

FILE NO.: Z-9006-A

NAME: Hounds Lounge Pet Resort and Spa Revised Short-form PCD

LOCATION: Located at 1711 Rebsamen Park Road

DEVELOPER:

John Martin, Moses Tucker Real Estate
200 River Market Avenue, Suite 200
Little Rock, AR 72201

SURVEYOR:

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

AREA: 0.271 acres

NUMBER OF LOTS:1

FT. NEW STREET: 0 LF

CURRENT ZONING:

PCD

ALLOWED USES:

Limited list of commercial uses

PROPOSED ZONING:

Revised PCD

PROPOSED USE:

Add pet daycare and boarding as an allowable use

VARIANCE/WAIVERS:

None requested.

BACKGROUND:

Ordinance No. 21,005 adopted by the Little Rock Board of Directors on March 3, 2015, rezoned the site from R-2, Single-family to PCD to allow the following specific listing of uses as allowable uses: a florist shop, a production studio, a construction company – no outside storage is allowed, an art studio, carpet sales and service, security sales and service, office/warehouse, office/showroom/warehouse, conditioned storage, general and professional office, construction/paint/building products.

The plan did not include any exterior modifications to the site or parking layout.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

Hound's Lounge Pet Resort and Spa is proposing to revise the previously approved Planned Commercial Development to add pet boarding and grooming as an allowable use for the site. Hound's Lounge has determined a need exists for this service to support pet owners in the downtown and midtown areas. The applicant is not proposing any changes to the exterior of the building or exterior area other than adding an enclosed fenced (uncovered) area of approximately 2,000 square feet for the pet's outdoor activities and exercise. The enclosed fence is to be located at the northeast corner of the property with one of the overhead doors leading into the enclosed area. The applicant proposes approximately 75 kennels with an average daytime and nighttime population of 55 pets. Holidays and high traffic weekends are projected at 110 pets. Pets will be allowed outside four (4) to five (5) times per day for approximately 30 minutes, weather permitting. Proposed business hours of operation are from 7:00 am to 7:00 pm Monday through Friday, 8:00 am to 5:00 pm Saturday and 11:00 am to 5:00 pm on Sunday, with overnight boarding.

B. EXISTING CONDITIONS:

This area of Riverdale contains a wide variety of uses including single-family, multi-family, office, retail, restaurants and a plant nursery. To the west, across Rebsamen Park Road there is a single-family subdivision. To the east is a railroad spur and east of the rail spur is an office development and an office/mini-warehouse development. South of the site is a restaurant. With the recent renovation the property owner constructed curb, gutter or sidewalk adjacent to this site on Rebsamen Park Road.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received an informational phone call from an area property owner. All property owners located within 200-feet of the site along with the Sherrill Heights Neighborhood Association and the Riverside Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Dispose of all pet excrements in conformance with all municipal, state, and federal health and stormwater quality requirements.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this site.

Entergy: Entergy does not object to this proposal. Electrical service is already provided to the building from the front. There do not appear to be any conflicts with existing Entergy facilities. Contact Entergy in advance if electrical service needs change as a result of the conversion of use.

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. 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.
3. Contact Central Arkansas Water regarding the size and location of water meter.
4. 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.

Fire Department: **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 Jason.Lowder@carkw.com) and the Little Rock Fire Marshal's Office (Captain Tony Rhodes 501.918.3757). 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 nearby on Route 21; maintain sidewalks to business district location. The area is heavily travel by pedestrians. No issue with the plan as shown.

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 Heights Hillcrest 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 revision to an existing PCD (Planned Commercial District) to add the use of pet care and grooming to the allowable uses on the site.

Master Street Plan: Rebsamen Park Road is a Collector on the Master Street Plan. The primary function of a Collector Street is to provide a connection from Local Streets to Arterials. 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. If building rehabilitation exceeds fifty percent (50%) of the replacement cost then the landscaping and buffer must also come into compliancy accordingly.
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: (October 28, 2015)

The applicant was present. Staff presented an overview of the item stating there were additional items necessary to complete the review process. Staff questioned the activities and sales which would occur with the pet resort and spa. Staff also questioned the days and hours of outdoor activities for the pets being boarded.

Public Works comments were addressed. Staff stated all pet excrements were to be disposed of in accordance with all municipal, state and federal health and stormwater quality requirements.

Landscaping comments were addressed. Staff stated if the building rehabilitation exceeded fifty percent of the replacement cost of the building then the landscaping and buffering were to come into compliance accordingly.

There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.

H. ANALYSIS:

The applicant has submitted additional information as requested by staff at the October 28, 2015, Subdivision Committee meeting. The applicant has provided additional information concerning the proposed business plan and has indicated the days and hours of operation as well as the hours the pets will be allowed outdoor for exercise.

The request is to amend the previously approved Planned Commercial Development to add pet boarding and daycare as an allowable use. The business Hound's Lounge Pet Resort and Spa is proposing to reuse an existing commercial building located on Rebsamen Park Road for pet boarding/daycare and grooming. The applicant is not proposing any changes to the exterior of the building or exterior area other than adding an enclosed fenced (uncovered) area for the pet's outdoor activities and exercise. The enclosed fence is to be located at the northeast corner of the property with one (1) of the overhead doors leading into the enclosed area. Hound's Lounge will be a cage free environment during the day with an approximate 2,000 sq. feet of indoor play area and dogs.

The applicant proposes approximately 75 indoor kennels with an average daytime and nighttime population of 55 pets. On holidays and high traffic weekends, there are 110 pets projected.

Pets will be allowed outside four (4) to five (5) times per day for approximately 30 minutes, weather permitting. The times of outdoor activities will be limited to the days and hours of operation with the exception of Sunday. The pets will be allowed outdoors around 8:00 am. Pets will be supervised at all times when they are outdoors. Pets will only be allowed outdoors within the fenced area.

Proposed business hours of operation are from 7:00 am to 7:00 pm Monday through Friday, 8:00 am to 5:00 pm Saturday and 11:00 am to 5:00 pm on Sunday with overnight boarding. The facility will offer a boutique selling pet supplies, clothing items, leashes/collars etc. The facility will also offer a pet washing station for customers to wash their pet as a free service.

The applicant has indicated a dumpster will be placed on the site on an as needed basis. The dumpster will be fully screened as typically required by ordinance. The dumpster hours of service will be limited to daylight hours, Monday through Friday from 7:00 am to 6:00 pm.

Building and ground signage is proposed to serve the business. The building signage will be placed on the western and southern façades. The western façade sign which is located over the entrance door is proposed 40-inches by 60-inches (16 square feet). The sign on the southern façade which fronts the parking lot is proposed 40-inches by 228-inches (45 square feet). Ground signage will be limited to a maximum height of six (6) feet and a maximum sign area of seventy-two (72) square feet.

Staff is supportive of the applicant's request. The applicant is seeking to add pet grooming and boarding as an allowable use for the property. The applicant has indicated the pets will be allowed outdoors during hours which are typically non-intrusive to area residents. Staff does not feel the addition of this use as an allowable use for the property will adversely impact this 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.

PLANNING COMMISSION ACTION:

(NOVEMBER 19, 2015)

The applicant was present. There were no registered objectors present. Staff presented the item stating they were requesting a deferral of the item to the December 17, 2015 public hearing. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff by a vote of 10 ayes, 0 noes and 1 absent.

STAFF UPDATE:

This item was deferred from the Commission's November 19, 2015, public hearing to allow the applicant and nearby residents to review the proposed development plan and any sound proofing that could be placed within the building to limit the noise from the overnight and/or daytime pets. Staff will provide an update on the outcome of these conversations at the December 17, 2015, public hearing.

PLANNING COMMISSION ACTION:

(DECEMBER 17, 2015)

The applicants were present. There were registered objectors and supporters of the request. Staff presented the item with a recommendation of approval.

The applicant's Mandy Marshall and Justin Harris addressed the Commission on the merits of the request. Mr. Harris stated he lived in the area and was a pet owner. He stated currently this area of Little Rock was underserved with regard to pet daycare and boarding. He stated the nearest facilities were in Chenal and in Roland. He stated this was a central location for the business and would allow persons from the Heights, Hillcrest and downtown easy access to the facility.

Ms. Marshall addressed the Commission stating the facility would be an upscale facility and similar to a hotel for pets. She stated in the lobby there would be a pet washing station for patrons to wash their pet after visiting the park. She stated the facility would have an overnight employee to assist the animals and to ensure all the pets were properly cared for.

Ms. Stephanie Lopez addressed the Commission in support of the request. She stated she was President of the Riverside Neighborhood Association. She stated she was contacted by the applicant's to discuss the project. She stated she had an e-mail listing of residents in the neighborhood which she contacted with the applicant's proposal. She stated noise was a concern. She stated only two (2) residents initially indicated opposition to the request. She stated she met the developers on site and a sound test was performed to show the amount of noise that would travel from the site. She stated after completion of the noise test she once again reached out to her neighbors and only one (1) had a concern. The other resident who had initially raised concerns withdrew her opposition. She stated the neighborhood was located adjacent to a commercial area. She stated the dumpster dumping and the railcar connecting generated a great deal of noise for the area. She stated the pets would be inside at night. She stated the neighborhood association was in support of the request.

Ms. Hannah Driskill addressed the Commission in support. She stated she lived close to a facility which offered boarding to a minimum of 50 dogs. She stated the dogs would play during the day and would be tired at night. She stated she had three dogs and a new baby and felt guilty because she could not exercise her pets properly. She stated she felt this business would be convenient and would allow her pets to be stimulated during the day with proper exercise.

Sammye Johnston addressed the Commission in support of the request. She stated the business was very much needed in the area. She stated the building was developed as a LEED building and had elements of sound proofing. She stated the kennels were located underground which further reduced the sound that would be generated from the dogs.

Mr. John Eberle addressed the Commission in support of the request. He stated he lived in the Heights for the last 75 years and had seen a lot come and go in the area. He stated this business would not generate a great deal of traffic and would be a benefit to the area. He stated the principals cared about the business and the area and would ensure the project would not detract from the area.

Mr. John Allen addressed the Commission on behalf of the applicant's. He stated he was the building owner and had put a great deal into the renovations of the building. He stated the building qualified for LEED certification at a platinum level. He stated the building was divided into three (3) sections. He stated the building was constructed of concrete block with drywall on the interior. He stated the windows in the building were double pane windows. He stated the area for the dogs would be below grade reducing the amount of sound that would travel. He stated the dumpster dumping and the food truck idling accessing the commercial facilities in the area generated a great deal of noise. He stated there was traffic in the area until the restaurants closed at 10 pm.

Mr. Roger Clark addressed the Commission in opposition of the request. He provided the Commission with a petition of residents in opposition of the request. He stated Ms. Lopez did not represent the entire neighborhood. He stated his home was located within 200-feet of the site. He stated the only separation was the road right of way for Rebsamen Park. He stated he had lived in the neighborhood for a number of years. He stated this area had seen a number of changes. He stated the residents accepted the noise from the businesses and the nearby railroad track. He stated his home was built in the 1940's. He stated he had a dog and over the years he had taken a number of rescues. He stated it took a week or so for the animals to get use to the traffic noise, the dumping of dumpsters and the connecting of the railcars. He stated his concern was 88 dogs 125 feet from his bedroom window. He stated he felt even if he could not hear the dogs barking his dog would and the neighbor's dogs would and this would set off a chain reaction of barking. He questioned if the facility were located next door to a Commission members home would they vote to support the rezoning request.

The applicant's stated they had allowed the item to be deferred from the November 19, 2015 public hearing to this date to allow additional time to meet with the residents of the neighborhood and address their concerns. Ms. Marshall stated out of a list of 30 residents there were only two (2) initially with concerns and now only one (1) with concerns. She stated there was a letter of support from the association. She stated she felt the opposition provided in the petition had been presented a biased view of the proposed project.

There was a general discussion by the Commission concerning the request. The Commission questioned the level of sound the noise that would be generated. The Commission asked if there had been a formal sound study performed on the building. Ms. Marshall stated there was not a formal sound test performed. Commissioner Bubbis stated with his restaurants he had completed sound tests and in some cases added additional elements in the building to reduce the noise level outdoors.

Deputy City Attorney Shawn Overton stated the City had a noise ordinance and a barking dog ordinance. He stated if the noise or barking became a problem then the City could sight the business.

A motion was made to approve the request as recommended by staff. The motion carried by a vote of 10 ayes, 1 no and 0 absent.