indicates the placement of a 40-foot front yard landscape strip, a 40-foot rear yard landscape strip (25-foot average required per the Overlay) and a 25-foot landscape strip along the eastern and western perimeter (25-foot average required per the Overlay).

B. EXISTING CONDITIONS:

The property is located north of Cantrell Road/Highway 10 just west of the Cantrell/Taylor Loop Road intersection. There are no structures located on the site. East of the site is a bank and two (2) medical offices. West of the site is a property which was recently approved by the Board of Directors as a Planned Office Development, POD, for a medical office. North of the site is undeveloped R-2, Single-family zoned property accessed from Rummel Road. South of the site are various uses including single-family homes within the Westchester Subdivision, a pet boarding facility, a school and undeveloped property. East of the site there are a number of commercial uses including a convenience store, drug store, restaurants and two (2) hardware stores at the Cantrell/Taylor Loop intersection.

Cantrell Road is a four (4) lane State Highway with a continuous center turn lane. There are no sidewalks located along this property frontage.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200-feet of the site along with Pinnacle Valley Neighborhood Association, the Tulley Cove Neighborhood Association, the Westbury Neighborhood Association and the Westchester Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Cantrell Road is classified on the Master Street Plan as a principal arterial. Dedication of right-of-way to 55-feet from centerline will be required.
2. Sidewalks with appropriate handicap ramps are required in accordance with Section 31-175 of the Little Rock Code and the Master Street Plan.
3. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
4. A grading permit in accordance with Section 29-186 (c) and (d) will be required prior to any land clearing or grading activities at the site. Other than residential subdivisions, site grading and drainage plans must be submitted and approved prior to the start of construction.
5. Stormwater detention ordinance applies to this property. Show the proposed location for stormwater detention facilities on the plan. Maintenance of the detention pond and all private drainage improvements is the responsibility of the developer and/or property owner.
6. If disturbed area is one (1) or more acres, obtain a NPDES stormwater permit from the Arkansas Department of Environmental Quality prior to the start of construction.
7. Obtain permits for improvements within Arkansas Department of Transportation right-of-way from ARDOT, District VI.
8. Show driveway locations on the south side of Cantrell Road.
9. A shared access easement is shown on the final plat between the lots. The City of Little Rock driveway spacing criteria will not permit a future driveway for Lot 2.
10. Provide an onsite traffic impact study with expected vehicle queues, volumes and service times during peak hour based on times and volumes at other similar franchised sites in the area.

E. Utilities/Fire Department/Parks/County Planning:

Little Rock Water Reclamation Authority: Sewer available to this site. Existing easements must be retained. EAD approval required. Contact Little Rock Water Reclamation Authority for additional information.

Entergy: Entergy does not object to this proposal. There do not appear to be any conflicts with existing electrical utilities based on the information provided. A three phase, overhead power line exists along the north side of Cantrell Road. Caution should be used when constructing a drive underneath the existing power line to ensure that all proper clearances are maintained. Contact Entergy in advance to discuss electrical service requirements, or adjustments to existing facilities (if any) as this proposal proceeds.

Centerpoint Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water:

1. All Central Arkansas Water requirements in effect at the time of request for water service must be met.
2. The Little Rock Fire Department needs to evaluate this site to determine whether additional public and/or private fire hydrant(s) will be required. If additional fire hydrant(s) are required, they will be installed at the Developer's expense.
3. Please submit plans for water facilities and/or fire protection system to Central Arkansas Water for review. Plan revisions may be required after additional review. Contact Central Arkansas Water regarding procedures for installation of water facilities and/or fire service. Approval of plans by the Arkansas Department of Health Engineering Division and the Little Rock Fire Department is required.
4. If there are facilities that need to be adjusted and/or relocated, contact Central Arkansas Water. That work would be done at the expense of the developer.
5. Contact Central Arkansas Water regarding the size and location of the water meter.
6. The facilities on-site will be private. When meters are planned off private lines, private facilities shall be installed to Central Arkansas Water's materials and construction specifications and installation will be inspected by an engineer, licensed to practice in the State of Arkansas. Execution of a Customer Owned Line Agreement is required.
7. Due to the nature of this facility, installation of an approved reduced pressure zone backflow preventer assembly (RPZA) is required on the domestic water service. This assembly must be installed prior to the first point of use. Central Arkansas Water requires that upon installation of the RPZA, successful tests of the assembly must be completed by a Certified Assembly Tester licensed by the State of Arkansas and approved by Central Arkansas Water. The test results must be sent to Central Arkansas Water's Cross Connection Section within ten days of installation and annually thereafter. Contact the Cross Connection Section at 501.377.1226 if you would like to discuss backflow prevention requirements for this project.
8. Fire sprinkler systems which do not contain additives such as antifreeze shall be isolated with a double detector check valve assembly. If additives are used, a reduced pressure zone back flow preventer shall be required.
9. The development will have minor impact on the existing water distribution system. Proposed water facilities will be sized to provide adequate pressure and fire protection.

Fire Department:

1. Fire Hydrants. Maintain fire apparatus access roads at fire hydrant locations as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D103.1 Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders.
2. Grade. Maintain fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade except as approved by the fire chief.
3. Loading. Maintain fire apparatus access road design as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.
4. Fire Hydrants. Locate Fire Hydrants as per Appendix C of the 2012 Arkansas Fire Prevention Code. Section C101 – C105, in conjunction with Central Arkansas Water (Jason Lowder 501.377.1245) and the Little Rock Fire Marshal's Office (Capt. Tony Rhodes 501.918.3757 or Capt. John Hogue 501.918.3754). Number and Distribution of Fire Hydrants as per Table C105.1.

Parks and Recreation: No comment received.

County Planning: No comment.

F. Building Codes/Landscape:

Building Code: Project is subject to full commercial plan review and approval prior to issuance of a building permit. For information on submittal requirements and the review process, contact a commercial plans examiner:

Curtis Richey at 501.371.4724; [crichey@littlerock.gov](mailto:crichey@littlerock.gov) or  
Mark Alderfer at 501.371.4875; [malderfer@littlerock.gov](mailto:malderfer@littlerock.gov).

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements and the Highway 10 Design Overlay District.
2. The Highway 10 frontage (front yard) shall consist of a minimum of forty (40) feet of landscaped area exclusive of right-of-way. The landscaped area shall contain organic and/or combined man-made/organic features such as berms, brick walls and dense plantings such that vehicular use areas are screened when viewed from an elevation of forty-two (42) inches above the

elevation of the adjacent street. Trees shall be planted or be existing at least every twenty (20) feet and have a minimum of two (2) inches in diameter when measured twelve (12) inches from the ground at time of planting. Provide screening shrubs no less than thirty (30) inches in height at installation with an average linear spacing of not less at three (3) feet within the required landscape area.

3. A land use buffer six (6) percent of the average width / depth of the lot will be required when an adjacent property has a dissimilar use of a more restrictive nature. The properties to the north and east are zoned R-2, Single-family. As a component of all land use buffer requirements, opaque screening, whether a fence or other device, a minimum of six (6) feet in height shall be required upon the property line side of the buffer. A minimum of seventy (70) percent of the land use buffer shall be undisturbed. Easements cannot count toward fulfilling this requirement. The plantings, existing and proposed, shall be provided within the landscape ordinance of the City, Section 15-81.
4. A perimeter planting strip is required along any side of a vehicular use area that abuts adjoining property or the right-of-way of any street. This strip shall be at least nine (9) feet wide. One (1) tree and three (3) shrubs or vines shall be planted for every thirty (30) linear feet of perimeter planting strip.
5. Building landscape areas shall be provided at the rate equivalent to planter strip three (3) feet wide along the vehicular use area. One (1) tree and four (4) shrubs shall be planted in the building landscape areas for each forty (40) linear feet of vehicular use area abutting the building.
6. Eight percent (8%) of the vehicular use area must be designated for green space; this green space needs to be evenly distributed throughout the parking area(s). For developments with more than one hundred fifty (150) parking spaces the minimum size of an interior landscape area shall be three hundred (300) square feet. Interior islands must be a minimum of seven and one half (7 1/2) feet in width. Trees shall be included in the interior landscape areas at the rate of one (1) tree for every twelve (12) parking spaces.
7. A landscape irrigation system is required as per Highway 10 site design and development standards.
8. The City Beautiful Commission recommends preserving as many existing trees as feasible on this site. Credit toward fulfilling Landscape Ordinance requirements can be given when preserving trees of six (6) inch caliper or larger.

G. Transportation/Planning:

Rock Region Metro: Location is served by METRO on route 25 Pinnacle Mtn. We recommend the plan provide pedestrian access between the fast food store and the transit route. METRO has current data which indicates workers commuting to this area for retail jobs.

Planning Division: This request is located in River Mountain Planning District. The Land Use Plan Suburban Office (SO) for this property. The Suburban Office category provides for low intensity development of office or office parks in close proximity to lower density residential areas to assure compatibility. A Planned Zoning District is required. The applicant has applied for a rezoning from R-2 (Single Family District) to PCD (Planned Commercial Development) to allow a new restaurant to be built. The request is within the Highway 10 Overlay District.

Master Street Plan: South of the property is Cantrell Road and it is shown as a Principal Arterial on the Master Street Plan. The primary function of a Principal Arterial Street is to serve through traffic and to connect major traffic generator or activity centers within an urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Cantrell Road since it is a Principal Arterial. This street may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: There is a Class I Bike Path shown along the Cantrell Road. A Bike Path is to be a paved path physically separate for the use of bicycles. Additional right-of-way or/and easement is recommended. Nine-foot paths are recommended to allow for pedestrian use as well (replacing the sidewalk).

H. SUBDIVISION COMMITTEE COMMENT: (June 28, 2017)

Mr. Joe White of White-Daters and Associates was present representing the request. Staff stated the site was located within the Highway 10 Design Overlay District which had specific development criteria. Staff stated the landscape strips and building setbacks appeared to comply with the development standards of the Overlay. Staff stated the width of the drive lane and the parking stalls adjacent to the pick-up window were 30-feet which was the minimum allowed by City ordinance. Staff questioned any areas of outdoor dining and the placement of the order menu board and the required screening wall.

Public Works comments were addressed. Staff stated a stormwater permit from the Arkansas Department of Environmental Quality was required prior to any land clearing or grading. Staff stated a grading permit from the City was also required prior to any land clearing or grading. Staff stated there was a platted access easement along the frontage of this lot serving Lots 1 and 2 to the west. Staff stated to remove the easement would require approval by the Board of Directors via an easement abandonment request.

Landscaping comments were addressed. Staff stated the site plan appeared to comply with the typical development standards of the Highway 10 Design Overlay District. Staff stated screening along Cantrell Road was required via a berm, wall or evergreen plantings a minimum of 42-inches above the elevation of the adjacent street.

Rock Region Metro comments were addressed. Staff stated the location was served by Route #25, the Pinnacle Mountain route. Staff stated riders used transit service to access jobs within this area.

Staff noted the comments from the various other departments and agencies. Staff suggested the applicant contact the departments or agencies directly with any questions or concerns. There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.

I. ANALYSIS:

The applicant submitted a revised site plan to staff addressing the technical issues raised at the June 28, 2017, Subdivision Committee meeting. The applicant has provided the proper dimensioned drive lane and parking stalls, indicated the placement of the order board and noted the order board would be screened per typical ordinance requirements.

The request is a rezoning of the site from R-2, Single-family to PD-C, Planned Development Commercial, to allow the development of 1.53-acres with a 3,847 square foot fast food restaurant. The plan indicates 44 parking spaces to serve the restaurant user. The site is located within the Highway 10 Design Overlay District area. Parking for a restaurant use is typically based on one (1) parking space per 100 gross square feet of floor area. Based on the square footage of the building the typical minimum parking required would be 38 parking spaces.

The property is located within the Highway 10 DOD which has specific development criteria related to setbacks, parcel size and landscaped areas. The minimum lot size for a development per the Overlay is 2.0-acres with a single building to be located on 2-acres. The property contains 1.518-acres and is proposed to be developed with a single building.

The front yard building setback per the Overlay is 100-feet. The rear yard building setback is to be 40-feet and side yard building setbacks are to be 30-feet. The plan as presented more than adequately provides the typically required building setbacks to comply with the Overlay.

The front landscape strip is to be a minimum of 40-feet. The perimeter landscape strips are to be 25-feet. The plan indicates landscaped areas which comply with the typical Overlay standards.

The front yard landscape area is to include organic and/or combined man-made/organic features such as berms, brick walls and dense plantings such that vehicular use areas are screened when viewed from an elevation of 42-inches above the elevation of the adjacent street. The applicant has indicated berms will be considered at the time of development of the site. Based



on the elevation and grade of the site berming will potentially not provide the desired screening of the parking areas. Staff will work with the developer at the time of building permit to achieve the best screening of the site in compliance with the Overlay.

Parking lot lighting is to be designed and located in such manner so as not to disturb the scenic appearance preserved in the corridor. Lighting should be directed to the parking areas and not reflected into the adjacent neighborhoods.

Signage is proposed to comply with the typical signage allowed within the Highway 10 Design Overlay District. The plan indicates the placement of a ground sign six (6) feet in height and 72 square feet in area. The sign will be located within the landscape area along Cantrell Road. Building signage will be limited to signage on the front façade, abutting Cantrell Road. The sign area will be limited to ten (10) percent of the building façade area along Cantrell Road.

The hours of operation for the development are seven (7) days per week from 7:00 am to 11:00 pm. The plan indicates the placement of a dumpster on the site plan. The dumpster will be located within the rear parking area. The dumpster will be fully screened per typical ordinance requirements (Section 36-523). The hours of dumpster service will be limited to 7 am to 6 pm Monday through Friday.

The location of menu board speakers for drive-through windows of restaurants are to provide speakers mounted so the sound is baffled on all sides in a manner which will direct the sound produced to the vehicle served and the site is to provide a solid wall at least six (6) feet in height and twenty (20) feet in length along the opposite lane line. The wall must be constructed of masonry or wood with a textured finish to diminish sound deflection. The applicant has indicated the screen wall for the menu board will be provided.

Staff is not supportive of the applicant's request. The site is located in an area which is designated as Suburban Office on the City's future land use plan which generally is proposed as a transitional area from more intense uses to lesser intensive uses and is used to ensure compatibility with residential uses. The area to the north is zoned single-family and there is a newly developing single-family subdivision located to the northeast of this site. Staff feels the proposed use of the property as commercial, a fast food restaurant, is not appropriate for this site.

J. STAFF RECOMMENDATION:

Staff recommends denial of the request.

PLANNING COMMISSION ACTION:

(JULY 20, 2017)

The applicant was present. There were no registered objectors present. Staff presented the item stating the applicant had submitted a request dated July 5, 2017, requested deferral of this item to the August 31, 2017, public hearing. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff by a vote of 9 ayes, 0 noes and 2 absent.

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STAFF UPDATE:

The applicant submitted a request dated August 15, 2017, requesting deferral of this item to the October 12, 2017, public hearing. Staff is supportive of the deferral request.

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PLANNING COMMISSION ACTION:

(AUGUST 31, 2017)

The applicant was present. There were registered objectors present. Staff presented the item stating the applicant had submitted a request dated August 15, 2017, requesting deferral of this item to the October 12, 2017, public hearing. Staff stated they were supportive of the deferral request. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff by a vote of 10 ayes, 0 noes and 1 absent.

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PLANNING COMMISSION ACTION:

(OCTOBER 12, 2017)

Mr. Bill Spivey was present representing the request. There were a number of objectors present. Staff presented the item with a recommendation of denial.

Mr. Spivey addressed the Commission noting the development was located within the Highway 10 Design Overlay District. He stated the plan as presented complied with the Highway 10 Plan with the exception of the use of the property. He stated the site was located within a mixed use area. He stated the development would be a good neighbor. He stated the Commission had been provided letters of support from the two (2) adjoining neighbors. He stated meetings with the neighborhood had been held to try to address concerns and to answer questions. He stated he did not feel the meetings changed any minds but did answer questions.

Mr. Joe White addressed the Commission as the development engineer. He stated the site was located across the street from a pet boarding and grooming facility. He stated the drive for the development and the commercial use to the south aligned reducing traffic turning conflicts. He stated there were concerns with sight distance at this location. He stated the street was a 45 mph posted speed limit. He stated the sight distance needed to comply with ASHTO was 625-feet. He stated the development had 800-feet to the east and 1000-feet to the west. He stated there was a concern with flooding. He stated this

spring there were three (3) significant rain events. He stated the development would be designed to meet the City's detention ordinance requirements. He stated the site was a relatively small site. He stated the drainage basin for this area contained 2400 acres. He stated this site was 1.5-acres. He stated there would be little to no impact from the development of this site. He stated all drainage was to the north side of Cantrell Road and would tie directly into the creek.

Ms. Dawn Prasifka addressed the Commission in opposition of the request. She stated Highway 10 was a scenic corridor and before purchasing land to build her home the plan was reviewed. She stated the plan maybe 30 years old but it was important to stick to the plan. She stated plans were to be adjusted or modified but it was important to stick to the plan. She stated residents in the area bought their homes based on the plan which was why it was important to stick to the plan that was in place.

Mr. Ken Harrison addressed the Commission in opposition of the request. He stated he had lived in the area for 17-years. He stated the staff report indicated opposition to the request. He stated the development was not in compliance with the land use plan. He stated since the development did not comply with the plan the development should not be before the Commission. He stated once a development was not in compliance with the plan then the development should not be allowed to move forward. He requested the Commission stay with the approved land use plan.

Ms. Celia Martin addressed the Commission in opposition of the request. She stated her home was in Westchester. She stated in 2008 the Commission approved the Burger King development and the area residents were concerned at the time this would set a precedence for allowing future commercial development in the area. She stated both the Commission and the Board assured the residence this was not the case. She stated in 2009 McDonalds was denied a request to allow the development of a restaurant at the corner of Chenonceau and Cantrell Road. She stated the location was an arterial intersection with a traffic light. She stated if it was unsafe for a restaurant to locate at that intersection with traffic safety given as a reason to not allow the restaurant then why was this location being considered. She stated if the Highway 10 Plan was so out of date then the Commission should request the Board appoint a committee to review the plan and suggest changes.

Mr. Gray Williams addressed the Commission in opposition of the request. He stated he had attended the neighborhood meeting with Mr. Spivey and Mr. White. He stated his home was located off Rummel Road which was a dangerous intersection with Cantrell Road. He stated this development would have an impact on traffic in the area. He requested the Commission stick to the land use and zoning for the area and deny the request.

Ms. Ruth Bell, League of Women Voters, addressed the Commission in opposition of the request. She requested the Commission follow the Highway 10 Plan. She stated the plan was implemented to protect the residential uses in the area. She stated north of the site was undeveloped R-2, Single-family zoned land. She stated there was a newly developing subdivision to the north of the proposed rezoning area. She stated Suburban

Office was implemented to allow a stepping down in intensity from commercial to residential uses. She stated it was difficult to tell someone they could not have a rezoning request when the Commission approved the one next door.

Mr. Spivey addressed the Commission stating he disagreed with the statement that if a property was not zoned then the review should stop with staff. He stated the process was in place to allow for development and redevelopment of properties. He stated plans should be discussed and this was the reason for a public forum. He stated He stated the user had agreed to turn down the lights at 10 pm, adding additional lanes to improve stacking on the site should traffic become an issue and to be a good neighbor. He stated this was not a bootstrap but was a good use for the property. He stated there was a small amount of commercially zoned property left in the corridor. He stated the design elements of the overlay had remained in place even though the land use had changed. He stated the plan was a good plan and the design elements should be maintained.

Commissioner Cox stated land uses changed with market demand. He stated the Bank of the Ozarks at the Ranch office development and Wisenhunt office development on Kirk Road were the only large office developments in the area. He stated if this site was a viable office development site the developers would have put office at this location. He stated this area was a mixed use development area from Kroger to Rummel Road. He stated the proposed use was a good use for the site.

Commissioner Stebbins questioned the traffic impact of the development on the abutting streets. Mr. Ernie Peters of Peters and Associates stated the development contained one (1) driveway which would allow for three (3) lanes of traffic. He stated the drive was aligned with the drive to the south which would not create an off-set which could cause conflicting traffic movements. He stated the use was not identified in the traffic manual so his firm conducted site traffic studies to determine the volume of vehicles served by this user. He stated two (2) locations were observed. He stated this user was not a high traffic volume user. He stated the review included the noon and pm peak hours. He stated a maximum of 39 vehicles were served. He stated the maximum vehicles in the queue were ten (10) cars. He stated this site had the potential for a vehicle stack of ten (10) to fifteen (15) with a double order board. He stated the site circulation was sufficient to accommodate the use.

The Commission questioned the economic impact of the development and the number of jobs to be created. Mr. Mark Bingham stated he was unsure of the numbers and was not qualified to answer the questioned. He stated he felt the employment numbers would be in the mid-20's to low 30's.

Chairman Berry stated he had requested staff provide the available commercially zoned developed and undeveloped property in the area. He stated he would share the information to the Commissioners if they were interested. Chairman Berry requested staff provide a generalization of the land use plan and the Highway 10 Plan. Staff stated there were two (2) separate documents. Staff stated the Highway 10 Plan was put in pace to allow development to occur in a scenic and orderly manner. Staff stated the land use

plan was continuously reviewed. Staff stated they were currently reviewing the land use plan for this area, not only the Highway 10 Corridor but a much larger area. Staff stated the Highway 10 DOD was the first DOD implemented in the City. Staff stated the DOD set goals for the plan. Staff stated the DOD did not focus on the use of the property but the design standards.

A motion was made to approve the request including all staff recommendations and comments except that of denial. The motion carried by a vote of 9 ayes, 0 noes and 2 absent.