

FILE NO.: Z-7701-D

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: Increase the number of kennels allowed for the site

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. 20,446 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.

Ordinance No. 21,048 adopted by the Little Rock Board of Directors on June 2, 2015, allowed a revision to the previously approved PD-C. The approval allowed an expansion of the land area and increase the number of dogs by 10 allowed to be boarded/daycare on the site. The applicant purchased property to the south of the outdoor play area and along the western perimeter of the property. There were no development plans for the additional land area at the time. The applicant indicated future construction of parking along the western portion of the property to replace the existing parking lot was proposed. An addition to the building along the western perimeter was also proposed and approved. The site plan indicated at the time of construction of the new parking lot the front entrance would be modified to enter the building from the new parking area.

The approval included the requirement that the applicant provide the design of the street (Kanis Road) conforming to the Master Street Plan. The construction was to include one-half street improvement to Kanis Road including five (5) foot sidewalk with the planned development. The approval acknowledge as per Chapter 30-284, the applicant was potentially eligible to declare a financial hardship for the one-half street improvement cost for Kanis Road. The minute record states the remaining two (2) driveways on Kanis Road were to be closed with the construction of the proposed western parking area and/or the widening of Kanis Road and only one (1) driveway could be installed in conformance with the driveway spacing requirements found in Chapters 30-43 and 31-210.

The minute record also states due to the construction of Panther Branch Drive, the eastern driveway created an unsafe intersection. The east driveway was to 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 was to intersect the future street no closer than 250-feet from the Kanis Road or Panther Branch Drive right-of-way.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is now proposing to amend the previously approved PD-C to clarify the number of dogs allowed to be kept on the site. The applicant has indicated a mistake was made and the number of pets being requested was for ten (10) additional kennels and not ten (10) dogs. Currently there are seventy (70) kennels approved for the site.

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 one informational phone call from an area property owner. All property owners located within 200 feet of the site along with the Spring Valley Manor Neighborhood Association and the Parkway Place Neighborhood 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 site development, provide the 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. The new back of curb should be placed 29.5 feet from centerline. With the proposed development, the property maybe eligible to declare a financial hardship for one-half street improvements cost for Kanis Road.

3. 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.
4. 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. This condition was previously required as a condition of approval of Planning Commission action.
5. 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. The two (2) driveways on Kanis Road between the proposed parking area driveway and the future Panther Branch Drive should be removed with the construction of the west parking area.
6. An east driveway can be connected into the future street constructed within the south undeveloped right-of-way that intersects Kanis Road or Panther Branch Drive at an intersection designed to meet ASSHTO standards. The future east 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.
7. Provide a letter prepared by a registered engineer certifying the sight distance at the intersection(s) comply with 2004 AASHTO Green Book standards.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Outside the service boundary. No comment.

Entergy: Entergy does not object to this proposal. Three phase service is already provided to the building from the front. Proposed extensions to the building are in the back – no conflict. Contact Entergy in advance should electrical service requirements change for the building.

CenterPoint Energy: Please be advised that CenterPoint Energy owns and operates High Pressure natural gas facilities within the Kanis Road right of way adjacent to Block 17 on the provided PCD Site Plan. Centerpoint Energy has no objection to the proposed development; however, we request the developer call 811 prior to any construction activities.

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. 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. 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: No comment.

Parks and Recreation: No comment received.

County Planning: No comment.

Rock Region Metro: The area is not currently served by METRO. The area is not part of our future plans for local service with service enhancements. We have no comments on this development addition to a pet care facility.

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 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. The applicant has applied for a revision of the existing PDC (Planned Development Commercial District) zoning to allow an increase in the number of pets to be kept both in boarding and daycare on the 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. 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. 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. The plantings, existing and purposed, shall be provided within the landscape ordinance of the City, Section 15-81. The adjacent property to the east is zoned R-2, a land use buffer and screening will be required.
3. 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.

4. Trees and shrubs are required to be placed adjacent to street right-of-way. Plant material is to be provided at the rate of one (1) tree and three (3) shrubs for every 30 linear feet. Existing trees and vegetation can be used to satisfy landscape requirements.
5. 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.
6. An irrigation system shall be required for developments of one (1) acre or larger.
7. For developments of less than one (1) acre there shall be a water source within seventy-five (75) feet of the plants to be irrigated.
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: (September 16, 2015)

Mr. Pat McGetrick was present representing the request. Staff stated the request was to increase the number of kennels allowed on the site. Staff stated the approval by the Commission in April allowed an increase in the number of pets by ten (10) which was not the intention of the kennel owners which was to increase the number of kennels by ten (10). Staff questioned the number of pets that could occupy a kennel. The applicant stated there were variables including the size of the dog, the number of pets owned by one (1) owner and the temperament of the pet.

Staff also questioned the occupancy capacity of the facility. The applicant provided an example. He stated today was a slow day and there were close to one hundred (100) dogs being served by both daycare and overnight boarding. He stated during holidays this number increased to two hundred (200) to two hundred fifty (250). He stated this was not the norm and only occurred a few times per year.

Public Works comments were addressed. Staff stated all previous conditions continued to apply to this approval. Mr. McGetrick questioned if the development would be eligible for a hardship on the cost of street construction and make a payment in-lieu of construction. Staff stated they would review the request if the applicant desired to present a case for a hardship.

Landscaping comments were addressed. Staff stated all previous comments and conditions continued to apply. Staff stated the parking lot would require full compliance with the landscape ordinance. Staff stated based on the percentage of upgrade to the building an upgrade in landscaping to the existing site would also be required.

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:

There were no outstanding technical issues in need of addressing related to the site plan were raised at the September 16, 2015, Subdivision Committee meeting. The proposed amendment to the Planned Development Commercial is to allow an increase in the number of kennels for this pet boarding and daycare facility. The previous approval allowed for an additional ten (10) dogs. The applicant has stated this was incorrect and the approval should have included the addition of ten (10) kennels.

The original approval allowed for seventy (70) kennels. The current request would increase the number of kennels to eighty (80). The kennels are rooms within the building. The rooms are eight (8) by six (6) and can house one (1) to four (4) dogs depending on the size of the dog and or the number of pets owned by one owner.

With the previous approval the front entrance to the business was to be modified at the time of construction of the new parking area on the west side to allow customers to enter the building from the parking lot. The eastern parking area and entrance would be removed at the time of completion of the new addition.

The driveway location for the new parking lot was to 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 would be removed. The driveway 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 driveway was to be located to remove any conflicting movements with adjacent property.

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.

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.

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 allow an increase in the capacity of the facility 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:

(OCTOBER 8, 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. 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. The item was placed on the consent agenda and approved as recommended by staff by a vote of 9 ayes, 0 noes and 2 absent.