

FILE NO.: LU2022-09-01

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NAME: Land Use Plan Amendment – I-630 Planning District

LOCATION: 3300 block of Asher Avenue

OWNER/AUTHORIZED AGENT:

Robert and Carolyn Smith  
Total Outreach For Christ Ministries, INC.  
Asher Avenue

AREA: 1 acre

WARD: 1

PLANNING DISTRICT: 9

CENSUS TRACT: 12

CURRENT ZONING: R-3, Single Family District

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BACKGROUND:

A. PROPOSAL/REQUEST:

Applicant requests a Land Use Plan amendment from Mixed Use (MX) to Commercial (C). The application is for two areas totaling approximate 1-acre. The application is located along the south side of Asher Avenue, between Martin and Brown Streets (3300 block of Asher Avenue), in the I-630 Planning District.

The Mixed Use (MX) category provides for a mixture of residential, office and commercial uses to occur. A Planned Zoning District is required if the use is entirely office or commercial or if the use is a mixture of the three.

The proposed Commercial (C) land use designation allows for 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 land use amendment application accompanies a zoning map amendment request. It is the applicant's intent to rezone the site to C-3, General Commercial District (File No. Z-9719).

**B. EXISTING CONDITIONS/ZONING:**

The application area consists of several lots. The application includes all but one of the lots between Brown and Martin Streets. All the lots in the block are zoned R-3, Single Family District. The land to the south and east is zoned R-3 and is a developed single-family subdivision. In the block to the east are a couple of houses zoned R-3. One lot in the block is zoned C-1, Neighborhood Commercial District with a single-family house. To the west is land zoned O-3, General Office District and I-2, Light Industrial District. The O-3 land is owned by the applicant and is a multi-purpose building for a private school. The I-2 land is Brown Janitorial Supply. Further to the west is an industrial/warehouse building currently used by a church.

**Figure 1. Zoning**



Across Asher Avenue is R-3 and R-5, Urban Residential District zoned land. The buildings on this land are part of the same ownership as the applicant. A private school has been housed in the buildings. East of the school is C-3, General Commercial District zoned land with several businesses. Further to the east is a cemetery zoned R-3. To the west, along the northside of Asher Avenue is C-3 zoned land. Most of this block is vacant but on the eastern most lots is a daycare center. The following block to the west is zoned several residential districts and has four single-family houses and one multi-unit residence.

**C. NEIGHBORHOOD NOTIFICATIONS:**

Notices were sent to the following neighborhood association: Love Neighborhood Association, and Goodwill Neighborhood Association. At the time of writing, Staff had received no comments from area residents or Neighborhood Associations.

G. TRANSPORTATION/PLANNING:

Land Use Plan:

The City's Land Use Plan Map shows Mixed Use (MX) for the requested site. The Mixed Use (MX) category is shown along most of Asher Avenue in the vicinity. The block cross Asher Avenue to the north is shown as Public Institutional (PI). The land has been the location of a private school. To the east is a block of Commercial (C) land that has been various retail uses. The land off of Asher Avenue, both to the north and south, is shown on the Land Use Plan Map as Residential Low Density (RL). North of Asher Avenue either side of the school are two areas of Residential Medium Density (RM). This is a transition between the MX and C along Asher Avenue and the RL of the single-family neighborhood. There have been no Land Use Plan Map amendments in the vicinity of the application since 2000.

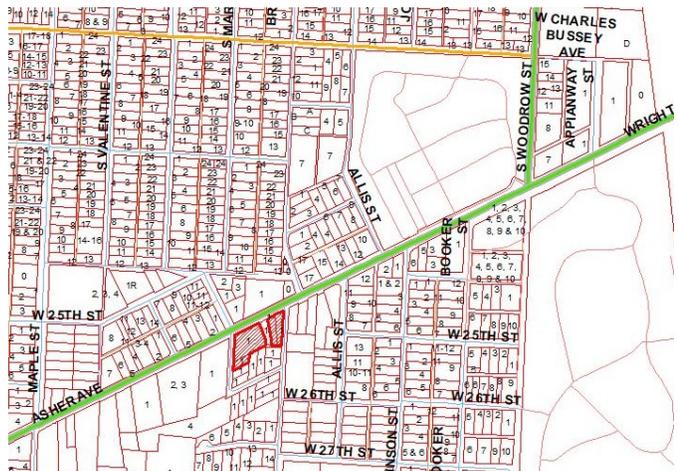
Figure 2. Land Use Plan Map



Master Street Plan:

The site is bound to the north by Asher Avenue, designated a Minor Arterial. To the west is Martin Street and to the east is Brown Street, both are a Local Street 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. Since a Minor Arterial is designed to be a high-volume road, a minimum of 4 travel lanes and 90-foot right-of-way and two sidewalks is required. Asher Avenue has an 'Alternative Standard' of a 70 right-of-way with four lane section. Local Streets

Figure 3. Master Street Plan



that are abutted by non-residential zoning/use or more intensive zoning than duplexes are considered as “Commercial Streets”.

Asher avenue has been improved to three-lanes with two-bike lanes and sidewalks on both sides of the road. Brown Street has been improved with curbs and gutters. But Martin Street does not have curbs and gutters. It is paved with open drainage on the sides.

Bicycle Plan:

There is a Class II Bike Route shown on Asher Avenue. A Bike Lane provides a portion of the pavement for the sole use of bicycles. As noted above when the street was improved, the markings include a Class II Bike Lane on each side of the roadway.

Parks:

There are no city recognized parks in the immediate vicinity.

Historic Preservation Plan:

There are no city recognized historic districts in the vicinity of this amendment.

H. ANALYSIS:

The application site is along a Minor Arterial – Asher Avenue. The Land Use Plan Map shows most of Asher Avenue for Mixed Use (MX), Commercial (C) or Public Institutional (PI). The Public Institutional (PI) area is two cemeteries either side of Asher Avenue east of the application area and a private school across Asher Avenue to the north. The areas shown as Commercial (C) tend to be areas where commercial uses have been located historically. The Mixed Use (MX) areas tend to be areas that have historically been single-family lots with homes. The application area is within the Mixed Use designated area.

The eastern parcels of the application area have single-family houses on them. The western parcels have a two-story building and parking area on the site. This land has been used as part of the school located on the north side of Asher Avenue. There is one parcel between these two areas. This lot is a separate ownership and has a single-family house on it. Since it is not included in the amendment it will remain Mixed Use (MX). The Mixed Use (MX) designation allows for commercial, office, and/or residential uses.

Most of the land in this block and the ones to the immediate north and west are owned by one of three religious based organizations. The land in question is mostly developed with buildings which one of the three groups is using toward its mission and/or community outreach. This includes a church, daycares and a school. As

noted, the block to the northeast is zoned and used for commercial purposes. There are still several blocks along the south side of Asher Avenue, east of the application area that are predominantly single-family homes.

Asher Avenue has been widened since the adjacent land was platted and developed. The lots in this area are generally facing Asher Avenue and are smaller single-family lots. This has reduced the front yards – front setback area for the lots along Asher Avenue. The roadway currently is a three-lane road with sidewalks and bike-lanes on each side. The traffic volume has been around 11,000 trips per day for many years (at the Woodrow intersection to the east). This volume did decrease to about 10,000 trips per day in 2021, the most recent reporting year.

There has been investment within the area as shown by building permit activity. Since 2010, five houses, two commercial structures and two public quasi-public buildings have been permitted in Census Tract 12 (either side of Asher Avenue). In this same time period, there have been nine residential additions, and two public quasi-public structure additions. Renovation/repair/alternations have accounted for the most activity – 35 single-family, seven multi-family, 25 non-residential and nine public/quasi-public building permits. The area is a developed portion of Little Rock. The permit activity does indicated continued investment in all sectors of land use.

The use pattern along Asher Avenue in the blocks around Martin and Brown Streets is transitioning from single-family to non-residential uses. This includes the application block. As noted above the Mixed Use (MX) designation includes commercial, office and residential as possibilities. The applicant is the same owner as the land to the north and west. The use of their land is non-residential in nature. They have talked about including some residential within their overall development. But from a land use point of view the use pattern of the blocks from Brown Street west along the south side of Asher Avenue is non-residential in nature.

I. STAFF RECOMMENDATION:

Staff recommends approval of the applicant's request to amend the land use designation from Residential Low Density (RL) to Commercial (C).

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PLANNING COMMISSION ACTION:

(SEPTEMBER 8, 2022)

Walter Malone, Planning Staff, reviewed the Analysis section of the Staff Report. Romine Price, Development Staff, reviewed the related zoning case (Z-9719). (For complete minutes see minutes for item 6.1 – Z-9719).

Mr. Robert Smith, applicant indicated he would wait till after the opposition to spoke. Mr. Theodore Berry indicated he did not wish to speak. Tonya Berry Redden, indicated she was the daughter of Mr. Berry and would speak on his behave as well as her own.

Ms. Redden stated they had more concerns/questions. They have been in the neighborhood for 47 years. She wanted to know who this group was 'reaching out' to. The applicant needs to reach out to them (the neighborhood). The structures as 3301 and 3305 Asher are residential used by the group for their staff. They need to reach out and help fix the neighborhood not just bring others into the area.

Mr. Robert Smith, applicant, indicated they had moved into the area in 1988. He discussed the activities that were going on at that time. He gave some of the activities he had done on and with the property and surrounding area. This included some residential rehab as well as new structures for a K-12 school. A new structure for 'out reach' activities has also been constructed.

Commissioner Betton stated he know of the activities of Mr. Smith's group and supported their efforts with families and youth. Commissioner Brooks wished to eco Commissioner Betton's statements. He stated he had seen the impact on teens and adults. Commissioner Vickers wished to also piggy-back on the previous statements. He stated to keep up the good fight. Sherri Latimer, City Attorney, stated the vote would be on the application not the 'good works' of the applicant.

By a vote of 9 for, 0 against, 1 abstention and 1 vacancy, the motion to approve the Land Use Plan amendment to Commercial was approved.