

FILE NO.: Z-4807-O

NAME: Primrose School Short-form PD-O

LOCATION: Located on the Northeast corner of Wellington Village Drive and Kirk Road

DEVELOPER:

Primrose Schools Franchising Company
3660 Cedarcrest Road
Acworth, GA 30101

SURVEYOR:

Bates and Associates, Inc.
Geoffrey Bates, PE
7230 North Pleasant Ridge Drive
Fayetteville, AR 72704

AREA: 4.81 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 5

PLANNING DISTRICT: 19

CENSUS TRACT: 42.19

CURRENT ZONING:

POD

ALLOWED USES:

Specific listing of office type uses

PROPOSED ZONING:

Revised POD

PROPOSED USE:

Daycare/school

VARIANCE/WAIVERS:

1. A variance from Sections 30-43 and 31-210 to allow the drive on Kirk Road nearer the property line than typically allowed.
2. A variance from the City's Land Alteration Ordinance to allow grading of the area on the adjacent lot east of this site with the development of this site.

BACKGROUND:

Ordinance No. 20.742 adopted by the Little Rock Board of Directors on July 9, 2013, rezoned the site from MF-6, Multi-family to Planned Office Development POD. The applicant proposed the development of the site with five (5) single story office buildings

each proposed on a separate lot. The buildings were to range in size from 5,000 square feet to 15,120 square feet. The lots were to share access and parking through a cross access and parking agreement. Each of the lots was designed to allow for sufficient parking on each lot for the proposed office users.

A specific listing of uses was approved for the site. The approved uses included a Bank or savings and loan office, Clinic (medical, dental or optical), Establishment of religious, charitable or philanthropic organization, Art gallery, Office (general and professional), Private school for tutoring, business, adult education or special education, Studio (art, music, speech, drama, dance or other artistic endeavors), Travel bureau, Barber or beauty salon, Photography studio, Studio (broadcasting or recording), Duplication shop, Laboratory, Health studio or spa. Nothing has occurred on the site to date. The applicant is now requesting to amend the previously approved POD to allow the addition of a school/daycare center as an allowable use and allow the construction a new building for the school/daycare on the western portion of the site.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The current request is to revise the Planned Office Development, POD, for 1.8-acres of this 4.81-acre tract. The plan includes the construction of a 12,200 square foot building and 45 parking spaces within an area containing 18,520 square feet. A playground area containing 19,431 square feet of space is proposed and 28,189 square feet of miscellaneous space including open space and landscaping is proposed. The building is proposed as a single story building.

The site plan indicates the placement of a drive on Kirk Road and on Wellington Village Road. The drive proposed for Wellington Village Road is indicated as a shared drive with the remainder of the property. The drives will require a variance to allow each of them nearer the intersection than typically allowed.

The site plan indicates the placement of a single monument style sign at the intersection of Kirk and Wellington Village Roads. The sign is proposed with a maximum height of seven (7) feet and a maximum sign area of seventy (70) square feet.

B. EXISTING CONDITIONS:

There are a scattering of evergreen and hardwood trees on the site near the center of the proposed development area. There are single-family homes located to the east and southeast and a multi-family development located to the north. There is a large church located to the south and vacant C-1, Neighborhood Commercial zoned property to the northwest. Street improvements are in place on both Kirk Road and Wellington Village Road. There is an office building currently under construction to the west, across Kirk Road.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received an informational phone call from an area property owner. All property owners located within 200-feet of the site were notified of the public hearing. There is not an active neighborhood association, listed with the City, near this site.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
2. 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.
3. Stormwater detention ordinance applies to this property. Does the existing pond on the west side of Kirk Road provide detention for this property? If not, show the location of the detention facility on the plan.
4. 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.
5. Hauling of fill material on or off site over municipal streets and roads requires approval prior to a grading permit being issued. Contact Public Works Traffic Engineering, 621 South Broadway, Travis Herbner, therbner@littlerock.org or 501.379.1805 for more information.
6. Driveway locations and widths do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. The required driveway spacing on a collector street is 250 feet from the intersection street right-of-way and other driveways. A variance must be requested for the driveway location.
7. Provide a Sketch Grading and Drainage Plan per Section 29-186(e). Showing retaining walls and/or off site grading proposed for the east side of the structure. A variance may be required for wall heights and advanced grading off site.
8. In accordance with Section 32-8, no obstruction to visibility shall be located within a triangular area 50 feet back from the intersecting right-of-way line (or intersecting tangent lines for radial dedications) at the intersection of Kirk Road with Wellington Village Road.
9. Staff is evaluating the need for a traffic study. To assist in the determination provide the following information. Will all kids be dropped off or walked into the school by the parent? How many kids are proposed? What will be the hours of the school and child care?

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. Provide a plan prepare "to scale". The provided plan cannot be measured.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this site. Grease trap required if food prep is to be done on the site. Contact Little Rock Wastewater if additional information is required.

Entergy: Entergy does not object to this proposal. Underground power lines are in the vicinity, but will need to be extended to the property to provide service. There are no power lines currently on the property to provide service to the new school. Contact Entergy well 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. 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. 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.

6. 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.
7. 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.

Fire Department:

1. Maintain Access.
2. 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.
3. Grade. Maintain fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade except as approved by the fire chief.
4. Loading. Maintain fire apparatus access road design as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.
5. 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 replaced 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.
6. 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 not currently served by METRO however, it is part of our long range plan for West Little Rock flex service. Maintain pedestrian access to the site and provide a pedestrian cross walk to the building entrance. School access for pedestrians is a primary goal as stated in local, regional and national planning documents.

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: This request is located in the Chenal Planning District. The Land Use Plan shows Suburban Office (SO) for this property. The Suburban Office category provides for low intensity development of office or office parks in close proximity to lower density residential areas to assure compatibility.

A Planned Zoning District is required. The applicant has applied for a rezoning from POD (Planned Office District) to PD-O (Planned District Office) to build a new daycare center.

Master Street Plan: West side of the property is Kirk Road and it is shown as a Minor Arterial, the south side of the property is Wellington Village Drive and it is shown as a Collector on the Master Street Plan. A Minor Arterial provides connections to and through an urban area and their primary function is to provide short distance travel within the urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Kirk Road. The primary function of a Collector Street is to provide a connection from Local Streets to Arterials. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: There is a Class III Bike Route shown on Wellington Village Drive and Kirk Road. These bike routes require no additional right-of-way, but either a sign or pavement marking to identify and direct the route.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. Street buffers will be required at six (6) percent of the average depth of the lot. The minimum dimension shall be one-half ($\frac{1}{2}$) the full width requirement but in no case less than nine (9) feet. The maximum dimension required shall be fifty (50) feet.
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. 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.
5. 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 ($7 \frac{1}{2}$) 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

6. Building landscape areas shall be provided between the vehicular use area used for public parking and the general vicinity of the building. These 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. 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 minimum dimension shall be nine (9) feet. 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. The plantings, existing and purposed, shall be provided within the Landscape Ordinance of the City, Section 15-81. The property to the north is zoned MF-18, screening will be required.
8. An automatic irrigation system to water landscaped areas shall be required for developments of one (1) acre or larger.
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 sites. Credit toward fulfilling Landscape Ordinance requirements can be given when preserving trees of six (6) inch caliper or larger.

G. SUBDIVISION COMMITTEE COMMENT: (February 3, 2016)

The applicant was present. Staff presented an overview of the item stating there were a number of outstanding technical issues in need of addressing related to the development of the site and the proposed site plan. Staff questioned the area to the east of the proposed daycare development and questioned if there would be a development plan submitted for this area. Staff also requested the applicant provide detailed information concerning the use of the property, number of children served, the days and hours of operation, the location of any dumpster facilities and if there would be transportation provided for the students.

Public Works comments were addressed. Staff stated a grading permit was required prior to any land clearing or grading on the site. Staff also stated the City's Stormwater Detention Ordinance would apply to the future development of the site. Staff requested the applicant provide a sketch grading and drainage plan showing retaining walls and/or off site grading proposed for the east side of the structure. Staff stated they were evaluating the need for a traffic study and stated the number of children and how the children were dropped off and picked up would determine if there was a need for the traffic study. Staff stated the driveway locations would require a variance from the Master Street Plan and the Subdivision Ordinance to allow the drives as proposed on the site plan.

Landscaping comments were addressed. Staff stated a perimeter planting strip of nine (9) feet was required to meet the minimum standards of the Landscape Ordinance. Staff stated a land use buffer was required along the northern perimeter where abutting the residentially zoned and used property. Staff stated an automatic irrigation system was required to water landscaped areas. Staff stated the City Beautiful Commission recommended preserving as many existing trees as feasible on the site.

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 most of the technical issues raised at the February 3, 2016, Subdivision Committee meeting. The applicant has provided the use of the property, the number of children served, the days and hours of operation, the location of any dumpster facilities and indicated there will be transportation provided for the after school students.

The request is to revise the POD for 1.8-acres of a 4.81-acre tract. The remaining area is not proposed with any development at this time and if and when development plans are secured a revision to the POD will be requested. The applicant indicates the school construction will begin in August of 2016 and be completed by March 2017.

The development plan for the western portion of the acreage (1.8-acres) includes the construction of a 12,200 square foot building and 45 parking spaces. A playground area containing 19,431 square feet is proposed and 28,189 square feet of miscellaneous space including open space and landscaping is proposed. The building is proposed as a single story building. The use of the property is a daycare but in the future the facility may offer private kindergarten classes but will not offer classes beyond kindergarten. The maximum number of children to be served is 206.

The site plan indicates the placement of a drive on Kirk Road and on Wellington Village Road. The drive proposed for Wellington Village Road is indicated as a shared drive with the remainder of the property. The drives on both Wellington Village Road and on Kirk Road will require a variance to allow the drives to be placed nearer the intersection than typically allowed per the Boundary Street and Subdivision Ordinances. (Sections 30-43 and 31-210 of the Little Rock Code of Ordinances) The drive on Wellington Village Road is located 200-feet from the intersection of the two (2) streets. The drive on Kirk Road is located 180-feet from the intersection. The minimum spacing for a drive on a collector street is typically 250-feet from intersecting streets and from other driveways.

The site plan indicates the placement of a single monument style sign at the intersection of Kirk and Wellington Village Roads. The sign is proposed with a maximum height of seven (7) feet and a maximum sign area of seventy (70) square feet. The sign has an arched top which increases the overall height to seven (7) feet and has a 24" diameter logo which extends above the base but is included in the overall height of the sign. Building signage will be placed on the facades with public street frontage. The sign area will not exceed ten (10) percent of the façade on which the sign is placed. The placement of the sign must be approved by the Public Works Department Traffic Engineering.

The hours of operation for the daycare are from 6:00 am to 6:00 pm Monday through Friday.

The applicant has indicated a dumpster to be placed on the site within the front parking area, not within the front yard setback but within the northern land use buffer. Staff recommends the dumpster be relocated to an area along Kirk Road and be screened with masonry enclosure on three (3) sides and the placement of a metal gate on the front of the enclosure. Also staff recommends around the dumpster containment area the applicant provide landscaping and plantings of evergreen trees and shrubs to lessen the visual impact of the containment area to the abutting street. The dumpster hours of service have not been indicated as limited. Staff recommends the hours of dumpster service be limited to daylight hours or from 7 am to 6 pm Monday through Friday.

All site lighting will be low level and directional, directed downward and into the site. The lighting will be shielded to minimize over spilling of light onto adjacent properties. The maximum pole height for the parking lot lighting is 20-feet.

The applicant is required to provide a land use buffer along the northern perimeter as well as provide screening due to the adjacent residential use and zoning. The applicant has indicated a screening fence will be provided along the northern boundary. The required land use buffer along the northern perimeter should be 25.8-feet with no more than 30 percent of the buffer area disturbed. The plan as presented indicated the playground area within the buffer area. The previous application was approved with an encroachment into this buffer area but to mitigate the encroachment that applicant offered to provide evergreen plantings at a rate of two (2) times the normal requirement of the landscape ordinance for perimeter plantings. Staff feels to allow this development the encroachment the developer should install evergreen plantings also at a rate of two (2) times the typical ordinance requirement and to stagger the plantings to increase the visual screen. Per typical ordinance requirements the required street buffer would be 25-feet and in no case less than one-half. It appears the street buffer requirement is being met.

Parking for a nursery, kindergarten and day care centers, is typically based on one (1) space per administrator, teacher and employee on the largest shift plus one (1) space per facility vehicle plus one (1) space per ten (10) persons of licensed capacity. The daycare will serve a maximum of 206 children. There are

22 staff and one (1) van will be used to provide transportation for the after school care. This would result in the need for 43 parking spaces. As indicated the site plan includes the placement of 45 parking spaces.

The request includes a variance from the City's Land Alteration Ordinance to allow grading within the area to the east of this site which is not a part of this development proposal. The applicant has indicated retaining walls will be constructed along the eastern perimeter of this development and the off-site grading is necessary for the placement of the walls and to ensure the stability of the walls. Staff is supportive of the grading request.

Staff is supportive of the concept for development of the site. Staff is not however supportive of the entirety of the applicant's proposal. Staff feels the site plan should address staff's concerns related to the dumpster placement and the treatment of the northern land use buffer prior to gaining staff's support.

I. STAFF RECOMMENDATION:

Staff recommend denial of the request as filed.

PLANNING COMMISSION ACTION:

(FEBRUARY 25, 2016)

The applicant was present. There were no registered objectors present. Staff presented the item stating the applicant had revised their site plan to address staff's concerns related to the northern land use buffer; the placement of the dumpster and the replanting of the buffer northern land use buffer. Staff stated the applicant had relocated the dumpster to the southern perimeter along Kirk Road and agreed to screen the dumpster as suggested by staff in the analysis section of the agenda staff report. Staff stated the applicant had also agreed to replant the northern land use buffer as recommended by staff to include the installation of evergreen plantings at a rate of two (2) times the typical ordinance requirement and to stagger the plantings to increase the visual screen along the northern land use buffer. Staff presented 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 the dumpster service hours be limited to daylight hours or from 7 am to 6 pm Monday through Friday. Staff presented a recommendation of approval of the variance requests from the City's Land Alteration Ordinance to allow grading off site on an adjacent parcel with the construction/grading of the first phase. Staff presented a recommendation of approval of the variance request from Sections 30-43 and 31-210 to allow the drives nearer the intersections and property lines than typically allowed. 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 and 1 absent.