

FILE NO.: Z-8066-A

NAME: Little Maumelle Water Reclamation Facility – Revised Conditional Use Permit

LOCATION: Approximately one mile north of the Cantrell Road/The Divide Pkwy Intersection

DEVELOPER

Little Rock Water Reclamation Authority
Gregory Ramon
11 Clearwater Drive
Little Rock, AR 72204

OWNER/AUTHORIZED AGENT:

City of Little Rock – Owner
Little Rock Water Reclamation Authority
Gregory Ramon
11 Clearwater Drive
Little Rock, AR 72204

SURVEYOR/ENGINEER:

NTB Associates, Inc
18 Corporate Drive, Suite 200
Little Rock, AR 72205

AREA: 19.14 acres NUMBER OF LOTS: 1 FT. NEW STREET: 0 LF

WARD: 5 PLANNING DISTRICT: 20 CENSUS TRACT: 42.05

CURRENT ZONING: R-2 (CUP)

VARIANCE/WAIVERS: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to amend the Conditional Use Permit (Z-8066) which established the Little Maumelle Wastewater Treatment Plant, to remove one (1) condition adopted by the Board of Directors in October 2006 via Resolution 12,369.

B. EXISTING CONDITIONS:

The property is located within an area that is primarily undeveloped and heavily wooded. Properties for several hundred feet in all directions are zoned R-2 and are undeveloped and wooded other than an Entergy transmission right-of-way that bisects the site. The transmission right-of-way has been cleared. An area of single-family residences on larger tracts is located to the northwest of the site. The nearest residential property is approximately 260 feet west of the northwest corner of the treatment plant site.

C. NEIGHBORHOOD COMMENTS:

All owners of property within 200 feet of the site and all neighborhood associations registered with the City of Little Rock were notified of the public hearing.

D. ENGINEERING COMMENTS: No comments.

PUBLIC WORKS CONDITIONS: No comments received.

E. UTILITIES/FIRE DEPARTMENT/PARKS/COUNTY PLANNING:

Little Rock Water Reclamation Authority: No comments received.

Entergy: No comments received.

CenterPoint Energy: No comments received.

AT & T: No comments received.

Central Arkansas Water:

1. All Central Arkansas Water requirements in effect at the time of request for water service must be met.
2. Please submit plans for water facilities and/or fire protection system to Central Arkansas Water for review. Plan revisions may be required after additional review. Contact Central Arkansas Water regarding procedures for installation of water facilities and/or fire service. Approval of plans by the Arkansas Department of Health Engineering Division and Little Rock Fire Department is required.

Fire Department:

Maintain Access:

Fire Hydrants.

Maintain fire apparatus access roads at fire hydrant locations as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 **Section D103.1 Access road width with a hydrant.** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders.

Grade

Maintain fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 **Section D103.2 Grade.** Fire apparatus access roads shall not exceed 10 percent in grade except as approved by the fire chief. If the grade exceeds 10 percent, approval will be denied and the applicant must submit request to be reviewed by Fire Chief for Approval.

Loading

Maintain fire apparatus access road design as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 **Section D102.1 Access and loading.** Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.

Commercial and Industrial Developments – 2 means of access. - Maintain fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1

Section D104.1 Buildings exceeding three stories or 30 feet in height. Building or facilities exceeding 30 feet or three stories in height shall have at least two means of fire apparatus access for each structure.

Section D104.2 Building exceeding 62,000 square feet in area. Buildings or facilities having a gross building area of more than 62,000 square feet shall be provide with two separate and approved fire apparatus access roads.

Exception: Projects having a gross building area of up to 124,000 square feet that have a single approved fire apparatus access road when all building are equipped throughout with approved automatic sprinkler systems.

D104.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.

Fire Hydrants

Locate Fire Hydrants as per Appendix C of the 2012 Arkansas Fire Prevention Code. Section C101 – C105, in conjunction with Central Arkansas

Water (Daniel Tull 501-377-1245) and the Little Rock Fire Marshal's Office (Capt. Tony Rhodes 501-918-3757, or Fire Marshal Derek N. Ingram 501-918-3756 Number and Distribution of Fire Hydrants as per Table C105.1.

Parks and Recreation: No comments received.

County Planning: No comments received.

F. BUILDING CODES/LANDSCAPE:

Building Code: No comments received.

Landscape: No comments.

G. TRANSPORTATION/PLANNING:

Rock Region Metro: No comments received.

Planning Division: No comments received

H. ANALYSIS:

The applicant proposes to amend the Conditional Use Permit (Z-8066) which established the Little Maumelle Wastewater Treatment Plant approved by the Little Rock Planning Commission on July 6, 2006. The Board of Directors adopted Resolution No. 12,369 on October 17, 2006 which approved the action of the Planning Commission (appealed by others) and established conditions as offered by Little Rock Wastewater Utility on behalf of The Little Rock Sanitary Sewer Committee.

A copy of Resolution No. 12,369 is attached for Planning Commission review. The conditions as found in the resolution are as follows:

- a) The facility will be constructed in a style that appears to be residential or college campus with buildings:
 - 1) that have sloped roofs, and
 - 2) accents such as false dormers, and
 - 3) where the exteriors are made of brick, rock or some other appropriate façade as determined by the Little Rock Planning & Development staff;
- b) All buildings be enclosed, or will be covered with the same roof style;
- c) Odor and noise control will be installed and maintained on the premises such that there will be no obnoxious odor nor noise pollution outside the structures of the plant that is ascertainable or discernible by a person with reasonable sensibility.

- d) All pipes between buildings shall be located underground;
- e) Sludge will be piped away from the facility instead of removal by truck.

The applicant proposes to remove one (1) of the five (5) conditions as set forth in the Resolution, specifically noted as item “e.” Little Rock Water Reclamation Authority is requesting that this condition be removed so that sludge/solids can be removed from the treatment plant by truck. There is an existing developed roadway between the treatment facility and Cantrell Road. The applicant notes the following:

“Having the ability to remove solids by truck will lower the risk of high-costing operation and maintenance along with premature capital replacement of infrastructure.”

Staff supports the requested CUP revision to allow the removal of one (1) of the five (5) conditions, specifically noted as item “e” in the Resolution. The Conditions in Resolution No. 12,369 were originally offered by the utility. Staff believes the proposed revision will have no adverse impact on the area. The four (4) other conditions will remain in place.

I. STAFF RECOMMENDATION:

Staff recommends approval of the CUP revision to allow the removal of one specific condition noted as item “e” in Resolution No. 12,369, subject to compliance with the comments and conditions outlined in paragraph E, and the staff analysis of the agenda staff report.

PLANNING COMMISSION ACTION:

(FEBRUARY 10, 2022)

The applicant was present. There were no persons present registered in support or opposition. Staff presented the item and a recommendation of approval as outlined in the “staff recommendation” above. There was no further discussion. The item was placed on the Consent Agenda and approved as recommended by staff, including all staff comments and conditions. The vote was 10 ayes, 0 nays and 1 open position.

RESOLUTION NO. 12,369

A RESOLUTION TO APPROVE THE ACTION OF THE LITTLE ROCK PLANNING COMMISSION, AND TO APPROVE A CONDITIONAL USE PERMIT, AS AMENDED, TO ALLOW CONSTRUCTION OF THE LITTLE MAUMELLE WASETWATER TREATMENT PLANT ON PROPERTY ZONED R-2, RESIDENTIAL, LOCATED 700 FEET, MORE OR LESS, SOUTH OF THE INTERSECTION OF EAST PINNACLE ROAD AND KRONE (Z-8066); AND FOR OTHER PURPOSES.

WHEREAS, the Little Rock Wastewater Utility, on behalf of the Little Rock Sanitary Sewer Committee, filed an application for a conditional use permit to allow for the construction of the Little Maumelle Wastewater Treatment Plant on property zoned R-2, Residential, and located 700 feet, more or less, south of the intersection of East Pinnacle Road and Krone; and

WHEREAS, at its meeting on July 6, 2006, the Little Rock Planning Commission approved the conditional use permit with a vote of seven (7) ayes, zero (0) nos, two (2) absent, one (1) abstention, and one (1) recusal; and

WHEREAS, a record objector to the grant of the conditional use permit has filed an appeal of the Little Rock Planning Commission action to the Board of Directors of the City of Little Rock, Arkansas; and

WHEREAS, on October 3, 2006, the Board of Directors set October 17, 2006, as the date for a public hearing on this appeal;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS:

Section 1. The appeal of the grant of a conditional use permit for the Little Maumelle Treatment Plant is denied.

Section 2. The conditional use permit to allow construction and operation of a wastewater treatment plant, known as the Little Maumelle Wastewater Treatment Plant, on property zoned R-2, Residential, and located approximately seven hundred (700) feet south of the intersection of East Pinnacle Road and Krone, is hereby approved, as decided by the Little Rock Planning Commission, and with the following additional conditions offered by the Little Rock Wastewater Utility, on behalf of the Little Rock Sanitary Sewer Committee, during the October 17, 2006, meeting of the Board of Directors:

- (a) The facility will be constructed in a style that appears to be a residential or college campus with buildings:
 - (1) that have sloped roofs, and
 - (2) accents such as false dormers, and

- 1 (3) where the exteriors are made of brick, rock, or some other appropriate façade
- 2 as determined by the Little Rock Planning & Development staff;
- 3 (b) All buildings will be enclosed, or will be covered with the same roof style;
- 4 (c) Odor and noise control will be installed and maintained on the premises such that there
- 5 will be no obnoxious odor nor noise pollution outside the structures of the plant that is
- 6 ascertainable or discernible by a person or reasonable sensibility;
- 7 (d) All pipes between buildings shall be located underground;
- 8 (e) Sludge will be piped away from the facility instead of being removed by truck.

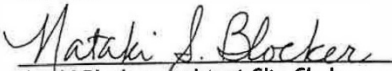
9 **Section 3. Severability.** In the event any title, section, paragraph, item, sentence, clause, phrase,
 10 or word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or
 11 adjudication shall not affect the remaining portions of the resolution which shall remain in full force
 12 and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part
 13 of the resolution.

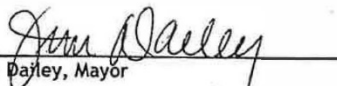
14 **Section 4. Repealer.** All laws, ordinances, resolutions, or parts of the same, that are inconsistent
 15 with the provisions of this resolution, are hereby repealed to the extent of such inconsistency.

16 **ADOPTED: October 17, 2006**

17 **ATTEST:**

APPROVED:

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 19 Natakhi Blocker, Assistant City Clerk
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 Jim Dailey, Mayor

21 **APPROVED AS TO LEGAL FORM:**

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 23 Thomas M. Carpenter, City Attorney
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