

FILE NO.: Z-9552

NAME: Rezoning from R-3 to I-2

LOCATION: 5424 West 33rd Street

DEVELOPER:

Larry West
5500 West 33rd Street
Little Rock, AR 72204

OWNER/AUTHORIZED AGENT:

Peter Rosenow – Owner
2616 Birch Street
Benton, AR 72015

SURVEYOR/ENGINEER:

Harbor Surveying
5800 Evergreen Drive
Little Rock, AR 72205

AREA: 0.16 acre NUMBER OF LOTS: 1 FT. NEW STREET: 0 LF

WARD: 2 PLANNING DISTRICT: 9 CENSUS TRACT: 19

CURRENT ZONING: R-3

VARIANCE/WAIVERS:

1. None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to rezone the 0.16 acre lot from "R-3" Single Family District to "I-2" Light Industrial District. The rezoning is proposed to allow a parking lot to serve the existing auto repair business across S. Polk Street to the west.

B. EXISTING CONDITIONS:

The property is currently undeveloped and mostly grass covered.

C. NEIGHBORHOOD COMMENTS:

All owners of property located within 200 feet of the site and the Oak Forest, South of Asher and SWLR United for Progress Neighborhood Associations were notified of the public hearing.

D. ENGINEERING COMMENTS:

1. Due to the proposed use of the property, the Master Street Plan specifies that Polk Street for the frontage of this property must meet commercial street standards. Dedicate right-of-way to 30 feet from centerline.
2. A 20 feet radial dedication of right-of-way is required at the intersection of Polk Street and 33rd Street.
3. Due to the proposed use of the property, the Master Street Plan specifies that 33rd Street for the frontage of this property must meet commercial street standards. Dedicate right-of-way to 30 feet from centerline.

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

Little Rock Water Reclamation Authority: Sewer Available to this Site.

Entergy: No comments received.

CenterPoint Energy: 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.

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.

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 Capt. John Hogue 501-918-3754). 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.

Landscape: No comments.

G. **TRANSPORTATION/PLANNING:**

Rock Region Metro: No comments.

Planning Division: The request is in the I-630 Planning District. The Land Use Plan shows Light Industrial (LI) for the requested area. This category provides for light warehouse, distribution or storage uses, and/or other industrial uses that are developed in a well-designed "park like" setting. The application is to change the property from R-3 (Single Family District) to I-2 (Light Industrial District) to allow for future development of the site.

Surrounding the application area, the Land Use Plan shows Light Industrial (LI) to the east, south and west. To the north along Asher Avenue is shown as Commercial (C). The Light Industrial category provides for light warehouse, distribution or storage uses, and/or other industrial uses that are developed in a well-designed "park like" setting. There are auto related heavy commercial uses to the east and south east. To the south and west within this 'Industrial area' are single-family homes. These homes are on R-3 Single Family, R-4 Two Family and I-2 Light Industrial zoned land. The Commercial 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 area is occupied with auto related heavy commercial uses and a restaurant.

Master Street Plan: To the south is 33rd Street and to the west is Polk Street, both are a Local Street on the Master Street Plan. The primary function of Local Streets is to provide access to adjacent properties. Local Streets that are abutted by non-residential zoning/use or more intensive zoning than duplexes are considered

as "Commercial Streets". These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

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

H. ANALYSIS:

Peter Rosenow, owner of the 0.16 acre property located at 5424 West 33rd Street, is requesting that the property be rezoned from "R-3" Single Family District to "I-2" Light Industrial District. The property is located at the northeast corner of West 33rd Street and S. Polk Street, and is comprised of one (1) platted lot (Lot 7, Block 1, Ruebel and Leymer Addition). The rezoning is proposed in order to develop the property into a parking lot to serve the existing auto repair use located across S. Polk Street to the west.

The property is located in an area which contains mixed zoning and uses, near the intersection of Asher Avenue and Mabelvale Pike/Fair Park Blvd. Mixed commercial uses (zoned C-3) are located to the north along Asher Avenue. I-2 zoned property and uses are located to the west, across S. Polk Street. Single family residences (zoned I-2 and R-3) are located to the south across West 33rd Street. Mixed commercial uses are located to the southeast along Mabelvale Pike. Two (2) single family residences and mixed commercial uses are located to the east.

The City's Future Land Use Plan designates this property as "LI" Light Industrial. The requested I-2 zoning will not require a plan amendment.

Staff is supportive of the requested I-2 zoning. Staff views the request as reasonable. The applicant is requesting to rezone this lot to I-2 in order to develop parking for the auto repair use on the existing I-2 zoned property immediately to the west across S. Polk Street. There is additional I-2 zoned property to the south, southwest, east and southeast, with commercial zoned property to the north. The zoning of the subject property to I-2 will represent a continuation of the zoning pattern in this general area and will be consistent with the City's Future Land Use Plan. The requested rezoning should have no adverse impact on the general area.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested I-2 rezoning.

PLANNING COMMISSION ACTION:

(JANUARY 14, 2021)

The applicant was not present. There were no persons registered in attendance. Staff informed the Commission that the applicant failed to send required notifications to surrounding property owners. Therefore, staff recommended the application be deferred to the February 11, 2021 Planning Commission Agenda. There was no further

discussion. The item was placed on the Consent Agenda and deferred as recommended by staff. The vote was 11 ayes, 0 nays and 0 absent.

PLANNING COMMISSION ACTION:

(MARCH 11, 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 11 ayes, 0 nays and 0 absent.