

FILE NO.: Z-8873-A

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NAME: Hall Davidson Building Short-form PCD

LOCATION: Located at 201 – 205 West Capitol Avenue

DEVELOPER:

Rock Capital Real Estate LLC  
c/o Dan Roda, General Counsel  
200 West Capitol Avenue, Suite 1310  
Little Rock, AR 72201

SURVEYOR:

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

AREA: 0.39 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 1

PLANNING DISTRICT: 5 – Downtown

CENSUS TRACT: 44

CURRENT ZONING: PCD

ALLOWED USES: Residential, Office, Commercial – Multi-family at a density greater than the UU, Urban Use Zoning District

PROPOSED ZONING: PCD – Reinstate previously approved PCD zoning

PROPOSED USE: Residential, Office, Commercial – Multi-family at a density greater than the UU, Urban Use Zoning District

VARIANCE/WAIVERS: None requested.

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BACKGROUND:

Ordinance No. 20,774 adopted by the Little Rock Board of Directors on August 27, 2013, rezoned the site from UU, Urban Use District to PCD, Planned Commercial Development. The approval allowed the upper floors of the 65,000 square foot buildings to be rehabbed for the development of 60 multi-family units. The site contained 0.3859-acres which per the UU, Urban Use Zoning District would allow a total of 29 apartments.

The applicant proposed parking for the tenants via a lease agreement for 60 parking spaces with a property owner located directly behind the building. The ground floor were to contain commercial and office uses. Floors 2 – 5 were to be developed into 60 apartment units.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

A new developer is proposing to purchase the property located at 201-205 Capitol Avenue, the Hall – Davidson Buildings, to allow the development of the property in a similar fashion as previously approved. Based on the date of the previous approval the PCD, zoning approved has expired. Section 36-454 defines the procedures for review and submission of a final development plan. The ordinance states the applicant has three (3) years from the date of passage of the ordinance approving the preliminary plan to submit the final development plan. The final development plan typically entails the applicant/developer securing a building permit within the three (3) year time frame. Extension may be granted by the Planning Commission provided the applicant/developer makes the request for the time extension in writing a minimum of 90 days prior to the expiration. Failure of the applicant to file a timely extension shall be cause for revocation of the PUD as provided in Chapter 36 of the Code of Ordinances.

The request for time extension was not made as required by the Ordinance. The applicant is seeking approval to reinstate the previously approved PCD to allow the redevelopment of the Hall and Davidson Buildings as proposed by the former developer to include 60 residential units on the upper levels and commercial/office on the ground floor.

B. EXISTING CONDITIONS:

The site is located downtown in the Urban Core of the City. The building is a five (5) story building with multiple tenant lease spaces on the lower level. This area of Capitol Avenue is tree lined. There are several multi-story office buildings located in this block.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200-feet of the site along with the Downtown Neighborhood Association and the MacArthur Park Property Owners Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS: No comment.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Little Rock Wastewater: Sewer available to this site. Capacity Fee Analysis required if multi-family residential. Contact Little Rock Wastewater Utility for additional information.

Entergy: Entergy does not object to this proposal. Entergy is aware of this project and has already been in communication with the developer. This particular project is located in an area served by Entergy's underground network and as such will need to be served by special, network equipment. This discussion has already begun.

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. 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.
3. 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.
4. 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.
5. 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.

6. 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. Full plan review
2. Maintain Access.
3. 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.
4. 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.
5. 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.
6. 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
  - a. 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.
  - b. 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.
    - i. 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.
  - c. 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.

7. 30-foot Tall Buildings - Maintain aerial fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D105.1 – D105.4.
  - a. D105.1 Where Required. Where the vertical distance between the grade plane and the highest roof surface exceed 30', approved aerial fire apparatus access roads shall be provided. For the purposes of this section the highest roof surfaces shall be determined by measurement to the eave of a pitched roof, the intersection of a roof to the exterior wall, or the top of the parapet walls, whichever is greater.
  - b. D105.2 Width. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26', exclusive of shoulders, in the immediate vicinity of the building or portion thereof.
  - c. D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.
  - d. D105.4 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.
8. 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 served by METRO via several routes and is located along a main route in the system. In order to serve riders more efficiently we recommend removing (1) parking space at Capital Ave and Louisiana St on either side of the corner. Parking spaces are too close to the corner to be able to board passengers without the riders having to walk between cars to board.

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.gov](mailto:crichey@littlerock.gov) or Mark Alderfer at 501.371.4875; [malderfer@littlerock.gov](mailto:malderfer@littlerock.gov).

Planning Division: This request is located in Downtown Planning District. The Land Use Plan shows MXU (Mixed Use Urban). Mixed Use Urban category provides for a mix of residential, office and commercial uses not only in the same block but also within the same structure. This category is intended for older "urban" areas to allow dissimilar uses to exist, which support each other to create a vital area. Development should reinforce the urban fabric creating a 24-hour activity area. The applicant has applied for a revision of PCD (Planned Commercial District) to increase the density to allow multifamily uses in the building.

Master Street Plan: To the north of the property is West Capitol Avenue and to the east of the property is South Louisiana Street and they are both shown as Collectors on the Master Street Plan. The primary function of a Collector Street 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 site.

Bicycle Plan: A Class II Bike Lane is shown along Louisiana Street. 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 and the UU, Urban Use Zoning District.
2. Any existing street trees, landscape, or irrigation disturbed by construction shall be repaired or replaced before completion and final acceptance of the project.
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: (November 22, 2016)

The applicant was present. Staff presented an overview of the item stating there were few outstanding technical issues associated with the request. Staff stated the developer was proposing to reinstate a previously approved PCD, Planned Commercial Development, zoning for the site to allow redevelopment with multi-family and office/commercial uses. Staff stated there were no changes to the previous approval. 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:

There were no comments requiring addressing raised at the November 22, 2016, Subdivision Committee meeting. The applicant has indicated there will not be a food store less than 5,000 square feet selling beer or wine. The applicant is requesting to maintain the UU, Urban Use Zoning District uses as allowable uses for the property. The applicant has indicated a restaurant user may potentially utilize the right of way for outdoor dining. Should a restaurant user become a viable request the owner will apply for a franchise agreement with the City to allow the outdoor dining activity to occur within the public right of way.

The applicant is seeking approval of a PCD zoning for the Hall and Davidson Building located between 201 – 215 Capitol Avenue. The developer intends to rehab the upper floors of the 65,000 square foot buildings to allow for 60 market rate multi-family units. The street level will be marketed as retail to users which are allowed within the UU, Urban Use Zoning District.

The site contains 0.3859 acres. The UU, Urban Use Zoning District typically allows multi-family to develop at a density of 72 units per acre. The development as proposed would allow an increase in density to 143 units per acre.

Within the UU, Urban Use Zoning District no off-street parking is required. The applicant has stated parking will be provide for the residents via a lease agreement for 60 parking spaces within a parking lot located directly behind the building.

The applicant has indicated lighting, will be placed so as to reflect away from adjacent residential structures. The fixtures adjacent to the roadways will be designed to minimize glare to the motoring public.

Signage will comply with signage allowed within the UU, Urban Use Zoning District. The applicant does not anticipate the placement of ground signage with the redevelopment of the site.

Section 36-342.1 states objects shall not project from the building façade over the public right of way except for awnings, balconies and signs as specified in Section 36-553. Awnings shall not project more than 5-feet from the building façade and have a minimum clearance of 8-feet above the sidewalk. Balconies over the public right of way shall have a minimum clearance of 9-feet above the sidewalk. The maximum projection shall be 4-feet. The applicant has indicated no new projections or awnings will be added to the building.

Section 36-342.1 states street trees a minimum of three (3) inch caliper shall be required. The trees shall be located a minimum of 2-feet off the back of curb and 30-feet on center and no closer than 30-feet to a street intersection with a water

source provided. Tree canopy shall be maintained at least 8-feet above the sidewalk. The applicant has indicated the development will comply with the typical requirements of the UU, Urban Use Zoning District.

Staff is supportive of the request. Staff does not feel the rezoning to PCD to allow an increase in the allowable density of multi-family for this site will adversely impact the area. To staff's knowledge there are no remaining outstanding technical issues associated with the request.

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:

(DECEMBER 15, 2016)

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. The item was placed on the consent agenda and approved as recommended by staff by a vote of 9 ayes, 0 noes, 1 absent and 1 open position.