

FILE NO.: Z-3735-A

NAME: R & RT Properties Short-form POD

LOCATION: Located at 13100 Chenal Parkway

DEVELOPER:

Beverly Young
R & RT Properties
13100 Chenal Parkway
Little Rock, AR 72211

SURVEYOR:

Smit and Goodson
7509 Cantrell Road, Suite 327
Little Rock, AR 72207

AREA: 1.18 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 5

PLANNING DISTRICT: 19 - Chenal

CENSUS TRACT: 5

CURRENT ZONING: O-3, General Office District

ALLOWED USES: Office

PROPOSED ZONING: POD

PROPOSED USE: Add consignment shop and the Accessory uses as identified in the O-3, General Office Zoning District as an allowable use

VARIANCE/WAIVERS: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

Ortho Rehab and Specialty Centers Physical Therapy located at 13100 Chenal Parkway is proposing to rezone the site from O-3, General Office District to POD, Planned Office Development District, to allow the addition of a consignment shop as an allowable use for the property. The applicant has indicated the upper portion of the building containing 6,600 gross square feet of floor area (73%) with uses as allowed in the O-3, General Office Zoning District and the lower level containing 2,464 gross square feet of floor area (27%) as a retail use. Currently the lower level area houses the Closet, a consignment shop for clothing. The applicant is

requesting the allowance of similar type retail uses within this area should the existing consignment shop relocate.

B. EXISTING CONDITIONS:

The medical office building was constructed in the early 1990's. The site contains the building and parking located in front of and behind the building. Access to this site is from the property to the east via a 30-foot cross access and utility easement. There is also a shared common drive located along this properties eastern boundary allowing two-way access to the rear of this building. There is a one-way drive along the west side of the building allowing exit from the northern parking lot the front parking area. There are 40 parking spaces located in front of the building and 15 spaces located in the rear.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200-feet of the site along with the Parkway Place Property Owners Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS: No comment.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Little Rock Wastewater: Sewer available to this site. EAD, Environmental Assessment Division, approval required for food service. Contact Little Rock Wastewater for additional information.

Entergy: Entergy does not object to this proposal. Service is already being provided to this structure. Power lines currently exist along Chenal Parkway and on the west side of this property. Contact Entergy in advance to discuss any changes to electrical service requirements, or adjustments to existing facilities (if any) 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. 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.
4. 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.
5. 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.
6. 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.

Fire Department:

1. Full Plan Review
2. 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.
3. 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 (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.

Rock Region Metro: Location is not currently served by METRO but is on our long range plans. We recommend continuation of pedestrian infrastructure for access to the transit system. Also provide pedestrian link through parking areas for access from the street to businesses and services.

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

Planning Division: This request is located in Chenal Planning District. The Land Use Plan shows MX (Mixed Use). This 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. The applicant has applied for a rezoning from O-3 (General Office District) to POD (Planned Office Development) to allow a consignment store in the same building in addition to existing office uses. This request is within the Chenal Design Overlay District.

Master Street Plan: To the south of the property is Chenal Parkway and it is shown as a Principal 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 Chenal Parkway. This street 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.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements and the Chenal Overlay District.
2. All vehicular use areas which were in existence prior to the effective date of the Landscape Ordinance may continue as non-conforming until such time a building permit is issued to rehabilitate a structure on the property exceeding (50) percent of current replacement cost of the structure. At such time (50) percent of the existing vehicular use area shall be brought into compliance and shall continue to full compliance on a graduated scale based on the percentage of rehabilitation cost.
3. 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: (November 22, 2016)

The applicant was present. Staff presented an overview of the item stating there were additional items necessary to complete the review process. Staff stated the

applicant was seeking approval of the rezoning to allow an existing consignment shop to become an allowable use. Staff questioned any other activities taking place on the site. Staff questioned the days and hours of operation for the businesses and activities at the site. Staff stated any additional signage would need to comply with the Chenal Parkway Design Overlay District.

Landscaping comments were addressed. Staff stated any dead, diseased or missing landscaping was to be replaced. Staff stated any site upgrades would require landscaping come into compliance accordingly.

Rock Region Metro comments were addressed. Staff stated the site was not currently served but was within the long range plans. Staff requested the plan include continuation of pedestrian infrastructure for access to the transit system and to provide a link from the building through the parking areas to the street.

Staff noted the comments from the various other departments and agencies. Staff suggested the applicant contact the departments or agencies directly with any questions or concerns. There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.

H. ANALYSIS:

There were few outstanding technical issues in need of addressing raised at the November 22, 2016, Subdivision Committee meeting. The applicant is requesting a rezoning of the site from O-3, General Office District to POD, Planned Office Development, to add a consignment shop as an allowable use for the property. Currently the lower level area houses the Closet, a consignment shop for clothing.

The applicant has indicated the upper portion of the building containing 6,600 gross square feet of floor area (73%) with uses as allowed in the O-3, General Office Zoning District and the lower level containing 2,464 gross square feet of floor area (27%) as a retail use.

Currently there are a number of uses taking place on the site including medical office, orthopedic rehab, physical therapy, a church, education and tutoring, general and professional office uses. The office and consignment shop typically operate from 8 am to 6 pm Monday through Saturday. The church holds service at the site on Sunday morning from 9 am to 11 am. The church also meets for bible study classes on Wednesday evenings from pm to 8 pm.

The site plan indicates a total of 55 parking spaces on the site. 15 spaces are located behind the building and the remaining parking is located between the building and Chenal Parkway. Parking for the retail portion of the building is typically based on one (1) parking space per 300 gross square feet of floor area. Parking for the office portion of the building is typically based on one (1) parking space per 400 gross square feet of floor area. The retail portion would typically require eight (8) parking spaces. The office portion would typically require 16 parking spaces.

The applicant is requesting the allowance of similar type uses as the consignment shop as allowable alternate uses for the site. Staff feels the allowable alternate uses should be limited to the uses identified as accessory uses within the O-3, General Office Zoning District without the allowance of an eating place without drive-in service. Staff feels it appropriate to allow the accessory use to exceed the typical limit of ten (10) percent of the gross floor area provided the use mix for the building match the parking available on the site.

To staff's knowledge there are no outstanding technical issues associated with the request. Staff feels the requested rezoning to Planned Office Development to add a consignment shop and the allowance of the identified accessory uses within the O-3, General Office Zoning District as allowable uses is appropriate for this site.

I. STAFF RECOMMENDATION:

Staff recommends approval of the request subject to compliance with the comments and conditions as noted in paragraphs D, E and F of the agenda staff report.

PLANNING COMMISSION ACTION:

(DECEMBER 15, 2016)

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. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff by a vote of 9 ayes, 0 noes, 1 absent and 1 open position.