

FILE NO.: Z-9795-A

NAME: Queen Beans – PD-C

LOCATION: Northwest corner of Hermitage Road and Autumn Road

DEVELOPER:

Katie Mac (Queen Beans)
5400 Chenonceau Blvd. #920
Little Rock, AR 72223

OWNER/AUTHORIZED AGENT:

Jeremiah Russell (Agent)
Rogue Architecture
300 S. Spring Street
Little Rock, AR 72201

SURVEYOR/ENGINEER:

Koda Engineering
P.O. Box 26634
Bryant, AR 72022

AREA: 0.134 acre

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 6

PLANNING DISTRICT: 4

CENSUS TRACT: 24.07

CURRENT ZONING: R-2

VARIANCE/WAIVERS:

- Variance to allow reduced driveway spacing.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is requesting to rezone the property from R-2 to PD-C to allow for the construction of Queen Beans (drive-thru only) Coffee Shop on a 0.24 acre tract of land located adjacent to Chenal Parkway at the northwest corner of Hermitage Road and Autumn Road. The site is located within the Chenal Overlay Design District.

B. EXISTING CONDITIONS:

The property is in a primarily commercial area. The parcel is a triangular lot at the corner of Hermitage Road and Chenal Parkway approximately 0.24 acre in area. The surrounding zoning designations include C-3 Commercial as well as PUD and PCD parcels.

C. NEIGHBORHOOD NOTIFICATIONS:

All owners of property located within 300 feet of the site and all neighborhood associations registered with the City of Little Rock were notified of the public hearing.

D. ENGINEERING COMMENTS:

1. Department engineering staff did not give approval for the traffic engineering consultant who performed the traffic impact study submitted to use an existing Queen Beans development in another city to estimate the volumes of vehicular trips this proposed development will generate. Traffic engineering consultant needs to use ITE Trip Gen. Category 938 (Coffee/Donut Shop with Drive-through and No Indoor Seating) for trip generation calculations. This is the closest official land use category that the consultant can use for this proposed development for analysis per ITE Trip Generation Manual. When Department engineering staff use ITE Code 938 for trip generation calculations (360 sq.ft.), staff outputs 124 trips for AM Peak hour (IN & OUT combined), instead of 26 trips combined per the submitted traffic impact study. The expected queuing for this many trips will block Hermitage Road & Autumn Road intersection as well as Chenal Pkwy. & Autumn Road intersection. This anticipated queueing will shut down both intersections creating adverse traffic operations for the traveling public and business owners in the area. Traffic impact study shall be revised, re-evaluated, and resubmitted for Department engineering staff's review.
2. Future building permits will be required through the Department of Planning and Development for any new buildings on site and be required to meet all state building codes and land alteration codes and ordinances adopted by the City of Little Rock.
3. Contact Planning and Development Dept., Engineering Division at 501-371-4817 or at 501-918-5348 for inspections of any work in the public right-of-way prior to placement of concrete or asphalt or for on-site clarification of requirements prior to commencing work. Failure to do so can result in removal of any improperly placed concrete or asphalt at the expense of the owner or contractor.
4. Any infrastructure within public right of way that is currently damaged or damaged during construction will be repaired or replaced at developer's expense before a final certificate of occupancy can be released for the

building. This includes but not limited to the following: noncompliant curb and gutter, asphalt, sidewalk, accessible ramps, storm drainage infrastructure, or concrete driveway aprons. All work within the public right-of-way shall conform to City of Little Rock Public Works Standard Details and ADA accessibility requirements.

5. The Department requires three (3) phase sediment and erosion control (SEC) plans to be submitted for all construction projects showing best management practices (BMPs) for mitigating sediment runoff and erosion along with vegetation specifications for temporary and permanent soil stabilization. Phase 1 SEC plans shall show SEC BMPs during the stripping, clearing, grubbing, and rough grading of the site. Phase 2 SEC plans shall show SEC BMPs during construction of utilities, buildings, roadway infrastructure and drainage infrastructure. Phase 3 SEC Plans shall show SEC BMPs for final grading, seeding, and landscaping of the site.
6. Sediment and Erosion Control plans shall also show the pertinent information as outlined in ADEQ ARR150000 Permit Part II section A-4-H (1-14) and Part II section A-4-I-2 (A-B).
7. A drainage study showing all hydrologic calculations for the site and all hydraulic calculations for the proposed storm sewer pipe system, swales and ditches, detention ponds, outlet structures, and inlets is required per City's stormwater management and drainage manual. For final drainage report, sign, date, and seal the report per AR State Board of Professional Engineers and Professional Surveyors rules Article 12, Section B (1) (a). Provide engineer's certification statement saying this drainage report was conducted by yourself or directly under your supervision and attesting to the accuracy of the information within this report.
8. Per City Code 31-210 (e) (2) for collector streets, driveway spacing shall be two-hundred fifty (250) feet. Driveway spacing shall be centerline to centerline or centerline to right of way of an intersecting collector street or street of higher classification. Minimum spacing from the property line shall be one hundred twenty-five (125) feet. Revise driveway on site plan to meet above requirements accordingly or request a variance from this City Code requirement from the Planning Commission on the planned zoning development application.
9. If a grading permit is not required for the proposed site work, all construction work must include appropriate drainage and erosion control measures (i.e., silt fencing, mulching hydro-seeding, etc.) to protect the municipal storm water drainage system and neighboring properties from sediment runoff. New development may be subject to inspections for compliance.

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

Little Rock Water Reclamation Authority: A sewer extension may be required. Please submit wastewater plans to LRWRA for review and approval.

Entergy: No comments received.

Summit Utilities: No comments.

AT & T: No comments received.

Central Arkansas Water: No comments received.

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. If the grade exceeds 10 percent, approval will be denied and the applicant must submit request to be reviewed by Fire Chief for Approval.**

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.

Commercial and Industrial Developments – 2 means of access. - Maintain fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1.

Section D104.1 Buildings exceeding three stories or 30 feet in height. Building or facilities exceeding 30 feet or three stories in height shall have at least two means of fire apparatus access for each structure.

Section D104.2 Building exceeding 62,000 square feet in area. Buildings or facilities having a gross building area of more than 62,000 square feet shall be provide with two separate and approved fire apparatus access roads.

Exception: Projects having a gross building area of up to 124,000 square feet that have a single approved fire apparatus access road when all building are equipped throughout with approved automatic sprinkler systems.

D104.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.

30' Tall Buildings - Maintain aerial fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D105.1 – D105.4

D105.1 Where Required. Where the vertical distance between the grade plane and the highest roof surface exceed 30', approved aerial fire apparatus access roads shall be provided. For the purposes of this section the highest roof surfaces shall be determined by measurement to the eave of a pitched roof, the intersection of a roof to the exterior wall, or the top of the parapet walls, whichever is greater.

D105.2 Width. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26', exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.

D105.4 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be places with the approval of the fire code official.

Parks and Recreation: No comments received.

County Planning: No comments.

F. **BUILDING CODES/LANDSCAPE:**

Building Codes: No comments received.

Landscape:

1. Any new site development must comply with the City's minimal landscape and buffer ordinance requirements. Refer to the Code of Ordinances, Chapter 15 Landscaping and Tree Protection, and Chapter 36, Article IX – Buffers and Screening.
2. A land use buffer equivalent to 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. 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. 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. Easements cannot count toward fulfilling this requirement. The required screening shall extend the full length of a property where any outside activity is located for ten (10) feet on either side of such activity. The activities to be screened include, but are not limited to, parking lots, drives, sanitation areas, commercial static display of merchandise, loading docks, utility service facilities and heating and air conditioning equipment. Where development which requires screening abuts land use of a more restrictive nature at least eighty (80) percent of the view of the vehicular use area and parked vehicles shall be screened to not be visible when viewed from the adjacent property. A wooden fence may satisfy sixty-five (65) percent of the requirement and evergreen trees may be used to satisfy the balance. Screening standards are intended to apply during all seasons of the year. A minimum of fifty (50) percent of the trees and a minimum of seventy-five (75) percent of the shrubs to be used for screening purposes shall be evergreen varieties. Maximum spacings of fifteen (15) feet for trees and three (3) feet for shrubs should normally be utilized in order to provide continuous full screening of the view.
3. 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 be less than nine (9) feet.
4. 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.
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. The interior landscape area of the vehicular use area shall, at a minimum, equal eight percent (8%) of the vehicular use area and 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 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. Please indicate the square footage of the areas considered for the interior landscape area.

7. An automatic irrigation system to water landscaped areas shall be required for developments of one (1) acre or larger. Developments of less than one (1) acre shall have a water source within seventy-five (75) feet of the plants to be irrigated.
8. All lawn areas shall be sodded with a regionally appropriate turfgrass species. There should be no hydroseeding.
9. Evergreen shrubs should be containerized. All shrubs are to be a minimum of 18 inches in height at installation.
10. At least fifty (50) percent of landscape areas shall be covered by live plant material at the time of plant maturity.
11. The development of two (2) acres or more requires the landscape plan to be stamped with the seal of a Registered Landscape Architect.
12. 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 comments received.

Planning Division:

The request is in the I-430 Planning District. The Land Use Plan shows Commercial (C) for the requested area. The Commercial (C) 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 rezone from R-2 to PD-C for a drive-thru coffee shop.

Surrounding the application area, west of Autumn Road on both sides of Chenal Parkway is an area of Commercial (C). The Commercial (C) 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. This area has restaurants, home furnishing retail, electronics retail, mini-storage and strip commercial uses. East of Autumn Road on both sides of Financial Center Parkway is an area of

Mixed Office Commercial (MOC). The Mixed Office and Commercial (MOC) category provides for a mixture of office and commercial uses to occur. Acceptable uses are office or mixed office and commercial. A Planned Zoning District is required if the use is mixed office and commercial. Within this area are strip commercial centers, offices, banking, and medical offices and institutions. The area of MOC was amended by Ordinance 20847 in 2014 from Public/Institutional (PI) and Commercial areas. Public/Institutional (PI) uses are public and quasi-public facilities that provide a variety of services to the community such as schools, libraries, fire stations, churches, utility substations, and hospitals.

This site is in the Chenal Parkway Overlay District.

Master Street Plan:

Chenal Parkway is a Principal Arterial with alternate design on the Master Street Plan Map. Principal Arterials are roads designed to serve through traffic and to connect major traffic generators or activity centers within urbanized areas. Right-of-Way (ROW) of 100 feet is required. Sidewalks are required on both sides. Access may need to be limited to ensure traffic flow and pedestrian safety.

Autumn Road is a Collector on the Master Street Plan Map. The primary function of a Collector Road is to provide a connection from Local Streets to Arterials or activity centers with the secondary function of providing access to adjoining property. Standard Right-of-Way is 60 feet. Sidewalks are required on one side.

Hermitage Road is a local street on the Master Street Plan. A Local Street which abuts non-residential or residential use which is more intense than duplex or two-unit residential is a Commercial Street. Commercial Streets have the same design standard as a Collector. Right-of-way is 60'. Sidewalks are required on both sides. These streets may require dedication of additional right-of-way and may require street improvements.

Bicycle Plan:

There are no existing or proposed bike routes adjacent to or through this land.

Historic Preservation Plan:

There are no Historic Sites or Districts in the vicinity.

H. ANALYSIS:

The applicant is requesting to rezone the property from R-2 to PD-C to allow for the construction of Queen Beans (drive-thru only) Coffee Shop on a 0.24 acre tract of land located adjacent to Chenal Parkway at the northwest corner of Hermitage Road and Autumn Road. The site is located within the Chenal Overlay Design District.

The property is in a primarily commercial area. The parcel is a triangular lot at the corner of Hermitage Road and Autumn Road. The surrounding property designations include C-3 Commercial as well as PUD and PCD parcels.

Access is provided by a twenty-four (24) foot wide drive extending from Hermitage Road. Based on the design, ingress/egress will be right in, right out only, entering from and exiting to Hermitage Road.

The applicant proposes to construct a 12'x30' (360 square foot) building in the northeast portion of the site with an elevation of eighteen (18) feet in height. The menu board is located on the northeast corner of the building. The traffic design shows lot circulation flowing from east to west as you enter from Hermitage Road leading to the pick-up window northwest corner of the building.

Operating hours will be Monday-Friday from 5:00am to 7:00pm, Saturday and Sunday from 7:00am to 4:00pm with a maximum number of four (4) employees at any given time. Outdoor activities will be limited to patrons ordering at the proposed menu board and picking up their order at the pick-up window. There are to be no other outdoor business activities.

The site plan shows three (3) parking spaces located in the western portion of the site and includes one (1) ADA compliant parking space. A five (5) foot walk way extends from the parking area to building entrance on the south side of the building.

A dumpster enclosure is shown in the southwest portion of the site. The dumpster shall be screened as per Section 36523 of the City's Zoning Ordinance.

No signage is proposed at this time. All signage must comply with Section 36-349 of the Chenal/Financial Center Overlay District.

All site lighting must be low-level and directed away from adjacent properties.

Per City Code 31-210(e)(2) for collector streets, driveway spacing shall be two-hundred fifty (250) feet. Driveway spacing shall be centerline to centerline or centerline to right-of-way of an intersecting collector street or street of higher classification. Minimum spacing from the property line shall be one hundred twenty-five (125) feet. The applicant is requesting a variance to allow reduced driveway spacing for the proposed driveway. Staff supports the variance request, as the proposed driveway location is the best possible drive location for this site.

Staff is supportive of the PD-C rezoning. To staff's knowledge, there are no outstanding issues with this application. Staff feels the proposed use is consistent with existing commercial developments in the area and should have no adverse impact on the surrounding properties.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested PD-C rezoning including the variance request, subject to compliance with the comments and conditions in paragraphs D, E and F, and the staff analysis, of the agenda staff report.

PLANNING COMMISSION ACTION:

(NOVEMBER 9, 2023)

This item is being deferred to the December 14, 2023 agenda due to lack of notification. No vote was taken.

PLANNING COMMISSION ACTION:

(DECEMBER 14, 2023)

The applicant was present. There were no persons registered in opposition. Staff presented the item and a recommendation of approval as outlined in the “staff analysis” above. The item remained on the Consent Agenda for Approval. The vote was 10 ayes, 0 nays, and 1 recusal (Russell). The application was approved.