

FILE NO.: Z-7840-A

NAME: Robertson-Brown Seasonal Firework Sales – Revised PD-C

LOCATION: 21924 Highway 10

DEVELOPER:

Steve Giles (Agent)
Wright, Lindsey & Jennings Attorneys
200 West Capitol Avenue, Suite 2300
Little Rock, AR 72201
(501) 371-0808

OWNER/AUTHORIZED AGENT:

Robertson-Brown Properties, LLC (Owner)
14109 Taylor Loop Road
Little Rock, AR 72223

SURVEYOR/ENGINEER:

Arkansas Surveying & Consulting
16826 Childress Road
Bauxite, AR 72011

AREA: 2.75 acres NUMBER OF LOTS: 2 FT. NEW STREET: 0 LF

WARD: N/A PLANNING DISTRICT: 29 CENSUS TRACT: 42.01

CURRENT ZONING: R-2

VARIANCE/WAIVERS: None requested.

BACKGROUND:

On May 26, 2005, the Planning Commission denied to rezone the property from R-2 to PD-C to allow seasonal fireworks sales including the use of a temporary tent structure. The application was denied due to the poor condition of the site.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to rezone the property from R-2 to PD-C to allow for the seasonal sale of fireworks on an existing 1.39 acre site. The site will contain a tent, sufficient parking, RV for the caretaker and other temporary amenities. The property is located within the Highway 10 Design Overlay District. The property is also in the City's Extra-Territorial Jurisdiction.

B. EXISTING CONDITIONS:

The property is located on the north side Highway 10 and currently undeveloped, grass covered and contains circular driveway with access along Highway 10. Trees are present along the west and north property lines of the site. Properties in the general area contain a mixture of zoning and uses.

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. Whenever access to State Highways is needed for residential or commercial purposes, an access driveway permit is required. These permits are issued by the Permit officer for the District in which the driveway will be located. Please contact ARDOT District 6 permit officer at 501-569-2266.
2. A special permit is issued for work on the Arkansas Department of Transportation right of way that is not an access driveway. The permit is issued by the Permit officer for the District in which the special permit is requested. Please contact ARDOT District 6 permit officer at 501-569-2266.
3. Property is located within 100-year regulatory floodplain per FEMA FIRM panel. Therefore, any clearing, grading, land alteration and/or development on this property will need to be permitted by the floodplain administrator for the Pulaski County Department of Planning and Development. Any other permits on site required for development will be required by the Pulaski County Department of Planning and Development. **Contact Pulaski County Planning and Development by phone at 501-340-8260 for information regarding Flood Plain development, permits and fees.**

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.

Central Arkansas Water:

1. All Central Arkansas Water requirements in effect at the time of request for water service must be met.

Fire Department: No comments.

Parks and Recreation: No comments received.

County Planning:

1. Site is located within the 100-year floodplain. Additional comments will be provided if any permanent facilities be constructed on the property. The County will need to issue a flood permit for the gravel parking and any additional site work that is part of this application.

F. BUILDING CODES/LANDSCAPE:

Building Code: No comments received.

Landscape: No comments.

G. TRANSPORTATION/PLANNING:

Rock Region Metro: No comments received.

Planning Division: No comments.

H. ANALYSIS:

The applicant proposes to rezone the property from R-2 to PD-C to allow for the seasonal sale of fireworks on an existing 1.39 acre site. The site will contain a tent, sufficient parking, RV for the caretaker and other temporary amenities. The property is located within the Highway 10 Design Overlay District. The property is also in the City's Extra-Territorial Jurisdiction.

The property is located on the north side Highway 10 and currently undeveloped, grass covered and contains circular driveway with access along Highway 10. Trees are present along the west and north property lines of the site. Properties in the general area contain a mixture of zoning and uses.

The site plan shows a 100'x 40' foot tent, RV, dumpster and a portable toilet in the western quarter of property.

The site plan illustrates a proposed parking plan with forty-four (44) spaces in the center portion of the site. The parking lot will be gravel. Staff feels the proposed parking is sufficient to serve the use.

The proposed setup will be June 10, 2024, and will be removed by July 10, 2024. The applicant proposes to sell fireworks from June 10, 2024 through July 5, 2024. Hours of operation will be from 8:00am to 10:00pm June 10, 2024 through July 2, 2024 and 8:00am to 12:00 midnight July 3, 2024 and July 4, 2024. The applicant notes the use of the site will be for a period of five (5) years.

All signage must comply with the Highway 10 Design Overlay District.

Site lighting must be low-level and directed away from adjacent properties.

The property is located within the floodplain. The applicant will need to obtain any permits required for working in the floodplain from Pulaski County Planning.

Staff is supportive of the requested PD-C rezoning. The applicant is requesting no variances with this application. The applicant's proposed use of the site is similar to the intensity of other temporary fireworks sales in the area. Staff believes the proposed short-term, temporary use will have no adverse impact on the surrounding properties.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested Revised PD-C zoning, subject to compliance with the comments and conditionals outlined in paragraphs D and E, and the staff analysis, of the agenda and staff report.

PLANNING COMMISSION ACTION:

(FEBRUARY 8, 2024)

The applicant was present. There were no persons registered in opposition. Staff presented the item and a recommendation of approval as outlined in the "staff analysis" above. The item remained on the Consent Agenda for Approval. The vote was 9 ayes, 0 nays and 2 absent. The application was approved.