

FILE NO.: Z-9911

NAME: Songbyrd Residential Apartments – PD-R

LOCATION: Immediately north of 13301 Sardis Road

DEVELOPER:

Gerald Gregory
Songbyrd Enterprise, LLC
PO Box 166687
Little Rock, AR 72216

OWNER/AUTHORIZED AGENT:

Gerald Gregory – Agent/Owner

SURVEYOR/ENGINEER:

South Point Surveying, PLLC
PO Box 400
Sheridan, AR 72150

AREA: 1.93 acres NUMBER OF LOTS: 1 FT. NEW STREET: 0 LF

WARD: 7 PLANNING DISTRICT: 16 CENSUS TRACT: 41.04

CURRENT ZONING: R-2

VARIANCE/WAIVERS: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is proposing to rezone 1.93 acres from R-2 to PD-R to construct a multi-family development that will contain 4 – 4 unit townhome-style apartments. Each unit will be available for rent. All four (4) buildings will be 2-stories in height with a maximum building height of twenty-seven (27) feet.

B. EXISTING CONDITIONS:

The site is heavily wooded undeveloped. R-2 zoning and uses are contained in all directions.

C. NEIGHBORHOOD NOTIFICATIONS:

All owners of property located within 300 feet of the site and all neighborhood associations registered with the City of Little Rock were notified of the public hearing.

D. ENGINEERING COMMENTS:

1. Any work involving one (1) or more acres of disturbed area requires a State of Arkansas NPDES permit. Contact the Arkansas Department of Environmental Quality, NPDES branch at 501-682-0744 for applications and information about General Stormwater Discharge Construction Permit #ARR150000.
2. A grading permit must be obtained prior to initiation of work. Grading permits are issued by the Planning and Development Dept. at 723 West Markham Street after approval of sediment and erosion control plans, grading and drainage plans, land survey, drainage study, and soil loss calculations per City's stormwater management and drainage manual. Contact Planning and Development Dept., Civil Engineering Private Development at 501-371-4817 or at 501-918-5348 or Permits@littlerock.gov to schedule an appointment for issuance or to answer any questions. Permit cost is based on total project area at \$100.00 for the less than ½ acre, \$200.00 for ½ to 1 acre, and \$200.00 for the first acre and \$100.00 for each additional acre for project greater than 1 acre.
3. The Department requires three (3) phase sediment and erosion control (SEC) plans to be submitted for all construction projects showing best management practices (BMPs) for mitigating sediment runoff and erosion along with vegetation specifications for temporary and permanent soil stabilization. Phase 1 SEC plans shall show SEC BMPs during the stripping, clearing, grubbing, and rough grading of the site. Phase 2 SEC plans shall show SEC BMPs during construction of utilities, buildings, roadway infrastructure and drainage infrastructure. Phase 3 SEC Plans shall show SEC BMPs for final grading, seeding, and landscaping of the site.
4. Sediment and Erosion Control plans shall also show the pertinent information as outlined in ADEQ ARR150000 Permit Part II section A-4-H (1-14) and Part II section A-4-I-2 (A-B).
5. Per City Rev. Code 29-99, stormwater detention for developments is required. Provide stormwater detention infrastructure to satisfy this requirement.
6. A drainage study showing all hydrologic calculations for the site and all hydraulic calculations for the proposed storm sewer pipe system, swales and ditches, detention ponds, outlet structures, and inlets is required per City's stormwater management and drainage manual. For final drainage report, sign, date, and seal the report per AR State Board of Professional Engineers and Professional Surveyors rules Article 12, Section B (1) (a). Provide

engineer's certification statement saying this drainage report was conducted by yourself or directly under your supervision and attesting to the accuracy of the information within this report.

7. Contact Planning and Development Dept., Engineering Division at 501-371-4817 or at 501-918-5348 for inspections of any work in the public right-of-way prior to placement of concrete or asphalt or for on-site clarification of requirements prior to commencing work. Failure to do so can result in removal of any improperly placed concrete or asphalt at the expense of the owner or contractor.
8. Any infrastructure within public right of way that is currently damaged or damaged during construction will be repaired or replaced at developer's expense before a final certificate of occupancy can be released for the building. This includes but not limited to the following: noncompliant curb and gutter, asphalt, sidewalk, accessible ramps, storm drainage infrastructure, or concrete driveway aprons. All work within the public right-of-way shall conform to City of Little Rock Public Works Standard Details and ADA accessibility requirements.
9. Per City Code 31-117, as built stormwater drainage infrastructure information/data shall be submitted to the Department of Planning and Development Engineering Division prior to recording of the final plat. This information shall include but not limited to pipe inverts, length of pipe, size of pipe, type of pipe, slope of pipe, and type of inlets.
10. Department engineering staff is required to perform a final inspection of all street and stormwater infrastructure construction within the public right of way. City maintenance of the street and stormwater drainage infrastructure within the public right of way cannot officially begin until final acceptance by Department engineering staff. This needs to be completed and accepted by Department engineering staff prior to the developer acquiring a final certificate of occupancy for the buildings.
11. Per City Code 31-434, a 50% maintenance bond for all street and stormwater infrastructure constructed within the public right of way shall be submitted to
12. Department engineering staff prior to recording the final plat. Before the 50% maintenance bond can be accepted, a contract unit bid price for every street and stormwater infrastructure construction item within the public right of way shall be submitted to Department engineering staff for review and approval.
13. Street design standards shall comply with the latest version of the *AASHTO A Policy on Geometric Design of Highways and Streets*, City's Master Street Plan (2018), and City's Standard Details for street and drainage facilities improvements (2015).
14. Street stormwater and detention infrastructure design standards shall comply with the City's Stormwater Management and Drainage Manual (2016) including City Code Chapters 29, 30, and 31.

15. Street pavement, sidewalks, curb and gutter, curb inlets, junction boxes, accessible ramps, and storm sewer infrastructure shall comply with City's specifications for construction as outlined in City Code Chapter 30.
16. Sardis Road is classified as a minor arterial per City's master street plan. Per minor arterial standard in master street plan, a total of ninety (90) feet of right of way is required for a minor arterial. Therefore, the developer will be required to dedicate a total forty-five (45) feet of right of way from the existing centerline of Sardis Road to meet master street plan requirements.
17. Per City's boundary street ordinance, developer is required to widen and improve Sardis Road to the minor arterial standard per City's master street plan along the lot's property frontage adjacent to Sardis Road.
18. Per City Code 31-210 (e) (1) for arterial streets, a lot will require six hundred (600) feet of frontage for two (2) drives. If two driveways are still desired for this site by the developer, a variance request will have to be filed with application for the planning commission's consideration per City Code 31-210 (j).
19. Per City Code 31-210 (e) (1) for arterial streets, driveway spacing shall be three hundred (300) feet. Driveway spacing shall be centerline to centerline or centerline to right of way of an intersecting collector street or street of higher classification. Minimum spacing from the property line shall be one hundred fifty (150) feet. Maximum driveway width is thirty-two (32) feet for a residential driveway per City Code 30-43 (a)(2)(a). Revise driveway(s) to meet above requirement accordingly, or a variance request will have to be filed with application for the planning commission's consideration per City Code 31-210 (j).

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

Little Rock Water Reclamation Authority:

1. Submit the wastewater infrastructure plans to LRWRA for review and approval.

Entergy: No comments received.

Summit Energy: No comments.

AT & T: No comments received.

Central Arkansas Water:

1. All Central Arkansas Water requirements in effect at the time of request for water service must be met.

2. 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.
3. The facilities on-site will be private. When meters are planned off private lines, private facilities shall be installed to Central Arkansas Water's material and construction specifications and installation will be inspected by an engineer, licensed to practice in the State of Arkansas. Execution of Customer Owned Line Agreement is required.
4. Due to the nature of this facility, installation of an approved reduced pressure zone backflow preventer assembly (RPZ) is required on the domestic water service. This assembly must be installed prior to the first point of use. Central Arkansas Water (CAW) 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 CAW. The test results must be sent to CAW's Cross Connection Section within ten days of installation and annually thereafter. Contact the Cross Connection Section at 377-1226 if you would like to discuss backflow prevention requirements for this project.
5. 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 backflow 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 2021 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 2021 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. If the grade exceeds 10 percent, approval will be denied and the applicant must submit request to be reviewed by Fire Chief for Approval.**

Loading

Maintain fire apparatus access road design as per Appendix D of the 2021 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.

One- or Two-Family Residential Developments.

As per Appendix D, Section D107.1 of the Arkansas Fire Prevention Code Vol. 1, One- or Two-Family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads, and shall meet the requirements of Section D104.3.

Exceptions:

1. Where there are **more than 30 dwelling units** on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved **automatic sprinkler system** in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the Arkansas Fire Code, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

Fire Hydrants

Locate Fire Hydrants as per Appendix C of the 2021 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 Fire Marshal Derek N Ingram 501-918-3756 Number and Distribution of Fire Hydrants as per Table C105.1.

Parks and Recreation: No comments received.

County Planning: No comments.

F. **BUILDING CODES/LANDSCAPE:**

Building Code: No comments received.

Landscape:

1. Any new site development must comply with the City's minimal landscape and buffer ordinance requirements. Refer to the Code of Ordinances, Chapter 15 Landscaping and Tree Protection, and Chapter 36, Article IX – Buffers and Screening.
2. Site development plans, with landscape and screening, must be submitted for review, and approval, prior to site clearing and tree removal.

G. TRANSPORTATION/PLANNING: No comments received.

Rock Region Metro: No comments received.

Planning Division:

The request is in the Otter Creek Planning District. The Land Use Plan shows Residential Low Density (RL) for the requested area. The Residential Low Density (RL) 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 remains less than 6 units per acre. The application is to rezone from R-2 to PD-R. The purpose is for Apartments.

The application site is an undeveloped, wooded tract of 1.9 acres +/- . To the south and east, adjacent to Woodland Drive is a developed single-family subdivision. East of subject site along Johnson Road are residences on large tracts. The tract to the north is wooded and undeveloped. To the west across Sardis Road is a faith-based institution.

This site is not located in an Overlay District.

Master Street Plan:

Sardis Road is a Minor Arterial on the Master Street Plan. Standard Right-of-way (ROW) is 90 feet. Sidewalks are required on both sides.

Bicycle Plan:

The Master Bike Plan Map does not show existing or proposed facilities in this area.

Historic Preservation Plan:

This property is not located in a Historic District.

H. ANALYSIS:

The applicant is proposing to rezone 1.93 acres from R-2 to PD-R to construct a multi-family development that will contain 4 – 4 unit townhome-style apartments. Each unit will be available for rent. All four (4) buildings will be 2-stories in height with a maximum building height of twenty-seven (27) feet.

The site is heavily wooded undeveloped. R-2 zoning and uses are contained in all directions.

The development will be accessed from a driveway along W. Sardis Road. The site plan shows a divided entrance containing a landscaped area that bisects the site from east to west direction. Fourteen (14) foot wide access drives for vehicles entering and leaving the site are located on the north and south sides of the landscaped area.

The site plan shows the front building setback of seventy (70) feet, a rear setback of seventy-three (73) feet and fifteen (15) foot setback from the north and south property lines.

Section 36-502 requires 1.5 parking spaces per unit. Each unit will contain a 1-car garage with an additional parking space in the driveway. Staff feels the parking is sufficient to serve the use.

The development will include a retaining wall to be constructed five (5) feet from the north property line. All retaining walls must comply with City Code and be approved by the Planning & Development Engineering Division.

A dumpster will be installed in the eastern portion of the site. Any dumpster installed must be screened and comply with Section 36-523 of the City's Zoning Ordinance.

Screening and land use buffers will be required for the north/south and east/west perimeters of the site.

The applicant did not provide a signage plan at this time. All signs must comply with Section 36-552 of the City's Zoning Ordinance (signs permitted multi-family zones).

All sight lighting must be low-level and directed away from adjacent properties.

Staff is supportive of the requested PD-R rezoning. To staff's knowledge, there are no outstanding issues associated with this application. The applicant is requesting no variances with this application. Staff feels that the proposed multi-family development will add both character and provide an additional residential living option towards in-filling the area. Most of the properties in the area contain undeveloped lots in all directions. Although the development will create a minor increase in traffic staff feels that it will have no adverse impact on the surrounding properties.

I. STAFF RECOMMENDATION:

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

PLANNING COMMISSION ACTION:

(FEBRUARY 8, 2024)

The applicant was present, representing the application. Staff presented the item and a recommendation for approval. There was 1 person in opposition. Troy Laha wanted the applicant to attend the "Citizens for Progress of Southwest Arkansas" but the applicant did not attend and Mr. Laha thought it should be deferred until the applicant attended that meeting. After general discussion, there was a motion to approve the application. There was a second. The vote was 9 ayes, 0 nays and 2 absent. The application was approved.