

FILE NO.: Z-7948-D

---

NAME: Morgan Addition Lot 2 Short-form POD

LOCATION: Northwest corner of Highway 10 and Morgan Cemetery Road; located outside City limits, in ETJ

DEVELOPER:

Industrial Properties Limited Partnership c/o Financial Centre Corporation  
6020 Ranch Drive, Suite C-7  
Little Rock, AR 72223

OWNER/AUTHORIZED AGENT:

Industrial Properties Limited Partnership, owner  
White-Daters & Associates, authorized agent

SURVEYOR/ENGINEER:

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

AREA: 2.2 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: N/A

PLANNING DISTRICT: 29

CENSUS TRACT: 42.01

CURRENT ZONING:

R-2

ALLOWED USES:

Single Family Residence

PROPOSED ZONING:

POD, Planned Office Development District

PROPOSED USE:

Office

VARIANCE/WAIVERS:

1. Variance from full half-street improvements to Highway 10 or Morgan Cemetery Road

BACKGROUND:

The two-lot Morgan Addition preliminary plat was approved in Nov. 2008. The adjacent Lot 1 has been final-platted. This lot has not yet been final-platted. On December 18, 2008 a planned development request to develop this lot with a mixed commercial and office use was denied by the planning commission.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is requesting approval of a POD planned office development to allow for development of a one-story, 3,600 square foot office building. The proposed occupant is Yates Maintenance Heat and Air. The building is to serve as the business's office. A 15-space parking lot is proposed to be located behind the building with access off of Morgan Cemetery Road. The applicant has chosen not to utilize the shared driveway off of Cantrell Road which serves this lot and Lot 1 to the west. Use of that shared driveway would require bridging a drainage way.

B. EXISTING CONDITIONS:

The site is wooded and undeveloped. An elementary school is located across Morgan Cemetery Road to the east. Single family residences are located to the north. An office building and a non-conforming auto service business are located to the west. A high school is located across Highway 10. The property is located outside of the city limits, within the city's zoning jurisdiction.

C. NEIGHBORHOOD COMMENTS:

Notice of the public hearing was sent to all owners of properties located within 200 feet of the site and the Duquesne Place and Citizens of West Pulaski County Neighborhood Associations. No contact is registered with the city for the Bronte Court or West Little Rock Neighborhood associations.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Morgan Cemetery Road is classified on the Master Street Plan as a collector street. A dedication of right-of-way 30 feet from centerline will be required. An additional 10 ft. of right-of-way shall be dedicated for a right turn lane for a length of 250 ft. at principal arterial/collector intersections.
2. A 75 feet radial dedication of right-of-way is required at the intersection of Morgan Cemetery Rd and Cantrell Road.
3. With site development, provide design of street conforming to the Master Street Plan. Construct one-half street improvement to Cantrell Road including 5-foot sidewalks with planned development ARDOT has routinely denied permitting improvements to this portion of Cantrell Road.

4. With site development, provide design of street conforming to the Master Street Plan. Construct one-half street improvement to Morgan Cemetery Road including 5-foot sidewalks with planned development. The new back of curb should be located 18 ft. from centerline.
5. Obtain permits for improvements within State Highway right-of-way from AHTD, District VI.
6. Provide a Sketch Grading and Drainage Plan per Sec. 29-186 (e).
7. Storm water detention ordinance applies to this property. Show the proposed location for stormwater detention facilities on the plan. Maintenance of the detention pond and all private drainage improvements is the responsibility of the developer and/or property owner.
8. If disturbed area is 1 or more acres, obtain a NPDES storm water permit from the Arkansas Department of Environmental Quality prior to the start of construction.
9. Street Improvement plans shall include signage and striping. Public Works must approve completed plans prior to construction.
10. All driveways shall be concrete aprons per City Ordinance.

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

Little Rock Water Reclamation Authority: Outside Service Boundary - No Comment.

Entergy: Entergy does not object to this proposal. There is an existing overhead power line on the south side of the property running along Highway 10 but it does not appear to conflict with the proposal. Care must be taken for the drive off Highway 10 for this property as it crosses underneath the power line. All NESC required clearances must be maintained during and after construction of the drive. Contact Entergy in advance to discuss electrical service requirements, or adjustments to existing facilities (if any) as this project proceeds.

Centerpoint Energy: No comments received.

AT&T: No comment received.

Central Arkansas Water: No comments received.

Fire Department: No comments

County Planning: No comments received.

F. BUILDING CODES/LANDSCAPE:

Building Code:

Project is subject to full commercial plan review and approval prior to issuance of a building permit. For information on submittal requirements and the review process, contact a commercial plans examiner:

Curtis Richey at 501.371.4724; [crichey@littlerock.gov](mailto:crichey@littlerock.gov) or  
Steve Crain at 501-371-4875; [scrain@littlerock.gov](mailto:scrain@littlerock.gov)

Landscape:

1. Site plan must comply with the City's minimal landscape and buffer ordinance requirements and the Highway 10 Scenic Corridor Overlay District.
2. The Highway 10 frontage (front yard) shall consist of a minimum of forty (40) feet of landscaped area exclusive of right-of-way. The landscaped area shall contain organic and/or combined man-made/organic features such as berms, brick walls and dense plantings such that vehicular use areas are screened when viewed from an elevation of forty-two (42) inches above the elevation of the adjacent street. Trees shall be planted or be existing at least every twenty (20) feet and have a minimum of two (2) inches in diameter when measured twelve (12) inches from the ground at time of planting. Provide screening shrubs no less than thirty (30) inches in height at installation with an average linear spacing of not less at three (3) feet within the required landscape area
3. A land use buffer six (6) percent of the average width / depth of the lot will be required when an adjacent property has a dissimilar use of a more restrictive nature. The property to the north is zoned R-2. As a component of all land use buffer requirements, opaque screening, whether a fence or other device, a minimum of six (6) feet in height shall be required upon the property line side of the buffer. A minimum of seventy (70) percent of the land use buffer shall be undisturbed. Easements cannot count toward fulfilling this requirement. The plantings, existing and proposed, shall be provided within the landscape ordinance of the city, section 15-81.
4. A perimeter planting strip is required along any side of a vehicular use area that abuts adjoining property or the right-of-way of any street. This strip shall be at least nine (9) feet wide. The Highway 10 DOD requires rear and side yards to have a landscaped buffer averaging a minimum of twenty-five (25) feet from the property line. One (1) tree and three (3) shrubs or vines shall be planted for every thirty (30) linear feet of perimeter planting strip.
5. Building landscape areas shall be provided at the rate equivalent to planter strip three (3) feet wide along the vehicular use area. One (1) tree and four

- (4) shrubs shall be planted in the building landscape areas for each forty (40) linear feet of vehicular use area abutting the building.
6. Eight percent (8%) of the vehicular use area must be designated for green space; this green space needs to be evenly distributed throughout the parking area(s). The minimum size of an interior landscape area shall be one hundred fifty (150) square feet for developments with one hundred fifty (150) or fewer parking spaces. Interior islands must be a minimum of seven and one half (7 1/2) feet in width. Trees shall be included in the interior landscape areas at the rate of one (1) tree for every twelve (12) parking spaces.
  7. A landscape irrigation system shall be required as per Highway 10 site design and development standards.
  8. The development of two (2) acres or more requires the landscape plan to be stamped
  9. The City Beautiful Commission recommends preserving as many existing trees as feasible on this site. Credit toward fulfilling Landscape Ordinance requirements can be given when preserving trees of six (6) inch caliper or larger.

G. TRANSPORTATION/PLANNING:

Rock Region Metro: No comments.

Planning Division: This request is located Barrett Planning District. The Land Use Plan shows Transition (T) for this property. Transition is a land use plan designation that provides for an orderly transition between residential uses and other more intense uses. Transition was established to deal with areas which contain zoned residential uses and nonconforming nonresidential uses. A Planned Zoning District is required unless the application conforms to the Design Overlay standards. Uses that may be considered are low-density multi-family residential and office uses if the proposals are compatible with quality of life in nearby residential areas. The applicant has applied for rezoning from R-2 (Single Family District) to POD (Planned Office Development) to allow the development of an office building for contractor.

Master Street Plan: North of the property is Morgan Cemetery Road and it is shown as a Collector on the Master Street Plan. East of the property is Highway 10 and it is shown as a Principal Arterial on the Master Street Plan. The primary function of a Collector Road is to provide a connection from Local Streets to Arterials. The primary function of a Principal Arterial Street is to serve through traffic and to connect major traffic generator or activity centers within an urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Highway 10 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: A Class I Bike Path is shown along Highway 10. A Bike Path is to be a paved path physically separate for the use of bicycles. Additional right-of-way or an easement is recommended. Nine-foot paths are recommended to allow for pedestrian use as well (replacing the sidewalk).

H. SUBDIVISION COMMITTEE COMMENT: (February 20, 2019)

Joe White was present representing the application. Staff presented the item and noted additional information was needed. The applicant was asked to provide the building height and to label the building setbacks from the property lines. Staff requested the days and hours of operation and the anticipated number of employees. The applicant was advised to locate the dumpster and required screening and to locate and describe any site lighting. Staff noted any site lighting should be low-level and directional, shielded downward and into the site. Staff asked if there would be any fencing. The applicant was asked to provide Health Department approval of the septic system and to describe the materials to be used for the parking and drives.

Public Works comments were presented and discussed. It was noted that ARDOT had stated no improvements would be permitted to Highway 10 and County Planning had stated they would not require improvements to Morgan Cemetery Road. Staff noted the City was still requiring right-of-way dedication and half-street improvements to Morgan Cemetery Road as per the Master Street Plan. Staff stated they would review the approved plat for this two-lot subdivision to see what was required for improvements to and access to Morgan Cemetery Road.

Landscape comments were presented. Comments from the other reviewing agencies and departments were noted.

The applicant was advised to respond to staff issues by February 27, 2019. The committee forwarded the item to the full commission.

I. ANALYSIS:

The applicant is requesting approval of a POD to allow for development of this vacant 2.2 acre lot. The lot is part of a two-lot subdivision that was preliminary-platted in November 2005. The lot adjacent to the west (Lot 1) has been final-platted. This lot has not yet been final-platted. The property is located outside of the city limits, within the city's extraterritorial zoning jurisdiction.

The proposed development is to consist of a one-story, 3,600 square foot office building. The applicant indicates the building will be divided into two equal-sized suites with office space in the front and garage space at the rear. A 15 space parking lot is proposed to be located behind the building with access off of Morgan Cemetery Road. The approved plat included a shared driveway off of Highway 10. For this lot to use the shared driveway would require bridging a drainage way so the applicant chose to use the side street for access.

The proposed building will have a height of 22'8" to the roof ridge. The building setbacks exceed the minimum under the Highway 10 Design Overlay District. The perimeter landscape areas also exceed the minimums of the DOD. Signage will consist of wall signage on the south and east facades of the building and a single ground mounted sign not to exceed feet in height and 64 square feet in area. A small dumpster is proposed to be located behind the building. It will be screened to comply with code. The days and hours of operation are proposed as 8:00 a.m. – 5:00 p.m., six days a week. Each business suite is anticipated to have 3 – 4 employees. Lighting will consist of wall packs on the building and low-level directional pole lighting in the parking lot. No fencing is proposed.

The applicant has indicated right-of-way dedication as required by the master Street Plan. Health Department approval for a septic system will be provided.

The site is wooded and the applicant indicates preserving much of the natural vegetation on the west, south and north perimeters. A 50-foot undisturbed buffer is being provided on the north perimeter.

The only outstanding issue concerns the issue of required half-street improvements to Morgan Cemetery Road. ARDOT has stated no improvements may be made to State Highway 10. The County has stated they will not require improvements to Morgan Cemetery Road but will defer to the City on that issue. Morgan Cemetery Road is classified as a collector street. When the preliminary plat was approved in 2005, required street improvements to Morgan Cemetery Road were deferred until the final-platting of this lot, Lot 2. Staff had called for construction of the required half-street improvement in conjunction with the final plat and development of the lot. The applicant has requested a variance from the full requirements of the code. The property is located outside of the City limits and near Arkansas State Park lands. Due to adopted State of Arkansas Annexation code concerning annexation of properties within close proximity of state park lands, staff recommends approval of a variance from the Boundary Street Ordinance for the one half street construction to Morgan Cemetery Road adjacent to the subject property. With the approval of the variance, the applicant proposes to widen and repave Morgan Cemetery Road to 20 feet in width from Highway 10 to the north perimeter of the property.

J. STAFF RECOMMENDATION:

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

Staff recommends approval of the requested variance from the required full half-street improvements to Morgan Cemetery Road.

PLANNING COMMISSION ACTION:

(MARCH 14, 2019)

The applicant was present. There were no objectors present. 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 noes and 1 absent.