

FILE NO.: Z-8080-B

NAME: Masoud Short-form PCD

LOCATION: Located at 4508 Baseline Road

DEVELOPER:

Wadeea Masoud
4918 Baseline Road
Little Rock, AR 72209

SURVEYOR:

Ben Kittler
812 Providence Drive
Bryant, AR 72022

ARCHITECT:

Terry Burruss Architects
11912 Kanis Road Suite F-8
Little Rock, AR 72211

AREA: 0.89 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 2 PLANNING DISTRICT: 14 – Geyer Springs East

CENSUS TRACT: 41.07

CURRENT ZONING: C-3, General Commercial District

ALLOWED USES: Retail

PROPOSED ZONING: PCD

PROPOSED USE: C-3, General Commercial District uses, Carwash and the allowance of Used Car Sales

VARIANCE/WAIVERS: A variance from Sections 30-43 and 31-210 to allow the placement of the drives on Doyle Springs and Baseline Roads.

BACKGROUND:

Ordinance No. 19,599 adopted by the Little Rock Board of Directors on September 19, 2006, rezoned the property from R-2, Single-family District to C-3, General Commercial District.

A Conditional Use Permit request was approved by the Little Rock Planning Commission on August 17, 2006, as a companion application to the rezoning request. The property was zoned R-2, Single-family and contained a closed gas station and carwash. The facility was constructed in 1971 and was rendered nonconforming when it was annexed into the City in 1985. The business was closed for several years and the property lost its nonconforming status. The owner filed the C-3, General Commercial District rezoning request and the conditional use permit to allow for the reopening of the carwash. The applicant did not propose to operate the gas station. The underground tanks were removed and a clearance letter from ADEQ was provided to staff.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is now requesting the rezoning of the site from C-3, General Commercial District to PCD, Planned Commercial Development, to add automobile sales as an allowable activity on the site. Currently the site contains an operating carwash facility, which was approved as a Conditional Use Permit in 2006, which will continue to operate. The applicant is proposing removal of portions of the carwash building, construction of a new office building for the used car sales and removal of areas of pavement to add landscaping to the site.

B. EXISTING CONDITIONS:

The property contains two separate carwash buildings and a third building which appears to have been the former fuel canopy. To the north of the site is a mini-warehouse development. To the west of the site is a Church and a City of Little Rock Neighborhood Resource Center. Across Baseline Road is a wooded tract, a Sonic drive-in restaurant and a convenience store. To the east of the site are single-family homes.

Baseline Road is constructed with curb, gutter and sidewalk. Doyle Springs Road is constructed with curb and gutter. There is not a sidewalk in place adjacent to this site.

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. Baseline Road is classified on the Master Street Plan as a minor arterial with special design standards. Dedication of right-of-way to 45 feet from centerline will be required. Do not include the canopy structure in the dedication.
2. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
3. Driveway locations and widths do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. Driveway locations on Baseline Road should be located at least 300 feet from other driveways and intersections and 150 feet from side property lines. A variance should be requested for the driveway location on Baseline Road. The driveway should be closed.
4. Driveway locations and widths do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. Driveway locations on Doyle Springs Road should be located at least 250 feet from other driveways and intersections and 125 feet from side property lines. A variance should be requested for the driveway location on Doyle Springs Road. The driveway should be moved further to the north of the wash bays.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this site.

Entergy: Entergy does not object to this proposal. A three (3) phase power line exists along the north side of Baseline Road and on the west side of Doyle Springs Road. A single phase line exists on the east side of the property. There do not appear to be any existing conflicts with Entergy facilities on this property. 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 Little Rock Fire Department needs to evaluate this site to determine whether additional public and/or private fire hydrant(s) will be required. If additional fire hydrant(s) are required, they will be installed at the Developer's expense.

3. Please submit plans for water facilities and/or fire protection system to Central Arkansas Water for review. Plan revisions may be required after additional review. Contact Central Arkansas Water regarding procedures for installation of water facilities and/or fire service. Approval of plans by the Arkansas Department of Health Engineering Division and the Little Rock Fire Department is required.
4. Contact Central Arkansas Water regarding the size and location of the water meter.
5. 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.

Fire Department: No comment received.

Parks and Recreation: No comment received.

County Planning: No comment.

Rock Region Metro: Location is currently served by METRO on route 23. The plans as shown have included the necessary pedestrian connections for access to transit in this low income neighborhood.

F. ISSUES/TECHNICAL/DESIGN:

Building Code: No comment.

Planning Division: This request is located in the Geyer Springs East 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 Development) to allow the use of the site with used car sales in addition to the existing carwash facilities.

Master Street Plan: South side of the property is Baseline Road and it is shown as a Principal Arterial. West side of the property is Doyle Springs Road and it is shown as a Collector on the Master Street Plan. The primary function of a Principal Arterial Street is to serve through traffic and to connect major traffic

generator or activity centers within an urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Baseline Road since it is a Principal Arterial. The primary function of a Collector Road is to provide a connection from Local Streets to Arterials. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the sites.

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

Landscape: No comment.

G. SUBDIVISION COMMITTEE COMMENT: (April 27, 2016)

The applicant was present. Staff presented an overview of the item stating there were a few outstanding technical issues associated with the request. Staff requested the applicant confirm the proposed signage plan. Staff also requested the applicant provide the location and hours of service for any proposed dumpster facilities.

Public Works comments were addressed. Staff stated the drives on Doyle Springs and Baseline Roads should be 300 feet from the intersection. Staff stated the drive on Doyle Springs Road should be relocated to the northern property line. Staff stated this would require a variance but they were supportive of the variance request. Staff stated the driveway width should not exceed 36-feet.

Landscaping comments were addressed. Staff stated any new development was to come into compliance with the landscape and buffer ordinance requirements. Staff stated upgrades to the site would require upgrades to the site in accordance with the percentage of upgrade to buildings and landscaping.

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 submitted a revised site plan and cover letter to staff addressing most of the technical issues associated with the request. The applicant has confirmed the proposed signage plan and provided the hours of dumpster service. The request is to rezone the site from C-3, General Commercial District to PCD, Planned Commercial Development, to add automobile sales as an allowable activity on the site.

The applicant is proposing to remove the carwash bays located along the eastern perimeter of the site and the existing canopy located along Baseline Road. The applicant is also proposing to remove one of the carwash bays located along

Doyle Springs Road. The applicant has indicated the carwash bays to remain will be enclosed on the southern façade. Within this area the applicant will perform prep of the vehicles for sale. The applicant is proposing to place a new 20-foot by 20-foot office building near the northeastern portion of the site. A larger portion of the existing paved areas will be removed and landscaped.

The existing structure contains 5,331 square feet of which 3,011 square feet will be removed. The plan includes the construction of a new office building containing 400 square feet. The existing paved area contains 28,742 square feet of which 3,444 square feet will be removed and 140 square feet of new paving will be added. The site contains 4,699 square feet of green space of which 140 square feet of green space will be removed and 3,444 square feet of new green space, landscaped area, will be added.

The site plan indicates the removal of a portion of paved area along the eastern perimeter of the site. There are single-family homes located along this property line. Staff feels the pavement along the entire eastern perimeter to a minimum width of 9-feet should be provided to allow separation from this development and the adjacent homes. The site plan does not include a note concerning the proposed fencing. Staff recommends should fencing be desired the fencing along the street frontages be a decorative fence material or a poly-coated chain link fence with a maximum height of eight (8) feet. Along the northern and eastern perimeters the development must provide screening via an opaque fence or dense evergreen plantings.

The site plan indicates the placement of a drive on Baseline Road near the eastern property line. Staff is supportive of the eastern driveway on Baseline Road provided the drive closest to the Baseline Road/Doyle Springs Road intersection be removed and replaced with sidewalk and grass. Bollards as indicated on the site plan for blocking the driveway are not sufficient.

The site plan indicates building signage will comply with signage allowed in commercial zones. The building signage will be limited to the facades with street frontage and be limited to a maximum of ten (10) percent of the façade area. Ground signage is proposed at the intersection of Baseline and Doyle Springs Road. The sign is proposed with a maximum height of 36-feet and a maximum sign area of 160 square feet.

The days and hours of operation are from 10 am to 6 pm Monday through Friday. The site plan indicates the placement of a dumpster which will be serviced between the hours of 7 am to 6 pm Monday through Friday.

The applicant has indicated there will be a maximum of 40 automobiles on the site for sale. The zoning ordinance states there shall be no open display of any kind whatsoever in the first twenty (20) feet of the required front yard setback. The applicant has noted on the site plan there will be no display of vehicles within

the first 20-feet along Baseline and Doyle Springs Roads. The zoning ordinance also states all servicing of vehicles and assembly of equipment carried on as an incidental part of the sales operation shall be conducted within a completely enclosed building. The applicant has indicated the use of the property will be for automobile sales. There will be minor detailing and installation of vehicle parts such as windshield wiper blades or changing of head and/or tail lights but there will not be any auto rebuilding at this site.

Staff is supportive of the applicant's request provided the applicant agree to closing the drive on Baseline Road with curb and gutter. The applicant is proposing to redevelop the site and remove large areas of paving and replacing the areas with greenspace and landscaping. There is to be no auto repair on the site. The site is to be used solely for automobile sales. To staff's knowledge there are no remaining outstanding technical issues associated with the request. Staff does not feel the use of the site for automobile sales will significantly impact the site or the area.

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 there be no auto repair or rebuilding on this site.

Staff recommends the western most driveway on Baseline Road be closed with the placement of curb and gutter.

Staff recommends the landscape strip along the eastern perimeter be installed along the entire eastern perimeter and be a minimum width of nine (9) feet.

PLANNING COMMISSION ACTION:

(MAY 19, 2016)

The applicant was present. There were registered objectors present. The Chair stated it was the Commission's practice that when there were eight (8) or few members present the Commission offered to the applicant the ability to defer their item to a later hearing date to allow for more Commissioners to be present to hear the request. The Chair stated it took six (6) positive votes to move an item forward to the Board of Directors with a recommendation of approval.

Mr. Terry Burruss stated the owner was requesting to defer the item to the June 30, 2016, public hearing. There was no further discussion. The Chair entertained a motion for approval of the deferral request. The motion carried by a vote of 8 ayes, 0 noes and 3 absent.

STAFF UPDATE:

There has been no change to this request from the May 19, 2016 public hearing. Staff continues to recommend approval of the request subject to the conditions as noted above.

PLANNING COMMISSION ACTION:

(JUNE 30, 2016)

The applicant was present. There were registered objectors present. Staff presented the item with a recommendation of approval of the request.

Mr. Terry Burruss addressed the Commission stating he had little to add from the staff presentation and felt it was best if the Commission heard from the supporters and opposition. He stated he was available for questions after the comments were received.

Ms. Frankie Davis addressed the Commission in support of the request. She stated the item was reviewed by the neighborhood association and was discussed at great length. She stated the other end of Baseline was redeveloping well. She stated this end of Baseline was not doing well and a number of the businesses had closed. She stated the area needed new businesses to grow. She stated the grocery store had closed. She stated the Family Dollar store was moving across the street and the drive-in restaurant had closed. She stated she would like to see Baseline Road built up again.

Ms. Pam Adcock addressed the Commission in support of the request. She stated the neighborhood association meeting was well attended and a vote was taken to support the request. She stated the vote was not unanimous but it was clear there were more in support than opposed. She stated Mr. Burruss and Mr. Masoud had attended two (2) neighborhood meetings to discuss the plans for redevelopment. She stated the development was going to be a high quality development. She stated Mr. Masoud was removing large areas of paving and replacing the areas with landscaping. She stated the redevelopment had to start somewhere and felt this was a good redevelopment plan. She stated after redevelopment of the site the neighborhood could use this development to say "this is what we expect in our area". She stated she felt the development of the auto sales as proposed would be a benefit to the neighborhood.

Ms. Pat Gee addressed the Commission as President of the Upper Baseline Neighborhood Association and as Vice-President of Southwest Little Rock United for Progress. She stated Southwest UP's did not take a vote on the request. She stated Mr. Burruss and Mr. Masoud attended the meeting but this was the same meeting the Chief of Police had attended. She stated there was no time left for Mr. Burruss to present the plan at that meeting due to time constraints. She stated Southwest UP's voted to support the neighborhood in their decision for the redevelopment plan.

Ms. Gee stated Upper Baseline Neighborhood Association had met with Mr. Burruss and Mr. Musoud on two (2) occasions and the item was discussed at length. She stated after the presentation and questions the Association voted to support the redevelopment plan. She stated the Highway Department had widened the street and felt it up to the individual property owners to landscape their properties. She stated the site was previously a carwash and a fueling station. She stated the buildings were being reworked and landscaping was being installed. She stated she felt the development would have a positive impact on the neighborhood.

Ms. Pan Noble addressed the Commission in support of the request. She stated the area was losing businesses. She stated it was important to look forward to bring businesses back to the neighborhood. She stated she felt the business would be a positive for the neighborhood and requested the Commission support the request.

Ms. Pam Bingham addressed the Commission in opposition of the request. She stated she was Vice President of the Upper Baseline Neighborhood Association and she had the opportunity to visit with the neighbors that would be most directly impacted. She stated they did not want a car lot next door to their home. She stated the Commission should not allow intensive commercial activity adjacent to residential homes. She stated Mr. Masoud did not live in the neighborhood and had little concern for the residents that had to live next to the car lot. She stated Mr. Masoud had purchased a number of properties in the area and had cleaned up some but not all. She stated he had owned this property since 2007 and had done little to upgrade the property.

Ms. Bingham provided the Commission with photos of automobile sales lots within the area. She stated in less than one mile from this site there were a number of car sales lots. She provided the Commission with a petition signed by 52 persons. She stated they were not in attendance at the meeting because of work schedules.

Ms. Gail Cophas addressed the Commission in opposition of the request. She stated she had lived in the neighborhood for 30+ years and had watched the area change. She stated the area did not need any more car sales but did need a grocery store and additional retail to support the neighborhood. She stated there were apartments located on the east end of Baseline Road. She stated the residents had to feed their family from the dollar store because the grocery store had closed. She stated these were not persons that could afford to buy a car. She stated they needed places to buy food for their families.

Mr. Burruss stated this development was going to be an upscale automobile sales lot. He stated based on the cost of the improvements Mr. Masoud was going to have to sell high dollar cars to make the venture cash flow. He stated the requested PCD with improvements would be better for the neighborhood than a development that complied with the C-3, General Commercial District zoning and was not required to install any improvements.

Commissioner Bubbus stated he felt everyone wanted the same thing for the area but were at differences on how to get there. He stated it was a challenge. He stated for an area to redevelop it took the property owners willing to invest in the improvements to start things moving forward. He stated he felt the best way to get businesses to improve their site was direct competition. He stated it was up to the property owners to get things moving forward.

There was no further discussion of the item. The Chair entertained a motion for approval of the request as recommended by staff including all staff recommendations and comments. The motion carried by a vote of 8 ayes, 0 noes and 3 absent.