

FILE NO.: Z-9592

NAME: Rezoning from R-2 to C-4

LOCATION: 8519 Scott Hamilton Drive

DEVELOPER:

Jorge and Daisy Vasquez
1512 N. Highway 229
Benton, AR 72015

OWNER/AUTHORIZED AGENT:

Jorge and Daisy Vasquez – Owners
Judy Long – Applicant

SURVEYOR/ENGINEER:

Edward Lofton
15415 Oakcrest
Little Rock, AR 72206

AREA: 0.664 acre NUMBER OF LOTS: 1 FT. NEW STREET: 0 LF

WARD: 2 PLANNING DISTRICT: 14 CENSUS TRACT: 41.07

CURRENT ZONING: R-2

VARIANCE/WAIVERS: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to rezone the 0.664 acre property from "R-2" Single Family District to "C-4" Open Display District. The rezoning is proposed to allow a used auto dealership.

B. EXISTING CONDITIONS:

The property is currently undeveloped and mostly grass covered. A small storage building is located along the north side 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:

1. Scott Hamilton Drive is classified on the Master Street Plan as a minor arterial. A dedication of right-of-way 45 feet from centerline will be required.

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.

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.

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 Geyer Springs East Planning District. The Land Use Plan shows Residential Medium Density (RM) for the requested

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. The application is to change R-2 (Single Family District) to C-4 (Open Display Commercial District) to allow the future development of commercial use on this property. 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.

The Land Use Plan shows Residential Low Density (RL) is to the east of the site. Residential Medium Density (RM) is shown on the Plan to the south and west (across Scott Hamilton Drive). Office (O) use is shown to the north with Commercial (C) use beyond that. The Residential Low Density (RL) 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. This area is large tract single family with a single-family subdivision beyond that. 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. The area to the south is large tract single-family houses. The area east of Scott Hamilton Drive is undeveloped and north of that a mobile home park. Beyond this to the west are single family houses. 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. This land north of the site is undeveloped and partially wooded. 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. This area north of the Office is developed with a liquor store, bar, single-family home and Midsouth Filter.

Master Street Plan: To the west is Scott Hamilton Drive and it is 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 Scott Hamilton Drive 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 III Bike Route shown on Scott Hamilton Drive. Bike Routes require no additional right-of-way, but either a sign or pavement marking to identify and direct the route.

H. ANALYSIS:

Jorge and Daisy Vasquez, owners of the 0.664 acre property located at 8519 Scott Hamilton Drive, are requesting that the property be rezoned from “R-2” Single Family District to “C-4” Open Display District. The rezoning is proposed to allow development of a used auto dealership.

The property is currently undeveloped. All of the surrounding properties are zoned “R-2” Single Family District. Single Family residences are located south and east of the subject property. Undeveloped R-2 zoned property is located immediately to the north, with a liquor store and bar located just further north. A nonconforming mobile home park is located across Scott Hamilton Drive to the west. A nonconforming auto sales lot is located to the southwest.

The City’s Future Land Use Plan designates this property as “RM” Residential Medium Density. A land use plan amendment from “RM” Residential Medium Density to “C” Commercial is a separate item on this agenda.

Staff is not supportive of the requested C-4 zoning. Staff does not view the request as reasonable. As noted previously, all of the surrounding/abutting properties are zoned R-2, several of which contain residential use. The liquor store to the north is the only commercial zoned property between this property and the commercial zoned properties along I-30 further north. Staff does not believe that C-4 zoning at this location will be compatible with surrounding zoning and uses.

I. STAFF RECOMMENDATION:

Staff recommends denial of the requested C-4 rezoning.

PLANNING COMMISSION ACTION:

(JULY 8, 2021)

Judy Long and Jorge Vasquez were present, representing the application. There were no objectors present. Staff presented the application with a recommendation of denial.

Judy Long addressed the Commission in support of the application. She explained Mr. Vasquez’s involvement in the community and area church community. She explained that he owned other properties in the area and that he kept them neat and clean. She presented photos of the properties to the Commission. She noted that Mr. Vasquez would maintain the subject property in the same manner.

Jorge Vasquez addressed the Commission in support of the application. Jorge Vasquez, Jr. interpreted for Mr. Vasquez. He explained his involvement in the community over the past 13 years.

There was a general discussion regarding the properties along Scott Hamilton Drive between I-30 and Baseline Road. It was noted that a general review of the City's Future Land Plan would be appropriate for this area. The appropriateness of the proposed rezoning was also discussed.

There was a motion to approve the requested C-4 rezoning. The motion passed by a vote of 8 ayes, 0 nays, 2 absent and 1 open position. The application was approved.