

FILE NO.: Z-8872-A

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NAME: 510 – 524 Main Street Revised Short-form PCD

LOCATION: Located at 510 – 524 Main Street

DEVELOPER:

Flake and Kelly Commercial  
Gary Smith  
425 West Capitol Avenue, Suite 300  
Little Rock, AR 72201

ENGINEER:

Paul D. Fleming, PE SECB  
18 Essay Drive  
Little Rock, AR 72223-9142

AREA: 12,628 Sq. Ft.      NUMBER OF LOTS: 1 zoning lot      FT. NEW STREET: 0 LF

WARD: 1      PLANNING DISTRICT: 5 - Downtown      CENSUS TRACT: 44

CURRENT ZONING:      PCD and UU, Urban Use

ALLOWED USES: UU, Urban Use District and to allow multi-family density at a density greater than the UU, Urban Use Zoning District

PROPOSED ZONING:      Revised PCD

PROPOSED USE: UU, Urban Use District and to allow multi-family density at a density greater than the UU, Urban Use Zoning District – allow for additional uses other than residential within the upper floors of the buildings

VARIANCE/WAIVERS: None requested.

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BACKGROUND:

Ordinance No. 20,773 adopted by the Little Rock Board of Directors on August 27, 2013, rezoned the MM Cohn Building located at 510 Main Street. The MM Cohn Building has a significant history with the City of Little Rock. Built in the 1930's this site was a hub for both commercial and cultural events along Main Street for nearly 50 years. With its distinctive art deco façade, the MM Cohn Building is a notable

historic property along Main Street. The property went vacant in the early period of the 1980's and has set empty for nearly 30+ years. Main Street Lofts acquired the property in the summer of 2012.

The first floors of the property were to contain the Arkansas Symphony and a future restaurant or commercial tenant. The basement of the property was set to become parking for tenants and the upper floors 2 – 5 are designed to allow for up to 38 apartment units with tenant amenities such as gyms, theaters, conferencing areas, party rooms, and a proposed rooftop pool and gathering area for guest.

The UU, Urban Use District would allow 22-multi-family units. The requested rezoning to PCD allowed additional density in the upper floors for the apartments as well as commercial/office uses on the ground floors and basement. The property contained 12,628 square feet and was proposed for up to 38-units. The request also included the allowance of use of the rooftop for outdoor uses.

While parking is not required under the UU, Urban Use Zoning District the development provided on-site parking in the basement of the Arkansas Annex and the MM Cohn Building for up to 55 tenants. Additional parking located on the street, in decks and surface lots was indicated as ample parking to serve the residents of the development.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is seeking approval of a revision to an existing PCD zoning for the property located at 510 – 524 Main Streets. The legal description for the current zoning covers all three (3) properties but the write-up only addresses the uses of the MM Cohn Building located at 510 Main Street. The applicant is requesting to utilize the first floors of the properties with office and/or retail including restaurant users. The basement of the property is set to become parking for tenants and the upper floors 2 – 5 are proposed with multi-family or a mixture of commercial, office and residential. The plan also includes the possibility of a rooftop pool, garden, patio and gathering area for residents and guest.

The building at 524 Main Street contains 0.32 acre and a 3-story building with 58,000 square feet of floor area including the basement. The proposed uses include the allowance of uses within the UU, Urban Use Zoning District and to allow the placement of multi-family at a density greater than allowed per the UU, Urban Use Zoning District.

The building at 514 Main Street is a 3-story building located on 0.16 acres with 30,000 square feet of floor area. The proposed uses include the allowance of uses within the UU, Urban Use Zoning District and to allow the placement of multi-family at a density greater than allowed per the UU, Urban Use Zoning District.

The building at 510 Main Street is a 5-story building containing 0.29 acres containing 75,660 square feet of floor area including the basement. The proposed uses include the allowance of uses within the UU, Urban Use Zoning

District and to allow the placement of multi-family at a density greater than allowed per the UU, Urban Use Zoning District.

While parking is not required under the UU, Urban Use Zoning District, the development will provide on-site parking in the basement of the Arkansas Annex and MM Cohn Building for 50+ tenants. Additional parking is located on the street and in decks and surface lots in the area within walking distance of the development.

B. EXISTING CONDITIONS:

The MM Cohn building is a vacant five (5) story commercial building. The building at 514 Main Street is also vacant. The building at 524 Main Street has office users located on the lower level of the building. The upper levels are not finished for occupancy. There are a number of buildings currently under renovation within this area of Main Street. Across Main Street is a building renovated as office space and owned by the State of Arkansas.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200-feet of the site along with the Downtown Neighborhood Association, the MacArthur Park Neighborhood Association and the River Market Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

No comment.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Little Rock Wastewater: Sewer available to the site. Capacity fee analysis required. Contact Little Rock Wastewater Utility for additional information.

Entergy: Entergy does not object to this proposal and has already been working with the developer. Service is being provided to the building via an on-site vault which provides power to the entire building. Contact Entergy should service requirements or loads differ significantly than what was originally requested.

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. Contact Central Arkansas Water regarding the size and location of water meter.
5. 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.
6. 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.
7. 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 served by METRO by several routes and is in the heart of the system in downtown Little Rock. The proposed planters are numerous and block access to the cross walk and bus stops because they are located so close to the corner. We request that planters located along the sidewalk be clear 60' away from the corner radius on 6<sup>th</sup> and Main Streets to allow free pedestrian movements near traffic control signals and transit stop access.

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.org](mailto:crichey@littlerock.org) or  
Mark Alderfer at 501.371.4875; [malderfer@littlerock.org](mailto:malderfer@littlerock.org).

Planning Division: This request is located in Downtown Planning District. The Land Use Plan shows Mixed Use Urban (MXU) for this property. Mixed Use Urban provides for a mix of residential, office and commercial uses not only in the same block but also within the same structure. This category is intended for older "urban" areas to allow dissimilar uses to exist, which support each other to create a vital area. Development should reinforce the urban fabric creating a 24-hour activity area. Using the Planned Zoning District or the Urban Use District, high and moderate density developments that result in a vital (dense) pedestrian oriented area are appropriate. The applicant has applied for a revision to a previously approved PCD (Planned Commercial Development) for the MM Cohn Building, adding the Arkansas Annex Building and the Arkansas Building to PCD to allow the use of the three (3) existing buildings for mixed uses including office, retail and residential uses.

Master Street Plan: To the east of the property is Main Street and it is a Minor Arterial, to the south of the property is West 6<sup>th</sup> Street and it is Collector, to the north of the property is West Capitol and it is a Local Street 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 Main Street. The primary function of a Collector Road is to provide a connection from Local Streets to Arterials. 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: There is a Class III Bike Route shown on Main Street. This bike route requires no additional right-of-way, but either a sign or pavement marking to identify and direct the route.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements and the Urban Use District.
2. Any existing landscape or irrigation disturbed by construction shall be repaired or replaced before completion and final acceptance of the project.

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 few outstanding technical issues associated with the request. Staff stated the development involved three (3) buildings along South Main Street. Staff stated the developers were requesting the PCD zoning classification to allow for a mixed use development which could involve multi-family at a density which exceeded density allowed in the UU, Urban Use Zoning District.

Staff noted the landscape comments indicating any existing landscape or irrigation disturbed by any future redevelopment of the site was to be repaired or replaced before completion and final acceptance of the project.

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 submitted revised comments to staff addressing concerns raised at the July 20, 2016, Subdivision Committee meeting. The applicant is requesting to maintain the UU, Urban Use Zoning District uses as allowable uses for the property. The applicant has indicated any potential restaurant user may have outdoor dining within the public right of way and is requesting to utilize the right of way for outdoor dining. The outdoor dining area would comply with the provision of the UU, Urban Use Zoning District in that the number of seats in the outdoor seating area will not exceed 50 percent of the seats within the eating place, bar or lounge. The applicant has indicated the areas of outdoor dining will fully comply with the ordinance requirements and will not obstruct pedestrian movement, fire lanes or areas designated for access by the physically impaired. Fencing will be placed around the outdoor dining areas as required by the State Alcohol Beverage Control (ABC) rules and regulations. The request includes the allowance of multi-family which may result in a density greater than allowed per the UU, Urban Use Zoning District. The UU Zoning District allows for development of multi-family at a density of 72 units per acre.

The applicant is seeking approval of a revision to the PCD zoning for the MM Cohn Department Store Building located at 510 Main Street. The building contains 0.32-acre and is a 5-story building with 75,660 square feet of floor area including the basement. The future uses of the first floors of the property may be the Arkansas Symphony or a combination of restaurant and/or commercial tenants. The basement of the property is proposed as parking for tenants of the

building. The applicant has indicated the upper floors 2 – 5 will be designed to allow commercial space, office space or multi-family. The applicant has indicated the number of multi-family units has not been determined. The applicant has indicated the desire would be for the approved PCD to allow tenant amenities such as a gym, theater, conferencing area, party rooms, and a proposed rooftop pool and gathering area for guest should the multi-family development prove the need for such amenities.

The building at 514 Main Street is a 3-story building located on 0.16-acres with 30,000 square feet of floor area, the Arkansas Annex Building. The proposed uses include the allowance of uses within the UU, Urban Use Zoning District and to allow the placement of multi-family at a density greater than allowed per the UU, Urban Use Zoning District. Once again the applicant is seeking approval to allow tenant amenities for the potential residential uses such as the amenities indicated for the MM Cohn Building.

The building at 524 Main Street, the Arkansas Building, contains 0.32 acre and a 3-story building with 58,000 square feet of floor area including the basement. The proposed uses include the allowance of uses within the UU, Urban Use Zoning District and to allow the placement of multi-family at a density greater than allowed per the UU, Urban Use Zoning District. The number of multi-family units has not been determined. As with the other two (2) buildings the applicant is requesting flexibility to allow the placement of amenities within the building to serve the tenants should the development provide the need for such amenities exist.

Within the UU, Urban Use Zoning District no off-street parking is required. While parking is not required under the UU, Urban Use Zoning District the development will provide on-site parking in the basement of the Arkansas Annex and MM Cohn Building for 50+ tenants. Additional parking is located on the street, in decks and surface lots which are within walking distance of the development.

The applicant has indicated lighting, will be placed so as to reflect away from adjacent residential structures. The fixtures adjacent to the roadways will be designed to minimize glare to the motoring public.

Signage will comply with signage allowed within the UU, Urban Use Zoning District. The applicant does not anticipate the placement of ground signage with the redevelopment of the site.

Section 36-342.1 states objects shall not project from the building façade over the public right of way except for awnings, balconies and signs as specified in Section 36-553. Awnings shall not project more than 5-feet from the building façade and have a minimum clearance of 8-feet above the sidewalk. Balconies over the public right of way shall have a minimum clearance of 9-feet above the sidewalk. The maximum projection shall be 4-feet. The applicant has indicated no new projections or awnings are anticipated at this time. Should these

elements be added in the future the projections will comply with the typical development standards of the UU, Urban Use Zoning District.

Section 36-342.1 states street trees a minimum of three inch caliper shall be required. The trees shall be located a minimum of 2-feet off the back of curb and 30-feet on center and no closer than 30-feet to a street intersection with a water source provided. Tree canopy shall be maintained at least 8-feet above the sidewalk. The City has recently completed a streetscape project in this area along Main Street. Any required street trees will be placed along East 6<sup>th</sup> Street to comply with the typical development standards of the UU, Urban Use Zoning District.

Staff is supportive of the request. Staff feels the amendment to the PCD and the rezoning of the remaining two (2) buildings to PCD to allow for the redevelopment of the site as proposed is appropriate. The applicant is seeking approval of the PCD zoning to allow flexibility for the future redevelopment of these three (3) buildings located in the 500 block of South Main with a mixture of uses including retail, which would allow for restaurant users, office and/or multi-family. The request includes the allowance of an increase in the allowable density of multi-family for each of the three (3) buildings should the demand for multi-family at the greater density provide to be marketable. The applicant has indicated tenant amenities such as roof top outdoor activities may be constructed should the future tenants desire these amenities to be provided. To staff's knowledge there are no remaining outstanding technical issues associated with the request.

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.

A franchise agreement will be required for any projections into or use of the public right of way.

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PLANNING COMMISSION ACTION:

(AUGUST 11, 2016)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of 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 stated a franchise agreement was required for any projections into or use of the public right of way. There was no further discussion. 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.