

FILE NO.: Z-9103-B

---

NAME: 10,115 Rodney Parham Road – Conceptual PCD

LOCATION: 10,115 Rodney Parham Road

DEVELOPER:

Max Alley Real Estate Services, LLC  
3930 Galleria Oaks Drive  
Texarkana, TX 75503

OWNER/AUTHORIZED AGENT:

Mary E. Arnold Revocable Trust – Owner  
Tim Daters - Agent

SURVEYOR/ENGINEER:

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

AREA: 2.62 acres                      NUMBER OF LOTS: 1                      FT. NEW STREET: 0 LF

WARD: 4                                      PLANNING DISTRICT: 2                      CENSUS TRACT: 22.08

CURRENT ZONING:                      O-3

VARIANCE/WAIVERS:                      None requested.

---

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to rezone the 2.62 acre property from O-3 to conceptual PCD to allow for future commercial development of the site. Through the conceptual PCD request, the applicant is proposing to set the parameters (uses and development standards) for a future commercial development.

B. EXISTING CONDITIONS:

The property contains a one-story single family residential structure within the north half of the property. A single car driveway from Rodney Parham Road serves as access to the property. The south half of the property is undeveloped and

wooded. A small portion of the property, along the south property line, is located in the floodway.

C. NEIGHBORHOOD COMMENTS:

All owners of property located within 200 feet of the site and 30 surrounding neighborhood associations were notified of the public hearing.

D. ENGINEERING COMMENTS:

1. Due to the floodplain and floodway located along the south property line, the area shown as open space undisturbed buffer should be rezoned to OS-Open Space.
2. All conditions and requirements found in the regulations, ordinances, standard details, manuals, plans, and policies referenced in Chapters 13, 29, 30, 31, and 32 of the City of Little Rock municipal codes should be met at time of building permit application submittal.
3. 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.
4. The proposed driveway location is approved. Provide certification from a licensed engineering of sufficient intersection sight distance at the time of building permit application submittal.
5. A traffic study maybe required to be submitted at time of building permit application submittal for the proposed use.

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

Little Rock Water Reclamation Authority: Sewer available to site. Capacity Analysis required.

Entergy: No comments received.

CenterPoint Energy: No comments.

AT & T: No comments received.

Central Arkansas Water: No comments received.

Fire Department: No comments received.

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 Rodney Parham Planning District. The Land Use Plan shows Office (O) for the requested area. The Office 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-3 (General Office District) to PCD (Planned Commercial Development) District to allow the future commercial development of the site with C-3 and C-4 uses.

Surrounding the application area, the Land Use Plan shows Office (O) to the west and southeast. Across Rodney Parham Road to the north and adjacent to the northwest of the site is Commercial (C). The Residential Low Density (RL) is shown to the south of the site. The Office category represents services provided directly to consumers (e.g., legal, financial, medical) as well as general offices which support more basic economic activities. Within the Office area to the west is an office building and two professional offices. The land to the southeast shown as Office is vacant. 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. This area is occupied by a strip retail center to the west. A strip commercial center is also to the north across Rodney Parham Road. Additional retail commercial uses can be found along Rodney Parham Road both to the northwest and southeast. The Residential Low Density category provides for single family homes at densities not to exceed 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 6 units per acre. An existing single-family subdivision is in this area with homes on the lots (across Grassy Flat Creek).

Master Street Plan: To the northeast is Rodney Parham Road and it is shown as 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 Rodney Parham 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 is a Class II Bike Route shown on Rodney Parham Road. A Bike Lane provides a portion of the pavement for the sole use of bicycles.

H. ANALYSIS:

The applicant proposes to rezone the 2.62 acre property located at 10,115 Rodney Parham Road from "O-3" General Office District to "Conceptual PCD" Planned Commercial District. The rezoning is proposed to allow future commercial development of the site. The applicant is proposing to set the parameters for the future site development by establishing development criteria (building setbacks, building height, etc.) and a list of permitted uses for the site.

The property currently contains a one-story single family structure located within the north half of the site. There is a one-car wide driveway from Rodney Parham Road which serves as access to the property. The south half of the property is undeveloped and mostly tree covered. Grassy Flat Creek is located just south of the property. A small area of floodway and floodplain is located within the south portion of the property.

The applicant is proposing that the south 100 feet of the property be maintained as an undisturbed buffer area, adjacent to the single family zoned property to the south. The floodway and floodplain located on the property will fall within this undisturbed buffer area. At the request of staff, the applicant has agreed to zone the undisturbed buffer area to "OS" Open Space District.

For the future site development, the applicant is proposing the following minimum building setbacks:

- Front – 25 feet (after right-of-way dedication)
- Sides (east/west) – 15 feet
- Rear – 25 feet from undisturbed buffer area  
(125 feet from rear property line)

The applicant notes that the maximum building height will be 30 feet.

A proposed 36 foot wide driveway from Rodney Parham Road is proposed at the northeast corner of the site.

The applicant notes that on-site parking will comply with the minimum ordinance standards as found in Section 36-502 of the code.

The applicant also notes that the future development will comply with the minimum buffer and landscape requirements as found in Chapters 36 and 15 of the code.

All site lighting must be low-level, shielded and directed away from adjacent properties.

Any dumpster or trash containment area on the site must be oriented away from the street and screened as per Section 36-523 (d) of the code.

The applicant also notes that site signage will comply with the commercial sign requirements as found in Section 36-555 of the code.

With respect to the future use of the property, the applicant has provided an edited list of the permitted uses and conditional uses as found in the C-3 and C-4 zoning districts of Sections 36-301 and 36-302 of the City's Zoning Ordinance. The list is proposed as permitted uses for the requested "Conceptual PCD" zoning. Please see the accompanying Attachment "A" for the complete list as submitted by the applicant.

Staff does not support the proposed rezoning of the property from "O-3" to "Conceptual PCD". Although staff has no problem with the use of the conceptual PCD process for future development of this site, staff does not support the proposed use list for the development. Staff believes the proposed use list is too broad and is too heavily weighted toward C-4 uses. In order for staff to support the application, the applicant needs to further edit the list, eliminating many of the C-4 type uses, and making the permitted use list more C-3 in nature.

I. STAFF RECOMMENDATION:

Staff recommends denial of the requested conceptual PCD rezoning.

---

STAFF UPDATE:

The applicant has revised the application by omitting C-3/conditional, C-4/permitted and C-4/conditional uses from the proposed use list. The applicant is now proposing C-3/permitted uses (edited list) and a car wash as permitted uses for the conceptual PCD application. The updated use list is attached for Commission review.

This revision satisfies staff's concern, and staff will now recommend approval. Staff believes the proposed conceptual PCD zoning to allow future commercial development

of the site, to include a 100 foot wide undisturbed buffer along the property's south boundary, will have no adverse impact on the surrounding properties or the general area.

---

REVISED STAFF RECOMMENDATION:

Staff recommends approval of the conceptual PCD application as revised by the applicant, subject to the following conditions:

1. Compliance with the comments and conditions outlined in paragraphs D and E, and the staff analysis, in the agenda staff report.
2. Permitted uses for the development will be as per the revised list submitted by the applicant (C-3 permitted uses (edited list) and car wash).

**REVISED USE LIST**

Attachment "A"

Z-9103-B: Proposed Use List

**C-3 Permitted Uses. Permitted uses are as follows:**

1. Amusement, (commercial, inside).
2. Animal clinic (enclosed).
3. Antique shop, with repair.
4. Appliance repair.
5. Auto parts and accessories.
6. Bakery or confectionery shop.
7. Bank or savings and loan office.
8. Bar, lounge or tavern.
9. Barber and beauty shop.
10. Beverage shop.
11. Book and stationery store.
12. Butcher shop.
13. Cabinet and woodwork shop.
14. Camera shop.
15. Catering, commercial.
16. Church.
17. Cigar, tobacco and candy store.
18. Clinic (medical, dental or optical).
19. Clothing store.
20. ~~College dormitory.~~
21. ~~College fraternity or sorority.~~
22. College, university or seminary.
23. Reserved.
24. ~~Convenience food store with gas pumps.~~
25. Convent or monastery.
26. [Reserved].
27. Custom sewing and millinery.
28. Day nursery or day care center.
29. Day care center, adult.
30. Drugstore or pharmacy.

**REVISED USE LIST**

Attachment "A"

Z-9103-B: Proposed Use List

31. Duplication shop.
32. Eating place without drive-in service.
33. Reserved.
34. Establishment of a religious, charitable or philanthropic organization.
35. Feed store.
36. Fire station.
37. Florist shop.
38. Food store.
39. Furniture store.
40. Group care facility.
41. Handicraft, ceramic sculpture or similar artwork.
42. Hardware or sporting goods store.
43. Health studio or spa.
44. Hobby shop.
45. Hospital.
46. Hotel or motel.
47. Jewelry store.
48. Job printing, lithographer, printing or blueprinting.
49. Key shop.
50. Laboratory.
51. Laundromat or pickup station.
52. Laundry, domestic cleaning.
53. Lawn and garden center, enclosed.
54. Library, art gallery, museum or similar public use.
55. ~~Lodge or fraternal organization.~~
56. Medical appliance fittings and sales.
57. ~~Medical marijuana cultivation facility.~~
58. ~~Medical marijuana dispensary.~~
59. Microbrewery or microbrewery restaurant.
60. Mobile canteen units when operated in compliance with current planning department regulations for such vehicles.
61. Mortuary or funeral home.



**REVISED USE LIST**

Attachment "A"

Z-9103-B: Proposed Use List

62. Multifamily dwellings (as per the R-5 district 1).
63. Office (general and professional).
64. Office, showroom with warehouse (with retail sales, enclosed).
65. Office equipment sales and service.
66. Optical shop.
67. Paint and wallpaper store.
68. ~~Parking, commercial lot or garage.~~
69. Pawnshop.
70. Pet shop.
71. Photography studio.
72. Private school, kindergarten or institution for special education.
73. Recycling facility, automated.
74. Retail uses not listed (enclosed).
75. School (business).
76. School (commercial, trade or craft).
77. School (public or denominational).
78. Seasonal and temporary sales, outside.
79. Secondhand store (used furniture or rummage shop).
80. ~~Service station.~~
81. Shoe repair.
82. Studio (art, music, speech, drama, dance or other artistic endeavors).
83. Studio broadcasting and recording.
84. Tailor.
85. Taxidermist.
86. Taxi office.
87. Theater (not drive-in type).
88. Tool and equipment rental (inside display only).
89. Travel bureau.
90. Carwash.

PLANNING COMMISSION ACTION:

(MARCH 11, 2021)

The applicant was not present. There were no persons registered in attendance. Staff informed the Commission that the applicant failed to send required notifications to surrounding property owners. Therefore, staff recommended the application be deferred to the April 8, 2021 Planning Commission Agenda. There was no further discussion. The item was placed on the Consent Agenda and deferred as recommended by staff. The vote was 11 ayes, 0 nays and 0 absent.

---

PLANNING COMMISSION ACTION:

(APRIL 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 9 ayes, 0 nays, 0 absent, 1 abstention (Vogel), and 1 open position.