

FILE NO.: Z-9271

NAME: Ricks Short-form POD

LOCATION: Located on the South side of Cantrell Road in the 16900 Block of Cantrell Road approximately 325 feet East of Drew Drive

DEVELOPER:

Jett Ricks
5503 B Street, Suite #9
Little Rock, AR 72205

SURVEYOR/ENGINEER:

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

AREA: 1.3 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 5

PLANNING DISTRICT: 19 - Chenal

CENSUS TRACT: 42.12

CURRENT ZONING: R-2, Single-family

ALLOWED USE: Single-family residential

PROPOSED ZONING: POD

PROPOSED USE: O-1, Quiet Office District uses

VARIANCE/WAIVERS: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is proposing to construct a new 2-story office building on an existing 1.31-acre parcel. The uses are proposed as O-1, Quiet Office District uses. The building is proposed containing 13,400 square feet of floor area. The plan indicates the placement of 36 parking spaces within the front yard area. The plan indicates the placement of a 40-foot rear yard setback and a minimum side yard setback of 30-feet. The front building setback is indicated at 100-feet and the plan includes a 40-foot landscaped area along Cantrell Road. A single drive is proposed from Cantrell Road. The plan includes the placement of a

ground sign within the landscaped area. The sign is proposed with a maximum height of six (6) feet and a maximum sign area of 72 square feet. The days and hours of operation are noted from 7 am to 6 pm Monday through Saturday.

B. EXISTING CONDITIONS:

The site is located on the south side of Cantrell Road near the Cantrell Road and Katillus Road intersection. South of the site is a newly developing single-family subdivision, Georganne Estates. East of the site are single-family homes located on acreage. West of the site is undeveloped residentially zoned property and future west, at the intersection of Drew Drive, is a veterinarian clinic. Across Cantrell Road to the north are commercial and office uses and a school located within the Ranch Development.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200-feet of the site along with the Chevaux Court Property Owners Association and the Johnson Ranch Property Owners Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Sidewalks with appropriate handicap ramps are required in accordance with Section 31-175 of the Little Rock Code and the Master Street Plan.
2. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
3. Obtain permits for improvements within State Highway right-of-way from Arkansas Department of Transportation, District VI.
4. 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.
5. Provide a Sketch Grading and Drainage Plan per Section 29-186 (e). The existing creek channel on the east side of the property should be improved to the Arkansas Department of Transportation box culvert standard similar to the upstream improvements. The grading of the site should consider stormwater during high flows to be shared between the two (2) drainage culverts under Cantrell Road on the east and west sides of the site.
6. 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.

7. 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 developer and/or property owner association.
8. The minimum finished floor elevation should be shown on the grading plan with consideration of the previous drainage study.
9. The plan indicates the placement of a shared access drive with the property to the west. With this future shared access requested with the property to the west, existing and future driveway access to Cantrell Road maybe restricted for the western property in conformance with the driveway spacing criteria of the Highway 10 Design Overlay District, 300-feet. The western property cannot met the driveway spacing criteria of the Highway 10 Design Overlay District.
10. 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.

E. Utilities/Fire Department/Parks/County Planning:

Little Rock Water Reclamation Authority: Sewer available to this site. Existing easements must be retained. Contact Little Rock Water Reclamation Authority for additional information.

Entergy: Entergy does not object to this proposal. There do not appear to be any conflicts with existing electrical utilities based on the information provided. There is an existing single phase power line running near the west side of the property, another near the south side, and a three phase power line running along the north side of Cantrell Road near this property. Contact Entergy in advance to discuss electrical service requirements, or adjustments to existing facilities (if any) 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. If there are facilities that need to be adjusted and/or relocated, contact Central Arkansas Water. That work would be done at the expense of the developer.
6. Contact Central Arkansas Water regarding the size and location of the water meter.
7. 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.
8. The facilities on-site will be private. When meters are planned off private lines, private facilities shall be installed to Central Arkansas Water's materials and construction specifications and installation will be inspected by an engineer, licensed to practice in the State of Arkansas. Execution of a Customer Owned Line Agreement is required.
9. 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.
10. This development will have minor impact on the existing water distribution system. Proposed water facilities will be sized to provide adequate pressure and fire protection.

Fire Department:

1. 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.

2. 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.
3. 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.
4. 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
 - a. 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.
 - b. 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.
 - c. 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.
 - d. 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.
5. 30' Tall Buildings - Maintain aerial fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D105.1 – D105.4
 - a. D105.1 Where Required. Where the vertical distance between the grade plane and the highest roof surface exceed 30', approved aerial fire apparatus access roads shall be provided. For the purposes of this section the highest roof surfaces shall be determined by measurement to the eave of a pitched roof, the intersection of a roof to the exterior wall, or the top of the parapet walls, whichever is greater.

- b. D105.2 Width. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26', exclusive of shoulders, in the immediate vicinity of the building or portion thereof.
 - c. D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.
 - d. D105.4 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.
6. 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.
7. 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 (Jason Lowder 501.377.1245) and the Little Rock Fire Marshal's Office (Capt. Tony Rhodes 501.918.3757 or Capt. John Hogue 501.918.3754). Number and Distribution of Fire Hydrants as per Table C105.1.

Parks and Recreation: No comment received.

County Planning: No comment.

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
Mark Alderfer at 501.371.4875; malderfer@littlerock.gov.

Landscape:

- 1. Site plan must comply with the City's landscape and buffer ordinance requirements and the Highway 10 Design 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 properties to the east, south and west are 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 purposed, 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. 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 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: The site is located on Rock Region Metro Route #26, the Pinnacle Mountain Express Route.

Planning Division: This request is located in Chenal Planning District. The Land Use Plan shows Suburban Office (SO) 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 applicant has applied for a rezoning from R-2, (Single-family) to POD (Planned Office Development) to allow a proposed two (2) story building. The request is within the Highway 10 Overlay District.

Master Street Plan: East side of the property is Cantrell Road it is shown as a Principal Arterial on the Master Street Plan. 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 Cantrell Road since they are 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 Cantrell Road. A Bike Path is to be a paved path physically separate for the use of bicycles. Additional right-of-way and/or an easement is recommended. Nine-foot (9') paths are recommended to allow for pedestrian use as well (replacing the sidewalk).

H. SUBDIVISION COMMITTEE COMMENT: (November 1, 2017)

Mr. Joe White of White-Daters and Associates was present representing the request. Staff presented an overview of the item stating there were a few outstanding technical issues in need of addressing related to the proposed development plan. Staff questioned the proposed office uses and suggested the uses be limited to O-1, Quiet Office District uses. Staff also stated the development was located within the Highway 10 Design Overlay District which had development criteria related to setbacks and landscape areas.

Public Works comments were addressed. Staff stated the plan indicated the placement of a shared driveway with the property to the west. Staff stated if the shared access was used then the property to the west would be restricted access to Cantrell Road. Staff stated the City's Stormwater Detention Ordinance would apply to the future development of the site. Staff stated a grading permit was required prior to any land clearing or grading activities on the site.

Landscaping comments were addressed. Staff stated screening of the parking lot from Cantrell Road was required per the Overlay and the Landscape Ordinance. Staff stated a small amount of building landscaping was required at the time of development. Staff stated a minimum of eight percent (8%) of the 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.

I. ANALYSIS:

The applicant submitted a revised site plan to staff addressing most of the technical issues associated with the request. The applicant has indicated the proposed use of the site will be O-1, Quiet Office District uses. The applicant has also indicated the City's Stormwater Detention Ordinance would apply to the future development of the site.

The request is to rezone the site from R-2, Single-family to PD-O, Planned Development Office, to allow the construction of a new 2-story office building on an existing 1.31-acre parcel. The uses are proposed as O-1, Quiet Office District uses. The building is proposed containing 13,400 square feet of floor area. The plan indicates the placement of 36 parking spaces within the front yard area.

Parking for an office development is typically based on one (1) parking space per 400 gross square feet of floor area. Parking for the office building based on this calculation would result in the need for 33 parking spaces. As noted the plan indicates the placement of 36 parking spaces.

The property is located within the Highway 10 DOD which has specific development criteria related to setbacks, parcel size and landscaped areas. The minimum lot size for a development per the Overlay is 2.0-acres with a single building to be located on 2-acres. The property contains 1.31-acres and is proposed to be developed with a single building.

The front yard building setback per the Overlay is 100-feet. The rear yard building setback is to be 40-feet and side yard building setbacks are to be 30-feet. The plan as presented more than adequately provides the typically required building setbacks to comply with the Overlay.

The front landscape strip is to be a minimum of 40-feet. The perimeter landscape strips averaging 25-feet. The plan indicates landscaped areas which comply with the typical Overlay standards.

The front yard landscape area is to include 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 42-inches above the elevation of the adjacent street. The applicant has indicated berms will be considered at the time of development of the site. Based on the elevation and grade of the site berming will potentially not provide the desired screening of the parking areas. Staff will work with the developer at the time of building permit to achieve the best screening of the site in compliance with the Overlay.

Parking lot lighting is to be designed and located in such manner so as not to disturb the scenic appearance preserved in the corridor. Lighting should be directed to the parking areas and not reflected into the adjacent neighborhoods.

Signage is proposed to comply with the typical signage allowed within the Highway 10 Design Overlay District. The plan indicates the placement of a ground sign six (6) feet in height and 72 square feet in area. The sign will be located within the landscape area along Cantrell Road. Building signage will be limited to signage on the front façade, abutting Cantrell Road. The sign area will be limited to ten (10) percent of the building façade area along Cantrell Road.

The hours of operation for the development are 7 am to 6 pm Monday through Saturday. The plan indicates the placement of a dumpster on the site plan. The dumpster will be located along the western perimeter. The dumpster will be fully screened per typical ordinance requirements (Section 36-523). The hours of dumpster service will be limited to 7 am to 6 pm Monday through Friday.

Staff is supportive of the applicant's request. The site is indicated on the City's Future Land Use Plan as SO, Suburban Office, which is designated for low intensity office development located in close proximity to lower density residential areas to assure compatibility. The applicant is proposing the placement of the office building utilizing the O-1, Quiet Office District uses which are also intended to be located near low intensity residential uses. To staff's knowledge there are no remaining outstanding technical issues in need of addressing related to the proposed development. Staff feels the development of the office as proposed is appropriate.

J. 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.

PLANNING COMMISSION ACTION:

(NOVEMBER 30, 2017)

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.

Mr. Joe White of White-Daters and Associates stated he would yield his time to the opposition.

Mr. Austin Chatelain addressed the Commission with concerns. He stated his in-laws home was located adjacent to the proposed development site. He stated he was not opposed to the development as a quiet office. He stated his concern was drainage and potential flooding. He stated the previous development of Georganne Estates had

caused significant flooding to Mr. Phillips property. He stated this property acted as a catch basin for the water before crossing under Cantrell Road. He provided the Commission with photos from a rain on June 3, 2017. He stated the pictures were after the water had receded. He stated with this development he felt this would push more water to the east on Mr. Phillips and on his in-laws property. He stated he felt with this development there was an opportunity to correct the drainage problem.

Mr. Clark Phillips addressed the Commission in opposition of the request. He stated he was representing his father. He stated he had visited with Mr. Vince Floriani of Public Works and he suggested Mr. Phillips contact Mr. Joe White and Mr. Tim Daters. He stated his property contained three (3) buildings and was located adjacent to the creek. He stated over time the size of the creek had grown substantially. He stated the upstream development had been allowed to develop and not required to extend the drainage to Cantrell Road. He stated this had created a drainage problem and had then caused water to back up on his property. He stated with recent rains water had gotten into the barn on his property by as much as three (3) to four (4) inches. He stated this development would be required to build up their site by as much as a foot which would only create additional drainage problems and more water backing onto his property. He stated the developer should be required to clean the ditch and create enough capacity to carry the water. He stated he was not objecting to the use of the property as an office use. He was concerned with the development and the potential flooding impacts.

Mr. Joe White addressed the Commission stating there were drainage issues in the area. He stated his firm had an extensive history with this drainage basin. He stated all upstream improvements had been completed and this section was the last section before crossing under Cantrell Road. He stated the homes did not get water because the floor elevation was above the elevation of Cantrell Road. He stated they did get water around them but the homes did not get water inside. He stated the barns and sheds were placed at grade which was lower than Cantrell Road. He stated anything lower than Cantrell Road was going to get water into the structure. He stated this development would complete the drainage to Cantrell Road which then would open up the flows and reduce flooding on the adjacent property. He stated the zoning would add value and allow the remaining improvements to be completed.

There was a general discussion by the Commission concerning flooding and the development of the site. Staff stated Cantrell Road, Highway 10, was controlled by the State Highway Department. Staff stated any improvements to the box culverts under Cantrell Road was the responsibility of the Highway Department and not the developer.

There was no further discussion. The Chair entertained a motion for approval of the item as presented by staff including all staff recommendation and comments. The motion carried by a vote of 8 ayes, 0 noes and 3 absent.