

FILE NO.: Z-9378

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NAME: 800 Town Oaks Short-form PD-C

LOCATION: 800 Town Oaks Drive

DEVELOPER:

Michelle Wilkerson  
800 Town Oaks Drive  
Little Rock, AR 72227

OWNER/AUTHORIZED AGENT:

Anthony Brooks, Owner  
McGetrick and McGetrick, agent

SURVEYOR/ENGINEER:

Brooks Surveying  
20820 Arch Street Pike  
Henseley, AR 72065

McGetrick and McGetrick, Engineering  
11601 Bass Pro Parkway  
Little Rock, AR 72210

AREA: 0.57 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 4

PLANNING DISTRICT: 2

CENSUS TRACT: 22.04

CURRENT ZONING:

C-3

ALLOWED USES:

General Commercial

PROPOSED ZONING:

PD-C

PROPOSED USE:

Dog daycare/kennel and grooming

VARIANCE/WAIVERS:

None requested.

BACKGROUND:

On April 21, 2015, the Board approved the rezoning of the property directly to the north of this site (9301 Treasure Hill Road) from C-3 to PCD to allow for use of the existing building and property for a dog daycare and kennel. Those same applicants are proposing to expand operations to this property.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicants are requesting approval of a rezoning from C-3 general commercial district to PD-C planned development-commercial to allow for use of the existing building and property for a dog daycare/kennel and grooming business. Other than for the addition of two shade structures behind the building, no changes are proposed to the property. The daycare/kennel will have a maximum number of pets set at 75.

B. EXISTING CONDITIONS:

The site contains a one-story, brick and frame, 6,057 square foot building. An asphalt-paved parking lot is located in the front. A paved driveway provides access to additional asphalt paved parking located behind the building.

C. NEIGHBORHOOD COMMENTS:

Notice of the public hearing was sent to all owners of properties located within 200 feet of the site. The City has no contact information for the Santa Fe Heights or Sturbridge Neighborhood Associations.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Due to the proposed use of the property, the Master Street Plan specifies that Town Oaks Drive for the frontage of this property must meet commercial street standards. Dedicate right-of-way to 30 feet from centerline.
2. Obtain a franchise agreement from Public Works (Bennie Nicolo, 371-4818) for the private improvements located in the right-of-way such as the existing parking spaces.
3. Repair or replace any curb, gutter, sidewalk and access ramps that are damaged and not in compliance with ADA recommendations in the public right-of-way prior to occupancy.

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

Little Rock Water Reclamation Authority: Sewer Available to this site.

Entergy: Entergy does not object to this proposal. There do not appear to be any conflicts with existing electrical utilities at this location. Electric service is already being provided to the existing structure from the rear of the property. Contact Entergy in advance to discuss electrical service requirements, extensions, 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 places 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.

**Gates**

**Maintain fire apparatus access road gates as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:**

1. Minimum gate width shall be 20 feet.
2. Gates shall be of swinging or sliding type.
3. Construction of gates shall be of material that allow manual operation by one person.
4. Gate components shall be maintained in an operable condition at all times and replaces or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official.
6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools or when a key box containing the keys to the lock is installed at the gate location.
7. Locking device specifications shall be submitted for approval by the fire code official
8. Electric gate operators, where provided, shall be listed in accordance with UL 325.
9. Gates, intended for automatic operation shall be designed, constructed and installed to comply with requirements of ASTM F 2200.

**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, contact a commercial plans examiner:

Curtis Richey at 501.371.4724; [crichey@littlerock.gov](mailto:crichey@littlerock.gov).

Landscape:

1. Any new site development must comply with the City's minimal landscape and buffer ordinance requirements.
2. Any new building rehabilitation or expansion may require the existing landscaping, buffer, or vehicular use areas not meeting the current code requirements to be brought into compliance. Existing vehicular use areas may continue as nonconforming until such time as a building permit is granted to enlarge or reconstruct a structure on the property exceeding ten (10) percent of the existing gross floor area. At such time ten (10) percent of the existing vehicular use area shall be brought into compliance on a graduated scale.
3. The City Beautiful Commission recommends preserving as many existing trees as feasible on this site. Credit toward fulfilling Landscape Ordinance requirements can be given when preserving trees of six (6) inch caliper or larger.

G. TRANSPORTATION/PLANNING:

Rock Region Metro: No comments received.

Planning Division: This request is located in Rodney Parham 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 rezoning from C-3 (General Commercial District) to PDC (Planned Development Commercial) to allow for future development of Dog Day Care and outside use for dog runs.

Master Street Plan: East of the Property is Town Oaks Drive and it is shown as a Local Street on the Master Street Plan. The primary function of Local Streets is to provide access to adjacent properties. Local Streets that are abutted by non-residential zoning/use or more intensive zoning than duplexes are considered as "Commercial Streets. A Collector design standard is used for Commercial Streets. 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.

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

The applicants were present. Staff introduced the item and noted some additional information was needed. Staff asked that the dumpster and required screening be located on the plan. Staff requested a signage, site lighting and fencing plan. Public Works and Landscape comments were discussed. The other reviewing agencies comments were noted. The applicants were advised to respond to staff issues by November 28, 2018. The committee forwarded the item to the full commission.

I. ANALYSIS:

The C-3 zoned, ½ +/- acre lot located at 800 Town Oaks Drive is occupied by a one-story, brick and frame, 6,057 square foot building. An asphalt paved parking lot is located on the front portion of the property. A driveway on the south side of the building provides access to a smaller area of asphalt pavement located behind the building. The applicants are requesting approval of a Planned Development-Commercial zoning to allow for use of the building and property for a dog daycare/kennel and grooming business.

No substantial changes are proposed to the site. Two shade structures are proposed to be erected behind the building over an area that is not paved. Other changes will be made to the interior of the building to accommodate the change in use.

The operation will have 4 employees and will have a maximum number of pets set at 75. The business hours of operation will be 6: a.m. to 8:00 p.m., 7 days a week. The kennel operation will be 24/7. The outdoor activities will be limited to 7:30 a.m. to 5:30 p.m.

Fencing will be installed on the north, west and south premises of the site. The fencing on the north perimeter will be a 6-foot chain link. The fencing on the south and west will be a 6-foot solid (opaque) plastic type fence. Any new site lighting will be low-level and directional, shielded downward and into the site. The only signage requested is a wall sign on the east façade of the building, facing Town Oaks Drive. The dumpster has been located at the back of the site. Screening of the dumpster will comply with code standards. The required right-of-way dedication for Town Oaks Drive has been indicated on the plan. A franchise agreement will be obtained for any portion of the existing parking lot which may then lie within the new right-of-way.

To staff's knowledge, there are no outstanding issues. These same applicants operate the similar dog daycare/kennel facility located directly adjacent to the north. To staff's knowledge, there have been no problems with that existing facility which was approved in 2015.

J. STAFF RECOMMENDATION:

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

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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.