

FILE NO.: Z-6323-Y

NAME: Lot 6 the Village at Rahling Road Short-form PCD

LOCATION: Located on the Southeast corner of Chenal Parkway and Rahling Circle

DEVELOPER:

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

OWNER/AUTHORIZED AGENT:

Deltic Real Estate, LLC, Owner
White-Daters and Associates, Agent

SURVEYOR/ENGINEER:

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

AREA: 1.57-acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 5

PLANNING DISTRICT: 19 – Chenal

CENSUS TRACT: 42.16

CURRENT ZONING: PCD

ALLOWED USES: C-2, Shopping Center District uses

PROPOSED ZONING: Revised PCD

PROPOSED USE: C-2, Shopping Center District uses

VARIANCE/WAIVERS: A variance from the minimum spacing requirement to allow the drive on the common access drive at a distance less than typically allowed per ordinance.

BACKGROUND:

On August 5, 1997, the Board of Directors adopted Ordinance No. 17,542 which established The Village at Rahling Road Long-form PCD. The PCD established a 14-lot development with C-2, Shopping Center District uses being permitted. The initial action approved a site plan for Lots 1 and 2 of the development with the intent being that each of the remaining lots would be brought to the Commission and Board of Directors for a revision to the PCD on an individual lot basis as a particular development was proposed. Subsequent revision to the PCD zoning have allowed for the development of a number of the individual lots.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is now proposing to revise the previously approved PCD, Planned Commercial Development, for Lot 6, the Village at Rahling Road. The applicant is proposing to construct a 5,000 square foot restaurant building with a 1,100 square foot deck for outdoor dining. The site plan includes the placement of 52 parking spaces, accessed from the entrance drive extending from Chenal Parkway to Rahling Circle.

B. EXISTING CONDITIONS:

The site is a cleared flat site with street improvements in place. The property was cleared and graded with initial development of the conceptual PCD for the Village at Rahling Road. Smaller office buildings are located adjacent to the site proposed for development situated around Rahling Circle. There is a larger building located near Rahling Road constructed as a multiuse building through the original approval of the PCD. An events center was recently constructed across Rahling Circle from this site. The Promenade at Chenal, a shopping mall, is located across Chenal Parkway.

C. NEIGHBORHOOD COMMENTS:

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

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Sidewalks with appropriate handicap ramps are required to be constructed along Chenal Parkway in accordance with Section 31-175 of the Little Rock Code of Ordinances and the Master Street Plan.
2. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.

3. A grading permit in accordance with Section 29-186 (c) and (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.
4. If disturbed area is one (1) or more acres, obtain a NPDES stormwater permit from the Arkansas Department of Environmental Quality prior to the start of construction.
5. With a future driveway approved on the north, in accordance with Section 31-210 (h)(12), access driveways running parallel to the street shall not create a four-way intersection within 75-feet of the curb line of the street.
6. 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.
7. Retaining walls designed to exceed 15-feet in height are required to seek a variance for construction. Provide proposed wall elevations.
8. Prior to construction of retaining walls, an engineer's certification of design and plans must be submitted to Public Works for approval. After construction, an as-built certification is required for construction of the retaining wall.
9. Similar to Lot 4, pedestrian access should be considered from the private driveway to Lot 5 by the addition of sidewalk and access ramps.
10. Provide a graphic showing the amount of available sight distance at the west driveway with the vertical grade transition.
11. Provide a Sketch Grading and Drainage Plan per Section 29-186 (e).

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

Little Rock Water Reclamation Authority: Sewer available to this site. Grease trap analysis required if food service on site. Contact Little Rock Water Reclamation Authority for additional information.

Entergy: Entergy does not object to this proposal. There do not appear to be any conflicts with existing electrical utilities at this location. Entergy is in the process of installing new, underground electrical lines running along the north side of Chenal Parkway at this location. Please work with Entergy to determine that installed wires will be deep enough so that the customer will not have to pay to adjust them in the future when the entrance road is cut in. Contact Entergy in advance to discuss electrical service requirements, or adjustments to existing facilities.

Centerpoint Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water: No comment received.

Fire Department:

1. Full Plan Review – Maintain Access
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. 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.
4. 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.
5. 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
 - a. 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.
 - b. 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.
 - c. 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.
 - d. 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.

6. 30' Tall Buildings - Maintain aerial fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D105.1 – D105.4.
 - a. D105.1 Where Required. Where the vertical distance between the grade plane and the highest roof surface exceed 30', approved aerial fire apparatus access roads shall be provided. For the purposes of this section the highest roof surfaces shall be determined by measurement to the eave of a pitched roof, the intersection of a roof to the exterior wall, or the top of the parapet walls, whichever is greater.
 - b. D105.2 Width. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26', exclusive of shoulders, in the immediate vicinity of the building or portion thereof.
 - c. D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.
 - d. D105.4 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.
7. 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.
8. 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 maintained in an operable condition at all times and replaced 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.
9. 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.

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

Landscape:

1. Any new site development must comply with the City's landscape and buffer ordinance requirements and the Chenal Overlay District.
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 388.5 linear feet. A minimum twenty-three (23) foot street buffer is required between the property line and the Rahling Circle right-of-way.

3. Screening requirements will need to be met for the vehicular use areas adjacent to street right-of-ways. 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 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.
5. 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: The site is not located on a dedicated Rock Region Metro Route.

Planning Division: This request is located in Chenal Planning District. The Land Use Plan shows Commercial (C) for this property. The Commercial 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. The applicant has applied for a revised PCD (Planned Commercial Development) to allow a proposed retail building which includes a deck for outdoor dining. This site is located within the Chenal Design Overlay District.

Master Street Plan: East of the property is Rahling Circle and it shown as a Local Street on the Master Street Plan. West of the property is Chenal Parkway and is shown as a Principal Arterial on 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. The primary function of a Principal Arterial Street is to serve through traffic and to connect major traffic generator or activity centers within an urbanized area. Entrances and exits should be limited to minimize negative effects on traffic and pedestrians on Chenal Parkway since it is a Principal Arterial. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: 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 (9') paths are recommended to allow for pedestrian use as well, replacing the sidewalk.

H. SUBDIVISION COMMITTEE COMMENT: (October 10, 2018)

Mr. Tim Daters of White-Daters and Associates was present representing the request. Staff presented an overview of the item stating there were a few outstanding technical issues associated with the request. Staff requested information concerning the proposed signage plan. Staff noted the dumpster was located along Rahling Circle and requested the enclosure be constructed of a masonry block material with a solid metal gate. Staff stated they encouraged the placement of plant material around the enclosure to soften the visual appearance of the enclosure.

Public Works comments were addressed. Staff stated any retaining walls in excess of 15-feet in height would require a variance from the Land Alteration Ordinance. Mr. Daters stated there would not be any retaining walls in excess of 15-feet in height. Staff requested the applicant provide a graphic showing the amount of available sight distance at the west driveway with the vertical grade transition. Staff stated a grading permit was required prior to any land clearing or development of the site.

Landscaping comments were addressed. Staff stated a minimum landscape strip of nine (9) feet was required along Rahling Circle. Staff stated to comply with the buffer ordinance requirement a minimum street buffer of 23-feet was required. Mr. Daters stated the plan was to match the landscape strips as were approved within the overall development. He stated the other lots had been developed with a six (6) foot landscape strip. Staff stated to allow the reduced landscape strip would require approval from the City Beautiful Commission prior to the Board of Directors action on the request.

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.

I. ANALYSIS:

The applicant is requesting approval of a PCD Planned Commercial Development zoning to allow for construction of a restaurant and associated parking on this undeveloped, un-recorded lot. The one-story building will contain 5,200 square feet with an elevated 1,200 square foot deck on the rear. A 52 space parking lot is proposed on the site, between the building and Rahling Circle.

Access to the site is via a single driveway off of the private access easement between this lot and the lot to the north. A variance is requested to allow the driveway as proposed. With a future driveway having been previously approved on the north, this new driveway creates a four-way intersection within 75-feet of the curb line of Rahling Circle which is not allowed per Section 31-210 of the Code.

A second, exit only driveway provides access to a pick-up window and exits onto the private access easement.

Days and hours of operation are proposed as 10:00 a.m. – 11:00 p.m., seven days a week. Signage will consist of wall signs on the east and west facades, facing Chenal Parkway and Rahling Circle and two ground mounted signs. The ground sign on the Chenal Parkway perimeter must comply with the Chenal/Financial Center Design Overlay District or no more than 8-feet in height and 100 square feet in area. The ground sign on the Rahling Circle perimeter will comply with the architectural design elements of The Village of Rahling Road or no more than 6-feet in height and 40 square feet in area. The dumpster is located on the south perimeter of the parking lot. It will be enclosed with masonry walls and solid doors and will be further screened with landscaping materials. Dumpster service hours are proposed to be limited to 7:00 a.m. – 6:00 p.m., Monday through Saturday. The revised site plan shows the required 9-foot landscape strip along the Rahling Circle perimeter. All site lighting will be low-level and directional, shielded downward and into the site.

A variance is requested to allow for a reduction in on-site parking. The 5,200 square foot restaurant and 1,200 square foot deck require a total of 64 parking spaces at a ratio of 1space/100 square feet. Staff is supportive of the parking variance. The Village of Rahling Road was developed with an area of common parking available to all businesses in the development. This common parking is located across Rahling Circle from this site.

J. STAFF RECOMMENDATION:

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

Staff recommends approval of the requested parking variance.

Staff recommends approval of the requested variance from Section 31-210 to allow the driveway as proposed.

PLANNING COMMISSION ACTION:

(NOVEMBER 1, 2018)

The applicant was present. There were no objectors present. Staff presented the item and a recommendation of approval as outlined in the “staff recommendation” above, including the parking and driveway location variance. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff, including the parking and driveway location variance. The vote was 11 ayes, 0 noes and 0 absent.