

Owner: William G. Reich
Applicant: Abdullah Al-Maliki
Location: 6300 Block of S. University Avenue (west side)
Area: 0.64 Acre
Request: Rezone from C-3 and C-4 to C-4
Purpose: Auto Sales
Existing Use: Undeveloped

SURROUNDING LAND USE AND ZONING

North – Commercial building and motel; zoned I-2

South – Bank, car wash and single family residence; zoned C-4 and C-3

East – Convenience store, motel and auto body shop (across S. University Avenue); zoned C-4

West – Church, funeral home and single family residence (across Mabelvale Pike); zoned R-2 and PCD

A. PUBLIC WORKS COMMENTS:

1. With site development, provide design of street conforming to the Master Street Plan. Construct one-half street improvements to Mabelvale Pike including 5-foot sidewalks with planned development.

B. PUBLIC TRANSPORTATION ELEMENT:

The site is located on a Rock Region Metro Route #17 (Mabelvale/Downtown Route) and Route #22 (University Avenue, Mabelvale Route).

C. PUBLIC NOTIFICATION:

All owners of property located within 200 feet of the site and the Meadowcliff/Brookwood, South Brookwood Ponderosa and SWLR United for Progress Neighborhood Associations were notified of the public hearing.

D. LAND USE ELEMENT:

Planning Division: This request is located 65th Street West 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) and C-4 (Open Display District) to C-4 (Open Display District) to allow the development of a used car lot.

Master Street Plan: East of the property is S. University Avenue and it shown as a Principal Arterial on the Master Street Plan. West of the Property is Mabelvale Pike and it 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 S. University Avenue 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 site.

Bicycle Plan: A Class II Bike Lane is shown along S. University Avenue. Bike Lanes provide a portion of the pavement for the sole use of bicycles. There is a Class III Bike Route shown on Mabelvale Pike. These bike routes require no additional right-of-way, but either a sign or pavement marking to identify and direct the route.

E. STAFF ANALYSIS:

William G. Reich, owner of the 0.64 acre property located in the 6300 block of S. University Avenue (west side), is requesting to rezone the property from "C-3" General Commercial District and "C-4" Open Display District to "C-4" Open Display District. The property is located on the west side of S. University Avenue, approximately 400 feet north of West 65th Street/Hindman Park Way. The south 40 percent of the property is currently zoned C-4, with the northern portion being zoned C-3. The applicant is requesting the entire property be zoned C-4 to allow for the development of a used auto sales business. The property backs up to Mabelvale Pike.

The property is currently undeveloped and mostly grass covered. The overall property is relatively flat. A portion of one (1) of the driveways which serve the branch bank facility located immediately to the south is located on this property, at its southwest corner. The driveway is located within a “common access easement”.

The property is located in an area of mixed uses and zoning along S. University Avenue. Mixed commercial uses, including motels, convenience stores and auto-related uses are located to the north and east on property predominantly zoned C-4 and I-2. A branch bank facility, car wash and grocery store are among the mixed commercial uses located to the south, zoned C-4 and C-3. A church facility is located across Mabelvale Pike to the west. Single family homes and an elementary school are located further west, with a funeral home to the southwest.

The City’s Future Land Use Plan designates this property as Commercial (C). The requested C-4 zoning does not require a change to the Land Use Plan.

Staff is supportive of the requested C-4 rezoning. Staff views the request as reasonable. The proposed C-4 zoning represents a continuation of the zoning pattern along S. University Avenue. Approximately 40 percent of the subject property is currently zoned C-4. The property located immediately to the south and the properties located across S. University Avenue to the east are zoned C-4. The properties located immediately to the north are zoned I-2. Additionally, there are a number of auto-related uses (auto repair, sales, etc.) within this general area along the S. University corridor. Any new development of this property will be required to comply with all ordinance requirements, including building setbacks, paved parking, landscaping, buffers, etc. Staff believes the requested C-4 zoning will have no adverse impact on the adjacent properties or the general area.

F. STAFF RECOMMENDATION:

Staff recommends approval of the requested C-4 rezoning.

PLANNING COMMISSION ACTION:

(JANUARY 25, 2018)

Abdullah Al-Maliki was present, representing the application. There was one (1) objector present. Staff presented the application with a recommendation of approval.

Abdullah Al-Maliki addressed the Commission in opposition. He stated that there were currently too many used car dealerships on S. University Avenue, and that no additional used car lots were desired.

Mr. Al-Maliki noted that he currently has a used car dealership on Mabelvale Pike. He explained that he does not carry junk or repossessed vehicles.

Chairman Berry noted that a portion of the subject property is currently zoned C-4. He asked if the current C-4 zoning allowed auto sales. Staff noted that the C-4 zoning district allowed auto sales.

There was a motion to approve the requested C-4 rezoning. The motion passed by a vote of 10 ayes, 0 nays and 1 absent. The application was approved.