

FILE NO.: Z-6034-B

NAME: A Top of the Ladder – 2 Short-form PCD

LOCATION: 8405 Stanton Road

DEVELOPER:

A Top of the Ladder, LLC
8405 Stanton Road
Little Rock, AR 72209

OWNER/AUTHORIZED AGENT:

Tracy Marshall, A Top of the Ladder, owner and agent

SURVEYOR/ENGINEER:

Brooks Surveying
20820 Arch Street Pike
Hensley, AR 72065

Woods Group Architects

AREA: 0.45 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 2

PLANNING DISTRICT: 14

CENSUS TRACT: 41.07

CURRENT ZONING:

R-2

ALLOWED USES: Single family residential. Occupied by a non-conforming non-residential building which has lost its non-conforming status.

PROPOSED ZONING: PCD, Planned Commercial Development District

PROPOSED USE: Mixed Office and Retail

VARIANCE/WAIVERS:

1. Reduced land use buffer on north perimeter for new driveway to the rear parking lot.

BACKGROUND:

This four-suite commercial building was constructed prior to this area being annexed into the City in 1982. At its annexation, the property was zoned R-2, rendering the property non-conforming. In 1995, the commission approved a conditional use permit to allow use of the building and property for a small private school. That use has vacated the building. On December 13, 2018, the commission heard a request to rezone the property to PCD planned commercial development to allow for use of the existing building for a mixture of office and commercial uses, including a restaurant. A new, 10-space parking lot was proposed to be constructed behind the building with access to be from a new driveway located between the north side of the building and the north property line. Days and hours of operation were proposed as 7:00 a.m. to midnight, seven days a week. Staff did not support the proposed PCD, thinking the level of activity generated by the proposed restaurant and the extended hours of operation were not appropriate for this site. Letters of support, with conditions, had been submitted by SWLRUP and the Upper baseline Neighborhood Association. The owner of the property adjacent to the north spoke in opposition. The commission voted to deny the request with a vote of 2 ayes, 9 noes and 0 absent. The applicant subsequently filed an appeal to be heard by the Board. In that appeal, the applicant stated she was dropping the proposed restaurant from the application and was limiting the hours of operation to 8:00 a. m. to 8:00 p. m., seven days a week. Since the application was substantially different from that reviewed by the commission on Dec. 13, 2018, staff recommended and the applicant agreed to drop her appeal and to file his new application.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is proposing to rezone the site to PCD planned commercial development to allow for use of the existing building for a limited mixture of office and commercial uses. The proposed uses within the four suites are general and professional office space, a beauty products supply store and a beauty/barber shop. Hours of operation are proposed to not exceed 8:00 a.m. to 8:00 p.m., seven days a week. A ten space parking lot is proposed to be constructed behind the building. Access to that new parking area will be via a new driveway to be located between the north side of the building and the north property line. The new parking lot will comply with landscape and buffer requirements in all areas save one. A variance is requested to allow a reduced buffer and landscape strip between the new driveway and the north property line.

B. EXISTING CONDITIONS:

The site contains a one-story, 4,750 square foot commercial building and an asphalt-paved, 9 space parking lot. The site has two driveways from Stanton Road. Single family properties are located to the north, south and west (across Stanton Road). A mobile/manufactured home park is located to the east.

C. NEIGHBORHOOD COMMENTS:

Notice of the public hearing was sent to all owners of properties located within 200 feet of the site and the Upper Baseline and SWLRUP Neighborhood Associations.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Provide a Sketch Grading and Drainage Plan per Sec. 29-186 for the new parking lot.

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

Little Rock Water Reclamation Authority: Sewer Available to this site. FOG (Grease Interceptor) Analysis required.

Entergy: Entergy does not object to this proposal. However, there appears to be an existing underground service line to this structure. Care should be used in the construction of the new parking area. Contact Entergy in advance to discuss electrical service requirements, or adjustments to existing facilities (if any) as this project proceeds.

Centerpoint Energy: No comments received.

AT&T: No comment received.

Central Arkansas Water: No comments received.

Fire Department: No comments.

County Planning: No comments received.

F. BUILDING CODES/LANDSCAPE:

Building Code: No comments.

Landscape:

1. Site plan must comply with the City's minimal landscape and buffer ordinance requirements.
2. A land use buffer six (6) percent of the average width/depth of the lot will be required when an adjacent property has a dissimilar use of a more restrictive nature. The properties to the north, south, and east are zoned R-2. As a component of all land use buffer requirements, opaque screening, whether a fence or other device, six (6) feet in height shall be required upon the property

- line side of the buffer. In addition to the required screening, buffers are to be at the rate of one (1) tree and three (3) shrubs for every thirty (30) linear feet.
3. 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, highway or freeway. This strip shall be at least nine (9) feet wide. Provide trees with an average linear spacing of not less than thirty (30) feet within the perimeter planting strip. Provide three (3) shrubs or vines for every thirty (30) linear feet of perimeter planting strip. The north and south perimeter planting strips are deficient.
 4. Landscape areas shall be provided between the vehicular use area used for public parking and the general vicinity of the building, excluding truck loading or service areas not open to public parking. These areas shall be equal to an equivalent planter strip three (3) feet wide along the vehicular use area.
 5. An irrigation system shall be required for developments of one (1) acre or larger. For developments of less than one (1) acre there shall be a water source within seventy-five (75) feet of all plant material if an automatic irrigation system is not provided.
 6. All landscape areas shall be protected as per City of Little Rock Landscape Ordinance (Sec. 15-100). Provide notes on plan specifying type and location of mulch, edging, wheel stops, and/or concrete curb and gutter.
 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 comments.

Planning Division: No comments.

H. SUBDIVISION COMMITTEE COMMENT: (February 20, 2019)

The applicant was present. Staff presented the item and informed the committee of the changes from the Dec. 13, 2018 application. Staff stated no additional information was needed. The applicant confirmed the use mix was proposed to include offices, a beauty supply store and a barber/beauty shop. The comments and notes from the various reviewing agencies were unchanged from the earlier application. The committee determined there were no other issues and forwarded the item to the full commission.

I. ANALYSIS:

The request is a PCD zoning for the property located at 8405 Stanton Road. This R-2 zoned property is occupied by a 4,750 square foot commercial style building that was constructed prior to this area's annexation into the City. A nine-space asphalt paved parking lot is located at the front of the property. The building lost its non-conforming status due to inactivity and the PUD process is required.

Subsequent to a December 13, 2018 planning commission denial, the applicant revised and resubmitted her application. The principal changes are a reduction in hours of operation to 8:00 a.m. to 8:00 p.m., seven days a week and the elimination of a proposed restaurant. The uses now include general and professional office, a beauty products supply store and barber/beauty shop. The new 10-space parking lot is still proposed to be constructed behind the building. Access to that new parking lot will be via a new driveway on the north side of the building. A variance is requested to allow for a reduced land use buffer and landscape strip on that north side. A six-foot tall wood privacy fence, finished side facing outward, is to be constructed along that north perimeter as well as on all perimeters of the new parking lot.

Staff is now supportive of the requested PCD rezoning. The proposed uses appear to staff to be reasonable for reuse of this commercial style building and should better fit in with the neighborhood. Staff believes the dumpster should be screened as per city code and dumpster service hours should be limited to 7:00 a. m. – 6:00 p. m., Monday – Friday.

J. STAFF RECOMMENDATION:

Staff recommends approval of the requested PCD subject to compliance with the following conditions:

1. Compliance with the comments and conditions outlined in paragraphs D, E and F and the staff analysis in the agenda staff report.
2. The dumpster is to be screened to comply with City code.
3. Dumpster service hours are to be limited to 7:00 a.m. – 6:00 p.m., Monday – Friday.
4. A six foot tall wood privacy fence, finished side facing out, is to be constructed along the north perimeter of the site as well as on all perimeters of the new parking lot.

PLANNING COMMISSION ACTION:

(MARCH 14, 2019)

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. 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 10 ayes, 0 noes and 1 absent.