

FILE NO.: Z-5836-A

NAME: Rezoning from POD to O-3

LOCATION: 11523 Fairview Road

DEVELOPER:

Easterseals Arkansas
3920 Woodland Heights Road
Little Rock, AR 72212

OWNER/AUTHORIZED AGENT:

Easterseals Arkansas – Owner
Development Consultants, Inc. - Agent

SURVEYOR/ENGINEER:

Development Consultants, Inc.
2200 N. Rodney Parham Road, Suite 220
Little Rock, AR 72212

AREA: 0.77-acre

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 4

PLANNING DISTRICT: 1

CENSUS TRACT: 42.15

CURRENT ZONING: POD

VARIANCE/WAIVERS: None requested.

BACKGROUND:

On July 19, 1994 the City Board of Directors passed Ordinance no. 16,710 which rezoned this property from R-2 to POD to allow continuation of a nonconforming pet boarding, grooming and training facility (Fairview Kennels).

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The property owner requests to rezone the 0.77 acre property from POD to O-3 to allow a new parking lot for the adjacent Easterseals Arkansas campus.

B. EXISTING CONDITIONS:

The site previously contained a pet boarding, grooming and training facility located within two (2) existing buildings. A driveway from Fairview Road is located at the northeast corner of the site. A small paved parking lot is located between the street and the buildings.

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 received.

Entergy: No comments received.

Summit Utilities: 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 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.

30' Tall Buildings - Maintain aerial fire apparatus access roads as per Appendix D of the 2021 Arkansas Fire Prevention Code Vol. 1 Section D105.1 – D105.4

D105.1 Where Required. Where the vertical distance between the grade plane and the highest roof surface exceed 30', approved aerial fire apparatus access roads shall be provided. For the purposes of this section the highest roof surfaces shall be determined by measurement to the eave of a pitched roof, the intersection of a roof to the exterior wall, or the top of the parapet walls, whichever is greater.

D105.2 Width. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26', exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum

of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.

D105.4 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.

Dead Ends.

Maintain fire apparatus access roads at dead end locations as per Appendix D of the 2021 Arkansas Fire Prevention Code Vol. 1 Section D103.4 Dead Ends. Dead-end fire apparatus access roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with Table D103.4. Requirements for Dead-end fire apparatus access roads.

Gates

Maintain fire apparatus access road gates as per Appendix D of the 2021 Arkansas Fire Prevention Code Vol. 1 Section D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. Minimum gate width shall be 20 feet.
2. Gates shall be of swinging or sliding type.
3. Construction of gates shall be of material that allow manual operation by one person.
4. Gate components shall be maintained in an operable condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official.
6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools or when a key box containing the keys to the lock is installed at the gate location.
7. Locking device specifications shall be submitted for approval by the fire code official.
8. Electric gate operators, where provided, shall be listed in accordance with UL 325.
9. Gates, intended for automatic operation shall be designed, constructed and installed to comply with requirements of ASTM F 2200.

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.

Parks and Recreation: No comments received.

County Planning: No comments.

F. **BUILDING CODES/LANDSCAPE:**

Building Code: No comments received.

Landscape: No comments.

G. **TRANSPORTATION/PLANNING:**

Rock Region Metro: No comments received.

Planning Division:

The request is in the River Mountain Planning District. The Land Use Plan shows Office (O) for the requested area. The Office (O) category represents services provided directly to consumers (e.g., legal, financial, medical) as well as general offices which support more basic economic activities. The application is to rezone from POD to O-3 for parking.

Adjacent to the application area on the east and south is Public/Institutional (PI). To the west is Office use. North, across Fairview Road are office uses in a Suburban Office (SO).

This site is not located in an Overlay District.

Master Street Plan:

Fairview Road is shown as a Collector on the Master Street Plan Map. The primary function of a Collector Road is to provide a connection from Local Streets to Arterials or activity centers with the secondary function of providing access to adjoining property. Standard Right-of-Way is 60 feet. Sidewalks are required on one side. This street may require additional right-of-way and may require street improvements. 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.

Bicycle Plan:

The Master Bike Plan Map does not show existing or proposed facilities in this area.

Historic Preservation Plan:

This property is not located in a Historic District.

H. ANALYSIS:

The property owner requests to rezone the 0.77 acre property from POD to O-3 to allow a new parking lot for the adjacent Easterseals Arkansas campus.

The site previously contained a pet boarding, grooming and training facility located within two (2) existing buildings. A driveway from Fairview Road is located at the northeast corner of the site. A small paved parking lot is located between the street and the buildings.

The City's Future Land Use Plan designates this property as "O" Office. The requested O-3 zoning does not require an amendment to the plan.

Staff is supportive of the requested O-3 zoning. Staff views the request as reasonable. The properties immediately north, south and east of the subject property are zoned O-3. The property immediately to the west is zoned O-2. The requested O-3 zoning will represent a continuation in the zoning pattern for this general area.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested O-3 rezoning.

PLANNING COMMISSION ACTION:

(JUNE 13, 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 10 ayes, 0 nays and 1 absent. The application was approved.