

FILE NO.: Z-7500-I

NAME: Hamilton Station – POD

LOCATION: 14524 Cantrell Road

DEVELOPER:

Pinnacle Valley Shoppes, LLC
John Rees
11719 Hinson Road, Suite 130
Little Rock, AR 72212

OWNER/AUTHORIZED AGENT:

Pinnacle Valley Shoppes, LLC - Owner
Jess Griffin - Agent

SURVEYOR/ENGINEER:

Jess Griffin, PE
11719 Hinson Road, Suite 130
Little Rock, AR 72212

AREA: 10.67 acres NUMBER OF LOTS: 1 FT. NEW STREET: 0 LF

WARD: 4 PLANNING DISTRICT: 1 CENSUS TRACT: 42.05

CURRENT ZONING: PCD and R-2

VARIANCE/WAIVERS: None requested.

BACKGROUND:

On August 31, 2017, the Planning Commission denied a proposed rezoning of this property titled The Hamilton Apartments Long-form PD-R, a proposed 250 unit multifamily development. The applicant appealed the Planning Commission’s decision to the Board of Directors, but that request was withdrawn by the applicant.

On June 8, 2020, the applicant filed a second rezoning request for The Hamilton Apartments – PD-R. On September 24, 2020 the Planning Commission withdrew the PD-R rezoning at the request of the applicant.

On February 10, 2022, the Planning Commission approved an application for the Hamilton Station – PCD (Z-7500-H) to allow mix commercial uses and mini-warehouse development. The application was denied by the Board of Directors on March 15, 2022.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes rezone 10.67 acres from R-2/PCD to POD. The developer will construct a forty-thousand (40,000) square foot commercial building on the 4.96 acres within the western portion of the overall property to contain O-3 permitted uses with office showroom/warehouse and office/warehouse.

B. EXISTING CONDITIONS:

The property is currently undeveloped and partially tree covered. Some site work has taken place, with fill material being placed on the 5.71 acre portion of the overall site to the east. North, east and west of the site contain R-2 zoning and uses. South of the site contains a mixture of commercial uses and zoning with frontage along Cantrell Road.

C. NEIGHBORHOOD COMMENTS:

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. Provide finished floor elevations (FFE) for all buildings on plat, site plan, and grading and drainage plans at least one foot above base flood elevation or more per flood insurance study and FEMA FIRM panel.
2. At the completion of the filling activities and prior to issuance of the final Certificate of Occupancy or final approval, a letter of map revision (LOMR) application must be submitted and approved by FEMA.
3. Due to the proposed structure being located within the 100-year floodplain, an elevation certificate of the finished floor elevation must be provided to the Public Works Department at 701 West Markham Street prior to the issuance of a certificate of occupancy. Contact Vince Floriani in Public Works at 501-371-4823 or VFloriani@littlerock.gov to schedule an appointment for issuance or to answer any questions.
4. 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.

5. For future development for phase two to the east of the site, a Special Flood Hazard Development Permit is required to be obtained prior to beginning construction. The Special Flood Hazard Development Permit application can be found at <https://www.littlerock.gov/city-administration/city-departments/public-works/>. Special Flood Hazard Development Permits are issued by the Public Works Department at 701 West Markham Street and no fee collected for issuance. Contact Vince Floriani in Public Works at 501-371-4823 or VFloriani@littlerock.gov to schedule an appointment for issuance or to answer any questions.
6. A grading permit must be obtained prior to initiation of work for future development for phase two to the east of the site. 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., Engineering Division 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.
7. 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.
8. A drainage study showing all hydrologic and hydraulic calculations for the proposed storm sewer pipe system, detention ponds and 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.
9. 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.
10. 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).

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

Little Rock Water Reclamation Authority: No comments received.

CenterPoint Energy: No comments received.

Summit Utilities: No comments.

AT & T: No comments received.

Central Arkansas Water:

1. Grading of the eastern lot is denied. Resubmit plans addressing the comments below for further consideration.
2. CAW has critical, large, raw water lines on this property that are used to supply water to the treatment plant. Field locate the lines and indicate location of the lines on the plan. Include water line easements on the plan. Field verify depth of pipelines.
3. Indicate existing and proposed contours on the plan. Fill will not be allowed in the easement. If cuts are required, maintain a minimum of 36-inches of fill over the pipelines.
4. No structure or footing shall be located within the easement or within 15-ft of the pipelines.
5. Owner to provide a geotechnical engineer to examine the site to study the potential increased loads on the pipes due to fill, adjacent structures and dynamic loads during and after construction, and provide recommendations to minimize additional burden on the pipes that are acceptable to CAW.
6. Submit final site and grading plan to be reviewed for approval by CAW.
7. All construction work, including earthwork, shall be observed by CAW. Contact CAW, Andrew Pownall, prior to any work in this area.

The following comments are for the lot on the western side of the property:

8. 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 Little Rock Fire Department is required.
9. All Central Arkansas Water requirements in effect at the time of request for water service must be met.

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.

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.

F. BUILDING CODES/LANDSCAPE:

Building Code: No comments received.

Landscape:

1. Any new site development must comply with Chapter 15 of the City's Landscape Ordinance.
2. Any variance request from Chapter 15 of the City's Landscape Ordinance will require a variance application to the Little Rock City Beautiful Commission.

G. TRANSPORTATION/PLANNING:

Rock Region Metro: No comments received.

Planning Division:

The request is in the River Mountain Planning District.

The Land Use Plan shows Transition (T) and Residential Low Density (RL) for the requested area. Transition provides for an orderly transition between residential uses and other more intense uses. A Planned Zoning District is required unless the application conforms to the Design Overlay standards. Uses that may be considered are low-density multi-family residential and office uses if the proposals are compatible with quality of life in nearby residential areas. The Residential Low Density 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 remains less than 6 units per acre.

The application is to rezone from R-2, Single Family District to POD, Planned Office Development.

Surrounding the application area, the Land Use Plan Map shows Residential Low Density (RL) developed to the west and north. These areas are developed with single-family houses. Partially developed Transition (T) area to the east. Mixed Office Commercial (MOC), Commercial (C), Mixed Use (MX) areas with dine-in

and drive-thru restaurants, strip commercial and small offices to the south along Cantrell Rd.

Master Street Plan:

Access will be taken from the south through an adjacent property.

Bicycle Plan:

The Master Bike Plan shows an existing Class 1 Path traversing the southwest corner. Class I Bike Paths are designated for the sole use of bicycles that is physically separated from vehicular lanes. This path provides access from Cantrell Rd on the south to Waterside Dr on the north.

Historic Preservation Plan:

There are no historic structures or districts in the area.

H. ANALYSIS:

The applicant proposes rezone 10.67 acres from R-2/PCD to POD. The developer will construct a forty-thousand (40,000) square foot commercial building on the 4.96 acres within the western portion of the overall property to contain O-3 permitted uses with office showroom/warehouse and office/warehouse.

During Phase I, the applicant is also requesting permission to regrade and clean up the remaining 5.71 acre portion of the overall property to the east, shown as Phase II on the site plan for future use. The applicant notes special permission will be obtained from Central Arkansas Water (CAW) prior to any construction activities conducted within utility easements.

The western 4.96 acre portion of the overall property is currently undeveloped and tree covered. Some site work has taken place with fill material being placed on the 5.71 acre area to the east. R-2 zoning and uses are contained north, east and west of the site. South of the site contains a mixture of existing commercial developments at 14524 through 14810 Cantrell Road. The property is not located in the Highway 10 Design Overlay District.

The site plan indicates that an area of fifteen-thousand (15,000) square feet ("Building Section A") will contain only spaces for office use. The remaining twenty-five (25,000) square feet, ("Building Section B") will contain additional office spaces' including Office Showroom/Warehouse and Office Warehouse.

The proposed building height will be sixty-five (65) feet and be constructed of brick, stone, glass and metal on the rear of the building. The site plan shows a setback over one-hundred (100) feet from the north (rear) property line, over eighty (80)

feet from the south (front) property line, eighty-one (81) feet from the west property line and over sixteen (16) feet from what will be Phase II of the development.

The applicant notes that the hours of operation will be from 7:00am to 8:30pm daily.

The main entrance to the proposed development will be at the southwest corner of the overall property, through the Pinnacle Creek Shopping Center property at 14810 Cantrell Road. In addition, the developer will construct an emergency access to the west and bike path further to the west in the southwest corner of the development. The applicant is proposing 113 parking spaces. Staff feels the proposed parking is sufficient to serve this use.

The applicant notes that there will be a forty-one (41) foot enhanced undisturbed buffer along the west property line. Low and mid-level evergreen plantings will be required within this area to help screen this development from the single family residences to the west. All other buffer and landscaped areas will conform with ordinance requirements.

The applicant notes that there will be a retaining wall along the east side of the proposed enhanced undisturbed buffer. The retaining wall will have an average height of eight (8) feet. There will be an eight (8) foot high opaque fence on top of the retaining wall. Evergreen plantings (Emerald Arborvitae) will be placed inside the screening fence. The evergreen plantings will have a six (6) foot height at the time of planting, with a height of approximately 15 to 20 feet in maturity. Staff believes that this with the enhanced undisturbed buffer will provide adequate screening for the residential properties to the west.

There will be a dumpster area located near the northwest corner of the developed area. The applicant notes that the dumpster area will be screened as per ordinance requirements.

Any site lighting must be low-level and directed away from adjacent properties. All signage must conform with Section 36-553 of the City's Zoning Ordinance (signs allowed in office zones). Since the property has no direct street frontage, wall signs will be allowed on the south and east sides of the multi-tenant office building. A ground-mounted sign will be allowed at the entry drive at the southwest corner of the development.

The applicant is proposing an access easement and bike path construction at the southwest corner of the development. The bike path will be constructed as per Master Street Plan requirements.

Floodway is located along the north and east property boundaries. Any portion of the proposed development will be located at least 25 feet back from the floodway.

A stormwater detention area with easement will be located at the northwest corner of the development.

The applicant previously submitted (previous application) a traffic study for the proposed development to staff. The traffic study concluded the following:

“The traffic associated with the development of Hamilton Station has minimal impact to the traffic operations at the intersection of Cantrell Road and Taylor Loop Road.”

The Department of Planning and Development staff engineer agreed at that time with the conclusions of the traffic study from the consultant.

Staff requested that the applicant submit an amended traffic study addressing the current proposal. Staff cannot support the application prior to an amended traffic study with a favorable review for the proposed Phase I development.

The applicant is requesting no variances with the proposed POD rezoning.

The eastern 5.71 acres of the overall property is shown as Phase II of the proposed POD development. This portion of the site will need to be brought back to the Planning Commission for approval when development is proposed.

Staff is generally supportive of the proposed POD development. The proposed development is less intense than the previous PCD request. However, staff cannot support the application until an amended traffic study is submitted and approved by the staff engineer. The proposed office development, with office showroom/warehouse and office warehouse, will be less intense than the previous PCD proposal, and will serve as more of a transitional use between the heavy commercial uses along Cantrell Road and the single-family residences to the north and west.

I. STAFF RECOMMENDATION:

Staff recommends denial of the requested POD zoning, until an approved amended traffic study is completed.

PLANNING COMMISSION ACTION:

(FEBRUARY 9, 2023)

Jesse Griffin was present, representing the application. There was one (1) objector present. Staff presented the application with a recommendation of denial. The applicant deferred their time to the opposition for comments.

Kent Brunen addressed the Commission in opposition to the application. He stated that represented the neighborhood association adjacent to the site and that the proposed

development as submitted has drainage issues, an inaccurate grading plan , and that the required undisturbed buffers were not in the condition represented by the applicant. He stated that multiple proposals have been presented to the commission for this property and that the surrounding property owners concerns have yet to be addressed along with the ongoing site issues.

Jesse Griffin addressed the Commission representing the application. He briefly described the project, noting that the applicant had submitted several variations of uses for the site and that the site was in transition regarding any grading or drainage. He stated that the applicant will provide the buffers as required once a final plan or use has been approved by the commission.

There was a discussion by the Planning Commission regarding the landscaping, site access, grading, and if the requested traffic study had been submitted by the applicant as requested by staff.

There was a motion to approve the application, including all staff comments and conditions. The motion denied by a vote of 4 ayes, and 7 nays. The application was denied.