

FILE NO.: Z-5502-I

NAME: West Kanis Storage – PD-C

LOCATION: 17301 Kanis Road

DEVELOPER:

Tisdale Properties & Development
43 Chenal Circle
Little Rock, AR 72223

OWNER/AUTHORIZED AGENT:

Tim Daters
White – Daters & Associates, Inc.
Little Rock, AR 72209

SURVEYOR/ENGINEER:

Arrow Surveying
P.O. Box 13087
Maumelle, AR 72113

AREA: 5.28

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: N/A

PLANNING DISTRICT: 18

CENSUS TRACT: 42.07

CURRENT ZONING: R-2 (Single-Family District)

VARIANCE/WAIVERS:

Waiver of required boundary street improvements to Kanis Road.

BACKGROUND:

October 1991 an application was submitted proposing rezoning of the subject property from R-2 to C-3. At that time a nonconforming use, a carpet company, was operating at the location. On October 5, 1991, the Little Rock Planning Commission voted to recommend to the Board of Directors to deny the rezoning proposal and that it remain R-2 (Single-family residential). Planning staff indicated any existing non-residential use

on the property, such as a business, may continue to operate but may not expand the use without Planning Commission approval.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

Applicant is requesting a rezoning from R-2, Single-family to a PCD, Planned Commercial Development, to allow the development of 5.28 acres with an eleven (11) building mini-storage development. The proposed site will take access from Kanis Road and be developed in one (1) phase.

B. EXISTING CONDITIONS:

The site contains several existing residential buildings. A single driveway provides access to the property from Kanis Road. A pond which extends a good portion of the site from north to south is located in the center of the property and drains into a creek running southeast serving as a tributary to Rock Creek. North of the site includes commercial and office uses and zoning. Properties to the south and west include residential uses and zoning. The property to the east is owned by AP&L, zoned R-2 and includes electrical transmission lines traversing in a north/south direction.

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 a Sketch Grading and Drainage Plan per Sec. 29.186(e).
2. Provide stormwater detention location.
3. Confirm the capacity of the drainage structures under Kanis Rd.
4. A Special Flood Hazard Development Permit is required to be obtained to 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 Planning and Development at 723 West Markham Street and no fee collected for issuance. Contact Planning and Development Dept. Civil Engineering Private Development at 501-399-3470 or CEPermits@littlerock.gov to schedule an appointment for issuance or to answer any questions.
5. The property or portion of the property lies within the 100 year floodplain. The lowest finished floor (including basement) of the proposed structure must be elevated to at least 1 foot above the base flood elevation. Attendant utility

and sanitary facilities must be elevated to above the base flood elevation. The finished floor elevation of at least 1 foot above the base flood elevation must be shown on the grading plan and all final plats.

6. 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.
7. A substantial area of the site lies within the regulated floodway and floodplain of Rock Creek. No future construction of any structures, improvements to the interior of the structures over 50% of the market value of the structure, parking areas, or placement of fill materials are allowed within the floodway.
8. In accordance with Section 31-176, floodway areas must be shown as floodway easements or be dedicated to the public. In addition, a 25-foot-wide drainage and access easement is required adjacent to the floodway boundary.
9. Alteration of the water course will require approval from the Little Rock District of the US Army Corps of Engineers prior to start of work.
10. A grading permit must be obtained prior to initiation of work. Grading Permit applications are found at <https://www.littlerock.gov/city-administration/city-departments/public-works/>. Grading permits are issued by the Planning and Development Dept. at 723 West Markham Street after approval of erosion control plan and soil loss calculations. Also, obtain prior approval from the Zoning Division at 371-4864. Contact Planning and Development Dept., Civil Engineering Private Development at 501-918-5348 or at 501-399-3470 or CEPermits@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.
11. The 100-year storm event will need to pass beneath Kanis Rd. and be carried by the ditch mitigation to Rock Creek.
12. 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.
13. Back of curb to back of curb should measure 29.5 feet wide.
14. Install driveway apron per standard city detail.
15. Per Sec. 30-43 no driveway shall be constructed less than a forty-five (45) degree angle to the property line.
16. Provide flow calculations in and out of the proposed ditch.
17. Zone Floodway dedication OS.

18. Hauling of fill material on or off project sites over municipal streets require approval prior to a grading permit being issued. Contact Public Works Traffic Engineering at 621 S. Broadway 501-379-1805 with any questions or for more information.
19. Provide as-built plans and data entry template of newly installed or modified public and private stormwater drainage system prior to issuance of the certificate of occupancy. The as-built plans should contain information as found on the City of Little Rock website at <https://www.littlerock.gov/city-administration/city-departments/public-works/>. Provide the as-built plans and data entry template to Planning and Development Dept., Civil Engineering Private Development by email to CEPermits@littlerock.gov. If you have any questions or desire additional information, please do not hesitate to contact Planning and Development Dept., Civil Engineering Private Development at 501-399-3470 or at 501-371-4817 or CEPermits@littlerock.gov.
20. Proposed ditch needs to be placed in a private drainage easement.

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

Little Rock Water Reclamation Authority: No comments.

Entergy: No comments received.

CenterPoint Energy: No comments received.

AT & T: No comments received.

Central Arkansas Water: No comments 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.

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.

Gates

Maintain fire apparatus access road gates as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. Minimum gate width shall be 20 feet.
2. Gates shall be of swinging or sliding type.
3. Construction of gates shall be of material that allow manual operation by one person.
4. Gate components shall be maintained in an operable condition at all times and replaces or repaired when defective.

5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official.
6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools or when a key box containing the keys to the lock is installed at the gate location.
7. Locking device specifications shall be submitted for approval by the fire code official.
8. Electric gate operators, where provided, shall be listed in accordance with UL 325.
9. Gates, intended for automatic operation shall be designed, constructed and installed to comply with requirements of ASTM F 2200.

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:

1. Obtain Driveway permit form Pulaski County Public Works for new driveway off Kanis Road.
2. Provide AHD septic permit for wastewater system.
3. Obtain West Pulaski Volunteer Fire Department Approval.
4. Provide CAW approval for water service.
5. Submit a copy of the SWPPP for this project.
6. Obtain flood permit for buildings/fill inside the 100 year floodplain.
7. Verify development does not violate any existing covenants/restrictions listed in the Independence Farms Subdivision Bill of Assurance.
8. Show State Plane Coordinates for two section or quarter section corners.
9. Verify Flood panel information Zone shows to be AE Zone not AH.
10. Show certificates of owner, surveying accuracy and engineering accuracy. Include owner's name and address on certificate.
11. Any city required half street improvements to Kanis Road will need to be reviewed and approved by the County Public Works Department prior to construction.

12. Show property owners for abutting property.
13. Show existing property zoning.

F. BUILDING CODES/LANDSCAPE:

Building Code: No comments received.

Landscape:

1. Any new site development must comply with the City's minimal landscape and buffer ordinance requirements.
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 properties to the south, east, and west are zoned R-2. 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. In addition to the required screening, buffers are to be landscaped at the rate of one (1) tree and three (3) shrubs for every thirty (30) linear feet. 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.

The east buffer is partially deficient. The property is approximately 390 feet in width. A minimum 23-foot buffer is required adjacent to the east property line.

More than 70% of the existing east and west buffers have been disturbed.

3. 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 be less than nine (9) feet.
4. Screening requirements will need to be met for the vehicular use areas adjacent to street rights-of-way. 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.

Screening will be required for the office parking area.

5. 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.
6. Building landscape areas 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.

Building landscape will be required for office building only.

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 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.
8. An automatic irrigation system to water landscaped areas shall be required for developments of one (1) acre or larger.
9. The development of two (2) acres or more requires the landscape plan to be stamped with the seal of a Registered Landscape Architect.
10. 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. TRANSPORTATION/PLANNING:

Rock Region Metro: No comments received.

Planning Division: The request is in the Ellis Mountain District. The Land Use Plan shows Suburban Office (SO) for the requested area. The Suburban Office (SO) category shall provide 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 application is to rezone from R-2 (Single Family District) to PDC (Planned Development Commercial) District to allow for the development of a mini-warehouse development on the site.

Surrounding the application area, the Land Use Plan shows Commercial (C) to the north (across Kanis Road). To the west and south of the change area is Park/Open Space on the Plan. The Land use Plan shows Suburban Office west of the PK/OS area with Residential Low Density (RL) south of the PK/OS area. Mixed Office Commercial (MOC) land use is shown to the east of the site. The Commercial (C) 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. This area north of Kanis Road includes an electric substation and an outdoor storage facility. The Park/Open Space (PK/OS) category includes all public parks, recreation facilities, greenbelts, flood plains, and other designated open space and recreational land. This area is the floodplain/floodway of Rock Creek. The Suburban Office (SO) category shall provide 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. This area to the west of the site and south of Kanis Road has a house on one tract with the remained undeveloped. The Residential Low Density (RL) 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 RL area south of Rock Creek is large tracts of land with a single-family homes, zoned R-2 (Single Family District). The Mixed Office Commercial (MOC) category provides for a mixture of office and commercial uses to occur. Acceptable uses are office or mixed office and commercial. A Planned Zoning District is required if the use is mixed office and commercial. This area is east of the site, much of the land has been developed with a Costco. There are available outparcels with the Costco development as well as an undeveloped tract.

Master Street Plan: To the north is Kanis Road and it is shown as 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.

H. ANALYSIS:

The applicant proposes the property located at 17301 Kanis Road be rezoned from R-2, Single-family to a PCD, Planned Commercial Development, to allow the development of 5.28 acres with an office and eleven (11) mini-warehouse buildings available to the public. The proposed site will take access from Kanis Road and will be developed in one (1) phase.

The office portion of the development includes an on-site manager's residence. Proposed office hours will be from 9:00am to 6:00pm Monday thru Friday and 9:00am to 2:00pm on Saturday. Gate hours will be from 6:00am to 9:00pm seven days a week. Twenty-four (24) hour gate access will be available but kept as low as possible. The applicant notes there are five (5) parking spaces. Section 36-502(3)(c) of the City's Zoning Ordinance would typically require three (3) parking spaces for office use. Staff believes the parking is sufficient to serve the proposed building. Applicant notes trash collection will be accomplished with a residential style container for the office/apartment. There will be no dumpster located at the site.

Applicant notes that buildings 4, 6, 7, 8, 9, 10 and 11 will contain climate-controlled self-storage units in the center of each building accessible by a hallway running

the length of each building with typical roll up doors. The applicant noted units visible around the perimeter of the building will be standard self-storage units. Building #1 will be utilized for the storage of large RVs will include two sizes: a) 15 feet by 15 feet and b) 12 feet by 40 feet. Applicant notes there is no expectation of open air, outside storage for boats and RVs however, on occasion, trailers may be temporarily stored in the southern most portion of the property near the flood plain area. Details for internal traffic circulation paths for fire trucks, large RVs, and large box truck(s) for internal circulation throughout the site have been provided by the applicant. Staff believes the internal circulation of various vehicle types is sufficient.

Applicant notes all sight lighting will be low-level and directed away from adjacent properties.

A monument sign is proposed along West Kanis Road near the office and on the outside wall of the office/apartment. All signs in commercial zones must conform to Section 36-555 of the City's Zoning Ordinance.

Applicant proposes to fill an existing pond which extends a good portion of the site in a north, south direction located in the center of the property. The site plan shows a creek will be rerouted along the east property line and drain into the floodway. A stormwater detention pond is located in the southeast portion of the property to collect additional run-off from the site.

The property contains approximately 427 feet of street frontage along Kanis Road. The applicant proposes the following with respect to street improvements to Kanis Road and drainage improvements:

1. The Owner will dedicate all of the ROW required.
2. We will construct the east 120 linear feet of Kanis to Master Street Plan standards (1/2 south side only).
3. We will add two 5' tall x 10' wide barrels to the existing double 5' tall x 7' wide box matching the length of the existing box culvert.
4. Extend the ditch to Rock Creek as shown and dedicate easements on the tributary and Rock Creek.

The applicant is requesting a waiver of the required ½ street improvements to Kanis Road for the west approximate 307 feet of street frontage for this property. Staff does not support the requested waiver.

The applicant provided responses and additional information to all issues raised during staff's review of the application. To staff's knowledge the applicant's requested waiver of street improvements to Kanis Road is the only outstanding issue.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested PD-C zoning to allow a mini-warehouse development subject to compliance with the comments and conditions outlined in paragraphs D, E and F, and the staff analysis, of the agenda staff report.

Staff recommends denial of the requested waiver of the required street improvements to Kanis Road.

PLANNING COMMISSION ACTION:

(NOVEMBER 18, 2021)

The applicant was present. There was one (1) person present registered in support. No persons were registered in opposition, however opposition was present.

There was general discussion of the By-Laws regarding non-registered opposition. Staff informed the Commission the Chair had the purview to allow non-registered opposition to address the Commission. Staff informed the Commission two (2) items in the applicant's request were being considered, the request for PZD zoning and request to waive street improvements.

Staff presented the item and a recommendation for approval as outlined in the "staff recommendation" above.

Tim Daters addressed the Commission regarding correspondence with the Army Corp of Engineers regarding adding two additional culverts along Kanis Road. The applicant provided a diagram to the Commission to demonstrate the location of the culverts and noted that the developer requested a waiver of the street improvements for this project. Staff indicated the correspondence had been submitted and received.

The Commission asked a question regarding opposition not being present at the meeting and clarity regarding the applicant's waiver request. Clarity was provided by staff.

The Commission had questions regarding the cost of the street improvements and if the waiver was denied would it deter the project. The applicant replied in the affirmative.

There was a motion to approve the PD-C zoning application as recommended by staff. The motion was seconded. The vote was 9 ayes, 0 nays, and 2 absent. The application was approved.

There was a motion to approve the waiver regarding street improvements. The motion was seconded. The vote was 5 ayes, 4 nays, and 2 absent. The motion failed.