

FILE NO.: Z-2544-A

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NAME: 124 North Fillmore Street Short-form PD-O

LOCATION: Located at 124 North Fillmore Street

DEVELOPER:

Markus Construction LLC  
P.O. Box 241400  
Little Rock, AR 72223

ENGINEER:

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

AREA: 0.18 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING: O-3, General Office District

ALLOWED USES: Office

PROPOSED ZONING: PD-O

PROPOSED USE: Medical Office – Mid-town Design Overlay District

VARIANCE/WAIVERS: None requested.

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A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The property located at 142 Fillmore Street is currently platted as a residential lot zoned O-3, General Office District. AAA Group of Investors proposes to remove the existing office building and construct a new medical office building. The facility will be located in the rear of the lot with the parking adjacent to the street. The property is located within the Mid-town Design Overlay District.

B. EXISTING CONDITIONS:

The site contains an office building with parking located along Fillmore Street. To the south is a parking lot serving a rehabilitation facility located on West Markham Street. To the north is a multi-family building. Along Fillmore Street in this area there is a mix of office and residential uses. To the west, across the alley, are multi-family units and across Pierce Street is the Mid-town shopping center.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received a few informational phone calls from area residents. All owners of property located within 200-feet of the site along with the Hillcrest Residents Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Due to the proposed use of the property, the Master Street Plan specifies that Fillmore Street for the frontage of this property must meet commercial street standards. Dedicate right-of-way to 30 feet from centerline.
2. With site development, provide the design of street conforming to the Master Street Plan. Construct one-half street improvement to the street including 5-foot sidewalks with the planned development. The new back of curb should connect with the existing curb on the south and continue to the north property line.
3. 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.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer main extension required, with easements, if sewer service is required for this project. Contact Little Rock Wastewater Utility for additional information.

Entergy: Entergy does not object to this proposal. Single phase service is provided via the west side of the property from a line located on the rear property line. Contact Entergy in advance to make arrangements for electrical service and facilities locations to serve the new business. The ground mounted sign in the front should not be an issue as long as code clearance requirements are met.

Centerpoint Energy: No comment received.

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.

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.

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). Number and Distribution of Fire Hydrants as per Table C105.1.

Parks and Recreation: No comment received.

County Planning: No comment.

CATA: The area is currently served by CATA at this location via Route 5. This location is currently in CATA's long range plan. The proposal has no impact to current service. Maintaining the bicycle and pedestrian way in this area is important to accessing transit; an important feature for future planning and development of this area.

F. ISSUES/TECHNICAL/DESIGN:

Building Code: Project is subject to full commercial plan review 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.org](mailto:crichey@littlerock.org) or Mark Alderfer at 501.371.4875; [malderfer@littlerock.org](mailto:malderfer@littlerock.org)

Planning Division: This request is located in the Heights/Hillcrest Planning District. The Land Use Plan shows Office (O) for this property. The Office category represents services provided directly to consumers (e.g., legal, financial, medical) as well as general offices which support more basic economic activities. The applicant has applied for a rezoning from O-3 (General Office

District) to PDO (Planned District Office) to allow for the development of medical office on the site. The site is within the Midtown Design Overlay District.

Master Street Plan: Fillmore Street is a Local Street 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. This street may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: There are no bike routes shown in the immediate vicinity.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements and the Midtown Overlay District.
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 minimum dimension shall be nine (9) feet. The maximum dimension required shall be fifty (50) feet. As a component of all land use buffer requirements, opaque screening, whether a fence or other device, a minimum of six (6) feet in height shall be required upon the property line side of the buffer. A minimum of seventy (70) percent of the land use buffer shall be undisturbed. 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. The property to the north is zoned R-4. A minimum six (6) foot nine (9) inch buffer strip is required on the north perimeter.
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. A twenty-five (25%) percent reduction of the perimeter requirements is acceptable.
5. A minimum six (6) foot nine (9) inch perimeter planting strip is required on the south perimeter.
6. 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.
7. 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). The minimum size of an interior landscape area shall be one hundred fifty (150) square feet for developments with one hundred fifty (150) or fewer

- parking spaces. Interior islands must be a minimum of seven and one half (7 1/2) feet in width. The property is located in the City's designated mature area. A 25% reduction of the interior parking requirements is acceptable.
8. 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. SUBDIVISION COMMITTEE COMMENT: (April 1, 2015)

Mr. Tim Daters of White Daters and Associates was present representing the request. Staff presented an overview of the item stating there were a number of outstanding technical issues associated with the request. Staff stated the development was located within the Mid-town Design Overlay District. Staff stated the site plan as presented contained a number of variances from the typical development standards of the Overlay District. Staff requested additional information concerning the proposed construction materials, the percentage of glass, the proposed signage plan and the location of any proposed dumpsters.

Public Works comments were addressed. Staff stated a dedication of right of way to 30-feet from centerline was required. Staff also stated street improvements were required with the redevelopment of the lot. Staff requested the applicant connect to the existing curb located on the south property line and continue the curb and improvements to the north property line.

Landscaping comments were addressed. Staff stated a variance from the City Beautiful Commission was required for the proposed landscape strip located along the northern and southern property lines. Staff stated a minimum strip of 6-feet 9-inches was required and the plan as presented did not include this minimum landscape strip.

Staff noted the comments from the various other agencies. There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.

H. ANALYSIS:

The applicant submitted a revised site plan addressing most of the technical issues raised at the April 1, 2015, Subdivision Committee meeting. The applicant has provided construction materials, the percentage of glass, the proposed signage plan and stated there will not be any dumpsters located on the site.

The request is a rezoning from O-3, General Office District to PD-O to allow the redevelopment of this site with a medical office clinic. AAA Group of Investors proposes to remove the existing structure and construct a new MRI clinic. The facility will be located in the rear of the lot with the parking adjacent to the street. The building is proposed with 2,000 gross square feet of floor area. The facility

will be staffed with five (5) staff persons. There will not be a physician working from the site.

The site plan indicates the placement of nine (9) parking spaces. For an office use the zoning ordinance would typically require the placement of five (5) parking spaces. The site is located in the Mid-town Design Overlay District which typically allows the maximum parking to be the minimum established by the zoning ordinance. Since the applicant has indicated there are five (5) staff persons. Staff does not feel the parking as indicated to be excessive.

The hours of operation are from 7:30 am to 5:30 pm Monday through Friday. There is not a dumpster proposed for the site. The sign is proposed with a maximum height of six (6) feet in height and twenty-four (24) square feet in area. Building signage will comply with signage allowed in office zones or a maximum of ten (10) percent of the façade area abutting Fillmore Street.

The building materials are proposed as king size brick and stucco over the brick on the front side of the building only. The remainder of the building will be king size brick only. The roof is proposed as a standing seam metal roof panel system. The applicant has indicated the front of the building will contain a large percentage of glass. The maximum building height proposed is 20-feet. No fencing is proposed. The site will have a retaining wall in the rear falling to the side that is approximately 48-inches high. The wall will be concrete block and capped with brick.

The existing trees located on the site will be removed to construct the new building. This request is being reviewed by the City Beautiful Commission. In addition the site plan indicates the placement of a five foot nine inch (5'9") landscape strip along the northern perimeter and the southern perimeter adjacent to the building. The southern perimeter adjacent to the parking lot does not include a landscape strip. The site is located within the Designated Mature Area of the City which allows the landscape strip to be reduced to six feet nine inches (6'9") by the landscape ordinances. To allow the landscape strips as proposed by the applicant will require approval by the City Beautiful Commission.

The Midtown Redevelopment District No. 1 Advisory Board reviewed the request at their April 3, 2015, meeting. The Advisory Board voted to support the request. The site includes the placement of parking within the front yard of the development which is inconsistent with the development standards of the Mid-town DOD. Based on the current site plan and the width of the lot parking on the side or rear of the lot is not feasible and allow redevelopment of the lot.

Staff is supportive of the request. The property is currently zoned O-3, General Office District. Although there are variations from the Mid-town DOD staff does not feel the variations will adversely impact the development or the area. To staff's knowledge there are no remaining outstanding technical issues associated with the request. Staff feels the redevelopment as proposed is appropriate.

I. STAFF RECOMMENDATION:

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

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PLANNING COMMISSION ACTION:

(APRIL 23, 2015)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report.

There was no further discussion of the item. The Chair entertained a motion for approval of the item as presented by staff by a vote of 11 ayes, 0 noes and 0 absent.