

FILE NO.: Z-6019-F

NAME: Chenal Valley Tract 13 Revised Long-form PCD

LOCATION: Southwest of the intersection of Chenal Parkway and Saint Vincent Way

DEVELOPER:

Deltic Real Estate LLC
7 Chenal Club Boulevard
Little Rock, AR 72223

OWNER/AUTHORIZED AGENT:

Deltic Real Estate LLC/Owner
Tim Daters/Agent

SURVEYOR/ENGINEER:

White Daters & Associates/Engineer

AREA: 7.60 acres

NUMBER OF LOTS: 4

FT. NEW STREET: 0 LF

WARD: 5

PLANNING DISTRICT: 19

CENSUS TRACT: 42.13

CURRENT ZONING: PCD, Planned Commercial Development and
O-2, Office and Institutional

ALLOWED USES: Restaurant and Office

PROPOSED ZONING: PCD

PROPOSED USE: Uses allowed in C-3, General Commercial
and O-3, General Office

VARIANCE/WAIVERS:

1. A variance to allow advanced grading of the site with the improvements of Lot B1-A.
2. A variance to allow parked vehicles to back into a service easement.
3. A variance to create a lot without access to a public street.
4. A variance to allow for an alternative internal pedestrian circulation network.

BACKGROUND:

This tract is a portion of an area rezoned from R-2, Single-family and C-2, Shopping Center to O-2, Office and Institutional in 1995. Later in the year, the Planning Commission reviewed a zoning site plan review for the development of a 19-acre tract containing two, 2-story office buildings of 75,000 square feet each and parking for 601 vehicles. The first phase of this development was constructed, being the GMAC office building to the south of the subject property.

A request was made in 2000 to rezone a larger area including this site from O-2, Office and Institutional, R-2, Single-family and PCD to POD was approved in 2000. Most of the property was zoned O-2, Office and Institutional, a small portion zoned R-2, Single-family and the remainder zoned PCD. This action was to allow additional office development in two phases. The initial phase consisted of a building of 73,500 square feet with 402 associated parking spaces. The second phase would be an office building and 783 parking spaces. This development was not constructed.

In 2006, the POD was revoked and a revised preliminary plat approved creating four lots from what had been identified as "Tract B" in previously approved plans. Tract A contained the GMAC office building. The zoning for Tract B reverted to O-2, Office and Institutional and a variance from the Subdivision Ordinance was approved to allow a lot without a public street frontage.

Following later in 2006, a PCD was approved for the construction of a branch bank on Lot B-1A and a restaurant on Lot B-1B. The bank building was proposed to be no more than 4,500 square feet with 29 parking spaces. The restaurant was proposed with a building footprint of up to 5,800 square feet and 157 parking spaces. This development was also not constructed.

The most recent zoning request for this property was in 2009. This proposal was to rezone from PCD and O-2, Office and Institutional to allow the construction of two restaurant buildings and a two-story office building. The restaurants were planned for Lot B-1A and B-1B. The building proposed for Lot B-1A was to be 3,825 square feet with a drive-through and 47 spaces. The building proposed for Lot B-1B did not have a drive-through, an area of 6,300 square feet, and 83 parking spaces. The office building was listed at 29,000 square feet and was to be sited on Lot B-3 with 99 parking spaces. As with the previous proposals, this development was not constructed.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to revise the PCD to allow all the uses in C-3, General Commercial and O-3, General Office districts. A drive-through would be provided on Lot B-1A. Hours of operation are intended to be daily from 7am to 9pm. The on-site drives would be shared-access. All grading and street improvements would be completed with the planned improvements for Lot B-1A. Lastly, lighting would be low-level and directed toward the interior of the site.

B. EXISTING CONDITIONS:

The site is undeveloped and well-covered with trees. South of the property is an office building accessed by LaGrande Drive, which runs to the west of the subject property. Across Saint Vincent Way is the Promenade at Chenal lifestyle center with retail, restaurant, and entertainment uses. To the east, across Chenal Parkway are office and commercial uses. Located west of the site across LaGrande Drive are the CHI St. Vincent West Pavilions-Chenal housing medical clinic and office uses.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has not received any comments from area property owners or neighborhood associations. Notice of the public hearing was sent to all owners of properties located within 200 feet of the site.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. With site development, provide design of street conforming to the Master Street Plan. Construct right turn lanes as shown on plans including 5-foot sidewalks with planned development.
2. Repair or replace any curb, gutter, sidewalk and access ramps that are damaged and not in compliance with ADA recommendations in the public right-of-way prior to occupancy.
3. A grading permit in accordance with section 29-186 (c) & (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. Is an advance grading variance being requested to advance grade future lots with construction of the first lot?
4. Storm water detention ordinance applies to this property. Show the proposed location for stormwater detention facilities on the plan. Maintenance of the detention pond and all private drainage improvements is the responsibility of the land owner and/or property owners association and outlined in the bill of assurance.
5. If disturbed area is 1 or more acres, obtain a NPDES storm water permit from the Arkansas Department of Environmental Quality prior to the start of construction.
6. Street Improvement plans shall include signage and striping. Public Works must approve completed plans prior to construction.
7. On site striping and signage plans should be forwarded to Public Works, Traffic Engineering for approval with the site development package.

8. Hauling of fill material on or off site over municipal streets and roads requires approval prior to a grading permit being issued. Contact Public Works Traffic Engineering at 621 S. Broadway, (501) 379-1805 (Travis Herbner) for more information.
9. All driveways shall be concrete aprons per City Ordinance.
10. Obtain a franchise agreement from Public Works (Bennie Nicolo, 371-4818) for the private improvements such as the existing sign located in the right-of-way.
11. Provide a letter prepared by a registered engineer certifying the intersection sight distance at the St. Vincent Way intersection complies with 2004 AASHTO Green Book standards.
12. 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.
13. Construct a right-in-right-out island at the proposed driveway on Chenal Pkwy to prevent wrong way entry, and provide signage and striping for right turn only.
14. Per Section 31-210, parking spaces shall be allowed to back into a service easement. A variance must be requested for the parking spaces.
15. Per Sec. 31-210, sidewalks are required on both sides of service easements with a minimum 4 ft. separation from the back of curb.
16. Pedestrian access is recommended to be provided between developments such as the development to the south.

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

Little Rock Water Reclamation Authority: Sewer main extension required with easements if new sewer service is required for this project. FOG Analysis Required for FSE uses.

Entergy:

Entergy does not object to this proposal. There does not appear to be any conflicts with existing electrical utilities at this location. The Entergy facilities in this area are underground. Contact Entergy in advance to discuss electrical service requirements, or adjustments to existing facilities (if any) as this project proceeds.

CenterPoint Energy: No comment.

AT & T: No comment received.

Central Arkansas Water:

All Central Arkansas Water requirements in effect at the time of request for water service must be met.

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 Little Rock Fire Department is required.

The facilities on-site will be private. When meters are planned off private lines, private facilities shall be installed to Central Arkansas Water's material and construction specifications and installation will be inspected by an engineer, licensed to practice in the State of Arkansas. Execution of Customer Owned Line Agreement is required.

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.

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.

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.

Dead Ends.

Maintain fire apparatus access roads at dead end locations as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D103.4 Dead Ends. Dead-end fire apparatus access roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with Table D103.4. Requirements for Dead-end fire apparatus access roads.

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 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.

F. **BUILDING CODES/LANDSCAPE:**

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
Steve Crain at 501-371-4875; scrain@littlerock.gov

Landscape:

1. Any new site development must comply with the City's minimal landscape and buffer ordinance requirements and the Chenal Overlay District.
2. 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.
3. Screening requirements will need to be met for the vehicular use areas adjacent to street right-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. 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.
5. An irrigation system shall be required for developments of one (1) acre or larger.
6. The development of two (2) acres or more requires the landscape plan to be stamped with the seal of a Registered Landscape Architect.
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 comment.

Planning Division: Plan shows Mixed Office Commercial (MOC) for this property. This 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. The applicant has applied for a rezoning from PCD (Planned Commercial Development District) and O-2 (Office and Institutional District) to PCD (Planned Commercial Development District) to allow for the future development of office, commercial and restaurant uses. The request is within the Chenal/Financial Center Design Overlay District.

Master Street Plan: To the east of the property is Chenal Parkway and it is shown as a Principal Arterial. To the north is St. Vincent Way and it is shown as a Collector. To the west is La Grande Drive and it is shown as Local Streets 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 since it is a Principal Arterial. The primary function of a Collector Road is to provide a connection from Local Streets to Arterials. 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". A Collector design standard is used for Commercial Streets. These streets 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 I Bike Path is shown along Chenal Parkway. 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 paths are recommended to allow for pedestrian use as well (replacing the sidewalk).

H. SUBDIVISION COMMITTEE COMMENT: September 18, 2019

The applicant was present. Staff presented the item to the committee. Planning comments included whether the C-3 and O-3 uses are proposed for the entire site or would differ by lot. Second, planning staff asked if Lot B-2 is included in the request. Third, the applicant was asked to provide screening and proposed signage for the drive-through on Lot B1-A. Lastly, regarding signage staff inquired if an existing sign adjacent to Lot B1-B would remain or be removed and for any information on proposed wall signage. Public Works asked if an advanced site grading permit would be sought. Public Works also informed the applicant storm water detention would be required and that sidewalks are to be installed along both sides of service easements. Landscape comments were generally noted. The applicant was informed responses were to be received by September 25, 2019. The committee forwarded the item to the full commission.

I. ANALYSIS:

This proposal is similar to the PCD approved in 2009. Notable modifications would include Lot B1-A increasing in area from 1.45 acres to 1.79 acres. The change is primarily due to including a drive aisle and row of parking previously shared between Lots B1-A and B-1B to now be entirely on Lot B-1A. The building planned for Lot B-1A has also increased in size from 3,825 square feet to 10,000 square feet and commercial uses are requested to be added to the previously approved restaurant with drive-through use.

The area of Lot B-3 has been slightly reduced in size; however, the proposed 2-story office building of 29,600 square feet with 75 parking spaces is brought forward with this proposal.

In response to the Subdivision Committee comments a revised site plan was prepared.

The site plan clarified Lot B-2 is to be incorporated into the PCD and the proposed uses for the lot would be commercial, office, and restaurant uses. No building is shown on the site plan. Approval of a revised PCD or separate POD would be required prior to development of this parcel.

The proposed uses for each lot were also added to each parcel. Specifically, the uses for Lot B-1A are requested to be restaurant and commercial.

Proposed parking for the property includes 69 spaces on Lot B-1A, 63 spaces on Lot B-1B, and 99 spaces on Lot B-3. The proposed uses for Lot B-1A include commercial and restaurant. If the building were entirely commercial in use, 33 parking spaces are required. A restaurant use requires 1 parking space per 100 square feet of gross floor area. If there building were entirely restaurant uses, 100 parking spaces would be required. Lot B-1B is proposed for restaurant use as well. 69 parking spaces are planned, exceeding the 63 spaces required spaces per the zoning ordinance based on the size of the building. Office use is shown for Lot B-3. A 29,600 square foot office building would require 74 parking spaces, thus there is a surplus of 25 parking spaces proposed on this lot. The parking indicated on the site plan should be sufficient to serve the proposed development and uses.

All signage will comply with the Chenal/Financial Center Design Overlay. Monument signs are proposed for Lots B-1A and B-1B adjacent to Chenal Parkway. These signs would be no more than 8 feet in height and 100 square feet in area. A smaller monument sign is proposed for Lot B-3 with a height of 6 feet and area of 48 square feet.

Screening will be provided for the drive-through on Lot B1-A.

A directional island has been added to the site plan for the driveway connection to Chenal Parkway to prevent wrong-way traffic.

As an alternative to providing sidewalks on both sides of the service easements, the applicant is proposing to construct sidewalks on each lot to provide ADA access to the sidewalks located in the adjacent rights-of-way. Internal cross connecting sidewalks will be constructed to allow patrons to walk to adjacent sites without having to walk in and along the internal drives or behind parked vehicles. These are not shown on the site plan, but will be constructed at the time building permits are issued to connect the lots within this development, between adjacent developments, and to the public rights-of-way.

As noted previously, Lot B-3 does not have access to a public right-of-way. Access to the parcel would be via an access and utility easement to the north. This

easement also connects directly to LaGrande Drive and to other access and utility easements affording access to Chenal Parkway and Saint Vincent Parkway.

Staff is supportive of the overall site design and use concept.

Addressing the specific variance requests, staff supports allowing the advanced grading of the entire site with the issuance of a grading permit for Lot B-1A, the variance to allow parked vehicles to back into the service easement on Lot B-1A due to the interrupted traffic pattern proposed for the site, the variance to the subdivision ordinance to create a lot without access to a public street (Lot B-3), and for the variance to construct sidewalks as proposed as an alternative to providing sidewalks on both sides of the service easements.

J. STAFF RECOMMENDATION:

1. Staff recommends approval of the PCD subject to compliance with the comments and conditions outlined in paragraphs D, E, and F and the staff analysis in the agenda staff report.
2. Staff also recommends approval of the variance to allow advanced site grading of the entire site with the issuance of a grading permit for Lot B-1A.
3. Staff recommends approval of the variance to allow parked vehicles to back into the service easement on Lot B-1A.
4. Staff recommends approval of the variance to construct sidewalks as proposed as an alternative to providing sidewalks on both sides of the service easements.

PLANNING COMMISSION ACTION:

(OCTOBER 10, 2019)

The applicant was present. There were no registered objectors present. 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 9 ayes, 0 noes, and 2 absent.