

FILE NO.: Z-10036

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NAME: Rezoning from R-2 to C-1 and OS

LOCATION: Southeast & Southwest corners of Highway 10 & Chalamont Drive

DEVELOPER:

Deltic Real Estate, LLC  
210 E. Elm Street  
El Dorado, AR 71730

OWNER/AUTHORIZED AGENT:

Tim Daters (Agent)  
White-Daters & Associates, Inc.  
24 Rahling Circle  
Little Rock, AR 72223

SURVEYOR/ENGINEER:

White-Daters & Associates, Inc.  
24 Rahling Circle  
Little Rock, AR 72223

AREA: 12.27 acres      NUMBER OF LOTS: 2      FT. NEW STREET: 0 LF

WARD: 5      PLANNING DISTRICT: 19      CENSUS TRACT: 42.13

CURRENT ZONING: R-2

VARIANCE/WAIVERS: None requested.

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A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to rezone two tracts of land located at the southeast and southwest corners of Highway 10 and Chalamont Drive. The applicant is requesting a rezoning from R-2 to C-1 and OS for future commercial development.

B. EXISTING CONDITIONS:

The site is currently undeveloped. The Land Use Plan shows Residential Low Density (RL) for the requested area.

C. NEIGHBORHOOD NOTIFICATIONS:

All owners of property located within 300 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 received.

Summit Energy: No comments.

AT & T: No comments received.

Central Arkansas Water: No comments.

Fire Department:

**Maintain Access:**

**Fire Hydrants.**

Maintain fire apparatus access roads at fire hydrant locations as per Appendix D of the 2021 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 2021 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 2021 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 2021 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 2021 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.

Landscape: No comments.

### G. TRANSPORTATION/PLANNING:

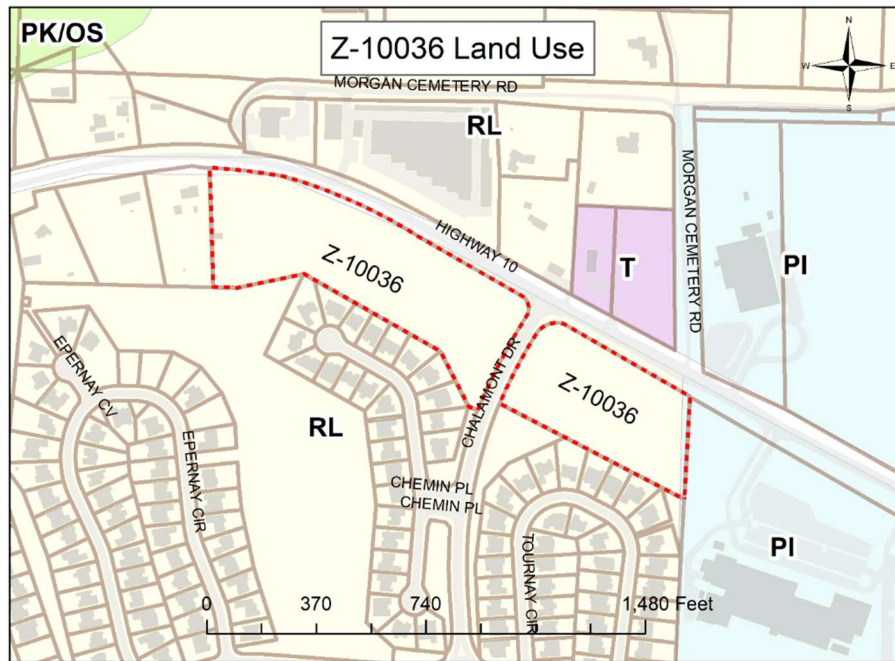
Rock Region Metro: No comments received.

Planning Division:

The request is in the Chenal Planning District. The Land Use Plan shows Residential Low Density (RL) for the requested area. 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. The application is to R-2 to C-1.

Surrounding the application area on the east is a school campus in PI, south is developed single-family subdivisions in RL, and west are tracts with single-family homes in RL. To the north across Highway 10 is an area of Transition zoned with an office in a PD-O, single-family homes in RL, and a mini-storage facility and fire station under development in a PCD.

The subject site is located in the Highway 10 Design Overlay District (Ord. 19041).



Master Street Plan:

Highway 10 is a Principal Arterial on the Master Street Plan. Principal Arterials are roads designed to serve through traffic, and to connect major traffic generators or activity centers within urbanized areas. The standard Right of way of 110 feet is required. Sidewalks are required on both sides. This street may require dedication of right-of-way and may require street improvements. Chalamont Drive is a Collector on the Master Street Plan. Collectors are designed to connect traffic from Local Streets to Arterials or to activity centers, with the secondary function of providing access to adjoining property. The standard Right of way is 60'. Sidewalks are required on one side of Collectors. This street may require dedication of right-of-way and may require street improvements.

Bicycle Plan:

Highway 10 is on the Master Bike Plan as a Proposed Class I Bike Path. Class I Bike Paths are a route designated for the sole use of bicycles that is physically separated from vehicular lanes. Chalamont Dr is on the Master Bike Plan as a

Proposed Class 2 Bike Lane. Class 2 Bike Lanes provides a portion of the pavement for the sole use of bicycles.

Historic Preservation Plan:

This property is not located in a Historic District.

H. ANALYSIS:

The applicant proposes to rezone two tracts of land located at the southeast and southwest corners of Highway 10 and Chalamont Drive. The applicant is requesting a rezoning from R-2 to C-1 and OS for future commercial development.

The site is currently undeveloped. The Land Use Plan shows Residential Low Density (RL) for the requested area.

The applicant proposes to rezone 3.78 acres at the southeast corner of the intersection to C-1 with 0.80 acre of OS zoning (50-foot-wide strip) between the proposed C-1 zoning and the single family lots to the south.

The applicant proposes to rezone 6.09 acres at the southwest corner of the intersection to C-1 with 1.60 acres of OS zoning (50-foot-wide strip) between the proposed C-1 zoning and the single family lots to the south.

The City's Future Land Use Plan designates the property at "RL" Residential Low Density. A proposed land use plan amendment to "NC" Neighborhood Commercial is a separate item on this agenda.

Staff is in support of the requested rezoning from R-2 to C-1 and OS to allow for the development of neighborhood commercial. Staff feels the proposal is in character with the neighborhood and will have no adverse impact on the area.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested C-1 and OS rezoning.

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PLANNING COMMISSION ACTION:

(SEPTEMBER 12, 2024)

The application came off the consent agenda. Staff presented the item, and a recommendation of approval as outlined in the "staff analysis" above. There were ten (10) persons registered in opposition. Timothy Lewallen, Toni Woody, Mary Miskin, OD & Tina Patton, Tony Smith, Asa Warmack, Eric Atchison, Bryan Angel and Sherry Simon voiced concerns about noise, traffic, the impact on property value, natural resources issues and residential quality of life. After much discussion, the applicant requested to defer the application until the October 10, 2024, Planning Commission Agenda so that

the developer could meet and discuss the proposed action with the neighborhoods. There was a motion to defer the application. There was a second. The vote was 9 ayes, 0 nays, 1 absent and 1 open position. The application was deferred to the October 10, 2024, Planning Commission Agenda.

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PLANNING COMMISSION ACTION:

(OCTOBER 10, 2024)

The applicant was present. Due to the fact that there were only eight (8) Commissioners present, the applicant requested to defer the application until the November 14, 2024, Planning Commission Agenda. There was a motion to defer the application. There was a second. The vote was 8 ayes, 0 nays, 2 absent and 1 open position. The application was deferred to the November 14, 2024, Planning Commission Agenda.

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STAFF UPDATE:

On October 10, 2024 the applicant submitted a letter to staff, revising the application as follows:

After meeting with the residents of the Tournay and Chemin neighborhoods, PotlatchDeltic has agreed to amend their application to prohibit the following uses.

(1) The following typically permitted uses will not be allowed:

- i. Cigar, tobacco and candy store.
- t. Fire station.
- dd. Laundromat (pickup station will be allowed)
- ff. Lodge or fraternal organization.
- hh. Medical marijuana cultivation facility.
- ii. Medical marijuana dispensary.
- jj. Mobile canteen units when operated in compliance with current planning department regulations for such vehicles.
- kk. Multifamily dwellings (as per the R-5 district).
- ss. Secondhand store, used furniture or rummage shop.
- aaa. Two-family residences.

(2) The following Conditional uses will not be allowed:

- a. Amusement, commercial (inside).
- d. Brewery.

- e. Cabinet or woodwork shop.
- g. Cemetery or mausoleum.
- h. College dormitory.
- j. Convenience food store with gas pumps.
- k. College fraternity or sorority.
- l. Convent or monastery.
- m. Establishment for the care of alcoholic, narcotic, or psychiatric patients.
- s. Parking, commercial lot or garage.
- v. Service station.
- w. Theater (not drive-in).

PotlatchDeltic would also like to add the following conditions to this application.

- 3. A wood fence, 8 feet tall if allowed by ordinance or variance, will be constructed on the north side of the 50' Open Space buffer adjacent to each site as it is developed.
- 4. During initial landscaping on the tracts, any open spaces within the 50' Open Space buffer will be filled in with native tree species saplings and seedlings.
- 5. The tract will not be cleared until a lot is sold (and proposed construction is imminent). The use dd. Pickup Station, would be permitted only for drop off and pick up, no onsite cleaning.

Staff continues to support the application as revised.

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PLANNING COMMISSION ACTION:

(NOVEMBER 14, 2024)

The applicant was present. There were thirty-two (32) persons in opposition of the application. Eric Atchison, John Williamson, Richard Petit, Lorien Trapani, Dr. Lyan Thomas, Sheri Simon and Timothy Lewallen raised concerns about noise, traffic, safety, quality of roads, loss of green space, the impact on property value, natural resources issues and residential quality of life. After much discussion there was a motion to approve the application. There was a second. The vote was 6 ayes, 3 nays, 1 absent and 1 open position. The application was approved.