

FILE NO.: Z-6610-B

NAME: Fitness for Life Revised Short-form PD-O

LOCATION: Located at 9414 Colonel Glenn Road

DEVELOPER:

Curtis White
5911 Timber Side Road
Little Rock, AR 72204

SURVEYOR:

Blaylock Threeth Engineers, Inc.
1510 South Broadway
Little Rock, AR 72202

ARCHITECT:

Woods Group
Attn. Ron Woods
2200 Main Street
Little Rock, AR 72206

AREA: 1.136 acres NUMBER OF LOTS: 1 FT. NEW STREET: 0 LF

CURRENT ZONING: PD-O

ALLOWED USES: Health studio or spa

PROPOSED ZONING: Revised PD-O

PROPOSED USE: Health studio or spa – allow construction of a building larger than previously approved

VARIANCE/WAIVERS: None requested.

BACKGROUND:

Ordinance No. 17,490 adopted by the Little Rock Board of Directors on February 16, 1999, rezoned the site from R-3, Single-family to PD-O. The approval allowed the use of an existing one story frame residential structure as an office use.

The approval also allowed the construction of a 50-foot by 60-foot frame accessory building immediately north of and behind the existing structure. It does not appear the accessory structure was constructed on this site.

Ordinance No. 21,086 adopted by the Little Rock Board of Directors on August 18, 2015, revised the previously approved PD-O. The approval allowed for the redevelopment of the site with a new fitness center. The structure was approximately 9,800 square feet and was comprised of a training room, equipment room, ½ gym floor, men and women restrooms with locker areas and showers, office and a small café. No cooking was to occur on the premises and only pre-packaged food items would be sold. The site plan included 20 parking spaces. The owner was a trainer and his clients were scheduled to use the facility by appointment. The facility was not proposed to be open to the general public as a typical health studio spa would be.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is now proposing to amend the previously approved Planned Development Office to allow the construction of a building larger than previously approved. The trainer has indicated there is a need for a full gym court and not just the ½ court as previously approved. The results in an overall building size of 12,583 square feet. The site plan includes the placement of 21 on-site parking spaces.

B. EXISTING CONDITIONS:

This area along Colonel Glenn Road contains a mixture of uses and zoning. There is a church located immediately east of the proposed site, with single-family residences to the west and south across Colonel Glenn Road. A utility contracting business is located further west along the south side of Colonel Glenn Road, with the Farmer's Association farm supply business located across Colonel Glenn Road to the southwest.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has not received any comment from area property owners. All property owners located within 200 feet of the site along with the John Barrow Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Colonel Glenn Road is classified on the Master Street Plan as a principal arterial. Dedication of right-of-way to 55 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 the street including 5-foot sidewalks with the planned development. The new back of curb should

- be located 29.5 feet from centerline. AHTD denied the proposed street improvements. A payment should be made in-lieu of construction for the widening of Colonel Glenn Road for the local contribution to a future AHTD widening project. If the in-lieu payment is not used in 10 years, the applicant can request the payment be returned with interest.
3. Obtain permits for improvements within State Highway right-of-way from AHTD, District VI.
 4. 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.
 5. Provide a letter prepared by a registered engineer certifying the sight distance at the intersection(s) comply with 2004 AASHTO Green Book standards.
 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. 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 Greg Simmons at 501.379.1813 or gsimmons@littlerock.org for more information.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this site.

Entergy: Entergy does not object to this proposal. A three phase power line exists along the north side of Colonel Glenn Road in front of the property. The proposed drive to the development should not conflict with existing Entergy facilities. However, care should be used when cutting in the drive due to the overhead power lines. Contact Entergy in advance regarding future service requirements to the development, desired line extensions, and future facilities locations as this project proceeds.

CenterPoint Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water:

1. All Central Arkansas Water requirements in effect at the time of request for water service must be met.
2. The Little Rock Fire Department needs to evaluate this site to determine whether additional public and/or private fire hydrant(s) will be required.

If additional fire hydrant(s) are required, they will be installed at the Developer's expense.

3. Please submit plans for water facilities and/or fire protection system to Central Arkansas Water for review. Plan revisions may be required after additional review. Contact Central Arkansas Water regarding procedures for installation of water facilities and/or fire service. Approval of plans by the Arkansas Department of Health Engineering Division and the Little Rock Fire Department is required.
4. A Capital Investment Charge based on the size of meter connection(s) will apply to this project in addition to normal charges. This fee will apply to all connections including metered connections off the private fire system.
5. If there are facilities that need to be adjusted and/or relocated, contact Central Arkansas Water. That work would be done at the expense of the developer.
6. Contact Central Arkansas Water regarding the size and location of 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. Fire sprinkler systems which do not contain additives such as antifreeze shall be isolated with a double detector check valve assembly. If additives area used, a reduced pressure zone back flow preventer shall be required.

Fire Department: **Maintain Access:**

Fire Hydrants. Maintain fire apparatus access roads at fire hydrant locations as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 **Section D103.1 Access road width with a hydrant.** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders.

Loading. Maintain fire apparatus access road design as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 **Section D102.1 Access and loading.** Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving

surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.

Fire Hydrants. **Locate Fire Hydrants as per Appendix C of the 2012 Arkansas Fire Prevention Code.** Section C101 – C105, in conjunction with Central Arkansas Water (Jason Lowder 501.377.1245) and the Little Rock Fire Marshal's Office (Captain Tony Rhodes 501.918.3757). Number and Distribution of Fire Hydrants as per Table C105.1.

Parks and Recreation: No comment received.

County Planning: No comment.

Rock Region Metro: The area is currently served by METRO on the Route 9. We would like to emphasize maintaining the sidewalk connections to the neighborhood for transit rider access to jobs. The area is part of our future plans for local service with service enhancements. On the site plan no sidewalks are designed into the property. We have difficulty providing safe locations for the bus to stop in this neighborhood without sidewalks. The current bus stop is located at Col Glenn & Allard Dr. ½ block from this new development.

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

Planning Division: This request is located in the I-430 Planning District. The Land Use Plan shows Office (O) for this property. The Office category includes services provided directly to consumers (e.g. legal, finance, medical) as well as general offices which support more basic economic activities. The applicant has applied for a revision to the existing PDO (Planned Development Office District) to allow the construction of a larger building on this site.

Master Street Plan: Colonel Glenn Road is 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 Colonel Glenn Road since it is a Minor Arterial. 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 Colonel Glenn 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. 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.
3. An irrigation system shall be required for developments of one (1) acre or larger.
4. For developments of less than one (1) acre a there shall be a water source within seventy-five (75) feet of the plants to be irrigated.
5. Trees and shrubs are required to be placed adjacent to street right-of-way. Plant material is to be provided at the rate of one (1) tree and three (3) shrubs for every 30 linear feet. Existing trees and vegetation can be used to satisfy landscape requirements.
6. Eight percent (8%) of the vehicular use area must be designated for green space; this green space needs to be evenly distributed throughout the parking area(s). The minimum size of an interior landscape area shall be one hundred fifty (150) square feet for developments with one hundred fifty (150) or fewer parking spaces. Interior islands must be a minimum of seven and one half (7 1/2) feet in width.
7. There is approximately seven thousand five hundred (7,500) square feet of vehicular use area. Approximately six hundred (600) square feet of interior landscape area will be required.
8. Trees shall be included in the interior landscape areas at the rate of one (1) tree for every twelve (12) parking spaces.
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: (September 16, 2015)

The applicant was present representing the request. Staff presented an overview of the item stating there were few outstanding technical issues associated with the request. Staff stated the Commission recently approved a Planned Office Development for this site to allow the use as proposed. Staff stated the previous approval included a 1/2 gym court and the applicant was nowproposing to place a full gym court on the site. Staff questioned if there are any other modifications to the previous approval. The applicant stated the only change was in the building size.

Public Works comments were addressed. Staff stated as with the previous approval all public works comments continued to apply. Staff stated an in-lieu contribution for street improvements was required. Staff also stated all grading activities would require permitting prior to construction.

Landscaping comments were addressed. Staff stated screening was required for the adjacent residentially zoned or used properties. Staff also stated an automatic irrigation system was required for developments of one (1) acre or more.

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:

There were no issues raised at the September 16, 2015, Subdivision Committee meeting in need of addressing via a revised site plan. The applicant is requesting to amend the previously approved Planned Development Office to allow the construction of a larger building envelope and square footage than previously approved. The previous approval allowed a building square footage which included the construction of a ½ gym court. The trainer is now requesting to increase the building square footage to allow a full gym court.

The structure is approximately 12,583 square feet. Within the building is a training room, equipment room, full court gym floor, men and women restrooms with locker areas and showers, office and a small café. No cooking will occur on the premises and only pre-packaged food items will be sold.

The facility is not open to the general public on a walk in basis. The fitness center owner trains one on one and fitness classes. Outdoor activities may occur with the fitness center. Any area of outdoor activity will be screened by a wood fence. The hours of operation are Monday through Saturday from 5:00 am to 9:00 pm and Sunday from 2:00 pm to 6:00 pm.

Parking for a business considered personal service establishments, such as barber, beauty shops and similar uses, is to be provided at one (1) space per two hundred (200) gross square feet of floor area. Based on this calculation a total of sixty-two (62) parking spaces would typically be required. If the parking was based on a general retail use, one (1) space per three hundred (300) gross square feet of floor area a total of forty-one (41) parking spaces would typically be required. The site plan includes the placement of twenty-one (21) on-site parking spaces. Based on the applicant's proposal as a personal trainer and this facility not being the typical health studio or spa staff feels the parking as proposed is adequate to serve the business.

The applicant has indicated a single ground sign will be placed along Colonel Glenn Road. The sign will comply with signage allowed in office zones or a maximum of 6-feet in height and 72 square feet in area. Building signage will be placed on the front facades of the building and along the south side with frontage on Colonel Glenn Road. Signage is proposed to comply with signage allowed in office zones or a maximum of ten (10) percent of the façade area.

The building will be a combination of brick, masonry and EFIS with aluminum fascia trim. The maximum building height is 29-feet for all the buildings.

The applicant has indicated a payment in-lieu of street construction will be provided along Colonel Glenn Road. The applicant has indicated a dedication of right of way as per the Master Street Plan will be provided. The applicant has indicated an easement will be provided to the adjacent property owner to allow their existing driveway to remain.

Staff is supportive of the applicant's request. The applicant is proposing a revision to the previously approved Planned Development to allow a fitness trainer, health studio or spa, to construct a new building on the site. The applicant has indicated compliance with the landscape and buffer ordinances will be adhered to upon redevelopment of the site. To staff's knowledge there are no remaining outstanding technical issues associated with the request.

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 the applicant provide an in-lieu payment for the cost of street construction to Colonel Glenn Road.

PLANNING COMMISSION ACTION:

(OCTOBER 8, 2015)

The applicant was present. There were 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 the applicant provide an in-lieu payment for the cost of street construction to Colonel Glenn Road.

Mr. Curtis White addressed the Commission as the applicant. He stated his business was a small business. He stated he trained eight (8) to ten (10) persons at a time. He stated he did not generate a great deal of traffic. He stated he would yield the remainder of his time to the opposition.

Ms. Jana Shepherd addressed the Commission in opposition of the request. She stated her home was located to the west of the proposed development site. She stated the former use was an office use which was a quiet business. She stated the former owner was in failing health and had to sell the property. She stated since construction had started there was a large amount of dust and activity on the site. She stated she had returned home to have her driveway blocked by workers on the site. She stated the area was a residential area and not a commercial area. She stated a gym as large as proposed would intrude into the neighborhood. She stated the hours of operation were proposed from 5:00 am to 9:00 pm daily. She stated her mailbox was located on the shared drive with this development. She questioned the livability of her home with the commercial use located next door. She stated there was a church located to the east of this site and residential homes in a subdivision located to the south. She requested the Commission deny the request.

Ms. Lauren Gordon addressed the Commission in opposition of the request. She stated she was the homeowner and felt this area should not be a commercial area. She stated the house was a 100 year old farmhouse with windows that did not block noise. She stated with the commercial business there would be random people accessing the site at all times. She stated the commercial activity would be an interruption to the residential uses in the area. She stated this interruption would be more than the previous businesses had been.

Carson Harris addressed the Commission on behalf of the applicant. He stated he was the contractor for the new construction. He stated the construction of the building had not started. He stated the timber was sold from the site which the contractor may have created some problems and dust that did cause the homeowner concerns. He stated the driveway to the home was located on Mr. White's property. He stated the drive for the fitness center would be located on the east side of the property allowing Ms. Shepherd a private driveway and access easement. He stated the business was not an all day long business. He stated Mr. White trained persons from 5:30 AM to around 11:00 PM and then started again at 4:00 PM and closed at 7:00 PM to 8:00 PM. He stated the need for the larger facility would allow trainees to move from court to court and allow a full court training rather than a ½ court training.

There was a general discussion by the Commission of the concerns raised by Ms. Shepherd. Commissioner Bubbus stated several of the concerns were code enforcement issues and could be addressed by staff. The Commission noted the request was a planning issues and the site was previously allowed an office use. The Commission noted the contractor and his willingness to follow through with his commitment to follow City codes and ordinances.

A motion was made to approve the request as recommended by staff including all staff recommends and comments. The motion carried by a vote of 8 ayes, 0 noes, 2 absent and 1 recusal (Commissioner Cox).