

LITTLE ROCK PLANNING COMMISSION
PLANNING – REZONING – CONDITIONAL USE HEARING

MINUTE RECORD

MARCH 11, 2010

4:00 P.M.

I. Roll Call and Finding of a Quorum

A Quorum was present being nine (9) in number.

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

Members Absent: Dan Harpool
Candice Smith

City Attorney: Cindy Dawson

III. Approval of the Minutes of the January 28, 2010 Meeting of the Little Rock Planning Commission. The Minutes were approved as presented.

LITTLE ROCK PLANNING COMMISSION
PLANNING – REZONING – CONDITIONAL USE HEARING
MARCH 11, 2010
4:00 P.M.

I. OLD BUSINESS:

<u>Item Number:</u>	<u>File Number:</u>	<u>Title</u>
A.	<u>Z-8283-A</u>	Luer Special Event Center – Conditional Use Permit 4800 Baseline Road

II. NEW BUSINESS:

<u>Item Number:</u>	<u>File Number:</u>	<u>Title</u>
1.	<u>LU10-18-01</u>	A land use amendment from Residential Low Density to Office along north side of Pride Valley Road, approximately 2,300 feet west of Kanis Road.
1.1	<u>Z-8523</u>	Rezoning from R-2 to O-2 North side of Pride Valley Road, approximately 2,300 feet west of Kanis Road.
2.	<u>G-23-416</u>	Alley Right-of-Way Abandonment Block 17, Original City of Little Rock
3.	<u>G-23-417</u>	Taylor Street, Filmore Street, West 31 st Street and alleys – Right-of-Way Abandonments within and adjacent to Blocks 8 and 15, C. O. Brack Addition (between West 30 th and West 32 nd Streets).
4.	<u>Z-3276-F</u>	Davis Auto Detail – Conditional Use Permit 125 Gamble Road
5.	<u>Z-8300-A</u>	APJ, Inc. Multifamily – Conditional Use Permit 1615 Aldersgate Road
6.	<u>Z-8524</u>	ZAG Investments Event Center – Conditional Use Permit 6014 Forbing Road

II. NEW BUSINESS:

<u>Item Number:</u>	<u>File Number:</u>	<u>Title</u>
7.	<u>Z-8525</u>	Arkansas Baptist College Dormitory – Conditional Use Permit 1517 West 17 th Street (East side of Bishop between 17 th and 18 th)
8.	<u>LU09-02</u>	To modify the categories of the future land use plan, consolidating Community Shopping into Commercial and Business Node into Mixed Use.

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ITEM NO.: A

FILE NO.: Z-8283-A

NAME: Luer Special Event Center – Conditional Use Permit
LOCATION: 4800 Baseline Road
OWNER/APPLICANT: Jon Luer
PROPOSAL: A conditional use permit is requested to allow use of the existing building on this C-4 zoned property as an indoor soccer facility and a special events center.

STAFF REPORT:

On January 13, 2010, the applicant requested deferral of the item to allow additional time to respond to issues raised at the January 7, 2010 Subdivision Committee meeting. Staff recommends deferral of the item to the March 11, 2010 meeting.

PLANNING COMMISSION ACTION: (JANUARY 28, 2010)

The applicant was not present. There were no objectors present. Staff informed the Commission that the applicant had requested deferral of the item to allow additional time to respond to issues raised at the January 2, 2010 subdivision committee meeting. There was no further discussion. The item was placed on the consent agenda and deferred to the March 11, 2010 meeting. The vote was 9 ayes, 0 noes and 2 absent.

STAFF UPDATE:

The applicant has not responded to issues raised at the January 17, 2010 Subdivision Committee meeting. Additionally, at the time of this writing, the Board of Directors is considering a six (6) month moratorium on the approval of any applications for special event centers. The issue is scheduled for the March 2, 2010 Board meeting. Staff will provide an update and recommendation concerning this item at the March 11, 2010 meeting.

PLANNING COMMISSION ACTION: (MARCH 11, 2010)

The applicants were not present. There were no objectors present. Staff informed the Commission that, on March 2, 2010, the Board of Directors had passed a resolution establishing a six (6) month moratorium on the approval of any special event centers. Staff recommended deferral of the item to the October 7, 2010

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FILE NO.: Z-8283-A

Commission meeting. There was no further discussion. The item was placed on the consent agenda and approved for deferral by a vote of 9 ayes, 0 noes and 2 absent.

March 11, 2010

ITEM NO.: 1

FILE NO.: LU10-18-01

Name: Land Use Plan Amendment – Ellis Mountain Planning District

Location: north side of Pride Valley Road, west of Kanis Road

Request: Residential Low Density to Office

Source: Jim Hathaway, Whisenhunt Investments

PROPOSAL / REQUEST:

A Land Use Plan amendment in the Ellis Mountain Planning District from Residential Low Density to Office. Office represents a mixture of office related services. The applicant has also requested a rezoning from R-2 Single Family to O-2 Office and Institutional District.

EXISTING LAND USE AND ZONING:

The property is vacant, undeveloped, and currently zoned R-2 Single Family. The amendment area is approximately 61 acres in size. To the north of this site is zoned R-2 Single Family for floodway and Planned Commercial Development for a Kroger grocery store. There is another Planned Commercial Development to the northeast of this site with frontage along Kanis Road for a vacant nursery. South, east and west of this site are zoned R-2 Single Family and are developed with large lot residential houses. Some of these lots to the south are still undeveloped. To the southeast is zoned Planned Development Residential for single family houses. Just south of that is zoned R-2 with a Conditional Use Permit for Baker Elementary School.

FUTURE LAND USE PLAN AND RECENT AMENDMENTS:

January 1, 2008, Ordinance 19986 amended the area along the Champagnolle Drive extension on the west of the future extension of Rahling Road from Multi Family to Neighborhood Commercial and Community Shopping for future development.

August 6, 2007, Ordinance 19798 amended the northwest corner of Chenal Parkway and Wellington Hills Drive from Mixed Office Commercial to Neighborhood Commercial for a Walgreens development.

March 20, 2007, Ordinance 19722 amended several different sites in this vicinity. This was a City initiated amendment initiated due to concerns about a recent Land Use Plan Amendment on Kanis near Chenal Parkway. The changes were along Kanis Road from Multi Family to Single Family, Single Family to Neighborhood Commercial, Public Institutional to Suburban Office, and Multi Family to Commercial.

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ITEM NO.: 1 (Cont.)

FILE NO.: LU10-18-01

June 27, 2006 a change was made from Office, Neighborhood Commercial and Low Density Residential to Mixed Office Commercial approximately one mile to the northeast of this amendment located east of Kirk Road and north of Chenal Parkway. The changes resulted from a Planned Commercial Development reclassification to allow for future development.

This amendment site is shown as Residential Low Density on the Future Land Use Plan. The Residential Low Density extends west and south of this site. East of this site is shown as Residential Medium Density. The northern edge of the amendment area is all shown as Park/Open Space for existing floodway. The northwest corner of Kanis Road and Pride Valley Road is shown as Suburban Office. The southwest corner of Kanis and Pride Valley Road is shown as Public Institutional. There is a small area of Residential Medium Density between the Suburban Office and Public Institutional on the east and the Residential Low Density on the west of the amendment area.

MASTER STREET PLAN:

Pride Valley Road is a Collector on the Master Street Plan. A proposed Collector is shown along the western boundary of this property. 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:

There are no bike routes shown for this area.

PARKS:

According to the Master Parks Plan, this area is within eight blocks of a park or open space. The Chenal Parkway park is located just north of this area, and Baker Elementary has a playground located south of this application.

HISTORIC DISTRICTS:

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

ANALYSIS:

This area is located just outside of the city limits and is vacant and undeveloped. The applicant is proposing to change the future land use plan from Residential Low Density to Office to correspond with a rezoning request from R-2 Single Family to O-2 Office and Institutional District.

The Master Street Plan shows Kirk Road extending through this property as a Collector street to connect with Pride Valley Road, which is also shown as a Collector. With the extension of Kirk Road, traffic from the office development can be expected to move north along the new Kirk Road extension away from the residential area. Traffic would already be coming through this site from the residential areas to the south and west to get to existing and proposed commercial developments along Chenal Parkway.

The Future Land Use Plan has shown this area as residential since the City of Little Rock began planning in the extraterritorial jurisdiction, but Pride Valley Road has not developed much in the last ten to twenty years. The majority of the residences along Pride Valley are situated on large lots with deep front yard setbacks. The newest development in this area is the Edswood Road residences that are located to the west of this proposed amendment. Only two of these lots would be located adjacent to the amendment site, and these lots are also large tract developments.

Office is used in many parts of the city as a buffer between residential developments and more intense commercial type uses. An office park type development could serve as a transition in this area from the more intense, commercial uses on Chenal Parkway to the large lot residential uses along Pride Valley Road. Office uses, especially when coupled with the O-2 zoning category, can complement a neighborhood very nicely as evidenced in the Riverdale area. O-2 Office and Institutional District can be a good fit for the surrounding neighborhoods because O-2 requires site plan review on all new developments. Site plan review can offer an added layer of protection for surrounding property owners because issues such as buffers, screening, building height and setbacks can be considered. Proper development of this site could work as a nice transition for the neighborhood along this Collector street and should have no adverse impact on the adjacent properties or the surrounding area.

NEIGHBORHOOD COMMENTS:

Notices were sent to the following neighborhood associations: Parkway Place and Coalition of West Little Rock. Staff has received no comments 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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ITEM NO.: 1 (Cont.)

FILE NO.: LU10-18-01

PLANNING COMMISSION ACTION:

(MARCH 11, 2010)

Walter Malone, Planning Staff presented the Land Use Plan amendment. Mr. Malone reviewed the Land Use in the area. He noted the development pattern to the north is high density non-residential and to the south and southwest is low-density large lot residential. Office use has been used as a transition in other parts of Little Rock as a transition between these two uses. Mr. Monte Moore of Planning Staff reviewed the related zoning case (Z-8523) including the existing land use pattern and zoning pattern. (See item 1.1 for a full minutes record). Mr. Jim Hathaway spoke on behalf of the applications. There was one speaker in support of the applications, two against and one with questions.

By a vote of 8 for and 1 against the requested Plan change was approved.

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ITEM NO.: 1.1

FILE NO.: Z-8523

Owner:	Manihi, LLC and Rangiroa, LLC
Applicant:	Jim Hathaway, Whisenhunt Investments
Location:	North side of Pride Valley Road, approximately 2,300 feet west of Kanis Road
Area:	61.27 Acres
Request:	Rezone from R-2 to O-2
Purpose:	Future Office Development
Existing Use:	Undeveloped

SURROUNDING LAND USE AND ZONING

North – Floodway/creek and Kroger store development; zoned R-2 and PCD

South – Undeveloped property and single family residences on large lots (across Pride Valley Road); zoned R-2

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

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

A. PUBLIC WORKS COMMENTS:

1. Pride Valley Road is classified on the Master Street Plan as a collector street. A dedication of right-of-way 30 feet from centerline will be required.
2. With site development, provide design of street conforming to the Master Street Plan. Construct one-half street improvement to Pride Valley Road including 5-foot sidewalks with planned development.
3. In accordance with Section 31-176, floodway areas must be shown as floodway easements or be dedicated to the public. In addition, a 25 foot wide access easement is required adjacent to the floodway boundary.
4. At the time of development, streets will be required to be constructed to the Master Street Plan standard and the right-of-way dedicated.

5. Prior to the extension of Kirk Road into the floodway, all FEMA, USCOE, State of Arkansas, Pulaski County and City of Little Rock requirements pertaining to floodplain and impacts to waters of the state are required to be met.
6. With the proposed land use and zoning change, a traffic study showing traffic projections in this area should be provided to staff.

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 Parkway Place Neighborhood Association and Coalition of West Little Rock Neighborhoods were notified of the rezoning request.

D. LAND USE ELEMENT:

This request is located in the Ellis Mountain Planning District. The Land Use Plan shows Residential Low Density for this property. The applicant has applied for a rezoning R-2 Single Family District to O-2 Office and Institutional District. The applicant has also filed a land use plan amendment from Residential Low Density to Office for this agenda.

Master Street Plan:

Pride Valley Road is a Collector on the Master Street Plan. A proposed Collector is shown along the western boundary of this property. 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:

There are no bike routes shown for this area.

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:

Manihi, LLC and Rangiroa, LLC, owners of the 61.27 acre property located along the north side of Pride Valley Road, approximately 2,300 feet west of Kanis Road, are requesting to rezone the property from “R-2” Single Family District to “O-2” Office and Institutional District. The rezoning is proposed for future office development of the property.

The property is currently undeveloped and wooded, with varying degrees of slope. The property generally slopes upward from Pride Valley Road. There is a wide Entergy easement which runs north/south through the west portion of the property near Zanzibar Road. Large electrical transmission lines are located within the easement.

The general area contains a mixture of uses and zoning. A mixture of commercial uses, including a Kroger store, car dealership, bank and lumberyard, is located to the north and northeast along Chenal Parkway. Single family residences on large lots are located to the east, west and south (across Pride Valley Road). There is also undeveloped R-2 zoned property to the south.

The City’s Future Land Use Plan designates this property as “Residential Low Density”. A Land Use Plan Amendment to “Office” is a separate item on this agenda.

Staff is supportive of the requested rezoning to O-2. Staff believes the proposed O-2 zoning for the site will be appropriate, with an office park type development serving as a transition from the rather intense commercial developments along Chenal Parkway to the single family residences on large lots located to the south and west. The property is located at what will be an intersection of two (2) collector streets, Pride Valley Road and the future extension of Kirk Road. According to the City’s Master Street Plan, a collector street is defined as a traffic connection from local streets (residential streets) to Arterials or to activity centers, with the secondary function of providing access to adjoining property. Staff believes this definition supports the concept of transitioning from the single family uses to the south and west, along the collector streets through and adjacent to this property, to the more intense commercial uses along Chenal Parkway. Staff believes that proper development of this property will have no adverse impact on the adjacent properties or general area. The O-2 zoning district is a site plan review district. Any development of the property will require public review and approval by the Planning Commission. Issues related to buffers, screening, landscaping, building heights, building setbacks, access, parking, etc. will be considered with the site plan review application(s).

F. STAFF RECOMMENDATION:

Staff recommends approval of the requested O-2 rezoning.

PLANNING COMMISSION ACTION:

(MARCH 11, 2010)

Jim Hathaway, Robert Brown, Mark Wright, Tom Fritchey, Kevin Hutchinson and Greg Simmons were present, representing the application. There was one (1) additional person present in support of the application. There were two (2) persons present in opposition. Staff presented the application with a recommendation of approval.

Jim Hathaway addressed the Commission in support of the application. He explained that the intent was to develop the property for an "office park" type development. He noted that the proposed O-2 zoning required site plan review approval by the Planning Commission. He explained that Southwest Power Pool was proposing to develop approximately 20 acres of the overall property, and that a site plan would be on an upcoming Planning Commission agenda.

Randy Cooper of 16325 Pride Valley Road spoke in support of the application. He explained that O-2 zoning would be a good use for the property.

Ruth Bell addressed the Commission in opposition. She expressed concern with the overall size of the property as an office development adjacent to residential zoning. She did state that she could support the property being developed in an office park setting, similar to the Westlake Office Park on Shackelford Road.

Barry Haas, with Improvement District #349, addressed the Commission. He explained that the property proposed for rezoning was in the water improvement district and would remain in the district after annexation, until debt for the infrastructure was paid.

Barbara Chastain addressed the Commission in opposition. She explained that her main concern was the future traffic on Pride Valley Road generated by the development.

There was a brief discussion related to the water improvement district and how it functioned.

Mr. Hathaway spoke in response to the opposition. He explained that Kirk Road would be extended through this property to Pride Valley Road and would involve a bridge over Rock Creek. He noted that the infrastructure costs would make single-family development of the property very difficult. He discussed the purchase contract for the property. He noted that the request for annexation had

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FILE NO.: Z-8523

been filed with the county. He explained the cost of the project by Southwest Power Pool and how many new jobs it would generate.

Mr. Haas addressed the Commission and clarified issues related to the water improvement district.

Commissioner Devine asked if the cost figures given by Mr. Hathaway included the land. Mr. Hathaway noted that it was just for development costs.

Chairman Yates asked about the permitted uses and area regulations in O-2 zoning. Staff explained the height and building setback regulations for O-2 zoning. Staff also noted that multifamily was not a permitted use in O-2 zones.

There was a brief discussion of the floodway area adjacent to the property. There was also discussion related to future development plans for the property. Commissioner Rouse asked what building height would be proposed for the Southwest Power Pool development. Mr. Hathaway explained that building construction would be four (4) stories or approximately 60 feet.

Commissioner Changose asked why the entire 60 acres was being rezoned and not just the 20 acres to be developed by Southwest Power Pool. Mr. Hathaway explained that the infrastructure costs made it necessary to zone the entire 60 acres.

Commissioner Rector explained that the site plan review requirement for O-2 zoning would assure quality development of the property.

Chairman Yates asked about improvements to Pride Valley Road and maintenance and upkeep of the road during construction. Mr. Hathaway explained that street improvements would be made with development of the property. He noted that repairs would be made to the roadway during construction.

There was a brief discussion related to the property ownership.

There was a motion to approve the requested rezoning to O-2. The motion passed by a vote of 8 ayes, 1 nay and 2 absent. The application was approved.

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ITEM NO.: 2

FILE NO.: G-23-416

Name: Alley – Right-of-Way Abandonment, Block 17,
Original City of Little Rock

Location: Block bounded by Main, Scott, East 16th and
East 17th Streets

Owner/Applicant: USA Drug/White-Daters and Associates

Request: To abandon the 20 foot wide north-south alley
right-of-way located within Block 17, Original
City of Little Rock

Purpose: Development of a USA Drug Store

PROPOSAL/REQUEST:

The applicant requests to abandon the twenty (20) foot north/south alley right-of-way located within Block 17, Original City of Little Rock. The Block is bounded by Main, Scott, East 16th and East 17th Streets. The abandonment is being requested in association with redevelopment of this entire block for a USA Drug Store. The property is located in the Capitol Zoning District. The Capitol Zoning District Commission recently approved a plan for the development.

STAFF REVIEW:

A. Public Need for this Right-of-Way:

As noted in paragraph G., none of the utility companies object to the abandonment request. Three (3) utilities request the area be retained as a utility easement due to existing service lines. The Public Works Department comment is as follows:

1. Easements should be maintained to convey storm water from adjacent property.

B. Master Street Plan:

There are no Master Street Plan issues associated with this abandonment request, as the right-of-way is not classified as a collector street or higher.

C. Characteristics of Right-of-Way Terrain:

The alley is currently paved (eight (8) feet wide) and runs north/south between East 16th and East 17th Streets through Block 17, Original City of Little Rock.

D. Development Potential:

After abandonment, the area will be incorporated into the development of a new USA Drug location which will encompass the entire block.

E. Neighborhood and Land Use Effect:

There are restaurant and commercial buildings and parking within the west half of the block. The east half of the block is undeveloped and mostly grass-covered.

F. Neighborhood Position:

The Downtown, Pettaway Park and MacArthur Park Neighborhood Associations were notified of the abandonment request. As of this writing, staff knows of no objectors to the abandonment request.

G. Effect on Public Services or Utilities:

Wastewater: No objection to abandonment but easement rights must be retained until existing sewer main is relocated or abandoned.

Entergy: No objection to abandonment. Retain area as an easement.

CenterPoint Energy: No objection to abandonment.

AT& T (SBC): No objection to abandonment. Retain area as an easement.

Water: No objection to abandonment.

H. Reversionary Rights:

The applicant submitted a letter from an abstract company noting that no reversionary rights were found filed of record in the Records of Pulaski County, Arkansas.

I. Public Welfare and Safety Issues:

Abandoning this right-of-way will have no adverse impact on the public welfare and safety. The Little Rock Fire Department has reviewed and approved the abandonment request.

SUBDIVISION COMMITTEE COMMENT:

(FEBRUARY 18, 2010)

The applicant was not present. Staff presented the application and explained the proposed right-of-way abandonment. Staff noted that there were no outstanding issues associated with the abandonment request, and that the right-of-way area would be retained as a utility easement.

After a brief discussion, the Committee forwarded the issue to the full Commission for resolution.

STAFF RECOMMENDATION:

Staff recommends approval of the requested alley right-of-way abandonment, subject to the entire area of abandonment being retained as a utility and drainage easement.

PLANNING COMMISSION ACTION:

(MARCH 11, 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 9 ayes, 0 noes and 2 absent.

March 11, 2010

ITEM NO.: 3

FILE NO.: G-23-417

Name: Taylor Street, Filmore Street, West 31st Street and Alleys – Right-of-Way Abandonments

Location: Within and adjacent to Block 8 and 15, C.O. Brack Addition (between West 30th and West 32nd Streets).

Owner/Applicant: University of Arkansas Little Rock/Development Consultants, Inc. (Robert Brown)

Request: To abandon portions of Taylor Street, Filmore Street, West 31st Street and two (2) alleys, within and adjacent to Blocks 8 and 15, C.O. Brack Addition.

Purpose: Future development of UALR student housing facilities

PROPOSAL/REQUEST:

The request is to abandon the following rights-of-way:

- a. Taylor Street (forty (40) foot right-of-way) between West 30th and West 32nd Streets. (approximately five hundred eighty-three (583) feet)
- b. West 31st Street (forty (40) foot right-of-way) running approximately one hundred thirty-three (133) feet west from the Taylor Street right-of-way, between Blocks 8 and 15, C.O. Brack Addition.
- c. Filmore Street (twenty (20) foot right-of-way) running approximately two-hundred seventy-five (275) feet north from the W. 32nd Street right-of-way and approximately one hundred ninety-nine (199) feet south from the W. 30th Street right-of-way, adjacent to Blocks 8 and 15, C.O. Brack Addition.
- d. Alley (ten (10) foot right-of-way) running north/south within Block 8, C.O. Brack Addition (approximately two hundred ninety-nine (299) feet).
- e. Alley (ten (10) foot right-of-way) running north/south within Block 15, C.O. Brack Addition (approximately two hundred forty-five (245) feet).

The abandonments are being requested for future development of UALR student housing facilities and pedestrian area (Taylor Street right-of-way) within Blocks 8 and 15, C.O. Brack Addition.

The applicant is requesting the Taylor Street abandonment with easement rights to be retained. The portions of West 31st Street, Filmore Street and alleys are

requested to be fully abandoned with no remaining easement rights, subject to the following condition:

- The easement abandonment will not become effective until existing utilities are removed or relocated and new easements are dedicated for relocations.

STAFF REVIEW:

A. Public Need for this Right-of-Way:

The public utility requirements for these rights-of-way are noted in paragraph G. of this report. The Public Works Department comment is as follows:

1. Easements should be maintained in the right-of-way for existing utilities.

B. Master Street Plan:

There are no Master Street Plan issues associated with these abandonment requests, as the rights-of-way are not classified as collector streets or higher.

C. Characteristics of Right-of-Way Terrain:

The current condition of the rights-of-way are as follows:

- West 31st Street – paved with curb and gutter on the south side. Serves as access to UALR parking lots.
- Taylor Street – paved with curb and gutter on both sides. Serves as a through street and rear access to existing UALR student housing located between Taylor Street and Fair Park Boulevard.
- Filmore Street (adjacent to Block 8) – part of a paved UALR parking lot.
- Filmore Street (adjacent to Block 15) – small portions of right-of-way are paved UALR parking and access drives to UALR parking areas, with remainder being landscaped/lawn area.

- Alley (Block 8) – paved with curb and gutter on its west side where adjacent to UALR parking lot.
- Alley (Block 15) – part of a UALR parking lot.

D. Development Potential:

After abandonment, the areas of abandonment will be incorporated into the adjacent properties for future development of UALR housing facilities and pedestrian area (Taylor Street right-of-way area).

E. Neighborhood and Land Use Effect:

All surrounding properties include UALR campus facilities. The main campus area is located to the west, with a student housing facility to the east, along the west side of Fair Park Blvd. A fraternity house and student parking are located to the north, with another fraternity house and administrative facilities to the south.

F. Neighborhood Position:

The Fair Park, University District, Curran-Conway, and Oak Forest Neighborhood Associations were notified of the abandonment requests. As of this writing, staff knows of no objectors to the abandonment requests.

G. Effect on Public Services or Utilities:

Wastewater: Taylor Street - No objection to abandonment. Retain the area of abandonment as a utility easement, as a sewer main is located in the right-of-way.

West 31st Street, Filmore Street and alleys – No objection to the right-of-way abandonments with abandonment of easements rights. Little Rock Wastewater has sewer mains located in some of the areas referenced above and will require a new easement be prepared, signed and filed for record for any existing or relocated sewer lines within these areas.

Entergy: Taylor Street - No objection to abandonment subject to the area being retained as a utility easement, with no relocation of Entergy facilities being required.

West 31st Street, Filmore Street and alleys – No objection to abandonments. A 20 foot utility easement parallel and adjacent to the

north right-of-way line of West 30th Street between Filmore Street and Taylor Street for underground facilities in Block 7 which need to remain in place. All Entergy facilities in Blocks 8 and 15 will eventually be removed when existing services are no longer needed.

CenterPoint Energy: Taylor Street - No objection to abandonment. Easements will remain in place until existing natural gas facilities are removed/relocated.

West 31st Street, Filmore Street and alleys – No objection to abandonment. Easements will remain in place until existing natural gas facilities are removed/relocated.

AT& T (SBC): Taylor Street - No objection to abandonment. Retain area of abandonment as an easement.

West 31st Street, Filmore Street and alleys – No objection to abandonments. Easements will remain in place until all facilities have been relocated at customer's expense.

Water: Taylor Street - No objection to abandonment.

West 31st Street, Filmore Street and alleys – No objection to abandonment. Easements must remain in place until utilities are removed and/or relocated with new easements.

H. Reversionary Rights:

The applicant submitted a letter from an abstract company noting that no reversionary rights were found filed of record in the Records of Pulaski County, Arkansas.

I. Public Welfare and Safety Issues:

Abandoning these rights-of-way will have no adverse impact on the public welfare and safety. The Little Rock Fire Department has submitted no comments on the abandonment requests.

SUBDIVISION COMMITTEE COMMENT:

(FEBRUARY 18, 2010)

Robert Brown was present, representing the application. Staff described the requested right-of-way abandonments. Mr. Brown described future development plans for the property. He noted that utility and abstract letters had been obtained and would be forwarded to staff.

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ITEM NO: 3 (Cont.)

FILE NO.: G-23-417

The abandonment and easement issues were briefly discussed. After the discussion, the Committee forwarded the application to the full Commission for resolution.

STAFF RECOMMENDATION:

Staff recommends approval of the requested right-of-way abandonments, subject to the following conditions:

1. The Taylor Street area of abandonment will be retained as a utility and drainage easement.
 2. The Filmore Street, West 31st Street and alleys are to be fully abandoned, with no remaining easement rights (unless noted in paragraph G. of this report), subject to the easement abandonment not becoming effective until existing utilities are removed or relocated and new easements are dedicated for relocations.
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PLANNING COMMISSION ACTION:

(MARCH 11, 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 9 ayes, 0 noes and 2 absent.

March 11, 2010

ITEM NO.: 4

FILE NO.: Z-3276-F

NAME: Davis Auto Detail – Conditional Use Permit

LOCATION: 125 Gamble Road

OWNER/APPLICANT: Dorothea Davis

PROPOSAL: Revised conditional use permit to allow continued operation of an existing auto detail shop.

STAFF REPORT:

On February 10, 2010, the applicant requested deferral of the item to the June 3, 2010 meeting. Staff recommends approval of the requested deferral.

PLANNING COMMISSION ACTION: (MARCH 11, 2010)

The applicant was not present. There were no objectors present. Staff informed the Commission that, on February 10, 2010, the applicant had requested deferral of the item to the June 3, 2010 meeting. There was no further discussion. The item was placed on the consent agenda and approved for deferral by a vote of 9 ayes, 0 noes and 2 absent.

March 11, 2010

ITEM NO.: 5

FILE NO.: Z-8300-A

NAME: APJ, Inc. Multifamily – Conditional Use Permit

LOCATION: 1615 Aldersgate Road

OWNER/APPLICANT: APJ, Inc./A. E. Johnson, Jr.

PROPOSAL: A conditional use permit is requested to allow for construction of a one-story, 5-unit, multifamily development on this O-3 zoned, .32 acre tract.

1. SITE LOCATION:

The site is located on the east side of Aldersgate Road, several blocks south of Kanis Road.

2. COMPATIBILITY WITH NEIGHBORHOOD:

The property is located at the western edge of a residential neighborhood, where the uses transition to Office. Properties to the south are zoned O-3 and O-2 and contain newer office buildings. A vacant residential building is adjacent to the north and additional office zoning and uses extend beyond toward Kanis Road. A POD zoned office park is located across Aldersgate to the west and I-430 is just beyond those offices. The R-7A and R-2 zoned properties to the east contain an older, site built residence, 2 older single-wide mobile homes and a single-wide manufactured home. The proposed 5-unit multifamily structure appears to be compatible with the transitional nature of uses in this area.

All owners of properties located within 200 feet of the site, all residents within 300 feet who could be identified and the John Barrow Neighborhood Association were notified of this request.

3. ON SITE DRIVES AND PARKING:

A 5-unit multifamily use requires 7 on-site parking spaces. The applicant is proposing to construct 11 parking spaces. Six (6) spaces will be covered by a metal carport extending out from the front of the building. Access to the site will be via a single driveway off of Aldersgate Road.

4. SCREENING AND BUFFERS:

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

The zoning buffer ordinance requires a nine (9') foot wide land use buffer along the eastern property line next to the residentially zoned property. Seventy percent (70%) of this area must remain undisturbed.

The zoning buffer ordinance requires a nine (9') foot wide land use buffer along the northern property line next to the residentially zoned property. Seventy percent (70%) of this area must remain undisturbed.

The zoning buffer ordinance requires an average nine (9') foot street buffer along Aldersgate Road. Currently, the site is not meeting this minimal requirement. The parking lot should be no more than sixty (60') foot in width; therefore, the building may need to be shifted east to meet this minimal street buffer ordinance.

The landscape ordinance requires a nine (9') foot wide perimeter landscape strip around the sites entirety. Currently, the site plan is deficient along the northern, southern, and western perimeters of the site. A variance must be obtained from the City Beautiful Commission prior to the issuance of a building permit.

It appears the back up areas encroaches into both the perimeter landscaping strip and the zoning buffer strip; revise.

A small amount of building landscaping is required. Currently, zero is proposed.

A six (6) foot high opaque screen, either a wooden fence with its face side directed outward, a wall, or dense evergreen plantings, is required along the northern and eastern perimeters of the site. Credit towards fulfilling this requirement can be given for existing trees and undergrowth that satisfies this year-around requirement.

5. PUBLIC WORKS COMMENTS:

1. Aldersgate 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.
2. Construct landscape island on either side of driveway to channelize vehicles entering and exiting.

6. UTILITY, FIRE DEPT. AND CATA COMMENTS:

Wastewater: Sewer available to this project. Capacity contribution analysis required, contact LRW for details.

Entergy: No comments received.

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.

Fire Department: Fire sprinklers may be required. Contact Fire Marshall's office at 918-3757.

County Planning: No Comments.

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

SUBDIVISION COMMITTEE COMMENT:

(FEBRUARY 18, 2010)

Al Johnson, the applicant was present. Staff presented the item and noted additional information was needed on building design and the individual units. Staff asked for a signage, lighting and fencing plan. Staff noted any dumpster area would need to be shown on the plan.

Public Works, Utility and Landscape Comments were discussed.

Staff commented that the street perimeter landscape strip needed to be 9 feet in width. Staff noted that there was insufficient depth in the parking area to allow for increasing that landscape area without either moving the building back or reducing the size of the building. It was determined by those present that moving

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FILE NO.: Z-8300-A

the building back, resulting in a minor rear yard setback variance, was a viable option. It was noted that a variance for the requirement to install any building landscaping would require City Beautiful Commission approval.

The applicant responded that the building would have a brick and vinyl exterior with a 3/12 pitch metal roof. He stated the proposed metal carport would be built to coordinate with the building.

The applicant was advised to respond to staff issues by February 24, 2010. The Committee then forwarded the item to the full Commission.

STAFF ANALYSIS:

The applicant is proposing to construct a one-story, 5-unit, multifamily structure on the O-3 zoned property located at 1615 Aldersgate Road. Multifamily, as per the R-5 district, is a permitted conditional use in O-3. Based on the size of this tract and the required lot area per dwelling in R-5, up to 7 units would be permitted.

The proposed one-story structure will have an exterior finish of brick and vinyl. The metal roof will have a 3/12 pitch. A metal carport will extend out from the front of the building, covering 6 parking spaces. The carport will be designed to be coordinated with the building. Each apartment will contain 1 bedroom, 1 bath, kitchen and living room. An area in the middle of the building will contain a laundry room and a separate room for storage of individual trash carts.

A single, ground-mounted sign will be placed at the front of the property. The sign will not exceed the height and area allowed in office uses; 6 feet in height and 64 square feet in area. The sign will be of monument style. The driveway has been modified to comply with Public Works Comment to construct landscape islands to "channelize" vehicles entering and exiting the site. The building has been moved back 5 feet, providing proper depth for the parking lot and the required street perimeter buffer and landscape strip. There is no building landscaping provided between the parking lot and building. There is some flexibility afforded in this area. Staff will work with the applicant to try to address this issue. If it cannot be resolved, the issue will have to go to the City Beautiful Commission.

No site lighting or fencing were proposed. If lighting is added, it must be low-level and directional, aimed downward and into the site. Any fencing must be built in "good neighbor" style and comply with ordinance standards.

To staff's knowledge, there are no outstanding issues. The proposed use appears to be appropriate for the site and will provide additional residential

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opportunities for persons working in the hospitals and many office buildings in the general area. The 1913 bill of assurance for Hick's Interurban Addition does not address use issues. Right-of-way was previously dedicated and street improvements, including curb, gutter and sidewalk, have been installed.

STAFF RECOMMENDATION:

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

1. Compliance with the comments in Sections 4, 5 and 6 of the agenda staff report.
2. Any site lighting is to be low-level and directional, aimed downward and into the site.
3. Any fencing is to be constructed with the finished side facing outward and in compliance with City Code.

Staff recommends approval of a setback variance to allow a rear yard setback of 10 feet (15 feet typically required).

PLANNING COMMISSION ACTION:

(MARCH 11, 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. Staff also recommended approval of a rear yard setback variance. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff. The vote was 9 ayes, 0 noes and 2 absent.

March 11, 2010

ITEM NO.: 6

FILE NO.: Z-8524

NAME: ZAG Investments Event Center –
Conditional Use Permit

LOCATION: 6014 Forbing Road

OWNER/APPLICANT: ZAG Investments/Patrick McGetrick

PROPOSAL: A conditional use permit is requested to allow use of a portion of the existing building on this I-2 zoned tract as a special event center.

1. SITE LOCATION:

The site is located on the north side of Forbing Road, one lot west of Geyer Springs Road.

2. COMPATIBILITY WITH NEIGHBORHOOD:

The site is located in an area of mixed zoning and uses; including commercial, residential and industrial. A C-3 zoned strip center is adjacent to the east. Additional commercial uses are located along Geyer Springs Road, east of the site. Vacant C-4 and I-2 zoned buildings are located across Forbing Road to the south. A variety of light industrial and warehouse uses are located along Forbing Road, extending west to University Avenue. The I-2 zoned property adjacent to the west contains a vacant building, an office and a residence. A small, R-2 zoned single family neighborhood is located adjacent to the north.

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 and Wakefield Neighborhood Associations were notified of this request.

3. ON SITE DRIVES AND PARKING:

5,000 square feet of the existing building are proposed to be used for the event center, requiring 50 on-site parking spaces. The remaining 5,000 square feet of the building are to be used for warehousing, requiring 7 spaces. The site contains paved parking for 62 spaces. Access to the site is provided via two driveways off of Forbing Road.

4. SCREENING AND BUFFERS:

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

An upgrade may be required if the rehabilitation of the structure exceeds fifty percent (50%) of the current replacement cost.

5. PUBLIC WORKS COMMENTS:

1. Forbing Road 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.
2. Obtain a franchise agreement from Public Works (Bennie Nicolo, 371-4818) for the private improvements located in the right-of-way. These improvements include such items as irrigation system, landscaping, signage, parking areas, gates, fence, etc...

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

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

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

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

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

Fire Department: Fire sprinklers may be required. Contact Fire Marshall's office at 918-3757.

County Planning: No Comments.

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

SUBDIVISION COMMITTEE COMMENT:

(FEBRUARY 18, 2010)

Patrick McGetrick and the property owners Sharon and James Robinson were present. Staff presented the item and noted additional information was needed regarding signage, dumpster location and screening and the bill of assurance. Staff informed the Committee that the applicant's cover letter indicated "no alcohol will be sold at the site". Staff asked for further clarification on the issue of alcohol consumption at the site. Staff asked if noise mitigation measures would be taken to reduce the potential impact on the adjacent residential properties. Staff noted the proposed change in occupancy would require compliance with building code and fire code requirements related to such issues as sprinklers, exits and restrooms. The applicants were advised to visit with those agencies to determine the feasibility of having this use occupy the building. The applicant responded that the building already had a sprinkler system but they would visit with the Building Codes and Fire Department Staff about any other issues.

Public Works and Utility Comments were noted.

The applicants were encouraged by a member of the Committee to meet with neighbors. The applicants were instructed to respond to staff issues by February 24, 2010. The Committee forwarded the item to the full Commission.

STAFF ANALYSIS:

A conditional use permit is requested to allow for use of a portion of the building located on the I-2 zoned property at 6014 Forbing Road as an event center. The property is occupied by a 10,000± square foot building and paved parking for 62 vehicles. Most recently, the property was occupied by an equipment rental business.

The building is "T" shaped. The upper (rear) end of the "T" contains approximately 5,000 square feet and is proposed to continue to be used as

warehouse space. The lower (front) of the "T" contains approximately 5,000 square feet and is proposed for use as the event center. The two sections of the "T" are connected by a covered drive. The property is enclosed by an 8 foot tall chain link fence with two gates at the driveways off of Forbing Road.

The hours of operation for the event center are proposed as 7:00 a.m. to 1:00 a.m., seven days a week. The applicant states it is not likely the facility will actually be used every day. The applicant submitted the following statement describing the proposed event center:

This center is to be used primarily for private parties for anniversaries, wedding receptions, birthdays, etc. Where it will not be open seven days a week, it will be offered to rent any day of the week. It is our intention to limit functions to small groups and not for the purpose of concerts, etc.

Individuals will rent the building for their functions and either supply their own items such as tables and chairs, or rent them. Where food may be brought in and served, it will not be prepared at this site. Hours of operation could be any time between 7:00 a.m. and 1:00 a.m.

Alcohol events will be structured as part of the overall program, and individuals remain the responsibility of the contact person holding the event.

Alcohol will only be available under the following conditions:

- a. An appropriate licensed caterer will be contracted by the individual leasing the building to supply food and drink to be provided at no cost to the guest or;
- b. The party will be by invitation only and food and drink will be provided by the individual renting the site. Proof of invitation will be provided at the door, with the contact person being responsible for verifying the age of the individual served.

There will be no brown bagging, cash bars, or selling of "Drink tickets". No alcohol will be allowed outside of the building.

All City of Little Rock, State of Arkansas guidelines, requirements and regulations will be strictly adhered to. Since there is no Center like this in Southwest Little Rock, we hope to bring the community together at times of celebration.

The applicant did submit responses to the questions raised at Subdivision Committee. Some of those are covered by the statement above. Home Acres Subdivision was platted in 1924 and a copy of the bill of assurance could not be located. The existing ground-mounted pole sign will be used. A dumpster and required screening are indicated at the north end of the east side parking lot. Right-of-way dedication has been indicated and a franchise will be requested for the sign, fence, gates and 4 parking spaces which will be in the new right-of-way. The applicant states any impact on the residential properties behind the site will be mitigated by the fact that all activities for the event center will take place in the front portion of the building which is located approximately 100 feet south of the property line separating this property from the adjacent residential properties. All activities will be restricted to the interior of the building. The applicant has spoken with Building Codes and Fire Department Staff regarding the change in occupancy. The building is currently sprinkled. An additional fire hydrant may need to be installed. The existing restrooms will need to be modified to meet current code standards. The applicant is proposed to comply with any requirements.

As this agenda is being prepared, the Board of Directors is considering passing a resolution establishing a six (6) month moratorium on the approval of any applications for event centers, including any which may be pending at any stage of the planning process. The Board is scheduled to act on the resolution at their March 2, 2010 meeting. Staff will present an update to the Commission and a recommendation on this application at the March 11, 2010 meeting.

STAFF RECOMMENDATION:

Staff's recommendation is forthcoming.

PLANNING COMMISSION ACTION:

(MARCH 11, 2010)

The applicants were not present. There were no objectors present. Staff informed the Commission that, on March 2, 2010, the Board of Directors had passed a resolution establishing a six (6) month moratorium on the approval of any special event centers. Staff recommended deferral of the item to the October 7, 2010 Commission meeting. There was no further discussion. The item was placed on the consent agenda and approved for deferral by a vote of 9 ayes, 0 noes and 2 absent.

March 11, 2010

ITEM NO.: 7

FILE NO.: Z-8525

NAME: Arkansas Baptist College Dormitory –
Conditional Use Permit

LOCATION: 1517 West 17th Street (East side of Bishop,
between 17th and 18th)

OWNER/APPLICANT: Arkansas Baptist College

PROPOSAL: A conditional use permit is requested to allow for the
construction of college dormitories on this R-4 zoned,
.96 acre site.

1. SITE LOCATION:

The site is located on the east side of Bishop Street, between West 17th and West 18th Streets.

2. COMPATIBILITY WITH NEIGHBORHOOD:

The site is located within the area of the college campus. The main part of the campus occupies most of a two-block area directly to the north. Other campus facilities are located across Bishop Street to the west and generally along Dr. Martin Luther King, Jr. Blvd., to the north and south. Residential dwellings, both one and two family, are located in the area around the site. The college is purchasing several properties in the area for expansion projects. Staff believes the proposed dormitory use is appropriate for this site.

All owners of properties located within 200 feet of the site, all residents within 300 feet who could be identified and the Central High, Capitol Hill and Downtown Neighborhood Associations were notified of this request. As of this writing, staff has received no comments.

3. ON SITE DRIVES AND PARKING:

The parking requirement for a college dormitory is .5 space per sleeping accommodation. The two dormitories will sleep a total of 192 persons, including 188 students and up to 4 persons in the manager's suite. The typical parking requirement would be 96 spaces. No parking is proposed with this project. Currently the college has 741 students, of which, only 25% or less drive to the campus. The college currently has 145 parking spaces with an additional 80 on-street parking spaces. A 29 space parking lot was recently approved by the Commission at 16th and MLK. The college has plans for a new, 126 space parking lot east of Marshall,

between 17th and 18th. That parking lot is scheduled for review and construction in 2010. The college will then have 300 parking space, with additional on-street parking. Staff believes the parking will be sufficient for the use.

4. SCREENING AND BUFFERS:

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

The zoning buffer ordinance requires an average nine (9') foot wide street buffer along Bishop Street. Currently, the site proposes zero.

The zoning buffer ordinance requires an average eighteen (18') foot wide street along both 17th street and 18th street. Currently, the site proposes zero.

Street trees along Bishop, 17th, and 18th are highly encouraged.

5. PUBLIC WORKS COMMENTS:

1. A twenty (20) foot radial dedication of right-of-way is required at the intersection of Bishop and 17th Street.

6. UTILITY, FIRE DEPT. AND CATA COMMENTS:

Wastewater: Sewer available to this project. Capacity contribution analysis required, contact LRW for details.

Entergy: 10 foot easement required in alley for 8KV primary lateral existing.

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.

The facilities on-site may be private. When meters are planned off private lines, private facilities shall be installed to Central Arkansas Water's material and construction specifications and installation will be inspected by an engineer, licensed to practice in the State of Arkansas. Execution of Customer Owned Line Agreement 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.

This development will have minor impact on the existing water distribution system. Proposed water facilities will be sized to provide adequate pressure and fire protection.

Fire Department: Approved as submitted.

County Planning: No Comments.

CATA: A CATA bus route is located just east of this site, along Martin Luther King Jr. Drive.

SUBDIVISION COMMITTEE COMMENT:

(FEBRUARY 18, 2010)

Robert Turner, Brad Place and John Connell were present representing the college. Staff presented the item and noted additional information was needed building design and occupancy, site lighting, signage, fencing and phasing. Staff suggested limiting dumpster service to daylight hours. Staff noted that variances would be required for reduced building setbacks, buffers and parking and increased building height. The applicant was advised to place all the information in a cover letter. Staff noted that a portion of the site was owned by the Little Rock Housing Authority and authorization was required by them.

Public Works, Utility and Landscape Comments were discussed. Staff suggested the college pursue the possible abandonment of the 17th Street right-

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ITEM NO.: 7 (Cont.)

FILE NO.: Z-8525

of-way between the dormitories and the main campus. The applicants were advised to provide information on parking needs and availability.

The applicants were advised to submit responses to staff by February 24, 2010. The Committee then forwarded the item to the full Commission.

STAFF ANALYSIS:

Arkansas Baptist College is requesting approval of a conditional use permit to allow for construction of two dormitory buildings on the half-block, R-4 zoned property located on the east side of Bishop Street, between West 17th and West 18th Streets. The location is within the overall campus area. The main campus is located to the north. Additional campus facilities are located west of the site. The college has been acquiring several properties in the general area for future expansion projects.

The development consists of two, three-story buildings connected by a one-story mechanical space.

One residence hall will house male students and one will house female students. Each three-story building will total approximately 40,440 square feet, containing 48 two-bedroom suites accommodating 192 beds, for a total of 384 beds for both buildings.

Each student suite is to be comprised of two student bedrooms for two students each with two closets in each bedroom, an entry hall, sink area with two sinks and a bathroom. There will be two study rooms per floor level. The first floor of each building will have a main lobby area, security desk, vending area, janitorial space, utility room and residential suites. The 2nd and 3rd floors shall contain residential suites, study rooms, multipurpose room and janitorial space. A manager's suite will be located on the first floor.

The buildings will have an exterior finish of brick and E.I.F.S. with a pitched, architectural shingled roof. The structures are proposed to have zero foot setbacks from the property lines, with courtyard areas within and between the buildings. The buildings will have a height of approximately 40 feet as measured to the midpoint on the pitched roofs and a total height of approximately 50 feet to the ridge.

The applicant did submit responses and a cover letter as required by the Subdivision Committee. The parking question has been addressed to staff's satisfaction as noted in Section 3 of this report. Variances have been requested for setback, buffer, height and parking. Staff is supportive in all cases. The applicant has indicated the college will pursue the abandonments of Bishop and

17th Streets at a point in the near future. The area of those streets will become landscaped pedestrian areas, eliminating setback variances along those perimeters of the dormitory site. Street trees will be planted along West 17th, West 18th and Bishop Streets. No signage is proposed. The dumpster service will be limited to daylight hours. Lighting will consist of pole mounted lighting in the front courtyards and along the streets and low level security lighting with downward shielding at points across the rear of the buildings. The buildings will likely be constructed in two phases but may be permitted under a single building permit. Decorative fencing will enclose the courtyard area of each building.

To staff's knowledge, there are no outstanding issues. The bill of assurance for Centennial Addition is handwritten and illegible but likely does not address use issues.

STAFF RECOMMENDATION:

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

Staff recommends the college pursue the abandonment of the Bishop Street and West 17th Street rights-of-way adjacent to the campus.

Staff recommends approval of the requested building setback, buffer, building height and parking variances.

PLANNING COMMISSION ACTION:

(MARCH 11, 2010)

The applicants were present. There was one other interested party present. Staff presented the item and a recommendation of approval, subject to compliance with the comments and conditions outlined in the "staff recommendation" above. Staff also recommended approval of building setback, buffer, building height and parking variances. Staff informed the Commission that Samuel Mitchell, of 1800 Bishop Street, had been present with concerns about student parking in the area, particularly students blocking the sidewalks. Staff told the Commission that Mr. Mitchell had met with representatives of the College, prior to this item being discussed, and his concerns had been addressed. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff. The vote was 9 ayes, 0 noes and 2 absent.

March 11, 2010

ITEM NO.: 8

FILE NO.: LU09-02

Name: Land Use Plan Category Amendment

Source: Staff

PROPOSAL / REQUEST:

The Planning and Development Staff was asked to review all categories of the Future Land Use Plan after the residential categories were changed in 2009. The categories were mostly still applicable, but staff does have two changes to recommend. Staff is proposing to eliminate the Community Shopping (CS) category from the Land Use Plan and to combine all current property shown as CS into the Commercial category. Staff is also proposing to eliminate the Business Node category and to rename all property shown as Business Node as Mixed Use. The currently adopted categories and definitions are as follows:

Community Shopping--CS

This category provides for shopping center development with one or more general merchandise stores.

Commercial--C

This category includes a broad range of retail and wholesale sales of products, personal and professional services, and general business activities. Commercial activities vary in type and scale, depending on the trade area that they serve.

Business Node--NODE

This category provides for the existence of a sufficient concentration (minimum of 3) of long-term established businesses on both sides of a major street. The businesses must be contiguous or in close proximity. A Planned Zoning District is required.

Mixed Use--MX

This category provides for a mixture of residential, office and commercial uses to occur. A Planned Zoning District is required if the use is entirely office or commercial or if the use is a mixture of the three.

The Planning Staff is now proposing to combine the Community Shopping category into the Commercial category and to combine the Business Node category into the Mixed Use category in an effort to make the Future Land Use Plan more understandable. The Planning Staff had originally included Community Shopping to serve as a different type of Commercial, but over the years these two categories have been used as if they were the same category. It now seems superfluous to have both categories listed on our map since they are being used for the same purpose. This proposal would change all properties currently shown as Community Shopping as Commercial on the Future Land

Use Plan, and the Community Shopping category will be eliminated. There are about fourteen areas scattered throughout the city that are currently shown as Community Shopping. When staff reviewed the areas, the use and zoning proved to be similar to the use and zoning mix for 'Commercial'. This review led to the decision that there was not enough differences in how Community Shopping areas were treated relative to Commercial areas to justify different categories.

The second change would eliminate the Business Node category completely. There are currently only three areas shown in the City of Little Rock as Business Node. They are located along Crystal Valley Road, Cantrell Road and Colonel Glenn Road. They were originally developed when the city expanded into the extraterritorial jurisdiction area to handle existing areas of commercial activity that were away from major intersections or other logical places for commercial uses. After studying the Future Land Use Plan categories, staff is proposing to combine these three areas shown as Business Node into the Mixed Use category. Mixed Use has been used along corridors that are still mainly residential but are shown on the Master Street Plan as higher classifications of streets. Changing these areas to Mixed Use would be consistent with what we have done in other areas of the city. Mixed Use still allows for some commercial uses, but it also allows for potential office or residential uses. The Mixed Use category and the Business Node category both require a Planned Zoning District, so these areas would still enjoy that added layer of protection through the zoning review process.

Both of these changes can be seen as 'clean-up' type changes and have had good response from the property owners. All property owners that are currently shown as Community Shopping or Business Node were notified of this proposed change by letter in October 2009. After receiving good feedback from these property owners, staff sent a second notice to all property owners with the public hearing date and information.

STAFF RECOMMENDATIONS:

Approval

PLANNING COMMISSION ACTION:

(MARCH 11, 2010)

The item was placed on the consent agenda for approval. By a vote of 9 for and 0 against the consent agenda was approved.

March 11, 2010

There being no further business before the Commission, the meeting was adjourned at 4:55 p.m.

Date _____

Secretary

Chairman