

FILE NO.: Z-9445

NAME: Nix Road Patio Villas Short-form PRD

LOCATION: 1015 Nix Road

DEVELOPER:

Icon Homes (Rodney Chandler)
PO Box 23713
Little Rock, AR 72221

OWNER/AUTHORIZED AGENT:

Icon Homes, LLC/Owner

SURVEYOR/ENGINEER:

McGetrick & McGetrick

AREA: 0.58 acres

NUMBER OF LOTS: 3

FT. NEW STREET: 0 LF

WARD: 5

PLANNING DISTRICT: 18

CENSUS TRACT: 42.18

CURRENT ZONING:

R-2 with CUP

ALLOWED USES:

Single-family dwellings

PROPOSED ZONING:

PRD

PROPOSED USE:

3 duplex dwelling units

VARIANCE/WAIVERS:

1. Side setback less than 10% of lot width

BACKGROUND:

The property at 1015 Nix Road is a vacant parcel of approximately 0.58 acres.

This section of Nix Road is sparsely developed. A subdivision has been platted for residential development; however, most lots remain unbuilt and the street infrastructure is also largely unbuilt.

This proposal is would create three lots for the construction of six dwelling units in three duplex buildings.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

Nix Road Villas is planned to be an upscale residential development blending traditionally-styled architecture with 21st century construction consisting of three patio homes with two units per structure for a total of six homes. Each home would have two bedrooms and two baths.

Exterior features include masonry on three sides and smart board siding in the gable area, architectural roof shingles, lawns landscaped with Zoysia turf and automatic sprinkler systems. The roof pitch elevations will be a minimum 12/12 to enhance the aesthetics of the development.

Setbacks will be a minimum of 25 feet on the front, 25 feet in the rear, and six feet on the side.

Each unit would have a one or two-car garage and will be 1250 to 1500 square feet in area.

Lawns and common areas would be maintained by a Property Owners Association.

B. EXISTING CONDITIONS:

The property is currently undeveloped.

There are some single-family uses on this side of Nix Road and single-family residential is the predominant use in the vicinity. An office use is located across Nix Road to the northwest. Additional office uses are found on Kanis Road to the south of the subject property.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has not received any comments from area property owners or neighborhood associations. Notice of the public hearing was sent to all owners of properties located within 200 feet of the site, as well as the Parkway Place neighborhood association.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Nix Road is classified on the Master Street Plan as a residential street. A dedication of right-of-way 25 feet from centerline will be required.

2. Palez Ave. is classified on the Master Street Plan as a minor residential street. A dedication of right-of-way 22.5 feet from centerline will be required.
3. A 20 feet radial dedication of right-of-way is required at the intersection of Nix Road and Palez Ave.
4. 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.
5. It appears from topography coverage that the south driveways may have insufficient sight distance for backing out. Provide a sight distance analysis for the proposed driveways. Additional driveway backing area maybe warranted for vehicles to head out from the driveway onto Nix Road?
6. 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 at 621 S. Broadway, (501) 379-1805 (Travis Herbner) for more information.

E. UTILITIES/FIRE DEPARTMENT/PARKS/COUNTY PLANNING:

Little Rock Water Reclamation Authority: Sewer available to this site.

Entergy: No comment received.

CenterPoint Energy: No comment.

AT & T: No comment received.

Central Arkansas Water:

All Central Arkansas Water requirements in effect at the time of request for water service must be met. 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 Little Rock Fire Department is required. A Capital Investment Charge based on the size of meter connection(s) will apply to this project in addition to normal charges.

Fire Department:

Full plan review

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.

Grade

Maintain fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 **Section D103.2 Grade.** Fire apparatus access roads shall not exceed 10 percent in grade except as approved by the fire chief.

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.

Dead Ends.

Maintain fire apparatus access roads at dead end locations as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D103.4 Dead Ends. Dead-end fire apparatus access roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with Table D103.4. Requirements for Dead-end fire apparatus access roads.

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 (Daniel Tull 501-377-1245) and the Little Rock Fire Marshal's Office (Capt. Tony Rhodes 501-918-3757 or Capt. John Hogue 501-918-3754). Number and Distribution of Fire Hydrants as per Table C105.1.

Parks and Recreation: No comment received.

County Planning: No comment received.

F. **BUILDING CODES/LANDSCAPE:**

Building Code: No comment.

Landscape: No comment.

G. **TRANSPORTATION/PLANNING:**

Rock Region Metro: No comment.

Planning Division: This request is located in Ellis Mountain Planning District. The Land Use Plan shows Residential Low Density (RL) for this property. This category provides for single family homes at densities not to exceed 6 dwelling units per acre. Such residential development is typically characterized by conventional

single family homes, but may also include patio or garden homes and cluster homes, provided that the density remain less than 6 units per acre. The applicant has applied for rezoning from R-2 (Single Family District) to PRD (Planned Residential Development District) to allow the development of three duplexes on three lots.

Master Street Plan: To the west of the request is Nix Road and to the north is Coleman Avenue (right-of-way); both are as Locals Streets on the Master Street Plan. The primary function of Local Streets 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. 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.

H. SUBDIVISION COMMITTEE COMMENT: (August 7, 2019)

The applicant was present. Staff presented the item to the committee. Planning staff stated the structure on Lot 2 appeared to not have side setbacks and the cover letter indicated a minimum side setback of six feet. Public Works commented on required dedications for the rights-of-way of Nix Road and Palez Avenue. Comments from other reviewers were noted. Responses would need to be received by August 14, 2019. The committee forwarded the item to the full commission.

I. ANALYSIS:

In response to the review comments, a revised plan was submitted and the parcel would be divided into six lots with the structures remaining as duplex units with separation between each structure being five feet. The northern and southern duplex buildings will have an exterior side yard of 6.5 feet and an interior side yard of five feet. The middle duplex has side yards of 0 feet.

A request has been made to not dedicate the additional right-of-way for Palez Avenue as it is unlikely to be opened for traffic; however, the applicant is willing to dedicate the 20-foot radial dedication for Palez Avenue.

Back-out areas have been shown for the three southern lots because of the concerns about site distance and backing out onto Nix Road.

Public Works is supportive of the changes.

J. STAFF RECOMMENDATION:

Staff recommends approval of the rezoning to PRD subject to compliance with the comments and conditions outlined in paragraphs D, E, and F and the staff analysis in the agenda staff report.

PLANNING COMMISSION ACTION:

(AUGUST 29, 2019)

The applicant was present. There were three registered objectors present. Staff presented the item and a recommendation of approval as outlined in the “staff recommendation” above. The applicant deferred to allow those opposed to speak first and to respond to questions and concerns.

Mitzi Titus received a letter about the request, but was unclear about the location, due to the letter on the address and the description of the property.

After confirming the notification was incorrect, the applicant consented to correct the notification and defer the matter to the October 10, 2019 agenda.

A motion was made to defer the item to the October 10, 2019. The vote was 7 ayes, 0 noes, 3 absent, and 1 open position.

PLANNING COMMISSION ACTION:

(OCTOBER 10, 2019)

The applicant was present. There was one registered objector present. Staff presented the item and a recommendation of approval as outlined in the “staff recommendation” above. The applicant, Rodney Chandler, addressed the planning commission and stated the item had been deferred to this meeting due to an error in notification to the adjacent property owners. A correct notification had been sent with a description of the proposed development and an invitation to view a model home he had constructed and to have a meeting; however, none of the property owners took the opportunity to see the model home or have a meeting. Mr. Chandler then reserved the remainder of his time.

Dale Smith spoke to the commission in opposition to the request. The area has been single-family homes for years. He is the owner of the property to the south. His property is vacant after the demolition of the residential structure recently, but he does seek to eventually rebuild a home on the land. He believes the owners of the property further south along Nix Road coming up from Kanis Road intend to develop those properties with commercial uses and he is concerned about being sandwiched between duplexes and commercial.

Mr. Chandler responded he is intending to build value with the proposed development. This type of home would appeal to empty nesters and young professionals.

There was no additional discussion.

Chairman Latture asked for a motion from the commission.

A motion to approve the item as recommended by staff, including all staff comments and conditions was made by Vice-Chairman Stebbins and seconded by Commissioner Bynum. The vote was 8 ayes, 1 no, and 2 absent.