

FILE NO.: Z-9286-A

NAME: Mergeron Court Revised Short-form PD-R

LOCATION: 12115 Rainwood Road

DEVELOPER:

Icon Development and Homes, LLC
PO Box 23713
Little Rock, AR 72221

OWNER/AUTHORIZED AGENT:

Susan Garner/Owner
Pat McGetrick/Authorized Agent

SURVEYOR/ENGINEER:

McGetrick & McGetrick/Engineer

AREA: 2.42 acres

NUMBER OF LOTS: 13

FT. NEW STREET: 0 LF

WARD: 5

PLANNING DISTRICT: 2

CENSUS TRACT: 22.06

CURRENT ZONING: PD-R, Planned Development Residential

VARIANCE/WAIVERS:

1. Advance site grading
2. Driveway width increased to 40-feet

BACKGROUND:

This property was rezoned from R-2, Single Family Residential to PD-R, Planned Development-Residential in February 2018. The proposed development was to be a gated community with 17 attached single-family homes. Access from Rainwood Road would be through a U-shaped private street with traffic moving one direction, entering on the west and exiting on the east. Nine buildings – eight duplexes and one single-unit – were proposed.

Parking would be provided in attached garages and on one side of the street. Shackleford Road is undeveloped.

This proposal has not been developed and new plan is being presented for consideration.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

Mergeron Court is planned to be a zero lot line residential development consisting of thirteen single-family patio homes. The homes are to have two or three bedrooms, two bathrooms, and two-car garages. The exteriors will be designed with Old World European charm with brick on all four sides, mixed with stone, architectural shingles, and precast stone promoting an upscale and timeless community.

A wood privacy fence with a height of six feet would enclose the development along the east, west, and south. A brick wall would be constructed at the front entry with gated access. This entryway will also be attractively landscaped.

Zero lot line patio homes have been shown to be successful in the city. We anticipate the same for this community due to the demand for this type of development to meet the needs of retirees and empty nesters, as well as professionals who are still working. Also, this in-fill development will meet a need for residents seeking this lifestyle in this location of Little Rock.

B. EXISTING CONDITIONS:

The subject parcel is developed with a residential structure and remains largely wooded.

North, across Rainwood Road is a single-family neighborhood and a condominium community.

To the west and south are single-family neighborhoods.

Immediately east is a large lot containing two residences.

The general vicinity is residential in character with a somewhat higher density than typical for West Little Rock.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received several phone calls from area residents. A singular concern from one was regarding site drainage. A letter was received from

the Rainwood Cove Neighborhood Association expressing support for the proposal, after meeting with the developer, as well as residents of the Carrollton Court neighborhood. The letter stated details about the subdivision, home features, and plans to address items such as storm water runoff, lighting, security, and traffic were presented and there was a robust question and answer session after the presentation. Notice of the public hearing was sent to all owners of properties located within 200 feet of the site and the Rainwood Cove Neighborhood Association.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. With site development, provide design of street conforming to the Master Street Plan. Construct one-half street improvement to Rainwood Road with planned development. The new back of curb be placed 18 ft. from the centerline and connect with the curb and gutter to the west and maintain the same width adjacent to the subject property.
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. A variance must be requested to advance grade the lots with installation of the street and utilities.
3. Provide a Sketch Grading and Drainage Plan per Sec. 29-186 (e).
4. Storm water detention ordinance applies to this property. Show the proposed location for stormwater detention facilities on the plan. Maintenance of the detention pond and all private drainage improvements is the responsibility of the developer and/or property owners' association.
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. Street Improvement plans shall include signage and striping. Public Works must approve completed plans prior to construction.
7. Hauling of fill material on or off site over municipal streets and roads requires approval prior to a grading permit being issued. Contact Public Works Traffic Engineering at 621 S. Broadway, (501) 379-1805 (Travis Herbner) for more information.
8. Obtain a franchise agreement from Public Works (Bennie Nicolo, 371-4818) for the private improvements located in the proposed median in the right-of-way.

9. Provide street name for the private street. Street names and street naming conventions must be approved by Public Works. Contact Glenn Haley at (501) 371-4537.
10. Show the proposed call box for the gates.
11. Provide a letter prepared by a registered engineer certifying the intersection sight distance at the intersection(s) comply with 2004 AASHTO Green Book standards.
12. Driveway widths do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. The width of driveway must not exceed 36 feet. A variance must be requested for the proposed driveway width.
13. From previous similar applications, approval should be obtained from USPS for locating the mail kiosk on a private street behind a gate.
14. Based on the proposed design of the private street with minimum radiuses, City of Little Rock SU-30 trash collection trucks cannot provide service to the subdivision. Collection services will be required from private collection companies.
15. Is the new street at the Rainwood Drive intersection proposed to be right in/right out only? If not, remove the large median island at the intersection of Rainwood Road and proposed private street. The street radius should be reduced to no larger than 20 ft.
16. Rainwood Drive is classified on the Master Street Plan as a collector street. A dedication of right-of-way 30 feet from centerline will be required.

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

Little Rock Water Reclamation Authority:

Sewer main extension required with easements if new sewer service is required for this project.

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 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 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 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. Approval of plans by Central Arkansas Water, the Arkansas Department of Health Engineering Division, and Little Rock Fire Department is required.

Fire Department: No comment.

Parks and Recreation: No comment received.

County Planning: No comment.

Parks and Recreation: No comment received.

County Planning: No comment.

F. BUILDING CODES/LANDSCAPE:

Building Code: No comment.

Landscape: No comment.

G. TRANSPORTATION/PLANNING:

Rock Region Metro: No comment received.

Planning Division:

The request is in the Rodney Parham Planning District. The Land Use Plan shows Residential Low Density (RL) for the requested area. The Residential Low Density category provides for single family homes at densities not to exceed 6 dwelling units per acre. Such residential development is typically characterized by conventional single family homes, but may also include patio or garden homes and

cluster homes, provided that the density remain less than 6 units per acre. The application is for a revision to PDR (Planned Development Residential) District to change the single-family development from attached housing with 17 units to detached housing with 13 units on the site.

Master Street Plan: To the north is Rainwood Road it is a Collector on the Master Street Plan. The primary function of a Collector Road is to provide a connection from Local Streets to Arterials. 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.

H. SUBDIVISION COMMITTEE COMMENT: January 29, 2020

The applicant was present. Staff presented the item.

The Planning Department staff requested a letter from the local postmaster approving the proposed location of the mail kiosk. The applicant was also asked to propose a street name for the development. As the proposal was to be for zero lot line development, it was noted some lot lines should be adjusted or the information on the plan be revised regarding some of the setbacks on some of the lots not being zero lot line. A request was made to indicate the privacy fence would have the finished side facing to the exterior. Lastly, additional information on any proposed signage should be provided.

Public Works stated a grading permit would be required and any variance for advanced grading of the site with the installation of infrastructure must be requested and approved. A sketch grading and drainage plan was to be submitted. The width of the proposed connection to Rainwood Road exceeded 36-feet. In addition, it was asked if the driveway to Rainwood Road would be right in/right out. If not, the large median island should be reduced, as well as the street radius reduced to no more than 20-feet.

Responses to comments and revisions were required no later than February 5, 2020.

The item was forwarded to the full commission for consideration.

I. ANALYSIS:

A revised site plan and responses were submitted.

The proposed homes will have between 1800 and 2400 square feet in area. Both single-level and two-level designs are planned. As noted, all but one lot will have a zero side yard setback on one side. The other side yard would be 5-feet. Front setbacks are shown at 20-feet and rear yards would be 10-feet.

The proposed name of the street is Mergeron Court.

The postmaster has reviewed the plan and given preliminary approval to the proposed location of the mail kiosk.

Lot lines have been revised. The home on Lot 8 will not have a zero-lot line.

A note indicating the privacy fence will have the finished side facing outward has been added to the site plan.

Signage will comply with the standards for subdivision identification signs.

A dedication of 30-feet of right-of-way for Rainwood Road would be provided and half-street improvements will be constructed with the development.

A variance is requested for advance grading with the installation of infrastructure.

A sketch grading plan was submitted to Public Works for review. Storm water will be detained in an underground pipe system. Public Works has found it to be acceptable.

The entryway has been reworked with a narrow median, rather than the large traffic island shown on the initial submittal. The proposed width is 40-feet to allow for full traffic movements and to provide access for fire trucks. Public Works recommends allowing the additional width.

A call box has also been shown on the median to provide access to the gated property.

The engineer certifies the intersection meets the sight distance requirements of the 2004 AASHTO Green Book standards.

Regarding trash collection, concrete pads are shown on the revised plan for the placement of either dumpsters to serve the entire development or for receptacles for Lots 1, 2, 12, and 13. Public Works at this time cannot commit to providing solid waste services to the development; however, Public Works does agree to visit the site post-construction to evaluate the maneuverability of collection vehicles to determine if it will be possible for the city to provide collection services.

It appears all technical issues have been addressed by the applicant.

Staff supports this revised plan. It is appropriate for the context of the surrounding residential developments.

J. STAFF RECOMMENDATION:

Staff recommends approval of the revised PD-R subject to compliance with the comments and conditions outlined in paragraphs D, E, and F of the agenda staff report.

Staff also recommends approval of the variances to allow for advanced site grading and the width of the entryway to be increased to 40-feet.

PLANNING COMMISSION ACTION:

(FEBRUARY 20, 2020)

The applicant was present. There were several registered objectors present. Staff presented the item and a recommendation of approval as outlined in the “staff recommendation” above.

Mr. Rodney Chandler, the applicant rose and indicated he would defer his time to allow the opposition to speak first.

Janet Baudeux who lives on Pickering Drive addressed the commission. Her property is south and downhill from the proposed development. She received a letter, but was confused because of the discrepancies within it, such as it stating there was an “exit to Markham”. The applicant asked to meet with neighbors in the letter, but did not return her call. Ms. Baudeux is concerned drainage is not adequately addressed in the current plan.

Ann Grigsby, a friend of Ms. Baudeux, spoke in support of her friend in opposition. She has seen the effect of rain and drainage on her property and described it as if the land becomes a sponge. She had received a similar letter from the applicant on another request and believes the letter sent on this project is almost identical to the one she had received previously. She stated it is urgent to address drainage in the area and the applicant should meet with the residents of Pickering Drive to address their concerns. Ms. Grigsby described the subject property as an urban forest and challenged the developer to show demand for this development. She asked for a better drainage plan and description of how it would function and be maintained.

Mr. Chandler addressed the commission and stated he had communicated with Ms. Baudeux and did use a template from a previous project for the letter. He also spoke about the meeting held with neighbors from surrounding neighborhoods. There were about 40 neighbors in attendance. They spoke about runoff and how this would be a smaller footprint than the previous approval.

Shelly Stine, a realtor, spoke in support of the request indicating area residents want to be able to downsize and stay in the community. This proposal offers alternatives to do so and stated some of the neighbors who attended the meeting expressed interest in moving into this development.

Pat McGetrick, the project engineer, addressed the preliminary drainage plan. Storm water sheet flows south from Rainwood Road. He estimated the proposed drainage and detention improvements would cut between 80-85% of the current sheet flow from this property. Gutters on the homes would drain into the proposed street and then into the drainage system. The outflow would be into the existing culvert to the south. He stated a willingness to meet with neighbors to the south to address drainage concerns.

Clark Marshall spoke to the commission. He represents the seller of the subject property. The property is considered as raw developable land, it is not likely to remain as a single-family lot. This development would bring street improvements to Rainwood Road and drainage improvements to the area. He feels there is a strong demand for patio homes of this nature.

Commissioner Rahman asked if drainage was part of the plan review.

Mr. Collins stated a preliminary plan has been submitted and reviewed. The storm water ordinance and manual would govern the development and approval of a final drainage plan.

Ms. Badeaux stated houses are already flooded from the creek and the culvert.

Mr. Collins informed the commission the final drainage plan would address the storm water quantity both pre-development levels and post-development.

Chariman Latture asked for a motion from the commission.

Vice Chairman Hamilton made a motion to approve the request as per the staff recommendation and conditions as contained in the agenda staff report. Commissioner Brooks seconded. The vote was 9 ayes, 0 noes, and 2 absent.