

FILE NO.: Z-4807-R

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NAME: Rezoning from PCD to C-3

LOCATION: Southeast corner of Kirk Road and Wellington Hills Road

DEVELOPER:

Wellington Kirk, LLC  
815 Kirk Road  
Little Rock, AR 72223

OWNER/AUTHORIZED AGENT:

Wellington Kirk, LLC – Owner  
Tim Daters – Applicant

SURVEYOR/ENGINEER:

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

AREA: 30.52 acres      NUMBER OF LOTS: 1      FT. NEW STREET: 0 LF

WARD: 5      PLANNING DISTRICT: 19      CENSUS TRACT: 42.16

CURRENT ZONING:      PCD (expired)

VARIANCE/WAIVERS:      None requested.

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BACKGROUND:

The Board of Directors passed Ordinance No. 19,561 on June 27, 2006, rezoning this property from O-1 and C-1 to PCD. The approved PCD allowed a development to include a mixture of commercial (70%) and office (30%) uses. The approved PCD was never developed and has expired.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to rezone the property from "PCD" to "C-3" General Commercial District. The rezoning is requested to allow future commercial development.

B. EXISTING CONDITIONS:

The property is currently undeveloped and mostly grass covered. A small portion of the property (southeast corner) is tree covered. A small pond is located along the west property line.

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: No comments.

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

Little Rock Water Reclamation Authority: Sewer Available to this Site.

Entergy: No comments received.

CenterPoint Energy: No comments received.

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.

**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.

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 Chenal Planning District. The Land Use Plan shows Mixed Office and Commercial (MOC) for the requested area. The Mixed Office and Commercial category provides for a mixture of office and commercial uses to occur. Acceptable uses are office or mixed office and commercial. A Planned Zoning District is required if the use is mixed office and commercial. The application is to change the property from PCD (Planned Commercial Development) District to C-3 (General Commercial District) to allow for future commercial development of this land. There is an accompanying application to amend the Land Use Plan to Commercial (C). 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.

Surrounding the application area, the Land Use Plan shows Public Institutional (PI) and Mixed Office and Commercial (MOC) to the north, across Wellington Hills Road. Office (O) land use is shown to the northwest. The Plan shows Commercial (C) use to the southwest and south. To the southeast is a PI area with both O and C areas further to the southeast. East of the site is an area of Suburban Office (SO) followed with Neighborhood Commercial (NC). Residential Medium Density

(RM) is shown to the northeast of the application area. 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. This land to the north is the site of Fellowship Bible Church. The Mixed Office and Commercial (MOC) category provides for a mixture of office and commercial uses to occur. Acceptable uses are office or mixed office and commercial. A Planned Zoning District is required if the use is mixed office and commercial. This land is currently cleared and vacant. The Office (O) category represents services provided directly to consumers (e.g., legal, financial, medical) as well as general offices which support more basic economic activities. The lands to the northwest are developed with office buildings. 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 lands to both the south and southwest are partially development with commercial uses – restaurants, a retail center and auto related retail. The remaining Commercial land is undeveloped some wooded and some cleared. The PI area to the southeast is Highland Valley Methodist Church. The ‘C’ lands beyond that are developed with retail uses. While the Office lands are predominantly undeveloped, an educational use is on one tract. The Suburban Office (SO) category shall provide for low intensity development of office or office parks in close proximity to lower density residential areas to assure compatibility. A Planned Zoning District is required. This land to the east of the application area is a developed mini-warehouse facility. Beyond this is the Neighborhood Commercial area, which is partially developed. There are two commercial uses: a radio station and day-care. The undeveloped portion is wooded. The Neighborhood Commercial (NC) category includes limited small-scale commercial development in close proximity to a neighborhood, providing goods and services to that neighborhood market area. The Residential Medium Density (RM) category 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. This area to the northeast is an apartment complex, The Cedars at Wellington Lake.

Master Street Plan: To the west is Kirk Road and to the north is Wellington Hills Road. Both these roads are 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 both Kirk Road and Wellington Hills Roads since they are a Minor Arterial. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: There are no bike routes shown in the immediate vicinity.

H. ANALYSIS:

Wellington Kirk, LLC, owner of the 30.52 acre property located at the southeast corner of Kirk Road and Wellington Hills Road, is requesting that the property be rezoned from “PCD” Planned Commercial District (expired) to “C-3” General Commercial District. The rezoning is proposed to allow future commercial development of the site.

The property is currently undeveloped and mostly grass covered, with varying degrees of slope. The property is located in an area of mixed zoning and uses. Commercial uses and zoning are located to the south along Chenal Parkway. Mixed commercial and office zonings (PD-C, PD-O, O-2 and O-3) are located to the west across Kirk Road. A large church development, zoned C-1, MF-18 and R-2 is located to the north across Wellington Hills Road. A POD zoned property is also located to the north, with single family residences and multifamily residences to the northeast. POD and C-1 zoned properties are located to the east and includes a miniwarehouse development.

The City’s Future Land Use Plan designates this property as “MOC” Mixed Office Commercial. A proposed land use plan amendment to “C” Commercial is a separate item on this agenda.

Staff is supportive of the requested C-3 zoning. Staff views the request as reasonable. The property is located in an area of mixed commercial and office uses and zoning, with a large amount of commercial development including miniwarehouses, auto related uses and big-box commercial. The proposed C-3 zoning should prove to be compatible with the overall area and should have no adverse impact on the surrounding properties.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested C-3 rezoning.

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PLANNING COMMISSION ACTION:

(JULY 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 8 ayes, 0 nays, 2 absent and 1 open position.