

LITTLE ROCK PLANNING COMMISSION

SUBDIVISION HEARING

SUMMARY AND MINUTE RECORD

JANUARY 14, 2010

4:00 P.M.

I. Roll Call and Finding of a Quorum

A Quorum was present there being eleven (11) members present.

II. Members Present:

Tom Brock  
'Goose' W. Changose  
Marcus Devine  
J. T. Ferstl  
Dan Harpool  
Troy Laha  
Obay Nunnley, Jr.  
Bill Rector  
Billy Rouse  
Candice Smith  
Jeff Yates

Members Absent:

City Attorney:

Cindy Dawson

III. Approval of the Minutes of the December 3, 2009 Meeting of the Little Rock Planning Commission. The Minutes were approved as presented.

LITTLE ROCK PLANNING COMMISSION  
SUBDIVISION AGENDA  
JANUARY 14, 2010

OLD BUSINESS:

<u>Item Number:</u>	<u>File Number:</u>	<u>Title:</u>
A.	<u>S-46-JJ</u>	Lot 134R Overlook Park Addition Replat, located at 27 Overlook Circle.
B.	<u>Z-6532-E</u>	The Enclave at Chenal Heights Long-form PD-R, located on the Northeast corner of Chenal Heights Drive and Chenal Valley Drive.
C.	<u>Z-7008-B</u>	Kanis Office Park Short-form POD, located at 18425 Kanis Road.
D.	<u>Z-8501</u>	Stanton Optical Short-form PCD, located at 112 South University Avenue

NEW BUSINESS:

I. PRELIMINARY PLAT:

<u>Item Number:</u>	<u>File Number:</u>	<u>Title:</u>
1.	<u>S-1647</u>	Barrett Woods Preliminary/Final Plat, located on the Northwest corner of Barrett Road and Woody Lane.

II. SITE PLAN REVIEW:

<u>Item Number:</u>	<u>File Number:</u>	<u>Title:</u>
2.	<u>S-1648</u>	Hankins Subdivision Site Plan Review, located at 5920 West 65th Street.

III. PLANNED DEVELOPMENTS:

<u>Item Number:</u>	<u>File Number:</u>	<u>Title:</u>
3.	<u>Z-4653-H</u>	Powell Brothers Revised Short-form PCD, located at 1308 South Bowman Road.
4.	<u>Z-6178-I</u>	Stagecoach Office Park Revised Short-form POD, located at 9222 Stagecoach Road.
5.	<u>Z-7604-A</u>	Homes at Granite Mountain Phase II Long-form PD-R, located on the Northeast corner of Gillam Park Road and Granite Mountain Circle.
6.	<u>Z-7948-C</u>	Gilliam Revised Short-form PD-O, located at #1 Portrait Drive.
7.	<u>Z-8511</u>	The City Church Short-form PID, located at 2201 Brookwood Drive.
8.	<u>Z-8512</u>	Christopher Homes of Little Rock Short-form PD-R, located at 9216 Lanehart Drive.
9.	<u>Z-8513</u>	Little Rock Housing Authority Braddock's Addition Short-form PD-R, located South of West 18th between Valentine and Valmar Streets.
10.	<u>Z-8514</u>	Little Rock Housing Authority Park Addition Short-form PD-R, located on the Southeast corner of 12th and Park Streets.

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ITEM NO.: A

FILE NO.: S-46-JJ

NAME: Lot 134R Overlook Park Addition Replat

LOCATION: Located at 27 Overlook Circle

DEVELOPER:

Jerry and Stephanie Atchley  
27 Overlook Circle  
Little Rock, AR

ENGINEER:

Laha Engineers, Inc.  
6602 Baseline Road, Suite E  
Little Rock, AR 72209

ARCHTECT:

HOMS, Inc.  
409 Main Street  
North Little Rock, AR 72114

AREA: 1.73 acres

NUMBER OF LOTS: 2

FT. NEW STREET: 0 LF

CURRENT ZONING: R-2, Single-family

PLANNING DISTRICT: 3–West Little Rock

CENSUS TRACT: 22.01

VARIANCES/WAIVERS REQUESTED: None requested.

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A. PROPOSAL/REQUEST:

The applicant is seeking approval of a lot split for this 1.73-acre (75,420 square foot) lot located in the Overlook Park Subdivision. The first lot will contain the existing residence and drive access from Overlook Circle. This lot will have 38,420 square feet of land from the original 75,420 square feet. The second lot will have the remaining 37,000 square feet of the original lot. The drive access is proposed from Overlook Drive along the north property line. This area is currently platted with a 10 foot no vehicle access along Overlook Drive. The

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applicant is requesting the removal of the restrictive access easement to allow a 25-foot single drive within the area. The remainder of the restrictive access easement will remain in place.

The applicant has provided the Bill of Assurance for Lots 134 and 135 of the Overlook Park Addition to the City of Little Rock, which states vehicular access to any lot from Overlook Drive, shall be prohibited.

B. EXISTING CONDITIONS:

Overlook Circle is a two lane street with curb and gutter. There is no sidewalk in place along the property frontage. The area proposed for the second lot is adjacent to Overlook Drive. There are no sidewalks on this portion of Overlook Drive. The area does have curb and gutter in place. This area of the lot slopes upward from Overlook Drive quite significantly.

There are single-family homes located in the immediate area to the south, west and east. The Arkansas River, the Lock and Dam and the Big Dam Bridge are located to the north of the property.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has not received any comment from the area property owners. All abutting property owners and the Overlook Property Owners Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Due to the steep running slope of Overlook Drive, the proposed driveway would create unsafe driving conditions. No other driveway accesses the downhill traffic flow lane on Overlook Drive in this area. Compared to being on the north side of Overlook Drive, the downhill traffic flow of the street creates high speeds, excessive vehicle braking for turn movements, and steep transition from the street to the driveway.
2. A 10 foot wide no vehicle access easement is located along Overlook Drive in this area.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this project.

Entergy: No comment received.

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Center-Point Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water: No objection.

Fire Department: Place fire hydrants per code. 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.

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: No comment.

Landscape: No comment.

G. SUBDIVISION COMMITTEE COMMENT: (July 2, 2009)

Mr. Troy Laha and Mr. Andrew McCaley were present representing the request. Staff presented an overview of the proposed plat stating there was a concern with the placement of a drive on Overlook Drive. Staff stated there were no drives located on the south side of Overlook Drive. Staff stated the traffic flow was downhill which typically increased speeds of motorist and could created safety issues. Staff requested Mr. Laha provide distances for the drive and provide a drawing of the driveway design to staff to review to determine if their concerns could be addressed.

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 plat to staff addressing the issues and concerns raised at the July 2, 2009, Subdivision Committee meeting. The applicant has provided a sketch of the proposed driveway as requested by staff. Staff is agreeable to allowing access and the removal of the 10-foot restrictive access easement along Overlook Drive provided the drive is constructed with the first 20 feet from the curb having a centerline grade of near 0 percent and the

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remainder to the right-of-way line not exceeding 14 percent. The driveway will be constructed with a 20 foot curb radius. Trees within the right-of-way may be required to be removed by applicant if sight distance is not sufficient. The applicant must contact Public Works prior to the removal of any trees in the public right-of-way.

The request is to allow a lot split for this 1.73-acre (75,420 square foot) lot located in the Overlook Park Subdivision. The first lot will contain the existing residence and drive access from Overlook Circle. The lot will contain 38,420 square feet. The second lot will have the remaining 37,000 square feet of the original lot with the drive access from Overlook Drive along the north property line. This area is currently platted with a 10 foot no vehicle access along Overlook Drive. The applicant is requesting the removal of the restrictive access easement to allow a 25-foot single drive within the area. The remainder of the restrictive access easement will remain in place.

The applicant has provided the Bill of Assurance for Lots 134 and 135 of the Overlook Park Addition to the City of Little Rock, which states vehicular access to any lot from Overlook Drive, shall be prohibited. Section 4 of the Bill of Assurance states no lot shall be subdivided without the written consent of the Allotter and the Little Rock Planning Commission. Section 27 of the Bill of Assurance states any and all of the covenants, provisions or restrictions set forth in the Bill of Assurance may be amended, modified, extended, changed or canceled in whole or in part by a written instrument signed and acknowledged by the owner or owners of over 50 percent in area of the land in this addition, including lands adjacent to any platted parts of this addition, owned by the Allotter, and included in the overall preliminary plat of the addition filed with the Little Rock Planning Commission; provided, any such amendment shall be subject to approval by the Little Rock Planning Commission and Arkansas Power and Light Company

Although there are issues with the Bill of Assurance concerning the proposed replatting of the property the City typically does not get involved in Bill of Assurance issues. The replat as proposed allows lot areas sufficient to meet the typical standards of the City's Subdivision Ordinance. Public Works staff has indicated they are supportive of allow a drive to access the second lot from Overlook Drive. To staffs knowledge there are no remaining outstanding technical issues 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.

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Staff recommends approval of allowing access and the removal of the 10-foot restrictive access easement along Overlook Drive provided the drive is constructed with the first 20 feet from the curb having a centerline grade of near 0 percent and the remainder to the right-of-way line not exceeding 14 percent. The driveway must be constructed with a 20 foot curb radius. Trees within the right-of-way may require removal by applicant if sight distance is not sufficient. The applicant must contact Public Works prior to the removal of any trees in the public right-of-way.

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PLANNING COMMISSION ACTION:

(JULY 23, 2009)

The applicant was not present. There were no registered objectors present. Staff presented the item stating the applicant had failed to provide proper notification to the abutting property owners as required by the Commission's By-laws. Staff presented a recommendation of deferred to the September 3, 2009, public hearing.

There was no further discussion of the item. The chair entertained a motion for placement of the item on the consent agenda for deferral as recommended by staff. The motion carried by a vote of 8 ayes, 0 noes, 2 absent and 1 recusal (Commissioner Troy Laha).

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STAFF UPDATE:

There has been no change to this application request since the previous staff write-up. Staff continues to support the request subject to the comments and conditions noted above.

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PLANNING COMMISSION ACTION:

(SEPTEMBER 3, 2009)

The applicant was present. There were registered objectors present. Staff presented the item stating there were issues related to the Bill of Assurance which had been raised and staff needed additional time to review the issues raised. Staff requested the item be deferred to the October 15, 2009, public hearing.

There was no further discussion of the item. The chair entertained a motion for approval of the item as presented by staff. The motion carried by a vote of 10 ayes, 0 noes and 1 absent.

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STAFF UPDATE:

The City Attorney's office is continuing to review the issue raised concerning the proposed plat and the violation of the Bill of Assurance. Staff will provide the Commission with the findings at the October 15, 2009, public hearing.

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PLANNING COMMISSION ACTION:

(OCTOBER 15, 2009)

The applicant was present. There were no registered objectors present. Staff presented the item stating based on the City Attorney's opinion the City did not have the right to remove, in whole or in part, the existing no vehicular access easement on the north side of Lot 134 in the Overlook Park Subdivision the applicant had requested a deferral of the item to review various options for re-submittal of the plat removing the request to eliminate the no vehicular access easement. Staff stated the applicant had indicated based on the timing of the opinion they had not had time to review the various options for accessing the new lot and requested a deferral to the December 3, 2009, public hearing to determine if a different access was feasible. Staff stated the deferral request would require a waiver of the Commission's By-laws with regard to the late deferral request. Staff stated they were supportive of the deferral request.

There was no further discussion of the item. The chair entertained a motion for approval of a waiver of the Commission's By-laws with regard to the late deferral request. The motion carried by a vote of 7 ayes, 0 noes, 3 absent and 1 recusal (Commissioner Laha). The chair entertained a motion for approval of the item as presented by staff. The motion carried by a vote of 7 ayes, 0 noes, 3 absent and 1 recusal (Commissioner Laha).

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STAFF UPDATE:

There has been no contact by the applicant since the previous public hearing. Staff recommends this item be withdrawn, without prejudice, and resubmitted once the outstanding issues related to access is resolved.

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PLANNING COMMISSION ACTION:

(DECEMBER 3, 2009)

The applicant was present. There were no registered objectors present. Staff stated the applicant had contacted them on December 2, 2009, requesting a deferral of the item to the January 14, 2010, public hearing. Staff stated the deferral request would require a waiver of the Commission's By-laws with regard to the late deferral request. Staff stated they were supportive of the deferral request.

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ITEM NO.: A (Cont.)

FILE NO.: S-46-JJ

There was no further discussion of the item. The chair entertained a motion for approval of the By-law waiver with regard to the late deferral request. The motion carried by a vote of 9 ayes, 0 noes, 0 absent and 2 open positions. The chair entertained a motion for approval of the item as presented by staff. The motion carried by a vote of 9 ayes, 0 noes, 0 absent and 2 open positions.

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STAFF UPDATE:

The applicant has not provided staff with an updated drawing indicating an alternate access to the site. Staff recommends withdrawal of this item, without prejudice, to allow the applicant time to resolve all outstanding issues associated with the request.

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PLANNING COMMISSION ACTION:

(JANUARY 14, 2010)

The applicant was present. There were no registered objectors present. Staff presented the item stating the applicant had not provided them with an updated drawing indicating an alternate access to the site. Staff presented a recommendation of withdrawal of the item, without prejudice, to allow the applicant time to resolve all outstanding issues associated with the 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 11 ayes, 0 noes and 0 absent.

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ITEM NO.: B

FILE NO.: Z-6532-E

NAME: The Enclave at Chenal Heights Long-form PD-R

LOCATION: Located on the Northeast corner of Chenal Heights Drive and Chenal Valley Drive

DEVELOPER:

Boomer Consumer, LLC  
P.O. Box 242146  
Little Rock, AR 72223

ENGINEER:

Thomas Engineering Company  
3810 Lookout Road  
North Little Rock, AR 72116

AREA: 14.12 acres      NUMBER OF LOTS: 68      FT. NEW STREET: 2,060 LF

CURRENT ZONING: PD-R

ALLOWED USES: Retirement village

PROPOSED ZONING: Revised PD-R

PROPOSED USE: Attached and detached single-family

VARIANCES/WAIVERS REQUESTED: A variance from the City's Land Alteration Ordinance to allow grading of the future lots with the placement of the basic infrastructure within the proposed subdivision.

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The applicant submitted a request dated August 20, 2009, requesting a deferral of this item to the October 15, 2009, public hearing. Staff is supportive of the deferral request.

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PLANNING COMMISSION ACTION:

(SEPTEMBER 3, 2009)

The applicant was present. There were no registered objectors present. Staff presented the item stating the applicant had submitted a request dated August 20, 2009, requesting a deferral of the item to the October 15, 2009, public hearing. Staff stated they were supportive of the deferral request.

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ITEM NO.: B (Cont.)

FILE NO.: Z-6532-E

There was no further discussion of the item. The chair entertained a motion for approval of the item as presented by staff. The motion carried by a vote of 10 ayes, 0 noes and 1 absent.

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STAFF UPDATE:

The applicant submitted a request dated September 30, 2009, requesting a deferral of this item to the December 3, 2009, public hearing. The applicant has indicated the additional time is necessary to resolve issues related to the Bill of Assurance. Staff is supportive of the deferral request.

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PLANNING COMMISSION ACTION:

(OCTOBER 15, 2009)

The applicant was not present. There were no registered objectors present. Staff presented the item stating the applicant had submitted a request dated September 30, 2009, requesting a deferral of the item to the December 3, 2009, public hearing. Staff stated the applicant had indicated the additional time was necessary to resolve issues related to the Bill of Assurance. Staff stated they were supportive of the deferral request.

There was no further discussion of the item. The chair entertained a motion for approval of the item as presented by staff. The motion carried by a vote of 8 ayes, 0 noes and 3 absent.

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STAFF UPDATE:

The applicant submitted a request dated November 18, 2009, requesting this item be deferred to the January 14, 2010, public hearing. The deferral request will require a waiver of the Commission's By-laws with regard to the late deferral request. Staff is supportive of the deferral request.

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PLANNING COMMISSION ACTION:

(DECEMBER 3, 2009)

The applicant was present. There were no registered objectors present. Staff presented the item stating the applicant had submitted a request dated November 18, 2009, requesting a deferral of the item to the January 14, 2010, public hearing. Staff stated the deferral request would require a waiver of the Commission's By-laws with regard to the number of deferral request. Staff stated they were supportive of the deferral request.

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ITEM NO.: B (Cont.)

FILE NO.: Z-6532-E

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There was no further discussion of the item. The chair entertained a motion for approval of the By-law waiver to allow the additional deferral request. The motion carried by a vote of 9 ayes, 0 noes, 0 absent and 2 open positions. The chair entertained a motion for approval of the item as presented by staff. The motion carried by a vote of 9 ayes, 0 noes, 0 absent and 2 open positions.

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STAFF UPDATE:

The applicant has not been able to resolve the issue related to the Bill of Assurance for this site. Staff recommends withdrawal of this item, without prejudice, to allow the applicant time to resolve all outstanding issues associated with the request.

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PLANNING COMMISSION ACTION:

(JANUARY 14, 2010)

The applicant was not present. There were no registered objectors present. Staff presented the item stating the applicant had not been able to resolve the issue related to the Bill of Assurance for the site. Staff presented a recommendation of withdrawal of the item, without prejudice, to allow the applicant time to resolve all outstanding issues associated with the 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 11 ayes, 0 noes and 0 absent.

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ITEM NO.: C

FILE NO.: Z-7008-B

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NAME: Kanis Office Park Short-form POD

LOCATION: Located at 18425 Kanis Road

DEVELOPER:

Engineering Systems Group LLC  
18425 Kanis Road  
Little Rock, AR 72223

ENGINEER:

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

AREA: 2.804 acres      NUMBER OF LOTS: 1 zoning lot   FT. NEW STREET: 0 LF

CURRENT ZONING:      POD and R-2, Single-family

ALLOWED USES:      General and Professional Office and Single-family

PROPOSED ZONING:      POD

PROPOSED USE:      General and Professional Office—3 lot subdivision

VARIANCES/WAIVERS REQUESTED:

1. A variance from the Subdivision Ordinance to allow the creation of lots without public street frontage.
  2. A deferral of the required street improvements to Kanis Road for a period of five years, until Phase II or until adjacent development, whichever occurs first.
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BACKGROUND:

A request was to be heard by the Little Rock Planning Commission on May 3, 2001, for the rezoning of the site from R-2, Single-family to C-1, Neighborhood Commercial. The applicant withdrew his request prior to the public hearing.

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Ordinance No. 18,918 adopted by the Little Rock Board of Directors on August 19, 2003, rezoned the property from R-2, Single-family to POD and established ESG Short-form POD. The site contained 1.4 acres and located at 18425 Kanis Road. The approval allowed the placement of three (3) structures on the site in three (3) Phases. The first phase consisted of the construction of a small office of approximately 1,000 square feet in area. Additional structures would be constructed with Phase II consisting of a second structure of approximately 1,000 square feet and Phase III a third building with approximately 3,500 square feet.

The structures were to be aesthetically pleasing; the architectural style was to be more residential than commercial in design. The approval allowed three (3) employees in the Phase I building with little traffic to the site since most of the activity took place off site at the customer's place of business. Phase II and III buildings were to be marketed to similar type uses. General and professional office users for the buildings were approved. The hours of operation were from 7:30 am to 5:30 pm Monday through Friday. The parking would be phased with the building construction. No ground signage, only wall signage on each of the buildings, was approved.

A deferral of street improvements to Kanis Road until Phase III or ten years was requested. The right-of-way as required per the Master Street Plan was to be dedicated at the time of building construction. The proposed site plan also included landscaping as required by the Landscape Ordinance and the Zoning Buffer Ordinance. At this time, only the first building has been constructed. Street improvements to Kanis Road have not been completed.

A. PROPOSAL/REQUEST:

The developer is now requesting to revise the previously approved POD by expanding the site from 1.4 acres to 2.8 acres to allow development of the site with three (3) lots with immediate plans for buildings on Lots 1 and 3. Lot 2 will be held for future development. The buildings are proposed constructed with materials found in typical residential construction. The development is proposed in two (2) phases. Phase I consists of the existing building as proposed Lot 1 and a second office building as proposed Lot 3. The second phase is development of Lot 2. Phase II will not be developed until the developer is able to annex the site into the corporate limits of the City of Little Rock.

The request includes a deferral of the required street improvements for Kanis Road for a period of five (5) years, until Phase II or until adjacent development occurs, whichever occurs first.

There does not appear to be a valid Bill of Assurance for the Independence Farms Subdivision available.

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ITEM NO.: C (Cont.)

FILE NO.: Z-7008-B

B. EXISTING CONDITIONS:

There is an office building constructed on the eastern portion of the site (proposed Lot 1). The building has a brick façade and was constructed with two office bays. The area to the south is heavily wooded. The structures on the western portion proposed for expansion of the development were recently removed. This section of Kanis Road is primarily residential with homes located on acreage. West of the site, at the intersection of Kanis and Denny Roads, is a church and two (2) commercial businesses, a beauty salon and Plant/Plant which provides plants for commercial businesses.

C. NEIGHBORHOOD COMMENTS:

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

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Kanis Road is classified on the Master Street Plan as a minor arterial. A dedication of right-of-way 45 feet from centerline will be required.
2. With site development, provide the design of street conforming to the Master Street Plan. Construct one-half street improvement to Kanis Road including 5-foot sidewalks with the planned development. The new back of curb should be located 29.5 feet from the centerline.
3. Stormwater detention ordinance applies to this property.
4. All driveways shall be concrete aprons per City Ordinance.
5. 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.
6. On site striping and signage plans should be forwarded to Public Works, Traffic Engineering for approval with the site development package.
7. Streetlights are required by Section 31-403 of the Little Rock code. Provide plans for approval to Traffic Engineering. Streetlights must be installed prior to platting/certificate of occupancy. Contact Traffic Engineering 379-1813 (Steve Philpott) for more information.

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8. 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).
9. The proposed driveway should intersect Kanis Road at a 90 degree angle. The three (3) existing driveways should be removed.
10. In accordance with Section 31-210 (h)(12), access driveways running parallel to the street shall not create a four-way intersection within 75 feet of the future curb line of the street. The north portion of the site should be redesigned to move the intersection at least 75 feet from the intersection.
11. When the property is annexed, 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.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Outside the service boundary. Annexation to the City of Little Rock is required to receive sanitary sewer service. 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. A Capital Investment Charge based on the size of the meter connection(s) will apply to this project in addition to normal charges. This fee will apply to all meter connections including any metered connections off the private fire system. Additional fire hydrant(s) may 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). This project is within Water Improvement District 349 and there may be charges assessed by the Improvement District in conjunction with water service to this property. This development will have minor impact on the existing water distribution system. 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

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Department of Health Engineering Division and Little Rock Fire Department is required.

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

County Planning: The site is located outside the City limits of the City of Little Rock. Contact Pulaski County Planning for information concerning the required development.

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

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 Short-form POD. This site was previously approved for a Planned Office Development in 2003, but the land use plan was not amended at that time. This area of Kanis Road was studied by staff recently and the consensus at that time was to keep the south side of Kanis Road rural in character. Residential and non-residential uses to the north are proposed to be higher density and more suburban or urban. Densification is proposed on the Plan. While to the south large-lot low intensity uses are recommended, with large-lot residential subdivisions along Longwood Road, Edswood Road and Longway Drive. There have not been any significant changes in the area since this Land Use review.

Master Street Plan: Kanis 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 on pedestrians. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: A Class III is shown along Kanis Road. A Class III bikeway is a signed route on a street shared with traffic. No additional paving or right-of-way is required. Class III bicycle route signage may be required.

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

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FILE NO.: Z-7008-B

Landscape:

1. Site plan must comply with the City's minimal landscape and buffer ordinance requirements.
2. The zoning buffer ordinance requires an average twenty-seven foot (27) street buffer along Kanis Road and in no case to be less than half. Currently, the site is deficient on this minimal requirement.
3. A fifteen foot (15') wide land use buffer is required to separate this proposed development from the residential property on the eastern and western perimeters of the site. Seventy percent (70%) of these buffers are to remain undisturbed.
4. The property to the east and the west is zoned residential, therefore, a six (6) foot high opaque screen, either a wooden fence with its face side directed outward, a wall, or dense evergreen plantings, is required along both the eastern and western perimeters of the site.
5. An automatic irrigation system to water landscaped areas will be required.
6. 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.
7. The City Beautiful Commission recommends preserving as many existing trees as feasible on this tree covered site. Credit toward fulfilling Landscape Ordinance requirements can be given when preserving trees of six (6) inch caliper or larger.

G. SUBDIVISION COMMITTEE COMMENT:

(November 12, 2009)

The applicant was not present. Staff presented the item stating there were a number of issues related to the site which were in need of addressing prior to the Commission acting on the request. Staff stated the development was proposed in two (2) phases with the construction of an office building in the first phase served by a septic system and development of the second phase upon annexation to the City of Little Rock. Staff noted the site was not contiguous to allow annexation in the near future.

Public Works comments were briefly discusses. Staff noted right of way dedications and street construction would be required. Staff stated the design of the existing drive did not meet the current ordinance requirements. Staff stated they would work through this issue with the applicant.

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FILE NO.: Z-7008-B

Landscaping comments were discussed. Staff stated all landscape and buffer ordinance standards would apply to the future development of the site. Staff stated a landscape plan would be required at the time of development.

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 identifying a number of the issues outlined for the November 12, 2009, Subdivision Committee meeting. The revised plan has removed the three (3) existing drives and located a shared drive on the lot line between Lots 1 and 3.

The revised site plan identifies Lot 2, the rear lot, for future development and proposing new construction on the lot abutting Kanis Road (Lot 3). The development is proposed in two (2) phases. The first Phase consists of the existing office building located on proposed Lot 1 and construction of a new office building on proposed Lot 3. The existing building contains 2,326 square feet with a 13.2 percent building coverage and Lot 3 is proposed with a new office building containing 3,825 square feet and a 19.4 percent building coverage. All lots are proposed with general and professional office uses as allowable uses.

The request includes a deferral of the required street improvements for Kanis Road for a period of five (5) years, until the development of Phase II or until adjacent development occurs, whichever occurs first. Staff is supportive of the deferral request.

Staff has concerns with the potential future development of Lot 2 with non-residential uses. The previous approval allowed the placement of three (3) structures on the eastern portion of the site in three Phases containing approximately 5,500 square feet. The first phase allowed the construction of a small office building containing approximately 1,000 square feet which has been built along Kanis Road. Phase II allowed a second building of approximately 1,000 square feet located immediately south of the existing structure and Phase III allowed a third building with approximately 3,500 square feet also located south of the existing structure. The structures were to be an architectural style of more residential than commercial. Staff has concerns with committing to potential future office development for the Lot 2 and feels the approval of office uses on Lot 2 is premature. The property is located outside the City limits and is not contiguous to allow for annexation. Staff feels moving the future development of the office on the eastern portion of the development to the Kanis

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Road frontage allows for the rear portion of the site to act as a buffer in the short-term for the adjacent residentially zoned property. Although the proposed use of the property is not consistent with the City's Future Land Use Plan again staff feels by moving the previously approved office square footage away from the rear of the site to the street side allows for more protection of the adjoining properties to the south and east.

The previous approval allowed office hours of operation were from 7:30 am to 5:30 pm Monday through Friday. The applicant has not requested a modification to the hours of operation for the new office building.

The site plan indicates ten (10) parking spaces to serve the existing office use and fourteen (14) spaces to serve the new office building. The ordinance would typically require the placement of five (5) spaces to serve the existing office building and nine (9) spaces to serve the new office use.

No ground signage was approved with the original request only wall signage on each of the buildings. The current request does not include ground signage. Wall signage is proposed as typically allowed in office zones or a maximum of ten percent of the façade area abutting the public street.

According to Traffic Engineering the center of the 4-way intersection of the driveway and parking lots should be located 75 feet from the future back of curb. As proposed, it takes only two (2) cars to block access to one (1) of the parking areas. Also only one (1) entry lane should be provided into the development from Kanis Road. Two (2) exits lanes onto Kanis Road can be provided if desired.

Staff is generally supportive of the development but has concerns with the development of the Lot 2 portion of the site with office uses. Staff also has concerns with the driveway entering the parking lot. Staff cannot support the application as filed.

I. STAFF RECOMMENDATION:

Staff recommends denial of the request as filed.

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PLANNING COMMISSION ACTION:

(DECEMBER 3, 2009)

The applicant was present. There were no registered objectors present. Staff presented the item stating the applicant had submitted a request dated December 1, 2009 requesting a deferral of the item to the January 14, 2010, public hearing. Staff

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stated the deferral request would require a waiver of the Commission's By-laws with regard to the late deferral request. Staff stated they were supportive of the deferral request.

There was no further discussion of the item. The chair entertained a motion for approval of the By-law waiver with regard to the late deferral request. The motion carried by a vote of 9 ayes, 0 noes, 0 absent and 2 open positions. The chair entertained a motion for approval of the item as presented by staff. The motion carried by a vote of 9 ayes, 0 noes, 0 absent and 2 open positions.

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STAFF UPDATE:

The applicant and staff are continuing to work to address concerns raised by staff regarding the proposed driveway location on the site plan. Staff will provide the Commission with an update at the January 14, 2010, public hearing concerning this request and their recommendation.

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PLANNING COMMISSION ACTION:

(JANUARY 14, 2010)

Mr. Joe White of White-Daters and Associates was present representing the request. There were no registered objectors present. Staff presented the item stating they and the applicant had met and discussed various options for driveway placement to the site. Staff stated they and the applicant had come to an agreement to allow a full service drive located along the eastern perimeter of the site and allow an exit only drive along the western perimeter. Staff stated based on the revision to the driveway locations they were now supportive of the request. Staff stated the driveways would require a variance from the Master Street Plan to allow a reduction in the typical spacing requirement. Staff presented 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 also presented a recommendation of approval to allow a variance from the Master Street Plan concerning the spacing criteria for the drive. Staff presented a recommendation of approval of the applicant's request for a deferral of the required street improvements to Kanis Road for a period of five years, until Phase II or until abutting development occurred, whichever occurred first.

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.

January 14, 2010

ITEM NO.: D

FILE NO.: Z-8501

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NAME: Stanton Optical Short-form PCD

LOCATION: Located at 112 South University Avenue

DEVELOPER:

Stanton Optical  
4800 N. Federal HWY #201B  
Boca Raton, FL 33431

ARCHITECT:

The Core Group  
203 Dixie Boulevard  
Delray Beach, FL 33444

Terry Burruss Architects  
614 Center Street  
Little Rock, AR 72201

AREA: 0.39 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING: C-3, General Commercial District

ALLOWED USES: General Retail Uses

PROPOSED ZONING: PCD

PROPOSED USE: C-3, General Commercial District uses

OVERLAY: Mid-town Design Overlay District

VARIANCES/WAIVERS REQUESTED: A variance from the Master Street Plan to allow a reduction in the required right of way dedication from 55-feet to 45-feet.

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A. PROPOSAL/REQUEST:

The site located at 112 South University Avenue is proposed for a rezoning from C-3, General Commercial District to PCD to allow the redevelopment of this site with Stanton Optical, a retail development. The applicant is proposing the demolition of the existing structure to the existing slab. A new building will be

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constructed containing 4,043 square feet with a maximum height of thirty (30) feet. The front façade will be decorative panels. New windows without mullions for greater exposure will be added. The existing ingress and egress will be maintained. A new parking area will be added along the southern perimeter of the site containing seventeen (17) spaces.

According to the ALTA/ACSM Land Title Survey prepared by Tripp Scott the property is not located within a subdivision therefore there is not a Bill of Assurance for the property.

B. EXISTING CONDITIONS:

The property is the former Bank of America site. The building has been removed from the site down to the foundation. The parking remains in tact as does the former drive-through lane for the bank. To the north of the site are office uses and the former Benigan's site. There is an office use located to the west of the site. South of the site is vacant property approved for the Park Avenue Shopping Center.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received a few informational phone calls from the area property owners. All property owners located within 200-feet of the site, the Briarwood Neighborhood Association, the Hillcrest Residents Association and the Mid-town Review Committee were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. University Avenue is classified on the Master Street Plan as a principal arterial. Dedication of right-of-way to 55 feet from centerline will be required. Staff recommends a deduction in the right-of-way dedication to 45 feet from centerline. A variance should be requested from the Board of Directors for a reduction in the right-of-way dedication.
2. The drainage system across this property and property to the north is private. Drainage problem have been reported on the property to the north of the subject property. The stormwater from the property to the north was being obstructed from draining under the subject property. The stormwater system under the subject property should be inspected and repairs made if required as part of the redevelopment of this property.
3. A 10 foot utility easement should dedicated along the south property line of the subject property. Currently, the City has an existing utility line along the south property line providing electricity to the streetlights and/or signal on University Avenue.

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4. Driveway locations and widths do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. The existing driveways onto University Avenue should be removed and a new driveway installed in the middle of the property. The width of driveway must be constructed with a width of 27 feet. Curb and gutter should be reinstalled when the old driveways are removed.
5. 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).
6. Obtain a franchise agreement from Public Works (Bennie Nicolo, 371-4818) for the private improvements located in the newly dedicated right-of-way.
7. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer service 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. Due to the nature of this facility, installation of an approved reduced pressure zone backflow preventer assembly (RPZ) is required on the domestic water service. This assembly must be installed prior to the first point of use. Central Arkansas Water (CAW) requires that upon installation of the RPZA, successful tests of the assembly must be completed by a Certified Assembly Tester licensed by the State of Arkansas and approved by CAW. The test results must be sent to CAW's Cross Connection Section within ten days of installation and annually thereafter. Contact the Cross Connection Section at 377-1226 if you would like to discuss backflow prevention requirements for this project. 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.

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Fire Department: Fire Hydrants will be required. Contact the Little Rock Fire Department for additional information.

County Planning: No comment.

CATA: The site is located on CATA Bus Routes #8–the Rodney Parham and #21–University Avenue.

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: This request is located in the West Little Rock Planning District. The Land Use Plan shows Commercial for this property. The applicant has applied for a Short-form PCD. This area is located within the Midtown Design Overlay District, so all designs should reflect these design standards. The proposed land uses in the Planned Development are consistent with the Commercial Category.

Master Street Plan: University Avenue 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 University Avenue since it is a Principal Arterial.

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

Neighborhood Action Plan: This area is covered by the Briarwood Neighborhood Plan, but that plan does not address this issue.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. The plan must comply with the City's Midtown Overlay District requirements.
3. The landscape ordinance requires a nine foot (9') wide landscape strip around the sites entirety. A variance from this minimal requirement must be obtained from the City Beautiful Commission prior to the issuance of a building permit.
4. The landscaping ordinance requires a minimum of three hundred and thirty six (336') square feet of building landscaping. A variance from this minimal requirement must be obtained from the City Beautiful Commission prior to the issuance of a building permit.

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5. Street trees shall be a minimum of three (3) inch caliper and shall be two (2) feet off the back of curb, thirty (30) feet on center. The canopy shall be maintained with an eight (8) foot clearance.
6. Trees greater than fourteen (14) inches in diameter, measured at four and one-half (4.5) feet above the ground, shall be protected from removal and damages in future development of the district. Any development within fifty (50) feet of any such tree shall be reviewed prior to development to assure protective measures are included and in place.

G. SUBDIVISION COMMITTEE COMMENT: (November 12, 2009)

Mr. Terry Burruss was present representing the owner. Staff presented an overview of the development stating the site was located within the Mid-town Design Overlay District. Staff stated their opinion was with the removal of the structure to the slab the owners had crossed the threshold and would be required a review under the Mid-town DOD. Staff stated the development was not complying with a number of the overlay standards. Mr. Burruss stated he was new to the project and would work with staff to resolve as many comments as possible.

Public Works comments were addressed. Staff stated a dedication of right of way was required on South University Avenue. Staff stated a variance request of the right of way dedication should be requested from the Board of Directors to allow a reduction in the required right of way.

Landscaping comments were addressed. Staff stated the development would require variances from the City Beautiful Commission as well as variances from the Mid-town DOD ordinance requirements. Staff stated the plan as presented did not include any street buffering or any perimeter landscape as required by both these ordinances. Once again Mr. Burruss stated he would work with the owners and staff to try to resolve these issues.

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:

Mr. Burruss submitted a revised site plan to staff relocating the building and parking. The site plan indicates the construction of a new building containing 4,043 square feet and seventeen (17) parking spaces. One of the existing drives has been removed and the southern drive will be reconstructed to allow a twenty (20) foot access. Landscaping has been indicated along South University

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Avenue and the southern and western perimeters. Five (5) feet of right of way dedication has been indicated on the site plan. The request includes a variance request for a reduction in the required right of way dedication to 45 feet from centerline instead of 55 feet as required by the Master Street Plan.

The site is located within the Mid-town Design Overlay District. The Overlay regulates various development criteria. Below outlines the DOD requirements and the applicant's response for compliance:

<b>Midtown Overlay District</b>	<b>Applicant's Proposal</b>
<p>A planned zoning district process shall be required for a new development, redevelopment exceeding 50 percent of the structure's current replacement value based on its configuration at the time of the DOD's adoption, and for expansion of existing developments exceeding 50 percent of the structure's current square footage at the time of the DOD's adoption. Routine repairs, maintenance and interior alterations to accommodate existing, expanding or new tenants within the existing building envelope shall not require compliance with Chapter 36, Article 10 (Midtown Design Overlay District). The proposed planned zoning development shall be reviewed to realize a development plan that is consistent with the purpose and intent of the Midtown Design Overlay District.</p>	<p>The development is proposed as new construction therefore a rezoning from C-3, General Commercial District to PCD is required.</p>
<p>For a new development or structure of over 100,000 square feet (excluding structured parking), a mix of uses must be provided. This mix may occur either under the same roof or in adjacent structures as part of a common development. In order to be considered a mix, the new development must either:</p>	<p>Not applicable.</p>

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<p>Devote the majority of its leasable ground floor space to a secondary use i.e. retail in a multi-story office building;</p> <p>or</p> <p>Devote ten percent of the gross leasable area of a single building to the secondary use i.e. residential on the upper levels of a multi-story office, retail or institutional building; or</p> <p>Devote fifteen percent of the gross leasable area to a secondary use in a separate building constructed and occupied at the same time as the primary structure i.e. a restaurant on a pad adjacent to an office building.</p>	
<p>The Midtown Design Overlay District requires developments in excess of 200,000 square feet to contain a residential component. The residential may be in the same structure or a separate structure, as long as the separate structure is part of the overall development and the overall development is built simultaneously.</p> <p>For any development constructed in phases, a portion of the secondary uses shall be included in the initial phases.</p>	<p>Not applicable.</p>
<p>Façade treatment—for new construction at least 60 percent of the ground floor level facing internal pedestrian public circulation areas or streets shall be glass-windows, entry features or displays.</p> <p>The primary façade of a building shall be oriented parallel with the street, or to the principal vehicular or pedestrian routes of travel whether public or private.</p>	<p>The new construction will contain a minimum of 60 percent of the ground floor as glass-windows, entry features or displays. (The building is proposed as a single story building.)</p> <p>The primary façade of the building will be oriented parallel to South University Avenue.</p>

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<p>Buildings shall maintain a distinction between upper and lower levels; an elevation greater than 18 feet in height shall contain an architectural treatment, which visually divides the structure into stories.</p> <p>Wall projections or recesses a minimum of three feet deep and a minimum of 20 continuous feet not to extend over 20 percent of the façade shall be required. Arches, display windows, entry areas or awnings shall exist along at least 60 percent of the façade.</p>	<p>The building is proposed as a single story building.</p> <p>Projections will be included along the facades to break the massing of the structure. The building will contain arches, display windows, entry areas or awnings along at least 60 percent of the façade.</p>
<p>Entryway – Primary entrances shall be oriented to the street or to the principal vehicular or pedestrian routes of travel within a development.</p> <p>Buildings shall have clearly defined and visible customer entrances featuring elements such as overhangs, arcades, arches, canopies, peaked roof forms, display windows.</p> <p>All sides of buildings that face abutting public or private rights of way, except alleys, shall feature at least one customer entrance.</p> <p>Elevations - No elevation facing an arterial or greater street shall be primarily used as a service entry or otherwise be treated as the rear of the structures.</p> <p>New construction wider than 100 linear feet shall be visually massed so as to break the structure visually.</p> <p>Rooflines shall be varied with changes in height every 100 liner feet in building length. Parapets, mansard roofs, gable</p>	<p>The primary entrances will be oriented to South University Avenue.</p> <p>The building will contain clearly defined and visible customer entrances featuring elements such as overhangs, arcades, arches, canopies, peaked roof forms, and display windows.</p> <p>Not applicable.</p> <p>Not applicable.</p> <p>Not applicable.</p> <p>Not applicable.</p>

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<p>roofs, high roofs, shall be used to conceal flat roofs and roof top equipment.</p>	
<p>Exterior building materials and colors shall be aesthetically pleasing and compatible with materials and colors used in neighboring developments.</p> <p>Predominant exterior building materials shall be of high quality materials; such as but not limited to: brick, wood, stone, tinted, stucco, EIFS (Exterior Insulation Finish System) concreted masonry units. Façade colors – shall be low reflectant, subtle, neutral or earth tone with trim and accents brighter colors.</p> <p>Predominant exterior building materials shall not be smooth-faced concrete block, tilt-up concrete panels or prefabricated steel panels.</p>	<p>The building will be constructed with EIFS panels and glass on the front facade.</p> <p>The development will not utilize tilt-up concrete panels or prefabricated steel panels.</p>
<p>Projections (all requirements for a franchise remain in place). Objects shall not project from the building facade over the public right of way except for awnings, signs, and balconies.</p>	<p>Not applicable.</p>
<p>Awnings shall not project more than five (5) feet from the building facade and have a minimum clearance of nine (9) feet above pedestrian areas and thirteen (13) feet above vehicular areas.</p>	<p>Not applicable.</p>
<p>Balconies over the public right-of-way shall have a minimum clearance of nine (9) feet above the sidewalk. One (1) inch of projection is permitted for each additional inch of clearance above eight (8) feet, provided that no such projection shall exceed a distance of four (4) feet. Balconies shall not be supported with posts extending to the sidewalk. Mounting heights for balcony brackets shall conform to minimum clearance standards.</p>	<p>Not applicable.</p>

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<p>Building height – No building hereafter erected or structural altered shall exceed a height of 60 feet, except as provided below. Structures may have a greater height as follows, and these bonuses may be cumulative:</p> <p>Any structure that is certified by CATA as provide a portion of the structure for mass transit is entitled to add 15-feet.</p> <p>Structures with a mix of uses with the street-level primarily devoted to retail uses and at least 50 percent of these uses having direct access to the street, is entitled to add 25 feet to the structure; alternately a development with an integrated parking facility substantially located within the footprint of the primary structure, is entitled to add 25 feet to the structure.</p> <p>Notwithstanding the foregoing, any structure located north of West Markham Street and east of University shall be limited to a height of 35 feet.</p>	<p>The maximum building height will be 35 feet.</p>
<p>Building setbacks from property lines and street rights of way shall be:</p> <p>Front yard setbacks may be zero but will not be more than 20-feet excepting in those cases where grade changes make such setbacks impractical.</p>	<p>The property fronts onto South University Avenue. The building will be constructed with a 20-foot front setback after right of way dedication.</p>
<p>Side yard setbacks may be zero except where adjacent to lots containing single-family detached structures. In this case the side yard setback shall be a setback of not less than four (4) feet.</p>	<p>There is not residential abutting the development.</p>
<p>Rear yard setback may be zero, except where adjacent to lots containing single-family detached structures. In this case the rear yard setback shall have a setback of not less than 25-feet.</p>	<p>There is not residential abutting the development.</p>

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Driveways, Sidewalks and Alleys – Driveways and internal circulation streets must have lanes at least ten feet in width, but not more than 12 feet excepting that width needed for bike lanes or special pedestrian accommodations.	Not applicable.
Intersections of internal drives or streets will be minimally controlled by stop signs, and will feature special crossway paving or treated surfaces.	Not applicable.
Access driveways running parallel with the street shall not create a four-way intersection within 125 feet of the ultimate curb line of the public street.	Not applicable.
No more than one curb cut per block face shall be permitted. Driveways and parking lot entrances-exit shall be combined and where appropriate located in alleys.	Not applicable.
Sidewalks and Pedestrian walkways – All driveways and internal streets shall have minimum five foot sidewalks on both sides located away from the back of curb.	Not applicable.
All sidewalks fronting buildings with ground floor retail shall be at least 10 feet in width.	Not applicable.
Protected pedestrian walkways shall be provided through parking lots.  All developments shall include as part of their site plan pedestrian linkages through parking areas and to adjacent buildings or developments.	Not applicable.
Alleys – shall not be more than 20-feet wide unless needed for emergency access. Where an alley runs along a property line, it shall be screened from the adjacent property by a permanent	Not applicable. There are no alleys located within the development.

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wall of high quality materials compatible with neighboring buildings.	
All new utilities for developments within the District shall be buried. All new developments shall underground all utilities onsite or within adjacent public right of way wherever determined by the utility agency to be feasible.	Not applicable.
Trash enclosures shall be located in alleys wherever available or in common service areas for multiple developments.  In all areas, service and waste removal areas shall be screened and located away from public outdoor spaces and pedestrian. Dumpster screening shall comply with Section 36-523.	Waste removal areas shall be screened and located away from public outdoor spaces and pedestrians when physically possible.
Parking facilities – wherever feasible, multilevel parking structures shall be encouraged. Surface parking shall be limited to the side and rear of structures, unless grouped in quantities of 50 spaces or less separated by a landscaping strip no less than the perimeter landscape strip as required for the property by Chapter 15 of the code or a structure from other vehicular areas and having no more than one vehicular connection to another surface parking area. Surface parking areas should be broken up or distributed around large structures so as to shorten the distance to other buildings and public sidewalks. For corner lots, parking is allowed along the side street frontage.	The parking is proposed on the southern side of the building. Landscaping will be provided to comply with Chapter 15 of the Little Rock Code of Ordinances.
Parking requirements within the District shall be 50 percent of that required by Article VII of Chapter 36. The	The maximum parking allowed for the development is 13 spaces. The minimum parking allowed is 6 spaces.

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<p>maximum allowed parking shall be the minimum standard established in Article VII of Chapter 36.</p>	<p>The development is proposed to contain 17 spaces.</p>
<p>Shared parking. As an alternative to subsection (f)(2) above, mixed-use developments may utilize the shared parking methodologies developed by the Urban Land Institute and published in Shared Parking (Second Edition, 2005) by Mary S. Smith, et al. A project may elect this means of determining the total parking requirement by submitting a parking demand analysis prepared by a qualified parking or traffic consultant, a licensed architect, city planner, or urban planner or civil engineer.</p>	<p>Not applicable.</p>
<p>On-street parking. On-street parking on internal streets or circulation routes shall be allowed and may count towards the parking requirement. On-street parking is permitted either parallel, in areas in front of, or adjacent to, retail or commercial entries. Angled street (drive) parking shall not be permitted on streets (drives) that provide the development majority access. Such parking may count towards the overall project parking requirements. No on-street parking shall be allowed on University Avenue or Markham Street.</p>	<p>Not applicable.</p>
<p>No parking shall be allowed in the front yard setback area.</p>	<p>A small portion of the parking is located within the front yard setback on South University Avenue.</p>
<p>Parking garage design – Parking facilities should be designed consistent with the overall project design. Where possible, other uses, residential or commercial should be used to wrap or otherwise block the view of a parking garage.</p>	<p>Not applicable.</p>
<p>Signage – Signage shall comply with Article X except as follows – No off-site advertising signs are permitted. No</p>	<p>No off-site signage is proposed. A single development sign is proposed as allowed for developments less than</p>

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<p>pole mounted signs are permitted. Monument signs are to identify the development and be limited to 72 square feet in area and 6 feet in height for developments greater than one acre. For developments less than one acre monument signs may be up to twenty-four (24) square feet in area and six (6) feet in height and must be located as part of the required landscape area of the parking lot. Signage integrated into a free standing vertical structures whose design theme and materials are directly related to the primary development may be submitted for approval under the PZD process if located along University southerly of Lee. No single elevation or face of such a structure shall be more than 400 square feet.</p>	<p>one (1) acre which is a maximum of twenty-four (24) square feet in area and a maximum height of six (6) feet. The sign will be located as a part of the required landscape area for the parking lot.</p>
<p>No street buffer or landscaping is required along streets classified less than an arterial. When the structure is not built to the property line, landscaping is required in the area between the building and property line up to that required in Chapter 15 of the Code.</p>	<p>Landscaping will be placed along South University Avenue where the building is not placed at the zero setback.</p>
<p>Land use buffers shall only be provided where single-family and duplex use or zoning is the abutting use. In those cases where a land use buffer is required, buffers shall be the same as those for multi-family uses in Section 36-522(b)(1). In areas where terrain variation is great or other features result in the loss of privacy, alternative designs and massing shall be considered.</p>	<p>Not applicable.</p>
<p>Common use areas and plazas shall be a minimum of 300 square feet for 30,000 square foot structures. For each additional 5,000 square feet or portion thereof, a minimum of an additional 50 square feet of plaza area is required.</p>	<p>Not applicable.</p>

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Surface parking lots shall meet all current landscape requirements.	The surface lots will landscaped to meet the requirements of Chapter 15.
Street trees shall be a minimum of 3-inch caliper and shall be 2 feet off the back of curb, 30 feet on center. The canopy shall be maintained with an 8 foot clearance. A four foot planter strip shall be maintained.	Will comply.
Common use areas and plazas shall be maintained by a common authority. Attempts shall be made to maintain vegetation, trees, bushes, in undisturbed conditions to serve the aesthetic, recreational and ecological needs of the district. Trees planted in these areas shall be a minimum of two inches in caliper and ten feet in height.	Not applicable.
Trees greater than 14 inches in diameter, measured at 4 ½ feet above the ground, shall be protected from removal and damages in future development of the district. Any development within 50 feet of such tree shall be reviewed prior to development to assure protective measures are included and in place.	There are no trees located on this site.
Lighting shall conform to the design overlay district standards. The intent is to prevent light from commercial developments from excessively illuminating the property in question, other properties or the night sky. Only light fixtures which are categorized as full cut-off fixtures shall be permitted. The use of fully shielded floodlights are permitted but not encouraged.	Will comply.
The ordinance provides for the following specific standards for lighting intensity based upon the activities performed involved. Values are presented in allowable foot candles (fc)	Will comply.

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<p>maintained (measured horizontally) at grade and are to be averaged throughout the site to avoid hot spots, i.e. areas of extreme light intensity relative to the remainder of the site:</p> <p>Pedestrian areas/sidewalks Minimum 0.2 fc Maximum 1.0 fc</p> <p>Building entries Minimum 1.0 fc Maximum 10.0 fc</p> <p>Street lighting Minimum 0.2 fc Maximum 1.0 fc</p> <p>Parking area Minimum 2.0 fc Maximum 4.0 fc</p> <p>Playgrounds Maximum 5.0 fc</p> <p>Sports grounds Maximum 20.2 fc</p> <p>Site perimeter Maximum 0.5 fc</p>	
<p>Gas station canopies shall be illuminated at a maximum luminance of thirty (30) fc and individual fixtures shall be flush mounted or have the canopy edge below the lowest light-emitting point on the fixtures. All existing gas station canopies that exceed this standard shall be made compliant within seven (7) years of the date of adoption of this article.</p>	<p>Not applicable.</p>
<p>Up lighting may be used to illuminate a building, landscaping element or architectural feature, provided the lighting design has a maximum luminance of twelve (12) fc, measured in a vertical plane. Down lighting is preferred.</p>	<p>Will comply.</p>

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FILE NO.: Z-8501

<p>A lighting plan shall be submitted for staff review and approval prior to issuance of building permits. The plan shall contain the following information:</p> <p>An area lighting plan, drawn to scale, indicating all structures, parking lots, building entrances, vehicular and pedestrian traffic areas, vegetation that may interfere with lighting, and adjacent land uses that may be adversely impacted by the lighting. The plan shall contain a layout of all proposed fixtures by location, orientation, aiming direction, mounting height and type.</p> <p>The submission shall include, in addition to proposed area lighting, all other exterior lighting, e.g., architectural, building entrance, landscape, flagpole, sign, etc.</p> <p>A ten-foot by ten-foot luminance grid (point-by-point) of maintained foot-candles overlaid on the site plan plotted out to 0.0 foot-candles, which demonstrates compliance with light intensity standards.</p>	<p>Will comply.</p>
<p>Property, if for any reason, that cannot be developed without violating the standards of this article shall be reviewed through the planned zoning district (PZD) section of the zoning ordinance, with the intent to devise a workable development plan which is consistent with the purpose and intent of the overlay standards.</p>	<p>The property is being considered as a PZD.</p>

As indicated in the above table the parking is indicated in excess of the parking typically allowed per the DOD. Staff does not feel the four additional parking spaces will significantly impact the development. The plan is indicated with adequate landscaping to comply with the landscape ordinance requirements. All other aspects of the development appear to comply with the development criteria established by the DOD.

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Staff is supportive of the request. Staff feels the developers have done an adequate job in addressing the DOD requirements related to site development with a limited site area. To staff's knowledge there are no remaining outstanding technical issues associated with the request. Staff feels the redevelopment as proposed should have minimal impact on the adjacent properties.

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 to allow the right of way dedication on South University Avenue to be reduced from 55-feet from centerline to 45-feet from centerline.

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PLANNING COMMISSION ACTION:

(DECEMBER 3, 2009)

The applicant was not present. There were no registered objectors present. Staff presented the item stating the applicant had submitted a request dated November 19, 2009, requesting a deferral of this item to the January 14, 2010, public hearing. Staff stated the applicant was working to determine if the redevelopment of the property exceeded fifty percent of the structure's current replacement value.

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

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PLANNING COMMISSION ACTION:

(JANUARY 14, 2010)

Mr. Terry Burruss was present representing the applicant. There were no registered objectors present. Staff presented 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 to allow the right of way dedication on South University Avenue to be reduced from 55-feet from centerline to 45-feet from centerline.

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.

January 14, 2010

ITEM NO.: 1

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: 3

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 to allow the development of lots utilizing existing private streets.

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The applicant submitted a request dated December 29, 2009, requesting a deferral of this item to the February 25, 2010, public hearing. Staff is supportive of the deferral request.

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PLANNING COMMISSION ACTION:

(JANUARY 14, 2010)

Mr. Joe White of White-Daters and Associates was present representing the request. There were no registered objectors present. Staff stated the applicant had submitted a request dated December 29, 2009, requesting a deferral of the item to the February 25, 2010, public hearing. Staff stated they were supportive of the deferral request.

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ITEM NO.: 1 (Cont.)

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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 11 ayes, 0 noes and 0 absent.

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ITEM NO.: 2

FILE NO.: S-1648

NAME: Hankins Subdivision Site Plan Review

LOCATION: Located at 5920 West 65th Street

DEVELOPER:

Bruce Hankins  
c/o Kenny Roberts  
63 Belmont Drive  
Little Rock, AR 72204

SURVEYOR:

West Land Surveying  
420A HWY 287  
Vilonia, AR

ARCHITECT:

Pumphrey Architecture  
Mr. Kenny Roberts  
912 West 6<sup>th</sup> Street  
P.O. Box 1662  
Little Rock, AR 72203

AREA: 1.03 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING: C-3, General Commercial District

PLANNING DISTRICT: 13-65<sup>th</sup> Street East

CENSUS TRACT: 20.01

VARIANCES/WAIVERS REQUESTED: None requested.

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A. PROPOSAL/REQUEST/APPLICANTS STATEMENT:

The request is a Subdivision Site Plan Review application request to allow the property located at 5920 West 65<sup>th</sup> Street to house two (2) structures. The site contains two buildings with a third building proposed for construction on the site. As of now the Beverage House is located in the smaller triangle shaped building,

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and the larger building on the corner is used for storage. The initial thought of the developer was to build a new building behind the two existing buildings, relocate the Beverage House and upon completion of the new construction then the developer would remove the two (2) existing structures. The developer now wishes to build the new building and only remove the smaller triangle shaped building and keep the corner building. He has indicated upon completion of the new building the corner building will be renovated and leased to a business as allowed within the current zoning district.

The project is proposed as a phased project. The existing business will remain open during the construction process of the new building. Upon completion of the new structure and parking area the triangular building will be removed and parking and landscaping placed within this area to serve the corner building.

B. EXISTING CONDITIONS:

There are two structures located on the site, a former convenience store and a liquor store. The property located to the east is a manufactured home park and the property to the south is a thrift store. West and southwest of the site are commercial uses including an auto parts store and a tire store. 65<sup>th</sup> Street and Geyer Springs Road appear to be constructed to arterial street standard.

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, Southwest Little Rock United for Progress, the Geyer Springs and the Wakefield Neighborhood Associations were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Geyer Springs Road is classified on the Master Street Plan as a minor arterial. A dedication of right of way 45-feet from centerline will be required.
2. Repair or replace any curb, gutter or sidewalks that is damaged in the public right of way prior to occupancy.
3. Stormwater detention ordinance applies to this property. Show the proposed location for stormwater detention facilities on the plan.
4. If disturbed area is more than one (1) acre, obtain a NPDES stormwater permit from the Arkansas Department of Environmental Quality prior to the start of construction.

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5. Plans for all work in the right of way shall be submitted for approval prior to the start of work. Obtain barricade permit prior to doing any work in the right of way from Traffic Engineering at (501) 379-1805.
6. Remove directional median show in driveway off 65<sup>th</sup> Street. The driveway can function as a full service driveway.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this project.

Entergy: Approved as submitted.

Center-Point Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water: No objection. 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: Place fire hydrants per code. Contact the Little Rock Fire Department for additional information.

County Planning: No comment.

CATA: The site is located near CATA Bus Route #17A–The Mabelvale-UALR Route.

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: No comment.

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Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. A screening fence is required along the perimeters abutting residentially zoned or used property. The site plan indicates the placement of a six (6) foot wood fence along the eastern and northern perimeters.
3. The new construction will require a small amount of building landscaping.
4. Street buffers are required at six (6%) of the average depth of the lot. The site plan indicates the placement of a 15-foot landscape buffer along the abutting streets.

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

Mr. Kenneth Roberts of Visual by Design was present representing the owner. Staff presented the item stating there were few outstanding technical issues in need of addressing related to the site plan. Staff requested Mr. Roberts provide the total square footages of the buildings, the percent building coverage and provide the parcel size in the general notes section of the site plan.

Public Works comments were addressed. Staff stated the Stormwater Detention Ordinance would apply to the development of the site. Staff requested Mr. Roberts provide the location of the proposed stormwater detention facilities on the site plan. Staff also stated a dedication of right of way 45-feet from centerline would be required on Geyer Springs Road. Mr. Roberts stated he had questioned public works staff previously to determine if stormwater detention would apply to the development. He stated staff had indicated since he was reducing the amount of paved area of the site no detention would be required.

Landscaping comments were addressed. Staff stated screening would be required along the eastern perimeter of the site where abutting residentially used property. Staff also stated building landscaping would be required for the newly constructed building to be located on the site.

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.

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H. ANALYSIS:

Mr. Roberts submitted a revised site plan to staff addressing the issues raised at the December 22, 2009, Subdivision Committee meeting. The revised site plan includes the total square footages of the buildings, the percent building coverage and the parcel size in the general notes section of the site plan. The revised site plan has eliminated the median within the drive located off 65<sup>th</sup> Street. Mr. Roberts has contacted Public Works staff and they have determined stormwater detention will not be required due to the reduction in paved areas on the site.

The site is proposed to contain two (2) buildings one (1) existing building and one (1) building proposed for new construction. The existing building contains 1,511 square feet and the new construction is proposed containing 3,942 square feet. The maximum building height will not exceed the allowable thirty-five (35) feet per the zoning district. The buildings are proposed as single story buildings.

There will be twenty-one (21) parking spaces on the site at the completion of the new construction. For commercial development a total of eighteen (18) parking spaces would typically be required.

The site plan does not include signage. Both ground signage and building signage will be limited to signage allowed in commercial zones. Ground signage is to be limited to a maximum height of thirty-six (36) feet and a maximum sign area of one hundred sixty (160) square feet. Building signage is to be limited to a maximum of ten (10) percent of the façade area on the facades with public street frontage.

The site plan indicates the placement of a six foot (6') screening fence along the eastern and northern perimeters. Screening is only required along the eastern perimeter where abutting residentially used property.

The site plan indicates a fifteen (15) foot street buffer along Geyer Springs Road and 65<sup>th</sup> Street. The ordinance typically requires the placement of street buffers at a minimum of six (6) percent of the depth of the property. The buffer as indicated is sufficient to meet the typical ordinance standards.

To staffs knowledge there are no outstanding technical issues in need of addressing associated with the request. The proposed site plan appears to fully comply with the development criteria of the various City ordinances.

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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 the final certificate of occupancy be tied to the removal of the existing triangular building and construction of the parking and landscaping within the area of this existing building.

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PLANNING COMMISSION ACTION:

(JANUARY 14, 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 also presented a recommendation the final certificate of occupancy be tied to the removal of the existing triangular building and construction of the parking and landscaping within the area of this existing building.

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.

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ITEM NO.: 3

FILE NO.: Z-4653-H

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NAME: Powell Brothers Revised Short-form PCD

LOCATION: Located at 1308 South Bowman Road

DEVELOPER:

Powell Brothers, Inc.  
5509 Springvale, Suite B  
North Little Rock, AR 72116

ENGINEER:

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

AREA: 0.81 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING: PCD

ALLOWED USES: 50% selected commercial uses and 50% office/office warehouse

PROPOSED ZONING: Revised PCD

PROPOSED USE: 70% selected commercial uses and 30% office

VARIANCES/WAIVERS REQUESTED: None requested.

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BACKGROUND:

Ordinance No. 17,221 adopted by the Little Rock Board of Directors on July 2, 1996, established the United Properties Subdivision Lot 2 Short-form PCD. The development was approved with restrictions on the allowable uses and the proposed use mix of the development. The development was approved to allow fifty percent (50%) office or office warehouse and fifty percent (50%) commercial uses from the following list of commercial uses: Antique shop, Barber and beauty shop, Book and stationery shop, Camera shop, Clinic, Clothing store, Community welfare or health clinic, Drugstore or pharmacy, Duplication shop, Florist shop, Furniture store, Handicraft, ceramic, sculpture or art work, Hardware or sporting goods, Hobby shop, Medical appliance fittings and sales, Optical shop, Paint and wallpaper, Pet shop, Photography studio, Secondhand

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FILE NO.: Z-4653-H

store, Used furniture, Shoe repair, Tailor, Tool and equipment rental (inside only), Travel bureau. The building contained 10,000 square feet and 31 parking spaces. The building and parking have been constructed on the site.

Ordinance No. 19,958 adopted by the Little Rock Board of Directors on May 6, 2008, allowed a revision to the PCD by expanding the allowable uses for the site. The request added a catering company to the allowable uses for the site. The catering company was proposing a minor exterior modification to include a drive-way for access to the side of the building and an exterior door installed on the side of the building for loading the catering vehicles.

A. PROPOSAL/REQUEST:

The request is to allow an amendment to the approved PCD to modify the use mix of the site. The applicant is proposing to amend the percentages allowed for commercial and office uses. The amended request is to allow 70% commercial uses and 30% office uses. In addition to the previously approved uses the request includes the addition of the following office and retail uses: Office supply store, Retail gift shop, Dance studio, Financial office, Appraiser, Art gallery/studio, Copy and printing shop, Employment agency, Ambulance sub station, Audio equipment sales, Automobile parts and supplies – indoors, Insurance sales office, Pet grooming, Camera and equipment shop, Dental supplies, Dry cleaning, Floor material and installation, Furnaces, display and sales, Gift novelties shop, Governmental offices, Bicycle sales and repair, Bonding company, Business machine repair and sales, Chiropractor's office, Gun shop sales and service, Heating, cooling, ventilation sales, Messenger service, Spa, massage establishment, Locksmith repair and sales, Interior decorator, Pawn shops – no outside display, School, art music, dance, martial arts, Tattoo parlor, Uniform rental and sales, Tobacco store, Sound system sales, rental and service.

The Bill of Assurance for the Subdivision does not address permissible uses for the site.

B. EXISTING CONDITIONS:

The site contains a strip center with commercial and office uses. The area is developed with a mixture of uses including office/office warehouse, mini-storage, retail and non-conforming retail such as a liquor store and the skate center. South Bowman Road adjacent to this site has been constructed to Master Street Plan standard. The road improvements to the north and south have not been completed.

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FILE NO.: Z-4653-H

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 John Barrow Neighborhood Association, the Gibraltar Heights Pointe West Timber Ridge Property Owners Association, the Sandpiper Property Owners Association and the Woodlands Edge Community Association 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. Matt Chandler was present representing the request. Staff stated the item was not routed to various agencies for review since the request was to allow only a change in the allowable uses and use mix for the site. Staff stated they had concerns with a few of the uses listed. Staff stated their concern was with the uses which typically generated a parking demand greater than the typical office or retail parking requirement. Staff stated the ice cream/coffee shop and the medical uses typically generated parking requirements greater than the site would support. Staff also stated a barber/beauty salon was a concern. Mr. Chandler stated a salon was currently located on the site and did not appear to have impacted parking at the site. Mr. Chandler stated he desired to maintain the chiropractor use but would eliminate all the other medical type uses identified by staff as a concern.

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 letter eliminating the uses identified by staff as concerns with the exception of the Chiropractor's office and requested to maintain the existing barber/beauty salon use. The existing salon occupies an 1,850 square foot lease space. Mr. Chandler has limited the allowable barber/beauty salon space 1,850 square feet.

The request is to allow an amendment to the allowable uses and the percentage use for this existing development. The building contains 10,000 square feet and 31 parking spaces. When calculating parking at the rate for a shopping center development a total of 44 parking spaces is required based on one parking

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ITEM NO.: 3 (Cont.)

FILE NO.: Z-4653-H

space per two hundred twenty-five square feet (1 per 225) of floor area. When calculating the parking at the rate required for office uses (1 per 400 square feet) and commercial uses (1 per 300 square feet) using the percentages proposed by the applicant (30% office and 70% retail) a total of 30 parking spaces would be required.

Staff is supportive of the request. Although the center will maintain uses which staff had previously identified as concerns, the applicant has limited the space for a barber/beauty salon to the existing 1,850 square feet. Staff also raised concerns with the placement of a medical office on the site. Staff does not feel the placement of a chiropractors office will significantly impact the parking since this type medical use typically staggers patients. To staff's knowledge there are no remaining technical issues associated with the request in need of addressing prior to the Commission acting on the request.

G. STAFF RECOMMENDATION:

Staff recommends approval of the request to allow the PCD to be amended to include the list of uses identified in the Background Section of the Staff write-up and the addition of the uses identified in Paragraph A of the Staff write-up and to allow the use mix of the center to be amended to allow for 70% commercial and 30% office uses.

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PLANNING COMMISSION ACTION:

(JANUARY 14, 2010)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the request to allow the PCD to be amended to include the list of uses identified in the Background Section of the Staff write-up and the addition of the uses identified in Paragraph A of the Staff write-up and to allow the use mix of the center to be amended to allow for 70% commercial and 30% office uses.

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.

January 14, 2010

ITEM NO.: 4

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.

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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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ITEM NO.: 4 (Cont.)

FILE NO.: Z-6178-I

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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ITEM NO.: 4 (Cont.)

FILE NO.: Z-6178-I

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.

SUBDIVISION

ITEM NO.: 4 (Cont.)

FILE NO.: Z-6178-I

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.

January 14, 2010

SUBDIVISION

ITEM NO.: 4 (Cont.)

FILE NO.: Z-6178-I

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.

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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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SUBDIVISION

ITEM NO.: 4 (Cont.)

FILE NO.: Z-6178-I

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.

January 14, 2010

ITEM NO.: 5

FILE NO.: Z-7604-A

NAME: Homes at Granite Mountain Phase II Long-form PD-R

LOCATION: Located on the Northeast corner of Gillam Park Road and Granite Mountain Circle

DEVELOPER:

Little Rock Housing Authority  
100 South Arch Street  
Little Rock, AR 72201

ENGINEER:

McClelland Engineers  
900 W. Markham Street  
Little Rock, AR 72201

ARCHITECT:

Fennell & Purifoy Architects  
100 Morgan Keegan Drive, Suite 320  
Little Rock, AR 72202

AREA: 10.09 Acres      NUMBER OF LOTS: 1      FT. NEW STREET: 0

CURRENT ZONING: PD-R - Expired

ALLOWED USES: 60 Units Senior Multi-family housing

PROPOSED ZONING: PD-R

PROPOSED USE: 40 Units Senior Multi-family housing

VARIANCES/WAIVERS REQUESTED:

1. The placement of a portion of the sidewalk along Granite Mountain Circle within a sidewalk easement.
2. The allowance of the use of existing low stone walls as the required curb.
3. A waiver of the screening requirement along the northern and western perimeters.

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SUBDIVISION

ITEM NO.: 5 (Cont.)

FILE NO.: Z-7604-A

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BACKGROUND:

Ordinance No. 19,223 adopted by the Little Rock Board of Directors on November 1, 2004, rezoned the site from R-2, Single-family to PD-R to allow the placement of a new senior housing development containing 60 units. The property is the former Booker Homes public housing project in the Granite Mountain Community. The apartments for seniors were to be arranged in fifteen, single-level, four-plexes clustered around a circular access drive.

The applicant proposed to pattern the development after the first phase of the Homes at Granite Mountain. The Phase II apartments would be designed to blend into the neighborhood's residential character. There would be individual front doors with porches similar to Phase I and the materials and details were also in character with the existing structures. A community room and office in a separate structure was also approved. The project was never constructed.

A. PROPOSAL/REQUEST:

The applicant is now proposing to reestablish the previously approved PD-R and allow a modification to the previously approved site plan. The previous approval has expired. The site is proposed with development of forty (40) new units of senior housing. The area proposed for development contains 10.09 acres of land. As with the previous approval a seventy (70) acre parcel of property located to the north of this site will be maintained as a nature habit, including development of a nature center which incorporates green design and energy efficiency features.

B. EXISTING CONDITIONS:

The site is vacant and grass covered. To the south of the site are single-family homes and to the north of the site is vacant land owned by the City of Little Rock and leased to Audubon of Arkansas. Further north of the site is a single-family subdivision accessed from Springer Boulevard and East 38<sup>th</sup> Street. East of the site is the Homes at Granite Mountain Phase I.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received several informational phone calls 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 Granite Mountain Neighborhood Association were notified of the public hearing.

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SUBDIVISION

ITEM NO.: 5 (Cont.)

FILE NO.: Z-7604-A

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. A 20-foot radial dedication of right of way is required at the intersection of Gillam Park Road and Granite Mountain Circle.
2. Sidewalks with appropriate handicap ramps are required to be installed along Granite Mountain Circle in accordance with Section 31-175 of the Little Rock Code of Ordinances and the Master Street Plan.
3. Repair or replace any curb and gutter or sidewalk that is damaged in the public right of way prior to occupancy.
4. Plans for all work in the right of way shall be submitted for approval prior to start of construction. Obtain barricade permits prior to doing any work in the right of way from Traffic Engineering at (501) 379-1805.
5. 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.
6. Stormwater detention ordinance applies to this property. Show the proposed location for stormwater detention facilities on the plan.
7. 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.
8. No residential waste collection service will be provided on private streets unless the property owners association provides a waiver of damage claims for operations on private property.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

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

Entergy: No comment received.

Center-Point Energy: No comment received.

AT & T: No comment received.

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ITEM NO.: 5 (Cont.)

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Central Arkansas Water: 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). 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: Place fire hydrants per code. Contact the Little Rock Fire Department for additional information.

County Planning: No comment.

CATA: The site is located on CATA Bus Route #20—the College Station Route.

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: This request is located in the College Station/Sweet Home Planning District. The Land Use Plan shows Residential High Density for this property. The applicant has applied for a Planned Residential Development for 40 new homes of senior housing located in duplex units. The request does not require a change to the Land Use Plan.

Master Street Plan: Granite Mountain Circle and Gillam Park Road are both Local Streets. 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. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

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

Neighborhood Action Plan: The property under review is not located in an area covered by a City of Little Rock recognized neighborhood action plan.

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ITEM NO.: 5 (Cont.)

FILE NO.: Z-7604-A

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. A 12-½ foot wide street buffer is required along Granite Mountain Circle and a 25-foot wide street buffer is required along Gilliam Park Road. Additionally, a 9-foot wide land use buffer is required along the northern perimeter.
3. A 6-foot high opaque screen, either a wooden fence with its face side directed outward, a wall, or dense evergreen plantings, is required along the northern perimeter of the site.
4. An irrigation system to water landscaped areas will be required.
5. Prior to obtaining a construction permit, it will be necessary to provide landscape plans stamped with the seal of a Registered Landscape Architect.

G. SUBDIVISION COMMITTEE COMMENT:

(December 22, 2009)

Mr. Gerald Turner of the Little Rock Housing Authority and Tom Fennell of Fennell & Purifoy Architects were present representing the request. Staff stated the site was previously approved as a PD-R for 60 units of elderly housing but the PD-R had expired. Staff stated the current request was to reestablish the PD-R and provide an updated site plan which included only 40 units of elderly housing. Staff stated the development was proposed at 3.96 units per acre. Staff stated the PD-R was to contain common usable opens space as well as private useable open space. Staff requested the areas of open space be included on the proposed site plan in the general notes section.

Public Works comments were addressed. Staff stated a radial dedication of right of way was required at the intersection of Gillam Park Road and Granite Mountain Circle. Staff stated the City's Stormwater Detention Ordinance would apply to the development of the site. Staff stated sidewalks with appropriate handicap ramps would be required with the development of the site.

Landscaping comments were addressed. Staff stated a twelve and one-half (12 ½) foot wide street buffer was required along Granite Mountain Circle and a twenty-five (25) foot wide street buffer was required along Gillam Park Road. Staff stated screening was required along the northern and western perimeters. Staff stated screening could be provided via a six (6) foot fence or wall or dense evergreen plantings. Staff noted irrigation would be required to water landscaped area.

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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 addressing the issues raised at the December 22, 2009, Subdivision Committee meeting. The revised site plan indicates radial dedications as required by the Master Street Plan and the Subdivision Ordinance. The applicant has indicated stormwater detention will be provided during the development of the site.

The applicant is requesting the placement of a portion of the sidewalk along Granite Mountain Circle within a sidewalk easement. The justification for the request is the existing historic site features (low stone walls), existing trees and the presence of solid rock. The site plan indicates the placement of the sidewalks to best fit the grades and locations to avoid the existing stone walls and to maintain existing trees.

The applicant is also requesting to utilize the existing curbs on the abutting streets. The existing curbs are low stone walls and the applicant is requesting these be accepted as standard curb where existing, in lieu of demolition and construction of new curbing.

The applicant is requesting a waiver of the required screening along the site's northern and western perimeters. The property abuts a large tract owned by the City and leased to Audubon Arkansas. The applicant has indicated screening in this area is not necessary due to the use of the abutting property.

The request also includes a waiver of the requirement for irrigation. The developer has indicated the project will be designed as a "Greenbuild" project and irrigation is not appropriate. The developer has indicated alternative landscaping and the use of drought resistant plantings will be used on the site. A waiver of the irrigation requirement will be sought from the City Beautiful Commission prior to the Board of Directors acting on the request.

The project is proposed in two (2) phases with Phase I beginning upon approval of the PD-R request. The second phase will be developed as funding becomes available. The first phase consist of buildings 1 – 10. This will allow the construction of twenty (20) units. The second phase will allow the construction of buildings 11–20 and the management building. After right of way dedications the site will contain 10.09 acres for a density of 3.96 units per acre.

SUBDIVISION

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The buildings are proposed as single story buildings. A total of forty (40) units is proposed. The site will contain twenty (20) one-bedroom units and twenty (20) two-bedroom units.

The site plan indicates signage will be limited to a ground mounted masonry sign approximately five (5) feet in height and twelve (12) feet in length. Lettering is proposed on both sides.

Approximately twenty-six (26) percent of the site is common useable open space. A note on the site plan states a minimum of five hundred (500) square feet of private usable open space will be provided for each of the units.

Staff is supportive of the overall concept of the proposed development and feels the use appropriate for the site. Staff is supportive of the waiver request for the required screening located along the northern and western perimeters. Staff is also supportive of allowing the placement of a portion of the sidewalk located along Granite Mountain Circle within a sidewalk easement. Staff supports the applicant's request to allow the existing low stone walls as the required curb where existing and in good repair. To staff's knowledge there are no outstanding issues associated with the proposed request and staff feels the development of the site as a senior citizen housing development should have minimal impact on adjoining properties.

I. STAFF RECOMMENDATION:

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

Staff recommends approval of the waiver request for the required screening along the northern and western perimeters.

Staff recommends approval of the applicant's request to allow the existing low stone walls as the required curb where existing and in good repair.

Staff recommends approval of allowing the placement of a portion of the sidewalk located along Granite Mountain Circle within a sidewalk easement.

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PLANNING COMMISSION ACTION:

(JANUARY 14, 2010)

The applicant was present. There were registered objectors present. Staff presented the item with a recommendation of approval of the request subject to compliance with the conditions outlined in paragraphs D, E and F of the agenda staff report. Staff presented a recommendation of approval of the waiver request for the required screening along the northern and western perimeters. Staff also presented recommendations of approval of the applicant's request to allow the existing low stone

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walls to be used as the required curb where existing and in good repair and the request to allow the placement of a portion of the sidewalk located along Granite Mountain Circle within a sidewalk easement.

Ms. Shelly Ehenger of the Little Rock Housing Authority addressed the Commission on the merits of the request. She stated the Housing Authority had owned the property since 1950 and the site was the former home to the Booker Homes housing development. She stated the Housing Authority had developed 52 homes across the street from this site. She stated the homes were age and income limited. She stated persons had to be 62 years old to live in the development.

Mr. Tom Fennell addressed the Commission as the designer of the project. He stated his firm had assisted in the development of the homes across the street and was pleased to continue this phase of new homes. He stated the homes would be green built homes. He stated the homes would be designed energy efficient to limit utility consumption. He stated with the approval of the homes located to the east there was funding left to allow for the placement of stone walls around the existing trees to aid in maintaining these trees. He stated the development would be designed and planted with native plants to limit the need for irrigation on the site.

Mr. Mark Hodge addressed the Commission in opposition of the request. He stated he was council for McGeorge Contracting who owned property in the area. He stated his client owned property in the area and the property was used for quarrying and mining. He stated his client had a lawsuit against the City concerning access to their property. He stated the City had placed a gate at the end of Granite Mountain Circle eliminating access to their property. He stated the client had met with the City concerning a property exchange. He provided the Commission with a graphic indicating City owned property and McGeorge owned property which were proposed for swap. He stated the swap involved 163 acres of McGeorge property and 144 acres of City owned property. He stated if the swap was approved the argument concerning access would be mute. He stated if the swap was not approved and he was allowed access to his property through Granite Mountain Circle then dump trucks would be traveling through the development. He stated he felt this would be disruptive to elderly residents. He stated the site was located near the Little Rock Airport flight path. He questioned if anyone had contacted the airport to determine if noise would be an issue.

Mr. Haskell Dickinson addressed the Commission in opposition of the request. He stated he was President of McGeorge Construction Company. He stated just south of this site his company employed 150 persons and moved 300 trucks per day from the quarrying operation. He stated his firm provided a product at a reasonable price for construction projects in the area. He stated his firm was working with the City on a land swap to allow for mining to be located away from the residential areas. He stated he was concerned the City had denied him access to his property and no one was willing to explain why.

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ITEM NO.: 5 (Cont.)

FILE NO.: Z-7604-A

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Ms. Shelly Ehenger addressed the Commission concerning issues raised. She stated the Housing Authority had prepared an environmental assessment of the site in 2001 with the development of the original homes. She stated the engineering firm was in the process of updating the environmental assessment. She stated one consideration was the Little Rock Airport and flight paths. She stated the Housing Authority had been in contact with the Airport and the flight paths had not changed.

Ms. Ehenger stated the Housing Authority was provided with a grant of 2.2 million dollars to develop the site. She stated if the funds were not committed by September the funding would be lost. She stated the Housing Authority was hoping to have the project to bid by June. She stated once the City approved the plan HUD then had to approve the plan. She stated the money was stimulus money so timing was critical. She stated Little Rock Housing Authority was not a party to the lawsuit.

Mr. Fennell stated the right of way would be dedicated to the City. He stated there was an access indicated on the plan allowing access to the western property. He stated McGeorge's property was not located adjacent to the western edge of this site. He stated the property adjacent to the site proposed for development by the Housing Authority was owned by the City of Little Rock.

There was a lengthy discussion by the Commission, the applicant and the opposition concerning the right of way issue. Deputy City Attorney Cindy Dawson stated the City Attorney had provided the opinion the Commission was here to determine land use and not the right of way issue. She stated the Commission was only providing a recommendation to the Board of Directors and should the item be approved and presented to the Board of Directors if they felt the right of way was a concern they could then defer the item until the issue was resolved.

The Commission questioned where in the process the lawsuit was. Ms. Dawson stated there was a stay at the Court of Appeals and the hearing date was later this month.

The Commission questioned if Parks had approved the land swap. Staff stated they had not been involved in discussion concerning the land swap and was not aware of any request on the Board of Directors agenda concerning the matter.

The Commission questioned if the streets were public rights of way. Staff stated they did not know if the streets were public or private. Staff stated the issue before the Commission was the appropriateness of elderly housing on the site.

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, 2 noes and 0 absent.

January 14, 2010

ITEM NO.: 6

FILE NO.: Z-7948-C

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NAME: Gilliam Revised Short-form PD-O

LOCATION: Located at #1 Portrait Drive

DEVELOPER:

Bank of the Ozarks  
c/o Fred Wood  
19 Jacob Place  
Little Rock, AR 72211

ENGINEER:

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

AREA: 1.17 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING: PD-O

ALLOWED USE: Photography Studio

PROPOSED ZONING: Revised PD-O

PROPOSED USE: General and Professional Office

VARIANCES/WAIVERS REQUESTED: A deferral of the required street improvements to Highway 10 until development of the adjacent lot to the east.

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BACKGROUND:

Ordinance No. 19,449 adopted by the Little Rock Board of Directors on December 5, 2005, established Gillum Photography Short-form PD-O. The proposal included a two (2) lot plat for a 3.462 acre tract. Lot 1 was approved containing 1.197 acres and Lot 2 containing 2.265 acres. A 100-foot building setback adjacent to Highway 10 and a 25-foot building setback adjacent to Morgan Cemetery Road were also approved. The approval included phasing of the proposed street improvements to Highway 10 and Morgan Cemetery Road with the final platting of the respective lots.

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ITEM NO.: 6 (Cont.)

FILE NO.: Z-7948-C

The approval allow for the construction of a two (2) story building on Lot 1 with 3,376 square feet. The approved use of the site was a photography studio. Nine (9) parking spaces were approved to serve the proposed building.

Ordinance No. 19,684 adopted by the Little Rock Board of Directors on January 16, 2007, allowed a modification to the previously approved site plan to add a dumpster to the site. There was a discussion concerning limiting the hours of dumpster service to daylight hours but was not a condition of the approval.

An application request filed for Lot 2 located to the east of this site was to be heard by the Commission at their December 18, 2008, public hearing but was withdrawn prior to the Commission acting on the request.

A. PROPOSAL/REQUEST:

The applicant is now proposing to amend the previously approved PD-O for Lot 1 to revise the allowable uses for the site. The site plan also includes an area for future building expansion located along the eastern side containing approximately 600 square feet. The current approval is to allow a photograph studio as the only allowed use of the site. The applicant is requesting to add general and professional office uses as allowable uses. The building will be designed with furnished office space available for lease to other clients. The site plan indicates a total of fourteen (14) to sixteen (16) leasable spaces would be available. Additional parking will be added. There are currently seven (7) parking spaces on site and an additional eight (8) spaces will be added.

The sign will comply with the development standards of the Highway 10 Design Overlay District. The sign will be a maximum of six (6) feet in height and seventy-two (72) square feet in area.

There are no plans at this time for the development of Lot 2.

B. EXISTING CONDITIONS:

The building is vacant but was originally built as a photography studio. The area to the east is a vacant tree covered site with a drainage ditch running through the middle of the site from north to south. The Joe T. Robinson Elementary School is located to the east of the site, across Morgan Cemetery Road and the Joe T. Robinson Middle and High School campus is located to the southeast across Highway 10. The land adjacent to the site to the west contains a non-conforming auto garage and single-family residence. Properties proposed as a part of the Chenal Valley Development are located directly south of the site and are currently vacant.

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ITEM NO.: 6 (Cont.)

FILE NO.: Z-7948-C

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received one informational phone call from an area resident. All property owners located within 200 feet of the site, all residents, who could be identified, located within 300 feet of the site, the Coalition of West Little Rock Neighborhoods and the Duquesne Place Property Owners Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. With site development, provide the design of the street conforming to the Master Street Plan. Construct one-half street improvements to Highway 10 including 5-foot sidewalks with the planned development. The new back of curb should be located 29.5 feet from centerline. These improvements were previously deferred and were to be constructed prior to the issuance of the certificate of occupancy for Lot 2 in this subdivision.
2. Stormwater detention ordinance applies to this property. Show the proposed location for stormwater detention facilities on the plan. With additional impervious surface, additional detention is required to be provided.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: The site is located outside the City limits of Little Rock. No sewer service is available. Please provide certification from the Arkansas Department of Health concerning the proposed use of the property and the existing wastewater treatment system's ability to handle the additional capacity.

Entergy: No comment received.

Center-Point Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water: No objection. - All Central Arkansas Water requirements in effect at the time of request for water service must be met. Due to the nature of this facility, installation of an approved reduced pressure zone backflow preventer assembly (RPZA) is required on the domestic water service. This assembly must be installed prior to the first point of use. Central Arkansas Water (CAW) requires that upon installation of the RPZA, successful tests of the assembly must be completed by a Certified Assembly Tester licensed by the State of Arkansas and approved by CAW. The test results must be sent to

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SUBDIVISION

ITEM NO.: 6 (Cont.)

FILE NO.: Z-7948-C

CAW's Cross Connection Section within ten days of installation and annually thereafter. Contact 377-1226 if you would like to discuss backflow prevention requirements for this project. A Capital Investment Charge based on the size of the meter connection(s) will apply to this project in addition to normal charges. This fee will apply to all meter connections including any metered connections off the private fire system. Contact the fire department having jurisdiction to obtain information regarding the required placement of the hydrant(s) and contact Central Arkansas Water regarding procedures for installation of the hydrant(s). 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.

Fire Department: Located outside the City limits of the City of Little Rock. Provide a letter of approval from the area volunteer department indicating their knowledge of the proposed development and their ability to serve the additional uses of the building.

County Planning: Approved as submitted.

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

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: This request is located in the Barrett Planning District. The Land Use Plan shows Transition for this property. The applicant has applied for revised Planned Development Office to add general and professional office uses as allowable uses for the site. This rezoning is located along Highway 10, so development must meet the Highway 10 Design Overlay District standards. The request does not require a change to the Land Use Plan.

Master Street Plan: Highway 10 is a Principal Arterial. Portrait Place is a Private Drive. 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 Highway 10 since it is a Principal Arterial. 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: A Class II bikeway is shown along Highway 10. A Class II bikeway is located on the street as either a five foot (5') shoulder or six foot (6') marked bike lane. Additional paving and right of way may be required.

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ITEM NO.: 6 (Cont.)

FILE NO.: Z-7948-C

Neighborhood Action Plan: The property under review is not located in an area covered by a City of Little Rock recognized neighborhood action plan.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. Any additional paving must incorporate landscaping as required by Chapter 15—the City's Landscape Ordinance.
3. The site is located within the Highway 10 DOD. A 40-foot landscape strip is required along Highway 10.

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

Staff stated the original PD-O was approved for a photography studio and did not identify any alternate uses for the site. Staff stated the request was to allow general and professional office uses as allowable uses for the site. Staff stated the only modification to the site plan was additional parking and an area indicated for a future expansion located along the eastern side of the building. Staff stated the site would be leased to multiple tenants as office suites.

Public Works comments were addressed. Staff stated the boundary street improvement requirements were deferred for this site to the development of the adjacent lot located to the east. Staff stated street improvements were required to Highway 10 with the request unless a deferral was approved.

Landscaping comments were addressed. Staff stated the site was located within the Highway 10 Design Overlay District, which required the placement of a 40-foot landscape strip along Highway 10. Staff stated any additional paving was to incorporate landscaping as required by the Highway 10 DOD and the Landscape Ordinance.

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:

There were few outstanding technical issues associated with the request in need of addressing raised at the December 22, 2009, Subdivision Committee meeting. The request is to amend the previously approved PD-O for lot 1 to allow the

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FILE NO.: Z-7948-C

property to be used as general and professional offices. The site plan indicates a future expansion area (approximately 600 square feet) and the addition of eight (8) parking spaces for a total of fifteen (15) parking spaces. The building will be designed with furnished office space available for lease to other small office users. The site plan indicates a total of fourteen (14) to sixteen (16) leasable spaces would be available. According to the applicant most of the business contact by the office users will take place at the clients place of business and not at this location.

The building contains 3,426 square feet and with the proposed addition the building will contain 4,026 square feet. Parking for an office use is calculated at one (1) parking space per each four hundred (400) gross square feet of space. Based on the existing square footage a total of eight (8) parking spaces is required. With the addition a total of ten (10) parking spaces is required.

The site currently houses a dumpster. The previous approval did not limit the hours of dumpster service to daylight hours because the dumpster service company would not commit to only picking up the dumpster during daylight hours. The owner at the time indicated once daylight service could be obtained he would then limit dumpster service to daylight hours. The current applicant has made the same commitment.

The days and hours of operation for the office uses are typical office hours or from 7:30 am to 7:00 pm Monday through Saturday.

Any signage will comply with the development standards of the Highway 10 Design Overlay District. A maximum height of six (6) feet and a maximum sign area of seventy-two (72) square feet will be allowed. Building signage will be limited to a maximum of ten (10) percent of the façade area abutting the public street.

The request includes a continued deferral of the required street improvements to Highway 10. The applicant is requesting the deferral be approved as was with the original approval or until the development of the adjacent lot to the east. Staff is supportive of the deferral request.

There are no plans for development of Lot 2 at this time.

Staff is supportive of the request. The site is indicated as Transitional on the City's Future Land Use Plan. The proposed use of the property as general and professional office use is consistent with the Future Land Use Classification. Staff feels the placement of the office suites as proposed by the applicant should have minimal impact on the adjacent properties.

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I. STAFF RECOMMENDATION:

Staff recommends approval of the request to allow general and professional office uses as allowable uses for the site.

Staff recommends approval of the deferral request of the required street improvements to Highway 10 until the development of the adjacent lot to the east.

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PLANNING COMMISSION ACTION:

(JANUARY 14, 2010)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the request to allow general and professional office uses as allowable uses for the site. Staff also presented a recommendation of approval of the deferral request of the required street improvements to Highway 10 until the development of the adjacent lot to the east.

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.

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ITEM NO.: 7

FILE NO.: Z-8511

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NAME: The City Church Short-form PID

LOCATION: Located at 2201 Brookwood Drive

DEVELOPER:

The City Church  
Mr. Brad Newcomb  
P.O. Box 283  
Benton, AR 72018

SURVEYOR:

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

AREA: 5.26 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING: I-2, Light Industrial

ALLOWED USE: Industrial

PROPOSED ZONING: PID

PROPOSED USE: I-2, Light Industrial District uses and add a church as an allowable use

VARIANCES/WAIVERS REQUESTED: None requested.

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A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The property is located at 2201 Brookwood Drive. The City Church is proposing to occupy lease space Suite 111. The property is currently zoned I-2, Light Industrial District which does not allow a church as an allowable use. The request is to rezone the site to PID to add a church as an allowable use for the property. The church is proposing to occupy 15,480 square feet of an existing 92,880 square foot building.

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The City Church is a non-profit church that began in January 2009. Since that time the church has grown from about 25 persons to over 100 attendees. With the growth the church must relocate and desires to relocate to the Riverdale area of Little Rock. Services are held on weekends. Currently there is one service on Sunday at 10:20 am but the church hopes to add additional services as they grow. The church provides regular business office hours with several employees/volunteer staffing the office Monday through Friday. The noise level will be kept at a normal level during working hours and the church will be abiding by noise ordinances throughout the week and on weekends.

There are parking spaces that come along with the space and the leasing agent, Capital Properties, LLC, has given permission to use the building's additional parking on weekends. There are a total of 49 parking spaces located in the front of the building and additional parking is located in the rear of the building for a total of 125 parking spaces. Any additional activities that the church will have fall under normal church activities such as the neighborhood community service projects. The City Church works with local agencies to help feed and cloth the homeless. The church will not be a soup kitchen or provide a clothes shelter at this location.

B. EXISTING CONDITIONS:

This area of Riverdale is developed with a mix of single-family residential, multi-family residential, office and office/warehouse. This building is constructed as an office/warehouse building with multiple tenants. Brookwood Drive is constructed as a commercial street. There is not a sidewalk in place the entire length of Brookwood Drive.

To the west of the site is a railroad abutting Rebseman Park Road and further west is a single-family subdivision. To the east are offices and a multi-family development fronting Riverfront Drive. To the north is vacant industrially zoned property and further north is a multi-family development also fronting Riverfront Drive.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received one informational phone call from an area property owner. All property owners located within 200 feet of the site and all residents, who could be identified, located within 300 feet of the site were notified of the public hearing. The area is located near the Sherril Heights Neighborhood Association boundary but there is not a contact person for this association listed in the City maintained data base for Neighborhood Associations.

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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)

The applicant was not present. Staff stated the item was not routed to various agencies for review since the request was to rezone the site to PID to allow a church to utilize the site. Staff stated a church was proposing to occupy a portion of the office/warehouse building located on Brookwood Drive. Staff stated the applicant had indicated the developer had agreed to allow the church to utilize the parking located on the site during worship services. Staff stated the remaining businesses were typically not open during the church worship hours. Staff stated I-2, Light Industrial District uses would also be allowed for the site. Staff stated they would contact the applicant to address any outstanding issues associated with the request prior to the public hearing.

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 cover letter addressing issues raised by staff concerning the proposed development. The church is proposing to lease 15,480 square feet of the existing 92,880 square foot office/warehouse building. The church is proposed with a seating capacity of 225 in the main auditorium and 75 in the children's ministry area. Church services are proposed on Sunday only. There are one (1) to eight (8) employees at the site during the business week. The lease space has twenty-one (21) parking spaces designated to the space. There are approximately one hundred twenty-five (125) parking spaces available on weekends and the applicant has provided a lease agreement from the owner giving permission to utilize the additional parking provided the parking is not required of other businesses located within the development.

Seating for church activities is calculated at one (1) parking space for every four (4) seats in new principal assembly areas or additions to currently existing structures. Choir seating and areas for folding chairs shall be counted. Twenty (20) inches on a pew shall be considered one seat. Based on the typical parking required for this church, a total of seventy-five (75) parking spaces would be required.

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Signage is proposed consistent with the lease agreement between the property owner and the City Church. The lease agreement indicates the ability to place signage on the front face of the entrance canopy or sign plaque of the building. The lettering of the sign is limited to ten (10) inches in height. Lettering may also be placed on the entrance door or upon the plate glass windows of the leased premises provided the lettering not exceed sign (6) inches in height. It does not appear ground signage is permitted under the lease agreement.

According to the applicant any additional activities that the church may participate in fall under normal church activities such as the neighborhood community service projects. The City Church presently works with local agencies to help feed and cloth the homeless but the church will not be a soup kitchen or provide a clothes shelter at this location. Should these activities be desired in the future the applicant will be required to revise the PID to allow such activities to occur.

Staff is supportive of the request. The property is currently zoned I-2, Light Industrial District which does not allow a church as an allowable use. The applicant is requesting to rezone the site to PID to add a church as an allowable use for the property. There will be no exterior modifications to the site only interior cosmetic modifications. The site is located within an area that has developed with office and office/warehouse uses. There is multi-family located across Brookwood Drive but this building faces the rear of the multi-family development. To staffs knowledge there are no outstanding technical issues associated with the request. Staff feels the allowance of a church on this site should have minimal impact on the area.

G. STAFF RECOMMENDATION:

Staff recommends approval of the request to add a church as an allowable uses for the site maintaining I-2, Light Industrial District uses also as allowable uses.

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PLANNING COMMISSION ACTION:

(JANUARY 14, 2010)

The applicant was present. There was one registered objector present. Staff presented the item with a recommendation of approval of the request to add a church as an allowable uses for the site maintaining I-2, Light Industrial District uses also as allowable uses.

Mr. Darren Neely addressed the Commission on behalf of the City Church. He stated the church started meeting in the Statehouse Convention Center and later moved to Capitol and Broadway. He stated the building sold and the church lost their lease

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necessitating them to move to the Riverdale area. He requested to yield to the opposition and save the remainder of his time for rebuttal.

Ms. Mary V. Rush addressed the Commission in opposition of the request. She stated there were too many unanswered questions concerning the church, their mission statement and their activities. She stated the building had limited access and parking and questioned if the building was safe for this type occupancy. She stated the church indicated they would not be a soup kitchen but there were other churches which handed out "sack lunches" out the back door and were not considered a soup kitchen. She stated the area had two homeless camps located just south of the church site. She stated she did not feel this site was adequate for a church.

Mr. Neely addressed the Commission stating the Fire Marshal and City Building Code staff had visited the building and felt the building safe for this type use. He stated there were minor modifications to be completed such as panic bars and replacement of an exit sign. He stated based on their former location the church was very familiar with the homeless and issues related to the homeless. He stated the church worked directly with Union Rescue Mission and any request for assistance were referred to the Union Rescue Mission. He stated the church was affiliated with the Southern Baptist Convention and followed the Southern Baptist doctrine.

There was a general discussion by the Commission concerning the proposed use and the appropriateness of the use in this location. Commissioner Laha questioned the bays the church was occupying. Mr. Neely stated the church was occupying suites 107 and 108.

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 10 ayes, 1 noes and 0 absent.

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ITEM NO.: 8

FILE NO.: Z-8512

NAME: Christopher Homes of Little Rock Short-form PD-R

LOCATION: Located at 9216 Lanehart Road

DEVELOPER:

Christopher Homes of Arkansas  
2417 North Tyler Street  
Little Rock, AR 72207

SURVEYOR:

Brooks Surveying  
20820 Arch Street Pike  
Hensley, AR 72065

ARCHITECT:

Odom Peckham Architects Inc.  
2200 Brookwood Drive  
Little Rock, AR 72202

AREA: 2.25 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING: R-2, Single-family

ALLOWED USE: Single-family residential

PROPOSED ZONING: PD-R

PROPOSED USE: 20 Units—Elderly Housing

VARIANCES/WAIVERS REQUESTED: None requested.

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A. PROPOSAL/REQUEST/APPLICANTS STATEMENT:

Christopher Homes of Arkansas is a non-profit entity, sponsored by the Catholic Diocese of Little Rock. The sole purpose of Christopher Homes is to construct and manage apartment complexes that will provide high quality subsidized (HUD 202) housing for low income elderly Arkansans. There are twenty-two Arkansas

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communities but none are in Little Rock. During these tough economic times of shrinking or disappearing retirement funds, Christopher Homes feels there is a severe need for this kind of facility in the City.

Christopher Homes has selected a 2.25 acre tract on Lanehart Road, just east of Stagecoach Road as the proposed location. In order to construct the facility, the developers are requesting a rezoning of the property to PD-R with the approval specifically for elderly housing. The project will consist of four (4) one-bedroom apartments in five (5) separate buildings. The center will also contain a community building with a community/fellowship room, kitchen facility, laundry room, service coordinator's office and manager's office. On site there will also be a maintenance/storage building and thirty (30) over sized parking spaces.

The property is not located within a subdivision with a bill of assurance.

B. EXISTING CONDITIONS:

The area is predominately single-family with homes located on acreage. The site proposed for development is wooded. Lanehart Road is a narrow unimproved road with open ditches for drainage and no sidewalk in place. West of the site is an area developing as a more traditional single-family subdivision with accesses from Herndon Road.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received several informational phone calls 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, Southwest Little Rock United for Progress and the Stagecoach Dodd Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Lanehart 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 the site development, provide the design of the street conforming to the Master Street Plan. Construct one-half street improvement to Lanehart Road including 5-foot sidewalks with the planned development.
3. At least 20-feet of asphalt travel surface should be provided from McPherson Road to the subject property for emergency and City service vehicles.

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4. Plans of all work in the right of way shall be submitted for approval prior to the start of work. Obtain barricade permit prior to doing any work in the right of way from Traffic Engineering at (501) 379-1805.
5. 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.
6. Stormwater detention ordinance applies to this property.
7. 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.
8. Streetlights are required by Section 31-403 of the Little Rock Code of Ordinances. Provide plans for approval to Traffic Engineering. Streetlights must be installed prior to platting/certificate of occupancy. Contact Traffic Engineering at 379-1813 for additional information.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer main extension required with easements for this project. Capacity analysis required. 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. A Capitol Investment Charge is applicable to all connections off the waterlines along Lanehart Road. 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).

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Fire Department: Place fire hydrants per code. Contact the Little Rock Fire Department for additional information concerning this request.

County Planning: No comment.

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

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: This request is located in the 65<sup>th</sup> Street West Planning District. The Land Use Plan shows Residential Low Density for this property. The applicant has applied for a Planned Residential Development for an elderly residential facility. The proposed density for this request is 8.88 units per acre which is in excess of the typical allowable density for the Residential Low Density classification. Staff is supportive of the increased density since the development is elderly housing.

Master Street Plan: Lanehart Road is a Collector. The primary function of a Collector Street is to provide a connection from Local Streets to Arterials. This street may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: A Class II bike route is planned along Lanehart Road. A Class II bikeway is located on the street as either a five foot (5') shoulder or six foot (6') marked bike lane. Additional paving and right of way may be required.

Neighborhood Action Plan: This area is covered by the Pecan Lake Westwood Neighborhood Action Plan. Their Zoning and Land Use goal states: "Discourage high-density multifamily developments in the area - preferring low density developments."

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. A land use buffer along the eastern and western perimeters of 12.72 feet is required and in no case less than nine (9) feet. A land use buffer of 27.72 feet is required along the northern perimeter. Utility easements cannot count in computing the depth of a required land use buffer.
3. A screening mechanism is required along the northern, eastern and western perimeters of the site. The screening may be provided in the form of a six-foot opaque fence with the face side directed outward, a wall or dense

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evergreen plantings. Provide a note on the site plan as to the desired screening mechanism.

4. A street buffer of 27.72 feet is required along Lanehart Road.
5. An irrigation system to water landscaped areas will be required.
6. Prior to obtaining a construction permit, it will be necessary to provide landscape plans stamped with the seal of a Registered Landscape Architect.

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

Mr. Darrell Odem was present representing the applicant. Staff stated there were few outstanding technical issues in need of addressing related to the proposed site plan. Staff stated the request was a rezoning to PD-R to allow the construction of elderly housing. Staff stated a minimum of ten to fifteen percent of the site was to be designated as common usable open space. Staff noted the site plan included a community garden located along the western perimeter of the site. Staff questioned the circular drive located near the maintenance building. Staff stated the drive encroached into the required land use buffer and requested Mr. Odem consider removing the drive.

Public Works comments were addressed. Staff stated Lanehart Road was a narrow unimproved street which did not allow proper access to the site. Staff stated Lanehart Road should be improved from McPhearson Road to the site to allow for a minimum of twenty feet of pavement to allow access to the site. Staff stated the City's Stormwater Detention Ordinance would apply to the future development of the site. Staff also stated streetlights would be required to be installed as required by Section 31-403 of the Little Rock Code of Ordinances.

Mr. Odom stated the developers were requesting a waiver of the street construction requirements for Lanehart Road. He stated staff was requesting approximately 800-feet of off-site improvements to Lanehart Road be constructed. The Commission questioned if they could require off-site improvements. Staff stated if the Commission did not feel there was adequate access to a site, the Commission did not have to approve the rezoning request.

Landscaping comments were addressed. Staff stated a land use buffer was required along the site's perimeters. Staff stated screening was also required along the northern, eastern and western perimeters. Staff stated a street buffer of approximately twenty-eight (28) feet was required along Lanehart Road.

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.

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H. 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 has removed the circular drive located along the western perimeter. The site plan also indicates both private and public open space to serve the development adequate to meet the typical requirements of the PZD ordinance. Community gardens have been indicated on the site plan. A minimum of ten (10) percent of the site will be common open space. Each of the units will have a fifteen (15) foot front porch and a small rear yard for a total of 600 square feet of private open space per unit.

The five (5) buildings are proposed as single-story buildings with four (4) units per building for a total of twenty (20) units. The site plan indicates the buildings will be located 50 feet from the new right of way of Lanehart Road. The buildings are indicated with a sixteen (16) foot setback from the east property line and a forty-one (41) foot setback from the western property line. A community building located on the site has been placed with a sixteen (16) foot side yard setback along the western perimeter. The rear yard setback is indicated at thirty (30) feet.

There are thirty (30) parking spaces indicated on the site plan. The typical parking required for a multi-family development containing twenty (20) units based on one and one-half (1½) parking spaces per unit is twenty (20) spaces.

The site plan indicates the placement of a dumpster facility to serve the development. A note on the site plan indicates the dumpster will be screened per typical ordinance standards. The hours of dumpster service have been limited to daylight hours.

A six (6) foot wood fence has been indicated along the eastern, northern and western perimeter to provide screening. The site plan indicates the placement of a sixteen (16) foot minimum land use buffer along the eastern and western perimeters and a thirty (30) foot land use buffer along the northern perimeter. The buffer ordinance would typically require the placement of a thirteen (13) foot buffer along the eastern and western perimeters and twenty-eight (28) feet along the northern perimeter. The street buffer is indicated as typically required by the buffer ordinance. The buffer width is indicated with a width of not less than twenty-eight (28) feet.

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The revised cover letter indicates no furnished transportation or common dining facility will be provided for the development. A service coordinator will be on site to assist residents and the development will have a community building with a common room, kitchen and storage for group activities.

The applicant has worked with public works staff concerning the off-site improvements required to allow adequate access to the development. Lanehart Road is a narrow drive which will not allow for proper access of City vehicles or emergency vehicles. This site is located approximately 800 feet from the intersection of McPhearson Road and Lanehart Road. The developer has indicated additional paving will be added to allow for a minimum of twenty (20) feet of hard surface paving for the entire 800 foot length. Since there is not sufficient right of way in place along this 800 foot frontage, the entire widening will take place to the north within an Entergy easement located on property owned by the Catholic Diocese of Little Rock. A dedication of right of way 30 feet from centerline will be provided along the property frontage. The developer will install the required street improvements including curb, gutter and sidewalk along the property frontage proposed for development. Staff is supportive of the applicant's proposal.

The 2.25 acres is a part of an overall larger tract owned by the Catholic Diocese. Prior to the issuance of a building permit the owner will be required to submit a preliminary plat for the entire acreage and prepare and execute a final plat for this 2.25 acre parcel.

Staff is supportive of the request. The development is proposed as an age limited HUD 202 Elderly Housing development. The minimum age allowed for residents is 62 years. Although the overall density of 8.8 units per acre is more than typically allowed per the Residential Low Density classification the development is proposed for an age specific population. To staffs knowledge there are no remaining outstanding technical issues 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.

Staff recommends prior to the issuance of a building permit a preliminary plat be prepared for the entire acreage owned by the Catholic Diocese and a final plat be prepared and executed for the area proposed for development.

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ITEM NO.: 8 (Cont.)

FILE NO.: Z-8512

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PLANNING COMMISSION ACTION:

(JANUARY 14, 2010)

The applicant was present representing the request. 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 also presented a recommendation that prior to the issuance of a building permit a preliminary plat be prepared for the entire acreage owned by the Catholic Diocese and a final plat be prepared and executed for the area proposed for development.

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.

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ITEM NO.: 9

FILE NO.: Z-8513

NAME: Little Rock Housing Authority Braddock's Addition Short-form PD-R

LOCATION: Located South of West 18th between Valentine and Valmar Streets

DEVELOPER:

Little Rock Housing Authority  
100 South Arch Street  
Little Rock, AR 72201

SURVEYOR:

Rasburry Surveying  
117 S. Market Street, Suite 201  
Benton, AR 72015

ARCHITECT:

Brian Black, AIA  
Black, Corley, Owens & Hughes, PA  
219 West South Street  
Benton, AR 72015

AREA: 0.51 acres      NUMBER OF LOTS: 1 zoning lot      FT. NEW STREET: 0 LF

CURRENT ZONING: R-3, Single-family

ALLOWED USE: Single-family residential

PROPOSED ZONING: PD-R

PROPOSED USE: Duplex Housing - 8 units

VARIANCES/WAIVERS REQUESTED: None requested.

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A. PROPOSAL/REQUEST/APPLICANTS STATEMENT:

The Little Rock Housing Authority is proposing a rezoning of the site from R-3, Single-family to PD-R to allow the development of four (4) duplexes on these four (4) previously platted lots. The homes are proposed as two story homes with

SUBDIVISION

ITEM NO.: 9 (Cont.)

FILE NO.: Z-8513

similar characteristics and construction materials as the existing homes in the area.

According to the applicant's cover letter the Stephens neighborhood suffers from the lack of quality of life, infrastructure, crime, high abandonment and vacancy. With the availability of affordable housing options in other neighborhoods, private entities view the Stephens neighborhood as unattractive to make investments in the housing stock, limiting LRHA's ability to acquire existing properties. The properties under consideration are vacant residential parcels. Upon approval the Little Rock Housing Authority will construct the new homes. The unit break-down is as follows:

1 bedroom	1 bath	Minimum Unit Net Area	750 sq. ft.
2 bedroom	1.5 bath	Minimum Unit Net Area	950 sq. ft.
3 bedroom	2 bath	Minimum Unit Net Area	1150 sq. ft.
4 bedroom	2 bath	Minimum Unit Net Area	1300 sq. ft.

B. EXISTING CONDITIONS:

This area is predominately single-family and public uses. The site is currently vacant with single-family homes located to the south and west. Northwest of the site is Stephens Elementary School and across West 18<sup>th</sup> Street is a City Park. West 18<sup>th</sup>, Valmar and Valentine Streets are constructed as a residential street. West 18<sup>th</sup> Street is a very narrow street without sufficient right of way in place. Sidewalks are not in place adjacent to the site proposed for development.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received one informational phone call from an area resident. 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 Stephen's Area Faith 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 West 18<sup>th</sup> and Valentine Streets.
2. A 20-foot radial dedication of right of way is required at the intersection of West 18<sup>th</sup> and Valmar Streets.
3. The entire width of the alley adjacent to this development should be paved.

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ITEM NO.: 9 (Cont.)

FILE NO.: Z-8513

4. Plans of all work in the right of way shall be submitted for approval prior to the start of work. Obtain barricade permit prior to doing any work in the right of way from Traffic Engineering at (501) 379-1805.
5. Repair or replace any curb and gutter or sidewalk that is damaged in the public right of way prior to occupancy.
6. Sidewalks with appropriate handicap ramps are required in accordance with Section 31-175 of the Little Rock Code of Ordinances.
7. Measures to control the increase in the stormwater runoff from the increased impervious surface should be implemented to not damage adjacent property.

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. Normal charges for new service apply.

Fire Department: Approved as submitted.

County Planning: No comment received.

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

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 Planned Residential Development for four (4) duplex structures containing eight (8) residential units. Although the proposed density for this request is not consistent with Residential Low Density classification the request is to allow the development of duplex housing which staff feels is appropriate.

Master Street Plan: West 18<sup>th</sup>, South Valentine, and South Valmar Streets are all shown as Local Streets. The primary function of a Local Street is to provide

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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. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

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

Neighborhood Action Plan: This area is covered by the Stephens Neighborhood Action Plan. Their Housing goal states a need for more affordable housing and neighborhood beautification.

Landscape: No comment.

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

Mr. Gerald Turner and Mr. Joe White were present representing the request. Staff presented the item stating there were few outstanding technical issues in need of addressing related to the site plan. Staff stated a minimum of ten to fifteen percent of the site was to be used as common usable open space. Staff stated duplex development also required a minimum of five hundred square feet of usable private open space to be provided. Staff questioned if any fencing was proposed.

Public Works comments were addressed. Staff stated radial dedications were required at the intersections. Staff stated the entire width of the alley adjacent to the site was to be paved with the redevelopment. Staff stated sidewalks were required along the boundary streets and any existing sidewalk that was broken or damaged was to be repaired as a part of the redevelopment of the site.

Staff raised concerns related to the existing right of way of West 18<sup>th</sup> Street and the parking as proposed. Staff questioned if the parking was located within the right of way. Mr. White stated the parking was located on the applicant's property and the car doors would swing into the right of way. Staff stated they felt a better option would be to dedicate the right of way and allow the required parking to be located on the street.

Staff stated since the development was proposed as duplex development there were no special requirements related to landscaping.

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.

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H. ANALYSIS:

The applicant provided responses to staff's comments raised at the December 22, 2009, Subdivision Committee meeting. The applicant has indicated a minimum of ten (10) to fifteen (15) percent of the gross planned residential development will be designated as common open space and a minimum of five hundred (500) square feet of usable private open space will be provided for each of the units. The applicant has indicated perimeter fencing will not be installed but a note on the site plan indicates possible future construction of a fence on the eastern property line.

The development is proposed as four (4) buildings of duplex housing for a total of eight (8) units on four (4) previously platted lots. The site is presently zoned R-3, Single-family which through a Conditional Use Permit review process typically allows the placement of duplex housing. The overall density proposed is 15.69 units per acre. Although the proposed density for this request is not consistent with Residential Low Density classification the request is to allow the development of duplex housing which staff feels is appropriate.

The homes are proposed as two (2) story homes with similar characteristics and construction materials as the existing homes in the area. The maximum building height will be as allowed in the R-3, Single-family zoning district or a maximum of thirty-five (35) feet in height.

The applicant has not addressed staff concerns raised at the Subdivision Committee meeting concerning the existing right of way of West 18<sup>th</sup> Street and the parking as proposed along West 18<sup>th</sup> Street. The site plan indicates the placement of parking on the applicant's property with the car doors opening into the right of way. Since the right of way along West 18<sup>th</sup> Street is not adequate to meet the Master Street Plan, staff recommends the applicant provide right of way to the back of the sidewalk and allow the required parking to be located on the street.

To staff's knowledge there are no outstanding issues associated with the request. The site is located within an area of single-family and two-family homes. Although the proposed density for this request is not consistent with Residential Low Density classification the request is to allow the development of duplex housing which staff feels is appropriate.

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.

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Staff recommends right of way dedication on West 18<sup>th</sup> Street be provided to the back of the proposed sidewalk.

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PLANNING COMMISSION ACTION:

(JANUARY 14, 2010)

The applicant was present representing the request. 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 the right of way dedication on West 18<sup>th</sup> Street be provided to the back of the proposed sidewalk.

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.

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ITEM NO.: 10

FILE NO.: Z-8514

NAME: Little Rock Housing Authority Park Addition Short-form PD-R

LOCATION: Located on the Southeast corner of 12th and Park Streets

DEVELOPER:

Little Rock Housing Authority  
100 South Arch Street  
Little Rock, AR 72201

SURVEYOR:

Rasburry Surveying  
117 S. Market Street, Suite 201  
Benton, AR 72015

ARCHITECT:

Brian Black, AIA  
Black, Corley, Owens & Hughes, PA  
219 West South Street  
Benton, AR 72015

AREA: 0.68 acres      NUMBER OF LOTS: 1 zoning lot      FT. NEW STREET: 0 LF

CURRENT ZONING:      R-3, Single-family

ALLOWED USE:      Single-family residential

PROPOSED ZONING:      PD-R

PROPOSED USE:      Duplex & Single-family Housing—5 units

VARIANCES/WAIVERS REQUESTED: None requested.

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A. PROPOSAL/REQUEST/APPLICANTS STATEMENT:

The Little Rock Housing Authority is proposing a rezoning of the site from R-3, Single-family to PD-R to allow the development of five (5) residential units (2 duplexes and 1 single-family residence) on these four (4) previously platted lots. The density proposed is 7.35 units per acre. The homes are proposed as two

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story homes with similar characteristics and construction materials as the existing homes in the area.

According to the applicant's cover letter the Central High neighborhood suffers from the lack of quality of life, infrastructure, crime, high abandonment and vacancy. With the availability of affordable housing options in other neighborhoods, private entities view the Central High neighborhood as unattractive to make investments in the housing stock, limiting LRHA's ability to acquire existing properties. The properties under consideration are vacant residential parcels. Upon approval the Little Rock Housing Authority will construct the new homes. The unit break-down is as follows:

1 bedroom	1 bath	Minimum Unit Net Area	750 sq. ft.
2 bedroom	1.5 bath	Minimum Unit Net Area	950 sq. ft.
3 bedroom	2 bath	Minimum Unit Net Area	1150 sq. ft.
4 bedroom	2 bath	Minimum Unit Net Area	1300 sq. ft.

B. EXISTING CONDITIONS:

The area is a mixture of uses including commercial and residential in both single-family and multi-family. East, south and west of the site are single-family homes. Across Park Street is a laundry facility and further west is a site zoned POD approved to allow construction of a trade school and office development on the property north of West 18<sup>th</sup> Street with a parking lot located south of West 18<sup>th</sup> Street.

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 Central High and the Capitol Hill Neighborhood Associations 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 12<sup>th</sup> and Park Streets.
2. Repair or replace any broken curb and gutter or sidewalk that is damaged in the public right of way prior to occupancy.
3. The access ramp located at the intersection of 12<sup>th</sup> and Park Streets should be reconstructed to meet ADA standards.

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E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer main extension required with easements to serve all parcels. Contact Little Rock Wastewater Utility for additional information.

Entergy: A 3 $\phi$  electrical circuit is existing on Park Street. Any pole relocation requires contribution by customer for full cost of relocation. 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. Contact Central Arkansas Water regarding the size and location of the water meter. Normal charges for new service apply.

Fire Department: Approved as submitted.

County Planning: No comment.

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

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: This request is located in the Central City Planning District. The Land Use Plan shows Residential Low Density for this property. The applicant has applied for Planned Residential Development for five (5) residential units. This site is located within the Central High Design Overlay District, so it should meet the standards of the Overlay.

Master Street Plan: 12<sup>th</sup> Street is a Collector. Park Street is a Local Street. The primary function of a Collector Street is to provide a connection from Local Streets to Arterials. 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. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

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

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Neighborhood Action Plan: The property under review is not located in an area covered by a City of Little Rock recognized neighborhood action plan.

Landscape: No comment.

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

Mr. Gerald Turner and Mr. Joe White were present representing the request. Staff presented the item stating there were few outstanding technical issues in need of addressing related to the site plan. Staff stated a minimum of ten to fifteen percent of the site was to be used as common usable open space. Staff stated duplex development also required a minimum of five hundred square feet of usable private open space to be provided. Staff stated the development was located within the Central High Design Overlay District. Staff stated the comments included the development criteria of the DOD and requested Mr. Turner and Mr. White address each of the items individually to assure compliance with the DOD.

Public Works comments were addressed. Staff stated radial dedications were required at the intersections. Staff stated sidewalks were required along the boundary streets and any existing sidewalk that was broken or damaged was to be repaired as a part of the redevelopment of the site.

Staff stated since the development was proposed as duplex development there were no special requirements related to landscaping.

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 and cover letter to staff addressing the issues raised at the December 22, 2009, Subdivision Committee meeting. The site plan indicates a minimum of ten (10) to fifteen (15) percent of the total site area will be designated as common open space and each of the units will have a minimum of five hundred (500) square feet of private open space. The site is also located within the Central High Design Overlay District. According to the applicant the site development will comply with all aspects of the DOD. The development is proposed to fit the character of the neighborhood therefore no perimeter fencing is proposed at this time. A note on the site plan indicates possible future construction of a six (6) foot opaque fence.

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The following list the Central High DOD requirements which the applicant has indicated full compliance with each of the following development criteria:

DOD Requirements -	Applicant's response -
A roof pitch of less than 8:12 is prohibited. Decorative roof features such as metal cresting, tile ridge caps, or other ornamentation must be reinstalled when roofing or doing roof repairs. Tile roofs shall be preserved.	The roof pitch will exceed a 8:12 roof pitch. The development is new construction.
The materials of the exterior shall be wood, brick, other masonry or a material that resembles wood.	All materials will comply with the DOD standards.
The orientation shall be consistent with that of other structures on the developed block face.	The new structures will be oriented facing South Park Street, consistent with other development on the block face.
The primary entrance shall be consistent with that of other structures on the developed block face.	The primary entrances will face South Park Street.
The front yard setback shall be 15 feet. All other setbacks shall be as prescribed by the property's zoning district.	The front yard setback will be fifteen (15) feet. All other setbacks will be consistent with the R-3, Single-family zoning district.
No off-street parking pads are allowed between the front of the principal structure and a public street. Surface parking is to be located behind or adjacent to a structure. Driveways are permitted to be installed in the front yard setback, but not between the principal structure and a public street. Parking pads, as used in this section, are to be defined as public street. Parking pads, as used in this section, are to be defined as permanent surface or concrete, asphalt, modular pavers, masonry, gravel or other permanent surface to be used for the purpose of parking or storage of vehicles.	No parking pads are proposed. All parking will be provided on the street.
Detached garage and carport locations shall be located to the rear of the principal structure and shall not be located in the front setback. Attached	No garages or carports are proposed.

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<p>garages must have garage door openings that face side streets, interior lot lines, or alleys.</p>	
<p>Accessory building coverage within the 25-foot setback from the rear property line shall be no more than 40% of the area in that section. Accessory building setbacks shall be per Chapter 36-156.</p>	<p>No accessory buildings are proposed.</p>
<p>Residential structures must have a front porch that is a passageway from the street to the front door of the unit(s) on new residential construction and additions/modifications to the front façade of existing residential structures.</p>	<p>All new construction will contain a front porch as required by the DOD.</p>
<p>Mechanical service equipment (including but not limited to air conditioner condensing units, transformer, solar collectors, satellite dishes, etc.) shall be located in the rear yards or on a rear-facing roof.</p>	<p>All mechanical and service equipment will be located within the rear yard area.</p>
<p>All residentially zoned property shall have a four-foot sidewalk on both sides of the vehicular area.</p>	<p>A four (4) foot sidewalk will be constructed along South Park Street and from the street to the front porch of the new units.</p>
<p>Trees greater than fourteen inches in diameter, measured at four and one-half feet above the ground, shall be protected from removal and damages in future development of the district. Any development within fifty feet of any such tree shall be reviewed prior to development to assure protective measures are included and in place. Tree removal can only be done if approved by the City's Urban Forester. Penalties for violations shall be listed in Chapter 1-9. For trees in the public right of way see Section 15-51.</p>	<p>There are few trees located on this site and no trees greater than fourteen (14) inches in diameter. Measures will be taken to protect the trees existing on the site.</p>
<p>Planting of trees in areas void of shade and canopy will be conducted as follows: Tree species will be selected based on its mature size, growth, habit, and optimal site requirements. In any development that requires compliance</p>	<p>Tree plantings will comply with the DOD standards.</p>

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with the provisions of this district, at least two (2) trees shall be planted in the front yard setback. Trees shall be selected from the list of appropriate trees listed in Chapter 15.	
Ensure that tree plantings do not interfere with above or below ground utilities, obstruct views at intersections, or cause other public safety concerns.	Will comply.
Trees planted on public lands shall be at least two inches in caliper and ten feet in height.	Will comply.
The City's urban forester shall advise about tree selection, planting guidelines and tree placement.	
Trees planted in tree grates or in cutouts within sidewalks shall have a minimum of thirty-six square feet area. Tree pits shall be excavated to a depth of a minimum of eighteen inches and back filled with topsoil.	Will comply.

The homes are proposed as two (2) story homes with similar characteristics and construction materials as the existing homes in the area. The maximum building height will be as allowed in the R-3, Single-family zoning district or a maximum of thirty-five (35) feet in height.

Staff is supportive of the request. The applicant is seeking a PD-R to allow the construction of two (2) duplex units and a single-family home located on four (4) previously platted lots. The proposed density for this request of 7.35 units per acre is somewhat greater than Residential Low Density but the site is presently zoned R-3, Single-family which through a Conditional Use Permit would allow construction of the proposed duplex units. The new construction is located within the Central High Design Overlay District and the development is proposed to fully comply with the development criteria of the DOD. To staffs knowledge there are no outstanding technical issues associated with the request. Staff feels the development as proposed is appropriate for the site.

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.

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PLANNING COMMISSION ACTION:

(JANUARY 14, 2010)

The applicant was present representing the request. There was one registered objector 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.

Ms. Shelly Ehenger addressed the Commission on behalf of the Little Rock Housing Authority. She stated the Housing Authority had worked with the Capitol Hills and Stephens Neighborhoods to develop a plan for housing in the area. She stated the Housing Authority had received a grant of 2.6 million dollars to invest in these two neighborhoods and the Housing Authority had received an additional 8 million dollars to spend in the Central High and Stephens Neighborhoods.

Mr. Brian Black addressed the Commission. He stated his architectural firm had been contacted to develop the site plans for the units. He stated after a number of meetings with the Central High and Capitol Hill neighborhoods a plan was prepared and accepted by those involved. He stated the construction materials and design would be similar to the existing homes in the area. He stated the units would be two story with porches, railings and roof pitches to compliment the neighborhood.

Mr. Robert Jones of the Capitol Hill Neighborhood Association addressed the Commission in opposition of the request. He stated his neighborhood was not involved in the development process and was not notified by the Housing Authority of plans for redevelopment in the area. He stated there were concerns and objections to the development. He stated the residents main concern was related to the intersection of 12<sup>th</sup> and Park Streets. He stated a second concern was that the area was predominately rental and felt owner occupied housing was more appropriate for the neighborhoods. He stated his neighborhood had not been presented with the proposed building elevations and his residents were concerned the development would not protect the integrity of the neighborhood. He stated his residents felt with the notification provided the development was already a done deal. He stated the process should be more inclusive and all his neighborhood was asking was to be invited to the party.

There was a general discussion concerning notification. Commissioner Nunnley stated "we are all doing more with less". He stated residents were going to have to take some responsibility to seek information on their own.

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, 2 noes and 0 absent.

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There being no further business before the Commission, the meeting was adjourned at 5:39 p.m.

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Date

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Chairman

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Secretary