

FILE NO.: Z-8278-A

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NAME: The District at Midtown Long-form PCD

LOCATION: Located at 600 South University Avenue or the Northwest corner of I-630 and University Avenue

DEVELOPER:

Little Rock Midtown LP  
c/o Provident Realty Advisors  
10210 N Central Expressway, Suite 300  
Dallas, TX 75231

OWNER/AUTHORIZED AGENT:

Little Rock Midtown LP, Chris Anderson, Managing Partner  
Development Consultants, Inc., Authorized Agent

SURVEYOR/ENGINEER:

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

AREA: 29.75-acres      NUMBER OF LOTS: 1 zoning lot      FT. NEW STREET: 0 LF

WARD: 3      PLANNING DISTRICT: 3 – West Little Rock      CENSUS TRACT: 21.03

CURRENT ZONING: C-3, General Commercial District

ALLOWED USES: General Retail

PROPOSED ZONING: PCD

PROPOSED USE: Mixed use – C-3, General Commercial District uses and O-3, General Office District uses – Midtown Design Overlay District

VARIANCE/WAIVERS:

1. Variances from the Land Alteration Ordinance to allow retaining wall heights, wall lengths and allow grading of the entire site without the issuance of a building permit.
2. Variances from the typical buffer ordinance requirements.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

Provident Realty Advisors is requesting a zoning change for the redevelopment of this property. The proposed planned development is designed to modify some of the requirements of the Midtown Overlay District in order to apply to this freeway oriented, limited access location. This development features more of an internal access orientation since the University Avenue frontage is so limited and the I-630 freeway exposure, while very long and visible, has no access and only a single point of egress. As such, the development includes interior "private drives" to provide access to all of the properties while the orientation of many is towards the freeway visibility. Pedestrian accessibility is likewise provided internally to all of the building locations. The development will be divided into a number of separately platted parcels to facilitate ground lease sales, and different sources of financing for the various product types.

Currently the site is a vacant Sears building and auto center and a vacant medical office building. There is very little interior landscaping and very little buffering around the perimeters. The proposal includes a substantial amount of new landscaping and buffer areas totaling an estimated 24.5% of the redevelopment area. Some of these areas include decorative architectural features to help create an integrated "district" feel to the project named The District in Midtown.

The request includes a variance from the Landscape Ordinance requirements (Chapter 15 of the Little Rock Code of Ordinances) to allow a reduced freeway buffer. The typical buffer requirement is 30-feet. The applicant is proposing to reduce the buffer to 20-feet. The City Beautiful Commission will review this request at their June 2018, public hearing.

The request also includes a variance from the Land Alteration Ordinance to allow grading of the site without the issuance of a building permit, retaining walls to exceed the typical maximum wall height of 15-feet (20-feet is proposed) and to allow walls to exceed the maximum length without off-setting the wall.

The request also includes several exceptions to the Midtown Design Overlay District requirements. The exceptions are outlined in the Analysis Section of this report.

B. EXISTING CONDITIONS:

The site contains the former Sears Building, the auto service center and a multi-story office building, all of which have been vacated. The property is located in the Mid-town Design Overlay District. There are multi-story office buildings located to the north of this site, the Doctors Building at the intersection of South University Avenue and Midtown Avenue. Arkansas Specialty Surgery Center is located at the intersection of McKinley Street and Midtown Avenue. Both properties were purchased by this developer and are included in the rezoning request. The zoning map indicates West 6<sup>th</sup> Street traversing this site. West 6<sup>th</sup> Street is a private street and was not dedicated to the City as a public street. The

requested rezoning is to allow the development of the site with multiple buildings and lots which the lots and building placements may or may not comply with the Hillcrest Design Overlay District requirements.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200-feet of the site along with the Briarwood Neighborhood Association, the Hillcrest Residents Neighborhood Association and the University Park 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 Midtown Avenue for the frontage of this property must meet commercial street standards. Dedicate right-of-way to 30-feet from centerline.
2. University Avenue is classified on the Master Street Plan as a principal arterial. Dedication of right-of-way to 55-feet from centerline will be required.
3. The proposed private streets should be constructed with concrete aprons per City Ordinance.
4. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
5. Obtain permits for improvements within State Highway right-of-way from ARDOT, Arkansas Department of Transportation, District VI.
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. Provide a Sketch Grading and Drainage Plan per Section 29-186 (e). Show location of existing stormwater piping across the property.
8. 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.
9. Street improvement plans shall include signage and striping. Public Works must approve completed plans prior to construction.
10. Hauling of fill material on or off site over municipal streets and roads requires approval prior to a grading permit being issued. Contact Public Works Traffic Engineering, 621 South Broadway Street, Travis Herbner, [therbner@littlerock.gov](mailto:therbner@littlerock.gov) or 501.379.1805 for more information.
11. Due to the disconnection of Sixth Street, another name should be used instead. Street names and street naming conventions must be approved by Public Works. Contact Glenn Haley, [ghaley@littlerock.gov](mailto:ghaley@littlerock.gov) or 501.371.4537.

12. Coordinate design of traffic signal upgrade with proposed street improvements. Plans to be forwarded to Traffic Engineering for approval.
13. Submit a Traffic Impact Study for the proposed project. Study should address trip generation and trip distribution for the development and also should take into account existing and projected traffic growth.
14. Traffic calming devices are required for long straight streets to discourage speeding. Traffic circles, roundabouts, pedestrian tables and narrowing are suggested at regular intervals and at main intersections. Contact Traffic Engineering, Travis Herbner, [therbner@littlerock.gov](mailto:therbner@littlerock.gov) or 501.379.1805 for additional information. Provide detail of proposed traffic calming devices proposed to be used.
15. 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.
16. Retaining walls designed to exceed 15-feet in height are required to seek a variance for construction. Provide proposed wall elevations.
17. 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.
18. Show proposed location(s) of USPS cluster box units in conformance with USPS and City of Little Rock policy design standards.

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

Little Rock Water Reclamation Authority: Sewer available to this site. Capacity fee analysis required for hotels. EAD review required if food service on site. Contact Little Rock Water Reclamation Authority for additional information.

Entergy: Entergy does not object to this proposal. However, there are multiple electrical Distribution power lines running around and through this property. The lines on the west side and north side of the area are overhead power lines. There is an underground power line running east and west across the center of the property along the path of what was previously 6<sup>th</sup> Street. There is an underground power line running along the east side of the property beginning on the west side of University and I-630 extending north. Entergy has met previously with a developer about this property. Contact Entergy in advance to discuss electrical service requirements, conduit layout, and adjustments to existing facilities (if any) as this project proceeds.

Centerpoint Energy: Centerpoint Energy currently owns and operates a high profile natural gas pipeline that runs east from South McKinley Street along West 6<sup>th</sup> Street (Sears Drive), and then turning south to run along the east side of the old Sears building. Upon review of the preliminary plat, there was no indication of retaining the existing, or proposing new utility easements in these locations.

Therefore, Centerpoint Energy requests that any existing utility easements containing Centerpoint Energy infrastructure remain in place and not be encroached upon. Or, new general utility easements be dedicated on the proposed plat in the locations identified by Centerpoint Energy. Contact Centerpoint Energy with any questions in regards to this request. Centerpoint Energy will provide sketches and/or facility maps in order to identify existing CenterPoint Energy infrastructure if needed.

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: Full Plan review required. Contact the Little Rock Fire Department Captain Tony Rhodes for additional information.

Parks and Recreation: No comment received.

County Planning: No comment received.

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. This project will require fully developed Architectural, Structural, Civil and MEP Plans. Contact a commercial plans examiner: Curtis Richey at 501.371.4724; [crichey@littlerock.gov](mailto:crichey@littlerock.gov).

Landscape:

1. Any new site development 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.
3. 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.
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. The perimeter planting strip adjacent to freeways or expressways shall be at least thirty (30) feet wide. One (1) tree and three (3) shrubs or vines shall be planted for every thirty (30) linear feet of perimeter planting strip. The perimeter planting strip adjacent to the I-630 right-of-way is deficient.
5. Land use buffers shall only be provided where single-family and duplex use or zoning is the abutting use. In those cases where a land use buffer is required, buffers shall be the same as those for multifamily uses in

Subsection 36-522(b)(1). In areas where terrain variation is great or other features result in the loss of privacy, alternative designs and massing shall be considered.

6. 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. In addition to the required screening, buffers are to be landscaped at the rate of one (1) tree and three (3) shrubs for every thirty (30) linear feet. Existing plant material can be used to meet these minimum requirements.
7. 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.
8. 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 seven and one half (7 ½) 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.
9. A landscape irrigation system shall be required for developments of one (1) acre or larger.
10. The development of two (2) acres or more requires the landscape plan to be stamped with the seal of a Registered Landscape Architect.
11. 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:

Rock Region Metro requests including transit into this design of the project as a means of improving service to METRO residents as well as improving transportation options to the District at Midtown and the Midtown area as a whole. METRO is concerned about the impacts of this project on the routes and the Midtown bus hub. METRO is excited to see significant measures have been taken to include pedestrian infrastructure in this project. Still, METRO has questions concerning the nature of the sidewalk and crosswalk plans.

METRO's second largest hub, which had 121,769 boardings in 2017 (339 per day), is located on Midtown Avenue, adjacent to the project site. Five (5) routes serve the hub, including the #3-Baptist Medical Center, the #5-West Markham Route, the #8-Rodney Parham Route, the #9 West Central/John Barrow Road and the #22-University Avenue/Mabelvale Route. 305 buses pass through the hub every weekday.

METRO sees this project as an excellent opportunity to re-envision the second busiest location as an integral part of the Midtown area. The creation of a regional bus hub in Midtown will bring significant economic, social and environmental benefits to this project, including providing a geographically fixed customer base, increased amounts of physical activity among residents and decreased per capita on-site emissions.

The current plan causes METRO great concern over potential impacts to transit service. Three (3) METRO routes, #3, #9 and #22, are aligned along West 6<sup>th</sup> Street through the proposed project site. Not only will construction disrupt these routes, according to the current plans there is no provisions for buses along West 6<sup>th</sup> Street after the completion of construction. METRO requests that the plans be amended to allow continued service through the site for these routes.

METRO greatly appreciates the projects inclusion of sidewalks leading from Midtown Avenue into the property. METRO is concerned with the steep slope of the landscape between Midtown Avenue and the properties, and in particular how people with wheelchairs will be able to navigate this slope.

METRO suggest improving upon the current plan by adding striping at all pedestrian crossings. It is great to see striping included at some crossings, but comprehensive striping throughout the site is preferable.

METRO suggests an expansion of the pavement of the proposed 5-foot sidewalk along the south side of the new West 6<sup>th</sup> Street to include the 4-foot currently reserved for grass. Creating a pedestrian through-route through the property would allow for an extension of the pedestrian/bike path that already abuts the western edge of the property. Having a direct pedestrian path from areas to the west, including Kanis Park, to areas to the east, including St. Vincent's hospital, would be a huge asset to the neighborhood.

Planning Division: This request is located in West Little Rock 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 PCD (Planned Commercial District) and C3 (General Commercial District) to PCD (Planned Commercial Development) to allow for a mixed use development including commercial and office. The request is within the Midtown Design Overlay District.

Master Street Plan: Midtown Avenue, West 6<sup>st</sup> Street and South McKinley Street are all shown as Local Streets on the Master Street Plan. East of the properties is South University Avenue and it shown as a Principal Arterial on the Master Street Plan. South of the property is Interstate 630 and it is shown and a Freeway 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 on traffic and pedestrians on South University Avenue since it is a Principal Arterial. The primary function of a Freeway is to serve through long distance trips. Freeways are always designed as full access control roads (no direct access) entrances and exits should be limited to minimize negative effects on traffic on I-630 since it is a Freeway. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: There is a Class III Bike Route shown on Midtown Avenue. These bike routes require no additional right-of-way, but either a sign or pavement marking to identify and direct the route.

H. SUBDIVISION COMMITTEE COMMENT: (April 25, 2018)

Mr. Robert Brown of Development Consultants, Inc. and Mr. Cliff McKinney of Quattlebaum, Grooms and Tull were 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 signage plan. Staff also stated the name of the internal drive could not be 6<sup>th</sup> Street and the developer should consider a different name for the street.

Public Works comments were addressed. Staff stated a grading permit was required prior to the development of the site. Mr. Brown stated all site work would be completed in a single phase. Staff stated this would require a variance from the land alteration ordinance to allow grading of multiple phases with the development of the first phase. Staff also questioned the heights of the proposed retaining walls. Mr. Brown stated it was possible portions of the walls would exceed 15-feet in height. Staff stated this would also require a variance. Staff stated traffic calming was required on the long straight streets to discourage speeding. Staff requested the applicant provide a sketch grading and drainage plan for the proposed site development.

Landscaping comments were addressed. Staff stated all new site development was to comply with the City’s landscape ordinance and the buffer ordinance requirements in addition to the Mid-town Design Overlay District. Staff stated screening requirements of vehicular use areas adjacent to street rights of way were required. Staff stated a land use buffer was required adjacent to the property

located to the south which was being used as single-family or a duplex. Staff stated sites of two (2) acres or more required a landscape plan stamped with the seal of a registered landscape architect.

Rock Region Metro comments were addressed. Staff stated this site was a major component of their route. Staff stated currently there were three (3) routes which aligned along West 6<sup>th</sup> Street through the proposed project site. Staff stated Metro's second largest hub was located on Midtown Avenue, adjacent to the proposed site. Staff stated five (5) routes served the hub. Staff stated 305 buses passed through the hub every weekday.

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 and cover letter to staff addressing most of the technical issues associated with the request. The applicant has provided the proposed signage plan and indicated the drive through the development as District Avenue. The request is a rezoning of the site from C-3, General Commercial District to PCD, Planned Commercial Development District to allow the redevelopment of the site with a multi-lot development. The plan indicates the development of the 29.53-acre site with 15 lots. The lots are proposed to develop with restaurant uses, hotels, general retail and office. The development plan as presented has several exceptions from the typical development standards of the Mid-town Design Overlay District. The exceptions are as follows:

1. Exception to Section 36-389, (a), (1), a, to allow less than 60% of glass on the ground floor levels of buildings facing internal pedestrian public circulation areas or streets.
2. Exception to Section 36-389, (a), (1), b, to allow buildings to not be oriented parallel with principal vehicular or pedestrian routes of travel.
3. Exception to Section 36-389, (a), (2), a, to allow primary entrances to not be oriented to the street or to the principal vehicular or pedestrian routes of travel.
4. Exception to Section 36-389, (a), (2), c, to allow customer entrances to not be located on all sides of buildings that face abutting public or private rights-of-way.
5. Exception to Section 36-389, (a), (5), a, to allow parking areas to wrap around buildings.
6. Exception to Section 36-389, (b), to allow existing buildings at Lots 14 and 15 that exceed 60 feet in height.

7. Exception to Section 36-389, (c), (1), to allow building setbacks to be greater than 20 feet.
8. Exception to Section 36-389, (d), (1), a, to allow driveway lanes to exceed 12 feet in width as measured between backs of curb.
9. Exception to Section 36-389, (d), (2), a, to allow portions of internal drives to have sidewalks on one side only.
10. Exception to Section 36-389, (e), (2), to allow trash enclosures that are not within alleys or common service areas.
11. Exception to Section 36-389, (f), (1), to allow surface parking to be placed in front of buildings in quantities of 50 or more with interior landscape islands as shown in the Concept Plan.
12. Exception to Section 36-389, (f), (2), to allow parking to exceed the minimum parking standards established in Article VIII.
13. Exception to Section 36-389, (f), (5), to allow parking within the front yard setback.
14. Exception to Section 36-389, (f), (6), to allow the existing parking deck to remain as is and not be wrapped by other residential or commercial use.
15. Exception to Section 36-389, (g), (3), to allow development and tenant signage to be as shown in the signage illustrations.
16. Exception to Section 36-389, (h), (2), to allow a reduced land use buffer of 20 feet in adjacent to Lot 94, Cardinal Heights Addition, at the southwest corner of the site.
17. Exception to Section 36-389, (h), (3), to not require Lots 13, 14, and 15 to provide common use areas or plazas.
18. Exception to Section 36-389, (h), (5), to not require street trees at 2 feet off of the back of curb and to allow street trees to be behind sidewalks as a part of the site landscaping requirements, as shown in the Concept Plan.
19. Exception to Section 36-389, (h), (7), to allow trees greater than 14 inches in diameter to be removed to allow continuity in the landscape design of the proposed development.
20. Notes have been added to the PCD Concept Plan stating the following:
  - a. A lighting plan will be submitted as part of the construction documents.
  - b. Site lighting fixtures will be a full cut-off design, focused on the site, and will minimize any bleedover to the adjacent areas.
  - c. All lighting levels will comply with the midtown D.O.D standards.
  - d. Up-lighting will be limited to 12 foot candles.

An entry sign is proposed at the District Avenue and University Avenue. The sign is proposed as an entry feature. The sign is proposed with an overall height of

10-feet and an overall length of 60-feet. The lettering of the sign area is proposed with 218 square feet.

Two (2) monument signs are proposed on the site plan. One (1) sign is proposed within a landscaped area entering the site from South University Avenue on the District Avenue. The second is proposed in the round-about on the District Avenue. The signs are 42.5-feet high and an overall width of 8-feet. The lettering of the sign area proposed is 90 square feet.

Two (2) additional sign locations are proposed. One (1) at the driveway entrance from Midtown Avenue. The sign is proposed 24-feet in height and 4-feet 8-inches wide. The lettering sign area is 30 square feet. A sign is located at the entrance to the development from Bluebird Drive. The sign is proposed with a maximum height of 7-feet 8-inches and an overall length of 59-feet 1-inch. The lettering of the sign area is 144 square feet.

The plan includes the placement of individual tenant signs on each of the lots. Excluding the support structure the sign area proposed for each tenant is 107 square feet of sign area. The support structure is proposed with a rock face veneer with a maximum height of 7-feet 6-inches and an overall length of 28-feet.

Building signage has not been determined. The applicant is requesting the placement of building signage on all facades. Signage on each façade will comply with signage allowed in commercial zones.

The site plan indicates lots ranging from 0.90-acres to 7.27-acres. The applicant has indicated the lots will be sold or will be leased. The request is to allow the grading of the entire site and the installation of the drives and utilities with the initial site development. To allow the development as proposed requires a variance from the Land Alteration Ordinance to allow grading of the site without the issuance of a building permit. The applicant is also requesting variances from the Land Alteration Ordinance to allow retaining wall heights to exceed the typical maximum height of 15-feet. The applicant indicates the wall heights will range in heights with a maximum wall height of 20 – 25-feet. The request also includes a variance from the Land Alteration Ordinance to allow retaining walls greater than 200 feet in length to be in a straight line without curved sections, jogs or offsets.

The request includes a variance from the Zoning Ordinance to allow a reduced street buffer along South University Avenue. The site plan indicates a minimum dimension of 14-feet. Based on the buffer ordinance a 50-foot average buffer would typically be required. The applicant is proposing to place a 20-foot buffer along I-630. The buffer ordinance typically requires a 30-foot buffer along the freeway frontage. The request also includes the placement of a reduced Land Use Buffer of 20-feet at the southwest corner of site. Within this area the zoning ordinance would typically require the placement of a 50foot average buffer. The applicant is also requesting to allow easements to count in the buffer width requirement. The applicant is also proposing to removal of all existing vegetation

in Land Use Buffer. These buffer areas will be replanted with evergreen trees as a screening measure.

The applicant has submitted a traffic analysis which staff is continuing to review. Staff will provide a recommendation at the May 17, 2018, public hearing.

J. STAFF RECOMMENDATION:

Staff recommendation forthcoming.

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PLANNING COMMISSION ACTION:

(MAY 17, 2018)

The applicants were present. There was one (1) registered objector present and one (1) registered supporter present. Staff presented the item with a recommendation of approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report. Staff presented a recommendation of approval of the variance requests from the City's Land Alteration Ordinance.

Mr. Robert Brown, Mr. Chris Anderson and Mr. Cliff McKinney were present representing the request. Mr. Brown stated the site was a dark vacant site containing 30-acres. He stated the redevelopment was focused on the southern portion of the site which contained approximately 16-acres. He stated the development plans included two (2) hotels, a number of restaurant pads and buildings containing retail and/or restaurant space. He stated the development included the realignment of what is known as 6<sup>th</sup> Street. He stated 6<sup>th</sup> Street was not a public street. He stated the developer was willing to install improvements as requested by staff. He stated the development would include a traffic signal at the intersection of 6<sup>th</sup> Street, now known as the District Avenue. He stated in summary the overall development was less square footage than the existing developed site.

Ms. Mary Julia Hill addressed the Commission in support of the request. She stated the neighborhoods fully endorsed the development as proposed.

Ms. Careen Frazier addressed the Commission in opposition of the request. She stated her concern was the development was not bike friendly. She stated a bicycle was her main mode of transportation. She stated she put more miles on her bicycle than her automobile. She stated bicycling as a mode of transportation was a choice. She stated the bike plan included a mid-line trail which was located near this site. She stated the trail ran from Henderson School to Kanis Park. She stated the City and developers should plan for pedestrians and bicyclist. She stated north of this site was a main bus hub. She stated all the buses had bike racks. She stated a number of cyclist would use this hub as a transfer station to catch the bus or to off-load the bus to continue on to their destination. She stated her concern was for trails and connections which were safe for the bicyclist.

Mr. Brown stated the Master Bike Plan indicated a bike trail along the southern portion of this site which then crossed the freeway near South University Avenue. He stated along Midtown Avenue there was a bike route shown and the developer had agreed to install pavement markings to identify the street as shared between vehicles and bicyclist.

Mr. Anderson stated a bike path through the site had not been included. He stated he and his partners were in conversations with Mr. Mark Webre of the Parks Department about ways to incorporate the bike path into the development. He stated he was willing to work with staff to see if this was feasible. He stated based on the grade transition between this site and the Interstate he did not feel this was a viable option but he would continue to review the request. He stated the drive lanes within the development were wide enough to accommodate bicycle and automobile traffic. He stated they had worked with Rock Region Metro to accommodate their request. He stated the plan now included two (2) bus pull-outs and two (2) shelters. He stated he would work with AHTD and City staff to determine if the trail could be incorporated.

There was a general discussion by the Commission concerning the request, the location of the existing trails and bikeways. Mr. Anderson stated the trail currently ended at their western property line. He stated there was a signalized crossing at South University and Midtown Avenue. He stated to allow the crossing at the District Avenue was not safe because there was no place for the bicyclist to go because of the retaining wall on the east side of University Avenue.

A motion was made to approve the request including all staff recommendations and comments. The motion carried by a vote of 8 ayes, 0 noes and 3 absent.