

FILE NO.: Z-9092

NAME: Bassett Short-form PCD

LOCATION: Located at 3211 – 3215 South Arch Street

DEVELOPER:

Harry and Paulette Bassett
1330 Vimy Ridge Road
Alexander, AR 72002

SURVEYOR:

Raspberry Surveying, LLC
308 West South Street
Benton, AR 72015

AREA: 0.26 acres NUMBER OF LOTS: 1 zoning lot FT. NEW STREET: 0 LF

CURRENT ZONING: R-2, Single-family

ALLOWED USES: Single-family residential

PROPOSED ZONING: PCD

PROPOSED USE: C-3, General Commercial District uses

VARIANCE/WAIVERS: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is requesting a rezoning of the site from R-2, Single-family to Planned Commercial Development to allow the reuse of this commercial building as a multi-tenant building. Currently River City Doors is operating from the rear of the building. The applicant is requesting to use the front portion of the building, an area containing 850 square feet of floor area (28-feet by 30.42-feet) as lease space for a commercial user. The owner also stores antique autos within the building. The request includes the allowance of C-3, General Commercial District uses.

The parking for this building has been lost due to a project funded by the Arkansas State Highway Department. The applicant will develop a lot to the south of the existing business for parking. The site plan indicates eight (8) spaces can be added in this area.

B. EXISTING CONDITIONS:

The site contains a commercial building currently be used by River City Doors. The area to the south is vacant. There are commercial uses located further to the south. The property located across South Arch Street is zoned commercially. A number of the lots are vacant. There is a church located one (1) block west of this site. There are occupied single-family homes located to the north.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received an informational phone call from an area property owner. All property owners located within 200-feet of the site along with the Meadowbrook Neighborhood Association, the South End Neighborhood Developers Association and the South End Coalition were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Arch Street is classified on the Master Street Plan as a principal arterial with special design standards. Dedication of right-of-way to 40 feet from centerline will be required. The area of the building should not be included in the dedication.
2. Due to the proposed use of the property, the Master Street Plan specifies that West 33rd Street for the frontage of this property must meet commercial street standards. Dedicate right-of-way to 30 feet from centerline. Right-of-way cannot be dedicated due to the location of the existing building or structure.
3. A 20 foot radial dedication of right-of-way is required at the intersection of Arch Street and 33rd Street.
4. With site development, provide the design of street conforming to the Master Street Plan. Construct one-half street improvement to Arch Street including 5-foot sidewalks with the planned development. Arch Street is being reconstructed in the future by AHTD at the time the railroad bridge to the south is constructed.
5. All parking and vehicles backing into Arch Street should be removed from in front of the existing building. The asphalt should be removed prior to issuance of the certificate of occupancy.

6. With access desired to the rear 10 foot wide alley. The alley should be overlaid with asphalt to a width of 10 feet from 33rd Street to the new parking lot driveway.
7. The south side of the proposed driveway should be located at least 5 feet from the side property line.
8. All driveways shall be concrete aprons per City Ordinance.
9. Stormwater drainage from the parking lots should be directed to the alley and not directly onto adjacent properties.
10. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.

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 building from the front along South Arch Street. There do not appear to be any conflicts with existing Entergy facilities. Contact Entergy in advance if electrical service needs change as a result of the building's use after rezoning.

CenterPoint Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water: All Central Arkansas Water requirements in effect at the time of request for water service must be met.

Fire Department: No comment.

Parks and Recreation: No comment received.

County Planning: No comment.

Rock Region Metro: Location not served by fixed route. No issues as shown.

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 or
Mark Alderfer at 501.371.4875; malderfer@littlerock.org.

Planning Division: This request is located in the Central City Planning District. The Land Use Plan shows Residential Low Density (RL) for this property. Residential Low Density allows 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 remain less than 6 units per acre. The applicant has applied for a rezoning from R-3 (Single Family District) to PCD (Planned Commercial District) to allow C-3 general commercial uses in the existing commercial structure on the site.

Master Street Plan: Arch Street 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 Arch Street. 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 Arch Street. Bike Lanes provide a portion of the pavement for the sole use of bicycles.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. A land use buffer will be required when an adjacent property has a dissimilar use of a more restrictive nature. The property to the south is zoned R-2, Single-family. The minimum dimension of the buffer shall be six (6) feet nine (9) inches in areas designated as mature. As a component of all land use buffer requirements, opaque screening, whether a fence or other device, a minimum of six (6) feet in height shall be required upon the property line side of the buffer. The plantings, existing and purposed, shall be provided within the landscape ordinance of the City, Section 15-81. One (1) tree and three (3) shrubs or vines shall be planted for every thirty (30) linear feet of perimeter planting strip.
3. Screening requirements will need to be met for the vehicular use areas adjacent to street right-of-ways. Provide screening shrubs with an average linear spacing of not less at three (3) feet within the required landscape area. Provide trees with an average linear spacing of not less than thirty (30) feet.
4. The City Beautiful Commission recommends preserving as many existing trees as feasible on this site. Credit toward fulfilling Landscape Ordinance requirements can be given when preserving trees of six (6) inch caliper or larger.

G. SUBDIVISION COMMITTEE COMMENT: (October 28, 2015)

Ms. Bassett was present representing the request. Staff presented an overview of the item stating there were a few outstanding technical issues in need of addressing related to the site plan. Staff stated the landscape and buffer ordinances required a minimum landscape strip adjacent to the paved areas. Staff stated a variance from this minimum requirement would require approval by both the Planning Commission and the City Beautiful Commission. Staff also requested information concerning the days and hours of operation, the square footage proposed for rental to a separate business and the location of any proposed dumpsters. Ms. Bassett stated there would not be a dumpster on the site.

Public Works comments were addressed. Staff stated a dedication of right of way to 40 feet from centerline was required to meet the Master Street Plan requirements. Staff stated a radial dedication of right of way was required at the intersection of 33rd and South Arch Street. Staff stated all paved areas and parking and vehicles backing into Arch Street was to be removed.

Landscaping comments were addressed. Staff stated the minimum landscape strips were not being provided. Staff stated based on the width of the lot it would be difficult to develop the site for parking and provide the required landscaping. Staff stated a request was to be made to City Beautiful Commission as well as to the Planning Commission for approval of the reduced landscape strips.

There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.

H. ANALYSIS:

There were no outstanding technical issues associated with the request in need of addressing via a revised site plan. The request is to rezone the site from R-2, Single-family to Planned Commercial Development to allow the use of this commercial building as a multi-tenant building. Currently River City Doors is operating from the rear of the building. The owner also stores antique autos within the building. The request also includes the allowance to use the front portion of the building, an area containing 850 square feet of floor area (28-feet by 30.42-feet) as lease space for a commercial user. The request also includes the allowance of the following listing of C-3, General Commercial District uses. The hours of operation are from 9 am to 5 pm Monday through Friday.

The parking for this building was lost due to a project funded by the Arkansas State Highway Department. The Highway Department is in the process of reconstructing Arch Street and is securing additional right of way to meet the projects demand. A lot to the south of the existing commercial building will be developed parking. The site plan indicates eight (8) spaces with entrance from South Arch Street and exit onto an existing alley.

The site plan includes the construction of a paved parking area south of the existing building access from South Arch Street and exiting to a 10-foot platted alley located behind the building. The applicant has indicated 10-feet of asphalt will be added to the alley connecting with West 33rd Street. Since the development is proposed as a mixed use development staff feels the proposed uses of the building should match the parking available on the site.

The plan as presented allows for the placement of 3-feet 3-inches of landscaping along the southern perimeter of the property. There is no landscaping proposed along the northern portion between the building and the parking area. The zoning ordinance with regard to buffers indicates a minimum landscape strip of six (6) feet nine (9) inches is to be provided along the perimeters adjacent to residentially zoned or used property. This landscape strip is also required along South Arch Street.

The ordinance also states screening is required where adjacent to a use or zoning of a lesser intensity. The area to the south is zoned R-3, Single-family but is shown on the City's Future Land Use Plan as MX. The area most likely will not redevelop as residential. The site plan indicates the placement of a six (6) foot fence along this perimeter.

The applicant has not indicated ground signage as a part of this request. Staff recommends should ground signage be requested in the future the signage be limited to a maximum height of six (6) feet with a maximum sign area of seventy-two (72) square feet in area. Building signage will be limited a maximum of ten (10) percent of the façade area abutting the public street.

Staff is not supportive of the applicant's request. Staff feels C-1, Neighborhood Commercial uses are more appropriate for this site. There are still a number of single-family homes located in this area. Staff feels some of the C-3, General Commercial District uses would impact these homes. There are a few lots in this immediate area zoned C-3, General Commercial District but the majority of the area if zoned commercially is C-1, Neighborhood Commercial.

I. STAFF RECOMMENDATION:

Staff recommends denial of the request.

PLANNING COMMISSION ACTION:

(NOVEMBER 19, 2015)

Mr. and Mrs. Bassett were present representing the request. There were no registered objectors present. Staff presented the item with a recommendation of denial for the request as proposed with C-3, General Commercial District uses. Staff stated they were supportive of the allowance of C-1, Neighborhood Commercial District uses with a few additional uses to recognize the applicant's existing use of the building.

Ms. Bassett stated they had formerly owned property on South Pine Street which was sold to the City for the new police station. She stated when they sold their property to the City staff told them they would help them relocate to a C-3, General Commercial District zoned property. She stated the City took too long and they had to move their business. She stated they bought this property which was formerly a window shop thinking the zoning was C-3, General Commercial District. She stated the Highway Department was in the process of replacing the Arch Street Bridge and needed additional right of way for the street construction. She stated the additional right of way was taking the sites only parking. She stated the Highway Department had agreed to place an apron on the lot to the south to allow for additional parking. She stated when they were pursuing the parking lot development they found out the property was not zoned commercially but was zoned residentially.

Mr. Bassett stated it was their mistake not checking the zoning prior to purchase but they had bought the property and moved their business to this location and needed the correct zoning to continue to operate. He stated they were a small business. He stated in addition to the window and door shop he also restored and garaged cars at this location. He stated without C-3, General Commercial District zoning he would not be able to operate his existing business and restoration shop.

There was a general discussion by the Commission as to the uses which were in C-3, General Commercial District that were not allowed in the C-1, Neighborhood Commercial Zoning District. Ms. Bassett stated they had a site zoned C-3, General Commercial District and as a favor to the City sold this property to allow the police substation to be build. She stated they needed the C-3, General Commercial Zoning District to allow for flexibility in the future users of the site.

Staff stated their recommendation was for C-1, Neighborhood Commercial zoning as well as the addition of the automobile restoration and the door and window shop. Staff stated they felt the C-3, General Commercial Zoning District was too broad and allowed uses which were not appropriate for this site or the area.

The Commission once again questioned the Bassett's as to the uses which they desired that were not allowed in the C-1, Neighborhood Commercial Zoning District. The Bassett's stated the C-3, General Commercial Zoning District offered more flexibility for future users. The Commission questioned if they were willing to amend their request to that as recommended by staff.

Mr. Bassett stated he felt the C-1, Neighborhood Commercial Zoning District in addition to the additional uses including the auto restoration and storage and the window and door business was acceptable. The Commission questioned if he was amending his application. He stated he was agreeable to amend the request.

A motion was made to approve the request as amended and as recommended by staff including all staff recommendations and comments. The motion carried by a vote of 11 ayes, 0 noes and 0 absent.