

FILE NO.: Z-6249-A

NAME: United Methodist Foundation of Arkansas Revised Short-form PD-O

LOCATION: Located at 5300 Evergreen Drive

DEVELOPER:

Mitchell Williams
Scott Schallhorn
425 West Capitol Avenue, Suite 1800
Little Rock, AR 72201

OWNER/AUTHORIZED AGENT:

The United Methodist Foundation of Arkansas, Owner
J. Scott Schallhorn, Mitchell Williams, Seilg, Gates and Woodyard, PLLC,
Attorneys at Law, Agent

SURVEYOR/ENGINEER:

Marlar Engineering Co.
5318 John F. Kennedy Boulevard
North Little Rock, AR 72116

AREA: 0.32-acres NUMBER OF LOTS: 1 FT. NEW STREET: 0 LF

WARD: 3 PLANNING DISTRICT: 4 – Heights/Hillcrest CENSUS TRACT: 16

CURRENT ZONING: PD-O

ALLOWED USE: United Methodist Foundation

PROPOSED ZONING: Revised PD-O

PROPOSED USE: Add general and professional office as allowable uses

VARIANCE/WAIVERS: None requested.

BACKGROUND:

Ordinance No. 17,462 adopted by the Little Rock Board of Directors on April 15, 1997, rezoned the site from R-2, Single-family to PD-O, Planned Development Office, to allow development of the site with a 2,599 square foot one-story office building. The sole tenant was proposed as the United Methodist Foundation of Arkansas.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is now proposing to amend the previously approved PD-O, Planned Development Office, to add general and professional office uses as allowable uses for the property. There are no other modifications proposed for the site.

B. EXISTING CONDITIONS:

The site is developed with the office building with parking located within the front yard area. Single-family homes are located across the alley to the west and adjacent to the property on the north. There are single-family homes located across Evergreen to the south. A two-story apartment building is located to the east of the site. Northeast is a commercial building containing a number of commercial uses. Also located in the area is Mt. Saint Mary's School

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. No comments

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

Little Rock Water Reclamation Authority: Sewer available to this site. Capacity and fee analysis required. 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 being provided to this building via an overhead service line from the west side of the alley on the west side 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: No comment.

Fire Department:

1. 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.
2. 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.
3. 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.
4. 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.

F. Building Codes/Landscape:

Building Code: No comment.

Landscape: No comment.

G. Transportation/Planning:

Rock Region Metro: The site is not located on a dedicated Rock Region Metro Route.

Planning Division: This request is located in Heights Hillcrest Planning District. The Land Use Plan shows Residential Low Density (RL) for this property. The Residential Low Density is for single-family homes at densities no greater than six (6) dwelling units per acre. The applicant has applied for a revised PD-O (Planned Development Office) to allow general and professional office. The request is within the Hillcrest Overlay District.

Master Street Plan: South of the property is Evergreen Drive and it shown as a Collector on the Master Street Plan. East of the property is North Harrison 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. The primary function of a Collector Road is to provide a connection from Local Streets to Arterials. These streets 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: (January 31, 2018)

The applicant was not present. Staff presented an overview of the item stating there were no outstanding technical issues associated with the request. Staff stated the request was a change in use from the original approval. Staff stated there were no changes to the approved site plan. There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.

I. ANALYSIS:

There were no outstanding technical issues associated with the request related to the site plan raised at the January 31, 2018, Subdivision Committee meeting. The request is to amend the previously approved PD-O, Planned Development Office, to add general and professional office uses as allowable uses for the property. The property was zoned PD-O, Planned Development Office, in 1997 to allow the United Methodist Church of Arkansas to construct a new office building on this site. The approval of the zoning limited the occupancy to the United Methodist Church of Arkansas. The United Methodist Church of Arkansas now requires a larger facility and is proposing to relocate its office to a new location in the City. The amendment to the zoning and the addition of general and professional office uses as allowable uses for this site will allow the future sale of the property.

The Zoning Ordinance defines general and professional office as a place for the regular transaction of business, but not to include the occupation by retail sales, transfer of manufactured goods or storage of commodities. The approval would

allow uses such as accountants, attorneys and other professionals, charitable organizations and similar low impact office uses. The applicant notes as with the current user the future users would generate very little traffic and create no burdensome parking problems.

There are no other modifications proposed for the site. The applicant indicates the existing sign will be refaced with the new tenant's information. The sign is built into the screening wall at the intersection of Evergreen and North Harrison Streets. Signage is located on both the east and south walls. The height of the screening wall is less than four (4) feet. The signs are 48-inches by 48-inches or each with 16 square feet of sign area.

Currently there is not a dumpster located on the site. The applicant has indicated no dumpster will be placed on the site. The site currently uses roll-out garbage cans, similar in size as the average residential home and the new tenant will continue to use this method for trash collection.

The applicant indicates the days and hours for customer traffic would typically be from 7:00 am to 6:00 pm Monday through Friday and from 8:00 am to noon on Saturday. The hours proposed are similar to the hours of the previous tenant, the United Methodist Church of Arkansas.

Staff is supportive of the applicant's request to amend the previously approved PD-O, Planned Development Office, to allow general and professional office uses as allowable uses for the site. To staff's knowledge there are no outstanding technical issues associated with the request. Staff feels the request to allow general and professional office uses for this site is appropriate.

J. 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.

PLANNING COMMISSION ACTION:

(FEBRUARY 22, 2018)

The applicant was present. There was one (1) registered objector present. 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.

Mr. Scott Schallhorn addressed the Commission on behalf of the United Methodist Foundation. He stated the property was located on the northwest corner of Evergreen and Harrison Streets. He stated the United Methodist Foundation had occupied the site for the past 20 years and with their current seven (7) employees they had outgrown the building. He stated he was unaware of any opposition until this week. He stated

Mr. Brad Walker representing an adjacent property owner had contacted him concerning the request. He stated Mr. Walker had originally provided him with three (3) areas of concern with the proposed reuse of the building. Mr. Schallhorn stated he had addressed two (2) of the three (3) concerns and then Mr. Walker had provided him with five (5) new concerns. He stated he and the United Methodist Foundation had addressed four (4) of the five (5) concerns. He stated his client was not willing to address the fifth concern which was to place a limit on the number of employees the business could have at this location. He stated the size of the building would limit the number of employees. He stated the request was being amended to remove from the proposal the allowance of a sign on the Harrison Street side. He also stated a list of specific users was being proposed as requested by Mr. Walker's client. He stated the United Methodist Foundation was moving because with the current seven (7) employees they were out of space. He stated all aspects of the previous approval were the same. He stated the request was to allow a different user of the space. He questioned why there would be a limit placed on the number of employees with this approval when a limit of employees was not a part of the original request.

Mr. Brad Walker addressed the Commission in opposition of the request. He stated his client owned the property across Harrison Street from the site. He stated he and his client had done their best to try to work with the United Methodist Foundation to secure an approval and place limits on the reuse of the site which would work best for the neighborhood. He stated in the minute record from the original approval it was stated if the United Methodist Foundation ever vacated the property it would revert back to R-2, Single-family. He stated there was no parking on Evergreen. He stated with the adjacent homes there was limited parking on Harrison Street. He stated his clients concern was if the number of employees exceeded the parking available on the site then clients would parking in her parking spaces. He stated the City's minimums were not reality. He stated based on a Google Search typical office space was allocated at 125 to 225 square feet per person. He stated based on the square footage of the building this could result in a great number of employees. He stated the request of his client was simple. He stated his client was requesting a limit to the number of employees be placed on the approval and the limit be six (6) as was originally approved.

Mr. Schallhorn stated 1997 was a long time ago and things and circumstances had changed. He stated the original approval did not limit the number of employees. He stated the letter provided to the Commission by Mr. Walker was for informational purposes only and was not intended to be the number of employees for the office use. He stated the bullet points following the introduction were intended as commitments by the United Methodist Foundation to the neighborhood. He stated the available parking and the square footage of the building would limit the future occupancy of the building. He stated he was not willing to impose additional conditions on the site which were not a part of the original approval.

There was a general discussion by the Commission concerning the original approval and the Commission's action. It was noted the Planning Commission denied the request but was later appealed to the Board of Directors and the denial action was overturned. Commissioner Berry stated he was on the Commission at the time and his no vote was

due to his desire to place the parking in the rear of the building and not on the Harrison Street side. He stated the parking was placed on Harrison Street because this location was the desired location by the residents. He stated they did not want the parking to be placed in the rear and they did not want the office use to access the alley.

The Commission noted parking in Hillcrest was a challenge. The Commission also noted within the Hillcrest Design Overlay District parking was allowed to be reduced to 50-percent of the typical parking requirement. Staff stated the parking on-site was more than adequate to serve the typical parking required per the zoning ordinance and far exceeded the required parking based on the Overlay requirements.

There was no further discussion. The Chair entertained a motion for approval of the item as recommended by staff by a vote of 11 ayes, 0 noes and 0 absent.