

LITTLE ROCK PLANNING COMMISSION

SUBDIVISION HEARING

SUMMARY AND MINUTE RECORD

JUNE 2, 2011

4:00 P.M.

I. Roll Call and Finding of a Quorum

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

II. Members Present:

Janet Dillon
J. T. Ferstl
Rebecca Finney
Keith Fountain
Dan Harpool
Troy Laha
Obay Nunnley, Jr.
Amy Pierce
Bill Rector

Members Absent:

Tom Brock
William Changose

City Attorney:

Cindy Dawson

III. Approval of the Minutes of the April 21, 2011 Meeting of the Little Rock Planning Commission. The Minutes were approved as presented.

LITTLE ROCK PLANNING COMMISSION
SUBDIVISION AGENDA
JUNE 2, 2011

OLD BUSINESS:

<u>Item Number:</u>	<u>File Number:</u>	<u>Title:</u>
A.	<u>Z-4411-J</u>	Pleasant Ridge Town Center Revised PCD, located on the Southeast corner of Cantrell Road and Pleasant Ridge Drive.
B.	<u>Z-8646</u>	13 th Street Short-form PD-R, located North of West 13 th Street between South Park and Dennison Streets.
C.	<u>LA-0037</u>	Beau Rivage Subdivision Land Alteration Variance request, located East of South Ridge Drive and South of Bainbridge Drive.

NEW BUSINESS:

I. PRELIMINARY PLAT:

<u>Item Number:</u>	<u>File Number:</u>	<u>Title:</u>
1.	<u>S-1673</u>	Moore Addition Combination Preliminary and Final Plat, located at 17503 Lawson Road.

II. PLANNED DEVELOPMENTS:

<u>Item Number:</u>	<u>File Number:</u>	<u>Title:</u>
2.	<u>Z-1465-D</u>	Rock Town Center Short-form PCD, located at 4601 South University Avenue.
3.	<u>Z-3726-A</u>	Packet House Short-form POD, located at 1406 Cantrell Road.
4.	<u>Z-7701-B</u>	Chenal Pet Palace Revised Short-form PD-C, located at 14309 Kanis Road.

II. PLANNED DEVELOPMENTS: (CONTINUED)

<u>Item Number:</u>	<u>File Number:</u>	<u>Title:</u>
5.	<u>Z-8659</u>	Pop's Pool Hall Short-form PCD, located at 4308 Asher Avenue.
6.	<u>Z-8660</u>	McDaniel Short-form PD-R, located at 11100 Legion Hut Road.
7.	<u>Z-8661</u>	Bean Short-form PD-R, located at 516 Ridgeway Drive.
8.	<u>Z-8662</u>	Team Clean Carwash Short-form PCD, located at 14919 Cantrell Road.
9.	<u>Z-8663</u>	Hoover United Methodist Church Short-form PD-O, located at 3802 West 12 th Street.

III. OTHER BUSINESS:

<u>Item Number:</u>	<u>File Number:</u>	<u>Title:</u>
10.	<u>Z-5509-D</u>	Lots 9B – 9E Northwest Territory Short-form PCD Time Extension Request, located North of Cantrell Road and South of Chenal Parkway just west of the Chenal Parkway/Cantrell Road Intersection.

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ITEM NO.: A

FILE NO.: Z-4411-J

NAME: Pleasant Ridge Town Center Revised PCD

LOCATION: Located on the Southeast corner of Cantrell Road and
Pleasant Ridge Drive

DEVELOPER:

Pleasant Ridge Town Center
11601 Pleasant Ridge Road
Little Rock, AR 72212

ENGINEER:

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

AREA: 0.68 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING: PCD

ALLOWED USES: Shopping Center

PROPOSED ZONING: Revised PCD

PROPOSED USE: Shopping Center - Modify the previously approved signage plan

VARIANCES/WAIVERS REQUESTED: None requested.

BACKGROUND:

On December 20, 1994, through Ordinance No. 16,808, the City Board of Directors approved a PCD that would allow the development of a mixed use "Neighborhood Commercial" shopping center and an accompanying office development. The site was a 12.83 acre-tract and of the area, 11.48 acres was proposed to be developed as the shopping center. The proposed structure was 97,680 square feet, and 463 parking spaces were indicated. A 1.35-acre tract was to have 10,000 square feet of office building space with an additional 50 parking spaces. The uses proposed for the

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shopping center were all by-right C-2 and C-3 zoning district, except that there were to be no service stations, auto glass or muffler shops, convenience stores, or car washes within the scope of the PCD. The uses proposed for the office building were all uses by right in the O-2 and O-3 zoning district.

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

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

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

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

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

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On December 7, 2006, the Little Rock Planning Commission denied a request to allow the western-most drive located along Cantrell Road to become a full service intersection. The denial of the request was appealed to the Board of Directors and was scheduled to be heard on February 20, 2006. The item was withdrawn from the Board of Directors agenda prior to action by the Board of Directors.

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

On October 15, 2009, the Little Rock Planning Commission made a recommendation of approval of a request by Chick-fil-A to place signage along their western façade. On November 17, 2009, the Little Rock Board of Directors denied the request.

Ordinance No. 20,240 adopted by the Little Rock Board of Directors on April 6, 2010, allowed a revision to the PCD to allow seasonal sales on the site. The approval allowed the placement of a temporary trailer for a shaved ice business to be placed on the site from April through September yearly.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The site is an out-parcel located along the eastern entrance drive to the Pleasant Ridge Town Center shopping center. The request is to allow the placement of signage along the eastern and western facades of the building, both located with out public street frontage. The eastern façade abuts an access drive entering the shopping center. The western façade faces the Chick-fil-A. The signs are proposed with a maximum height of 15-inches and a maximum length of 13.5-inches for an overall sign area of 1.4 square feet. The previously approved signage plan allowed for the placement of a ground mounted monument sign within the front yard area not to exceed six feet in height and seventy-two square feet in area and building signage on the front façade abutting Cantrell Road not to exceed ten percent of the total façade area.

B. EXISTING CONDITIONS:

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

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station. North of the site, across Cantrell Road, is the Walton Heights Subdivision.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received several informational phone calls from the area property owners. All property owners located within 200 feet of the site, all residents, who could be identified, located within 300 feet of the site, the Pleasant Valley Property Owners Association and the Walton Height Candlewood Property Owners Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

No comments.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this project.

Entergy: No comment received.

Center-Point Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water: No objection to the placement of signage on the building facades.

Fire Department: No comment regarding the placement of signage for this development.

County Planning: No comment.

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

Parks and Recreation: No comment.

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: This request is located in the River Mountain Planning District. The Land Use Plan shows Commercial for this property. The applicant

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has applied for a rezoning for a revised Planned Commercial District, to allow for additional signage. The request does not require a change to the Land Use Plan.

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

Bicycle Plan: Existing or proposed Class I, II, or III Bikeways are not in the immediate vicinity of the development.

Landscape: No comment regarding the placement of signage for this development. All previous comments will apply to the new building construction with regard to parking lot and building landscaping.

G. SUBDIVISION COMMITTEE COMMENT: (January 5, 2011)

Mr. Joe White of White-Daters and Associates was present representing the request. Staff presented an overview of the request stating there were no additional items needed to complete the review process. Staff stated the request was to allow building signage inconsistent with signage allowed by the City's sign ordinance and the Highway 10 Design Overlay District.

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

H. ANALYSIS:

There were no outstanding issues associated with the request in need of addressing raised at the January 5, 2011, Subdivision Committee meeting. The applicant's request is to allow signage without public street frontage on the buildings eastern and western facades. The property is located within the Highway 10 Design Overlay District which states signage shall comply with the provisions of Article X of the zoning ordinance, except for a development sign which is allowed as a ten foot high one hundred square feet in area and the allowance of a ground mounted monument sign for each commercial building not to exceed six feet in height and seventy-two square feet in area. The zoning ordinance typically does not allow signage without public street frontage except in complexes where a sign without street frontage is the only means of identification for a tenant. Building signage is to not exceed ten (10) percent of

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the total façade area of the façade abutting a public street. The signage along the eastern façade abuts the eastern entrance drive to the Pleasant Ridge Shopping Center from Cantrell Road and the sign proposed along the western façade abuts the Chick-fil-A restaurant.

Staff is not supportive of the request. The Highway 10 DOD is specific on the allowance of signage. Staff feels since the DOD is very specific in the allowance of signage along this corridor and this is not a hardship case where the additional signage is required to identify the business staff does not feel the signage without public street frontage should be allowed. In areas covered by DOD's staff has not typically supported the allowance of signage inconsistent with the overlay district. Staff feels the approved ground sign and the sign on the front façade of the building are sufficient to identify the business.

I. STAFF RECOMMENDATION:

Staff recommends denial of the request.

PLANNING COMMISSION ACTION:

(JANUARY 27, 2011)

Mr. Joe White of White-Daters and Associates was present representing the request. There were no registered objectors present. Staff presented the item stating the applicant had submitted a request dated January 19, 2011, requesting a deferral of this item to the March 10, 2011, public hearing. Staff stated they were supportive of the deferral request.

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

STAFF UPDATE:

The applicant submitted a request dated February 25, 2011, requesting a deferral of this item to the April 21, 2011, public hearing. Staff recommends approval of the deferral request.

PLANNING COMMISSION ACTION:

(MARCH 10, 2011)

Mr. Joe White of White Daters and Associates was present representing the request. There were no registered objectors present. Staff presented the item stating the

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applicant had submitted a request dated February 25, 2011, requesting a deferral of the item to the April 21, 2011, public hearing. Staff presented a recommendation of approval of the deferral request.

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

STAFF UPDATE:

There has been no change to this application request since the original staff write-up and recommendation. Staff continues to recommend denial of the request.

PLANNING COMMISSION ACTION:

(APRIL 21, 2011)

Mr. Joe White of White-Daters and Associates was present representing the request. There were no registered objectors present. Staff presented the item stating the applicant had submitted a request dated April 14, 2011, requesting deferral of the item to the June 2, 2011, public hearing. Staff stated the deferral request would require a waiver of the Planning Commission By-laws with regard to the number of previous deferral requests. Staff presented a recommendation of approval of the deferral request.

There was no further discussion of the item. The Chair entertained a motion for approval of the By-law waiver with regard to the number of previous deferrals. The motion carried by a vote of 10 ayes, 0 noes and 1 absent. The Chair entertained a motion for approval of the item as presented by staff. The motion carried by a vote of 10 ayes, 0 noes and 1 absent.

STAFF UPDATE:

There has been no change to this application request since the original staff write-up and recommendation. Staff continues to recommend denial of the request.

PLANNING COMMISSION ACTION:

(JUNE 2, 2011)

The applicant was present. There were no registered objectors present. Staff presented the item stating the applicant had submitted a request dated June 2, 2011, requesting withdrawal of the item without prejudice. Staff stated the withdrawal request

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

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

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ITEM NO.: B

FILE NO.: Z-8646

NAME: 13th Street Short-form PD-R

LOCATION: Located North of West 13th Street between South Park and
Dennison Streets

DEVELOPER:

Vann & Associates
P.O. Box 164681
Little Rock, AR 72206

ENGINEER:

Crafton, Tull and Associates
10825 Financial Centre Parkway, Suite 300
Little Rock, AR 72211

AREA: 0.344 acres

NUMBER OF LOTS: 5

FT. NEW STREET: 0 LF

CURRENT ZONING: R-4, Two-family

ALLOWED USES: Single-family and Two-family Residential

PROPOSED ZONING: PD-R

PROPOSED USE: Single-family – Create 5 lots

VARIANCES/WAIVERS REQUESTED: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The application request is a rezoning from R-4, two-family to PD-R to allow the redevelopment of this site with single-family homes. The development consists of five, two story residential structures each totaling approximately 1,800 square feet. The site is located within the Central High Design Overlay District.

Off-street parking will be provided for the residents. Some portions of the existing sidewalks and curb and gutter will be reconstructed as a result of construction of the new driveways. On-street parking on West 13th, South Park and Dennison Streets will remain. A six foot wood privacy fence will be installed along the north property line that separates this development from adjacent

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properties on South Park and Dennison Streets. Front yard setbacks will be 7.5-feet on 13th Street. Side yard setbacks will be five feet on the interior and ten feet on South Park and Dennison Streets. A 7.5-foot rear yard setback is proposed.

Existing trees not in direct conflict with the proposed development will be protected during construction. Additional landscaping will be installed to comply with City ordinance and the DOD requirements.

B. EXISTING CONDITIONS:

The property is a narrow strip, which is currently vacant, fronting on West 13th Street. East of the site fronting Park Street are single-family homes, the Central High Visitor Center and three residential buildings currently under construction by the Little Rock Housing Authority. Across West 13th Street to the south are single-family homes, a parking lot serving Central High School and further south is the Central High School Campus. West of the site on Dennison Street is a multi-family building and a bar located just south of West 12th Street.

C. NEIGHBORHOOD COMMENTS:

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

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. A 20-foot radial dedication of right-of-way is required at the intersection of South Park Street and West 13th Street.
2. A 20-foot radial dedication of right-of-way is required at the intersection of South Dennison Street and West 13th Street.
3. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
4. If disturbed area is one (1) or more acres, obtain a NPDES stormwater permit from the Arkansas Department of Environmental Quality prior to the start of construction.
5. Remove old curb cuts adjacent to these properties.

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E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer main extension required with easements for Lots 1, 2, 4 and 5. Contact the Little Rock Wastewater Utility for additional information.

Entergy: Property owners are responsible for cost of relocating power lines. Contact Entergy for additional information.

Center-Point Energy: Approved as submitted.

AT & T: No comment received.

Central Arkansas Water: All Central Arkansas Water requirements in effect at the time of request for water service must be met. The Little Rock Fire Department needs to evaluate this site to determine whether additional public and/or private fire hydrant(s) are required. If additional fire hydrant(s) are required, they will be installed at the Developer's expense. Submit plans for water facilities and/or fire projection system to Central Arkansas Water for review. Plan revisions may be required after additional review. Approval of plans by Central Arkansas Water, the Arkansas Department of Health Engineering Division and the Little Rock Fire Department is required. Contact Central Arkansas Water regarding the size and location of the water meter.

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

County Planning: No comment.

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

Parks and Recreation: No comment.

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: This request is located in the Central City Planning District. The Land Use Plan shows Residential Low Density for this property. The applicant has applied for a rezoning to Planned Development Residential to allow the redevelopment of the 13th Street block face with five (5) two-story residential structures each totaling approximately 1,800 square feet.

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Master Street Plan: Park Street, Dennison Street and West 13th Street are all Local Streets. The primary function of a Local Street is to provide access to adjacent properties. Local Streets which are abutted by non-residential zoning/use or more intensive zoning than duplexes are considered as "Commercial Streets". These streets have a design standard the same as a Collector. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

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

Landscape: No comment on this single-family development.

G. SUBDIVISION COMMITTEE COMMENT: (March 31, 2011)

Mr. Brad Peterson and Mr. Charles Vann were present representing the request. Staff presented an overview of the request stating there were additional items necessary to complete the review process. Staff stated the property was located within the Central High Design Overlay District. Staff stated the site plan as presented did not comply with the typical standards of the DOD. Staff requested additional information concerning the design, location of the mechanical and if there were any trees located on the site.

Public Works comments were addressed. Staff stated radial dedications were required at the intersections of 13th and Dennison and 13th and Park Streets. Staff also stated if the disturbed area exceeded one acre an NPDES stormwater permit from the State was required. Staff stated all old curb cuts adjacent to the property were to be removed with the new development.

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

H. ANALYSIS:

The applicant submitted a revised site plan to staff addressing a number of the issues raised at the March 31, 2011, Subdivision Committee meeting. The revised plan indicates the air conditioning units will be located at the rear of the homes and the site plan notes there are not any significant trees located on the site. The applicant has provided staff with a building elevation for the proposed structures.

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The request is to rezone these two (2) residential lots from R-4, Two-family District to PD-R to allow the redevelopment of the site with five (5) single-family homes. The development will consist of five (5), two-story residential structures each totaling approximately 1,800 square feet. The site plan indicates the placement of covered parking as well. Off-street parking will be provided for the residents. Some portions of the existing sidewalks and curb and gutter will be reconstructed as a result of construction of the new driveways. On-street parking on West 13th, South Park and Dennison Streets will remain.

The site plan indicates the placement of a six (6) foot wood privacy fence along the north property line that separates this development from adjacent properties on South Park and Dennison Streets.

The site plan indicates the placement of a front yard setbacks of 7.5-feet on 13th Street. A side yard setback of ten (10) feet is proposed on South Park and Dennison Streets. The rear yard setback is indicated at 7.5-feet. The plan indicates the placement of five (5) foot side yard setbacks for Lot 1. The remaining lots are indicated with a shared covered parking area located along the common property line.

The applicant has indicated there are no existing trees on the site. A note on the plan indicates additional landscaping will be installed to comply with City ordinance and the DOD requirements.

The site is located within the Central High Design Overlay District. The DOD for single-family development states in order to be compatible with the historic nature of the neighborhood, new construction and additions to existing structures shall comply with specific criteria. Plans for new construction, additions and modifications which are subject to the DOD shall be submitted to the Department of Planning and Development. The Planning Department will review the plans for consistency with the detailed requirements of the DOD ordinance and consistency with the historic nature of the district. In the case of an undeveloped block face, the requirements shall relate to the adjacent block faces.

The DOD states a roof pitch of less than 8:12 is prohibited. Decorative roof features such as metal cresting, tile ridge caps, or other ornamentation are to be reinstalled when roofing or doing roof repairs. If tile roofs exist they are to be preserved. The materials of the exterior shell must be wood, brick, other masonry, or a material that resembles wood (i.e., vinyl siding, etc.). The orientation of the buildings is to be consistent with that of other structures on the developed block face. The primary entrance is to be consistent with that of other

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structures on the developed block face. The front yard setback for all R-2 and R-3 Single-family and R-4 Two-family district zoned property is to be fifteen (15) feet. All other setbacks are to comply with the property's zoning district.

Residential structures must have a front porch that is a passageway from the street to the front door of the unit(s) on new residential construction and additions/modifications to the front facade of existing residential structures. Mechanical service equipment (including, but not limited to, air conditioner condensing units, transformers, solar collectors, satellite dishes, etc.) must be located in the rear yards or on a rear-facing roof.

No off-street parking pads are allowed between the front of the principal structure and a public street. Surface parking is to be located behind or adjacent to a structure. Driveways are permitted to be installed in the front yard setback, but not between the principal structure and a public street. Parking pads are defined as permanent surfaces of concrete, asphalt, modular pavers, masonry, gravel or other permanent surfaces to be used for the purpose of parking or storage of vehicles. Detached garage and carport locations are to be located to the rear of the principal structure and must not be located in the front setback. Attached garages must have garage door openings that face side streets, interior lot lines, or alleys. Accessory building coverage within the twenty-five (25) foot rear yard setback must be no more than forty (40) percent of the area. Accessory building setbacks are to comply with Sections 36-254 and 36-256 of the Little Rock Code of Ordinances.

The applicant has indicated construction materials will comply with those identified in the DOD. The roofs will also exceed an 8:12 pitch. The orientation of the buildings does comply with the homes located on the developed block face along West 13th Street and the primary entrances is consistent with that of other structures on the developed block face. The homes are proposed with a front porch on each of the units. All mechanical service equipment will be located as outlined in the DOD.

The development as proposed does not comply with the front yard setback per the DOD of 15-feet. The rear yard setback is also inconsistent with the typical setback prescribed by the DOD.

The site plan indicates parking located adjacent to the structure. A detached covered parking area is indicated on the site plan. The covered structures are located beyond the front setback per the DOD.

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Although the site does not fully comply with the Central High DOD staff is supportive of the request. The primary variation from the DOD is related to the front and rear yard setbacks. Based on the existing lot configuration and the development as proposed the lots do not allow for setbacks as outlined in the DOD. Staff supports this variation because of the development pattern in the area. Staff feels based on the institutional use located just south of this site there is a direct impact on redevelopment of this site. There are two (2) single-family homes located across West 13th Street and a large surface parking lot for Central High School. In addition to the southeast is the Central High School Visitors center. The site is directly impacted by street parking of students and faculty of Central High School.

To staff's knowledge there are no remaining outstanding technical issues associated with the request. Staff feels the addition of five (5) single-family homes as proposed should provide a positive impact on the area.

I. STAFF RECOMMENDATION:

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

PLANNING COMMISSION ACTION:

(APRIL 21, 2011)

The applicant was present. There was one registered objector present. Staff presented the item stating the applicant was requesting a deferral of the item to the June 2, 2011, public hearing. Staff stated the deferral request would require a waiver of the Commission's By-laws with regard to the late deferral request.

There was no further discussion of the item. The Chair entertained a motion for approval of the By-law waiver with regard to the late deferral request. The motion carried by a vote of 10 ayes, 0 noes and 1 absent. The Chair entertained a motion for approval of the item as presented by staff. The motion carried by a vote of 10 ayes, 0 noes and 1 absent.

STAFF UPDATE:

The applicant submitted a revised site plan to staff reducing the number of units from five (5) to four (4). The site plan indicates the placement of a front yard setbacks of 7.5-feet on 13th Street. A side yard setback of ten (10) feet is proposed on South Park and Dennison Streets. The rear yard setback is indicated at 7.5-feet. The plan

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indicates the placement of five (5) foot side yard setbacks. Drives will be extended from West 13th Street to the structures to allow for off-street parking.

Within the Central High DOD no off-street parking pads are allowed between the front of the principal structure and a public street. Surface parking is to be located behind or adjacent to a structure. Driveways are permitted to be installed in the front yard setback, but not between the principal structure and a public street. Parking pads are defined as permanent surfaces of concrete, asphalt, modular pavers, masonry, gravel or other permanent surfaces to be used for the purpose of parking or storage of vehicles. The applicant has indicated the parking pads will comply with the typical DOD standard.

There has not been a change in the design of the structures from the original submission. The DOD states a roof pitch of less than 8:12 is prohibited. Decorative roof features such as metal cresting, tile ridge caps, or other ornamentation are to be reinstalled when roofing or doing roof repairs. The materials of the exterior shell must be wood, brick, other masonry, or a material that resembles wood (i.e., vinyl siding, etc.). The orientation of the buildings is to be consistent with that of other structures on the developed block face. The primary entrance is to be consistent with that of other structures on the developed block face. The front yard setback for all R-2 and R-3 Single-family and R-4 Two-family district zoned property is to be fifteen (15) feet. All other setbacks are to comply with the property's zoning district. The structures are proposed with a front setback of 7.5 feet which is not consistent with the typical DOD standard. The rear yard setback is also inconsistent with the typical setback prescribed by the DOD (7.5-feet).

Residential structures must have a front porch that is a passageway from the street to the front door of the unit(s) on new residential construction and additions/modifications to the front facade of existing residential structures. Mechanical service equipment must be located in the rear yards or on a rear-facing roof. The development will comply with the DOD requirements.

Staff continues to support the request although there are variations with the Central High DOD. The primary variation from the DOD is related to the front and rear yard setbacks. Based on the existing lot configuration and the development as proposed the lots do not allow for setbacks as outlined in the DOD. As previously stated staff supports the variation because of the development pattern in the area. Staff continues to feel based on the institutional use located just south of this site there is a direct impact on redevelopment of these lots. There are two (2) single-family homes located across West 13th Street and a large surface parking lot for Central High School along with the Central High School Visitors center located to the southeast. The site is directly impacted by street parking of students and faculty of Central High School.

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ITEM NO.: B (Cont.)

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The property is currently zoned R-4, Two-family district which would allow for the construction of two (2) duplex structures on these two (2) residential lots resulting in the same density as proposed by the applicant. Staff feels the placement of the single-family homes as proposed will add value to the neighborhood allowing new residents the opportunity to purchase homes in the neighborhood. To staff's knowledge there are no remaining outstanding technical issues associated with the request.

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

PLANNING COMMISSION ACTION:

(JUNE 2, 2011)

The applicant was present. There were no registered objectors present. Staff presented the item stating the applicant had submitted a request dated May 19, 2011, requesting a deferral of the item to the July 14, 2011, public hearing. Staff stated the applicant had indicated the deferral request was necessary to allow the applicant and the Central High Neighborhood Association additional time to work through issues related to the site plan. Staff stated they were supportive of the deferral request.

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

June 2, 2011

ITEM NO.: C

FILE NO.: LA-0037

NAME: Beau Rivage Subdivision - Slope Variance Request

LOCATION: South of the Walton Heights Subdivision

APPLICANT: Robert Holloway

AREA: Approximately 17 acres

CURRENT ZONING: R-2, Single-family

VARIANCES/WAIVERS REQUESTED: A variance from the Land Alteration Regulations for exceeding the maximum allowable slope for land development.

BACKGROUND

This application was first heard at the September 3, 2009 Planning Commission hearing. The application was to develop a 16.43 acre site with 30 single family lots. The applicant requested a variance from the Land Alteration Ordinance and variances from the Subdivision Ordinance. The variance from the Land Alteration Ordinance was to allow grading of the development area prior to final platting and the issuance of a building permit. This variance was said to be needed in order to balance to cut and fill dirt volumes on site. The variances from the Subdivision Ordinance include development of lots with a private street and the allowance of ending the street within fifty feet of the property line. The subdivision and variances were denied at this subdivision hearing.

The application was revised for the December 3, 2009, Planning Commission hearing. This application was to develop the same 16.43 acres with 30 single family lots, but the development did not include a variance request from the development standards of the Subdivision or Land Alteration Ordinances. The subdivision was approved at this hearing.

A. PROPOSAL/REQUEST:

The applicant is now requesting a variance from the Land Alteration Regulations for roadside cut and fill slopes to exceed the maximum allowable slope of 3:1 (H:V). The variance is necessary to construct the roadway. The existing slope is near 3:1. The slopes outside the Right of way must exceed the maximum cut and fill requirements of Section 29-190 in order to tie the roadway back slopes into the existing ground.

SUBDIVISION

ITEM NO.: C (Cont.)

FILE NO.: LA-0037

B. EXISTING CONDITIONS:

The 17.4 acre property is zoned R-2. The site is currently covered with trees and natural vegetation. The property is located south of the Walton Heights Subdivision and is about 1,000 feet north of Cantrell Road on the east side of Southridge Drive. The property to the north is developed residential property with approximately 0.5-acre lots in the Walton Heights Subdivision. The properties to the south are a combination of approximately 5-acre residential lots in the Country Homes Subdivision that front River Mountain Road, and Trinity Assembly of God Church which consists of approximately 6-acres on the south east property boundary. The zoning of these properties ranges from R-2, PD-R, and OS. The property to the east is an undeveloped parcel of land that abuts Interstate 430 which is also zoned R-2.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received several phone calls and emails from residents of Walton Heights that have voiced their opposition to the project. The City has received some objections to the slope variance request, but the majority of the objections are for the development of the subdivision, clearing of the land, and the increase in traffic volumes at the intersection of Southridge Drive and Cantrell Road. Property owners in the Walton Heights neighborhood feel there are already too many houses in the subdivision for just one-way in and one-way out, and feel that the addition of new homes will compound there existing problem. All adjacent property owners including those across streets or alleys have been notified of the public hearing.

D. PUBLIC WORKS COMMENTS:

1. Proposed slopes steeper than 3:1 should be conditioned with appropriate stabilization fabric and area revegetated with vegetation. Stakes should be used if needed.
2. The City of Little Rock will not sign off on the final plat of the lots until all slopes are stabilized and vegetation established

E. LANDSCAPE COMMENTS:

No Comment.

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ITEM NO.: C (Cont.)

FILE NO.: LA-0037

F. SUBDIVISION COMMITTEE COMMENTS:

(March 31, 2011)

The applicant was not present. Staff presented an overview of the request to the Committee members present. There was no further discussion of the item. The Committee then forwarded the item to the full Commission for final action.

G. STAFF ANALYSIS:

The applicant proposes to build a new subdivision with 30 lots. Since the existing site is a steep hillside and a road is proposed along the hillside, a variance is needed to exceed the maximum allowable cut and fill slopes in order to tie the roadway back slopes to existing ground. The total length of new roads in this subdivision is approximately 1,250 feet. Of the 1,250 feet of new road, approximately 850 feet of road is shown to have back slopes exceeding 3:1. Most of the slopes in the 850 feet are 2:1, however there is an approximately 250 section on one side of the road that is that is a 1:1 cut. A retaining wall could eliminate the need of the variance for slopes steeper than 3:1.

At the time of this writing, staff is waiting on a geotechnical engineering report on slope stability of the cuts and fills, and the appropriate measures to stabilize the cuts and fills.

H. STAFF RECOMMENDATION:

Staff recommendation is forthcoming.

PLANNING COMMISSION ACTION:

(APRIL 21, 2011)

The applicant was not present. There were no registered objectors present. Staff presented the item with a recommendation of deferral of the item to the June 2, 2011, public hearing. Staff stated the applicant had failed to provide staff with the requested information related to concerns raised at the March 31, 2011, Subdivision Committee meeting.

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

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SUBDIVISION

ITEM NO.: C (Cont.)

FILE NO.: LA-0037

STAFF UPDATE:

The applicant has revised the grading and drainage plans to lessen the amount of slopes that exceed 3:1 since the last submittal.

In the latest submittal, approximately 600 feet of road of the 1,250 feet of new road, is shown to have back slopes exceeding 3:1. Most of the slopes in the 600 feet are 2:1, however, there is small section in the vicinity of the cul-de-sac that has proposed 1:1 slopes with a retaining wall. The 2:1 slopes located along approximately 600 feet of the proposed roadway. These 2:1 slopes average 20 vertical feet and 40 horizontal feet. The 1:1 slopes located along approximately 100 feet of the proposed roadway. These 1:1 slopes average 25 vertical feet and 15 horizontal feet. The roadway slopes are proposed to be 3:1 in the public right-of-way and then increase to 2:1 outside of the right-of-way.

The applicant did not provide staff with information requested to show the proposed slopes to be stable through a geotechnical report and engineering analysis. Due to this information not being provided and very essential to determine the stability of the proposed roadway a determination of stability of the proposed slopes cannot be determined and therefore staff recommends denial of this variance application.

PLANNING COMMISSION ACTION:

(JUNE 2, 2011)

The applicant was not present. There were registered objectors present. Staff presented the item stating the applicant had submitted a request dated June 2, 2011, requesting withdrawal of the item without prejudice. Staff stated the withdrawal request would require a waiver of the Commission's By-laws with regard to the late withdrawal request. Staff stated they were supportive of the withdrawal request.

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

June 2, 2011

ITEM NO.: 1

FILE NO.: S-1673

NAME: Moore Addition Combination Preliminary and Final Plat

LOCATION: Located at 17503 Lawson Road

DEVELOPER:

Terry Moore
17503 Lawson Road
Little Rock, AR 72210

SURVEYOR:

Arkansas Surveying
Scott Foster
1926 Salem Road
Benton, AR 72019

AREA: 2± acres

NUMBER OF LOTS: 2

FT. NEW STREET: 0 LF

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

PLANNING DISTRICT: 17 – Crystal Valley

CENSUS TRACT: 42.08

VARIANCES/WAIVERS REQUESTED: A variance from Section 31-231 to allow the development of Tract 1 as a lot without public street frontage.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The site is located on Lawson Road near the intersection with Sullivan Road. The property is currently zoned PCD and R-2, Single-family. The PCD zoning was established at the time the City extended Extraterritorial Zoning into the area. The property contains a commercial business on proposed Tract 2 located adjacent to Lawson Road and a single-family residence on Tract 1. Access to Tract 1 will be provided via a 20-foot access and utility easement located along the western perimeter of the site.

SUBDIVISION

ITEM NO.: 1 (Cont.)

FILE NO.: S-1673

B. EXISTING CONDITIONS:

The site contains a commercial building adjacent to Lawson Road with a single-family residence located to the rear. Adjacent to the site to the east is a property zoned PD-C and is currently being used as a commercial business. Further east at the intersection of Lawson Road and Sullivan Road are properties zoned PCD and C-1. The zonings of these properties were also established at the time the City of Little Rock extended Extraterritorial Planning to this area of the County.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has not received any comment from area resident. All abutting property owners were notified of the public hearing. There is not an active neighborhood association located in the area.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

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. Show the centerline of the Lawson Road right-of-way on the preliminary plat.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Outside the service boundary. Provide a letter from the Arkansas Department of Health or the Pulaski County Sanitarian concerning the existing wastewater treatment on-site.

Entergy: No comment received.

Center-Point Energy: Approved as submitted.

AT & T: No comment received.

Central Arkansas Water: No objections. All Central Arkansas Water requirements in effect at the time of request for water service must be met. Contact Central Arkansas water if additional fire protection or metered water service is required or regarding the size and location of the water meter. If Tract 1 that has no frontage on Lawson Road wishes to obtain water service either a main extension or a private service line agreement with private service line easement attached will be required.

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ITEM NO.: 1 (Cont.)

FILE NO.: S-1673

Fire Department: Outside the service boundary. Please provide an approval letter from West Pulaski County Volunteer Fire Department concerning the plat request. (Ronnie Wheeler [Ronald.Wheeler@arkansas.gov] – (501) 529-2004).

County Planning: Approved as submitted.

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

Parks and Recreation: No comment received.

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: No comment.

Landscape: No comment.

G. SUBDIVISION COMMITTEE COMMENT: (May 12, 2011)

Mr. Terry Moore was present representing the request. Staff presented an overview of the request stating there were few additional items necessary to complete the review process. Staff stated the plat included a variance to allow the creation of a lot without public street frontage. Staff stated since the property was under two ownerships the name and address of the second owner should be included on the plat.

Staff stated Lawson Road was a minor arterial and a dedication of right of way 45-feet from centerline would be required. Staff stated the plat did not include the existing centerline and with the revision to the plat the centerline should be included.

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

H. ANALYSIS:

The applicant submitted a revised preliminary plat to staff addressing the issues raised at the May 12, 2011, Subdivision Committee meeting. The revised plat indicates the names of both owners as requested by staff. The plat also indicates right of way dedication along Lawson Road to meet the Master Street Plan requirements.

June 2, 2011

SUBDIVISION

ITEM NO.: 1 (Cont.)

FILE NO.: S-1673

The plat is to recognize two existing properties located within the City's Extraterritorial Planning Jurisdiction. The property has previously been subdivided without first being approved by either Pulaski County or the City of Little Rock. Tract 1 is proposed containing 0.97 acres. The property is zoned R-2, Single-family. The lot has an existing residence with an approved septic system. The lot is being proposed as a lot without public street frontage. A 20-foot wide ingress and egress agreement has been included on the plat to allow access to the property.

Tract 2 is proposed adjacent to Lawson Road containing 1.06 acres. The site was rezoned to PCD as a part of the City's Extraterritorial Planning for this area. The property contains a single story metal building currently being used as a commercial business.

To staff's knowledge there are no outstanding technical issues associated with the request. Although there is a variance associated with the request staff is supportive of the request. Staff does not feel the subdivision as proposed will adversely impact the area.

I. STAFF RECOMMENDATION:

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

Staff recommends approval of the variance request from the Subdivision Ordinance to allow the creation of Tract 1 as a lot without public street frontage.

PLANNING COMMISSION ACTION:

(JUNE 2, 2011)

The applicant was present. There were no registered objectors present. Staff presented the item was a recommendation of approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report. Staff also presented a recommendation of approval of the variance request from the Subdivision Ordinance to allow the creation of Tract 1 as a lot without public street frontage.

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

June 2, 2011

ITEM NO.: 2

FILE NO.: Z-1465-D

NAME: Rock Town Center Short-form PCD

LOCATION: Located at 4601 South University Avenue

DEVELOPER:

William Wade Waller
4601 S. University Avenue
Little Rock, AR 72204

SURVEYOR:

Holland Surveying
1803 Milbern Drive
Benton, AR 72015

AREA: 9.0 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING: C-4, Open Display District

ALLOWED USES: Commercial – Outdoor Display

PROPOSED ZONING: PCD

PROPOSED USE: C-4, Open Display, Outdoor and Indoor Events, Outdoor Entertainment (Events Center)

VARIANCES/WAIVERS REQUESTED: None requested.

BACKGROUND:

A Conditional Use Permit was approved on April 7, 2001, by the Little Rock Planning Commission to allow the use of a portion of the building for a general merchandise and auto auction business. The auctions would be held in the last four bays located in the south end of that building. The autos awaiting auction would not utilize any of the public parking and would be parked on the southeast side of the site, behind the building. No more than 35 vehicles would be on the site for auction at any time. Hours of operation for the development were from 7:00 am to 10:00 pm, seven days per week. Auctions would take place inside the building. The approval of the CUP did not allow for inoperable or wrecked vehicles to remain on the site. There was to be no outside storage of vehicles awaiting auction. The CUP did not allow for the use of outside speakers in conjunction with the proposed auction use. No excessive or unusual noise

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ITEM NO.: 2 (Cont.)

FILE NO.: Z-1465-D

was to be emitted so that it constituted a nuisance, which substantially exceeded the general level of noise comparison to be made at the boundary of the site (LR Code of Ordinances, Section 36-298(1)).

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

There are additional uses requested. These additional uses include: Non-profit fundraising and event space, Office and retail space (new and used items), Artist studio space, Recording studio (video and sound), Additional automobile services, Event center, Outdoor and indoor live music with amplified outdoor and indoor sound, Restaurant dine in and dine out services where beer and spirituous beverages will be served. Non-listed sports uses including volleyball, baggo, horseshoes. Outside activities will include food contests and outdoor sales.

The site is planned with a courtyard location for the sport uses and outdoor live music activities. Hanging sails in the air will create a shade. The current design has not been completed. Additionally a one (1) foot high container, in the courtyard, to hold the sand for the sports area will be constructed of wood or masonry. The plan is to build a space to accommodate four (4) courts. Decking will be installed to allow patrons to walk around the east side of the sand courts. This will create a boardwalk-shopping environment in the courtyard area. The west side of the bazaar will contain retail sales.

Security precautions are as follows: After business hours everyone must leave. Loitering in the parking lot will not be tolerated at any time. Additional lighting needs have been identified and conversations with Entergy have begun to find a solution. Parking lot security will be utilized on busy nights. If it is necessary a small security structure may be constructed at the entrance to regulate traffic.

The artist studio spaces will be along the main corridor on the east side of the building marked as bazaar. Each room will be designed for the artist in occupancy such as glass blowers and welders will have an open space along with extra fire prevention, a painter will have correct lighting and musician will have walls designed to contain sound. The food court will be designed as a rentable space for events such as health fairs, fundraisers for non-profits, dances and a place for customers to eat the food prepared from one of the license food truck or by an in-house restaurant. Additionally, fencing the front of the building and the green space is proposed for safety.

Five (5) new sign locations are being proposed: The first two (2) sign locations will be an entrance signs at both front entrances. The third sign location is for the Auto zone and the building in the back. The fourth sign locations will be tenant based advertising signage under our main sign. The fifth sign location will be on the fence on the west side.

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The property located at 4601 S. University is currently not located in a subdivision. There is no bill of assurance for the property.

“Any sound coming from Rock Town will not disturb our neighbors, additionally we will work with our neighbors to be respectful of each other.”

B. EXISTING CONDITIONS:

The property is bounded on the north, south and east by OS, Open Space zoned floodway. Retail uses, including an automobile dealership are located across South University Avenue to the west. The general area includes a variety of uses; including the shopping centers at the intersection to the north, retail sales and automobile related uses. The site contains 430+ paved parking spaces. The property has been converted into a multiple use facility. The site contains a used car lot, a flea market with outdoor and outdoor booths, a vehicle detail shop and an auto repair business.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received a number of information phone calls from area resident. All property owners located within 200-feet of the site, all residents, who could be identified, located within 300 feet of the site, the Geyer Springs Neighborhood Association, the Westwood Neighborhood Association, Southwest Little Rock United for Progress and the University District were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Show the floodplain and/or floodway delineations on the survey.
2. It appears a substantial area of the site lies within the regulated floodway and/or floodplain of Fourche Creek and Rock Creek. No future construction of any structures, improvements to the interior of the structures over 50% of the market value of the structure, parking areas, or placement of fill materials are allowed in the floodway. Additions or improvements to the interior of structures in the floodplain of 50% or more of the market value of a structure must comply with the City of Little Rock floodplain regulations.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this project.

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Entergy: Easements are required. Contact Entergy for additional information.

Center-Point Energy: Approved as submitted.

AT & T: No comment received.

Central Arkansas Water: All Central Arkansas Water requirements in effect at the time of request for water service must be met. Contact Central Arkansas Water regarding the size and location of the water meter. A Capital Investment Charge based on the size of meter connection(s) will apply to this project in addition to normal charges. This fee will apply to all connections including metered connections off the private fire system. If there are facilities that need to be adjusted and/or relocated, contact Central Arkansas Water. That work will be done at the expense of the developer. Due to the nature of the facility, installation of an approved reduced pressure zone backflow preventer assembly (RPZ) is required on the domestic water service. This assembly must be installed prior to the first point of use. Central Arkansas Water (CAW) requires that upon installation of the RPZA, successful tests of the assembly must be completed by a Certified Assembly Tester licensed by the State of Arkansas and approved by CAW. The test results must be sent to CAW's Cross Connection Section within ten days of installation and annually thereafter. Contact the Cross Connection Section at 377-1226 if you would like to discuss backflow prevention requirements for this project. The Little Rock Fire Department needs to evaluate this site to determine whether additional public or private fire hydrant(s) will be required. If additional hydrant(s) are required, they will be installed at the Developer's expense.

Fire Department: Place fire hydrants per code. Maintain at least a 20-foot wide access. Contact the Little Rock Fire Department for additional information.

County Planning: No comment.

CATA: Approved as submitted. The site is located on CATA Bus Routes #17 – the Mabelvale - Downtown Route and #17A the Mabelvale – UALR Route.

Parks and Recreation: No comment.

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: This request is located in the I-630 Planning District. The Land Use Plan shows Commercial for this property. The applicant has applied for a rezoning from C-4, Open Display District to Planned Commercial Development to allow additional uses to the site including outdoor and indoor live

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entertainment, outdoor sports activities and outdoor sales activity and event space. The Commercial category allows for a broad range of retail and wholesale activities. Commercial activities can vary in type and scale depending on the trade area that they serve.

Master Street Plan: University Avenue is a Principal Arterial. The primary function of a Principal Arterial is to serve through traffic and to connect major traffic generators or activity centers within urbanized areas. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on University Avenue since it is a Principal Arterial. 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.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. This property is located with two (2) of the City's major waterways therefore, ongoing concern for the environmental issues such as: litter, water runoff, etc. is appreciated by both the City of Little Rock and the City Beautiful Commission.
3. A fifty-foot (50) wide land use buffer is required to separate this proposed development from the residential property on the southern perimeter of the site. Seventy percent (70%) of these buffers are to remain undisturbed. Easements cannot count towards meeting this minimal ordinance requirement.
4. If the rehabilitation costs exceeds fifty percent (50%) of the replacement costs then the associated landscaping and buffer ordinance must be brought into compliance accordingly.
5. Any/all new parking areas must be per City of Little Rock code.
6. An automatic irrigation system to water landscaped areas will be required.
7. Prior to the issuance of a building permit, it will be necessary to provide an approved landscape plan stamped with the seal of a Registered Landscape Architect.

G. SUBDIVISION COMMITTEE COMMENT: (May 12, 2011)

The applicant was present representing the request. Staff presented an overview of the request stating there were additional items necessary to

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complete the review process. Staff stated the Commission had recently approved a Conditional Use Permit for the use of the site as an auto auction in addition to the existing C-4, Open Display District uses. Staff questioned the location of activities taking place on the site including the car sales, storage area for auto auction cars and areas of outdoor vending. Staff requested the applicant provide the location of all activities on a site plan. Staff questioned the days and hours of operation for the site. Staff stated the approved CUP allowed for hours of operation from 7:00 am to 10:00 pm seven days per week. Staff stated the approved CUP also limited the number of automobiles on the site awaiting auto auction. Staff stated the CUP did not allow the use of outdoor speakers in conjunction with the proposed auto auction activity.

Public Works comments were addressed. Staff stated the survey should include the limits of the floodplain and/or the floodway. Staff stated it appeared a substantial area of the site was located within the regulated floodway and/or floodplain of the Fourche and Rock Creeks.

Landscaping comments were addressed. Staff stated if rehabilitation cost exceeded fifty percent of the replacement cost of the building then associated landscaping and buffers were to be brought into compliance accordingly. Staff stated all new parking areas must be constructed to comply with the City's Landscape Ordinance.

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

H. ANALYSIS:

The applicant submitted a revised site plan addressing a number of the issues raised at the May 12, 2011, Subdivision Committee meeting. The applicant has not however addressed Public Works concern related the placement of the floodway and/or floodplain location on the survey.

The applicant has indicated the hours of operation for the development are from 7:00 am to 2:00 am daily. The applicant is requesting to place outside speakers on-site for use by the sporting and concert venues. The applicant has indicated decibel tests at the boundaries of the site will be taken to create a base line for comparison of sound levels. According to the applicant any sound coming from Rock Town will not disturb the neighbors.

The property is zoned C-4, Open Display District. The applicant is requesting permission to add additional uses and a special events center as an allowable

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FILE NO.: Z-1465-D

use for the property. The retail uses include the sale of new and used merchandise within and outside the building. Special event activities to take place including non-profit fundraising and event space, non-listed sports uses including sand volleyball, baggo and horseshoes. Outside activities will include food contests and outdoor food sales. The plan includes the placement of a courtyard for the sport uses. Within the sporting courtyard concert venues will also be held with outdoor music in some cases the music will be amplified. The plan is to create a shade by hanging some sunshade sails. A one (1) foot high container, in the courtyard will be installed to contain the sand for the sports area constructed of wood or masonry. Decking will be installed along the perimeters of the sand to create a boardwalk-shopping environment in the courtyard.

The artist studio space is proposed along the main corridor on the east side of the building. Each room will be designed for the artist in occupancy such as glass blowers and welders will have an open space along with extra fire prevention, a painter will have correct lighting and musician will have walls designed to contain sound.

The food court is proposed as a rentable space for events such as health fairs, fundraisers non-profit, dances and will include a sit-down area for customers to eat the food prepared from a license food truck or from a in-house restaurant.

Five new sign locations are being proposed. The first two sign locations are as entrance signs at both front entrance drives. The third sign location is for the Auto Zone and the rear building. The fourth sign locations will be under the shopping center main identification sign-identifying tenants of the center. The fifth sign location will be on the fence on the west side of the site. The development would typically be allowed signage per the sign ordinance for signage allowed in commercial zones or a maximum of one (1) freestanding sign per premises, not to exceed two (2) square feet in sign area for each linear foot of main street frontage up to a maximum of one hundred sixty (160) square feet. Such sign shall not exceed a height of thirty-six (36) feet. In addition to the above, freestanding sign, the owner may use one (1) of the following: Wall or mansard signs not to exceed ten (10) percent in aggregate sign area for that occupancy's facade area - One (1) awning sign per occupancy not to exceed fifty (50) percent of the surface area of the awning or one (1) marquee sign not to exceed one-third square foot in sign area for each linear foot of marquee front and side. - One (1) under-canopy or projecting sign per occupancy, not to exceed fifteen (15) square feet in sign area.

The approval of the CUP did not allow for inoperable or wrecked vehicles to remain on the site. A maximum of 35 vehicles was allowed on the site for auction at any time. There was to be on outside storage of vehicles awaiting auction. The applicant has indicated this will not change. The applicant has

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indicated there is a mechanic on-site which has some inoperable vehicles. The applicant has indicated there will be no more than forty (40) used automobiles on site for sale.

The applicant has provided staff with an overall site plan indicating the areas of automobile sales display, areas of outdoor vending, areas of automobile service, area of parking of automobiles awaiting auction and any other outdoor activities to occur on the site. Employee and customer parking have also been identified.

Staff has concerns with the outdoor venue proposed for the site. In addition staff has concerns with the amplification of sound from the site and the potential impacts on the area. Staff has concerns with the available parking on-site as the identified activities begin to occupy the paved areas with business activities and eliminating these paved surfaces for parking. Staff feels the hours of operation proposed by the applicant with the outdoor venue will potentially create a nuisance for the neighborhood. Staff does not feel the application as filed is appropriate for the site.

I. STAFF RECOMMENDATION:

Staff recommends denial of the request.

PLANNING COMMISSION ACTION:

(JUNE 2, 2011)

Mr. Walley Waller was present representing the owners. There was one registered objector present. Staff presented the item with a recommendation of denial.

Ms. Pat Gee addressed the Commission in opposition of the request. She stated she was opposed to the placement of an events center as proposed. She stated Southwest Little Rock was a part of Little Rock and the residents wanted to be treated the same as the remainder of Little Rock. She stated she was concerned with the number of uses proposed for the site. She stated the residents of Southwest Little Rock wanted family friendly businesses. She stated the community did not like empty buildings and was very much business friendly. She stated most family oriented businesses were not open until 2:00 am. She stated she was concerned with an events center being located in close proximity to ITT Technical College. She stated the Board placed spacing criteria in the ordinance to protect certain uses from the impacts of events centers.

Mr. Isaac Thomas addressed the Commission in support of the request. He stated the Rock Town Center had offered him the ability to open his own business. He stated the owners of the Center had done a great job in attracting small businesses to the area. He stated he did not think it was fair for residents of Otter Creek to come down and speak against what was being proposed for the Rock Town Center. He stated this was

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not in their neighborhood. He requested the Commission approve the request to allow the expansion of the business opportunities at the Center.

Ms. Georgia Thomas addressed the Commission in support of the request. She stated her husband was Isaac Thomas and she agreed with her husband's comments. She stated the business location was God sent. She stated she did not feel the owners of the Rock Town Center would go beyond what was allowed by law and requested the Commission approve the request.

Mr. MJ Monagle was present representing the request. He stated he was involved with the work force center located at 5401 S. University Avenue. He stated he had recently met Mr. Waller and was invited to the Center to see what new things were taking place. He stated once visiting the Center he agreed the Center was doing good things to cultivate small business in the area.

Ms. Maria Garcia was present in support of the request. She stated she was a business owner within the Rock Town Center. She stated the Center was family oriented. She stated on weekends her children would come to the Center with her and play with the other children. She requested the Commission approve the request to allow the creation of the outdoor sporting events on the site and allow the children a place to play. She stated with the placement of the outdoor play area within the courtyard area she would be able to come out of her shop and spend more time with her children. She stated she did not see anything wrong with the proposal.

Mr. Joe Ramirez addressed the Commission in support. He stated he had a food service in the Center. He stated he felt Mr. Waller was doing a service to the community by allowing small business to grow. He stated his children also visited the center on weekends to play with the other vendor's children. He stated he was in support of the request.

Ms. Sahwana Ellis addressed the Commission in support. She stated she supported her cousin who had a business in the Rock Town Center. She stated she supported the proposal to allow the expansion.

Ms. Heaven Wine addressed the Commission in support of the request. She stated her mother owned a business in the Rock Town Center and the business allowed money to support her family.

Ms. Kisty Wine addressed the Commission in support of the request. She stated she owned a shoe store in the center and had been in business for the last three months. She stated she had difficulty in finding a job and decided to start her own business. She stated the rents at the Center allowed her to operate the business and make a profit to support her family.

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Maleek McClendon addressed the Commission in support. He stated his cousin owned a business within the Rock Town Center and he supported the request.

Mr. Dagan Boone addressed the Commission in support of the request. He stated he was one of the original businesses in the Rock Town Center. He stated the Center was proposed similar to businesses in Atlanta, Huston and Dallas. He stated the Center provided opportunity to small business owners within the area. He stated the City was losing citizens because there were not sufficient opportunities for the residents. He stated the City needed to look to the future. He stated if the development could be tweaked or if there was a compromise then the developers were willing to consider different options. He stated ITT Technical College was moving to Chenal within 45 days. He stated there were a number of items to consider before denying the request.

Ms. Joette Poe addressed the Commission on behalf of the request. She stated she was a partner in the property. She stated after returning to Little Rock more than a year ago she and Howard Fewell went to the site to see why the property was vacant. She stated the building had been stripped of all the electrical, mechanical and copper. She stated after consideration she and Mr. Fewell decided to purchase the building and renovate the building for use as a mixed use development including office and retail uses. She stated the vision was for small shop owners to lease space within the Center. She stated the City needed to grow small businesses to improve the community.

Mr. Walley Waller addressed the Commission on behalf of the owners. He provided the Commission with a letter from a small business owner in the Center who could not attend the hearing. He stated the Rock Town Center was a new concept that did not fit into the guidelines of the zoning ordinance. He stated the site had been approved for an auto and general merchandise auction by the Commission's at their April meeting. He stated the Center needed additional activities to allow the development to grow. He stated the addition of the events Center would allow the space to be leased for health fairs and musical events. He stated Southwest Little Rock United for Progress voted to support the request at their monthly meeting. He stated Rock Town Center was a mixture of businesses and a mixture of ethnicities and cultures. He provided the Commission with a list of items which were provided as an amendment to the current application request. He stated the facility would continue to be run as a secure and safe facility. He stated the owners were willing to keep all the parking lot lights on at night. He stated no loitering after dark would be allowed. He stated if an event would attract more than 100 persons in any two hour period a security guard would be hired. He stated if an event would attract more than 300 people in any four hour period then an off duty police officer would be hired. He stated if an event would attract over 400 people during any four hour period then two off duty police officers would be utilized in addition to two security staff. Mr. Waller stated the Rock Town Center was providing opportunities to families that might not other wise be allowed.

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There was a general discussion by the Commission and Mr. Waller concerning his application request. The Commission indicated the concern was the events center aspect of the development and the 2:00 am closing time. Mr. Waller stated in working with staff he was advised to place in his application all he could imagine and work through the negotiation process to eliminate things that were not acceptable. He stated the 2:00 am closing was not an important aspect of the development. He stated he was willing to amend his request to limit the closing hour to 10:00 pm. He stated the development was a family oriented development. The Commission questioned the sale of alcohol. Mr. Waller stated the long term goal was to allow alcohol sales in conjunction with a restaurant use.

The Commission questioned 400 persons attending an event and the needed for parking. Mr. Waller stated there were 400 plus parking spaces on the site of which 70 were dedicated to the auto auction and the used car lot. He stated there was sufficient parking for any event the site would hold. He stated 400 persons would not generate 400 vehicles. He stated most families traveled together. The Commission informed Mr. Waller they had to review the approval as a worst case scenario. The Commissioners questioned if the development was approved and there were 400 persons attending an event they had to consider could the site handle the volume.

The Commission once again questioned Mr. Waller as to the use of the property. He stated he wanted to be able to lease the site to organizations desiring to hold health fairs or allow a musician the opportunity to play a concert within the courtyard area. The Commission indicated the site was zoned C-4 which allowed a number of uses. The Commission questioned staff if the uses Mr. Waller were proposing could be allowed as a special event with a special events permit and not require him to rezone the property. Staff stated they were not sure of the mechanics of the special events permit process.

Commissioner Rector stated the two concerns with the development both by the Commission and staff were related to the special events center and the closing hours. He stated amending the application to limit the closing hours to 10:00 pm was a start. The Commission questioned if a deferral was in order to allow the applicant and staff time to develop a more concrete plan. Mr. Waller stated he was willing to accept a deferral to allow time for staff and the owners of Rock Town center to review the proposal and bring back to the Commission a more concrete plan.

A motion was made to defer the request to the July 14, 2011, public hearing. The motion carried by a vote of 8 ayes, 1 no and 2 absent.

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ITEM NO.: 3

FILE NO.: Z-3726-A

NAME: Packet House Short-form POD

LOCATION: Located at 1406 Cantrell Road

DEVELOPER:

Richards Finance Co, LLC
c/o Maury Mitchell
1501 N. University Avenue #800
Little Rock, AR 72207

SURVEYOR:

Smith and Goodson PLLC
7509 Cantrell Road, Suite 227
Little Rock, AR 72207

AREA: 1.85 acres NUMBER OF LOTS: 1 zoning lot FT. NEW STREET: 0 LF

CURRENT ZONING: O-3, General Office District

ALLOWED USES: General Office

PROPOSED ZONING: POD

PROPOSED USE: O-3, General Office District - Add a restaurant as an allowable use

VARIANCES/WAIVERS REQUESTED: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The property proposed for rezoning from O-3, General Office District to POD is located at 1406 Cantrell Road and is know as the Packet House. The application request is to add a restaurant as an allowable use under the current zoning. The existing building will be used for the most part as a classic grill style restaurant. The first floor of approximately 3,165 square feet will be used exclusively for restaurant operations. The focus of the restaurant will be to showcase local products/ingredient's keeping the integrity of the surrounding communities. Operation time for the restaurant will be from 10 am to 10 pm Monday through Sunday. All additions to the building will be designed with the style and period of

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the existing Packet House. The second floor has approximately 2,695 square feet that will be used as a banquet area for the restaurant operation. Both first and second floors will have full bar access. The third floor has approximately 2,352 square feet and will be used primarily as an employee lounge, office and storage space. The total gross footage of the existing building is approximately 8,212 square feet with 75 percent used for kitchen and restaurant area. The site contains 99 parking spaces. Future goals include an elevator, a 750 square foot patio to enhance and take advantage of the Arkansas River view and all exterior beautifications.

B. EXISTING CONDITIONS:

The site is located on the north side of Cantrell Road with the northern boundary the Arkansas River. The area contains a number of uses including a private school to the southwest, Dillard's corporate offices to the west, smaller office users and multi-family residential adjacent to Cantrell Road to the south.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received a number of information phone calls from area resident. All property owners located within 200-feet of the site, all residents, who could be identified, located within 300 feet of the site and the Capitol View Stiff Station Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
2. Obtain permits for improvements within State Highway right-of-way from AHTD, District VI.
3. The western driveway should be striped and signed to be one way out only.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Existing sewer service location is unknown to Little Rock Wastewater. There is no public sewer on the property. Contact Little Rock Wastewater Utility for additional information.

Entergy: Approved as submitted.

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Center-Point Energy: Approved as submitted.

AT & T: No comment received.

Central Arkansas Water: No objection. All Central Arkansas Water requirements in effect at the time of request for water service must be met. Contact Central Arkansas Water if additional fire protection or metered water service is required or regarding the size and location of the water meter.

Fire Department: Place fire hydrants per code. Maintain a minimum access of 20-feet in width around the sites perimeter. Contact the Little Rock Fire Department for additional information.

County Planning: No comment.

CATA: Approved as submitted. The site is located on CATA Bus Route #21 – the University Avenue Route.

Parks and Recreation: Little Rock Parks and Recreation has plans for the Arkansas River Trail north of the property along the Arkansas River. Contact Mark Webre at 371-6851 to discuss any improvements or dedications that may be required for the trail.

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: This request is located in the Downtown Planning District. The Land Use Plan shows Office for this property. The applicant has applied for a rezoning from O-3, General Office District to Planned Office Development to allow the use of the existing building as a restaurant. The Office category represents services provided directly to consumers as well as general offices, which support basic economic activities.

Master Street Plan: Cantrell Road is a Principal Arterial. The primary function of a Principal Arterial is to serve through traffic and to connect major traffic generators or activity centers within urbanized areas. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Cantrell Road since it is a Principal Arterial. 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.

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Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. This property is located along one of the City's major waterways therefore, ongoing concern for the environmental issues such as: litter, water runoff, etc. is appreciated by both the City of Little Rock and the City Beautiful Commission.
3. If the rehabilitation costs exceeds fifty percent (50%) of the replacement costs then the associated landscaping and buffer ordinance must be brought into compliance accordingly.
4. Any/all new parking areas must be landscaped per City of Little Rock code.
5. An automatic irrigation system to water landscaped areas will be required.
6. Prior to the issuance of a building permit, it will be necessary to provide an approved landscape plan stamped with the seal of a Registered Landscape Architect.

G. SUBDIVISION COMMITTEE COMMENT:

(May 12, 2011)

Mr. Maury Mitchell was present representing the request. Staff presented an overview of the development stating there were few outstanding technical issues associated with the request. Staff requested Mr. Mitchell provide the days and hours of operation for the restaurant. Staff also questioned the location of any dumpster facilities. Staff requested details of any proposed signage. Staff stated all site lighting was to be low level and directional, directed downward and into the site.

Public Works comments were addressed. Staff stated the western driveway should be signed as exit only. Staff also stated any broken curb, gutter or sidewalk was to be repaired prior to the issuance of the certificate of occupancy for the development.

Landscaping comments were addressed. Staff stated if the rehabilitation cost exceeded fifty percent of the replacement cost of the structure then landscaping was to be brought into compliance accordingly. Staff stated all new parking areas were to be constructed in compliance with the City's Landscape Ordinance.

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

H. ANALYSIS:

The applicant submitted a revised site plan to staff addressing issues raised at the May 12, 2011, Subdivision Committee meeting. The applicant has indicated a single sign will be located within the front yard area complying with signage allowed in office zones or a maximum of six feet in height and sixty-four square feet in area. The applicant has indicated building signage will not be utilized but is requesting the allowance of building signage consistent with signage allowed in office zones or a maximum of ten percent of the façade area abutting the public street. The revised plan indicates the placement of the dumpster near the northeast portion of the site. The western drive will be signed as exit only as requested by staff.

The request is a rezoning from O-3, General Office District to POD to add a restaurant as an allowable use under the current zoning. The site will maintain O-3, General Office District uses as allowable uses for the property.

The building contains a total of 8,212 square feet on three levels. The first floor contains approximately 3,165 square feet and will be used exclusively for restaurant operations. The second floor has approximately 2,695 square feet that will be used as a banquet area for the restaurant operation. Both first and second floors will have full bar access. The third floor has approximately 2,352 square feet and will be used primarily as an employee lounge, office and storage space. Within the building 75 percent will be used as kitchen and restaurant area.

Future goals include an elevator, a 750 square foot patio to enhance and take advantage of the Arkansas River view. The patio will be located along the northern portion of the building between the building and the parking lot.

The site contains 99 parking spaces. Based on the total square footage of the building including the patio addition a total of 89 parking spaces would be required to serve a restaurant use. To serve an office user a total of 20 parking spaces would be required.

Operation time for the restaurant will be from 10 am to 10 pm Monday through Sunday. The hours of dumpster service have not been limited. Staff recommends since there are residential uses located immediately south of the site the hours of dumpster service be limited to daylight hours.

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To staff's knowledge there are no remaining outstanding technical issues associated with the request. Staff feels the addition of a restaurant as an allowable use for this site is appropriate.

I. STAFF RECOMMENDATION:

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

Staff recommends the hours of dumpster service be limited to daylight hours.

PLANNING COMMISSION ACTION:

(JUNE 2, 2011)

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

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

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ITEM NO.: 4

FILE NO.: Z-7701-B

NAME: Chenal Pet Palace Revised Short-form PD-C

LOCATION: Located at 14309 Kanis Road

DEVELOPER:

Chenal Pet Palace
c/o Mitchell Williams
Attn: Alex T. Gray
425 West Capitol Avenue
Suite 1800
Little Rock, AR 72201

ENGINEER:

McGetrick and McGetrick
10 Otter Creek Court, Suite A
Little Rock, AR 72201

CURRENT ZONING: PD-C

ALLOWED USES: Dog Kennel and grooming facility

PROPOSED ZONING: Revised PD-C

PROPOSED USE: Allow the addition of a storage building and a dog pavilion

VARIANCES/WAIVERS REQUESTED: None requested.

BACKGROUND:

On August 26, 2004, the Little Rock Planning Commission reviewed a request to allow the use of the existing building and redevelopment of the site as a dog kennel and grooming facility. The applicant indicated there would be approximately 30 stalls within the enclosed building. The applicant indicated there would be no outdoor runs or kennels located on the site. The proposed hours of operation were from 6:00 am to 6:00 pm seven days per week.

The applicant did not propose any exterior modifications to the site. All existing parking was to be maintained and no new on-site paved areas would be added. The applicant

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indicated one-half street improvements would be put in place for an existing 40-foot right-of-way located along the eastern property line.

The Little Rock Board of Directors adopted Ordinance No. 19,203 on October 5, 2004, rezoning this site from R-2, Single-family to PD-C.

Ordinance No. 19,499 adopted by the Little Rock Board of Directors on March 11, 2006, allowed the site to increase the number of kennel spaces on the site. The original approval allowed for approximately 30 kennel stalls all contained within the structure. The 2006 approval allowed the total number of kennel stalls to be increased to 70. The previous approval also did not allow for outdoor runs or kennels and all dogs were to be leashed for outdoor activities. The 2006 approval allowed for the placement of six (6) outdoor pens along the southwest portion of the site for outdoor activities. The dogs were to be left in the outdoor areas for 20 to 30 minutes at a time to allow outdoor activities and exercise for the dogs. The kennel areas were covered along the rear of the building extending most of the length of the structure.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is now requesting to amend the previously approved PCD to allow a 700 square foot storage building along with a covered outdoor play area to the western portion of the site. The storage building was constructed after the 2006 approval of the PCD zoning. The site is located outside the City limits of Little Rock therefore no building permits were required for construction. In addition to approval of the storage building the applicant is requesting to construct a dog pavilion containing 762 square feet. The dog pavilion will be covered, fenced-in and will be open-air. The dog pavilion will be used when it rains to allow the dogs to go outside. The pavilion will not change the number of dogs allowed on the site for boarding or the number of dogs allowed outside for outdoor play.

B. EXISTING CONDITIONS:

The site is located outside the City limits but within the City's Extraterritorial Planning Jurisdiction. The site contains a renovated industrial building serving as a pet grooming and boarding business. South of the site is a vacant area currently zoned MF-6. North of the site are single-family homes along with a non-conforming retail shop. North and west of the site are vacant R-2, Single-family zoned properties.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received a number of information phone calls from area resident. All property owners located within 200-feet of the site, all residents, who could be identified, located within 300 feet of the site, the Parkway

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Place Property Owners Association and the Spring Valley Manor Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

No comment.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Outside the service boundary. Provide a letter from the Arkansas Department of Health or the Pulaski County Sanitarian concerning the existing wastewater treatment on-site.

Entergy: Easements are required. Contact Entergy for additional information.

Center-Point Energy: Approved as submitted.

AT & T: No comment received.

Central Arkansas Water: No objection. All Central Arkansas Water requirements in effect at the time of request for water service must be met. Contact Central Arkansas Water if additional fire protection or metered water service is required or regarding the size and location of the water meter. Due to the nature of the 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: Outside the service boundary. Please provide an approval letter from West Pulaski County Volunteer Fire Department concerning the plat request. (Ronnie Wheeler [Ronald.Wheeler@arkansas.gov] – (501) 529-2004).

County Planning: Approved as submitted.

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

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Parks and Recreation: No comment.

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: This request is located in the Ellis Mountain Planning District. The Land Use Plan shows Suburban Office for this property. The applicant has applied for a rezoning for a revised Planned Commercial Development to allow the addition of a covered outdoor play area for the pets served by the site. The Suburban Office category shall provide for low intensity development of office or office parks in close proximity to lower density residential areas to ensure compatibility.

Master Street Plan: Kanis Road is a Minor Arterial. A Minor Arterial provides connections to and through an urban area and their primary function is to provide short distance travel within the urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Kanis Road since it is a Minor 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.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. This site plan is for a building that was built without permit therefore, the comments below have been adjusted for such:
 - a. A ten-foot (10) wide land use buffer is required to separate this proposed development from the residential property along the western perimeter of the site. Seventy percent (70%) of these buffers are to remain undisturbed. If this area has been disturbed in conjunction with the building addition it needs to be re-landscaped to meet the City's landscaping and buffer ordinances.
 - b. The applicant is to have both the appropriate fencing and landscaping installed within thirty (30) days of action by the Board of Directors.
 - c. An automatic irrigation system to water landscaped areas will be required.
 - d. The City Beautiful Commission recommends preserving as many existing trees as feasible on this tree-covered site. Credit toward fulfilling Landscape Ordinance requirements can be given when preserving trees of six (6) inch caliper or larger.

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G. SUBDIVISION COMMITTEE COMMENT: (May 12, 2011)

Mr. Alex Gray was present representing the owners of Chenal Pet Palace. Staff stated the request was to amend the previously approved PD-C to allow additional construction on the site. Staff stated the owner had constructed a building, which was not on the approved site plan. Staff stated additionally the owner had begun construction of a dog pavilion on the site, which also was not included on the approved site plan. Staff stated there were additional items necessary to complete the review process. Staff requested clarification on the hours the dogs would be allowed outdoors. Staff also requested the applicant provide the maximum number of pets allowed outdoors at any given time.

Landscaping comments were addressed. Staff stated the western portion of the site required a ten (10) foot land use buffer and a minimum of seventy (70) percent of the buffer was to remain undisturbed. Staff stated fencing and landscaping were to be installed within thirty (30) days of action by the Board of Directors regardless of approval. Staff stated the western buffer would potentially require replanting to comply with the buffer ordinance requirements.

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

H. ANALYSIS:

The applicant submitted a revised cover letter to staff addressing the issues raised at the May 12, 2011, Subdivision Committee meeting. The applicant has indicated the days and hours of outdoor play activity and the maximum number of pets allowed outside at a time. The pets will be allowed outdoors for play Monday through Friday from 7:00 am to 6:00 pm and Saturday and Sunday from 7:30 am to 4:00 pm. The maximum number of pets allowed outside at a time is twenty (20). The applicant has acknowledged the use of the "newly constructed building" is and will be solely for storage. The applicant has indicated upon approval the owner will work with staff concerning the placement of a screening fence and landscaping along the western perimeter of the site.

The request is to amend the previously approved PCD to allow a 700 square foot storage building and a covered outdoor play area along the western portion of the site. The storage building was constructed after the 2006 approval of the PCD zoning but was not included on the approved site plan. The site is located outside the City limits of Little Rock and did not require a building permit for construction. The applicant should have however, received zoning approval prior to construction.

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In addition to approval of the storage building the applicant is requesting approval for construction of a dog pavilion containing 762 square feet. The dog pavilion will be fenced-in and will be open-air with a covered roof. The dog pavilion will be used when it rains to allow the dogs to go outside for recreation.

There are no other modifications proposed to the site plan with the current request. The approval of the pavilion and the storage building will not change the number of dogs allowed on the site for boarding or the number of dogs allowed outside for outdoor play. To staff's knowledge there are no remaining outstanding technical issues associated with the request. Staff feels the storage building as previously constructed and the allowance of a covered outdoor play area for the pets is appropriate for the site.

I. STAFF RECOMMENDATION:

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

Staff recommends the landscaping and screening along the western perimeter be installed within 30 days of the Board of Directors action.

PLANNING COMMISSION ACTION:

(JUNE 2, 2011)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report. Staff presented a recommendation the landscaping and screening along the western perimeter be installed within 30 days of the Board of Directors action.

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

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ITEM NO.: 5

FILE NO.: Z-8659

NAME: Pop's Pool Hall Short-form PCD

LOCATION: Located at 4308 Asher Avenue

DEVELOPER:

Charles Webb
93 Dartmouth Drive
Little Rock, AR 72209

SURVEYOR:

Brooks Surveying
20820 Arch Street Pike
Hensley, AR 72065

AREA: 0.25 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING: C-4, Open Display District

ALLOWED USES: Open Display uses

PROPOSED ZONING: PCD

PROPOSED USE: Add In-door amusement as

VARIANCES/WAIVERS REQUESTED: None requested.

The applicant failed to notify property owners as required by the Commission's By-laws. Staff recommends deferral of this item to the July 14, 2011, public hearing.

PLANNING COMMISSION ACTION:

(JUNE 2, 2011)

The applicant was not present. There were no registered objectors present. Staff presented the item stating the applicant had failed to notify property owners as required by the Commission's By-laws. Staff presented a recommendation of deferral of this item to the July 14, 2011, public hearing.

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

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ITEM NO.: 6

FILE NO.: Z-8660

NAME: McDaniel Short-form PD-R

LOCATION: Located at 11100 Legion Hut Road

DEVELOPER:

Nuage Residential Construction
c/o James McDaniel
P.O. Box 250
Sweet Home, AR 72164

SURVEYOR:

Brooks Surveying
20820 Arch Street Pike
Hensley, AR 72065

AREA: .50 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING: R-2, Single-family

ALLOWED USES: Single-family residential

PROPOSED ZONING: PD-R

PROPOSED USE: Multi-family 4-plex

VARIANCES/WAIVERS REQUESTED: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is proposing a rezoning of the site from R-2, Single-family to PD-R to allow the construction of a four-plex apartment building. The building is proposed containing 2,800 square feet. The site plan indicates the placement of eight (8) on-site parking spaces located adjacent to Legion Hut Road. The applicant has indicated the buildings will be constructed of brick and vinyl. The roof will be a standard pitch roof with asphalt shingles. A six (6) foot wood fence will be installed along the perimeters abutting single-family zoned property.

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B. EXISTING CONDITIONS:

The property is heavily wooded, as is the property to the south. North, northeast and west of the site are single-family homes. The homes fronting on Legion Hut Road appear to be developed on larger lots. The homes located to the west appear to be developed on smaller lots within the Shiloh Subdivision. To the east is a manufactured home park. Further south of the site is the Oxford Valley Subdivision, which is a single-family subdivision, which is continuing to develop with new homes.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received a number of information phone calls from area resident. All property owners located within 200-feet of the site, all residents, who could be identified, located within 300 feet of the site, the Legion Hut Neighborhood Association and Southwest Little Rock United for Progress were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Legion Hut Road is classified on the Master Street Plan as a residential street. A dedication of right-of-way 25 feet from centerline will be required. Provide the centerline of the Legion Hut Road right-of-way to determine if a dedication is required.
2. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
3. Vehicle parking is not allowed in the public right-of-way.
4. Vehicle backing into Legion Hut Road creates a safety hazard and is not allowed with developments more dense than a single-family residential development.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer is available to this project.

Enterigy: Approved as submitted.

Center-Point Energy: Approved as submitted.

AT & T: No comment received.

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Central Arkansas Water: No objection. All Central Arkansas Water requirements in effect at the time of request for water service must be met. Contact Central Arkansas Water if additional fire protection or metered water service is required or 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. If there are facilities that need to be adjusted and/or relocated, contact Central Arkansas Water. That work will be done at the expense of the developer. Due to the nature of the 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: Place fire hydrant per code. Maintain at least a 20-foot wide access. Contact the Little Rock Fire Department for additional information.

County Planning: No comment.

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

Parks and Recreation: No comment received.

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: This request is located in the Geyer Springs West Planning District. The Land Use Plan shows Residential Low Density for this property. The applicant has applied for a rezoning from R-2, Single-family to Planned Residential Development to allow the construction of a four-unit apartment on the site. Residential Low Density typically provides for single-family homes at densities not to exceed six units per acre.

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

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the same as a Collector. This street may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

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

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. Verify site size for a full review.
3. Property to the north and south are zoned residential, therefore, the zoning ordinance requires a nine-foot (9') wide land use buffers along both of the perimeters. Easements cannot count toward fulfilling this requirement. Seventy percent (70%) of these buffers are to remain undisturbed. Currently, the building footprint is shown at a mere ten foot (10') from the property line.
4. The property to the west is zoned residential; therefore, a thirteen-foot (13') wide land use buffer is required. Easements cannot count toward fulfilling this requirement. Seventy percent (70%) of these buffers are to remain undisturbed.
5. The zoning buffer requires an average thirteen-foot (13') wide street buffer and in no case to be less than nine foot (9') in width. Currently, this minimal amount is not being met; revise.
6. 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, southern, and western perimeters of the site. Credit towards fulfilling this requirement can be given for existing trees and undergrowth that satisfies this year-around requirement.
7. An automatic irrigation system to water landscaped areas will be required.
8. Prior to the issuance of a building permit, it will be necessary to provide an approved landscape plan stamped with the seal of a Registered Landscape Architect.
9. The City Beautiful Commission recommends preserving as many existing trees as feasible on this tree-covered site. Credit toward fulfilling Landscape Ordinance requirements can be given when preserving trees of six (6) inch caliper or larger.

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G. SUBDIVISION COMMITTEE COMMENT: (May 12, 2011)

Mr. James McDaniel was present representing the request. Staff presented an overview of the request stating there were additional items necessary to complete the review process. Staff requested details concerning the proposed construction materials, if there would be an on-site dumpster and if any signage was proposed. Staff also questioned any proposed fencing around the site's perimeter. Staff stated the parking as proposed did not comply with City ordinance. Staff also questioned if the developer had considered constructing two (2) duplex units as opposed to a single building.

Public Works comments were addressed. Staff stated a dedication of right of way 25-feet for centerline would be required. Staff also stated any broken curb and gutter or sidewalk that was damaged in the public right of way would require replacement prior to the issuance of a certificate of occupancy for the development.

Landscaping comments were addressed. Staff stated with the development of the site a 9-foot land use buffer was required along the northern and southern perimeters of the site. Staff also stated a minimum of seventy percent of the buffer was to remain undisturbed. Staff stated screening would be required along the northern, southern and western perimeters of the site. Staff stated a street buffer of thirteen feet was required along Legion Hut Road.

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

H. ANALYSIS:

The applicant submitted a revised site plan to staff addressing staff's concerns related to the proposed parking. The applicant has indicated a dumpster will not be located on the site. The applicant has also indicated no signage is proposed for the development.

The applicant is proposing a rezoning of the site from R-2, Single-family to PD-R to allow the construction of a 4-plex apartment building. The building is proposed containing 2,800 square feet with eight (8) on-site parking spaces located adjacent to Legion Hut Road to serve the use. Based on the typical parking requirement for a multi-family development six (6) parking spaces would typically be required to serve the four (4) units.

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The applicant has indicated the buildings will be constructed of brick and vinyl. The roof will be a standard pitch roof with asphalt shingles. A six (6) foot wood fence will be installed along the perimeters abutting single-family zoned property to provide the required screening.

The property is classified on the City's Future Land Use Plan as Residential Low Density. Residential Low Density typically provides for single-family homes at densities not to exceed six (6) units per acre. The development as proposed is consistent with the density allowed by the Future Land Use Plan however staff has concerns with the design aspect of the development. In staff's opinion the single building with the parking lot located in the front yard of the development is not compatible with the development pattern in the area. Although there is a mobile home park located across Legion Hut Road from this site for the most part the remainder of the area has developed with single-family homes with typical single-family drives and not large areas of paving in the front yard.

I. STAFF RECOMMENDATION:

Staff recommends denial of the request.

PLANNING COMMISSION ACTION:

(JUNE 2, 2011)

The applicant was present. There were no registered objectors present. Staff presented the item stating the applicant had submitted a request dated June 1, 2011, requesting a deferral of the item to the July 14, 2011, public hearing. Staff stated the applicant had indicated the deferral was necessary to allow the applicant time to work with staff on the design of the project and allow the applicant the opportunity to meet with the neighborhood association concerning the proposed development. Staff stated the deferral request would require a By-law waiver with regard to the late deferral request.

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

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ITEM NO.: 7

FILE NO.: Z-8661

NAME: Bean Conditional Use Permit

LOCATION: Located at 516 Ridgeway Drive

DEVELOPER:

Brian Bean
516 Ridgeway
Little Rock, AR 72205

SURVEYOR:

Brooks Surveying
20820 Arch Street Pike
Hensley, AR 72065

PROPOSAL: A conditional use permit is requested to allow the construction of an accessory dwelling on this R-3, Single-family zoned lot.

1. SITE LOCATION:

The site is located on the west side of Ridgeway Drive between Lee Avenue and Kavanaugh Boulevard.

2. COMPATIBILITY WITH THE NEIGHBORHOOD:

The property is located in an area comprised solely of single-family homes. There are similar accessory dwellings in the area. The structure will be a two-story structure with a garage on the bottom floor and the accessory dwelling located on the second floor. The structure will exceed all required setbacks. The property is little larger than a typical Hillcrest lot. The lot is 65-feet by 140-feet containing 9,100 square feet or 0.21 acres. Staff feels the proposed accessory dwelling is an appropriate use.

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

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3. ON-SITE DRIVES AND PARKING:

The principal dwelling and proposed accessory dwelling each require one on-site parking space. With the new construction a concrete driveway will be constructed to provide access to the garage.

4. SCREENING AND BUFFERS:

Landscape: No comment on this single-family application.

5. PUBLIC WORKS CONDITIONS:

1. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.

6. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer is available to this project.

Entergy: No comment received.

Center-Point Energy: Approved as submitted.

AT & T: No comment received.

Central Arkansas Water: No objection. All Central Arkansas Water requirements in effect at the time of request for water service must be met. Contact Central Arkansas Water if additional fire protection or metered water service is required or regarding the size and location of the water meter.

Fire Department: Place fire hydrants per code. Maintain at least a 20-foot wide access. Contact the Little Rock Fire Department for additional information.

County Planning: No comment.

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

Parks and Recreation: No comment received.

Planning Division: This request is located in the Heights Hillcrest Planning District. The Land Use Plan shows Residential Low Density for this property. The applicant is requesting a Conditional Use Permit to allow construction of a garage with an in-laws quarters in the rear yard of this existing home along the

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southern property line. Residential Low Density typically provides for single-family homes at densities not to exceed six units per acre.

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

Building Codes Comments: The required fire separation distance (building to property line) prescribed by the building code terminates at five (5) feet. Buildings are allowed to be closer than five (5) feet if they have properly constructed firewalls, which provide the requisite one (1) hour fire resistance rating. When buildings are five (5) feet or more from the property line, the requirement no longer applies to the wall itself, only the projections such as eaves or overhangs.

Openings such as doors and windows are *limited* when the exterior wall is three (3) feet from the property line, and are *prohibited* when the exterior wall is *less than* three (3) feet from the line. There is no restriction on openings when the exterior wall is more than three (3) feet from the property line.

Contact the City of Little Rock Building Codes at 371-4832 for additional details.

SUBDIVISION COMMITTEE COMMENT:

(May 12, 2011)

Mr. Brian Bean was present representing the request. Staff presented an overview of the request stating the application was originally filed as a PD-R but was amended to a CUP once staff determined the construction would comply with the Hillcrest Design Overlay District. Staff stated the only outstanding issue was assurance from the applicant that the new construction would comply with the height limit of the DOD. Mr. Bean stated the new construction was within the height allowed per the DOD and he would provide staff with an updated cover letter indicating the height of the new structure.

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

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STAFF ANALYSIS:

The property contains a two-story brick and frame, single-family residences located at 516 Ridgeway Drive. The applicant is proposing to construct an accessory building in the rear yard to be used as a garage on the ground level and an accessory dwelling on the second level. A conditional use permit is requested to allow the accessory dwelling.

The structure will be a two-story. The building is proposed 26-feet by 26-feet containing 676 square feet on the lower level and the same on the second level to serve as the accessory dwelling. The accessory dwelling will contain a kitchen, bath and bedroom to allow the structure to be self-sufficient in the accessory dwelling. The accessory dwelling will be used as a guesthouse. The unit will not be rented.

Staff is supportive of the requested guesthouse. Other similar structures are located in the area. The property consists of sufficient area to allow for the two residences. The proposed placement of the accessory dwelling will exceed all ordinance required setbacks. The structure is proposed as a two-car garage with the second floor being used as the accessory dwelling. There will not be a separate utility service for the accessory use and the applicant has placed limitations on occupancy of the structure so it will serve only as a guesthouse.

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 structure is not to be rented but to serve as a guesthouse. There will not be separate utilities for the guesthouse.
 3. The property owner must reside on the property.
-

PLANNING COMMISSION ACTION:

(JUNE 2, 2011)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the requested CUP subject to compliance with the following conditions:

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1. Compliance with the comments and conditions outlined in Sections 4, 5 and 6 of the agenda staff report.
2. The structure is not to be rented but to serve as a guesthouse. There will not be separate utilities for the guesthouse.
3. The property owner must reside on the property.

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

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ITEM NO.: 8

FILE NO.: Z-8662

NAME: Team Clean Carwash Short-form PCD

LOCATION: Located at 14919 Cantrell Road

DEVELOPER:

Jonesboro Carwash
5195 Pear Orchard Drive
Little Rock, AR 72206

ENGINEER:

Jacobs
10816 Executive Center Drive
Little Rock, AR 72211

ARCHITECT:

Lewis Architects and Engineers
11225 Huron Lane
Little Rock, AR 72211

AREA: 2.32 acres

NUMBER OF LOTS: 2

FT. NEW STREET: 0 LF

CURRENT ZONING: R-2, Single-family

ALLOWED USES: Single-family residential

PROPOSED ZONING: PCD

PROPOSED USE: Carwash and O-3, General Office District

VARIANCES/WAIVERS REQUESTED: A variance from the Subdivision Ordinance to allow the creation of a lot without public street frontage.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is requesting a rezoning of the site from R-2, Single-family to PCD to allow the development of two lots located on the south side of Cantrell Road. Lot 1 is proposed developed with a carwash to be owned by Jonesboro Carwash

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LLC. Lot 2 will be developed with an office building. The lot is proposed as a lot without public street frontage.

The carwash is proposed as a 124-foot express tunnel, conveyor belt carwash. The wash will be self-serve. The customer will pay at a pay touch screen pay station and then be guided onto the conveyor belt by an employee of the company. The customer's vehicle will be pushed through the wash on the conveyor belt where the vehicle is both washed and dried. The process is entirely self-serve. The company operates with two (2) to five (5) on-site employees during business hours. The site will have 16 vacuum islands on the lot, which will be free to the customers. The hours of operation are from 8:00 am to 8:00 pm during daylight savings time and 8:00 am until 7:00 pm the remainder of the year. When the wash is closed the tunnel will be locked and the site will be gated to prevent entry onto the lot.

B. EXISTING CONDITIONS:

The site contains a single-family residence located near the western perimeter of the site. To the west of the site is property zoned POD which is currently occupied by a private school with site plan approval for construction of an office building adjacent to Cantrell Road. East of the site is vacant residentially zoned property. North of the site are various PCD and POD zoned properties containing restaurant uses, office uses, banks, general retail and a pharmacy. South of the site is the Westchester Subdivision.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received a number of information phone calls from area resident. All property owners located within 200-feet of the site, all residents, who could be identified, located within 300 feet of the site, the Westchester Property Owners Association, the Tulley Cove Property Owners Association and the Pinnacle Valley Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Cantrell Road is classified on the Master Street Plan as a principal arterial. Dedication of right-of-way to 55 feet from centerline will be required. Show the centerline of the Cantrell Road right-of-way on the plan.
2. Sidewalks with appropriate handicap ramps are required in accordance with Section 31-175 of the Little Rock Code and the Master Street Plan.

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3. Obtain permits for improvements within State Highway right-of-way from AHTD, District VI.
4. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
5. The proposed right turn lane does not have sufficient stack length and should not be installed.
6. Show all driveway locations on Cantrell Road including the north side of Cantrell Road in the vicinity of this property.
7. Provide a letter prepared by a registered engineer certifying the sight distance at the intersections comply with 2004 AASHTO Green Book standards.
8. Provide the proposed trip generation numbers to and from the proposed development.
9. Plans of all work in right-of-way shall be submitted for approval prior to start of work. Obtain barricade permit prior to doing any work in the right-of-way from Traffic Engineering at (501) 379-1805 (Travis Herbner).
10. A grading permit in accordance with Section 29-186 (c) and (d) will be required prior to any land clearing or grading activities at the site. Other than residential subdivisions, site grading and drainage plans must be submitted and approved prior to the start of construction. Does the applicant desire to advance grade the southern half of the property and only construct on the northern half? If so, a variance to advance grade must be requested.
11. Private access is proposed for these lots. In accordance with Section 31-207, private streets must be designed to the same standards as public streets. A minimum access easement width of 60 feet is required and street width of 31 feet from the back of curb to the back of curb with sidewalks constructed at the right-of-way line on both sides of the street.
12. A turnaround must be provided at the end of the proposed access road with either an 80-foot diameter cul de sac or a minimum 80-foot in length hammerhead with the same street width for emergency vehicles.
13. Stormwater detention ordinance applies to this property. Show the proposed location for stormwater detention facilities on the plan.
14. A Sketch Grading and Drainage Plan is required to be provided per Section 29-186 (e). Currently, a stormwater drainage problem exists and properties become flooded. This property drains thru a 12-inch diameter pipe from the Montessori School detention pond on the next western property and into a residential backyard with no drainage easements. At this time, it has been reported that stormwater overtops the street to the Montessori School.

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15. If disturbed area is one (1) or more acres, obtain a NPDES stormwater permit from the Arkansas Department of Environmental Quality prior to the start of construction.
16. Street Improvement plans shall include signage and striping. Traffic Engineering must approve completed plans prior to construction.
17. Retaining walls designed to exceed 15 feet in height are required to seek a variance for construction. Provide proposed wall elevations.
18. Prior to construction of retaining walls, an engineer's certification of design and plans must be submitted to Public Works for approval. After construction, an as-built certification is required for construction of the retaining wall.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer is available to this project. The sewer main is located on the north side of Cantrell Road.

Entergy: Easements are required. Contact Entergy for additional information.

Center-Point Energy: Approved as submitted.

AT & T: No comment received.

Central Arkansas Water: No objection. All Central Arkansas Water requirements in effect at the time of request for water service must be met. Contact Central Arkansas Water if additional fire protection or metered water service is required or 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. If there are facilities that need to be adjusted and/or relocated, contact Central Arkansas Water. That work will be done at the expense of the developer. Due to the nature of the facility, installation of an approved reduced pressure zone backflow preventer assembly (RPZ) is required on the domestic water service. This assembly must be installed prior to the first point of use. Central Arkansas Water (CAW) requires that upon installation of the RPZA, successful tests of the assembly must be completed by a Certified Assembly tester licensed by the State of Arkansas and approved by CAW. The test results must be sent to CAW's Cross Connection Section within ten days of installation and annually thereafter. Contact the Cross Connection Section at 377-1226 if you would like to discuss backflow prevention requirements for this project. The Little Rock Fire Department needs to evaluate this site to determine whether additional public and/or private fire hydrant(s) will

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be required. If additional fire hydrant(s) are required, they will be installed at the Developer's expense.

Fire Department: Place fire hydrants per code. Maintain at least a 20-foot wide access. Contact the Little Rock Fire Department for additional information.

County Planning: No comment.

CATA: Approved as submitted. The site is located on CATA Bus Route # 25 - the Highway 10 Express Route.

Parks and Recreation: No comment received.

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: This request is located in the River Mountain Planning District. The Land Use Plan shows Transition for this property. The applicant has applied for a rezoning from R-2, Single-family to Planned Commercial Development for an office building and a carwash. The Transition category requires a Planned Development and is usually associated with office or residential uses.

Master Street Plan: Cantrell Road is a Principal Arterial. The primary function of a Principal Arterial is to serve through traffic and to connect major traffic generators or activity centers within urbanized areas. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Cantrell Road since it is a Principal Arterial. 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.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. The Arkansas Highway 10 Design Overlay requires a minimum of forty foot (40') of landscape buffer.
3. The zoning buffer requires a nine-foot (9') wide land use buffer along the eastern perimeter of the site next to the residentially zoned property. Seventy percent (70%) of the area is to remain undisturbed.

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4. The DOD requires the placement of a 25-foot average landscape strip along the western perimeter of this site. In addition the zoning buffer ordinance requires seventy percent (70%) of the area is to remain undisturbed.
5. An automatic irrigation system to water landscaped areas will be required.
6. Prior to the issuance of a building permit, it will be necessary to provide an approved landscape plan stamped with the seal of a Registered Landscape Architect.
7. The City Beautiful Commission recommends preserving as many existing trees as feasible on this tree-covered site. Credit toward fulfilling Landscape Ordinance requirements can be given when preserving trees of six (6) inch caliper or larger.

G. SUBDIVISION COMMITTEE COMMENT:

(May 12, 2011)

The applicant was present representing the request. Staff presented an overview of the development stating there were additional items necessary to complete the review process. Staff stated the site was located within the Highway 10 Design Overlay District, which had specific guidelines for development. Staff stated building setbacks and landscape strips were a few of the items specifically outlined in the DOD. Staff questioned the proposed signage plan. Staff also questioned the locations of dumpsters and the hours of dumpster service. Staff stated all site lighting was to be low level and directional, directed downward and into the site.

Public Works comments were addressed. Staff stated a dedication of right of way would be required along Cantrell Road to 55-feet from centerline. Staff also stated the plan should be revised to remove the deceleration lane along Cantrell Road. Staff stated the stormwater detention ordinance would apply to development. Staff stated the turnaround located along the southern perimeter should be designed as an 80-foot cul-de-sac or a minimum 80-foot hammerhead turn around.

Landscaping comments were addressed. Staff stated the Highway 10 DOD required the placement of a 40-foot landscape strip along Cantrell Road and a 25-foot average landscape strip along the western perimeter. Staff stated the landscape strip along the eastern perimeter was required at a minimum of nine (9) feet. Staff stated prior to the issuance of a building permit a landscape plan would be required.

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

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H. ANALYSIS:

The applicant submitted a revised site plan to staff addressing the issues raised at the May 12, 2011, Subdivision Committee meeting. The revised plan has indicated the location of the proposed dumpsters, removed the deceleration lane from Cantrell Road and provided the required building setback and landscaping along the perimeters of the site. The revised plan indicates the placement of a monument sign within the front yard landscape area along Cantrell Road. A monument sign has been identified for the office development as well.

The request is a rezoning of the site from R-2, Single-family to PCD to allow the development of two (2) lots. Lot 1 is proposed to be developed with a carwash and Lot 2 is proposed with development of an office building. The site is located within the Highway 10 Design Overlay District. The DOD establishes a minimum lot size of two (2) acres or the development of a single building per two (2) acres. The site contains two (2) acres and is proposed as two (2) lots with an individual building on each of the lots. Lot 2 is proposed as a lot without public street frontage. The development is proposed with a drive along the eastern perimeter of this site shared with the adjacent property owner.

The DOD requires a minimum front yard building setback of 100-feet and a minimum front yard landscape strip of 40-feet. The development as proposed complies with the DOD standards. In addition the DOD requires the placement of a 30-foot side yard setback and a 25-foot landscape strip along the perimeters of the site. The building located on Lot 1 is indicated with a 30-foot building setback and includes the 25-foot landscape strip. The building located on Lot 2 is indicated with a 39-foot building setback and includes the 25-foot landscape strip. Screening will be provided as required by the buffer ordinance.

The site plan indicates the placement of a shared monument sign six (6) feet in height and seventy-two (72) square feet in area within the front yard landscape area. The sign as proposed is consistent with signage typically allowed per the DOD. Lot 2 is proposed with a monument sign six (6) feet in height and sixty-four (64) square feet in area. The office signage is consistent with signage typically allowed in office zones. The development will contain building signage consistent with signage allowed in office and/or commercial zones or a maximum of ten (10) percent of the façade area abutting the public street. The vacuum stations will not contain signage. There will be directional signage located on the site, which will be consistent with directional signage allowed per the City's Sign Ordinance.

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The office portion of the development is proposed with a 5,000 square foot building and thirteen (13) parking spaces. Based on parking typically required to serve an office use a total of twelve (12) parking spaces would be required.

The carwash is proposed as a 124-foot express tunnel, conveyer belt carwash containing 4,700 square feet. The site will have 16 vacuum islands on the lot, which will be free to the customers. When the wash is closed the tunnel will be locked and the site will be gated to prevent entry onto the lot. There will also be an exit only gate located along the common access drive to prevent customers from entering the vacuum island location prior to entering the tunnel wash. The ordinance requires the placement of five (5) spaces plus one (1) space per 250 gross square feet of building are for automotive services including automotive washing facilities. Based on typical ordinance standards a total of twenty-three (23) parking spaces would be required to serve the use. There is roughly 180 feet of stacking located on the site, which would result in approximately nine (9) automobiles waiting to enter the tunnel. Roughly 120 feet of the stack is twenty (20) feet wide, which would allow for automobiles to double-up. Staff does not feel parking on site will be an issue.

The carwash operates with two (2) to five (5) on-site employees during business hours. The hours of operation are from 8:00 am to 8:00 pm during daylight savings time and 8:00 am until 7:00 pm the remainder of the year. The carwash is closed on Sunday. The dumpster service hours are limited to the hours of operation for the tunnel carwash. The office hours of operation are from 8:00 am to 5:00 pm Monday through Friday.

The Land Use Plan shows Transition for this property. The applicant has applied for a rezoning from R-2, Single-family to Planned Commercial Development for a tunnel carwash and an office building located on individual lots. The Transition category is designed to provide an orderly transition between residential uses and other more intense uses. Transition was established to deal with areas, which contain residentially zoned properties and nonconforming nonresidential uses. Within the Transition Land Use classification a planned zoning district is required unless the application conforms to the Design Overlay standards. Uses to be considered are low-density multi-family residential developments and office uses if the proposals are compatible with quality of life in nearby residential areas.

Staff does not feel the development as proposed meets the intent of the Transition Land Use classification. A carwash requires a Conditional Use Permit in the C-3, General Commercial Zoning District and is a by-right use in the C-4, Open Display Zoning District. In addition this development jumps an area also identified on the City's Future Land Use Plan as Transitional further expanding the Commercial Node located at Taylor Loop Road and Cantrell Road. Staff

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feels the development of the site with the tunnel carwash is not an appropriate development.

I. STAFF RECOMMENDATION:

Staff recommends denial of the request.

PLANNING COMMISSION ACTION:

(JUNE 2, 2011)

Mr. Brad Vaden and Mr. Clayton Vaden were present representing the request. There were registered objectors present. Staff presented the item with a recommendation of denial.

Ms. Barbara Tucker addressed the Commission as the property owner. She stated her husband had lived on the property for more than 60 years. She stated she and her husband had watched Highway 10 grow from a two lane rural road to a four lane commercial street. She stated regardless of the plans for Highway 10 the road was a commercial street. She stated with the residential growth in the area and four schools located west of their property there was a great deal of traffic in the area. She stated the residents of Westchester were located two city blocks south of Cantrell Road. She stated the property had no value as residential property. She stated the development as proposed was the best opportunity for her family to sell their property.

Mr. Clayton Vaden addressed the Commission on the merits of the request. He stated the site would be developed with an all brick building constructed with high quality materials. He provided the Commission with photos of other buildings which his company owned in other cities and states. He stated the development would have a positive impact on the area. He stated the hours of operation were from 8 am to 7 pm Monday through Saturday. He stated the business was not open on Sunday. Mr. Vaden stated the development was providing a large buffer in the rear to protect the neighborhood.

Mr. Bob Altoff addressed the Commission in opposition of the request. He stated his home was located at 43 Westchester Court. He stated the Commission was well aware of the flooding problems in the Westchester Subdivision. He provided the Commission with a copy of photos of the recent flood in the Subdivision. He requested the Commission not approve any additional development in the area until the flooding problems were corrected. He stated with the recent approvals water from the developments flowed through the Westchester subdivision. He stated unless the City could fix the problem or force the developers to not allow any additional water to flow through the subdivision the City should halt approval of developments on Highway 10.

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Ms. Celia Martin addressed the Commission in opposition of the request. She stated the position of the Westchester Neighborhood Association Board was opposition. She requested the Commission follow the Highway 10 plan. She stated the approval of this zoning would increase the possibility of commercial zoning on the property located to the east. She stated she and her family had been involved in the Highway 10 Plan since the inception. She stated the Highway 10 plan was not developed to protect the residents in the abutting neighborhoods but for the entire City and visitors of the City traveling to the nearby parks. She stated the use was a C-3 or C-4 use which did not fit into the Transitional Land Use classification. She requested the Commission deny the request.

Ms. Ruth Bell of the League of Women Voters of Pulaski County addressed the Commission in opposition of the request. She stated the League had a long history of supporting the Highway 10 plan. She stated the League worked with the City to develop the plan for the citizens as a whole. She stated the site was a Transition site on the Land Use Plan. She stated a carwash was not a transitional use. She stated she was not familiar with the industry but felt the business would need to wash a large number of cars to make the development work. She requested the Commission deny the request and require the site to develop with office uses.

Mr. Ken Harrison addressed the Commission in opposition of the request. He stated his home was one mile down stream from the site and his neighborhood received all the water after Westchester. He stated the reason for purchasing the property his home was currently built on was because of the Highway 10 DOD. He stated the Overlay was put into law to protect the property owners in the area but to also protect the corridor for the entire City. He stated the Highway 10 plan was a good plan a good example of long term planning and the plan should be protected. He stated the plan established Commercial Nodes. He stated there was plenty of area for commercial development without creep into the residential areas.

Ms. Dawn Prasifka addressed the Commission in opposition of the request. She stated her home was located on Tulley Cove. She stated her father was in retail so she fully understood what it took to make a business work. She stated there were two carwash locations within a few miles of this site. She stated to the east across from Kroger and to the west at the Shell station. She stated it was not about the use it was about where the use was being placed. She stated the other locations were appropriate for commercial development. She stated this area was not a commercial location.

Mr. Allen Quattlebaum addressed the Commission in opposition of the request. He stated his home was located directly behind the proposed development. He stated he did not want to sit in his back yard on Saturday and listen to vacuums.

Ms. Donna Auld addressed the Commission in opposition of the request. She stated she was Vice-President of the Pinnacle Valley Neighborhood Association. She

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requested the Commission deny the requested rezoning. She stated the Board of Directors recently denied a request to allow the placement of a C-4 use, a tire band brake store, on commercially zoned property located to the north and east of this site. She stated the carwash was also a C-4 uses and was not appropriate for this site. She stated this type commercial development should be limited to commercial nodes and located closer to Taylor Loop Road. She requested the Commission stick with the plan for Highway 10 which was put in place to protect the City as a whole.

Mr. Bryan Fitzgerald addressed the Commission in opposition of the request. He stated his concerns had been addressed by the previous speakers. He stated he did want to add the location of the driveway was a concern. He stated the shopping center to the east of this site did not align with Jerry Drive which caused turning conflicts. He stated it appeared the driveway location for this development and the driveway for Wal-greens would create the same traffic concern. He stated the driveway did not comply with the Highway 10 Design Overlay District standards.

Mr. Brad Vaden addressed the Commission on the merits of the request. He stated as the developers they were willing to eliminate the rear office building and place a deed restriction on the property limiting any future development of the area. He stated if this area was left the topography of the site would be such that the neighborhood would not see or hear the development. He stated he felt this was the best development for the neighborhood and the site. He stated if an office developer were to develop the property they would not be able to provided as large a buffer as being proposed with the carwash development.

Mr. Clayton Vaden addressed the Commission concerning drainage. He stated the site would provide on-site detention and the developers would not intensify the existing drainage problem but would work to improve drainage in the area. He stated details of the drainage plan had not been worked out but his company was working with public works staff and the Arkansas State Highway Department to establish alternate flows in the area. Mr. Vaden stated the building would be all brick construction. He stated the building would appear more as a commercial building than a carwash facility.

There was a general discussion by the Commission and staff concerning the existing and future drainage projects in the area. Staff stated the applicant had not provided detailed drainage plans or calculations therefore staff could not determine the impact of the development on the adjacent subdivision. Staff stated the developers would be required to provide on-site detention as required by the stormwater detention ordinance. Staff stated the developers had not provided details of how they were going to pass the water from the east through their site. Staff stated one option was to pick up the water and drain this site as well as the Harvest Foods site to the east along the south side of Cantrell Road and discharge the water directly into the creek after the Westchester subdivision.

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There was a general discussion of the Commissioners of the Highway 10 Plan and variations to the plan. Commissioner Nunnley stated he could not think of a road more appropriate for commercial development than this arterial street which carried 34,000 cars per day. He stated in this case the City had elected to plan for Highway 10. He stated since the City had enacted the corridor plan then the City should follow their own plan.

There was a general discussion concerning traffic and the volume of cars on Cantrell Road. Mr. Vaden stated they would not be adding to the number of cars on Highway 10. He stated the development would be washing the cars that were already on Cantrell Road. The Commission questioned Mr. Vaden as to why this location. Mr. Vaden stated there was not a site to the east. He stated further west the volume of cars dropped off.

A motion was made to approve the request as amended including all staff recommendations and comments except that of denial. The motion failed by a vote of 1 aye, 8 noes and 2 absent.

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ITEM NO.: 9

FILE NO.: Z-8663

NAME: Hoover United Methodist Church Short-form PD-O

LOCATION: Located at 3802 West 12th Street

DEVELOPER:

Theresa Hoover United Methodist Church
c/o Reverend CJ Duvall
2409 N. University Avenue
Little Rock, AR 72204

SURVEYOR:

Brooks Surveying
20820 Arch Street Pike
Hensley, AR 72065

AREA: 0.298 acres NUMBER OF LOTS: 1 zoning lot FT. NEW STREET: 0 LF

CURRENT ZONING: R-3, Single-family

ALLOWED USES: Single family residential

PROPOSED ZONING: PD-O

PROPOSED USE: Meeting space and residential

VARIANCES/WAIVERS REQUESTED: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The request is a rezoning from R-3, Single-family to PD-O to allow the use of the property located at 3802 West 12th Street for residential and as meeting space. The Church purchased the property two years ago and renovated the building to use for Sunday meeting, community gatherings and a community garden located on an adjacent lot. A college student lives on-site to monitor activities taking place. The property is owned by Theresa Hoover United Methodist Church. The building contains 1,550 square feet. The building contains one bedroom, a living room, two bathrooms and a kitchen and den area.

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The Church has seen value of having community gatherings and church meetings at the house while having a keeper living on the premises. The Church is requesting the rezoning to allow a non-for-profit to inhabit the house and have a resident live on site. The non-for-profit currently occupying the house is the Women's Project. The Women's Project will use the space to meet with other women in the community as a resource for problems such as domestic violence and self esteem. The building will be provided to the Women's Project rent free. In turn the Women's Project will maintain the property and work in the community garden located next door.

B. EXISTING CONDITIONS:

The property contains a single-family house that is being used as a residence and for meeting space. There is parking in the rear yard area access from the alley. The community garden is in place along the western portion of the site. Other uses in the area include auto repair, the Hinton Center, office and commercial uses along West 12th Street and single-family homes located one-half block north and one-half block south of West 12th Street. Further to the east is a property zoned POD which was approved for Better Community Developers to allow for an office/counseling and rehabilitation center.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received a number of information phone calls from area resident. All property owners located within 200-feet of the site, all residents, who could be identified, located within 300 feet of the site, the Pine to Woodrow Neighborhood Association, the Forest Hills Neighborhood Association, the Hope Neighborhood Association and the Stephens Area Faith Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. West 12th Street is classified on the Master Street Plan as a minor arterial with special design standards. A dedication of right-of-way 35 feet from centerline will be required. The centerline of West 12th Street should be provided on the survey.
2. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.

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E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer is available to this project.

Entergy: Approved as submitted.

Center-Point Energy: Approved as submitted.

AT & T: No comment received.

Central Arkansas Water: No objection. All Central Arkansas Water requirements in effect at the time of request for water service must be met. Contact Central Arkansas Water if additional fire protection or metered water service is required or regarding the size and location of the water meter.

Fire Department: Place fire hydrants per code. Maintain at least a 20-foot wide access. Contact the Little Rock Fire Department for additional information.

County Planning: No comment received.

CATA: Approved as submitted. The site is located on CATA Bus Route #3 – the Baptist Medical Center Route.

Parks and Recreation: No comment received.

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: This request is located in the I-630 Planning District. The Land Use Plan shows Mixed Use Urban for this property. The applicant has applied for a rezoning from R-3, Single-family to Planned Office Development for a mixed use building, including residential, community meetings, Sunday meetings and a community garden. Mixed Use Urban provides for a mixture of residential, office and commercial uses within the same structure and encourages moderate density and pedestrian oriented developments.

Master Street Plan: West 12th Street is a Minor Arterial. A Minor Arterial provides connections to and through an urban area and their primary function is to provide short distance travel within the urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on West 12th Street 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.

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Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. The zoning buffer ordinance requires a six foot nine inch wide (6'-9") buffer along the eastern and western perimeters of the site. Seventy percent (70%) of this area is to remain undisturbed.
3. 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 eastern and western perimeters of the site.

G. SUBDIVISION COMMITTEE COMMENT:

(May 12, 2011)

Reverend Duvall was present representing the request. Staff presented an overview of the development stating there were additional items necessary to complete the review process. Staff stated in initial conversations there were multiple uses of the building but the cover letter did not include all the uses previously identified. Reverend Duvall stated the house was being used by the Women's Project for counseling. He stated the Women's Project would allow a college student to reside on-site as a caretaker of the property. He stated the building would also be used by area persons as meeting space for the community garden. Staff questioned any signage proposed for the site.

Public Works comments were addressed. Staff stated a dedication of right of way 35-feet from centerline would be required along West 12th Street. Staff stated any broken curb, gutter and sidewalk located in the public right of way would require replacement prior to occupancy.

Landscaping comments were addressed. Staff stated a six foot nine inch wide land use buffer along the eastern and western perimeter was required. Staff stated screening would also be required along the eastern and western perimeters as well.

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

H. ANALYSIS:

The applicant submitted a revised site plan and cover letter to staff addressing issues raised at the May 12, 2011, Subdivision Committee meeting. The applicant has indicated West 12th Street has an existing right of way of 60-feet.

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FILE NO.: Z-8663

An additional 5-feet of right of way to meet the Master Street Plan will be provided to the City upon approval of the zoning.

The applicant has provided staff with details of the existing signage serving the site. The sign is six (6) feet five (5) inches tall with a three (3) foot by eight (8) foot sign face. Building signage has not been addressed. Staff recommends building signage be limited to signage allowed in office zones or a maximum of ten (10) percent of the façade area abutting public streets.

The applicant has indicated there will be a full time resident of the building. Meeting times will be limited to not interfere with the residential uses in the area.

The site contains parking located within the rear yard area with access from the alley. The parking pad has not been striped but it appears the area can handle four (4) to six (6) cars. Across the street is the Hinton Center, a City owned building, and further west is the location for the future police substation. The site is being used by the Church for meeting space for church activities as well as community garden meetings. Also the Women's Project has been using the building for counseling and out-reach. Parking for these activities does not appear to have impacted the neighborhood. Staff does not feel parking for the site will be an issue.

To staff's knowledge there are no outstanding issues associated with the request. Staff feels the rezoning of the site from R-3, Single-family to PD-O to allow the use of the building as a residences and meeting space will not impact the area. This area of West 12th Street contains a number of commercial, office and institutional uses. The single-family uses along West 12th Street are located further to the east and west of this site. Staff feels the rezoning request is appropriate.

I. STAFF RECOMMENDATION:

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

PLANNING COMMISSION ACTION:

(JUNE 2, 2011)

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

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

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ITEM NO.: 10

FILE NO.: Z-5509-D

NAME: Lots 9B – 9E Northwest Territory Short-form PCD Time Extension Request

LOCATION: Located North of Cantrell Road and South of Chenal Parkway just west of the Chenal Parkway/Cantrell Road Intersection

DEVELOPER:

PDC, LLC (Pfeifer Development Company)
16623 Cantrell Road, Suite 2A
Little Rock, AR 72223

ENGINEER:

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

AREA: 4.4 ± acres NUMBER OF LOTS: 4 FT. NEW STREET: 0 LF

CURRENT ZONING: PCD

ALLOWED USES: C-3, General Commercial District uses, lots less than the two acre minimum as established by the Highway 10 Design Overlay District

PROPOSED ZONING: PCD – Two-Year Time Extension

PROPOSED USE: C-3, General Commercial District uses, lots less than the two acre minimum as established by the Highway 10 Design Overlay District

VARIANCES/WAIVERS REQUESTED: None requested.

BACKGROUND:

Ordinance No. 20,005 adopted by the Little Rock Board of Directors on July 15, 2008, rezoned this site from C-3, General Commercial District to PCD to allow the creation of four (4) commercial lots served by a private driveway connecting Highway 10 and Chenal Parkway. The property contained 4.4 acres and located just west of the Shell station located at the intersection of Chenal Parkway and Cantrell Road. The developer requested a variation from the Highway 10 DOD for lot size, side and rear yard buffers and a reduction in the front yard landscaped area for one of the proposed lots adjacent to Cantrell Road.

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The applicant has indicated the lots will developed utilizing C-3, General Commercial District type uses and with a drive-in style restaurant. The driveway locations were indicated on the plan. The private drive connection allowed patrons the ability to exit onto Chenal Parkway and travel to the traffic signal at the intersection of Chenal Parkway and Cantrell Road for eastbound travel.

The request included the placement of two (2) ground mounted monument signs; one sign located on Cantrell Road and one sign located on Chenal Parkway. The signage was proposed consistent with development signage per the Highway 10 Design Overlay District or a maximum of ten (10) feet in height and 100 square feet in area.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is now requesting approval by the Planning Commission of a time extension for implementation of the previously approved PCD. Per Section 36-454(e) the applicant shall have three years from the date of passage of the ordinance approving the preliminary approval to submit the final development plan. Requests for extensions of time shall be submitted in writing to the Planning Commission, which may grant one (1) extension of not more than two years. Time extensions shall be applied for by formal written request not less than ninety days prior to the first expiration date. Failure of the applicant to file a timely extension shall be cause for revocation of the PUD as provided in the ordinance.

According to the developer construction cannot begin as previously anticipated and within the three years as required by the minimum ordinance standards. As a result, the applicant requests the Commission allow a two-year time extension of the previously approved Planned Zoning Development.

B. EXISTING CONDITIONS:

The site is located on the north side of Cantrell Road extending from Cantrell Road to Chenal Parkway. The site slopes upward from Cantrell Road and is currently tree covered. There are a number of commercial uses and commercially zoned properties in the area including a convenience store, a big box retail and a mini-warehouse development. There are single-family homes located to the southwest of the site on property zoned commercially and residentially.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has not received any comment from area residents. All residents, who could be identified, located within 300 feet of the site, the

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ITEM NO.: 10 (Cont.)

FILE NO.: Z-5509-D

Coalition of West Little Rock Neighborhoods and the Duquesne Place Property Owners Association were notified of the public hearing.

D. SUBDIVISION COMMITTEE COMMENT: (May 12, 2011)

Mr. Joe White of White-Daters and Associates was present representing the request. Staff presented an overview of the request stating the applicant was requesting an additional two years to submit a final development plan for the approved PCD. Staff stated there were no outstanding issues associated with the request. There was no further discussion of the item. The Committee then forwarded the item to the full Commission for final action.

E. STAFF RECOMMENDATION:

Staff recommends approval of the request for a two-year time extension for the proposed development subject to compliance with all previously approved comments and conditions.

PLANNING COMMISSION ACTION: (JUNE 2, 2011)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the request for a two-year time extension for the proposed development subject to compliance with all previously approved comments and conditions.

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

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There being no further business before the Commission, the meeting was adjourned at 6:24 p.m.

Date

Chairman

Secretary