

FILE NO.: Z-9615

NAME: Pit Stop BBQ Private Club – PD-C

LOCATION: 5506 Baseline Road

DEVELOPER:

Juan Zarate
5506 Baseline Road
Little Rock, AR 72209

OWNER/AUTHORIZED AGENT:

Juan Zarate
5506 Baseline Road
Little Rock, AR 72209

SURVEYOR/ENGINEER:

Edward Lofton
15415 Oakcrest Lane
Little Rock, AR 72206

AREA: 0.70 acre

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 2

PLANNING DISTRICT: 14

CENSUS TRACT: 41.07

CURRENT ZONING: C-3 (General Commercial District)

VARIANCE/WAIVERS: None requested.

BACKGROUND:

Pit Stop BBQ currently operates as a restaurant/bar & grill. Activities consist of pool tables, music, dance floor and various food items. Pit Stop BBQ is currently licensed by the Arkansas Beverage Control (ABC) to sell alcoholic beverages. Current operating hours are Monday through Thursday from 5:00pm to 11:00pm, Friday from 5:00pm to 2:00am, Saturday from 5:00pm to 1:00am and Sunday from 12:00pm to 12:00am.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

Applicant is proposing to extend current hours of operation. There will be no changes to the existing footprint or exterior of the building or parking area. The only proposed change is to allow the sale of alcoholic beverages until 2:00am on Saturday and Sunday, a total of three (3) hours over a two (2) day timeframe. ABC requires that a restaurant with alcohol sales with the extended hours proposed be classified as a "private club." The ABC requires the governing body of a municipality approve a "private club" as noted below:

"A private club application may only be submitted to the Alcoholic Beverage Control after the governing body of the county or municipality in which the private club seeks to be located has issued an ordinance approving the private club to operate in that county or municipality."

Section 36-301 allows a private club with dining or bar service as a Conditional Use (CUP). However, the proposed change will require rezoning of the C-3 General Commercial District to "PD-C" Planned Commercial District to allow the existing use as a private club to comply with Arkansas Beverage Control (ABC).

B. EXISTING CONDITIONS:

The existing building is approximately 3,341 square feet in area. Two (2) driveways provide access to the property from Baseline Road, there is no rear access or drive-thru service. An existing perimeter fence runs along all sides of the property except the north property line along Baseline Road. The applicant notes there are fifty (50) parking spaces. Section 36-502(3)(c) of the City's Zoning Ordinance would typically require 33 parking spaces for the private club. Staff believes the parking is sufficient to serve the existing building. The general area contains a mixture of single-family, multi-family, office, commercial and light industrial uses and zoning.

C. NEIGHBORHOOD COMMENTS:

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:

1. Baseline Rd is classified on the Master Street Plan as a principal arterial with a special design standard. Dedication of right-of-way to 45 feet from centerline will be required.

2. With future development or expansion of the site only one driveway will be permitted as found in Sec. 31-210 of city code.

E. UTILITIES/FIRE DEPARTMENT/PARKS/COUNTY PLANNING:

Little Rock Water Reclamation Authority: Sewer available. FOG analysis required.

Entergy: No comments received.

CenterPoint Energy: 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.

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.

Parks and Recreation: No comments received.

County Planning: No comments.

F. **BUILDING CODES/LANDSCAPE:**

Building Code: No comments received.

Landscape:

1. Any new site development must comply with the City's minimal 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: No comments received.

Planning Division: No comments received.

H. ANALYSIS:

The applicant proposes the property located at 5506 Baseline Road be rezoned from C-3 to PD-C to allow the existing restaurant to operate as a private club. The applicant notes the only proposed change is to allow the sale of alcoholic beverages until 2:00am on Saturday and Sunday. Alcohol Beverage Control (ABC) requires that a restaurant with alcohol sales with the extended hours proposed be classified as a “private club.”

The ABC requires the governing body of a municipality approve a “private club” as noted below:

“A private club application may only be submitted to the Alcoholic Beverage Control after the governing body of the county or municipality in which the private club seeks to be located has issued an ordinance approving the private club to operate in that county or municipality.”

Section 36-301 allows a private club with dining or bar service as a Conditional Use (CUP). However, the proposed change will require the C-3 (General Commercial District) to be changed to a “PD-C” (Planned Commercial District) to allow the existing use as a private club to comply with the Arkansas Control Board (ABC).

The applicant provided responses and additional information to all issues raised during staff’s review of the application. To staff’s knowledge there are no outstanding issues. The applicant is requesting no variances with the proposed application.

The applicant notes there are fifty (50) parking spaces. Section 36-502(3)(c) of the City’s Zoning Ordinance would typically require 33 parking spaces for the private club. Staff believes the parking is sufficient to serve the existing building. The general area contains a mixture of single-family, multi-family, office, commercial and light industrial uses and zoning. The proposed PCD zoning will not be out of character with other properties in the area, and the proposed use of the property should have no adverse impact on the area.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested PD-C zoning to allow a private club, subject to compliance with the comments and conditions outlined in paragraphs D and E, and the staff analysis, of the agenda staff report.

PLANNING COMMISSION ACTION:

(OCTOBER 14, 2021)

The applicant was present. There were no persons present registered in support or opposition. Staff presented the item and a recommendation of approval as outlined in the "staff recommendation" above. There was no further discussion. The item was placed on the Consent Agenda and approved as recommended by staff, including all staff comments and conditions. The vote was 10 ayes, 0 nays and 0 absent and 1 open position.