

FILE NO.: Z-7500-F

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NAME: The Hamilton Apartments Long-form PD-R

LOCATION: Located behind 14524 - 14810 Cantrell Road

DEVELOPER:

Rees Commercial  
11719 Hinson Road, Suite 130  
Little Rock, AR 72212

ENGINEER:

Crafton Tull and Associates  
10825 Financial Center Parkway, Suite 300  
Little Rock, AR 72211

AREA: 10.67-acres                      NUMBER OF LOTS: 1                      FT. NEW STREET: 0 LF

WARD: 5                                      PLANNING DISTRICT: 1                      CENSUS TRACT: 42.05

CURRENT ZONING: R-2, Single-family and PCD, Planned Commercial Development

ALLOWED USES: Single-family and Mixed use commercial and office

PROPOSED ZONING: PD-R

PROPOSED USE: Multi-family, 23.24-units per acre

VARIANCE/WAIVERS: None requested.

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A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is requesting a rezoning of the site from R-2, Single-family and PCD, Planned Commercial Development, to PD-R, Planned Development Residential, to allow the development of a 10.67-acre site with a multi-family development. The development is proposed with two (2) interior court yards which will contain a swimming pool, outdoor cooking areas, sports courts and seating areas. The site plan includes 442 parking spaces, 22 of which will be under the building in garages. The parking as proposed represents a parking

ratio of 1.88 spaces per unit. The parking lot will be lighted with cut-off type luminaires so that light does not spill from the site onto the neighboring properties.

The building exterior finishes will be a combination of masonry and architectural cementations panels. The roof will have a residential pitch and be covered with architectural shingles. The development will be gated with an emergency access behind Pinnacle Station Retail Center. Detention storage will be provided on site in surface ponds. A trash compactor will be located on the site and be serviced during regular business hours. The site plan includes a recreational area between the parking lot and the floodway and the developer is considering creating a walking trail along the creek.

B. EXISTING CONDITIONS:

The site is located along the Isom Creek on the northern boundary and retail centers along the southern boundary. There are large areas of the floodway contained within this property which have been filled without proper clearances and grading permits. The property to the north has frontage on Pinnacle Valley Road and is developed with single-family homes. The property to the west is currently under development for a single-family subdivision.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200-feet of the site along with the Westchester Neighborhood Association, the Pinnacle Valley Neighborhood Association and the Tulley Cove Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
2. A grading permit in accordance with Section 29-186 (c) & (d) will be required prior to any land clearing or grading activities at the site. Other than residential subdivisions, site grading and drainage plans must be submitted and approved prior to the start of construction. Is the project proposed to be constructed in 1 phase?
3. The fill placed within floodway should be removed and vegetation established, prior to the item being heard by the Little Rock Planning Commission.
4. Provide a Sketch Grading and Drainage Plan per Section 29-186 (e).
5. Stormwater detention ordinance applies to this property. Show the proposed location for stormwater detention facilities on the plan. Maintenance of the detention pond and all private drainage improvements is the responsibility of the developer, property owner's association and/or land owner.

6. If disturbed area is one (1) or more acres, obtain a NPDES stormwater permit from the Arkansas Department of Environmental Quality prior to the start of construction.
7. A special Grading Permit for Flood Hazard Areas will be required per Section 8-283 prior to construction.
8. The minimum Finish Floor elevation of at least one (1) foot or more above the base flood elevation is required to be shown on plat and grading plans.
9. In accordance with Section 31-176, floodway areas must be shown as floodway easements or be dedicated to the public. In addition, a 25-foot wide drainage and access easement is required adjacent to the floodway boundary.
10. With portions of the proposed development within the floodway, a Conditional Letter of Map Revision (CLOMR) must be approved prior to issuance of a grading permit. A Letter of Map Revision (LOMR) must be approved to revise the floodway prior to issuance of the building permit even if the LOMR is being prepared by another party.
11. Due to the proposed traffic volumes, the existing driveway creates left turn conflicts with Jerry Drive. The existing driveway should be relocated to align with Jerry Drive to alleviate the unsafe driving condition.
12. Will the west driveway serve as an emergency access only or will provide a 2<sup>nd</sup> full access for all apartment occupants. Show on plan the emergency access connection planned for the Village at Isom Creek Subdivision located to the west.
13. If proposed for a 2<sup>nd</sup> access by the apartment occupants, obtain approval for use of the shared access easement located at the Taylor Loop Road/HWY 10 Intersection.
14. Per Chapter 36, no parking is allowed within the floodway.
15. The owner and/or manager of each multi-family residence of 100 or more dwelling units shall provide recycling and encourage participation by the tenants, renters, or owners of each unit. Contact Melinda Glasgow at 501.371.4646 or [mglasgow@littlerock.gov](mailto:mglasgow@littlerock.gov) for more information.
16. Show proposed location of gates, call box(s), and turnaround for a SU-30 vehicle.
17. Submit a Traffic Impact Study for the proposed project due to the amount of vehicular traffic on Hwy 10 and the amount of left turn movements. Study should address trip generation and trip distribution for the development and also should take into account existing and projected traffic growth.
18. Cantrell Road is classified on the Master Street Plan as a principal arterial. Dedication of right-of-way to 55-feet from centerline will be required.

19. The access to the property should be provided by a shared access easements. The access easements should be constructed to minor commercial street standards (31 feet wide) with sidewalks. On the east the shared access easement, street width should be 36 feet from the existing building to Cantrell Road. The west access at the Taylor Loop Road intersection is proposed to be taken through an existing parking lot which is not constructed to a private commercial street standard. It has developed with noncompliant driveway spacing, back-out parking spaces, no pedestrian access and is not constructed to a standard street section.
20. Obtain permits for improvements within State Highway right-of-way from AHTD, District VI.
21. Alteration of the water course will require approval from the Little Rock District of the US Army Corps of Engineers prior to start of work.
22. A right turn lane should be constructed on Cantrell Road for the east driveway and the taper extend to the adjacent property's driveway if access other than emergency only access to the apartments is planned. A taper should be provided with a 100 foot taper and 50 foot stack.
23. The proposed access easement cannot be used to back vehicles. All parking spaces adjacent to the access easement must be removed. The easements should be constructed to commercial street standard with sidewalks.
24. A minimum undisturbed strip 25-feet wide except for reasonable access shall be provided along each side of streams having a 10 year storm >150 cfs. The undisturbed strip should be measured from the top of the bank.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Little Rock Wastewater: Sewer main relocation with new easements required as drawn. Exchange or abandonment of easements requires Little Rock Wastewater Review Committee approval. Capacity fee analysis required. Contact Little Rock Wastewater Utility for additional information.

Entergy: Entergy does not object to this proposal. There do not appear to be any conflicts with existing electrical utilities based on the information provided. Power lines exist to the east along Pinnacle Valley Road and to the south serving existing customers in the area. Contact Entergy in advance to discuss electrical service requirements, or adjustments to existing facilities (if any) as this proposal proceeds.

Centerpoint Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water:

1. All Central Arkansas Water requirements in effect at the time of request for water service must be met.
2. The plan indicates considerable drainage, parking lot, and driveway improvements over two (2) existing large diameter Central Arkansas Water water mains. These water mains must be protected and not damaged during construction of improvements. Central Arkansas Water request cross sections along the centerline of the two (2) water mains indicating elevations, grades and improvement sections, subject to review and modification by Central Arkansas Water before any approval of this improvement is made.
3. A water main extension will be needed to provide water service to this property.
4. Please submit plans for water facilities and/or fire protection system to Central Arkansas Water for review. Plan revisions may be required after additional review. Contact Central Arkansas Water regarding procedures for installation of water facilities and/or fire service. Approval of plans by the Arkansas Department of Health Engineering Division and the Little Rock Fire Department is required.
5. A Capital Investment Charge based on the size of meter connection(s) will apply to this project in addition to normal charges. This fee will apply to all connections including metered connections off the private fire system.
6. If there are facilities that need to be adjusted and/or relocated, contact Central Arkansas Water. That work would be done at the expense of the developer.
7. The facilities on-site will be private. When meters are planned off private lines, private facilities shall be installed to Central Arkansas Water's materials and construction specifications and installation will be inspected by an engineer, licensed to practice in the State of Arkansas. Execution of a Customer Owned Line Agreement is required.
8. Due to the nature of this facility, installation of an approved reduced pressure zone backflow preventer assembly (RPZA) is required on the domestic water service. This assembly must be installed prior to the first point of use. Central Arkansas Water requires that upon installation of the RPZA, successful tests of the assembly must be completed by a Certified Assembly Tester licensed by the State of Arkansas and approved by Central Arkansas Water. The test results must be sent to Central Arkansas Water's Cross Connection Section within ten days of installation and annually thereafter. Contact the Cross Connection Section at 501.377.1226 if you would like to discuss backflow prevention requirements for this project.

Fire Department:

1. Fire Hydrants. Maintain fire apparatus access roads at fire hydrant locations as per Appendix D of the 2012 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.
2. Grade. Maintain fire apparatus access roads as per Appendix D of the 2012 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.
  3. Loading. Maintain fire apparatus access road design as per Appendix D of the 2012 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.
  4. 30' Tall Buildings - Maintain aerial fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D105.1 – D105.4
    - a. 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.
    - b. 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.
    - c. 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.
    - d. 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.
  5. Dead Ends. Maintain fire apparatus access roads at dead end locations as per Appendix D of the 2012 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.

6. Gates. Maintain fire apparatus access road gates as per Appendix D of the 2012 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.
7. Multi-family Residential Developments - As per Appendix D, Section D106.1 of the 2012 Arkansas Fire Prevention Code Vol. 1. Projects having more than 100 dwelling units. Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.
  - a. Exception: Projects having up to 200 dwelling units may have a single approved fire apparatus access road when all building, including nonresidential occupancies are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1 or 903.3.1.2.
  - b. As per Appendix D, Section D106.2 of the 2012 Arkansas Fire prevention Code Vol. 1. Projects having more than 200 dwelling units. Multiple-family residential projects having more than 200 dwelling units shall be provided

with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system.

8. Fire Hydrants. Locate Fire Hydrants as per Appendix C of the 2012 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 Capt. John Hogue 501.918.3754). Number and Distribution of Fire Hydrants as per Table C105.1.

Parks and Recreation: No comment received.

County Planning: No comment.

Rock Region Metro: The location is served by METRO nearby on route 25 Roland Express. The preliminary site plan does not show the road, pedestrian connection or in this case connections to the bike trail along Pinnacle Valley Road. Please provide more information as to how the development would integrate to local transportation systems.

F. ISSUES/TECHNICAL/DESIGN:

Building Code: 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  
Mark Alderfer at 501.371.4875; [malderfer@littlerock.gov](mailto:malderfer@littlerock.gov).

Planning Division: This request is located in River Mountain Planning District. The Land Use Plan shows Residential Low Density (RL) and Transitional (T). The Residential Low Density category provides for single family homes at densities not to exceed six (6) units per acre. Such residential development is typically characterized by conventional single family homes, but may include patio or garden homes and cluster homes, provided that the density remain less than six (6) units per acre. Transition is a land use plan designation that provides for an orderly transition between residential uses and other more intense uses. Uses that may be considered are low-density multi-family residential and office uses if the proposals are compatible with the quality of life in nearby residential areas. The applicant has applied for a rezoning from R-2 (Single Family District) and PCD (Planned Commercial Development) to PDR (Planned Development Residential) to allow a new apartment complex.

Master Street Plan: There are no streets shown in the immediate vicinity.



Bicycle Plan: A Class I Bike Path is shown. A Bike Path is to be a paved path physically separate for the use of bicycles. Additional right-of-way or an easement is recommended. Thirteen-foot paths are recommended when not along streets.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. A land use buffer six (6) percent of the average width / depth of the lot will be required when an adjacent property has a dissimilar use of a more restrictive nature. The minimum dimension shall be nine (9) feet. The maximum dimension required shall be fifty (50) feet. As a component of all land use buffer requirements, opaque screening, whether a fence or other device, a minimum of six (6) feet in height shall be required upon the property line side of the buffer. A minimum of seventy (70) percent of the land use buffer shall be undisturbed. Easements cannot count toward fulfilling this requirement. The plantings, existing and proposed, shall be provided within the landscape ordinance of the City, Section 15-81.
3. The properties to the north, east and west are zoned R-2, Single-family. The average width of the lot is approximately eight hundred and thirty (830) feet. A fifty (50) foot buffer will be required in this area. The average depth of the lot is approximately five hundred and seventy-five (575) feet. A minimum thirty-five (35) foot will be required. The west buffer and a portion of the north buffer is deficient.
4. A perimeter planting strip is required along any side of a vehicular use area that abuts adjoining property or the right-of-way of any street. This strip shall be at least nine (9) feet wide. One (1) tree and three (3) shrubs or vines shall be planted for every thirty (30) linear feet of perimeter planting strip.
5. Landscape areas shall be provided between the vehicular use area used for public parking and the general vicinity of the building, excluding truck loading or service areas not open to public parking. These areas shall be equal to an equivalent planter strip three (3) feet wide along the vehicular use area.
6. Eight percent (8%) of the vehicular use area must be designated for green space; this green space needs to be evenly distributed throughout the parking area(s). For developments with more than one hundred fifty (150) parking spaces the minimum size of an interior landscape area shall be three hundred (300) square feet. Interior islands must be a minimum of seven and one half (7 ½) feet in width. Trees shall be included in the interior landscape areas at the rate of one (1) tree for every twelve (12) parking spaces.
7. An automatic irrigation system to water landscaped areas shall be required for developments of one (1) acre or larger.
8. The development of two (2) acres or more requires the landscape plan to be stamped with the seal of a Registered Landscape Architect.

9. The City Beautiful Commission recommends preserving as many existing trees as feasible on this site. Credit toward fulfilling Landscape Ordinance requirements can be given when preserving trees of six (6) inch caliper or larger.

G. SUBDIVISION COMMITTEE COMMENT: (May 17, 2017)

Mr. Frank Riggins was present representing the request. Staff presented an overview of the item stating there were a number of technical issues associated with the request in need of addressing. Staff questioned the entrance to the development and the access proposed along the eastern portion of the site. Mr. Riggins stated the driveway within the eastern portion of the site would be gated and used as emergency access only. Staff questioned the proposed signage plan, the maximum building height and the proposed phasing plan.

Public Works comments were addressed. Staff stated the ordinance did not allow for parking within the floodway. Mr. Riggins stated the site plan had been modified to remove the parking within the floodway. He stated the improvements would be located outside the floodway. He stated there would be items within the floodplain. He stated the finished floor elevation for the building was proposed at 295-feet above mean sea level. He stated there would be parking within a basement of the proposed building which would be located within the floodplain. Staff stated a Conditional Letter of Map Revision, CLOMR, was required prior to the issuance of a grading permit. Staff stated Letter of Map Revisions, LOMR, was required to revise the floodway prior to the issuance of the building permit.

Staff stated the main entrance to the development was through a parking lot. Staff stated previously they had not supported allowing access to this area via the shopping center parking lot. Staff stated the drive was not constructed to commercial street standard. Staff stated to allow access the developer was to redesign the entrances to the southern parking lots and to eliminate any parking which backed into the access easement. Staff stated in addition sidewalks were to be placed on the access drive to allow pedestrian connectivity to the site from adjacent streets and commercial uses.

Landscaping comments were addressed. Staff stated the new development was to comply with the City's landscape and buffer ordinance requirements. Staff stated screening was required along the sites eastern, western and northern perimeters. Staff stated a portion of the buffers were to remain undisturbed where adjacent to residentially zoned or used property. Staff stated a perimeter planning strip of not less than nine (9) feet was required around the site. Staff stated the vehicular use area was to be landscaped at a minimum of eight (8) percent of the paved area.

Staff noted the comments from the various other departments and agencies. Staff suggested the applicant contact the departments or agencies directly with any questions or concerns. There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.

H. ANALYSIS:

The applicant submitted a revised site plan and cover letter to staff addressing most of the technical issues associated with the request. The applicant has provided the proposed signage plan, the maximum building height and the proposed phasing plan.

The request is a rezoning of the site from R-2, Single-family and PCD, Planned Commercial Development, to PD-R, Planned Development Residential, to allow the development of a 10.67-acre site with a multi-family development containing 248 units. The development is proposed with two (2) interior court yards which will contain a swimming pool, outdoor cooking areas, sports courts and seating areas. The building exterior finishes will be a combination of masonry and architectural cementations panels. The roof will have a residential pitch and be covered with architectural shingles. The maximum building height proposed is 50-feet on the south side and 60-feet on the north side. The site plan indicates the total building footprint is 98,925 square feet or 21.2 percent of the site. The impervious area is 6.0-acres or 56.3 percent of the site and 4.67-acres or 43.7 percent of the site is open or green space. The development is proposed in a single phase.

The site plan includes 442 parking spaces, 22 of which will be under the building in the basement. The plan indicates of the 442 parking spaces 36 are in garages, 206 are covered carport spaces and 178 are open space. Parking for a multi-family development is typically based on one and one-half (1 ½) spaces per unit. The typical parking required for this development would be 342 parking spaces.

The parking lot will be lighted with cut-off type fixtures so that light does not spill from the site onto the neighboring properties. The maximum pole height proposed is 30-feet. The light fixtures will be cut off type fixtures to limit the spilling of light off the site.

A trash compactor will be located on the site and be serviced during regular business hours. The applicant has indicated the hours of service will be limited to 7 am to 6 pm Monday through Friday.

The site plan includes a recreational area between the parking lot and the floodway and the developer is considering creating a walking trail along the creek. The plan includes the placement of a dog park, a detention pond with pavilion, picnic tables and a park. The plan indicates a small area for vegetable garden plots.

The development is proposed with a single ground sign at the entrance to the development. The sign is proposed to be incorporated into the masonry columns at the main entrance to the development. The sign area is proposed to comply with the sign area typically allowed within multi-family zones or a maximum of 24 square feet of sign area. No building signage is proposed.

The plan indicates the placement of a six (6) foot high perimeter fence constructed of a decorative aluminum. There will be brick or stone columns at the main entrance to the development. The development is proposed as a gated community. There is an area of the site which will allow for guest and office visitors access to the site without entering the gated portion of the development.

The applicant indicates the western driveway is the primary access to the development. The west driveway connects to the light at Taylor loop and Cantrell Road. The applicant states the existing driveway will be expanded to allow 36-feet of pavement. The applicant proposes to close one of the access openings to the parking lot at Pinnacle Creek retail center on the west side of the access easement driveway. The applicant agrees to construct a sidewalk on the west side of the access driveway from the ramp to the new development. The back out parking currently located in the access drive will be removed and striped as a no parking zone. The applicant believes the street section is built to commercial standard. The applicant will verify the subbase and the paving to ensure the street meets City standard for a private street. Staff recommends should the development be approved the applicant strip two (2) through lanes and two (2) bike lanes along the driveway.

The landscaping comments indicate buffers are required along the north, east and west perimeters. The landscape comments indicated a 50-foot buffer is required along the western perimeter and a 35-foot buffer is required along the northern perimeter. The applicant has provided the weighted average of the width and depth of the lot which indicates the northern and southern buffer widths should be 30.20 feet. The eastern and western buffers based on the weighted average should be 39.02 feet. The plan as presented complies with the widths as calculated based on the weighted average of the depth and width of the lot. The applicant indicates the undisturbed portion of the buffer will be maintained.

The applicant submitted a traffic analysis for the project which staff is continuing to review. Staff will provide an update and recommendation for the traffic analysis and the proposed development plan, rezoning request, at the June 8, 2017, public hearing.

I. STAFF RECOMMENDATION:

Staff recommendation forth coming.

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PLANNING COMMISSION ACTION:

(JUNE 8, 2017)

Mr. Frank Riggins of was Crafton Tull and Associates was present representing the request. There were a number of registered objectors present. Staff informed the Chair Mr. Riggins wished to address the Commission prior to the staff presentation. The Chair obliged.

Mr. Riggins requested a deferral of the item. He stated there were conditions which were placed on the proposed development from an adjacent site. He stated his client needed additional time to work with the adjacent property owner to resolve this condition. He stated there could be modifications which would change the site plan being presented.

The Commission questioned Mr. Riggins on the nature of the condition. Mr. Riggins stated the condition as related to flooding.

The opposition was very concerned with the deferral request and requested the Commission review the rezoning request for the multi-family development. Staff stated if the Commission reviewed the request and the site plan changed they would then be required to review the modified plan before the site plan could be forwarded to the Board of Directors. Staff stated in addition to the zoning the Commission was reviewing the overall development plan which if approved would become the official zoning of the site.

A motion was made to defer the request to the July 20, 2017, public hearing. The motion carried by a vote of 11 ayes, 0 noes and 0 absent.

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#### STAFF UPDATE:

The applicant submitted a traffic analysis for the project which staff has reviewed with the applicant's traffic consultant. Staff's opinion based on the data provided are -

1. Assumed directional distribution in the traffic study shows only 45% turning left (eastbound, towards town). Existing turn movement counts at adjacent intersections show between 50-60 % of the traffic turning eastbound. Assuming 60% of the projected traffic going eastbound towards town, there can be about 129 left-turns during the AM peak hour.
2. Currently, the intersection of Cantrell-Taylor Loop is significantly over capacity and is operating at a level of service E. Northbound and southbound directions are operating at level of service F. Since the intersection is already over capacity, giving any more signal time to southbound/northbound traffic will increase delay for major movements on Cantrell, which has a daily traffic volume of 26,000 vehicles.
3. Additional traffic on the north leg during peak hours cannot be served without significant delay until major geometric improvements are implemented.
4. The intersection at Cantrell Road and Pinnacle Valley is operating at level of service A and has spare capacity. It is recommended that the proposed development provide a second connection to Pinnacle Valley Road to lessen the demand at the Taylor Loop signal. Eastbound traffic from the development can utilize both signals. Without this additional access on Pinnacle Valley Road, the level of service for the signal at Taylor Loop will deteriorate further.

Staff is not supportive of the applicant's request. The PCD, Planned Commercial Development, zoned portion of the development was previously approved with roughly one-half of the development and was approved for approximately 40,500 square feet of

office/warehouse. This area is indicated on the future land use plan as transitional. The remainder of the property is currently zoned and indicated on the future land use plan for single-family or at a density not to exceed six (6) units per acre. The development as proposed contains a total of (10.67-acres and 250 units) which results in an overall density of 23.4 units per acre. In staff's opinion this development is proposed extremely dense and is not appropriate for this site. With the exception of the Cantrell Road frontage which is predominately commercial, the areas off Cantrell are single-family residential. In recent past there have been two (2) developments which were approved with this similar concept. One located in Riverdale which has developed on property zoned C-3, General Commercial District which as a by-right use allows multi-family per the R-5 Zoning District or at a density of not more than 36 units per acre. The other has been approved on property which is zoned O-2, Office and Institutional District which with approval of a conditional use permit allows for the development of multi-family at a density not to exceed 30 units per acre. Neither approval required a rezoning of the sites. Staff does not feel this is an appropriate location for multi-family at the density proposed by the developer. Staff recommends denial of the request.

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PLANNING COMMISSION ACTION:

(JULY 20, 2017)

Mr. Chris Stewart was present representing the request. There were 26 registered objectors present. Mr. Stewart addressed the Commission stating his client desired to defer the item. He stated in his opinion the two (2) members absent were yes votes for the project. He stated it was important to have all the members present to vote on an item before it was presented to the Board of Directors. He requested the item be deferred to the August 31, 2017, public hearing to allow all members to be present for the vote.

A motion was made to defer the item to the August 31, 2017, public hearing. The motion carried by a vote of 8 ayes, 1 no and 2 absent.

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STAFF UPDATE:

There has been no change to this application since the previous staff write-up and update. Staff continues to recommend denial of the request.

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PLANNING COMMISSION ACTION:

(AUGUST 31, 2017)

Mr. John Reese was present representing the request. There were a number of registered objectors present. Staff presented the item with a recommendation of denial.

Mr. Reese addressed the Commission on the merits of the request. He stated the development was a quality development and as staff had indicated they wanted an in-fill development. He stated the development contained 250 units of upscale residential housing. He stated the rents would range from \$900 to \$1,600 per month. He stated

Little Rock was growing west and it was important to offer this type housing in the West Little Rock area. He stated the development was adjacent to retail and restaurant uses. He stated the residents could walk to these amenities and not have to travel in automobiles. He stated his firm developed shopping centers and he had been in the development business for over 30 years. He stated the previous development proposed for the site was an office/warehouse development. He stated staff indicated concerns with the volume of traffic generated by the office/warehouse development so he contacted his traffic engineer to develop a plan which did not generate such great traffic concerns. He stated Mr. Peters, of Peters and Associates, indicated multi-family would generate less trips per day. He stated the City was growing and it was important to provide the citizens with housing choice types. He stated although there were a number of persons present in opposition. He stated a number of residents had indicated their support for the project.

Mr. Marcies Elliot addressed the Commission in support. He stated he lived in the Ranch and was well aware of traffic in the area. He stated the City needed growth and progress to ensure the residents were served. He stated the new development would generate tax revenues which would then be used to fund the public schools. He stated the City needed to offer housing for the residents and to provide the housing desired by the residents or they would go somewhere else to obtain their housing choices. He stated the new development would benefit the young people of our City.

Mr. Ernie Peters addressed the Commission related to the traffic counts and the impact of the development on the abutting streets. He stated the site was not a good location for single-family. He stated based on land cost and infrastructure to develop the site with single-family the development was not cost effective. He stated one-half of the site was zoned residential and the other one-half was zoned for office/warehouse. He stated based on the existing zonings the AM peak would generate 20 additional vehicle trips and the PM peak would generate 30 additional vehicle trips on a daily basis. He stated the difference was not much. He stated queuing was on the driveway into the shopping center and not on the City streets. He stated the congestion would be on-site and not backing traffic onto City streets. He stated the analysis indicated a 50/50 split for east/west travelers. He stated he did not feel the development would have a substantial impact on the abutting streets.

Mr. Frank Riggins stated the drive, building and parking represented 56 percent of the site development area. He stated the development would provide undisturbed buffers on the northern and western perimeters of the site. He stated the site was located adjacent to the floodway. He stated the development would provide detention and the development would be located outside the designated floodway. He stated the elevation would be raised above the floodplain level of the adjacent creek. He stated the development would comply with all City requirements with regard to stormwater management.

Ms. Sissy Brandon addressed the Commission. She stated she was an adjacent property owner and after a number of meetings with Mr. Reese she was now in support of the request. She stated Mr. Reese had provided dialogue and a better understanding of the

proposed development. She stated based on his clarification she was no longer opposed to the request.

Mr. Chris Stewart addressed the Commission stating he was Mr. Reese's attorney and indicated he was available to answer any questions concerning the proposed development.

Mr. Enos Jones addressed the Commission in opposition of the request. He stated he shared a common boundary with the development. He stated Mr. Reese had placed fill in the floodway without a permit. He stated the placement of the fill had caused damage to his property. He stated erosion had occurred on his side of the creek and the two (2) foot of fill had caused the backing up of the creek onto his property.

Mr. Robert Trammel addressed the Commission in opposition of the request. He stated he represented the homeowners within the Pinnacle Valley Court Neighborhood Association. He stated the City Planners indicated this area as detached residential units. He stated Pinnacle Valley Road was a narrow two (2) lane road. He stated with the recent City project the road was widened and bike lanes added. He stated the widening did help but the street still could not handle the amount of traffic. He stated the additional units would have an impact on the infrastructure in the area, the water and sewer. He stated Pinnacle Valley Road had flooded on a number of occasions. He stated in the recent April flood cars were stalled and had to be towed. He stated the property was zoned for suburban development and the development was proposed as an urban development. He stated the high density proposed would create high traffic volumes in the area.

Ms. Mindy Merrell addressed the Commission on behalf of the Pinnacle Valley Neighborhood Association. She stated there were 250 plus homes represented by the Pinnacle Valley Neighborhood Association and none had indicated support for the apartment development. She stated the neighborhood was not opposed to multi-family but was opposed to a development at a density of 25 to 26 units per acre. She stated this was not the place for a development as dense as currently proposed by the developer.

Mr. Kelton Brown addressed the Commission in opposition of the request. He stated he had developed residential housing in this area for 30 plus years. He stated the project would flood Pinnacle Valley Road. He stated he worked with the City and Highway Department on the current widening project which was started more than 30 years ago. He stated the current proposal by the Highway Department to add an additional lane in each direction would not be completed in the next 10 to 15 years. He stated he felt there was a better location for a development of multi-family at the density proposed. He stated he did not feel this was the right location for the development and it would be better suited at the Ranch.

Ms. Celia Martin addressed the Commission representing the Westchester Neighborhood Association. She stated she had been involved with the development of the Highway 10 Corridor since 1988 and had seen a number of changes. She stated the Highway 10 Design Overlay District (DOD) was put in place to offer a peaceful transition for the City



to the far reaching areas of the City. She stated in the early 1990's once you pasted Walton Heights all changed and you felt a more peaceful area of the City, a country road feel. She stated this was no longer the case. She stated before the redevelopment along Highway 10 one transitioned from a developed urban area to a suburban area. She provided the Commission with a copy of the Highway 10 DOD and requested the Commission keep in mind the purpose and intent of the Overlay.

Mr. Kith Wingfield addressed the Commission in opposition of the request. He stated he was developing a single-family subdivision immediately west of the development and felt this area was prime for single-family development. He stated he felt the four (4) story building overlooking the new residential homes would have a direct impact. He stated if developed as single-family 16 units could be placed on the site. He stated this would generate a lot less traffic and have less impact on the congestion in the area. He stated this was a classic case of up zoning. He stated it was cheaper to buy residentially zoned property and zone the property for a higher use. He stated he felt the land use plan should be upheld and the development of multi-family not be allowed.

Mr. Nick Alsop addressed the Commission in opposition of the request. He stated he felt the development to intense and did not support the placement of the multi-family at this location. He stated he did not have an interest in seeing a four (4) story apartment at this location.

Ms. Kathleen Oleson, representing the League of Women Voters, addressed the Commission in opposition of the request. She stated it was important for the City to follow their adopted plans. She stated there were citizens in the area who had purchased their homes with an expectation of how the property would be developed. She stated to allow the rezoning would allow changing the land use plan which the residents had felt were assurance of how the property would develop. She stated it was important to enforce the City's adopted plans so the residents and persons buying their homes could have trust in the people making decision for the City.

The Commission questioned Public Works staff concerning the stormwater detention, the placement of fill within the floodway and the flooding of Pinnacle Valley Road. Staff stated the April storms did top a number of City streets. Staff stated they could not verify the topping of Pinnacle Valley Road but felt it was likely. Staff stated the development would provide detention on-site and the discharge was into Isom Creek.

The Commission questioned the traffic study and their concern with the traffic analysis. Staff stated their concern was the trip distribution and the current and expected capacity of the Taylor Loop Road/Cantrell Road intersection. Staff stated the current level of service was an E. Staff stated with the additional traffic the level of service would drop. Staff stated Mr. Peters based his traffic analysis on a 50/50 split of traffic and they felt more of the traffic would travel east bound into downtown. Staff stated this was a judgement call and not based on any data or fact. Staff stated if this was the case then traffic would back up and cause delays for the residents leaving the apartment development. Staff stated once the delays occurred then the residents would be calling

the City to request more time for the signal which could not be provided. Staff stated to change the timing of one (1) light impacted all other lights in the sequence.

Commissioner Bubbus questioned Mr. Peters on his analysis and the number of additional cars this development would generate over the allowed zoning and uses for the property. Mr. Peters stated based on the current zoning of residential and office/warehouse there would be an additional 20 automobiles in the AM peak and 30 additional automobiles in the PM peak.

Commissioner Cox noted this area was not the problem area for the long term. He stated the Commission and Board of Directors had approved a development less than two (2) miles west of this site that would allow 718,000 square feet of office, retail, a hotel and conference space along with 1,525 parking spaces. He stated that development would cause traffic along Cantrell Road. He stated the area of long term growth was to the west. He stated for the last 20 to 25 years the City had encouraged westward growth. He stated this development was infill development and felt the development was appropriate for the site.

There was a general discussion by the Commission concerning traffic in the area and traffic to be generated by this development. It was noted the traffic was already in place and would continue to grow with or without this development.

Commissioner Berry stated he felt the design elements of the Overlay were still valid but felt the land use was out of date. He stated the Citizen Committee developed the plan in the 1980's and felt the plan should be reviewed again to determine if the plan was still valid. He stated he did not feel the areas of large tract development of residential were still a viable argument. He stated he wished everyone lived and worked in downtown but this was not the case. He stated the population was changing. He stated residents were aging in place and not moving out of their homes. He stated more than 45 percent of the households were rental. He stated the existing apartment developments were at capacity. He stated there was a demand for apartments and the City needed to provide the units.

A motion was made to approve the request including all staff recommendations and comments except that of denial. The motion failed by a vote of 5 ayes, 5 noes and 1 absent.