

FILE NO.: Z-10114

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NAME: Rezoning from C-3 to R-5

LOCATION: 106 Pearl Avenue

DEVELOPER:

Joe White & Associates  
25 Rahling Circle  
Little Rock, AR 72223

OWNER/AUTHORIZED AGENT:

Forward Properties, LLC (owner)  
Joe White & Associates (agent)

SURVEYOR/ENGINEER:

Joe White & Associates

AREA: 0.16 acres                      NUMBER OF LOTS: 1                      FT. NEW STREET: 0 LF

WARD: 3                                      PLANNING DISTRICT: 9                      CENSUS TRACT: 48

CURRENT ZONING:                      C-3

VARIANCE/WAIVERS:                      None requested.

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A.    PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to rezone the 0.16-acre lot at 106 Pearl Avenue from "C-3" general commercial to "R-5" urban residence to allow for future development.

B.    EXISTING CONDITIONS:

The site is near the corner of W. Markham St. and Pearl Ave. A duplex previously stood on the site but has been demolished. Along W. Markham is almost entirely C-3 zoned properties with a mix of R-3, R-5, and R-6 to the south along Booker St., S. Woodrow St., Pearl Ave., and Vernon Ave.

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:

1. Previous Comments per conversation with the developer still apply see below:
2. The Parking pads as proposed with the Retaining Wall Permit with drawings from 10/31/2024, staff will not allow the parking pad nor the retaining wall inside of the Right of Way. You may request a Franchise permit, but staff will not support.
3. Also, the parking pad max allowable with the signoff of the Director is a 25'x25'. If you want to have your 25'x32' that you proposed on the phone, then it would take an appeal to the Board of Directors.
4. The Parking (pad, wall, and stairs) are considered an accessory structure(s) therefore they cannot be any closer than 6ft to the other structure (home, porch) if they are this requires a variance as well.

Public Works:

1. Woodrow Street is classified on the Master Street Plan as a minor arterial street. Dedication of right-of-way to 45 feet from centerline will be required.
2. Pearl Ave is classified on the Master Street Plan is a residential street. Dedication of right-of-way to 25 feet from centerline will be required.

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

Little Rock Water Reclamation Authority: No comment.

Entergy: No comments received.

Summit Utilities: 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 (Jason Lowder 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.

County Planning: No comments.

F. BUILDING CODES/LANDSCAPE:

Building Codes:

1. Project is subject to full commercial plan review and approval prior to issuance of a building permit. For information on submittal requirements and the review process, contact a commercial plans examiner: Curtis Richey at 501.371.4724; [crichey@littlerock.gov](mailto:crichey@littlerock.gov) or Tim Whitener at 501-371-4875 [twhitener@littlerock.gov](mailto:twhitener@littlerock.gov).

Landscape: No comments.

G. TRANSPORTATION/PLANNING:

Rock Region Metro: No comments received.

Planning Division:

The request is in the I-630 Planning District. The Land Use Plan shows Commercial (C) use for the application 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 C-3 (General Commercial District) to R-5 (Urban Residence District).

To the east and west of the application area along the south of W Markham Street there are various commercial uses in an area of Commercial (C) use. Along the north of W Markham Street to the west of the site is an area of Residential High Density (RH) use, and to the east of the site is an area of Public/Institutional (PI).

This site is not located in an Overlay District.

Master Street Plan:

Pearl Avenue is a Local Street on the Master Street Plan. Local Streets are roads designed to provide access to adjacent property with the movement of traffic being a secondary purpose. The standard Right-of-way is 50'. Sidewalks are required on one side. This street may require dedication of right-of-way and may require street improvements.

Bicycle Plan:

Pearl Avenue is not shown on the Master Bike Plan with existing or proposed facilities in this area.

Historic Preservation Plan:

The subject site is the previous location of a historic residence at 106 Pearl Street (PU7868) and located within the Capitol View Historic District. The historic residence was constructed c. 1919 and underwent later modifications. For this reason, the site is considered Ineligible for listing in the National Register of Historic Places and Ineligible within the Capitol View Historic District context. Many times, properties that are historic in age but considered ineligible within a historic district context due to major alterations. These structures can often be restored by removing previous alterations and restoring lost architectural details. The historic residence was recently demolished.

The Historic Preservation Plan advocates for increased effectiveness and coordination with the review of development plans. Staff advocates that future proposed development of the site consider its potential adverse impacts to adjacent historic sites and the Capitol View Historic District.

H. ANALYSIS:

The applicant proposes to rezone the 0.16-acre lot at 106 Pearl Avenue from "C-3" general commercial to "R-5" urban residence to allow for future development.

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Staff is supportive of the requested R-5 zoning. Staff views the request as reasonable. The proposed R-5 zoning will be consistent with other residential zonings the area and will represent a continuation of the existing zoning pattern to the south. Staff believes the proposed R-5 zoning will have no adverse impact on the general area.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested R-5 rezoning.

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PLANNING COMMISSION ACTION:

(FEBRUARY 13, 2025)

The applicant was present. There was a request to waive the bylaws pertaining to the 15-day Public Hearing Notice requirement. Notices were sent out 14 days prior to the hearing. There was a motion and a second to waive the 15-day notice to a 14-day notice. There was a voice vote of 9 ayes, 1 nay and 1 open position. The application was approved to be considered by the Commission. There was then a motion and a second to approve the application as recommended by staff. The vote was 10 ayes, 0 nays and 1 open position. The motion passed.