

FILE NO.: Z-9988

---

NAME: Rezoning from R-2 to C-3

LOCATION: Northwest corner of Chicot Road and Mabelvale Pike

DEVELOPER:

Hason A. Alwan  
7616 N. Chicot Road  
Little Rock, AR 72209

OWNER/AUTHORIZED AGENT:

Hasan Alwan – Owner/Applicant

SURVEYOR/ENGINEER:

Rasbury Surveying  
308 W. South Street  
Benton, AR 72015

<u>AREA:</u> 0.31-acre	<u>NUMBER OF LOTS:</u> 1	<u>FT. NEW STREET:</u> 0 LF
<u>WARD:</u> 7	<u>PLANNING DISTRICT:</u> 15	<u>CENSUS TRACT:</u> 41.03
<u>CURRENT ZONING:</u>	R-2	
<u>VARIANCE/WAIVERS:</u>	None requested.	

---

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The property owner requests to rezone the 0.31 acre property from R-2 to C-3 for future commercial development.

B. EXISTING CONDITIONS:

The property is currently undeveloped and mostly grass covered.

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 places 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 replaces 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 Geyer Springs West Planning District. The Land Use Plan shows Commercial (C) for the requested 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 R-2 to C-3.

West of the application area are two parcels zoned C-3 in 1985 with a single-family residence and a faith-based institution. East and south are apartments in Residential High Density (RH) use area. Southeast is Building materials sales in an area of Commercial (C) use.

This site is not located in an Overlay District.

Master Street Plan:

To the south, Mabelvale Pike 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.

To the east, North Chicot 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.

Bicycle Plan:

Mabelvale Pike is on the Master Bike Plan as a Proposed Class 3 Bike Route. Class 3 Bike Routes require no additional right-of-way, but either a sign or pavement marking to identify and direct the route.

Historic Preservation Plan:

This property is not located in a Historic District.

H. ANALYSIS:

The property owner requests to rezone the 0.31 acre property located at the northwest corner of Chicot Road and Mabelvale Pike from R-2 to C-3. The rezoning is proposed to allow future commercial development to include commercial vehicle parking and equipment storage. The property is currently undeveloped and mostly grass covered.

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

Staff does not support the requested C-3 rezoning. The subject property is approximately 0.31 acre in size. Staff feels that the property is too small to allow a potentially intense commercial development at this intersection. Staff also questions whether the applicant's intent for the property ("commercial vehicle parking and equipment storage") would even be permitted in C-3 zoning.

I. STAFF RECOMMENDATION:

Staff recommends denial of the requested C-3 rezoning.

---

PLANNING COMMISSION ACTION:

(JUNE 13, 2024)

The applicant was not present. There was a motion to defer the application to the July 11, 2024, agenda. The motion was seconded. The vote was 10 ayes, 0 nays, and 1 absent. The application was deferred to the July 11 agenda.

---

PLANNING COMMISSION ACTION:

(JULY 11, 2024)

The applicant was present. Staff presented the item and a recommendation of denial as outlined in the "staff analysis" above. There were no persons registered in opposition. After further discussion there was a motion to approve the application. There was a second. The vote was 9 ayes, 0 nays and 2 absent. The motion passed.