

FILE NO.: Z-8042-D

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NAME: Northwest Territory, Lot 10 Revised Short-form PCD

LOCATION: Northeast corner of Cantrell Road and Chenal Parkway

DEVELOPER:

Colliers International  
1 Allied Drive, Suite 1500  
Little Rock, AR 72202

OWNER/AUTHORIZED AGENT:

Highway Chenal, LLC; Guard, LLC and K & D Huchingson Limited Partnership, owners  
Halff + Marlar, authorized agent

SURVEYOR/ENGINEER:

Halff + Marlar  
5318 JFK Blvd.  
North Little Rock, AR 72116

AREA: 1.6 acres                      NUMBER OF LOTS: 1                      FT. NEW STREET: 0 LF

WARD: 5                                      PLANNING DISTRICT: 20                      CENSUS TRACT: 42.05

CURRENT ZONING:                      PCD (expired)

ALLOWED USES:                      C-3 general commercial permitted uses

PROPOSED ZONING:                      Revised PCD

PROPOSED USE:                      C-3 general commercial uses.

VARIANCE/WAIVERS:                      None requested

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BACKGROUND:

On December 4, 2007, the Board of Directors adopted Ordinance No. 19,884 establishing Lot 10 Northwest Territory Short-form PCD. The rezoning allowed for a commercial development with C-3 uses. The approved site plan allowed for reduction of the eastern

landscape strip on the eastern perimeter from 25 feet to 9 feet since the property to the east was occupied by a utility substation. That development did not occur.

Ordinance No. 19,996 adopted by the Board on July 15, 2008 allowed a revision to the PCD to allow for a reduction of the landscape strip on the north perimeter from 25 feet to 9 feet since the property to the north was occupied by a mini-warehouse development. A 14,460 square foot building utilizing C-3 uses was proposed on the site. That development did not occur.

On October 5, 2015 the Board approved the establishment of the Lot 10 Northwest Territory Short-form PCD to allow for construction of a 10,010 square foot building utilizing C-3 uses. A restaurant with a drive-through pick up window was indicated on the west side of the building with stacking along the rear. A 52 space parking lot was proposed in front of the building with an additional 15 parking spaces for employees located behind the building. The landscape strips on the north and east perimeters were approved at 9 feet as in the previous approvals. That development did not occur and the PCD has just recently expired.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is requesting approval of a revision to the previously approved PCD zoning to allow for construction of a single, 10,410 square foot building with 3,200 square feet designated for a restaurant with drive through service and 7,210 designated for retail space. Parking for 62 vehicles is indicated. The development is requesting uses as allowed in the C-3 general commercial district. A dumpster with the required screening will be located in the northeast corner of the development. There is a large Entergy substation to the east and a mini-warehouse development adjacent to the north. The driveways shown on the plan have been previously constructed with permitting obtained from the City and AHTD. The driveway on Cantrell Road (Hwy 10) is right in-right out only. The previously approved reduction in the landscape strips on the north and east perimeters to 9 feet is requested. The plan complies with all other criteria of the Highway 10 Design Overlay District. The plan varies very little from the plan approved in 2015.

B. EXISTING CONDITIONS:

The site is vacant and undeveloped. A convenience store with gas pumps is located across Chenal Parkway to the west. A utility substation is adjacent to the east. A large "big box" retail store is located across Cantrell road to the south and a mini-warehouse development is adjacent to the north.

C. NEIGHBORHOOD COMMENTS:

Notice of the public hearing was sent to all owners of properties located within 200 feet of the site and the Duquesne Place and Aberdeen Court Neighborhood Associations.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Cantrell Road is classified on the Master Street Plan as a principal arterial. Dedication of right-of-way to 55 feet from centerline will be required. Due to this property being located at an arterial/arterial intersection, the dedication of an additional 10 ft. of right-of-way is required to be dedicated for a total dedication of 65 ft. No dimensions to centerline have been provided.
2. Chenal Parkway is classified on the Master Street Plan as a minor arterial. Dedication of right-of-way to 45 feet from centerline will be required. No dimensions to the centerline has been provided.
3. Sidewalks with appropriate handicap ramps are required on Chenal Parkway and Cantrell Road in accordance with Sec. 31-175 of the Little Rock Code and the Master Street Plan.
4. A grading permit in accordance with section 29-186 (c) & (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. Storm water detention ordinance applies to this property. Show the proposed location for stormwater detention facilities on the plan. Maintenance of the detention pond and all private drainage improvements is the responsibility of the developer and/or property owner.
6. Provide a Sketch Grading and Drainage Plan per Sec. 29-186 (e).
7. If disturbed area is 1 or more acres, obtain a NPDES storm water permit from the Arkansas Department of Environmental Quality prior to the start of construction.
8. Obtain permits for improvements within State Highway right-of-way from AHTD, District VI.
9. Street Improvement plans shall include signage and striping. Public Works must approve completed plans prior to construction. Signage should be provided restricting left turns into and out of the site on Cantrell Road. Pedestrian signal???
10. 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.
11. Per Ordinance # 19,883 for the deferral of Master Street Plan construction on Chenal Parkway, with the development of Lot 10 widening to the Master Street Plan standard is required along the east side of Chenal Parkway between the north property line of lot 2 to the north property line of lot 10.
12. Show pick up window and order board(s) on plan.

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

Little Rock Water Reclamation Authority: Sewer Available to this site. Retain 15' wide easement for existing sewer mains.

Entergy: Entergy does not object to this proposal. There do not appear to be any conflicts with existing electrical utilities at this location. Existing overhead powerlines are located on the east and south sides of the property and a streetlight is located on the west side of the property along Chenal Parkway. Contact Entergy in advance to discuss electrical service requirements, or adjustments to existing facilities (if any) as this project proceeds.

Centerpoint Energy: No comments received.

AT & T: No comments received.

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

A water main extension will be needed to provide water service to this property.

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.

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.

Fire Department:

Full plan review

**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.

**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.

**30' Tall Buildings - Maintain aerial fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D105.1 – D105.4**

**D105.1 Where Required.** Where the vertical distance between the grade plane and the highest roof surface exceed 30', approved aerial fire apparatus access roads shall be provided. For the purposes of this section the highest roof surfaces shall be determined by measurement to the eave of a pitched roof, the intersection of a roof to the exterior wall, or the top of the parapet walls, whichever is greater.

**D105.2 Width.** Aerial fire apparatus access roads shall have a minimum unobstructed width of 26', exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

**D105.3 Proximity to building.** At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.

**D105.4 Obstructions.** Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road

and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.

**Dead Ends.**

**Maintain fire apparatus access roads at dead end locations as per Appendix D of the 2012 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.

**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 Capt. John Hogue 501-918-3754). 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: 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.gov](mailto:crichey@littlerock.gov)

Landscape:

1. Site plan must comply with the City's minimal landscape and buffer ordinance requirements and the Highway 10 Scenic Corridor Overlay District.
2. The Highway 10 frontage (front yard) shall consist of a minimum of forty (40) feet of landscaped area exclusive of right-of-way. The landscaped area shall contain organic and/or combined man-made/organic features such as berms, brick walls and dense plantings such that vehicular use areas are screened when viewed from an elevation of forty-two (42) inches above the elevation of the adjacent street. Trees shall be planted or be existing at least every twenty (20) feet and have a minimum of two (2) inches in diameter when measured twelve (12) inches from the ground at time of planting. Provide screening shrubs no less than thirty (30) inches in height at installation with an average linear spacing of not less than three (3) feet within the required landscape area
3. 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 property to the east is zoned R-2. The minimum dimension shall be thirteen (13) 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. A minimum of seventy (70) percent of the land use buffer shall be undisturbed. 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.
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. The Highway 10 DOD requires rear and side yards to have a landscaped buffer averaging a minimum of twenty-five (25) feet from the property line. 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. 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). 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 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.
  7. A landscape irrigation system shall be required as per Highway 10 site design and development standards.
  8. The development of two (2) acres or more requires the landscape plan to be stamped with the seal of a Registered Landscape Architect.
  9. 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: Planning Division: This request is located in Pinnacle 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 revised PCD (Planned Commercial District)

to re-activate an expired PCD for this site with minor site. The site is within the Chenal and Highway 10 Design Overlay Districts.

Master Street Plan: East of the Property is Chenal Parkway is a Minor Arterial on the Master Street Plan. South of the property is Cantrell Road and it shown as a Principal Arterial on the Master Street Plan. North of the property is Cantrell Road and it is shown as a Principal 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 Chenal Parkway since it is a Minor Arterial The primary function of a Principal Arterial Street is to serve through traffic and to connect major traffic generator or activity centers within an urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Cantrell Road since it is a Principal Arterial. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: A Class I Bike Path is shown along Cantrell Road. 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). There is a Class III Bike Route shown on Chenal Parkway. These bike routes require no additional right-of-way, but either a sign or pavement marking to identify and direct the route.

H. SUBDIVISION COMMITTEE COMMENT: (November 20, 2018)

The applicant was present. Staff introduced the item and noted additional information was needed regarding specifics of the proposed development. The applicant was asked to provide a more specific use mix proposed for the area designated for retail use. Staff requested a signage plan, days and hours of operation, a lighting plan and information about the dumpster screening materials. Staff requested that all building setbacks be labeled. Staff asked that the drive-through order board screen be indicated or a variance requested if one was not proposed. Public Works comments were presented and discussed. Staff noted the previously approved deferral of Master Street Plan required improvements to Chenal Parkway which would be triggered by development of this lot. Landscape comments were noted. Comments from the other reviewing agencies were noted. The applicant was advised to respond to staff issues by November 28, 2018. The committee forwarded the item to the full commission.

I. ANALYSIS:

The request is re-approval, with some minor revision, of the previously approved PCD for this site. The proposal is the development of this vacant, 1.6 acre Lot with a single, 10,410 square foot building with associated 61-space parking lot. The development is proposing C-3 general commercial uses for the building. Days and hours of operation are proposed as 7 days a week, 4:00 a.m. to midnight. A single restaurant, with drive-through service is proposed to occupy 3,200 square feet.



The remainder of the building will contain C-3 uses. Staff recommends that the allowable use mix not exceed the available on-site parking.

The drive-through stacking extends around the east and north (rear) perimeters of the building with the pick-up window being located on the west side. 46 parking spaces are located in front of the building. A 15 space employee parking area is located behind the building. A small area of outdoor dining is located in front of the restaurant. Signage will consist of a single monument style ground sign not to exceed 6 feet in height and 72 square feet in area (as per Hwy 10 DOD standards) and wall signage on the two building facades facing Cantrell Road and Chenal Parkway.

The building setbacks exceed those required under the DOD. The landscape areas on both street perimeters meet the DOD standards. The applicant is requesting approval of the previously approved reduction in the width of the landscape strips on the north and east perimeters from 25 feet to 9 feet.

The 2 driveways were previously constructed with permits for the City and AHTD. The driveway on Cantrell (Hwy 10) is right in-right out only.

All lighting will comply with the standards of the Hwy 10 Design Overlay District. All lighting will be designed and located in a manner so as not to disturb the scenic appearance of the corridor. All lighting will be low-level, directed downward into the site.

The applicant is requesting not to construct the order board screen which code requires to be placed opposite the order board. The order board will be located at either the east side or the rear of the building and the properties to the north and east are occupied by a mini-warehouse development and a utility substation respectively. Staff supports that request.

Staff is supportive of the request. The proposal is very similar to that previously approved by the commission and board. The proposed development has 14 percent building coverage, 54 percent paved area and 32 percent landscaping. The requested landscape variances on the east and north perimeters match those previously approved. Granting those variances will not affect the overall integrity of the DOD. The lot was platted with an area of 1.6 acres, less than the 2 acre minimum typically required under the DOD. Again, that has been previously approved.

J. STAFF RECOMMENDATION:

Staff recommends approval of the requested PCD subject to compliance with the following conditions:

- (a) Compliance with the staff comments and conditions outlined in paragraphs D, E and F and the staff analysis in the agenda staff report.

- (b) The use mix –required parking in the development must not exceed the available on-site parking.
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PLANNING COMMISSION ACTION:

(DECEMBER 13, 2018)

The applicant was present. There were no objectors present. Staff presented the item and a recommendation of approval as outlined in the “staff recommendation” above. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff; including all staff comments and conditions. The vote was 10 ayes, 0 noes and 1 absent.