

FILE NO.: Z-4551-E

NAME: The Madina Institute Short-form PCD

LOCATION: Located at 12123 Kanis Road

DEVELOPER:

Madian Institute
21205 Chalamount Drive
Little Rock, AR 72223

SURVEYOR:

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

AREA: 2.03 acres NUMBER OF LOTS: 1 zoning lot FT. NEW STREET: 0 LF

WARD: 6 PLANNING DISTRICT: 18 – Ellis Mountain CENSUS TRACT: 42.07

CURRENT ZONING: PCD and O-3, General Office District

ALLOWED USES: Office warehouse and General office

PROPOSED ZONING: PCD

PROPOSED USE: Office, Youth activities, Worship

VARIANCE/WAIVERS: A variance from Sections 30-43 and 31-210 to allow the drive on Cherry Brook as proposed.

BACKGROUND:

Eastern portion of the site zoned PCD –

Ordinance No. 15,003 adopted by the Little Rock Board of Directors on December 3, 1985, rezoned the property from R-2, Single-family to PCD, Planned Commercial Development. The approval allowed the development of the site located at 12123 Kanis Road with office/warehouse for Bank Business Forms. A 4,100 square foot office along with a 5,000 square foot warehouse was approved.

Ordinance No. 15,543 adopted by the Little Rock Board of Directors on August 16, 1988, allowed a revision to the previously approved PCD. The approval allowed an expansion of the warehouse portion of the development along the southern portion of the site. The approval allowed an additional 60-foot by 100-foot single story building expansion (6,000 square feet).

Ordinance No. 16,066 adopted by the Little Rock Board of Directors on July 16, 1991, allowed a revision to the previously approved, PCD zoning. The approval allowed an expansion of the building square footage on the northwest corner of the building. The expansion included 3,000 square feet of additional warehouse space. The expansion eliminated five (5) parking spaces which were relocated to the northeast corner of the building. The total building square footage approved was 19,000 square feet of which 7,500 square feet was used as office space and 11,500 square feet was used as warehouse space. The allowable uses for the site were office/warehouse uses utilizing 60 percent of the gross floor area as warehouse and 40 percent of the gross floor area as office spaces.

Western portion of the site zoned O-3, General Office District –

A Conditional Use Permit to allow the construction of a two phased development containing a 21 space parking lot to serve the adjacent PCD zoned office/showroom/warehouse and future construction of an office building and additional parking was approved by the Little Rock Planning Commission on August 7, 2003. Neither phase of the development occurred.

On June 3, 2010, a request for a Conditional Use Permit to allow the development of the site as an office warehouse use was withdrawn by the Planning Commission at the applicant's request.

On August 12, 2010, the Little Rock Planning Commission withdrew a request to allow the rezoning of this area to PCD, Planned Commercial Development to allow the site to develop with an office warehouse to serve a general contractor. The building was indicated containing a 4,200 square feet of office space and 8,500 square feet warehouse spaces. Access to the site was proposed from Cherry Brook Drive.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The property contains approximately 2.03 acres and is located at the southeast corner of Cherry Brook Drive and Kanis Road. One parcel is currently undeveloped and the other is the BBA Solutions building. The Madina Institute is working to build a place for social, cultural and spiritual needs. Upon receiving zoning approval the Madina Institute will purchase the property located at 12123 Kanis Road and the adjacent vacant lot. The future use of the property consists of office space, a large warehouse area and an undeveloped lot. The plan is to use the office space for adult and youth education, cooking classes, meditation workshops, community service initiatives and interfaith dialogue seminars. The large warehouse space will be a multipurpose room for food and

fellowship as well as for worship services. The west lot will be developed into a parking lot.

B. EXISTING CONDITIONS:

The western portion of the site is undeveloped and wooded. The eastern portion is developed with an office/warehouse use and associated parking which was most recently used by a documents company. The property to the north was recently approved by the Planning Commission and the Board of Directors for development of a home improvement store through a PCD rezoning request. West of the site is an office use on O-3, General Office District zoned property. South of the site are single-family homes located within the Cherry Brook Subdivision.

Kanis Road is scheduled for street widening beginning in the fall of 2016. Kanis Road is a two (2) lane street with open ditches for drainage. Cherry Brook Drive is constructed with curb and gutter. There is not a sidewalk in place along the frontage of this property.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200 feet of the site along with the John Barrow Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Kanis 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 the design of the street conforming to the Master Street Plan. Construct one-half street improvement to Kanis Road including 5-foot sidewalk with the planned development. The new curb should be constructed as shown on plan. The City of Little Rock is proposing a Kanis Road widening project to bid in August, 2016. If a permit is issued for the proposed development prior to the bid date, the property owner is responsible to provide payment in-lieu of construction for the required street improvements and driveway apron.
3. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
4. All vehicle parking within the Kanis Road public right-of-way (a minor arterial street) should no longer occur.
5. 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.

6. Stormwater 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 owner.
7. 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.
8. 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.
9. Driveway locations and widths do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. Driveways on collector streets should be located at least 250 feet from other driveways and intersections and 125 feet from side property lines. A variance should be requested for the Cherry Brook Drive driveway location.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this site.

Entergy: Entergy does not object to this proposal. A single phase overhead power line exists running north and south just to the west of the building and to the east of the proposed parking lot. Extreme caution must be used in the clearing and construction activities in the vicinity of the power line so that proper clearances are maintained. Contact Entergy in advance regarding future service requirements to the development 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. 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.
3. Contact Central Arkansas Water regarding the size and location of the water meter.

4. 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.
5. Fire sprinkler systems which do not contain additives such as antifreeze shall be isolated with a double detector check valve assembly. If additives are used, a reduced pressure zone back flow preventer shall be required.

Fire Department: Change of occupancy, full plan review of structure.

Parks and Recreation: No comment received.

County Planning: No comment.

Rock Region Metro: Location is not currently served by METRO fixed route serve, however it is serve by METRO Links paratransit and is part of our long range plans. The Bowman/Kanis area has developed considerably over the last few years. METRO has plans to provide new service for the recent multi- family housing and commercial establishments in our 2016 service changes. Future expansion as development warrants is also planned. Pedestrian infrastructure must be included for transit riders and disability community access to transit. Driveways, canopies and access to the clinic for paratransit service must be maintained.

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.

Planning Division: This request is located in the Ellis Mountain Planning District. The Land Use Plan shows Suburban Office (SO) and Service Trades District (STD) for this property. 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 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. The applicant has applied for a rezoning from O-3 (General Office District) and PCD (Planned Commercial District) to PCD (Planned Commercial Development) to allow the use of the building for office, worship, youth activities and educational seminars and to allow for a new parking lot construction on the west lot of the property.

Master Street Plan: North side of the property is Kanis Road and it is shown as Minor Arterial. West side of the property is Cherry Brook Drive and it is shown as Local Street 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 Kanis Road since it is a Minor Arterial. The primary function of a Local Street is to provide access to adjacent properties. 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: 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. 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. The maximum dimension required shall be fifty (50) feet.
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 southwest is zoned R-2, Single-family. 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 15-102.
4. 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.

5. 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. One (1) tree and three (3) shrubs or vines shall be planted for every thirty (30) linear feet of perimeter planting strip.
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 development of two (2) acres or more requires the landscape plan to be stamped with the seal of a Registered Landscape Architect.
10. 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. SUBDIVISION COMMITTEE COMMENT: (April 27, 2016)

Mr. Brian Dale of White-Daters and Associates was present representing the request. Staff presented an overview of the item stating there were additional items necessary to complete the review process. Staff questioned the parking demand which would be generated by the site. Staff noted there were a number of activities to take place on the site and questioned the days and hours of operation of the facility. Staff questioned the maximum pole height of the parking lot lighting. Staff also requested details of any proposed signage both ground and building signage.

Public Works comments were addressed. Staff stated Kanis Road was classified on the City's Master Street Plan as a minor arterial street. Staff stated a dedication of right of way to 45-feet from centerline was required. Staff stated if the redevelopment of the site and construction of the proposed parking areas began before the City of Little Rock street widening project for Kanis Road the developer would be required to provide an in-lieu payment for the cost of street construction for the improvements adjacent to the site.

Landscaping comments were addressed. Staff stated the new paved areas were to fully comply with the City's Landscape and Buffer Ordinances. Staff stated a land use buffer was required along the southern perimeter of the site where adjacent to the residentially zoned property. Staff stated screening was also required in this area. Staff stated building landscaping would be required between the building and the new parking area. Staff stated an automatic irrigation system was required to water landscaped areas. Staff stated the site would also require a landscape plan stamped with the seal of a registered landscape architect.

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 has submitted a revised site plan to staff addressing most of the technical issues associated with the request. The applicant has provided the proposed signage plan and included a note concerning the pole height of the parking lot lighting. The applicant has also indicated the days and hours of the worship activities to take place on the site.

The request is a revision to an existing PD-C zoning and a rezoning of an area zoned O-3, General Office District to allow the use of the site with various activities congregated around religious and educational activities. The applicant is proposing to utilize the existing building on the eastern lot for office, worship, youth activities and educational seminars. The west lot will be developed into a parking lot.

The Madina Institute is working to build a place for social, cultural and spiritual needs. The plan is to use the office space for adult and youth education, cooking classes, meditation workshops, community service initiatives and interfaith dialogue seminars. The large warehouse space will be a multipurpose room for food and fellowship as well as for worship services.

The site plan indicates the placement of two (2) signs. One on Kanis Road and the second on Cherry Brook Drive. The signs are proposed as monument style signs with a maximum height of six (6) feet and a maximum sign area of 64 square feet.

The plan indicates the existing dumpster will remain. The dumpster will be screened per typical ordinance standards with a six (6) foot enclosure and an opaque gate along the Kanis Road frontage. The dumpster service hours will be limited to daylight hours from 7 am to 6 pm Monday through Friday.

The applicant has indicated the congregation is expected to grow to between 400 and 500 people. The service will be held on Friday from 1:00 pm to 3:00 pm. The service is held one time per week. All other activities on the site will be held from 8 am to 7 pm potentially seven (7) days per week.

Parking for a church or religious institution is based on the seating within the sanctuary. The parking is typically based on one (1) space per every four (4) seats. Based on this calculation if the congregation grows to 500 then 125 parking spaces would typically be required for the site. The plan includes the placement of 112 parking spaces.

The request includes a variance from Sections 30-43 and 31-210 to allow the drive on Cherry Brook as proposed. Cherry Brook Drive adjacent to the site is considered a commercial street. Drives on commercial streets are to be placed 125-feet from the property line. The drive is located approximately 16-feet from the property line.

Staff is supportive of the applicant's request. The proposal is to reuse this existing building and construct a new parking area for a proposed worship center along with associated activities all related to outreach for the worship center. To staff's knowledge there are no remaining outstanding technical issues associated with the request. Staff feels the development as proposed 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 approval of the variance request from Sections 30-43 and 31-210 to allow the drive on Cherry Brook as proposed.

PLANNING COMMISSION ACTION:

(MAY 19, 2016)

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 of approval of the variance request from Sections 30-43 and 31-210 to allow the drive on Cherry Brook as proposed. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff by a vote of 10 ayes, 0 noes, 0 absent and 1 recusal (Commissioner Dillion).