

FILE NO.: Z-9716

NAME: The Middle - PCD

LOCATION: Southeast corner of Cantrell Road and North Rodney Parham Road

DEVELOPER:

Colliers Real Estate
One Allied Drive, Suite 1500
Little Rock, AR 72202
501-372-6161

OWNER/AUTHORIZED AGENT:

University of Arkansas Board of Trustees (Owner)
Joe White (Agent)
Joe White and Associates Engineers
25 Rahling Circle, Suite A2
Little Rock, AR 72223
(501) 214-9141

SURVEYOR/ENGINEER:

Joe White and Associates Engineers
25 Rahling Circle, Suite A2
Little Rock, AR 72223
(501) 214-9141

AREA: 10.967 acres NUMBER OF LOTS: 9 FT. NEW STREET: 0 LF

WARD: 4 PLANNING DISTRICT: 2 CENSUS TRACT: 22.04

CURRENT ZONING: O-2

VARIANCE/WAIVERS:

1. Variance to allow advance grading of lots with development of infrastructure.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to rezone a 10.967-acre property from (O-2) Office and Institutional District to (PCD) Planned Commercial Development located at the Southeast corner of the Cantrell Road and North Rodney Parham Road

intersection. The rezoning is to allow for a future commercial development with retail, restaurants with drive-thrus and outdoor dining, hotel, and possibly office or multi-family with shared outdoor spaces.

B. EXISTING CONDITIONS:

The property is currently divided into three (3) tracts with a majority of the property open area with a small, wooded area along the south and center portions of the property. The site is bordered to the south and east with Office (O-2) zoning and a mixture of residential and commercial zoning to the north and west.

C. NEIGHBORHOOD NOTIFICATIONS:

All owners of property located within 200 feet of the site and all neighborhood associations registered with The City of Little Rock were notified of the public hearing.

D. ENGINEERING COMMENTS:

1. A grading permit must be obtained prior to initiation of work. Grading permits are issued by the Planning and Development Dept. at 723 West Markham Street after approval of sediment and erosion control plans, grading and drainage plans, land survey, drainage study, and soil loss calculations per City's stormwater management and drainage manual. Contact Planning and Development Dept., Civil Engineering Private Development at 501-371-4817 or at 501-918-5348 or Permits@littlerock.gov to schedule an appointment for issuance or to answer any questions. Permit cost is based on total project area at \$100.00 for the less than ½ acre, \$200.00 for ½ to 1 acre, and \$200.00 for the first acre and \$100.00 for each additional acre for project greater than 1 acre.
2. Hauling of fill material on or off project sites over municipal streets require approval prior to a grading permit being issued by the Department of Planning and Development. Contact Public Works Traffic Engineering at 621 S. Broadway 501-379-1805 with any questions or for more information.
3. Any work involving one (1) or more acres of disturbed area requires a State of Arkansas NPDES permit. Contact the Arkansas Department of Environmental Quality, NPDES branch at 501-682-0744 for applications and information about General Stormwater Discharge Construction Permit #ARR150000.
4. Damage to public and private property due to hauling operations or operations of construction related equipment from a construction site shall be repaired by the responsible party prior to the issuance of a certificate of occupancy.
5. Provide as-built plans and data entry template of newly installed or modified public and private stormwater drainage system prior to issuance of the

certificate of occupancy. The as-built plans should contain information as found on the City of Little Rock website at <https://www.littlerock.gov/city-administration/city-departments/public-works/applications-details-and-manuals/>. Provide the as-built plans and data entry template to Planning and Development Dept., Civil Engineering Private Development by email to csmith@littlerock.gov and cc dwarner@littlerock.gov. If you have any questions or desire additional information, please do not hesitate to contact Planning and Development Dept., Civil Engineering Private Development at 501-371-4817 or at 501-918-5348 or email Permits@littlerock.gov.

6. Per City Code 31-89 (5) for a preliminary plat, a storm drainage preliminary analysis is required showing drainage data for all watercourses entering and leaving the plat boundaries. The storm drainage analysis shall be prepared in sufficient detail to illustrate the proposed system's capability of accommodating storm events as required by the stormwater management and drainage manual. The preliminary plat shall also show drainage arrows indicating how drainage arrives at the site and drainage arrows how it leaves the site post development. Indicate where the storm sewer pipes are located within the development also. Additionally, provide profile and cross-sectional views of the detention structure outlet/spillway. Delineation of the drainage areas pre and post construction with respective discharges via rational method shall also be shown. The preliminary plat shall also contain all information as outlined in City Code 31-89.
7. A drainage study showing all hydrologic and hydraulic calculations for the proposed storm sewer pipe system, detention ponds and underground structures, and inlets is required. For final drainage report, sign, date, and seal the report per AR State Board of Professional Engineers and Professional Surveyors rules Article 12, Section B (1) (a). Provide engineer's certification statement saying this drainage report was conducted by yourself or directly under your supervision and attesting to the accuracy of the information within this report.
8. The Department requires three (3) phase sediment and erosion control (SEC) plans to be submitted for all construction projects showing best management practices (BMPs) for mitigating sediment runoff and erosion along with vegetation specifications for temporary and permanent soil stabilization. Phase 1 SEC plans shall show SEC BMPs during the stripping, clearing, grubbing, and rough grading of the site. Phase 2 SEC plans shall show SEC BMPs during construction of utilities, buildings, roadway infrastructure and drainage infrastructure. Phase 3 SEC Plans shall show SEC BMPs for final grading, seeding, and landscaping of the site.
9. Sediment and Erosion Control plans shall also show the pertinent information as outlined in ADEQ ARR150000 Permit Part II section A-4-H (1-14) and Part II section A-4-I-2 (A-B).
10. Contact Planning and Development Dept., Civil Engineering Private Development at 501-371-4817 or at 501-918-5348 for inspections of any work

in the public right-of-way prior to placement of concrete or asphalt or for on-site clarification of requirements prior to commencing work. Failure to do so can result in removal of any improperly placed concrete or asphalt at the expense of the owner or contractor.

11. Submit traffic impact study (TIA) showing the additional, projected traffic expected to be generated by the proposed development. TIA should show the following: 1. an evaluation of the existing traffic conditions in the vicinity of the proposed site 2. an analysis of projected traffic volumes entering and exiting the proposed development at the nearby access drives and intersections used to serve the site 3. Identify the effects of traffic operations for the existing traffic in combination with site-generated traffic associated with the proposed development 4. evaluate traffic operations for the study intersections and access drives that will serve the site and make recommendations for mitigative improvements which may be necessary and appropriate for safe and acceptable traffic operations 5. Assess the adequacy of the site to accommodate projected drive-thru traffic via queueing analysis.
12. Per City Rev. Code 29-99, stormwater detention for developments is required. Provide stormwater detention infrastructure to satisfy this requirement.
13. A special permit is issued for work on the Arkansas Department of Transportation right of way that is not an access driveway. The permit is issued by the Permit officer for the District in which the special permit is requested. Please contact ARDOT District 6 permit officer at 501-569-2266 if any construction will take place within ARDOT right of way.
14. Per master street plan, Anderson Drive is classified as a commercial street. Commercial streets require a collector street standard which includes sidewalk on both sides of the street for publicly maintained commercial streets. Therefore, boundary street sidewalk improvements are required per master street plan along both sides of Anderson Drive. New sidewalk along Anderson Street shall tie to existing sidewalk along Rodney Parham Road. Anderson Drive boundary street improvements shall include, but not be limited to, reconstruction of one-half section of the abutting street if the existing street is not up to city standards. Repair, replace, or extend existing damaged, missing, and noncompliant curb and gutter, sidewalk, access ramps or concrete driveway aprons within the public right-of-way adjacent to the site. Remove abandoned driveway cuts and replace with curb, gutter, and sidewalk. All work within the public right-of-way shall conform to City of Little Rock Public Works Standard Details and ADA guidelines.
15. Additional right of way may be required to be dedicated to the City to accommodate the new public sidewalk along Anderson Drive. The back of the new sidewalk to the right of way/property line shall have a minimum of a one (1) foot buffer per PW-23.

16. Provide accessible route from the accessible parking stalls' aisles to proposed buildings' entrances in accordance with Section 402 & 502 of ICC A117.1-2017 and 2012 Arkansas Fire Prevention Code Sections 1104.
17. Provide accessible route from the sidewalk within the public right of way to the proposed building entrances in accordance with 2012 Arkansas Fire Prevention Code Section 1104.1.

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

Little Rock Water Reclamation Authority: No comments received.

Entergy: No comment received.

CenterPoint Summit Energy: No comment.

AT & T: No comment received

Central Arkansas Water: No comment received.

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. If the grade exceeds 10 percent, approval will be denied and the applicant must submit request to be reviewed by Fire Chief for Approval.**

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.

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

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.

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.

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.

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 places with the approval of the fire code official.

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 Fire Marshal Derek N. Ingram 501-918-3756 Number and Distribution of Fire Hydrants as per Table C105.1.

Parks and Recreation: No comments received

County Planning: No comments received.

F. **BUILDING CODES/LANDSCAPE:**

Building Code: No comments received.

Landscape:

1. Any new site development must comply with the City's minimal landscape and buffer ordinance requirements.
2. Street buffers will be required at six (6) percent of the average depth of the lot. The minimum dimension shall be one-half ($\frac{1}{2}$) the full width requirement but in no case be less than nine (9) feet. Easements cannot count toward fulfilling this requirement. The plantings, existing and purposed, shall be provided within the landscape ordinance of the city, section 15-81.
3. Screening requirements will need to be met for the vehicular use areas adjacent to street rights-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. 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. Building landscape areas 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.
6. Eight percent (8%) of the vehicular use area must be designated for green space; this green space needs to be evenly distributed throughout the parking area(s). For developments with more than one hundred fifty (150) parking spaces the minimum size of an interior landscape area shall **be three hundred (300) square feet**. Interior islands must be a minimum of seven and one half ($7 \frac{1}{2}$) feet in width. Trees shall be included in the interior landscape areas at the rate of one (1) tree for every twelve (12) parking spaces.

7. An automatic irrigation system to water landscaped areas shall be required for developments of one (1) acre or larger.
8. The development of two (2) acres or more requires the landscape plan to be stamped with the seal of a Registered Landscape Architect.
9. 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 comments received.

Planning Division:

The request is in the Rodney Parham Planning District. The Land Use Plan shows Office (O) for the requested area. Office (O) category represents services provided directly to consumers (e.g., legal, financial, medical) as well as general offices which support more basic economic activities. The application is to rezone from O-2, Office and Institutional District to PCD, Planned Commercial Development District to allow for the commercial development of this property.

Surrounding the application area, the Land Use Plan shows Office (O) to the south, east, and northwest (across Rodney Parham Road) from the site. Public Institutional (PI) is shown on the Plan Map to the west (across Rodney Parham Road). To the north, across Cantrell Road, the land is shown for Residential Low Density (RL). Office (O) category represents services provided directly to consumers (e.g., legal, financial, medical) as well as general offices which support more basic economic activities. The land to the south and east is zoned O-2, Office and Institutional District. There are office buildings on this land. To the northwest, across Rodney Parham Road is zoned O-3, General Office District land. There are office buildings on this land. The Public Institutional (PI) 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. There is a church and religious based school on this land, zoned R-2, Single Family District with a Conditional Use Permit. The Residential Low Density (RL) category provides for single family homes at densities not to exceed 6 dwelling units per acre. Such residential development is typically characterized by conventional single family homes, but may also include patio or garden homes and cluster homes, provided that the density remain less than 6 units per acre. This land, north of Cantrell Road, is zoned R-2, Single Family District and Planned Development Residential (PDR) District with single-family houses on large tracts of land.

Master Street Plan: To the northwest is Rodney Parham Road, it is shown as a Minor Arterial on the Master Street Plan. To the north is Pleasant Valley Farm Road and Anderson Drive transverse the site, both roadways are Local Streets on the Master Street Plan. A Minor Arterial provides connections to and through an urban area and their primary function is to provide short distance travel within the urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Rodney Parham Road since it is a Minor Arterial. 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". 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 II Bike Route shown on Rodney Parham Road. A Bike Lane provides a portion of the pavement for the sole use of bicycles.

Historic Preservation Plan: There are no existing historic sites on, or in proximity to, this land.

H. ANALYSIS:

The applicant proposes to rezone a 10.967-acre property from (O-2) Office and Institutional District to (PCD) Planned Commercial Development located at the Southeast corner of the Cantrell Road and North Rodney Parham Road intersection. The rezoning is to allow for a future commercial development with retail, restaurants with drive-thrus and outdoor dining, hotel, and possibly office or multi-family with shared outdoor spaces

The property is currently divided into three (3) tracts with a majority of the property open area with a small, wooded area along the south and center portions of the property. The site is bordered to the south and east with Office (O-2) zoning and a mixture of residential and commercial zoning to the north and west.

The applicant is proposing to subdivide the site into nine (9) lots and two (2) open tracts. The site will be developed in multiple phases with an average lot size of 1.1 acres +/- . The lots will be surrounded by landscaped open common area tracts with stormwater detention areas. The overall site is divided into two (2) areas on the north and south sides of Anderson Drive with shared access easement drives within each area. The development is scheduled to commence in the winter of 2022 with the infrastructure, with construction beginning on some of the lots in the summer of 2023. The remaining lots will be developed as market demands.

The mixed-use project will consist of nine lots and two tracts with uses as follows:

Lot 1 C-3 permitted uses with a drive thru and outdoor dining patio.

Lot 2 C-3 permitted uses with outdoor dining patios incorporated into the Boardwalk.

Lot 3 C-3 permitted uses with a drive thru.

Lot 4 C-3 permitted uses with a drive thru.

Lot 5 C-3 permitted uses with a 70' building height. (Possible hotel)

Lot 6 C-3 permitted uses (parking lot overflow for Lots 2 & 5).

Lots 7-9 C-3 permitted uses with a 55' building height. (Possible office buildings)

Tracts A & B will be owned by a Property Owners Association that will operate and maintain the common amenities and detention facilities which will be located within these two tracts.

The applicant is also requesting a variance from the Land Alteration Regulations to advance grade the site with the issuance of a grading permit for the infrastructure. Staff supports the advance grading variance request.

The applicant is proposing the area north of Anderson Drive to include Lots 2, 3, 4, and 5 and Tract "A" with open parking area and access drives. An access easement drive connects to North Rodney Parham Road to the west and extends northeast through the development circling the parking areas, and to the south connecting to Anderson Drive.

The site plan shows the area will include five (5) structures along the perimeter of the site bordering North Rodney Parham Road to the west and Cantrell Road to the north. A multi-level structure is shown in the southeast corner of the area (Lot 5) adjacent to the Tract "A" Common Area with an access drive connecting to Anderson Drive to the south.

The applicant is proposing the area south of Anderson Drive to include Lots 1, 6, 7, 8, 9 and Tract "B" with open parking areas and access drives. An access easement drive connects to Anderson Drive to the north and extends southeast through the development connecting the parking areas to Kent Drive along the east boundary of Lot 9.

The site plan shows the area will include one (1) structure along the west perimeter of the site bordering North Rodney Parham Drive with an individual access drive, and open parking, adjacent to Tract "B" to the west. Lots 7, 8, and 9 are east of the Tract "B" landscaped common area and include three (3) multi-level C-3 use structures with an access easement drive connecting the lots and open parking areas.

All the lots within the proposed development will be developed as per the C-3 Zoning Standards as found in Chapter 36 of the City's Zoning Ordinance. These standards include minimum building setbacks from property lines, building heights (unless otherwise noted in this analysis), minimum buffers, minimum number of parking spaces, and signage. Additionally, all of the lot developments will comply with the minimum landscape requirements as found in Chapter 15.

The applicant is proposing one (1) dumpster location on each lot to service the individual buildings. The dumpster areas must be screened as per Section 36-523 of the City's Zoning Ordinance.

The applicant is proposing one (1) sign to be located within the median of Anderson Drive adjacent to the intersection with North Rodney Parham Road near the main entry of the development. All signage on the property must comply with Section 36-555 of the zoning ordinance. (Signs allowed in commercial zones).

All site lighting proposed must be low level and directed away from adjacent properties.

The applicant notes that the typical hours of operation for development will be as follows:

1. General Office uses: 7:00 am to 7:00 pm Monday - Saturday.
2. General Retail uses: 8:00 am to 8: pm, 7 days a week.
3. General Food and Beverage uses: 6:00 am to Midnight, 7 days a week.

The applicant provided a preliminary drainage plan showing the stormwater detention collection areas within the Tract "A" and "B" common use areas.

Staff is supportive of the requested PCD rezoning and requested variance. The applicants proposed use of the site is similar to the intensity of other developments in the general area and believes the proposed use will have no adverse impact on the surrounding properties. Staff is supportive of the overall concept and agrees that this type of development would be beneficial to the area.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested PCD rezoning and land alteration variance, subject to compliance with the comments and conditions outlined in paragraphs D, E, and F, and the staff analysis, of the agenda and staff report.

A traffic study is also required to be submitted by the applicant and approved by the Department of Planning and Development Engineering Division, with any recommendations of the traffic study being implemented for the development.

PLANNING COMMISSION ACTION:

(SEPTEMBER 8, 2022)

The applicant was present. There were no persons present registered in opposition. Staff presented the item and a recommendation of approval as outlined in the "staff recommendation" above. There was no further discussion. The item remained on the consent agenda as recommended by staff, including all staff comments and conditions. The vote was 8 ayes, 0 nays, 2 absent and 1 open position.