

**OFFICE OF THE CITY MANAGER
LITTLE ROCK, ARKANSAS**

**BOARD OF DIRECTORS COMMUNICATION
JULY 20, 2021 AGENDA**

Subject:	Action Required:	Approved By:
<p>An appeal of the Planning Commission’s denial of a Planned Zoning District titled Bark Avenue, LLC, PCD, located at 7820 Cantrell Road (Z-1528-A).</p> <p>Submitted By:</p> <p>Planning & Development Department</p>	<p>√ Ordinance Resolution</p>	<p>Bruce T. Moore City Manager</p>

SYNOPSIS	The applicant, Regan Ellis, is appealing the Planning Commission’s recommendation of denial of the Bark Avenue, LLC, PCD, located at 7820 Cantrell Road.
FISCAL IMPACT	None.
RECOMMENDATION	Staff recommends approval of the PCD rezoning. The Planning Commission voted to recommend denial by 5 ayes, 6 nays, and 0 absent.
BACKGROUND	<p>The applicant proposes to rezone the 0.89-acre property located at 7820 Cantrell Road from C-3, General Commercial District, to PCD, Planned Commercial District. The rezoning is proposed to allow use of the existing developed property as an animal kennel. The property is located on the north side of W Street, just off of Cantrell Road. The property was previously used as a contractor’s office and maintenance/storage yard.</p> <p>A description of the proposed use as provided by the applicant is as follows:</p> <p>"The proposed kennel will house up to fifty (50) dogs at any given time, with both daytime and overnight kennel options. Bark Avenue plans to provide dogs with twenty-four (24)-hour supervision for both daycare and overnight boarding options that are available.</p>

**BACKGROUND
CONTINUED**

Bark Avenue will provide dogs with a positive and nurturing environment to enhance their nutrition, physicality, and social skills while offering dog parents peace of mind that their dog is getting the best care while away from home. With more and more residents looking to board their pets during the day or during trips, Bark Avenue will meet a need previously unmet in the neighborhood. Existing kennels are faced with capacity and location disadvantages when compared to Bark Avenue. Bark Avenue will also offer transportation to and from daycare for customers in the neighborhood to help the dog parents with demanding schedules in professional and healthcare industries and to ensure that they have a safe and reliable pet daycare option. The proposed kennel will fill the demand for an affordable, convenient, and safe option for pet parents within in the Little Rock Metro area."

The proposed hours of operation will be from 6:00 AM - 7:00 PM, daily.

The applicant proposes to use the two (2) existing buildings on the site. Approximately 1,500 square-feet of the southernmost building, fronting W Street, will be utilized as office space, with the remaining 2,500 square-feet being an indoor kennel area. The northernmost building (1,967 square-feet) will be used as an indoor play area. A small addition is proposed to the east side of the south building, connecting it to the north building. This space will be used for additional indoor play area. There will be an outdoor play area between the two (2) buildings and an existing rock wall which runs north/south near the center of the property. The east portion of the property, approximately 100 feet wide and 153 feet deep (0.35 acre), will remain vacant and serve as an open space buffer area between the proposed use and the residences to the east.

A new privacy fence (minimum height of six (6) feet) and landscaping will be installed along the north, east and west property boundaries.

There are eight (8) existing parking spaces located on the south side of the southern building. A portion of the parking area is located within the W Street right-of-way. A Franchise Permit must be obtained for continued use of the parking. The parking will be sufficient to serve the proposed use.

**BACKGROUND
CONTINUED**

The applicant notes that there will be a dumpster located on the site. The dumpster area must be screened as per Section 36-523 (d) of the Code, and oriented away from the street and adjacent residential properties. The applicant notes that pet waste will be collected daily and disposed of as per City requirements.

The applicant notes that the two (2) existing night lights on the property, as provided by Entergy, will continue to be used. Additional lighting will be installed on the site. All new site lighting will be low-level and directed away from adjacent properties.

The applicant also notes that new signage will be placed on the street-facing façade of the southern building. Any site signage must conform with Section 36-555 of the Code, signs allowed in commercial zoning.

With respect to noise generated by the proposed use, the applicant notes the following:

"Bark Avenue understands that sound issues will be a key concern for the Commission and for the neighbors. With this in mind, Bark Avenue has engaged the services of Dan Chappell, an architect who has designed over 900 animal boarding facilities and veterinary clinics, including the Bellevue Animal Clinic adjacent to the Property.

Mr. Chappell plans to soundproof the Property to a level of Sound Transmission Class (STC) 50. The STC System measures the effectiveness of soundproofing based on the decibel reduction achieved. The typical STC levels begin at twenty-five (25) and reach sixty (60) at their peak, with higher STC numbers meaning better soundproofing. The STC fifty (50) rating is the most common STC requirement in Building Codes. At a level of STC-50, very loud sounds such as musical instruments or a stereo could be faintly heard, with 99% of the population not annoyed. While an STC-60 rating is the most complete soundproofing level, it is expensive to achieve and requires specialized sound-mitigating materials. The STC-50 rating, on the other hand, can be attained with standard building materials.

To achieve the STC-50 rating, Bark Avenue will insulate all sides of all buildings on the Property and install double-paned windows. In addition, Bark Avenue will install a new fence and place appropriate landscaping around the perimeter of the Property to provide exterior soundproofing.

**BACKGROUND
CONTINUED**

Finally, Bark Avenue has strategically placed the outdoor play area in the middle of the Property, as far away from all adjacent parcels as possible. These specifics are noted on the preliminary site plan and will be fully developed on the final site plan.

Bark Avenue will also actively soundproof each day by keeping staff members on-site at all times. The staff members will quickly work to stop any barking that may occur, and staff will have several rooms, an indoor play area, and an outdoor play area to separate any loud dogs as needed. Thus, any barking will last several seconds at a time at most."

The Planning Commission reviewed this request at their March 11, 2021, meeting and there were several objectors present. All owners of property located within 200 feet of the site, as well as the seventeen (17) surrounding Neighborhood Associations, were notified of the public hearing. Please see the attached Planning Commission minute record for the complete staff analysis.