

FILE NO.: Z-9494

NAME: L Squared Short-form POD

LOCATION: 7002 Highway 300

DEVELOPER:

L Squared Development
11225 Huron Lane
Suite 104
Little Rock, AR 72211
501-951-6791

OWNER/AUTHORIZED AGENT:

L Squared Development, LLC/Owner

SURVEYOR/ENGINEER:

Ed Lofton./Surveyor

AREA: 1.76 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 5

PLANNING DISTRICT: 20

CENSUS TRACT: 42.05

CURRENT ZONING: R-2, Single-Family Residential

ALLOWED USES: Single-Family Residential

PROPOSED ZONING: POD, Planned Office Development

PROPOSED USE: Real Estate Office, General and Professional Office,
and Beauty Salon/Barber and Single-Family as an
alternative use

VARIANCE/WAIVERS: None

BACKGROUND:

The property is situated near the city limits north of Highway 10. It is developed with two residential structures.

The owner has indicated the property has been rented as residential off and on during the years he has owned it. Increasingly, the inquiries have been for office use. At this time a real estate office would like to use the property; therefore, the request has been made to change the zoning to POD to allow the change of use to office.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

L Squared Development, LLC has submitted this application for rezoning from R-2, Single-Family Residential to Planned Office Development to better conform to existing properties in the area. L Squared has owned the property for approximately five years and it has periodically been leased as a single-family residence. However, the majority of the rental inquiries on the property have been for office use. The properties located on either side of this parcel are currently zoned for office use. Due to surrounding zoning and market interest, L Squared Development believes this property's best use would be as office space and a beauty salon.

The structures would be used as they are with no plans at this time for changes to the exterior.

B. EXISTING CONDITIONS:

As noted above, the property is developed with two residential structures. Each has a driveway connecting to Highway 300 and a graveled area for parking.

A 50-foot easement electric utility lines runs along the north line of the property.

The property to the north also contains a residential structure and has been zoned PCD.

The property to the east is a single-family cul-de-sac from Pinnacle Road.

Across Highway 300 to the west are additional single-family homes.

A large vacant tract to the south is zoned O-3.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received several phone calls regarding the request. The callers are seeking information on the proposal and have been generally supportive of the request. Notice of the public hearing was sent to all owners of properties located within 200 feet of the site.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

Public Works Conditions:

1. Hwy 300 is classified on the Master Street Plan as a minor arterial. A dedication of right-of-way 45 feet from centerline will be required. Label the distance from the existing structures to the new right-of-way line.
2. Runoff of sediment from gravel parking lots into the CLR MS4 can result in the discharge of pollutants from the site exceeding the State of Arkansas water quality standards in violation of the CLR Stormwater Permit. Provide a site plan showing paving of parking areas.
3. With expansion of the existing structures and/or parking areas, the existing driveways should be combined into a total of 1 driveway for the subject property in conformance with Sec. 30.43 and 31-210.
4. Obtain permits for improvements within State Highway right-of-way from AHTD, District VI.
5. With expansion of the existing structures, provide design of street conforming to the Master Street Plan. Construct one-half street improvement to these streets including 5-foot sidewalks with planned development. The new back of curb should be located 29.5 ft from centerline.

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

Little Rock Water Reclamation Authority:

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

Entergy:

Entergy does not object to this proposal. There does not appear to be any conflicts with existing electrical utilities at this location. Contact Entergy in advance to discuss electrical service requirements, or adjustments to existing facilities (if any) as this project proceeds.

CenterPoint Energy: No comment.

AT & T: No comment received.

Central Arkansas Water:

All Central Arkansas Water requirements in effect at the time of request for water service must be met.

Water service is not currently available at the site. If water service is requested, a water main extension, approximately 1,200-feet, will be needed to provide water service to this property.

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.

Please submit plans for water facilities 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. Approval of plans by Central Arkansas Water, the Arkansas Department of Health Engineering Division, and Little Rock Fire Department is required.

Fire Department:

Full Plan review

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.

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 replaces 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 (Daniel Tull 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:

1. Any new site development must comply with the City's minimal 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. 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.
5. 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: No comment received.

Planning Division:

The request is in the Pinnacle Planning District. The Land Use Plan shows Residential Low Density (RL) for the requested area. The Residential Low Density category provides for single family homes at densities not to exceed 6 dwelling units per acre. Such residential development is typically characterized by conventional single family homes, but may also include patio or garden homes and cluster homes, provided that the density remain less than 6 units per acre. The application is to change an area from R-2 (Single Family District) to POD (Planned Office Development) District to allow for the conversion and expansion of a house to a real estate office with parking.

Master Street Plan: To the west is Highway 300 and it is a Minor Arterial on the Master Street Plan. 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 Highway 300 since it is a Minor Arterial. This street 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 II Bike Route shown on Highway 300. A Bike Lane provides a portion of the pavement for the sole use of bicycles.

H. SUBDIVISION COMMITTEE COMMENT: January 29, 2020

The applicant was present. Staff presented the item to the committee.

Planning staff inquired if both structures were proposed for office use or if one will continue to be used as a single-family residence. The applicant was also asked to provide information on proposed signage, the number of employees and clients anticipated, the hours of operation, and garbage collection.

Public Works noted Highway 300 is classified as a minor arterial on the Master Street Plan a dedication of 45-feet from the centerline will be required. Also, runoff from gravel parking lots may result in the discharge of pollutants from the site exceeding the water quality standards in violation of the city's stormwater permit. The gravel parking areas should be paved with asphalt or concrete. Additionally, should the structures or parking areas be expanded, the existing driveways should be combined into a single driveway. Lastly, the expansion of the structures or redevelopment of the property would require the construction of half-street improvements, including a 5-foot sidewalk.

The Landscape comments noted any new development on the site would require compliance with the city's minimal landscape and buffer ordinance. Any existing

vehicular use area may continue in nonconformity until such a time a building permit is issued to rehabilitate a structure on the property exceeding 50% of the current replacement cost of the structure. At that time 50% of the existing vehicular use area must be made compliant up to full compliance based upon the percentage of rehabilitation cost.

Also, any expansion of the structures by more than 10% of the existing floor area would require 10% of the vehicular use area to be brought into compliance up to full compliance based upon the percentage of expansion.

It was also noted that should water service be desired, an extension of a water main required.

The applicant was advised responses to comments are to be received by February 5, 2020. The committee forwarded the item to the full commission.

I. ANALYSIS:

The applicant provided responses to the comments.

Both structures are proposed for nonresidential use. One would be a real estate office (general-professional office) and the other a beauty salon. Also, the applicant would like to have single-family residential continued as an allowed use.

A small building sign is being contemplated. Any signage would comply with the standards for office use under the zoning ordinance.

The real estate office would have no more than 3 employees and it is not anticipated to be frequently visited by clients.

The office hours for the real estate office would be typical, Monday through Friday from 8 am to 5 pm with occasional weekend hours.

The beauty salon would operate in the evening, typically from 5 pm to 9pm weekdays only.

Garbage collection would continue to be using City of Little Rock receptacles and service.

The applicant will pave the parking areas. As the owner intends to redevelop the site in the future for office use, he desires for the improved parking to be able to be incorporated into that development. Staff is willing to work with the applicant to provide paved parking within one year of the approval of the rezoning, should it be approved by the Board of Directors.

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The applicant will also provide the specific distance between the structures and the new right of way line prior to the public hearing.

J. STAFF RECOMMENDATION:

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

PLANNING COMMISSION ACTION:

(FEBRUARY 20, 2020)

The applicant was present. There were no registered objectors present. 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 9 ayes, 0 noes, and 2 absent.