

FILE NO.: Z-2908-E

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NAME: JWJ Investments – PD-C

LOCATION: 5914 W. 19<sup>th</sup> Street

DEVELOPER:

Nick Tucker (Agent)  
Tucker Land Surveying  
P.O. Box 1021  
Cabot, AR 72023

OWNER/AUTHORIZED AGENT:

JWJ Investments, LLC (Owner)  
P.O. Box 16383  
Little Rock, AR 72231

SURVEYOR/ENGINEER:

Nick Tucker (Agent)  
Tucker Land Surveying  
P.O. Box 1021  
Cabot, AR 72023

AREA: 0.78-acre

NUMBER OF LOTS: 2

FT. NEW STREET: 0 LF

WARD: 1

PLANNING DISTRICT: 8

CENSUS TRACT: 8

CURRENT ZONING: C-3 & R-2

VARIANCE/WAIVERS: None requested.

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A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is proposing to rezone the property from C-3 & R-2 to PD-C to continue operation of the existing auto repair business on the property. The applicant is requesting C-3 permitted uses as alternate uses. The applicant is also requesting to abandon the east/west, 12' alley traversing the property.

B. EXISTING CONDITIONS:

The site contains an existing 1,200 square feet, one (1) bay, sheet metal style building. The building is located in the south portion of the property. The site for the proposed use is paved in all directions. The north portion of the property is undeveloped. Properties in the general area contain mostly residential zoning and uses, however, there is mixture of zoning and uses contained throughout the overall 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:

1. Per City Code Sec. 36-516 (d) (1), "Bared and razor wire fences. For purposed of this section the use of bared, concertina wire or other types of wire specifically designed to inflict injury upon human contact is prohibited except when used at the top of fences at least six (6) feet above grade enclosing business or manufacturing premises. When such wire is used, it shall not extend outside the vertical plane of the enclosed property." Therefore, the existing security fencing and gate with barbed wire along the southern property line for this lot will be required to be in compliance with the City zoning code for security fencing mentioned previously upon approval of the rezoning request by the Planning Commission and the City Board of Directors.

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

Little Rock Water Reclamation Authority:

1. Need to display sewer on the lot. Also, if the proposed alley is closed, an easement will need to be given for the existing sewer.

Entergy: No comments received.

Summit Utilities: No comments.

AT & T: No comments received.

Central Arkansas Water:

1. Could not locate survey on map to determine if there are any existing CAW easements.

Fire Department:

1. Full plan review.

Parks and Recreation: No comments received.

County Planning: No comments received.

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. Refer to the Code of Ordinances, Chapter 15 Landscaping and Tree Protection, and Chapter 36, Article IX – Buffers and Screening.
2. Site development plans, with landscape and screening, must be submitted for review, and approval, prior to site clearing and tree removal.

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 Park/Open Space (PK/OS) for the requested area. The Park/Open Space (PK/OS) category includes all public parks, recreation facilities, greenbelts, flood plains, and other designated open space and recreational land. The application is to rezone from C-3 to PD-C. Auto Repair and C-3 uses.

Surrounding the application area the Future Land Use Map shows PK/OS for the application area and to the north and south. To the west of the site, across Coleman Creek is shown as Commercial (C) along South University Avenue. East of the subject site is shown as Residential Low Density (RL) developed with established single-family residences.

This site is not located in an Overlay District.

Master Street Plan:

W 19th Street 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:

W. 19th Street 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 applicant is proposing to rezone the property from C-3 & R-2 to PD-C to continue operation of the existing auto repair business on the property. The applicant is requesting C-3 permitted uses as alternate uses. The applicant is also requesting to abandon the east/west, 12' alley traversing the property.

The site contains an existing 1,200 square feet, one (1) bay, sheet metal style building. The building is located in the south portion of the property. The site for the proposed use is paved in all directions. The north portion of the property is undeveloped. Properties in the general area contain mostly residential zoning and uses, however, there is mixture of zoning and uses contained throughout the overall area.

The property is comprised of four (4) lots, Lots 3, 4 11 and 12, Block 9, Batman's Subdivision of Cherry & Cox Addition. As part of the project, the applicant will combine/replat the four (4) lots into one (1) lot. The north half of the property will remain unchanged.

An existing concrete driveway apron provides access to the property from W. 19<sup>th</sup> Street.

Staff feels that the existing building setbacks are sufficient to serve the proposed use. The applicant is not proposing to construct additional buildings at time. Any new construction or siting of accessory buildings must comply with the code.

The applicant notes typical operating hours will be from 8:00am-5:00pm, Monday through Friday.

Staff notes the following improvements shall be made to the property:

1. Clear the property and perimeter fencing of any weeds and/or vines.
2. Remove any barbed wire that does not comply with Sec. 36-516 (d) (1), *"Barbed and razor wire fences*. Any new fencing erected on the site must comply with Section 36-516(2)(a) of the City's Zoning Ordinance.

3. Remove existing non-operational vehicles from the property. Storage of non-operational vehicles will not be permitted on the property at any time.
4. Provide required screening along the east property line adjacent to non-commercial activity.

The applicant did not provide a signage at this time. Any signage placed on the site must comply with Section 36-555 of the City's Zoning Ordinance (signs allowed in commercial zones).

The site plan does not show a dumpster at this time. Any dumpster installed on the site must be screened as per Section 36-523 of the City's Zoning Ordinance.

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

Staff is supportive of the proposed PD-C zoning. There are commercial zoning and uses located north and south along the S. University corridor. There are additional commercial zoning and uses, including an auto repair use, located near the southeast corner of S. University and W. 12<sup>th</sup> Street (Macuil Auto Service). The proposed site is along a heavily travelled major traffic arterial. Staff feels the proposed use will not have an adverse impact on surrounding properties. The alley abandonment request will be submitted to the Board of Directors as a separate application.

I. STAFF RECOMMENDATION:

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

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PLANNING COMMISSION ACTION:

(AUGUST 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, 1 Recused (Hart) and 1 absent. The application was approved.