

FILE NO.: Z-5519-A

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NAME: Udell Short-form PCD

LOCATION: 4500 Asher Avenue

DEVELOPER:

Jacob Udell  
4500 Asher Avenue  
Little Rock, AR 72204

ENGINEER:

McGetrick and McGetrick Engineers  
P.O. Box 30441  
Little Rock, AR 72260

SURVEYOR:

Rasbury Surveying  
308 West South Street  
Benton, AR 72015

AREA: 0.15 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 1

PLANNING DISTRICT: 9 - I-630

CENSUS TRACT: 19

CURRENT ZONING: C-3, General Commercial District

ALLOWED USES: Retail - enclosed

PROPOSED ZONING: PCD

PROPOSED USE: Add auto paint and body rebuilding and auto repair garage

VARIANCE/WAIVERS: None requested.

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A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is requesting to rezone the site from C-3, General Commercial District to PCD, Planned Commercial Development, to add auto paint and body rebuilding and auto repair garage as allowable uses for the property. The

building encompasses the entire lot and has no parking associated with the site. Employee parking and parking for repaired automobiles will be provided on a lot located at 4501 Asher Avenue. The applicant has secured an agreement with the property owner to allow the use of their property for parking.

B. EXISTING CONDITIONS:

This area of Asher Avenue contains a number of auto related uses including auto repair, auto paint and body, tire sales and auto detailing. The building is located on the corner of Washington Street and Asher Avenue and has been constructed to the property lines of each street. The property to the north appears to be a contractor's storage yard. Within the general area there are a number of commercial uses, a church and private clubs. There are single-family homes located to the north and northeast of this site. Access to this building is via an overhead door located along Washington Street and a second overhead door located along the alley.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200 feet of the site along with the Mid-way Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Asher Avenue is classified on the Master Street Plan as a principal arterial with special design standards. Dedication of right-of-way to the front of the existing building from centerline will be required.
2. Obtain a franchise agreement from Bennie Nicolo, Public Works, [Bnicolo@littlerock.org](mailto:Bnicolo@littlerock.org) or 501.371.4818 for the private improvements (pole mounted sign and awning) located in the right-of-way.
3. If rear gravel parking area is proposed to be used, concrete aprons should be installed in the alley at the rear of the building.
4. Driveway locations and widths do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. The driveway spacing on commercial streets is 250 feet from other driveways. If the north gravel parking lot will be used with this development, the north driveway from the gravel parking area should be closed and access blocked.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this site.

Entergy: Entergy does not object to this proposal. Electrical service is already provided to the site and the existing structure. Contact Entergy in advance to

discuss future service requirements, new facilities locations and adjustments to existing facilities (if any) as this project proceeds.

Centerpoint Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water:

1. All Central Arkansas Water requirements in effect at the time of request for water service must be met.
2. The facilities on-site will be private. When meters are planned off private lines, private facilities shall be installed to Central Arkansas Water's materials and construction specifications and installation will be inspected by an engineer, licensed to practice in the State of Arkansas. Execution of a Customer Owned Line Agreement is required.
3. Due to the nature of this facility, installation of an approved reduced pressure zone backflow preventer assembly (RPZA) is required on the domestic water service. This assembly must be installed prior to the first point of use. Central Arkansas Water requires that upon installation of the RPZA, successful tests of the assembly must be completed by a Certified Assembly Tester licensed by the State of Arkansas and approved by Central Arkansas Water. The test results must be sent to Central Arkansas Water's Cross Connection Section within ten days of installation and annually thereafter. Contact the Cross Connection Section at 501.377.1226 if you would like to discuss backflow prevention requirements for this project.
4. Fire sprinkler systems which do not contain additives such as antifreeze shall be isolated with a double detector check valve assembly. If additives are used, a reduced pressure zone back flow preventer shall be required.

Fire Department: No comment.

Parks and Recreation: No comment received.

County Planning: No comment.

Rock Region Metro: Location is currently served by METRO along Route 14. The route is an important transit connection in a low income community. Pedestrian amenities to connect the neighborhood residents to the transit line are extremely important. We recommend repairing and creating code compliant curb ramps for pedestrian access to the sidewalk.

F. ISSUES/TECHNICAL/DESIGN:

Building Code: Project is subject to full commercial plan review and approval prior to issuance of a building permit. For information on submittal requirements and the review process, contact a commercial plans examiner:

Curtis Richey at 501.371.4724; [crichey@littlerock.org](mailto:crichey@littlerock.org) or  
Mark Alderfer at 501.371.4875; [malderfer@littlerock.org](mailto:malderfer@littlerock.org).

Planning Division: This request is located in I-630 Planning District. The Land Use Plan shows Commercial (C) for this property. 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. The applicant has applied for a rezoning from C-3 (General Commercial District) to PCD (Planned Commercial District) to add auto paint and body rebuilding and auto repair garage as an allowable use with the existing C-3, General Commercial District permitted uses.

Master Street Plan: To the south of the property is Asher Avenue and it is a Principal Arterial on the Master Street Plan. A Principal Arterial is to serve through traffic and to connect major traffic generators or activity centers within the urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Asher Avenue since it is a Principal 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 Asher Avenue. Bike Lanes provide a portion of the pavement for the sole use of bicycles.

Landscape: No comment.

G. SUBDIVISION COMMITTEE COMMENT: (June 8, 2016)

The applicant, Jacob Udell, was present representing the request. Staff presented an overview of the item stating there were few outstanding technical issues associated with the request in need of addressing prior to the Commission hearing the request. Staff requested additional information concerning the proposed use of the property, the placement of vehicles waiting repair, the placement of vehicles awaiting pick-up and the placement of inventory or removed parts from the vehicles. Staff also questioned the days and hours of operation for the business, the placement of any dumpster facilities and the proposed signage plan.

Public Works comments were addressed. Staff stated Asher Avenue was classified on the City's Master Street Plan as a principal arterial with special design standards. Staff stated a dedication of right of way to the front of the

building was required. Staff stated the driveway locations and widths did not meet the traffic access and circulation requirements of the Subdivision Ordinance or the Master Street Plan. Staff stated if the rear gravel parking area was proposed to be used, concrete aprons should be installed in the alley at the rear of the building. Mr. Udell stated he did not own the property to the north of the alley and the area would not be used by this business.

Staff noted the comments from the various other departments and agencies. Staff suggested the applicant contact the departments or agencies directly with any questions or concerns. There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.

H. ANALYSIS:

The applicant has provided additional information requested by staff at the June 8, 2016, Subdivision Committee meeting. The applicant has provided the proposed use of the property, the placement of vehicles waiting repair, the placement of vehicles awaiting pick-up and the placement of inventory or removed parts from the vehicles. The days and hours of operation for the business, the placement of any dumpster facilities and the proposed signage plan have been provided.

The applicant is requesting to rezone the site from C-3, General Commercial District to PCD, Planned Commercial Development, to add auto paint and body rebuilding and auto repair garage as allowable uses for the property. The property has a history of use as auto repair and auto paint and body rebuilding. The applicant has provided staff with a written agreement between the property owner and the tenant stating any and all repair work shall be limited to the inside of the building. The agreement states no repairs to any vehicles will take place outside the building. The owner notes if at any time the agreement is violated the lease agreement will be terminated.

The applicant is also requesting a variance for the typical parking requirement for the site. The building encompasses the entire lot and has no parking associated with the site. Employee parking and parking for repaired automobiles will be provided on a lot located across Asher Avenue at 4501 Asher Avenue. The applicant has provided a written agreement to allow the parking to occur.

The parking requirement for an automotive service business is 5 spaces plus 1 space for each 250 square feet of building area. The building contains 5,540 square feet of floor area. The parking typically required for the use would be 27 spaces.

The applicant has indicated there will be no more than three (3) automobiles in for repair at a time. The applicant has indicated all the vehicles to be repaired will be located within the building. The applicant has indicated the autos waiting pickup will be placed across Asher Avenue at 4501 Asher Avenue. The applicant

has indicated autos will be retained for ten (10) days awaiting customer pickup. After which the autos will be sold.

The applicant has indicated all parts for repairs and all parts removed from the vehicles will be stored inside the building. There will be no salvaging of auto parts on the site. The applicant has indicated there will be no dumpster located on the site. According to the applicant there are to be no inoperable, partially dismantled, wrecked or junked vehicles to remain on the site more than ten (10) days. There is to be no outside storage of vehicle parts and there is to be no repair of vehicles outside the building. The vehicles awaiting service and/or customer pickup are to be kept at 4501 Asher Avenue and located behind a screening fence or behind or adjacent to the building. The vehicles cannot be located within the parking lot in front of the building at 4501 Asher Avenue.

The hours of operation are from 8 am to 5 pm Monday through Friday. The applicant has indicated an existing ground sign will be maintained on the site. The applicant has indicated building signage will be placed along the Asher Avenue and Washington Street frontages. The wall signage will be limited to a maximum of ten (10) percent of the façade area on each of the walls. The ground sign will be limited to a maximum height of 36-feet and a maximum sign area of 160 square feet.

Staff is supportive of the applicant's request provided the applicant comply with the provision he has outlined in his request. The site has been used as auto related activities for a number of years. Staff recommends if the applicant violates the provision of the approval of the PCD they will petition the Commission as an enforcement action requesting a revocation for cause with regard to non-compliance with the approved conditions of the PCD zoning.

To staff's knowledge there are no remaining outstanding technical issues associated with the request. Staff feels the request to rezone the site from C-3, General Commercial District to PCD to add auto repair and auto paint and body rebuilding as allowable uses is appropriate.

I. STAFF RECOMMENDATION:

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 following additional conditions be attached to the approval of the PCD zoning request:

1. No outside storage of vehicle parts is permitted. There shall not be any servicing or repair of vehicles outside the building.
2. No inoperable, partially dismantled, wrecked or junked vehicles are to remain on the site more than ten (10) days.

3. Vehicles awaiting service or customer pickup are to be kept behind the screening fence behind or adjacent to the building, not in the parking lot in front of the building located at 4501 Asher Avenue.
  4. Should the applicant violate the provision of the approved PCD a revocation for cause shall be submitted to the Planning Commission for review to determine if the approved PCD zoning should be voided.
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PLANNING COMMISSION ACTION:

(JUNE 30, 2016)

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 that the following additional conditions be attached to the approval of the PCD zoning request:

1. No outside storage of vehicle parts is permitted. There shall not be any servicing or repair of vehicles outside the building.
2. No inoperable, partially dismantled, wrecked or junked vehicles are to remain on the site more than ten (10) days.
3. Vehicles awaiting service or customer pickup are to be kept behind the screening fence behind or adjacent to the building, not in the parking lot in front of the building located at 4501 Asher Avenue.

Staff presented a recommendation should the applicant violate the provision of the approved PCD a revocation for cause would be submitted to the Planning Commission by staff for review to determine if the approved PCD zoning should be voided. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff by a vote of 8 ayes, 0 noes and 3 absent.