

FILE NO.: Z-8490-C

NAME: 4314 Asher Avenue Revised Short-form PD-C

LOCATION: Located at 4314 Asher Avenue

DEVELOPER:

Tracy Johnson
1507 Dorado Beach Drive
Little Rock, AR 72212

SURVEYOR:

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

AREA: 0.34 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING: PD-C

ALLOWED USES: Private club

PROPOSED ZONING: Revised PD-C

PROPOSED USE: Extend the hours of operation

VARIANCES/WAIVERS REQUESTED: None requested.

BACKGROUND:

Ordinance No. 20,164 adopted by the Little Rock Board of Directors on October 6, 2009, rezoned the site from the C-4, Open Display Zoning District to PD-C to allow the site to be redeveloped with a private club. The site was vacant and was proposed with the construction of a two (2) story 4,500 square foot building. The site plan indicated the placement of 31 on-site parking spaces and indicated agreements to allow additional off-site parking spaces at the adjacent funeral home. The hours of operation were approved from 9:00 pm to 2:00 am Thursday through Saturday.

Ordinance No. 20,372 adopted by the Little Rock Board of Directors on December 7, 2010 allowed a revision to the previously approved PD-C. The approval allowed the construction of a smaller building and rearrangement of the parking layout on the site. The use of the building remained a private club. The building approved was a single story building containing 3,536 square feet and 19 on-site parking spaces. Additional parking was provided via an agreement from an adjacent property owner to allow 16 additional off-site parking spaces. The hours of operation approved were 9:00 pm to 2:00 am, Thursday through Saturday. A single ground sign along Asher Avenue as well as building signage on the front façade along Asher Avenue was approved.

Ordinance No. 20,817 adopted by the Little Rock Board of Directors on November 19, 2013, allowed a revision to the previously approved PD-C to extend the hours of operation from 4:30 pm to 2:00 am seven (7) days per week.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The owner is now proposing a revision the currently approved PD-C to extend the hours of operation for his establishment. There are no site plan changes proposed from the existing built site, this includes no changes to the building, parking, landscaping, ingress/egress. The owner will continue to lease parking from an adjacent funeral home business, located across the alley to the north, which reserves 18 – 20 parking spaces together with the onsite parking adjacent to the building.

The hours of operation are proposed to coincide with the current ABC permit. The hours of operation requested with this application are from 4:00 pm to 5:00 am seven (7) days per week. Currently the hours of operation approved for the site are from 4:30 pm to 2:00 am seven (7) days per week.

B. EXISTING CONDITIONS:

The site is developed with a private club and parking located on the north side of Asher Avenue. This area contains a number of uses including auto repair, auto towing, bars, churches, a gas station, a funeral home, a hair salon, a mortgage company office and auto financing. This area of Asher Avenue also contains a number of vacant buildings and large paved areas. Further north of the site are single-family homes.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received several informational phone calls from area residents concerning the proposed request. All property owners located within 200-feet of the site along with the Curran Conway Neighborhood Association, the Goodwill Neighborhood Association, the Love Neighborhood Association, the Midway Neighborhood Association and the South of Asher Neighborhood Association were notified of the public hearing.

D. SUBDIVISION COMMITTEE COMMENT: (November 19, 2014)

The applicant was not present. Staff presented an overview of the proposal stating there were no outstanding technical issues associated with the request. There was no further discussion of the item. The Committee then forwarded the item to the full Commission for final action.

E. ANALYSIS:

There were no outstanding technical issues associated with the request in need of addressing via a revised site plan. The applicant is seeking a revision to an existing PD-C to extend the hours of operation for his business. The current approval of the PD-C allows for the business to operate from 4:30 pm to 2:00 am seven (7) days per week. The applicant is requesting to extend the hours to 4:00 pm to 5:00 am seven (7) days per week.

Ordinance No. 20,940 adopted by the Little Rock Board of Directors on October 6, 2014, established a process whereby private clubs may stay open until 5:00 am. The ordinance defines the process and security measures that are to take place to allow the Class B Private Clubs to remain open until 5:00 am. These measures include the hiring of a minimum of two (2) individuals, who are certified by the State of Arkansas to act as a Law Enforcement Officer to be present on and around the exterior premises of the club from 12:00 midnight until closing on Friday and Saturday nights and on State-recognized holidays and during special events. The ordinance also states the club is to employ an adequate number of individuals to work as security on the inside of the club. The inside employees are not required to be certified by the State of Arkansas to act as a Law Enforcement Officer. Adequate lighting, video surveillance and signage to prohibit loitering is also to be placed on the property.

The applicant, Tracy Johnson, has a Class B Private Club License which has been issued by the State of Arkansas Alcohol Beverage Control Board. The Class B Private Club License allows his business to operate until 5:00 am, if approved by the City. Based on the Board of Directors recent adoption of an ordinance regulating 5:00 am clubs staff feels the applicant's request is appropriate. The business will be required to fully comply with the provision of Ordinance No. 20,940 of the City of Little Rock, Arkansas.

F. STAFF RECOMMENDATION:

Staff recommends approval of the request to extend the hours of operation for this business owner, Tracy Johnson, to be allowed to operate from 4:00 pm to 5:00 am seven (7) days per week.

PLANNING COMMISSION ACTION:

(DECEMBER 18, 2014)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the request to extend the hours of operation for this business owner, Tracy Johnson, to be allowed to operate from 4:00 pm to 5:00 am seven (7) days per week.

There was no further discussion of the item. The Chair entertained a motion for approval of the item as presented by staff. The motion carried by a vote of 10 ayes, 0 noes and 1 absent.