

FILE NO.: Z-8043-C

NAME: Northwest Territory Lot 10 Short-form PCD

LOCATION: Located on the Northeast corner of Cantrell Road and Chenal Parkway

DEVELOPER:

SRS Real Estate Partners
1 Allied Drive
Little Rock, AR 72202

ENGINEER:

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

AREA: 1.6 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING: PCD - Expired

ALLOWED USES: C-3, General Commercial District permitted uses

PROPOSED ZONING: PCD

PROPOSED USE: C-3, General Commercial District permitted uses

VARIANCE/WAIVERS: None requested.

BACKGROUND:

On December 4, 2007, the Little Rock Board of Directors adopted Ordinance No. 19,884 establishing Lot 10 Northwest Territory Short-form PCD.

The approval allowed the rezoning of this site from C-3, General Commercial District to PCD for future development of the site inconsistent with the Highway 10 Design Overlay District. The site plan approved reduced the eastern landscape strip from the typically required 25-feet to 9-feet. The property adjacent is an Entergy Substation which has existed for a number of years.

A separate ordinance, Ordinance No. 19,883, approved a deferral request for the construction of Chenal Parkway (approximately 4,150 feet of boundary street improvements) and Highway 10 (approximately 1,700 feet of boundary street improvements) required by the Master Street Plan for five (5) years, until a future phase of development or until adjacent property was developed whichever occurs first for the Northwest Territory Addition located near the intersection of Chenal Parkway and Highway 10.

Ordinance No. 19,996 adopted by the Little Rock Board of Directors on July 15, 2008, allowed a revision to the PCD. The developer proposed to revise the previously approved PCD to allow a reduced landscape strip along the northern perimeter adjacent to the existing mini-warehouse development. The approved plan allowed the landscape strip to be reduced to nine (9) feet. The Highway 10 DOD typically requires a 25-foot perimeter landscape strip. A reduction to nine (9) feet was previously approved along the eastern perimeter as was a waiver of the required screening on that perimeter. A 14,460 square foot building was proposed on the site. This development has not occurred and the approved PCD zoning has expired.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The proposed development contains 1.6-acres located on the northeast corner of Chenal Parkway and Highway 10. The underlying zoning is C-3, General Commercial District, however this property is located within the Highway 10 Design Overlay District. The property was previously approved for a Walgreens Drug Store and also an outdoor carwash.

The developer is proposing a retail development with just over 10,010 square feet. The actual size of the building may vary depending on the actual tenants. There is a proposed drive-through located on the west side of the building with stacking along the rear. A total of 67 parking spaces are indicated on the plan. The development is requesting uses as allowed under the C-3, General Commercial Zoning District. A dumpster with the required screening will be located in the northeast corner of the development. There is a large Entergy substation to the east with a self-storage facility to the north. The driveways shown on the plan have been previously constructed, with permitting obtained from the City of Little Rock and AHTD on the Highway 10 driveway. This drive was required to be right-in/right-out only and is constructed as such.

B. EXISTING CONDITIONS:

The properties in the area are principally commercial in use and zoning. The PCD zoned property to the west contains a convenience store with a single bay car wash and further north is an automobile repair business. A mini-warehouse development is adjacent to the north. A big box retail store is located to the south. The site is adjacent to R-2, Single-family zoned property to the east which is occupied by a utility substation and not a residence.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has not received any comment from area property owners. All property owners located within 200 feet of the site along with the Aberdeen Court Property Owners Association, the Duquesne Place Property Owners Association and the Maywood Manor Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Sidewalks with appropriate handicap ramps are required in accordance with Section 31-175 of the Little Rock Code and the Master Street Plan.
2. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
3. 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.
4. Stormwater detention ordinance applies to this property.
5. 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.
6. Obtain permits for improvements within State Highway right-of-way from AHTD, District VI.
7. Street improvement plans shall include signage and striping. The pedestrian striping should be reapplied on Highway 10 due to the deterioration of the existing striping. Public Works must approve completed plans prior to construction.
8. 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.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this project. Sewer easement(s) must be retained. EAD review required if grease trap is needed. Contact Little Rock Wastewater Utility for additional information.

Entergy: Entergy does not object to this proposal. Overhead facilities exist to the south of the property along Cantrell Road and to the east of the property. Care must be used to maintain proper clearance to any overhead wires at the

drive locations as well as in the northeast corner of the property where the proposed dumpster is located. Contact Entergy in advance regarding future service requirements to the development, 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. A Capital Investment Charge based on the size of meter connection(s) will apply to this project in addition to normal charges. This fee will apply to all connections including metered connections off the private fire system.
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. Contact Central Arkansas Water regarding the size and location of water meter.
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. 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.
8. 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.

9. 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.

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.

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 (Jason Lowder 501.377.1245) and the Little Rock Fire Marshal's Office (Captain Tony Rhodes 501.918.3757). Number and Distribution of Fire Hydrants as per Table C105.1.

Parks and Recreation: No comment received.

County Planning: No comment.

CATA: The site is not located on a dedicated CATA Bus Route.

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

Planning Division: This request is located in the Pinnacle Planning District. The Land Use Plan shows Commercial (C) for this property. The 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 applicant has applied for a rezoning from PCD (Planned Commercial District) to PCD (Planned Commercial District) to allow for development of a retail center on this site. This is within the Highway 10 Overlay and minimum lot size as well as landscaping, signage and setbacks have special recommendation.

Master Street Plan: Cantrell Road is a Principal Arterial and Chenal Parkway is a Minor Arterial 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 Cantrell Road. 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 Chenal Parkway since it is a Minor Arterial. 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 I Bike Path is shown along Cantrell Road. A Bike Path is to be a paved path physically separate for the use of bicycles. Additional right-of-way or an easement is recommended. Nine-foot (9') paths are recommended to allow for pedestrian use as well (replacing the sidewalk). There is a Class III Bike Route shown along Chenal Parkway. Bike Routes require no additional right-of-way or pavement markings, but only a sign to identify and direct the route.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements and the Highway 10 Scenic Corridor Overlay District.
2. The Highway 10 frontage (front yard) shall consist of a minimum of forty (40) feet of landscaped area exclusive of right-of-way. The landscaped area shall contain organic and/or combined man-made/organic features such as berms, brick walls and dense plantings such that vehicular use areas are screened when viewed from an elevation of forty-two (42) inches above the elevation of the adjacent street. Trees shall be planted or be existing at least every twenty (20) feet and have a minimum of two (2) inches in diameter when measured twelve (12) inches from the ground at time of planting. Provide screening shrubs no less than thirty (30) inches in height at installation with an average linear spacing of not less at three (3) feet within the required landscape area
3. A land use buffer six (6) percent of the average width / depth of the lot will be required when an adjacent property has a dissimilar use of a more restrictive nature. The property to the east is zoned R-2. The minimum dimension shall be thirteen (13) feet. As a component of all land use buffer requirements, opaque screening, whether a fence or other device, a minimum of six (6) feet in height shall be required upon the property line side of the buffer. A minimum of seventy (70) percent of the land use buffer shall be undisturbed. Easements cannot count toward fulfilling this requirement. The plantings, existing and proposed, shall be provided within the landscape ordinance of the City, Section 15-81.
4. Screening requirements will need to be met for the vehicular use areas adjacent to street right-of-ways. 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.
5. 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.
6. 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.
 7. 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.
 8. A landscape irrigation system shall be required as per Highway 10 site design and development standards.
 9. 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 5, 2015)

Mr. Joe White of White-Daters and Associates was present representing the request. Staff presented an overview of the item stating there were additional items necessary to complete the review process. Staff stated the site was located in the Highway 10 Design Overlay District which had specific development criteria related to signage, setbacks and landscaping. Staff questioned the proposed use of the center and the use mix proposed. Staff stated if the plan included an order menu board the menu board was to be screened per typical ordinance standards unless the approval of the PCD zoning eliminated the menu board screening requirements.

Public Works comments were addressed. Staff stated sidewalks were required per City code. Staff stated a grading permit was required prior to any grading activity on the site. Staff stated street improvement plans were to include signage and striping.

Landscaping comments were addressed. Staff stated an automatic irrigation system was required to water landscaped areas. Staff stated the Highway 10 Overlay required the front 40-foot landscaped area to contain organic and/or combined man-made/organic features such as berms, brick walls and dense plantings to screen the vehicular use areas and provide screening when viewed from an elevation of 42-inches above the elevation of the adjacent street.

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 addressing most of the technical issues associated with the request. The applicant has indicated the building with one (1) or multiple users. The applicant is also requesting the order menu board not be screened as typically required within the zoning ordinance.

The development contains 1.6-acres and is proposed with a 10,010 square foot retail building. The request includes the allowance of the underlying C-3, General Commercial District uses. The site is located within the Highway 10 Design Overlay District which has specific development criteria which this plan does not fully meet thus the need for the rezoning to a planned zoning development.

The site plan includes a drive-through located on the west side of the building with stacking along the rear driveway. Employee parking is located north of the drive through lane. Parking for the site includes the 15-employee parking spaces along the northern perimeter of the site and 52-parking spaces in front of the building (67 total parking spaces). The plan as presented has not eliminated the potential of allowing 100 percent of the building as a restaurant user. If the entire building was used by a restaurant user the total parking required would be 100 parking spaces. Staff does not feel the 67 parking spaces available would be adequate to serve the site with a sole use of a restaurant user. Staff recommends the proposed use(s) of the building match the available parking.

A dumpster with the required screening will be located in the northeast corner of the development. The hours of dumpster service are limited to 7 am to 6 pm seven (7) days per week. The hours of operation for the development are not limited but proposed as 24-hours per day seven (7) days per week.

The Highway 10 Design Overlay District includes minimum building setbacks and landscaped areas along the perimeters of the site. The plan includes the 100-foot building setback along Highway 10 and the 40-foot landscape buffer. The building setback and landscape strip along Chenal Parkway are adequate to meet the typical minimum standards of the Highway 10 Design Overlay District.

The plan has reduced the landscape strip along the northern and eastern perimeters from the typically required 25-feet to 9-feet. The building setback along the northern and eastern perimeters meet the minimum setbacks within the Highway 10 Design Overlay District of 40-feet and 30-feet respectively. The applicant is also requesting to not place a land use buffer or screening along the eastern perimeter. There is a large Entergy substation to the east and a self-storage facility to the north.

Within the 40-foot landscape buffer the site plan indicates the placement of a landscape berm along Cantrell Road. Shrubs will be placed adjacent to the parking lot to further screen the vehicular use area from Cantrell Road.

The driveways shown on the plan have been previously constructed, with permitting obtained from the City of Little Rock and AHTD on the Highway 10 driveway. This drive was required to be right-in/right-out only and is constructed as such. The Highway 10 Design Overlay District states drives are to be allowed at a maximum of one drive per 300-feet and no drive is to be located closer to an intersection than 100-feet. The drives are located with adequate separation from the intersection of Cantrell Road and Chenal Parkway.

The site plan indicates a single ground sign at the intersection of Cantrell Road and Chenal Parkway. The sign is proposed consistent with the Highway 10 Design Overlay District, six (6) feet in height and 72 square feet in area. Building signage will be located on the Cantrell Road and Chenal Parkway facades of the building. The sign area will be limited to ten (10) percent of the façade area on each of the facades.

All lighting will comply with the minimum standards of the Highway 10 Design Overlay District. All lighting will be designed and located in a manner so as not to disturb the scenic appearance preserved in the corridor. All lighting will be directed into the parking areas and not reflect into the adjacent properties.

The Highway 10 Design Overlay District has a minimum lot size and a maximum number of building per commercial development. The Overlay states there is to be a minimum lot size of 2-acres and a maximum of one (1) building per 2-acres. The lot does not contain the minimum square footage as established per the Overlay. The lot contains 1.62-acres.

Staff is supportive of the request. The applicant is proposing a development with 14 percent building coverage, 54 percent paved area and 32 percent of the site with landscaping. Although there are variations from the Highway 10 Design Overlay District staff does not feel these variations impact the development or the overall intent of the Overlay District. The lot was established with a reduced lot area as the Parkway was extended north of Cantrell Road. The reduced landscape strips along the northern and eastern perimeters are as were approved with the site plan approval in 2008. Staff feels the request is appropriate for the site.

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 the proposed use mix of the development match the available parking on the site.

PLANNING COMMISSION ACTION:

(AUGUST 27, 2015)

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 presented a recommendation the proposed use mix of the development match the available parking on the site. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff by a vote of 11 ayes, 0 noes and 0 absent.