

FILE NO.: Z-5234-C

NAME: Butler Short-form PD-C

LOCATION: Located at 2708 and 2718 South Arch Street

DEVELOPER:

Lawrence Butler
2718 South Arch Street
Little Rock, AR 72202

ENGINEER:

Harbor
8114 Cantrell Road
Little Rock, AR 72227

AREA: 0.25 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING: C-1, Neighborhood Commercial and R-4, Two-family

ALLOWED USES: Neighborhood Commercial and One and two-family

PROPOSED ZONING: PD-C

PROPOSED USE: Outdoor storage of items pawned with the associated shop to the south

VARIANCE/WAIVERS: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is requesting to use an existing vacant, R-4, Two-family zoned lot for storage of boats, vehicles, motorcycles and other large items which are pawned with his business, M & B Pawn Shop. The store front is located at 2718 South Arch Street. The lot proposed for storage is located at 2708 South Arch Street. The applicant states the storage items will be taken to the lot by employees of the business. Items will be retrieved from the lot also by employees of the business. There is no public access to the storage lot. The applicant has indicated the north lot is 50-feet by 140-feet. The lot will be paved

with asphalt to 7.5-feet from the east property line, South Arch Street. The plan indicates a seven (7) foot landscape strip on the north and south property lines. An 18-foot ingress/egress drive is proposed on the east side of the development. The applicant has indicated there will be a 50-foot rolling chain link gate 6-feet high on the west property line. The alley will be used for egress from the site.

B. EXISTING CONDITIONS:

The northern lot is vacant. There are single-family homes located both the north and south of this lot. The Pawn Shop is located on property zoned C-1, Neighborhood Commercial. Around the intersection of 28th and Arch Streets is commercially zoned with C-1, Neighborhood Commercial and C-3, General Commercial District zoned property. There are a number of commercial uses located in this area.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has not received any comment from area property owners. All property owners located within 200 feet of the site along with the Meadowbrook Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
2. All driveways shall be concrete aprons and constructed to ADA standards per City Ordinance.
3. Public Works, Civil Engineering staff should be contacted for inspection of all improvements within the right-of-way.
4. With residential properties located on two (2) sides of the parking lot development, provide a Sketch Grading and Drainage Plan per Section 29-186.
5. If access is desired to the alley from the parking lot, the alley adjacent to the subject property should be overlaid with asphalt.
6. Curb and gutter should be installed along the south edge of the paved parking area to divert stormwater to the alley.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this project.

Entergy: Entergy does not object to this proposal. An overhead line exists on the east side of the property which should not interfere with the proposed use of the vacant lot. Contact Entergy in advance should there be any concerns about clearance to the line as vehicles are moved underneath it for storage.

CenterPoint 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. The Little Rock Fire Department needs to evaluate this site to determine whether additional public and/or private fire hydrant(s) will be required. If additional fire hydrant(s) are required, they will be installed at the Developer's expense.
3. 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.
4. If there are facilities that need to be adjusted and/or relocated, contact Central Arkansas Water. That work would be done at the expense of the developer.
5. Contact Central Arkansas Water regarding the size and location of water meter.
6. 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 501.377.1226 if you would like to discuss backflow prevention requirements for this project.
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 materials and construction specifications and installation will be inspected by an engineer, licensed to practice in the State of Arkansas. Execution of a Customer Owned Line Agreement is required.

8. Fire sprinkler systems which do not contain additives such as antifreeze shall be isolated with a double detector check valve assembly. If additives area used, a reduced pressure zone back flow preventer shall be required.
9. 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.

Fire Department: No comment.

Parks and Recreation: No comment received.

County Planning: No comment.

CATA: The site is not located on a dedicated CATA Bus Route.

F. ISSUES/TECHNICAL/DESIGN:

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; crichey@littlerock.org or
Mark Alderfer at 501.371.4875; malderfer@littlerock.org.

Planning Division: This request is located in the Central City Planning District. The Land Use Plan shows Commercial (C) and Residential Low Density (RL) 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. Residential Low Density allows for single family homes at densities not to exceed six (6) dwelling units per acre. Such residential development is typically characterized by conventional single family homes, but may also include patio or garden homes and cluster homes, provided that the density remain less than six (6) units per acre. The applicant has applied for a rezoning to PCD (Planned Commercial District) from C-1 (Neighborhood Commercial District) and R-4 (Two-family District) to allow for the development of the site for an outdoor storage site related to a pawn business.

Master Street Plan: Arch Street is shown as a Principal Arterial on the Master Street Plan. A Principal Arterial is to serve through traffic and to connect major traffic generators or activity centers within the urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Arch Street since it is a Principal Arterial. This street may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: A Class II Bike Lanes are shown along Arch Street. Bike Lanes provide a portion of the pavement for the sole use of bicycles.

Landscape:

1. Site plan must comply with the City's 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. The property is located in the City's designated mature area. A twenty-five (25%) percent reduction of the buffer requirements is acceptable. Trees and shrubs are required planted adjacent to street right-of-way. Plant material is to be provided at one (1) tree and three (3) shrubs for every 30 linear feet. Existing trees and vegetation can be used to satisfy landscape requirements.
3. A land use buffer six (6) percent of the average width / depth of the lot will be required when an adjacent property has a dissimilar use of a more restrictive nature. The properties to the north and south are zoned R-4, Two-family District. The minimum dimension of the buffer shall be six (6) feet nine (9) inches in areas designated as mature. 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.
4. An irrigation system shall be required for developments of one (1) acre or larger. For developments of less than one (1) acre there shall be a water source within seventy-five (75) feet of the plants to be irrigated.
5. 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: (August 5, 2015)

The applicant was present. Staff presented an overview of the item stating there were additional items necessary to complete the review process. Staff requested the applicant provide a detailed site plan including the landscaped areas and areas to be paved. Staff also questioned the days and hours of operation for the proposed storage lot.

Public Works comments were addressed. Staff requested the applicant provide a sketch grading and drainage plan. Staff stated if access to the western alley was proposed the alley adjacent to the site should be overlaid with asphalt.

Landscaping comments were addressed. Staff stated a minimum landscape strip of 6-feet 9-inches was required along South Arch Street and along the northern and southern perimeters of the site. Staff stated screening was also required along the northern and southern perimeters of the site.

Staff noted the comments from the various other agencies. There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.

H. ANALYSIS:

The applicant submitted a revised site plan to staff addressing most of the technical issues associated with the request. The applicant has provided staff with a sketch grading and drainage plan, a site plan indicating the areas to be landscaped and areas to be paved. The applicant has provided a letter from an adjacent property owner giving him permission to use his water for the source of water to water landscaped areas.

The request is to rezone a vacant lot zoned R-4, Two-family for the storage of boats, vehicles, motorcycles and other large items which are pawned with his business, M & B Pawn Shop located at 2718 South Arch Street. The lot proposed for storage is located at 2708 South Arch Street.

The lot is 50-feet by 140-feet. The lot will be paved with asphalt with the exception of a 7-foot land use buffer on the north and south property lines and 7.5-feet along South Arch Street. The plan does not include the placement of striping for vehicular parking. The site plan indicates the placement of a six (6) foot screening fence along the north and south perimeters.

The applicant states the storage items will be taken to the lot by employees of the business. Items will be retrieved from the lot also by employees of the business. There is no public access to the storage lot. The applicant has stated there will be few items stored on the site since pawning of vehicles is rare.

An 18-foot ingress/egress drive is proposed on the east side of the development. The applicant has indicated there will be a 50-foot rolling chain link gate 6-feet high on the west property line. Access to the site is from both South Arch Street and the alley located to the west.

Staff is not supportive of the request. The area to the south where the business is located is zoned and identified on the City's Future Land Use Plan as commercial and is functioning as a commercial node. There are single-family homes located to the north and south of this site and across and behind the proposed lot for storage. Staff has concerns with expanding the commercial activity and zoning to the north as proposed and the potential impact of the commercial uses on these two (2) homes and other homes in the area. Staff feels there is are areas currently vacant in this area which would more easily support the proposed use.

I. STAFF RECOMMENDATION:

Staff recommends denial of the request.

PLANNING COMMISSION ACTION:

(AUGUST 27, 2015)

The applicant was present. There were registered objectors present. Staff presented the item with a recommendation of approval. Staff stated the request was to rezone the property located at 2718 South Arch Street from C-1, Neighborhood Commercial to PD-C to add a pawn shop as an allowable use for the site. Staff stated the applicant had removed from the request to rezone the property located at 2708 South Arch Street to allow for the storage of boats, cars etc. Staff stated the building located at 2718 South Arch Street was constructed as a commercial building. Staff stated the site had historically been used as a commercial use. Staff stated this area was established as a commercial node with the original zoning of the City. Staff stated the applicant had indicated the hours of operation would be consistent with other commercial uses in the area. Staff stated they were supportive of the request. Staff stated their initial objection to the request was based on the applicant's proposal to rezone the residential lot to the north at 2708 South Arch Street. 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.

Mr. Lawrence Butler addressed the Commission on the merits of his request. He stated he was not aware of the opposition and requested the Commission allow the opposition to speak first and he would try to address their concerns.

Ms. Deloris Mitchell addressed the Commission in opposition of the request. She stated she was president of the Meadowbrook Neighborhood Association. She stated she had lived in the neighborhood for 40+ years. She stated the neighborhood was concerned with the placement of a pawn shop in the area. She stated the neighborhood was trying to clean-up the area. She stated the neighborhood did not need this type business in the area.

Ms. Delores Cothier addressed the Commission in opposition of the request. She stated there were a number of children in the area. She stated the placement of a pawn shop would bring a criminal element in to the neighborhood. She stated the children caught the school bus at this location and were dropped off at this location in the afternoon. She stated Mr. Lawrence had not talked with everyone in the neighborhood because he had not been in contact with her.

Mr. Butler addressed the Commission stating he was a good corporate citizen. He stated he donated to the various organizations and supported the youth activities in the neighborhood. He stated he was the only person who went before the ABC board and requested the business across the street be denied a permit to sell beer. He stated he too had deep roots in the neighborhood.

There was no discussion by the Commission. The chair entertained a motion for approval of the request as recommended by staff. The motion carried by a vote of 8 ayes, 3 noes and 0 absent.