

**OFFICE OF THE CITY MANAGER  
LITTLE ROCK, ARKANSAS**

**BOARD OF DIRECTORS COMMUNICATION  
OCTOBER 3, 2016 AGENDA**

<b>Subject:</b>	<b>Action Required:</b>	<b>Approved By:</b>
<p>An ordinance waiving the right-of-way dedication provisions of Section 1 of the Master Street Plan for the property located at 6724 West 32<sup>nd</sup> Street in connection with a Conditional Use Permit for a Day Care Center. (Z-9143)</p> <p><b>Submitted By:</b></p> <p>Planning &amp; Development Department and Public Works Department</p>	<p style="text-align: center;">√ <b>Ordinance</b> Resolution Approval Information Report</p>	<p style="text-align: center;">Bruce T. Moore City Manager</p>
<p style="text-align: center;"><b>SYNOPSIS</b></p> <p style="text-align: center;"><b>FISCAL IMPACT</b></p> <p style="text-align: center;"><b>RECOMMENDATION</b></p> <p style="text-align: center;"><b>BACKGROUND</b></p>	<p>The owners of the property located at 6724 West 32<sup>nd</sup> Street are requesting a waiver of the right-of-way dedication provisions of the Master Street Plan in connection with a Conditional Use Permit for a Day Care Center.</p> <p>None.</p> <p>Staff recommends approval of the waiver request. The Planning Commission, on July 14, 2016, voted 4 ayes, 6 nays and 1 absent on the waiver request, resulting in denial of the request.</p> <p>On July 14, 2016, the Planning Commission approved a Conditional Use Permit to allow a Day Care Center to be operated in a portion of the existing church building located on the R-2, Single-Family District, zoned property located at 6724 West 32<sup>nd</sup> Street.</p>	

**BACKGROUND  
CONTINUED**

The applicants are requesting that the right-of-way dedication requirement be waived. Their contention is that the requirement to dedicate the right-of-way is an unfair exaction for the use being requested and the dedication would result in a portion of the existing parking then being located in the new right-of-way.

Staff is supportive of the requested waiver. The site is occupied by an existing institutional use. No expansion of the building or existing parking is proposed. The Day Care is to occupy 1,500 square-feet of space within the existing, 8,620 square-foot church building. The Day Care will serve no more than twenty-five (25) infants and toddlers, with three (3) employees. The Day Care will have only a negligible impact on traffic and the street.

There were no other parties present at the July 14, 2016, Commission meeting, either in support of opposition. Notice of the public hearing was sent to all owners of properties located within 200 feet of the site, the College Terrace Neighborhood Association and the University District.