

FILE NO.: Z-9120-A

NAME: Rebel Kettle Revised Short-form PCD

LOCATION: 822 East 6th Street

DEVELOPER:

822 East 6th, LLC
20710 Highway 365 N
Maumelle, AR 72113

OWNER/AUTHORIZED AGENT:

822 East 6th, LLC/Owner
White Daters & Associates/Authorized Agent

SURVEYOR/ENGINEER:

White Daters & Associates
24 Rahling Circle
Little Rock, AR 72223

AREA: .52 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 1

PLANNING DISTRICT: 7

CENSUS TRACT: 2

CURRENT ZONING: PCD

ALLOWED USES: UU Urban Use District uses and micro-brewery restaurant

PROPOSED ZONING: Revised PCD

PROPOSED USE: UU Urban Use District uses and micro-brewery restaurant with change to site plan.

VARIANCE/WAIVERS: Remove screening walls in front of the parking lot on the west side of the building.

BACKGROUND:

On May 3, 2016, the Board approved Ordinance No. 21,232 establishing the Rebel Kettle and Restaurant Short-form PCD. The PCD was necessary since there were two variances from the standards of the Presidential Park Design Overlay District and UU

Urban Use District. The approval allowed an area for outdoor entertainment within a fenced yard area on the east side of the property; not to be used as an event center (a variance from the UU District which requires all uses to be within an enclosed building). The approval also allowed parking on the west side of the building to access East 6th Street (a variance from the DOD standards which state no surface parking is to be located along E. 6th Street). A 42" tall screening wall was constructed on either side of the driveway onto E. 6th Street to visually hide the appearance of the surface parking lot.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is requesting a revision to the PCD to allow for the addition of a 20' x 20' storage building and to allow for removal of the previously-constructed screening walls. The storage building is to be located at the rear of the site. The applicant is proposing to install landscape materials in lieu of the screening walls. All other aspects of the PCD will remain unchanged.

B. EXISTING CONDITIONS:

The site has been developed as per the approved PCD and the brewery restaurant is in operation. The site is located in an area populated primarily by light industrial, warehouse and wholesale type uses. A convenience store with gas pumps is adjacent to the west. Beginning at this site and extending to the east, new non-industrial uses are developing, including the Lost Forty Brewery Restaurant, E-STEM's east campus and the East Village development.

C. NEIGHBORHOOD COMMENTS:

Notice of the public hearing was sent to all owners of properties located within 200 feet of the site and the Hanger Hill Neighborhood Association.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

No comments.

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

Little Rock Water Reclamation Authority: Sewer Available to this site.

Entergy: Entergy does not object to this proposal. There do 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 comments received.

AT&T: No comment received.

Central Arkansas Water: No comments received.

Fire Department:

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.

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 comments received.

County Planning: No comments received.

F. **BUILDING CODES/LANDSCAPE:**

Building Code: No comment if this is a pre-manufactured storage building. If build on site the Project is subject to full 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; crichey@littlerock.gov or
Steve Crain at 501-371-4875; scrain@littlerock.gov

Landscape:

1. Any new site development must comply with the City's minimal landscape and buffer ordinance requirements and the Presidential Park Overlay District.
2. 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 comments.

Planning Division: This request is located I-30 Planning District. The Land Use Plan shows Mixed Use Urban (MXU) for this property. Mixed Use Urban category

provides for a mix of residential, office and commercial uses not only in the same block but also within the same structure. This category is intended for older “urban” areas to allow dissimilar uses to exist, which support each other to create a vital area. Development should reinforce the urban fabric creating a 24-hour activity area. Using the Planned Zoning District or the Urban Use District, high and moderate density developments that result in a vital (dense) pedestrian oriented area are appropriate. The applicant has applied for a revised PCD (Planned Commercial District) to add a storage building and to modify the screening of the west parking lot. The site is within the Presidential Park Design Overlay District.

Master Street Plan: South of the property is East 6th Street and it is shown as a Collector on the Master Street Plan. East of the property is Collins Street and it is shown as a Local Street on the Master Street Plan. The primary function of a Collector Road is to provide a connection from Local Streets to Arterials. 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”. A Collector design standard is used for Commercial Streets. These streets may require dedication of right-of-way and may require street improvements.

Bicycle Plan: A Class II Bike Lane is shown along East 6th Street. Bike Lanes provide a portion of the pavement for the sole use of bicycles.

H. SUBDIVISION COMMITTEE COMMENT: (January 2, 2019)

Joe White was present representing the application. Staff presented the item and noted little additional information was needed. Staff requested a more complete description of the landscaping proposed to be used in place of the previously required screening walls. Staff noted a franchise would be required for any landscaping to be planted in the right of way. Mr. White was asked to provide a written justification for requesting removal of the screening walls. Staff asked that the dumpster and required screening be indicated on the site plan.

Other reviewing agencies and departments comments were noted.

The applicant was advised to submit responses to staff issues by January 9, 2019. The committee forwarded the item to the full commission.

I. ANALYSIS:

The applicant submitted responses to the issues raised at subdivision committee. The reason stated for the proposed removal of the 42” screening walls is customer safety. The parking area on the west side of the building is screened on all four sides by the building, privacy fencing and the screening walls. The parking area is rather secluded and has tended to attract some transients. The business currently spends \$7,000 per year to provide off-duty police officers to patrol the area. He believes opening up the view from 6th Street will help with this issue. Currently there are two evergreen trees and a row of evergreen shrubs on each

side of the driveway. Both trees and the shrubs are behind the walls that are proposed for removal. The owner will maintain the existing trees and shrubs and will enhance them to meet code. He does want to keep the plantings (shrubs) low enough to see the parking area from the street. The existing dumpster and required screening are located on the north side (behind) of the building. No change is proposed. The existing fencing has been noted on the site plan. No changes are proposed. Placement of the 20' x 20' storage building will result in the loss of 2 parking spaces. The base zoning in the area is UU Urban Use which has no on-site parking requirement. There is sufficient parking on the site and in the area to accommodate the use.

To staff's knowledge there are no outstanding issues. The initial PUD was necessary due to the proposed outdoor use area and to allow the parking off of 6th Street. There is no change proposed to the previously-approved outdoor use area. The existing and proposed landscaping will provide some screening of the parking lot. Since this PCD was initially approved, there has been a major new development established just a few blocks to the east (East Village). East Village was approved with substantial parking lots directly along 6th Street.

J. STAFF RECOMMENDATION:

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

PLANNING COMMISSION ACTION:

(JANUARY 31, 2019)

The applicant was present. There were no 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 10 ayes, 0 noes and 1 absent.