

FILE NO.: Z-9261

NAME: Copper Run Long-form PD-R

LOCATION: Located at 16901 Pride Valley Road

DEVELOPER:

Layman Lane LLC
P.O. Box 242146
Little Rock, AR 72223

SURVEYOR/ENGINEER:

White-Daters and Associates
24 Rahling Circle
Little Rock, AR 72223

AREA: 43.93 acres

NUMBER OF LOTS: 139

FT. NEW STREET: 5,170 LF

WARD: N/A

PLANNING DISTRICT: 18

CENSUS TRACT: 42.07

CURRENT ZONING: R-2, Single-family

ALLOWED USES: Single-family residential

PROPOSED ZONING: PD-R, Planned Development Residential

PROPOSED USE: Single-family – Patio homes

VARIANCE/WAIVERS: A variance from the City's Land Alteration Ordinance to allow grading of future phase of the development with the development of Phase 1.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The project contains approximately 43.93 acres, 139 single-family residential lots and is located at 16901 Pride Valley Road. The northern portion of the property is a manufactured home park that will be removed with the project. The rear of the property is undeveloped. The applicant is proposing to develop the site with a patio home residential neighborhood. The development is proposed with a mixture of 50-foot and 60-foot wide lots. The homes are proposed with brick, stone, stucco and/or hardi-board exteriors with architectural shingled roofs.

The developer will dedicate the right of way and construct ½ street improvements to Pride Valley Road. Along the frontage, in a tract adjacent to the right of way, the applicant is proposing to construct an eight (8) foot tall brick wall with ten (10) foot columns.

The request includes a variance from the City's Land Alteration Ordinance. With the first phase of construction the entire site will be graded to make the earthwork balance and prevent the hauling of material over local streets.

B. EXISTING CONDITIONS:

There is a manufactured home park located along Pride Valley Road which is located within the proposed development area. This area of Pride Valley Road is rural in nature with homes located on large lots and acreage. North of the site is a single-family subdivision with homes located on 5-acre parcels. To the northeast of the site is an office development, Southwest Power Pool and a large amount of undeveloped O-2, Office and Institutional District zoned property.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200-feet of the site along with the Kanis Creek Property Owners Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Pride Valley Road is classified on the Master Street Plan as a collector street. A dedication of right-of-way 30 feet from centerline will be required.
2. With site development, provide the design of street conforming to the Master Street Plan. Construct one-half street improvement to Pride Valley Road with 5-foot sidewalk with the planned development. The new back of curb should be placed 18-feet from centerline.
3. A grading permit in accordance with Section 29-186 (c) and (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. A variance is being requested to advance grade the lots with construction of the streets and advance grade future phases with Phase 1.
4. Stormwater detention ordinance applies to this property. Maintenance of the detention pond and all private drainage improvements is the responsibility of the developer and/or property owners association.
5. 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.

6. The proposed location of the mail kiosk is well planned. The proposed driveway accessing the mail kiosk should be constructed outside of the right-of-way and will not be maintained by the City of Little Rock. Concrete aprons should be constructed on both ends of the driveway. Sidewalk with access ramp should be installed adjacent to the mail kiosk.
7. Streetlights are required by Section 31-403 of the Little Rock code. Provide plans for approval to Traffic Engineering. Streetlights must be installed prior to platting/certificate of occupancy. Contact Greg Simmons, Traffic Engineering 501.379.1813 or gsimmons@littlerock.gov for more information.
8. The island should be removed from the Ozark Circle cul-de-sac due to limited turn movement caused by garbage containers.
9. Street names and street naming conventions must be approved by Public Works. Contact Glenn Haley, 501.371.4537 or ghaley@littlerock.gov. "Ozark" is a repetitive name and should not be repeated within this subdivision. A second name can be added to "Ozark" if desired.
10. If the Layman Lane right-of-way is abandoned, an access easement must be extended to the south side of the secondary emergency access. A gate with Knox box must be provided at the end of the emergency access. Layman Lane should be constructed with an all-weather surface to support 75,000 lbs. at least 20 feet in width.
11. Provide a letter prepared by a registered engineer certifying the intersection sight distance at the intersection(s) comply with 2004 AASHTO Green Book standards. The proposed brick wall cannot obstruct the sight distance.
12. Traffic calming devices are required for long straight streets to discourage speeding. Devices should be installed in multiple locations on Willow Point Drive. Contact Traffic Engineering, Travis Herbner at 501.379.1805 or therbner@littlerock.gov for additional information.
13. Damage to public and private property due to hauling operations or operation of construction related equipment from a nearby construction site shall be repaired by the responsible party prior to issuance of a certificate of occupancy.
14. All public drainage easements must be unobstructed and access provided to the public right-of-way by constructed infrastructure and/or documented on the final plat.
15. It is believed the subdivision should be designed using Layman Lane as a second improved access to Pride Valley Road.

E. Utilities/Fire Department/Parks/County Planning:

Little Rock Water Reclamation Authority: Outside the service boundary. No comment at this time. The development must be annexed into the City limits of Little Rock to receive sewer service for this development.

Entergy: Entergy does not object to this proposal. Single phase power lines exist along the south side of Pride Valley Road and extending into the northern edge of the development. This extension will likely need to be adjusted to accommodate the proposed development. Contact Entergy well in advance to discuss electrical service requirements, or adjustments to existing facilities (if any) as this project proceeds. As this project builds out, then Entergy will need to upgrade its electrical facilities along Pride Valley Road in order to meet the capacity requirements of all four (4) Phases.

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. 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.
3. This development will have minor impact on the existing water distribution system. Proposed water facilities will be sized to provide adequate pressure and fire protection.
4. 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.
5. Additional fire hydrant(s) will be required. Contact the Little Rock Fire Department to obtain information regarding the required placement of the hydrant(s) and contact Central Arkansas Water regarding procedures for installation of the hydrant(s).
6. A Capital Investment Charge based on the size of meter connection(s) will apply to this project in addition to normal charges.

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. 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.
 1. Electric gate operators, where provided, shall be listed in accordance with UL 325.
 2. Gates, intended for automatic operation shall be designed, constructed and installed to comply with requirements of ASTM F 2200.
5. One- or Two-Family Residential Developments. As per Appendix D, Section D107.1 of the Arkansas Fire Prevention Code Vol. 1, One- or Two-Family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads, and shall meet the requirements of Section D104.3.
 1. Exceptions: Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the Arkansas Fire Code, access from two directions shall not be required.
 2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.
6. 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: Pulaski County will require a full subdivision review if the property is not annexed into the City of Little Rock.

F. Building Codes/Landscape:

Building Code: The 2012 AR Fire Prevention Code Vol. III for one (1) and two (2) family dwellings requires foundations meet the following Sections of the Code. If the foundation cannot be verified by the *building official* at the time of the footing inspection the *building official* may require verification the foundation meets the required elevation by a licensed engineer.

R403.1.7.3 Foundation elevation. On grade sites, the top of any exterior foundation shall extend above the elevation of the street gutter at point of discharge or the inlet of an approved drainage device a minimum of 12-inches (305 mm) plus two (2) percent.

R403.1.7.4 Alternate setback and clearances. Alternate setbacks and clearances are permitted, subject to the approval of the *building official*. The *building official* is permitted to require an investigation and recommendation of a qualified engineer to demonstrate that the intent of this Section has been satisfied. Such an investigation shall include consideration of materials, height of slope, slope gradient, load intensity and erosion characteristics of slope material.

Please address any questions to the building inspectors at 501.371.4833 or 501.371.4834.

Landscape: No comment.

G. Transportation/Planning:

Rock Region Metro: Location is not currently served by METRO but is in our long range plans. The plan currently shows several loops and dead-end roads which make future para-transit serve expensive. Loops and dead-ends add millage which inflates costs for this mandated service. The plan also shows truncated sidewalks. Provide sidewalks on both sides of the street and all roads for future pedestrian access to the transit route.

Planning Division: This request is located in Ellis Mountain Planning District. The Land Use Plan shows Residential Low Density (RL) for this property. 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. The applicant has applied for a rezoning from R-2 (Single

Family District) to PD-R (Planned Development Residential) to allow the development of a single family subdivision.

Master Street Plan: North of the property is Pride Valley Road and it is shown as a Collector Street on the Master Street Plan. West of the property is proposed 'West Loop' alignment' and it is shown as a Principal Arterial street on the Master Street Plan. The primary function of a Collector Road is to provide a connection from Local Streets to Arterials. A Principal Arterial is to serve through traffic and to connect major traffic generators or activity centers within the urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on 'West Loop' alignment' since it is a Principal Arterial. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: There is a Class I Bike Path shown along the proposed 'West Loop' alignment'. A Bike Path is to be a paved path physically separate for the use of bicycles. Additional right-of-way and/or easement is recommended. Nine-foot (9') paths are recommended to allow for pedestrian use as well (replacing the sidewalk).

H. SUBDIVISION COMMITTEE COMMENT: (September 20, 2017)

Mr. Brian Dale and Mr. Scott Hurley were present representing the request. Staff presented an overview of the item stating there were additional items necessary to complete the review process. Staff questioned the proposed signage plan. Staff stated the note on the site plan indicated accessory structures and fencing would be allowed per the R-2, Single-family zoning district.

Public Works comments were addressed. Staff stated a grading permit was required prior to any site development. Staff stated traffic calming devices should be installed along the long straight streets. Staff stated the street names were to be approved by Public Works staff. Staff stated all public easements were to be unobstructed and access provided to the public right of way by constructed infrastructure and/or documented on the final plat.

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.

I. ANALYSIS:

The applicant submitted a revised site plan/plat plan to staff addressing most of the technical issues associated with the request. The applicant has indicated a subdivision identification sign, the allowance of accessory structures and the proposed placement of fencing within the subdivisions.

The project contains approximately 43.93-acres, 139 single-family residential lots and is located at 16901 Pride Valley Road. The northern portion of the property is a manufactured home park that will be removed with the project. The rear of the property is undeveloped. The applicant is proposing to develop the site with a patio home residential neighborhood.

The developer is proposing to construct the Boundary Street Improvements per the Master Street Plan for the frontage along Pride Valley Road in conjunction with the development of the subdivision. The development is proposed in four (4) phases. The developer is proposing to complete the site grading with the development of the subdivision which includes grading of the lots with the installation of the streets and basic infrastructure in the first phase. To allow the grading as proposed will require a variance from the City's Land Alteration Ordinance.

The development is proposed with a mixture of 50-foot and 60-foot wide lots. The development is proposed with a front yard and rear yard setbacks of 20-feet on the 50-foot wide lots and a 25-foot front and rear yard setback on the 60-foot wide lots. All lots are indicated with 5-foot side yard setbacks. The homes are proposed with a maximum building height of 35-feet. The homes are proposed containing 1,500 to 2,500 square feet. The homes are proposed with brick, stone, stucco and or hardi-board exteriors and architectural shingled roofs. Vinyl may be used for the soffit and/or fascia.

The applicant has indicated fences will be allowed as per the R-2, Single-family Zoning District. Fences are proposed along the rear and side yard lot lines between the required building setback line and the street right of way of six (6) feet in height. Accessory structures will be allowed per the R-2, Single-family Zoning District to include setbacks as allowed within the Single-family Zoning District. The buildable areas indicated on the proposed plat/plan are not reflective of the placement of accessory structures.

The applicant is proposing to place a fence along the frontage, in a tract adjacent to the right of way, constructed as an eight (8) foot tall brick wall with ten (10) foot columns. The applicant notes a subdivision identification sign will be placed on the brick wall. The subdivision name is proposed on each wall (both sides of the street) entering the subdivision. The sign area for each of the signs will not exceed 32 square feet.

With the development of the subdivision 5,170 linear feet of new public streets will be added. The streets are proposed within a 50-foot right of way with 27-feet of pavement. Ozark Circle is proposed with a 45-foot right of way and 27-feet of pavement. Sidewalks are proposed along Willow Point Drive. No sidewalk is proposed on Ozark Circle.

Upon approval of the rezoning request the applicant proposes to seek annexation to the City of Little Rock to allow the development to receive sewer service from the Little Rock Water Reclamation Authority.

Staff is supportive of the applicant's request. The applicant is seeking preliminary plat approval via a rezoning to a PD-R, Planned Development Residential, to allow the development of a single-family subdivision with lot widths and lot areas less than the typical lot width and area allowed within the R-2, Single-family Zoning District. The applicant has indicated development of a portion of the lots with widths of 50-feet rather than the typical 60-foot lot width and lot areas with an average of 5,750 square feet rather than the typical 7,000 square feet to allow for development of lots with a more affordable cost. The lots are similar in size to lots currently being developed just to the east of this site also along Pride Valley Road. To staff's knowledge there are no remaining outstanding technical issues associated with the request. Staff feels the subdivision as proposed is appropriate.

J. STAFF RECOMMENDATION:

Staff recommends approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report.

Staff recommends approval of the variance request from the City's Land Alteration Ordinance to allow grading of the lots with the installation of the basic infrastructure for the subdivision.

PLANNING COMMISSION ACTION:

(OCTOBER 12, 2017)

The applicant was present. There were registered objectors present. Staff presented the item with a recommendation of approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report. Staff presented a recommendation of approval of the variance request from the City's Land Alteration Ordinance to allow grading of the lots with the installation of the basic infrastructure for the subdivision. Staff also presented the following conditions - the developer will provide the right of way dedication for the future arterial located near Tele Road, this does not include construction or a payment in-lieu for the street construction - the developer will provide a minimum pavement width of 20-feet on Layman Lane from Pride Valley Road to the boundary of the future right of way abandonment of Layman Lane to serve as secondary access for this development, this does not include the placement of curb and gutter or sidewalk, the developer will work with staff to provide an adequate turn-around for the secondary access - the right of way for Layman Lane is to be abandoned with the indicated Phase 2 portion of the proposed PRD plat - traffic calming devices are to be installed along Willow Point Drive as warranted.

Mr. Graham Smith addressed the Commission on the merits of the request. He stated the development was proposed consistent with single-family development. He stated the mobile home park which had pasted its useful life would be removed. He stated his company and partners were quality developers and would produce a well planned and designed product.

Mr. Steve Giles addressed the Commission in opposition of the request. He stated he was hired by Bill and Kathy Worthen to represent their interest in the development. He stated he had met with the neighbors and explained the zoning process. He stated the proposed land use was a concern for the area residents. He stated the number of homes proposed with one (1) access to Pride Valley Road was a concern. He stated Pride Valley Road was undersized to accommodate the traffic the subdivision would generate. He stated everyone was well aware the site would develop but they felt the density was too intense. He stated Pride Valley Road was a quiet street but with the development proposed this would no longer be the case. He stated he was in support of the advanced grading request which would limit heavy truck traffic on the substandard road. He stated the amount of impervious surface to be added with the subdivision was also a concern. He stated the run-off would be into Brodie Creek. He stated the development was upstream from the Worthen property and their concern was the contaminates the development would place into the stream.

Mr. Bill Worthen addressed the Commission in opposition of the request. He stated his family owned property downstream from the proposed development. He stated they had owned the property for four (4) generations. He stated the family would like for the property to stay the way it currently was but the City was developing all around them. He stated the applicant had indicated the sewer to serve the subdivision would bisect their property which he was not in favor of. He stated the family property was a precious part of Brodie Creek. He stated drainage was a concern. He stated there would be more volume of run-off over the development. He stated this would have an impact on the eco system downstream.

Mr. Allen Meier addressed the Commission in opposition of the request. He stated his concern was quality of life concerns both for the residents of the area and the new homes. He stated he was not against development but was against changing the zoning. He stated Pride Valley Road was 16-feet wide and there were blind hills. He stated residents of the area knew to stay to the right and to go slow when traversing the hills. He stated 140 homes each with two (2) cars on a 16-foot paved street was a concern. He stated much of Pride Valley Road was not and would not be developed.

Mr. Dave Cloud addressed the Commission in opposition of the request. He stated his home was on Tele Road which ended at his house. He stated the roads in the area were narrow. He stated his concern was with the advanced grading. He stated the property was rolling hills and he questioned the elevation change. He stated his concerns were safety and congestion on the street.

Ms. Rebecca Herndon addressed the Commission in opposition of the request. She requested the Commission table the issue until more of the residents could be involved. She stated Pride Valley Road should be improved to Southwest Power Pool before the development was allowed to occur. She stated she was not against development. She requested the Commission table the issue until more persons were notified.

Mr. B J White addressed the Commission in opposition of the request. He stated he bought his home on acreage. He stated he had a pond on his property. He stated Tele Road was a private road but there were constantly cars coming down the road sightseeing. He stated he was not sure how the septic would impact his pond.

Mr. Clayton Parr addressed the Commission in opposition of the request. He stated his home was at 18 Mallard Point. He stated Pride Valley Road currently ended at his property line. He stated he was fully aware of the Master Street Plan and the future arterial street before he purchased his home. He stated Pride Valley Road was 19-feet wide and was a chip and seal road. He stated an additional 18-feet of pavement would be added in front of this development but the remainder of the road was unimproved. He stated the Commission had recently approved a subdivision to the west of this site which would allow 34 homes. He stated this in addition to the 140 home proposed with this development would have a great impact on Pride Valley Road.

Mr. Graham Smith addressed the Commission stating his office was on Pride Valley Road. He stated the speed limit was posted at 25 mph. He stated the density proposed was 3 ½ units per acre, well less than the six (6) units allowed within the current land use designation. He stated the development would not be on septic but would be provided sewer service by the City. He stated currently the manufactured home park was on one (1) septic tank. He stated the homes would be removed, the septic tank removed and would be a benefit to the area.

Mr. Brian Dale stated the development would provide stormwater detention as required by City code. He stated all drainage was to the south and would discharge to the Brodie Creek. He stated the advanced grading would allow the site to balance. He stated the site would have a three (3) percent cross slope. He stated all materials would be kept on-site.

Commissioner Laha questioned if the developer could fund the improvements to Pride Valley Road similar to other cities such as Dallas. Mr. Smith stated his information indicated Dallas funded their streets through taxation. Mr. Smith stated he was building Kanis Road and would dedicate the improvements to the City. He stated he had also made improvements to Pride Valley Road and had also dedicated the improvements to the City.

Commissioner Latture noted the improvements were a requirement for development. He stated he felt the same frustration as the residents of the area. He stated Kanis Road and Bowman Road were both examples of streets that needed widening but there were no funds to do so. He stated it was an issue that needed resolution but under the current development pattern the streets would only be developed as the development of adjacent property occurred.

A motion was made to approve the request including all staff recommendations and comments. The motion carried by a vote of 8 ayes, 1 no and 2 absent.