

FILE NO.: Z-4635-C

NAME: Huffstutlar Property Long-form PCD

LOCATION: Located at 10600 I-30

DEVELOPER:

Ruth Huffstutlar
c/o McGetrick and McGetrick Engineers
11601 Bass Pro Drive
Little Rock, AR 72210

ENGINEER:

McGetrick and McGetrick Engineering
P.O. Box 30441
Little Rock, AR 72210

AREA: 10.58 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING: C-3, General Commercial District

ALLOWED USES: General Commercial/Retail

PROPOSED ZONING: PCD

PROPOSED USE: Add equipment sales and service as an allowable use

VARIANCE/WAIVERS:

1. A variance from Section 30-43 and 31-210 to allow the drive on the Frontage Road to exceed the typical maximum width of 36-feet.
2. A variance from Section 30-43 and 31-210 to allow the drive on the Frontage Road and on Baseline Road nearer the property line than typically allowed.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is requesting to rezone the site from C-3, General Commercial District to Planned Commercial Development, PCD, to add equipment sales and service as an allowable use for the site. The site plan includes areas for outdoor display of equipment which will be placed on a limestone surface within the 45-foot building setback.

Two (2) new buildings are proposed with a total of 40,785 square feet of floor area. The maximum building height proposed is 35-feet. The buildings will be constructed with metal siding. All site lighting is to be low level and directional, directed downward and into the site. The site contains 10.58-acres. The proposed building coverage is ten (10) percent, the paved areas will cover thirty (30) percent and the landscaped area includes sixty (60) percent of the site.

The days and hours of operation are from 6:00 am to 7:00 pm Monday through Saturday. There may be an occasion when the business elects to open on Sunday as well. The hours for Sunday will be 12:00 noon to 7:00 pm.

B. EXISTING CONDITIONS:

The site sits on the I-30 Frontage Road between Baseline Road and I-30. The site is tree covered. To the north, across Baseline Road is an apartment building with single-family homes located further to the north. The Arkansas State Highway and Transportation Department is located to the northeast and vacant undeveloped property is located to the northwest. There are a number of commercial uses located along the Frontage Road in this area. There is a church located immediately to the west which has a driveway located on Childress Road.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received an informational phone call from an area property owner. All property owners located within 200-feet of the site along with Southwest United for Progress were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Baseline 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.
2. A 20 foot radial dedication of right-of-way is required at the intersection of Baseline Road and Childers Drive.
3. With site development, provide the design of street conforming to the Master Street Plan. Construct one-half street improvement to Childers Drive including 5-foot sidewalks with the planned development. The new back of curb should be 18 feet from centerline.
4. With site development, provide the design of street conforming to the Master Street Plan. Construct one-half street improvement to Baseline Road including 5-foot sidewalks with the planned development. The new back of curb should be located 29.5 feet from centerline. AHTD is being contacted for permit approval. If denied, a payment in-lieu of construction will be required.

5. Obtain permits for improvements within State Highway right-of-way from AHTD, District VI.
6. 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. Will the entire property being graded with construction of the development?
7. Stormwater detention ordinance applies to this property. Show the proposed location for stormwater detention facilities on the plan.
8. Driveway locations and widths do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. The driveway on the Frontage Road is proposed to be located 60 feet from the side property line. City of Little Rock code requires driveways on the I-30 to be at least 125 feet from the side property line. A variance must be requested for the driveway location.
9. Driveway locations and widths do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. The proposed driveway on Baseline Road is proposed to be located 40 feet from the side property line. City of Little Rock code requires a driveway to be located at least 150 feet from the side property line. A variance must be requested for the driveway location.
10. Streetlights are required by Section 31-403 of the Little Rock code. Provide plans for approval to Traffic Engineering. Streetlights must be installed prior to platting/certificate of occupancy. Contact Traffic Engineering 379-1813 (Greg Simmons) for more information.
11. 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.
12. No right-of-way dedication or radial right-of-way dedication is required adjacent to I-30
13. Access to detention ponds must be provided to the public right-of-way and/or access easement for future maintenance by the developer and/or local property owners' association.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer main extension required with easements if new sewer service is required for this project.

Entergy: Entergy does not object to this proposal. A three phase power line exists along the north side of the frontage road on the south side of this proposed development. A single phase line extends a short distance up the eastern boundary. There do not appear to be any conflicts with existing Entergy facilities.

Contact Entergy in advance regarding future service requirements to the development and future facilities locations as this project proceeds. Care should be used in installing the limestone equipment display if it is near the overhead power lines on the front of the property.

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. Contact Central Arkansas Water regarding the size and location of water meter.
6. 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.
7. 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.

8. Fire sprinkler systems which do not contain additives such as antifreeze shall be isolated with a double detector check valve assembly. If additives area used, a reduced pressure zone back flow preventer shall be required.

Fire Department: **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.

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 replaced 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 (Jason Lowder 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 comment received.

County Planning: No comment.

Rock Region Metro: Location is served on routes 23 at Baseline Road and Childers Drive by Rock Region METRO. The property as shown on the plan does not indicate pedestrian access from the bus route to the business. The plan the perimeter is fenced. Would the owner/ developer please clarify where pedestrian access would be located? We have no objections to the proposal.

F. ISSUES/TECHNICAL/DESIGN:

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.org or
Mark Alderfer at 501.371.4875; malderfer@littlerock.org.

Planning Division: This request is located in the Geyer Springs West Planning District. The Land Use Plan shows Public/Institutional (PI). The Public/Institution 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. The applicant has applied for a rezoning from C-3 (General Commercial District) to PCD (Planned Commercial District) to allow the development of equipment sales on the site.

Master Street Plan: South side of the property is Interstate 30, a Freeway; north side of the property is Baseline Road and it is a Principal Arterial; east side of the property is Childers Drive and it is shown as a Local Street on the Master Street Plan. Freeways are regional and national routes with controlled access. There is a one-way access road along Interstate 30. A Principal Arterial is to serve through traffic and to connect major traffic generators or activity centers within the urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Interstate 30 and Baseline Roads. The primary function of a Local Street 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. 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 II Bike Lane is shown along Baseline Road. Bike Lanes provide a portion of the pavement for the sole use of bicycles.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. 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 less than nine (9) feet. The maximum dimension required shall be fifty (50) feet.
3. A minimum fifty (50) foot street buffer will be required along the I-30 Frontage Road and Baseline Road.
4. Screening requirements will need to be met for the vehicular use areas adjacent to street right-of-ways. Provide screening shrubs with an average linear spacing of not less at three (3) feet within the required landscape area. Provide trees with an average linear spacing of not less than thirty (30) feet.
5. 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.
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 ($7 \frac{1}{2}$) 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.
7. Building landscape areas shall be provided between the vehicular use area used for public parking and the general vicinity of the building. These 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.
8. An automatic irrigation system to water landscaped areas shall be required for developments of one (1) acre or larger.
9. The development of two (2) acres or more requires the landscape plan to be stamped with the seal of a Registered Landscape Architect.

10. 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. SUBDIVISION COMMITTEE COMMENT: (December 9, 2015)

Mr. Pat McGetrick of McGetrick and McGetrick Engineers was present representing the request. Staff presented an overview of the item stating the applicant was requesting a rezoning of the site from C-3, General Commercial District to Planned Commercial Development to add equipment sales and service with outdoor display as an allowable use for the property. Staff stated there were a few outstanding technical issues in need of addressing related to the site plan. Staff questioned the days and hours of operation for the business and the days and hours of dumpster service. Staff also requested the applicant provide the proposed building materials, the maximum building height and the number of stories proposed for the new building. Staff questioned the proposed signage plan. Staff also questioned the proposed lighting plan.

Public Works comments were addressed. Staff stated the driveway locations on both Baseline Road and the I-30 Frontage Road were indicated at a distance less than the typical ordinance standard. Staff also stated the driveway width on the Frontage Road would require a variance to allow the increased width. Staff stated a sketch grading and drainage plan was required. Staff also stated a grading permit was required prior to any grading activities on the site.

Landscaping comments were addressed. Staff stated based on the depth of the property a street buffer of 50-feet was required along Baseline and the Frontage Roads. Staff stated a perimeter planting strip of a minimum width of nine (9) feet was required along any side of a vehicular use area adjacent to property lines or the right of way of any street. Staff stated building landscaping was required between the paved areas and the building.

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.

H. ANALYSIS:

The applicant submitted a revised site plan to staff addressing the technical issues raised at the December 9, 2015, Subdivision Committee meeting. The applicant has provided the days and hours of operation for the business, the dumpster service hours, the maximum building height and the proposed building materials. A note on the site plan indicates the lighting will not reflect onto adjacent properties.

The request is to rezone the site from C-3, General Commercial District to Planned Commercial Development, PCD, to add equipment sales and service as an allowable use for the site. A new building containing 40,785 square feet to be used for equipment sales and service is proposed. The site plan indicates an additional building on the site labeled as future construction. The building is proposed 80-feet by 60-feet (4,800 square feet). The site plan indicates areas around the building with paving. 44 parking spaces are indicated on the plan.

The site plan indicates an area of outdoor display of equipment. The plan indicates the area will be located within the building setback and the street buffer and will be constructed of a limestone surface.

The site plan indicates the placement of a ground sign at the entrance drive on the I-30 Frontage Road. The applicant has indicated building signage will be located on the front façade, facing the I-30 freeway. The site has three (3) street frontages which allows the placement of a sign on the north, south and west facades. Ground signage is also allowed on the three (3) street frontages. The ground sign will be limited to a maximum height of 36-feet and a maximum sign area of 160 square feet. Building signage will be limited to a maximum of ten (10) percent of the façade area.

The maximum building height proposed is 35-feet. The building will be constructed with metal siding. All site lighting is to be low level and directional, directed downward and into the site. The site contains 10.58-acres. The proposed building coverage is ten (10) percent, the paved areas will cover thirty (30) percent and the landscaped area includes sixty (60) percent.

The days and hours of operation are from 6:00 am to 7:00 pm Monday through Saturday. There may be an occasion when the business elects to open on Sunday as well. The hours of dumpster service are from 7:00 am to 6:00 pm Monday through Saturday.

The site plan includes the placement of a six (6) foot vinyl coated chain link fence around the sites perimeter. The revised cover letter states barbed wire will be placed on top of the fence in accordance with Section 36-516. The ordinance states for purposes of this section the use of barbed, concertina wire or other types of wire specifically designed to inflict injury upon human contact is prohibited except when used at the top of fences at least six (6) feet above grade enclosing business or manufacturing premises. When such wire is used, it shall not extend outside the vertical plane of the enclosed property.

The applicant has indicated the western 214-feet of the site is currently vegetated with trees and underbrush. The applicant states all mature trees will be maintained. The site plan states under brush will be cleaned but no site clearing will be performed in this area. A large area of woods will be maintained along the Baseline Road frontage.

The request includes variances from Section 30-43 and 31-210 to allow the drive on the Frontage Road to exceed the typical maximum width of 36-feet. The drive is indicated with a 50-foot width. The applicant states this width is necessary to maneuver trucks and trailers on the site hauling the large equipment. The request also includes a variance from Section 30-43 and 31-210 to allow the drive on the I-30 Frontage Road and on Baseline Road nearer the property line than typically allowed. The I-30 frontage road driveway will be constructed and located as permitted by AHTD due to the location of the existing I-30 entrance ramp. The drive on Baseline Road is to be located a minimum of 75-feet from the property line. The ordinance typically requires drives on arterials to be a minimum of 150-feet from the property line.

Staff is supportive of the applicant's request. The applicant is seeking approval of the PCD to add equipment sales and service to this site. There are similar type uses located along the interstate in this area. Staff feels the requested PCD zoning to allow the use as proposed is appropriate for this site.

I. STAFF RECOMMENDATION:

Staff recommends approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report.

Staff recommends approval of the following variance requests:

1. A variance from Section 30-43 and 31-210 to allow the drive on the Frontage Road to exceed the typical maximum width of 36-feet.
2. A variance from Section 30-43 and 31-210 to allow the drive on the Frontage Road and on Baseline Road nearer the property line than typically allowed. The drive on Baseline Road is to be a minimum of 75-feet from the property line. The drive on the frontage road is to be constructed and placed as permitted by AHTD.
3. Staff recommends the street improvements to Baseline Road be completed with the proposed development or an in-lieu fee be provided for the cost of construction.

PLANNING COMMISSION ACTION:

(JANUARY 7, 2016)

The applicant was present. There was one registered objector present stating they wanted additional information concerning the request. Staff presented the item with a recommendation of approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report.

Staff presented a recommendation of approval of the following variance requests:

1. A variance from Section 30-43 and 31-210 to allow the drive on the Frontage Road to exceed the typical maximum width of 36-feet.
2. A variance from Section 30-43 and 31-210 to allow the drive on the Frontage Road and on Baseline Road nearer the property line than typically allowed. The drive on Baseline Road is to be a minimum of 75-feet from the property line. The drive on the frontage road is to be constructed and placed as permitted by AHTD.
3. Staff recommends the street improvements to Baseline Road be completed with the proposed development or an in-lieu fee be provided for the cost of construction.

Mr. Pat McGetrick addressed the Commission on behalf of the applicant. He stated he had Ms. Huggler and addressed her concerns. He stated the primary concern was the treatment of the site along Baseline Road. He stated this area of the site would remain vegetated. He stated the underbrush would be cleared and any dead or diseased plant material would be removed but for the most part the majority of the trees would remain. He stated the driveway on Baseline Road was a secondary access and would be used by employees but would not be the primary access to the site for customers or deliveries. He stated all customer and delivers would be from the I-30 Access Road.

Mr. and Ms. John Huggler stated their concerns had been addressed and they were not opposed to the rezoning request.

There was no further discussion. A motion was made to approve the request as recommended by staff including all staff recommendations and comments by a vote of 10 ayes, 0 noes and 1 absent.