

FILE NO.: Z-9105

NAME: Stone Crest Apartments Short-form PD-R

LOCATION: Located at 9700 Baseline Road

DEVELOPER:

Stone Crest Apartments LLC
23 Funtastic Drive
Cabot, AR 72023

SURVEYOR:

Tommy Bond, PE
Bond Consulting Engineers
2601 TP White Drive
Jacksonville, AR 72076

AREA: 1.25 acres NUMBER OF LOTS: 1 zoning lot FT. NEW STREET: 0 LF

WARD: 7 PLANNING DISTRICT: 15 CENSUS TRACT: 41.03

CURRENT ZONING: R-2, Single-family

ALLOWED USES: Single-family residential – Site contains an apartment complex

PROPOSED ZONING: PD-R

PROPOSED USE: Recognize the existing apartment development

VARIANCE/WAIVERS: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The apartments were constructed in 1972 and were located outside the City limits of Little Rock. There are three (3) buildings located on the site containing 64-units and areas of paving very much in disrepair. Presently the parking stalls back into the street right of way along Herrick Lane. The applicant bought the property from the bank and felt with the purchase the property would be "grandfathered" as a multi-family development. The site was vacated by code enforcement a number of year ago. According to Entergy records power to the

office and the units were disconnected from September 2012 through February 2013. Once the site sat unoccupied for a period of six (6) months the property lost any non-conforming status.

B. EXISTING CONDITIONS:

The property is located on the north side of Baseline Road between Winston Drive and Herrick Lane. The property contains three (3) buildings previously used as multi-family and paved parking areas. There are single-family homes located to the north and west of this site within the Winston Subdivision. The area to the east is a multi-story office building, the Arkansas State Highway and Transportation Department. South of the site are four (4) single-family homes. There are large areas of undeveloped property in this immediate area. Southwest of the site is a large parcel which was recently approved by the Little Rock Board of Directors as a PCD, Planned Commercial Development, for an equipment sales business. Baseline Road is a two (2) lane State Highway with no curb, gutter or sidewalk in place along the property frontage.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received an informational phone call from an area property owner. All property owners located within 200-feet of the site along with Southwest Little Rock United for Progress were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Due to the proposed use of the property, the Master Street Plan specifies that Herrick Lane for the frontage of this property must meet commercial street standards. Dedicate right-of-way to 30 feet from centerline.
2. A 20 foot radial dedication of right-of-way is required at the intersection of Herrick Lane and Baseline Road.
3. Baseline 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.
4. A 20 foot radial dedication of right-of-way is required at the both sides of the intersection of Winston Drive and Baseline Road.
5. The old driveway not in use along with the culvert on Baseline Road should be removed. Contact Dan Ivy, AHTD, District 6 for permitting at 501.569.2171.
6. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
7. Vehicles backing out into the public right-of-way are not permitted. Driveways exceeding 36 feet also are not permitted. By the use of wheel stops or landscape areas a one-way exit driveway should be constructed

near the north property line on Herrick Lane. The Baseline Road driveway should be a one-way entrance only. The Herrick Lane driveway should not exceed 15 feet wide. The proposed parking should be angled.

8. Vehicles backing out into the public right-of-way are not permitted. Driveways exceeding 36 feet also are not permitted. By the use of wheel stops or landscape areas, a driveway should be constructed just south of the existing building at a location to provide efficient and safe vehicle movements. A driveway constructed on north side of the existing building on the property on Winston Drive. The driveways should be not exceed 26 feet. Due to the limit space to right-of-way, the asphalt pavement on the east side of the existing building on Winston Drive should be removed and replaced with sod and landscaping.
9. With site development on Lot 1, provide design of street conforming to the Master Street Plan. Construct one-half street improvements to Winston Drive and Baseline Road including 5-foot sidewalks with planned development.
10. The owner and/or manager of each multi-family residence of 100 or more dwelling units shall provide recycling and encourage participation by the tenants, renters, or owners of each unit. Contact Melinda Glasgow, mglasgow@littlerock.org or 501.371.4646 for more information.
11. With future site expansion or construction of new structures, provide design of street conforming to the Master Street Plan. Construct one-half street improvement to the boundary streets including 5-foot sidewalks with planned development.
12. Obtain a franchise agreement from Public Works, Bennie Nicolo, bnicolo@littlerock.org or 501.371.4818 for the private improvements including parking, parking aisles, and barriers located in the right-of-way.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this site. Contact Little Rock Wastewater if additional information is required.

Entergy: Entergy does not object to this proposal. A three phase electrical line runs along the north side of Baseline Road in front of this property and a line also exists through the property. Electrical service may need to be reworked as the project continues. Contact Entergy in advance regarding future service requirements to the development, desired line extensions, and future facilities locations as this project proceeds.

Centerpoint Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water:

1. All Central Arkansas Water requirements in effect at the time of request for water service must be met.
2. The Little Rock Fire Department needs to evaluate this site to determine whether additional public and/or private fire hydrant(s) will be required. If additional fire hydrant(s) are required, they will be installed at the Developer's expense.
3. 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 the Little Rock Fire Department is required.
4. 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.
5. Contact Central Arkansas Water regarding the size and location of water meter.
6. Due to the nature of this facility, installation of an approved reduced pressure zone backflow preventer assembly (RPZA) is required on the domestic water service. This assembly must be installed prior to the first point of use. Central Arkansas Water 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 Central Arkansas Water. The test results must be sent to Central Arkansas Water's Cross Connection Section within ten days of installation and annually thereafter. Contact the Cross Connection Section at 501.377.1226 if you would like to discuss backflow prevention requirements for this project.
7. Fire sprinkler systems which do not contain additives such as antifreeze shall be isolated with a double detector check valve assembly. If additives area used, a reduced pressure zone back flow preventer shall be required.

Fire Department: Full fire code review

Parks and Recreation: No comment received.

County Planning: No comment.

Rock Region Metro: Location served nearby on Routes 23, 22 & 17 and is along a transit route important future planning. No comments on renovation of existing building interiors.

F. ISSUES/TECHNICAL/DESIGN:

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.org or
Mark Alderfer at 501.371.4875; malderfer@littlerock.org.

Building must comply with 2012 Arkansas Fire Protection Code. Fire sprinkler and fire alarms are required for this location.

Planning Division: This request is located in the Geyer Springs West Planning District. The Land Use Plan shows Suburban Office (SO). The Suburban Office category provides for low intensity development of office or office parks in close proximity to lower density residential areas to assure compatibility. A Planned Zoning District is required. The applicant has applied for a rezoning from R-2 (Single Family District) to PD-R (Planned District Residential) to rehab an existing apartment complex so that it might be occupied.

Master Street Plan: South side of the property is Baseline Road and it is a Principal Arterial, west side of the property is Herrick Lane and it is a Local Street on the Master Street Plan. A Principal Arterial is to serve through traffic and to connect major traffic generators or activity centers within the urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Baseline Road since it is a Principal Arterial. Local Streets that are abutted by non-residential zoning/use or more intensive zoning than duplexes are considered as "Commercial Streets". A Collector design standard is used for Commercial Streets. 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 II Bike Lanes are shown along Baseline Road. These Bike Lanes provide a portion of the pavement for the sole use of bicycles.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. If building rehabilitation exceeds fifty percent (50%) of the replacement cost then the landscaping and buffer must also come into compliancy accordingly. Any new or renovated parking areas will need to be constructed in compliance with the current ordinance requirements.
3. The City Beautiful Commission recommends preserving as many existing trees as feasible on sites. Credit toward fulfilling Landscape Ordinance requirements can be given when preserving trees of six (6) inch caliper or larger.

G. SUBDIVISION COMMITTEE COMMENT: (February 3, 2016)

The applicants were present. Staff presented an overview of the item stating there were few outstanding technical issues associated with the request. Staff requested the applicant provide the proposed signage plan, the number of units, any areas proposed for parking and any upgrades to the existing paved areas. Staff also requested the applicant provide the location of any existing or proposed fencing. Staff requested this information include the location, construction materials and total height.

Public Works comments were discussed. Staff requested the applicant provide the proposed parking layout, the circulation plan and the location of driveways. Staff stated the existing parking spaces which backed into the right of way would no longer be allowed to do so. Staff stated one-half street improvements to the abutting streets would be required with future construction of additional units. Staff stated a dedication of right of way to meet the Master Street Plan was required on Baseline Road, Herrick Lane and Winston Drive. Staff stated this would also include radial dedications at the intersections of the abutting streets.

Landscaping comments were addressed. Staff stated if the renovation cost exceeded fifty percent (50%) of the replacement cost of the building then the landscaping and buffer on-site were to come into compliancy according to the percentage upgrade. Staff stated any new paved areas were to be landscaped.

Staff noted the comments from the various other departments and agencies. Staff suggested the applicant contact the departments or agencies directly with any questions or concerns. There were no more issues for discussion. 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 most of the technical issues associated with the request. The applicant has provided a revised site plan which includes the proposed signage plan, the number of units, any areas proposed for parking and upgrades to the existing paved areas. The applicant has also provided the right of way dedications and the placement of the perimeter fencing as requested by staff.

The request is a rezoning from R-2, Single-family to Planned Development Residential to allow the existing vacant apartment complex to be remodeled. The apartments were constructed in 1972 and were located outside the City limits of Little Rock. There are currently three (3) buildings located on the site containing 64-units, a leasing office, laundry facility and areas of paving for parking.

The plan as presented allows for the placement of perimeter fencing around the site. Along the northern and western perimeters a six (6) foot wood fence will be installed. Along the street sides a decorative fence (wrought iron style) will be put in place. Presently the parking stalls back into the street right of way along Herrick Lane and on Winston Drive. With the placement of the fencing this will eliminate the backing of cars into the street. Portions of the fencing will require franchising with the City of Little Rock due to the fence being located within the public right of way.

The applicant has provided a site plan which includes the placement of 61 parking spaces on the site and an additional 22 parking spaces across Winston Drive. Parking for a multi-family development is typically based on one and one-half parking spaces per unit. Based on the typical minimum standards a total of 96 parking spaces would typically be required. The plan as presented has a total of 83 parking spaces available for the units. The applicant has indicated they feel a number of the units will be one (1) car families. Staff is supportive of the parking as proposed.

The applicant has indicated within the newly paved areas landscaping will be placed per the landscape and buffer ordinance requirements. Along the northern perimeter a nine (9) foot landscape strip will be installed. The plan also includes the placement of a nine (9) foot landscape strip along Winston Drive in the area proposed with new paving. The applicant states an area of asphalt adjacent to the existing building located on Winston Drive will be removed, budget permitting, and landscaped. The parking lot located east of Winston Drive will be landscaped with perimeter landscaping on the south, adjacent to Baseline Road, and interior islands and street buffers will be provided.

The applicant has not provided the proposed signage plan. Staff recommends ground signage be as allowed in the multi-family zones within the Zoning Ordinance. This would allow one (1) freestanding sign per premises not to exceed six (6) feet in height and twenty-four (24) square feet in area. Building signage is to be limited to a maximum of ten (10) percent of the façade area abutting public streets.

The applicant has not provided on the site plan the location of the proposed dumpster facilities. The dumpster will most likely be placed near the laundry building which is located with street view from both Winston Circle and Baseline Road. Staff recommends the dumpster facilities be screened with a masonry screen and the placement of a metal gate on the front side to limit the visual impact of the dumpster on the abutting streets. Staff recommends the dumpster hours of service be limited to daylight hours or from 7 am to 6 pm, Monday through Friday.

Staff is supportive of the applicant's request. The applicant is seeking approval of a rezoning to recognize an existing apartment development and existing paved areas. Within the paved areas new landscaping will be added. To staff's

knowledge there are no remaining outstanding technical issues associated with the request. Staff feels the developer has done an adequate job in addressing their concerns related to the overall site plan. Staff feels the rezoning to recognize the existing multi-family development 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 dumpster facilities be screened with a masonry screen and the placement of a metal gate on the front side to limit the visual impact of the dumpster on the abutting streets.

Staff recommends the dumpster hours of service be limited to daylight hours or from 7 am to 6 pm, Monday through Friday.

PLANNING COMMISSION ACTION:

(FEBRUARY 25, 2016)

The applicant was present. There were 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 dumpster facilities be screened with a masonry screen and the placement of a metal gate on the front side to limit the visual impact of the dumpster on the abutting streets. Staff presented a recommendation the dumpster hours of service be limited to daylight hours or from 7 am to 6 pm, Monday through Friday.

Mr. Jim Martin addressed the Commission on the merits of the request. He stated his company was rehabbing a 64 unit apartment complex on Baseline Road. He stated this was his company's first multi-family project in Little Rock. He stated he had been working with the City concerning the building permit and the rezoning request.

Ms. Pam Adcock addressed the Commission as President of Southwest Little Rock United for Progress. She stated Mr. Martin had met with the Southwest Board members and they had voted to support the request. She stated Mr. Martin had made a number of promises to the Board and she felt as long as he was good to his word the project would be a success. She stated he had made the commitment that the units would not be rented to paroles from the Arkansas Department of Correction. She stated he had committed to having buffers built into his lease agreements that would prohibit the new development from becoming a nuisance as was Winston Terrace. She stated the Southwest Little Rock Board supported the request as long as Mr. Martin kept his word.

Mr. David Scruggs addressed the Commission with concerns. He stated he owned property near the apartment development. He stated there were a number of concerns with the previous apartment complex. He stated there were several incidents which involved the police and/or fire department with the previous owners. He stated a number of the homes had been broken into and on his lunch hour one time he came home to a missing swing set that he had purchased for his children. He stated he wanted to be a good neighbor and felt the apartments could be a good neighbor as well but he questioned if there would be an on-site manager and/or if there would be security located on-site. He stated he wanted more information concerning the development and the items which would be put in place to protect the residents of the apartments and the neighborhood.

Mr. John Huggler addressed the Commission in opposition of the request. He stated he was opposed to the apartments being reopened. He stated he had lived in the neighborhood since 1972. He stated the apartments were nothing but problems when they were open. He stated gun fire, ambulance calls and police calls were frequent. He stated all holidays gun fire could be heard from the apartment complex. He stated the apartments were two (2) room apartments and he did not feel this would be marketable.

Mr. Martin addressed the Commission stating he was aware of the history of the site. He stated his company was installing a security fence around the perimeter of the property to protect the future residents of the complex. He stated there would be a key code which would track the coming and goings of residents as well as who residents allowed access into the development. He stated if there was excessive entering by a particular resident they would be checked to ensure there were no violations to the lease agreements. He stated his company was investing \$1-million into rehabbing the units. He stated the intent was to provide a safe and secure place for residents to live. He stated within fair housing laws residents would be screened. He stated each resident would have to undergo a background check before a unit was rented to them. He stated there would be an on-site manager but not a resident manager. He stated if security was needed then his company would review the situation and act accordingly.

There was a general discussion by the Commissioners with Mr. Martin concerning his intent and the person who he would rent to. Commissioner Laha questioned if the units would be rented to parolees of the Arkansas Department of Correction. Mr. Martin stated that was not the intent. He stated once again all tenants would undergo background checks and if a person was arrested and convicted of a crime they would be evicted.

There was a general discussion concerning apartments in general and if Mr. Martin had considered selling the units. Mr. Martin stated the building was a solid building but he did not feel there was a market for owner occupied condo units in this area. He stated this was a rehab of an existing development and not a new development of apartments. He stated once again the residents would be given a code to enter the resident's gate. He stated excessive use of a code would result in questioning to see who and why they were entering and leaving the site so often.

There was a general discussion concerning an on-site manager and on-site resident manager. There was also discussion concerning security and the need for security. It was noted that security was more important than a resident manager. Mr. Martin stated his company would look into the program which offered housing to police officers. He stated if there was a need for security or a resident manager then his company would review the issue to determine which as the best avenue to take to provide a safe and secure environment for the residents of the complex and the neighborhood.

Commissioner Laha questioned if security could be condition of the approval. Mr. Shawn Overton, Deputy City Attorney, stated the Commission could not place conditions on the approval of a rezoning request. He stated security was not a part of the zoning or subdivision ordinances. He stated the applicant could volunteer to place conditions on his application but the City could not require conditions of an applicant. He stated the City had an abatement program. He stated if there were nuisance calls the City could shut the complex down.

There was no further discussion. The chair entertained a motion for approval of the item including all staff recommendations and comments. The item was approved as recommended by staff by a vote of 11 ayes, 0 noes and 0 absent.