

FILE NO.: Z-9605

NAME: Rezoning from R-2 to C-3

LOCATION: Northwestern corner of Kanis Road and Denny Road

DEVELOPER:

Deltic Real Estate, LLC
210 E. Elm Street
El Dorado, AR 71730

OWNER/AUTHORIZED AGENT:

Deltic Real Estate, LLC – Owner
Tim Daters – Agent

SURVEYOR/ENGINEER:

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

AREA: 2.70 acres NUMBER OF LOTS: 1 FT. NEW STREET: 0 LF

WARD: N/A PLANNING DISTRICT: 21 CENSUS TRACT: 42.02

CURRENT ZONING: R-2

Variance/Waivers: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to rezone the 2.70 acre property from R-2 to C-3 to allow for future commercial development.

B. EXISTING CONDITIONS:

The property is currently undeveloped and wooded.

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. In conformance with the Master Street Plan both Denny Road and Kanis Road are minor arterial streets. A 45-foot dedication of Right-of-Way from centerline will be required.

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

Little Rock Water Reclamation Authority: Outside Service Area Boundary. No Comment.

Entergy: No comments received.

CenterPoint Energy: No comments received.

AT & T: No comments received.

Central Arkansas Water: All Central Arkansas Water requirements in effect at the time of request for water service must be met.

There is an existing 16-inch water line inside a 15-ft easement along Denny Rd. Indicate the easement on the drawing (Possibly easement # 2003114362).

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 received.

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 Burlingame Valley District. The Land Use Plan shows Neighborhood Commercial (NC) for the requested area. 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 application is to rezone from R-2 (Single Family District) to C-3 (General Commercial District) to allow for the future commercial development of the site.

Surrounding the application area, the Land Use Plan shows Neighborhood Commercial (NC) to the west, south and northeast of the site. Residential Low Density (RL) is shown on the Plan to the northwest. 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 parcels to the east have single-family houses on them with C-1 (Neighborhood Commercial District) zoning. To the northeast across Denny Road is a C-1 parcel where the former commercial structure was recently removed. To the south across Kanis Road is a commercial development that has been an auto related use, zoned C-3 (General Commercial District). The other parcels are vacant and zoned C-1. 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 land is zoned R-2 (Single Family District) and vacant (north of Denny Road) with a single-family house further northwest on Denny Road.

Master Street Plan: To the south of the application is Kanis Road and to the north is Denny Road. Both of these roads are shown as Minor Arterials on the Master Street. 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 Kanis Road and Denny Road 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 is a Class II Bike Route shown on both Kanis and Denny Roads. A Bike Lane provides a portion of the pavement for the sole use of bicycles.

H. ANALYSIS:

Deltic Real Estate, LLC, owner of the 2.70 acre property located at the northwestern corner of Kanis Road and Denny Road, is requesting that the property be rezoned from "R-2" Single Family District to "C-3" General Commercial District. The rezoning is proposed to allow future commercial development of the site. The property is currently undeveloped and wooded. The property is located outside the Little Rock city limits, but within the City's Extraterritorial Zoning and subdivision jurisdiction.

Single family residences on C-1 and R-2 zoned property are located to the west. Undeveloped R-2 and C-1 zoned property is located across Denny Road to the north. Mixed uses and zoning, including a landscape business, church and single family residences are located to the south, across Kanis Road, and to the east.

The City's Future Land Use Plan designates this property as "NC" Neighborhood Commercial. The proposed rezoning of the property to C-3 does not require an amendment to the land use plan.

Staff is not supportive of the requested C-3 zoning. Staff does not view the request as reasonable. The majority of the properties in this immediate area contain single family residences, or undeveloped R-2 zoned property. The C-1 zoned property immediately to the west and north contains single family residences and an undeveloped building. In staff's opinion the requested C-3 zoning will not be compatible with the general area, and is not representative of the zoning pattern along these sections of Kanis and Denny Roads.

I. STAFF RECOMMENDATION:

Staff recommends denial of the requested C-3 rezoning.

PLANNING COMMISSION ACTION:

(SEPTEMBER 9, 2021)

The applicant submitted a letter to staff on September 3, 2021 requesting this application be deferred to the October 14, 2021 Planning Commission agenda. There was no further discussion. The item was placed on the Consent agenda. The vote was 9 ayes, 0 nays, 1 absent and 1 open position.

STAFF UPDATE:

The applicant submitted a letter to staff on September 29, 2021 amending the rezoning application. The applicant is now requesting a rezoning from "R-2" to "C-1" Neighborhood Commercial District, instead of the previously requested C-3 zoning. The City's Future Land Use Plan designates this property as "NC" Neighborhood Commercial. The requested C-1 zoning conforms with the future plan designation. Staff supports the revised application.

REVISED STAFF RECOMMENDATION:

Staff recommends approval of the requested C-1 rezoning.

PLANNING COMMISSION ACTION:

(OCTOBER 14, 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 10 ayes, 0 nays and 0 absent and 1 open position.