

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

APRIL 22, 2010

4:00 P.M.

I. Roll Call and Finding of a Quorum

A Quorum was present being eleven (11) in number.

II. Members Present: Tom Brock  
William Changose  
Marcus Devine  
J. T. Ferstl  
Dan Harpool  
Troy Laha  
Obay Nunnley, Jr.  
Bill Rector  
Billy Rouse  
Candice Smith  
Jeff Yates

Members Absent: None

City Attorney: Cindy Dawson

III. Approval of the Minutes of the March 11, 2010 Meeting of the Little Rock Planning Commission. The Minutes were approved as presented.

LITTLE ROCK PLANNING COMMISSION  
PLANNING – REZONING – CONDITIONAL USE HEARING  
APRIL 22, 2010  
4:00 P.M.

I. OLD BUSINESS:

No Old Business

II. NEW BUSINESS:

<u>Item Number:</u>	<u>File Number:</u>	<u>Title</u>
1.	<u>Z-5099-E</u>	Rezoning from R-2 to MF-18 Northwest corner of The Divide Parkway and Divide Court
2.	<u>Z-8519-A</u>	Rezoning from R-2 to C-3 9501 Mabelvale Pike
3.	<u>LU10-22-01</u>	Land Use Amendment from Residential Low Density to Commercial at Northwest Corner of Lawson Road and Marsh Road
3.1	<u>Z-8530</u>	Rezoning from R-2 to C-3 Northwest Corner of Lawson Road and Marsh Road
4.	<u>Z-8531</u>	Rezoning from R-2 to C-4 3618 Baseline Road
5.	<u>Z-8532</u>	Rezoning from R-2 to C-3 4317 Baseline Road
6.	<u>Z-8536</u>	Rezoning from R-2 to C-3 South side of I-30, 1,000 feet east of Alexander Road
7.	<u>Z-4343-X</u>	Tract I, The Ranch Nursing Home – Conditional Use Permit East side of Ranch Blvd., one lot south of Saratoga Blvd.
8.	<u>Z-5682-B</u>	Country Club of Little Rock Parking Lot – Conditional Use Permit 4200 Country Club Blvd.

II. NEW BUSINESS: (CONTINUED)

<u>Item Number:</u>	<u>File Number:</u>	<u>Title</u>
9.	<u>Z-6957-N</u>	Lot 20, Colonel Glenn Centre Business School and Retail Center – Conditional Use Permit SE Corner of Colonel Glenn Square and Commercial Centre Drive
10.	<u>Z-8533</u>	Abundant Grace Apostolic Church Adult Day Care Center – Conditional Use Permit 5000 Young Road
11.	<u>Z-8534</u>	Arkansas Baptist College Parking Lot – Conditional Use Permit East side of 1700 Block of Marshall Street
12.	<u>Z-8535</u>	Vance Accessory Dwelling – Conditional Use Permit 1801 Fair Park Blvd.

April 22, 2010

ITEM NO.: 1

FILE NO.: Z-5099-E

Owner: H-10, LLC  
Applicant: Joe White, White-Daters and Associates  
Location: Northwest corner of The Divide Parkway and Divide Court  
Area: 0.345 Acre  
Request: Rezone from R-2 to MF-18  
Purpose: To incorporate area into existing MF-18 zoned area for future development.  
Existing Use: Undeveloped

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SURROUNDING LAND USE AND ZONING

North – Undeveloped property; zoned MF-18

South – Undeveloped property; zoned R-2 and MF-18

East – Undeveloped property; zoned MF-18

West – Undeveloped property; zoned R-2

A. PUBLIC WORKS COMMENTS:

1. The Divide Court is classified on the Master Street Plan as a collector street. A dedication of right-of-way 30 feet from centerline will be required.
2. The Divide Parkway is classified on the Master Street Plan as a collector street. A dedication of right-of-way 60 feet will be required.
3. A 20 foot radial dedication of right-of-way is required at the intersection of The Divide Parkway and Divide Court.

B. PUBLIC TRANSPORTATION ELEMENT:

The site is not located on a CATA bus route.

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 Coalition of West Little Rock Neighborhoods were notified of the public hearing.

D. LAND USE ELEMENT:

This request is located in the Pinnacle Planning District. The Land Use Plan shows Residential High Density for this property. The applicant has applied for a rezoning R-2 Single Family District to MF-18 Multi Family District. The request does not require a change to the Land Use Plan.

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

Master Street Plan:

The Divide Parkway and Divide Court are both shown as Local Streets on the Master Street Plan. The primary function of a Local Street is to provide access to adjacent properties. Local Streets which are abutted by non-residential zoning/use or more intensive zoning than duplexes are considered as "Commercial Streets". These streets have a design standard the same as a Collector. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan:

There are no bike routes shown in the immediate vicinity.

E. STAFF ANALYSIS:

H-10, LLC, owner of the 0.345 acre located near the northwest corner of The Divide Parkway and Divide Court, is requesting to rezone the property from "R-2" Single Family District to "MF-18" Multifamily District. The rezoning is requested in order to incorporate the area into the existing MF-18 zoning to the east for future development. This 0.345 acre will be utilized as additional buffer and landscape area.

The property is currently undeveloped and wooded, as is all of the adjacent property. There is a mini-warehouse development to the southwest along Chenal Parkway. The Little Rock Christian School campus is located to the southeast along Cantrell Road.

The City's Future Land Use Plan designates this property as "Residential High Density". The proposed rezoning to MF-18 does not require an amendment to the Land Use Plan.

Staff is supportive of the requested rezoning to MF-18 for 0.345 acre. Staff views the request as a "clean-up" type issue. The Planning Commission approved a site plan for the overall MF-18 zoned property on April 8, 2010. The site plan included multiple buildings on 15.22 acres, with 260 total multifamily units. The rezoning of this 0.345 acre property will not increase the density of the overall multifamily development. The area will be used for increased landscape and buffer area only. Staff believes the requested MF-18 rezoning is reasonable and will have no adverse impact on the general area.

F. STAFF RECOMMENDATION:

Staff recommends approval of the requested MF-18 rezoning.

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PLANNING COMMISSION ACTION:

(APRIL 22, 2010)

The applicants were present. There were no objectors present. Staff presented the item and a recommendation of approval. There was no further discussion. The item was placed on the Consent Agenda and approved as recommended by staff. The vote was 11 ayes, 0 noes and 0 absent.

April 22, 2010

ITEM NO.: 2

FILE NO.: Z-8519-A

Owner: Garth Development, LLC  
Applicant: Robert Holloway, The Holloway Firm, Inc.  
Location: 9501 Mabelvale Pike  
Area: Approximately 1.5 Acres  
Request: Rezone from R-2 and C-3 to C-3  
Purpose: To incorporate area into existing C-3 zoned area for future development.  
Existing Use: Undeveloped

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SURROUNDING LAND USE AND ZONING

North – Single family residences and tire shop; zoned R-2 and C-3  
South – Undeveloped property and a single family residences; zoned C-3  
East – Undeveloped property; zoned C-3  
West – Undeveloped property (across Mabelvale Pike); zoned R-2

A. PUBLIC WORKS COMMENTS:

1. Mabelvale Pike is classified on the Master Street Plan as a minor arterial. A dedication of right-of-way 45 feet from centerline will be required.

B. PUBLIC TRANSPORTATION ELEMENT:

The site is not located on a CATA bus route. Route #17 (Mabelvale-Downtown) and #17A (Mabelvale-UALR) run along the I-30 frontage road and Baseline Road to the north.

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 SWLR United for Progress, Pinedale and Mavis Circle Neighborhood Associations were notified of the public hearing.

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. This area is covered by the Chicot West/I-30 South Neighborhood Plan. The Economic Development goal states: "Provide a mixed commercial/residential environment that will promote the safety, attractiveness, and value of the area while creating a competitive and adaptable economic climate that encourages investment and diversity of employment opportunities."

Master Street Plan:

Mabelvale Pike is a Minor Arterial. A Minor Arterial provides connections to and through an urban area and their primary function is to provide short distance travel within the urbanized area. Entrances and exists should be limited to minimize negative effects of traffic and pedestrians on Mabelvale Pike since it is a Minor Arterial. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan:

There are no bike routes shown in the immediate vicinity.

E. STAFF ANALYSIS:

Garth Development, LLC, owner of the approximate 1.5 acre property located at 9501 Mabelvale Pike, is requesting to rezone the property from "R-2" Single Family District and "C-3" General Commercial District to "C-3" General Commercial District. The property is located on the east side of Mabelvale Pike, south of Interstate 30. The property proposed for rezoning is part of a much larger C-3 zoned tract (east and south). The rezoning is being proposed to match the zoning of the remainder of the large tract for future commercial development.

The property is currently undeveloped with a few mature trees on the site. The general area contains a mixture of uses and zoning. A single family structure and tire shop are located to the north, along the east side of Mabelvale Pike. The Home Depot commercial development is located to the northeast. Undeveloped C-3 zoned property is located to the south

and east. Undeveloped R-2 zoned property is located across Mabelvale Pike to the west, with single family structures and a commercial/light industrial mixture of uses to the northwest.

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 C-3 rezoning. Staff views the request as a "clean-up" type issue. Staff has researched the history of the rezonings in this area and is not sure why this property was left out of the original C-3 rezoning for the remainder of the overall tract. Staff believes the requested C-3 rezoning is appropriate and represents a continuation of the C-3 zoning pattern along the east side of Mabelvale Pike, between Sibley Hole Road and interstate 30.

F. STAFF RECOMMENDATION:

Staff recommends approval of the requested C-3 rezoning.

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PLANNING COMMISSION ACTION:

(APRIL 22, 2010)

The applicants were present. There were no objectors present. Staff presented the item and a recommendation of approval. There was no further discussion. The item was placed on the Consent Agenda and approved as recommended by staff. The vote was 11 ayes, 0 noes and 0 absent.

April 22, 2010

ITEM NO.: 3

FILE NO.: LU10-22-01

Name: Land Use Plan Amendment – West Fourche Planning District

Location: The Northwest corner of Lawson and Marsh Roads

Request: Residential Low Density to Commercial

Source: Dorothy Carolyn Crone, Property Owner

PROPOSAL / REQUEST:

A Land Use Plan amendment in the West Fourche Planning District from Residential Low Density to Commercial. Commercial represents a broad range of retail and wholesale sales of products, personal and professional. The applicant has also requested a rezoning from R-2 Single Family to C-3 General Commercial for a beauty salon.

EXISTING LAND USE AND ZONING:

The amendment site is currently zoned R-2 Single Family and is vacant and undeveloped. The property to the north, east and southeast is also zoned R-2 Single Family and is developed with residences. There are two Planned Commercial Developments to the southeast along Lawson Road for a liquor store and a woodworking shop. There is also a Planned Commercial Development to the west of the amendment site along Lawson Road for a landscaping business. The land to the south of this amendment is outside of the City of Little Rock's planning jurisdiction, and it is a mixture of single family residences and two gas station/convenience stores.

FUTURE LAND USE PLAN AND RECENT AMENDMENTS:

This area is shown as Residential Low Density (RL) on the Future Land Use Plan. The RL extends west and north of this site. South of this site is outside of the city's planning jurisdiction. East of this site at the northeast corner of Marsh and Lawson is shown as Commercial on the Plan. The southeast corner of said intersection is shown as Mixed Commercial Industrial.

MASTER STREET PLAN:

Lawson and Marsh Roads are both shown as Minor Arterials on the Master Street Plan. 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 both streets since they are Minor Arterials. These streets

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

BICYCLE PLAN:

There are no bike routes shown in the immediate vicinity.

PARKS:

The Master Parks Plan does not address areas outside of the Little Rock city limits, however, there is an elementary school in the vicinity of this amendment that could provide recreation facilities.

HISTORIC DISTRICTS:

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

ANALYSIS:

This area was brought into the extraterritorial jurisdiction (ETJ) of the City of Little Rock in 2002. Most of the land in the ETJ was zoned as R-2 Single Family unless otherwise specified by the property owner upon being added to the zoning jurisdiction. At the same time as the zoning, the future land use plan was developed for this area with the majority of the extra territorial area being shown as Residential Low Density. Most of the areas shown as something other than residential were for existing uses and non-residential zonings. This has not left much room for future growth without amending the future land use plan.

This area has been mostly dormant for the past twenty years, but new residential developments are currently moving to this area. There is a new gated community just north of this site on the east side of Marsh Road and development is gradually heading to this western edge of the planning boundary. As Lawson Road heads west, the predominant land use pattern is single family with large tracts of land. This part of Lawson Road is still relatively rural in nature. This use pattern has been in place for several decades. With a rural development pattern, less non-residential uses are needed and the separation between these uses should be greater. While this area is fairly rural in nature, the high number of single family residences heading east into town creates quite a bit of traffic.

The City policy for land use is to develop using the 'node' concept. That concept is based upon the idea that retail, commercial and businesses should be grouped around major intersections. These uses should not line major roads. This is done in part to reduce traffic issues along these arterials. Under this 'node'

concept, non-residential uses on Lawson Road and Marsh Road should be concentrated at major intersections. Both Marsh Road and Lawson Road are shown as Minor Arterial streets on the Master Street Plan. Marsh Road is actually shown as extending south to the Raines Road extension. Minor Arterials are designed to be high volume roads with a minimum of four travel lanes required. Since this intersection will eventually be a major intersection for the area, commercial uses would be logical at this location.

NEIGHBORHOOD COMMENTS:

Staff has received one comment from area residents. The property under review is not located in an area covered by a City of Little Rock recognized neighborhood action plan.

STAFF RECOMMENDATIONS:

Staff believes the change is appropriate.

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PLANNING COMMISSION ACTION:

(APRIL 22, 2010)

The item was placed on consent agenda for approval. By a vote of 11 for and 0 against the consent agenda was approved.

April 22, 2010

ITEM NO.: 3.1

FILE NO.: Z-8530

Owner:	Dorothy Carolyn Crone
Applicant:	Dorothy Carolyn Crone
Location:	Northwest corner of Lawson Road and Marsh Road
Area:	2.18 Acres
Request:	Rezone from R-2 to C-3
Purpose:	Future Commercial Development (beauty salon)
Existing Use:	Undeveloped

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SURROUNDING LAND USE AND ZONING

- North – Single family residence; zoned R-2
- South – Single family residences (across Lawson Road); zoned R-2
- East – Undeveloped property (across Marsh Road); zoned R-2
- West – Single family residences and landscape business; zoned R-2 and PD-C

A. PUBLIC WORKS COMMENTS:

1. Lawson Road is classified on the Master Street Plan as a minor arterial. A dedication of right-of-way 45 feet from centerline will be required.
2. Marsh Road is classified on the Master Street Plan as a minor arterial. A dedication of right-of-way 45 feet from centerline will be required. Per the Master Street Plan, where a minor arterial intersects and existing minor arterial, the applicant shall dedicate an additional 10 ft. of right-of-way, measured from the centerline of the right-of-way for a right turn lane on Marsh Road. This additional right-of-way shall normally be 250 ft. in length measured from the intersecting right-of-way. The total dedication along Marsh Road is 55 ft. from centerline for 250 ft. measured from the southern property line.
3. A 20 foot radial dedication of right-of-way is required at the intersection of Lawson Road and Marsh Road.

B. PUBLIC TRANSPORTATION ELEMENT:

The site is not located on a CATA bus route.

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 SWLR United for Progress Neighborhood Association were notified of the public hearing.

D. LAND USE ELEMENT:

This request is located in the West Fourche Planning District. The Land Use Plan shows Residential Low Density for this property. The applicant has applied for a rezoning R-2 Single Family to C-3 General Commercial District. A Land Use Plan amendment from Residential Low Density to Commercial. The property under review is not located in an area covered by a City of Little Rock recognized neighborhood action plan.

Master Street Plan:

Marsh Road and Lawson Road are both Minor Arterials. 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 exists should be limited to minimize negative effects of traffic and pedestrians on both of these roads since they are Minor Arterials. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan:

There are no bike routes shown in the immediate vicinity.

E. STAFF ANALYSIS:

Dorothy Carolyn Crone, owner of the 2.18 acre property located at the northwest corner of Lawson Road and Marsh Road, is requesting to rezone the property from "R-2" Single Family District to "C-3" General Commercial District. The rezoning is being proposed for future development of the property as a beauty salon.

The property is currently undeveloped and wooded. There is a single family residence on a large tract to the north. Single family residences, including mobile/manufactured homes, are located to the south across

Lawson Road. There is a convenience store to the southwest. There is undeveloped property to the east across Marsh Road, with a restaurant just further east. A new single family subdivision (Lochridge Estates) is located to the northeast. A single family structure and landscape business are located to the west.

The City's Land Use Plan designates this property as "Residential Low Density". A Land Use Plan Amendment to "Commercial" is a separate item on this agenda.

Staff is supportive of the requested rezoning to C-3. Staff views the request as reasonable. The property is at the intersection of two (2) arterial roadways. The City's Master Street Plan classifies both Lawson Road and Marsh Road as minor arterials. The plan shows an extension of Marsh Road across Lawson Road to the south. The City's Future Land Use Plan designates the property across Marsh Road (at the northeast corner of the intersection) as "Commercial". The property at the southeast corner of the intersection, running along the south side of Lawson Road, is designated as "Mixed Commercial Industrial". Given the Master Street Plan and Land Use Plan designations, staff believes the proposed C-3 rezoning is appropriate and will have no adverse impact on the general area.

F. STAFF RECOMMENDATION:

Staff recommends approval of the requested C-3 rezoning.

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PLANNING COMMISSION ACTION:

(APRIL 22, 2010)

The applicants were present. There were no objectors present. Staff presented the item and a recommendation of approval. There was no further discussion. The item was placed on the Consent Agenda and approved as recommended by staff. The vote was 11 ayes, 0 noes and 0 absent.

April 22, 2010

ITEM NO.: 4

FILE NO.: Z-8531

Owner: Southwest Radiator  
Applicant: Donna Dowler, Southwest Radiator  
Location: 3618 Baseline Road  
Area: 0.50 Acre  
Request: Rezone from R-2 to C-4  
Purpose: Warehouse Use  
Existing Use: Vacant Commercial Building

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SURROUNDING LAND USE AND ZONING

North – Undeveloped property (across Christen Drive); zoned R-2  
South – Elementary school (across Baseline Road); zoned R-2  
East – Vacant commercial building; zoned R-2  
West – Vacant commercial building; zoned R-2

A. PUBLIC WORKS COMMENTS:

1. Baseline Road is classified on the Master Street Plan as a minor arterial. A dedication of right-of-way 45 feet from centerline will be required.

B. PUBLIC TRANSPORTATION ELEMENT:

The site is located on CATA bus route #15 (65<sup>th</sup> Street Route).

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 SWLR United for Progress and Upper Baseline Neighborhood Associations were notified of the public hearing.

D. LAND USE ELEMENT:

This request is located in the Geyer Springs East Planning District. The Land Use Plan shows Commercial for this property. The applicant has applied for a rezoning R-2 Single Family District to C-4 Open Display

District. The request does not require a change to the Land Use Plan. This area is covered by the Upper Baseline Neighborhood Plan. The Economic Development Goal states: "Create a competitive and adaptable economic environment that encourages investment and diversity of employment opportunities."

Master Street Plan:

Baseline Road is a Principal Arterial. The primary function of a Principal Arterial is to serve through traffic and to connect major traffic generators or activity centers within urbanized areas. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Baseline since it is a Principal Arterial. This street may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan:

There are no bike routes shown in the immediate vicinity.

E. STAFF ANALYSIS:

Southwest Radiator, owner of the 0.50 acre property located at 3618 Baseline Road, is requesting to rezone the property from "R-2" Single Family District to "C-4" Open Display District. The property is located on the north side of Baseline Road, west of Scott Hamilton Drive. The rezoning is proposed in order to use an existing commercial building as warehouse space.

The property is occupied by a one-story commercial building (two-story section in rear), located at the center of the property. There is a driveway from Baseline Road, with paved parking on the south side of the building. There is also a driveway from Christen Drive to the north, with gravel parking on the north side of the building. The property previously housed an auto repair and body shop.

The general area contains a mixture of uses and zoning. There is undeveloped R-2 zoned property located to the north, with single family residences to the northwest. An elementary school is located across Baseline Road to the south. Vacant commercial buildings are located immediately east and west, with other commercial uses further east and west, along the north side of Baseline Road.

The City's Future Land Use Plan designates this property as "Commercial". The requested C-4 zoning does not require an amendment to the Land Use Plan.

Staff is supportive of the requested rezoning to C-4. Staff believes C-4 zoning for this property is appropriate. As noted previously, the site has a history of being used for an auto repair and body business. There is existing C-4 zoned property to the west, between this property and Community Road. The property at the northeast corner of Baseline Road and Community Road was recently rezoned to C-4 for an auto repair use. Staff believes that continuation of the C-4 zoning pattern along the north side of Baseline Road, between Community Road and Scott Hamilton Drive, is reasonable and will have no adverse impact on the general area.

F. STAFF RECOMMENDATION:

Staff recommends approval of the requested C-4 rezoning.

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PLANNING COMMISSION ACTION:

(APRIL 22, 2010)

The applicants were present. There were no objectors present. Staff presented the item and a recommendation of approval. There was no further discussion. The item was placed on the Consent Agenda and approved as recommended by staff. The vote was 11 ayes, 0 noes and 0 absent.

April 22, 2010

ITEM NO.: 5

FILE NO.: Z-8532

Owner: PIG Holdings Family Limited Partnership  
Applicant: Eric Pinter  
Location: 4317 Baseline Road  
Area: 0.52 Acre  
Request: Rezone from R-2 to C-3  
Purpose: Future Commercial Development  
Existing Use: Vacant Single Family Residence

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SURROUNDING LAND USE AND ZONING

North – Undeveloped property (across Baseline Road); zoned O-3

South – Single family residences on large lots; zoned R-2

East – Mobile home park; zoned R-2

West – Single family residence and convenience store; zoned R-2

A. PUBLIC WORKS COMMENTS:

No Comments.

B. PUBLIC TRANSPORTATION ELEMENT:

The site is located on CATA bus route #15 (65<sup>th</sup> Street Route).

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 SWLR United for Progress and Upper Baseline Neighborhood Associations were notified of the public hearing.

D. LAND USE ELEMENT:

This request is located in the Geyer Springs East 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. The request does not require a change to the Land Use Plan.

This area is covered by the Upper Baseline Neighborhood Plan. The Economic Development Goal states: "Create a competitive and adaptable economic environment that encourages investment and diversity of employment opportunities."

Master Street Plan:

Baseline Road is a Principal Arterial. The primary function of a Principal Arterial is to serve through traffic and to connect major traffic generators or activity centers within urbanized areas. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Baseline since it is a Principal Arterial. This street may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan:

There are no bike routes shown in the immediate vicinity.

E. STAFF ANALYSIS:

PIG Holdings Family Limited Partnership, owner of the 0.52 acre property located at 4317 Baseline Road, is requesting to rezone the property from "R-2" Single Family District to "C-3" General Commercial District. The property is located on the south side of Baseline Road, east of Reck Road. The rezoning is proposed for future commercial development of the site.

The property contains a one-story frame single-family residential structure. The structure is currently vacant. A driveway from Baseline Road at the northeast corner of the lot serves as access to a carport on the east side of the structure.

The general area contains a mixture of uses and zoning. There is undeveloped O-3 zoned property to the north, across Baseline Road, with single family residences to the northwest. Single family residences on large lots are located to the south along Bruno Road. A single family residence and small mobile home park are located immediately to the east, with commercial uses (zoned PCD and PD-C) further east. A single family residence and convenience store with gas pumps are located to the west, at the intersection of Baseline Road and Reck Road.

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 not supportive of the requested rezoning to C-3. Although staff is not opposed to a future commercial development of this property, it is staff's opinion that this would be best addressed through a Planned Zoning Development. This is based primarily on the fact that there are single family residences immediately to the south along Bruno Road. There is an established pattern of utilizing Planned Zoning Developments in this area, along the south side of Baseline Road. In addition to establishing the use of the property, a Planned Zoning Development will also address issues such as buffers and screening of the adjacent residential properties. Staff believes the applicant should explore the possibility of a Planned Zoning Development as the most appropriate option for rezoning this property.

F. STAFF RECOMMENDATION:

Staff recommends denial of the requested C-3 rezoning.

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PLANNING COMMISSION ACTION:

(APRIL 22, 2010)

Steve Pinter and Eric Pinter were present, representing the application. There were two (2) objectors present. Staff presented the item with a recommendation of denial. Staff noted that the applicant had amended the application by placing a condition on the proposed C-3 zoning. Staff noted that the condition eliminated the following uses as permitted/possible uses with the proposed C-3 zoning:

- Beverage Shop
- Bar Lounge or Tavern
- Event Center
- Private Club with dining or bar service
- Sexually Oriented Business

Steve Pinter addressed the Commission in support of the application. He explained that he had been in contact with Pat Gee of the Upper Baseline Neighborhood Association, and that the condition added to the proposed C-3 zoning was to satisfy neighborhood concerns.

Pat Gee addressed the Commission in opposition. She explained that her neighborhood Association was not completely comfortable with the proposed rezoning. She stated that the Upper Baseline Neighborhood Association had voted to not support the rezoning.

Staff explained that the rezoning condition would run with the property.

Steve Pinter stated that he thought the neighborhood was supportive of the rezoning with condition. He explained that he did not know how the property would be used, and if additional parking was needed it would be constructed.

Commissioner Changose asked how long the Pinters had owned the property. Steve Pinter noted a few months. Commissioner Nunnley explained that use of the property might not be compatible with adjacent residential property. Commissioner Rector noted that the land use plan designated the property as commercial.

There was general discussion of staff's recommendation of a PZD rezoning instead of the proposed C-3. This issue was discussed further with comments from the Commission, applicants and staff. Minimum building setbacks and buffers were discussed.

In response to questions from Commissioners Smith and Harpool, Ms. Gee noted that the neighborhood voted to oppose the rezoning prior to the condition being added. She stated that this neighborhood association would prefer a PZD rezoning. She also stated that she knew the property was commercial on the land use plan.

Commissioner Rouse noted support of staff's recommendation. Commissioner Nunnley stated support of the C-3 rezoning with condition. Commissioner Devine also noted support of the application.

There was a motion to approve the requested C-3 rezoning, with condition. The vote was 8 ayes, 3 nays and 0 absent. The application was approved.

April 22, 2010

ITEM NO.: 6

FILE NO.: Z-8536

Owner: Joe Clay  
Applicant: Eric Krebs, The Sentinel Group, LLC  
Location: South side of Interstate 30, 1,000 feet east of Alexander Road  
Area: One (1) Acre  
Request: Rezone from R-2 to C-3  
Purpose: Future Commercial Development  
Existing Use: Undeveloped

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SURROUNDING LAND USE AND ZONING

North – Mixed Commercial Uses (across I-30); zoned C-4

South – I-30 Speedway property; zoned R-2

East – I-30 Speedway property; zoned R-2

West – Mixed Commercial Uses; zoned C-4

A. PUBLIC WORKS COMMENTS:

No Comments.

B. PUBLIC TRANSPORTATION ELEMENT:

The site is not located on a CATA bus route.

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 SWLR United for Progress and Alexander Road Neighborhood Associations were notified of the public hearing.

D. LAND USE ELEMENT:

This request is located in the Otter Creek Planning District. The Land Use Plan shows Mixed Commercial Industrial 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. This area covered by the Chicot West/I-30 South Neighborhood Plan. The Economic Development goal states: "Provide a mixed commercial/residential environment that will promote the safety, attractiveness, and value of the area while creating a competitive and adaptable economic climate that encourages investment and diversity of employment opportunities."

Master Street Plan:

This application is located on the Interstate 30 frontage road. These roads are maintained by the Arkansas Highway Department. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan:

There are no bike routes shown in the immediate vicinity.

E. STAFF ANALYSIS:

Joe Clay, owner of the one (1) acre property located on the south side of Interstate 30, approximately 1,000 feet east of Alexander Road, is requesting to rezone the property from "R-2" Single Family District to "C-3" General Commercial District. The property was recently platted as a lot out of the overall I-30 Speedway property to the south and east.

The property is currently undeveloped and partially grass-covered and partially gravel-covered. There is a driveway at the northwest corner of the property which serves as access. The property has been utilized as access and parking for the overall I-30 Speedway property.

The general area contains a mixture of uses and zoning. Mixed commercial uses on C-4 zoned property exist to the north across I-30. As noted previously, the I-30 Speedway property wraps around this property to the south and east, with other commercial uses further east. There is a mixture of commercial uses, including open display, to the west along the south side of I-30.

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

Staff is supportive of the requested rezoning to C-3. Staff believes the proposed C-3 zoning will be appropriate for this property. It will represent

a continuation of the commercial zoning pattern within this portion of the I-30 corridor, immediately east of the county line. There is existing C-4 commercial zoning immediately west of the site and across I-30 to the north. There is also existing commercial zoning immediately east of the I-30 Speedway property. Staff believes the requested C-3 zoning will have no adverse impact on the general area.

F. STAFF RECOMMENDATION:

Staff recommends approval of the requested C-3 rezoning.

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PLANNING COMMISSION ACTION:

(APRIL 22, 2010)

The applicants were present. There were no objectors present. Staff presented the item and a recommendation of approval. There was no further discussion. The item was placed on the Consent Agenda and approved as recommended by staff. The vote was 11 ayes, 0 noes and 0 absent.

April 22, 2010

ITEM NO.: 7

FILE NO.: Z-4343-X

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NAME: Tract I, The Ranch Nursing Home –  
Conditional Use Permit

LOCATION: East side of Ranch Blvd., South of Saratoga Drive

OWNER/APPLICANT: Ranch Properties/White Daters

PROPOSAL: A conditional use permit is requested to allow for construction of a 54 bed nursing home/Alzheimer's care facility on this MF-18 zoned, 3.8± acre tract.

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1. SITE LOCATION:

The site is located on the east side of Ranch Blvd., one lot south of Saratoga Drive.

2. COMPATIBILITY WITH NEIGHBORHOOD:

The property is located in an area of mixed zoning and uses, where the uses transition from the residential lots in The Ranch to the Institutional, Office and Commercial uses along Ranch Drive and Cantrell Road. The residential neighborhood extends to the east and north. Arkansas Baptist High School is located across Ranch Blvd. to the west. Office uses are located to the southwest. Commercial and Office Uses are located along Cantrell and Ranch Drive to the south. The Leisure Arts facility is located to the southeast. Allowing this 3.8± acre parcel of MF-18 zoned property to be developed for a 54 bed nursing home/Alzheimer's care facility appears to be an appropriate use for this site and should be compatible with uses and zoning in the area.

All owners of properties located within 200 feet of the site, all residents within 300 feet who could be identified and the Johnson Ranch, Cheveux and Coalition of West Little Rock Neighborhood Associations were notified of this request.

3. ON SITE DRIVES AND PARKING:

A 54-bed facility of this type requires 54 on-site parking spaces. As the residents do not drive, the spaces are to accommodate employees, visitors and family. A 54-space parking lot is proposed to be placed in front of the facility, between the building and Ranch Blvd. Access is via a single driveway off of Ranch Blvd.

4. SCREENING AND BUFFERS:

1. Compliance with the City's Landscape and Buffer Ordinances is required.
2. A twenty-three (23) foot land use buffer is required on the site's east perimeter where adjacent to single- family properties. At least 70% of that buffer is to be undisturbed.
3. Screening is required where the site is adjacent to residential properties.
4. Interior landscaping no less than 8% of the vehicular use area is required. Each landscape island must be no less than one hundred fifty (150) square feet in area and seven and one-half (7.5) feet in width.
5. The circular driveway at the south perimeter appears to encroach into the required nine (9) foot landscape strip; show dimension.

5. PUBLIC WORKS COMMENTS:

1. Sidewalks with appropriate handicap ramps are required along Ranch Boulevard in accordance with Section 31-175 of the Little Rock Code and the Master Street Plan.
2. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
3. A Sketch Grading and Drainage Plan will be required per Section 29-186(e). The proposed retaining wall height should be determined. If the proposed height is greater than fifteen (15) feet vertical, a variance should be requested.
4. Storm water detention ordinance applies to this property.

6. UTILITY, FIRE DEPT. AND CATA COMMENTS:

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

Entergy: 10' UG easement required along perimeters.

Centerpoint Energy: No comments received.

AT&T (SBC): No comments received.

Water: All Central Arkansas Water requirements in effect at the time of request for water service must be met.

The Little Rock Fire Department needs to evaluate this site to determine whether additional public and/or private fire hydrant(s) will be required. If additional fire hydrant(s) are required, they will be installed at the Developer's expense.

Please submit plans for water facilities and/or fire protection system to Central Arkansas Water for review. Plan revisions may be required after additional review. Contact Central Arkansas Water regarding procedures for installation of water facilities and/or fire service. Approval of plans by the Arkansas Department of Health Engineering Division and Little Rock Fire Department is required.

Contact Central Arkansas Water regarding the size and location of the water meter.

A Capital Investment Charge based on the size of meter connection(s) will apply to this project in addition to normal charges. This fee will apply to all connections including metered connections off the private fire system.

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

Fire Department: Approved as submitted.

County Planning: No Comments.

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

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SUBDIVISION COMMITTEE COMMENT:

(APRIL 1, 2010)

Tim Daters was present representing the applicant. Staff presented the item and noted additional information was needed regarding the proposed use and the building. In response to a question from staff, Mr. Daters stated the facility would

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ITEM NO.: 7 (Cont.)

FILE NO.: Z-4343-X

have 54 beds. Staff requested the applicant provide information on the number of employees, site lighting, signage and fencing. Staff suggested that dumpster service be limited to daylight hours. Staff noted that setback variances would be needed based on the proposed building height and the distance from the north and south perimeters of the site.

Public Works, Utility and Landscape Comments were noted. Mr. Daters stated he would clearly label the buffer area to be preserved on the east perimeter.

The Committee determined there were no other outstanding issue. Mr. Daters was advised to submit responses to staff by Wednesday, April 7, 2010.

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STAFF ANALYSIS:

A conditional use permit is requested to allow for construction of a 54-bed nursing home/Alzheimer's care facility on this MF-18 zoned, 3.8± acre tract. On April 8, 2010, the Planning Commission approved a preliminary plat creating the lot.

The proposed facility, Clarity Pointe, is proposed to be a state of the art residential care facility utilizing research and input from Vanderbilt University Medical Center for the care and treatment of persons dealing with memory loss caused by dementia, including Alzheimer's. The one story facility will be built around a central courtyard. The building will have a residential appearance and will utilize exterior materials which will comply with the covenants and restrictions at The Ranch.

The applicant did submit responses to most of the issues raised at the Subdivision Committee meeting. The building will not exceed 30 feet in height, so no setback variance is needed. A sketch grading and drainage plan was submitted. The facility will be "cut into" the hillside from Ranch Blvd. The retaining wall height appears not to exceed 10 feet at any point. Beyond the retaining wall, the property will be sloped to a 30-foot undisturbed buffer. The wooded, undisturbed buffer will provide screening for the residences located above the site, along Cobblestone Way. Additionally, the sloped area between the undisturbed buffer and retaining wall will be landscaped to comply with the land alteration regulations. Any site lighting will be a low-level and directional, aimed downward and into the site. No fencing is proposed.

To staff's knowledge, there are no outstanding issues. There is currently no bill of assurance for this acreage tract.

STAFF RECOMMENDATION:

Staff recommends approval of the requested C.U.P. 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. The undisturbed buffer area is to be marked and protected prior to any site grading and is to be protected throughout construction.
3. Dumpster service is to be limited to daylight hours.
4. Signage is to be limited to a single ground mounted sign not to exceed 6 feet in height and 24 square feet in area and a single wall sign not to exceed 32 square feet in area.

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PLANNING COMMISSION ACTION:

(APRIL 22, 2010)

The applicant was present. There were no objectors present. Staff presented the item and a recommendation of approval subject to compliance with the comments and conditions outlined in the “staff recommendation” above. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff. The vote was 11 ayes, 0 noes and 0 absent.

April 22, 2010

ITEM NO.: 8

FILE NO.: Z-5682-B

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NAME: Country Club of Little Rock Parking Lot –  
Conditional Use Permit

LOCATION: 4200 Country Club Blvd.

OWNER/APPLICANT: Country Club of Little Rock/White Daters

PROPOSAL: A conditional use permit is requested to allow for the  
addition of a 33-space parking lot on this existing,  
238-acre, R-2 zoned Country Club site.

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1. SITE LOCATION:

The property is located at the eastern end of the Heights. The parking lot is located south of the existing tennis courts.

2. COMPATIBILITY WITH NEIGHBORHOOD:

The proposed small parking lot addition is located south of the Country Club's tennis courts. The tennis court facilities separate the parking lot from the residences across Country Club Lane to the west. A 100-foot buffer separates the parking lot from the nearest residential property to the south. The south side of the parking lot will be screened by the existing wooded buffer and the addition of new plantings. The addition of the 33-space parking lot should not affect the Club's compatibility with the neighborhood.

All owners of properties within 200 feet of the boundaries of the Club property near the location of the parking lot, all residents within 300 feet of that area and the Heights Neighborhood Association were notified of this request.

3. ON SITE DRIVES AND PARKING:

Access to the parking lot is through an existing parking lot and off of an internal driveway. The parking lot will contain 33 spaces.

4. SCREENING AND BUFFERS:

1. Compliance with the City's Landscape and Buffer Ordinances is required.
2. Interior landscaping no less than 8% of the vehicular use area is required. Interior landscape islands must be no less than one hundred

fifty (150) square feet in area and seven and one-half (7.5) feet in width.

3. Landscaping is suggested at the base of the retaining walls.
4. Screening is required along the south perimeter of the parking lot site. Screening shrubs should be installed along the south perimeter of the parking lot itself.

5. PUBLIC WORKS COMMENTS:

No Comments.

6. UTILITY, FIRE DEPT. AND CATA COMMENTS:

Wastewater: Sewer available to this project.

Entergy: No comments received.

Centerpoint Energy: No comments received.

AT&T (SBC): No comments received.

Water: No objection. Possible conflict with existing 6-inch private fire service.

Fire Department: Approved as submitted.

County Planning: No Comments.

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

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SUBDIVISION COMMITTEE COMMENT:

(APRIL 1, 2010)

Tim Daters was present representing the applicant. Staff presented the item and noted little additional information was required. Staff asked Mr. Daters to provide the signed authorization affidavit, a current survey and a lighting plan.

Landscape Comments were discussed. Due to the terrain of the, staff suggested screening be planted along the south perimeter of the parking lot and at the base of the retaining walls.

Staff noted that the overall property exceeded 238 acres and the small parking lot was located near the southwest corner of the property. Staff asked if the Committee felt it was appropriate to do notification of property owners based on

the boundary of the overall site or on the boundary in closer proximity to the proposed parking lot. The Committee agreed that notification based on the property lines in proximately to the parking lot was appropriate.

The applicant was advised to respond to staff issues by Wednesday, April 7, 2010. The Committee determined there were no other outstanding issues.

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STAFF ANALYSIS:

The Country Club of Little Rock occupies the 230± acre, R-2 zoned tract located at the east end of the Heights. The club contains a golf course, tennis and swimming facilities and a clubhouse. The tennis facilities are located near the southwest corner of the overall site. A small parking lot is located south of the tennis facilities. The club is requesting approval of a conditional use permit to allow for construction of a new, 33 space parking lot adjacent to that small parking lot. Access to the new parking lot will be through the existing parking lot and off of an existing internal driveway. Due to the slope of the terrain, a pair of terraced retaining walls will be constructed south of the parking lot.

A 100-foot wide, wooded buffer exists between the parking lot and the residential property adjacent to the south. The applicant is proposing to place landscape screening shrubs along the south perimeter of the parking lot and new driveway. Staff believes trees should be planted at the base of the retaining walls to provide additional screening. Any lighting will be low level and directional, aimed downward and into the site.

To staff's knowledge, there are no outstanding issues. There is no bill of assurance for this acreage tract.

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STAFF RECOMMENDATION:

Staff recommends approval of the requested CUP subject to compliance with the following conditions:

1. Compliance with the comments and conditions in Sections 4, 5 and 6 of the agenda staff report.
2. Trees are to be planted along the base of the retaining walls to provide additional screening.

PLANNING COMMISSION ACTION:

(APRIL 22, 2010)

The applicant was present. There were three persons present in interest, only one of whom turned in a card to speak. Commissioner Rector recused on the item. Staff presented the item and a recommendation of approval 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. Trees are to be planted along the base of the retaining walls to provide additional screening.
3. Ivy is to be planted to grow on the walls to provide additional screening of the retaining walls.
4. The shrubs, trees and ivy are to be evergreen.

Tim Daters gave a brief outline of the project and stated he would reserve the remainder of his time to address concerns raised by the neighbors.

Jane Batton spoke on behalf of her mother, Lois Park, who lives at # 4 Cantrell Rd. She read a letter from her mother in which Ms. Park asked for planting of ivy on the walls and the use of dark sky lighting. She also voiced concern that the CCLR had not followed through on promises made to provide screening of the Club's maintenance building. She presented a letter from CCLR, dated February 2001, in which the Club's president stated the maintenance building would be screened by new landscaping. Ms. Batton asked that final plans for the new parking lot be provided to the neighbors prior to construction.

Mr. Daters responded that the Club would comply with the conditions proposed by Staff, including the landscaping. He stated the lighting would be low level, shielded downward and into the site. He stated he would provide copies of the plan to the neighbors prior to construction.

Blaine Burgess, manager of the Club, stated he had only been on the job about 18 months and he was not familiar with the prior agreement related to the maintenance building. He said he would meet with the neighbors and if there were outstanding obligations, they would be addressed. Mr. Burgess stated the new parking would actually improve the appearance of the site for the neighbors and would help to keep overflow cars off of the neighborhood streets during special events at the Club.

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Chairman Yates asked if the Commission could make completion of the items in the 2001 letter a condition of approval of this CUP. Director of Planning Tony Bozynski stated the City was not a party to the 2001 agreement and it would not be appropriate to tie the agreement between the Club and the neighbors to this issue.

Commissioner Nunnley commented that the Club had agreed to comply with all staff conditions for the new parking lot, including the ivy and shielding lighting requested by the neighbors.

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

April 22, 2010

ITEM NO.: 9

FILE NO.: Z-6957-N

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NAME: Lot 20, Colonel Glenn Centre Business School and Retail Center – Conditional Use Permit

LOCATION: SE corner of Colonel Glenn Square and Commercial Centre Drive

OWNER/APPLICANT: Colonel Glenn Centre, Inc./McGetrick and McGetrick

PROPOSAL: A conditional use permit is requested to allow for construction of a building to contain a business school and retail center on this C-4 zoned, 5.3± acre tract.

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STAFF REPORT:

On April 6, 2010, the applicant requested deferral of the item to the June 3, 2010 meeting. Staff recommends approval of the deferral request.

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PLANNING COMMISSION ACTION:

(APRIL 22, 2010)

The applicant was not present. There were no objectors present. Staff presented the item and informed the Commission of the applicant's deferral request. There was no further discussion. The item was placed on the consent agenda and deferred to the June 3, 2010 agenda. The vote was 11 ayes, 0 noes and 0 absent.

April 22, 2010

ITEM NO.: 10

FILE NO.: Z-8533

NAME: Abundant Grace Apostolic Church Adult Day Care Center – Conditional Use Permit

LOCATION: 5000 Young Road

OWNER/APPLICANT: Abundant Grace Apostolic Church

PROPOSAL: A conditional use permit is requested to allow an adult day care center to be located in a portion of the existing church building on this R-2 zoned, ½ acre ± tract.

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1. SITE LOCATION:

The property is located on the north side of Young Road, one lot west of Portsmouth Drive.

2. COMPATIBILITY WITH NEIGHBORHOOD:

The site is located in an area of mixed zoning and uses, between the Wakefield Neighborhood and Interstate 30. Several acres of undeveloped R-5 and MF-12 Multifamily zoned property are located adjacent to the north. The residential neighborhood is located further north. An O-3 zoned parking lot is adjacent to the east. Two other O-3 zoned properties, one containing a Union Hall and the other containing a vacant office building, are located further to the east. Undeveloped property and two non-residential buildings are located across Young Road to the south. Interstate 30 is just south of those properties. Single family homes are located to the west. The church has been at this site for many years. Allowing the proposed day care use should not affect the church's continued compatibility 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 SWLR United for Progress, Upper Baseline and Wakefield Neighborhood Associations were notified of this request.

3. ON SITE DRIVES AND PARKING:

The typical parking requirement for a day care is one space per employee plus one space for every client (day care attendee). This day care is proposed to have a maximum enrollment of 30 persons with up to 10 employees, requiring 13 parking spaces. The church site has a paved

parking lot, which will accommodate the required number of parking spaces. Access is off of a single driveway onto Young Road.

4. SCREENING AND BUFFERS:

1. Any expansion of the vehicular use area or building or any remodeling of the building exceeding fifty (50%) percent of its replacement cost will cause compliance with the City's Landscape Ordinance.
2. Any outside use area should be screened from adjacent residential properties.

5. PUBLIC WORKS COMMENTS:

1. Young Road is classified on the Master Street Plan as a collector street. A dedication of right-of-way thirty (30) feet from centerline will be required. The centerline of the right-of-way is not shown on the survey.

6. UTILITY, FIRE DEPT. AND CATA COMMENTS:

Wastewater: Sewer available to this project.

Entergy: Approved as submitted.

Centerpoint Energy: No comments received.

AT&T (SBC): No comments received.

Water: No objection. A change in building use may require the need for backflow prevention use at this facility. Please contact the Cross Connection Section at 377-1226 if you would like to discuss backflow prevention requirements for this project. If required the installation of an approved reduced pressure zone backflow preventer assembly (RPZ) will be needed on the domestic water service. This assembly must be installed prior to the first point of use. Central Arkansas Water (CAW) requires that upon installation of the RPZA, successful tests of the assembly must be completed by a Certified Assembly Tester licensed by the State of Arkansas and approved by CAW. The test results must be sent to CAW's Cross Connection Section within ten days of installation and annually thereafter. Contact the Cross Connection Section at 377-1226 if you would like to discuss backflow prevention requirements for this project.

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FILE NO.: Z-8533

Fire Department: Additional fire hydrant and building sprinklers may be required. Contact the Fire Marshall's office.

County Planning: No Comments.

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

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SUBDIVISION COMMITTEE COMMENT:

(APRIL 1, 2010)

The applicants were present. Staff presented the item and requested additional information on signage, fencing and number of employees. Staff asked that any outdoor use area be indicated. In response to a question from staff, the applicants stated a church would continue to be on the site. Staff asked the applicants to contact Building Codes officials to determine if the proposed change would require any changes to the building to satisfy building codes.

Public Works, Utility and Landscape Comments were noted. It was noted that the R-5 zoned property adjacent to the north was undeveloped and heavily wooded. It was determined that no additional screening of this adjacent property should be required since the church wasn't proposing any new development or new parking.

The applicants were advised to respond to staff issues by Wednesday, April 7, 2010. The Committee forwarded the item to the full Commission.

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STAFF ANALYSIS:

Abundant Grace Apostolic Church occupies the R-2 zoned, 1/2 acres ± tract located at 5000 Young Road. The property contains a two-story, 6,000 square foot building and an asphalt paved parking lot. The church is requesting approval of a conditional use permit to allow use of a portion of the building for an adult day care center with a maximum enrollment of 30 persons.

The proposed day care will be located on the lower level of the facility. Days and hours of operation are proposed as Monday through Friday, 7:00 a.m. to 4:00 p.m. The day care will start with 2 employees. As it grows to its maximum capacity of 30 persons, it is anticipated that there will be up to 10 employees. A small yard area is located behind the building. This yard is enclosed by a chain link and wood fence. This area will be used to allow participants the opportunity to go outside when weather permits. A single ground mounted sign is located in front of the building. That sign will be modified to include information about the day care. The sign appears to slightly exceed 6 feet in height and is approximately 24 square feet in area. Staff believes the height of the sign should

remain as is, with any new additions being mounted below the existing sign panel. No new fencing will be added. An existing chain link and wood fence is located along the rear and sides of the property.

The applicants did meet with building code and fire marshal personnel. The fire marshal inspected the site and only minor modifications are required to accommodate the day care; such as smoke detectors, emergency lights and a fire extinguisher.

To staff's knowledge, there are no outstanding issues. Allowing the addition of a small day care to this existing church appears to be an appropriate use. There is no bill of assurance for this acreage tract.

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STAFF RECOMMENDATION:

Staff recommends approval of the requested CUP 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. The ground mounted sign is to be limited to the existing sign height and no more than 64 square feet in area.
3. Compliance with applicable building and fire codes.

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PLANNING COMMISSION ACTION:

(APRIL 22, 2010)

The applicant was present. There were no objectors present. Staff presented the item and a recommendation of approval subject to compliance with the comments and conditions outlined in the "staff recommendation" above. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff. The vote was 11 ayes, 0 noes and 0 absent.

April 22, 2010

ITEM NO.: 11

FILE NO.: Z-8534

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NAME: Arkansas Baptist College Parking Lot –  
Conditional Use Permit

LOCATION: East side of 1700 Block of Marshall Street

OWNER/APPLICANT: Arkansas Baptist College

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

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1. SITE LOCATION:

The property is located on the east side of Marshall Street, between West 17<sup>th</sup> and West 18<sup>th</sup> Streets.

2. COMPATIBILITY WITH NEIGHBORHOOD:

The proposed parking lot is located at the southern edge of the existing Arkansas Baptist College campus. Campus buildings and facilities are located to the north and east. Vacant residential properties and structures are located across Marshall Street to the west. Single family residences are located across 18<sup>th</sup> Street to the south. With proper attention given to screening and landscaping per the Code, the parking lot appears to be an appropriate use of this site.

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

3. ON SITE DRIVES AND PARKING:

Access to the parking lot is via single driveways off of West 17<sup>th</sup> and Marshall Streets. The driveway locations have been moved to comply with city code. The parking lot contains 119 spaces; of which 6 are designated as handicap accessible and 12 are designated for compact vehicles.

4. SCREENING AND BUFFERS:

1. Compliance with the City's Landscape and Buffer Ordinances is required. The site is located within the designated mature area of the City.

2. Screening is required where the site abuts residential property not owned by Arkansas Baptist College.
  
5. PUBLIC WORKS COMMENTS:
  1. A twenty (20) foot radial dedication of right-of-way is required at the intersection of W. 17<sup>th</sup> Street and Marshall Street and W. 18<sup>th</sup> Street and Marshall Street.
  2. Driveway locations and widths do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. The proposed driveways on W. 17<sup>th</sup> Street are required to be spaced at least two hundred fifty (250) feet apart. The two driveways should be combined into one driveway not to exceed thirty-six (36) feet in width at the narrowed point.
  3. Driveway locations and widths do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. The driveway on Marshall Street is required to be located at least two hundred fifty (250) feet from W. 17<sup>th</sup> Street and W. 18<sup>th</sup> Street. Since the length of the property is three hundred (300) feet, one driveway can be located in the middle of the block. The width of driveway must not exceed thirty-six (36) feet.
  
6. UTILITY, FIRE DEPT. AND CATA COMMENTS:

Wastewater: Sewer available to this project.

Energy: Easement required; 8KV circuit existing serving Arkansas Baptist and other customers. Easement must remain and be maintained.

Centerpoint Energy: No comments received.

AT&T (SBC): No comments received.

Water: No objection.

Fire Department: No Comments.

County Planning: No Comments.

CATA: The site is not located on a CATA bus route. A bus route is located along Dr. Martin Luther King, Jr. Boulevard, east of this site.

SUBDIVISION COMMITTEE COMMENT:

(APRIL 1, 2010)

Robert Turner and Brad Place were present representing the applicant. Staff presented the item and noted little additional information was needed. Staff asked the applicants to provide information on signage, fencing and site lighting.

Public Works, Utility and Landscape Comments were discussed. Mr. Place stated he would modify the plan to comply with the driveway spacing requirements. Mr. Turner stated a screening fence would be installed adjacent to the residential property not owned by the college.

The applicants were advised to respond to staff issues by Wednesday, April 7, 2010. The Committee determined there were no other issues and forwarded the item to the full Commission.

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STAFF ANALYSIS:

Arkansas Baptist College is requesting approval of a conditional use permit to allow for the construction of a 119 space student parking lot on the east side of Marshall Street, between West 17<sup>th</sup> and West 18<sup>th</sup> Streets. The proposed parking lot is located at the southern edge of the main ABC campus.

The applicant modified the plan and submitted responses to issues raised during the Subdivision Committee meeting. The driveways onto West 17<sup>th</sup> and Marshall Streets have been relocated and combined to comply with Public Works Comments. Radial right-of-way dedication is shown at both intersections. A small (36" X 48") sign will be located at the Marshall Street driveway to identify the parking lot. A 7 foot tall privacy fence will be erected along a portion of the east perimeter of the parking lot where it is adjacent to the one residential lot not currently owned by ABC. Site lighting will consist of thirteen 14' tall post top light fixtures along the street perimeters to provide pedestrian lighting along the sidewalks and eight 25' tall light fixtures within the parking lot itself. All lighting will be designed to comply with Arkansas' "Shielded Outdoor Lighting Act 1963 of 2005" and other dark sky regulations. A paved walkway will also provide access from the parking lot between two ABC owned properties at 1720 and 1724 Bishop, to Bishop Street.

To staff's knowledge, there are no outstanding issues. The Bill of Assurance for Centennial Addition does not address use issues.

April 22, 2010

ITEM NO.: 11 (Cont.)

FILE NO.: Z-8534

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STAFF RECOMMENDATION:

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

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PLANNING COMMISSION ACTION:

(APRIL 22, 2010)

The applicant was present. There were no objectors present. Staff presented the item and a recommendation of approval subject to compliance with the comments and conditions outlined in the "staff recommendation" above. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff. The vote was 11 ayes, 0 noes and 0 absent.

April 22, 2010

ITEM NO.: 12

FILE NO.: Z-8535

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NAME: Vance Accessory Dwelling – Conditional Use Permit

LOCATION: 1801 Fair Park Blvd.

OWNER/APPLICANT: Rick Vance

PROPOSAL: A conditional use permit is requested to allow conversion of the existing accessory building on this R-3 zoned lot into an accessory dwelling.

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STAFF REPORT:

On April 8, 2010, the applicant requested deferral of the item to the June 3, 2010 meeting. Staff recommends approval of the deferral request.

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PLANNING COMMISSION ACTION:

(APRIL 22, 2010)

The applicant was not present. There were no objectors present. Staff presented the item and informed the Commission of the applicant's deferral request. There was no further discussion. The item was placed on the consent agenda and deferred to the June 3, 2010 agenda. The vote was 11 ayes, 0 noes and 0 absent.

April 22, 2010

There being no further business before the Commission, the meeting was adjourned at 5:05 p.m.

Date \_\_\_\_\_

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairman