

FILE NO.: Z-6051-L

NAME: Shoppes at Chenal Long-form PCD

LOCATION: Located on the Southeast corner of Arkansas Systems Drive and Chenal Parkway

DEVELOPER:

Reese Commercial
11719 Hinson Road, Suite 130
Little Rock, AR 72212

OWNER/AUTHORIZED AGENT:

Shoppes and Chenal LLC, John Reese, Owner
Crafton Tull and Associates, Agent

SURVEYOR/ENGINEER:

Crafton, Tull and Associates
10825 Financial Centre Parkway, Suite 300
Little Rock, AR 72211

AREA: 5-acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 5

PLANNING DISTRICT: 19 - Chenal

CENSUS TRACT: 42.16

CURRENT ZONING: C-3, General Commercial District

ALLOWED USE: General Retail

PROPOSED ZONING: PCD

PROPOSED USE: C-3, General Commercial District uses – allow two (2) signs along Chenal Parkway.

VARIANCE/WAIVERS:

1. A variance from Sections 30-43 and 31-210 to allow the drive on Arkansas Systems Drive nearer the property line than typically allowed.
2. A variance from the Land Alteration Ordinance to allow grading of the site with the construction of the first building.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The site plan indicates three (3) buildings, two (2) of which will contain 6,000 square feet and one (1) containing 22,734 square feet. The site will take access from a shared driveway with the Centre at Chenal at the southwest corner of the site, a new driveway on Chenal Boulevard and a new driveway on Arkansas Systems Drive. The site is proposed containing 243 parking spaces.

The site plan indicates there are four (4) drive-through pick-up window. Each of the 6,000 square foot buildings has one (1) drive-through window service. The larger building will have a drive thorough service on each end of the building.

The applicant is requesting a variance from Sections 30-43 and 31-210 to allow the drive on Arkansas Systems Drive nearer the property line than typically allowed.

B. EXISTING CONDITIONS:

The site is a partially wooded site located at the southeast corner of Arkansas Systems Drive and Chenal Parkway. The area has developed as an office complex with a retail center located to the south. The area to the northwest is a C-2, Shopping Center District zoned site developed as a shopping center, the Promenade at Chenal. To the west of the site is a property zoned PCD, Planned Commercial Development - Expired for the placement of a branch bank facility and a restaurant. Further west is property developing as St. Vincent's West Medical campus. The Centre at Chenal is developed as a mixed use development including both office and retail uses.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200-feet of the site along with the Village of Wellington Property Owners Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Chenal Parkway is classified on the Master Street Plan as a principal arterial. Dedication of right-of-way to 55-feet from centerline will be required.
2. Sidewalks with appropriate handicap ramps are required in accordance with Section 31-175 of the Little Rock Code and the Master Street Plan. Sidewalks should be installed along Chenal Parkway.
3. Pedestrian access should be provided from the public right-of-way to and between the proposed buildings.
4. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.

5. 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. Site grading, and drainage plans will need to be submitted and approved prior to the start of construction. Is advanced grading requested to occur on the site for future phases with construction of Phase 1?
6. Stormwater detention ordinance applies to this property. Show the proposed location for stormwater detention facilities on the plan.
7. If disturbed area is one (1) or more acres, obtain a NPDES stormwater permit from the Arkansas Department of Environmental Quality prior to the start of construction.
8. Alteration of the water course will require approval from the Little Rock District of the US Army Corps of Engineers prior to start of work.
9. Submit a Traffic Impact Study for the proposed project. Study should address trip generation and trip distribution for the development and also should take into account existing and projected traffic growth. The proposed drive through stack distances should be examined to reduce conflicts and not block parking spaces and drive aisles.
10. A special Grading Permit for Flood Hazard Areas will be required per Section 8-283 prior to construction.
11. The minimum Finish Floor elevation of at least one (1) foot above the proposed base flood elevation is required to be shown on plat and grading plans. At time of construction and prior to issuance of the final certificate of occupancy, an elevation certificate will be required to be provided.
12. In accordance with Section 31-176, floodway areas must be shown as floodway easements or be dedicated to the public. In addition, a 25-foot wide access easement is required adjacent to the floodway boundary.
13. The base flood elevations show to be below the bottom of the ditch. The majority of the channel adjacent to and within the subject property shows to be in the floodplain with the channel upstream of Arkansas Systems Drive shown to be in the floodway. Prior to issuance of a grading permit, a "No Rise Certification" based on the 100-year storm event for pre and post developed conditions must be provided to staff and FEMA for review and approval.
14. Per City Code, Section 36-341, vehicle parking is restricted from being provided in the floodway.
15. Show effective floodway and floodplain delineation as found on the FIRM on the subject property.
16. The maintenance of the box culverts will be the responsibility of the developer, property owner, or property owner association.
17. In case of structure failure or obstructions, a 100-year overflow path must be provided that will not damage adjacent properties.

18. Provide a Sketch Grading and Drainage Plan per Section 29-186 showing minimum finished floor elevations and 100-year overflow path.
19. Driveway locations and widths do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. Driveway spacing is 250 feet from other intersections and driveways and 125 feet from side property lines. A variance is required for the proposed Arkansas Systems Drive driveway.
20. A concrete median should be extended along the outside of the drive thru lane at both the north and south restaurants to prevent driver confusion.
21. The 2-way vehicular circulation should be provided around the exterior of the site.
22. All driveways shall be concrete aprons per City Ordinance.

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

Little Rock Water Reclamation Authority: Sewer available to this site. EAD 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 based on the information provided. There is an existing three phase, underground power line running along the north side of Arkansas Systems Drive, and another one on the west side of Chenal Parkway adjacent to this 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 received.

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. Commercial and Industrial Developments – 2 means of access. - Maintain fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1
 - a. Section D104.1 Buildings exceeding three stories or 30 feet in height. Building or facilities exceeding 30 feet or three stories in height shall have at least two means of fire apparatus access for each structure.
 - b. Section D104.2 Building exceeding 62,000 square feet in area. Buildings or facilities having a gross building area of more than 62,000 square feet shall be provide with two separate and approved fire apparatus access roads.
 - c. Exception: Projects having a gross building area of up to 124,000 square feet that have a single approved fire apparatus access road when all building are equipped throughout with approved automatic sprinkler systems.
 - d. D104.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.
5. 30' Tall Buildings - Maintain aerial fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D105.1 – D105.4
 - a. D105.1 Where Required. Where the vertical distance between the grade plane and the highest roof surface exceed 30', approved aerial fire apparatus access roads shall be provided. For the purposes of this section the highest roof surfaces shall be determined by measurement to the eave of a pitched roof, the intersection of a roof to the exterior wall, or the top of the parapet walls, whichever is greater.
 - b. D105.2 Width. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26', exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

- c. D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.
 - d. D105.4 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.
6. 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: Project is subject to full commercial plan review and approval prior to issuance of a building permit. For information on submittal requirements and the review process, contact a commercial plans examiner, Curtis Richey at 501.371.4724 or crichey@littlerock.gov.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements and the Chenal/Financial Center Design Overlay District.
2. Screening requirements will need to be met for the vehicular use areas adjacent to street right-of-ways. Provide screening shrubs with an average linear spacing of not less at three (3) feet within the required landscape area. Provide trees with an average linear spacing of not less than thirty (30) feet.
3. A perimeter planting strip is required along any side of a vehicular use area that abuts adjoining property or the right-of-way of any street. This strip shall be at least nine (9) feet wide. One (1) tree and three (3) shrubs or vines shall be planted for every thirty (30) linear feet of perimeter planting strip.
4. Building landscape areas 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. Eight percent (8%) of the vehicular use area must be designated for green space; this green space needs to be evenly distributed throughout the parking area(s). For developments with more than one hundred fifty (150) parking spaces the minimum size of an interior landscape area shall be three hundred (300) square feet. Interior islands must be a minimum of seven and one half (7 1/2) feet in width. Trees shall be included in the interior landscape areas at the rate of one (1) tree for every twelve (12) parking spaces.
6. An irrigation system shall be required for developments of one (1) acre or larger.
7. The development of two (2) acres or more requires the landscape plan to be stamped with the seal of a Registered Landscape Architect.
8. 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: The site is not located on a dedicated Rock Region Metro Route.

Planning Division: This request is located in Chenal Planning District. The Land Use Plan shows Commercial (C) for this property. The Commercial category includes a broad range of retail and wholesale sales of products, personal and professional services, and general business activities. Commercial activities vary in type and scale, depending on the trade area that they serve. The applicant has applied for rezoning from C-3 (General Commercial District) to PCD (Planned Commercial Development) to allow for future development of retail and restaurants. This request is within the Chenal Overlay District.

Master Street Plan: West of the property is Chenal Parkway and it shown as a Principal Arterial on the Master Street Plan. North of the property is Arkansas System Drive and it shown as a Collector on the Master Street Plan. The primary function of a Principal Arterial Street is to serve through traffic and to connect major traffic generator or activity centers within an urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Chenal Parkway since it is a Principal Arterial. 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: Class I Bike Path is shown along Chenal Parkway. A Bike Path is to be a paved path physically separate for the use of bicycles. Additional right-of-way or an easement is recommended. Nine-foot (9') paths, replacing the sidewalks, are recommended to allow for pedestrian use as well as bicycle use.

H. SUBDIVISION COMMITTEE COMMENT: (December 20, 2017)

Mr. Frank Riggins of Crafton Tull and Associates was present representing the request. Staff presented an overview of the item stating there were few outstanding technical issues in need of addressing related to the proposed site plan. Staff stated the order menu board was to be screened unless the applicant requested the allowance to not screen the menu board. Staff questioned the maximum building height proposed for the new buildings. Staff also requested information concerning the proposed use mix of the new buildings.

Public Works comments were addressed. Staff stated a grading permit was required prior to any development of the site. Staff stated the finished floor elevation should be placed at one (1) foot above the base flood elevation. Staff stated parking was restricted within the floodway. Staff requested the applicant provide the floodway and floodplain to be delineated on the site plan based on the FIRM maps. Staff stated the driveway on Arkansas Systems Drive would require a variance from the Master Street Plan and Boundary Street Ordinances. Staff stated two (2) way vehicular circulation should be provided around the exterior of the site.

Landscaping comments were addressed. Staff stated screening of the vehicular use area was required along all abutting streets. Staff stated a minimum of eight (8) percent of the vehicular use area was to be landscaped. Staff stated the development of two (2) or more acres would require a landscape plan stamped with the seal of a landscape architect.

Staff noted the comments from the various other departments and agencies. Staff suggested the applicant contact the departments or agencies directly with any questions or concerns. There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.

I. ANALYSIS:

The applicant submitted a revised site plan to staff addressing most of the technical concerns raised at the December 20, 2017, Subdivision Committee meeting. The applicant has provided the maximum building height for the proposed buildings at 35-feet, noted the uses proposed for the buildings are uses as allowed within the C-3, General Commercial Zoning District and noted on the site plan order menu boards will be screened per typical ordinance requirements.

The request is a rezoning of the site from C-3, General Commercial Zoning District to PCD, Planned Commercial Development District, to allow the development of the site with an office retail development. The site is located within the Chenal/Financial Center Design Overlay District which has development criteria related to signage. The Overlay allows a single development sign not to exceed eight (8) feet in height and 100 square feet of sign area. The applicant is proposing the placement of two (2) development signs on the site. Each sign will be no more

than eight (8) feet in height and 100 square feet of sign area. The request for the additional ground sign is the reason for the rezoning request.

The site plan indicates three (3) buildings, two (2) of which will contain 6,000 square feet and one (1) containing 22,734 square feet. The site plan indicates the placement of 243 total parking spaces. The plan notes each of the buildings to provide parking as typically required for the use. The buildings indicated for restaurant use are each indicated with 60 parking spaces to serve the buildings. The office/retail building is indicated with 123 spaces or 5.41 spaces per 1,000 square feet.

The site will take access from a shared driveway with the Centre at Chenal at the southwest corner of the site, a new driveway on Chenal Boulevard and a new driveway on Arkansas Systems Drive are proposed. The applicant is requesting a variance from Sections 30-43 and 31-210 to allow the drive on Arkansas Systems Drive nearer the property line than typically allowed.

The site plan indicates there are four (4) drive-through pick-up window. Each of the 6,000 square foot buildings has one (1) drive-through window service. The larger building will have a drive through service on each end of the building. All order boards will be screened per typical ordinance requirements. The location of menu board speakers for drive-through windows of restaurants are to comply with the following criteria: (a) Each speaker shall be so mounted that it is baffled on all sides in a manner which will direct the sound produced to the vehicle served. (b) Each speaker location shall be designed to provide for a solid wall at least six (6) feet in height and twenty (20) feet in length along the opposite lane line. This wall shall be constructed of masonry or wood with a textured finish to diminish sound deflection.

Building signage is proposed on the facades with public street frontage. The signage will be limited to a maximum of ten (10) percent of the façade area as typically allowed in commercial zones.

The site plan indicates the placement of dumpsters and a note concerning the dumpster screening. There are locations where the dumpsters are located within the street side setback. The dumpsters will be screened via a split face CMU block with a front metal gate. In addition staff recommends the applicant provide landscape plant materials around the enclosure to aid in screening the block walls. The dumpster hours of service will be limited to 7 am to 6 pm Monday through Friday.

Staff has requested the applicant provide a traffic analysis for the proposed development. The applicant has contracted with a traffic engineer who is preparing the report for staff review and comment. At this time staff cannot make a recommendation on the potential impact this development will have on the abutting streets. Staff's recommendation and the full traffic analysis report will be provided to the Commission at the January 11, 2018, Public Hearing.

J. STAFF RECOMMENDATION:

Staff recommendation forthcoming.

PLANNING COMMISSION ACTION:

(JANUARY 11, 2018)

The applicant was present. There were no registered objectors present. Staff presented the item stating the applicant had submitted a request dated January 2, 2018, requesting deferral of this item to the February 22, 2018, public hearing. Staff stated they were supportive of the deferral request. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff by a vote of 11 ayes, 0 noes and 0 absent.

STAFF UPDATE:

The applicant submitted a revised site plan and cover letter to staff in an effort to diminish staff's concerns related to the overall development plan. The applicant proposes several conditions in an effort to find common ground on which both the City and the developer can agree that will give the City measurable data by which review, approval and monitoring could occur at the same time and give the applicant flexibility to modify the plans without having to amend the PCD, Planned Commercial Development, zoning for each modification.

The proposal includes:

1. The applicant requests the City approve the site plan as shown including four (4) drive-through windows as shown on the plan.
2. The applicant proposes to limit the number of cars in queue at each of the drive-through windows, at any given time, to the number shown on the plans for that particular drive-through and as listed below. This number shall hereinafter be referred to as the "approved number".
3. The approved number refers to the maximum number in queue at any given time and not "trips per day".
4. The approved number shown on the exhibit is for that drive-through window only and is not to be interpreted as an overall site total. The approved number, or a portion thereof, cannot be transferred to another drive-through.
5. Should a tenant come forward that requires or has historically shown that the approved number is inadequate, then the applicant agrees to submit a revised site plan and a traffic study which will analyze the affect that the proposed number of vehicles will have on the traffic function of the site and/or the boundary streets or access driveways.

6. The applicant also requests if the number in queue exceeds the approved number by ten (10) percent or less, the approval can be addressed at staff level without the requirement of a traffic study or amending the PCD, Planned Commercial Development, zoning.
7. Proposed drive-through capacities are not to be exceeded unless approved by Little Rock Public Works and are as follow:
 - a. Drive-through 1 12 cars
 - b. Drive-through 2 8 cars
 - c. Drive-through 3 6 cars
 - d. Drive-through 4 12 cars
8. The applicant requests to be allowed to enlarge Buildings A and C from 6,000 square feet as shown on the current site plan to 7,000 square feet if the drive-through for that particular building is not constructed and the amendment can occur without amending the PCD, Planned Commercial Development, zoning. The amendment is to occur as a staff level sign-off.
9. The applicant requests the southern-most driveway be allowed to remain as shown as well on the current site plan dated February 7, 2018, as well as Drive-through 4 to remain as shown for Building C. The applicant feels that the concern for possible conflict was addressed when the drive-through was modified to provide for double stacking. The drive-through now provides for 12 cars. Should this number prove to be inadequate and results in traffic conflict at the driveway, then Condition 5 of this proposal would be initiated.

The applicant submitted a traffic study to staff on February 12, 2018. Staff is reviewing the findings of the traffic study and will provide an update to the Commission at the public hearing.

Staff recommendation forthcoming.

PLANNING COMMISSION ACTION:

(FEBRUARY 22, 2018)

The applicant was present. There were no registered objectors present. Staff stated they had reviewed the applicant's traffic study and based on a letter received from the Owners Representative, Frank Riggins of Crafton Tull and Associates, staff was now in support of the request. Staff stated the letter outlined twelve (12) responses to an e-mail dated February 16, 2018, from Traffic Engineering. Staff stated the applicant's letter was dated February 21, 2018, and would become a part of the applicant's application and approval. Staff presented 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. Staff presented a recommendation of approval of the applicant's request to grade the site with the development of the first building. 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.