

FILE NO.: Z-3437-A

---

NAME: 10724 West Markham Street Short-form PCD

LOCATION: 10724 West Markham Street

DEVELOPER:

BHT Investments Co.  
3123 East Race Avenue  
Searcy, AR 72143

OWNER/AUTHORIZED AGENT:

BHT Investment Co./Owner  
Vernon Williams/Agent

SURVEYOR/ENGINEER:

GarNat Engineering, LLC/Engineer

AREA: 0.64 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 4

PLANNING DISTRICT: 2

CENSUS TRACT: 22.09

CURRENT ZONING: C-4, Open Display

ALLOWED USES: Automobile-oriented commercial with open display

PROPOSED ZONING: PCD

PROPOSED USE: Convenience Store with Gas Pumps

VARIANCE/WAIVERS:

1. Sections 30-43 and 31-210: Driveway locations
2. West Perimeter Planting Strip

---

BACKGROUND:

The subject property was rezoned from the "A" One-family district to the "F" Commercial district in 1976.

A subsequent rezoning to the C-4 zone was approved by the Board of Directors on February 19, 1980 for the construction of the existing service station and convenience store.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The existing convenience store, car wash, and gas pump canopy will be removed and replaced with a new building with an area of approximately 3100 square feet and a new canopy and gas pump area. No car wash is proposed for the new site development.

B. EXISTING CONDITIONS:

The site is developed with a service station comprised of a convenience store, gas fueling area covered by a canopy, and a car wash. Located at the northeast corner of West Markham Street and Shackleford Road, there are two drives between the property and both West Markham Street and Shackleford Road.

The vicinity is characterized by automobile-oriented commercial uses, such as restaurants, lodging facilities, retail, and office.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has not received any comments from area property owners or neighborhood associations. Notice of the public hearing was sent to all owners of properties located within 200 feet of the site and the Beverly Hills and Birchwood neighborhood associations.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. W. Markham 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. If right-of-way is required to be dedicated on W. Markham St, a 20 feet radial dedication of right-of-way is required at the intersection of W. Markham Street and Shackleford Road.
3. Repair or replace any curb, gutter, sidewalk, driveways and access ramps that are damaged and not in compliance with ADA recommendations in the public right-of-way prior to occupancy. The access ramps at the W. Markham Street/Shackleford Road intersection do not comply with ADA standards and should be replaced. ADA compliant pedestrian crossings should be provided across all existing and proposed driveways.
4. Driveway locations do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. Driveway spacing on an arterial street is 300 ft.

from street intersections and other driveways and 150 ft. from side property lines. The west Markham Street driveway and the south Shackelford Road driveway do not conform to CLR code. Driveway spacing on a collector street is 250 ft. from street intersections and other driveways and 125 ft. from side property lines. The west Markham Street driveway and the south Shackelford Road driveways do not conform to CLR code. A variance must be requested for both driveway locations. Staff recommends the removal of the west Markham Street driveway due to the distance from the intersection and the proposed vehicular stack at the gas pumps within the driveway. The width of driveway must not exceed 36 feet.

5. 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.
6. Prior to construction of retaining walls, an engineer's certification of design and plans must be submitted to Public Works for approval. After construction, an as-built certification is required for construction of the retaining wall.
7. Obtain a franchise agreement from Public Works (Bennie Nicolo, 371-4818) for the private improvements such as landscaping located in the right-of-way.
8. Show the proposed typical delivery truck route through the site.

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

Little Rock Water Reclamation Authority: Sewer Available to this site. FOG Analysis required. Retain Existing Sewer Easements.

Entergy:

Entergy does not object to this proposal. There does not appear to be any conflicts with existing electrical utilities at this location. There are lines on the north side of the property. 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.

Please submit plans for water facilities and/or fire protection system to Central Arkansas Water for review. Plan revisions may be required after additional review. Contact Central Arkansas Water regarding procedures for installation of water

facilities and/or fire service. Approval of plans by the Arkansas Department of Health Engineering Division and Little Rock Fire Department is required.

Due to the nature of this facility, installation of an approved reduced pressure zone backflow preventer assembly (RPZ) is required on the domestic water service. This assembly must be installed prior to the first point of use. Central Arkansas Water (CAW) 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 CAW. The test results must be sent to CAW's Cross Connection Section within ten days of installation and annually thereafter. Contact the Cross Connection Section at 377-1226 if you would like to discuss backflow prevention requirements for this project.

Fire Department:

**Maintain Access:**

**Fire Hydrants.**

Maintain fire apparatus access roads at fire hydrant locations as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 **Section D103.1 Access road width with a hydrant.** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders.

**Grade**

Maintain fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 **Section D103.2 Grade.** Fire apparatus access roads shall not exceed 10 percent in grade except as approved by the fire chief.

**Loading**

Maintain fire apparatus access road design as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 **Section D102.1 Access and loading.** Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.

**Fire Hydrants**

**Locate Fire Hydrants as per Appendix C of the 2012 Arkansas Fire Prevention Code.** Section C101 – C105, in conjunction with Central Arkansas Water (Daniel Tull 501-377-1245) and the Little Rock Fire Marshal's Office (Capt. Tony Rhodes 501-918-3757 or Capt. John Hogue 501-918-3754). Number and Distribution of Fire Hydrants as per Table C105.1.

Parks and Recreation: No comment received.

County Planning: No comment received.

F. BUILDING CODES/LANDSCAPE:

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](mailto:crichey@littlerock.gov) or  
Steve Crain at 501-371-4875; [scrain@littlerock.gov](mailto:scrain@littlerock.gov).

Landscape:

1. Site plan must comply with the City's minimal 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 (½) the full width requirement but in no case less than nine (9) feet. In addition to the required screening, buffers are to be landscaped at the rate of one (1) tree and three (3) shrubs for every thirty (30) linear feet.
3. A perimeter planting strip is required along any side of a vehicular use area that abuts adjoining property, or the right-of-way of any street. This strip shall be at least nine (9) feet wide. One (1) tree and three (3) shrubs or vines shall be planted for every thirty (30) linear feet of perimeter planting strip. **The west perimeter is deficient and may require a variance from the City Beautiful Commission.**
4. Screening requirements will need to be met for the vehicular use areas adjacent to street rights-of-way. Provide screening shrubs with an average linear spacing of not less at three (3) feet within the required landscape area. Provide trees with an average linear spacing of not less than thirty (30) feet. **Any landscape materials installed in the public right-of-way to meet the minimum landscape code requirements will require a Public Works franchise permit.**
5. Building landscape areas shall be provided at the rate equivalent to planter strip three (3) feet wide along the vehicular use area. One (1) tree and four (4) shrubs shall be planted in the building landscape areas for each forty (40) linear feet of vehicular use area abutting the building.
6. 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.

7. The City Beautiful Commission recommends preserving as many existing trees as feasible on this site. Credit toward fulfilling Landscape Ordinance requirements can be given when preserving trees of six (6) inch caliper or larger.

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 Commercial (C) for the requested area. Commercial category includes a broad range of retail and wholesale sales of products, personal and professional services, and general business activities. Commercial activities vary in type and scale, depending on the trade area that they serve. The application is to change an area from C-3 (General Commercial District) to PCD (Planned Commercial Development) District to remove the existing structures and construct a new convenience store with gas pumps on the site.

Master Street Plan: To the south is West Markham and it is shown as a Minor Arterial on the Master Street Plan. To the west is Shackleford Road and it is shown as a Collector 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 Markham since it is a Minor Arterial. The primary function of a Collector Road is to provide a connection from Local Streets to Arterials. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

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

H. SUBDIVISION COMMITTEE COMMENT:

October 30, 2019

The applicant was present. Staff presented the item to the committee.

Planning staff asked the applicant to indicate the fuel truck route through the property and the fill area/fuel tank locations on the site plan. Also, information on proposed building signage was requested. The applicant was asked to confirm if a restaurant or drive-thru was proposed. Lastly, based on the proposed new building and the zoning code, 17 parking spaces are to be provided and only 11 spaces are shown on the site plan. A variance may be required.

Public Works indicated the driveway locations to not meet the traffic access and circulation requirements. Specifically, the westernmost drive on West Markham Street and the southernmost driveway on Shackleford Road do not conform to the code. A variance is necessary to approve those driveway locations. Also, a shared

access easement should be provided for the shared driveways on West Markham Street and Shackelford Road.

Landscaping comments noted the west perimeter planting strip was insufficient and a variance may be required from the City Beautiful Commission. Any landscaping proposed to be installed in a public right-of-way requires a franchise permit from Public Works.

The applicant was informed responses were to be received by November 6, 2019. The committee forwarded the item to the full commission.

I. ANALYSIS:

A revised site plan and responses to the Subdivision Committee was submitted.

The fuel truck route and fuel tank locations have been added to the site plan.

100 square feet of building signage is proposed to be located above the entryway.

The redeveloped site would not include a restaurant or drive-thru and operating hours would be 24-hours a day, seven days a week.

Eight parking spaces are provided as the site is currently configured. The new site development would provide 11 spaces. An additional 8 parking spaces are available at the gas pumps.

The route of the fuel truck requires the westernmost driveway to West Markham Street. The development could operate without the south driveway connecting to Shackelford Road; however, the applicant is seeking a variance to keep this driveway open. The eastern driveway on West Markham Street may be converted to a right-turn only.

A survey has been supplied showing the dedication of the shared access with the neighboring properties.

The applicant shall request a variance from the City Beautiful Commission to allow the west perimeter planting strip as proposed.

Staff is in support of the redevelopment of this site and the re-investment by the property owner.

J. STAFF RECOMMENDATION:

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

Staff also recommends approval of the variance to allow the driveways to West Markham Street and Shackleford Road as proposed.

---

PLANNING COMMISSION ACTION:

(NOVEMBER 21, 2019)

The applicant was present. There were no registered objectors present. Staff presented the item and a recommendation of approval as outlined in the “staff recommendation” above. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff, including all staff comments and conditions. The vote was 10 ayes, 0 noes, and 1 absent.