

FILE NO.: Z-9105-A

NAME: Stone Crest Apartments Short-form PD-R

LOCATION: Located at 9700 Baseline Road

DEVELOPER:

Stone Crest Apartments LLC
c/o Stephen Giles
425 West Capitol Avenue, Suite 320
Little Rock, AR 72201

SURVEYOR:

Tommy Bond, PE
Bond Consulting Engineers
2601 TP White Drive
Jacksonville, AR 72076

AREA: 1.25 acres NUMBER OF LOTS: 1 zoning lot FT. NEW STREET: 0 LF

WARD: 7 PLANNING DISTRICT: 15 – Geyer Springs West CENSUS TRACT: 41.03

CURRENT ZONING: R-2, Single-family

ALLOWED USES: Single-family residential – Site contains an apartment complex

PROPOSED ZONING: PD-R

PROPOSED USE: Recognize the existing apartment development (62-units) and add additional property for parking

VARIANCE/WAIVERS: None requested.

BACKGROUND:

On April 19, 2016, the Little Rock Board of Directors denied a request to rezone this site from R-2, Single-family to PD-R, Planned Development Residential. The apartments were constructed in 1972 and were located outside the City limits of Little Rock. Located on the site plan were three (3) buildings containing 64-units and areas of paving which were very much in disrepair. The parking stalls backed into the street right of way along Herrick Lane. The applicant indicated they had bought the property from the bank and

felt with the purchase the property would be “grandfathered” as a multi-family development. The site was vacated by the City’s Code Enforcement Division a number of year ago. According to Entergy records power to the office and the units were disconnected from September 2012 through February 2013.

A. PROPOSAL/REQUEST/APPLICANT’S STATEMENT:

The applicant is now proposing to rezone the site from R-2, Single-family to PD-R, Planned Development Residential, to recognize the former use of the site as multi-family and add additional property for parking. According to the applicant following the Board of Directors meeting, the owners considered the statements of the Board members regarding certain elements of the previous site plan and layout of the parking spaces. The applicant states they have worked diligently with their project engineer, to create a site plan that attempts to directly address the concerns raised by the Board, one of which addresses the parking and the relationship to the single-family home to the north along Herrick Lane. The applicant has negotiated to purchase the adjacent house and property on Herrick Lane to use and has included the area into the project to provide parking for the development. The off-site parking located across Winston Drive has been eliminated.

Section 36-153 of the Little Rock Code of Ordinances states a nonconforming use that has been discontinued or abandoned for a period of six (6) months shall not be reestablished or resumed. Any subsequent use or occupancy of such land or structure shall comply with the regulations of the zoning district in which such land or structure is located. Section 36-152 of the Little Rock Code of Ordinances states any rezoning of a property occupied by a nonconforming use shall be accomplished only through a planned development process. If the planned development is approved but is not developed, the property shall not revert to its former nonconforming use status or be utilized as a nonconforming use.

B. EXISTING CONDITIONS:

The property is located on the north side of Baseline Road between Winston Drive and Herrick Lane. The property contains three (3) buildings previously used as multi-family and paved parking areas. There are single-family homes located to the north and west of this site within the Winston Subdivision. The area to the east is a multi-story office building, the Arkansas State Highway and Transportation Department. South of the site are four (4) single-family homes. There are large areas of undeveloped property in this immediate area. Southwest of the site is a large parcel which was recently approved by the Little Rock Board of Directors as a PCD, Planned Commercial Development, for an equipment sales business. Baseline Road is a two (2) lane State Highway with no curb, gutter or sidewalk in place along the property frontage.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200-feet of the site along with Southwest Little Rock United for Progress and the Town and Country Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. A 20-foot radial dedication of right-of-way is required at the intersection of Herrick Lane and Baseline Road.
2. Baseline Road is classified on the Master Street Plan as a principal arterial. Dedication of right-of-way to 45 feet from centerline will be required.
3. A 20-foot radial dedication of right-of-way is required at the both sides of the intersection of Winston Drive and Baseline Road.
4. The old driveway not in use along with the culvert on Baseline Road should be removed. Contact Dan Ivy, AHTD, District 6 for permitting - 501.569.2171.
5. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
6. Vehicles backing out into the public right-of-way are not permitted. Driveways exceeding 36 feet also are not permitted. By the use of wheel stops, landscape areas or fence a one way exit driveway should be constructed near the north property line on Herrick Lane. The Herrick Lane driveway should not exceed 15 feet in width. The proposed parking should be angled on the west side of the existing buildings.
7. The parking stalls on the north side of the existing building are only 7 feet wide.
8. Vehicles backing out into the public right-of-way are not permitted. Driveways exceeding 36 feet also are not permitted. By the use of wheel stops or landscape areas, a driveway should be constructed just south of the existing building at a location to provide efficient and safe vehicle movements. The driveways should be not exceeding 26 feet. Due to the limit space to right-of-way, the asphalt pavement on the east side of the existing building on Winston Drive should be removed and replaced with sod and landscaping.
9. With site development on Lot 1, provide design of street conforming to the Master Street Plan. Construct curb and gutter on the west side of Winston Drive.
10. 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 mglasgow@littlerock.gov or 501.371.4646 for more information.

11. With future site expansion or construction of new structures, provide design of street conforming to the Master Street Plan. Construct one-half street improvement to the boundary streets including 5-foot sidewalks with the planned development.
12. Obtain a franchise agreement from Public Works, Bennie Nicolo, bnicolo@littlerock.gov or 501.371.4818 for the private improvements including parking, parking aisles, fence, gates, and barriers located in the right-of-way.
13. Provide proposed striping plan for the parking lot on the east side of Winston Drive.
14. The call boxes should be located at least 30 feet from the back of the street curb.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Little Rock Wastewater: Sewer available to the site.

Entergy: Entergy does not object to this proposal. A three phase electrical line runs along the north side of Baseline Road in front of this property and a line also exists through the property. Extreme caution must be used in the construction activities in the vicinity of the power lines so that proper clearances are maintained. Electrical service may need to be reworked as the project continues. Contact Entergy in advance regarding future service requirements to the development, desired line extensions, and future facilities locations as this project proceeds.

Centerpoint Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water:

1. All Central Arkansas Water requirements in effect at the time of request for water service must be met.
2. 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.
3. 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.
4. 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.

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. 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.

Fire Department: Full plan review. Change in occupancy. Contact the Little Rock Fire Marshal's Office (Capt. Tony Rhodes 501.918.3757 or Capt. John Hogue 501.918.3754).

Parks and Recreation: No comment received.

County Planning: No comment.

Rock Region Metro: Location is currently served by METRO on route 23. As a property on along the transit route sidewalk infrastructure is import for access to the route. The plan as shown does not include pedestrian infrastructure. We recommend the addition of these important amenities.

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

Planning Division: This request is located in Geyer Springs West Planning District. The Land Use Plan shows Suburban Office (SO) for this property. The suburban office ategory shall provide for low intensity development of office or office parks in close c proximity to lower density residential areas to assure compatibility. A Planned Zoning District is required. The applicant has applied for a rezoning from R-2, Single-family to PRD (Planned Residential Development) for reuse of existing buildings and paving for redevelopment of the site for multi-family.

Master Street Plan: To the south of the property is Baseline Road and it is a Principal Arterial, to the east of the property is Winston Drive and it is a Local Street on the Master Street Plan. A Principal Arterial is to serve through traffic and to connect major traffic generators or activity centers within the urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Baseline Road since it is a Principal Arterial. 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". A Collector design standard is used for 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: A Class II Bike Lanes are shown along Baseline Road. This Bike Lane provides a portion of the pavement for the sole use of bicycles.

Landscape:

1. Any new site development must comply with the City's landscape and buffer ordinance requirements.
2. New parking areas must meet the following requirement. 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.
3. 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. SUBDIVISION COMMITTEE COMMENT: (July 20, 2016)

The applicant was present Staff presented an overview of the item stating there were additional items necessary to complete the review process. Staff stated a few of the parking spaces did not appear to comply with the minimum width per the zoning ordinance. Mr. Stephen Giles questioned if compact parking spaces were allowed. Staff stated the ordinance did allow compact spaces on a limited basis. Staff requested the applicant provide notes on the site plan indicating the fencing, the screening, the placement of dumpsters and a note indicating the required screening.

Public Works comments were addressed. Staff stated dedications were required along the abutting streets to meet the Master Street Plan. Staff stated a radial dedication of right of way was required at the intersecting locations of Winston Drive and Herrick Lane with Baseline Road. Staff stated with future site expansion

or construction of new structures street improvements to the abutting streets would be required.

Landscaping comments were addressed. Staff stated any new paved areas were required to be landscaped per the minimum requirements of the landscape ordinance. Staff stated interior islands were to be a minimum of 150 square feet in area. Staff stated screening was required along the sites northern perimeter. Staff stated this could be accomplished via dense evergreen plantings or a fence or wall.

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 has provided a revised site plan addressing staff's concerns related to the parking layout raised at the July 20, 2016, Subdivision Committee meeting. The applicant is proposing to rezone the site from R-2, Single-family to PD-R, Planned Development Residential, to recognize the former use of the site as multi-family and add additional property for parking. The revised plan indicates the building and parking located along the west side of Winston Drive and is not proposing any activity on the lot currently owned by the developer on the east side of Winston Drive. The applicant has secured a home located to the north of the development which will be relocated within the subdivision and the vacant lot will be used for parking to serve the multi-family development.

The site was developed as a multi-family apartment development in 1972. The development was located outside the City limits of Little Rock at the time of construction. There are currently three (3) buildings located on the site containing 62 rental units, a leasing office, laundry facility and areas of paving for parking.

The plan as presented allows for the placement of perimeter fencing around the site. Along the northern and western perimeters a six (6) foot wood fence will be installed. Along the street sides a decorative fence (wrought iron style) will be put in place also six (6) feet in height.

Presently the parking stalls along Herrick Lane and on Winston Drive back into the street right of way. With the placement of the fencing the backing of cars into the street will be eliminated. Portions of the fencing will require franchising with the City of Little Rock due to the fence being located within the public right of way.

The applicant has not provided the proposed signage plan. Staff recommends ground signage be as allowed in the multi-family zones within the Zoning Ordinance. This would allow one (1) freestanding sign per premises not to exceed six (6) feet in height and twenty-four (24) square feet in area. Building signage is

to be limited to a maximum of ten (10) percent of the façade area abutting public streets.

The applicant has not provided on the site plan the location of the proposed dumpster facilities. The dumpster will most likely be placed near the laundry building which is located with street view from both Winston Circle and Baseline Road. Staff recommends the dumpster facilities be screened with a masonry screen and the placement of a metal gate on the front side to limit the visual impact of the dumpster on the abutting streets. Staff recommends the dumpster hours of service be limited to daylight hours or from 7 am to 6 pm, Monday through Friday.

The applicant has provided a site plan which includes the placement of 76 parking spaces on the site. There are two (2) areas proposed with new paving. The remaining parking will be located on existing paved areas. Parking for a multi-family development is typically based on one and one-half parking spaces per unit. Based on the typical minimum standards a total of 93 parking spaces would typically be required. The applicant has indicated they feel a number of the units will be one (1) car families.

The applicant has indicated within the newly paved areas landscaping will be placed with a minimum width of 9-feet. These two (2) new paved areas are located along the northern perimeter of the site, one (1) adjacent to Winston Drive and one (1) adjacent to Herrick Lane. Within the area along the northern perimeter there is an existing paved area which has historically been used as parking and will be planted with trees and shrubs within an existing 7-foot landscape strip. The plan includes the placement of a nine (9) foot street buffer and landscape strip along Winston Drive in the area proposed with new paving. The plan does not include the placement of a street buffer or landscape strip along Herrick Lane adjacent to the new parking lot. A minimum landscape strip of nine (9) feet is required. An area of asphalt adjacent to the existing building located on Winston Drive will be removed and landscaped to provide building landscaping and street buffering. There are portions of the site, along Baseline Road, which will require a franchise agreement to allow the placement of landscaping within the right of way. The applicant is also proposing the placement of fencing within the right of way in this area which will also require a franchise agreement with the City.

Staff is continuing to review the proposed plan with regard to landscaping, driveway placement and the proposed parking plan. Staff will provide their recommendation at the August 11, 2016, public hearing.

I. STAFF RECOMMENDATION:

Staff recommendation forthcoming.

PLANNING COMMISSION ACTION:

(AUGUST 11, 2016)

The applicant was present. There were registered objectors present. Staff presented the item stating the applicant had submitted a request dated August 9, 2016, requesting deferral of this item to the September 22, 2016, public hearing. Staff stated the deferral request would require a waiver of the Commission's By-laws with regard to the late deferral request. There was no further discussion. The chair entertained a motion for approval of the By-law waiver with regard to the late deferral request. The motion carried by a vote of 9 ayes, 0 noes and 2 absent. The item was placed on the consent agenda and approved as recommended by staff by a vote of 9 ayes, 0 noes and 2 absent.

STAFF UPDATE:

The applicant submitted a revised site plan to staff which provides additional parking along the east side of Winston Drive. The plan indicates the placement of eleven (11) parking spaces with a single drive from Winston Drive. The site plan includes the placement of a 5-foot landscape strip along Baseline Road and a 30-foot landscape strip along the northern perimeter, where adjacent to the single-family home. The Landscape Ordinance would typically require a minimum landscape strip (street buffer) along Baseline Road of nine (9) feet.

The site plan includes 76 parking spaces on the main complex site on the west side of Winston Drive. Within this area there are two (2) new areas proposed with additional paving to provide parking. The remaining parking is located on existing paved areas which will be restriped.

Parking for a multi-family development is typically based on one and one-half (1 ½) parking spaces per unit. Based on the typical minimum standards a total of 93 parking spaces would typically be required to serve this development. With the two (2) areas of parking combined there are 87 parking spaces provided. (The site plan inaccurately indicates there are a total of 95 parking spaces.)

Staff is not supportive of the applicant's request. Based on the future use of the site as multi-family, the inability to provide the proper parking to accommodate the use, and the inability to gain additional parking for the development without residents and guest of the development over spilling onto the residential streets of the adjacent subdivision, staff feels there is a potential there will be an adverse impact on the adjacent neighborhood.

Staff recommends denial of the request.

PLANNING COMMISSION ACTION:

(SEPTEMBER 22, 2016)

The applicant was present. There were registered objectors present. Staff presented the item stating the applicant had submitted a request dated September 16, 2016, requesting deferral of this item to the November 3, 2016, public hearing. Staff stated they were supportive of the deferral request. 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, 0 absent and 1 open position.

STAFF UPDATE:

The applicant submitted a revised site plan and cover letter to staff reducing the number of units on the site and increasing the proposed parking. The applicant has indicated the site will contain 54-units of multi-family housing. 48-units will be one bedroom units and six (6) three bedroom units. Within the existing buildings the applicant is proposing an office, custodial office and laundry facility. The development will be gated and fenced to limit access to the site.

The site plan indicates the placement of 81 parking spaces to serve the future residents. The zoning ordinance for multi-family developments typically requires the placement of one and one-half (1 ½) parking spaces per unit. With the site containing 54-units a total of 81 parking spaces would typically be required to serve the use. All the proposed parking is located on the apartment site. The applicant has indicated the lot located on the eastern side of Winston Drive will not be included in this development and there are no plans for the development of this lot at this time.

All other aspects of the development remain the same. The developer is not proposing an on-site managers residence. The proposed signage and fencing plan are indicated in the staff analysis of this report.

The plan includes the placement of additional landscaping along the new paved areas both interior and perimeter landscaping. The applicant is also indicated paving will be removed and additional landscaping will be added along Winston Drive adjacent to the existing building. Within the landscaped areas plantings of trees and shrubs will comply with the landscape ordinance requirements.

The applicant has addressed staff's previous concerns related to parking. The site plan indicates parking adequate to meet the typical ordinance requirement for the number of units proposed. In staff's opinion one (1) to two (2) parking spaces may be lost to allow proper circulation and traffic flow through the parking lot but staff does not feel this minor reduction will significantly impact the development. It is also staff's opinion one (1) to two (2) spaces may be gained within the southeast parking area.

To staff's knowledge there are no remaining outstanding technical issues. 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 3, 2016)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of deferral of the item to the December 15, 21016, public hearing. 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, 2 absent and 1 open position.

STAFF UPDATE:

Staff has reviewed the previous recommendation. Based on multiple site visits to the property and the neighborhood staff does not feel the placement of the parking, as proposed by the applicant, is appropriate. Staff previously raised concerns with the overall development plan of the site and the lack of parking to serve the proposed number of multi-family units. The applicant has addressed this concern by reducing the number of units and providing additional parking by placing the minimum parking as typically required by ordinance on the site. However, staff feels the proposed parking located along the northern perimeter, adjacent to several homes, could potentially have an adverse impact on the homes and allow for further encroachment of the parking into the neighborhood.

Staff recommends denial of the request.

PLANNING COMMISSION ACTION:

(DECEMBER 15, 2016)

The applicant was present. There was one (1) registered objector present. Staff presented the item with a recommendation of denial.

Mr. Stephen Giles addressed the Commission on behalf of the applicant. He stated the developer was committed to a top quality project. He stated the owners had a contract with a firm to keep the premises clean and the grass trimmed. He stated the project was an in-fill project. He stated the developers proposed to reuse the existing building but were proposing several upgrades to the site. He stated the parking provided did match the parking required by ordinance. He stated a metal fence was proposed around the street side perimeters. He stated a screening fence was proposed along the northern perimeter.

Mr. John Huggler addressed the Commission in opposition of the request. He stated the developer was not doing a good job of keeping the place secure. He stated presently a number of the windows and doors were open. He stated the plywood coverings were laying on the ground. He stated the place was an eye-sore. He stated he felt the developer's investment of \$1-million dollars would be a waste. He stated the crime rate for the area dropped by eighty percent (80%) after the apartments were closed. He stated his concern was the lack of on-site management for the development.

Mr. Jim Martin addressed the Commission stating the developers were proposing to reinvest a million dollars into the project. He stated he felt the project was a good project and would be a benefit to the area. He stated the brick would be painted and a new pitch roof would be added to the buildings. He stated each of the units would have individual heating and cooling systems. He stated each of the units would have

on-demand water heaters. He stated his company had purchased the home to the north and was proposing to place parking in this area. He stated screening and landscaping would be added to the new parking areas. He stated areas that were currently paved would be upgraded by the removal of paving and the placement of landscaping. He stated there would be a daytime manager from 9 am to 5 pm. He stated the occupants would all have individual key codes for access. He stated management would monitor the codes and if there was excessive use of a particular code the resident would be asked to explain. He stated all residents would be subject to a background check. He stated the target market was for older persons. He stated staff's concern related to the parking should be minimized due to the location of the home to the north. He stated the four (4) or five (5) spaces located along the northern perimeter would be screened via a fence and landscaping would be incorporated into this area. He stated this area was located next to their carport and not directly located adjacent to their living space.

Commissioner Latture questioned how long the developer's had owned the property. Mr. Martin stated they had owned the property for one (1) year. He stated there was confusion when the property was purchased and the developers were unaware the property was not zoned for multi-family.

There was a general discussion by the Commission concerning the property, the condition of the property, the amount of reinvestment into the property. The Commission questioned if the developers had given any thought to providing on-site security or for on-site management 24-hours per day. Mr. Martin stated the site would have security cameras, the gates would be monitored to see if any one code was being used excessively. He stated there would be security in place to protect the residents and the neighborhood.

Mr. Martin stated his company was willing to provide an on-site manager who would live on the site. The Commission questioned if he was amending his application to provide on-site management 24-hours per day. Mr. Martin stated he was amending his application.

The Commission questioned staff if the proposal before them could be enforced. Mr. Tony Bozynski stated everything the applicant was offering, the on-site management, the design of the buildings, the placement of fencing and landscaping would all become a part of the approval. He stated if any of the items were not implemented or were not continued the zoning would not be in compliance and the City would issue the owner a notice.

The Commission questioned Mr. Huggler as to how long he had lived in the area. He stated his family moved to the area when Baseline Road was a dirt road and before I-30 was put in place. He stated his family predated the apartments.

There was a general discussion concerning safety and police presence. Mr. Martin stated he welcomed police patrons in and near the area. He stated the presence of officers would lessen the crime potential in the area.

There was no further discussion of the item. The chair entertained a motion for approval of the item as amended and including all staff recommendations and comments except that of denial. The motion carried by a vote of 8 ayes, 1 no, 1 absent and 1 open position.