

FILE NO.: Z-9803

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NAME: Rezoning from R-2 to C-3

LOCATION: 12006 Chicot Road

DEVELOPER:

Eric and Aleshia Washington  
7822 Claybrook Road  
Mabelvale, AR 72103

OWNER/AUTHORIZED AGENT:

Eric and Aleshia Washington - Owners  
Jonathan Hope - Agent

SURVEYOR/ENGINEER:

Hope Consulting Engineers  
129 N. Main Street  
Benton, AR 72015

AREA: 2.27 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 2

PLANNING DISTRICT: 15

CENSUS TRACT: 41.05

CURRENT ZONING: R-2

VARIANCE/WAIVERS: None requested.

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A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The property owner requests to rezone the 2.27 acre property located at 12006 Chicot Road from "R-2" Single Family District to "C-3" General Commercial District for future commercial development.

B. EXISTING CONDITIONS:

The property is currently undeveloped and partially gravel covered.

C. NEIGHBORHOOD NOTIFICATIONS:

All owners of property located within 200 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.

Summit Utilities: No comments.

AT & T: No comments received.

Central Arkansas Water: No comments received.

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 places 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 replaces 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 Code: No comments received.

Landscape: No comments.

G. TRANSPORTATION/PLANNING:

Rock Region Metro: No comments received.

Planning Division:

The request is in the Geyer Springs West Planning District. The Land Use Plan shows Commercial (C) for the requested area. 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. The application is to rezone from R-2 to C-3 for future commercial development.

The site is in a Commercial (C) area with small areas of commercial zoning to both the north and south. The area to the north appears to be unused and the area south of the site has a building which is boarded up. Surrounding the Commercial (C) area in all directions is Residential Low Density (RL) on the Future Land Use Map. 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 large RL area has single-family homes on large tracts to the west. Developed and developing subdivisions are to the east (across Chicot Road and further to the north.

There have been no Future Land Use Map amendments in this area over the last 10 years.

Master Street Plan:

Chicot Road is 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. Entrances and exits may need to be limited to minimize negative effects on traffic and pedestrian safety.

Bicycle Plan:

There are no existing or proposed bike routes adjacent to or through this land.

Historic Preservation Plan:

There are no Historic Sites or Districts in the vicinity.

H. ANALYSIS:

The owner of the 2.27 acre property located at 12006 Chicot Road requests to rezone the property from “R-2” Single Family District to “C-3” General Commercial District. The rezoning is requested to allow future commercial development.

The property is currently undeveloped and partially gravel covered. Most of the surrounding properties are zoned R-2, with the Deer Meadow single family subdivision being located across Chicot Road to the east. Abutting properties to the north and south are zoned C-3. There are also R-2 zoned abutting properties to the north, with R-2 zoning to the west.

The City’s Future Land Use Plan designates this property as “C” Commercial. The requested C-3 zoning does not require an amendment to the future land use plan.

Staff does not support the requested C-3 rezoning. Staff does not feel that this is an appropriate location for C-3 zoning. According to Section 36-301(a) of the City’s Zoning Ordinance:

“It is the intent of these regulations that the C-3 district be concentrated at the intersection of arterial streets. Extension of this district along major arterial streets in linear fashion shall be discouraged.”

The nearest arterial intersection is to the north at the intersection of Chicot Road and Mabelvale Cut-Off. Staff could support “C-1” Neighborhood Commercial zoning for this property.

I. STAFF RECOMMENDATION:

Staff recommends denial of the requested C-3 rezoning.

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PLANNING COMMISSION ACTION:

(JULY 13, 2023)

Johnathan Hope agent for Eric Washington (owner) was present, representing the application. There was one (1) person registered in opposition. Staff presented the item and a recommendation for denial as outlined in the “staff recommendation” above. Troy Laha addressed the Commission in opposition to the application. He expressed concerns regarding the C-3 use and requested the item be denied. Mr. Hope (agent) took questions from the Commission in reference to what type of business and operations would be on the site. There was a motion to approve the application. The motion was seconded. The vote was 8 ayes, 1 nays, 1 absent and 1 open position. The application was approved.