

FILE NO.: Z-9285

NAME: Brown Short-form PD-C

LOCATION: Located at 9203 Hilario Springs Road

DEVELOPER:

Dearl Brown
3220 Coffey Lane
Little Rock, AR 72209

OWNER/AUTHORIZED AGENT:

Dearl Brown, Owner/Agent

SURVEYOR/ENGINEER:

Brooks Surveying
20820 Arch Street Pike
Hensley, AR 72065

AREA: 0.706-acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 2 PLANNING DISTRICT: 14 – Geyer Springs East CENSUS TRACT: 41.08

CURRENT ZONING: R-2, Single-family

ALLOWED USE: Single-family residential

PROPOSED ZONING: PD-C

PROPOSED USE: Auto repair

VARIANCE/WAIVERS: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The property was developed in the late 1960's as commercial businesses. The owner previously used the property as Brown's Salvage. The site is developed with three (3) buildings including a one (1) story frame building which was used as the office containing approximately 2,000 square feet. There are two metal

buildings on the site, each containing 3,750 square feet of floor area. The applicant is proposing the rezoning of the site to allow auto repair.

B. EXISTING CONDITIONS:

The property contains three (3) commercial buildings which were developed prior to the City annexing this area of Little Rock. Hilaro Springs Road is a two (2) lane street with open ditches for drainage. There are sidewalks located along the west side of Hilaro Springs Road. This area contains a mixture of uses including a manufactured home park to the east and single-family homes to the south. There is a large property ownership located across Hilaro Springs Road which includes manufactured housing, one and two-family residences and a church.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200-feet of the site along with the Upper Baseline Neighborhood Association and Southwest Little Rock United for Progress were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Hilaro Springs Road is classified on the Master Street Plan as a minor arterial. A dedication of right-of-way 45-feet from centerline will be required.
2. Obtain a franchise agreement from Public Works, Bennie Nicolo, bnicolo@littlerock.gov or 501.371.4818 for the private improvements (fence) located in the right-of-way.

E. Utilities/Fire Department/Parks/County Planning:

Little Rock Water Reclamation Authority: Sewer available to this site. EAD Analysis required. Contact Little Rock Water Reclamation Authority for additional information.

Entergy: Entergy does not object to this proposal. Service is already being provided to this property with no apparent conflicts with existing facilities. Contact Entergy in advance to discuss any changes to electrical service requirements, or adjustments to existing facilities (if any) as this proposal proceeds.

Centerpoint Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water: No comment received.

Fire Department: No comment.

Parks and Recreation: No comment received.

County Planning: No comment.

F. Building Codes/Landscape:

Building Code: Project is a change in occupancy and is therefore subject to current building code requirements. Review and approval is required by Building Codes Division before occupancy takes place. For information on submittal requirements and the review process, contact a commercial plans examiner, Curtis Richey at 501.371.4724 or crichey@littlerock.org.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. Any new development shall adhere to the current landscape code.
3. 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: The site is not located on a Rock Region Metro Route.

Planning Division: This request is located in Geyer Springs East Planning District. The Land Use Plan shows Residential Low Density (RL) for this property. The Residential Low Density is for single-family homes at densities no greater than six (6) dwelling units per acre. The applicant has applied for a rezoning from R-2 (Single Family District) to PDC (Planned Development Commercial) to allow automobile repair.

Master Street Plan: West side of the property is Hilario Springs Road and it is a Minor Arterial 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. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Hilario Springs Road since it is a Minor Arterial. This street may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: A Class II Bike Lane is shown along Hilario Springs Road. Bike Lanes provide a portion of the pavement for the sole use of bicycles.

H. SUBDIVISION COMMITTEE COMMENT: (December 20, 2017)

The applicant was not present. Staff stated there were no outstanding technical issues associated with the request. Staff stated the applicant was seeking the rezoning to allow auto repair as an allowable use for the property. There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.

I. ANALYSIS:

There were no outstanding technical issues in need of addressing raised at the December 20, 2017, Subdivision Committee meeting. The applicant is seeking a rezoning of the site to allow the use of the property for auto repair. The Zoning Ordinance defines an *auto repair garage* as a facility for major motor vehicle repair, excluding body rebuilding.

Staff has concerns with this type use at this location. Adjacent to this site on all sides are residential homes. Staff feels the non-residential aspect of the site should be limited to a commercial activity which will be less intrusive to the neighborhood. Staff feels a use such as *auto parts, sales with limited motor vehicle part installation would be more appropriate for this site. This type use is primarily a facility* for the sale of auto parts with an accessory function of the installation of parts. The installation is limited to functions such as tire mounting and other periodic parts maintenance. In this case engine rebuilding or major repair work is prohibited.

J. STAFF RECOMMENDATION:

Staff recommends denial of the request as filed.

PLANNING COMMISSION ACTION: (JANUARY 11, 2018)

The applicant was not present. There were no registered objectors present. Staff presented the item stating the applicant had contacted them concerning their recommendation and had requested a meeting with staff to determine if and what commercial uses staff would support for the redevelopment of the site. Staff requested the item be deferred to the February 22, 2018, public hearing. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff by a vote of 11 ayes, 0 noes and 0 absent.

STAFF UPDATE:

The applicant has met with staff and has amended the request to limit the uses to the uses as allowed within the C-3, General Commercial Zoning District. The applicant has excluded a bar, lounge or tavern, beverage shop, hotel or motel and multi-family as

allowable uses for the site. With the current request no auto-related activities are allowed on the site such as a tire shop, auto repair or auto paint and body. The site has not developed with a striped parking lot although there are large areas of paved surface located on the site. Staff recommends any future use of the property provide a properly striped parking lot and the proposed use of the property match the parking available on the site.

The site has historically been a non-residential use. The site was developed as a commercial site prior to annexation to the City. With the approval of the rezoning to PCD, Planned Commercial Development, no outdoor activities associated with the reuse of this property will be allowed. All activities including all inventory and materials storage are to be located indoors. The site is to be cleaned and all existing outdoor items removed from the site.

Staff is now supportive of the applicant's request. Staff feels the proposed rezoning of the site to PCD, Planned Commercial Development, to allow the sale of the property to a C-3, General Commercial District user is appropriate.

Staff recommends approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report.

Staff recommends the future use of the property match the parking available on the site.

PLANNING COMMISSION ACTION:

(FEBRUARY 22, 2018)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report. Staff presented a recommendation the future use of the property match the parking available on the site. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff by a vote of 10 ayes, 0 noes and 1 absent.