

**OFFICE OF THE CITY MANAGER
LITTLE ROCK, ARKANSAS**

**BOARD OF DIRECTORS COMMUNICATION
DECEMBER 6, 2016 AGENDA**

Subject:	Action Required:	Approved By:
<p>An appeal of the Planning Commission’s denial of a Planned Zoning District titled West Markham-North Monroe Short-Form PCD, located at 4908 West Markham Street. (Z-5151-B)</p> <p>Submitted By:</p> <p>Planning & Development Department</p>	<p>√ Ordinance Resolution Approval Information Report</p>	<p>Bruce T. Moore City Manager</p>
<p>SYNOPSIS</p>	<p>The applicant is appealing the Planning Commission’s denial of a request to rezone the site O-3, General Office District, and C-3, General Commercial District, to PCD, Planned Commercial District, to allow for the redevelopment of the site as a restaurant with drive-through service.</p>	
<p>FISCAL IMPACT</p>	<p>None.</p>	
<p>RECOMMENDATION</p>	<p>Staff recommends denial of the requested PCD zoning. The Planning Commission voted to recommend denial of the PCD zoning by a vote of 5 ayes, 5 nays, 0 absent and 1 open position.</p>	
<p>BACKGROUND</p>	<p>The Planning Commission reviewed the proposed PCD request at its September 22, 2016, meeting and there were registered objectors present. All property owners located within 200 feet of the site along with the Hillcrest Residents Neighborhood Association were notified of the Public Hearing.</p>	

**BACKGROUND
CONTINUED**

The request is a rezoning from O-3, General Office District, and C-3, General Commercial District, to PCD, Planned Commercial District, to allow for the redevelopment of the site as a restaurant with drive-through service. The lot has 154 feet of frontage along West Markham Street.

The east ninety-three (93) feet of the lot is zoned O-3, General Office District (60% of the site area), and the west sixty-one (61) feet is zoned C-3, General Commercial District (40% of the site area). The applicant is proposing to raze the existing bank building and redevelop the site with a Popeye's restaurant. The building will contain 2,791 square-feet of space. The site plan indicates thirteen (13) parking spaces. The parking is located along the West Markham Street frontage and along the northern perimeter. The drive lanes will be a minimum of ten (10) feet wide. There is a drive lane located in front of the building, along North Monroe Street. With the drive lane and a landscaping strip, the building will be sitting thirty-five (35) feet off the front property line. Entryways to the building are from the northern parking area and from the southern side of the building along West Markham Street.

The site is located within the Midtown Design Overlay District (DOD), which requires new development to be reviewed through the planned zoning development process. The DOD states for new construction at least 60% of the ground floor level facing internal pedestrian public circulation areas or streets are to be glass-windows, entry features or displays. The elevation provided indicates the building height at eighteen (18) feet. The plan indicates the placement of windows and false windows along the south side, West Markham Street and on the east side, North Monroe Street of the building.

The primary entrance is located on the northern façade, within the northern parking lot. There are also pedestrian access from West Markham and North Monroe Streets. The service entrance will be on the west end of the building, adjacent to commercially zoned property.

Parking per the DOD is 50% of the required parking of the zoning ordinance article VIII. The maximum parking allowed is the minimum standard established in this article. In this case the ordinance would typically require twenty-seven (27) parking spaces to serve a restaurant use. The site

plan indicates thirteen (13) parking spaces. The parking as proposed does comply with the typical standards of the DOD.

No street buffer or landscaping is required along streets classified less than an arterial. When the structure is not built to the property line, landscaping is required in the area between the building and property line up to that required in the Landscape Ordinance. In this case, since the site is located within the Designated Mature Area of the City, the required landscape strip is six (6) feet, nine (9) inches adjacent to the paved areas. The site plan as submitted meets the minimum requirement along the perimeters of the site including West Markham Street and North Monroe Street.

The hours of operation are from 10:00 AM to 10:00 PM, seven (7) days per week. The hours of dumpster service are from 7:00 AM to 10:00 AM, Monday through Friday.

Staff is not supportive of the request. The development is proposed within an area which has been identified on the City's Future Land Use Plan as Office. The commercial uses have primarily been located nearer the intersections of West Markham Street and University Avenue, West Markham Street and Fair Park Boulevard/North Van Buren Street and West Markham Street and Pine/Cedar Streets. Staff has concerns with the existing residential uses located across North Monroe Street from this site and the single-family residence located to the north of this site (the property is currently zoned O-1, Quiet Office District, but is occupied as a single-family residence). Although there is C-3 zoned property to the west and a portion of this site is zoned C-3, staff feels the intent of the Land Use Plan was to maintain this area as office to act as a transition between the commercial uses to the east and west while allowing this area to remain as single-family.

The Mid-town Redevelopment District #1 Advisory Board met on the proposed site plan on April 29, 2016, and again on June 10, 2016. The Committee voted to support the applicant's proposal provided the maximum building height be reduced to eighteen (18) feet as typically allowed per the DOD and to provide a minimum of 60% openings along the street frontages.

**BACKGROUND
CONTINUED**

Please see the attached Planning Commission minute record and site plan for the applicant's specific development proposal and the staff analysis and recommendation.