

FILE NO.: Z-3125-C

NAME: White Water Tavern – PD-C

LOCATION: 2507 W. 7th Street

DEVELOPER:

Travis B. Hill (Owner)
2507 W. 7th Street
Little Rock, AR 72205

OWNER/AUTHORIZED AGENT:

Stephen R. Giles (Agent)
200 West Capitol Ave.
Suite 2300
Little Rock, AR 72201

SURVEYOR/ENGINEER:

Joe White & Associates
25 Rahling Circle
Suite A-2
Little Rock, AR 72223

AREA: 0.78 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 3

PLANNING DISTRICT: 9

CENSUS TRACT: 48

CURRENT ZONING:

R-3 and I-2

VARIANCE/WAIVERS: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to rezone the property located at 2507 W. 7th Street from R-3 and I-2 to PD-C to allow continued use of the property as a restaurant, bar, and musical entertainment venue. This property has deteriorated over time, and the owners wish to rehab the structure and add outdoor seating to the west of the

main structure. They also plan improvements to the parking areas around the building and to construct exterior fencing.

B. EXISTING CONDITIONS:

The property contains an existing one-story wood-frame structure, which was constructed in 1956. The surrounding area is reflective of the property itself, with a mix of R-3 and I-2 zoning. The development encompasses an entire block (save for one structure) at the corner of 7th and Thayer Streets. The majority of this block is vacant and will be used toward the improvements planned for the area.

C. NEIGHBORHOOD COMMENTS:

All owners of property located within 200 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. Any work involving one (1) or more acres of disturbed area require a State of Arkansas NPDES permit. Contact the Arkansas Department of Environmental Quality, NPDES branch at 501-682-0744 for applications and information about General Stormwater Discharge Construction Permit #ARR150000.
2. Per City Rev. Code 29-99, stormwater detention for developments is required. Provide stormwater detention infrastructure to satisfy this requirement. Exception to this requirement is described in City Code 29-100: "If an existing site with an existing coefficient of runoff of 1.0 (totally impervious) is developed, no on-site detention or in-lieu fee for detention is required. Also, if an existing site is developed whereby the coefficient of runoff is reduced to a lesser value, no on-site detention or in-lieu fee is required."
3. A drainage study showing all hydrologic and hydraulic calculations for the proposed storm sewer pipe system, detention ponds and structures, and inlets is required. 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.
4. 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.

5. 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).
6. Damage to public and private property due to hauling operations or operations of construction related equipment from a construction site shall be repaired by the responsible party prior to the issuance of a certificate of occupancy.
7. Provide as-built plans and data entry template of newly installed or modified public and private stormwater drainage system prior to issuance of the certificate of occupancy. The as-built plans should contain information as found on the City of Little Rock website at <https://www.littlerock.gov/city-administration/city-departments/public-works/applications-details-and-manuals/>. Provide the as-built plans and data entry template to Planning and Development Dept., Civil Engineering Private Development by email to csmith@littlerock.gov and cc dwarner@littlerock.gov. If you have any questions or desire additional information, please do not hesitate to contact Planning and Development Dept., Civil Engineering Private Development at 501-371-4817 or at 501-918-5348 or email Permits@littlerock.gov.
8. Per City Code 31-210 (e) (4), Driveways for commercial uses approved to be located on a residential street shall be spaced the same as for other commercial streets. However, for properties that are located on existing platted residential lots of the same size and character as adjoining residential properties the driveway requirements are to be the same as listed in section 30-43: maximum width twenty (20) feet, the drive shall be five (5) feet from property line and twenty-five (25) feet from the right-of-way of an adjacent street.
9. Thayer Street and Coates Street are classified as a local streets per City's Master Street Plan. Therefore, dedication of fifty (50) feet of total right of way from centerline of Thayer Street and Coates Street respectively per master street plan is required.
10. Boundary street improvements are required per master street plan on Thayer Street and Coates Street along the developer's street frontage for both streets. Boundary street improvements shall include, but not be limited to, reconstruction of one-half section of the abutting street if the existing street is not up to city standards. Repair, replace, or extend existing damaged, missing, and noncompliant curb and gutter, sidewalk, access ramps or concrete driveway aprons within the public right-of-way adjacent to the site. Remove abandoned driveway cuts and replace with curb, gutter, and sidewalk. All work within the public right-of-way shall conform to City of Little Rock Public Works Standard Details and ADA guidelines.

11. Per City Code 31-206 (f), "Property line corners at street intersections shall be rounded with a radius of at least twenty (20) feet."
12. Existing building shall meet all accessibility requirements as outlined in Section 3411.4.2 in the 2012 Arkansas Fire Prevention Code.
13. Provide accessible route from the public right of way to the proposed building entrance in accordance with 2012 Arkansas Fire Prevention Code Section 1104.1.
14. Provide accessible route from the accessible parking stalls' aisles to proposed buildings' entrances in accordance with Section 402 & 502 of ICC A117.1-2017 and 2012 Arkansas Fire Prevention Code Sections 1104.

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

Little Rock Water Reclamation Authority: No comments received.

Entergy: No comments received.

Summit Energy: No comments.

AT & T: No comments received.

Central Arkansas Water:

No Objections. All Central Arkansas Water requirements in effect at the time of request for water service must be met.

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.

Gates

Maintain fire apparatus access road gates as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. Minimum gate width shall be 20 feet.
2. Gates shall be of swinging or sliding type.
3. Construction of gates shall be of material that allow manual operation by one person.
4. Gate components shall be always maintained in an operable condition and replaces or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official.
6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools or when a key box containing the keys to the lock is installed at the gate location.

7. Locking device specifications shall be submitted for approval by the fire code official.
8. Electric gate operators, where provided, shall be listed in accordance with UL 325.
9. Gates, intended for automatic operation shall be designed, constructed and installed to comply with requirements of ASTM F 2200.

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 Fire Marshal Derek N. Ingram 501-918-3756 Number and Distribution of Fire Hydrants as per Table C105.1.

Parks and Recreation: No comments received.

County Planning: No comments.

F. **BUILDING CODES/LANDSCAPE:**

Building Code: No comments received.

Landscape: No comments.

G. **TRANSPORTATION/PLANNING:**

Rock Region Metro: No comments received.

Planning Division:

The request is in the I-630 Planning District. The Land Use Plan shows Office (O) and Park/Open Space (PK/OS) for the requested area. The Office (O) category represents services provided directly to consumers (e.g., legal, financial, medical) as well as general offices which support more basic economic activities. The Park/Open Space (PK/OS) category includes all public parks, recreation facilities, greenbelts, flood plains, and other designated open space and recreational land. The application is to rezone from R-3 (Single Family District) and I-2 (Light Industrial District) to PD-C (Planned Development - Commercial). This is to recognize an existing non-conforming use (bar with patio and parking) with improvements.

West of the application area is Office (O) on the Plan Map. This area has single family homes and an auto service use. The Office (O) category represents services provided directly to consumers (e.g., legal, financial, medical) as well as general offices which support more basic economic activities. South of 7th Street

is Service Trades District (STD) with commercial warehouses. This category provides for a selection of office, warehousing, and industrial park activities that primarily serve other office service or industrial businesses. The district is intended to allow support services to these businesses and to provide for uses with an office component. To the north is Residential Low Density (RL) with developed residential uses. On the east is Park/Open Space (PK/OS). The Park/Open Space (PK/OS) category includes all public parks, recreation facilities, greenbelts, flood plains, and other designated open space and recreational land. This area parallels the Union Pacific Railroad tracks and includes some area where the tracks have been taken up.

Master Street Plan:

Thayer Street is adjacent on the east and south, and Coates Street is adjacent on the west. Both are both Local Streets. A Local Street which abuts non-residential or residential use which is more intense than duplex or two-unit residential is a Commercial Street. These 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:

The *Master Bike Plan Map* shows a proposed Class III Bicycle Route along Cates Street which is designated with only signage for bicycle use. These routes use the existing vehicular area, with no physical separation.

Historic Preservation Plan:

This site is in the Capitol View National Register Historic District.

H. ANALYSIS:

The applicant proposes to rezone the property located at 2507 W. 7th Street from R-3 and I-2 to PD-C to allow continued use of the property as a restaurant, bar, and musical entertainment venue. This property has deteriorated over time, and the owners wish to rehab the structure and add outdoor seating to the west of the main structure. They also plan improvements to the parking areas around the building and to construct exterior fencing.

The property contains an existing one-story wood-frame structure, which was constructed in 1956. The surrounding area is reflective of the property itself, with a mix of R-3 and I-2 zoning. The development encompasses an entire block (save for one structure) at the corner of 7th and Thayer Streets. Most of this block is vacant and will be used toward the improvements planned for the area.

The proposal calls for improvements to the gravel lots to the east and west of the main structure. These lots have been historically used as parking for this business since it's inception. These improvements include proposed concrete aprons on both lots, allowing vehicles smooth transition from the road to the parking area. These lots will remain gravel. They propose a new 5' wide sidewalk along W. 7th Street in addition to a proposed right-of-way dedication along the same route. The parking area to the east will also being improved will a new concrete apron and a proposed 'timber barricade' between the lot and the roadway. The east parking area improvements also call for a right-of-way closure. Any ROW closure or dedication will be heard separately by the City of Little Rock Board of Directors.

Staff supports the proposed PD-C rezoning. Staff believes the request is reasonable. The property will be used and operated in the same manner as it has for several decades, and any improvement to the sight will be a positive for the surrounding neighborhood.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested PD-C zoning, subject to compliance with the comments and conditions outlined in paragraph D and E, and the staff analysis, of the agenda staff report.

PLANNING COMMISSION ACTION:

(MARCH 9, 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 recommendation" above. The item remained on the consent agenda for approval as recommended by staff, including all staff comments and conditions. The vote was 9 ayes, 0 nays, 1 absent and 1 abstain (Brown).