

FILE NO.: Z-6669-B

NAME: Moxy Warehouse Revised Short-form PCD

LOCATION: Located at 2615 West 15th Street

DEVELOPER:

Moxy Warehouse Holding Company LLC
1419 South Main Street
Little Rock, AR 72202

SURVEYOR:

White-Daters and Associates
24 Rahling Circle
Little Rock, AR 72223

AREA: 1.255 acres NUMBER OF LOTS: 1 FT. NEW STREET: 0 LF

CURRENT ZONING: POD

ALLOWED USES: Office

PROPOSED ZONING: PCD

PROPOSED USE: Mix uses including residential, office and commercial

VARIANCE/WAIVERS: None requested.

BACKGROUND:

Love Truth Care, Inc. a community service organization, moved to the facility at 2615 West 15th Street in November 1996. The organization is involved in Christian community development in the inner city neighborhoods around Central High School. The property at 2615 West 15th Street was previously used as a utility substation and maintenance facility. The Board of Directors by the adoption of Ordinance No. 18,049 on July 6, 1999, changed the zoning from R-4 and I-2 to POD. The rezoning was to legitimize the existing uses of the property and allow the proposed future uses. The existing uses and future uses are outlined as follows:

The use of the facility as of May 1999 were:

- Administrative offices for the ministry (Building I 2,000 square feet).
- Adult Bible Studies (Building I portion of 900 square feet reception area 12 to 15 people).
- Children/Youth Development Center (Building III 2,500 square feet 50 children). The center operated an after school program, a Saturday program and a Monday night program for inner City children ages 5 through 18. The center offers classrooms, computer lab, and recreation areas.
- An apartment for security personnel (Building I 900 square feet).
- An Urban Community Garden (Southeast corner of property).
- A warehouse for distribution of used clothing, furniture and food to needy people in the neighborhood as well as other areas of Pulaski County (Building I 10,000 square feet).

Future Uses of the site included:

- Job Start Training Program job readiness and placement (Building I 1,000 square feet 15 to 20 persons, days).
- Adult Education GED, literacy, computer, etc. (Building I 240 square feet 12 to 15 persons, nights).
- Preschool Programs (Building I 900 square feet 10 to 12 children).
- Day Care (Building I 900 square feet 10 to 12 children).
- Elder Care (Building I 900 square feet 10 to 12 clients).
- Medical Clinic (Building I 225 square feet).
- Vocational Training (Building II 2,000 square feet).
- Home Ownership and Housing Renovation (Building II portion of 2,000 square feet)
- Thrift shop (Building II portion of 2,000 square feet)
- Worship church training and counseling center (Building I 900 square feet Sundays or nights 30 to 40 persons).

Ordinance No. 19,974 adopted by the Little Rock Board of Directors on June 3, 2008, allowed a revision to the POD zoning. The approval allowed a modification of the activities of Love Truth Care, Inc. and allowed the construction of a new surface parking lot on the northwest corner of West 16th and Jones Streets. The Little Rock School District purchased from Love Truth Care, Inc. the southern portion of the site containing

a metal building, a small surface parking area and a vacant area which was the area proposed for construction of the parking lot. The parking lot was to contain 34 parking spaces and would be used by employees of the Little Rock School District. The School District proposed to use the building for training of approximately 30 employees of the child nutrition program. A portion of the property was retained by the School District and the remainder sold to the current applicant.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

On April 27, 2015, Moxy Warehouse LLC purchased the property with the intent to establish a personal residence and a workshop and storage facility for their primary business, Moxy Modern Mercantile. The building contains approximately 20,000 square feet of floor area which exceed their current occupancy needs for a residence. The request is to rezone the site from POD to PCD to allow the space to be shared by others. The applicant states they envision creating a thriving, dynamic space that is safe, clean and attractive and that generates a modest income to help sustain their home and business. The applicant states the goal is to become a diverse and progressive entity that is a positive contributor to the energy and reputation of the Central High Neighborhood.

The applicant states there will be no exterior modifications to the site and no new construction will take place on the site. Primarily interior modifications will be conducted to the buildings to allow the shared space. The applicant has indicated the particular interest as a rental property is the garage located at the northeast corner of the property. So far, they have been approached by a diverse group of potential renters including an energy consultant, a painter, a blacksmith, a small heating and air conditioning company, an artist's cooperative, a local brewery seeking a production only facility, a soda fountain and creamery and the Little Rock School District. The applicant states they have had discussion with persons wanting to create a community commercial kitchen and others considering opening a small neighborhood café. The applicant states as on-site residents they will be especially motivated to be sensitive to the neighbors with regard to noise level and type of activities allowed on the property. The applicant states they are seeking only small business renters able to make a positive wholesome impact on the neighborhood.

B. EXISTING CONDITIONS:

The property contains two (2) existing buildings. A large portion of the property is concrete or asphalt for vehicular use. There are existing drives located on West 15th, West 16th and Jones Streets. The Central High School campus (stadium) is located across Jones Street to the east. Vacant I-2, Light Industrial zoned property is located across West 16th Street to the south, with single-family residences across West 15th Street to the north. Union Pacific Railroad right of way is located along the property's west boundary, with commercial and industrial buildings on the west side of the railroad right of way.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received an informational phone call from an area property owner. All property owners located within 200-feet of the site along with the Central High Neighborhood Association were notified of the public hearing. The Central High Neighborhood Association provided a letter of support for the reuse of the site as proposed.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. At the time of future building and parking expansion, repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this site.

Entergy: Entergy does not object to this proposal. Electrical service is already being provided to the structure. Contact Entergy should the service requirements or location of electrical service facilities change due to this proposal.

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. The Little Rock Fire Department needs to evaluate this site to determine whether additional public and/or private fire hydrant(s) will be required. If additional fire hydrant(s) are required, they will be installed at the Developer's expense.
3. 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.
4. 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.
5. Contact Central Arkansas Water regarding the size and location of water meter.

6. 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.
7. Fire sprinkler systems which do not contain additives such as antifreeze shall be isolated with a double detector check valve assembly. If additives area used, a reduced pressure zone back flow preventer shall be required.

Fire Department: No comment.

Parks and Recreation: No comment received.

County Planning: No comment.

Rock Region Metro: Location served nearby on the Route 3. We would ask that any utility easements and rail easements remain in place for the redevelopment of trails and transit. No issues as shown.

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

Planning Division: This request is located in the Central City Planning District. The Land Use Plan shows Public Institutional (PI) for this property. The Public Institutional category includes 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. The applicant has applied for a rezoning from POD (Planned Office District) to PCD (Planned Commercial District) to allow the existing site to be used for residential and selected C-3 General Commercial Uses. The site is within the Central City Design Overlay District which has front façade design and other regulations.

Master Street Plan: Jones and 15th Streets are classified Local Streets by the Master Street Plan. The primary function of a Local Street 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 are no bike routes shown in the immediate vicinity.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. If building rehabilitation exceeds fifty percent (50%) of the replacement cost then the landscaping and buffer must also come into compliancy accordingly.
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: (October 28, 2015)

The applicant was present. Staff presented an overview of the item stating there were questions related to the proposed reuse of the building which should be addressed prior to the item being forwarded to the Commission. Staff questioned the use, the days and hours of operation, the proposed signage plan, the location of any proposed dumpster and the number of parking spaces available on the site.

Public Works comments were addressed. Staff stated at the time of building permit and any parking expansion repair or replacement of any broken curb, gutter and/or sidewalk was required.

Landscaping comments were addressed. Staff stated if the building rehabilitation exceeded fifty percent of the replacement cost of the building then the landscaping and buffering were to come into compliance accordingly.

There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.

H. ANALYSIS:

There were no outstanding technical issues associated with the site plan in need of addressing raised at the October 28, 2015, Subdivision Committee meeting. The applicant and staff have discussed the future potential users of the building(s) located on this site. The applicant has indicated they have been approached by a number of prospective renters and is requesting to be allowed a

mixture of potential users for the buildings. The applicant is going to live in a portion of the building and lease the additional space for non-residential users and as well as the former garage space located on the property. The applicant states potential users are an energy consultant, a painter, a blacksmith, a small heating and air conditioning company, an artist's cooperative, a brewery with production only facilities, a soda fountain and creamery. The applicant states they have had discussion with persons wanting to create a community commercial kitchen for catering and others considering opening a small neighborhood café.

Staff is supportive of the applicant reuse of the buildings but has concerns with a few of the potential users. Staff feels the potential users of the property should be limited in scope and in traffic generation. There are residential homes located to the north of this site and there is limited parking on this site. Staff feels the proposed uses for the site should be limited to an Antique shop, without repair, Florist shop, Handicraft, ceramic, sculpture or similar art work, Office, general and professional, Soda fountain and creamery, Studio, art, music, speech, drama, dance or other artistic endeavors, Studio broadcasting or recording, Tailor, Office/warehouse, Catering, commercial and as lease space to the Little Rock School District. Staff is not supportive of allowing the heating and air conditioning company or the neighborhood café. In addition staff is not supportive of allow the brewery at this site. These uses have a tendency to generate traffic and the potential for the placement of outdoor storage of materials and supplies. Staff feels based on this location and the proximity to Central High School all uses should be limited to the indoors.

I. STAFF RECOMMENDATION:

Staff recommends denial of the application as filed.

PLANNING COMMISSION ACTION: (NOVEMBER 19, 2015)

The applicant was not present. There were no registered objectors present. Staff presented the item stating the applicant had failed to respond to comments raised at the October 28, 2015, Subdivision Committee meeting. Staff presented a recommendation of deferral of this item to the January 7, 2016, public hearing. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff by a vote of 10 ayes, 0 noes and 1 absent.

PLANNING COMMISSION ACTION: (JANUARY 7, 2016)

The applicant was present. There were no registered objectors present. Staff presented the item stating the applicant had removed from the request the allowance of a heat and air contracting business, a neighborhood café and a brewery. Staff stated with the removal of these items they were now supportive of the applicant's request. 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 10 ayes, 0 noes and 1 absent.