

LITTLE ROCK PLANNING COMMISSION

SUBDIVISION HEARING

SUMMARY AND MINUTE RECORD

FEBRUARY 25, 2010

4:00 P.M.

I. Roll Call and Finding of a Quorum

A Quorum was present there being nine (9) members present.

II. Members Present:

Tom Brock
Marcus Devine
J. T. Ferstl
Dan Harpool
Troy Laha
Bill Rector
Billy Rouse
Candice Smith
Jeff Yates

Members Absent:

"Goose" W. Changose
Obay Nunnley, Jr.

City Attorney:

Cindy Dawson

III. Approval of the Minutes of the January 14, 2010 Meeting of the Little Rock Planning Commission. The Minutes were approved as presented.

LITTLE ROCK PLANNING COMMISSION
SUBDIVISION AGENDA
FEBRUARY 25, 2010

OLD BUSINESS:

<u>Item Number:</u>	<u>File Number:</u>	<u>Title:</u>
A.	<u>S-1647</u>	Barrett Woods Preliminary/Final Plat, located on the Northwest corner of Barrett Road and Woody Lane.
B.	<u>Z-6178-I</u>	Stagecoach Office Park Revised Short-form POD, located at 9222 Stagecoach Road.

NEW BUSINESS:

I. PRELIMINARY PLAT:

<u>Item Number:</u>	<u>File Number:</u>	<u>Title:</u>
1.	<u>S-1330-A</u>	Kidco Lots 1 and 2 Preliminary Plat, located North of Chenal Parkway and West of Kirk Road.
2.	<u>S-1649</u>	The Orchards at Mabelvale Preliminary Plat, located at 9501 Mabelvale Pike.

II. PLANNED DEVELOPMENTS:

<u>Item Number:</u>	<u>File Number:</u>	<u>Title:</u>
3.	<u>Z-4411-I</u>	Pleasant Ridge Towne Center Revised Long-form PCD, located at 11525 Cantrell Road.
4.	<u>Z-4923-H</u>	Lot 5B Shackleford Crossings Revised PCD– Fairfield Inn, located on the Southeast Corner of Shackleford Road.

II. PLANNED DEVELOPMENTS: (CONTINUED)

<u>Item Number:</u>	<u>File Number:</u>	<u>Title:</u>
5.	<u>Z-5038-J</u>	Lot 2R Seven Acres Business Park Revised Short-form POD, located at 6 Seven Acres Drive.
6.	<u>Z-6323-N</u>	Lot 6 the Village at Rahling Road Revised Short-form PCD, located on the Southeast corner of Rahling Road and Chenal Parkway.
7.	<u>Z-7875-B</u>	Lot 11 Block 4, Taylor Park Subdivision Revised Short-form POD, located at 2 Chapman Lane.
8,	<u>Z-8472-A</u>	St. Mark's Baptist Church Long-form PCD and Easement and Right of Way Abandonment for West 11 th , Filmore and Taylor Streets and associates alleys, located North of 12 th Street, West of Fair Park and South of 10 th Street.
9.	<u>Z-8518</u>	Lot 12 Block 26, Cunningham Addition Short-form POD, located on the Southeast corner of 11 th and VanBuren Streets.
10.	<u>Z-8519</u>	The Orchards at Mabelvale Short-form PD-R, located at 9501 Mabelvale Pike.

III. OTHER BUSINESS:

<u>Item Number:</u>	<u>File Number:</u>	<u>Title:</u>
11.	<u>LA-0028</u>	Chenonceau Boulevard Advanced Grading Request, located on the Northeast corner of Chenonceau Boulevard and Bayonne Drive.

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ITEM NO.: A

FILE NO.: S-1647

NAME: Barrett Woods Preliminary/Final Plat

LOCATION: Located on the Northwest corner of Barrett Road and Woody Lane

DEVELOPER:

Kaiser, LLC
C/o Bek Kaiser
5507 Ranch Drive, Suite 201
Little Rock, AR 72223

ENGINEER:

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

AREA: 6.0 acres

NUMBER OF LOTS: 2

FT. NEW STREET: 0 LF

CURRENT ZONING: R-2, Single-family

PLANNING DISTRICT: 29 - Barrett

CENSUS TRACT: 42.01

VARIANCES/WAIVERS REQUESTED:

1. A deferral of the required boundary street ordinance requirements to Barrett Road.
2. A variance from the Subdivision Ordinance Section 31-284(b) to allow the creation of a pipe stem lot and Section 31-2 to allow an increased maximum depth for the pipe stem lot.

A. PROPOSAL/REQUEST:

The property is an existing 6.03 parcel of property located outside the City limits of Little Rock but within the City's Extraterritorial Planning Jurisdiction. The applicant is proposing to subdivide this six (6) acre parcel into two (2) single-family lots. Lot 1 is proposed containing 1.7898 acres and Lot 2 containing 4.2413 acres. A septic certification has been performed on each of the lots and they appear to be suitable for a standard septic system to treat the wastewater needs of the new homes.

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The request includes a variance from the Subdivision Ordinance Section 31-284(b) to allow the creation of a pipe stem lot and Section 31-2 to allow an increased maximum depth for the pipe stem lot.

B. EXISTING CONDITIONS:

The area is predominately single-family with homes located on large tracts or acreage. There is a five (5) acre single-family subdivision located to the south of the proposed plat area and homes located on large lots located to the east of the proposed plat area. Barrett Road is a rural County Road with no sidewalk in place and open ditches for drainage. Woody Lane is also constructed without sidewalks and open ditches for drainage.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has not received any comment from the area property owners. All property owners abutting the site and the Coalition of West Little Rock Neighborhoods were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Barrett Road 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. With site development, provide the design of the street conforming to the Master Street Plan. Construct one-half street improvements to Barrett Road including a five-foot sidewalk with the planned development. The new back of curb should be located at 15.5 feet from centerline. Boundary Street improvements cannot be deferred if the lots are all subdivided and platted at one time. Staff does support a deferral of boundary street improvements prior to platting of the second lot in the proposed subdivision.
3. Stormwater detention ordinance applies to this property. Show the proposed location for stormwater detention facilities on the plat.
4. Plan of all work in the right of way shall be submitted for approval prior to the start of work.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Located outside the service boundary. Provide approval from the Arkansas Department of Health concerning the use of a septic system for wastewater treatment prior to the signing of the final plat.

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Entergy: No comment received.

Center-Point Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water: Water is not available to this property without a water main extension from Highway 10 and Barrett Road. All Central Arkansas Water requirements in effect at the time of request for water service must be met. Please submit plans for water facilities 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. Approval of plans by Central Arkansas Water, the Arkansas Department of Health Engineering Division and Little Rock Fire Department is required. This development will have minor impact on the existing water distribution system. Proposed water facilities will be sized to provide adequate pressure and fire protection. Additional fire hydrant(s) will be required. Contact the Little Rock Fire Department to obtain information regarding the required placement of the hydrant(s) and contact Central Arkansas Water regarding procedures for installation of the hydrant(s).

Fire Department: Place fire hydrants per code. Contact the Little Rock Fire Department for additional information. Also provide a letter from the area volunteer fire department indicating their knowledge of the proposed plat and their ability to serve the new lots.

County Planning:

1. Show second land corner and state plane coordinates.
2. Provide proof of septic approval.
3. Provide proof of fire protection approval.
4. Construct or obtain a variance for street improvements on Barrett Road.

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

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: No comment.

Landscape: No comment.

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G. SUBDIVISION COMMITTEE COMMENT:

(December 22, 2009)

Mr. Joe White of White-Daters and Associates was present representing the request. Staff presented the item stating there were few outstanding technical issues associated with the request. Staff stated Mr. White had provided perk test certifications for the proposed lots. Staff requested Mr. White provide agreements from the property owners located in the southern subdivision allowing the lots to utilize the private access and utility easement.

Public Works comments were addressed. Staff stated they were not supportive of a deferral of the street improvements unless the final platting of the lots would be phased. Staff stated the stormwater detention ordinance would apply to the development of the lots. Staff requested the plat indicate the location for the proposed detention facilities.

Staff noted comments from the other reporting departments and agencies suggesting the applicant contact them individually for additional clarification. There was no further discussion of the item. The Committee then forwarded the item to the full Commission for final action.

H. ANALYSIS:

The applicant submitted a revised preliminary plat to staff addressing issues raised at the December 22, 2009, Subdivision Committee meeting. The revised plat indicates Lot 2 as a pipe stem lot with a 30-foot stem extending from Barrett Road to allow driveway and utility access. The plat is no longer proposing access to the adjacent private access and utility easement located to the south. Water service will be provided by Roland Rural Water.

The proposed plat includes variances from the Subdivision Ordinance including the creation of a pipe stem lot and from the development criteria for creating a pipe stem lot. Section 31-2 provides the definition of a pipe stem lot and the development criteria for creation of a pipe stem lot. A pipe stem lot is defined as a tract of land, which is served for access, legally, and physically by a narrow strip of land less than the ordinance required minimum lot width. The body of a pipe stem lot is typically an elongated figure or a polygon capturing a difficult building site behind another lot. For purposes of a variance of subdivision design for a pipe stem lot the following minimum dimensions will control: (1) The minimum width of the stem at the street right-of-way shall be thirty (30) feet, (2) The maximum depth of a pipe stem lot, including the stem shall be limited to three hundred (300) feet, (3) The minimum width of the lot body shall be sixty (60) feet, (4) The minimum lot area shall be ten thousand (10,000) square feet. Section 31-232(f) states pipe stem lots shall be prohibited in residential

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subdivisions. Lot 2 is indicated with a minimum pipe stem width of 30 feet at Barrett Road. The depth of the stem is 813.59 feet. The total area of the lot is 4.24 acres.

The property is located outside the City limits but within the City's Extraterritorial Planning Jurisdiction. The site will not be allowed sewer service from the City of Little Rock. Section 31-232(c) states lots served by a public water system and proposed to be served by a septic tank system must submit at the time of preliminary plat filing a written certification of approval by the state department of health. The lot sizes allowed by this certification shall be indicated on the plat. The applicant has provided documentation indicating the lots as proposed are adequate to support individual septic systems.

The request includes a deferral of the required street improvements to Barrett Road. Staff is not supportive of the Boundary Street improvements being deferred if the lots are all final platted at one time. Staff does support a deferral of boundary street improvements prior to platting of the second lot in the proposed subdivision.

Staff is supportive of the preliminary plat and the associated variances as proposed. Lot 1 is indicated with approximately 2 acres and Lot 2 with approximately 4 acres. A certification has been provided by the applicant from a licensed septic tank installer indicating the land area is adequate to support a septic system. Staff recommends the applicant provide the final approval from the Arkansas Department of Health prior to the issuance of the final plat. To staffs knowledge there are no outstanding technical issues associated with the request. Staff feels the subdivision of the property to allow the construction of two new single family homes should have minimal impact on the area.

I. STAFF RECOMMENDATION:

Staff recommends approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report.

Staff recommends approval of the variance request from the Subdivision Ordinance Section 31-284(b) to allow the creation of a pipe stem lot and Section 31-2 to allow an increased maximum depth for the pipe stem lot.

Staff recommends approval of the deferral request of the required street improvements if the lots are final platted in phases. If the lots are final platted in a single phase staff recommends the required street improvements be completed prior to the issuance of the final plat.

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PLANNING COMMISSION ACTION:

(FEBRUARY 25, 2010)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report. Staff presented a recommendation of approval of the variance request from the Subdivision Ordinance Section 31-284(b) to allow the creation of a pipe stem lot and Section 31-2 to allow an increased maximum depth for the pipe stem lot. Staff also presented a recommendation of approval of the deferral request of the required street improvements if the lots were final platted in phases. If the lots were final platted in a single phase staff recommended the required street improvements be completed prior to the issuance of the final plat.

There was no further discussion of the item. The Chair entertained a motion of approval of the item as presented by staff. The motion carried by a vote of 9 ayes, 0 noes and 2 absent.

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ITEM NO.: B

FILE NO.: Z-6178-I

NAME: Stagecoach Office Park Revised Short-form POD

LOCATION: Located at 9222 Stagecoach Road

DEVELOPER:

Finley and Company
3507 Main Street, Suite 2
P.O. Box 10
Bryant, AR 72089

ENGINEER:

Mr. Pat McGetrick
McGetrick and McGetrick Engineers
10 Otter Creek Court, Suite A
Little Rock, AR 72223

AREA: 3.27 acres NUMBER OF LOTS: 1 zoning lot FT. NEW STREET: 0 LF

CURRENT ZONING: POD

ALLOWED USE: O-3, General and Professional Office uses

PROPOSED ZONING: Revised POD

PROPOSED USE: O-3, General and Professional Office uses–Site Plan
Daycare

VARIANCES/WAIVERS REQUESTED: None requested.

BACKGROUND:

On September 5, 2000, the Board of Directors approved Ordinance No. 18,342 establishing Stagecoach Village (Lot 4) Short-form PCD. The applicant proposed to construct a 3,600 square foot branch bank building and a 9,000 square foot commercial building and 54 parking spaces. At the time of approval, the applicant proposed to convert the bank building into a commercial building (C-2 uses) if a bank tenant could not be secured. Along with the approved PCD a preliminary plat was created containing

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four (4) lots. Only Lot 4 was rezoned to PCD with the approval. The remaining lots were to be reviewed at the time of development. The site plan for Lot 4 was later revised (June 26, 2001) at a staff level to remove the bank building from the site plan and the commercial building square footage was increased to 10,800 square feet. The applicant proposed the building to be used as 80% commercial (C-2 uses) and 20% office (general and professional). The hours of operation were from 8:00 am to 10:00 pm Monday through Saturday and 10:00 am to 6:00 pm on Sunday.

The sign area approved for Lot 4 was to be a maximum of eight (8) feet in height and eighty (80) square feet in area. The sign was to be a monument style ground mounted sign.

On March 21, 2000, the Board of Directors adopted Ordinance No. 18,234, which rezoned Lot 2 from R-2, Single-family to PCD. C-2, Shopping Center District uses were approved for the property, with the uses for the entire development being tied to the preliminary plat application approved on September 5, 2000.

As a part of the proposal the applicant proposed to utilize the existing 3,230 square foot building on Lot 2 and construct 15 parking spaces to serve the building. The existing driveway from Stagecoach Road was approved to serve Lot 2 temporarily, until the new street for the subdivision was constructed. At that time the existing driveway would be closed and a shared drive between Lots 2 and 3 would be used. The timing of the new street construction was tied to the preliminary plat and the final platting of Lot 3 or 4, or the development of the larger single-family tract located to the west.

Ordinance No. 18,340 rezoned Lot 2 from PCD to POD and was approved by the Little Rock Board of Directors on September 5, 2000. The applicant requested to use the existing building for O-3, General Office District uses as permitted uses for Lot 2. (The applicant requested C-2, Shopping Center District uses as permitted uses for Lots 1 and 4 and O-3, General Office District uses permitted uses for Lots 2 and 3.) The applicant also agreed to a single-ground mounted monument style sign six (6) feet in height and a maximum of sixty-four (64) square feet in area to be constructed on Lot 2.

The hours of operation for Lot 2 were approved as 8:00 am to 9:00 pm and there were to be no external pay phones, ice machines, vending machines or speakers. The applicant was to remove the existing access drive from Stagecoach Road to Lot 2 when Stagecoach Village Drive was constructed. The area was to be replaced with landscaping. The drive has not been removed.

Ordinance No. 18,836 adopted by the Little Rock Board of Directors on March 18, 2003, amended the PCD and POD related to signage. The applicant requested to recognize the existing pole mounted sign located on Lot 4 along with subdivision identification signs which had been constructed located on Lots 2 and 4. The applicant also

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requested a ground mounted monument style sign to be located on Lots 2 and 4. The signage plan consisted of Stagecoach Village Subdivision identification signs (one located on the northeast corner of Lot 2 on Stagecoach Village Drive and one located on Lot 4 on the southeast corner of Stagecoach Village Drive) and an existing pole mounted backlit tenant identification sign located on Lot 4. The approval limited the lighting of the sign to 8:00 am to 10:00 pm Monday through Saturday and 10:00 am to 6:00 pm on Sunday. A six (6) foot by sixty-four (64) square foot ground mounted monument style sign for the future uses of Lot 2 was also approved.

Ordinance No. 19,141 adopted by the Little Rock Board of Directors on July 20, 2004, allowed a revision to the approved POD by allowing the redevelopment of the site and expanding the area of approval to include properties to the north and west previously indicated as proposed Lots 1 and 3. The approval allowed Lot 3 to be created as smaller office tracts with a common parking area. A maximum building envelope was approved for Lots 3A through 3D. The total square footage developed was to be based on the available parking. O-3, General Office District uses were approved as allowable uses for the proposed lots. The site plan also included a maximum building area for Lot 1. The approved uses were per the C-2, Shopping Center District. The request included leaving the existing office building located on Lot 2 with O-3, General Office District uses as alternative uses for Lot 2. The development did not occur and the approval has since expired.

A. PROPOSAL/REQUEST:

The current request is to amend the previously approved POD for lot 2 to allow the existing building to be used as a daycare center. The maximum number of children proposed is 80 children. The hours of operation are from 6:00 am to 6:00 pm Monday through Friday and Saturday from 9:00 am to 5:00 pm. At present the center will not provide van service but the request includes the addition of transportation in the future for up to two (2) vehicles. The center will provide outside facilities and playground areas as required by the health department. Signage is proposed as was approved on March 18, 2003, or a maximum of six (6) feet in height and sixty-four (64) square feet in area.

There are no modifications proposed to the existing on-site paving. Previously identified Lots 1, 2 and 3 have not been final platted and the area remains within a single parcel. There appears to be approximately 40 parking spaces located on the previously identified Lots 1 and 2. The front of the building will serve as drop-off and pick-up. The applicant has indicated serving Lot 2 there are twenty (20) parking spaces in the front of the building and an additional paved area to serve ten (10) vehicles in the rear of the building.

The area is not located within a platted subdivision therefore there is not a Bill of Assurance for this property.

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B. EXISTING CONDITIONS:

Lot 4 of the site is developed as a strip retail center, Lot 2 contains a vacant office building most recently used as a real estate office and Lots 1 and 3 are currently vacant. On Lot 4 there is a strip center containing a mixture of small-scale office and retail uses. A residential developed has been constructed to the west of the site as a gated community of patio homes.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has not received any comment from area residents. All property owners located within 200 feet of the site, all residents, who could be identified, located within 300 feet of the site, the Otter Creek Homeowners Association and Southwest Little Rock United for Progress were notified of the public hearing.

D. Public Works Conditions - Utilities and Fire Department/County Planning:

Since the request did not involve changes to the site plan and were only modifications to the allowable uses and the percentage of use mix staff did not route this item to the various departments and agencies for comment.

E. SUBDIVISION COMMITTEE COMMENT: (December 22, 2009)

Mr. Stewart Finley was present representing the request. Staff stated the item was not routed to various agencies for review since the request was to allow a daycare center to utilize the site. Staff stated the previous approval allowed for O-3, General Office District uses as allowable uses for the site. Staff stated the review to revise the site plan to allow the placement of the playground area and provide specifics of the proposed daycare operation. Staff requested the total number of employees be provided. Staff also questioned if transportation would be added in the future and if so the number of vehicles. Staff requested the site plan include the location for the playground area and any proposed fencing.

There was no further discussion of the item. The Committee then forwarded the item to the full Commission for final action.

F. ANALYSIS:

The applicant submitted a revised site plan to staff addressing the issues raised at the December 22, 2009, Subdivision Committee meeting. The revised plan indicates the placement of a playground area containing approximately 5,000 square feet within the rear yard area of the building. The revised cover letter request Saturday hours in the future and notes there will be eight (8) to fifteen (15) employees of the business.

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The request is to amend the previously approved POD to allow the existing building to be used as a daycare center to serve a maximum of 80 children. The hours of operation are from 6:00 am to 6:00 pm Monday through Friday and Saturday from 9:00 am to 5:00 pm.

With the initial start-up the center will not provide van service but is requesting the addition of transportation in the future for up to two (2) vehicles.

Signage is proposed as was approved on March 18, 2003, or a maximum of six (6) feet in height and sixty-four (64) square feet in area. The signage is consistent with signage allowed in office zones.

There are no modifications proposed to the existing on-site paving. The front of the building will serve as drop-off and pick-up. The applicant has indicated there are twenty (20) parking spaces serving Lot 2. The revised cover letter indicates there is additional paving in the rear of the building, which could provide up to ten (10) employee parking spaces. Parking for a daycare center is based on one (1) parking space per administrator, teacher and employee on the largest shift plus one (1) space per facility vehicle plus one (1) space per ten (10) persons of licensed capacity. The center will employ a maximum of fifteen (15) employees, serve eighty (80) children and provide a maximum of two (2) vehicles resulting in a need for twenty-five (25) parking spaces. The parking indicated is adequate to serve the proposed daycare use.

Staff is supportive of the request. There will be few modifications to the site other than the addition of a playground area within the rear yard area of the building. There appears to be adequate circulation to allow for safe drop-off and pick-up of the children. The parking indicated appears to be adequate to support the use. The site was approved to allow O-3, General Office District uses as allowable alternative uses for the site. A daycare center is an allowable use under the O-3, General Office zoning district. To staff's knowledge there are no outstanding technical issues associated with the request.

G. STAFF RECOMMENDATION:

Staff recommends approval of the revised site plan for lot 2 to allow the placement of a daycare facility within the existing building as proposed by the applicant.

PLANNING COMMISSION ACTION:

(JANUARY 14, 2010)

The applicant was present. There were no registered objectors present. Staff presented the item stating the applicant had failed to notify property owners as required

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by the Commission's By-laws. Staff presented a recommendation of deferral of the item to the February 25, 2010, public hearing.

There was no further discussion of the item. The chair entertained a motion of approval of the item as presented by staff. The motion carried by a vote of 11 ayes, 0 noes and 0 absent.

STAFF UPDATE:

There has been no change to the application request since the previous agenda write-up. Staff continues to support the request to allow the use of the site as a daycare facility.

PC

PLANNING COMMISSION ACTION:

(FEBRUARY 25, 2010)

The applicant was not present. There were no registered objectors present. Staff presented the item stating the applicant had failed to provide them with the proof of the notification of property owners within 200-feet as required by the Commission's By-laws. Staff presented a recommendation of deferred to the April 8, 2010, public hearing.

There was no further discussion of the item. The Chair entertained a motion of approval of the item as presented by staff. The motion carried by a vote of 9 ayes, 0 noes and 2 absent.

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ITEM NO.: 1

FILE NO.: S-1330-A

NAME: Kidco Lots 1 and 2 Preliminary Plat

LOCATION: Located North of Chenal Parkway and West of Kirk Road

DEVELOPER:

Bank of Little Rock
200 N. State Street
Little Rock, AR 72201

ENGINEER:

White-Daters and Associates
#24 Rahling Circle
Little Rock, AR 72224

AREA: 2.06 acres

NUMBER OF LOTS: 2

FT. NEW STREET: 0 LF

CURRENT ZONING: O-2, Office and Institutional District

PLANNING DISTRICT: 19 - Chenal

CENSUS TRACT: 42.10

VARIANCES/WAIVERS REQUESTED:

1. A variance from the Zoning Ordinance (Section 36-280(e)(2)) to allow the creation of lots with a square footage less than the 2 acre minimum square footage and to allow the creation of lots with a lot width less than the 200-foot lot width, both as typically required by the O-2, Office and Institutional Zoning District.
2. A variance from the Subdivision Ordinance Section 31-284(b) to allow the creation of a pipe stem lot and Section 31-2 to allow an increased maximum depth for the pipe stem lot.

A. PROPOSAL/REQUEST/APPLICANTS STATEMENT:

A preliminary plat to allow the creation of two lots from this tract was approved by the Planning Commission at their January 17, 2002, public hearing. The approval included a variance from the Subdivision Ordinance to allow the creation of a pipe stem lot and to allow the length of the pipe stem to exceed

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typical ordinance standards. The approval also allowed a variance from the Zoning Ordinance related to the lot width (less than 200-feet) and the lot area (less than 2-acres). The final plat was not executed within the time frame required by the Subdivision Ordinance and the approval has expired. The applicant is proposing to reestablish the previously approved preliminary plat in the same configuration as was previously approved.

The approval of the current request would allow the subdivision of this 2.06+ acre tract into two (2) lots. Proposed Lot 2 contains an existing daycare business that takes access through the parking lot of the ARSYS building. The plat as proposed indicates a 30 foot wide pipe stem extending from Kirk Road. Lot 1 is proposed with public street frontage on Kirk Road. The setbacks for the lots are indicated consistent with the O-2, Office and Institutional Zoning District (25-feet around the sites perimeters).

B. EXISTING CONDITIONS:

The area proposed as Lot 2 contains an existing daycare center and proposed Lot 1 is vacant. The area to the south contains an auto care center approved as a PD-C. The area to the east is undeveloped and was approved as a PCD for a mixed-use office and retail development. Uses to the north and west of the site are nonresidential uses, the ARSYS Building, United States Post Office, a number of office buildings and strip commercial and office fronting Chenal Parkway.

Street construction is currently under way for Kirk Road from Chenal Parkway to Arkansas Systems Drive. The improvements are being installed as a part of the approval of Fellowship Bible Church to the north and an approved PCD and POD located to the east and northeast of this site.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has not received any comment from area residents. All abutting property owners and the Coalition of West Little Rock Neighborhoods were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. On commercial developments, a minimum 10-foot radius should be provided for the proposed driveway apron.
2. ADA ramps must be installed at the driveway.
3. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.

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4. Plans of all work in right-of-way shall be submitted for approval prior to start of work. Obtain barricade permit prior to doing any work in the right-of-way from Traffic Engineering at (501) 379-1805 (Travis Herbner).

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer main extension required with easements for this project. Contact Little Rock Wastewater Utility for additional information.

Entergy: No comment received.

Center-Point Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water: All Central Arkansas Water requirements in effect at the time of request for water service must be met. 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. 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 Little Rock Fire Department is required. Contact Central Arkansas Water regarding the size and location of the water meter. A Capital Investment Charge based on the size of meter connection(s) will apply to this project in addition to normal charges. This fee will apply to all connections including metered connections off the private fire system.

Fire Department: Additional fire hydrants will be required. Contact the Little Rock Fire Department for additional information.

County Planning: No comment.

CATA: The site is not located on a dedicated CATA Bus Route.

Parks and Recreation: No comment received.

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: No comment.

Landscape: No comment.

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FILE NO.: S-1330-A

G. SUBDIVISION COMMITTEE COMMENT: (February 4, 2010)

Mr. Joe White of White Daters and Associates was present representing the request. Staff presented an overview of the request stating a preliminary plat for the site had been approved in 2002 for the site allowing the creation of two (2) lots. Staff stated the final plat was not executed and the previous approval had expired. Staff stated there were variances associated with the preliminary plat including lot size, lot width and the creation of a pipe stem lot. Staff requested Mr. White provide the source of title of the landowner in the general notes section of the proposed preliminary plat.

Public Works comments were addressed. Staff stated a minimum 10-foot radius was required for the proposed driveway apron and ADA ramps were required to be installed at the new drive. Staff stated all plans for work in the right of way would require approval from Traffic Engineering prior to the start of work.

Staff noted comments from the other reporting departments and agencies suggesting the applicant contact them individually for additional clarification. There was no further discussion of the item. The Committee then forwarded the item to the full Commission for final action.

H. ANALYSIS:

The applicant submitted a revised preliminary plat to staff addressing the issues raised at the February 4, 2010, Subdivision Committee meeting. The revised plat includes the source of title of the landowner in the general notes section. A note on the plat states all sidewalks and drives will be constructed with ADA ramps.

The request is to allow the reestablishment of a two (2) lot plat in the same configuration as was approved by the Planning Commission on January 17, 2002. The proposed plat includes variances from the Subdivision Ordinance (Section 31-284(b) and Section 31-2) to allow the creation of a pipe stem lot and to allow the length of the pipe stem to exceed typical ordinance standards. The proposed plat also includes variances from the Zoning Ordinance (Section 36-280(e)(2)) to allow the creation of a lot with a lot width less than the 200-foot lot width and to allow the creation of a lot with acreage less than the 2 acre lot size as typically required in the O-2, Office and Institutional Zoning District. The setbacks for the lots are indicated consistent with the O-2, Office and Institutional Zoning District (25-feet around the site's perimeters).

To staffs knowledge there are no remaining technical issues associated with the request in need of addressing prior to the Commission acting on the request. Staff feels the reestablishment of the plat as proposed is appropriate for the site.

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SUBDIVISION

ITEM NO.: 1 (Cont.)

FILE NO.: S-1330-A

I. STAFF RECOMMENDATION:

Staff recommends approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report.

Staff recommends approval of the variance from the Zoning Ordinance (Section 36-280(e)(2)) to allow the creation of the two lots with a square footage less than the 2 acre minimum square footage and to allow the creation of lots with a lot width less than the 200-foot lot width, both as typically required by the O-2, Office and Instructional Zoning District.

Staff recommends approval of the variance request from the Subdivision Ordinance Section 31-284(b) to allow the creation of a pipe stem lot and Section 31-2 to allow an increased maximum depth for the pipe stem lot.

PLANNING COMMISSION ACTION:

(FEBRUARY 25, 2010)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report. Staff presented a recommendation of approval of the variance from the Zoning Ordinance (Section 36-280(e)(2)) to allow the creation of the two lots with a square footage less than the 2 acre minimum square footage and to allow the creation of lots with a lot width less than the 200-foot lot width, both as typically required by the O-2, Office and Instructional Zoning District. Staff presented a recommendation of approval of the variance request from the Subdivision Ordinance Section 31-284(b) to allow the creation of a pipe stem lot and Section 31-2 to allow an increased maximum depth for the pipe stem lot.

There was no further discussion of the item. The Chair entertained a motion of approval of the item as presented by staff. The motion carried by a vote of 9 ayes, 0 noes and 2 absent.

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ITEM NO.: 2

FILE NO.: S-1649

NAME: The Orchards at Mabelvale Preliminary Plat

LOCATION: Located at 9501 Mabelvale Pike

DEVELOPER:

Garth Development, LLC
Robert Garth
6929 JFK Boulevard
Sherwood, AR 72116-5339

ENGINEER:

The Holloway Firm
200 Casey Drive
Maumelle, AR 72113

AREA: 20.0 acres

NUMBER OF LOTS: 2

FT. NEW STREET: 0 LF

CURRENT ZONING: C-3, General Commercial District and R-2, Single-family

PLANNING DISTRICT: 15–Geyer Springs West

CENSUS TRACT: 41.05

VARIANCES/WAIVERS REQUESTED: None requested.

The applicant requested on February 9, 2010, this item be deferred to the April 8, 2010, public hearing. Staff is supportive of the deferral request.

PLANNING COMMISSION ACTION:

(FEBRUARY 25, 2010)

The applicant was present. There were no registered objectors present. Staff presented the item stating the applicant had requested on February 9, 2010, this item be deferred to the April 8, 2010, public hearing. Staff stated they were supportive of the deferral request.

There was no further discussion of the item. The Chair entertained a motion of approval of the item as presented by staff. The motion carried by a vote of 9 ayes, 0 noes and 2 absent.

February 25, 2010

ITEM NO.: 3

FILE NO.: Z-4411-I

NAME: Pleasant Ridge Towne Center Revised Long-form PCD

LOCATION: Located at 11525 Cantrell Road

DEVELOPER:

Shane Connerly
201 Epernay Loop
Little Rock, AR 72223

ENGINEER:

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

AREA: 27.0± acres NUMBER OF LOTS: 5 FT. NEW STREET: 0 LF

CURRENT ZONING: PCD

ALLOWED USES: Shopping Center

PROPOSED ZONING: Revised PCD

PROPOSED USE: Shopping Center—Placement of a seasonal shaved ice business within the parking lot of the shopping center

VARIANCES/WAIVERS REQUESTED: None requested

BACKGROUND:

On December 20, 1994, through Ordinance No. 16,808, the City Board of Directors approved a PCD that would allow the development of a mixed use "Neighborhood Commercial" shopping center and an accompanying office development. The site was a 12.83 acre-tract and of the area, 11.48 acres was proposed to be developed as the shopping center. The proposed structure was 97,680 square feet, and 463 parking spaces were indicated. A 1.35-acre tract was to have 10,000 square feet of office building space with an additional 50 parking spaces. The uses proposed for the shopping center were all by-right C-2, Shopping Center District and C-3, General Commercial District, except that there were to be no service stations, auto glass or muffler shops, convenience stores, or car washes within the scope of the PCD. The

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SUBDIVISION

ITEM NO.: 3 (Cont.)

FILE NO.: Z-4411-I

uses proposed for the office building were all uses by right in the O-2, Office and Institutional District and O-3, General Office District.

On January 9, 1997, the Commission reviewed a request for a change in the right-of-way dedication and street improvement requirement to Fairview Road. The developer requested all right-of-way dedication and street improvements be taken from the property located to the east of Fairview Road. The Board of Directors adopted Ordinance No. 17,331 on December 3, 1996, which allowed a five-year deferral of street improvements (or until development of the Pleasant Ridge Square PCD) to Fairview Road.

The Little Rock Planning Commission granted a three-year time extension for the proposed submission of the final development plan at their December 22, 1997, Public Hearing. The applicant submitted a Final Development Plan for the Pleasant Ridge Square Long-form PCD, which was approved on February 1, 2002.

The Little Rock Board of Directors adopted Ordinance No. 19,233 on November 9, 2004, establishing a revision to the Pleasant Ridge Town Center PCD. The development was proposed as a 300,000 square foot retail center with restaurant space developed as a "Life-style Center". The approval allowed the creation of three lots.

Ordinance No. 19,281 adopted by the Little Rock Board of Directors on February 15, 2005, revised the previously approved PCD to allow Coulson Oil to add an additional driveway to their site and adjust the southern property line. The site plan indicated the drive would be added to the southwestern corner of the property to adjoin to the proposed driveway for Pleasant Ridge Town Center. The applicant indicated with the adjustment, the existing Coulson PCD would function more appropriately with the approved Pleasant Ridge Town Center site plan. Coulson Oil also proposed the sale of a portion of their lot to the Pleasant Ridge Town Center along the southern perimeter. The sale of the property resulted in a rear yard buffer and landscape strip that was less than the typical minimum required per the Highway 10 Design Overlay District.

The Board of Directors adopted Ordinance No. 19,633 on November 21, 2006, revising the previously approved PCD for the shopping center to allow the creation of two (2) additional lots for the Pleasant Ridge Town Center. The previous approval allowed for the creation of three (3) lots, which had been final platted. The developer proposed the placement of the two (2) additional lots along Cantrell Road within the area identified as future restaurant sites. According to the applicant the restaurant out-parcels were needed to allow the transfer of property to prospective tenants. The approval brought the total available lots on the site to five (5). There were no other modifications proposed to the previous approval.

On December 7, 2006, the Little Rock Planning Commission denied a request to allow the western-most drive located along Cantrell Road to become a full service intersection. The denial of the request was appealed to the Board of Directors and was

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scheduled to be heard on February 20, 2006. The item was withdrawn from the Board of Directors agenda prior to action by the Board of Directors.

Ordinance No. 19,730 adopted by the Little Rock Board of Directors on April 3, 2007, allowed a revision to the previously approved PCD to allow additional sign locations within the development. The approval allowed building signage located on the portion of the flat wall located on the northeast corner and northwest corner of the center shopping center building. No other modifications to the approved site plan were proposed with the revision to the PCD.

On October 15, 2009, the Little Rock Planning Commission approved a modification request by Chick-fil-A to allow additional signage on their existing building. The original PCD approved signage on the front façade of the Chick-fil-A building and a ground sign located within the front yard area. Chick-fil-A filed an application request to allow additional signage on the eastern and western facades of the building. The application was modified at the public hearing to allow the additional signage on the eastern façade only. The item was forwarded to the Board of Directors on November 17, 2009, for final action. The Board of Directors denied the request to allow any additional signage.

A. PROPOSAL/REQUEST/APPLICANTS STATEMENT:

The current request is to amend the PCD to allow a TropicalSno Shaved Ice business to operate from the site on a seasonal basis. The shaved ice business will operate from May to August, seven days per week from 10:00 am to 10:00 pm. The business is located within the parking lot area of the Pleasant Ridge Shopping Center. The trailer is portable and is 7 feet by 12 feet. There are two picnic tables with umbrellas located adjacent to the shaved ice trailer. The area encompasses approximately 10 parking spaces. There are two temporary signs advertising the business located within this area.

The property is covered under a Bill of Assurance for the Pleasant Ridge Towne Center Subdivision but the BOA does not address this current application request.

B. EXISTING CONDITIONS:

The site is developed with a shopping center with two out-parcels located along Cantrell Road. The western most out-parcel has developed with a Chick-fil-A Restaurant and the eastern most out-parcel remains vacant. Also located in the immediate area are a number of restaurants, two convenience stores, banks and office buildings, a drycleaners, a liquor store and a City of Little Rock Fire station. North of the site, across Cantrell Road, is the Walton Heights Subdivision.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received a number of informational phone calls from residents. All property owners located within 200 feet of the site, all residents, who could be identified, located within 300 feet of the site and the Walton Heights Neighborhood Association were notified of the public hearing.

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D. Public Works Conditions - Utilities and Fire Department/County Planning:

Since the request involves the placement of a trailer within the parking lot area of the existing shopping center staff felt this was a minor revision to the previously approved plan and staff did not route this item to the various departments and agencies for comment.

E. SUBDIVISION COMMITTEE COMMENT: (February 4, 2010)

The applicant was not present. Staff stated the request was to allow the placement of a seasonal shaved ice business within the parking lot area of the shopping center. Staff stated there were no outstanding technical issues associated with the request. Staff stated the request did not involve a use change therefore the item had not been routed to the various agencies for comments. There was no further discussion of the item. The Committee then forwarded the item to the full Commission for final action.

F. ANALYSIS:

There were no outstanding technical issues in need of addressing raised at the February 4, 2010, Subdivision Committee meeting. The request is to amend the PCD to allow a TropicalSno Shaved Ice business to operate at the Pleasant Ridge Town Center on a seasonal basis. The shaved ice business will operate from May to August, seven (7) days per week from 10:00 am to 10:00 pm. The business is located within the parking lot area of the shopping center. The trailer is portable and is 7 feet by 12 feet. There are two (2) picnic tables with umbrellas located adjacent to the shaved ice trailer. The area encompasses approximately 10 parking spaces. There are two temporary signs advertising the business located within this area.

The business occupies ten (10) parking spaces and is located in an area of the shopping center, which does not typically generate a great parking demand. Staff is supportive of the request. To staffs knowledge there are no outstanding technical issues in need of addressing related to this request. Staff feels the placement of the seasonal business within the parking lot area of the Pleasant Ridge Towne Center should have minimal impact on the development and the area.

G. STAFF RECOMMENDATION:

Staff recommends approval of the request to amend the previously approved PCD to allow the placement of the seasonal business within the parking lot area of this existing shopping center.

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PLANNING COMMISSION ACTION:

(FEBRUARY 25, 2010)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the request to amend the previously approved PCD to allow the placement of the seasonal business within the parking lot area of the shopping center.

There was no further discussion of the item. The Chair entertained a motion of approval of the item as presented by staff. The motion carried by a vote of 9 ayes, 0 noes and 2 absent.

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ITEM NO.: 4

FILE NO.: Z-4923-H

NAME: Lot 5B Shackleford Crossings Revised PCD–Fairfield Inn

LOCATION: Located on the Northwest Corner of Crossing Court and Shackleford Road

DEVELOPER:

Kane Hotel Group
Alpash Patel
308 North Peters Road, Suite 110
Knoxville, TN 37922

ENGINEER:

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

ARCHITECT:

Best and Associates Architects
1726 W Lamar Alex Parkway
Mayville, TN 37801

AREA: 1.7 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING: PCD

ALLOWED USES: Mixed Use Shopping Center

PROPOSED ZONING: Revised PCD

PROPOSED USE: Mixed Use Shopping Center - Hotel - Lot 5B

VARIANCES/WAIVERS REQUESTED: None requested.

BACKGROUND:

The Little Rock Board of Directors adopted Ordinance No. 19,237 on November 23, 2004, approving a Conceptual PCD known as Shackleford Crossing Long-form PCD, which was located at the southwest corner of South Shackleford Road and Interstate 430. The conceptual plan included the north 62 acres being developed with C-2,

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Shopping Center District permitted uses, the south 20 acres being O-2, Office and Institutional District permitted uses and the middle 15 acres being a transition area where O-2, Office and Institutional District and C-2, Shopping Center District permitted uses would be allowed. The plan also showed four out parcels along the Shackelford Road frontage, with three main entry drives from Shackelford Road. The total project would consist of 1,000,000 square feet of gross building area.

Ordinance No. 19,399 adopted by the Little Rock Board of Directors on September 20, 2005, established revisions to the previously approved PCD. The approval defined the site plan for Phase I, the commercial portion of the project and one of the office lots. With the request, a preliminary plat for the subdivision of the site with sixteen lots and out-parcels was also approved. The approved site plan included an area previously excluded containing the Comcast office tract on Shackelford Road and incorporated the area into the overall project plan.

All the conditions that were a part of the previously approved Conceptual PCD were incorporated into the submittal with one revision. The one change requested from the prior conditions was to increase the allowable restaurant square footage and place a minimum parking ratio requirement for restaurants on the site as imposed by the developer: Commercial/Retail buildings constructed on the property shall not exceed a total of 750,000 square feet of gross floor area, with a maximum of 40,000 square feet of restaurant uses on out parcels and 35,000 square feet of restaurant uses on the balance of project with a total maximum restaurant use for the entire property not to exceed 65,000 square feet. Additionally, all restaurants shall have a parking ratio of not less than 12 spaces per 1,000 square feet calculated independently of retail parking ratios.

Ordinance No. 19,699 adopted by the Little Rock Board of Directors on February 20, 2007, revised the PCD to clarify the signage plan, allow dock doors to be oriented to Shackelford Road and add food store as an allowable use for the site.

On May 8, 2008, the Little Rock Planning Commission recommended approval of a request to allow a revision to the previously approved PCD for a 2.2-acre parcel located near the southeastern portion of the site immediately south of the proposed Big Box retail store. The approval allowed for development of a four story 92 room hotel with paved drives and parking. The hotel was not proposed with any amenities such as conference rooms, a restaurant or a bar. The Board of Directors approved the request on June 3, 2008, by the adoption of Ordinance No. 19,980.

On July 15, 2008, the Little Rock Board of Directors approved a revision to the PCD by the adoption of Ordinance No. 19,994 to clarify and amend some of the language in the conditions and to add a hotel footprint to the approved site plan. The modifications include the addition of Conditional Uses in the O-2, Office and Institutional Zoning District to the allowable uses and to increase the amount of restaurant square footage approved for the development. The revision allowed 55,000 square feet of restaurant

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space on the out parcels and a maximum of 80,000 square feet within the overall development.

The hotel was proposed on Lot 11 near the southwest corner of the site. The hotel was indicated with a maximum of four stories and 87 rooms. The hotel would not have a restaurant or bar associated with it but a 1,200 square foot meeting room was proposed.

On January 8, 2009, the Little Rock Planning Commission denied a request by Cracker Barrel to allow the placement of temporary storage modules within the rear parking area of the restaurant to serve as temporary inventory storage for seasonal sales. The denial was not appealed to the Board of Directors for reconsideration.

A. PROPOSAL/REQUEST/APPLICANTS STATEMENT:

Fairfield Inn Hotel Group is requesting to amend the previously approved PCD for an out-parcel within the Shackleford Crossing Shopping Center. The developers desire to construct a four (4) story hotel on a 1.7-acre site. The hotel is proposed containing 84 rooms and suites. Other amenities include an indoor pool and fitness room. The exterior of the building is proposed as EIFS with a mix of shingles and metal roofing.

The property is covered under a Bill of Assurance and a Declaration of Restrictive Covenants between the "Developer" and Camp Aldersgate. Within the Analysis Section staff has identified items listed in the Declaration of Covenants and the compliance with these Covenants with the current application request.

B. EXISTING CONDITIONS:

The shopping center has developed and site work has been completed for the Wal-Mart Super Center but construction has yet to begin. Along the southern portion of the site two new hotels are under construction. Comcast is located south of the site and recently underwent an expansion. Out parcels which have developed have been with restaurant users. The street work adjacent to the site has been completed and all access drives within the shopping center are completed.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has not received any comment from area residents. All property owners located within 200 feet of the site, all residents, who could be identified, located within 300 feet of the site and the John Barrow Neighborhood Association were notified of the public hearing.

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D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Sidewalks with appropriate handicap ramps are required to be installed along the south and west property lines of the site in accordance with Section 31-175 of the Little Rock Code and the Master Street Plan.
2. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
3. Stormwater detention ordinance applies to this property.
4. 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.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer is available to this project. A Capacity Analysis will be required. Contact Little Rock Wastewater Utility for additional information.

Entergy: A 10-foot under ground utility easement is required around the sites perimeters. Contact Entergy for additional information.

Center-Point Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water: All Central Arkansas Water requirements in effect at the time of request for water service must be met. 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. 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 Little Rock Fire Department is required. Contact Central Arkansas Water regarding the size and location of the water meter. A Capital Investment Charge based on the size of meter connection(s) will apply to this project in addition to normal charges. This fee will apply to all connections including metered connections off the private fire system. This development will have minor impact on the existing water distribution system. Proposed water facilities will be sized to provide adequate pressure and fire protection.

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Fire Department: On site fire hydrants are required. Contact the Little Rock Fire Department for additional information.

County Planning: No comment.

CATA: The site is not located on a dedicated CATA Bus Route.

Parks and Recreation: No comment received.

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: This request is located in the I-430 Planning District. The Land Use Plan shows Mixed Office Commercial for this property. The applicant has applied for a revised Planned Commercial Development to allow the placement of a four-story hotel on an out parcel of the Shackelford Crossing Shopping Center. The request does not require a change to the Land Use Plan.

Master Street Plan: Shackelford Road is a Minor Arterial. A Minor Arterial provides connections to and through an urban area and their primary function is to provide short distance travel within the urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Shackelford Road since it is a Minor Arterial. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site. Crossings Court is a Private Local Street. The primary function of a Local Street is to provide access to adjacent properties. Local Streets, which are abutted by non-residential zoning/use or more intensive zoning than duplexes, are considered as "Commercial Streets". These streets have a design standard the same as a Collector.

Bicycle Plan: There are no bike routes in the immediate vicinity.

Neighborhood Action Plan: The John Barrow Neighborhood Action Plan covers this area. Their Business and Commercial Goal states: "enhance the climate directed towards encouraging new businesses and commercial establishments to located in the area as well as retention of existing businesses."

Landscape:

1. The site plan must comply with the City's landscape and buffer ordinance requirements.
2. The zoning buffer ordinance requires a fifteen (15) foot average street buffer, and in no cases less than half, along the western perimeter of the site.

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3. The landscape ordinance requires all interior islands be a minimum of one hundred and fifty (150) square feet in area and to be a minimum of seven and one-half (7 ½) feet in width.
4. An automatic irrigation system to water landscaped areas will be required.
5. Prior to the issuance of a building permit, it will be necessary to provide an approved landscape plan stamped with the seal of a Registered Landscape Architect.

G. SUBDIVISION COMMITTEE COMMENT:

(February 4, 2010)

Mr. Joe White of White Daters and Associates was present. Staff stated the request was a revision to the PCD for Shackelford Crossings Shopping Center to allow a hotel to locate on one of the proposed out-parcels. Staff stated there were a number of commitments made by the developer in the original PCD approval to satisfy concerns of the City and Camp Aldersgate. Staff stated measures should be enacted to ensure eastern facing signs did not create any light pollution for Camp Aldersgate. Staff stated the maximum pole height for parking lot lighting was 30-feet. Staff stated the dumpster was to be screened and also landscaped or earthen berms provided to soften the screening walls.

Public Works comments were addressed. Staff stated sidewalks were required along the southern and western perimeters of the site. Staff stated stormwater detention would apply to the development of the site. Staff stated any broken curb, gutter or sidewalk located in the right of way would require repairing prior to the issuance of a certificate of occupancy.

Landscaping comments were addressed. Staff stated the zoning buffer ordinance required a 15-foot street buffer along the western perimeter. Staff stated landscape islands were required to be a minimum of 150 square feet in area to receive credit for meeting the landscape ordinance requirement. Staff stated a landscape plan stamped with the seal of a registered landscape architect would be required with the submission of a building permit application request.

Staff noted comments from the other reporting departments and agencies suggesting the applicant contact them individually for additional clarification. There was no further discussion of the item. The Committee then forwarded the item to the full Commission for final action.

H. ANALYSIS:

The applicant submitted a revised site plan to staff addressing most of the issues raised at the February 4, 2010, Subdivision Committee meeting. The revised

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plan indicates a landscape strip of 15-feet along the western drive. The interior landscape islands have been revised to include a minimum of 150 square feet of area.

The building is proposed with as a four (4) story hotel with a maximum building height of 60-feet. The maximum building height allowed per the approved PCD ordinance was 45-feet with a condition the height could be increased to 60-feet upon approval by the Planning Commission.

The approved PCD ordinance allows for a maximum sign height and area for the "office portion" of the development of six (6) feet in height and sixty-four (64) square feet in area. The applicant has indicated a note on the site plan noting the sign with a maximum height of six (6) feet and a maximum sign area of sixty-four (64) square feet. Based on the total square footage of the building the approved PCD allows for building signage on two (2) facades of the building. The applicant has indicated wall signage will be placed on the northern and southern facades of the building on the fourth level. Signage is not proposed on the eastern façade. Staff has concerns with the northern facing sign. The original approval limited the hours of lighting signage. The ordinance states except ground signs, signs are to remain unlighted except for ½ hour before and after the sign advertiser's hours of being open to the general public. The hotel is proposed to operate on a 24-hour seven day a week basis. It is likely the lighting of the sign will be visible from Camp Aldersgate's property. The applicant is working with Camp Aldersgate to determine if any measures may be taken to mitigate any adverse impacts of the sign lighting.

The original approval limited the pole height of parking lot lighting to 30-feet. The site plan does include a note indicating the maximum pole height of parking lot lighting is to be 30-feet. A note also indicates all site lighting will be low level and directional, directed downward and into the site.

The ordinance approving the PCD states in addition to the typical dumpster screening any dumpster or trash receptacle located in a highly visible area must also provide landscaping or earthen berms to soften the screening walls. The applicant has not indicated a note on the site plan stating the required landscaping will be provided. Per the approved PCD the servicing of dumpsters is limited to daylight hours.

The revised site plan indicates a total building coverage of 12,910 square feet or 17.4 percent. The area indicated for landscaping contains 29,631 square feet or 39.7 percent and the total paved area contains 32,000 square feet or 42.9 percent.

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The ordinance for a hotel development requires the placement of one parking space per guest room and an additional ten (10) percent of the total parking spaces required for developments larger than twenty rooms for employees non-guest users patronizing meeting rooms, restaurants and other facilities. The development is proposed with 84 rooms. There is not a restaurant or meeting facility planned for this hotel facility. Based on the typical ordinance standards a total of 92 parking spaces would be required to serve the hotel. The site plan is indicated with 88 parking spaces.

Although staff is generally supportive of the development as proposed staff has concerns with the signage located on the northern façade and the potential impact on Camp Aldersgate.

I. STAFF RECOMMENDATION:

Staff recommends denial of the request as filed.

PLANNING COMMISSION ACTION:

(FEBRUARY 25, 2010)

The applicant was present. There were no registered objectors present. Staff presented the item stating the applicant had submitted a request on February 24, 2010, requesting the item be withdrawn from consideration. Staff stated the withdrawal would require a waiver of the Commission's By-laws with regard to the late withdrawal request. Staff stated they were supportive of the withdrawal request.

There was no further discussion of the item. The Chair entertained a motion for a waiver of the Commission's By-laws with regard to the late withdrawal request. The motion carried by a vote of 9 ayes, 0 noes and 2 absent. The Chair entertained a motion of approval of the item as presented by staff. The motion carried by a vote of 9 ayes, 0 noes and 2 absent.

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ITEM NO.: 5

FILE NO.: Z-5038-J

NAME: Lot 2R Seven Acres Business Park Revised Short-form POD

LOCATION: Located at 6 Seven Acres Drive

DEVELOPER:

RAAD, LLC
Doug Becker
#6 Seven Acres Drive
Little Rock, AR 72223

ENGINEER:

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

AREA: 1.31 acres

NUMBER OF LOTS: 2

FT. NEW STREET: 0 LF

CURRENT ZONING: POD

ALLOWED USES: O-1, Quiet Office Uses

PROPOSED ZONING: Revised POD–Lot 2

PROPOSED USE: Office/Warehouse and O-1, Quiet Office Uses

VARIANCES/WAIVERS REQUESTED: A variance from the Subdivision Ordinance to allow the creation of a lot without public street frontage. (Section 31-231)

BACKGROUND:

The Little Rock Board of Directors by Ordinance No. 16,319, adopted on December 15, 1992, established the Seven Acres Business Park containing four lots. This followed a recommendation of approval by the Planning Commission on November 3, 1992. The approved POD allowed office/showroom/warehouse uses on all lots except Lot 1. The building on Lot 1 was to be used for accessory commercial uses.

On February 20, 1996, the Little Rock Board of Directors adopted Ordinance No. 17,118, amending the POD to allow Golden Collision Center (auto repair business) to

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be constructed on Lot 4. An Alltel cellular tower and Comcast cable equipment building were approved for placement on Lot 4 at a later date.

On July 7, 1998, the Little Rock Board of Directors adopted Ordinance No. 17,764 amending the site plan for Lots 1 and 2. The office, showroom/warehouse building for Lot 2 was increased to 17,114 square feet in area and the revised plan maintained the 50 foot landscape buffer along the west property line.

On December 20, 1999, the Little Rock Board of Directors approved Ordinance No. 18,161 amending the site plan for Lot 2. Lot 2 was subdivided into two lots with separate buildings on each lot. The total area for the two buildings was 12,816 square feet, a decrease from 17,764 square feet that was previously approved for Lot 2. The 50-foot wide landscape buffer along the west property line was maintained. The final plat was not executed and the approval has since expired.

The Little Rock Planning Commission denied a request to revise the previously approved site plan for Lot 1 only on January 3, 2002. The applicant proposed to develop Lot 1 of Seven Acres Business Park with an office/commercial development. The development would have consisted of all office uses facing Cantrell Road and a mini-storage development to the rear. The applicant proposed mini-storage in four separate buildings ranging from 20 feet x 150 feet to 20 feet x 185 feet. The site also contained a resident manager office and apartment (1880 square feet) for the mini-storage facility. There were 42 parking spaces proposed as a part of the development.

On January 6, 2004, the Little Rock Board of Directors adopted Ordinance No. 19,019 amending the previously approved POD for Seven Acres Business Park. The applicant proposed to split Lot 1 of the Seven Acres Business Park into two separate parcels. Each individual lot would contain a building to be used as an office use. Lot 1A would contain a bank building with drive-through lanes and Lot 1B would contain a mortgage company. The applicant indicated O-1, Quiet Office District uses as alternate uses for each lot.

Lot 1A was proposed at 1.11 acres with a proposed building square footage of 2,888 with a proposed expansion area of 2,598. The applicant indicated 38 parking spaces on the lot. The maximum building height proposed was 25.0 feet. Lot 1B was proposed at 1.30 acres and building square footage of 3,975 and a 2,601 square foot expansion area. The applicant indicated 53 parking spaces to be contained on Lot 1B. The maximum building height proposed for Lot 1B was also 25.0 feet. These two lots have developed as were previously proposed. The building expansion area has not been developed but remains as a request for future development.

The Little Rock Board of Directors adopted Ordinance No. 19,529 on May 2, 2006, allowing a revision to lots 1A and 1B of the development. The approval allowed the

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placement of a six-foot wood fence along the southern perimeter of Lots 1A and 1B. No other modifications were approved with the request.

A. PROPOSAL/REQUEST/APPLICANTS STATEMENT:

The applicant is now proposing to revise the Planned Office Development (POD) to allow Lot 2 to be subdivided into two (2) separate parcels. Lot 2RA contains 0.61 acres and an existing office/warehouse building containing 7,000 square feet. Proposed Lot 2RB will contain 0.70 acres and an 8,000 square foot office/showroom/warehouse building. The new lot will be created as a lot without public street frontage. Access to the lot will be provided via a 30-foot access and utility easement along the front of the property and second access and utility easement will be provided along the rear of the property.

The Bill of Assurance filed May 30, 1996 does not address the use of the property or the request for a lot split. An amendment to the Bill of Assurance for Lots 1R and 2R was filed July 21, 2004, does not address the current request to allow a lot split of a previously platted lot.

B. EXISTING CONDITIONS:

The 7 Acres Business Park has developed with a mixture of uses including office and commercial type uses. There is a branch bank and a mortgage company located on the northwestern lots of the development and a contractor's office is located on the northeastern lot of the development adjacent to Cantrell Road. Also included in the development is an auto collision repair business, an office/warehouse showroom and an office building. There is also a wireless communication facility tower located on the southern property line of the site.

Other uses in the area include single-family residences immediately to the west of the site along Bella Rosa Drive and Cantrell Road to the north. There is a landscaping nursery to the east of the site. A creek and floodway are located along the south property line of this subdivision.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received one informational phone call from the Pinnacle Valley Neighborhood Association. All property owners located within 200 feet of the site, all residents, who could be identified, located within 300 feet of the site, the Tulley Cove and Pinnacle Valley Neighborhood Associations were notified of the public hearing.

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D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
2. 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.
3. Stormwater detention ordinance applies to this property. Show the proposed location for stormwater detention facilities on the plan.
4. A special Grading Permit for Flood Hazard Areas will be required per Section 8-283 prior to construction.
5. The minimum Finish Floor elevation of one (1) foot above the base flood elevation is required to be shown on the plat and grading plans.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer main extension is required with easements to serve Lot 2RB. Contact Little Rock Wastewater Utility for additional information.

Entergy: No comment received.

Center-Point Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water: All Central Arkansas Water requirements in effect at the time of request for water service must be met. 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. A private line agreement will be required to provide water service to Lot 2RB. 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 Little Rock Fire Department is required. Contact Central Arkansas Water regarding the size and location of the water meter. A Capital Investment Charge based on the size of meter connection(s) will apply to

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this project in addition to normal charges. This fee will apply to all connections including metered connections off the private fire system.

Fire Department: Fire hydrants will be required. The west drive must maintain a minimum width of 20-feet. Contact the Little Rock Fire Department for additional information.

County Planning: No comment.

CATA: The site is located near CATA Bus Route #25—the Highway 10 Express Route.

Parks and Recreation: No comment received.

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: This request is located in the River Mountain Planning District. The Land Use Plan shows Transition for this property. The applicant has applied for a revised Planned Office Development to allow the subdivision of Lot 2R for the creation of a new office/warehouse building. A Planned Office Development is consistent with the Land Use Plan.

Master Street Plan: Cantrell Road is a Principal Arterial. The primary function of a Principal Arterial is to serve through traffic and to connect major traffic generators or activity centers within urbanized areas. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Cantrell Road since it is a Principal Arterial. Seven Acres Drive is a Local Street. The primary function of a Local Street is to provide access to adjacent properties. Local Streets, which are abutted by non-residential zoning/use or more intensive zoning than duplexes, are considered as “Commercial Streets”. These streets have a design standard the same as a Collector.

Bicycle Plan: There are no bike routes in the immediate vicinity.

Neighborhood Action Plan: This area is not covered by a Neighborhood Action Plan.

Landscape:

1. The site plan must comply with the City’s landscape and buffer ordinance requirements.
2. Provide a note on the site plan indicating the buffer area as undisturbed. The area along the west perimeter is zoned residential.

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3. The landscape ordinance requires building landscaping. A variance from this requirement must be obtained from the City Beautiful Commission prior to the issuance of a building permit.
4. The landscape ordinance requires a perimeter landscaping of nine (9) feet around the sites entirety. A variance from this requirement must be obtained from the City Beautiful Commission prior to the issuance of a building permit.

G. SUBDIVISION COMMITTEE COMMENT: (February 4, 2010)

Mr. Joe White of White-Daters and Associates was present representing the request. Staff presented an overview of the development stating in 1999 a request to allow a lot split similar to the current request was approved. Staff stated the developer did not follow through with the final platting and the previous approval had expired. Staff stated there were few outstanding technical issues associated with the request. Staff questioned any proposed fencing along the southern and western perimeters. Staff also questioned any proposed signage on the new lot.

Public Works comments were addressed. Staff stated a grading permit for a flood hazard area was required prior to construction. Staff also stated a minimum finish floor elevation of one foot above the base flood elevation was required to be shown on the plat and grading plans.

Landscaping comments were addressed. Staff stated the landscape ordinance required the placement of building landscaping and a perimeter landscape strip along the northern perimeter. Staff stated any variation from this requirement would require approval by the City Beautiful Commission. Staff requested a note be included on the site plan stating the western buffer area was to remain undisturbed.

Staff noted comments from the other reporting departments and agencies suggesting the applicant contact them individually for additional clarification. There was no further discussion of the item. The Committee then forwarded the item to the full Commission for final action.

H. ANALYSIS:

The applicant submitted a revised site plan to staff addressing issues raised at the February 4, 2010, Subdivision Committee meeting. The applicant has indicated fencing is not proposed along the western and southern perimeters. The revised site plan also indicates building signage consistent with signage allowed in office zones will be utilized on the front façade of the building. A single ground mounted sign is proposed within the front yard area of the building.

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The sign is proposed with a maximum height of six (6) feet and a maximum sign area of sixty-four (64) square feet.

The site plan indicates an 8,004 square foot building with a maximum building height of 30-feet. The building is proposed with a single overhead door on the front of the building located along the western portion of the building. Building landscaping will be provided per the landscape ordinance requirements. The site plan does not include a landscape strip along the northern perimeter of the parking lot. The applicant has indicated the new drive is an extension of the drive serving the eastern building. The eastern site was developed without landscaping along the northern perimeter.

The revised plan includes a note stating the 50-foot western buffer will remain as undisturbed. A note on the site plan also indicates all site lighting will be low level and directional, directed downward and into the site.

The hours of operation proposed for the development are from 7 am to 10 pm seven days per week. The developer has indicated O-1, Quiet Office Uses as allowable alternative uses for the site.

The site plan indicates the placement of 17 parking spaces. The use proposed for the site is an office/warehouse use which would typically require the placement of nine (9) parking spaces. The request includes O-1, Quiet Office uses as alternative uses for the site. Based on the typically parking requirement for an office use a total of twenty (20) parking spaces would be required.

Staff is supportive of the request. Similar lot splits have occurred within the development. The property to the north was split and was developed with a bank and mortgage company. The use of the property as an office/warehouse is consistent with the use of the property to the east. To staff's knowledge there are no outstanding technical issues in need of addressing associated with the request.

I. STAFF RECOMMENDATION:

Staff recommends approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report.

PLANNING COMMISSION ACTION:

(FEBRUARY 25, 2010)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the request subject to

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compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report.

There was no further discussion of the item. The Chair entertained a motion of approval of the item as presented by staff. The motion carried by a vote of 9 ayes, 0 noes and 2 absent.

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ITEM NO.: 6

FILE NO.: Z-6323-N

NAME: Lot 6 the Village at Rahling Road Revised Short-form PCD

LOCATION: Located on the Southeast corner of Rahling Road and Chenal Parkway

DEVELOPER:

Deltic Timber Corporation
#7 Chenal Club Boulevard
Little Rock, AR 72223

ENGINEER:

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

AREA: 1.7 acres NUMBER OF LOTS: 1 FT. NEW STREET: 0 LF

CURRENT ZONING: PCD

ALLOWED USES: C-2, Shopping Center District Uses

PROPOSED ZONING: Revised PCD

PROPOSED USE: C-2, Shopping Center District Uses

VARIANCES/WAIVERS REQUESTED: None requested.

The applicant requested on February 9, 2010, this item be deferred to the April 8, 2010, public hearing. Staff is supportive of the deferral request.

PLANNING COMMISSION ACTION:

(FEBRUARY 25, 2010)

The applicant was present. There were no registered objectors present. Staff presented the item stating the applicant had requested on February 9, 2010, this item be deferred to the April 8, 2010, public hearing. Staff stated they were supportive of the deferral request.

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There was no further discussion of the item. The Chair entertained a motion of approval of the item as presented by staff. The motion carried by a vote of 9 ayes, 0 noes and 2 absent.

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ITEM NO.: 7

FILE NO.: Z-7875-B

NAME: Lot 11, Block 4 Taylor Park Subdivision Revised Short-form POD

LOCATION: Located at 2 Chapman Lane

DEVELOPER:

Phil Taylor
2 Chapman Lane
Little Rock, AR

SURVEYOR:

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

AREA: 0.25 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING:

POD

ALLOWED USES:

Office and Single-family—Attached and Detached Units

PROPOSED ZONING:

Revised POD

PROPOSED USE: Office and Single-family, Attached and Detached Units - Allow deck and fence across a platted building line

VARIANCES/WAIVERS REQUESTED: None requested.

BACKGROUND:

The Planning Commission reviewed a request and recommended approval for Taylor Park Long-form POD at their July 7, 2005 public hearing. The site plan included the development of 22.9 acres containing a mixed-use development including office and residential uses. The property fronting along Kanis Road would allow quiet office uses with the remainder of the site being developed with attached and detached single-family residences. Ordinance No. 19,388 adopted by the Little Rock Board of Directors on August 30, 2005, rezoned the site from R-2, Single-family to POD establishing Taylor Park Long-form POD.

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Ordinance No. 19,635 adopted by the Little Rock Board of Directors on November 21, 2006, allowed a revision to the POD by allowing the height and area of the subdivision identification sign to be increased. The sign was approved with a maximum height of eight (8) feet and a maximum sign area of twenty-eight (28) feet. The sign was approved with brick columns two-foot eight-inch (2'8") wide and six (6) feet high with a two (2) foot precast sphere and cap. The construction material of the sign wall was running bond brick.

A. PROPOSAL/REQUEST/APPLICANTS STATEMENT:

The property owner located at 2 Chapman Lane has constructed a wood deck and a pergola surrounded with a six-foot wood fence. The construction was initiated without a building permit and is currently under enforcement and a stop work order has been issued. The additions have been constructed across a 15-foot platted building line and within a 10-foot utility easement. The applicant is requesting to amend the previously approved POD to allow the deck, fencing and pergola to remain.

The Bill of Assurance for Taylor Park Subdivision states *no buildings or structures shall be located on any lot, nearer to the side street line, than the minimum building setback lines as shown on the recorded plat. For the purposes of this covenant, eaves and steps shall not be considered as part of the building. No lot shall be subdivided and no more than one dwelling shall be permitted on any one lot.* The Bill of Assurance also states *no dwelling or structure shall be erected, placed or altered on any lot until the construction plans and specifications and a plan showing the location of the structure, including landscaping, have been approved by the Architectural Control Committee as to quality of workmanship and materials, harmony of external design with existing structures, and as to location with respect to topography and finish grade elevation, and intended objectives of the Architectural Control Committee to achieve a subdivision that accomplishes the desired architectural design in the structure and subdivision ascetics. No fence or wall shall be erected, placed or altered on any lot nearer than the setbacks as shown on the plat. The term structure is defined to include any and all types fences, antennas, decks, permanent basket ball goals, swimming pools and television satellite dishes, which in no event shall be placed in front of dwellings. Each property owner requesting approval shall submit to the Architectural Control Committee at least two weeks prior to the time approval is needed, a complete set of house plans and complete material and specifications list.*

B. EXISTING CONDITIONS:

The subdivision has developed with single-family homes both attached and detached. It appears all the attached units have been constructed and only three

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lots remain for the detached single-family homes. The office portion of the development has not been initiated. The developer does occupy a structure along Kanis Road as his construction and sales office. The area around White Road has not changed much since the original approval. The area remains single-family with homes located on large lots. The area to the south is developing as the Woodlands Edge Subdivision. A new street, Woodlands Edge Trail, has been constructed from Kanis Road to the south accessing the Woodlands Edge Subdivision.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received several informational phone calls, a few calls in support and a number of calls in opposition of the request from area residents. All property owners located within 200 feet of the site, all residents, who could be identified, located within 300 feet of the site, the Gibraltar Heights/Point West/Timber Ridge Neighborhood Association and the Woodlands Edge Community Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

No comment.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this project.

Entergy: No comment received.

Center-Point Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water: All Central Arkansas Water requirements in effect at the time of request for water service must be met. Contact Central Arkansas Water regarding the size and location of the water meter. A Capital Investment Charge based on the size of meter connection(s) will apply to this project in addition to normal charges. This fee will apply to all connections including metered connections off the private fire system.

Fire Department: Approved as submitted.

County Planning: No comment.

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CATA: The site is not located near a dedicated CATA Bus Route.

Parks and Recreation: No comment received.

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: This request is located in the Ellis Mountain Planning District. The Land Use Plan shows Residential Low Density for this property. The applicant has applied for a revised Planned Office Development to allow a newly constructed fence and deck to remain on this lot. The deck and fence were constructed across a platted building line and within an existing utility easement.

The request is a minor revision of the previously approved Planned Office Development and the use is residential which is consistent with the Land Use Plan.

Master Street Plan: Chapman Lane is a Local Street. The primary function of a Local Street is to provide access to adjacent properties. Local Streets, which are abutted by non-residential zoning/use or more intensive zoning than duplexes, are considered as "Commercial Streets". These streets have a design standard the same as a Collector.

Bicycle Plan: There are no bike routes in the immediate vicinity.

Neighborhood Action Plan: This area is not covered by a Neighborhood Action Plan.

Landscape: No comment.

G. SUBDIVISION COMMITTEE COMMENT: (February 4, 2010)

Mr. Phil Taylor was present representing the request. Staff presented the item stating there were no outstanding technical issues associated with the request. Mr. Taylor stated he had constructed a deck and fence not knowing there were issues related to the building setbacks. He stated his fence was located the same distance from the curb as other fences in the neighborhood. There was no further discussion of the item. The Committee then forwarded the item to the full Commission for final action.

H. ANALYSIS:

There were no technical issues associated with the request in need of addressing raised at the Subdivision Committee meeting. The request is to allow the applicant to maintain a deck, fence and pergola. These items were

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constructed without a permit, across a platted building line and within a utility easement.

Taylor Park was approved as a Planned Office Development to allow an office/retail development along Kanis Road and Single-family homes, both attached and detached, within a patio home development. The development contains 119 homes with a majority of the homes constructed. The office portion of the development has not taken off yet. A single-access from Kanis Road was approved to serve the development.

The term patio home tends to imply a suburban setting and a unit of several houses attached to each other, typically with shared walls between units, and with exterior maintenance and landscaping provided through an association fee. Not all of these elements are present in all buildings called patio homes, as the term is used somewhat generically. An attached patio home development tends to not have structures (fences, decks) located within the rear yard area.

Staff is not supportive of the request to allow the items as constructed to remain. The fence, pergola and deck as constructed are out of character with the neighborhood. Taylor Park is a new development which has been very successful. There are few remaining homes or lots for sale within the neighborhood. At the time of approval of the POD building setbacks and easements were established to limit structures and not overbuild a site. The approval allowed for consistency within the development. The developers established a Bill of Assurance for the Subdivision which the applicant has violated with the construction of the deck and fence by crossing the platted building line as identified on the plat. Staff feels to break the mold and allow the encroachments of the improvements is inconsistent with the overall development plan of the Taylor Park POD.

I. STAFF RECOMMENDATION:

Staff recommends denial of the request as filed.

PLANNING COMMISSION ACTION:

(FEBRUARY 25, 2010)

Mr. Phil Taylor was present representing the application. There were a number of registered objectors present. Staff presented the item with a recommendation of denial of the request.

Mr. Taylor spoke on the merits of his request. He stated the fence was not dissimilar to fences in the neighborhood. He stated the deck was constructed as it was because the deck could not be built on an angle. He stated he was unaware he needed a permit to

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construct the deck and fence. He stated his desire was to work with the neighbors to reach a compromise to allow the deck to remain. He stated he was willing to remove a portion of the pergola and to install planter beds to allow the height to be visually masked.

Mr. David Hutchison addressed the Commission in support of the request. He stated there were a number of fences within the neighborhood the same height as Mr. Taylor's. He stated Mr. Taylor was given permission by the builder to construct the fence and did not understand why the approval had been rescinded. He stated he felt the construction looked nice and did not understand why the residents did not approve of the construction.

Mr. Anthony "Tony" Nobile addressed the Commission in opposition of the request. He stated his residence was located at 62 Taylor Park Loop. He stated his concern was more for sight distance of motorist exiting the alley. He stated with the construction there was limited visibility for motorist exiting the alley which could impact a child riding a bicycle or a walker. He stated he was concerned with the height and overall appearance of the structure. He stated he felt the structure should be removed entirely or at a minimum cut back to comply with the building line. He stated the community paid a great deal in property taxes including taxes on an improvement district and for lawn maintenance. He stated there were only three lots left for development within the subdivision.

Mr. Donald H Lee addressed the Commission in opposition of the request. He stated his home was located at 112 Taylor Park Loop. He stated he as against the rezoning request. He stated he felt if the request was approved it would destroy the character of the neighborhood. He stated he felt if he had done the construction without a permit and the necessary approvals he would be required to remove the construction. He stated Mr. Taylor should also have to comply with the rules and remove the structure.

Ms. Grace Ellen Rice addressed the Commission in opposition of the request. Ms. Rice stated she was opposed to the request for a number of reasons. She requested the Commission to deny the request to allow the building to remain. She stated she had heard Mr. Taylor was a builder and should have knowledge of the permitting process. She stated all the homeowners were provided with a copy of the Bill of Assurance for the subdivision at closing. She stated Mr. Taylor should have been aware of the requirements of the Bill of Assurance. She stated her three primary concerns were the violation of the Bill of Assurance, setting of precedent and property values. She stated the Bill of Assurance was not just a legal provision but why most bought homes in the Taylor Park Subdivision. She stated the residents wanted smaller homes and smaller lots. She stated by the very nature of a patio home development the lots could not support structures that were to large for the lot especially when there were in violation of the restrictions for the subdivision. She stated not only was there a breach of the horizontal setback but there was also a vertical concern as well. She stated the six foot

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fence had been placed on top of a deck which raised the top of the fence of near eight feet. She stated other fences in the subdivision were constructed on the ground which was consistent and appropriate in appearance, proportion and architectural integrity of the overall development. She stated Mr. Taylor had received approval from the Architectural Review Committee. She stated the Committee consisted of the developer and homebuilders of the subdivision. She stated there were no residents on the committee. She stated she realized the violation of the Bill of Assurance was not the issue before the Commission but felt it important to advise the Commission of the violation. She requested the Commission to deny the request and require the structure to be removed.

Mr. Taylor requested Mr. Graham Smith address the Commission on his behalf.

Mr. Graham Smith addressed the Commission in support of the request. He stated he was one of the developers of the Taylor Park Subdivision. He stated he was a member of the architectural review committee and the committee had approved Mr. Taylor's request. He stated the Committee had been provided photos of the proposed construction. He stated the committee had not given Mr. Taylor permission to construct the deck within the easement or across the platted building line. He stated he nor the committee had the authority to allow any encroachments into these two areas.

Mr. Taylor addressed the Commission in response to comments raised. He stated he had worked with the builder prior to construction to ensure he was aware of what would be built. He stated he had not done development with the City of Little Rock so he was unaware of the permitting process. He stated he had built and remodeled homes in Heber Springs and they did not require permits to be issued for construction. He stated he was willing to modify the structure to remove the pergola on the east, west and south sides. He stated he would construct planter boxes around the base of the deck to visually scale back the overall height of the fence and to allow the fence to blend with the community. He stated he measured fences within the neighborhood and placed his fence at the same distance from the curb.

There was a general discussion by the Commission concerning the modifications to the request and due process. Deputy City Attorney Cindy Dawson stated the Commission could defer the request if that was their desire but she did not feel the deferral was necessary to meet due process requirements. She stated the applicant had the right of modify their application request any time during the process. She stated the Commission did not have the authority to amend the application request, only the applicant.

The Commission questioned Mr. Smith as to the Bill of Assurance and the enforcement of the Bill of Assurance. Mr. Smith stated within the Bill of Assurance measures were established to allow for continuity and uniformity within the subdivision. He stated the architectural review committee looked at resident's request to ensure these items were

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not violated. He stated the committee felt the deck and fence were in keeping with the Bill of Assurance. Commissioner Rouse questioned if the committee was provided a survey at the time of the review and approval process. Mr. Smith stated they were not. Mr. Smith stated since the development was near completion the duties of the review committee and the administration of the subdivision would soon be turned over to the property owners. He stated the intent was to do this within the next six months.

The opposition was poled on the amended request. There were ten persons who still did not support the request and felt the construction should be removed. There were two (2) in support of the request. Chairman Yates commented it did not appear the modifications had changed the opposition's position.

Commissioner Laha questioned the triangular sight line visibility requirements at the intersection of the alley and the street. Staff stated a 50-foot triangle was required to allow for proper sight distance. Staff stated none of the homes complied with the typical ordinance standard but the development was approved as a Planned Development.

A motion was made to defer the request to allow the residents and Mr. Taylor to meet and discuss any compromises. Commissioner Devine stated he felt the deferral would allow the applicant time to furnish staff with the appropriate documentation concerning the amended application request. The motion failed by a vote of 3 ayes, 6 noes and 2 absent.

There was a general discussion by the Commission with Mr. Taylor concerning the amended application request. Mr. Taylor stated he felt with the removal of the pergola and the placement of the landscape beds the overall appearance would be softened. He stated the fence was new wood which also contributed to the appearance.

The Commission questioned staff as to what constituted a structure. Staff stated anything twelve inches above grade was considered a structure. Staff stated the placement of planter beds would not constitute a grade change. Staff stated if the deck was kept at twelve inches above grade and the fencing located across the platted building line was four feet high then Mr. Taylor would not be in violation of City ordinances.

A motion was made to approve the request as amended to include the removal of the pergola on the east, west and south sides and the placement of planter beds around the deck structure. The motion failed by a vote of 0 ayes, 9 noes and 2 absent.

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ITEM NO.: 8

FILE NO.: Z-8472-A

NAME: St. Mark Baptist Church Long-form PCD and Easement and Right of Way Abandonment for Filmore, West 11th and Taylor Streets and associated alleys

LOCATION: Located North of 12th Street, West of Fair Park Boulevard and South of 10th Street

DEVELOPER:

St. Mark Baptist Church
5722 West 12th Street
Little Rock, AR 72204

SURVEYOR:

Jacobs
10816 Executive Center Drive, Suite 300
Little Rock, AR 72211

ARCHITECT:

Lewis Architects Engineers
Attn. John McMorran, AIA, LEED AP
11225 Huron Lane, Suite 104
Little Rock, AR 72211

AREA: 11.01 acres NUMBER OF LOTS: 1 zoning lot FT. NEW STREET: 0 LF

CURRENT ZONING: R-2, Single-family, C-3, General Commercial District, I-2, Light Industrial District, and PD-O

ALLOWED USES: Single-family, General Commercial, Light Industrial, Lodge

PROPOSED ZONING: PCD

PROPOSED USE: Church

VARIANCES/WAIVERS REQUESTED: None requested.

The applicant requested on February 9, 2010, this item be deferred to the April 8, 2010, public hearing. Staff is supportive of the deferral request.

February 25, 2010

SUBDIVISION

ITEM NO.: 8 (Cont.)

FILE NO.: Z-8472-A

PLANNING COMMISSION ACTION:

(FEBRUARY 25, 2010)

The applicant was present. There were no registered objectors present. Staff presented the item stating the applicant had requested on February 9, 2010, this item be deferred to the April 8, 2010, public hearing. Staff stated they were supportive of the deferral request.

There was no further discussion of the item. The Chair entertained a motion of approval of the item as presented by staff. The motion carried by a vote of 9 ayes, 0 noes and 2 absent.

February 25, 2010

ITEM NO.: 9

FILE NO.: Z-8518

NAME: Lot 12 Block 26 Cunningham Addition Short-form POD

LOCATION: Located on the Southeast corner of 11th and Van Buren Streets

DEVELOPER:

Pam Brown Courtney
5100 West 12th Street
Little Rock, AR 72204

ENGINEER:

McGetrick and McGetrick Engineers
10 Otter Creek Court, Suite A
Little Rock, AR 72210

AREA: 0.161 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING: R-3, Single-family

ALLOWED USES: Single-family residential

PROPOSED ZONING: PD-O

PROPOSED USE: Parking lot

VARIANCES/WAIVERS REQUESTED: None requested.

A. PROPOSAL/REQUEST/APPLICANTS STATEMENT:

The applicant is requesting a rezoning of the site from R-3, Single-family to PD-O to allow the property to be converted into a parking lot to work in conjunction with an adjoining parking lot and serve a medical office use located to the south fronting West 12th Street. The site is a 50-foot wide and 140-foot long lot containing 0.16 acres. The parking lot is proposed containing 18 parking spaces. An access easement will be executed with the adjoining property to the east, which has developed as a parking lot to allow access to the applicant's proposed parking lot.

There is not an active Bill of Assurance in effect for this subdivision.

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B. EXISTING CONDITIONS:

A single-family home was recently removed from the lot proposed for development. To the east is a paved parking lot serving a medical office building located on West 12th Street. Across South Van Buren Street to the west is also a paved parking lot serving an office building also located on West 12th Street. There are single-family homes located to the north of the site. The area along Jonesboro Street currently has a number of vacant lots. There is a property zoned PD-O located on the northwest corner of West 11th Street and South Van Buren Street which was approved to use a single-family structure as an office use. The office was never located within the structure and the structure has since been removed.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has not received any comment from area residents. All property owners located within 200 feet of the site, all residents, who could be identified, located within 300 feet of the site and the War Memorial Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. A 20-foot radial dedication of right-of-way is required at the intersection of W. 11th Street and Van Buren Street.
2. Plans of all work in right-of-way shall be submitted for approval prior to start of work. Obtain barricade permit prior to doing any work in the right-of-way from Traffic Engineering at (501) 379-1805 (Travis Herbner).
3. Remove curb cuts not in use on Van Buren Street.
4. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
5. Sidewalks with appropriate handicap ramps are required in accordance with Section 31-175 of the Little Rock Code and the Master Street Plan. Sidewalks should be installed along the property frontage of W. 11th Street.
6. With site development, provide the design of the street conforming to the Master Street Plan. Construct one-half street improvements to W. 11th Street including 5-foot sidewalk with the planned development. The new back of curb should be located 15.5 feet from the existing centerline.

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ITEM NO.: 9 (Cont.)

FILE NO.: Z-8518

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this project.

Entergy: No comment received.

Center-Point Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water: All Central Arkansas Water requirements in effect at the time of request for water service must be met. 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. 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 Little Rock Fire Department is required. Contact Central Arkansas Water regarding the size and location of the water meter. A Capital Investment Charge based on the size of meter connection(s) will apply to this project in addition to normal charges. This fee will apply to all connections including metered connections off the private fire system.

Fire Department: Approved as submitted.

County Planning: No comment.

CATA: The site is located near CATA Bus Route #3 – the Baptist Medical Center Route.

Parks and Recreation: No comment received.

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: This request is located in the I-630 Planning District. The Land Use Plan shows Residential Low Density for this property. The applicant has applied for a rezoning from R-3, Single-family to Planned Office Development to allow for the construction of a new parking lot to serve an adjacent medical office. While office uses are not ideal in areas shown as Residential Low Density on the Future Land Use Plan, this is a Planned Development and is intended to serve an adjacent area which is currently shown as Office. That is, the request adds a small area to an existing adjacent use, it

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does not introduce a new use and the overall development will remain in its current orientation. As long as the expansion is completed to be sensitive to the surrounding uses, the overall development can be consistent with the Land Use Plan.

Master Street Plan: W. 11th and Van Buren Streets are Local Streets on the Master Street Plan. The primary function of a Local Street is to provide access to adjacent properties. Local Streets, which are abutted by non-residential zoning/use or more intensive zoning than duplexes, are considered as 'Commercial Streets'. These streets have a design standard the same as a Collector.

Bicycle Plan: There are no bike routes in the immediate vicinity.

Neighborhood Action Plan: This area is covered by the Oak Forest Neighborhood Action Plan. Their Housing Goal states a need to "better utilize vacant lots."

Landscape:

1. The site plan must comply with the City's landscape and buffer ordinance requirements.
2. The zoning buffer ordinance requires a six foot nine inch (6'-9") wide street buffer along the northern and western perimeters of the site.
3. The landscape ordinance requires a six foot nine inch (6'-9") wide landscape strip along the northern and western perimeters of the site. A variance from this requirement must be obtained from the City Beautiful Commission prior to the issuance of a building permit.

G. SUBDIVISION COMMITTEE COMMENT: (February 4, 2010)

Mr. Pat McGetrick was present representing the request. Staff presented an overview of the request stating there were few outstanding technical issues in need of addressing associated with the request. Staff requested Mr. McGetrick provide a letter of agreement concerning the access easement indicated on the site plan.

Public Works comments were addressed. Staff stated a radial dedication was required at the intersection of W. 11th and Van Buren Streets. Staff also requested Mr. McGetrick indicate on the site plan removal of the existing curb cut located on Van Buren street. Staff stated sidewalks with appropriate handicap ramps were required along the abutting streets.

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FILE NO.: Z-8518

Landscaping comments were addressed. Staff stated the site was located within the designated Mature Area of the City. Staff stated the street buffer and landscape strip could be reduced to six feet nine inches (6'9"). Staff stated any variation from this minimum requirement would require approval from the City Beautiful Commission prior to the issuance of a building permit.

Staff noted comments from the other reporting departments and agencies suggesting the applicant contact them individually for additional clarification. There was no further discussion of the item. The Committee then forwarded the item to the full Commission for final action.

H. ANALYSIS:

The applicant submitted a revised site plan to staff addressing the issues raised at the February 4, 2010, Subdivision Committee meeting. The revised plan indicates a 20-foot radial dedication at the intersection of W. 11th and Van Buren Streets. The revised plan also indicates the placement of the street buffers as typically required by the Landscape and Buffer Ordinances.

The request is a rezoning from R-3, Single-family to PD-O to allow a new parking lot to be constructed. The parking lot will be constructed to tie into an existing adjoining parking lot located to the east. The parking lot is proposed to serve a medical office use located to the south fronting on W. 12th Street. The applicant has provided a letter of agreement between the two property owners and upon approval a formal agreement will be executed and filed with the County Clerk. The filing instrument number will be provided on the final development plan submitted to staff for approval.

The lot is a 50-foot by 140-foot lot containing 0.16 acres. Access to the lot is proposed off an existing alley and via a 20 foot access easement extending from W. 11th Street to the alley on the lot located to the east which is currently paved and being used as parking.

Although the site is indicated as Residential Low Density on the Future Land Use Plan staff is supportive of the request. While office uses are not ideal in areas shown as Residential Low Density on the Future Land Use Plan, this is a Planned Development and is intended to serve an adjacent medical office use. To staffs knowledge there are no outstanding technical issues in need of addressing associated with the request.

I. STAFF RECOMMENDATION:

Staff recommends approval of the request subject to compliance with the comment and conditions as outlined in paragraphs D, E and F of the agenda staff report.

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ITEM NO.: 9 (Cont.)

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PLANNING COMMISSION ACTION:

(FEBRUARY 25, 2010)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report.

There was no further discussion of the item. The Chair entertained a motion of approval of the item as presented by staff. The motion carried by a vote of 9 ayes, 0 noes and 2 absent.

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ITEM NO.: 10

FILE NO.: Z-8519

NAME: The Orchards at Mabelvale Short-form PD-R

LOCATION: Located at 9501 Mabelvale Pike

DEVELOPER:

Garth Development, LLC
Robert Garth
6929 JFK Boulevard
Sherwood, AR 72116-5339

ENGINEER:

The Holloway Firm
200 Casey Drive
Maumelle, AR 72113

AREA: 3.073 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING: C-3, General Commercial District and R-2,
Single-family District

ALLOWED USES: General commercial uses and Single-family residential

PROPOSED ZONING: PD-R

PROPOSED USE: Elderly Housing

VARIANCES/WAIVERS REQUESTED: None requested.

The applicant requested on February 9, 2010, this item be deferred to the April 8, 2010, public hearing. Staff is supportive of the deferral request.

PLANNING COMMISSION ACTION:

(FEBRUARY 25, 2010)

The applicant was present. There were no registered objectors present. Staff presented the item stating the applicant had requested on February 9, 2010, this item be deferred to the April 8, 2010, public hearing. Staff stated they were supportive of the deferral request.

February 25, 2010

SUBDIVISION

ITEM NO.: 10 (Cont.)

FILE NO.: Z-8519

There was no further discussion of the item. The Chair entertained a motion of approval of the item as presented by staff. The motion carried by a vote of 9 ayes, 0 noes and 2 absent.

February 25, 2010

ITEM NO.: 11

FILE NO.: LA-0028

NAME: Chenonceau Blvd. Advanced Grading Variance Request

LOCATION: NE corner of Chenonceau Blvd. and Bayonne Drive

APPLICANT: Deltic Timber Corporation

APPLICANTS REPRESENTATIVE: White-Daters & Associates

AREA: Approximately 15 acres

CURRENT ZONING: MF 12

VARIANCES/WAIVERS REQUESTED: To clear and grade a multi-lot or multi-phase development where construction is not imminent on all phases of the development.

A. STAFF RECOMMENDATION:

Staff recommends this item be deferred from the planning commission agenda until it can be determined if city code permits this item to be presented to the planning commission for review. Staff recommends this item be deferred to the April 8, 2010 Planning Commission agenda.

PLANNING COMMISSION ACTION:

(FEBRUARY 25, 2010)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of deferral until it could be determined if City Code permitted the item to be presented to the Planning Commission for review. Staff recommended the item be deferred to the April 8, 2010 Planning Commission Public Hearing.

There was no further discussion of the item. The Chair entertained a motion of approval of the item as presented by staff. The motion carried by a vote of 9 ayes, 0 noes and 2 absent.

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There being no further business before the Commission, the meeting was adjourned at 5:18 p.m.

Date

Chairman

Secretary