

FILE NO.: Z-8501-A

NAME: Stanton Optical Revised Short-form PCD

LOCATION: Located at 112 South University Avenue

DEVELOPER:

Musa Realty Group
4800 North Federal Highway, Suite 201B
Boca Raton, FL 33431

ENGINEER:

GarNat Engineering
Attn. Vernon Williams
P.O. Box 116
Benton, AR 72018

AREA: 0.39 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING: PCD

ALLOWED USES: Retail and Optical

PROPOSED ZONING: Revised PCD

PROPOSED USE: Retail and Optical

VARIANCE/WAIVERS: A variance from the Master Street Plan to allow a reduction in the required right of way dedication from 55-feet to 45-feet.

BACKGROUND:

Ordinance No. 20,216 adopted by the Little Rock Board of Directors on February 16, 2010, rezoned the site from C-3, General Commercial District to Planned Commercial Development. The approval allowed the construction of a 4,043 square foot building and seventeen (17) parking spaces. Any existing curb cut located on South University Avenue would be maintained for access. The building was proposed with a maximum building height of thirty (30) feet. The front façade was to be decorative panels. Windows without mullions were proposed. This development did not occur.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The current request is to revise and reinstate the previously approved PCD (Planned Commercial Development) to allow the construction of a 3,780 square foot building 17 parking spaces. The applicant indicates the building will be used as an optical clinic with retail sales. The site is located within the Mid-town Design Overlay District which has specific development criteria related to building placement and building materials.

B. EXISTING CONDITIONS:

The former bank building was removed several years ago. The paving for the former parking lot is still in place. North of the site has redeveloped with two (2) new restaurants. There is an office building/school located to the west of the site. South of the site is the Park Avenue Shopping Center containing restaurant, retail and residential.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received a few informational phone calls from area residents. All owners of property located within 200-feet of the site along with the Briarwood Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. University Avenue is classified on the Master Street Plan as a principal arterial. Dedication of right-of-way to 55 feet from centerline will be required.
2. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
3. Damage to public and private property due to hauling operations or operation of construction related equipment from a nearby construction site shall be repaired by the responsible party prior to issuance of a certificate of occupancy.
4. A grading permit in accordance with Section 29-186 (c) and (d) will be required prior to any land clearing or grading activities at the site. Other than residential subdivisions, site grading and drainage plans must be submitted and approved prior to the start of construction.
5. Prior to construction of retaining walls, an engineer's certification of design and plans must be submitted to Public Works for approval. After construction, an as-built certification is required for construction of the retaining wall.
6. The City of Little Rock will not accept the proposed pipe placed in a public drainage easement.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this project.

Entergy: The proposed building appears to be about 6 to 8 feet from an existing power pole on the south side of the property. There are strict OSHA requirements about how close individuals can come to power lines and these distances must be maintained. Contact Entergy in advance regarding future service requirements or to meet to talk specifically about the proposed work at this location to determine if the distance is adequate without having to modify the location of the existing electrical facilities.

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. 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. 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.
5. Contact Central Arkansas Water regarding the size and location of water meter.
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. The facilities on-site will be private. When meters are planned off private lines, private facilities shall be installed to Central Arkansas Water's materials and construction specifications and installation will be inspected by an engineer, licensed to practice in the State of Arkansas. Execution of a Customer Owned Line Agreement is required.
8. Fire sprinkler systems which do not contain additives such as antifreeze shall be isolated with a double detector check valve assembly. If additives area used, a reduced pressure zone back flow preventer shall be required.
9. This development will have minor impact on the existing water distribution system. Proposed water facilities will be sized to provide adequate pressure and fire protection.

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.

Fire Hydrants. **Locate Fire Hydrants as per Appendix C of the 2012 Arkansas Fire Prevention Code.** Section C101 – C105, in conjunction with Central Arkansas Water (Jason Lowder 501.377.1245) and the Little Rock Fire Marshal's Office (Capt. Tony Rhodes 501.918.3757). Number and Distribution of Fire Hydrants as per Table C105.1.

Parks and Recreation: No comment received.

County Planning: No comment.

CATA: The site is not located on a dedicated CATA bus route.

F. **ISSUES/TECHNICAL/DESIGN:**

Building Code: Project is subject to full commercial plan review 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 West Little Rock Planning District. The Land Use Plan shows Mixed Use (MX) for this property. The Mixed Use (MX) category provides for a mixture of residential, office and commercial uses to occur. A Planned Zoning District is required if the use is entirely office or commercial or if the use is a mixture of the three. The applicant has applied for a

rezoning from PCD (Planned Commercial District) to PCD (Planned Commercial District) for the construction of a retail building for optical on this site. The site is within the Midtown Design Overlay District.

Master Street Plan: University Avenue is a Principal Arterial on the Master Street Plan. A Principal Arterial is to serve through traffic and to connect major traffic generators or activity centers within the urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on University Avenue since it is a Principal 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 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.
3. 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.
4. 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.
5. Trees shall be included in the interior landscape areas at the rate of one (1) tree for every twelve (12) parking spaces.
6. An irrigation system shall be required for developments of one (1) acre or larger. 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.
7. FILE NO.: 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: (May 13, 2015)

Mr. Vernon Williams was present representing the request. Staff presented an overview of the item stating there were a few outstanding technical issues associated with the request. Staff stated the site was located in the Mid-town

Design Overlay District which has specific development criteria related to site design and construction materials. Staff provided Mr. Williams with a list of the design items needed to complete the review process. Staff also questioned the maximum building height, the proposed signage plan and the location of any proposed dumpsters.

Public Works comments were addressed. Staff stated a grading permit was required prior to any construction activities on the site. Staff stated prior to construction of any retaining walls an engineer's certification of design was to be submitted to public works for approval. Staff stated the City of Little Rock would not accept the proposed pipe placed in a public drainage easement.

Landscaping comments were addressed. Staff stated a perimeter planting strip was required along any side of a vehicular use area that abutted adjoining property or a street right of way where the building was not constructed to the property line. Staff stated screening requirements were required adjacent to vehicular use areas. Staff stated an automatic irrigation system was required to water landscaped areas.

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:

The applicant submitted a revised site plan to staff addressing most of the technical issues associated with the request raised at the May 13, 2015, Subdivision Committee meeting. The applicant has provided the proposed signage plan, the location of the proposed dumpster, the maximum building height and addressed items necessary to complete a review of the request related to the Mid-town Design Overlay District.

The request is to revise and reinstate the previously approved Planned Commercial Development (PCD) to allow the construction of a 3,780 square foot building and 17 parking spaces. The maximum building height proposed is less than 35-feet as allowed by the DOD.

The applicant indicates the building will be used as an optical clinic. The clinic will house one (1) doctor and also provides 3,000 square feet of retail. The parking typically required for a doctor is six (6) spaces and for the retail use 10 parking spaces would typically be required. The Mid-town DOD states the minimum parking per the zoning ordinance shall be the maximum parking allowed. Staff is supportive of allowing the one (1) additional parking space.

The DOD states at least sixty percent (60%) of the ground level facing internal pedestrian circulation areas or streets are to be glass-windows, entry features or displays. The applicant has indicated they will comply with this requirement. The primary entrance to the development will be located on the north side of the building, not facing South University Avenue. The University Avenue side of the building will contain an exit. The exterior building materials and colors are to be aesthetically pleasing and compatible with materials and colors of neighboring developments. The applicant notes the new construction will comply with this requirement.

For buildings less than 5,000 square feet the parking is to be located on the side and rear of the building. The parking as proposed is located along the side of the building.

A single ground sign is proposed with a maximum building height of six (6) feet and a maximum sign area of 24 square feet. Building signage will be located on the north façade, the front of the building, and along the east façade, along South University Avenue. The signage will be limited to a maximum of ten (10) percent of the façade area on which the sign is placed.

The site will contain a single dumpster location. The dumpster will be screened per the typical ordinance requirements or a minimum of two (2) feet above the containment area.

A minimum landscape strip of nine (9) feet will be provided along South University Avenue. An additional nine (9) foot wide landscape strip will be provided along the northern and western perimeters. Internal landscaping will be provided per the Landscape Ordinance requirements.

The request includes a variance to allow a reduction in the right of way requirement for South University Avenue. The Ordinance would typically require the dedication of a 55-foot right of way dedication from centerline. The applicant is requesting to be allowed a dedication of 45-feet from centerline to match the previous dedications made by the property owners to the north and south.

Staff is supportive of the request. The applicant has made efforts to comply with the minimum standards established by the Mid-town DOD. Although there are minor variations from the DOD, no customer entrance on South University Avenue and the additional parking space, staff does not feel the variations are significant.

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 variance request from the Master Street Plan to allow a reduction in the required right of way dedication from 55-feet to 45-feet.

PLANNING COMMISSION ACTION:

(JUNE 4, 2015)

The applicant was present. There were no objectors present. Staff presented the item and a recommendation of approval subject to the conditions outlined in the “staff recommendation” above. Staff also presented a recommendation of approval of the variance request from the Mater Street Plan to allow a reduction in the required right of way dedication for South University Avenue from 55-feet to 45-feet. Staff presented a recommendation stating the owner had agreed to make any necessary repairs to existing private stormwater pipe system running across the property discovered by the City of Little Rock staff or any other entity prior to the issuance of the certificate of occupancy. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff by a vote of 8 ayes, 0 noes and 3 absent.