

FILE NO.: Z-4450-D

NAME: Rebick-Frederick LLC Event Center PCD

LOCATION: 721 West 9th Street

DEVELOPER:

JR Facility Management
1402 Clinton Street
Nashville, TN 37203

OWNER/AUTHORIZED AGENT:

Antwan D. Phillips, P.A.
Wright, Lindsey & Jennings LLP
200 West Capitol Avenue, Suite 2300
Little Rock, AR 72201

SURVEYOR/ENGINEER:

White-Daters and Associates

AREA: 1.033 acres NUMBER OF LOTS: 1 FT. NEW STREET: 0 LF

WARD: 1 PLANNING DISTRICT: 5 CENSUS TRACT: 45

CURRENT ZONING: PD-C, Planned Development – Commercial

VARIANCE/WAIVERS: None requested.

BACKGROUND:

On March 14, 1996, the Planning Commission voted 9 ayes, 0 noes, 1 absent, 0 abstentions and 1 open position to recommend approval of a PD-C, Planned Commercial Development and the abandonment of the east seven (7) feet of the utility and drainage easement for this property at 721 West 9th Street. Ordinance No. 17,160 adopted by the Little Rock Board of Directors on April 16, 1996, approved the Planning Commission's recommendation.

The applicant was approved to operate Copy Systems, an office machine business, which included display area, service area, warehouse area, and offices. The approval allowed

for the construction of a 12,000 square foot, one-story building with on-site parking and loading dock drive access off West 9th Street.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to revise the existing PD-C Planned Commercial Development to allow the use of the facility as an event center. As provided by the applicant, "the subject property will be used to host weddings; corporate dinners and events; trade shows; and live music from local and up and coming bands. The venue will be managed by JR Facility Management. The company operates similar large event and live music venues in Nashville, Tennessee; Chattanooga, Tennessee; and Kansas City, Missouri.

The proposed event center will only be open for specific shows and events, including weddings, fundraisers, corporate events, and concerts. Similar to theater, arena, or stadium, the events will vary in start time and end time, but typically all events will end on or before 11 pm. The venue will be able to seat a minimum of 500 patrons."

B. EXISTING CONDITIONS:

The property is located on the south side of West 9th Street between South Gaines and South State Streets. The site contains the Canon Building with an area of 12,000 square feet. The area is developed as predominately urban uses with some commercial uses.

C. NEIGHBORHOOD COMMENTS:

All owners of property located within 200 feet of the site; and Little Rock Arts District and Downtown Neighborhood Associations were notified of public hearing.

D. ENGINEERING COMMENTS:

1. A 20 feet radial dedication of right-of-way is required at the intersection of 9th Street and Gaines Street.
2. A 20 feet radial dedication of right-of way is required at the intersection of 9th Street and State Street.

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

Little Rock Water Reclamation Authority: Sewer available to this site. EAD Analysis Required.

Entergy: No comments received.

CenterPoint Energy: No comments.

AT & T: No comments received.

Central Arkansas Water: No comments received.

Fire Department: Full Plan Review.

Parks and Recreation: No comments received.

County Planning: No Comments.

F. BUILDING CODES/LANDSCAPE:

Building Code: No comments.

Landscape: No comments.

G. TRANSPORTATION/PLANNING:

Rock Region Metro: No comments.

Planning Division: The request is in the Downtown Planning District. The Land Use Plan shows Mixed Use - Urban (MXU) for the requested area. The Mixed Use – Urban category provides for a mix of residential, office and commercial uses not only in the same block but also within the same structure. This category is intended for older "urban" areas to allow dissimilar uses to exist, which support each other to create a vital area. Development should reinforce the urban fabric creating a 24-hour activity area. Using the Planned Zoning District or the Urban Use District, high and moderate density developments that result in a vital (dense) pedestrian-oriented area are appropriate. The application is a revision to an existing PCD (Planned Commercial Development) District to allow an Event Center and C-2, Shopping Center District uses as allowable uses.

Surrounding the application area, the Land Use Plan shows Mixed Use – Urban (MXU) to the east, west and north. Public Institutional (PI) is shown to the south across Interstate 630. The Mixed Use – Urban category provides for a mix of residential, office and commercial uses not only in the same block but also within the same structure. This category is intended for older "urban" areas to allow dissimilar uses to exist, which support each other to create a vital area. Development should reinforce the urban fabric creating a 24-hour activity area. Using the Planned Zoning District or the Urban Use District, high and moderate density developments that result in a vital (dense) pedestrian-oriented area are appropriate. The Public Institutional category includes public and quasi-public facilities that provide a variety of services to the community such as schools, libraries, fire stations, churches, utility substations, and hospitals.

Master Street Plan: To the south is Interstate 630 and it is shown as a Freeway on the Master Street Plan. To the east is Gaines Street, north is 9th Street and west is State Street; they are all shown as Local Streets on the Master Street Plan. Freeways are intended to serve through long distance trips, they are always designed as full access control roads (no direct access). 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". 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 State Street. Bike Routes require no additional right-of-way, but either a sign or pavement marking to identify and direct the route.

H. ANALYSIS:

The applicant proposes to rezone the 1.033 acre property located at 721 West 9th Street from PD-C Planned Development – Commercial to PCD Planned Commercial Development to allow for use of the existing 12,000 square foot commercial building as an event center. The applicant is proposing C-2 Shopping Center District permitted uses as alternate uses for the property.

The property is completely developed with a 12,000 square foot commercial building and on-site parking. The existing building is located within the east half of the property. Thirteen (13) paved parking spaces are located on the east side of the building, with 39 paved parking spaces on the west side of the building (52 total). Access drives from S. State Street and S. Gaines Street serve the existing parking areas.

Specifics regarding the applicant's proposal are as follows:

- “1. **Typical events and hours of operation.** The venue is only open for specific shows and events, including weddings, fundraisers, corporate events, and concerts. Therefore, this event space could be open any day of the week based on when an event is scheduled. Similar to theater, arena, or stadium, the events will vary in start time and end time, but typically all events will end on or before 11 p.m.
2. **Seating capacity.** The venue will be able to seat a minimum of 500 patrons.
3. **On-site trash collection.** There is currently a Waste Management dumpster with an enclosure. We will continue to use this dumpster. In addition, we will use a recycling container per City of Little Rock's regulations.

4. **Onsite lighting.** Both the front and back parking lots are lighted. There is a lighted 4 X 10 sign on the front and rear of the building on a timer system. We will affix lights to the building near the entrances that will be lighted when the venue is in use. This will ensure that the premises are well lit for safety.
5. **Signage.** There is currently a pole with a sign that is approximately 6 x 12 that is located on the southwest corner of the property near Interstate 630. We will have signage affixed to the building.”

The applicant notes that the event center will seat at least 500 persons. Section 36-502 of the City’s Zoning Ordinance would typically require 100 off-street parking spaces for this seating capacity. There are currently 52 paved parking spaces on the site. Most of the surrounding streets in this general area allow parking on one (1) or both sides of the streets. All surrounding properties are zoned UU Urban Use District which requires no off-street parking. Staff believes the available parking on site and in the area will be sufficient to serve the proposed event center use.

There is an existing ground-mounted sign at the southwest corner of the property. The ground sign is approximately 20 feet tall with an area of approximately 72 square feet. There are also existing wall signs on the east and west sides of the building. The applicant proposes to utilize the existing ground sign and have signage on the building. Any wall signage must not exceed 10 percent of the building façade area on a particular side. Also, no additional ground-mounted sign will be allowed on the property.

The applicant notes that there is some site lighting on the property. The applicant also notes that some additional building lighting will be installed. All existing and proposed lighting will need to be directed downward and into the site, and not reflect onto adjacent properties.

In response to questions from staff with respect to outdoor use and event end time, the applicant provided the following:

- With regard to outdoor events, our client understands that there will not be any outdoor shows allowed at this time. However, the client also understands that it will have the right to seek “block party” or other temporary permits if needed.
- With regard to closing time, our client will ensure that events are scheduled to end on or before midnight. However, to ensure full compliance, we are requesting a closing time of 1:00 a.m. in the event there are any scheduling delays.

The applicant provided responses and additional information to all issues raised during staff's review of the application. To staff's knowledge there are no outstanding issues. The applicant is requesting no variances with the proposed PCD rezoning.

Staff is supportive of the requested PCD rezoning to allow use of the existing building as an event center, with C-2 permitted uses as alternate uses. Staff views the request as reasonable. The property is located along Interstate 630 (south boundary) with UU zoned properties to the north, east and west. The immediate area contains a mixture of non-residential uses including warehousing and retail. The proposed use of the property as an event center should prove to be compatible with the area, as most of the surrounding businesses will be closed when the event center is in operation. Staff believes the proposed event center use will have no adverse impact on the area.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested PCD zoning, subject to the following conditions:

1. Compliance with the comments and conditions outlined in paragraphs D and E, and the Staff Analysis, in the agenda staff report.
2. C-2 permitted uses are approved as alternate uses for the property.

PLANNING COMMISSION ACTION:

(OCTOBER 29, 2020)

The applicant was present. There were no persons present registered in support or opposition. 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 11 ayes, 0 nays and 0 absent.