

FILE NO.: Z-6408-B

NAME: St. Bartholomew's Catholic Church Parish Hall Short-form POD

LOCATION: 1622 Marshall Street

DEVELOPER:

Bishop Anthony Taylor
Catholic Diocese of Little Rock
P. O. Box 7239
Little Rock, AR 72217

OWNER/AUTHORIZED AGENT:

Catholic Diocese of Little Rock/Owner
Woods Group Architects/Authorized Agent
1401 Bishop Street
Little Rock, AR 72202

SURVEYOR/ENGINEER:

Harbor Environmental/Surveyor
5800 Evergreen Drive
Little Rock, AR 72205

AREA: .649 acres NUMBER OF LOTS: 1 zoning lot FT. NEW STREET: 0 LF

WARD: 1 PLANNING DISTRICT: 8 CENSUS TRACT: 45

CURRENT ZONING: R-3

ALLOWED USES: Single - family (existing undeveloped church property)

PROPOSED ZONING: POD

PROPOSED USE: Church Parish Hall and parking

VARIANCE/WAIVERS: None requested

BACKGROUND:

The current St. Bartholomew Church building and rectory at 1622 Marshall Street were constructed in 1931. The church itself is over 100 years old, having been previously located on 8th Street and in a building near the current site. The church building and rectory occupy the southern two lots on the west side of Marshall Street, between 16th and 17th Streets. The four vacant lots adjacent to the north are also owned by the church and until the 1980's had single family homes on them.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The Church is requesting approval of a POD to allow for construction of a one-story, 5,250 square foot parish hall building and an associated parking lot to be located on the currently-vacant lots to the north of the existing church building and rectory. A future, 1,200 square foot expansion of the proposed parish hall is also indicated. The property is located in the Central High Design Overlay District. The DOD has specific criteria for treatment of the ground floor façade which the church cannot comply with. The process for requesting an exception is the planned development.

B. EXISTING CONDITIONS:

The proposed site of the parish hall and parking lot is now vacant. The property consists of four lots that previously had single family homes on them. The church and rectory are adjacent to the south. Another church property, formerly the St. Bartholomew School, is located across Marshall Street to the east. That building is currently occupied by Helping Hands. The Arkansas Baptist College campus is located to the east. Other ABC properties are located to the south and west. Centennial Park is located ½ block to the northwest. The residential properties around the site contain a variety of single family and two family homes. The property is located in the historic Central High neighborhood.

C. NEIGHBORHOOD COMMENTS:

Notice of the public hearing was sent to all owners of properties located within 200 feet of the site and the Central High and Wright Avenue Neighborhood Associations.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. A 20 feet radial dedication of right-of-way is required at the intersection of Marshall Street and W. 16th Street.

2. With issuance of a building permit, due to the existing damaged public infrastructure within the right-of-way 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.
3. Access is proposed off the rear alley, with the issuance of the building permit, the alley should be repaved to at least 15 ft. in width from W. 16th St. south to the proposed access driveways.
4. Remove all existing curb cuts proposed not to be used with the development with the issuance of the building permit.
5. 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.
6. Show proposed location of any gates and fencing associated with the parking lot.
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.

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

Little Rock Water Reclamation Authority: Sewer Available to this Site. FOG analysis required.

Entergy:

Entergy does not object to this proposal. There does not appear to be any conflicts with existing electrical utilities at this location. Contact Entergy in advance to discuss electrical service requirements, or adjustments to existing facilities (if any) as this project proceeds.

Centerpoint Energy: No comment.

AT&T: No comments 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 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.

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.

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 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.

Multi-Family Residential Developments

As per Appendix D, Section D106.1 of the 2012 Arkansas Fire Prevention Code Vol. 1. Projects having more than 100 dwelling units. Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.

Exception: Projects having up to 200 dwelling units may have a single approved fire apparatus access road when all building, including nonresidential occupancies are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1 or 903.3.1.2

As per Appendix D, Section D106.2 of the 2012 Arkansas Fire prevention Code Vol. 1. Projects having more than 200 dwelling units. Multiple-family residential projects having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system.

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.

County Planning: No comment received.

F. **BUILDING CODES/LANDSCAPE:**

Building Code: No comment.

Landscape:

1. Any new site development must comply with the City's minimal landscape and buffer ordinance requirements.
2. The property is located in the City's designated mature area. A twenty-five (25%) percent reduction of the buffer, perimeter planting bed widths, building, and interior parking landscape requirements is acceptable.
3. 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 or six (6) feet nine (9) inches in designated mature areas.
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.

A minimum of five (5) Trees and fifteen (15) shrubs will be required between the new development and the S Marshall Street right-of-way. A minimum of five (5) trees and forty-seven (47) shrubs shall be located between the new development and the W 16th Street right-of-way.

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 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. An irrigation system shall be required for developments of one (1) acre or larger. For developments of less than one (1) acre there shall be a water source within seventy-five (75) feet of all plant material if an automatic irrigation system is not provided.
7. 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

Existing plant materials can be used to meet the minimum code requirements if noted on the plan. All existing landscape areas and mature vegetation to remain shall be protected as per City of Little Rock Landscape Ordinance (Sec. 15-100). Any trees or vegetation located in close proximity to construction shall have the area within the dripline fenced and protected from development activities.

G. TRANSPORTATION/PLANNING:

Rock Region Metro: No comment.

Planning Division: The request is in the Central City Planning District. The Land Use Plan shows Public Institutional (PI) for the requested area. The Public Institutional category includes public and quasi-public facilities that provide a variety of services to the community such as schools, libraries, fire stations, churches, utility substations, and hospitals. The application is to change the property from R-3 (Single Family District) with a Conditional Use Permit for Church related uses to a POD (Planned Office Development) District to allow for the construction of a Parish Hall and parking on the site. The Site is within the Central High Neighborhood Design Overlay District.

Master Street Plan: To the east is Marshall and to the north and south are 16th and 17th Streets. All three streets are Local Streets on the Master Street Plan. The primary function of Local Streets is to provide access to adjacent properties. Local Streets that are abutted by non-residential zoning/use or more intensive zoning than duplexes are considered as "Commercial Streets". These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: There are no bike routes shown in the immediate vicinity.

H. SUBDIVISION COMMITTEE COMMENT: (January 29, 2020)

The applicants were present. Staff presented the item and noted some additional information was needed. Staff asked the applicants to specify the uses proposed for the building and to provide the building height, building elevations and a signage plan. The applicants were asked to locate any proposed fencing and to locate the dumpster and required screening. Staff noted the criteria of the Central High Design Overlay District and informed the committee members that there would possibly be variances from the DOD related to the front façade and the number of parking spaces. Staff made note of two trees which were indicated within the parking lot as to be saved. Staff commented that the landscape island around the two trees needed to be enlarged so as to protect the tree and to increase the likelihood of the trees surviving.

Public Works and landscape comments were presented and briefly discussed. The comments from the other departments and reviewing agencies were noted.

The applicants were advised to submit responses to staff issues by February 5, 2020.

The committee forwarded the item to the full commission.

I. ANALYSIS:

St. Bartholomew Catholic Church is requesting approval of a planned office district to allow for construction of a parish hall and associated parking adjacent to the existing church and rectory. The proposed one-story parish life center building will be constructed in two phases. The first phase is 5,250 square feet. A future, 1,200 square foot expansion is indicated. A 27-space parking lot is located adjacent to and behind the proposed parish hall building. The building will contain multipurpose fellowship space, a kitchen, restrooms and church offices.

The applicants submitted responses to most of the issues raised at subdivision committee. Building elevations were provided. The parking lot was modified, eliminating some of the parking spaces and increasing the land area around two trees proposed to be preserved. No dumpster has been indicated on the plan. If one is ever added in the future, it should be located behind the building and screened to comply with code standards. Dumpster service hours should be limited to 7:00 am – 6:00 pm, Monday – Friday. All new site lighting is to be low-level and directional, shielded downward and into the site. Signage should comply with that allowed in office and institutional zones. No new fencing is proposed. The parking will be accessed via a single driveway onto Marshall Street and from the alley behind the property. The alley will be improved from 16th Street south to the entrances to the proposed new parking.

The site is located in the Central High Design Overlay District and there are variances from a couple of the DOD criteria.

- a. *Orientation.* The primary façade of a nonresidential building shall face the principal street. The principal street as referred to in this section shall refer to the street having the highest classification according to the city master street plan. Buildings on corner lots shall have the same orientation as adjacent nonresidential structures. The proposed building faces Marshall Street and has the same orientation as the adjacent church and rectory buildings.
- b. *Ground-level façade.* For new construction at least sixty (60) percent of the ground-floor level facing pedestrian public circulation areas shall be glass windows and/or displays. The proposed building does not comply with this standard on either the north (parking lot) or east (street) facades. The nature of the building such that it is not necessary or desirable to have sixty (60) percent of the facade in glass.
- c. *Nonresidential building setback.* All commercially and office zoned properties shall have a ten-foot front setback with the building sited at the front setback line. The proposed building is sited at the required ten-foot setback.
- d. *Drive through facilities.* N/A
- e. *Roofs.* Flat roofs and pitched roofs are permitted. Rooflines should follow predominant style of adjacent buildings. The proposed building has a pitched roof. The adjacent church and rectory have pitched roofs.

- f. *Materials.* The materials of the exterior shell shall be brick, other masonry, wood or a material that resembles wood (i.e. vinyl siding). The proposed building will have front and side exterior finishes of brick and vertical fiber cement panels. The rear of the building is proposed to be metal panels.
- g. *Standard parking requirements.* Parking requirements shall be fifty (50) percent of that required by Article VIII. This 6,450 (total) square foot building would typically be required to have 64 parking spaces. In the DOD, 32 spaces are required. The applicant is proposing a total of 27 spaces.
- h. *Maximum parking.* The maximum parking allowed shall be the minimum standard established in Article VIII. A maximum of 64 spaces would be allowed; 27 are proposed.
- i. *Parking facilities.* Surface parking shall be limited to the side and rear of structures. The proposed parking is located to the side and rear of the proposed parish hall.

Approval from the City's Urban Forester is required prior to the removal of any trees exceeding fourteen (14) inches in diameter. Two such trees are proposed for removal. The Urban Forester has approved the plan. .

To staff's knowledge there are no outstanding issues. Staff is supportive of the proposed POD. The church has been part of this neighborhood for 100 years. Allowing the addition of the parish hall will help the church continue to meet the needs of the church and the neighborhood. Staff believes the building material, façade glass percentage and parking variances are relatively minor. Allowing the proposed use is compatible with uses and development in the area.

J. STAFF RECOMMENDATION:

Staff recommends approval of the requested 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.

PLANNING COMMISSION ACTION:

(FEBRUARY 20, 2020)

The applicant was present. There were persons present both in support and registered in opposition. Staff informed the commission that the applicant had mailed the required notices 13 days prior to the commission meeting rather than the 15 days called for under the commission's bylaws. The applicant was requesting a waiver of the bylaws to allow for the 2-day reduction in notice time.

Ron Woods addressed the commission in support of his waiver request. He stated he had noticed an error in the list of property owners provided by the abstract company as the list had been based on the church address rather than the adjacent property where the parish hall and parking lot were actually proposed to be located. Mr. Woods stated that during the time that the list was being revised he lost track of the days and the notices

were subsequently mailed 2 days late. He stated he had tracked the mailings and had verification from USPS that 16 of the 19 notices had been delivered.

Bobby Matthews, President of the Central High Neighborhood Association, spoke in opposition to the waiver. He read from a letter in which the association was asking that the applicant come to an association meeting to present the project and answer questions.

Commissioner Rahman commented to Mr. Matthews that he had received notice. He asked Mr. Matthews if it was his contention that the 2-day reduction in notice time made a difference.

Paul Dodds, of 2119 W. 17th Street, spoke in opposition to the waiver, stating the neighborhood needed more time to consider the proposal.

Commissioner Rahman asked Mr. Dodds the same question he had asked Mr. Matthews.

Commissioner Brooks asked Mr. Matthews if Mr. Woods had not met with the neighborhood. Mr. Matthews responded that he had not.

Mr. Woods stated he had sent all of the information to the association and had e-mail conversations with Mr. Matthews. He stated the February neighborhood association meeting had been canceled.

Chairman Latture asked Mr. Woods if a 3-week deferral would have an impact on the project. Mr. Woods responded that they were trying to maintain a schedule and a deferral could possibly delay construction.

Commissioner Hart asked Mr. Woods if he wanted to go forward knowing there was opposition present or defer to possibly work through the issues. Mr. Woods responded that they wanted to go forward.

A motion was made to waive the bylaws and to accept the notices having been completed 2 days late. The vote was 6 ayes, 3 noes and 2 absent. The motion failed as it did not receive approval from 75% of the members present. Consequently, the item was deferred to the March 12, 2020 meeting.

PLANNING COMMISSION ACTION:

(MARCH 12, 2020)

The applicant was present. Several registered objectors were present. The commission offered a deferral to the applicant due to there being fewer than 8 commissioners present. The applicant elected to defer the item to the April 2, 2020 agenda. There was no further discussion. The deferral was approved by the commission. The vote was 7 ayes, 0 noes, and 4 absent.

PLANNING COMMISSION ACTION:

(MAY 14, 2020)

Ron Woods was present, representing the application. There were two (2) supporters and one (1) objector present. Staff presented the application with a recommendation of approval.

Ron Woods addressed the Commission in support of the application. He briefly described the project to the Commission.

H. Lee Lindsay addressed the Commission in support. He explained that the proposed project will allow the church to grow and to continue to be part of the neighborhood.

Rocky Herman also spoke in support. He explained that the proposed project will help the church to better serve the community.

Paul Dodds addressed the Commission in support of the proposed parish hall, but in opposition to the proposed parking area. He explained that there was other parking, including at Arkansas Baptist College, available in the area which could be used to serve the proposed parish hall. He explained that the proposed parking lot was not desired by the neighborhood.

There was a motion to approve the application as recommended by staff, including all staff comments and conditions. The motion was seconded. The vote was 10 ayes, 0 nays and 1 absent. The application was approved.