

FILE NO.: Z-9479

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NAME: O'Reilly Senior Living Facility Long-form POD

LOCATION: Northwest of the intersection of Chenal Valley Drive and Rahling Road

DEVELOPER:

O'Reilly Development Company, LLC  
5051 South National Avenue  
Springfield, Missouri 65810  
417-893-6006

OWNER/AUTHORIZED AGENT:

Arkansas Teacher Retirement System/Owner  
Tim Wilson, SWD Architects/Agent

SURVEYOR/ENGINEER:

White-Daters & Associates, Inc./Engineer

AREA: 12.03 acres      NUMBER OF LOTS: 1      FT. NEW STREET: 0 LF

WARD: 5      PLANNING DISTRICT: 19      CENSUS TRACT: 42.12

CURRENT ZONING: O-2 General Office and C-1

ALLOWED USES: General Office

PROPOSED ZONING: POD, Planned Office Development

PROPOSED USE: Senior Living Community

VARIANCE/WAIVERS:

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BACKGROUND:

The property at the northwest corner of Chenal Valley Drive and Rahling Road is under the ownership of the Arkansas Teacher Retirement System; however, the property is situated in two different zoning districts. The portion at the intersection of Chenal Valley

Drive is zoned C-1, Neighborhood Commercial, while the eastern section is designated as O-2, Office and Institutional. All of the 12.03-acres are wooded and undeveloped.

The applicant is proposing a senior living community composed of independent living units, assisted living units, and memory care units. This use is typically considered as an institutional-type use and is appropriate to be located within the Planned Office Development zoning designation.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

This proposed development is a Senior Continuum of Care Community consisting of Memory Care, Assisted Living, and Independent Living. A total of 195 beds in 158 units are planned. The independent living portion of the project will be a three-story structure and the assisted living and memory care units are a single-level building. The overall square footage is 163,014-square feet.

The property consists of two lots. One lot is currently zoned O-2 and the second lot is zoned C-1. The combined lot area is 12.03-acres. The grade change from the lowest elevation to the highest is approximately 90-feet.

The zoning change to POD will allow for the development of the Senior Community on these lots and assist in meeting the city design requirements and working with the challenging terrain of this site.

The community will also offer services and amenities. The independent living area is housed in a lodge-style building consisting of common areas, offices, a commercial kitchen, beauty shop, exercise space, and social rooms. One-and two-bedroom units are proposed for the independent living portion. All will have fully-equipped kitchens and washers and dryers. They will also include "smart design features, such as counter height bars opening into the living area, eliminating the need for a separate dining space.

The assisted living units will offer private apartments for seniors who require hands-on personal care services. All units will be wired with motion technology that proactively monitors vital signs and risk for falls. The technology is capable of predicting a fall 30-days prior to occurrence, allowing for early intervention.

Memory care units are designed for the safety and comfort of cognitively impaired residents. Walk-in showers, height appropriate fixtures, such as toilets and sinks, and locking cabinets protect residents from harm. Complete licensed care for Alzheimer and dementia residents, including all meals, life safety equipment/notifications, nursing assistance, and medication administration.

The Arkansas Health Services Permit Agency (AHSPA) controls the approval of all licensed beds, being the assisted living and memory care units in this facility. The Agency has four application dates per year based upon their published list of market demand areas. Little Rock has a defined unmet demand exceeding 500 licensed beds. Our community would provide 60 licensed beds, in addition to the independent units. The continuum of care model helps from the initial decision of community living at the independent level and availability of the same community services allowing seniors to age in place within the community.

The application for this facility will be submitted to AHSPA on February 1, 2020 and will take approximately 120 days to complete the review process and receive approval for the licensed beds. With an anticipated approval date in May 2020, we will begin full architectural design and would look to begin construction by the end of 2020. Having adequate zoning for our proposed project is required with the application. Our legal counsel has confirmed our application may be supplemented with final zoning approval.

**B. EXISTING CONDITIONS:**

The property is undeveloped and wooded with frontage along both Chenal Valley Drive and Rahling Road.

A church is situated to the east.

Across Rahling Road to the south is an apartment complex and vacant property zoned C-1.

To the north is a developing age-restricted residential community for those over the age of 55. Further north along Chenal Valley Drive is an assisted living facility and a nursing home/rehabilitation center.

The property to the west across Chenal Valley Drive is undeveloped and zoned O-2.

**C. NEIGHBORHOOD COMMENTS:**

As of this writing, staff has received one phone call from about the request. The caller was walking and noticed the sign notifying the public of the proposed planned zoning development. She was curious about what was proposed. Notice of the public hearing was sent to all owners of properties located within 200 feet of the site.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Repair or replace any curb, gutter, sidewalk and access ramps that are damaged and not in compliance with ADA recommendations in the public right-of-way prior to occupancy.
2. A grading permit in accordance with section 29-186 (c) & (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. Provide a Sketch Grading and Drainage Plan per Sec. 29-186 (e).
4. Storm water detention ordinance applies to this property. Maintenance of the detention pond and all private drainage improvements is the responsibility of the developer and/or property owner.
5. If disturbed area is 1 or more acres, obtain a NPDES storm water permit from the Arkansas Department of Environmental Quality prior to the start of construction.
6. Obtain permits prior to doing any street cuts or curb cuts. Obtain barricade permit prior to doing any work in the right-of-way. Contact Traffic Engineering at (501) 379-1805 (Travis Herbner) for more information.
7. Driveway locations and widths do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. The lots should share a driveway access centered on the property line with the church to the east. The width of driveway must not exceed 36 feet. City code states driveway spacing on arterial streets is 300 ft. from other driveways and intersections. The proposed Rahling Road driveway is shown to be within the Rahling Rd/Kirk Rd intersection where a future signal is being considered.
8. If the proposed Rahling Road driveway location is approved, provide a letter prepared by a registered engineer certifying the intersection sight distance at the intersection(s) comply with 2004 AASHTO Green Book standards.
9. Provide a letter prepared by a registered engineer certifying the Chenal Valley Drive intersection sight distance at the intersection(s) comply with 2004 AASHTO Green Book standards.
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. Prior to construction of retaining walls, an engineer's certification of design and plans must be submitted to Public Works for approval. After construction, an as-built certification is required for construction of the retaining wall.
12. The owner and/or manager of each multi-family residence of 100 or more dwelling units shall provide recycling and encourage participation by the tenants, renters, or owners of each unit. Contact Melinda Glasgow at 371-4646 for more information.
13. Show the location of proposed gates and fencing. Show the location of the call box with sufficient stacking and turnaround if gates are proposed.
14. Street Improvement plans shall include signage and striping. Public Works must approve completed plans prior to construction.

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

Little Rock Water Reclamation Authority:

Sewer Available to this site. Capacity Fee Analysis required. FOG Analysis required. Retain existing sewer easements.

Entergy:

Entergy does not object to this proposal. There does not appear to be any conflicts with existing electrical utilities at this location. This is an underground area that has three-phase along Rahling Road and Chenal Valley. Switchgear will be required on this job. 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:

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

The Little Rock Fire Department needs to evaluate the 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.

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.

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 a Customer Owned Line Agreement is required.

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.

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:

Full plan review

**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.

**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.

**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.

**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 placed with the approval of the fire code official.

**Dead Ends.**

**Maintain fire apparatus access roads at dead end locations as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D103.4 Dead Ends.** Dead-end fire apparatus access roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with Table D103.4. Requirements for Dead-end fire apparatus access roads.

**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.

**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 2012 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 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.

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](mailto:crichey@littlerock.gov) or  
Steve Crain at 501-371-4875; [scrain@littlerock.gov](mailto:scrain@littlerock.gov)

Landscape:

1. Any new site development must comply with the City's minimal landscape and buffer ordinance requirements.
2. 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 maximum width of the required buffer is fifty (50) feet. A minimum of seventy (70) percent of the land use buffer shall be undisturbed. Easements cannot count toward fulfilling this requirement. The property to the north is zoned PD-R, and the property to the west is zoned R2 CUP. The average width of the lots is approximately 560 linear feet. **A thirty-four (34) foot land use buffer is required adjacent north perimeter. The buffer shown on the plan is deficient.**
3. As a component of all land use buffer requirements, opaque screening, whether a fence or other device, six (6) feet in height shall be required upon the property line side of the buffer. In addition to the required screening, buffers are to be landscaped at the rate of one (1) tree and three (3) shrubs for every thirty (30) linear feet.
4. Screening requirements will need to be met for the vehicular use areas adjacent to street rights-of-way. 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.
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. Provide trees with an average linear spacing of not less than thirty (30) feet within the perimeter planting strip. Provide three (3) shrubs or vines for every thirty (30) linear feet of perimeter planting strip.
6. 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.
7. 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.

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 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: No comment received.

Planning Division: The request is in the Chenal Valley Planning District. The Land Use Plan shows Neighborhood Commercial (NC) and Office (O) for the requested area. The Neighborhood Commercial category includes limited small-scale commercial development in close proximity to a neighborhood, providing goods and services to that neighborhood market area. The Office category represents services provided directly to consumers (e.g., legal, financial, medical) as well as general offices which support more basic economic activities. The application is to change an area from C-1 (Neighborhood Commercial District) and O-2 (Office and Institutional District) to POD (Planned Office Development) District to allow the development of a senior care assisted and independent living complex on the site.

Master Street Plan: To the south is Rahling Road and it is shown as a Minor Arterial on the Master Street Plan. To the west is Chenal Valley 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 Rahling Road since it is a Minor Arterial. The primary function of a Collector Road 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 I Bike Path is shown along Rahling Road. A Bike Path is to be a paved path physically separate for the use of bicycles. Additional right-of-way or an easement is recommended. Nine-foot paths are recommended to allow for pedestrian use as well (replacing the sidewalk). There is a Class III Bike Route shown on Chenal Valley Drive. Bike Routes require no additional right-of-way, but either a sign or pavement marking to identify and direct the route.

H. SUBDIVISION COMMITTEE COMMENT:

December 11, 2019

The applicant was present. Staff presented the item to the committee.

Planning staff inquired if any outdoor amenities or recreational facilities are proposed, if there would be any perimeter fencing or gates, and any signage. Lastly, confirmation of whether the proposed development will have approval from the Chenal Architectural Review Board prior to the January 9, 2020, public hearing was requested.

Public Works staff requested a Sketch Grading and Drainage Plan. The proposed driveway locations do not meet the access and circulation requirements of Sections 30-43 and 31-210. It was proposed this property should share a driveway with the neighboring church on the east and the width of the driveway to not exceed 36-feet in width. As currently planned the separate driveway on Rahling Road would be within the intersection of Rahling Road with Kirk Road, where a future traffic signal is under consideration. Furthermore, if the proposed Rahling Road driveway is approved, a letter prepared by a registered engineer certifying the intersection sight distance at the intersection(s) complies with the 2004 AASHTO Green Book Standards must be provided. A similar letter is necessary for the Chenal Valley Drive intersection(s). It was also noted recycling facilities would be required for the property and the tenants should be encouraged participation.

Landscape comments were addressed generally. One specific item was the land use buffer to the north was of an insufficient width on the site plan. A 34-foot buffer is required.

The applicant was advised responses and revisions are to be received by December 18 14, 2019. The committee forwarded the item to the full commission.

I. ANALYSIS:

A revised site plan and comment responses were provided by the applicant.

The outdoor recreational amenities will consist of three interior courtyards situated in the assisted living and memory care building providing a secure outdoor area for use by the residents. The independent living units will each have a small deck of patio for personal use and a patio area will be provided on the east side of the building on the first floor connecting to the bistro/dining area inside the structure. Both the independent living and assisted living units will have an indoor fitness facility. An indoor swimming pool is planned for the independent living community.

A six-foot wood fence is planned along the north and east property lines as part of the land use buffers. No gates are proposed.

The conceptual design has been submitted to the Chenal Architectural Review Board. It has not been yet confirmed when the review and approval will be received.

A sketch grading plan has been submitted and reviewed by Public Works. The sketch grading plan has been found to be satisfactory. A storm water detention pond is proposed for the southwest corner of the property near the intersection of Chenal Valley Drive and Rahling Road.

A shared access drive with the neighboring church is now proposed for access to Rahling Road from the property. This will be platted as a shared access easement during the platting process.

The letter certifying the sight distance for the Chenal Valley access drive has yet to be submitted.

Engineering certification will be submitted for review and approval by Public Works. As noted, the site has a significant grade change. Currently, retaining walls are proposed generally along the northern portion of the developed area curving to the south around much of the eastern edge of the developed area and a second retaining wall between the independent living community building and the assisted living and memory care building. With sections paralleling the structures on the north and south. These walls would be no more than 15-feet in height.

Recycling facilities will be provided and use by the residents encouraged.

The developed area has been shifted southward allowing for sufficient landscape buffer to be provided on the north side of the property.

All other landscaping issues, including tree preservation, will be addressed during the permitting and development process to comply with requirements.

It appears all technical issues have be sufficiently addressed.

Staff is supportive of this project. It is compatible with the development and plans in the area and would help in meeting the need for senior housing in the city.

J. STAFF RECOMMENDATION:

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

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PLANNING COMMISSION ACTION: (JANUARY 9, 2020)

The applicant was not present. There were no registered objectors present. Staff informed the commission the required notification was not completed in a timely fashion; therefore, this item must be deferred to the February 20, 2020 meeting. Staff recommends approval of the deferral to the February 20, 2020 meeting. There was no further discussion. The item was placed on the consent agenda and the item was deferred to the February 20, 2020 meeting. The vote was 10 ayes, 0 noes, and 1 absent.

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PLANNING COMMISSION ACTION: (FEBRUARY 20, 2020)

The applicant was present. There were no registered objectors present. Staff presented the item and a recommendation of approval as outlined in the "staff recommendation" above. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff, including all staff comments and conditions. The vote was 9 ayes, 0 noes, and 2 absent.