

FILE NO.: Z-9810

NAME: Lorax, LLC - PCD

LOCATION: 405 E. 21st Street

DEVELOPER:

Lorax, LLC (Owner)
609 E. 21st Street
Little Rock, AR 72202

OWNER/AUTHORIZED AGENT:

GarNat Engineering, LLC (Agent)
3825 Mt. Carmel Road
Bryant, AR 72022

SURVEYOR/ENGINEER:

GarNat Engineering, LLC (Agent)
3825 Mt. Carmel Road
Bryant, AR 72022

AREA: 0.56 acre

NUMBER OF LOTS: 3

FT. NEW STREET: 0 LF

WARD: 1

PLANNING DISTRICT: 8

CENSUS TRACT: 46

CURRENT ZONING: C3/R-4

VARIANCE/WAIVERS: None requested.

BACKGROUND:

Historically, this street was the commercial center of the neighborhood and it is reflected in the current zoning, as approximately half of the subject property is zoned C-3 (General Commercial District) and a significant amount of the properties on both sides of the street in this block of E. 21st Street are also zoned C-3. The Pettaway Park Neighborhood continues to see investment in the construction of new homes, commercial uses and renovation of older existing homes.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to rezone three (3) lots, 405 and 407 E. 21st Street and 2109 S. Rock Street from C-3/R-4 to PCD, to allow a multiple building, mixed-use development. The proposed development will include the construction of two (2) three-story buildings and two (2) two-story buildings in the northern portion of the property and two (2) two-story buildings in the center portion of the property. Paved parking will be located within the southern third of the property, with a twenty-four (24) foot access drive along S. Rock Street.

B. EXISTING CONDITIONS:

The property is currently divided into three (3) undeveloped tracts located southeast corner of E. 21st Street and S. Rock Street. The general area around the proposed site contains commercial and two-family (duplex) zoning and uses. Pettaway Park is located east of the site.

C. NEIGHBORHOOD NOTIFICATIONS:

All owners of property located within 300 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. Contact Planning and Development Dept., Engineering Division at 501-371-4817 or at 501-918-5348 for inspections of any work in the public right-of-way prior to placement of concrete or asphalt or for on-site clarification of requirements prior to commencing work. Failure to do so can result in removal of any improperly placed concrete or asphalt at the expense of the owner or contractor.
2. 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.
3. Any infrastructure within public right of way that is currently damaged or damaged during construction will be repaired or replaced at developer's expense before a final certificate of occupancy can be released for the building. This includes but not limited to the following: noncompliant curb and gutter, asphalt, sidewalk, accessible ramps, storm drainage infrastructure, or concrete driveway aprons. All work within the public right-of-way shall conform to City of Little Rock Public Works Standard Details and ADA accessibility requirements.

4. A grading permit might be required prior to initiation of work. Grading permits are issued by the Planning and Development Dept. at 723 West Markham Street after approval of sediment and erosion control plans, grading and drainage plans, land survey, drainage study, and soil loss calculations per City's stormwater management and drainage manual. Contact Planning and Development Dept., Engineering Division at 501-371-4817 or at 501-918-5348 or Permits@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.
5. The Department requires three (3) phase sediment and erosion control (SEC) plans to be submitted for all construction projects showing best management practices (BMPs) for mitigating sediment runoff and erosion along with vegetation specifications for temporary and permanent soil stabilization. Phase 1 SEC plans shall show SEC BMPs during the stripping, clearing, grubbing, and rough grading of the site. Phase 2 SEC plans shall show SEC BMPs during construction of utilities, buildings, roadway infrastructure and drainage infrastructure. Phase 3 SEC Plans shall show SEC BMPs for final grading, seeding and landscaping of the site.
6. Sediment and Erosion Control plans shall also show the pertinent information as outlined in ADEQ ARR150000 Permit Part II section A-4-H (1-14) and Part II section A-4-I-2 (A-B).
7. Per City Code 31-434, a 50% maintenance bond for all street and stormwater infrastructure constructed within the public right of way shall be submitted to Department engineering staff prior to recording the final plat. Before the 50% maintenance bond can be accepted, a contract unit bid price for every street and stormwater infrastructure construction item within the public right of way shall be submitted to Department engineering staff for review and approval.
8. Per City Code 31-117, as built stormwater drainage infrastructure information/data shall be submitted prior to recording of the final plat. This information shall include but not limited to: pipe inverts, length of pipe, size of pipe, type of pipe, and type of inlets.
9. Department engineering staff is required to perform a final inspection of all street and stormwater infrastructure construction within the public right of way. City maintenance of the street and stormwater drainage infrastructure within the public right of way cannot officially begin until final acceptance by Department engineering staff. This needs to be completed and accepted by Department engineering staff prior to recording of the final plat.
10. A drainage study showing all hydrologic calculations for the site and all hydraulic calculations for the proposed storm sewer pipe system, swales and ditches, detention ponds, outlet structures, and inlets is required per City's stormwater management and drainage manual. For final drainage

report, sign, date, and seal the report per AR State Board of Professional Engineers and Professional Surveyors rules Article 12, Section B (1) (a). Provide engineer's certification statement saying this drainage report was conducted by yourself or directly under your supervision and attesting to the accuracy of the information within this report.

11. Street design standards shall comply with the latest version of the *AASHTO A Policy on Geometric Design of Highways and Streets*, City's Master Street Plan (2018), and City's Standard Details for street and drainage facilities improvements (2015).
12. Street stormwater and detention infrastructure design standards shall comply with the City's Stormwater Management and Drainage Manual (2016) including City Code Chapters 29, 30, and 31.
13. Street pavement, sidewalks, curb and gutter, curb inlets, junction boxes, accessible ramps, and storm sewer infrastructure shall comply with City's specifications for construction as outlined in City Code Chapters 30.
14. Van accessible stall shall be eleven (11) foot minimum wide with a five (5) foot wide minimum accessible aisle per ICC a117.1.
15. Accessible aisle shall be on the passenger side of the van accessible stall per ICC a117.1.

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

Little Rock Water Reclamation Authority:

1. Submit the wastewater infrastructure plans to LRWRA for review and approval.

Entergy: No comments received.

Summit Utilities: No comments.

AT & T: No comments 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 Little Rock Fire Department is required.

4. Contact Central Arkansas Water regarding the size and location of the water meter.
5. The facilities on-site will be private. When meters are planned off private lines, private facilities shall be installed to Central Arkansas Water's material and construction specifications and installation will be inspected by an engineer, licensed to practice in the State of Arkansas. Execution of Customer Owned Line Agreement is required.
6. Due to the nature of this facility, installation of an approved reduced pressure zone backflow preventer assembly (RPZ) is required on the domestic water service. This assembly must be installed prior to the first point of use. Central Arkansas Water (CAW) 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 CAW. The test results must be sent to CAW's Cross Connection Section within ten days of installation and annually thereafter. Contact the Cross Connection Section at 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 backflow preventer shall be required.

Fire Department:

Fire Hydrants.

Maintain fire apparatus access roads at fire hydrant locations as per Appendix D of the 2021 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 2021 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 2021 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.

Dead Ends.

Maintain fire apparatus access roads at dead end locations as per Appendix D of the 2021 Arkansas Fire Prevention Code Vol. 1 Section D103.4 Dead Ends. Dead-end fire apparatus access roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with Table D103.4. Requirements for Dead-end fire apparatus access roads.

One- or Two-Family Residential Developments.

As per Appendix D, Section D107.1 of the Arkansas Fire Prevention Code Vol. 1, One- or Two-Family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads, and shall meet the requirements of Section D104.3.

Exceptions:

1. Where there are **more than 30 dwelling units** on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved **automatic sprinkler system** in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the Arkansas Fire Code, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

Fire Hydrants

Locate Fire Hydrants as per Appendix C of the 2021 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 received.

F. **BUILDING CODES/LANDSCAPE:**

Building Code:

Landscape:

1. Any new site development must comply with the City's minimal landscape and buffer ordinance requirements. Refer to the Code of Ordinances,

Chapter 15 Landscaping and Tree Protection, and Chapter 36, Article IX – Buffers and Screening.

2. A land use buffer equivalent to 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. 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 required screening shall extend the full length of a property where any outside activity is located for ten (10) feet on either side of such activity. The activities to be screened include, but are not limited to, parking lots, drives, sanitation areas, commercial static display of merchandise, loading docks, utility service facilities and heating and air conditioning equipment. Where development which requires screening abuts land use of a more restrictive nature at least eighty (80) percent of the view of the vehicular use area and parked vehicles shall be screened to not be visible when viewed from the adjacent property. A wooden fence may satisfy sixty-five (65) percent of the requirement and evergreen trees may be used to satisfy the balance. Screening standards are intended to apply during all seasons of the year. A minimum of fifty (50) percent of the trees and a minimum of seventy-five (75) percent of the shrubs to be used for screening purposes shall be evergreen varieties. Maximum spacings of fifteen (15) feet for trees and three (3) feet for shrubs should normally be utilized in order to provide continuous full screening of the view.
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. 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.
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. The interior landscape area of the vehicular use area shall, at a minimum, equal eight percent (8%) of the vehicular use area and 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 ($7 \frac{1}{2}$) 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. Please indicate the square footage of the areas considered for the interior landscape area.

7. An automatic irrigation system to water landscaped areas shall be required for developments of one (1) acre or larger. Developments of less than one (1) acre shall have a water source within seventy-five (75) feet of the plants to be irrigated.
8. All lawn areas shall be sodded with a regionally appropriate turfgrass species. There should be no hydroseeding.
9. Evergreen shrubs should be containerized. All shrubs are to be a minimum of 18 inches in height at installation.
10. At least fifty (50) percent of landscape areas shall be covered by live plant material at the time of plant maturity.
11. The development of two (2) acres or more requires the landscape plan to be stamped with the seal of a Registered Landscape Architect.
12. 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 Central City Planning District. The Land Use Plan shows Residential Low (RL) and Mixed Use (MX) for the requested area. 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 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 application is to rezone from C-3 and R-4 to PCD of mixed uses with at least 10 residential units. At 10 units this results in a residential use density of about 14 units per acre.

Surrounding the north portion of the application area is shown as Mixed Use (MX) on the Future Land Use plan. This area has personal service, general commercial and residential uses. 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. To the southern portion of the site surrounded by Residential Low Density

(RL) with single-family homes. 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. There have been no Land Use amendments in this area over the last 10 years.

Master Street Plan:

East 21st Street and South Rock Street are Local Streets on the Master Street Plan. Local public streets are designed to provide access to adjacent property with the movement of traffic being a secondary purpose. Right-of-way is 50'. Sidewalks are required on one side. A Local Street which abuts non-residential or residential use which is more intense than duplex or two-unit residential is a Commercial Street. These streets have the same design standard as a Collector. Right-of-way is 60'. Sidewalks are required on both sides. This street may require dedication of additional right-of-way and may require street improvements. These streets may require dedication of right-of-way and may require street improvements.

Bicycle Plan:

There are no existing or proposed bike routes adjacent to or through this land.

Historic Preservation Plan:

There are no Historic Sites or Districts in the vicinity.

H. ANALYSIS:

The applicant proposes to rezone three (3) lots, 405 and 407 E. 21st Street and 2109 S. Rock Street from C-3/R-4 to PCD, to allow a multiple building, mixed-use development. The proposed development will include the construction of two (2) three-story buildings and two (2) two-story buildings in the northern portion of the property and two (2) two-story buildings on the center portion of the property. Paved parking will be located within the southern third of the property, with a twenty-four (24) foot access drive along S. Rock Street. The property is currently divided into three (3) undeveloped tracts located at the southeast corner of E. 21st Street and S. Rock Street. The general area around the proposed site contains both commercial and two-family (duplex) zoning and uses. Pettaway Park is located east of the site.

The proposed use mix for the development as submitted by the applicant as follows:

1. **Parking Lot** – All vehicular circulation will be within the one twenty-two (22) bay parking lot on the south end of the site which will be screened by the

townhouses, landscaping and micro-commercial building. On-street parking is allowed on the surrounding streets in this general area. Staff feels the parking is sufficient to serve the use.

2. **Residential** – Three (3) two-story townhomes (a single-family, a duplex and a quad-plex) are proposed on the center and east portions of the site to provide housing for approximately seven (7) families.
3. **Mixed-use Buildings** – Two (2), three-story buildings will front Rock and 21st Streets. These buildings will be leased to small and local businesses for restaurants, retail and commercial office space. The ground floors of these mixed-use buildings will be retail. The second and third stories will contain office spaces. Hours of operation are intended to be from 7 am to 8 pm Sunday through Thursday and 7 am through 9 or 10 pm on Friday, Saturday and holidays. Staffing will be established by the tenants based on usage. C-3 permitted uses will be allowed for the ground floor of these buildings.
4. **Courtyard** – The courtyard connects the residential mixed-use buildings for pedestrian circulation. No other use is intended for this use or any other green space area.
5. **Commercial Buildings** – A two-story commercial building is planned at the center of the courtyard and a micro-commercial building will be located on the southwest corner of the site facing S. Rock Street. These buildings will be leased to small and local businesses for retail and commercial office space. Hours of operation are intended to be from 7 am to 8 pm Sunday through Thursday and 7 am through 9 or 10 pm on Friday, Saturday and holidays. Staffing will be established by the tenants based on usage. C-3 permitted uses will be allowed for these buildings.

The site plan does not show any signage for the development. Any signage must comply with Section 36-555 of the City's Zoning Ordinance (signs permitted in commercial zones).

All sight lighting must be low-level and directed away from adjacent residential properties.

The site plan shows a dumpster located in the eastern portion of parking lot. The dumpster area must be screened as per Section 36-523 of the City's Zoning Ordinance.

To staff's knowledge, there are no outstanding issues associated with the proposed development. The proposed multi-use development is a comprehensive and innovative planned small-scale urban infill in the Pettaway Neighborhood intended to provide diversified yet harmonious development that meets the goals and municipal plan of the City of Little Rock.

Staff is supportive of the requested PCD zoning. The proposed development provides an efficient and economic arrangement of varied land use, buildings, circulation systems and facilities for modern lifestyles. The applicant's proposed use of the site is similar to the intensity of other developments in the general area. Staff feels the proposed mixed-use development will have no adverse impact on the surrounding properties. Staff is supportive of the overall concept and agrees that this type of development will be beneficial to the area.

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, of the agenda and staff report.

PLANNING COMMISSION ACTION:

(AUGUST 10, 2023)

The applicant was present. There were no persons registered in opposition. Staff presented the item and a recommendation of approval as outlined in the "staff recommendation" above. The item remained on the consent agenda for approval as recommended by staff, including all staff comments and conditions. The vote was 8 ayes, 0 nays, 1 absent and 2 open positions. The application was approved.