

FILE NO.: Z-6829-D

NAME: 1700 Kirk Road Revised Long-form POD

LOCATION: Located at 1700 Kirk Road

DEVELOPER:

1700 Kirk, LLC
1701 Centerview Drive, Suite 102
Little Rock, AR 72211

ENGINEER:

Development Consultants, Inc.
2200 North Rodney Parham Road, Suite 220
Little Rock, AR 72212

AREA: 11.42 acres

NUMBER OF LOTS: 3

FT. NEW STREET: 0 LF

CURRENT ZONING: POD

ALLOWED USES: O-2, Office and Institutional District Uses

PROPOSED ZONING: Revised POD

PROPOSED USE: O-2, Office and Institutional District Uses and the allowance of the accessory uses as identified in the O-2, Office and Institutional Zoning District

VARIANCE/WAIVERS:

1. The developer is requesting a variance from the City's Land Alteration Ordinance to allow for an excavation permit for the entire site area in advance of a building permit.
2. The developer is requesting a variance from Section 30-43 and 31-210 to allow the drives nearer the property lines than typically allowed.
3. The developer is requesting a variance to allow buildings to be placed as close as 15-feet horizontally from the maximum ponding area at the 564.00 contour. All buildings will have a minimum finish floor elevation of 567.00 or greater.
4. A variance to allow the placement of the sidewalk on one side of the southern entrance drive.

5. A variance from Section 30-43 and Section 31-210 to allow for driveways nearer the intersection than typically allowed.
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BACKGROUND:

Ordinance No. 20,907 adopted by the Little Rock Board of Directors on July 15, 2014, rezoned the property from MF-18 to O-2, Office and Institutional District. The property contained 11.42 acres and was proposed for a future office development. As a separate item the Board of Directors adopted Ordinance No. 20,905, also adopted by the Board of Directors on July 15, 2014, allowed a revision to the City Future Land Use Plan changing the future land use designation from Residential High Density to Office.

Ordinance No. 20,927 adopted by the Little Rock Board of Directors on September 2, 2014, rezoned the property from O-2, Office and Institutional District to POD. The approval allowed the development of multiple buildings on this 11.42-acre site. The approved uses included the uses allowed within the O-2, Office and Institutional Zoning District.

There were variances associated with the request. The approval allowed a variance from the City's Land Alteration Ordinance to allow for an excavation permit for the entire site area in advance of a building permit, a variance from Section 30-43 and 31-210 to allow the drives nearer the property lines than typically allowed by ordinance and a variance to allow buildings to be placed as close as 15-feet horizontally from the maximum ponding area at the 564.00 contour. All buildings were to have a minimum finish floor elevation of 567.00, or greater.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is requesting a revision to the previously approved Planned Office Development (POD) to create two (2) additional tracts at the south end of the property. The tracts are planned to be transferred to the adjacent owners to the west and south, respectively at some point in the future. Additionally the requested revision includes a small increase in the allowable building square footage for the southern-most building.

In addition to the previously approved variances the applicant is requesting a variance to reduce the requirement for the placement of a sidewalk on both sides of the proposed private drive/street. The applicant is requesting the variance to allow the placement of the sidewalk on one side only. There is also a variance from Sections 30-43 and 31-210 to allow for the internal driveway accessing the office development nearer the intersection with Kirk Road than typically allowed. The variance request is in addition to the three (3) variances that were approved in the previous POD approval.

B. EXISTING CONDITIONS:

The property is currently undeveloped and grass covered. Undeveloped C-1, Neighborhood Commercial zoned property is located to the north and northeast along Rahling Road. Also to the northeast and northwest of this site are multi-family developments. O-2, Office and Institutional District and O-3, General Office District zoned property is located to the south and southwest of this site. Fellowship Bible Church is located to the southeast of this property on the east side of Kirk Road. An undeveloped POD zoned property is located to the east of this site at the northeast corner of Wellington Village and Kirk Roads.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has not received any comment from area residents. All property owners located within 200-feet of the site along with the Villages of Wellington Property Owners Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. All driveways shall be concrete aprons per City Ordinance.
2. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
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. The applicant is requesting an advance grading variance for the entire site to be graded with construction of the first phase.
4. Stormwater detention ordinance applies to this property.
5. Building 2 is proposed to be constructed over the stormwater pipe. The pipe should be moved from under the building.
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. On site striping and signage plans should be forwarded to Public Works, Traffic Engineering for approval with the site development package.
8. Driveway locations do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. Driveway spacing on an arterial street is required by ordinance to be 150-feet from the side property line and 300-feet from other driveways and intersections. A variance must be requested for the northern driveway off Kirk Road.

9. Provide a letter prepared by a registered engineer certifying the sight distance at the driveway intersection(s) comply with 2004 AASHTO Green Book standards.
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.
11. 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.
12. Per the City of Little Rock Drainage Manual, in no case shall the limits of maximum ponding elevation be closer than 30-feet horizontally from any building and less than 1-foot vertically below the lowest sill or floor elevation. The previous application was approved showing the building 15-feet from the maximum ponding elevation.
13. Per the City of Little Rock Drainage Manual, maximum side slopes for the fluctuating area of permanent lakes shall be 1-foot vertical to 3-feet horizontal (3:1) unless provisions are included for safety, stability, and ease of maintenance.
14. Per the Master Street Plan, sidewalks are required to be constructed on both sides of commercial streets. A variance must be requested to place sidewalk on one side of the street.
15. Driveway locations do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. Driveway spacing on a commercial street required by ordinance to be 125-feet from the side property line and 250-feet from other driveways and intersections. A variance must be requested for the proposed south street off Kirk Road.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available for Lot 1. Sewer main extension required, with easements, for Tract 1 and 2 if sewer service is required for these tracts. Contact Little Rock Wastewater Utility for additional information.

Entergy: Entergy does not object to this proposal. Contact Entergy well in advance to work out service requirements and extension details as the area is all serviced via underground lines. There are 3-phase lines well to the east, south and north of this property which might be available as options.

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. A water main extension will be needed to provide water service to this property.
3. 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.
4. 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.
5. 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.
6. 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.
7. Contact Central Arkansas Water if additional fire protection or metered water service is required.
8. 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.
9. The facilities on-site will be private. When meters are planned off private lines, private facilities shall be installed to Central Arkansas Water's material and construction specifications and installation will be inspected by an

engineer, licensed to practice in the State of Arkansas. Execution of Customer Owned Line agreement is required.

10. 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 backflow preventer shall be required.
11. 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: Fire hydrants pre code, maintain access per code, entry drives 20-feet per lane at island are required. Contact the Little Rock Fire Department for additional information.

County Planning: No comment.

CATA: The area is not currently served by CATA and not currently included in CATA's long-range plan. While this location is not in the long range plans, it appears it could concentrate ridership potential in the future. CATA would request for consideration in ADA accessible sidewalks and a pullout, while they not may be used by CATA for some time, could help with traffic congestion in the future.

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 Chenal Planning District. The Land Use Plan shows Office (O) for this property. The office category represents services provided directly to consumers (e.g., legal, financial, medical) as well as general offices which support more basic economic activities. The applicant has applied for a revision to their existing POD (Planned Office District) zoning to modify the previously approved development by adding two (2) tracts on this site with no use changes.

Master Street Plan: Kirk Road is shown as a 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 Kirk Road. This street 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. Easements cannot count toward fulfilling this requirement. The plantings, existing and purposed, shall be provided within the City's landscape ordinance requirements.
3. 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.
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. 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 ($7 \frac{1}{2}$) 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.
6. 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.
7. A landscape irrigation system shall be required for developments of one (1) acre or larger.
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. SUBDIVISION COMMITTEE COMMENT: (October 8, 2014)

The applicant was present. Staff presented an overview of the development stating there were few outstanding technical issues associated with the request. Staff stated the Commission had previously approved a POD zoning for this site

and the only modifications were to allow the creation of two (2) additional tracts and to allow a slightly larger building footprint for one (1) of the buildings. Staff stated one (1) of the tracts would be transferred to an adjacent property to allow their ownership to have access to Kirk Road. Staff stated the second tract would most likely also be transferred to an adjacent property owner in the future.

Public Works comments were discussed. Staff stated in addition to the previously approved variances the development was creating a variance to allow the driveway accessing the site from the newly created drive entering the adjacent property to be located nearer the intersection than typically allowed. Staff stated the second was to allow the placement of sidewalk along one (1) side of the drive in-lieu of on both sides of the driveway.

Staff noted the comments from the various other agencies stating there were few if any changes to the previously approved development. 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 the issues raised at the October 8, 2014, Subdivision Committee meeting. The revised plan notes two (2) additional variances being requested from the original approval. The revised plan indicates Building 1 containing 33,534 square feet as opposed to the previously approved 27,000 square feet. The applicant is seeking approval of uses as allowed within the O-2, Office and Institutional Zoning District as well as the accessory uses as allowed within the O-2, Office and Institutional Zoning District.

The buildings will be constructed as one and two-story structures with a maximum building height of 45-feet. The building construction will be completed in three (3) phases. Phase 1A includes the construction of Building 1 and the associated parking and drive isles. Phase 1B will include the construction of Building 2 and the associated parking and drive isles. Phase 2 will include the construction of Building 3. The final phase consists of the construction of Building 4 and completion of the parking areas. There will be a common access and parking agreement to allow cross connecting drives and parking through the development.

Building 1 is proposed as a two (2) story building containing a maximum of 33,550 square feet with a maximum building height of 48-feet. Building 2 is proposed as a 1-story building containing a maximum of 11,250 square feet and a maximum building height of 25-feet. Building 3 is proposed as a 2-story building containing a maximum of 27,000 square feet and a maximum building height of 48-feet. Building 4 is proposed with a maximum building height of 48-feet and a maximum building area of 33,000 square feet. The total square footage on the site plan includes 104,784 square feet and 11.66-percent building

coverage. The floor area ratio for the site is 21.06-percent. The interior landscape area is 11.83-percent and the total number of parking spaces provided is 424 spaces for a parking ratio of 4.046 to 1,000.

The buildings will be structural steel frame (steel columns, beams and bar joints) with concrete foundations and floor slabs. The roofs will be primarily low-slope single-ply membrane over rigid insulation on metal deck, typically with a parapet at the perimeter. Some exposed standing seam metal roofing will be used on limited areas. Exterior facades will be a combination of masonry (brick or stone) and aluminum and glass storefront with limited areas of insulated composite metal panels or other accent material. Overhangs, shading devices and other exterior fenestration will be incorporated into the designs to provide interest and control solar gain.

The site plan includes the placement of monument signs along Kirk Road and one interior monument sign for Lot 1. The plan also includes the placement of a monument sign for Tract 1. Three monument signs will serve Lot 1. All signs requested will be ten (10) feet high and one hundred (100) square feet in area. Building signage will be placed as typically allowed in office zones or a maximum of ten percent of the façade area abutting a public street.

A note on the site plan states a dense evergreen screening will be provided along the northwestern portion of the site to provide screening from the adjacent existing multi-family housing property. No additional fencing is anticipated with the development. Should fencing be proposed in the future all fencing would comply with the typical standards for placement and height of fencing allowed in office zones.

There are variances associated with the request. The developer is requesting a variance from the City's Land Alteration Ordinance to allow for an excavation permit for the entire site area in advance of a building permit. The applicant has stated grading of the entire site with the initial construction allows the site to balance eliminating the need for hauling material from the site only to bring material back to the site when a subsequent building is constructed.

The request includes a variance from Section 30-43 and 31-210 to allow the drives nearer the property lines than typically allowed. The northern most drive does not comply with the typical requirement of being located 150-feet from the property line 37.03-feet. Staff is supportive of the variance requests. The drive is proposed as a right-in/right-out driveway. The applicant's engineer has provided certification stating the sight distance at this location is adequate.

The request includes a variance to allow buildings to be placed as close as 15-feet horizontally from the maximum ponding area. Per the City of Little Rock Drainage Manual, in no case shall the limits of maximum ponding elevation be

closer than 30-feet horizontally from any building and less than 1-foot vertically below the lowest sill or floor elevation. The variance would allow buildings to be placed as close as 15-feet horizontally from the maximum ponding area at the 564.00 contour. All buildings will maintain a minimum finish floor elevation of 567.00 or greater.

In addition to the previously approved variances the applicant is requesting a variance to reduce the requirement for sidewalk on both sides of the proposed private drive/street. The applicant is requesting the sidewalk placement be limited to one (1) side of the private drive/street only.

There is also a variance from Section 30-43 and Section 31-210 to allow for the internal driveway accessing the office development nearer the intersection with Kirk Road than typically allowed. The drive is located as far from the intersection as feasible but continues to require a variance.

Staff is supportive of the request. The applicant is proposing a rezoning from O-2, Office and Institutional District to POD to allow the development of an office development with similar development criteria as the O-2 zoning district. To staff's knowledge there are no outstanding technical issues associated with the request. Staff feels the office 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 following variances associated with the request:

- a. The variance request from the City's Land Alteration Ordinance to allow for an excavation permit for the entire site area in advance of a building permit.
- b. The variance request from Section 30-43 and 31-210 to allow the drives nearer the property lines than typically allowed.
- c. The variance request to allow buildings to be placed as close as 15-feet horizontally from the maximum ponding area at the 564.00 contour. All buildings must have a minimum finish floor elevation of 567.00 or greater.
- d. The variance to allow the placement of the internal driveway accessing the office development nearer the intersection with Kirk Road than typically allowed.

- e. The variance to allow the placement of the sidewalk along the private drive/street on one side only.
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PLANNING COMMISSION ACTION:

(OCTOBER 30, 2014)

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 following variances associated with the request:

- a. The variance request from the City's Land Alteration Ordinance to allow for an excavation permit for the entire site area in advance of a building permit.
- b. The variance request from Section 30-43 and 31-210 to allow the drives nearer the property lines than typically allowed.
- c. The variance request to allow buildings to be placed as close as 15-feet horizontally from the maximum ponding area at the 564.00 contour. All buildings must have a minimum finish floor elevation of 567.00 or greater.
- d. The variance to allow the placement of the internal driveway accessing the office development nearer the intersection with Kirk Road than typically allowed.
- e. The variance to allow the placement of the sidewalk along the private drive/street on one side only.

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 11 ayes 0 noes and 0 absent.