

FILE NO.: Z-9696

NAME: Rezoning from R-2 and C-3 to C-4

LOCATION: 12297 Interstate 30

DEVELOPER:

Copart, Inc.
Steve Powers
c/o GarNat Engineering

OWNER/AUTHORIZED AGENT:

Clay Family, LLC – Owner
Vernon Williams - Agent

SURVEYOR/ENGINEER:

GarNat Engineering, LLC
3825 Mt. Carmel Road
Bryant, AR 72022

AREA: 66.02 acres NUMBER OF LOTS: 1 FT. NEW STREET: 0 LF

WARD: 7 PLANNING DISTRICT: 16 CENSUS TRACT: 41.04

CURRENT ZONING: R-2 and C-3

VARIANCE/WAIVERS: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to rezone 66.02 acres from R-2 and C-3 to C-4 for future commercial development. The portion of the property located in the floodplain/floodway will be zoned "FP" Floodplain District as per Section 36-341 of the City's Zoning Ordinance.

B. EXISTING CONDITIONS:

The I-30 Speedway facilities and parking are located within the north portion of the property. A small restaurant building is located near the northeast corner of the

property along I-30. A billboard is located at the northwest corner of the property. The south portion of the property is located within the floodplain and floodway.

C. NEIGHBORHOOD NOTIFICATIONS:

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. Provide an updated survey that has been performed within the last 5 years.
2. 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 Planning and Development Dept. Civil Engineering Private Development at 501-399-3470 or CEPermits@littlerock.gov to schedule an appointment for issuance or to answer any questions.
3. The property or portion of the property lies within the 100 year floodplain. The lowest finished floor (including basement) of the proposed structure must be elevated to at least 1 foot above the base flood elevation. Attendant utility and sanitary facilities must be elevated to above the base flood elevation. The finished floor elevation of at least 1 foot above the base flood elevation must be shown on the grading plan and all final plats.
4. Development or fill within the floodway is prohibited. In accordance with Section 31-176, floodway areas must be shown as floodway easements or be dedicated to the City of Little Rock. In addition, a 25 ft access and maintenance easement is required adjacent to the floodway boundary.
5. Any work involving one (1) or more acres of disturbed area requires a State of Arkansas NPDES permit. Contact the Arkansas Department of Environmental Quality, NPDES branch at 501-682-0744 for applications and information about General Stormwater Discharge Construction Permit #ARR150000.
6. A grading permit must be obtained prior to initiation of work. 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., Civil Engineering Private Development 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.

7. For final drainage report, sign, date, and seal the report per AR State Board of Professional Engineers and Professional Surveyors rules Article 12, Section B (1) (a).
8. Hauling of fill material on or off project sites over municipal streets require approval prior to a grading permit being issued. Contact Public Works Traffic Engineering at 621 S. Broadway 501-379-1800 with any questions or for more information.
9. Damage to public and private property due to hauling operations or operations of construction related equipment from a construction site shall be repaired by the responsible party prior to the issuance of a certificate of occupancy.
10. Provide as-built plans and data entry template of newly installed or modified public and private stormwater drainage system prior to issuance of the certificate of occupancy. The as-built plans should contain information as found on the City of Little Rock website at <https://www.littlerock.gov/city-administration/city-departments/public-works/applications-details-and-manuals/>. Provide the as-built plans and data entry template to Planning and Development Dept., Civil Engineering Private Development by email to csmith@littlerock.gov and cc dwarner@littlerock.gov. If you have any questions or desire additional information, please do not hesitate to contact Planning and Development Dept., Civil Engineering Private Development at 501-371-4817 or at 501-918-5348 or email Permits@littlerock.gov.
11. Obtain Traffic Control permits prior to doing any street cuts or curb cuts. Obtain Traffic Control permits prior to doing any work on city streets or in the right-of-way. Contact Traffic Engineering at 501-379-1800 for more information.
12. A maintenance bond for 50% of total construction costs for all completed public street and drainage improvements within City right of way and as-built storm drainage infrastructure plans shall be provided to the Department of Planning and Development before the issuance of a final certificate of occupancy.
13. The Department requires three (3) phase sediment and erosion control (SEC) plans to be submitted for all construction projects showing best management practices (BMPs) for mitigating sediment runoff and erosion along with vegetation specifications for temporary and permanent soil stabilization. Phase 1 SEC plans shall show SEC BMPs during the stripping, clearing, grubbing, and rough grading of the site. Phase 2 SEC plans shall show SEC BMPs during construction of utilities, buildings, roadway infrastructure and drainage infrastructure. Phase 3 SEC Plans shall show SEC BMPs for final grading, seeding, and landscaping of the site.

14. Sediment and Erosion Control plans shall also show the pertinent information as outlined in ADEQ ARR150000 Permit Part II section A-4-H (1-14) and Part II section A-4-I-2 (A-B).
15. Contact Planning and Development Dept., Civil Engineering Private Development at 501-371-4817 or at 501-918-5348 for inspections of any work in the public right-of-way prior to placement of concrete or asphalt or for on-site clarification of requirements prior to commencing work. Failure to do so can result in removal of any improperly placed concrete or asphalt at the expense of the owner or contractor.

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

Little Rock Water Reclamation Authority: No comments received.

Entergy: No comments received.

Summit Utilities: No comments.

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.

30' Tall Buildings - Maintain aerial fire apparatus access roads as per Appendix D of the 2012 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 places 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 2012 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 2012 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 replaces 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 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:

1. Any new site development must comply with the City's minimal landscape and buffer ordinance requirements.
2. Screening requirements will need to be met for the vehicular use areas adjacent to street rights-of-way. Provide screening shrubs with an average linear spacing of not less at three (3) feet within the required landscape area. Provide trees with an average linear spacing of not less than thirty (30) feet.
3. A perimeter planting strip is required along any side of a vehicular use area that abuts adjoining property, or the right-of-way of any street. This strip shall be at least nine (9) feet wide. One (1) tree and three (3) shrubs or vines shall be planted for every thirty (30) linear feet of perimeter planting strip.
4. An automatic irrigation system to water landscaped areas shall be required for developments of one (1) acre or larger.
5. The development of two (2) acres or more requires the landscape plan to be stamped with the seal of a Registered Landscape Architect.
6. 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. TRANSPORTATION/PLANNING:

Rock Region Metro: No comments received.

Planning Division: The request is in the Otter Creek Planning District. The Land Use Plan shows Mixed Commercial Industrial (MCI) for the requested area. The Mixed Commercial Industrial (MCI) category provides for a mixture of commercial and industrial uses to occur. Acceptable uses are commercial or mixed commercial and industrial. A Planned Zoning District is required if the use is mixed commercial and industrial. The application is to rezone from Single Family District (R-2) to Open Display Commercial District (C-4) to allow for the future use of outdoor sales of undamaged and damaged vehicles, machinery and equipment on this property.

Surrounding the application area, the Land Use Plan shows Mixed Commercial Industrial (MCI) to the southwest and northeast from the site. Park/Open Space (PK/OS) is shown on the Plan Map to the east. Across Interstate 30, to the north, is land shown for Commercial (C) use. The Mixed Commercial Industrial (MCI) category provides for a mixture of commercial and industrial uses to occur. Acceptable uses are commercial or mixed commercial and industrial. A Planned Zoning District is required if the use is mixed commercial and industrial. The land both to the southwest and northeast of the application area is zoned Open Display

Commercial District (C-4). To the south are equipment sales and service companies. To the north there are equipment, boat, and auto sales and service businesses in this area. The Park/Open Space (PK/OS) category includes all public parks, recreation facilities, greenbelts, flood plains, and other designated open space and recreational land. The land with this designation is the floodway and floodplain of Crooked Creek. 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 land, north of the freeway, is zoned Open Display Commercial District (C-4), There are several outdoor retail sales businesses, convenience store with gas pumps and flooring business.

Master Street Plan: To the north is Interstate 30, shown as a Freeway on the Master Street Plan. This roadway is part of the Interstate freeway system and ArDOT controls the design and right-of-way requirements of such roadways.

Bicycle Plan: There are no bike routes shown in the immediate vicinity.

Historic Preservation Plan: There are no existing historic sites on, or in proximity to, this land.

H. ANALYSIS:

Clay Family, LLC, owner of the 66.02 acre property located at 12297 Interstate 30, is requesting that the property be rezoned from “R-2” Single Family District and “C-3” General Commercial District to “C-4” Open Display District. The majority of the property is zoned R-2, with a relatively small area of C-3 zoning at the northwest corner of the overall property. A large portion of the property (south portion) is located in the floodplain and floodway. The rezoning is proposed to allow the sales and storage of vehicles, machinery and equipment.

The I-30 Speedway facilities and parking are located within the north portion of the property. A small restaurant building is located near the northeast corner of the property along I-30. A billboard is located at the northwest corner of the property.

A mixture of commercial and light industrial uses are located east and west of the site on properties zoned C-4, PCD and I-2. Mixed commercial uses are located to the north across I-30, with C-4 being the predominate zoning. A creek and railroad right-of-way are located along the south property boundary. R-2 zoned properties are located further south.

The City’s Future Land Use Plan designates this property as “MCI” Mixed Commercial Industrial and “PK/OS” Park-Open Space for the floodway area. The requested C-4 zoning will not require an amendment to the future land use plan.

Staff is supportive of the requested C-4 zoning. Staff views the request as reasonable. C-4 zoning is located immediately east, west and north of the subject property. The proposed C-4 zoning will represent a continuation of the zoning pattern along this section of I-30. The property is designated as “MCI” Mixed Commercial – Industrial by the City’s Future Land Use Plan. As per Section 36-341 of the City’s Zoning Ordinance, the south portion of the property located in the floodplain and floodway will be zoned “FP” Floodplain District. Staff believes the proposed C-4 zoning will have no adverse impact on the general area.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested C-4 rezoning.

PLANNING COMMISSION ACTION:

(JULY 14, 2022)

The item was placed on the consent agenda for approval. By a vote of 10 for, 0 against, 0 absent, and 1 vacant position the consent agenda was approved.