

FILE NO.: Z-6611-C

NAME: Rezoning from PCD to UU

LOCATION: 508 Bond Avenue

DEVELOPER:

Danny R. Lewis
2100 S. IZARD STREET
LITTLE ROCK, AR 72206

OWNER/AUTHORIZED AGENT:

Danny R. Lewis – Owner/Applicant

SURVEYOR/ENGINEER:

Edward Lofton
15415 OAKCREST
LITTLE ROCK, AR 72206

AREA: 0.185 acre

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 1

PLANNING DISTRICT: 7

CENSUS TRACT: 2

CURRENT ZONING: PCD

VARIANCE/WAIVERS: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant requests to rezone the 0.185 acre property from PCD to UU to allow a single family residence.

B. EXISTING CONDITIONS:

Most of the property has been undeveloped for a number of years. A metal storage building is located within the south portion of the property. The property owner recently moved a single family residence onto the north portion of the site.

C. NEIGHBORHOOD NOTIFICATIONS:

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: No comments.

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

Little Rock Water Reclamation Authority: No comments.

Entergy: No comments received.

Summit Utilities: No comments.

AT & T: No comments 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.

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.

Dead Ends.

Maintain fire apparatus access roads at dead end locations as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D103.4 Dead Ends. Dead-end fire apparatus access roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with Table D103.4. Requirements for Dead-end fire apparatus access roads.

Gates

Maintain fire apparatus access road gates as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. Minimum gate width shall be 20 feet.
2. Gates shall be of swinging or sliding type.
3. Construction of gates shall be of material that allow manual operation by one person.
4. Gate components shall be maintained in an operable condition at all times and replaces or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official.
6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools or when a key box containing the keys to the lock is installed at the gate location.
7. Locking device specifications shall be submitted for approval by the fire code official.
8. Electric gate operators, where provided, shall be listed in accordance with UL 325.
9. Gates, intended for automatic operation shall be designed, constructed and installed to comply with requirements of ASTM F 2200.

One- or Two-Family Residential Developments.

one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads, and shall meet the requirements of Section D104.3.

Exceptions:

1. Where there are **more than 30 dwelling units** on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved **automatic sprinkler system** in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the Arkansas Fire Code, access from two directions shall not be required.

2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

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.

If you have any additional questions please contact our office. Contact Capt. Tony Rhodes at (501) 918-3757, or Fire Marshal Derek N. Ingram (501) 918-3756.

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 Planning District. The Land Use Plan shows Commercial (C) for the requested area. 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 application is to rezone from PCD (Planned Commercial Development) to “UU” (Urban Use District).

The application site is located near the center of a large Commercial use area. Within this Commercial use area, the adjacent lot to the south is a motor services business. To the west of the site in the Commercial area are vacant lots between East Capitol Avenue and East 6th Street to the Union Pacific Railroad. The Commercial area continues to the east from Bond Avenue to Bender Street and has a building service, tree trimming service, single-family homes, and a restaurant. To the south of East 6th Street between the Union Pacific Railroad and Bender Street within the Commercial are warehouses, manufacturing, contracting and printing services.

To the northwest of the Commercial area is an area of Mixed Use Urban (MXU) with warehouses, auto repair, construction, and office uses. This category provides for a mix of residential, office and commercial uses not only in the same block but also within the same structure. It 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. A Residential Medium Density area is to the northeast of the Commercial area with a restaurant, several faith-based institutions, single-family homes and a large number of vacant lots. The Residential Medium Density (RM) accommodates a broad range of housing types including single family attached, single family detached, duplex, town homes, multi-family and patio or garden homes. Any combination of these and possibly other housing types may fall in this category provided that the density is between six (6) and twelve (12) dwelling units per acre. East of the Commercial area, across Bender Street and between East Capitol Avenue and East 6th Street is an area of Public/Institutional use with a public school supply facility. The Public/Institutional (PI) category includes public and quasi-public facilities that provide a variety of services to the community such as schools, libraries, fire stations, churches, utility substations, and hospitals. South of the Public/Institutional area and east of the Commercial area is more Residential Medium Density with an auto repair business with a Conditional Use Permit on the southeast corner of E 6th Street and Bender Street, then scattered single-family homes amidst vacant lots.

There have been no Land Use amendments in this area over the last 10 years. This site is in the Presidential Park Overlay District.

Master Street Plan:

Bond Avenue is a Collector on the *Master Street Plan Map*. A Collector is designed to connect traffic from Local Streets to Arterials or to activity centers, with the secondary function of providing access to adjoining property. Standard right of way is 60'. Sidewalks are required on one side of Collectors. This street may require dedication of right-of-way and may require street improvements.

Bicycle Plan:

Bond Avenue is shown on the *Master Bike Plan Map* as a Class III bicycle route. A bicycle route is designated with only signage for bicycle use. These routes use the existing vehicular area with no physical separation.

Historic Preservation Plan:

There are no Historic Sites or Districts in the vicinity.

H. ANALYSIS:

The applicant requests to rezone the 0.185 acre property from PCD to UU to allow a single family residence.

Most of the property has been undeveloped for a number of years. A metal storage building is located within the south portion of the property. The property owner recently moved a single family residence onto the north portion of the site.

The City's Future Land Use Plan designates this property as "C" Commercial. The requested UU zoning will not require an amendment to the future plan.

Staff is supportive of the requested UU rezoning. Staff views the request as reasonable. The remainder of this block (Block 18, Garlands Addition) is currently zoned UU. The proposed UU zoning will represent a continuation of the zoning pattern in this area along Bond Avenue.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested UU rezoning.

PLANNING COMMISSION ACTION:

(JUNE 8, 2023)

Danny Lewis was present representing the application. There were five (5) objectors present. Staff presented the application with a recommendation of approval.

Joseph Stepina addressed the commission stating that he was opposed to the proposed use of the property and that the application did not adhere to the defined "UU" use per the ordinance.

John Berkhalter addressed the commission stating that he was opposed to the application. He stated that he was concerned about the type of development that is proposed for the site and the impact it will have on the surrounding area.

Bryan Hosto addressed the commission in opposition to the application. He stated that the proposed development was not clearly defined and that it needed more review prior to approval.

Valarie Hinton and Doug Woodall addressed the commission in opposition to the application deferring their speaking time.

Danny Lewis addressed the commission representing the application. He stated that he had developed multiple properties in the area and that this application was to rezone a small interior lot to match the zoning of the surrounding properties. He stated that he intended on developing the site in a similar manner to the other portion of the area and his proposal would not negatively impact the surrounding properties.

There was a discussion by the Planning Commission regarding the definition of the “UU” Urban Use zoning, the location of the property, the zoning of the surrounding properties, and any previous development applications associated with the property.

There was a motion to approve the application, including all staff comments and conditions. The motion passed by a vote of 7 ayes, 1 nays, 1 absent, and 2 open positions. The application was approved.