

FILE NO.: Z-6886-B

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NAME: Church at Rock Creek Revised Long-form POD

LOCATION: Located at 11500 West 36<sup>th</sup> Street

DEVELOPER:

Richardson Properties, LLC  
9800 Maumelle Boulevard  
Maumelle, AR 72113

ENGINEER:

White-Daters and Associates  
24 Rahling Circle  
Little Rock, AR 72223

AREA: 40.0 acres      NUMBER OF LOTS: 1      FT. NEW STREET: 0 LF

CURRENT ZONING:      POD

ALLOWED USES:      Church and associated ministries

PROPOSED ZONING:      Revised POD

PROPOSED USE:      Revise the site plan to add additional parking and eliminate the land use buffer along the western perimeter

VARIANCE/WAIVERS:      A variance from the City's Land Alteration Ordinance to allow grading in advance of construction of future parking areas with the development of an adjacent apartment development.

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BACKGROUND:

Ordinance No. 18,351 adopted by the Little Rock Board of Directors on September 19, 2002, established the Church at Rock Creek – Long-form POD allowing for the development of this 40-acre tract at the northwest corner of Interstate 430 and West 36<sup>th</sup> Street from R-2, Single-family to POD. The applicant proposed a conceptual site plan for a church facility and related ancillary uses.

The development plan included construction of a collector street from West 36<sup>th</sup> Street, at the southwest corner of the church property, to Bowman Road. Access to the church development would be gained by utilizing a private boulevard street, which would run from near the southwest corner of the church property to the proposed collector street near the center of the site at the west property line.

Amendments to the proposed site plan were made at the Commission meeting. The applicant agreed the buildings would be sound-proofed, the building façades would not be constructed of metal, concrete blocks, etc., there would not be a steeple, the building elevation would not be determined until after the finished grades were in place, the maximum building heights were to range from 65 to 80 feet, depending on the finished grade, the child care center would have a maximum of 12 children in the center, the church could not guarantee that the children would not be referred from the judicial system, but the center would not be a half-way house, children under the care of the church would not be allowed to drive and temporary stay would be twelve months or less.

The car ministry the maximum building area would be 2,500 square feet and the facility would not grow any large. Only minor car repair would be done, oil change, wash, wax etc. No salvaged cars would be accepted. The building would also be for storage of equipment for the entire campus. The facility would accommodate two cars at a time inside the building. After repair and cleaning, the cars would be parked on the parking lot. There would be no salvaged auto parts stored on the property. There would be no test-driving of vehicles in the surrounding neighborhoods. The maximum number of cars for car ministry uses would be twelve.

The Medical Care Center the church established the hours of operation from 9:00 am to 9:00 pm three days per week. There was to be no clear cutting of the site. The church would remove the trees along the I-430 Frontage for visibility at the time of Phase I development. There would be no A/C cooling tower on the site. Smaller package units would be used. The church could not agree to have no construction take place on weekends.

Ordinance No. 19,197 adopted by the Little Rock Board of Directors on October 5, 2004, allowed a revision to the overall site plan for the Church at Rock Creek. According to the applicant the revised plan more accurately reflected the master plan for the Church, which included a sanctuary totaling 85,000 square feet with a seating capacity of 2,500. The development was proposed in two (2) phases with the church and associated parking constructed in the first phase.

The Church's intent was to create a campus design that would blend into the wooded setting. In addition to the church there were supporting facilities to serve the needs of a variety of church ministries which included recreation, counseling, lodging, medical and classroom space. The approved plan was proposed to blend the building construction and facilities into the environment with the smallest amount of impact on the natural features of the site as possible. Configuration of the buildings and facilities provided for preservation of a large portion of trees and land area, which existed on the site. The

applicant also proposed two (2) monument signs, one (1) for each entry located on West 36<sup>th</sup> Street.

The site plan included a 100-foot buffer along the north property line and a 50-foot buffer on the east and west property lines. Parking fields were designed to preserve as many existing trees as possible within the parking areas. The site plan included the placement of 891 parking spaces. Six hundred thirty (630) of the spaces were to be constructed in the first phase.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The current request is a revision to the previously approved POD site plan for the Church at Rock Creek. The request is two (2) part; One the elimination of the western land use buffer and to allow grading along the western boundary with the development of an adjacent multi-family development. The second is to allow grading activities without imminent construction of any future parking areas or buildings by the church.

B. EXISTING CONDITIONS:

The church sanctuary, associated parking and office for Welfare to Women Ministry have been constructed on the site. The regional detention pond is also in place. There are large areas of the site still tree covered primarily along the northern perimeter and western perimeters. There are single-family homes located to the north within the Sandpiper Subdivision. Along West 36<sup>th</sup> Street there are a number of single-family homes and an office use. The property is bound by I-430 along the eastern perimeter and property proposed for development with multi-family (as a separate item on this agenda Z-6886-C) along the western perimeter.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received several informational phone calls from area residents. All owners of property located within 200-feet of the site along with the John Barrow Neighborhood Association and the Sandpiper Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. West 36<sup>th</sup> Street is classified on the Master Street Plan as a minor arterial. A dedication of right-of-way 45-feet from centerline will be required.
2. With site development, provide the design of street conforming to the Master Street Plan. Construct one-half street improvement to West 36<sup>th</sup> Street including 5-foot sidewalks with the planned development. West 36<sup>th</sup> Street should be widened to 29.5-feet adjacent to the applicant's property at

- the unnamed north street intersection at the time the apartments take access and/or the street from Bowman Road is constructed.
3. A turnaround should be provided at the north end of the public street right-of-way off West 36<sup>th</sup> Street or additional right-of-way dedicated to connect to the proposed public street off Bowman Road.
  4. If the proposed street is to be public, it should be located within a 60 foot right-of-way and additional right-of-way dedicated to connect to the existing right-of-way north off West 36<sup>th</sup> Street.
  5. 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. Advanced grading is proposed with construction not imminent. An advanced grading variance must be requested.
  6. Stormwater detention ordinance applies to this property. A regional detention pond is proposed. What covenants and agreements are in place concerning enlargement of the facility, maintenance of the facility, shared ownership of the facility, etc.? The detention ponds should be placed within a private drainage easement.
  7. If disturbed area is one (1) or more acres, obtain a NPDES stormwater permit from the Arkansas Department of Environmental Quality prior to the start of construction.
  8. Streetlights are required by Section 31-403 of the Little Rock code. Provide plans for approval to Traffic Engineering. Streetlights must be installed prior to platting/certificate of occupancy. Contact Traffic Engineering 501.379.1813, Greg Simmons, for more information.
  9. Street names and street naming conventions must be approved by Public Works for the streets. Contact Glenn Haley at 501.371.4537.
  10. Provide a letter prepared by a registered engineer certifying the sight distance at the proposed street intersection on South Bowman Road comply with 2004 AASHTO Green Book standards. Superelevation of South Bowman Road should be considered.
  11. The proposed public street should be constructed no closer than 600 feet from the South Bowman Road/West 36<sup>th</sup> Street intersection (arterial/arterial intersection) due to vehicle stacking and tapers for left turn lanes. The right-of-way should be within a 60 foot right-of-way. It is believed a future street will be desired to the west.
  12. Provide a Sketch Grading and Drainage Plan per Section 29-186 (e).
  13. 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.

14. Per Section 29-197(2), the grading shall be expeditiously completed in a time frame not to exceed one (1) year in duration from the time work commences to installation of all final erosion control measures and vegetation.
15. Per Section 29-197(11), a permanent vegetative cover of suitable perennial grass shall be established over all disturbed areas. Top soil should be applied prior to planting. Where indicated by soil tests, pH adjustments and addition of fertilizer may be required.
16. Per Section 29-197(14), all required federal, state, and local permits and approvals shall be obtained prior to commencement of land alteration activities.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer main extension required, with easements, if sewer service is required for this project. Contact Little Rock Wastewater Utility for additional information.

Entergy: Entergy has a 3-phase power line running along the eastern side of South Bowman Road and northern side of West 36<sup>th</sup> Street. There are no lines on the preliminary plat. Contact Entergy in advance for service requirements, line location and easement needs. If existing power lines need to be adjusted to accommodate road work or driveways, please communicate with Entergy early in the process.

Center-Point 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. This development will have minor impact on the existing water distribution system. Proposed water facilities will be sized to provide adequate pressure and fire protection.
4. 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.

5. Additional fire hydrant(s) will be required. Contact the Little Rock Fire Department to obtain information regarding the required placement of the hydrant(s) and contact Central Arkansas Water regarding procedures for installation of the hydrant(s).
6. A capital investment charge based on the size of meter connection(s) will apply to this project in addition to normal charges.

Fire Department: 26-foot drive lanes required, fire hydrants within 100-feet of FDC, 2-ways to enter and exit development, fire hydrants per code, no obstruction between fire hydrant, FDC and fire apparatus. Gates must be 20-feet wide. Contact the Little Rock Fire Department for additional information.

County Planning: No comment.

CATA: CATA has reviewed the plans submitted by your office on the above referenced area. The area is currently served by CATA at West 36<sup>th</sup> Street and South Shackelford Road approximately six (6) blocks away. CATA has this corridor in mind for future expanded transit utilizing South Bowman Road and West 36<sup>th</sup> Street as corridors to serve the growing population. CATA requests consideration of pullouts and sidewalks on South Bowman Road and West 36<sup>th</sup> Street near the entrance to the complex.

Parks and Recreation: No comment received.

F. ISSUES/TECHNICAL/DESIGN:

Building Code: No comment.

Planning Division: This request is located in the I-430 Planning District. The Land Use Plan shows Mixed Use (MX) for this property. This category provides for a mixture of residential, office and commercial uses to occur. A Planned Zoning District is required if the use is entirely office or commercial or if the use is a mixture of the three (3). The applicant has applied for a rezoning from POD (Planned Office District) to PCD (Planned Commercial District) to remove the land use buffer along the west line of this church campus.

Master Street Plan: West 36<sup>th</sup> Street is a Minor Arterial 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 West 36<sup>th</sup> Street. This street 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.

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. Easements cannot count toward fulfilling this requirement. The plantings, existing and proposed, shall be provided within the City's Landscape Ordinance requirements.
3. Street buffer at Parcel B and Bowman Road should have an average of thirty-five (35) feet.
4. All new and existing plant materials shall be in good condition at completion of project. Replace any damaged or dead material.
5. 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: (August 27, 2014)

Mr. Keith Richardson and Mr. Tim Daters were present representing the request. Staff presented an overview of the development stating this item and the following item (The Pointe at Brodie Creek Long-form PD-R) were closely related and would be discussed together. Staff requested additional information concerning the request for the Church at Rock Creek and the areas proposed for clearing. Staff also requested additional information concerning the construction materials of the proposed new multi-family units, the building heights and building elevations.

Staff noted on the site plan for the Church at Rock Creek there was a note indicating advanced grading. Mr. Daters stated the Church was proposing to grade an area on their site with the grading of the adjacent apartments. He stated in addition the apartment development was proposing to grade the entire site with the construction of the first phase of the multi-family.

Public Works comments were addressed. Staff questioned the proposed street construction to South Bowman Road and if the street construction would be phased. Mr. Richardson stated the improvements would be phased and stated the revised site plan would include the proposed phasing plan. There was a general discussion concerning the proposed public street and if the street met the intent of the Master Street Plan. Staff stated the new location of the proposed street did not meet the intent of the Master Street Plan and should the developments be approved a revision to the Master Street Plan would be required. Staff questioned the proposed stormwater detention plan. Mr. Richardson stated agreements would be in place between the church and his

development to allow the detention and maintenance of the detention facility to be shared.

Landscaping comments were addressed. Staff stated the development plans were to include landscaping to comply with the typical standards of the City's Landscape and Buffer Ordinances. Mr. Daters stated part of the request was to eliminate the previously required 50-foot land use buffer on the Church's western perimeter. He stated all other buffers would remain as previously approved.

Staff noted the comments from the various other agencies. 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 and cover letter to staff addressing a number of the issues raised at the August 27, 2014, Subdivision Committee meeting. The revised plan for this item has changed slightly. The plan indicates the limits of clearing for the land alteration variance request. The applicant has indicated grading will take place with the development of the adjacent apartment complex (Bowman Pointe Long-form PD-R - Z-6886-C).

The applicant has indicated all previously approved buildings and square footages of the buildings will not change. The applicant has indicated a small area of additional parking will be placed along the western perimeter within the previously indicated land use buffer. With the exception of the request to eliminate the previously proposed buffer area and the additional parking within this area there are no other modifications proposed to the approved site plan.

Staff is supportive of the request. Staff does not feel the removal of the previously required land use buffer will adversely impact the adjacent property. To staff's knowledge there are no remaining outstanding technical issues in need of addressing related to this site plan.

I. STAFF RECOMMENDATION:

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

Staff recommends approval of the variance request from the City's Land Alteration Ordinance to allow grading of the western perimeter of this site with the construction of the adjacent multi-family development.



PLANNING COMMISSION ACTION:

(SEPTEMBER 18, 2014)

The applicant was present. There were no registered objectors present. Staff presented the item stating they and the applicant were working to resolve issues raised at the August 27, 2014, Subdivision Committee meeting. Staff presented a recommendation of deferral of the item to the October 30, 2014, public hearing.

There was no further discussion. The Chair entertained a motion for approval of the item as presented by staff. The motion was approved by a vote of 9 ayes, 0 noes and 2 absent.

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PLANNING COMMISSION ACTION:

(OCTOBER 30, 2014)

The applicant was present. There were a number of registered objectors present. Staff presented the three items (Item D – Bowman Pointe Preliminary Plat S-1731, Item H – the Church at Rock Creek Revised Long-form POD Z-6886-B and the Bowman Point Long-for PD-R Z-6883-C) as a single item for discussion purposes. Staff presented a recommendation of approval of each of the items along with an associated variance for advance grading for the Church at Rock Creek and the Brodie Creek Long-form PD-R.

Mr. Tim Daters of White Daters and Associates was present representing the request. Mr. Daters stated the development included the Church at Rock Creek property, property owned by Mr. Richardson proposed for multi-family development and a preliminary plat to allow property owned by Mr. Richardson on the South side of West 36<sup>th</sup> Street to be subdivided into two (2) tracts. He stated a 7-acre area of floodway would be dedicated as open space. Mr. Daters stated the development would include improvements to South Bowman Road and to West 36<sup>th</sup> Street. Mr. Daters stated on West 36<sup>th</sup> Street additional paving would be added to allow traffic to flow northward on South Bowman Road during peak times of church dismissal. He stated the multi-family portion of the development would include areas of green space and courtyards. Mr. Daters stated improvements to the intersection of South Bowman Road and West 36<sup>th</sup> Street would not be completed at this time. He stated the exact alignment of the intersection had not been determined by the City. He stated the desire was to soften the curve in South Bowman Road. He stated the current right of way did not allow for the improvements to be completed. He stated the developer would complete all the improvements required by the Boundary Street Ordinance with the development of particular phases.

Ms. Daniel Norwood of Richsmith Development addressed the Commission on the particulars of the development. She stated the development was proposed on a similar style as the development across South Bowman Road. She stated the units would be a little smaller and the amenities would be a little less but the units would still be high end units. She stated as the units were being leased across the street they found there were a number of residents that would like to live in the area but did not want to pay as high a rent as the existing development commanded. She stated this development would allow those potential residents an option for west Little Rock living. She stated

the development would be constructed in phases. She stated as each phase was nearing full lease out the next phase would be started.

Ms. Carolyn Bolin addressed the Commission with concerns. She stated her property was located on West 36<sup>th</sup> Street and questioned what would happen to their property. She questioned the street improvements to South Bowman Road and West 36<sup>th</sup> Street at this intersection.

Ms. Carolyn Powers addressed the Commission in opposition of the request. She stated she objected to 609-apartments behind her house. She stated the area to the north was a quiet residential neighborhood and the development was too dense for the area.

Mr. Brad Adrens addressed the Commission in opposition of the request. He stated his home was located at 11207 Shady Ridge Drive. He stated he was concerned with the development. He questioned if the development would take access through the single-family subdivision. He stated if access was allowed this would change the character of the single-family subdivision.

Ms. Samantha Wesley addressed the Commission in opposition of the request. She provided the Commission with a petition from the neighborhood. She stated she did not speak to everyone in the neighborhood but all the residents she spoke with were opposed to apartments behind their home. She stated the notice form mailed to the residents was very misleading and stated the Commission may want to reconsider their notification requirements. She stated the development was too intense and would change the character of the neighborhood. She requested the area remain zoned for single-family and develop the area with single-family homes. She stated the development would strain the infrastructure, stain the waterways and increase traffic.

Mr. Jaheon Koo addressed the Commission in opposition of the request. He stated the residents were concerned with the loss of their green belt, the loss of their critters and were concerned with the potential impacts on their adjacent homes. He stated he felt the area should develop with single-family homes.

Mr. Daters stated the Land Use Plan indicated the property for MX or Mixed Use. He stated the development had contained a commercial aspect at the intersection of South Bowman Road with West 36<sup>th</sup> Street but was removed when the improvements to West 36<sup>th</sup> Street and South Bowman Road could not be settled with the City. He stated the improvements to South Bowman Road would include reducing the tightness of the existing curve. He stated additional right of way was necessary to remove the curve but the curve could be softened with the existing right of way.

Commissioner Nunnley questioned the need for advanced grading of this site as well as the Church site. Mr. Daters stated the advanced grading was necessary to remove a hill on the Church's property and allow for a driveway to extend to West 36<sup>th</sup> Street to aid in the church members exiting the site during peak times. He stated the apartment

development was asking to advance grade to allow the entire site to balance. Commissioner Nunnley questioned the time frame for construction of the apartment buildings. Mr. Daters stated once the building was nearing full lease out, the next building would be started. He stated the entire development would be completed within 24-months. Commissioner Nunnley questioned staff of the requirements for the advanced grading. Staff stated the site was required to be seeded and vegetated and not allowed to remain as a dirt covered field.

There was a general discussion concerning traffic in the area and if the existing infrastructure could handle the traffic. Mr. Daters stated South Bowman Road was an arterial and West 36<sup>th</sup> Street was a collector street. He stated there were options for the residents in the area which did not include accessing the intersection of South Bowman Road and Kanis Road.

Staff stated at the intersection of West 36<sup>th</sup> Street and South Bowman Road did not carry a large volume of traffic. Staff stated 7700 vehicles per day were at this intersection. Staff stated the volume of traffic on Kanis was 17,000 vehicles per day and on Vimy Ridge Road there were 10's of thousands of vehicles per day. Staff stated at some point this area would potentially become a public project but at this point the City was going to put its money were the largest number of cars were located.

The Commission continued a general discussion concerning the condition of the existing streets and their ability to handle the traffic volumes. The Commission noted there were no paved shoulders on South Bowman Road and when emergency vehicles traveled the area there was nowhere for vehicles to move out of the way. Commission Brock stated he traveled this road frequently and the emergency vehicles maneuvered as best they could but did not appear to have a problem with the condition of the road.

The Commission discussed providing housing for the residents and providing housing in areas the residents wanted to live. The Commission stated it was important to provide diversity in housing types in all areas of the City. The Commission noted they were not comfortable with the number of units proposed with this development in addition to the number of units currently being developed across South Bowman Road.

Mr. Daters stated this was the first he had heard of the street condition being a problem. He stated staff did not raise traffic volumes as an issue during the review process. He stated if density was a concern he was willing to defer the item to allow a review of the overall density and determine if the development could still occur with fewer units.

A motion was made to defer the item, at the applicant's request, to the December 18, 2014, public hearing. The motion carried by a vote of 11 ayes, 0 noes and 0 absent.

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STAFF UPDATE:

There has been no change to this application request since the previous public hearing. The applicant is seeking a revision to the previously approved POD to eliminate the land

use buffer along the sites western perimeter. The applicant has indicated with the development of the multi-family the buffer is no longer necessary. In addition the applicant is seeking a variance from the City's Land Alteration Ordinance to allow advanced grading on this site along with grading on the adjacent proposed multi-family site to balance the two sites.

Staff continues to support the proposed revision to the POD zoning and the land alteration variance request subject to the previously identified conditions.

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PLANNING COMMISSION ACTION:

(DECEMBER 18, 2014)

The applicant was present. There were registered objectors present. Staff presented the item with a recommendation of approval. This item as well as Items C and E, S-1731 and Z-6886-C were discussed as a single item but three (3) separate votes were taken on the items.

There was no discussion concerning the proposed revision to the Church at Rock Creek site plan. The Chair entertained a motion for approval of this item as presented by staff, including the variance request from the City's Land Alteration Ordinance to allow advanced grading. The motion carried by a vote of 10 ayes, 0 noes and 1 absent.