

FILE NO.: Z-9802

NAME: Williams – PD-I

LOCATION: 4700 Mabelvale Pike

DEVELOPER:

Eugenia Williams (Owner)
510 McCright Street
Benton, AR 72015

OWNER/AUTHORIZED AGENT:

Eugenia Williams (Agent)
510 McCright Street
Benton, AR 72015

SURVEYOR/ENGINEER:

Brooks Surveying, Inc.
20820 Arch Street Pike
Hensley, AR 72065

AREA: 0.53 acre

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 2

PLANNING DISTRICT: 13

CENSUS TRACT: 20.01

CURRENT ZONING: R-2

VARIANCE/WAIVERS: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is proposing to rezone a 0.53 acre site from R-2 to PD-I to allow the site to be used as a commercial fence company to fabricate fences and gates (black iron fencing). The applicant is proposing no additional uses with this application.

B. EXISTING CONDITIONS:

This site is fully in the Fourche Creek floodway. The abutting tract on the west is zoned I-2 Light Industrial and is wooded but owned by the City. To the east, across

Mabelvale Pike, is a closed landfill. The site has operated as a non-conforming use being annexed into the City of Little Rock in 2001.

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:

1. Existing structures lying within the regulatory floodplain district shall adhere to the restrictions as outlined City Code Sec. 36-341(h)(1)(a,b,c) requirements therein. Any proposed, new structures shall adhere to City Codes Chapter 13 and City Codes 36- 341(h)(2)(a,b,c,d,e) and require permitting from the City's floodplain administrator via special flood hazard development permit.
2. For any future construction within the regulatory floodplain, a Special Flood Hazard Development Permit is required to be obtained prior to beginning construction. The Special Flood Hazard Development Permit application can be found at <https://www.littlerock.gov/city-administration/city-departments/public-works/>. Special Flood Hazard Development Permits are issued by the Public Works Department at 701 West Markham Street and no fee collected for issuance. Contact Vince Floriani in Public Works at 501-371-4823 or VFloriani@littlerock.gov to schedule an appointment for issuance or to answer any questions.
3. For any future construction within the regulatory floodplain, per City Code 29-186 (c), a grading permit is required for land alteration on properties within the designated floodplain without exception. Grading permits are issued by the Planning and Development Dept. at 723 West Markham Street after approval of sediment and erosion control plans, grading and drainage plans, land survey, drainage study, and soil loss calculations per City's stormwater management and drainage manual. Contact Planning and Development Dept., Engineering Division at 501-371-4817 or at 501-918-5348 or Permits@littlerock.gov to schedule an appointment for issuance or to answer any questions. Permit cost is based on total project area at \$100.00 for the less than ½ acre, \$200.00 for ½ to 1 acre, and \$200.00 for the first acre and \$100.00 for each additional acre for project greater than 1 acre.

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.

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.

30' Tall Buildings - Maintain aerial fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D105.1 – D105.4

D105.1 Where Required. Where the vertical distance between the grade plane and the highest roof surface exceed 30', approved aerial fire apparatus access roads shall be provided. For the purposes of this section the highest roof surfaces shall be determined by measurement to the eave of a pitched roof, the intersection of a roof to the exterior wall, or the top of the parapet walls, whichever is greater.

D105.2 Width. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26', exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.

D105.4 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.

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 replaced 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.

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 Codes: No comments received.

Landscape: No comments.

G. TRANSPORTATION/PLANNING:

Rock Region Metro: No comments received.

Planning Division:

The request is in the 65th Street East Planning District. The Land Use Plan shows Park/Open Space (PK/OS) for the requested area. The Park/Open Space (PK/OS) category includes all public parks, recreation facilities, greenbelts, flood plains, and

other designated open space and recreational land. The application is to rezone from R-2 to PD-I for reuse of existing building for fencing company.

Surrounding the application area on all sides the Future Land Use Map shows PK/OS. This site is fully in the Fourche Creek floodway. The abutting tract on the west is zoned I-2 Light Industrial and is wooded but owned by the City. To the east, across Mabelvale Pike, is a closed landfill.

Master Street Plan:

Mabelvale Pike is shown as a Minor Arterial on the Master Street Plan Map. Minor Arterials are high volume roads designed to provide connections to and through an urban area. Curb cuts should be minimized to allow for continuous traffic flow while still allowing some access to adjoining property. Deceleration Lanes are required. The standard Right of way is 90 feet. Sidewalks are required on both sides. This street may require dedication of right-of-way and may require street improvements.

Bicycle Plan:

Mabelvale Pike has an existing Class I Bicycle Path. Class I Bike Paths are a route designated for the sole use of bicycles that is physically separated from vehicular lanes.

Historic Preservation Plan:

There are no Historic Sites or Districts in the vicinity.

H. ANALYSIS:

The applicant is proposes to rezone a 0.53 acre site from R-2 to PD-I to allow the site to be used as a commercial fence company to fabricate fences and gates (black iron fencing). The applicant is proposing no additional uses with this application.

This site is fully in the Fourche Creek floodway. The abutting tract on the west is zoned I-2 Light Industrial and is wooded but owned by the City. To the east, across Mabelvale Pike, is a closed landfill. The site has operated as a non-conforming use being annexed into the City of Little Rock in 2001.

The property contains an existing 4,912 square foot, sheet-metal-style framed building, triangular in shape and sits back from Mabelvale Pike. The front entrance and three (3) bay doors face south towards the main street. An existing storage structure is located on the western portion and rear (south) portion of the property. The remaining site is primarily clear and contains several trees throughout the property. It is currently fenced with a chain link to secure the property.

The hours of operation will be from 9:00am to 5:30pm, Monday thru Friday with half a day on Saturday. The actual making of the fencing will be contained inside the building. There will be no outside storage of equipment or materials. All materials will be stored inside the building.

The applicant notes this is a two (2) man operation with orders and estimates taking place over the phone and at the customer's location. Staff feels the existing parking is sufficient to serve the use.

Access is provided via a concrete driveway extending from Mabelvale Pike leading to a triangular-shaped asphalt paved area which may be used for parking and delivery of materials.

The applicant notes the all signage will comply with Section 36-554 (signs permitted in industrial zones).

There will not be a dumpster on-site. All trash would be limited to scrap metal which will be resold to scrap metal shops.

The applicant is proposing no additional lighting at this time. Any future site lighting must be low-level and directed away from adjacent properties.

Staff is supportive of the requested PD-I rezoning for the proposed use (fence fabrication business) only. Prior use of the property was an auto related use (Elrod & Proper Import Services) as late as January 2023. The former landfill across Mabelvale Pike is inactive. Staff believes that the proposed use will have no adverse impact on the general area.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested PD-I rezoning, subject to compliance with the comments and conditions outlined in paragraphs D and E, and the staff analysis, of the agenda staff report.

PLANNING COMMISSION ACTION:

(JULY 13, 2023)

The applicant was present in support of the application. There were no persons registered in opposition. Staff presented the item and a recommendation of approval as outlined in the "staff recommendation" above.

Ms. Williams spoke and explained the project to the commission.

Ms. Williams mistakenly had submitted a "registration card" to address the Commission in support of the application. She was unaware applicants are not required to submit a card to address the Commission. There was a motion to approve and seconded. The vote was 8 ayes, 0 nays, 2 absent 1 open position. The application was approved.