

FILE NO.: Z-8576-A

NAME: Avulani Enterprises – PCD

LOCATION: 17,524 Kanis Road

DEVELOPER:

Avulani Enterprises
51 Sologne Circle
Little Rock, AR 72223

OWNER/AUTHORIZED AGENT:

Avulani Enterprises – Owner
Terry Burruss – Agent

SURVEYOR/ENGINEER:

Terry Burruss, Architect
11912 Kanis Road, F-8
Little Rock, AR 72211

AREA: 4.023 acres NUMBER OF LOTS: 1 FT. NEW STREET: 0 LF

WARD: N/A PLANNING DISTRICT: 19 CENSUS TRACT: 42.13

CURRENT ZONING: O-2 and C-3

VARIANCE/WAIVERS:

1. Variance to allow reduced driveway setback from property line.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to rezone 4.023 acres from "O-2" Office and Institutional District and "C-3" General Commercial District to "PCD" Planned Commercial District to allow a three (3) phase mixed commercial development.

B. EXISTING CONDITIONS:

The majority of the property is undeveloped and partially tree covered. A single family residence is located within the south half of the property.

C. NEIGHBORHOOD COMMENTS:

All owners of property located within 200 feet of the site and all neighborhood associations registered with the City of Little Rock were notified of the public hearing.

D. ENGINEERING COMMENTS:

1. Kanis Rd is classified on the Master Street Plan as a minor arterial. A dedication of right-of-way 45 feet from centerline will be required.
2. With site development, provide design of street conforming to the Master Street Plan. Construct one-half street improvement to Kanis Rd. including 5-foot sidewalks with planned development. The new back of curb should be placed 29.5 ft from striped centerline. A deferral of street improvements to phase 2 was requested. Staff recommends approval of the deferral of the street widening until Phase 2. The new driveway aprons should be placed from the Kanis Rd centerline for future.
3. If the property is annexed into the City of Little Rock, a grading permit in accordance with section 29-186 (c) & (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. Is an advanced grading variance requested to grade future phases with development on the first phase.
4. Provide a Sketch Grading and Drainage Plan per Sec. 29-186 (e).
5. Storm water detention ordinance applies to this property. Show the proposed location for stormwater detention facilities on the plan. Maintenance of the detention pond and all private drainage improvements is the responsibility of the developer and/or property owner association.
6. Driveway locations and widths do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. The width of driveways must not exceed 36 feet. Driveway spacing on arterial streets is 300 from other driveways and intersections and 150 ft from the side property lines. The west driveway should be placed on or near the west property line with an access easement provided and access shared in the future with property to the west. A variance is required for the west driveway location. Show driveway locations on the south side of Kanis Rd.
7. If the property is annexed into the City of Little Rock, a special Grading Permit for Flood Hazard Areas will be required per Sec. 13-55 prior to 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. 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 drainage and access easement is required adjacent to the floodway boundary. The floodway should be rezoned Open Space.
10. A substantial area of the site lies within the regulated floodway and floodplain of Rock Creek. No future construction of any structures, improvements to the interior of the structures over 50% of the market value of the structure, parking areas, or placement of fill materials are allowed within the floodway.
11. Street Improvement plans shall include signage and striping. Public Works must approve completed plans prior to construction.
12. Street lights are required by Section 31-403 of the LR code. Provide plans to Planning and Development. Street lights must be installed prior to platting/certificate of occupancy.
13. Driveway locations and widths do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. The width of driveway must not exceed 36 feet. Driveway spacing in arterial streets is 300 from other driveways and intersections and 150 ft from the side property lines. The west driveway should be placed on the west property line with an access easement and shared in the future with property to the west. A variance is required for the west driveway locations.
14. Provide a letter prepared by a registered engineer certifying the intersection sight distance at the intersection(s) comply with 2004 AASHTO Green Book standards.
15. Damage to public and private property due to hauling operations or operation of construction related equipment from a nearby construction site shall be repaired by the responsible party prior to issuance of a certificate of occupancy.
16. With site development, provide design of street conforming to the Master Street Plan. Per Sec. 30-281(b), boundary street improvements include widening of the Rock Creek bridge. An in-lieu payment for one hundred percent of the bridge or box culvert construction on arterial streets for the initial 15 ft of span length which is measured perpendicular from the supporting walls. The City will be responsible for the additional cost of the bridge or box culvert in which the total structure length exceeds 15 linear ft as determined by the by City.
17. Due to the subject property discharging stormwater into Rock Creek just upstream of the City of Little Rock M, controls must be used on site to prevent the discharge of pet waste that violates the water quality standards for Rock Creek as established by ADEQ. Provide explanation of proposed stormwater water quality controls.

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

Little Rock Water Reclamation Authority: Outside service area boundary, No comment.

Entergy: No comments received.

CenterPoint Energy: No comments received.

AT & T: No comments received.

Central Arkansas Water: No comments received.

Fire Department: No comments.

Parks and Recreation: No comments received.

County Planning: No comments.

F. BUILDING CODES/LANDSCAPE:

Building Code: No comments received.

Landscape:

1. Any new site development must comply with the City's minimal landscape and buffer ordinance requirements.
2. Street buffers will be required at six (6) percent of the average depth of the lot. The minimum dimension shall be one-half ($\frac{1}{2}$) the full width requirement but in no case less than nine (9) feet.
3. Screening requirements will need to be met for the vehicular use areas adjacent to street rights-of-way. 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.
4. 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.
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). The minimum size of an interior landscape area shall be one hundred fifty (150) square feet for developments with one hundred fifty (150) or fewer parking spaces. Interior islands must be a minimum 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. The development of two (2) acres or more requires the landscape plan to be stamped with the seal of a Registered Landscape Architect.
7. An automatic irrigation system to water landscaped areas shall be required for developments of one (1) acre or larger.
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: No comments received.

Planning Division: The request is in the Chenal Planning District. The Land Use Plan shows Office (O) for the requested area. The Office (O) category represents services provided directly to consumers (e.g., legal, financial, medical) as well as general offices which support more basic economic activities. The application is to change the property from O-2 (Office and Industrial District) to PCD (Planned Commercial Development) District to allow for the future development of a climate storage facility, dog daycare and office/retail building on the site.

Surrounding the application area, the Land Use Plan shows Commercial (C) to the west, and east. Suburban Office (SO) is shown to the south, across Kanis Road. Office (O) use is shown to the north. The Commercial (C) 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 Commercial area to the west is undeveloped and wooded. To the east there is a partially developed site with an auto related use on the rear of the site. The Suburban Office (SO) category shall provide for low intensity development of office or office parks in close proximity to lower density residential areas to assure compatibility. A Planned Zoning District is required. This land is either undeveloped or has large-tract single-family houses currently. The Office (O) category represents services provided directly to consumers (e.g., legal, financial, medical) as well as general offices which support more basic economic activities. This area, north of the site, is mostly undeveloped with three office buildings currently located within the area closer to St. Vincent Way.

Master Street Plan: To the south is Kanis Road 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 Kanis Road 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 are no bike routes shown in the immediate vicinity.

H. ANALYSIS:

The applicant proposes to rezone the 4.023 acre property located at 17,524 Kanis Road from “O-2” Office and Institutional District and “C-3” General Commercial District to “PCD” Planned Commercial District to allow a three (3) phase mixed commercial development. The property is located outside the Little Rock city limits but within the City’s Extraterritorial Zoning Jurisdiction. The owner plans to annex this property prior to construction on the site.

The overall property ownership is comprised of 11.31 acres; Lots 6, 7, 8 and 9, Unit 1, Independence Farms Subdivision. A large floodway area runs through the north and east portions of the overall property. The applicant is proposing to rezone that portion of the property located south of the floodway area, within Lots 7, 8 and 9. Lot 6 and the portions of Lots 7, 8 and 9 located in the floodway will not be part of the proposed rezoning and development.

Phase 1 of the proposed development includes construction of a 10,000 square foot building located within the east third of the property proposed for rezoning. The one-story building will have a height of approximately 27 feet. The proposed building will be located approximately 74 feet back from the front (south) property line. A 26 foot wide paved driveway from Kanis Road will serve as access to the project. Paved parking along the south and west sides of the building will be part of the Phase 1 development. A total of 27 parking spaces will be provided in Phase 1.

The Phase 1 building will accommodate a “Doggy Daycare” use. The proposed dog daycare will allow a maximum of 120 dogs per day. The daycare will be open from 6:00 a.m. to 9:00 p.m., seven (7) days per week. The daycare will include overnight stay for a maximum of 60 dogs. Staff will be on site overnight. There will be a fenced area on the north side of the proposed dog daycare building. The fenced area will provide an outdoor play area for the dogs.

Phase 2 will include a 21,000 square foot building located within the center of the property proposed for rezoning. The one-story building will have a height of approximately 26 feet – 8 inches. The proposed building will be located approximately 74 feet back from the south (front) property line. Phase 2 will include construction of a second 34 foot wide driveway near the southwest corner of the property proposed for rezoning. The drive will extend in front of the future Phase 3 and tie into the Phase 1 driveway. Additional parking will be constructed along the south and west sides of the Phase 2 building. A total of 22 additional parking spaces will be provided with Phase 2.

The Phase 2 building will be occupied by a climate controlled storage facility. The storage facility will be totally enclosed, with loading/unloading area near the northwest corner of the structure. The climate controlled storage facility will operate from 8:00 a.m. to 6:00 p.m., Monday through Saturday. The driveway constructed in Phase 1 will extend to the north and west sides of the proposed building.

Phase 3 of the project will include construction of a 21,670 square foot building located within the west third of the property to be rezoned. The one-story building will have a height of approximately 26 feet – 8 inches. The Phase 3 building will also be located approximately 74 feet back from the front (south) property line. Phase 3 will include paved parking on the east and south sides of the building. A total of 35 additional parking spaces will be provided with Phase 3.

The use of the Phase 3 building will be a mixture of office and commercial space and additional climate controlled storage. The south 11,130 square feet of the Phase 3 building will be a mix of office and commercial uses. The applicant is requesting C-3 permitted uses for this portion of the structure. The rear 10,540 square feet will be climate controlled storage. Access to the climate controlled storage area will be through the building's front entryway. Hours of operation for this building will be from 8:00 a.m. to 9:00 p.m., seven (7) days per week.

The applicant is proposing to defer the required street improvements to Kanis Road until Phase 2 construction. When Phase 2 is developed, the street improvements for the entire project Phases 1 through 3 will be constructed. Staff supports the deferral request.

The applicant is requesting one (1) variance with the proposed development. Section 31-210 of the City's Subdivision Ordinance requires that driveways for this property be set back at least 150 feet from side property lines. The proposed west drive from Kanis Road is located approximately 40 feet from the west side property line (to centerline of driveway). The applicant is proposing two (2) driveways for this development which has slightly over 600 feet of street frontage. Staff supports the driveway spacing variance. The applicant will be required to submit a sight distance certification letter to staff for the driveways.

There will be no advancing grading of the property. Site grading will occur with each phase of development. With Phase 1 will be required to submit written explanation of proposed stormwater controls to prevent pet waste from entering Rock Creek.

The applicant is proposing a total of 84 parking spaces for the overall development. Staff feels that the proposed parking will be sufficient to serve the proposed uses.

Two (2) dumpster areas are shown on the proposed site plan. The dumpster areas must be screened as per Section 36-523 (d) of the City's Zoning Ordinance.

The applicant notes that all landscape and buffer requirements will be complied with.

The applicant is proposing one (1) ground-mounted sign with Phase 1 development and one (1) ground-mounted sign for Phases 2 and 3. All signage on the property must comply with Section 36-555 of the code (signs allowed in commercial zones).

All site lighting will be low-level and directed away from adjacent properties.

No portion of this proposed development will be located closer than 25 feet to the floodway boundary.

The applicant provided responses and additional information to all issues raised during staff's review of the application. To staff's knowledge, there are no outstanding issues.

Staff is supportive of the requested PCD zoning to allow a mixed use development at 17,524 Kanis Road. Staff views the request as reasonable. The majority of the properties located along the north side of Kanis Road from Chenal Parkway to just beyond Rahling Road are zoned commercial. The proposed uses and commercial zoning will be compatible with this general area near the intersection of Kanis Road and Chenal Parkway. The proposed PCD zoning will represent a continuation in the zoning pattern along the north side of Kanis Road. Staff believes the proposed PCD zoning will have no adverse impact on the general area.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested PCD zoning, subject to compliance with the comments and conditions outlined in paragraphs D and F, and the staff analysis, of the agenda staff report. Staff also requires that the property be annexed prior to any permits being issued for site development.

PLANNING COMMISSION ACTION:

(JULY 8, 2021)

The applicant was present. There were no persons present registered in support or opposition. 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 8 ayes, 0 nays, 2 absent and 1 open position.