

LITTLE ROCK PLANNING COMMISSION
PLANNING – REZONING – CONDITIONAL USE HEARING
MINUTE RECORD

APRIL 2, 2009

4:00 P.M.

I. Roll Call and Finding of a Quorum

A Quorum was present being ten (10) in number.

II. Members Present: William Changose
J. T. Ferstl
Troy Laha
Jerry Meyer
Obay Nunnley, Jr.
Bill Rector
Billy Rouse
Candice Smith
Chauncey Taylor
Jeff Yates

Members Absent: Pam Adcock

City Attorney: Cindy Dawson

III. Approval of the Minutes of the February 19, 2009 Meeting of the Little Rock Planning Commission. The Minutes were approved as presented.

LITTLE ROCK PLANNING COMMISSION
PLANNING – REZONING – CONDITIONAL USE HEARING

APRIL 2, 2009

4:00 P.M.

I. OLD BUSINESS:

<u>Item Number:</u>	<u>File Number:</u>	<u>Title</u>
A.	<u>MSP2008</u>	Master Street Plan Update – Adoption of Master Street Plan for Little Rock Planning Jurisdiction
B.	<u>LU08-19-02</u>	Land Use Plan Amendment – Chenal Planning District, located on the East side of Rahling Road, South of Pebble Beach Drive, a change from Low Density Residential and Single-family to Multi Family, Commercial, Office, Single Family and Open Space.
B.1	<u>Z-8165-A</u>	Revision to previously approved rezoning application, located on the East side of Rahling Road, South of Pebble Beach Drive.

II. NEW BUSINESS:

<u>Item Number:</u>	<u>File Number:</u>	<u>Title</u>
1.	<u>Z-8443</u>	Rezoning from R-2 to C-3 6104 Nova Lane
2.	<u>Z-8444</u>	Rezoning from R-2 to M East of Arch Street Pike, south of Interstate 30
3.	<u>G-23-408</u>	Alley – Right-of-Way Abandonment Block 94, Original City of Little Rock
4.	<u>Z-4907-A</u>	Celebrity Cutz Barber and Beauty Salon – Conditional Use Permit 4021 Asher Avenue
5.	<u>Z-6828-C</u>	Aloft Hotel – Conditional Use Permit 1900 Peachtree Drive

II. NEW BUSINESS: (CONTINUED)

<u>Item Number:</u>	<u>File Number:</u>	<u>Title</u>
6.	<u>Z-8440</u>	Doyne Duplexes – Conditional Use Permit 4703, 4707 and 4711 Frazier Pike
7.	<u>Z-8441</u>	Arkansas Baptist College Parking Lot – Conditional Use Permit 1504 – 1510 Dr. Martin Luther King, Jr. Drive
8.	<u>Z-8442</u>	Arkansas Baptist College Student Services Center Offices – Conditional Use Permit 1519 Dr. Martin Luther King, Jr. Drive
9.		Amendment to Chapter 36, Section 36-203.(g) to extend the sunset provision on LRSD portable classrooms.
10.	<u>A-318</u>	Independence Farms North Annexation, part of SW ¼ Section 36, T-2-N, R-14-W, some 3.23 Acres at 17424 Kanis Road.
11.		Presentation of the Downtown Framework Plan

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ITEM NO.: A

FILE NO.: MSP2008

Name: Master Street Plan

Source: Staff

PROPOSAL / REQUEST:

The City of Little Rock has the authority to adopt a Master Street Plan to set guidelines for growth and function of the city's street and highway pattern. The current version of the Master Street Plan was adopted August 2, 2004 by Ordinance 19,152. Since that time, there have been several small amendments to the document. The Master Street Plan document as a whole needs to be updated periodically to ensure the plan is current and up-to-date. The proposed amendment is this type of update. Staff was asked in the fall of 2007 to review a few issues in the Master Street Plan. Upon review, staff discovered several omissions and typos that needed correcting. Over the winter of 2007-2008, several meetings between Planning staff and Public Works staff were held to address these issues. A new draft emerged from these meeting with several changes to the current version. This new draft was posted on the City of Little Rock's website in the spring of 2008 and a letter with a list of proposed changes and a link to the online draft was sent to approximately 50 people on the city's contact list.

Staff presented the new draft to the Plans Committee in June 2008. The Plans Committee has no issues with this draft. A public meeting was held on August 14, 2008 at the Metroplan conference room to discuss these changes. Over 50 people were invited, but there were only about six attendees. Staff has received calls from citizens regarding this new draft, but there was no opposition to the amendment. These calls were mostly just clarification type questions.

Most of the changes presented in this new draft are "clean-up" type changes. These changes are needed to ensure this document is consistent with previous changes over the years and to ensure there are no omissions from previous amendments. Following is a list of changes being considered. The first group of changes are formatting issues.

1. Current Situation: existing graphics

Proposed Changes: modifying graphics for typical turn lane configurations.

Removed duplicate drawings.

2. Current Situation: chart footnote currently says: "All minimum design standards comply with the 2001 AASHTO Policy on Geometric Design Manual, Fourth Edition."

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Proposed Changes: Changed to state: "All Minimum design standards comply with the latest version of the AASHTO Policy on Geometric Design Manual."

3. Current Situation: organizational issues

Proposed Changes: rearrange order of book. Move glossary to end and bring Authority to Section 1. Rearrange the design standards for each road classification to group all like elements together. Added "from" and "to" on special design standard listings.

4. Current Situation: The current Master Street Plan version does not include a map for the bike routes.

Proposed Changes: Added another section to include bike route maps.

The second group of changes deals with errors in the existing document based on research of all previous ordinances.

1. Current Situation: no definitions listed in glossary for these items

Proposed Changes: Added definitions for Collector, Commercial Street, Local Street, Minor Arterial, and Principal Arterial.

2. Current Situation: no info on Minor Residential Street

Proposed Changes: add a page for Minor Residential streets with a new graphic

3. Current Situation: Rahling Road was listed as a Principal Arterial on the special design standards

Proposed Changes: According to Ord. 17183 this section (from Taylor Loop to Chenal Parkway) is a Minor. Move to correct section.

4. Current Situation: Under Principal Arterial special design standards, Chicot Road is listed with reduced right of way from I-30 Interchange to Taliferro/Hillsboro.

Proposed Changes: In 2001, we showed Chicot Road with reduced design standards from Baseline to Mabelvale Cutoff. In 2004, we listed it with reduced standards from I-30 to Taliferro/Hillsboro. We still show on the actual map that it is only from Baseline to Mabelvale Cutoff. This change would bring the reduced standards back to Baseline to Mabelvale Cutoff only as was originally approved by Ordinance 15964 on 11/20/90.

5. Current Situation: Under Minor Arterials with special design standards, Scott Hamilton Road was shown with reduced right of ways from 65th street to Baseline Road. Staff believes this stems back to Ordinance 17021 from 11/21/95. This Ordinance modified Scott Hamilton Road as a Minor Arterial. It had been classified as a Minor from the I-30 interchange to Baseline Road. This

ordinance changed it to read “ from 65th Street to Baseline Road.” It did not say anything about reduced design standards.

Proposed Changes: Remove Scott Hamilton Road from alternative design standards listing.

6. Current Situation: West 36th is shown as a Minor Arterial with reduced design standards for two separate sections. Staff feels this should be changed to only be listed once.

Proposed Changes: remove West 36th street from under “Right of Way 70 feet with a four-lane section, five lanes at major intersections with additional right of way.”

7. Current Situation: Fawn Tree was accidentally left on the map as Collector. Ordinance 17525 reduced it to a Local Street.

Proposed Changes: show Fawn Tree as Local Street on new map.

8. Current Situation: Taylor Loop Road is shown as a Collector on the MSP.

Proposed Changes: On Sept 18, 2001, Ordinance 18562 amended the MSP at Taylor Loop. This ordinance changed four things:

"SECTION 1. That the Minor Arterial for an extension of Chenal Valley Drive from Taylor Loop at Lucky lane to Chenal Parkway at the northern intersection of Chenal Valley Drive be removed from the plan.

SECTION 2. That the Collector from the previous named Minor Arterial eastward to connect with Rahling Road north of the Pebble Beach intersection be removed from the Plan.

SECTION 3. That the La Marche Collector be **realigned to intersect Taylor Loop Road at Lucky Lane** on the Plan. Curb cuts will be limited to intersecting streets only. SECTION 4. That Taylor Loop Road from Lucky Lane north to Cantrell Road be reclassified from a Minor Arterial to a Collector. **The design standard shall be a four-lane section with turn lanes as appropriate with an 80' right of way.**

This would require an addition of Taylor Loop Road on the Collectors with special design standards page. Staff recommends keeping Taylor Loop Road as a Collector with typical Collector design standards.

9. Current Situation: chart on page 2 of Section 3

Proposed Changes: Removed the row for “Minimum sight distance at crest of vertical curve.” Rearranged and added a footnote for Minor Residential streets requiring a parking restriction on one side of a street if only 24' of pavement.

10. Current Situation: list of Collectors with special conditions

Proposed Changes: College Street added as per Ordinance 18838. Changed “Unnamed Collector” to Sienna Lakes from Chicopee Trail to Crystal Valley (ORD 19109).

11. Current Situation: University Avenue was shown as a Principal Arterial with special design standards on the map, but it was not listed separately.

Proposed Changes: University Avenue from Lee to Markham listed as a Principal Arterial with special design standards (“100’ with typical lane cross sections”) as per the 2001 Master Street Plan listing. This listing was accidentally omitted in a later version.

12. Current Situation: On the map section, River Mountain Road as still shown as a Minor Arterial.

Proposed Changes: According to Ordinance 17891, River Mountain Road should be shown as a Local Street. This has been corrected on the new map.

13. Current Situation: Goodson Road was shown as a Local Street on the existing map section.

Proposed Changes: The new maps will show Goodson Road as a Collector as per Ordinance 17303.

While the majority of these changes are very minor, there are three issues being addressed that are more significant. The first of these changes addresses the fact that Collectors are only required to have sidewalks on one side now. This amendment would require all **Commercial Streets** to have sidewalks on both sides. The Public Works Department has already been requesting Commercial Streets to build sidewalks on both sides of the street and staff would like to see this incorporated into the actual Master Street Plan to ensure consistency between all developments. Residential Collectors would still only be required to have a sidewalk on one side of the street.

Another more significant change addresses parking on Minor Residential Streets. These streets currently allow a minimum pavement width of 24'. This amendment would change the requirement to a minimum pavement width of 26' with no parking restriction or a minimum of 24' with a parking restriction for one side. This change is to make sure that these narrow roads are safe for parking and moving traffic efficiently.

The last change was included to address traffic calming measures. Currently the Master Street Plan does not address this topic at all, and this amendment would insert a paragraph to include traffic calming requirements. This is found on page 7 of the new draft. This amendment is an effort to design streets that move traffic efficiently without having to retrofit these streets after the fact.

A few more substantial changes had been included, but these have been removed from the package. Also, Staff understands from conversations through the process that there are other changes some wish to see in the Master Street Plan document. Staff also believes there might be some additional more significant changes that should be considered for inclusion in the Master Street Plan, but believes it would be better to hold these issues for a more thorough discussion of each possible addition. The changes proposed now are intended to make the document easier to use and to eliminate conflicts that were discovered. Staff will develop a list of more significant possible changes for consideration by the Planning Commission and Board of Directors at a later date.

STAFF RECOMMENDATIONS:

Approval.

PLANNING COMMISSION ACTION:

(FEBRUARY 19, 2009)

Commissioner Rector moved that the item be deferred to allow for additional conversations on the proposal. By a vote of 8 for, 0 against the item was deferred to the March 19, 2009 hearing.

STAFF UPDATE:

There have been a few more changes made to the new draft of the Master Street Plan.

The changes are as follows:

- on page 7: a sentence was added in the first paragraph to state "The Little Rock Planning Commission, with the advice of the Staff through platting, site plan review and the conditional use permit processes may approve variances from design standards of the Master Street Plan."
- on page 7: the traffic calming section was modified to include "changes in horizontal alignment" as an option for traffic calming measures.
- on page 10: Minimum sight distance was changed to state "400' or latest AASHTO Policy on Geometric Design Manual"
- on page 13: Minimum sight distance was changed to state "325' or latest AASHTO Policy on Geometric Design Manual"
- on page 17: Minimum sight distance was changed to state "200' or latest AASHTO Policy on Geometric Design Manual"

- on page 17: Sidewalks will be required on one side for residential land use and required on both sides for publicly maintained commercial streets.
- on page 20: Minimum sight distance was changed to state "155' or latest AASHTO Policy on Geometric Design Manual"
- on page 21: Minimum sight distance was changed to state "115' or latest AASHTO Policy on Geometric Design Manual"
- on page 21: A Minor Residential street is now defined as "(a) a cul-de-sac street not exceeding 40 lots, or (b) a loop street not exceeding 80 lots, and (c) and in no case generating more than 400 vehicle trips per day with the assumption of ten vehicle trips per day per lot."
- on page 22: Minimum sight distance was changed to state "200' or latest AASHTO Policy on Geometric Design Manual"
- on page 22: Four foot sidewalks will be required on one side for residential local streets with open drainage and five foot sidewalks are required on both sides for local industrial streets with open drainage.
- on page 48: the definition of Commercial Street will now state "A Local public street which is abutted by non-residential or residential which is more intense than duplex or two-unit residential."

PLANNING COMMISSION ACTION:

(APRIL 2, 2009)

Walter Malone, Planning Staff reviewed the proposal with the Commission. Mr. Malone indicated that this was a 'clean-up' effort. The majority of the changes were either to recognize approved amendments that had not gotten into the Master Street Plan document or formatting changes. Mr. Malone pointed to a page in the staff report with a listing of some of these changes. There were three other changes; these are: to add side walks on both sides of Commercial Streets – often currently required by staff; no parking on one side of minor residential streets – often currently required for fire safety; and a paragraph of traffic calming.

Commissioner Rector asked about the added sidewalk and the impact this could have on developments. There was some discussion and Mr. Malone pointed to another change that would allow the Planning Commission to vary the design standards of the Master Street Plan as part of a subdivision review with no further review by the Board of Directors. Commissioner Yates asked about wording on Page 17 of the draft document about sidewalks. This was an effort to clarify the requirements on Residential Collectors versus Commercial Streets since the Collector standard is often used for Commercial Streets and a previous draft had called for sidewalks on all Collectors (this has been removed from this

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draft). Commissioner Yates also asked about the note on Page 22 requiring 5-foot sidewalks on industrial streets. This was due in part to the larger vehicles on such streets. There was some general discussion by the Commissioners.

A motion was made to approve the draft Master Street Plan. But a vote of 10 for and 0 against the draft was approved.

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ITEM NO.: B

FILE NO.: LU08-19-02

Name: Land Use Plan Amendment - Chenal Planning District

Location: The east side of Rahling Road, south of Pebble Beach Drive

Request: Low Density Residential and Single Family to
Multi Family, Commercial, Office, Single Family and Open Space

Source: Tim Daters, for Deltic Timber Co.

PROPOSAL / REQUEST:

The applicant has requested a deferral to the October 2, 2008 Planning Commission hearing. Staff is supportive of this request.

PLANNING COMMISSION ACTION: (AUGUST 21, 2008)

The item was placed on the consent agenda for deferral to the October 2, 2008 hearing at the request of the applicant. By a vote of 9 for and 0 against the consent agenda was approved.

PROPOSAL / REQUEST:

A Land Use Plan amendment in the Chenal Planning District from Low Density Residential and Single Family to Multi Family, Commercial, Office, Single Family and Park/Open Space. The applicant has also filed a large rezoning for this site and a Master Street Plan amendment for this site. The applicant is proposing these changes to allow for commercial uses, multi family residential which would accommodate ten to thirty six units per acre, office uses and some open space.

EXISTING LAND USE AND ZONING:

The property is vacant and undeveloped. It is currently zoned MF-18 and R-2 and is approximately 73 acres in size. All of the properties to the north, east and south are also zoned R-2 Single Family and are mostly developed with single family residences. A portion of that land is still vacant and undeveloped. The west side of Rahling Road is zoned OS Open Space and R-2 Single Family; this area is undeveloped. Southwest of the amendment area is zoned O-3 General Office for a medical office and MF-18 for an apartment complex. To the northwest along Rahling is a large area of undeveloped land that is zoned MF-12 Multi Family District.

FUTURE LAND USE PLAN AND RECENT AMENDMENTS:

The amendment area is currently shown as Low Density Residential and Single Family on the future land use plan. This area is surrounded by Single Family on the north, east and south. There is a strip along the west side of Rahling shown as Park Open Space and a strip farther north along Rahling shown as Multi Family. West of the amendment area is shown as Mixed Use and Multi Family at the corner of Kirk and Rahling Roads.

August 15, 2006, Ordinance 19582 amended the eastern intersection of LaGrande and Rahling Roads from Multi Family to Mixed Office Commercial to allow for future development.

June 17, 2003, changes from Office, Multifamily, and Single Family to Multifamily and Low Density Residential located northeast of Chenal Parkway around Rahling Road. These changes were made to reflect new zoning in the area for future development.

MASTER STREET PLAN:

Rahling Road is shown as a Minor Arterial. A Minor Arterial provides connections to and through an urban area and their primary function is to provide short distance travel within the urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Rahling since it is a Minor Arterial. Wellington Plantation Drive and Beckenham Drive are both shown as proposed Collectors through this site and intersecting with Rahling Road. The primary function of a Collector Street is to provide a connection from Local Streets to Arterials. 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 I bike route is shown along Rahling Road. A Class I bikeway is built separate from or alongside a road. Additional paving and right of way may be required.

PARKS:

According to the Master Parks Plan, half of the amendment area is within eight blocks of a park. The northern half of this amendment site is not within eight blocks according to the Parks Plan, although the west side of Rahling Road is zoned for Open Space and is used for a walking trail.

HISTORIC DISTRICTS:

There are no city recognized historic districts that would be affected by this amendment.

CITY RECOGNIZED NEIGHBORHOOD ACTION PLAN:

This area is covered by both the Rock Creek and the River Mountain Neighborhood Action Plans. Rock Creek's Residential goal states: Ensure that future developments of existing undeveloped land meet neo-traditional design standards, including the placement of neighborhood passive green space and community services within developing neighborhoods. River Mountain's Sustainable Environment goals states: Vigorously enforce the ordinance for hillside protection and for tree preservation.

ANALYSIS:

This amendment area is approximately 73 acres of undeveloped, wooded land along Rahling Road. This amendment proposes to add 41.13 acres of Multi Family, 19.91 acres of Commercial, 2.24 acres of Office, 7.99 acres of Park/Open Space and 1.62 acres of Single Family. The majority of this land is currently shown as Single Family on the Plan. This vicinity has been growing almost continually over the past twenty years. Many single-family subdivisions have been built during this time both to the east and to the south of this area. While much of this area is planned for Single Family use, the Land Use Plan has also allotted room for Low Density Residential and Multi Family Development. Along Rahling Road, there are currently 17 acres of undeveloped Multi Family and 28 acres of undeveloped Low Density Residential. Low Density Residential provides an option other than Single Family detached for future development. The Plan classifications and zoning have been in place for approximately two decades with no proposals for development.

Rahling Road provides the link between the major commercial center of Chenal Parkway with Cantrell Road to the north. When the Land Use Plan and zoning for the Chenal (Deltic) ownership and surrounding areas was approved in the mid-1980s, a major office and commercial center was proposed at and near the intersection of what is now Chenal Parkway and Rahling Road. This general area has been seen as the community or regional shopping and employment center of western Little Rock. The retail is just now developing with the recent construction of the 'Promenade at Chenal'.

Rahling Road is not currently constructed to full Master Street Plan standard. The traffic volumes, while not yet to the number that would require the developer to widen Rahling, are moving beyond the normal design volume for a two-lane road. As development of this section of Little Rock continues based on the current Land Use Plan, Rahling Road volumes should reach Arterial design numbers in the next few years.

There is already a 28-acre section of Low Density Residential shown for a portion of this site. North of this site along Rahling Road is a 17 acre section of Multi Family that is undeveloped. This amendment is proposing to reconfigure this existing plan to add a net total of approximately 6.2 acres of Multi Family/LDR while adding 19.91 acres of Commercial to an area that is currently proposed for residential uses.

The Master Street Plan shows two Collector streets (Beckenham and Wellington Plantation Drives) intersecting Rahling Road near this amendment site. The neighborhoods to the east of this application have concerns about these connections and the traffic through their neighborhoods that may result. The applicant has filed a Master Street Plan amendment as a separate item on this agenda to modify the configuration of these two Collectors.

This application is also proposing to add 2.24 acres of Office and 19.91 acres of Commercial. This area of Little Rock still has nearly 100 acres of undeveloped Office within a mile of this application and approximately 40 acres of undeveloped Commercial and Neighborhood Commercial along Rahling Road just west of this application area. The existing commercial and office is part of a large 'node' around the Chenal Parkway-Rahling Road intersection and includes intersections of these roads with Kanis Road, Kirk Road and Wellington Boulevard (all Arterials).

Rahling Road has been planned to be residential with various densities of residential proposed on the Plan and zoned. There has already been some intensification of land use and zoning along Rahling Road in the Kirk Road and Chenal Valley Drive area. The City does have a Land Use Policy of discouraging 'stripping' or lining of Arterials with commercial uses and concentrating such uses in 'nodes'. The proposed amendment would continue to line Rahling Road with commercial uses. Office areas along Rahling Road are narrow lots with buildings designed and laid out with a 'retail feel', strengthening the 'strip' feel.

Showing several areas of different use implies multiple access points along Rahling, which is an Arterial. Access should be limited to Rahling because it is an Arterial. Multiple access points could have significant impact on pedestrian

and vehicular traffic. While each of these separate areas might be designed and built to work together, the normal development pattern is for each separate use area to develop independently. The amendment would create at least four new use areas with all that is associated with this along Rahling Road.

Also, by placing destination uses (commercial and office) at the end of the collectors, the trips from the neighborhoods to the east and south of the application area could increase thereby causing more traffic on the collectors. Some trips from the immediate neighborhood might no longer proceed further west along the Arterial to areas at Kirk and Chenal Parkway, but stop at the proposed commercial and office areas. However, additional trips east of the amendment area, that might have been attracted to the commercial and office at Napa Valley and Rodney Parham may well move west along Beckenham to the proposed commercial and office areas. As well, trips that might have gone south and west along Kirk to commercial and office areas may be attracted up Wellington Plantation Drive to the proposed new uses.

NEIGHBORHOOD COMMENTS:

Notices were sent to the following neighborhood associations: Chenal Ridge POA and The Villages of Wellington. Staff has received four phone calls against this amendment from area residents.

STAFF RECOMMENDATIONS:

Staff believes the change is not appropriate.

PLANNING COMMISSION ACTION:

(OCTOBER 2, 2008)

Walter Malone, Planning Staff reviewed the Land Use Plan in the area. Mr. Malone talked about the major commercial area at Rahling Road and Chenal Parkway. This area is only now beginning to develop after twenty years of zoning. There have been changes along Rahling Road to Commercial and Office around Kirk Road. Staff is concerned that by making the changes proposed, Commercial and Office, Rahling Road will be combined with commercial and office rather than the originally proposed various densities of residential.

Monte Moore, Planning Staff, presented the related reclassifications, Z-8165-A. (See Item A.1 for a complete minute record.) Most of the presentation by representatives of the applicant dealt the transportation issues of the western part of Little Rock and some history of development of roads in the City. In addition, the applicant's consultant presented the findings of a traffic study dealing with the street changes and reclassifications.

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A Motion was made to approve the Land Use Plan Amendment. By a vote of 8 for, 2 against the Plan amendment was approved.

STAFF UPDATE:

The applicant has requested an amendment to their application to change the northern area from Multi Family to Office. Staff is still not supportive of this request.

PLANNING COMMISSION ACTION:

(DECEMBER 18, 2008)

The item was placed on consent agenda for deferral to February 5, 2009 hearing. By a vote of 6 for, 0 against and 3 vacancies the consent agenda was approved.

STAFF UPDATE:

There have been no changes to this application.

PLANNING COMMISSION ACTION:

(FEBRUARY 5, 2009)

Walter Malone, Planning Staff reviewed the Land Use request change (changing the north Multifamily area to Office) and recent development trends in the area. Mr. Malone indicated that staff was still opposed to the application. Staff believes it is not appropriate to introduce non-residential uses at this location. The major commercial and office area has always been at the Rahling Road, Chenal Parkway intersection and this area is just now beginning development. There are still many acres of both commercial and office use shown on the Plan and zoned that are not developed. There has been some increase in use to office and commercial at the intersection of Chenal Valley Drive and Kirk Road with Rahling Road. Staff sees this request as continuing the commercial and office up along Rahling Road, which had been shown as a residential corridor. The result could be a stripping of Rahling, with the commercial (the office development typically is designed with a retail look). Also the typical development pattern for this use pattern would have multiple access points on Rahling Road, while a residential use pattern typically does not.

Commissioner Yates asked if the access had not been limited in the letter submitted by the applicant. Mr. Malone indicated the only access addressed in that proposal was to limit the multifamily access from Wellington Plantation. Mr. Malone reviewed some of the other proposed limitations, all are on the zoning.

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FILE NO.: LU08-19-02

Mr. Monte Moore, Planning Staff reviewed the related zoning case (Z-8165-A). Mr. Bill Spivey, Tim Daters and Larry Peterson spoke on behalf of the applicant. There was some discussion about the need for neighborhood commercial and services and that this area would serve that market, rather than a community or regional level as that at Chenal Parkway and Rahling Road.

(See Minute record for item Z-8165-A, Item F.1 for a complete minute record)
A motion was made to approve the requested Land Use Plan Amendment, by a vote of 4 for and 6 against the motion failed.

STAFF UPDATE:

This item is being brought back before the Planning Commission to determine whether or not the approximately 20 acres of Multi Family at the north of this area should be amended to Office. The whole amendment area has been previously approved, but the applicant wishes to amend this small portion before going to the Board of Directors. The Commission is now asked to vote on just the request of Multi Family or Office. The remaining portion of this amendment is approved as submitted previously.

PLANNING COMMISSION ACTION:

(APRIL 2, 2009)

Walter Malone, Planning Staff, informed the Commission that the issue was whether the north Multifamily area should be Office. Staff has consistently opposed non-residential in the corridor and therefore recommends against the Office request. Since there have been presentations twice before on this item, Staff will not make a detailed presentation unless the Commission wishes. The item was turned over to Monte Moore, Planning Staff, to review the related zoning item, Z-8165-A (see that item for a full minute record). A motion was made to approve the requested Land Use change (Office rather than Multifamily on the northern area, east of Rahling Road and close to Pebble Beach). By a vote of 8 for, 2 against the request was approved.

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ITEM NO.: B.1

FILE NO.: Z-8165-A

Owner:	Deltic Timber Corporation
Applicant:	Tim Daters, White-Daters and Associates
Location:	East side of Rahling Road, south of Pebble Beach Drive
Area:	20.30 Acres
Request:	Rezone from R-2 to O-3 (Revision to previously approved application)
Purpose:	Future development
Existing Use:	Undeveloped

STAFF ANALYSIS:

On October 2, 2008, the Planning Commission approved a rezoning application for 68.93 acres of property located along the east side of Rahling Road, south of Pebble Beach Drive. The approved rezoning was from R-2 and MF-18 to OS, R-2, MF-18, O-3 and C-3. The proposed rezoning was divided into 14 areas, as described in the attached October 2, 2008 Planning Commission minute record.

Prior to action on the application by the Board of Directors, the applicant revised the application for 20.30 acres of the property, noted as "Area 2" in the attached minute record and sketches. The Planning Commission approved this 20.30 acres for a rezoning from "R-2" Single Family District to "MF-18" Multifamily District. The applicant is now requesting a rezoning from "R-2" to "O-3" General Office District for the 20.30 acres labeled as "Area 2". The Board of Directors sent the revised application back to the Planning Commission for reconsideration.

The revised application was placed on the February 5, 2009 Planning Commission agenda. Prior to the meeting, the applicant made further revisions to the application by proposing additional restrictions/conditions on the proposed rezonings. The restrictions/conditions are outlined in a document submitted by the applicant dated January 28, 2009.

On February 5, 2009 the Planning Commission conducted a public hearing on the revised application. On advice of the Deputy City Attorney present, the Commission considered the entire application as a revised application. The Commission voted to recommend denial of the revised application. A copy of the February 5, 2009 Planning Commission minute record is attached for commission review.

The City Attorney's Office has since ruled that the February 5, 2009 Planning Commission action was inappropriate. It is the City Attorney's opinion that only the revisions to the previously approved application should have been considered and not the entire application. Therefore, the revisions to the application are being brought back to the Planning Commission for consideration as follows:

1. Proposed rezoning of "Area 2" (20.30 acres) to "O-3" instead of the previously approved "MF-18".
2. Proposed additional restrictions/conditions placed on the property as outlined in the document from John William Spivey, III (Wright, Lindsey and Jennings, LLP) dated January 28, 2009. Copy of document attached for Commission review.

All owners of property located within 200 feet of the overall property boundary (as per abstract list provided by the applicant), all parties who submitted a letter or e-mail to the original request (and provided a mailing address), all parties who attended the October 2, 2008 Planning Commission hearing and filled out a card, and the Chenal Ridge, Hillsborough and Village of Wellington Neighborhood Associations were notified of the April 2, 2009 Planning Commission public hearing.

The revisions to the application do not change staff's previous recommendation of denial. Staff did not support the proposed rezoning of "Area 2" to "MF-18". The revised request to rezone "Area 2" to "O-3" represents a more intense zoning for this 20.30 acres. Staff continues to believe that development of this area as something other than its current zoning of single family residential would introduce a level of traffic, noise and light which would be detrimental to the existing adjacent single family neighborhoods.

STAFF RECOMMENDATION:

Staff recommends denial of the requested revisions to the previously approved rezoning application.

PLANNING COMMISSION ACTION:

(APRIL 2, 2009)

Bill Spivey and Tim Daters were present, representing the application. There were numerous objectors present. Staff presented the revisions to the previously approved application with a recommendation of denial.

Bill Spivey addressed the Commission in support of the application. He discussed the reasons for requesting that "Area 2" be zoned to O-3 rather than MF-18. He discussed the additional revisions/conditions proposed for the overall property. He noted that the

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ITEM NO.: B.1 (Cont.)

FILE NO.: Z-8165-A

additional restrictions/conditions were formulated while working with neighborhood residents.

Dick Fletcher of the Chenal Ridge neighborhood also spoke in support. He explained that he along with other residents worked with the applicant in drafting the additional restrictions/conditions and change of "Area 2" to O-3.

Anthony Fuhlgham, president of the Chenal Ridge Neighborhood Association, also spoke in support of the application. He explained that his neighborhood association had worked with the applicant with respect to the revisions in the application. He noted that the amendments to the application were more restrictive than the original application.

Commissioner Rector explained that the Commission had already approved the application and that only the revisions were being considered by the Commission at this time.

Bill Corley, of the Villages of Wellington Neighborhood, spoke in opposition. He expressed opposition to the revised zoning to O-3. He noted support of the Planning Staff's recommendation.

Jeff Cook also spoke in opposition. He expressed opposition to the O-3 zoning and explained.

Commissioner Nunnley asked Mr. Corley about comments he made regarding multifamily zoning. Mr. Corley noted that he would rather see "Area 2" zoned MF-18 than O-3.

Ruth Bell spoke in opposition. She explained that there was no need for the additional office zoning. She noted that the existing Land Use Plan should be supported.

Josh Bass, of the Pebble Beach Estates Neighborhood, also spoke in opposition. He briefly discussed the revised application and noted support of staff's recommendation.

Casey Tucker, of the Villages of Wellington Neighborhood, also spoke in opposition. She noted that she was not in support of any part of the application and explained.

Mr. Spivey noted that the reason for revising the application was based on input from neighbors. He explained the additional restrictions proposed.

Commissioner Smith asked Mr. Spivey about future development of this property if the rezoning was not approved. Mr. Spivey explained that if the rezoning were not approval, the property would likely remain undeveloped, but noted that it was unclear.

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Commissioner Rouse asked Ms. Tucker why she was opposed to the additional restrictions/conditions. Ms. Tucker explained that although uses had been eliminated for the O-3 and C-3 areas, there were still uses which would be high traffic uses and objectionable to the neighborhood.

Commissioner Rector asked what staff's recommendation was with respect to the revisions. Tony Bozynski, Planning Director, indicated that if staff had to choose between the two (2) zonings, it would be the MF-18.

Vice-Chair Yates reviewed what votes needed to be taken on the revisions.

Commissioner Smith asked what vote would be considered by the Board of Directors. Chairman Taylor noted that the Commission's original vote on the entire application along with the vote on the revisions would be considered. There was a brief discussion of this issue. Vice-Chair Yates made comments related to the issue. Commissioner Laha commented that he would rather live near O-3 zoning than MF-18 zoning.

There was a motion to approve the revised zoning of "Area 2" to O-3. The motion passed by a vote of 9 ayes, 1 nay and 1 absent.

There was a second motion to approve the additional restrictions/conditions as found in the Spivey letter dated January 28, 2009. The motion passed by a vote of 9 ayes, 1 nay and 1 absent.

April 2, 2009

ITEM NO.: 1

FILE NO.: Z-8443

Owner:	Sparks Revocable Trust, Billye J. Sparks, Trustee
Applicant:	Robert Brown, Development Consultants, Inc.
Location:	6104 Nova Lane
Area:	0.23 Acre
Request:	Rezone from R-2 to C-3
Purpose:	Future Commercial Development
Existing Use:	Single Family Residence

SURROUNDING LAND USE AND ZONING

North – Restaurant/Parking; zoned C-3

South – Bank/Parking (across Nova Lane); zoned C-1 and O-3

East – Restaurant/Parking; zoned C-3

West – Parking lot and single family structure; zoned C-3

A. PUBLIC WORKS COMMENTS:

1. Due to the proposed use of the property, the Master Street Plan specifies that Nova Lane for the frontage of this property must meet commercial street standards. Dedicate right-of-way to 30 feet from centerline.

B. PUBLIC TRANSPORTATION ELEMENT:

The site is not located on a CATA bus route. Routes #17 (Mabelvale – Downtown) and #17A (Mabelvale – UALR) run along Geyer Springs Road to the east.

C. PUBLIC NOTIFICATION:

All owners of property located within 200 feet of the site, all residents within 300 feet who could be identified, and the Cloverdale, Windamere and SWLR United for Progress Neighborhood Associations were notified of the rezoning request.

D. LAND USE ELEMENT:

This request is located in the Geyer Springs West Planning District. The Land Use Plan shows Commercial for this property. The applicant has applied for a rezoning from R-2 Single Family to C-3 General Commercial District.

The request does not require a change to the Land Use Plan.

Master Street Plan:

Nova Lane is a Local Street. The primary function of a Local Street is to provide access to adjacent properties. Local Streets which are abutted by non-residential zoning/use or more intensive zoning than duplexes are considered as "Commercial Streets". These streets have a design standard the same as a Collector. This street 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 in the immediate vicinity.

Neighborhood Action Plan:

This area is covered by the Cloverdale/Watson Neighborhood Action Plan. The Land Use/Zoning goal states: "Support non-residential changes in areas shown on Future Land Use Plan as such."

E. STAFF ANALYSIS:

Sparks Revocable Trust, owner of the 0.23 Acre property located at 6104 Nova Lane, is requesting to rezone the property from "R-2" Single Family District to "C-3" General Commercial District. The rezoning is proposed for future commercial development. The applicant is also requesting a waiver of the required dedication of additional right-of-way (5 feet) for Nova Lane. The property is currently occupied by a one-story brick and frame single family residence. There is a one-car wide driveway from Nova Lane which serves as access. The lot is 70 feet wide and 140 feet deep.

The General area is made up of a variety of uses and zoning. There is a Taco Bell restaurant (under reconstruction) immediately to the north, with other commercial uses further north. A branch bank and restaurant are located across Nova Lane to the south. An Arby's restaurant is located immediately to the east. A parking lot (Taco Bell) and single family

residential structure are located to the west. The abutting properties to the north, east and west are currently zoned C-3.

The City's Future Land Use Plan designates this property as "Commercial". The requested C-3 zoning does not require an amendment to the Land Use Plan.

Staff is supportive of the requested zoning. Staff views the requested rezoning as reasonable. The City's Future Land Use Plan designates the property as "Commercial". Additionally, the abutting properties north, east and west of the proposed rezoning are currently zoned C-3. Therefore, the proposed C-3 zoning will be a continuance of the established zoning pattern along this portion of Geyer Springs Road. Staff believes rezoning this property to C-3 will have no adverse impact on the adjacent properties or the general area.

Public Works has reviewed the requested waiver of right-of-way dedication (5 feet) for this property (Lot 2 of Glenn Replat). Nova Lane is a public street from Geyer Springs Road to the west property line of the Taco Bell parking lot. Nova Lane then becomes a private street to the west. The intersection of Geyer Springs Road and Nova Lane is a signalized intersection with commercial and office uses on the north and south sides of the Nova Lane. On the north side of Nova Lane the Taco Bell and Arby's restaurants both access Nova Lane. The Arby's has a drive thru window that accesses Nova Lane. On the south side of Nova Lane is a bank with 5 drive thru windows that also accesses Nova Lane. Nova Lane is a 2 lane street with a retrofit left turn lane that can safely store 2 vehicles.

A large amount of traffic accesses Nova Lane from the restaurant and the bank that exist today. Now, the applicant is desiring to zone Lot 2 to commercial which will further increase traffic. With the amount of traffic and the main traffic pattern of drivers trying to access Geyer Springs Road from the adjacent commercial and office uses by way of Nova Lane, staff believes widening is needed for a center turn lane on Nova Lane. With this being the case, Public Works believes a dedication of right-of-way 30 ft. from centerline is warranted across lot 2 and eventually across lot 1, and does not support the waiver request.

F. STAFF RECOMMENDATION:

Staff recommends approval of the requested C-3 rezoning. Staff recommends denial of the requested waiver of additional right-of-way dedication for Nova Lane.

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ITEM NO: 1 (Cont.)

FILE NO.: Z-8443

PLANNING COMMISSION ACTION:

(APRIL 2, 2009)

The applicant was present. There were no objectors present. Staff presented the application with a recommendation of approval.

Staff noted that the applicant had withdrawn the requested waiver of additional right-of-way dedication for Nova Lane, and the Commission would only be voting on the rezoning request.

The Chairman placed the item before the Commission for inclusion within the Consent Agenda for approval. A motion to that effect was made. The motion passed by a vote of 10 ayes, 0 nays and 1 absent.

April 2, 2009

ITEM NO.: 2

FILE NO.: Z-8444

Owner: McGeorge Contracting Co., Inc.
Applicant: Haskell L. Dickinson, II/Edward Jackson
Location: East of Arch Street Pike, South of Interstate 30
Area: 44.138 Acres
Request: Rezone from R-2 to M
Purpose: Future Mining Operation
Existing Use: Undeveloped

SURROUNDING LAND USE AND ZONING

North – Railroad right-of-way/Fourche Creek; zoned R-2

South – Undeveloped property; zoned M and R-2

East – Undeveloped property and I-530 right-of-way; zoned R-2

West – Undeveloped property; zoned M

A. PUBLIC WORKS COMMENTS:

No Comments.

B. PUBLIC TRANSPORTATION ELEMENT:

The site is not located on a CATA bus route. Route #15 (65th Street Route) runs along Arch Street Pike to the west.

C. PUBLIC NOTIFICATION:

All owners of property located within 200 feet of the site and the SWLR United for Progress, Upper Baseline and South End Neighborhood Associations were notified of the public hearing. There were no residents within 300 feet to notify.

D. LAND USE ELEMENT:

This request is located in the Arch Street Pike Planning District. The Land Use Plan shows Mining for this property. The applicant has applied for a rezoning from “R-2” Single Family to M Mining District.

The request does not require a change to the Land Use Plan.

Master Street Plan:

Arch Street Pike is shown as 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 Arch Street Pike since it is a Principal Arterial.

Bicycle Plan:

There is a proposed Class I bike route near this application area. A Class I bikeway is built separate from or alongside a road. Additional paving and right-of-way may be required.

Neighborhood Action Plan:

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

E. STAFF ANALYSIS:

McGeorge Contracting Company, Inc., owner of 44.138 acres of property located east of Arch Street Pike and south of Interstate 30, is requesting to rezone the property from "R-2" Single Family District to "M" Mining District. The rezoning is proposed for a future mining operation.

The property is undeveloped and mostly wooded, with varying degrees of slope. All surrounding property is undeveloped. The property to the east and south is currently zoned M. The property to the east, between this property and I-530, is zoned R-2. There is railroad right-of-way immediately to the north, with Fourche Creek further north. There is a stone quarry (3M) further to the west/southwest.

The City's Future Land Use Plan designates this property as Mining. The requested 44.138 acres of M zoning does not require a change to the Land Use Plan.

Staff is supportive of the requested rezoning to M. Staff views the request as reasonable. The property immediately west and south of the proposed M zoning is currently zoned M. As noted above 3M Company has an existing mining operation to the west and southwest. A rezoning of 42.50 acres to the west was recently approved for M. McGeorge Contracting also owns approximately 76 additional acres of M zoned property immediately to the south. Property further south is outside the city limits

April 2, 2009

ITEM NO: 2 (Cont.)

FILE NO.: Z-8444

and not zoned. The proposed M zoning represents a continuation of the zoning pattern in this area. Staff believes the rezoning is appropriate and will have no adverse impact on the adjacent properties or the general area.

F. STAFF RECOMMENDATION:

Staff recommends approval of the requested M rezoning.

PLANNING COMMISSION ACTION:

(APRIL 2, 2009)

The applicant was present. There were no objectors present. Staff presented the application with a recommendation of approval.

The Chairman placed the item before the Commission for inclusion within the Consent Agenda for approval. A motion to that effect was made. The motion passed by a vote of 10 ayes, 0 nays and 1 absent.

April 2, 2009

ITEM NO.: 3

FILE NO.: G-23-408

Name: Alley – Right-of-Way Abandonment

Location: Block 94, Original City of Little Rock
(Block bounded by West Capitol Avenue, West 6th Street,
Center Street and Spring Street)

Owner/Applicant: Bank of the Ozarks/Joe White, White-Daters and Associates

Request: To abandon the 20-foot wide alley right-of-way located within
Block 94, Original City of Little Rock.

Purpose: Installation of gates for the secure loading/unloading of
armored vehicles three (3) times per day.

STAFF NOTE:

The applicant submitted a letter to staff on March 20, 2009 requesting this application be deferred to the May 14, 2009 Planning Commission agenda. Staff supports the deferral request.

PLANNING COMMISSION ACTION: (APRIL 2, 2009)

Staff informed the Commission that the applicant submitted a letter on April 1, 2009 requesting this application be withdrawn, without prejudice. Staff supported the withdrawal request.

With a vote of 9 ayes, 1 nay and 1 absent, the Commission voted to waive their bylaws and accept the request for withdrawal less than five (5) business days prior to the public hearing.

The Chairman placed the item before the Commission for inclusion within the Consent Agenda for withdrawal, without prejudice. A motion to that effect was made. The motion passed by a vote of 10 ayes, 0 nays and 1 absent.

April 2, 2009

ITEM NO.: 4

FILE NO.: Z-4907-A

NAME: Celebrity Cutz Barber and Beauty Salon –
Conditional Use Permit

LOCATION: 4021 Asher Avenue

OWNER/APPLICANT: Jim Doyle/Vernon Jones

PROPOSAL: A conditional use permit is requested to allow use of
this existing building for a barber and beauty salon.
The property is zoned I-2.

1. SITE LOCATION:

The site is located on the south side of Asher Avenue, between Elm and Cedar Streets.

2. COMPATIBILITY WITH NEIGHBORHOOD:

The property is located in an area of mixed uses and zoning; including I-2, C-3, C-4 and PCD zoned properties. The site fronts onto an arterial street. The proposed use is compatible with uses and zoning in the area.

Notice of the public hearing was sent to all owners of properties located within 200 feet of the site, all residents within 300 feet who could be identified and the Love, Goodwill and Midway Neighborhood Associations.

3. ON SITE DRIVES AND PARKING:

The building is approximately 2,100 square feet in size. A beauty and barber salon requires 1 space per 200 square feet. This building requires 10 parking spaces. The site has paved parking for 25+ vehicles with access from Asher Avenue and Elm Street.

4. SCREENING AND BUFFERS:

Depending upon rehabilitation costs associated with this project, the parking lot and property may have to be brought into full compliancy with the City's landscaping and buffer minimal ordinance requirements.

5. PUBLIC WORKS COMMENTS:

1. A dedication of right-of-way is required along the property adjacent to Cedar Street to 25 ft. from centerline;

2. A dedication of right-of-way is not being requested along the property adjacent to Elm Street;
3. A dedication of right-of-way is not being requested along the property adjacent to Asher Avenue.
4. A twenty (20) foot radial dedication of right-of-way is required at the intersection of Asher Avenue and Elm Street.
5. A twenty (20) foot radial dedication of right-of-way is required at the intersection of Asher Avenue and Cedar Street.
6. Obtain a franchise agreement from Public Works (Bennie Nicolo, 371-4818) for any parking to be located in the right-of-way.

6. UTILITY, FIRE DEPT. AND CATA COMMENTS:

Wastewater: Sewer available to this project.

Entergy: Approved as submitted.

CenterPoint Energy: No comment received.

AT&T (SBC): No comment received.

Water: Contact Central Arkansas Water regarding requirements for re-establishment of water service to this building. 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 Central Arkansas Water. 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.

Fire Department: No comment received.

County Planning: No Comments.

CATA: The site is located on a CATA bus route.

SUBDIVISION COMMITTEE COMMENT:

(MARCH 12, 2009)

The applicant was present. Staff presented the item and noted additional information was needed regarding signage, dumpster location and days of operation. The applicant responded the shop would operate Tuesday through Saturday.

Public Works and Utility Comments were noted. After a discussion of the issue of right-of-way dedication, staff stated they would study the matter further.

The applicant was advised to respond to staff issues by March 18, 2009. The Committee forwarded the item to the full Commission.

STAFF ANALYSIS:

The I-2 zoned, 0.448-acre tract located at 4021 Asher Avenue is occupied by a one-story, brick and frame commercial building and an asphalt paved parking lot. The applicant is requesting approval of a conditional use permit to allow use of the building for a barber and beauty salon. The site will be cleaned up and the interior of the building remodeled to accommodate the new use.

The shop will operate Tuesday through Saturday, from 8:00 a.m. to 8:00 p.m. or as needed to finish. The doors will be locked at 8:00 p.m. The business will have at least 5 barbers, 3 beauticians and 2 nail technicians. Signage will consist of wall/window signage on the facades of the building, which have street frontage. If a ground-sign is added in the future, it will comply with ordinance standards for the industrial district. No dumpster is proposed at this point. The applicant states he hopes to work out an accommodation with the owner of an adjacent property to allow shared use of the dumpster on that site. If a dumpster is placed on this property, it will be located on the south side of the property and will be screened as required by the Code.

Public Works staff has studied the issue of right-of-way dedication and has determined the only required dedication is 5 ft. along Cedar Street and 20-foot radial dedications at the intersections of Elm/Asher and Cedar/Asher.

To staff's knowledge, there are no outstanding issues. The use is appropriate for the site. The 1916 Bill of Assurance does not address use issues.

STAFF RECOMMENDATION:

Staff recommends approval of the requested Conditional Use Permit subject to compliance with the comments and conditions outlined in Sections 4, 5 and 6 of the agenda staff report.

April 5, 2009

ITEM NO.: 4 (Cont.)

FILE NO.: Z-4907-A

PLANNING COMMISSION ACTION:

(APRIL 2, 2009)

The applicant was present. There were no objectors present. Staff presented the item and a recommendation of approval subject to compliance with the conditions outlined in the "staff recommendation" above. There was no further discussion. The item was placed on the consent agenda and approved by a vote of 10 ayes, 0 noes and 1 absent.

April 2, 2009

ITEM NO.: 5

FILE NO.: Z-6828-C

NAME: Aloft Hotel – Conditional Use Permit

LOCATION: 1900 Peachtree Drive

OWNER/APPLICANT: ISB Westlake, LLC/Mehlburger Brawley, Inc.

PROPOSAL: A conditional use permit is requested to allow the construction of a hotel on this O-2 zoned, 5.06± acre tract.

1. SITE LOCATION:

The site is located on the northeast corner of the intersection of Peachtree Drive and Centerview Drive.

2. COMPATIBILITY WITH NEIGHBORHOOD:

This 5+ acre tract is located on the southern edge of the large, Westlake Office Park development. The properties to the north, east and northwest are zoned O-1 and O-3 and are occupied by a number of large office buildings. One small parcel of undeveloped O-3 zoned property and the I-430 right-of-way are located across Peachtree Drive to the south. The Sandpiper Subdivision is located to the west. The subdivision's pool and recreation area are located across Centerview Drive from the proposed hotel site. The hotel is proposed to be located on the east half of the 5+ acre tract, pulling the building farther away from the neighborhood. Access to the hotel site will be from Centerview Drive, through the office park, reducing potential traffic on Peachtree. The hotel will not have a restaurant, large convention type meeting facilities or ancillary retail uses that might generate additional customer traffic. Staff believes the hotel is compatible with uses and development in the area.

Notice of the public hearing was sent to all owners of properties located within 200 feet of the site, all residents within 300 feet who could be identified and the Sandpiper and John Barrow Neighborhood Associations. The applicants also held a neighborhood meeting on March 24, 2009.

3. ON SITE DRIVES AND PARKING:

The hotel is proposed to have 134 rooms, requiring 147 parking spaces based on a requirement of 1 space per room plus 10% more. The applicant is proposing 157 parking spaces with access to the site being taken from Centerview Drive. The hotel will not have a restaurant, large

convention type meeting facilities or ancillary retail uses which might generate additional traffic and parking needs.

4. SCREENING AND BUFFERS:

Site plan must comply with the City's landscape and buffer ordinance requirements.

The landscape ordinance requires a minimum of eight percent (8%) of the interior paved surface areas be allocated for green space. Currently, this proposal appears deficient.

The interior islands must be evenly distributed throughout the site.

An automatic irrigation system is required for all the newly planted landscaped areas on the site.

A landscape plan with the seal of a Registered Landscape Architect will be required prior to the issuance of a building permit.

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 properly preserving trees of six (6) inch caliper or larger.

5. PUBLIC WORKS COMMENTS:

1. At the time of building permit, per the Land Alteration Regulations, slopes steeper than 3:1 are prohibited and hillside cuts cannot exceed thirty (30) feet. The hillside cut is proposed to be about twenty-six (26) feet maximum height. The slope of the wall will be 1.25 ft:1 ft. over 10 foot vertical rise with 2-10 foot wide benches.
2. At the time of building permit, sidewalks with appropriate handicap ramps are required on Peachtree Drive in accordance with Section 31-175 of the Little Rock Code and the Master Street Plan.
3. Due to the proposed use of the property, the Master Street Plan specifies that Centerview Drive for the frontage of this property must meet commercial street standards. Dedicate right-of-way to thirty (30) feet from centerline for the entire frontage of the property.

6. UTILITY, FIRE DEPT. AND CATA COMMENTS:

Wastewater: Sewer available to this project. Capacity Contribution Analysis required prior to construction, contact Little Rock Wastewater for details.

Entergy: No comment received.

CenterPoint Energy: No comment received.

AT&T (SBC): No comment received.

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. 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. Fire sprinkler systems which do not contain additives such as antifreeze shall be isolated with a double detector check valve assembly. If additives are used, a reduced pressure zone backflow preventer shall be required.

Fire Department: No comment received.

County Planning: No Comments.

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

SUBDIVISION COMMITTEE COMMENT:

(MARCH 12, 2009)

Wes Lowder was present representing the application. Staff presented the item and requested additional information on signage, lighting, fencing and dumpster location. The applicant was asked to provide building elevations and to label the building setbacks on the plan. Staff asked that areas of trees to be preserved be labeled and the height of the retaining walls along Peachtree Drive be indicated.

Public Works, Utility and Landscape Comments were discussed. Staff noted that the cuts and benches on the north side of the site did comply with the Land Alteration regulations.

April 2, 2009

ITEM NO.: 5 (Cont.)

FILE NO.: Z-6828-C

The applicant stated a meeting would be set up with the neighborhood prior to the Commission meeting.

The applicant was advised to respond to staff issues by March 18, 2009. The Committee forwarded the item to the full Commission.

STAFF ANALYSIS:

On April 13, 2000, the Planning Commission approved a conditional use permit to allow a 4-story, 167 room Hilton Hotel on this 5+ acre, O-2 zoned tract. After 3 years, the Hotel was not built and the C.U.P. expired. On December 4, 2003, a C.U.P. was approved to allow a 3-story, 120 room Hilton Garden Inn on the site. A one-year extension of that C.U.P. was subsequently approved, extending the approval through December 4, 2007. The Hotel was not constructed.

The applicant is now requesting approval of a C.U.P. to allow construction of a 5-story, 134 room loft hotel. A single driveway will provide access to the site from Centerview Drive. A total of 157 parking spaces will be located around the hotel. The hotel will not have a restaurant. A continental breakfast will be available for patrons, similar to that typically provided by many hotels. The hotel will not have a kitchen. There will be a small bar area that is primarily intended for hotel patrons and their guests. The bar itself will seat 8 persons with an adjacent lounge that can seat an additional 25-30 people. The bar will have an adjacent outdoor patio that will be available to bar patrons. No ancillary retail stores are proposed. The facility will contain 3 meeting rooms. One will be 2,500 square feet and the other 2 will be 600 square feet each. Parking lot lighting is proposed to be 30-foot tall architectural poles with directional metal halide lighting to direct the lighting into the site. A single, monument-style ground sign is shown at the Centerview Drive entrance to the site.

A six-foot tall wood privacy fence will be placed along the north property line. Areas of trees to be preserved are shown at all four corners of the site. The two largest areas of preserved trees are located along the western perimeter of the site, both north and south of the driveway. Building setbacks have been shown on the plan. The building setbacks far exceed the minimum setback requirement of 25 feet established in the O-2 zoning district. At its closest point (on the north side), the building setback is 90.7± feet. The building height is shown to be 54± feet with an architectural "swoop" element extending above. The overall height does not appear to exceed 70 feet. The O-2 zoning district has a base allowable height of 45 feet. An additional foot of height is permitted for each additional foot of building setback provided beyond the minimum setback of 25 feet. The maximum allowable height in O-2 is 120 feet. Based on the provided setbacks, this particular building could have a height of 110 feet.

April 2, 2009

ITEM NO.: 5 (Cont.)

FILE NO.: Z-6828-C

Due to the slope of the property, terracing will occur to provide a level building site. A pair of segmented block retaining walls will be located along the south and east perimeters. The walls will range in height from 0.5 feet to 13 feet. Cuts and benches will be required on the north side of the site as well. The cuts will comply with the City's Land Alteration Ordinance.

Staff is supportive of the proposed Conditional Use Permit to allow the hotel. In many aspects, the plan is very similar to prior approved plans. Placement of the building, driveway and parking areas is much like those previously approved. Staff believes the proposed use is appropriate for the site. There is no bill of assurance for the tract.

To staff's knowledge, there is only one outstanding issue. The building elevation submitted by the applicant shows a roof sign. Such signs are prohibited in Little Rock. Approval of the C.U.P. for the hotel will not permit the roof-mounted sign.

STAFF RECOMMENDATION:

Staff recommends approval of the Conditional Use Permit to allow the hotel subject to compliance with the following conditions:

1. Compliance with the comments and conditions outlined in Sections 4, 5 and 6 of the agenda staff report.
2. Signage is to comply with that allowed in office zones. No roof sign is permitted.

PLANNING COMMISSION ACTION:

(APRIL 2, 2009)

The applicant was present. There were several objectors present. One e-mail and a petition of opposition had been received by staff and forwarded to the Commission. Staff presented the item and a recommendation of approval as outlined in the "staff recommendation" above. It was noted that staff had spoken with the applicant about the roof sign shown on the building elevation drawing and he understood that the roof sign could not be approved by the Commission. Vice-chair Jeff Yates announced that he was recusing on this item.

The applicant, Wes Lowder, addressed the Commission. He stated the property was part of the West Lake Office Park Development and was zoned O-2. He stated the plan had been designed so that the hotel would blend in with the office park and would not impact the nearby neighborhood. Mr. Lowder noted the

driveway was located on Centerview Drive. He stated the site would have stair-stepped retaining walls fashioned to closely match the rest of the office park development. He commented that the site could be developed as an office building which would generate more traffic to the site than the proposed hotel. He noted the traffic generated by an office building would have an impact on the peak-hour traffic pattern where a hotel's traffic would be spread throughout the day. Mr. Lowder stated there had been a meeting held with the neighborhood residents.

Greg Hankins, of 2108 Hickorynut Court, spoke in opposition. Stated a hotel on the site would increase traffic, impact the residents quality of life and reduce property values.

Jennifer Kuaternik, of 2505 Peachtree Dr., spoke in opposition. She stated the hotel would be across the street from the neighborhood's pool and park. She stated she would no longer feel safe allowing her children to go to the park not knowing who is at the hotel.

Ron Miles, of 11604 Hickory Hill Rd., spoke next in opposition. He stated he was the President of the Sandpiper Neighborhood Association and was speaking on behalf of the neighborhood. He commented that the hotel's plan was a "good plan" but the neighborhood had concerns about traffic and the proximity of the hotel to the neighborhood park.

Dale Novack, of 2200 Peachtree Dr., stated he felt there was not a need for another hotel in the area. He stated there were 25 hotels within three miles of the site and occupancy rates were down at those hotels.

Mary Novack, of 2200 Peachtree Dr., stated she was concerned about the safety of the neighborhood's children. She also questioned the location of the proposed driveway off of Centerview Dr.

Elroy Willoughby, of 5 Cottonwood Court, noted this was the 4th attempt to build a hotel on the site. He questioned whether there really was a need for the hotel.

Wes Lowder responded to the comments by showing the plan and noting the location of the development on the site. He stated the building was moved to the east to pull it away from the neighborhood. He noted the areas of trees to be left undisturbed which provided additional screening of the park from the hotel itself. Mr. Lowder again commented that the hotel would generate less traffic than an office building which could be developed by-right on the site.

Jim Irwin, representing the owners of the property and the adjacent office park, spoke in support of the application. He stated they did not want to do any development that would negatively impact the neighborhood or their own office

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ITEM NO.: 5 (Cont.)

FILE NO.: Z-6828-C

development. He stated the location of the hotel on the site and the preservation of green areas would protect the neighborhood.

Commissioner Meyer noted several of the allowable uses in O2 that he felt would have a greater impact on the neighborhood than the proposed hotel.

In response to a question from Chairman Taylor, Mr. Lowder stated the driveway location on Centerview Drive was as shown on the plan and was in excess of 100 feet from the intersection.

A motion was made to approve the application, subject to compliance with all staff comments and conditions. The motion was approved by a vote of 9 ayes, 0 noes, 1 absent and 1 recusing (Yates).

April 2, 2009

ITEM NO.: 6

FILE NO.: Z-8440

NAME: Doyne Duplexes – Conditional Use Permit

LOCATION: 4703, 4707 and 4711 Frazier Pike

OWNER/APPLICANT: D. and A. Doyne Family Limited Partnership/
Dexter Doyne

PROPOSAL: A conditional use permit is requested to allow for construction of a duplex residence on each of these R-3 zoned lots.

1. SITE LOCATION:

The properties are located on the north side of Frazier Pike, one lot west of Jones Street. The properties are located outside of the Little Rock city limits, but within the City's zoning jurisdiction.

2. COMPATIBILITY WITH NEIGHBORHOOD:

The properties front on an arterial street in an area of mixed uses. A day care center is adjacent to the east. An elementary school is located across Frazier Pike to the south. The lots to the west and north are either vacant or occupied by site built or manufactured homes. Other uses in the general area are churches and a few nonconforming non-residential uses. The proposed duplexes are compatible with the area.

Notices were sent to all owners of properties located within 200 feet of the site, all residents within 300 feet who could be identified and the College Station Neighborhood Association.

3. ON SITE DRIVES AND PARKING:

Each duplex requires 1 ½ parking spaces; 3 per duplex structure. The applicant has proposed a parking lot to be located in front of the 3 duplexes. A one-way entrance and exit driveway will provide access to 9 parking spaces. The proposed parking has been designed and located so as to be located out of the Master Street Plan required right-of-way for Frazier Pike. The proposed parking complies with Ordinance requirements.

4. SCREENING AND BUFFERS:

A franchise agreement with the City of Little Rock is required for landscaping located within the public right-of-way prior to the issuance of a building permit. Contact Ms. Bennie Nicolo at 501-371-4818.

5. PUBLIC WORKS COMMENTS:

1. Frazier Pike is classified on the Master Street Plan as a minor arterial. A dedication of right-of-way forty-five (45) feet from centerline will be required. With this dedication, the front of the proposed duplexes should be moved to the north.

6. UTILITY, FIRE DEPT. AND CATA COMMENTS:

Wastewater: Sewer available to this project.

Entergy: Approved as submitted.

CenterPoint Energy: No comment received.

AT&T (SBC): No comment received.

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.

Fire Department: This site is served by the Sweet Home Volunteer Fire Department and the LRFD. No comment was received from LRFD. The Sweet Fire Department did not voice any objection.

County Planning: No comment received.

CATA: The site is located on a CATA bus route.

SUBDIVISION COMMITTEE COMMENT:

(MARCH 12, 2009)

Dexter Doyne was present representing the application. Staff presented the item and requested additional information on building design, fencing and phasing.

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ITEM NO.: 6 (Cont.)

FILE NO.: Z-8440

Public Works and Utility Comments were discussed. There was a lengthy discussion of the Master Street Plan designation for Frazier Pike. Staff stated they would meet with the applicant to determine what options were available.

The Committee forwarded the item to the full Commission after instructing the applicant to respond to staff issues by March 18, 2009.

STAFF ANALYSIS:

The three R-3 zoned lots located at 4703, 4707 and 4711 Frazier Pike are currently vacant. They are located outside of the city limits but within the City's zoning jurisdiction. The applicant proposes to construct a duplex structure on each of three lots. A 9-space parking lot will be built in front of the buildings.

The buildings will be single story wood frame construction with a 6/12 pitch shingled roof. The exterior finish will be vinyl siding. Each unit of the duplexes will contain 2 bedrooms, 1 bath, kitchen and living area. The units will be approximately 767 square feet in area. A 6-foot tall wood privacy fence will be installed on the north and west perimeters of the overall site. A 6-foot tall chain link fence exists on the east perimeter, separating this site from an adjacent day care center. The 1908 Bill of Assurance for the College Park Addition does not address use issues.

Staff met with the applicant subsequent to the Subdivision Committee meeting and jointly devised a site plan that addresses the issue of right-of-way requirement. The buildings have been moved back slightly to a 20-foot rear yard setback. The parking lot in front of the buildings has been redesigned for angled parking. The result being that all parking and required maneuvering area is now located out of the Master Street Plan required right-of-way for Frazier Pike. The parking lot will be served by one-way entrance and exit driveways. Staff is supportive of the modified site plan. The applicant will dedicate the required right-of-way. Even with a slightly reduced rear yard, there is still good yard space available for each dwelling which staff believes is important for "livability".

To staff's knowledge, there are no outstanding issues.

STAFF RECOMMENDATION:

Staff recommends approval of the requested Conditional Use Permit subject to compliance with the comments and conditions outlined in Sections 4, 5 and 6 of the agenda staff report.

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ITEM NO.: 6 (Cont.)

FILE NO.: Z-8440

PLANNING COMMISSION ACTION:

(APRIL 2, 2009)

The applicant was present. There were no objectors present. Staff presented the item and a recommendation of approval subject to compliance with the conditions outlined in the "staff recommendation" above. There was no further discussion. The item was placed on the consent agenda and approved by a vote of 10 ayes, 0 noes and 1 absent.

April 2, 2009

ITEM NO.: 7

FILE NO.: Z-8441

NAME: Arkansas Baptist College Parking Lot –
Conditional Use Permit

LOCATION: 1504-1510 Dr. Martin Luther King, Jr. Drive

OWNER/APPLICANT: Arkansas Baptist College

PROPOSAL: A conditional use permit is requested to allow for construction of a parking lot on these R-3 and R-4 zoned properties.

1. SITE LOCATION:

The site is located at the southwest corner of West 15th Street and Dr. Martin Luther King, Jr. Drive.

2. COMPATIBILITY WITH NEIGHBORHOOD:

The parking lot is proposed to be constructed behind buildings housing the Cooperative Baptist Fellowship and the Arkansas Baptist College Alumni Association. Other uses in the area include single family homes of various styles and in various states of repair, a beauty school and salon, a restaurant and the main campus of the college. The area proposed for the new parking lot is now being used as unimproved parking. The use is compatible with uses in the area.

Notice of the hearing was sent to all owners of properties located within 200 feet of the site, all residents within 300 feet who could be identified and the Downtown and Central High Neighborhood Associations.

3. ON SITE DRIVES AND PARKING:

The proposed parking lot is to contain 27 spaces. An entry-only driveway will provide access off of West 15th Street. The alley will be improved to provide two-way traffic movement. The depth of the parking stalls and driveway on the east half of the parking lot are slightly less than that spelled out by the Code. The driveway will be one-way which will help the situation. The width of the stalls does comply with ordinance standard. Staff is supportive of a variance to allow the reduced stall depth and driveway width.

4. SCREENING AND BUFFERS:

Site plan must comply with the City's landscape and buffer ordinance requirements.

The landscape ordinance requires that eight (8) percent of the paved surface area be green space, or interior islands.

A landscape island is needed at the end of the parking lot for circulation of traffic.

The zoning buffer ordinance requires an average street buffer of 11.4 feet along 15th Street.

The sizes of the compact cars need to be denoted on the plan for a full review.

Depending upon the size of the property in question, the landscape plan may need both a landscape plan drawn by a licensed landscape architect and an automatic irrigation system.

Street trees are recommended.

The City Beautiful Commission recommends preserving as many existing trees as feasible on this site. Credit toward fulfilling Landscape Ordinance requirements can be given when properly preserving trees of six (6) inch caliper or larger.

5. PUBLIC WORKS COMMENTS:

1. Dedication of right-of-way is required to ten (10) feet from centerline of alley. Show the entire width and centerline of the alley with dimensions.
2. A twenty (20) foot radial dedication of right-of-way is required at the intersection of Martin Luther King Drive and 15th Street.
3. At the time of building permit, Little Rock code requires the alley to be improved by paving for the entire width of the alley for the length adjacent to the applicant's property.
4. Alleys are for two-way traffic unless signed otherwise by City Staff. If the alley is desired to be one-way, contact Bill Henry in Traffic Engineering at 379-1816 with any questions.

6. UTILITY, FIRE DEPT. AND CATA COMMENTS:

Wastewater: Sewer available to this project.

Entergy: Approved as submitted.

CenterPoint Energy: No comment received.

AT&T (SBC): No comment received.

Water: Contact Central Arkansas Water if larger and/or additional meters are needed.

Fire Department: No comment received.

County Planning: No Comments.

CATA: The site is located on a CATA bus route.

SUBDIVISION COMMITTEE COMMENT:

(MARCH 12, 2009)

Gerald Turner was present representing the College. Staff presented the item and noted additional information was needed regarding fencing, site lighting, parking stall dimensions and signage. Staff asked the applicant to provide a signed copy of the survey and to indicate property lines on the site plan.

Public Works, Utility and Landscape Comments were discussed.

The applicant was advised to respond to staff issues by March 18, 2009. The Committee determined there were no other issues and forwarded the item to the full Commission.

STAFF ANALYSIS:

The R-3 and R-4 zoned properties on the southwest corner of West 15th Street and Dr. Martin Luther King, Jr. Drive are occupied by buildings housing the Cooperative Baptist Fellowship and the Arkansas Baptist College (ABC) alumni association offices. The college is requesting approval of a conditional use permit to allow construction of a 27-space parking lot behind the buildings. Access to the parking lot will be from an entry-only driveway off of West 15th Street and from the alley, which will be improved to accommodate two-way traffic.

The applicant submitted responses to the issues raised at Subdivision Committee. The bill of assurance for Centennial Addition does not address use issues. A signed copy of the survey was provided. Any new lighting will be shielded downward and into the site to prohibit lighting spilling off of the site. There will be no fencing installed. The property lines have been added to the site plan. The dimensions of the parking stalls have been provided and comply with ordinance standard for stall width. The depth of the stalls and maneuvering area for the spaces on the east half of the parking lot are less than ordinance standard. Staff is supportive of allowing the reduced stall depth and driveway width since the driveway is one-way only.

Signage will consist of directional signage within the parking lot and a new monumental entry sign to be placed at the southwest corner of 15th and MLK. The entry sign will be built of brick and stone and will provide a defined entrance into the area of the College Campus. The name of the school, a message board and three crosses will be incorporated into the monumental sign. The wall forming the basis of the sign may be as tall as 10 feet. Staff is supportive of allowing the sign subject to Public Works Traffic Engineering approval of placement to assure no sight-distance issues.

The revised plan incorporates interior landscape islands and shows the required street buffer area. To staff's knowledge, there are no outstanding issues.

STAFF RECOMMENDATION:

Staff recommends approval of the requested Conditional Use Permit subject to compliance with the comments and conditions outlined in Sections 4, 5 and 6 of the agenda staff report.

Staff recommends approval of variances to allow the monumental entry sign and to allow reduced parking stall depth and driveway width. Approval of the entry sign is subject to Public Works Traffic Engineering approval for sight-distance.

PLANNING COMMISSION ACTION:

(APRIL 2, 2009)

The applicant was present. There were no objectors present. Staff presented the item and a recommendation of approval subject to compliance with the conditions outlined in the "staff recommendation" above. There was no further discussion. The item was placed on the consent agenda and approved by a vote of 10 ayes, 0 noes and 1 absent.

April 2, 2009

ITEM NO.: 8

FILE NO.: Z-8442

NAME: Arkansas Baptist College Student Services Center –
Conditional Use Permit

LOCATION: 1519 Dr. Martin Luther King, Jr. Drive

OWNER/APPLICANT: Arkansas Baptist College

PROPOSAL: A conditional use permit is requested to allow use of the existing residential structure on this R-4 zoned lot as student services center offices for the college.

1. SITE LOCATION:

The property is located on the east side of Dr. Martin Luther King, Jr. Drive, one lot north of West 16th Street.

2. COMPATIBILITY WITH NEIGHBORHOOD:

The property fronts on an arterial street in an area of mixed uses. A restaurant and a single-family residence, both owned by the college, are located on the C-3 zoned property to the south. A beauty school/salon is located on the PCD zoned property to the west. Also on the west side of the street are offices of the Cooperative Baptist Fellowship and the College Alumni Association. The main campus of the college is located to the southwest. A single-family residence is adjacent to the north. The college will maintain the structure's residential appearance and staff believes the use is compatible with the neighborhood.

All owners of properties located within 200 feet of the site, all residents within 300 feet who could be identified and the Central High and Downtown Neighborhood Associations were notified of this request.

3. ON SITE DRIVES AND PARKING:

The building will contain approximately 2,600 square feet of office space, requiring 6 parking spaces. The building will house employees and services that are currently housed elsewhere on the campus. Employees and students using the facility will continue to park on other campus parking lots. This site has no parking. None will be constructed, helping to maintain the structure's residential character. As long as the office use of the building is limited to Arkansas Baptist College, staff will support a variance to allow no on-site parking.

4. SCREENING AND BUFFERS:

No Comments on this use-only issue.

5. PUBLIC WORKS COMMENTS:

1. No Comments.

6. UTILITY, FIRE DEPT. AND CATA COMMENTS:

Wastewater: Sewer available to this project.

Entergy: Approved as submitted.

CenterPoint Energy: No comment received.

AT&T (SBC): No comment received.

Water: Contact Central Arkansas Water if larger and/or additional meters are needed.

Fire Department: No comment received.

County Planning: No Comments.

CATA: This site is located on a CATA bus route.

SUBDIVISION COMMITTEE COMMENT:

(MARCH 12, 2009)

Gerald Turner was present representing the College. Staff presented the item and noted additional information was needed regarding signage, days and hours of use, site lighting and fencing. Staff requested a signed survey.

Utility and Public Works Comments were noted.

The Committee determined there were no other issues. The applicant was advised to respond to staff issues by March 18, 2009. The Committee forwarded the item to the full Commission.

STAFF ANALYSIS:

The R-4 zoned lot located at 1519 Dr. Martin Luther King, Jr. Drive is occupied by a 1 ½ story frame residential structure. The property is owned by Arkansas Baptist College (ABC) who proposes to convert the structure into student services center offices. Use of the building will encompass admission, student services and financial aid offices that are currently located in several unrelated areas on the main campus.

The building contains approximately 2,000 square feet of area on the first floor and 600 square feet on the second floor. The building will maintain its residential character after remodeling. No parking will be provided on the site. Parking will continue to take place on existing ABC parking lots.

The applicant has responded to issues raised at Subdivision Committee. The bill of assurance for Centennial Addition does not address use issues. A signed survey was provided. Lighting will consist of porch lighting. A six-foot wood privacy fence will be installed along the north property line, adjacent to the residential property. ABC is pursuing purchase of that adjacent property. If the purchase is completed prior to the subject building being occupied, ABC is proposing not to install the fence. Signage will consist of a wall sign on the front façade and a small ground sign in keeping with the character of the structure. Typical days and hours of use are Monday through Friday, 8:00 a.m. to 6:00 p.m.

To staff's knowledge, there are no outstanding issues. Staff believes the proposed use is appropriate.

STAFF RECOMMENDATION:

Staff recommends approval of the Conditional Use Permit subject to compliance with the following conditions:

1. Use of the structure is to be limited to Arkansas Baptist College and the student services described in this application.
2. A six-foot tall wood privacy fence is to be installed on the north property line unless the college purchases the property adjacent to the north prior to occupancy of this property.

Staff recommends approval of a variance to allow off-site parking.

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ITEM NO.: 8 (Cont.)

FILE NO.: Z-8442

PLANNING COMMISSION ACTION:

(APRIL 2, 2009)

The applicant was present. There were no objectors present. Staff presented the item and a recommendation of approval subject to compliance with the conditions outlined in the "staff recommendation" above. There was no further discussion. The item was placed on the consent agenda and approved by a vote of 10 ayes, 0 noes and 1 absent.

April 2, 2009

ITEM NO.: 9

PROPOSAL: Proposed Amendment to Chapter 36, Section 36-203(g) of the Code of Ordinances to extend the Sunset Provision an additional five (5) years for portable classroom buildings used by the Little Rock School District.

STAFF REPORT:

On July 18, 1989, the Board of Directors passed Ordinance No. 15,710 which allowed for staff approval for placement of portable classroom buildings on Little Rock School District campuses with a five (5) year Sunset Provision. The Sunset Provision was subsequently extended in five (5) year increments by the passage of Ordinance No. 16,706 to July 18, 1999, Ordinance No. 18,028 to July 19, 2004 and Ordinance No. 19,126 to July 19, 2009.

The District has submitted a request to extend the Sunset Provision for an additional five (5) years, through July 19, 2014. The District currently has 58 portable classroom buildings and 5 other-purpose portable buildings on a total of 19 school campuses.

The request is made in order for the District to continue to accommodate an increase in Pre-K programs at area schools as initiated by the State's Arkansas Better Chance Grant and to accommodate a student assignment plan that allows more students to attend schools in the vicinity of their homes.

The District also anticipates that the 2010 completion of the West Little Rock School will relieve the overcrowding of Terry and Fulbright Schools which have a combined total of 12 portables. It is also expected that the conversion of Woodruff Elementary to an Early Childhood facility will eliminate the portables at that site.

STAFF RECOMMENDATION:

Staff recommends approval of the Ordinance Amendment to extend the Sunset Provision to July 19, 2014.

PLANNING COMMISSION ACTION: (APRIL 2, 2009)

Staff presented the item. There was no further discussion. The item was placed on the consent agenda and approved by a vote of 10 ayes, 0 noes and 1 absent.

April 2, 2009

ITEM NO.: 10

FILE NO.: 318

NAME: Independence Farms North Annexation

REQUEST: Accept 3.23 acres plus or minus to the City

LOCATION: North of Kanis Road, South of LaGrande and West of Chenal Parkway

SOURCE: William Spivey, Agent for the Property Owners

GENERAL INFORMATION:

- The County Judge held a hearing and signed the Annexation Order on February 3, 2009.
- The area requested for consideration has a single-family house on it.
- There is one property owner.
- The site is contiguous to the City of Little Rock along three sides.
- The annexation request is to obtain sewer service and other City services.
- The area in question is generally rectangular, approximately 700 feet north-south and 200 feet east-west.
- Currently the property is zoned PD-O, Planned Development Office (expired).
- The property owners have indicated the intention to redevelop this land for more intense uses.

AGENCY COMMENTS:

Public Safety:

Fire: The Little Rock Fire Department has indicated they have no issues or concerns with the requested annexation.

Police: The Little Rock Police Department has indicated they have no issues or concerns with the requested annexation.

Infrastructure and Community Facilities:

Central Arkansas Transit: No Comment Received.

Parks and Recreation: The Little Rock Parks and Recreation Department has indicated they have no issues or concerns with the requested annexation.

Public Works: The Engineering Division of Public Works has indicated that they have no issues with the requested annexation.

Utilities:

Central Arkansas Water: Central Arkansas Water has indicated that cost of water service to this property will be borne by the developer. Further, they indicate a Capital Investment Charge will be applied based on meter size. There is a 50-foot easement through this property and water facilities in the easement must be protected during construction in the area.

Entergy: No Comment Received.

Reliant-Energy: No Comment Received.

Wastewater Utility. The Little Rock Waste Water Utility has indicated they have no objections to the annexation. They note that sewer service for this property will be the responsibility of the developer of the property.

Southwestern Bell: No Comment Received.

Schools:

Little Rock: No Comment Received.

The annexation is not within the Little Rock School District.

Pulaski County Special: No Comment Received.

The annexation area is within the Pulaski Special School District.

ANALYSIS:

The Pulaski County Judge has held a hearing on this annexation and found that it is contiguous to the City of Little Rock, that the petition for annexation was correct and valid and the land would be used for an urban use. The Judge has signed an order for annexation indicating he finds the annexation request does meet the state requirements to be annexed to Little Rock.

The site is rectangular with no direct access to a public right-of-way. There is a house with several accessory structures on the tract with an access easement to Kanis Road. The land is lowest along the southern property line at around 492 feet. The land rises to the north and west with a slight hill near the northwest corner, reaching a height of approximately 516 feet. Rock Creek flows from northwest to southeast, just to the west of this land. The site has been developed for a rural single-family tract.

The property is currently zoned Planned District – Office, which has expired. There is O-2, General Office and MF-18, Multifamily 18-units per acre zoning to the east, west and north. To the south is a Planned Commercial District and R-2 Single Family zoning. The City's adopted Land Use Plan shows this site for

Office use with Multifamily use to the west, Office to the east, Mixed Office/Commercial to the north and Commercial to the south.

The site is land-locked, with no direct access to a public street. There is an access easement through the property to the south to Kanis Road. The current property owner intends to combine this property with their land to the east and west to eventually bring forward a larger development. Based on the Land Use Plan and existing zoning pattern the likely future use will be non-residential or possibly multifamily. At the time of such development plan access and potential road improvements will be addressed to support what might be proposed for the land.

There is no mass transit service to this area. The closest bus route is Route 5, West Markham, which ends at the intersection of Markham and Chenal Parkway. This is some two and three-quarters miles to the east of the site.

There are no streets included with the annexation, so there would not be any increase in demand on the Street Division of the Public Works Department. Currently there is one house on the site with garbage pick-up. The City and County have an agreement on solid waste pick-up such that the service provider is not likely to change as a result of this annexation due to the location. At such time as redevelopment occurs, solid waste pick-up would likely be by private contract due to the likely future development pattern.

A 12-inch sewer service line runs through the southern portion of the site to serve the office developments east of Chenal Parkway near Technology Drive. Additional service lines to support any proposed future development of the site will be made at the cost of the developer. There are 12-inch water service lines in Chenal Parkway, Rahling Road and LaGrande Drive. Addition service lines to support any proposed future development of the site will be made at the cost of the developer.

There is a fire station to the north, Station 21 that is just less than 1.5 miles from the site. A second fire station is located to the east, Station 20, which is just over 2.5 miles from the site. As long as the owner maintains the house at 17424 Kanis Road, service will have to come from Kanis Road along an existing access easement. At such time as the site is redeveloped as part of a larger development, access most likely would come from LaGrande Drive.

Staff Recommendation:
Approval

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ITEM NO.: 10 (Cont.)

FILE NO.: 318

PLANNING COMMISSION ACTION:

(APRIL 2, 2009)

The item was placed on the consent agenda for approval. By a vote of 10 for 0 against the consent agenda was approved.

April 2, 2009

ITEM NO.: 11

NAME: Downtown Framework Update

REQUEST: Review Plan update

LOCATION: I-630 to Arkansas River, Union Pacific RR to Heifer International

SOURCE: Staff

GENERAL INFORMATION:

In the nine years since the Downtown Little Rock Framework for the Future Plan was approved (in 1999), various public and private projects have developed. The Streetcar has returned to downtown with a loop route through the convention and entertainment areas along the river from Spring Street to the Presidential Park east of Interstate 30 (with connections across to North Little Rock's downtown and east to Heifer International and the Presidential Library). The Presidential Library and Archives has been completed and Heifer International has developed their new world headquarters building on the eastern edge of Downtown with a visitors/conference center under construction. The new Federal Court House at Broadway and Capitol Avenue has changed this important intersection. Several new residential projects and mixed-use projects have been constructed in downtown, with the larger developments in the eastern portions.

Downtown continues to grow:

- The Presidential Foundation continues its development of the Presidential Park
- The County and Cities have converted the 'Junction' railroad bridge to pedestrian/bicycle use
- Heifer International is expanding with a new meeting and visitors center
- Lions World has acquired land to develop a mixed use center (living, training, working and meeting) for the visually impaired
- Major new mixed-use buildings with residential and commercial uses are under construction and being discussed

The Downtown Little Rock Framework for the Future Plan focus' on Little Rock's central core, north of I-630 from Bond to the Union Pacific Railroad Line. However the concepts and ideas require working with the Greater Little Rock Downtown area (Roosevelt Road north to the River and from the Airport to Union Pacific Railroad) and the groups that make up this area - the Downtown Little

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ITEM NO.: 11 (Cont.)

Rock Partnership, Quapaw Quarter Association, Downtown Neighborhood Association, MacArthur Park Historic District, the Capital Zoning District, SOMA (Southside Main), Downtown CDC, Philander Smith, and major institutions in the area.

In 2007 the Mayor of Little Rock asked that the Downtown Little Rock Partnership develop a Plan for downtown. After some initial discussion the leadership of the Downtown Little Rock Partnership together with City Planning Staff decided the best method to address the Mayor's request was to update the Downtown Little Rock Framework for the Future Plan document. A new group of citizens was formed based on the committee involved with the 1999 plan. In February 2008, this group began meeting to discuss the direction of the future of downtown Little Rock. After three-quarters of a year the group agreed with the general directions proposed in the 1999 document, with some updating and a few additions.

FINDINGS:

Downtown should become a place where people want to live, shop and dine as well as visit, and should have a lasting and recognizable image, distinguishable from all other nearby environments. The built environment should encourage a sense of community and safety among residents and visitors with pedestrian friendly designs of streets, public areas and public-private connections. Downtown should be planned to become a place of 24-hour activity, encourage sidewalk and plaza cafes and street vendors to help enliven public open spaces and provide a measure of security and control.

Downtown must be actively marketed. Explore with, and expand, the Downtown Little Rock Partnership to be the economic and physical catalyst for the entire downtown area. Broad based funding commitments from both public (develop an annual Capital Improvements Plan with a portion toward capital improvements downtown) and private sources need to be obtained.

- Develop a specific downtown business development strategy that will further reinforce downtown as an excellent place for investment, business, institutions, and government. Components of the business development strategy should include: an updated downtown marketing message that states the advantages of downtown, an identification of target markets, a clarification of the specific roles for the Chamber of Commerce, the Downtown Little Rock Partnership, Convention and Visitors Bureau, downtown owners/developers, the City, and others; and active and reactive marketing activities. Maintain accurate information on downtown's office, retail and residential space, employment, business and development trends, the region's labor force, housing costs, quality of life, and overhead costs for downtown office space. Inventory the existing

ITEM NO.: 11 (Cont.)

- housing units for numbers and types as well as conduct a study to determine what the market is for downtown housing and where people will live Downtown. This information is crucial for selling downtown to new developers, site selectors, and tenants and should be collected and published regularly including on-line access.
- To support an urban land use form, an investment should be made in a fixed transit system for downtown that effectively connects the different parts of downtown and moves people to, from and within that area. Develop north-south and east-west fixed or dedicated transit connections to surrounding areas. Establish a transportation management program with a public and private commitment to encourage use of mass transit services. Promote techniques to increase use of alternative programs, such as encouraging large-scale development to provide a transportation manager in charge of carpool, vanpool, and bus utilization programs. Include facilities for bicycles and transit in the design of structures, parking, and landscape projects. Identify and improve pedestrian/bicycle connections throughout downtown from surrounding neighborhoods.
 - Develop smaller walkable residential 'neighborhoods' within downtown, approximately 4-block by 4-block or larger 'districts' within downtown that are totally pedestrian oriented with major streets allowed to maintain more vehicular dominance, reducing traffic speeds, curb cuts, and surface parking lots that front major streets accessible to elderly and handicapped.
 - Highlight a safe downtown environment through business advertising and promotional materials. Work with downtown business organizations and residential groups to provide public education about protection from various aspects of criminal activity, establish downtown crime watch programs, and establish better communication between merchants, residents, and the City on these issues. Develop a "zero tolerance" policy about people that misuse or conduct inappropriate activities in the parks, plazas, and other public spaces.
 - Develop a comprehensive urban design plan and require that new development and renovations adhere to the plan by implementing a design review process. Designs of building and other physical features need to be sensitive to pedestrians and safety concerns designate streets comprising a downtown corridors network: north-south streets - Main Street, Broadway Street and Chester Street; and east-west streets - Markham Street, Capitol Avenue, Third and Ninth Streets.

One over riding element is needed to make sure the development and redevelopment of Little Rock's Downtown advances, and that is a

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ITEM NO.: 11 (Cont.)

Market/Economic Study of Downtown. To assure its success the funding and implementation of this effort should be joint effort with the City of Little Rock as a partner with major property owners and institutions in Downtown Little Rock.

PLANNING COMMISSION ACTION:

(APRIL 2, 2009)

Walter Malone, Planning Staff reviewed the process used and area of the study. The original Framework for the Future document was approved in 1999. The update process included representatives from the same groups. These citizens worked with staff for almost a year reviewing the document. The 'basic' direction of the 1999 document is still what is recommended, though some specifics have been changed. Mr. Malone turned the presentation over to Mr. George Wittenberg representing the committee.

Mr. Wittenberg identified some of the people and groups who participated in the review. He identified the study area and 'greater' downtown area as well as some of the major elements in downtown and the importance of corridors. Mr. Wittenberg reviewed some of the planning and other efforts related to downtown from 1997 to the present. The accomplishments since 1999 – the new zoning and how important that truly is, and the things still be to done – design of the corridors and establishment of a downtown 'champion'. Mr. Wittenberg reviewed the top recommendations of the draft document and pointed out that the number one item is an economic development plan for downtown and second an urban design plan.

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There being no further business before the Commission, the meeting was adjourned at 6:15 p.m.

Date _____

Secretary

Chairman