

FILE NO.: Z-9871

NAME: Caple Commercial and Mixed-Use Center – PCD

LOCATION: 4621 Asher Avenue

DEVELOPER:

CKM Holdings, LLC (Owner)
4621 Asher Avenue
Little Rock, AR 72204

OWNER/AUTHORIZED AGENT:

Carl Caple (Agent)
Savvy Investors
5 Country Oaks Drive
Little Rock, AR 72201

SURVEYOR/ENGINEER:

Trotter Surveying
18640 Congo-Ferndale Road
Little Rock, AR 72210

AREA: 2.63 acre

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 1

PLANNING DISTRICT: 9

CENSUS TRACT: 19

CURRENT ZONING: I-2

VARIANCE/WAIVERS: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to rezone a 2.63 acre site from I-2 to PCD to utilize an existing 17,526 square foot, 1-story, warehouse/auction house offices to operate a mixed-use commercial facility.

B. EXISTING CONDITIONS:

The site is located on the south side of the Asher corridor along Hwy 70 West (around the 4600 block). Properties to the south of the site contain I-2 zoning and uses. Properties to the north, east and west contain a mixture of zoning and uses.

C. NEIGHBORHOOD NOTIFICATIONS:

All owners of property located within 300 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. The entire property is located within the 100-year regulatory floodplain. If any development or construction is planned to commence in the future, 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.
2. The entire property is located within the 100-year regulatory floodplain. If any development or construction is planned to commence in the future, 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.
3. For any future planned development or construction for this site, the floodplain development permit and grading and land alteration permits are required before Department staff can issue a building permit for any new construction or development.
4. All future buildings constructed on site shall comply with all Arkansas state building codes and local ordinances adopted by the City of Little Rock.

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:

1. No objections: All Central Arkansas Water requirements in effect at the time of request for water must be met.

Fire Department:

Maintain Access:

Fire Hydrants

Maintain fire apparatus access roads at fire hydrant locations as per Appendix D of the 2021 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.

Commercial and Industrial Developments – 2 means of access. - Maintain fire apparatus access roads as per Appendix D of the 2021 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 2021 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 2021 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 2021 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 2021 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:

1. Any new site development must comply with the City's minimal landscape and buffer ordinance requirements. Refer to the Code of Ordinances, Chapter 15 Landscaping and Tree Protection, and Chapter 36, Article IX – Buffers and Screening.
2. Site development plans, with landscape and screening, must be submitted for review, and approval, prior to site clearing and tree removal.

G. **TRANSPORTATION/PLANNING:**

Rock Region Metro: No comments received.

Planning Division:

The request is in the I-630 Planning District. The Land Use Plan shows Light Industrial (LI) for the requested area. The Light Industrial category provides for light warehouse, distribution or storage uses, and/or other industrial uses that are developed in a well-designed park like setting. The application is to rezone from I2 to PCD for an event center.

The application area is in a Light Industrial use area which continues to the southwest. North of the application area on the south side of Asher Avenue,

running east and west are commercial uses. 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. Southeast of the subject site are Industrial uses.

This site is not in an Overlay District.

Master Street Plan:

Asher Avenue is a Principal Arterial on the Master Street Plan. Principal Arterials are roads designed to serve through traffic, and to connect major traffic generators or activity centers within urbanized areas. The standard Right of way of 110 feet is required. Sidewalks are required on both sides. This street may require dedication of right-of-way and may require street improvements.

Bicycle Plan:

Asher Avenue is on the Master Bike Plan as BIKEWAY II-ROUTE. A Bike Lane provides a portion of the pavement for the sole use of bicycles.

Historic Preservation Plan:

This property is not a contributing structure and is not located in a Historic District.

H. ANALYSIS:

The applicant proposes to rezone a 2.63 acre site from I-2 to PCD to utilize an existing 17,526 square foot, 1-story, warehouse/auction house offices to operate a mixed-use commercial facility.

The site is located on the south side of the Asher corridor along Hwy 70 West (around the 4600 block). Properties to the south of the site contain I-2 zoning and uses. Properties to the north, east and west contain a mixture of zoning and uses.

The survey shows a front setback of over fifty (50) feet, a side yard setback of fifteen (15) feet and a rear yard setback over twenty-five (25) feet. All existing setbacks conform with ordinance requirements.

The applicant proposes to utilize the site for retail uses *“as specifically permitted in the C-3 zoning district”*, office space, vehicle storage, flea market items intended for sale, building materials and personal items.

The applicant provided space dedicated for the following uses:

- Vehicle storage – 3,720 square feet
- Office and restroom – 1,301 square feet
- Building materials and art work – 1,656 square feet

- Flea market item for sale and personal storage – 4,734 square feet
- Permitted uses as allowed in the C-3 zoning district – 5,377 square feet

The site contains existing perimeter fencing to secure the property in addition to controlled access from Asher Avenue through a secure, automated electrical gating apparatus.

Operating hours will be Monday thru Friday from 8:00am to 5:00pm. Saturday and Sunday operating hours will vary. The applicant notes approximately ten (10) employees may be present at any given time.

The applicant notes 30,000 square feet of paved parking is available in front of the building to the fence. The fence is approximately thirty (30) feet from Asher Avenue. Additional paved parking is provided along the east, west and south sides of the warehouse.

The applicant is not proposing additional signage at this time. Any new signs must comply with Section 36-555 of the City's Zoning Ordinance (signs permitted in commercial zones).

A dumpster area is not shown on the survey. Any dumpster installed on the site must be screened and comply with Section 36-523 of the City's Zoning Ordinance.

The applicant is not proposing new lighting at this time. Additional lighting must be low-level and directed away from adjacent properties.

Staff is supportive of the requested PCD rezoning for the proposed uses listed above. To staff's knowledge there are no outstanding issues with this application. The applicant's proposed uses of the site are similar to the intensity of other developments in the general area. The facility is located on the south side of the Asher Avenue corridor which the majority of the properties containing I-2 zoning and uses and will not have an adverse impact on the surrounding properties.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested PCD zoning, subject to compliance with the comments and conditions outlined in paragraphs D, E and F, and the staff analysis, of the agenda staff report.

PLANNING COMMISSION ACTION:

(DECEMBER 14, 2023)

The applicant was present. There were no persons registered in opposition. Staff presented the item and a recommendation of approval as outlined in the "staff analysis" above. The item remained on the Consent Agenda for Approval. The vote was 10 ayes, 0 nays, and 1 recusal (Russell). The application was approved.