

FILE NO.: Z-9408

NAME: Shackleford Forest Communities Long-form POD

LOCATION: 5600 South Shackleford Road

DEVELOPER:

The Mind Health Institute, LLC
5 Deauville Circle
Little Rock, AR 72223

OWNER/AUTHORIZED AGENT:

Garrett & Brennan Bosley/owners

SURVEYOR/ENGINEER:

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

AREA: 27.9 acres

NUMBER OF LOTS: 4

FT. NEW STREET: 1,500 LF

WARD: 7

PLANNING DISTRICT: 12

CENSUS TRACT: 24.05

CURRENT ZONING:

R-2

ALLOWED USES:

Single Family

PROPOSED ZONING:

POD

PROPOSED USE: Substance abuse inpatient, outpatient, research treatment facility

VARIANCE/WAIVERS:

Walking trails in lieu of sidewalks.

BACKGROUND:

The tract is wooded and undeveloped. There have been no prior development proposals.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is requesting POD zoning for this undeveloped 27.9 acre tract. The property is proposed to be divided into 4 lots with a 1,500 foot commercial collector street. Shackleford Road will be improved to arterial standards abutting the site. The four lots will be developed in phases with uses as follow:

Day treatment building (Lot 1)

Outpatient day treatment, outpatient private practice, outpatient substance abuse treatment, inpatient acute care unit, pharmacy, cafeteria, gym, CLIA waived lab. 25,000 sq. ft. building with 88 space parking lot.

Research building (Lot 2)

Inpatient and outpatient research, cafeteria, gym, CLIA waived lab. 10,000 sq. ft. building with 40 space parking lot.

Professional office building (Lot 3)

Private practice physician offices for outpatients. 5,000 sq. ft. building with 22 space parking lot.

Cottages (Lot 4)

Therapeutic communities for psychiatric and substance abuse rehab. 16 cottages, 1,500 sq. ft. per cottage, 4 bedrooms per cottage, 2 parking spaces per cottage.

B. EXISTING CONDITIONS:

The site is wooded and undeveloped. An undeveloped PID for light industrial uses is adjacent to the north. Beyond that are light industrial uses. The property to the south is undeveloped. A portion of this area is preliminary-platted as a future phase of Waters Edge Subdivision. The property across Shackleford Road is owned by Antioch Church and contains portions of the church development. A tract of undeveloped and Interstate 430 are located to the west.

C. NEIGHBORHOOD COMMENTS:

Notice of the public hearing was sent to all owners of properties located within 200 feet of the site and the SWLRUP, Waters Edge, Stagecoach Dodd/Greenwood Acres and Pecan Lake neighborhood associations.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Shackleford 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.

2. With site development, provide design of street conforming to the Master Street Plan. Construct one-half street improvement to Shackelford Road including 5-foot sidewalks with planned development. The new back of curb should be located 29.5 ft. from the striped centerline.
3. Sidewalks with appropriate handicap ramps are required to be constructed on both sides of Shackelford Forest Communities Drive in accordance with Sec. 31-175 of the Little Rock Code and the Master Street Plan. Show proposed location of walking trails.
4. A grading permit in accordance with section 29-186 (c) & (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. Is a variance being requested to advance grade future phases with the issuance of a grading permit for Phase1?
5. Provide a Sketch Grading and Drainage Plan per Sec. 29-186 (e).
6. Access to detention ponds must be provided to the public right-of-way and/or access easement for future maintenance by the developer and/or local property owners' association.
7. 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.
8. Alteration of the water course will require approval from the Little Rock District of the US Army Corps of Engineers prior to start of work.
9. Street Improvement plans shall include signage and striping. Public Works must approve completed plans prior to construction.
10. Street lights are required by Section 31-403 of the LR code. Provide plans for approval to Traffic Engineering. Street lights must be installed prior to platting/certificate of occupancy. Contact Traffic Engineer 379-1813 (Greg Simmons) for more info.
11. Street names and street naming conventions must be approved by Public Works. Contact Glenn Haley at (501) 371-4537. Staff cannot recommend a new street name or portions of a street name using "Shackelford". There are 9 streets that currently use the name "Shackelford" spread along the entire length of Shackelford Road. The street name cannot exceed 15 characters.
12. Provide a letter prepared by a registered engineer certifying the intersection sight distance at the intersection(s) comply with 2004 AASHTO Green Book standards.
13. Damage to public and private property due to hauling operations or operation of construction related equipment from a nearby construction site shall be repaired by the responsible party prior to issuance of a certificate of occupancy.

14. 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.
15. Show proposed location(s) of USPS cluster box units in conformance with USPS and City of Little Rock policy design standards. Contact USPS for mail delivery requirements.
16. Per the Appendix D of the Fire Code, dead end fire apparatus access roads in length of 150 to 500 ft. require a cul de sac turnaround with a 96 ft. diameter.
17. The proposed public street appears to function more as a private street servicing one property owner.

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

Little Rock Water Reclamation Authority:

Sewer main extension required with easements if new sewer service is required for this project

Entergy:

Entergy does not object to this proposal. There do not appear to be any conflicts with existing electrical utilities at this location. There is an existing overhead power line on the west side of South Shackelford running by this development. Contact Entergy in advance to discuss electrical service requirements, or adjustments/extension of facilities (if any) as this project proceeds.

Centerpoint Energy: No comments received.

AT & T: No comments received.

Central Arkansas Water:

Sewer main extension required with easements if new sewer service is required for this project.

Fire Department:

Full Plan Review

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.

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.

Dead Ends.

Maintain fire apparatus access roads at dead end locations as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D103.4 Dead Ends. Dead-end fire apparatus access roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with Table D103.4. Requirements for Dead-end fire apparatus access roads.

Gates

Maintain fire apparatus access road gates as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D103.5 Fire apparatus access

road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. Minimum gate width shall be 20 feet.
2. Gates shall be of swinging or sliding type.
3. Construction of gates shall be of material that allow manual operation by one person.
4. Gate components shall be maintained in an operable condition at all times and replaces or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official.
6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools or when a key box containing the keys to the lock is installed at the gate location.
7. Locking device specifications shall be submitted for approval \by the fire code official
8. Electric gate operators, where provided, shall be listed in accordance with UL 325.
9. Gates, intended for automatic operation shall be designed, constructed and installed to comply with requirements of ASTM F 2200.

One- or Two-Family Residential Developments.

As per Appendix D, Section D107.1 of the Arkansas Fire Prevention Code Vol. 1, One- or Two-Family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads, and shall meet the requirements of Section D104.3.

Exceptions:

1. Where there are **more than 30 dwelling units** on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved **automatic sprinkler system** in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the Arkansas Fire Code, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

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). 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:

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 or
Steve Crain at 501-371-4875; scrain@littlerock.gov

Landscape:

1. Any new site development must comply with the City's minimal landscape and buffer ordinance requirements.
2. Street buffers will be required at six (6) percent of the average depth of the lot. The minimum dimension shall be one-half ($\frac{1}{2}$) the full width requirement but in no case less than nine (9) feet.
3. Screening requirements will need to be met for the vehicular use areas adjacent to street right-of-ways. Provide screening shrubs with an average linear spacing of not less at three (3) feet within the required landscape area. Provide trees with an average linear spacing of not less than thirty (30) feet.
4. A perimeter planting strip is required along any side of a vehicular use area that abuts adjoining property. This strip shall be at least nine (9) feet wide. Provide trees with an average linear spacing of not less than thirty (30) feet within the perimeter planting strip. Provide three (3) shrubs or vines for every thirty (30) linear feet of perimeter planting strip. **The south corner of the parking located on Lot 1 is less than nine (9) feet from the street right-of-way.**
5. 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 maximum width of the required buffer is fifty (50) feet. A minimum of seventy (70) percent of the land use buffer shall be undisturbed. Easements cannot count toward fulfilling this requirement. The properties to the south and west and a portion of the property to the north is zoned R-2.

A as a component of all land use buffer requirements, opaque screening, whether a fence or other device, six (6) feet in height shall be required upon

- the property line side of the buffer. In addition to the required screening, buffers are to be landscaped at the rate of one (1) tree and three (3) shrubs for every thirty (30) linear feet.
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. Building landscape areas shall be provided between the vehicular use area used for public parking and the general vicinity of the building. These 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.
 8. An automatic irrigation system to water landscaped areas shall be required for developments of one (1) acre or larger.
 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 received.

Planning Division:

This request is located in 65th Street West Planning District. The Land Use Plan shows Service Trades District (STD) and Residential Low Density (RL) and Suburban Office (SO) for this property. The Service Trades District category provides for a selection of office, warehousing, and industrial park activities that primarily serve other office service or industrial businesses. The district is intended to allow support services to these businesses and to provide for uses with an office component. A Planned Zoning District is required for any development not wholly office. The Residential Low Density is for single-family homes at densities no greater than six dwelling units per acre. Such residential development is typically characterized by conventional single family homes, but may also include patio or garden homes and cluster homes, provided that the density remain less than 6 units per acre. The suburban office category shall provide 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 rezoning from R-2 (Single Family District) to POD (Planned Office

District) to allow the development of an in-patient and out-patient rehabilitation complex on 4 lots.

Master Street Plan: East of the property is Shackleford Road are shown as Minor Arterial on the Master Street Plan. 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 South Shackleford 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: A Class II Bike Lane is shown along Shackleford Road. Bike Lanes provide a portion of the pavement for the sole use of bicycles.

Revised plat/plan: Submit responses to staff issues and four (4) copies of a revised preliminary plat/plan (to include the additional information as noted above) to staff on or before April 10, 2019. If you have any questions please contact Dana Carney, dcarney@littlerock.gov or 501.371.6817 or Jamie Collins, gcollins@littlerock.gov or 501.371.6818.

H. SUBDIVISION COMMITTEE COMMENT: (April 3, 2019)

The applicant was present. Staff presented the item and noted there was additional information needed. The applicant was advised to provide a phasing plan and to indicate it on the plan. Staff requested building heights, building setbacks and a signage plan. Days and hours of operation for the various uses were requested. A site lighting and fencing plan were requested. Staff stated the dumpster location and screening needed to be indicated. The applicant was advised to provide building coverage, pavement coverage and open space/green space as a percentage of the overall site.

Public Works comments were discussed. Staff questioned why a public street was being proposed when the application appeared to be for a multi-lot development for a single entity. Staff also questioned why, if it was to be a public street, access was not being provided to the property adjacent to the south. It was noted that a sliver of land was being retained between the right of way for the proposed public street and the adjacent property; apparently to prohibit access. The applicant responded that there would be different owners of the various lots; that not all were the same entity. Staff noted the requested variance to allow walking trails in lieu of sidewalks. There was additional conversation about whether it was appropriate or not to have the proposed public street or a private access drive. Staff noted the cul de sac needed to have a turnaround with a 96 foot diameter.

Landscape comments were noted. Staff commented that the perimeter landscaping was slightly short in one area on one lot.

Comments from the other departments and reviewing agencies were noted. The applicant was advised to respond to staff issues by April 10, 2019. The committee forwarded the item to the full commission.

I. ANALYSIS:

The applicant submitted responses to the issues raised at subdivision committee. Phasing of the four lot development will be by individual lot. It is anticipated that Lots 1, 2 and 4 will develop first. Timing of the overall project is 12 – 24 months. Building heights will comply with that allowed in O3 which permits a height of 45 feet. For each additional one foot of setback beyond the required building setbacks, one additional foot of height may be allowed, up to a maximum height of 60 feet. Building setbacks will meet or exceed the O-3 setbacks of 25' front, 10' rear and 15' sides. Signage will include a development sign at the intersection of S. Shackelford and the new street. It will not exceed 8' in height and 100 sq. ft. in area. Each of the four lots will have an individual ground sign not to exceed 64 square feet in area. The signs will be monument style in design. The office/clinic buildings may have a wall sign on the façade facing the street.

Hours of operation are proposed as 24 hours a day, seven days a week for all uses except the professional office building. Operating hours for that building are 7 am – 6 pm, seven days a week. Site lighting will be designed for each individual lot. In every case, all site lighting will be low-level and directional, shielded downward and into the suite. Dumpsters and required screening have been indicated for each lot. Each lot may be individually fenced. Fencing will not exceed that allowed in office districts.

Building coverage, pavement coverage and green space per lot is as follows:

1. Lot 1, 14.43% building, 12.1% pavement, 73.47% green space
2. Lot 2, 16.07% building, 13.3% pavement, 70.63% green space
3. Lot 3, 19.67% building, 13.0% pavement, 67.33% green space
4. Lot 4, 17.38% building, 12.3% pavement, 70.32% greenspace

The street is proposed to be a private street. It is designed as a commercial/collector standard street. An access easement will be provided so that it allows the adjacent property to the south to have access to the street and S. Shackelford Road. The street will be gated with the gates open during the day and closed after hours. A turn around will be provided. The diameter of the cul de sac needs to be adjusted to comply with the fire code requirement of 96 feet. A variance is requested to allow walking trails in lieu of sidewalks.

To staff's knowledge, there are no outstanding issues.

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 variance to allow use of trails in lieu of sidewalks.

PLANNING COMMISSION ACTION:

(APRIL 25, 2019)

The applicants were present. There was one registered objector present. Staff informed the commission that they had received and approved a sketch grading and drainage plan and sight distance certification. Staff stated the cul de sac had been modified to provide the required 96 ft. diameter. Staff stated an access easement is to be provided for the property adjacent to the south and the private street is to be designed to comply with code with a concrete apron at Shackelford Road. Staff recommended approval of the item as outlined in the "staff recommendation" ablativ.

The applicant reserved his time to respond to issues raised by the objector.

Sherry Enoch, of 5913 Tall Pine Blvd. addressed the commission. She stated she was an officer with the Pecan Lake Home Owners Association. She stated there were concerns about the type of clientele and security. She asked how the facility would integrate into the neighborhood. Deputy City Attorney Overton cautioned Ms. Enoch that statements such as type of clientele were not appropriate.

Engineer Tim Daters addressed the commission. He stated the site was not adjacent to single family. He stated it was a well-designed project, with open space, buffers and street improvements.

The applicant stated they would like to meet with the neighbors to address any concerns they might have. Ms. Enoch stated it would have been helpful if they had reached out to the neighbors prior to the commission meeting. A motion was then made to approve the application, including all staff comments and conditions. The motion was seconded and approved by a vote of 8 ayes, 0 noes and 3 absent.