

FILE NO.: Z-7500-H

NAME: Hamilton Station – PCD

LOCATION: 14524 Cantrell Road

DEVELOPER:

Pinnacle Valley Shoppes, LLC
John Rees
11719 Hinson Road, Suite 130
Little Rock, AR 72212

OWNER/AUTHORIZED AGENT:

Pinnacle Valley Shoppes, LLC - Owner
Jess Griffin - Agent

SURVEYOR/ENGINEER:

Jess Griffin, PE
11719 Hinson Road, Suite 130
Little Rock, AR 72212

AREA: 10.67 acres NUMBER OF LOTS: 1 FT. NEW STREET: 0 LF

WARD: 4 PLANNING DISTRICT: 1 CENSUS TRACT: 42.05

CURRENT ZONING: PCD and R-2

VARIANCE/WAIVERS: None requested.

BACKGROUND:

On August 31, 2017 the Planning Commission denied a proposed rezoning of this property titled The Hamilton Apartments Long-form PD-R, a proposed 250 unit multifamily development. The applicant appealed the Planning Commission's decision to the Board of Directors, but that request was withdrawn by the applicant.

On June 8, 2020 the applicant filed a second rezoning request for The Hamilton Apartments – PD-R. On September 24, 2020 the Planning Commission withdrew the PD-R rezoning at the request of the applicant.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant requests to rezone the property from R-2 and PCD to PCD to allow a mixed use commercial and mini-warehouse development.

B. EXISTING CONDITIONS:

The property is currently undeveloped and partially tree covered. Some site work has taken place, with fill material being placed on the site.

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. 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.
2. 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.
3. 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.

4. 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.
5. 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.
6. 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.
7. 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.
8. Provide a Sketch Grading and Drainage Plan per Sec. 29.186(e).
9. Provide stormwater detention location.
10. The existing driveway creates left turn conflicts with Jerry Drive. Due to the proposed traffic volumes, the existing driveway should be relocated to align with Jerry Drive to alleviate the unsafe driving condition. Show Jerry Drive on the southside of Cantrell Road on the site plan. This can remain if ARDOT is planning on building a median or wall.
11. Will the east driveway serve as an emergency access only or will it provide a second access for apartment occupants and staff?
12. Obtain approval from the property owner for the east driveway thru the adjacent property. Show on plan a shared access easement to Cantrell Road.
13. Submit a Traffic Impact Study for the proposed project due to the amount of vehicular traffic on Hwy 10 and the amount of left turn movements. Study should address trip generation and trip distribution for the development and also should take into account existing and projected traffic.
14. Access easements should be obtained for access to the property through other private properties. The west access at the Taylor Loop Road intersection is proposed to be taken thru an existing parking lot or service easement not constructed to a private commercial street standard. The existing service easement has 9 uncontrolled curb cuts, backout parking spaces, and no pedestrian access to new and existing development.
15. Obtain permits for improvements within State Highway right-of-way from AHTD, District VI.
16. 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.

17. A right turn lane should be constructed on Cantrell Road for the east driveway and the taper extended to the adjacent property's driveway. The right turn lane should consist of 100 ft taper and 50 ft stack.
18. The existing service easement cannot be used for vehicle backing. All parking spaces backing into the service easement must be removed or a variance requested. The easements should be constructed to commercial street standard with sidewalks.
19. All signage and striping must comply with MUTCD.

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

Little Rock Water Reclamation Authority: Retain easements for existing sewer mains.

Entergy: No comments received.

CenterPoint Energy: No comments.

AT & T: No comments received.

Central Arkansas Water:

1. CAW has critical, large, raw water lines on this property that are used to supply water to the treatment plant. Field locate the lines and indicate location of the lines on the plan. Include water line easements on the plan. Field verify depth of pipelines.
2. Indicate existing and proposed contours on the plan. Fill will not be allowed in the easement. If cuts are required, maintain a minimum of 36-inches of fill over the pipelines.
3. No structure or footing shall be located within the easement or within 15-ft of the pipelines.
4. Owner to provide a geotechnical engineer to examine the site to study the potential increased loads on the pipes due to fill, adjacent structures and dynamic loads during and after construction, and provide recommendations to minimize additional burden on the pipes that are acceptable to CAW.
5. Final site and grading plan to be reviewed for approval by CAW.
6. All construction work, including earthwork, shall be observed by CAW. Contact CAW, Andrew Pownall, prior to any work in this area.
7. 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 Little Rock Fire Department is required.

8. All Central Arkansas Water requirements in effect at the time of request for water service must be met.

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.

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: No comments.

F. BUILDING CODES/LANDSCAPE:

Building Code: No comments received.

Landscape:

1. Site plan 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. 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. Easements cannot count toward fulfilling this requirement. The plantings, existing and proposed, shall be provided within the landscape ordinance of the city, section 15-81.

The average width of the lot is approximately 800 feet. A minimum forty-eight (48) foot buffer is required adjacent to the R-2 zoned property to the west.

Screening requirements will need to be met adjacent to the north, east, and west R-2 zoned properties.

3. 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, highway or freeway. This strip shall be at least nine (9) feet wide. Provide trees with an average linear spacing of not less than thirty (30) feet within the perimeter planting strip. Provide three (3) shrubs or vines for every thirty (30) linear feet of perimeter planting strip.
4. Landscape areas shall be provided between the vehicular use area used for public parking and the general vicinity of the building, excluding truck loading or service areas not open to public parking. These areas shall be equal to an equivalent planter strip three (3) feet wide along the vehicular use area.

5. 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). For developments with more than one hundred fifty (150) parking spaces the minimum size of an interior landscape area shall be three hundred (300) square feet. 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.
6. A landscape irrigation system shall be required for developments of one (1) acre or larger.
7. 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.

Planning Division: The request is in the River Mountain District. The Land Use Plan shows Transition (T) for the requested area. Transition (T) is a land use plan designation that provides for an orderly transition between residential uses and other more intense uses. Transition was established to deal with areas which contain zoned residential uses and nonconforming nonresidential uses. A Planned Zoning District is required unless the application conforms to the Design Overlay standards. Uses that may be considered are low-density multi-family residential and office uses if the proposals are compatible with quality of life in nearby residential areas. The application is to rezone from PCD (Planned Commercial Development) District and R-2 (Single Family District) to PCD (Planned Commercial Development) District to allow for the development of retail, office/warehouse and mini-storage on the site.

Surrounding the application area, the Land Use Plan shows Commercial (C) to the southwest of the site along Cantrell Road. Mixed Office Commercial (MOC) is shown to the southeast of the site along Cantrell Road. Park/Open Space (PK/OS) land use is shown to the north of the site. The Residential Low Density (RL) is shown to the west and north (across the Park/Open Space area) from the application area. 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. The Commercial area to the north is a mix of retail centers and buildings. 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 to the southeast of the site is a retail center and restaurant. 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 floodplain/floodway of the Creek. 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 remain less than 6 units per acre. To the west is a single-family subdivision and to the north of the creek are larger tract single-family houses along Pinnacle Valley Road.

Master Street Plan: The site does not abut any public streets.

Bicycle Plan: There is a Class I Bike Path that passed through the southwest corner of the site. A Bike Path is to be a paved path physically separate for the use of bicycles. Additional right-of-way or an easement is recommended. Nine-foot paths are recommended to allow for pedestrian use as well (replacing the sidewalk).

H. ANALYSIS:

The applicant proposes to rezone the 10.67 acre property located at 14524 Cantrell Road from "R-2" Single Family District and "PCD" Planned Commercial District to "PCD" Planned Commercial District. The property is located immediately north of the existing commercial developments at 14524 through 14810 Cantrell Road. The property is not located in the Highway 10 Design Overlay District. The rezoning is requested to allow a mixed commercial and mini-warehouse development.

The proposed development will consist of a multi-tenant commercial building within the west half of the property and four (4) mini-warehouse buildings (including boat/RV storage within the east half of the property. The proposed buildings and phases are as follows:

- Phase 1 – 40,000 square foot (one story) multi-tenant commercial building and associated drives and parking
- Phase 2 – 45,900 square foot (three story) mini-warehouse building and associated drive and parking
- Phase 3 – 51,000 square foot (three story) mini-warehouse building
 - 26,250 square foot (one story) Boat/RV and mini-warehouse building
 - 9,500 square foot (one story) Boat/RV storage building
 - Associated drives and parking, including two (2) outdoor areas of boat/RV parking

The applicant notes that the three (3) story buildings will have a maximum height of 60 feet. All buildings utilized will have a maximum height of 35 feet. The buildings for Boat/RV storage will be completely enclosed buildings.

The applicant is proposing the following uses for the development:

- C-3 permitted uses (westernmost building)
- C-3 conditional uses (westernmost building)
- Mini-warehouse (middle two buildings)
- Boat/RV storage (easternmost two buildings)
- Outdoor Boat/RV storage (adjacent to easternmost building)
- Multifamily Residential will not be a permitted use.

The applicant notes that the hours of operation will be as follows:

“Normal business hours: 7:00 a.m. – 10:30 p.m. daily, if open during the hours between 10:30 p.m. and 7:00 a.m. all businesses shall not annoy or disturb the quietness, comfort or peace of any resident adjacent to the development.”

The main entrance to the proposed development will be at the southwest corner of the overall property, through the Pinnacle Creek Shopping Center property at 14810 Cantrell Road. An auxiliary entrance will be located near the southeast corner of the development. A minimum of 133 parking spaces is typically required for a 40,000 square foot mixed use commercial development. The applicant is proposing 158 parking spaces for the project. Staff believes the amount of parking proposed should be sufficient to serve the development.

The applicant notes that there will be enhanced undisturbed buffer along the west property line. Low and mid-level evergreen plantings will be required within this area to help screen this development from the single family residences to the west. All other buffer and landscaped areas will conform with ordinance requirements.

There will be a dumpster area located near the northwest corner of the developed area. The applicant notes that the dumpster area will be screened as per ordinance requirements.

The applicant notes that all site lighting will be low-level and will not reflect onto adjacent properties.

The applicant also notes that all signage will conform with Section 36-555 of the City's Zoning Ordinance. Since the property has no direct street frontage, wall signs will be allowed on the south and east sides of the multi-tenant commercial building and the south side of the Phase 2 mini-warehouse building. A ground-

mounted sign will be allowed at the entry drive at the southwest corner of the development.

The applicant is proposing an access easement and bike path construction at the southwest corner of the development. The bike path will be constructed as per Master Street Plan requirements.

Floodway is located along the north and east property boundaries. Any portion of the proposed development will be located at least 25 feet back from the floodway. A stormwater detention area with easement will be located at the northwest corner of the development.

The applicant submitted a traffic study for the proposed development to staff. The traffic study concluded the following:

“The traffic associated with the development of Hamilton Station has minimal impact to the traffic operations at the intersection of Cantrell Road and Taylor Loop Road.”

The Department of Planning and Development staff engineer agrees with the conclusions of the traffic study from the consultant.

The applicant provided responses and additional information to all issues raised during the staff's review of the application. To the staff's knowledge, there are no outstanding issues. The applicant is requesting no variances with the proposed PCD rezoning.

Staff is supportive of the requested PCD rezoning to allow a mixed use commercial and mini-warehouse development. Staff views the request as reasonable. The property is located in an area of mixed uses and zoning, with commercial developments adjacent to the property to the south along Cantrell Road. With measures taken to increase land use buffers and decrease light and noise, staff believes the proposed development will have no adverse impact on the surrounding properties.

The applicant provided the following additional information on the proposed development, regarding an agreement made between Pinnacle Valley Shoppes, LLC (property owner) and Ison Creek Development, LLC (neighbor to the west):

“Essentially, the owners, Keith Wingfield and myself, created a legally binding agreement in August of 2015 to allow for both developments to co-exist in support of each other and to protect the future residents. This agreement included a 41' natural buffer easement, emergency and access easement and certain landscaping/fencing. We intend to uphold this agreement and will implement it to the letter. Our recent development site plan has

changed some but is still the same type of office warehouse/retail development but without the 2 story office building which the neighborhood would more than likely be against. Our new development we think is a lot more pleasing to them than the one both Keith and I agreed to back in 2015.

Furthermore, we have recently met with Keith and Jeff Hankins, that live in Keith's residential development and have agreed to the following additional conditions:

- Enhanced 41' buffer with additional understory trees within the east 10'
- Screen anything on the roof (such as a/c units)
- Vines planted at the base of the wall
- 6' Evergreen plantings to act as a screen w/guard rail or 6 foot opaque fence (instead of 8' fence cited in attached agreement)
- Restrict the hours of deliveries and dumpster pickup between the hours of 7am - 7pm
- 2 year warranty on all plantings for screening and enhanced buffer
- Pipe all site drainage away from the 41' buffer."

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested PCD zoning, subject to compliance with the comments and conditions outlined in paragraphs D, E and F, and the staff analysis, in the agenda staff report.

PLANNING COMMISSION ACTION:

(NOVEMBER 18, 2021)

The applicant was present. There were two (2) person present in opposition to the application. The applicant requested to defer the application to the January 13, 2022 agenda. The motion was seconded. The vote was 8 ayes, 0 nays, and 3 absent. The application was deferred.

STAFF UPDATE:

The applicant submitted a revised site plan to staff on December 9, 2021. The revised site plan adjusts the building footprints within the east portion of the overall property. The revisions are as follows:

- The largest mini-warehouse building located near the center of the property has been reduced in height from three (3) stories to two (2) stories, with a maximum height of 50 feet. The total building area has been reduced from 96,900 square feet to 95,550 square feet. The first floor of this building will be office/warehouse use or mini-warehouses, with the second floor being mini-warehouses.
- The next building to the east will be a one-story structure and be used for mini-warehouses and/or boat/RV storage. This building has been reduced from 26,250 square feet to 15,750 square feet.
- The easternmost building will be a one-story structure and be used for mini-warehouses and/or boat/RV storage. This building has been reduced from 9,500 square feet to 8,750 square feet.
- Driveways and parking within this east portion of the property have also been slightly modified.
- The dumpster area near the northwest corner of the development has been moved further east.

To staff's knowledge, all other aspects of the property development remain as noted in the above "Analysis". Staff continues to support the application as previously noted.

PLANNING COMMISSION ACTION:

(FEBRUARY 10, 2022)

John Rees, Ernie Peters, and Chris Stewart, and Jess Griffin were present, representing the application. There were six (5) objectors present online. Staff presented the application with a recommendation of denial.

Jeff Hankins addressed the Commission in opposition to the application. He stated that he had submitted a petition signed by over 500 neighboring landowners who were against the development. He stated that they had met with the developer and that the map presented was misleading, the images of the site were inaccurate, the buffers were actually smaller than depicted, the development would be detrimental to the surrounding properties, and that the developer was unwilling to make any real concessions.

John Rees addressed the commission as the applicant. He stated that he purchased the property several years ago with an agreement to allow access to the adjacent property. He stated that he has agreed to provide additional buffering adjacent to the neighboring landowners as agreed and that he would gladly make any other concessions needed to get the project built. He stated that he intended to provide enhances thirty (30) buffers which include additional trees and evergreens.

Chris Stewart addressed the commission as attorney for the developer. He stated that according to Arkansas law the developer has the right to develop the property as they see fit as long as it meets the zoning ordinances for the area. He stated the neighboring

land owners had the right and opportunity to review any records concerning the surrounding properties prior to purchasing their lands or house.

Jess Griffin addressed the commission as project engineer. He stated that the property was already surrounded by similar types of developments and that this project was conforming to the uses in the area.

Ernie Peters addressed the commission. He stated that the development had been underway for several years and that current plan will generate far less traffic volumes than previously proposed projects for the site.

City Attorney Shawn Overton addressed the commission. He stated that any legal agreements or documents between the developer and former owners of the property are not applicable to the commissions considerations of zoning uses for this property.

There was a general discussion between Director Collins, commissioners Vickers, Haynes, Thomas, Latture, and Brooks concerning the City's Future Land Use Plan, current Adopted Zoning Map, neighbors' rights, and the proposed 30' buffers to the site with additional landscaping.

There was a motion to approve the application subject to all comments and conditions in the staff report. The motion passed by a vote of 7 ayes, 3 nays, 0 absent, 1 open position. The application was approved.