

FILE NO.: Z-4923-R

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NAME: Shackleford Crossing Lot 1 – Cracker Barrel - Revised Short-form PCD

LOCATION: Located at 2618 South Shackleford Road

DEVELOPER:

Cracker Barrel  
c/o Cindy Gray  
2618 South Shackleford Road  
Little Rock, AR 72205

ENGINEER:

Design and Engineering  
5105 Maryland Way Suite 200  
Brentwood, TN 37027

AREA: 2.5 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 6

PLANNING DISTRICT: 11 – I-430

CENSUS TRACT: 24.08

CURRENT ZONING: PCD

ALLOWED USES: Mixed Use Shopping Center

PROPOSED ZONING: Revised PCD

PROPOSED USE: Mixed Use Shopping Center – Add temporary storage module on the site for inventory storage

VARIANCES/WAIVERS REQUESTED: None requested.

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BACKGROUND:

The Little Rock Board of Directors adopted Ordinance No. 19,237 on November 23, 2004, approving a Conceptual PCD known as Shackleford Crossing Long-form PCD, which was located at the southwest corner of South Shackleford Road and Interstate 430. The conceptual plan included the north 62 acres being developed with C-2, Shopping Center District permitted uses, the south 20 acres being O-2, Office and Institutional District permitted uses and the middle 15 acres being a transition area where O-2, Office and Institutional District and C-2, Shopping Center District permitted uses would be allowed.

The plan also showed four out parcels along the Shackelford Road frontage, with three main entry drives from Shackelford Road. The total project would consist of 1,000,000 square feet of gross building area.

Ordinance No. 19,399 adopted by the Little Rock Board of Directors on September 20, 2005, established revisions to the previously approved PCD. The approval defined the site plan for Phase I, the commercial portion of the project and one of the office lots. With the request, a preliminary plat for the subdivision of the site with sixteen lots and out-parcels was also approved. The approved site plan included an area previously excluded containing the Comcast office tract on Shackelford Road and incorporated the area into the overall project plan.

Subsequent revisions have allowed the development of the shopping center as currently developed. With the currently under construction Taco's 4 Life all the lots and out-parcels of the shopping center are currently developed.

On January 8, 2009, the Little Rock Planning Commission denied a request by Cracker Barrel to allow the placement of modular buildings within the parking lot area. The applicant sought to place two (2) modules within the parking lot area to remain from August to December yearly.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is requesting a revision to the previously approved PCD to add a mini trailer to the site to serve as inventory storage for seasonal items of the business. The mini trailer is to be placed within the parking area behind the existing Cracker Barrel Restaurant. The mini trailer proposed for the site is 40-feet in length. The delivery and use of the storage trailer is proposed from August 1<sup>st</sup> to January 31<sup>st</sup> yearly. The applicant states the need for the mini trailer is to serve as inventory storage for the Christmas Holiday season. Items to be stored in the mini trailer are stock and inventory of the retail merchandise associated with the business and fixtures that cannot be stored in the stock room of the existing building. No perishable items are proposed for storage.

B. EXISTING CONDITIONS:

The restaurant is located on an outparcel of the Shackelford Crossing Shopping Center. The center is fully developed with JC Penny located immediately to the west of this site and a restaurant, Texas Roadhouse, located to the south of this site. All the outparcels are currently developed or being developed, Taco's 4 Life being the final outparcel being developed. Across Shackelford Road is Camp Aldersgate. North of the site is I-430 and the exit ramps.

Shackelford Road has been completed with two (2) lanes in each direction and a center landscaped median. There are sidewalks along this property frontage. The street was constructed with curb and gutter.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200-feet of the site and the John Barrow Neighborhood Association were notified of the public hearing.

D. SUBDIVISION COMMITTEE COMMENT: (August 31, 2016)

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 to allow the placement of a temporary storage module within the parking lot of the existing Cracker Barrel Restaurant. Staff stated the request was from August to January yearly. There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.

E. ANALYSIS:

There were no outstanding technical issues associated with the request in need of addressing raised at the August 31, 2016, Subdivision Committee meeting. The applicant is requesting a revision to the previously approved PCD to add temporary storage on the Cracker Barrel site via a storage module. The storage module is 40 feet in length and 8 feet in width and will be located behind the restaurant building. The delivery of the storage is early August (August 1<sup>st</sup>) and the module will remain on the site until January 31<sup>st</sup>. Items to be stored in the storage module are stock and inventory of retail merchandise and fixtures that cannot be stored in the stock room of the existing restaurant building. No perishable items are proposed for storage.

According to the developers of Shackleford Crossings Shopping Center, they have placed limits on the place the storage modules can be located. The developer has stated the storage module must be placed behind the building to not be visible from South Shackleford Road. This would place the storage module within the fire lane. The Fire Department has previously raised concerns related to the storage module being placed within the fire lane.

Staff is not supportive of the placement of storage modules to act as inventory storage on this site. Per Section 36-252, "*Accessory buildings in certain districts*" the ordinance outlines appropriate accessory building construction specifications. *The ordinance states accessory buildings are to be specifically designed and constructed for the purpose of serving as an accessory building and items such as cargo containers, truck boxes and trailers, train cars and cabooses, mobile homes, manufactured homes and recreational vehicles or trailers shall not be deemed appropriate to serve as an accessory building*". Although this section of the ordinance applies to residential zoning districts, staff feels it applicable to accessory buildings in other zones as well.

The approval will allow a storage module to be on the site for five (5) months of the year. The fire department has previously indicated the storage module cannot be located within the fire access drive. Staff feels based on the fire department concerns and the time frame requested for the storage modules to be located on the site, the applicant should construct a permanent building for inventory storage. Section 36-289 states *Accessory permanent structures which meet all setback requirements are allowed for the storage of sale items. Retail sales may not take place in an accessory structure.* The ordinance notes the accessory buildings are to be constructed as permanent buildings. Staff feels the building construction should be of an architectural style and materials that is compatible with the existing building and the overall development.

The request is somewhat similar to the request previously denied by the Commission in January of 2009. With that request Cracker Barrel requested the placement of two (2) modular buildings within the parking lot area behind the building also to be placed on a temporary basis. Staff previously did not support the placement of the storage modules and recommended at the time the applicant construct a permanent building.

F. STAFF RECOMMENDATION:

Staff recommends denial of the request.

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PLANNING COMMISSION ACTION:

(SEPTEMBER 22, 2016)

Ms. Sherry Riggin was present representing the request. There were no registered objectors present. Staff presented the item with a recommendation of denial.

Ms. Riggin addressed the Commission on the merits of the request. She stated the request was to allow the placement of a temporary storage module on the site to serve as inventory storage. She stated the module would be placed on the site yearly from August 31<sup>st</sup> to January 1<sup>st</sup>. She stated this allowed Cracker Barrel the ability to store excess inventory and seasonal items as well as supplies and fixtures that could not be stored in their existing storage areas. She stated it was a corporate decision to not build permanent storage. She stated to allow the module on site would be a service to the customers and the citizens of Little Rock.

There was a general discussion by the Commission concerning the length of time the module would be on the site and the reasoning for not including the additional storage space within the building during construction. Ms. Riggin stated Cracker Barrel Corporate had determined the short term use of the storage module better fit their needs. She stated corporate did not care if the storage took place on-site or off-site. She stated to allow the placement of the module on the site was more efficient for the employees of the store.

Commissioner Berry stated the use of storage modules was a concern around the City. He stated the item was first review when Wal-mart had wanted to use modules for seasonal storage and staff and the Commission had determined this was not a good practice at this location.

There was a motion made to approve the request including all staff recommendations and comments except that of denial. The motion failed by a vote of 1 aye, 9 noes, 0 absent and 1 open position.

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STAFF UPDATE:

This item was before the Board of Directors for review on February 7, 2017, on an appeal of the Commission's recommendation of denial of the request to allow the placement of a temporary storage module within the parking lot of the Cracker Barrel for four (4) months during the holiday season. At the Board of Directors meeting the applicant amended the request to limit the time to three (3) months. The applicant also amended the request to include painting or placing a wrap on the module to soften the visual impact of the module.

The applicant is seeking to place the temporary storage module on the site from October 15<sup>th</sup> of each year to January 15<sup>th</sup> of each year for the storage of seasonal items. The applicant has also indicated they will work with staff concerning the placement and painting of the module to a natural color to lessen the visual impact of the module.

Staff is supportive of the applicant's request. The applicant has worked with staff to come up with a plan which lessens the time the module will be in place and also has agreed to paint the module to a natural color which will blend with the building and be complimentary with the shopping center. To staffs knowledge there are no remaining outstanding technical issues associated with the request. Staff recommends approval of the request to allow the placement of the temporary storage module on the site as indicated by the applicant.

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PLANNING COMMISSION ACTION:

(MARCH 16, 2017)

The applicant was present. There were no registered objectors present. Staff presented the item stating the applicant had amended their request and was seeking to place the temporary storage module on the site from October 15<sup>th</sup> of each year to January 15<sup>th</sup> of each year for the storage of seasonal items. Staff stated the applicant had also indicated they would work with staff concerning the placement and painting of the module to a natural color to lessen the visual impact of the module. Staff presented a recommendation of approval of the request to allow the placement of the temporary storage module on the site as indicated by the applicant. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff by a vote of 10 ayes, 0 noes and 1 absent.