

FILE NO.: S-867-CCCCCCC

NAME: Chenal Valley Tract 4A, 4B and 8 Revised Preliminary Plat

LOCATION: Located on the Northwest corner of Rahling Road and Chenal Parkway

DEVELOPER:

Deltic Timber Corporation
7 Chenal Club Drive
Little Rock, AR 72223

ENGINEER:

White-Daters and Associates
24 Rahling Circle
Little Rock, AR 72223

AREA: 16.4 acres NUMBER OF LOTS: 3 FT. NEW STREET: 0 LF

CURRENT ZONING: C-3, General Commercial District, PD-R, Planned Development Residential and R-2, Single-family

PLANNING DISTRICT: 19 - Chenal

CENSUS TRACT: 42.13

VARIANCE/WAIVERS:

1. A variance from the Subdivision Ordinance and the Master Street Plan to allow reduced right of way width for a proposed new public street.
2. A variance from the Master Street Plan to allow a reduced centerline radius for the proposed new street.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The project is located on the north side of Rahling Road, just west of Chenal Parkway. The project includes a median cut on Chenal Parkway to provide ingress and egress to Founders Drive. Founders Drive will be extended westward to the common lot line between Lots 4B and 4C. The street is proposed as a public right of way and is proposed to be dedicated to the City of Little Rock. The street will be for the use by and open to the public. The existing

drive between Tracts 4A and 4B will be used only for the benefit of these two (2) tracts, to provide ingress and egress to the two (2) tracts and access between the two (2) tracts. This drive may be relocated or removed based on future development plans of the two (2) lots.

There are two (2) variances proposed for the subdivision. The right of way width is proposed with a reduced width of 36-feet, with a 10-foot wide maintenance/utility/sidewalk easement on each side. The plat also includes a reduced centerline radius. The area north of the proposed new street is labeled as Tract 4B-1 and is proposed as open space.

B. EXISTING CONDITIONS:

Currently the site contains the Bank of the Ozark's Headquarters offices and the Chenal Woods HPR, an owner occupied condominium development. Across Rahling Road to the south is the Promenade at Chenal shopping center. To the north are single-family homes located on Bretagne Circle. Across Chenal Parkway to the east is vacant C-3, General Commercial District zoned property. On the southeast corner of Rahling Road and Chenal Parkway is a vacant property zoned PCD approved for a pharmacy.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received an informational phone call from an area property owner. All abutting property owners were notified of the public hearing. There is not an active City of Little Rock recognized neighborhood association located in this immediate area.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. The proposed public street does not meet the Master Street Plan design standards for a commercial street. The street should be within a 60 foot right-of-way and sidewalks on both sides.
2. Due to the limited properties served, the proposed street should be private and not public. If the street is proposed to be public, a turnaround or cul-de-sac must be provided where the street changes from public to private.
3. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
4. Stormwater detention ordinance applies to this property.
5. Street improvement plans shall include signage and striping. Public Works must approve completed plans prior to construction.

6. 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 501.379.1813, Greg Simmons gsimmons@littlerock.org for more information.
7. 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.
8. The driveway accessing Chenal Parkway should continue to function as a right in/right out only and not provide a median cut for left turns movements.
9. Intersection of Chenal and Rahling carries significant amount of traffic and currently warrants dual left-turn lanes for the eastbound movement. Proposed full-access median opening will introduce additional conflict points in traffic flow thereby increasing the potential for crashes.
10. Proposed driveway on the eastside of Chenal Parkway will introduce an unsignalized intersection and may cause illegal turn movements from one drive to the other.
11. Wide medians with inadequate sight distance also make it very difficult to see oncoming traffic. The proposed triangular island in the median requires drivers to turn their heads more than 90 degrees to see gaps in traffic before merging.
12. Provide a letter prepared by a registered engineer certifying the sight distance at the intersection(s) comply with 2004 AASHTO Green Book standards. The driveway at the proposed median cut does not have adequate sight distance to the right due to the raised median.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: sewer available to this project. Sewer easement(s) must be retained for Lot 4A-B. Contact Little Rock Wastewater for additional information.

Entergy: Entergy does not object to this proposal. A three phase underground power line exists to the south of this property. Contact Entergy in advance regarding future service requirements to the development, line extension, 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. 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 area 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: **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.

Commercial and Industrial Developments – 2 means of access. - Maintain fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1

Section D104.1 Buildings exceeding three stories or 30 feet in height. Building or facilities exceeding 30 feet or three stories in height shall have at least two means of fire apparatus access for each structure.

Section D104.2 Building exceeding 62,000 square feet in area. Buildings or facilities having a gross building area of more than 62,000 square feet shall be provide with two separate and approved fire apparatus access roads.

Exception: Projects having a gross building area of up to 124,000 square feet that have a single approved fire apparatus access road when all building are equipped throughout with approved automatic sprinkler systems.

D104.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.

30' Tall Buildings - Maintain aerial fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D105.1 – D105.4

D105.1 Where Required. Where the vertical distance between the grade plane and the highest roof surface exceed 30', approved aerial fire apparatus access roads shall be provided. For the purposes of this section the highest roof surfaces shall be determined by measurement to the eave of a pitched roof, the intersection of a roof to the exterior wall, or the top of the parapet walls, whichever is greater.

D105.2 Width. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26', exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.

D105.4 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be places with the approval of the fire code official.

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:

1. Minimum gate width shall be 20 feet.
2. Gates shall be of swinging or sliding type.
3. Construction of gates shall be of material that allow manual operation by one person.
4. Gate components shall be maintained in an operable condition at all times and replaces or repaired when defective.
5. 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.
6. 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.
7. Locking device specifications shall be submitted for approval \by the fire code official
8. Electric gate operators, where provided, shall be listed in accordance with UL 325.
9. Gates, intended for automatic operation shall be designed, constructed and installed to comply with requirements of ASTM F 2200.

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.

CATA: The site is not located on a dedicated CATA Bus Route.

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: No comment.

Landscape: No comment.

G. SUBDIVISION COMMITTEE COMMENT: (August 5, 2015)

Mr. Tim Daters of White-Daters and Associates was present representing the request. Staff presented an overview of the item stating the applicant was seeking a revised preliminary plat for Tract 4. Staff requested Mr. Daters provide the zoning classification of the proposed plat area and of abutting properties. Staff also requested the applicant provide the proposed phasing plan.

Public Works comments were addressed. Staff stated the proposed public street did not meet the typical development standards for a commercial street per the Master Street Plan. Staff also stated any future development of the site would require adherence to the City Stormwater Detention Ordinance. Staff stated streetlights were required by Section 31-403. Staff stated damage to public and private property due to hauling operations or operation of construction related equipment from construction sites were required to repair any damaged prior to the issuance of a certificate of occupancy.

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:

The applicant submitted a revised preliminary plat to staff addressing a number of the technical issues associated with the request raised at the August 5, 2015, Subdivision Committee meeting. The revised plat indicates the zoning classification of the plat and the abutting properties. The applicant has indicated the lots will be final platted in a single phase.

The project is located on the north side of Rahling Road, just west of Chenal Parkway. The project includes a median cut on Chenal Parkway to provide ingress and egress to Founders Drive, a proposed new public street to be

dedicated to the City. Founders Drive is the existing driveway located between the Bank of the Ozarks and Chenal Woods Condos and is proposed to be extended westward to the common lot line between Lots 4B and 4C.

The plat includes a variance from the master street plan to allow a reduced right of way width. The right of way width proposed for the new street is 36-feet. The plat indicates a 10-foot wide maintenance/utility/sidewalk easement on each side. The plat also includes a reduced centerline radius. The area north of the proposed new street is labeled as Tract 4B-1 and is proposed as open space.

The existing driveway between Tracts 4A and 4B will be used only for the benefit of these two (2) tracts, to provide ingress and egress to the two (2) tracts and access between the two (2) tracts. This existing driveway may be relocated or removed based on future development plans of the two (2) lots.

The proposed public street does not meet the Master Street Plan design standards for a commercial street. To comply with the minimum standards of the Master Street Plan the street should be located within a 60 foot right-of-way. Staff is not supportive of the variance from the Master Street Plan to allow a 36-foot right-of-way with a 10-foot sidewalk/utility easements on each side as proposed.

Typically private streets to be dedicated as public right-of-way to the City of Little Rock per Section 31.208 of City code includes the following:

- The street proposed to be dedicated must be located within a right-of-way of not less than 40 feet;
- Prior to dedication, street cores must be provided on the private street in several locations determined by staff to show the pavement thickness is equivalent to a minimum of 6-inches of compacted, crushed stone (SB-2), base course plus 2-inches of asphaltic concrete placed on an adequate subgrade;
- Utility alignment and depth must meet all City policies or be judged satisfactory. The applicant must show all existing or proposed utilities on the dedication application;
- The Planning Commission may designate drainage, utility, or public use easements as required to maintain the street.

If the private street is not dedicated as public right-of-way to the City of Little Rock, an adequate turnaround must be provided at the end of the proposed public street for sanitation and emergency vehicles both in dimension and improvements. The use of private driveways and streets for turnaround movements is not adequate.

Staff feels the driveway accessing Chenal Parkway should continue to function as a right in/right out only and not provide a median cut for left turns movements onto Chenal Parkway due to the location of the intersection of Chenal Parkway and Rahling Road. This intersection carries a significant amount of traffic and currently warrants dual left-turn lanes for the eastbound movement. The proposed full-access median opening will introduce additional conflicting points in the traffic flow thereby increasing the potential for crashes. The proposed driveway on the eastside of Chenal Parkway will introduce an unsignalized intersection and may cause illegal turn movements from one (1) drive to the other. Staff feels the existing wide medians with inadequate sight distance will make it very difficult to see oncoming traffic and the proposed triangular island in the median requires drivers to turn their heads more than 90 degrees to see gaps in traffic before merging. Staff feels the existing private commercial street at the proposed median cut does not have adequate sight distance to the right due to the raised median. The applicant has not provide a letter prepared by a registered engineer certifying the sight distance at the intersection(s) comply with 2004 AASHTO Green Book standards.

Staff is not supportive of the applicant's request. Staff has concerns with the right of way proposed for the new street and the potential impact of providing a median cut from the development to Chenal Parkway.

I. STAFF RECOMMENDATION:

Staff recommends denial of the request as filed.

PLANNING COMMISSION ACTION:

(AUGUST 27, 2015)

The applicant was present. There were no registered objectors present. Staff presented the item stating the request was to allow preliminary plat approval for a proposed subdivision. Staff stated the plat included variances from the Master Street Plan. Staff also stated the request included the placement of a median cut on Chenal Parkway. Staff stated they were supportive of the preliminary plat but not of the proposed variances nor the proposed median cut.

Public Works staff stated the request included a number of variances. Staff stated they did not object to the development but felt the proposed plat should meet the minimum standards which included the placement of a 60-foot right of way for the proposed public streets. Staff stated the concern with the horizontal radius was a safety concern. Staff stated minimum standards for a private street to be accepted by the City was a 40-foot right of way. Staff stated this was based on a residential street being dedicated to the City and did not envision commercial streets being dedicated with such a reduced right of way. Staff stated they did not feel it was an ordinance requirement to limit the number of curb cuts on Chenal Parkway but a policy of the City to limit the number of breaks. Staff stated their concern was the high volume and the speeds of cars traveling the Parkway. Staff stated there was currently a public project to add an additional left

turn lane on Chenal Parkway to Rahling Road. Staff stated the volumes of traffic at this intersection was so great the additional lane was needed. Staff stated there was a large amount of undeveloped property in this area which would increase the number of vehicles traveling the area on a daily basis.

Staff stated the posted speed limit of Chenal Parkway was 45 mph. Staff stated the actual speed of 85 percentile of the traffic was 58 miles per hours. Staff stated to allow the median cut would increase the number of unprotected left turns which would increase the risk of accidents. Staff stated at the speeds traveled on Chenal Parkway the crashes would not be fender benders but would most likely result in fatalities. Staff stated they did not feel there was a need for a curb cut.

Mr. Bill Spivey addressed the Commission on behalf of the applicant. He stated most of staff's objections were engineering issues and not technical concerns. He stated a portion of the plat area was recently reviewed and approved by the Commission for rezoning. He stated his client, Delitic Timber Corporation had an opportunity to sell this property to the adjacent property owner, the Bank of the Ozarks. He stated the bank was proposing a major addition to their campus bringing 100's of new jobs to the City. He stated the development of Chenal began in 1982 and if there was one part of town that had evolved over that time it was the Chenal area.

Mr. Tim Daters of White-Daters and Associates addressed the Commission. He stated the proposed development included a three (3) lot plat with three (3) large lots. He stated the plat included variances from the minimum standards of the Master Street Plan. He stated the design of Chenal Parkway began in 2003 and at the beginning the street was classified as an expressway. He stated the Master Street Plan was later amended to reduce the street classification to a principal arterial. Mr. Daters stated the private drive was constructed to meet the minimum standards of the subdivision ordinance. He stated in 2005 this area was not developed. He stated now in 2015 the bank and the Chenal Woods condominiums had been constructed. He stated the proposed median cut would be constructed in the same fashion as the median cut located at Wal-mart. He stated the median cut would take a number of traffic movements out of the traffic signal at Rahling Road and increase traffic flows in this area.

Mr. Ernie Peter addressed the Commission presenting a traffic analysis he had prepared. He stated the analysis had reviewed the AM and PM peak traffic flows on Chenal Parkway and Rahling Road. He stated the volume of Chenal Parkway was significant but not so much on Rahling Road. He stated an analysis was prepared in 2006 and the existing traffic volumes were much less than existed today. He stated the median cut would take movements out of the Rahling Road intersection which would increase the level of service of the intersection. He stated if there was an adjustment to timing of the traffic lights it would allow the traffic flows to operate more efficiently. He stated the sight distance could be achieved by some minor modifications to the median. He stated traffic analysis were based on the posted speeds of traffic on a street and not the actual speeds. He stated the safety could be achieved with the plan. He stated the median break would be fully directional and allow traffic safe movements into the flow of traffic.

Mr. Bill Spivey addressed the Commission and stated there were no citizen before the Commission in opposition of the request. He stated the improvements would be built to meet the safety concerns of the City. He stated design would be fully engineered to meet the concerns of the City.

There was a general discussion by the Commission concerning the request and the proposed median break. A number of Commissioners weighed in on their concerns for safety if the median break were allowed. The Commission questioned staff for their unwillingness to support the reduced right of way when the City was implementing the Complete Streets concept and their current activity of reducing street widths, road diets, to slow traffic through areas. Staff stated they felt the street right of way dedication should meet some standard of the ordinance. Staff stated they had supported various proposal which had reduced right of way widths. Commissioner Berry stated he was unsure as to staff's non-support of the private street since the future users of the street were the same users as the current users. The Commission noted the various median breaks along Chenal Parkway were safety concerns and a number of the beaks experienced accidents on numerous occasions.

There was no further discussion of the item. The chair requested the plat and the proposed variances and the request for the median cut all be voted on as separate items.

A motion was made to approve the preliminary plat not including the proposed variances. The motion carried by a vote of 11 ayes, 0 noes and 0 absent.

A motion was made to approve the variance from the Master Street plan to allow the construction of a commercial street with a 36 foot right of way and a 10 foot sidewalk/maintenance/utility easements on both sides of the right of way instead of a 60 foot right of way. The motion failed by a vote of 1 aye, 10 noes and 0 absent.

A motion was made to approve the variance request from the Master Street Plan to allow construction of a commercial street with a horizontal radius of 111 feet instead of a street with a 275 foot or greater horizontal radius (normal crown). The motion failed by a vote of 1 aye, 10 noes and 0 absent.

A motion was made to approve the variance request from Section 31.208(k)(1) of the City code and acceptance of a private street as dedicated right of way with a width of 36 feet instead of a dedicated right of way width of not less than 40 feet. The motion failed by a vote of 1 aye, 10 noes and 0 absent.

A motion was made to allow the median cut in Chenal Parkway north of Rahling Road. The motion failed by a vote of 0 aye, 11 noes and 0 absent.