

FILE NO.: Z-7527-A

NAME: Masoud Development Short-form PCD

LOCATION: Located at 4918 Baseline Road

DEVELOPER:

Wadeea Masoud
4918 Baseline Road
Little Rock, AR 72209

SURVEYOR:

Ben Kittler
812 Providence Drive
Bryant, AR 72022

ARCHITECT:

Terry Burruss Architects
11912 Kanis Road Suite F-8
Little Rock, AR 72211

AREA: 4.0± acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 2 PLANNING DISTRICT: 14 – Geyer Springs East CENSUS TRACT: 41.07

CURRENT ZONING: C-3, General Commercial District and R-2, Single-family District

ALLOWED USES: General retail, Nonconforming convenience store

PROPOSED ZONING: PCD

PROPOSED USE: C-3, General Commercial District uses – Expand the convenience store building square footage and construct an additional retail building

VARIANCE/WAIVERS: A variance from Sections 30-43 and 31-210 to allow the placement of the drive on Baseline Road as proposed.

BACKGROUND:

On October 27, 2003, the Little Rock Zoning Board of Adjustment approved a variance for this site. The applicant requested a variance to allow incidental signage which exceeded the maximum area allowed (Section 36-555) and to allow a variance to allow a sign without public street frontage (Section 36-557(a)). Incidental signage per the zoning ordinance is allowed at 20 square feet. The applicant requested and was approved incidental signage for the front of the building of a maximum of 50 square feet. Wall signage is typically required to have direct street frontage. The wall signage approved allowed the placement of signage on the gas canopy along the eastern façade, which was located without direct street frontage.

The conditions of approval included:

- There is to be a maximum of 50 square feet of incidental signage on the front of the building.
- There is to be no signage on the west (Stanton Road) side of the building.
- The signage on the east and west sides of the gas pump canopy must be permitted.
- A sign permit(s) must also be obtained for wall signs on the front of the building up to 90 square feet in area.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is now requesting a rezoning of the site to a Planned Commercial Development to allow the existing convenience store located on the corner of Baseline and Stanton Road (0.33 acres) which is zoned R-2, Single-family to be redeveloped with a 4,500 square foot new convenience store building and fuel pumps. The remainder of the site is zoned C-3, General Commercial District (3.7-acres) and contains an existing building containing 14,860 square feet. Within this C-3, General Commercial District area the applicant is proposing to construct an additional retail building containing 9,500 square feet.

B. EXISTING CONDITIONS:

This section of Baseline Road contains a mix of residential and non-residential uses. Located on this site is a convenience store with gas pumps, a strip center with a grocery store. East of the site is an office use and a commercial use, Hub Cap Annie. West of the site is automotive repair and a General Dollar Store. North of the site are residential homes and a daycare center.

Stanton Road has been constructed with curb, gutter and sidewalk adjacent to this site. Baseline Road is a four (4) lane roadway with a center turn lane. Baseline Road is constructed with curb and gutter. There is a traffic light at the intersection of Baseline and Stanton Road.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200 feet of the site along with the Upper Baseline Neighborhood Association and Southwest Little Rock United for Progress were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. 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.
2. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
3. A grading permit in accordance with Section 29-186 (c) and (d) will be required prior to any land clearing or grading activities at the site. Other than residential subdivisions, site grading and drainage plans must be submitted and approved prior to the start of construction. Is the development proposed to be constructed in phases and is an advance grading permit variance being requested?
4. Stormwater detention ordinance applies to this property. Show the proposed location for stormwater detention facilities on the plan. If provided detention should be maintained for the existing developed portion of the site. Maintenance of the detention pond and all private drainage improvements is the responsibility of the developer and/or owner.
5. If disturbed area is one (1) or more acres, obtain a NPDES stormwater permit from the Arkansas Department of Environmental Quality prior to the start of construction.
6. The proposal will intensify the use of the property. Driveway locations and widths do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. Driveways on Baseline Road are required to be spaced at least 300 feet from other driveways and intersections. Driveways on Stanton Road are required to be spaced at least 250 feet from other driveways and intersections and 125 feet from side property lines. Variances are required to be obtained for the proposed driveway locations. The width of driveway must not exceed 36 feet.
7. Insufficient stack is proposed for the drive through on the east side of the new building.
8. Head-in parking should be removed from the main driveway access off Stanton Road to remove the jog in the lane to create a better alignment.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this site. EAD, Environmental Assessment Division, review required for grease trap.

Entergy: Entergy does not object to this proposal. Three (3) phase power lines exist on the east side of the property behind the existing building, and into the center of the property extending from Baseline Road. Extreme caution must be used in the construction activities in the vicinity of the power lines so that proper clearances are maintained. Some existing poles and wires may need to be removed or relocated before construction proceeds. Contact Entergy in advance regarding future service requirements to the development, desired line extensions and future facilities locations as this project proceeds.

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. Contact Central Arkansas Water regarding the size and location of water meter
6. 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.

7. 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.
8. 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.

Fire Department:

1. 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.
2. 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 (Jason Lowder 501.377.1245) and the Little Rock Fire Marshal's Office (Capt. Tony Rhodes 501,918.3757 or Capt. John Hogue 501.918.3754). Number and Distribution of Fire Hydrants as per Table C105.1.

Parks and Recreation: No comment received.

County Planning: No comment.

Rock Region Metro: Location is currently served by METRO along route 23. The route is an important transit connection in a low income community. Pedestrian amenities to connect the neighborhood residents to the transit line are extremely important. We recommend the developer consolidate curb cuts to lessen the potential for vehicle and pedestrian conflicts and facilitate transit connections.

F. ISSUES/TECHNICAL/DESIGN:

Building Code: Project is subject to full commercial plan review and 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 or
Mark Alderfer at 501.371.4875; malderfer@littlerock.org.

Planning Division: This request is located in the Geyer Springs East Planning District. The Land Use Plan shows Commercial (C) for this property. The Commercial category includes a broad range of retail and wholesale sales of products, personal and professional services and general business activities. Commercial activities vary in type and scale, depending on the trade area that they serve. The applicant has applied for a rezoning from C-3 (General Commercial District) to PCD (Planned Commercial Development) to allow the remodeling of the existing convenience store, (zoned R-2, Single-family) and allow construction of an addition commercial building to be used with commercial uses as allowed within the C-3, General Commercial Zoning District.

Master Street Plan: South side of the property is Baseline Road and it is shown as a Principal Arterial. West side of the property is Stanton Road and it is shown as a Collector on the Master Street Plan. The primary function of a Principal Arterial Street is to serve through traffic and to connect major traffic generator or activity centers within an urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Baseline Road since it is a Principal Arterial. The primary function of a Collector Road is to provide a connection from Local Streets to Arterials. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the sites.

Bicycle Plan: A Class II Bike Lane is shown along Baseline Road. Bike Lanes provide a portion of the pavement for the sole use of bicycles.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. Any new development will need to adhere to the current landscape code.
3. 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 property to the north is zoned R-2, Single-family. 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 15-102.
4. 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 less than nine (9) feet. The maximum dimension required shall be fifty (50) feet.

5. Trees and shrubs are required planted adjacent to street right-of-way. Plant material is to be provided at one (1) tree and three (3) shrubs for every 30 linear feet. Existing trees and vegetation can be used to satisfy landscape requirements.
6. The average depth of the lot (east/west) is approximately three hundred and eighty-five (385) feet. A twenty-three (23) foot buffer will be required adjacent to the Stanton Road right-of-way. The average depth of the lot (north/south) is approximately four hundred and fifteen (415) feet. A twenty-five (25) foot buffer will be required adjacent to Baseline Road.
7. Screening requirements will need to be met for the vehicular use areas adjacent to street right-of-ways. 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.
8. 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.
9. 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. Trees shall be included in the interior landscape areas at the rate of one (1) tree for every twelve (12) parking spaces.
10. Building landscape areas shall be provided between the vehicular use area used for public parking and the general vicinity of the building. These 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.
11. An automatic irrigation system to water landscaped areas shall be required for developments of one (1) acre or larger.
12. The development of two (2) acres or more requires the landscape plan to be stamped with the seal of a Registered Landscape Architect.
13. 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 27, 2016)

The applicant was present. Staff presented an overview of the item stating there were a few outstanding technical issues associated with the request. Staff requested the applicant confirm the proposed signage plan. Staff also requested the applicant provide the location and hours of service for any proposed dumpster facilities.

Public Works comments were addressed. Staff stated the drives on Stanton and Baseline Roads should be 300 feet from the intersection. Staff stated the drive on Stanton Road should be relocated to the northern property line. Staff stated this would require a variance but they were supportive of the variance request. Staff stated the driveway width should not exceed 36-feet. Staff stated the head in parking should be removed from the main drive into the center.

Landscaping comments were addressed. Staff stated any new development was to come into compliance with the landscape and buffer ordinance requirements. Staff stated upgrades to the site would require upgrades to the site in accordance with the percentage of upgrade to buildings and landscaping.

Staff noted the comments from the various other departments and agencies. Staff suggested the applicant contact the departments or agencies directly with any questions or concerns. 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 most of the technical issues associated with the request. The applicant has provided the proposed signage plan and the location of any proposed dumpsters facilities and provided the days and hours of operation. The applicant has also provided the proposed drive on Stanton Road as requested by staff indicated the drive less than 36-feet in width.

The request is to rezone the site to a Planned Commercial Development to allow the existing convenience store located on the corner of Baseline and Stanton Road (0.33 acres) which is zoned R-2, Single-family to be redeveloped with a 4,500 square foot new convenience store building and fuel pumps. The remainder of the site is zoned C-3, General Commercial District (3.7-acres) and contains an existing building containing 14,860 square feet. Within this C-3, General Commercial District area the applicant is proposing to construct an additional retail building containing 9,500 square feet.

There are 49 parking spaces located on the site with the existing building. With the redevelopment of the convenience store 16 parking spaces are proposed. With the new construction a total of 70 parking spaces are proposed. The site is proposed as a mixed use development which typically requires one (1) parking

space per every 225 gross square feet of floor area. With a total site development square footage of 28,500 square feet a total of 126 parking spaces would typically be required. The plan includes the placement of 135 parking spaces.

The convenience store and the market hours of operation are from 7 am to midnight seven (7) days per week. Within the development the restaurant will operate from 10 am to 10 pm seven (7) days per week. The office portion of the development is proposed to operate from 8 am to 7 pm Monday through Friday. A salon is proposed to operate from 10 am to 6 pm Monday through Saturday and the general retail portion of the development is proposed with hours from 9 am to 9 pm Monday through Saturday.

The applicant has indicated the signage as previously approved by the Zoning Board of Adjustment will continue on the site. The applicant has also indicated building signage on the new building will be as allowed within the commercial zoning districts or a maximum of ten (10) percent of the façade area abutting the public street. Ground signage will be as allowed in commercial zones or a maximum of 36-feet in height and 160 square feet in sign area.

The applicant has indicated dumpster locations on the site plan. A note on the plan indicates the dumpsters will be screened per typical ordinance requirements. The dumpster service hours are proposed from 7 am to 6 pm Monday through Friday.

A perimeter screening fence will be placed along the northern and eastern perimeters. The screening fence will be a minimum of six (6) feet in height and be constructed of an opaque material.

The plan includes the placement of a pickup window within the convenience store portion of the development. The applicant has indicated the location of the order menu board. The applicant is requesting to not screen the order menu board as typically required per the commercial zoning district. Menu board speakers for drive-through windows are to be designed to provide for a solid wall at least six (6) feet in height and twenty (20) feet in length along the opposite lane line. This wall is to be constructed of masonry or wood with a textured finish to diminish sound deflection. Staff is supportive of the applicant's request. There are not any homes immediately north or east of this site which would be the homes most impacted from noise from the order board.

The request includes a variance from Sections 30-43 and 31-210 to allow the placement of the drive on Baseline Road as proposed. The drive is located on a street classified by the Master Street Plan as an arterial street. Typical driveway spacing on arterial streets is 300 feet from intersecting right-of-ways and other driveways and the minimum spacing from property lines is 150 feet. Staff cannot recommend approval of the driveway variance for the two (2) driveways on Baseline Road. They are closer than 300 feet from the intersection, each other, and other driveways in the area. Staff requests both driveways on Baseline Road be removed and closed with curb and gutter.

Staff is supportive of the applicant's request. The applicant is seeking approval of a rezoning of the site from R-2, Single-family, which is an existing convenience store, and C-3, General Commercial District to allow the redevelopment of the site with a new retail building and to allow the existing convenience store and fuel canopy to be reconstructed. The applicant has indicated additional landscaping will be placed on the site within the newly developed areas to comply with the typical standards of the landscape and buffer ordinances. Staff is not supportive of the driveways located on Baseline Road and feels the drives should be removed.

I. STAFF RECOMMENDATION:

Staff recommends denial of the request.

PLANNING COMMISSION ACTION:

(MAY 19, 2016)

The applicant was present. There were no registered objectors present. Staff presented the item stating the applicant had worked to revise the site plan which was now agreeable to staff. Staff stated the driveway furthest from the intersection on Baseline Road was allowed with no turning restrictions conditioned upon the driveway being no more than 27-feet in width and the curb cut closest to the intersection was to be removed and replaced with AHTD standard curb and gutter. 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. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff by a vote of 11 ayes, 0 noes and 0 absent.