

FILE NO.: Z-8684-A

NAME: Hillcrest Little Bakery Revised Short-form PCD

LOCATION: Located at 201 & 203 North Van Buren Street

DEVELOPER:

Scott Loye
P.O. Box 994
Hot Springs, AR 71902

OWNER/AUTHORIZED AGENT:

Justin Patterson, Natural State Property Investments LLC, Owner
Scott Loye, Agent

SURVEYOR:

Cunningham Surveying, LLC
2105 Lorange Drive
Little Rock, AR 72206

AREA: 0.16-acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 3

PLANNING DISTRICT: 4 – Heights/Hillcrest

CENSUS TRACT: 15.01

CURRENT ZONING: PCD

ALLOWED USES: Single-family, General and Professional Office, Beauty Salon, Mobile Canteen, Residence above Beauty Salon

PROPOSED ZONING: Revised PCD

PROPOSED USE: Add bakery/restaurant as an allowable use

VARIANCE/WAIVERS: None requested.

BACKGROUND:

Ordinance No. 20,475 adopted by the Little Rock Board of Directors on September 20, 2011, rezoned this site from R-3, Single-family to PCD, Planned Commercial Development District, to recognize an existing use and to add a mobile canteen as an allowable use for the site. The site contained a beauty shop which was operating at

201 North Van Buren Street. The building is a two (2) story building. There was a residence located above the beauty salon. The site also contained a three bedroom dwelling located at 203 North Van Buren Street. The applicant requested the allowance of single-family and general and professional office uses as allowable uses for the 203 North Van Buren Street structure.

The additions to the site were the mobile canteen and a storage building. The mobile canteen was proposed to be located adjacent to the residence. The portable storage building was proposed in the back yard shared by the beauty salon and the single-family residence. The applicant requested the placement of electrical services within the portable building to allow him to have access to power when performing maintenance on site as well as to provide power to the mobile canteen.

There were no exterior modifications proposed to the site. All parking was proposed to remain as existed.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant now proposes to amend the previously approved PCD, Planned Commercial Development, to add a bakery as an allowable use. The applicant is proposing to rehabilitate both buildings and restore them to their original lap-siding and historic look and open a bakery/restaurant utilizing both buildings and maintain the efficiency apartment upstairs in the smaller building. The bakery will operate from 6 am to 9 pm Monday through Thursday, 6 am to 10 pm on Friday, from 7 am to 10 pm on Saturday and from 8 am to 3 pm on Sunday. The bakery will offer limited seating inside as to not encourage prolonged parking but to be able to offer a limited number of clients the ability to eat on premises. For the most part the bakery will encourage a pick-up and go type of trade.

The existing graveled parking area will be paved and a driveway into the back yard is proposed for additional paved parking.

B. EXISTING CONDITIONS:

The site is located one block north of the Van Buren/West Markham Street intersection. Along West Markham Street there are a number of commercial and office uses including a convenience store, banks and restaurant uses. Also in this area of West Markham Street is War Memorial Stadium, the Arkansas Health Department and the Little Rock Zoo. Across Van Buren Street is a PD-O, Planned Development Office, zoned site which has developed as a doctor's office. A property to the west is zoned PCD, Planned Commercial Development, which was developed as an extended stay hotel catering to the nearby medical facilities. Northwest of the site is a property zoned PCD, Planned Commercial Development, which is also a medical office use. The area to the east of the site is single-family.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200-feet of the site along with the Hillcrest Residents Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Due to the proposed use of the property, the Master Street Plan specifies that A Street for the frontage of this property must meet commercial street standards. Dedicate right-of-way to 30-feet from centerline.
2. A 20-foot radial dedication of right-of-way is required at the intersection of Van Buren Street and A Street.
3. Van Buren Street is classified on the Master Street Plan as a minor arterial with special design standards. A dedication of right-of-way 35-feet from centerline will be required.
4. With site development, provide the design of street conforming to the Master Street Plan. Construct one-half street improvement to A Street including 5-foot sidewalks with the planned development. The new back of curb should be located 15.5-feet from centerline of the street. The intersection radius at Van Buren Street and A Street should be improved to a 20 foot-radius.
5. Repair or replace any curb and gutter, sidewalk, and access ramp that is damaged and not in compliance with ADA recommendations in the public right-of-way prior to occupancy.
6. The site plan should be revised in consideration of the required street improvements. One driveway with a maximum width of 26 feet placed as far from the Van Buren Street right-of-way will be permitted for access from A Street.
7. 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.

E. Utilities/Fire Department/Parks/County Planning:

Little Rock Water Reclamation Authority: Grease trap analysis required. Sewer available to this site. Contact Little Rock Water Reclamation Authority for additional information.

Entergy: Entergy does not object to this proposal. There do not appear to be any conflicts with existing electrical utilities at this location. Service is already provided to the existing buildings from the rear of the property. Contact Entergy in advance to discuss electrical service requirements, or adjustments to existing facilities (if any) as this project proceeds.

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. A Capital Investment Charge based on the size of meter connection(s) will apply to this project in addition to normal charges. This fee will apply to all connections including metered connections off the private fire system.
5. 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.
6. Contact Central Arkansas Water regarding the size and location of the water meter.
7. 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.
8. 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.
9. 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 back flow preventer shall be required.

10. 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: No comment.

Parks and Recreation: No comment received.

County Planning: No comment.

F. Building Codes/Landscape:

Building Code: Project is a change in occupancy and is therefore subject to current building code requirements. Review and approval is required by Building Codes Division before occupancy takes place. For information on submittal requirements and the review process, contact a commercial plans examiner: Curtis Richey at 501.371.4724; crichey@littlerock.org.

Landscape:

1. Any new site development must comply with the City's landscape and buffer ordinance requirements.
2. Any existing vehicular use area that does not meet current code requirements may continue as nonconforming until such time a building permit is issued to rehabilitate a structure on the property exceeding fifty (50) percent of the current replacement cost of the structure. At such time fifty (50) percent of the existing vehicular use area shall be brought into compliance with this chapter and shall continue to full compliance on a graduated scale based upon the percentage of rehabilitation cost.
3. 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.
4. 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: The site is not located on a dedicated Rock Region Metro route.

Planning Division: This request is located Heights Hillcrest Planning District. The Suburban Office category shall provide for low intensity development of office or office parks in close proximity to lower density residential areas to assure compatibility. A Planned Zoning District is required. The applicant has applied for revised PCD (Planned Commercial Development) to add bakery as allowable use. The request is in the Hillcrest DOD (Design Overlay District).

Master Street Plan: South of the property is A Street and it is shown as a Local Street on the Master Street Plan. West of the property is North Van Buren Street and it is shown as a Minor Arterial 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. 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 North Van Buren Street since it is a Minor Arterial. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: There is a Class III Bike Route shown on A Street. 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: (June 6, 2018)

The applicant was present representing the request. Staff presented an overview of the item stating there were a number of outstanding technical issues associated with the request. Staff requested the applicant provide the days and hours of operation, the location of any proposed dumpsters and the hours of dumpster service.

Public Works comments were addressed. Staff stated right of way dedication to the abutting streets was required to meet the Master Street Plan. Staff stated the site should be redesigned to allow a single driveway from A Street into the site. Staff stated street improvements were required with the development of the site. Staff stated a 20-foot radial dedication of right of way was required at the intersection of Van Buren and A Streets.

Landscaping comments were addressed. Staff stated a minimum landscape strip of 6-feet 9-inches was required along A Street with the redevelopment of the parking lot. Staff stated in addition a minimum landscape strip of 6-feet 9-inches was required along Van Buren Street. Staff stated any new paved areas were to comply with the minimum standards of the landscape ordinance.

Staff noted the comments from the various other departments and agencies. Staff suggested the applicant contact the departments or agencies directly with any

questions or concerns. There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.

I. ANALYSIS:

The applicant submitted a revised site plan to staff addressing the technical issues associated with the request. The applicant has provided the days and hours of operation and noted there will not be a dumpster located on the site. The applicant is requesting a waiver of the radial right of way dedication and a waiver of the right of way dedication for A Street. The right of way dedication will be provided for Van Buren Street. The request also includes a waiver of the street buffer requirement and the landscape ordinance requirements for the newly paved areas.

The request is to amend the previously approved PCD, Planned Commercial Development, to add a bakery as an allowable use. The applicant is proposing to rehabilitate both buildings and restore them to their original lap-siding and historic look and open a bakery/restaurant utilizing the main structure. The smaller structure will be used for storage on the lower level and an efficiency apartment upstairs.

The bakery will operate from 6 am to 9 pm Monday through Thursday, 6 am to 10 pm on Friday, from 7 am to 10 pm on Saturday and from 8 am to 3 pm on Sunday. As noted there will not be dumpster located on the site. The applicant will utilize typical size garbage cans and will be collected weekly by a private service company. The hours will be limited to 7 am to 6 pm Monday through Friday.

The bakery will offer limited seating inside as to not encourage prolonged parking but to be able to offer a limited number of clients the ability to eat on premises. The site plan indicates the placement of ten (10) parking spaces to serve the site.

The existing graveled parking area will be paved and a driveway into the back yard is proposed for additional paved parking. The building proposed for the restaurant contains approximately 1,000 square feet. Parking for a restaurant is typically based on one (1) space per 100 gross square feet of floor area. This would result in the need for ten (10) parking spaces. Parking for the efficiency apartment would typically result in the need for one (1) parking space.

The site plan indicates the placement of a 20-foot drive isle along A Street and parking stalls 20-feet in depth. The plan does not include placing curb, gutter or sidewalk along A Street. The applicant notes this section of A Street only serves this lot and the single-family residence to the east. Along the south side of A Street improvements were installed with the bank construction at the intersection of A and Jackson Streets. The sidewalk that was put in place with the development of the bank dead-ends into a retaining wall. The property immediately south of this site is developed as an office use. There is no sidewalk in place along A Street adjacent to the office development.

The applicant is requesting a waiver of the street buffer requirement along A Street. The applicant notes based on the depth of the property there is not adequate room to install the landscape strip and allow for maneuverability within the proposed parking area.

A new paved areas is proposed within the rear yard area of the site. The plan indicates the placement of four (4) parking spaces. The landscape and buffer ordinance would typically require a landscape strip of 6-feet 9-inches adjacent to the paved area. The plan indicates the placement of landscape strip less than four (4) feet in width.

Staff is not supportive of the applicant request. Based on the applicant's redevelopment plan, the site does not provide the required right of way dedications, landscaping and proper buffering. Staff feels the development as proposed is too intense for this site.

J. STAFF RECOMMENDATION:

Staff recommends denial of the request.

PLANNING COMMISSION ACTION:

(JUNE 28, 2018)

Mr. Scott Loye was present representing the request. There were no registered objectors present. Staff presented an overview of the item stating the request included several waivers. Staff stated the applicant was seeking a waiver of the boundary street ordinance improvements to A Street, the radial dedication at the intersection of A and Van Buren Streets and the right of way dedication for A Street. Staff stated if the site was developed as proposed there would be no street buffer along A Street. Staff presented a recommendation of denial of the request.

Mr. Loye addressed the Commission stating the house and current parking lot were located at a busy intersection. He stated the property was 150-feet from the Markham and Van Buren intersection which was a very busy intersection. He stated A Street served one (1) block. He stated the improvements at the intersection of A and Jackson were completed with the development of the bank but no other improvements were in place. He stated currently the site was approved for a beauty salon and a food truck. He stated these uses could occur on the site with no upgrades. He stated he was proposing improvements to the parking and the addition of a paved parking lot in the rear of the house to provide adequate parking to serve the site. He stated a number of the businesses had placed no parking signs on their property because of the spillover of cars from the salon. He stated he was willing to provide right of way dedication for Van Buren Street but was requesting a waiver of the dedication on A Street as well as the radial dedication. He stated with the right of way dedication the development would not work. He stated with the existing right of way there was 40-feet which would allow vehicles to back out of the parking stalls and not into the street. He stated this area was a commercial area. He stated few of the businesses in the area were developed with curb and gutter.

There was a general discussion by the Commissioners concerning the area and the development which had occurred. Commissioner May stated there was little traffic on A Street. He stated he felt the development could occur without the street improvements.

The chair entertained a motion for approval of the item including all staff recommendations and comments except that of denial. The motion carried by a vote of 6 ayes, 3 noes and 2 absent.

The chair entertained a motion of approval of the applicant's request for the waiver of the right of way dedications for A Street and the radial dedication of right of way at the intersection of A and Van Buren Streets. The motion carried by a vote of 7 ayes, 2 noes and 2 absent.

The chair entertained a motion of approval for the applicant's request for the waiver of the boundary street ordinance requirements for the street improvements to A Street. The motion carried by a vote of 7 ayes, 2 noes and 2 absent.