

FILE NO.: Z-7783-D

NAME: Miracle Development Revised Short-form POD

LOCATION: Located at 14923 Cantrell Road

DEVELOPER:

Samie Sulieman
29 Winthrop Pointe
Little Rock, AR 72211

SURVEYOR/ENGINEER:

Mark Rickett
HALFF
10411 West Markham Street, Suite 320
Little Rock, AR 72205

AREA: 1.06 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 5

PLANNING DISTRICT: 1- River Mountain

CENSUS TRACT: 42.12

CURRENT ZONING: POD

ALLOWED USE: O-1, Quiet Office District uses

PROPOSED ZONING: Revised POD

PROPOSED USE: O-1, Quiet Office District uses

VARIANCE/WAIVERS: None requested.

BACKGROUND:

The applicant submitted a proposal to rezone the site from R-2, Single-family to PCD, Planned Commercial Development, to allow the construction of a two-bay automatic carwash facility with three (3) vacuum stations along Cantrell Road with the addition of a future third bay. The Little Rock Planning Commission denied this rezoning request at their April 14, 2005, Public Hearing.

The applicant also submitted a requested rezoning of the property located at 14929 Cantrell Road from R-2, Single-family District to O-3, General Office District for future office development. The Little Rock Planning Commission denied this request at their April 28, 2005, Public Hearing.

Ordinance No. 19,356 adopted by the Little Rock Board of Directors on August 1, 2005, established Miracle Development Short-form POD. The approval rezoned the site from R-2, Single-family to POD, Planned Office Development, to allow a conceptual site plan for a future office development. A maximum building footprint of 20,000 square feet and a maximum building height of 35-feet or two (2) stories was approved. Landscape buffers and building setbacks consistent with the Highway 10 Design Overlay District along the north, south and western perimeters of the site were approved and a reduced landscape buffer along the eastern perimeter of the site of 20-feet was also approved. A 30-foot side yard setback along the western perimeter of the site and a 20-foot building setback along the eastern perimeter of the site were proposed and both the front and rear yard building setbacks were indicated at 100-feet. The allowable uses approved for the site were O-2, Office and Institutional Uses. As a final development plan was secured, the applicant was to submit the development plan to the Commission and Board of Directors for final approval through a revision to the Planned Office Development.

Ordinance No. 19594 adopted by the Little Rock Board of Directors on September 5, 2006, allow a revision to the previously approved conceptual POD, Planned Office Development, to allow the development of the site with two (2) lots. Lot 1 was proposed to contain approximately 1.0622 acres with 196.69 feet of frontage on Cantrell Road and access from an existing Cantrell Road driveway. Lot 2 which contained two (2) single-family residences, was proposed with approximately 1.1478 acres with access from a common access drive to be constructed along the west property line of Lot 1. The use of Lot 2 was proposed for the operation of a Montessori School.

The buyer of Lot 2 was to completely renovate the existing red brick home with an approximately 2,500 square foot addition. The existing buff brick house was to be used for future expansion of the school with the addition of approximately 1,300 square feet. The remaining Lot 1 would be available for sale for the development of a one (1) story, maximum 6,600 square foot office building with 24 parking spaces. The applicant proposed O-1, Quiet Office District uses for the building.

Section 36-461 outlines the modifications allowed by the Planning Directors of recorded plans. One of the parameters for approval of a revision to the approved plan allowed is that the revision does not provide for a decrease of up to ten (10) percent in either land coverage, height or numbers of dwelling units. The previously approved plan indicated construction of a 6,600 square foot building which is a decrease in building coverage of 40 percent.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is now proposing to amend the previously approved PD-O, Planned Development Office to allow a reduction in the overall square footage proposed for the office building. The plan includes the construction of a

4,213 square foot single story office building. The plan indicates the placement of 18 parking spaces in front of the building and a rear parking area containing seven (7) parking spaces. The applicant has indicated the use of the building will be a dental office thus the need for the rear parking area.

B. EXISTING CONDITIONS:

The Montessori School has developed on the southern lot. The northern lot remains vacant. There are single-family residences located immediately to the west and south of the overall development site. A mixture of residential, office and commercial uses and zoning exists to the east along Cantrell Road. To the north of this site there is a branch bank facility and two (2) medical office uses. Cantrell Road is a five (5) lane arterial street. There is curb, gutter and sidewalk in place along this property frontage.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200-feet of the site along with the Pinnacle Valley Neighborhood Association, the Tulley Cove Property Owners Association and the Westchester Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Cantrell 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. Sidewalks with appropriate handicap ramps are required to be provided along the driveway in accordance with Section 31-175 of the Little Rock Code and the Master Street Plan.
3. Obtain permits for improvements within State Highway right-of-way from the Arkansas Department of Transportation, District VI.
4. Provide a Sketch Grading and Drainage Plan per Section 29-186 (e).
5. Stormwater detention ordinance applies to this property. Show the proposed location for stormwater detention facilities on the plan. Maintenance of the detention pond and all private drainage improvements is the responsibility of the developer and/or property owners association. Currently, detention is being provided for the school only. Provide proposed stormwater calculations.
6. Per Section 29-102 an evaluation should be conducted on the basis of existing downstream development and any analysis of stormwater runoff with and without the proposed development. If the proposed development will cause or increase downstream flooding conditions, provisions to minimize such flooding conditions should be included in the design of the storm management improvements. Such provisions may include downstream

improvements and/or detention of stormwater runoff and its regulated discharge to the downstream storm drainage system. Due to downstream conditions, the stormwater discharge flow rate cannot increase from current developed conditions to post-developed conditions during the 10 and 25 year storm events.

7. 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.
8. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.

E. Utilities/Fire Department/Parks/County Planning:

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

Entergy: Entergy does not object to this proposal. There do not appear to be any conflicts with existing electrical utilities based on the information provided. There is an existing single phase power line running along the east side of this property, and a three phase line running along the north side of Cantrell Road near this property. Contact Entergy in advance to discuss electrical service requirements, or 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. 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 the 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 are 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: Full plan review.

Parks and Recreation: No comment received.

County Planning: No comment.

F. Building Codes/Landscape:

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

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements and the Highway 10 Design Overlay District.
2. The Highway 10 frontage (front yard) shall consist of a minimum of forty (40) feet of landscaped area exclusive of right-of-way. The landscaped area shall

contain organic and/or combined man-made/organic features such as berms, brick walls and dense plantings such that vehicular use areas are screened when viewed from an elevation of forty-two (42) inches above the elevation of the adjacent street. Trees shall be planted or be existing at least every twenty (20) feet and have a minimum of two (2) inches in diameter when measured twelve (12) inches from the ground at time of planting. Provide screening shrubs no less than thirty (30) inches in height at installation with an average linear spacing of not less at three (3) feet within the required landscape area

3. A land use buffer six (6) percent of the average width/depth of the lot will be required when an adjacent property has a dissimilar use of a more restrictive nature. The properties to the east and west are zoned R-2, Single-family. As a component of all land use buffer requirements, opaque screening, whether a fence or other device, a minimum of six (6) feet in height shall be required upon the property line side of the buffer. A minimum of seventy (70) percent of the land use buffer shall be undisturbed. Easements cannot count toward fulfilling this requirement. The plantings, existing and purposed, shall be provided within the Landscape Ordinance of the City, Section 15-81.
4. Rear and side yards shall have a landscaped buffer averaging a minimum of twenty-five (25) feet from the property line. Parking is shown in the east landscape buffer.
5. 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. This strip shall be at least nine (9) feet wide. One (1) tree and three (3) shrubs or vines shall be planted for every thirty (30) linear feet of perimeter planting strip.
6. Building landscape areas shall be provided at the rate equivalent to planter strip three (3) feet wide along the vehicular use area. One (1) tree and four (4) shrubs shall be planted in the building landscape areas for each forty (40) linear feet of vehicular use area abutting the building.
7. 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. Trees shall be included in the interior landscape areas at the rate of one (1) tree for every twelve (12) parking spaces.
8. A landscape irrigation system will be required as per Highway 10 site design and development standards.
9. The development of two (2) acres or more requires the landscape plan to be stamped with the seal of a Registered Landscape Architect.
10. 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. Transportation/Planning:

Rock Region Metro: The site is located on Rock Region Metro Route #25, the Pinnacle Mountain Express Route.

Planning Division: This request is located in River Mountain Planning District. The Land Use Plan shows Transition (T) for this property. Transition is a land use plan designation that provides for an orderly transition between residential uses and other more intense uses. Transition was established to deal with areas which contain zoned residential uses and nonconforming nonresidential uses. A Planned Zoning District is required unless the application conforms to the Design Overlay standards. Uses that may be considered are low-density multi-family residential and office uses if the proposals are compatible with quality of life in nearby residential areas. The applicant has applied for a revised POD (Planned Office Development) to allow the development of an office building. This request is within the Highway 10 Overlay District.

Master Street Plan: North side of the property is Cantrell Road it is shown as a Principal Arterial on the Master Street Plan. The primary function of a Principal Arterial Street is to serve through traffic and to connect major traffic generator or activity centers within an urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Cantrell Road since they are Principal Arterial. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: A Class I Bike Path is shown along Cantrell Road. A Bike Path is to be a paved path physically separate for the use of bicycles. Additional right-of-way and/or an easement is recommended. Nine-foot (9') paths are recommended to allow for pedestrian use as well (replacing the sidewalk).

H. SUBDIVISION COMMITTEE COMMENT: (November 1, 2017)

Mr. Mark Rickett of HALFF, Inc. was present representing the request. Staff presented an overview of the item stating there were additional items necessary to complete the review process. Staff stated the site was located within the Highway 10 Design Overlay District which had specific development criteria related to setbacks and landscaped areas. Staff requested Mr. Rickett provide the proposed development schedule for the new construction. Staff also questioned the proposed signage plan and the number of doctors to serve the dental office.

Public Works comments were addressed. Staff stated detention was a big concern for the site. Staff stated currently there was an easement for detention to serve the property to the south. Staff stated upon completion of the new construction the amount of water leaving the site could not exceed the current flows from the site. Staff stated the site drained through an adjacent back yard to a storm inlet at the end of the cul-de-sac. Staff stated any broken curb, gutter or sidewalk was to be replaced prior to occupancy. Staff stated a grading permit was required prior to any land clearing on the site.

Landscaping comments were noted. Staff stated a landscape plan was required prior to the issuance of a building permit due to the sites location, within the Highway 10 Design Overlay District. Staff stated the front yard was to include a 40-foot landscape strip. Staff stated within the landscape strip screening of the vehicular use area was required via dense evergreen plantings or with a berm.

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.

I. ANALYSIS:

The applicant submitted a revised site plan addressing most of the technical issues raised at the November 1, 2017, Subdivision Committee meeting. The applicant has provided the proposed signage plan, the number of dentists and the development schedule. The applicant has also indicated the development of the site will comply with the City's Stormwater Detention Ordinance requirements.

The request is to amend the previously approved PD-O, Planned Development Office, to allow a reduction in the overall square footage proposed for the office building. The plan includes the construction of a 4,213 square foot single story office building. The plan indicates the placement of 18 parking spaces in front of the building and a rear parking area containing seven (7) parking spaces. The applicant has indicated the use of the building will be a dental office thus the need for the rear parking area.

The property is located within the Highway 10 DOD which has specific development criteria related to setbacks, parcel size and landscaped areas. The minimum lot size for a development per the Overlay is 2.0-acres with a single building to be located on 2-acres. The property contains 1.06-acres and is proposed to be developed with a single building.

The front yard building setback per the Overlay is 100-feet. The rear yard building setback is to be 40-feet and side yard building setbacks are to be 30-feet. The plan as presented more than adequately provides the typically required building setbacks to comply with the Overlay.

The front landscape strip is to be a minimum of 40-feet. The perimeter landscape strips are to average a minimum of 25-feet. The plan indicates landscaped areas along the eastern perimeter of 20-feet and the rear, southern, perimeter of which averages 25-feet.

The front yard landscape area is to include organic and/or combined man-made/organic features such as berms, brick walls and dense plantings such that vehicular use areas are screened when viewed from an elevation of 42-inches above the elevation of the adjacent street. The applicant has indicated berms will be considered at the time of development of the site. Based on the elevation and

grade of the site berming will potentially not provide the desired screening of the parking areas. Staff will work with the developer at the time of building permit to achieve the best screening of the site in compliance with the Overlay.

Parking lot lighting is to be designed and located in such manner so as not to disturb the scenic appearance preserved in the corridor. Lighting should be directed to the parking areas and not reflected into the adjacent neighborhoods.

Signage is proposed to comply with the typical signage allowed within the Highway 10 Design Overlay District. The plan indicates the placement of a ground sign ten (10) feet in height and 100 square feet in area which will be shared with the southern lot, the Montessori School. The sign will be located within the landscape area along Cantrell Road. Building signage will be limited to signage on the front façade, abutting Cantrell Road. The sign area will be limited to ten (10) percent of the building façade area along Cantrell Road.

The hours of operation for the development are five (5) days per week from 7:00 am to 7:00 pm. The business may also offer Saturday appointments in the future. The plan indicates the placement of a dumpster on the site plan. The dumpster will be located within the rear parking area. The dumpster will be fully screened per typical ordinance requirements (Section 36-523). The hours of dumpster service will be limited to 7 am to 6 pm Monday through Friday.

The site plan includes the placement of 25 parking spaces to serve the dentist office. The Zoning Ordinance typically requires the placement of six (6) parking spaces per doctor. The clinic will have two (2) doctors which would result in the need for twelve (12) parking spaces. The parking as indicated is more than adequate to serve the proposed use.

Due to the downstream flooding conditions, the applicant has provided a sketch grading and drainage plan with supporting calculations showing stormwater discharge flows from the property post-development will be less during the 25-year and 100-year storm events than the pre-developed condition by improving the existing detention pond and adding a second detention pond near the Cantrell Road right-of-way. The applicant has also stated that an attempt will be made to install additional piping downstream if access and permission is granted by the downstream property owner.

Staff is supportive of the applicant's request. The site plan as presented is somewhat similar to the previously approved plan with regard to landscaped areas and building setbacks. The plan as presented includes 8.6 percent building coverage, 23.1 percent of paved area and 68.3 percent landscaped area. The site is indicated as Transition on the City's Future Land Use Plan which allows for office uses. To staff's knowledge there are no outstanding technical issues associated with the request. Staff feels the development of the site with an office building is appropriate.

J. 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.

PLANNING COMMISSION ACTION:

(NOVEMBER 30, 2017)

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. 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 and 3 absent.