

FILE NO.: Z-8977

NAME: South Bowman Road Long-form PD-R

LOCATION: Located at 4212 South Bowman Road

DEVELOPER:

EBW LLC
26 Collins Industrial Place
North Little Rock, AR 72113

ENGINEER:

Marlar Engineering
5318 JFK Boulevard
North Little Rock, AR 72116

AREA: 16.02 acres NUMBER OF LOTS: 1 FT. NEW STREET: 0 LF

CURRENT ZONING: R-2, Single-family

ALLOWED USES: Single-family residential

PROPOSED ZONING: PD-R

PROPOSED USE: Multi-family

VARIANCE/WAIVERS: A variance from the City Land Alteration Ordinance to allow advanced grading of future phases with the construction of the first phase.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is requesting a rezoning from R-2, Single-family to PD-R to allow the development of 192-units of multi-family housing on this 16.02-acre tract. The buildings are proposed as three (3) story buildings with a maximum building height of 35-feet. There are eight (8) buildings proposed, each containing 24-units. The site plan indicates the placement of an office/clubhouse, pool and covered pavilions as amenities for the residents. The plan indicates the placement of covered and uncovered parking on the site. The perimeter fencing includes the placement of an eight (8) foot solid brick fence along the northern and southern perimeters. A solid wood fence is proposed along the western perimeter. Brick and rod iron fencing will be placed along South Bowman Road.

B. EXISTING CONDITIONS:

South Bowman Road adjacent to the site is an unimproved two (2) lane road with open ditches for drainage. The property proposed for development is tree covered with a single-family home located near the northern property line on South Bowman Road. There is vacant C-2, Shopping Center District zoned property to the east. South of the site is a manufactured home park with homes abutting this properties southern boundary. North of the site is a large property which contains a single-family residence with a number of outbuildings and barns. Further south of the site is the Baptist School of Nursing, an office warehouse development, a convenience store and a number of automobile dealerships located on Colonel Glenn Road.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received several informational phone calls from area residents. All property owners located within 200-feet of the site along with the John Barrow Neighborhood Association and Southwest Little Rock United for Progress were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. South Bowman 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 street conforming to the Master Street Plan. Construct one-half street improvement to South Bowman Road including 5-foot sidewalks with the planned development. The new back of curb should be located 29.5-feet from centerline. Striping and tapers must be provided for a left turn lane.
3. 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. Is a variance being requested to advance grade future phases of development with construction of the first phase?
4. Provide a Sketch Grading and Drainage Plan per Section 29-186 (e).
5. Show the emergency access location to the property.
6. 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.
7. A minimum undisturbed strip 25-feet wide except for reasonable access shall be provided along each side of streams having a 10-year storm >150 cfs. The undisturbed strip should be measured from

the top of the bank. After permits have been obtained from the USCOE for the creek to be filled, the buffer strips can be removed.

8. Street Improvement plans shall include signage and striping. Public Works must approve completed plans prior to construction.
9. Streetlights are required by Section 31-403 of the Little Rock code. Provide plans for approval to Traffic Engineering. Streetlights must be installed prior to platting/certificate of occupancy. Contact Traffic Engineering 501.379.1813, Greg Simmons, for more information.
10. Driveway locations and widths do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. The width of driveway must not exceed 36-feet. The proposed center island should be removed.
11. Provide a letter prepared by a registered engineer certifying the sight distance at the intersection(s) comply with 2004 AASHTO Green Book standards. Provide location of the future street on the east side of Bowman Road on the plan. Conflicting left turn movements should be avoided.
12. Show emergency access location to the property.
13. 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 at 501.371.4646 for more information.
14. Retaining walls designed to exceed 15-feet in height are required to seek a variance for construction. Provide proposed wall elevations.
15. 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. Retaining walls with geotextile reinforcing mats should not be placed on the property line and the mats extend beyond the property line.
16. The flood statement should be modified with the correct zone identification.
17. 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.
18. Provide a Sketch Grading and Drainage Plan per Section 29-186 (e).

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this project. Sewer main relocation required to construct project as shown. Capacity Contribution required for apartment use. Contact Little Rock Wastewater Utility for additional information.

Entergy: Entergy has no objection to this development. A 3-phase power line exists along South Bowman Road. Care should be used in any excavation work on the southern edge of this project as an underground distribution line runs

along the rear lot lines of the development to the south. Contact Entergy well in advance to work out line routing, easements and service requirements. All future extensions will be on the front lot line.

Center-Point 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. 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.
4. 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.
5. Additional fire hydrant(s) will be required. Contact the Little Rock Fire Department to obtain information regarding the required placement of the hydrant(s) and contact Central Arkansas Water regarding procedures for installation of the hydrant(s).
6. A Capital Investment Charge based on the size of meter connection(s) will apply to this project in addition to normal charges...

Fire Department: Fire hydrants per code, maintain access per code, fire sprinkler system per code, fire alarms per code, access drives 26-feet, two-ways to enter and exit the development. Contact the Little Rock Fire Department for additional information.

County Planning: No comment.

CATA: The area is not currently served by CATA but it is in the long range planning for South Bowman Road. This location appears it will concentrate ridership potentially in the future. CATA would request for consideration ADA accessible sidewalks and a pullout along South Bowman Road for the development.

Parks and Recreation: No comment received.

F. ISSUES/TECHNICAL/DESIGN:

Building Code: Project is subject to full commercial plan review 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 Residential Low Density (RL) for this property. The Residential Low Density category provides for single family homes at densities not to exceed 6-units per acre. Such residential development is typically characterized by conventional single family homes, but may include patio or garden homes and cluster homes, provided that the density remain less than 6-units per acre. The applicant has applied for a rezoning from R-2 (Single Family District) to PDR (Planned District Residential) to allow the construction of an apartment development on this site at a density of 12± units per acre.

Master Street Plan: South Bowman Road is a Minor Arterial 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 South Bowman Road. 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 South Bowman Road. 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. 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. Easements cannot count toward fulfilling this requirement. The plantings, existing and purposed, shall be provided within the City's landscape ordinance requirements.
 - a. The approximate average depth of the lot is one thousand one hundred (1,100) feet. A fifty foot (50) foot wide buffer is required along Bowman Road.

3. A land use buffer will be required when an adjacent property has a dissimilar use of a more restrictive nature. As a component of all land use buffer requirements, opaque screening, whether a fence or other device, a minimum of six (6) feet in height shall be required upon the property line side of the buffer. A minimum of seventy (70) percent of the land use buffer shall be undisturbed. Easements cannot count toward fulfilling this requirement. The plantings, existing and proposed, shall be provided within the landscape ordinance of the City, Section 15-81.
4. The surrounding properties are zoned R-2, Single-family therefore, a minimum buffer will be required at six (6) percent of the average depth and width of the lot. The maximum dimension required shall be fifty (50) feet in all instances.
 - a. The approximate average width of the lot is six hundred fifty (650) feet. A thirty-nine (39) foot wide buffer is required along the north and south property lines.
 - b. The approximate average depth of the lot is one thousand one hundred (1,100) feet. A fifty foot (50) foot buffer is required adjacent to the west property line.
5. 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.
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 three hundred (300) square feet for developments with more than one hundred fifty (150) 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. The development of two (2) acres or more requires an approved landscape plan stamped with the seal of a registered landscape architect prior to the issuance of a building permit.
8. A landscape irrigation system 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. SUBDIVISION COMMITTEE COMMENT: (October 8, 2014)

Mr. Mike Marlar was present representing the request. Staff presented an overview of the development stating there were a number of technical issues associated with the request in need of addressing prior to the Commission acting on the request. Staff questioned the proposed signage plan, the proposed perimeter fencing and the dumpster screening mechanism. Staff requested the site plan indicate the maximum building height and the number of units per building.

Public Works comments were addressed. Staff questioned the retaining wall design and height. Staff stated the fabric for the wall could not extend beyond the applicants ownership. Staff stated the City's stormwater detention ordinance would apply to the development of the site. Staff also stated the site would require a secondary/emergency access and requested the revised site plan indicate the location of the secondary access.

Landscaping comments were addressed. Staff stated street and land use buffers were required to meet the minimum ordinance standards. Staff stated a 50-foot street buffer was required along South Bowman Road. Staff stated a 50-foot land use buffer was required along the western perimeter. Staff stated the land use buffer required along the northern and southern perimeters was to be 39-feet. Staff stated screening was required along the north, south and western perimeter.

Staff noted the comments from the various other agencies. 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 a number of the issues raised at the October 8, 2014, Subdivision Committee meeting. The site plan indicates the placement of perimeter fencing, the maximum building height and the number of units per building. The site plan also includes the placement of a secondary access for the development and the placement of buffering along the sites northern, western and southern perimeters.

The request is for approval of a rezoning from R-2, Single-family to PD-R to allow the development of 192-units of multi-family housing on this 16.02-acre tract for a density of 11.99-units per acre. The buildings are proposed as three (3) story buildings with a maximum building height of 35-feet. There are eight (8) buildings proposed, each containing 24-units. The site plan indicates the placement of an office/clubhouse, pool and covered pavilions as amenities for the residents. The buildings are proposed brick exteriors with architectural singled roofs.

The site plan indicates the placement of covered and uncovered parking on the site. The plan includes the placement of 430 parking spaces. Included in the 430 parking spaces are 13 covered parking structures with approximately 10-spaces within the covered structure. Per the Zoning Ordinance parking for multi-family developments is calculated at one and one-half parking spaces per unit. Based on 192 units a total of 286 parking spaces is required.

The perimeter fencing includes the placement of an eight (8) foot solid brick fence along the northern and southern perimeters. A wood fence is proposed along the western property line. Brick and rod iron fencing will be placed along South Bowman Road.

The site plan includes the placement of several dumpster locations. A note on the site plan indicates dumpsters will be screened per typical ordinance requirements. The hours of dumpster service will be limited to 6 am to 7 pm daily.

The site plan includes the placement of an identification sign at the entrance to the development. The sign is indicated with a maximum height of six (6) feet and a maximum sign area of 72-square feet. The sign is located within a planted landscape feature within the divided entrance to the development.

Staff is supportive of the request. The development is proposed at a density of 12± units per acres. The site plan as presented appears to provide adequate area for outdoor livability and recreational opportunities for the residents. Staff feels the developer has done a good job in trying to preserve buffers along the site perimeters. Staff does not feel the development as proposed will have a significant impact on the adjacent property.

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 the City's Land Alteration Ordinance to allow grading of future phases with the construction of the first phase.

PLANNING COMMISSION ACTION:

(OCTOBER 30, 2014)

The applicant was present. There was one 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 as recommendation of approval of the variance request from the City's Land Alteration Ordinance to allow grading of future phases with the construction of the first phase.

Mr. Mike Marlar of Marlar Engineering addressed the Commission. He stated the development was to allow the construction of multi-family at a density of 12 units per acre. He stated the developer was agreeable to including the taper as required by Public Works staff and in providing detention for the 5, 10 and 25 year storm events. He stated the developer was not agreeable to relocating the perimeter fence off the property line as was being requested by the adjacent neighbor. He stated the developer would maintain the undisturbed buffer but the buffer would be located inside the proposed development. He noted the request included grading within the buffer area along the southern perimeter and around the area of encroachment with the pipe stem lot.

Mr. Charles Sullivan addressed the Commission with concerns. He stated his property was located north of the proposed development. He stated his primary concern was drainage. He stated the existing dry-wash which ran through his property drained this site as well as a much larger area. He stated presently there were trees and grass to aid in absorption of the water but once the site was paved then more water would be discharged from the site which would potentially impact his only way in and out of his property. He stated secondly his concern was the buffer. He stated it was his understanding there was to be a buffer between single-family and multi-family.

He stated the plan as presented did not allow for a buffer on his side of the fence and all the buffering was located on the opposite side of the eight (8) foot tall brick wall. He stated his next concern was lighting. He stated he had visited the developer's project in Maumelle and the lighting was not fixed to the site. He stated the lighting was on the second and third level and the lighting did overspill the property lines.

Mr. Marlar stated he would speak to the developer but the lighting would comply with City code and would not be seen from the adjacent property. He stated the stormwater would be addressed as requested by Mr. Sullivan. He stated he would work with the City engineer to determine the best design practice to ensure detention was being provided. Mr. Marlar stated buffering was being provided along Mr. Sullivan's property line as required by City ordinance.

There was a general discussion by the Commission on the merits of the request. The Commission noted this development was somewhat less dense than the previous development discussed. The Commission noted there were additional options for the residents to travel and most would likely go to Colonel Glenn Road for access to services.

Staff questioned Mr. Marlar if he was willing to relocate the development sign outside the entrance drive median. Mr. Marlar stated the sign would not be placed within the median drive landscaped area. Mr. Marlar stated the developer was requesting to grade within the undisturbed land use buffer area around the pipe stem lot located within the development and potentially in areas along the south property line adjacent to the mobile home park. Staff stated they were supportive of this request provided the buffers on the north and west were maintained.

There was no further discussion of the item. The Chair entertained a motion for approval of the item, as presented by staff. The motion carried by a vote of 10 ayes 0 noes and 1 absent.