

FILE NO.: Z-5442-F

NAME: James Mitchell School Revised Short-form PCD

LOCATION: Located at 2410 South Battery Street

DEVELOPER:

KLS Leasing
c/o WD & D Architects
400 West Capitol Avenue, Suite 1800
Little Rock, AR 72201

SURVEYOR:

Global Surveying Consultants, Inc.
Attn. Paxton Singleton
6511 Heilman Court
North Little Rock, AR 72118

AREA: 0.98 acres NUMBER OF LOTS: 1 zoning lot FT. NEW STREET: 0 LF

WARD: 1 PLANNING DISTRICT: 8 – Central City CENSUS TRACT: 11

CURRENT ZONING: PCD

ALLOWED USES: Mixed Use Development – Multi-family Residential, Office, Commercial, Public/Quasi Public Uses - Charter School – Gymnasium, Wellness Center, Commercial, Office, Public/Quasi Public, Media Center/Radio Station, Elderly Housing

PROPOSED ZONING: Revised PCD

PROPOSED USE: Mixed use development – Review the development plan for a Public Charter School

VARIANCE/WAIVERS: None requested.

BACKGROUND:

The overall property located at 2410 S. Battery Street is divided into three basic areas: 1) the Main Building – the original structure built in 1908 with approximately 35,000 square feet including an attached addition, called the Annex; 2) a one story classroom addition with approximately 3,800 square feet; and 3) a single detached classroom building, built in the 1970's with approximately 1,000 square feet all totaling

approximately 39,800 square feet. The property was zoned R-4, Two-family District with a Conditional Use Permit to allow a school.

Ordinance No. 20,004 adopted by the Little Rock Board of Directors on July 15, 2008, established the James Mitchell School Short-form PCD. The approval established uses for the site requiring a number of the uses to be reviewed through a revision to the PCD prior to the use locating on the site. The uses which were allowed without a public review were the public-quasi public type uses such as the pre-K-12 educational/day care – supplemental educational services, Saturday academy, summer program, pre-K program and/or day care, meeting space for the Wright Avenue Neighborhood Association. The approval also allowed the owner to operate warehouse space for storage of merchandise for his internet distribution business. There was to be no walk-in customer traffic because the business involved internet sales only. Approved uses which would require review through a revision to the PCD included multi-family residential – 1, 2, 3 bedroom loft apartments, recreation – fitness center and/or police athletic league, dance studio/recording studio, meeting/event rental space – conference/ meetings/ workshop/ wedding receptions and/or parties, eating place inside – café, cafeteria and/or restaurant.

Ordinance No. 20,140 adopted by the Little Rock Board of Directors on July 23, 2009, allowed a revision to the PCD zoning. The proposed development activities included a charter school in the main 33,000 square foot building of the former Mitchell Elementary School. The charter school was proposed with 550 students grades 6, 7 and 8 with 48 staff members utilizing 21 classrooms in the main 33,000 square foot building, 5 classrooms in the two existing outer buildings and 4 classrooms in the new gymnasium building. The normal hours of operation of the charter school were from 7 am to 5 pm Monday through Friday. There would also be special programs from time to time such as open house, recitals or other school functions scheduled during the evening or weekend hours.

In recognition of the charter school's need to include physical education in the curriculum, during Phase 2, the developer was to build a two story building, approximately 35,000 square feet on the southwest segment of the site to accommodate the basic physical education needs of the middle school level charter school facility. The charter school's gym included indoor and rooftop activity space, including an indoor regulation sized basketball court, multi-use with expanding bleachers for school assemblies; aerobics; paddle ball; volley ball; and community functions, locker and shower facilities; administrative office space; and a green roof or eco-roof for energy consciousness advantages as well as an external laboratory for academic projects. During off hours, the gymnasium facility was approved as meeting rental space for events hosted by the Charter School or the Neighborhood Association. The new gymnasium facility would be linked by a covered walkway to the main school building.

Ordinance No. 20,349 adopted by the Little Rock Board of Directors on October 19, 2010, allowed a revision to the previously approved PCD, Planned Commercial Development, to add senior citizen housing as an allowable use for the property. The plan included the

main building (approximately 35,000 square feet) would be renovated to accommodate sixteen (16) 2-bedroom units and that a new three-level apartment building (approximately 45,000 square feet) would be constructed on the southwest corner of the site to accommodate forty (40) 2-bedroom units at a minimum of 950 square feet each. The overall development consisted of fifty-six (56) senior citizen housing units.

The public corridors in the main building were to be renovated as common spaces (passive seating areas) for the residents to interact outside of their private units. A new security station was proposed at the north entry lobby to the main building as well as at the basement loading dock area. Commercial lease space was to occur in the detached four (4) classroom building, the single classroom building, the basement of the main building, the new building and the attic of the main building. The development did not occur.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant now proposes to amend the previously approved PCD, Planned Commercial Development, to allow the review of the development plan for a public charter school which will occupy the site. The proposed project is to renovate the James Mitchell School. The project will take the abandoned school and convert it back to a public charter school serving grades K through 8th. The existing vacant school buildings are 42,695 total square feet combined. The buildings together contain the potential for 22 new classrooms, a new office and administration area, a new cafeteria for 170 students, a new kitchen/food prep area, toilets and storage. The existing school campus also has a playground teacher parking and an existing loading area. The Charter School will fit with the existing structure starting at 344 students in the first year and reach up to 544 students by Year 5.

As with most Charter Schools vehicular traffic will be addressed and will be designed with the assistance of Peters and Associates. This traffic engineering firm has been engaged to review access and drop-off for the site.

B. EXISTING CONDITIONS:

The site is a former elementary school campus. The area is predominately residential with a scattering of commercial and office uses located along Roosevelt Road. To the east is a property zoned PCD which was approved for a daycare facility. To the west along Roosevelt Road is a property zoned C-3, General Commercial District which is presently vacant.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200-feet of the site along with the Downtown Neighborhood Association and the Wright Avenue Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Due to the proposed use of the property, the Master Street Plan specifies that Battery Street for the frontage of this property must meet commercial street standards. Dedicate right-of-way to 30 feet from centerline.
2. Due to the proposed use of the property, the Master Street Plan specifies that 24th Street for the frontage of this property must meet commercial street standards. Dedicate right-of-way to 30 feet from centerline.
3. Due to the proposed use of the property, the Master Street Plan specifies that Summit Avenue for the frontage of this property must meet commercial street standards. Dedicate right-of-way to 30 feet from centerline.
4. Roosevelt Road is classified on the Master Street Plan as a principal arterial with special design standards. Dedication of right-of-way to 35 feet from centerline will be required.
5. A 20-foot radial dedication of right-of-way is required at the four (4) street intersection adjacent to the site.
6. Repair or replace any curb and gutter or sidewalk that is missing, damaged, or obstructed by vegetation in the public right-of-way prior to occupancy.
7. Property frontage needs to have the sidewalks and ramps brought up to the current ADA standards.
8. Vehicle stacking or stopping within the public right-of-way for student pick up and drop off is not permitted.
9. Submit a Traffic Impact Study and/or Traffic Control Plan for the proposed project. Study should address trip generation and trip distribution for the development, vehicle stacking, student drop-off and pick-up and also should take into account existing and projected traffic growth.
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 AND FIRE DEPARTMENT/COUNTY PLANNING:

Little Rock Wastewater: Sewer available to this site. EAD approval required for food prep on site.

Entergy: Entergy does not object to this proposal. Three phase electrical service is already being provided to the structure. Power lines (overhead) currently exist on the north and west sides of this property. They do not appear to be in conflict

with the proposed use of the existing building. Contact Entergy in advance to discuss any changes to 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. Contact Central Arkansas Water regarding the size and location of the water meter.
5. 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.
6. 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.
7. 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: Full plan review.

Parks and Recreation: No comment received.

County Planning: No comment received.

Rock Region Metro: The site is located on Rock Region Metro Route #11, the MLK, Jr. Drive bus route.

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.gov or
Mark Alderfer at 501.371.4875; malderfer@littlerock.gov.

Planning Division: This request is located in Central City Planning District. The Land Use Plan shows Mixed Use (MX) for this property. The Mixed Use category provides for a mixture of residential, office, and commercial uses to occur. A Planned Zoning District is required if the use is entirely office or commercial or if the use is a mixture of the three. The applicant has applied for a rezoning from a PCD (Planned Commercial Development) to a Revised Short-form PCD (Planned Commercial Development) to review the development plan for a school within the existing building.

Master Street Plan: South Summit Street, West 24th and South Battery Street are shown as a Local Streets on the Master Street Plan. South of the property is W Roosevelt Road and is shown as a Principal Arterial on the Master Street Plan. 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. 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 West Roosevelt Road since it is a 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: There are no bike routes shown in the immediate vicinity.

Landscape:

1. Any new site development must comply with the City's landscape and buffer ordinance requirements.

2. Existing vehicular use areas may continue as nonconforming until such time as a building permit is granted to enlarge or reconstruct a structure on the property exceeding ten (10) percent of the existing gross floor area. At such time ten (10) percent of the existing vehicular use area shall be brought into compliance with the landscape ordinance and shall continue to full compliance on a graduated scale.
3. If building rehabilitation exceeds fifty percent (50%) of the replacement cost then the landscaping and buffer must also come into compliancy accordingly.
4. 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 5, 2017)

The applicant 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 number of classrooms proposed. Staff also questioned the proposed drop-off and pick-up plan. Mr. Ernie Peters of Peters and Associates stated his firm was working with Traffic Engineering to develop a circulation plan which would have the least impact on the abutting streets.

Public Works comments were addressed. Staff stated right of way dedications and radial dedications were required for the abutting streets. Staff stated sidewalks were required to be repaired and replaced with the development of the site. Staff stated damage to the public streets due to hauling operations or operation of construction related equipment was to be repaired prior to the issuance of a certificate of occupancy.

Landscaping comments were addressed. Staff stated any new paved areas were required to be landscaped to meet the landscape ordinance. Staff stated any missing landscaping on the site was to be replaced with the redevelopment of the site. Staff stated if the building rehabilitation exceeded fifty percent (50%) of the replacement cost of the building then landscaping was to come into compliance accordingly.

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 submitted a revised site plan and cover letter to staff addressing a number of the technical issues associated with the request. The applicant has provided the number of classrooms, the location of the drop-off and pick-up and the proposed circulation plan.

The applicant is proposing to amend the previously approved PCD, Planned Commercial Development, to allow the review of the development plan for a public charter school which will occupy the site. The proposed project is to renovate the James Mitchell School. The school will serve grades K through 9th. The building will contain the potential for 21 new classrooms. The school will operate from 8:00 am to 4:30 pm, Monday through Friday and 10 additional days longer than a normal school year – 5 days added at the beginning and end of each year. August 14 through June 5 are the proposed dates. The school will follow the LRSD calendar and weather policy.

The buildings together contain the potential for 22 new classrooms, a new office and administration area, a new cafeteria for 170 students, a new kitchen/food prep area, toilets and storage. There will be grades K-2 in the first year and three (3) grade levels added in each additional year. There are two (2) classes for each grade level. There are 25 students in a typical classroom. There will be approximately five (5) administrative staff plus one (1) teacher per classroom. Grades 3 – 6 are proposed on the second level of the school. Each of these grades also contain two (2) classrooms. Grades 7 – 9 are located on the third level of the school. Grades 7 – 8 contains two (2) classrooms, Grade 9 contains three (3) classrooms.

The applicant indicates in Year 1, 40-K students, 50 students in each grades 1st – 5th. The second year (FY 2020) 40-K student. 50 students in each grade 1st – 6th. The third year 40-K students. 50 students in each grade 1st – 7th. Year 4 (FY 2022) 40-K students, 50 students in each grade 1st – 8th. Year 5 (FY2023) 40-K students, 50 students in each grade 1st – 8th and 75 students in Grade 9.

Year 2021 the applicant indicates 100 students in Grade 10, Year 2025, 100 students in grades 10th and 11th and Year 2027, 100 students in each grades 10th – 12th. The enrollment proposed for Grades K – 9 is 515 students with a cap of 535 students. The total number of students proposed for Grades 10 – 12 is 300 students.

The applicant states there will be after school activities as the school grows. The applicant indicates there will be a media center, library, laptop commons, lecture hall and fine arts/band program.

The plan indicates the placement of 24 parking spaces along Battery Street and Roosevelt Road. The plan also includes 21 parking spaces located at the intersection of 24th Street and Summit Avenue. The plan indicates parent drop-off on both Battery and Summit Avenue. Pick-up will be from Summit Avenue using the playground area for stacking. Parking for a school is based on classrooms and the number of employees and grades. Based on the applicant's proposal for grades K – 12 a total of 100+ parking spaces would typically be required.

As with most Charter Schools vehicular traffic will be addressed and will be designed with the assistance of Peters and Associates. This traffic engineering firm has been engaged to review access and drop-off for the site. Staff feels the following additional conditions are to be included in the approval to ensure the flow of traffic and the clarify staff's position for future access and circulation concerns:

1. Vehicular traffic dropping off or picking up students shall not stop, wait or delay other vehicular movements, block driveways, and/or form vehicular queues at any time on Roosevelt Road. Should queuing occur on Roosevelt Road, Mitchell Charter School agrees to eliminate such queuing by modifying the approved Traffic Control Plan to eliminate such queuing including but not limited to the staggering of class times as required to eliminate such queuing.
2. Mitchell Charter School agrees to have their Traffic Engineer present at the opening day of school and subsequent days as necessary, to monitor the school traffic and identify any traffic problems/issues or potential traffic problems/issues during times of school pick-up and drop-off. When problems/issues are identified, corrective measures should be taken to address those problems/issues.
3. Should conditions warrant for orderly flow of traffic around the school, Mitchell Charter School agrees to hire, at no cost to the City of Little Rock, off-duty police officers, as required, to execute the Traffic Control Plan at key, identified locations around the school and adjacent to the school within the public right-of-way.
4. Prior to opening the school, all crosswalk markings, striping and other pavement markings within roadway and at intersections adjacent to the school must be inspected and if faded or worn out, be restriped with new Thermoplastic material.

The proposed fence location will create sight distance obstructions. In accordance with Section 32-8, no obstruction to visibility shall be located within a triangular area 50 feet back from the intersecting right-of-way line at the existing and proposed driveway and street intersections. The fence must be redesigned or relocated outside the sight triangle.

Staff is supportive of the applicant's request. The applicant is seeking review of the access and circulation plan for the site. Staff has worked with the applicant's traffic engineer and feel the applicant's proposal will have little impact on the abutting streets. To staff's knowledge there are no remaining outstanding technical issues associated with the request. Staff feels the request for the placement of the school 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.

PLANNING COMMISSION ACTION:

(APRIL 27, 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 and the additional conditions as indicated by public works staff of the agenda staff report. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff by a vote of 11 ayes, 0 noes and 0 absent.