

File No.: Z-9976

Owners: Ampler Development

Applicant: Matthew Gatto, Kimley-Horn and Associates (Agent)

Address: 5900 Dreher Lane

Legal Description: Lot A and part of Lot B-R, Southwest City Commercial Subdivision, Little Rock, Arkansas

Zoned: C-3

Present Use: Restaurant

Proposed Use: Restaurant

Variance(s) Requested: A variance is requested from the off-street parking regulations of Section 36-502(3)(c) to allow a decrease in parking in the C-3 zoning district.

A variance is requested from the general district restrictions regulations of Section 36-298(2) to allow the dumpster enclosure within the front setback in the C-3 zoning district.

A variance is requested from the general district restrictions regulations of Section 36-301(e)(3) to allow the building awnings within the rear setback in the C-3 zoning district.

Justification: The applicant's justification is presented as per the cover letter.

STAFF REPORT

- A. Planning and Development Civil Engineering Comments:
No Comments.
- B. Buffering and Landscape Comments:
No Comments.
- C. Building Codes Comments:
No Comments.

D. Staff Analysis:

The C-3 zoned property is located at 5900 Dreher Lane and is an existing Burger King restaurant. The owner proposes to upgrade the site with a new Burger King restaurant with the requested variances.

Section 36-502(b)(3)(c) states "Restaurants (and similar establishments serving food and beverages), 1.0 space for each one hundred (100) square feet of gross floor area." Therefore, the applicant is requesting a variance to allow a reduction of parking spaces from the required 31 to 23.

Section 36-298(2) states "Dumpsters and trash containment areas shall not be located within the front yard setback area or street side or exterior side yard setback area." Therefore, the applicant is requesting to locate the dumpster enclosure as shown on the Site Plan which is at the rear of the site yet on the street side.

Section 36-301(e)(3) states "There shall be a rear yard having a depth of not less than twenty-five (25) feet." Therefore, the applicant is requesting a variance to allow 3'-3" of building awnings to be placed within the rear setback.

Staff is supportive of the requested variances. Staff views the requests as reasonable. The requests are similar to development patterns in the area. Staff believes that the requested variance will have no adverse impact on the surrounding properties.

E. Staff Recommendation:

Staff recommends approval of the requested variance, subject to the descriptions and any conditions in the "staff analysis".