

FILE NO.: Z-9228-A

NAME: 9010 Hilario Springs Road Revised Short-form PD-C

LOCATION: Located at 9010 Hilario Springs Road

DEVELOPER:

Bilqees Lakhani
9010 Hilario Springs Road
Little Rock, AR 72209

OWNER/AUTHORIZED AGENT:

Bilqees Lakhani, Owner

SURVEYOR:

Brooks Surveying Inc.
20820 Arch Street Pike
Hensley, AR 72065

AREA: 0.36-acres NUMBER OF LOTS: 1 FT. NEW STREET: 0 LF

WARD: 2 PLANNING DISTRICT: 14 – Geyer Springs East CENSUS TRACT: 41.08

CURRENT ZONING: PD-C

ALLOWED USES: C-3, General Commercial District uses

PROPOSED ZONING: Revised PD-C

PROPOSED USE: Allow outdoor display of motorcycles and ATV's and Allow an off-premise sign, billboard on the site.

VARIANCE/WAIVERS: None requested.

BACKGROUND:

Ordinance No. 21,486 adopted by the Little Rock Board of Directors on October 2, 2017, rezoned this site from R-2, Single-family to PD-C, Planned Development Commercial, to allow the reuse of the existing commercial building for retail uses. No change to the exterior of the building or existing parking was proposed. The approval allowed C-3,

General Commercial District uses as allowable uses for the site. The approval did not allow the outdoor display of merchandise.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is now proposing to amend the previously approved PD-C, Planned Development Commercial, to allow outdoor display of motorcycles and ATV's and to allow the placement of a billboard on the site. There are no other changes proposed for the approved site plan or the previously approved allowable uses.

B. EXISTING CONDITIONS:

The site contains a commercial business selling motorcycles and ATV's located on the west side of Hilaro Springs Road just south of Baseline Road. To the north of the site is Baseline Elementary School. South of the site is a single-family home. Across Hilaro Springs Road is a shopping center which contains the former Family Dollar Store and Sawyers Grocery Store, both of which have either moved or closed their business.

Hilaro Springs Road is constructed as a two (2) lane road with open ditches for drainage. There are no sidewalks in place along the property frontage.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200-feet of the site along with the Upper Baseline Neighborhood Association and Southwest Little Rock Untied for Progress were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Hilaro Springs Road is classified on the Master Street Plan as a minor arterial. A dedication of right-of-way 45-feet from centerline will be required.
2. Obtain a franchise agreement from Public Works Bennie Nicolo, bnicolo@littlerock.gov or 501.371.4818 for the private improvements such as signage and sign pole located in the right-of-way.

E. Utilities/Fire Department/Parks/County Planning:

Little Rock Water Reclamation Authority: Sewer available to this site.

Entergy: Entergy does not object to this proposal as long as proper NESC and OSHA required clearances are maintained between the overhead power line on the north side of the property and the outdoor display. Contact Entergy in advance

to discuss electrical service requirements, conduit layout, and adjustments to existing facilities (if any) as this project proceeds.

Centerpoint Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water: No objection.

Fire Department: No comment.

Parks and Recreation: No comment received.

County Planning: No comment.

F. Building Codes/Landscape:

Building Code: No comment.

Landscape:

1. Any new site development must comply with the City's landscape and buffer ordinance requirements.
2. 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. Transportation/Planning:

Rock Region Metro: The site is not located on a dedicated Rock Region Metro route.

Planning Division: This request is located in Geyer Springs East Planning District. The Land Use Plan Residential Low (RL) for this property. The Residential Low Density category provides for single family homes at densities not to exceed six (6) units per acre. Such residential development is typically characterized by conventional single family homes, but may include patio or garden homes and cluster homes, provided that the density remain less than six (6) units per acre. The applicant has applied for a revision to the existing PCD (Planned Commercial Development) to allow outdoor display.

Master Street Plan: East of the property is Hilario Springs Road and it is shown as a Minor Arterial on the Master Street Plan. A Minor Arterial provides connections to and through an urban area and their primary function is to provide short distance travel within the urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Hilario Springs Road since it is a Minor

Arterial. 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 Hilario Springs Road. Bike Lanes provide a portion of the pavement for the sole use of bicycles.

H. SUBDIVISION COMMITTEE COMMENT: (June 6, 2018)

The applicant was not present. Staff presented an overview of the item stating they would work with the applicant to resolve any of their concerns prior to the item being forwarded to the full Commission for review and approval. There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.

I. ANALYSIS:

There were no outstanding technical issues associated with the request raised at the June 6, 2018, Subdivision Committee meeting. The applicant is proposing to amend the previously approved PD-C, Planned Development Commercial, to allow outdoor display of motorcycles and ATV's at the site. The applicant is also proposing to place an off-premise sign on the site (a billboard) to advertise his business as well as businesses located in other areas of the City. There are no other changes proposed for the approved site plan or the previously approved allowable uses.

Staff is not supportive of the applicant's request to allow the outdoor display as proposed. The applicant is seeking approval of a C-4, Open Display District uses on the property which is located adjacent to residentially zoned and used property. The C-4, Open Display District is intended to provide a location for the limited amount of merchandise, equipment and material being offered for retail sale that, because of the type of material or transportation requirements, is suitable for display and storage outside the confines of an enclosed building. Such uses are not generally compatible with pedestrian-oriented commercial districts and shopping centers since they tend to obstruct and interfere with pedestrian movements. Appropriate locations for this district are along heavily traveled major traffic arterials.

In addition, staff does not support the request to allow an off-premise sign, billboard, at this location. Billboards are typically limited to C-3, General Commercial District, C-4, Open Display District, I-2 Light Industrial District and I-3, Industrial District zoned properties. Billboards are typically placed on heavily traveled major traffic arterials. Staff does not feel this is an appropriate location for an off-premise sign. City Code establishes a cap on the number of billboard permits. The cap has been reached and there are no additional billboard permits. To allow an additional permit will require a change in City Code.

J. STAFF RECOMMENDATION:

Staff recommends denial of the request.

PLANNING COMMISSION ACTION:

(JUNE 28, 2018)

Rizwan Surani was present representing the request. There was one (1) registered objector present. Staff presented the item with a recommendation of denial.

Mr. Surani addressed the Commission stating his desire was to allow the outdoor display of the ATV's. He stated he was no longer requesting the placement of a billboard on the property. He stated his business sold ATV's for children. He stated it was a new business and visibility was important. He stated with the outdoor display this would allow residents to know the business was open.

The Vice-President of the Upper Baseline Neighborhood Association was present to speak in favor of the request. He stated he and Ms. Pam Bingham, President of the Upper Baseline Neighborhood Association had seen the new business and went over to welcome them to the neighborhood. He stated the business was a welcome business to the neighborhood and would have a positive impact on the area. He stated the Neighborhood Association supported the request to allow the outdoor display.

Ms. Ruth Bell, League of Women Voters, addressed the Commission in opposition of the request. She stated the outdoor display was not what was needed in this area. She stated without limits to the area of outdoor display and without limits on the items to be stored outside then this could grow and not be desirable for the area. She stated with single-family homes located to the south this was not an area for outdoor display.

Mr. Surani stated the area was a commercial area. The Commission questioned the business across Hilaro Springs Road. He stated the business was a closed grocery store. He stated there was a church located within the center.

There was a general discussion of the Commission concerning the request and if limits had been placed on the areas of outdoor display or the items to be place outdoors. Staff stated there had not been any limits placed on the area or items for display.

The chair entertained a motion for approval of the item including all staff recommendations and comments except that of denial. The motion failed by a vote of 3 ayes, 6 noes and 2 absent.