

FILE NO.: Z-5959-C

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NAME: Sparks Revised Short-form PD-C

LOCATION: Located at 3204 Shackleford Pass

DEVELOPER:

Ross Spark's Builders  
P.O. Box 17108  
Little Rock, AR 72222

ENGINEER:

White-Daters and Associates  
#24 Rahling Circle  
Little Rock, AR 72223

AREA: 1.3 Acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING: PD-C - Expired

ALLOWED USES: Contractors storage yard

PROPOSED ZONING: PD-C

PROPOSED USE: Contractors Storage Yard and Office-warehouse

VARIANCES/WAIVERS REQUESTED: None requested.

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BACKGROUND:

On May 2, 1995, the Board of Directors passed Ordinance No. 16,879 and 16,880. Ordinance No. 16,879 rezoned the property to PD-C for an office-warehouse, with C-3 permitted uses as alternative uses for the site. Ordinance No. 16,880 granted a deferral of street improvements to Shackleford Pass for five (5) years or until other construction along Shackleford Pass occurred.

The approved site plan for the property included a paved and landscaped parking area. The area was not developed and a permanent Certificate of Occupancy was also never issued.

The Board of Directors adopted Ordinance No. 18,520 on July 3, 2001, approving a revision to the existing Planned Commercial Development to allow Cook Restoration to locate on the site. The request included a five-year deferral of street improvements to Shackelford Pass and a two-year deferral of the hard surface parking area on the site. The applicant indicated any required landscaping upgrades would be made to the site. The site work had not been completed in 2003.

Ordinance No. 18,978 adopted by the Little Rock Board of Directors on November 18, 2003, allowed a revision to the previously approved single use planned development to allow the current owner to expand the facilities and utilize the site as a contractor's office with outdoor storage of equipment.

The applicant indicated there would be 2-phases. In Phase I there would be two additions to the main structure, street improvements to collector standards, a paved 19-space parking area for the office and a fenced area in the rear of the project for equipment storage. The equipment storage area was proposed with a 6-inch of gravel spread to eliminate dust and mud. The area would be used for equipment and material storage. Phase II consisted of a 40-foot by 60-foot expansion to the existing metal building.

Phase III included the construction of a 50-foot by 70-foot free standing building to be used as lease space with C-3, General Commercial District uses as the allowable uses. The structure was indicated at the rear of the property. The parking area was to be expanded during this phase with the addition of 24 parking spaces. With this addition the contractor's equipment storage area would be reduced. The development has not occurred and the PD-C zoning has expired.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is requesting to reinstate the current PD-C zoning to include adding multi-tenant office, warehouse and equipment storage to include existing and planned new buildings on the property. The existing use as a contractor's office, warehouse and outdoor equipment storage yard will remain. In addition to the contractor's office and materials yard, the request includes the allowance of C-3, General Commercial District uses and office warehouse as allowable uses for the site.

The new building and expansion or alteration of the existing building will be built in phases and adjusted to accommodate future tenant's needs within the parameters of the approved PD-C zoning. This plan is consistent with the original PD-C approved in 2003 in that the original PD-C and site plan included phased future development of the property to include additional tenant buildings and expansion of the existing building and parking and site improvements. It is also consistent with the prior PD-C approved for the property in 1995 that included office-warehouse with C-3 permitted uses.

B. EXISTING CONDITIONS:

There are two (2) existing buildings on the site, a 1,727 square foot office and a 2,400 square foot warehouse structure. There is a gravel parking area along the building's south side. There are commercial uses across Shackleford Pass to the east and southeast. North of the site is Shackleford Crossing Shopping Center and west of the site is R-2 Single-family zoned property. There are several single-family residences and an auto repair business to the south, between this property and West 36<sup>th</sup> Street.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received several informational phone calls from area residents. All property owners located within 200-feet of the site along with the John Barrow Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Due to the proposed use of the property, the Master Street Plan specifies that Shackleford Pass for the frontage of this property must meet commercial street standards. Dedicate right-of-way to 30-feet from centerline.
2. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
3. Stormwater detention ordinance applies to this property. Show the proposed location for stormwater detention facilities on the plan.
4. A grading permit in accordance with Section 29-186 (c) and (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.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer main extension required with easements if sewer service is required for this project. Contact Little Rock Wastewater for additional information.

Entergy: Entergy has no objection to proposal. Electrical lines exist along the roadway in front of the property which will need to remain.

Center-Point 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. A water main extension will be needed to provide water service to this property.
3. This development will have minor impact on the existing water distribution system. Proposed water facilities will be sized to provide adequate pressure and fire protection.
4. Additional fire hydrant(s) will be required. Contact the Little Rock Fire Department to obtain information regarding the required placement of the hydrant(s) and contact Central Arkansas Water regarding procedures for installation of the hydrant(s).
5. 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.
6. This development will have minor impact on the existing water distribution system. Proposed water facilities will be sized to provide adequate pressure and fire protection.
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 material and construction specifications and installation will be inspected by an engineer, licensed to practice in the State of Arkansas. Execution of Customer Owned Line agreement is required.
8. Contact Central Arkansas Water regarding the size and location of the water meter.
9. 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.
10. 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 377-1226 if you would like to discuss backflow prevention requirements for this project.

Fire Department: Place fire hydrant(s) per code. Maintain access. Contact the Little Rock Fire Department for additional information.

County Planning: No comment.

CATA: The site is located on Bus Route #14 serving Shackleford Crossing.

Parks and Recreation: No comment received.

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: This request is located in the I-430 Planning District. The Land Use Plan shows Mixed Use (MX) for this property. This category provides for a mixture of residential, office and commercial uses to occur. A Planned Zoning District is required if the use is entirely office or commercial or if the use is a mixture of the three. The applicant has applied for a rezoning from PCD-Expired (Planned Commercial District) to PCD (Planned Commercial District) to allow for the addition of a building and allow C-3, General Commercial uses.

Master Street Plan: Shackleford Pass is a Local Street on the Master Street Plan. 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". This street 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.

Landscape:

1. Site plan must comply with the City's minimal landscape and buffer ordinance requirements.
2. All perimeter planting strips shall be brought into compliance with City's landscape ordinance.
3. The property to the west is zoned R-2, single-family therefore, a twenty-one foot (21') land use buffer is required.
4. The property to the south is zoned R-2, Single-family therefore, a minimum nine foot (9') land use buffer is required.

5. As a component of all land use buffer requirements, opaque screening, whether a fence or other device, a minimum of six (6) feet in height shall be required upon the property line side of the buffer. The plantings, existing and proposed, shall be provided within the landscape ordinance of the City, Section 15-81.
6. Interior landscape areas shall comprise eight percent (8%) of any vehicular use area containing twelve (12) or more spaces.
7. All vehicular use areas which were not in compliance with the City's landscape ordinance may continue as non-conforming until such time a building permit is issued to rehabilitate a structure on the property exceeding (50) percent of current replacement cost of the structure. At such time (50) percent of the existing vehicular use area shall be brought into compliance and shall continue to full compliance on a graduated scale based on the percentage of rehabilitation cost.
8. Landscape areas shall be provided between the vehicular use area used for public parking and the general vicinity of the building, excluding truck loading or service areas not open to public parking. These areas shall be equal to an equivalent planter strip three (3) feet wide along the vehicular use area.
9. 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 5, 2013)

Mr. Bryan Sparks was present representing the request. Staff presented an overview of the item stating there were additional items necessary to complete the review process. Staff requested additional information concerning the days and hours of operation, the proposed uses of the site and if there would be a dumpster located on the site. Staff requested all building setbacks be dimensioned on the plan.

Public Works comments were addressed. Staff stated the City's stormwater detention ordinance would apply to the future development of the site. Staff stated prior to construction a grading permit would be required. Staff also stated a dedication or right of way to 30-feet from centerline was required along Shackleford Pass.

Landscaping comments were addressed. Staff stated all perimeter landscape strips were to be brought into compliance with the City's landscape ordinance. Staff stated screening was required along the sites western and southern

perimeters. Staff also stated all vehicular use areas which were not in compliance with the City's landscape ordinance would require an upgrade at the time of building permit for rehabilitation of the existing structure.

Staff noted comments from the other reporting departments and agencies suggesting the applicant contact them individually for additional clarification. There was no further discussion of the item. The Committee then forwarded the item to the full Commission for final action.

H. ANALYSIS:

The applicant submitted a revised plan to staff addressing most of the issues raised at the December 5, 2013, Subdivision Committee meeting. The applicant has indicated all building setback dimensions and has indicated the signage will comply with signage allowed in office zones or a maximum of six feet in height and sixty-four square feet in area. The building signage will be limited to a maximum of ten (10) percent of the façade area on the building fronting Shackelford Pass and ten (10) percent of the façade area on the southern façade of the proposed new building. The applicant has also indicated the days and hours of operation will be from 5:00 am to 12:00 am daily.

The applicant is requesting to reinstate the current PD-C zoning to include adding a planned new building on the property. The existing use as a contractor's office, warehouse and outdoor equipment storage yard will remain plus the request includes the addition of C-3, General Commercial District uses and office warehouse as allowable for the site. There will continued to be areas of outdoor equipment storage.

Presently the entire rear yard area of the site is graveled and being used for storage of vehicles and equipment. The request includes two areas of equipment storage and to allow the areas to remain as graveled surfaces. Within the western portion of the site the applicant is proposing the addition of a 50-foot by 120-foot office, office/warehouse building. There are 12 existing parking spaces and the applicant is proposing the addition of 24-parking spaces with the new building construction.

The site plan includes the minimum landscape strip of 9-feet along the southern and western perimeters. The applicant is requesting the western land use buffer be reduced to the 9-foot minimum. A screening fence will be installed along the northern, western and southern perimeters.

To Staff's knowledge there are no outstanding issues associated with the proposed request. Staff is supportive of the request to reinstate the previously approved P-DC to allow a contractors storage yard to become an allowable use for the site.

I. STAFF RECOMMENDATION:

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

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PLANNING COMMISSION ACTION:

(JANUARY 9, 2014)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the request as filed subject to compliance with the conditions outlined in paragraphs D, E and F of this report.

There was no further discussion of the item. The Chair entertained a motion for approval of the item as presented by staff. The motion carried by a vote of 6 ayes, 0 noes, 4 absent and 1 open position.