

FILE NO.: Z-6453-D

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NAME: Diamond Park Community Revised Short-form PD-R

LOCATION: Located west of John Barrow Road on Labette Drive

DEVELOPER:

Faithland Commercial Properties No. 5 LLC  
P.O. Box 55300  
Little Rock, AR

ENGINEER:

McGetrick and McGetrick Engineer  
10 Otter Creek Court, Suite A  
Little Rock, AR 72210

AREA: 6.27 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 L.F.

WARD: 6

PLANNING DISTRICT: 11 – I-430

CENSUS TRACT: 24.08

CURRENT ZONING: PD-R

ALLOWED USES: Single-family and multi-family housing

PROPOSED ZONING: PD-R

PROPOSED USE: Single-family and multi-family/age restricted housing

VARIANCES/WAIVERS REQUESTED: A variance from the City's Land Alteration Ordinance to allow advanced grading for the site.

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BACKGROUND:

Ordinance No. 19,539 adopted by the Little Rock Board of Directors on June 6, 2006, allowed a rezoning of 6.27-acres from MF-18 to PD-R to allow the site to develop as a 220-unit senior citizen adult living facility. The units were proposed as one-bedroom units. The site plan included the place of 220 parking spaces. Each of the units would have an independent kitchen facility. The development would not have on-site food preparation. A nursing station was to be located on the site and a small satellite medical office. Limited transportation was to be provided for the residents. This development did not occur and the PD-R zoning expired.

Ordinance No. 20,842 adopted by the Little Rock Board of Directors on February 11, 2014, allowed a revision to the previously approved site plan. The approval allowed the rezoning from PD-R Expired and MF-18 to PD-R to allow the development of five (5) 3-story apartment buildings with twelve (12) 1 and 2-bedroom units per building and 84 parking spaces along the northern portion of the site. The remaining acreage was to be developed with 32-lots of detached single-family. These lots were approximately 43-feet wide and 135-feet deep with 15-foot front setbacks and 3-foot side yard setbacks. The units were to have rear loaded garages. The overall density of the development with the combined single-family and multi-family portions of the development was 9.4-units per acre.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is now proposing to revise the previously approved PD-R zoning to allow the development of the site with 83-units of age restricted housing and 20 lots to be developed with single-family homes. Contained within the development plan and shared between the single-family and multi-family housing the site plan indicates an activity center, a pocket park, a maintenance building and a lot to be used for a non-residential use such as an office/security for the development. Within the multi-family portion of the development the applicant is proposing the placement of a small medical office/clinic within one of the multi-family buildings. The site plan indicates the placement of 1,585 linear feet of new public streets.

B. EXISTING CONDITIONS:

The site is tree covered, sloping upward to the southwest. There are multi-family units located to the west of the site accessed from Labette Manor Drive. There is a nursing home located to the north of the site adjacent to John Barrow Road. A POD is located on the corner of Labette and John Barrow Road currently housing medical office. South of the site is a branch library facility for the Central Arkansas Library System. Labette Drive dead-ends into the site.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200-feet of the site, the Twin Lakes B Special Recreation Improvement District, the Twin Lakes B Property Owners Association and the John Barrow Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. With site development, provide the design of street conforming to the Master Street Plan. Construct street improvement to the streets including 5-foot sidewalks with the planned development. Per the Master Street Plan, sidewalks are required to be installed along the north side of Labette Drive but are not required adjacent to Labette Circle.
2. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
3. A grading permit in accordance with Section 29-186 (c) and (d) will be required prior to any land clearing or grading activities at the site. Other than residential subdivisions, site grading and drainage plans must be submitted and approved prior to the start of construction. Will the development be constructed in phases and is an advanced grading variance being requested?
4. Provide a Sketch Grading and Drainage Plan per Section 29-186 (e). Lot configuration and the addition of tract land maybe required to provide accessible public drainage easements.
5. Stormwater detention ordinance applies to this property. Show the proposed location for stormwater detention facilities on the plan.
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. Street Improvement plans shall include signage and striping. Traffic Engineering must approve completed plans prior to construction.
8. 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 Greg Simmons, Traffic Engineering, 501.379.1813, [gsimmons@littlerock.org](mailto:gsimmons@littlerock.org) for more information.
9. No residential waste collection service will be provided on private streets unless the Property Owners Association provides a waiver of damage claims for operations on private property. In addition, the following comments must be agreed to for collection and recycling service:
  - a. Service will be provided to one side of the through easements/alleys which will require everyone to place their carts on the side of the easement/alley as selected by the City of Little Rock;
  - b. Service will not be provided to a dead-end alley. The easement/alley must have a separate entrance and exit;
  - c. The City of Little Rock is not liable for damage to the easement/alley;
  - d. If the easement/alley is obstructed on service day the City of Little Rock will not return until the following week for pick up;

- e. Yard waste will not be picked up in the rear easement/alley. Yard waste is to be placed at the curb on the street in front of house;
  - f. A letter from the Property Owners Association must be provided stating all residents unanimously agree to all of the above.
10. Damage to public and private property due to hauling operations or operation of construction related equipment from a nearby construction site shall be repaired by the responsible party prior to issuance of a certificate of occupancy.
  11. If the Master Street Plan (MSP) is modified to remove the connection of Labette Drive, a hammerhead should be designed to be at least 80 feet in length and the same width as the street at the end of the western portion of Labette Drive.
  12. Curb radius within the access easement must be redesigned for an SU-30 vehicle with a 60 foot turning radius. The entrances to the access easements must be designed with concrete aprons.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Little Rock Wastewater: Existing sewer easement must be retained. Sewer main extension required with easements if new sewer service is required for this project. Capacity fee analysis required for the project. Contact Little Rock Wastewater Utility for additional information.

Entergy: Entergy does not object to this proposal. A three phase overhead electrical line runs along Labette Drive to the east of this proposed development which can be utilized to provide service to the property. There do not appear to be any existing conflicts with Entergy facilities on this property. Contact Entergy in advance to discuss future service requirements, new facilities locations and 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. A water main extension will be needed to provide water service to this property.
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. 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.
5. If there are facilities that need to be adjusted and/or relocated, contact Central Arkansas Water. That work would be one at the expense of the developer.
6. Additional fire hydrant(s) will be required. Contact the Little Rock Fire Department regarding the required placement of the hydrant(s) and contact Central Arkansas Waster regarding procedures for installation of the hydrant(s).
7. 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.

Fire Department:

1. Gates. Maintain fire apparatus access road gates as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:
  - a. Minimum gate width shall be 20 feet.
  - b. Gates shall be of swinging or sliding type.
  - c. Construction of gates shall be of material that allow manual operation by one person.
  - d. Gate components shall be maintained in an operable condition at all times and replaces or repaired when defective.
  - e. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official.
  - f. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools or when a key box containing the keys to the lock is installed at the gate location.
  - g. Locking device specifications shall be submitted for approval \by the fire code official
  - h. Electric gate operators, where provided, shall be listed in accordance with UL 325.
  - i. Gates, intended for automatic operation shall be designed, constructed and installed to comply with requirements of ASTM F 2200.
2. Multi-Family Residential Developments. As per Appendix D, Section D106.1 of the 2012 Arkansas Fire Prevention Code Vol. 1. Projects having more than

100 dwelling units. Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.

- a. Exception: Projects having up to 200 dwelling units may have a single approved fire apparatus access road when all building, including nonresidential occupancies are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1 or 903.3.1.2.
3. As per Appendix D, Section D106.2 of the 2012 Arkansas Fire prevention Code Vol. 1. Projects having more than 200 dwelling units. Multiple-family residential projects having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system.
4. 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 (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.

Rock Region Metro: Location is currently served by METRO along Route 9 John Barrow. Provide pedestrian infrastructure to the transit route for residents. The bus route at this location provides neighbors with rides to work and school. Our new service starting in October 2016 will include a direct stop at West Central Community Center which will have programs for after school, sports, workout, tutoring and other classes.

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](mailto:crichey@littlerock.org) or Mark Alderfer at 501.371.4875; [malderfer@littlerock.org](mailto:malderfer@littlerock.org).

Planning Division: This request is located in I-430 Planning District. The Land Use Plan shows Residential High (RH) and Mixed Office and Commercial (MOC) for this property. Residential High category accommodates residential development of more than twelve (12) dwelling units per acre. Mixed Office and Commercial category provides for a mixture of office and commercial uses to occur. Acceptable uses are office or mixed office and commercial. A Planned Zoning District is required if the use is mixed office and commercial. The applicant has applied for a

revision of a PD-R (Planned Development Residential) to allow the development of the multi-family portion of the development as elderly housing.

Master Street Plan: To the east and to the west of the property are both Labette Drive and it is shown as a Collector on the Master Street Plan. The primary function of a Collector Road is to provide a connection from Local Streets to Arterials. This street may require dedication of right-of-way and may require street improvements for entrances and exits to the site. An application has been approved by the Planning Commission to remove Labette Drive as a Collector from the Master Street Plan, but the City Board of Directors has not acted on this request as of this writing.

Bicycle Plan: There are no bike routes shown in the immediate vicinity.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. 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. One (1) tree and three (3) shrubs or vines shall be planted for every thirty (30) linear feet of perimeter planting strip.
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. An irrigation system shall be required for developments of one (1) acre or larger.
5. 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: (August 31, 2016)

Mr. Pat McGetrick was present representing the applicant. Staff presented an overview of the item stating there were additional items necessary to complete the review process. Staff requested Mr. McGetrick provide the proposed signage plan, details of any proposed fencing, the proposed building coverage, the total area of landscaping and total area of paving.

Public Works comments were addressed. Staff stated Labette Drive was to be constructed to a collector street design standard. Staff also stated a grading permit in accordance with Section 29-186 was required prior to any land clearing or grading activities. Staff questioned if the development would be constructed in

multiple phases and if the request included a variance from the City's Land Alteration Ordinance to allow the advanced grading. Staff also stated no residential waste would be collected on the private easements and/or street unless specific conditions were met. Staff noted the conditions were provided in the Public Works Conditions Item #9 a – f.

Staff stated landscaping was required on the multi-family portion of the development. Staff stated interior parking lot landscaping was required as well as a perimeter planting strip was required adjacent to the street rights of way. Staff stated screening of the parking lot was required from view of the street rights of way. Staff stated irrigation was required for developments of one (1) acre or larger.

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 to staff addressing a number of the technical issues raised at the August 31, 2016, Subdivision Committee meeting. The applicant has provided the proposed signage plan, the proposed fencing plan, the building coverage and areas of landscaping and paved areas. The development is proposed with a single development sign as allowed in multi-family zones or a maximum of six (6) feet in height and twenty-four (24) square feet in area. Perimeter and internal fencing is proposed as typically allowed in residential zones, a maximum of six (6) feet in height located behind the front building line.

The request is to revise the previously approved PD-R zoning to allow the development of the site with 83 units of age restricted housing and 20 lots for single-family homes. Shared with the single-family and multi-family housing the plan includes an activity center, a pocket park, a maintenance building and a lot to be used for a non-residential use such as an office/security for the development.

Within the multi-family portion of the development the applicant is proposing the placement of a small medical office/clinic. The applicant has indicated the medical office space will be used to serve the residents of the proposed development area.

The development is proposed in four (4) phases with the first phase containing a three story (45-foot maximum height) apartment building. The plan indicates 16-units per building. With the first phase 40 parking spaces will be developed. With each additional phase 16-units and a minimum of 25 parking spaces will be added. With the final development of the multi-family housing there will be a total of 126 parking spaces.



Parking for the multi-family portion of the development is typically required at one and one-half (1 ½) parking spaces per unit. The development is proposed with 83-units of age restricted housing which would create a parking requirement of 124 parking spaces. As noted the plan indicates the placement of 126 parking spaces to serve the multi-family portion of the development.

The single-family portion of the development is indicated as the fourth phase. The single-family development includes the development of 20 single-family residential lots. The site plan indicates a 15-foot front yard building setback, three-foot side yard setbacks and a 15-foot rear yard setback. The lots are rear loaded garages accessed via a 30-foot access and utility easement. There will be no front loading garages for the new homes. Included on the final plat will be a no right of vehicular access easement along the street sides of the lots to prohibit front driveways.

The streets are proposed with a 27-foot pavement width located within a 45-foot right of way. The streets will be dedicated to the public. The alleys will be maintained by the property owners association. The plan indicates extending a sidewalk from this development to the southern property line to allow residence access to the library.

The site plan indicates the placement of an activity center along with a small parking area. The plan also includes the placement of a pocket park south of the activity center for use by the residence of the entire development area. Lot 12 is proposed for a non-residential use such as a leasing office or security for the proposed development. The plan indicates the placement of a maintenance building within Tract A which is located along the western perimeter of the site.

The site plan indicates the placement of 1,585 linear feet of new public streets. On January 9, 2014, the Little Rock Planning Commission reviewed a request to allow the removal of Labette Drive from the Master Street Plan as a collector street. The Commission made a recommendation of approval of the request but as a condition of approval the amendment would not be forwarded to the Little Rock Board of Directors for final action until the developer requested a grading permit for the proposed development. The applicant is requesting to allow the previous approval and conditions to remain and to move the previously approved Master Street Plan amendment for the removal of Labette Drive forward to the Board of Directors at the time a grading permit for the first phase of this development is requested.

The applicant is requesting a variance from the City's Land Alteration Ordinance to allow grading of future phases with the development of the first phase. The applicant is also requesting to work with Central Arkansas Library, the property owner to the south, to expand their existing on-site water feature and detention pond to incorporate some of the required detention from this site into the library pond. Staff will work with the developer at the time of request to ensure compliance with the stormwater detention ordinance can be met.

Staff is supportive of the applicant's request. The development is proposed as a mixed use development containing single-family and multi-family housing. The applicant has indicated the multi-family portion of the development will be age restricted as defined by the federal housing standards. Staff feels the applicant has done an adequate job in providing areas of outdoor living space within the development area.

I. STAFF RECOMMENDATION:

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

Staff recommends approval of the variance request from the City's Land Alteration Ordinance to allow advanced grading of the site.

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PLANNING COMMISSION ACTION:

(SEPTEMBER 22, 2016)

The applicant was present. There were no registered objectors present. Staff presented the item stating the applicant had submitted a request dated September 6, 2016, requesting deferral of this item to the November 3, 2016, public hearing. Staff stated they were supportive of the deferral request. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff by a vote of 10 ayes, 0 noes, 0 absent and 1 open position.

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PLANNING COMMISSION ACTION:

(NOVEMBER 3, 2016)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report. Staff presented a recommendation of approval of the variance request from the City's Land Alteration Ordinance to allow advanced grading of the site. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff by a vote of 8 ayes, 0 noes, 2 absent and 1 open position.