

FILE NO.: Z-8728-A

NAME: Rezoning from R-4/C-3/PCD to UU

LOCATION: 900 – 924 East 9th Street

DEVELOPER:

Southern Dog Holdings, LLC
2803 Kavanaugh Blvd., #250402
Little Rock, AR 72205

OWNER/AUTHORIZED AGENT:

Southern Dog Holdings, LLC – Owner
Tim Daters – Agent

SURVEYOR/ENGINEER:

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

AREA: 0.964 acre NUMBER OF LOTS: 5 FT. NEW STREET: 0 LF

WARD: 1 PLANNING DISTRICT: 7 CENSUS TRACT: 46

CURRENT ZONING: R-4, C-3 and PCD

Variance/Waivers: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant requests to rezone the 0.964 acre property located at 900 – 924 East 9th Street from R-4/C-3/PCD to UU for future redevelopment.

B. EXISTING CONDITIONS:

The property currently contains three (3) structures; 900, 910 and 924 East 9th Street. The westernmost two (2) structures are commercial buildings, with the eastern structure being a residential building. Associated driveways and parking from East 9th Street serve the commercial structures.

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. A 20 feet radial dedication of right-of-way is required at the intersection of 9th Street and Collins Street.
2. Repair or replace any curb, gutter, sidewalk and access ramps that are damaged and not in compliance with ADA recommendations in the public right-of-way prior to occupancy.
3. With future development or expansion, the driveway widths and locations will be required to be modified.

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

Little Rock Water Reclamation Authority: Sewer Available to this Site. FOG Analysis required if food prep on site.

Entergy: No comments received.

CenterPoint Energy: No comments received.

AT & T: No comments received.

Central Arkansas Water: All Central Arkansas Water requirements in effect at the time of request for water service must be met.

Provide a 10-foot utility easement along E 9th St and Collins St. frontage.

Please submit plans for water facilities 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. Approval of plans by Central Arkansas Water, the Arkansas Department of Health Engineering Division and Little Rock Fire Department is required.

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.

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. If the grade exceeds 10 percent, approval will be denied and the applicant must submit request to be reviewed by Fire Chief for Approval.**

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.

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

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.

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.

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.

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.

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 Fire Marshal Derek N. Ingram 501-918-3756 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 comments received.

Landscape: No comments.

G. TRANSPORTATION/PLANNING:

Rock Region Metro: No comments received.

Planning Division: The request is in the I-30 District. The Land Use Plan shows Mixed Use- Urban (MXU) for the requested area. The Mixed Use-Urban (MXU) 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 application is to rezone from R-4 (Two-Family District), C-3 (General Commercial District) and PCD (Planned Commercial Development) District to UU (Urban Use) to allow for future development of the site. The application area is within the Presidential Park Design Overlay District.

Surrounding the application area, the Land Use Plan shows Mixed Use-Urban (MXU) in all directions from the site. The Mixed Use-Urban (MXU) 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. There are businesses including a hotel to the north and west from the site. This land is currently zoned UU (Urban Use District) and C-3 (General Commercial District). To the east and north there are residential structures and vacant parcels. These parcels are zoned R-4 (Two Family District), C-3, and R-5 (Urban Residential District). To the south there are businesses and residential structures as well as vacant parcels. This land is zoned C-4 (Open Display Commercial District), C-3, and O-3 (General Office District).

Master Street Plan: To the south is East 9th Street Road and it is shown as a Collector on the Master Street Plan. To the west is Collins Street and it is 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 Local Streets 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". These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: There is a Class II Bike Route shown on East 9th Street. A Bike Lane provides a portion of the pavement for the sole use of bicycles.

H. ANALYSIS:

Southern Dog Holdings, LLC, owner of the 0.964 acre property located at 900 – 924 East 9th Street, is requesting that the property be rezoned from “R-4” Two-Family District, “C-4” Open Display District and “PCD” Planned Commercial District to “UU” Urban Use District. The rezoning is proposed for future commercial development.

The property is comprised of six (6) platted lots. There are two (2) commercial buildings and associated drives/parking located within the west half of the overall property. A residential structure is located at the southeast corner of the property. The area between the commercial buildings and the residential structure is undeveloped. An alley right-of-way is located along the north property boundary.

The property is located in an area of mixed zoning and uses. UU zoned property is located across the alley right-of-way to the north. Single family and multi-unit residences are located to the east, with a scrap metal business further east. Commercial uses on C-3 and C-4 zoned property are located to the south across East 9th Street. A branch bank on C-3 zoned property is located across Collins Street to the west, with I-30 right-of-way on the west side of the bank facility.

The City’s Future Land Use Plan designates this property as “MXU” Mixed Use. The proposed rezoning of the property to UU does not require an amendment to the land use plan.

Staff is supportive of the requested UU zoning. Staff views the request as reasonable. The City’s Future Land Use Plan designation of MXU is the designation for the vast majority of the UU zoned properties in the downtown area. Additionally, the properties to the north from the alley right-of-way to East 3rd Street are currently zoned UU. The proposed UU zoning is an appropriate zoning designation for this property, and should prove to be compatible with the overall area and have no adverse impact on the surrounding properties.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested UU rezoning.

PLANNING COMMISSION ACTION:

(SEPTEMBER 9, 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 9 ayes, 0 nays and 1 absent and 1 open position.