

FILE NO.: Z-9480-A

NAME: Integrated Psych Solutions – Revised POD

LOCATION: 218 N. McKinley Street

DEVELOPER:

Jennifer Anderson
c/o Roger Architecture
300 S. Spring Street, Suite 720
Little Rock, AR 72201

OWNER/AUTHORIZED AGENT:

Jennifer Anderson – Owner
Jeremiah Russell – Agent

SURVEYOR/ENGINEER:

Cunningham Surveying, LLC
2105 Lorance Drive
Little Rock, AR 72206

AREA: 0.30 acre NUMBER OF LOTS: 1 FT. NEW STREET: 0 LF

WARD: 3 PLANNING DISTRICT: 3 CENSUS TRACT: 21.04

CURRENT ZONING: POD

VARIANCE/WAIVERS: None requested.

BACKGROUND:

On February 4, 2020 the Board of Directors passed Ordinance No. 21, 834, rezoning this property from R-2 to POD. The rezoning was approved to use the existing building as a professional therapist's office and counseling office. The existing structure is 1,383 square feet in area and one (1) story in height. The approved POD zoning included the following:

- Phase I – construction of new parking and driveway in the front yard area and remodel of existing structure to accommodate the office use.

- Phase II – construction of a 24 foot by 33 foot addition to the rear of the structure.
- Sidewalk construction along N. McKinley was deferred until Phase II construction.

Building height for the Phase II addition was not discussed with the POD approval.

The property owner recently remodeling the existing building and construction of the Phase II addition. Construction of the Phase II building addition was increased from the 24 foot by 33 foot approved footprint to a 24 foot by 54 foot area. The building addition also has a height of two (2) stories.

The applicant was informed by staff that the larger building addition would need to go back to the Planning Commission for approval of a Revised POD, prior to the applicant beginning construction.

A stop-work order was issued to the property owner to cease construction of the building addition. The applicant was allowed to proceed with the remodeling of the existing structure and construction of the parking lot and driveway.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to revise the previously approved POD for this property to construct a larger two-story building addition to the existing structure.

B. EXISTING CONDITIONS:

The existing structure on the site is in the process of being remodeled. A two-story addition to the rear of the existing structure was recently started.

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. All driveways shall be concrete aprons per City Ordinance.
2. Due to the proposed use of the property, the Master Street Plan specifies that McKinley Street for the frontage of this property must meet commercial street standards. Dedicate right-of-way to 30 feet from centerline.
3. Sidewalks with appropriate handicap ramps are required to be constructed adjacent McKinley St. in accordance with Sec. 31-175 of the Little Rock Code and the Master Street Plan.

4. Driveway locations and widths do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. The width of driveway should not exceed 24 feet. Driveway spacing on commercial streets is 250 ft between driveways and 125 ft from the side property line. A driveway variance must be requested for the 2nd driveway. The current driveway is about 150 ft from the existing driveway to the south.
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.

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

Little Rock Water Reclamation Authority: Sewer Available to this Site.

Entergy: No comments received.

CenterPoint Energy: No comments received.

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.

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.

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.

Parks and Recreation: No comments received.

County Planning: No comments.

F. **BUILDING CODES/LANDSCAPE:**

Building Code: No comments received.

Landscape:

1. Any new site development 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. The average depth of the lot is approximately 150 linear feet.

3. 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.
4. A perimeter planting strip is required along any side of a vehicular use area that abuts adjoining property. This strip shall be at least nine (9) feet wide. Provide trees with an average linear spacing of not less than thirty (30) feet within the perimeter planting strip. Provide three (3) shrubs or vines for every thirty (30) linear feet of perimeter planting strip.
5. Building landscape areas shall be provided between the vehicular use area used for public parking and the general vicinity of the building. These 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. An irrigation system shall be required for developments of one (1) acre or larger. For developments of less than one (1) acre a there shall be a water source within seventy-five (75) feet of all plant material if an automatic irrigation system is not provided.
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 comments received.

Planning Division: The request is in the West Little Rock Planning District. The Land Use Plan shows Suburban Office (SO) for the requested area. The Suburban Office (SO) category shall provide for low intensity development of office or office parks in close proximity to lower density residential areas to assure compatibility. A Planned Zoning District is required. The application is a revision to an existing POD (Planned Commercial Development) District to allow a larger expansion area for the office use.

Surrounding the application area, the Land Use Plan shows Residential Low Density (RL) to the west and north. Suburban Office (SO) use is to the south of the site. Commercial (C) is on the Plan to the east. To the northeast the Plan shows Mixed Use (MX). Residential Low Density (RL) category provides for single family homes at densities not to exceed 6 dwelling units per acre. Such residential development is typically characterized by conventional single family homes, but

may also include patio or garden homes and cluster homes, provided that the density remain less than 6 units per acre. The area is an existing developed single-family platted neighborhood. The Suburban Office (SO) category shall provide for low intensity development of office or office parks in close proximity to lower density residential areas to assure compatibility. A Planned Zoning District is required. There are two professional office uses on this land. 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 is the Park Plaza Mall. The Mixed Use (MX) category provides for a mixture of residential, office and commercial uses to occur. A Planned Zoning District is required if the use is entirely office or commercial or if the use is a mixture of the three. There are an office tower, apartment tower, rehab facility and office/retail building within the MX area.

Master Street Plan: To the east is McKinley Street, it is a Local Street on the Master Street Plan. 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". This street 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 McKinley Street. Bike Routes require no additional right-of-way, but either a sign or pavement marking to identify and direct the route.

H. ANALYSIS:

The applicant proposes to revise the previously approved POD zoning for this property in order to construct a larger two-story addition to the rear of the existing building. The building addition previously approved was a 24 foot by 33 foot addition. The previously approved addition had a rear setback of 10 feet, and side setbacks of over 15 feet. The height of the building addition was not discussed with the POD approved. However, the underlying R-2 zoning allows a maximum building height of 35 feet.

The applicant is now proposing an addition to the rear of the building with an area of 24 feet by 54 feet. The proposed building addition will maintain the 10 foot rear setback as was previously approved. The proposed building addition will be set back 7 feet – 4 inches from the south side property line and 24 feet – 8 inches from the north side property line.

The applicant is proposing that the revised addition be two (2) stories in height. The proposed addition will be approximately 22 feet in height, as measured from the finished floor to mid point of the roof slope. The overall height of the addition, from finished floor to roof peak, will be 25 feet – 5 inches.

The larger building footprint for the proposed addition is the only change proposed to the previously approved POD zoning for this property. All other aspects and conditions of the previous approval shall remain in full effect.

Staff is supportive of the requested revised POD to allow a larger two-story building addition. Staff views the request as reasonable. As noted previously, the underlying R-2 zoning allows a building height of 35 feet, as reasonable for the finished floor to the mid point of the roof slope. Although the building addition will be located 10 feet from the rear (west) property line, staff feels that planting mid-level evergreen trees between the building addition and the rear property line will aid in buffering the building from the adjacent residences to the west. The underlying R-2 zoning requires a minimum rear setback of 25 feet. Staff will also require that there be no exterior lighting on the building addition. Staff believes the revised POD to allow a larger building addition will have no adverse impact on the surrounding properties.

I. STAFF RECOMMENDATION:

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

Staff also recommends that mid-level evergreen trees be planted between the building addition and the rear property line and that the building addition have no exterior lighting. The number and type of evergreen trees will need to be shown on the landscape plan for the development and approved by City staff.

PLANNING COMMISSION ACTION:

(JULY 8, 2021)

The applicant was not present. There was one (1) objector present. Staff informed the Commission that the application needed to be deferred based on the fact that the applicant was not present.

There was a motion to defer the application to the August 12, 2021 Planning Commission agenda. The motion passed by a vote of 8 ayes, 0 nays, 2 absent and 1 open position. The application was deferred.

PLANNING COMMISSION ACTION:

(AUGUST 12, 2021)

The applicant was present. There were no persons present registered in support or opposition. 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 nays, 0 absent and 1 open position.