

FILE NO.: Z-9207

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NAME: Lawson Road West Short-form PD-C

LOCATION: Located at 5000 Hope Lane

DEVELOPER:

Doug Woodall  
14996 West Polk Street  
Alexander, AR 72002

ENGINEER:

McGetrick Engineering  
11601 Bass Pro Parkway  
Little Rock, AR 72210

AREA: 3.2 acres      NUMBER OF LOTS: 1      FT. NEW STREET: 0 LF

WARD: N/A      PLANNING DISTRICT: 18 – Ellis Mountain      CENSUS TRACT: 42.07

CURRENT ZONING:      R-2, Single-family

ALLOWED USES:      Single-family residential

PROPOSED ZONING:      PD-C

PROPOSED USE:      Contractor's office and storage

VARIANCE/WAIVERS:      None requested.

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A.      PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is requesting a rezoning of the site from R-2, Single-family to PD-C, Planned Development Commercial, to allow the use of the existing pole barn and small metal building as office space for a contractor's office and equipment storage. The site is served by a 20-foot ingress and egress easement to access Lawson Road. The pole barn will be used for equipment storage, light construction equipment. The small metal building will be increased in size to 1,000 square feet and be used as an office for a construction company. The hours of operation are proposed from 7:00 am to 5:00 pm six (6) days per week. The request includes the allowance of the access drive to remain as a graveled surface. A septic tank will be placed on the site for sanitary sewer.

B. EXISTING CONDITIONS:

The site is located outside the City limits of Little Rock but within the City's Extraterritorial Planning jurisdiction. The property contains a pole barn and a small shed. Access to the site is via a private access easement located on an adjacent property. The area south of this site was recently rezoned to a PD-C to recognize an existing office user, Data Com. There is an auto repair business located to the west of this site. There are single-family homes located to the east of the site and to the south of the site.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200-feet of the site along with the Crystal Valley Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. The private drive should connect into Lawson Road with a concrete apron per City Ordinance.
2. Provide a letter prepared by a registered engineer certifying the intersection sight distance at the intersection(s) comply with 2004 AASHTO Green Book standards. Sight distance of at least 445 feet must be provided.
3. Lawson Road is classified on the Master Street Plan as a minor arterial. A dedication of right-of-way 45 feet from centerline will be required.
4. Stormwater detention ordinance applies to this property. Show the proposed location for stormwater detention facilities on the plan. Maintenance of the detention pond and all private drainage improvements is the responsibility of the developer and/or land owner.
5. If disturbed area is one (1) or more acres, obtain a NPDES stormwater permit from the Arkansas Department of Environmental Quality prior to the start of construction.
6. In accordance with Section 32-8, no obstruction to visibility shall be located within a triangular area 50 feet back from the intersecting right-of-way line (or intersecting tangent lines for radial dedications) at the intersection of private street with Lawson Road.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Little Rock Wastewater: Outside the service boundary. No comment.

Entergy: Entergy does not object to this proposal. An overhead power line exists on the east side of this property. The main power line runs along Lawson Road. Contact Entergy in advance to discuss any changes in future service requirements,

new facilities locations and adjustments to existing facilities (if any) as this project proceeds.

Centerpoint Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water:

1. All Central Arkansas Water requirements in effect at the time of request for water service must be met.
2. A water main extension will be needed to provide water service to this property.
3. The Little Rock Fire Department needs to evaluate this site to determine whether additional public and/or private fire hydrant(s) will be required. If additional fire hydrant(s) are required, they will be installed at the Developer's expense.
4. Please submit plans for water facilities and/or fire protection system to Central Arkansas Water for review. Plan revisions may be required after additional review. Contact Central Arkansas Water regarding procedures for installation of water facilities and/or fire service. Approval of plans by the Arkansas Department of Health Engineering Division and the Little Rock Fire Department is required.
5. A Capital Investment Charge based on the size of meter connection(s) will apply to this project in addition to normal charges. This fee will apply to all connections including metered connections off the private fire system.
6. If there are facilities that need to be adjusted and/or relocated, contact Central Arkansas Water. That work would be done at the expense of the developer.
7. Contact Central Arkansas Water regarding the size and location of the water meter.
8. The facilities on-site will be private. When meters are planned off private lines, private facilities shall be installed to Central Arkansas Water's materials and construction specifications and installation will be inspected by an engineer, licensed to practice in the State of Arkansas. Execution of a Customer Owned Line Agreement is required.
9. Due to the nature of this facility, installation of an approved reduced pressure zone backflow preventer assembly (RPZA) is required on the domestic water service. This assembly must be installed prior to the first point of use. Central Arkansas Water requires that upon installation of the RPZA, successful tests of the assembly must be completed by a Certified Assembly Tester licensed by the State of Arkansas and approved by Central Arkansas Water. The test results must be sent to Central Arkansas Water's Cross Connection Section within ten days of installation and annually thereafter. Contact the Cross

Connection Section at 501.377.1226 if you would like to discuss backflow prevention requirements for this project.

10. Fire sprinkler systems which do not contain additives such as antifreeze shall be isolated with a double detector check valve assembly. If additives are used, a reduced pressure zone back flow preventer shall be required.

Fire Department: No comment.

Parks and Recreation: No comment received.

County Planning: No comment.

Rock Region Metro: The site is not located on a dedicated Rock Region Metro bus route.

F. ISSUES/TECHNICAL/DESIGN:

Building Code: No comment.

Planning Division: This request is located in the Ellis Mountain Planning District. The Land Use Plan shows Residential Low Density (RL). The Residential Low Density (RL) category provides for single family homes at densities not to exceed 6 units per acre. Such residential development is typically characterized by conventional single family homes, but may include patio or garden homes and cluster homes, provided that the density remain less than 6 units per acre. The applicant has applied for a rezoning from R-2 (Single-Family District) to Short-form PD-C (Planned Development Commercial) to allow contractor office and equipment storage.

Master Street Plan: East of the property is Hope Lane and it shown as a Local Street on the Master Street Plan. The primary function of a Local Street is to provide access to adjacent properties. A Collector design standard is used for Commercial Streets. This Street 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.

Landscape:

1. Any new site development must comply with the City's landscape and buffer ordinance requirements.
2. The City Beautiful Commission recommends preserving as many existing trees as feasible on this site. Credit toward fulfilling Landscape Ordinance requirements can be given when preserving trees of six (6) inch caliper or larger.

G. SUBDIVISION COMMITTEE COMMENT: (April 5, 2017)

The applicant was present. Staff presented an overview of the item stating there were few outstanding technical issues associated with the request in need of addressing. Staff requested information concerning the proposed placement of any dumpster facilities, the days and hours of dumpster service, the proposed hours of operation and the proposed signage plan.

Public Works comments were addressed. Staff stated a paved apron was required at the driveway intersection with Lawson Road. Staff requested the applicant provide a letter certifying the sight distance of the driveway intersection on Lawson Road. Staff also stated the stormwater detention ordinance would apply to any future development of the site. Staff stated Lawson Road would require right of way dedication to 45-feet from centerline. Mr. Pat McGetrick stated the applicant did not own the Lawson Road frontage. Mr. McGetrick stated there was an access easement allowing the property owner access to his property over property owned by an adjacent property owner.

Landscaping comments were addressed. Staff stated any new development would require landscaping. Staff stated the development would require screening along the perimeters which abutted residentially zoned or used property.

Staff noted the comments from the various other departments and agencies. Staff suggested the applicant contact the departments or agencies directly with any questions or concerns. There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.

H. ANALYSIS:

There were no outstanding technical issues associated with the request in need of addressing via a revised site plan. The applicant notes if signage is placed the sign will be located near Lawson Road, within their property ownership, and will conform to signage allowed in commercial zones or a maximum of thirty-six (36) feet in height and 160 square feet in area.

The request is a rezoning of the site from R-2, Single-family to PD-C, Planned Development Commercial, to allow the use of the existing pole barn and small metal building as office space for a contractor's office and equipment storage. The site is served by a 20-foot ingress and egress easement to access Lawson Road. The pole barn will be used for light construction equipment storage. The small metal building will be increased in size to 1,000 square feet and be used as an office for a construction company.

The hours of operation are proposed from 7:00 am to 5:00 pm six (6) days per week. The applicant notes there will not be dumpster placed on the site. Staff recommends should a dumpster be requested in the future the dumpster be

screened as typically required by ordinance. Staff also recommends the hours of dumpster service be limited to 7 am to 6 pm Monday through Friday.

The request includes the allowance of the access drive to remain as a graveled surface. A septic tank will be placed on the site for sanitary sewer.

Staff is not supportive of the applicant's request. The applicant is seeking approval of a site which does not have an established history of a commercial use. Although there are commercial uses located adjacent to this site there are also single-family homes located to the east and north of this site. With regard to non-conforming uses the Zoning Ordinance states nonconformities may continue but the provision of the ordinance are designed to curtail enlargement or expansion of such nonconformities and to encourage their eventual elimination in order to preserve the integrity of the zoning district. The ordinance also states a nonconforming use that has been discontinued or abandoned for a period of six (6) months shall not be reestablished or resumed. Any subsequent use or occupancy of such land or structure shall comply with the regulations of the zoning district in which such land or structure is located. The property is located within the R-2, Single-family zoning district. Staff does not feel the requested rezoning is appropriate for this site.

I. STAFF RECOMMENDATION:

Staff recommends denial of the request.

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PLANNING COMMISSION ACTION:

(APRIL 27, 2017)

Mr. Doug Woodall was present representing the request. There were no registered objectors present. There was one (1) person in support of the request. Staff presented the item with a recommendation of denial.

Mr. Woodall addressed the Commission on the merits of the request. He stated the site did have a history of commercial uses. He stated the site was three (3) acres of a larger tract which was owned and used by Little Rock Electric. He stated the Commission approved a rezoning request for the remainder of the property at their January meeting rezoning the property to PCD, Planned Commercial Development. He stated this area was no longer residential. He stated there were homes to the north but for the most part the area was changing to commercial uses. He stated the City had recently approved a rezoning just to the east of this site for a General Dollar store, which had been built. He stated the only change to the current site was to allow a small addition to the office building. He stated the remainder of the site would not change.

Ms. Barbara Holmes addressed the Commission in support of the request. She stated the area was no longer residential. She stated her family owned property adjacent to this site and wished to sell their property for a commercial use. She stated the entire area was going commercial.

A motion was made to approve the request including all staff recommendations and comments except that of denial. The motion carried by a vote of 9 ayes, 1 no and 1 absent.