

January 11, 2024

ITEM NO.: 21

FILE NO.: Z-5527-A

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NAME: Rezoning from PCD and C-3 to C-4

LOCATION: 5400 S. University Avenue

DEVELOPER:

Saleh Ayyeh  
5400 S. University Avenue  
Little Rock, AR 72209

U Trade, LLC  
20 Dressage Lane  
Little Rock, AR 72223

OWNER/AUTHORIZED AGENT:

Saleh Ayyeh and U Trade, LLC – Owners  
Joe White and Associates – Agent

SURVEYOR/ENGINEER:

Joe White and Associates, Inc.  
25 Rahling Circle, Suite A-2  
Little Rock, AR 72223

AREA: 2.2 acres

NUMBER OF LOTS: 3

FT. NEW STREET: 0 LF

WARD: 7

PLANNING DISTRICT: 12

CENSUS TRACT: 20.01

CURRENT ZONING: C-3 and PCD

VARIANCE/WAIVERS: None requested.

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A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to rezone the 2.2 acre property from C-3 and PCD to C-4 to allow for future retail and office/warehouse development.

B. EXISTING CONDITIONS:

The north portion of the property is occupied by a one-story building and paved parking area. The remainder of the property is undeveloped.

C. NEIGHBORHOOD NOTIFICATIONS:

All owners of property located within 300 feet of the site and all neighborhood associations registered with the City of Little Rock were notified of the public hearing.

D. ENGINEERING COMMENTS: No comments.

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

Little Rock Water Reclamation Authority: No comments.

Entergy: No comments received.

Summit Utilities: No comments.

AT & T: No comments received.

Central Arkansas Water: NO OBJECTIONS; All Central Arkansas Water requirements in effect at the time of request for water service must be met.

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. If the grade exceeds 10 percent, approval will be denied and the applicant must submit request to be reviewed by Fire Chief for Approval.**

**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.

**Commercial and Industrial Developments – 2 means of access.** - Maintain fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1

**Section D104.1 Buildings exceeding three stories or 30 feet in height.** Building or facilities exceeding 30 feet or three stories in height shall have at least two means of fire apparatus access for each structure.

**Section D104.2 Building exceeding 62,000 square feet in area.** Buildings or facilities having a gross building area of more than 62,000 square feet shall be provide with two separate and approved fire apparatus access roads.

**Exception:** Projects having a gross building area of up to 124,000 square feet that have a single approved fire apparatus access road when all building are equipped throughout with approved automatic sprinkler systems.

**D104.3 Remoteness.** Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.

**30' Tall Buildings - Maintain aerial fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D105.1 – D105.4**

**D105.1 Where Required.** Where the vertical distance between the grade plane and the highest roof surface exceed 30', approved aerial fire apparatus access roads shall be provided. For the purposes of this section the highest roof surfaces shall be determined by measurement to the eave of a pitched roof, the intersection of a roof to the exterior wall, or the top of the parapet walls, whichever is greater.

**D105.2 Width.** Aerial fire apparatus access roads shall have a minimum unobstructed width of 26', exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

**D105.3 Proximity to building.** At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of

the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.

**D105.4 Obstructions.** Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.

**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 replaced 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 Fire Marshal Derek N. Ingram 501-918-3756 Number and Distribution of Fire Hydrants as per Table C105.1.

**If you have any additional questions please contact our office. Contact Capt. Tony Rhodes at (501) 918-3757, or Fire Marshal Derek N. Ingram (501) 918-3756.**

Parks and Recreation: No comments received.

County Planning: No comments received.

F. **BUILDING CODES/LANDSCAPE:**

Building Codes: No comments received.

Landscape:

1. Any new site development must comply with the City's minimal landscape and buffer ordinance requirements. Refer to the Code of Ordinances, Chapter 15 Landscaping and Tree Protection, and Chapter 36, Article IX – Buffers and Screening.
2. Site development plans, with landscape and screening, must be submitted for review, and approval, prior to site clearing and tree removal.

G. **TRANSPORTATION/PLANNING:**

Rock Region Metro: No comments received.

Planning Division:

The request is in the 65th Street West Planning District. The Land Use Plan shows Commercial (C) and Residential Low Density (RL) for the requested area. The Residential Low Density (RL) category provides for single family homes at densities not to exceed 6 dwelling units per acre. Such residential development is typically characterized by conventional single family homes but may also include patio or garden homes and cluster homes, provided that the density remains less than 6 units per acre. The application is to rezone from C-3 to C-4.

Surrounding the application area to the north and south on both sides of University Avenue is Commercial (C) uses. The Commercial (C) 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.

To the east of the subject site is Residential Low Density (RL) with developed single-family subdivisions. The Residential Low Density (RL) category provides for single family homes at densities not to exceed 6 dwelling units per acre. Such residential development is typically characterized by conventional single-family homes but may also include patio or garden homes and cluster homes, provided that the density remains less than 6 units per acre.

This site is not in an Overlay District.

Master Street Plan:

South University Avenue is shown as a Principal Arterial on the Master Street Plan Map. Principal Arterials are roads designed to serve through traffic and to connect major traffic generators or activity centers within urbanized areas. Standard Right-of-Way (ROW) of 110 feet is required. Sidewalks are required on both sides. This road may need more ROW and/or paving width.

Bicycle Plan:

There are no proposed or existing bicycle facilities in this area.

Historic Preservation Plan:

This property is not a contributing structure and is not located in a Historic District.

H. ANALYSIS:

The applicant proposes to rezone the 2.2 acre property located at 5400 S. University Avenue from "C-3" General Commercial District and "PCD" Planned Commercial District to "C-4" Open Display District. The rezoning is requested to allow future retail and office-warehouse development.

The north portion of the property is occupied by a one-story building and paved parking area, containing auto services businesses (auto detail and auto wrap). The north portion of the property backs up to S. 63<sup>rd</sup> Avenue. The remainder of the property is undeveloped. The south PCD zoned portion of the property was approved for auto sales and auto detail uses in 2011 (Ordinance No. 20,394). This PCD zoning was never developed.

The City's Future Land Use Plan designates the majority of this property a "C" Commercial. A smaller portion of the southern property is designated as "RL" Residential Low Density. The proposed C-4 zoning will not require an amendment to the future land use plan.

The applicant will request a waiver of a boundary street improvements to S. 63<sup>rd</sup> Avenue with the development of the subject property. There will be no future access takes from S. 63<sup>rd</sup> Avenue. In conjunction with this request, the applicant will dedicate a 10 foot "no access" easement along the west property line where adjacent to the S. 63<sup>rd</sup> Avenue right-of-way.

Staff is supportive of the requested C-4 rezoning. Staff views the request as reasonable. The proposed C-4 zoning will represent a continuation of the existing zoning pattern along S. University Avenue. There is existing C-4 zoning located to the north and south along both sides of S. University Avenue.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested C-4 rezoning.