

FILE NO.: Z-7701-C

NAME: Chenal Pet Palace Revised Short-form PD-C

LOCATION: Located at 14309 Kanis Road

DEVELOPER:

Chenal Pet Palace
Steve Mosley
14309 Kanis Road
Little Rock, AR 72210

ENGINEER:

McGetrick and McGetrick
P.O. Box 30441
Little Rock, AR 72260

CURRENT ZONING: PD-C

ALLOWED USES: Dog Kennel and grooming facility

PROPOSED ZONING: Revised PD-C

PROPOSED USE: Expand the land area of the approved PD-C

VARIANCES/WAIVERS REQUESTED: A variance from Sections 30-43 and 31-210 to allow the driveway nearer the property line than typically allowed.

BACKGROUND:

On August 26, 2004, the Little Rock Planning Commission reviewed a request to allow the use of the existing building and redevelopment of the site as a dog kennel and grooming facility. The applicant indicated there would be approximately 30 stalls within the enclosed building. The applicant indicated there would be no outdoor runs or kennels located on the site. The proposed hours of operation were from 6:00 am to 6:00 pm seven days per week.

The applicant did not propose any exterior modifications to the site. All existing parking was to be maintained and no new on-site paved areas would be added. The applicant indicated one-half street improvements would be put in place for an existing 40-foot right-of-way located along the eastern property line.

The Little Rock Board of Directors adopted Ordinance No. 19,203 on October 5, 2004, rezoning this site from R-2, Single-family to PD-C.

Ordinance No. 19,499 adopted by the Little Rock Board of Directors on March 11, 2006, allowed the site to increase the number of kennel spaces. The original approval allowed for approximately 30 kennel stalls all contained within the structure. The 2006 approval allowed the total number of kennel stalls to be increased to 70. The previous approval also did not allow for outdoor runs or kennels and all dogs were to be leashed for outdoor activities. The 2006 approval allowed for the placement of six (6) outdoor pens along the southwest portion of the site for outdoor activities. The dogs were to be left in the outdoor areas for 20 to 30 minutes at a time to allow outdoor activities and exercise for the dogs. The kennel areas were covered along the rear of the building extending most of the length of the structure.

Ordinance No. 20446 adopted by the Little Rock Board of Directors on July 5, 2011 allowed a revision to the previously approved PCD to allow a 700 square foot storage building along with a covered outdoor play area to the western portion of the site. The storage building was constructed after the 2006 approval of the PCD zoning. The site is located outside the City limits of Little Rock therefore no building permits were required for construction. In addition to approval of the storage building the applicant requested to construct a dog pavilion containing 762 square feet. The dog pavilion would be covered, fenced-in and was to be open-air. The dog pavilion was to be used during rains to allow the dogs to go outside. The pavilion did not change the number of dogs allowed on the site for boarding or the number of dogs allowed outside for outdoor play.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is now proposing to amend the previously approved PD-C to allow an expansion of the land area. The applicant has purchased property to the south of the outdoor play area and along the western perimeter of the property. There are no development plans for the additional area at this time. The applicant has indicated future construction of parking along the western portion of the property to allow for replacement of the existing parking lot should the existing parking be lost due to the widening of Kanis Road. At the time of construction of the new parking lot the front entrance will be modified to enter the building from the new parking area.

B. EXISTING CONDITIONS:

The site is located outside the City limits but within the City's Extraterritorial Planning Jurisdiction. The site contains a renovated industrial building serving as a pet grooming and boarding business. South of the site is a vacant area currently zoned MF-6. North of the site are single-family homes. North and west of the site are vacant R-2, Single-family zoned properties. To the east is a multi-family development currently under construction.

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 Kanis Creek POA, the Parkway Place POA, the Spring Valley Manor POA and the Woodlands Edge Community Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Kanis Road is classified on the Master Street Plan as a minor arterial. A dedication of right-of-way 45 feet from centerline will be required.
2. With future site development or expansion beyond this application, provide design of street conforming to the Master Street Plan. Construct one-half street improvement to Kanis Road including 5-foot sidewalks with the planned development.
3. Driveway locations and widths do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. Driveway spacing on arterial streets is 150 feet from the side property line and 300 feet between driveways. A variance must be requested for the proposed driveway.
4. Due to the proposed use of the property, the Master Street Plan specifies that the undeveloped street on the south for the frontage of this property must meet commercial street standards. Dedicate right-of-way to 30 feet from centerline. A search should be conducted to determine if the right-of-way exists. This condition was previously required as a condition of approval of the 2005 Planning Commission action. Improvements within the dedicated right-of-way should be removed.
5. A 30 foot radial dedication of right-of-way is required at the intersection of Kanis Road and the undeveloped right-of-way on the south. A search should be conducted to determine if the right-of-way exists. This condition was previously required as a condition of approval of the 2005 Planning Commission action.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Outside the service boundary, no comment.

Entergy: Entergy does not object to this proposal. A 3 phase power line exists on the north property line on the south side of Kanis Road. An existing three phase service already feeds the building. There are currently no other Entergy facilities on this property. Contact Entergy if any changes regarding service requirements and facilities location(s) are needed.

Centerpoint Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water:

1. All Central Arkansas Water requirements in effect at the time of request for water service must be met.
2. The Little Rock Fire Department needs to evaluate this site to determine whether additional public and/or private fire hydrant(s) will be required. If additional fire hydrant(s) are required, they will be installed at the Developer's expense.
3. 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 the Little Rock Fire Department is required.
4. A Capital Investment Charge based on the size of meter connection(s) will apply to this project in addition to normal charges. This fee will apply to all connections including metered connections off the private fire system.
5. If there are facilities that need to be adjusted and/or relocated, contact Central Arkansas Water. That work would be done at the expense of the developer.
6. Contact Central Arkansas Water if additional fire protection or metered water service is required.
7. Due to the nature of this facility, installation of an approved reduced pressure zone backflow preventer assembly (RPZA) is required on the domestic water service. This assembly must be installed prior to the first point of use. Central Arkansas Water requires that upon installation of the RPZA, successful tests of the assembly must be completed by a Certified Assembly Tester licensed by the State of Arkansas and approved by Central Arkansas Water. The test results must be sent to Central Arkansas Water's Cross Connection Section within ten days of installation and annually thereafter. Contact the Cross Connection Section at 501.377.1226 if you would like to discuss backflow prevention requirements for this project.
8. The facilities on-site will be private. When meters are planned off private lines, private facilities shall be installed to Central Arkansas Water's materials and construction specifications and installation will be inspected by an engineer, licensed to practice in the State of Arkansas. Execution of a Customer Owned Line Agreement is required.
9. Fire sprinkler systems which do not contain additives such as antifreeze shall be isolated with a double detector check valve assembly. If additives are used, a reduced pressure zone back flow preventer shall be required.

10. This development will have minor impact on the existing water distribution system. Proposed water facilities will be sized to provide adequate pressure and fire protection.

Fire Department: No comment.

Parks and Recreation: No comment received.

County Planning: No comment.

CATA: The area is not currently served by CATA at this location. This location is not currently in CATA's long range planning. 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: No Comment.

Planning Division: This request is located in the Ellis Mountain Planning District. The Land Use Plan shows Suburban Office (SO) for this property. The Suburban Office category provides for low intensity development of office or office parks in close proximity to lower density residential areas to assure compatibility. A Planned Zoning District is required. The applicant has applied for a rezoning from PDC (Planned District Commercial) and R-2 (Single Family District) to PDC (Planned District Commercial) to allow for the expansion of an existing use and related parking on the expanded site.

Master Street Plan: Kanis Road is a Minor Arterial 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 Kanis Road since it is a Minor Arterial. 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.
2. Existing vehicular use areas may continue as nonconforming until such time as a building permit is granted to enlarge or reconstruct a structure on the property exceeding ten (10) percent of the existing gross floor area. At such time ten (10) percent of the existing vehicular use area shall be brought into

compliance with the Landscape Ordinance and shall continue to full compliance on a graduated scale.

3. 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. Pat McGetrick was present representing the request. Staff presented an overview of the item stating there were few outstanding technical issues associated with the request. Staff questioned if there were any modifications to the days and hours of operation or the number of pets allowed.

Public Works comments were addressed. Staff stated a dedication or right of way for Kanis Road and new unnamed platted right of way was required prior to the item being considered by the Board of Directors.

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 to staff addressing the technical issues raised at the April 1, 2015, Subdivision Committee meeting. The applicant has indicated the entrance to the building will be reconfigured with the new parking area. The applicant has stated with the new entrance an additional ten (10) dogs may be added to the boarding number.

The request is to amend the previously approved PD-C to allow an expansion of the land area for the previously approved PD-C for Chenal Pet Palace. The owner of Chenal Pet Palace purchased property to the south of the outdoor play area and along the western perimeter of the existing approved PD-C. The owner indicated the additional land area would allow for future expansion of the Pet Palace and/or allow for parking should the existing parking be impacted by the widening of Kanis Road.

The owner has stated there are presently no development plans for the additional land area. The front entrance to the business will be modified at the time of construction of the new parking area to allow customers to enter the building from the parking lot located on the west side rather than the enter the building from the east side. The owner of Chenal Pet Palace has stated any future construction other than the proposed parking and relocated front entrance along the western portion of the property will be reviewed and approved by the City prior to construction.

The applicant has indicated the driveway location on the new parking lot will be coordinated with the Public Works department at the time of construction. At the time of construction of the new parking area the center drive must be removed. The driveway as proposed requires a variance from Sections 30-43 and 31-210 to allow the drive less than the typical spacing required from the property line. The applicant must move the driveway to the east 25-feet to remove any conflicting movements with adjacent property.

To staff's knowledge there are no outstanding technical issues in need of addressing. Staff is supportive of the request. Staff does not feel a revision to the PD-C zoning to expand the overall site area and allow for placement of a future parking lot will significantly impact this development or the area.

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.

Staff recommends approval of the driveway spacing variance request to allow the driveway nearer the property line than typically allowed.

PLANNING COMMISSION ACTION:

(APRIL 23, 2015)

The applicant was present. There were no registered objectors present. Staff presented the item stating with the proposed site development, the applicant must provide the design of the street (Kanis Road) conforming to the Master Street Plan. Construction will include one-half street improvement to Kanis Road including 5 foot sidewalk with the planned development. Per Chapter 30-284, the applicant maybe eligible to declare a financial hardship for the one-half street improvement cost for Kanis Road. The remaining two (2) driveways on Kanis Road will be closed with the construction of the west parking area or the widening of Kanis Road, only one (1) driveway can be installed in conformance with the driveway spacing requirements found in Chapter 30-43 and 31-210.

Staff stated due to the construction of Panther Branch Drive, the east driveway creates an unsafe intersection. The east driveway should be closed or connected into the future street constructed within the south right-of-way that intersects Kanis Road or Panther Branch Drive at an intersection designed to meet ASSHTO standards. The future driveway from the property should intersect the future street no closer than 250 feet from the Kanis Road or Panther Branch Drive right-of-way.

Staff presented 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. Staff presented a recommendation of approval of the driveway spacing variance request to allow the driveway nearer the property line than typically allowed.

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.