

FILE NO.: Z-9536

NAME: Woodlands Valley PRD

LOCATION: South side of Cooper Orbit Road, at Kanis Road

DEVELOPER:

Woodlands Hill of Little Rock, LLC
15100 Pride Valley Road
Little Rock, AR 72223

OWNER/AUTHORIZED AGENT:

Brian Dale
White-Dater & Associates, Inc.
24 Rahling Circle
Little Rock, AR 72223

SURVEYOR/ENGINEER:

AREA: 17.35 acres NUMBER OF LOTS: 81 FT. NEW STREET: 2,590 LF

WARD: N/A PLANNING DISTRICT: 18 CENSUS TRACT: 42.07

CURRENT ZONING: R-2, Single-Family District

VARIANCE/WAIVERS:

1. A variance for advanced grading of the entire property with the construction of the infrastructure.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to rezone 17.35 acres from R-2, Single-Family District, to PRD, Planned Residential Development. The plan calls for the development of attached residential townhomes and garden patio homes (detached) on eighty-one (81) lots. The subdivision will be constructed in four (4) phases.

B. EXISTING CONDITIONS:

The property is located on the west side of Woodlands Trail, south of Kanis Road. The site is undeveloped and heavily wooded. North of the property is mixed development of commercial and residential uses. The properties to the east and west are primarily undeveloped. Woodlands Edge Subdivision is located to the south of the subject property.

C. NEIGHBORHOOD COMMENTS:

All owners of property located within 200 feet of the site; and Parkway Place, Citizens of West Pulaski County, Woodlands Edge and Spring Valley Manor Neighborhood Associations were notified of public hearing.

D. ENGINEERING COMMENTS:

1. With site development, provide design of street conforming to the Master Street Plan. Construct street improvement to these streets including 5-foot sidewalks with planned development.
2. At time of abandonment of Cooper Orbit Road, a concrete driveway ramp should be constructed connecting old Cooper Orbit Road into the new realigned section to provide a secondary emergency fire access route to the subdivision.
3. 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. An advance grading variance is being requested to advance grade future phases with construction of the first phase and to clear and grade the lots with construction of the streets.

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

Little Rock Water Reclamation Authority: No comments received.

Entergy: No comments received.

CenterPoint Energy: No comments received.

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 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.

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. 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 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.

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.

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.

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.

Exceptions:

1. 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.

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 (Daniel Tull 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 comments received.

County Planning: No Comments.

F. **BUILDING CODES/LANDSCAPE:**

Building Code: No comments.

Landscape: No comments.

G. TRANSPORTATION/PLANNING:

Rock Region Metro: No comments.

Planning Division: The request is in the Ellis Mountain Planning District. The Land Use Plan shows Residential Low Density (RL) and Mixed Office Commercial (MOC) for the requested area. The Residential Low-Density category provides for single family homes at densities not to exceed 6 dwelling units per acre. Such residential development is typically characterized by conventional single family homes, but may also include patio or garden homes and cluster homes, provided that the density remain less than 6 units per acre. Mixed Office Commercial provides for a mixture of office and commercial uses to occur. Acceptable uses are office or mixed office and commercial. The application is to change an area from R-2 (Single Family District) to PRD (Planned Residential Development) District to allow the future development on the site.

Surrounding the application area, the Land Use Plan shows Residential Low Density (RL) to the west and south. Suburban Office (SO) is shown to the north and Mixed Office Commercial (MOC) is shown to the east of the application area. The Residential Low-Density category provides for single family homes at densities not to exceed 6 dwelling units per acre. Such residential development is typically characterized by conventional single family homes, but may also include patio or garden homes and cluster homes, provided that the density remain less than 6 units per acre. The Suburban Office category shall provide for low intensity development of office or office parks in close proximity to lower density residential areas to assure compatibility. A Planned Zoning District is required. Mixed Office Commercial provides for a mixture of office and commercial uses to occur. Acceptable uses are office or mixed office and commercial.

Master Street Plan: To the north is Cooper Orbit Road is a Local Street on the Master Street Plan. The primary function of Local Streets is to provide access to adjacent properties. Local Streets that are abutted by non-residential zoning/use or more intensive zoning than duplexes are considered as "Commercial Streets". This street may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: There are no bike routes shown in the immediate vicinity.

ANALYSIS:

The applicant proposes to rezone the 17.35 acre property located along the south side of Cooper Orbit Road at Kanis Road from "R-2" Single Family District to "PRD" Planned Residential District. The applicant proposes to subdivide the 17.35 acres into 81 lots for attached and detached single family residential development. Lots 1 through 48, Block 3 will be developed for garden patio homes. Lots 1 through 33, Block 4 will be developed for attached single family townhomes. The

subdivision will contain a 2,590 linear foot loop street, Woodlands Valley Circle, which will serve all of the lots. The townhouse lots within Block 4 will have a shared alley access along their rear property lines. Woodlands Valley Circle will extend from Woodlands Hills Blvd., a new street extending from the east side of Woodlands Trail. A secondary emergency access will be located between Lots 15 and 16, Block 3 along the south portion of the subdivision. Another secondary emergency access will be located between Lots 22 and 23, Block 3 at the northwest corner of the plat.

Cooper Orbit Road is located along the north boundary of the subdivision, and is shown to be located within Tract E. Stormwater detention will also be located within Tract E, at the southeast corner of the subdivision. A mail kiosk will be located within Tract G, at the west end of Woodlands Valley Circle.

The applicant proposes to final plat the subdivision in four (4) phases as follows:

Phase 1: Lots 1 – 7 and Lots 46 – 48, Block 3 and Lots 19 – 28; Block 4

Phase 2: Lots 8 – 16, Block 3 and Lots 29 -33, Block 4

Phase 3: Lots 36 – 45, Block 3 and Lots 12 – 18, Block 4

Phase 4: Lots 17 – 35, Block 3 and Lots 1 – 11, Block 4

The applicant notes that the residential structures on all lots will conform with the typical maximum R-2 building height of 35 feet. Sections 36-254 (d) (1) – (3) of the City’s Zoning Ordinance typically requires a minimum front building setback of 25 feet, a minimum rear setback of 25 feet and minimum side setbacks of eight (8) feet or 10 percent of the lot width. The applicant is proposing minimum building setbacks as follows:

BLOCK 3	BLOCK 4
Front Setback – 20’	Front Setback – 15’
Rear Setback – 20’	Rear Setback – 15’
Side Setback – 6’	Side Setback – 0’

Variances from Section 36-254 are not required due to the fact that this is a PRD rezoning request and not a standard R-2 zoned plat.

The applicant is requesting a variance from the Land Alteration Regulations to advance grade the entire subdivision with the issuance of the grading permit for construction of the streets, drainage infrastructure, and utilities in Phase 1 of Woodlands Hills subdivision located to the south. Fill material will be hauled from

Woodlands Hills subdivision to Woodlands Valley subdivision to balance the earthwork with no hauling over public streets. The applicant proposes, if Cooper Orbit Road is still open to the public and not relocated or abandoned at time of issuance of a grading permit for Woodlands Hills Subdivision Phase 1, the applicant will work with the Public Works staff on providing a combination of buffers and berms to screen the advanced graded area from Cooper Orbit Road. Staff recommends approval of the advance grading variance conditioned on, if Cooper Orbit Road is open to public use, the applicant will provide a combination of an undisturbed buffer and earthen berm along the south side of Cooper Orbit Road. Also, temporary stormwater detention is required to be provided until the permanent detention pond is installed. All advance graded disturbed areas along with berms should be stabilized prior to the approval of the final plat for Woodlands Hills Subdivision Phase 1.

The proposed plat shows a monument-type subdivision sign at the entrance to the subdivision. The applicant notes that the sign will comply with Section 36-551 of the code, with a maximum height of six (6) feet and a maximum area of 32 square feet.

The applicant also proposes to abandon the portion of Cooper Orbit Road adjacent to this overall property as part of the development plan. The applicant proposes for Cooper Orbit Road to re-align with Panther Branch Drive to the northwest for a new intersection with Kanis Road. The City of Little Rock and Pulaski County are in a joint effort to re-align Cooper Orbit Road with Panther Branch Drive. The abandonment request for the portion of Cooper Orbit Road adjacent to this proposed subdivision will not be submitted to the City Board of Directors for approval until the re-alignment project is complete.

The applicant provided responses and additional information to all issues raised during staff's review of the application. To staff's knowledge there are no outstanding issues.

Staff is supportive of the requested PRD zoning in order to develop an 81 lot single family subdivision on 17.35 acres. Staff views the request as reasonable. The development will include 48 patio home lots and 33 attached single family townhouses. The majority of the property is designated as "RL" Residential Low Density on the City's Future Land Use Plan. This designation allows single family development of up to six (6) units per acre. The PRD development as proposed will have approximately 4.67 residential units per acre, well within the "RL" designation. Staff believes this single family development will have no adverse impact on the general area.

STAFF RECOMMENDATION:

Staff recommends approval of the requested PRD zoning, including advance grading variance and right-of-way abandonment, subject to compliance with the comments and conditions outlined in paragraphs D and E, and the Staff Analysis, in the agenda staff report, along with the following conditions:

1. Full width right-of-way is to be dedicated for the extension of Panther Branch Drive across the Hastings property;
2. The Panther Branch Drive extension is constructed with a total width of 24 ft. of pavement with no curb and gutter to the existing Cooper Orbit Road;
3. Following the completion of Panther Branch Drive, Cooper Orbit Road right-of-way south of McKenzie Apartments to Kanis Road is abandoned and Panther Branch Drive is the remaining access from Cooper Orbit Road to Kanis Road;
4. With completion of the Panther Branch Drive extension to Cooper Orbit Road, the boundary street improvements to both the north and south sides of Cooper Orbit Road are waived as required by the Boundary Street Ordinance.

PLANNING COMMISSION ACTION:

(OCTOBER 29, 2020)

Items 10. (Z-9536), 11. (S-1879), 13. (Z-5096-E) and 14. (S-1881) were reviewed and discussed simultaneously.

The applicants were present for all items. There were several persons present in opposition. Staff presented the items with a recommendation of approval of each item. Staff noted that the applicants had agreed to install a traffic signal at Woodlands Trail and Kanis Road and to leave a 50-foot wide buffer along the east side of the proposed commercial Lot 6, with the traffic signal being installed at the applicants' expense. Staff noted that the traffic signal should be installed when measured volumes are sufficient to meet the warrants.

Don Eilbott (Attorney) was present, representing the application. Mr. Eilbott offered to defer to the opposition after an introduction of the development team for the application: Graham Smith (Developer), Jesse Munn (Rocket Properties), Scott Hurley (Community Developer), Ernie Peters (Professional Engineer), Tim Daters (President, White-Daters & Associates), and Brian Dale (VP, White-Daters & Associates).

Wallace Smith, Resident of Woodlands Edge Community and Civil Engineer, addressed the Commission in opposition of application. Mr. Smith presented a Power Point Presentation to address the Woodlands North Slope Master Plan (i.e., Agenda Items 10-14). In his presentation, Mr. Smith expressed concerns regarding the increased traffic at the Kanis Road and Woodlands Trail intersection; the proposed 50-foot Advanced Grading Buffers along Kanis Road; and the adherence to Section 404 of the Clean Water

Act. He explained that the opposition to the Traffic Analysis conducted by Peters and Associates “does not conclude this development is a good idea.”

Also, Mr. Smith offered the following alternatives to address the opposing points:

1. Three (3) lanes on Kanis Road from Taylor Park Boulevard to Panther Branch Drive.
2. A traffic light at the Kanis Road and Woodlands Trail intersection.
3. Spread the traffic more evenly onto Kanis Road using Panther Branch Drive for the primary connection for Woodlands Hills and Woodlands Valley.
4. Section 404 Permitting with wetlands delineations and hydrology and hydraulic modeling per USACE Little Rock along with Environmental Assessment (EA) of property.

Mr. Smith concluded by stating that without these four (4) items being implemented, the Commission should vote no to Items Numbers 10-14.

Ross Phillips, Spring Valley POA, addressed the Commission in opposition of the application. He confirmed his support of Wallace Smith’s presentation. Mr. Phillips briefly explained concerns regarding access and abandonment of Cooper Orbit Road; the timeframe for the completion of Panther Branch Road; the advanced grading of Woodland Hills and Woodland Valley; and the designation of a responsible party for the maintenance of Cooper Orbit Road after annexation.

Raymond Abramson, President of the Woods Homeowners Association, addressed the Commission in opposition of the application. He stated the association opposes the proposals based on the traffic and drainage concerns. Mr. Abramson also expressed support of the remaining issues presented by Wallace Smith.

Stephanie Duty, Resident of Woodlands Edge Community, addressed the Commission in opposition of the application. She expressed support of the presentation by Wallace Smith. Ms. Duty briefly explained that she was concerned with the entrance and exit points available for the current and future residents; and the lack of communication about the proposals to the residents.

Amanda Smith, Resident of Woodlands Edge Community, addressed the Commission in opposition of the application. She expressed support of the presentation by Wallace Smith. Ms. Smith explained her concerns for the traffic congestion at Woodlands Edge and Kanis Road; and the safety concerns for the teen drivers in the community.

Dan Veach, Resident of Woodlands Edge Community, addressed the Commission in opposition of the application. Mr. Veach requested that the Commission table the request and/or allow the residents to communicate where they stand on the issues. If not, the community supports Wallace Smith’s presentation.

Bobbi Lane, Resident of the Woodlands Edge Community, addressed the Commission in opposition of the application. Ms. Lane challenged the accuracy of the applicants' Traffic Study. She stated that new developments along Kanis Road will add to the existing traffic issues. Ms. Lane added concerns regarding the potential flooding of Panther Branch Creek as a result of the new developments.

Dennis Young, Resident of Taylor Park Addition, addressed the Commission in opposition of the application. He briefly explained his opposing points are related to the total confusion, potential land swaps, and commercial zoning requests.

Ruth Bell, League of Women Voters, addressed the Commission in opposition of the application. Mrs. Bell stated that the adverse traffic implications due to multiple developments, the feasibility of street improvements to traffic demands, and the proposed setbacks for Agenda Item 11 were her primary concerns.

Patty Snipes, Resident of Taylor Park, addressed the Commission in opposition of the application. Ms. Snipes expressed her concerns regarding the heavy traffic on the two (2) lanes of Kanis Road and the effect of the commercial zoning on the existing traffic issues.

Mr. Eilbott addressed the Commission to introduce the development team. He also noted that the proposed density for Woodlands Valley and Woodland Hills is 20% and 50% less than the density permitted in the current zoning classification.

Graham Smith stated that development group aimed to create a product with the best benefits. The plans were developed from an inclusive perspective among a group of advisors and professionals using open concepts which would create a product for the greater community of Little Rock.

Scott Hurley offered that the team develops based on the demand and not based solely on revenue. Acknowledging the challenges along Kanis Road, he stated the team is addressing the traffic issues.

Jesse Munn expressed that the development represents the final piece of an award-winning neighbor. To address the some of the concerns for the residents and his neighbors, the team worked together to provide a 50-foot evergreen, dense buffer against Taylor Park and green spaces with some undisturbed next to the homes on the South. He also stated that early in the development process he met with neighborhood associations and hosted a community meeting with the engineering team to answer any questions for the community.

Ernie Peters briefly explained the general nature of the traffic study focused on five (5) scenarios with varying traffic conditions. Recognizing variances in the traffic volume due to the COVID-19 environment, Mr. Peters noted the proposed estimates are reasonable. In addition, the interim improvements to widen Kanis Road to three (3) lanes and to install the traffic signal have been offered in the proposal. The associated benefits are the right-

of-way assignment and the increased safety. Mr. Peters also noted that the traffic signal will not be implemented until the warrant criteria is outlined by the City.

Tim Daters and Brian Dale emphasized the rationale for the need of the traffic signal and the awareness of the 404 Permitting Requirements. Mr. Daters acknowledged that the firm remains in compliance on every project with the assistance of consultants familiar with the regulatory requirements. Mr. Dale confirmed that Environmental Engineers have been engaged for the Hastings' Tract. He also briefly explained the collaborative efforts between the County, City, and Develop Team to get Panther Branch Drive connected prior to the abandonment of Cooper Orbit Road.

Mr. Eilbott made three (3) observations regarding Wallace Smith's presentation:

1. There is no alternative exit to Panther Branch Drive because the applicants do not own the property which will allow access.
2. The Development Team confirms adherence to the U.S. Corps of Engineers in keeping with all requirements.
3. The proposed developments will generate between \$900K and \$1.1M in annual real estate taxes for the benefit of Pulaski County and the Pulaski County Schools.

A motion was made to approve Item 10 (Z-9536) as recommended by staff. The motion was seconded. The vote was 9 ayes, 2 noes and 0 absent. The application was approved.