FILE NO.: Z-9702-A

NAME: Rezoning from R-2 to R-4

LOCATION: 7404 Mabelvale Pike

DEVELOPER:

W. Complex, LLC (Owner)
PO Box 23670
Little Rock, AR 72221

OWNER/AUTHORIZED AGENT:

Joe White (Agent)
Joe White & Associates
25 Rahling Cirlcle
Little Rock, AR 72223

SURVEYOR/ENGINEER:

Joe White & Associates
25 Rahling Cirlcle
Little Rock, AR 72223

AREA: 1.35 acres	NUMBER OF LOTS: 1	FT. NEW STREET: 0 LF
WARD: 7	PLANNING DISTRICT: 12	CENSUS TRACT: 20.01
CURRENT ZONING:	R-2	

VARIANCE/WAIVERS: None requested.

A. ROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to rezone the 1.35 acre site located at 7204 Mabelvale Pike from R-2 to R-4 to allow for future two-family residential (duplex) development.

B. EXISTING CONDITIONS:

The property is currently undeveloped, grass covered and contains several mature trees located along property lines. Properties to the north and east contain R-2 zoning and uses. The abutting property to the west (Bandit Properties, LLC) is zoned R-2 and is non-conforming, with three (3) detached multi-family buildings containing eight (8) units each. Properties south of Mabelvale Pike contain R-2 zoning and MF-18 zoning and uses.

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: No comments.

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

Little Rock Water Reclamation Authority: No comments.

Entergy: No comments received.

Summit Energy: No comments.

AT & T: No comments received.

Central Arkansas Water: No comments.

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.

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 with 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.

Multi-Family Residential Developments

As per Appendix D, Section D106.1 of the 2012 Arkansas Fire Prevention Code Vol. 1. Projects having more than 100 dwelling units. Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.

Exception: Projects having up to 200 dwelling units may have a single approved fire apparatus access road when all building, including nonresidential occupancies are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1 or 903.3.1.2

As per Appendix D, Section D106.2 of the 2012 Arkansas Fire prevention Code Vol. 1. Projects having more than 200 dwelling units. Multiple-family residential projects having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system.

One- or Two-Family Residential Developments.

As per Appendix D, Section D107.1 of the Arkansas Fire Prevention Code Vol. 1, One- or Two-Family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads, and shall meet the requirements of Section D104.3.

Exceptions:

1. Where there are **more than 30 dwelling units** on a single public or private fire apparatus access road and al dwelling units are equipped throughout with an approved **automatic sprinkler system** in

accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the Arkansas Fire Code, access from two directions shall not be required.

2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

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.

Landscape: No comments.

G. TRANSPORTATION/PLANNING:

Rock Region Metro: No comments received.

Planning Division: The request is in the 65th Street West Planning District.

The Land Use Plan shows Residential Low Density (RL) for the requested area. The Residential Low Density (RL) category provides for single family homes at densities not to exceed 6 dwelling units per acre. The application is to rezone from Single Family District (R-2) to Two Family District (R-4) for the development of duplex dwellings with a minimum lot size of 7,000 square feet.

Surrounding the application area, the Land Use Plan shows Residential Low Density (RL) to the north, east and west. Residential Medium Density (RM) is shown on the Plan Map to the south of the site, across Mabelvale Pike. 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 shown as RL is zoned R-2, Single Family District. To the north and east is a developed single-family subdivision. To the west are three apartment buildings with a developed single-family subdivision beyond that. The Residential Medium Density (RM) category accommodates a broad range of

housing types including single family attached, single family detached, duplex, town homes, multi-family and patio or garden homes. Any combination of these and possibly other housing types may fall in this category provided that the density is between six (6) and twelve (12) dwelling units per acre. This land, to the south across Mabelvale Pike, is currently zoned R-2, Single Family District and is undeveloped wooded land.

Accompanying application to amend Land Use Plan Map to the Residential Medium Density (RM) category.

Master Street Plan:

To the south is Mabelvale Pike, it is shown as a Collector on the Master Street Plan. The primary function of a Collector Road is to provide a connection from Local Streets to Arterials. Right of way is sixty feet with sidewalk on one side. This street 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 III Bike Route shown on Mabelvale Pike. Bike Routes require no additional right-of-way, but either a sign or pavement marking to identify and direct the route.

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

H. ANALYSIS:

The applicant proposes to rezone the 1.35 acre site located at 7204 Mabelvale Pike from R-2 to R-4 to allow for future two-family residential (duplex) development.

The property is currently undeveloped, grass covered and contains several mature trees located along property lines. Properties to the north and east contain R-2 zoning and uses. The abutting property to the west (Bandit Properties, LLC) is zoned R-2 and is non-conforming, with three (3) detached multi-family buildings containing eight (8) units each. Properties south of Mabelvale Pike contain R-2 zoning and MF-18 zoning and uses.

The City's Future Land Use Plan designates this property as "RL" Residential Low Density. The requested R-4 zoning will require an amendment to the future plan. The applicant has filed for a Land Use Amendment from "RL" to "RM" Residential Medium Density and is a separate item on this agenda.

Staff is supportive of the requested rezoning from R-2 to R-4 to allow future development of two-family residences. Staff views the request as a minor increase in density which should create a minimal increase in traffic within the immediate

area. An existing, non-conforming multi-family use abuts the property to the west. Surrounding properties are zoned MF-18 and PRD. There is an existing higher density (R-6) zoning located to the southeast. Staff feels the R-4 zoning is consistent with the development pattern within the neighborhood and will not have an adverse impact on the area.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested R-4 rezoning.

PLANNING COMMISSION ACTION: (JANUARY 12, 2023)

Brian Dale was present, representing the application. There was one (1) objector present. Staff presented the application with a recommendation of approval. The applicant deferred their time to the opposition for comments.

Troy Laha addressed the Commission in opposition to the application. He stated that the rezoning of the property and construction of multi-family units would increase the density of the area and would impact the single-family development adjacent to the site.

Brian Dale addressed the Commission representing the application. He briefly described the project, noting that the proposal was for duplexes and not multi-family units. He also stated that their proposal was bordered by multi-family apartments to the west and that their proposed unit per lot density is comparable to the adjacent single-family developments.

There was a motion to approve the application as recommended by staff, including all staff comments and conditions.
The motion passed by a vote of 10 ayes, 0 nays, and 1 open position. The application was approved.