

FILE NO.: Z-8977-A

NAME: South Bowman Apartments Long-form PD-R

LOCATION: Located at 4212 South Bowman Road

DEVELOPER:

EBW LLC
26 Collins Industrial Place
North Little Rock, AR 72113

ENGINEER:

Marlar Engineering
5318 JFK Boulevard
North Little Rock, AR 72116

AREA: 16.02 acres NUMBER OF LOTS: 1 FT. NEW STREET: 0 LF

CURRENT ZONING: R-2, Single-family

ALLOWED USES: Single-family residential

PROPOSED ZONING: PD-R

PROPOSED USE: Multi-family – 14.99 units per acre

VARIANCE/WAIVERS: A variance from the City Land Alteration Ordinance to allow advanced grading of future phases with the construction of the first phase and to allow a retaining wall in excess of 15-feet.

BACKGROUND:

The item was reviewed and a recommendation of approval was made by the Planning Commission at their October 29, 2014, public hearing. The item was forwarded to the Board of Directors for final action. The item was deferred from the Board December 2, 2014, public hearing to the December 16, 2014 hearing. At the request of the developer the item was removed from the Board Agenda prior to the December 16, 2014, public hearing.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is requesting a rezoning from R-2, Single-family to PD-R to allow the development of 240-units of multi-family housing on this 16.02-acre tract. The buildings are proposed as three (3) story buildings with a maximum building height of 48-feet. There are ten (10) buildings proposed, each containing 24-units. The site plan indicates the placement of an office/clubhouse, pool and covered pavilions as amenities for the residents. The plan indicates the placement of covered and uncovered parking on the site. The perimeter fencing includes the placement of a six (6) foot wood fence along the northern, southern and eastern perimeters. Brick and wrought iron fencing will be placed along South Bowman Road.

The development is proposed in two (2) phases. With the initial phase five (5) apartment buildings containing 24-units each along with the clubhouse, pool administrative offices and the front entrance will be developed. The second phase includes the construction of five (5) additional buildings, each containing 24-units. The buildings are proposed with three (3) story heights. The maximum building height proposed is 48-feet.

B. EXISTING CONDITIONS:

South Bowman Road adjacent to the site is an unimproved two (2) lane road with open ditches for drainage. The property proposed for development is tree covered with a single-family home located near the northern property line on South Bowman Road. There is vacant C-2, Shopping Center District zoned property to the east. South of the site is a manufactured home park with homes abutting this properties southern boundary. North of the site is a large property which contains a single-family residence with a number of outbuildings and barns. Further south of the site is the Baptist School of Nursing, an office warehouse development, a convenience store and a number of automobile dealerships located on Colonel Glenn Road.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received several informational phone calls from area residents. All property owners located within 200-feet of the site along with the John Barrow Neighborhood Association and Southwest Little Rock United for Progress were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Bowman Road is classified on the Master Street Plan as a minor arterial. A dedication of right-of-way 45 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 Bowman Road including 5-foot sidewalks with the planned development. The new back of curb should be located 29.5 feet from centerline. Striping and tapers must be provided for a center turn lane.
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. Is a variance being requested to advance grade future phases of development with construction of the first phase?
4. Street Improvement plans shall include signage and striping. Public Works must approve completed plans prior to construction.
5. If disturbed area is 1 or more acres, obtain a NPDES stormwater permit from the Arkansas Department of Environmental Quality prior to the start of construction.
6. A minimum undisturbed strip 25 feet wide except for reasonable access shall be provided along each side of streams having a 10 yr storm >150 cfs. The undisturbed strip should be measured from the top of the bank. After permits have been obtained from the USCOE for the creek to be filled, the buffer strips can be removed.
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 at 501.379.1813; for more information.
8. Provide a letter prepared by a registered engineer certifying the sight distance at the intersection(s) comply with 2004 AASHTO Green Book standards. The driveway should be located to not create conflicting left turn movements with the future street on the east side of South Bowman Road.
9. 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 501.371.4646; mglasgow@littlerock.org for more information.
10. Retaining walls designed to exceed 15 feet in height are required to seek a variance for construction. Provide proposed wall elevations.
11. Prior to construction of retaining walls, an engineer's certification of design and plans must be submitted to Public Works for approval. After construction, an as-built certification is required for construction of the retaining wall. Retaining walls with geotextile reinforcing mats should not be placed on the property line and the mats extend beyond the property line.

12. 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.
13. The proposed sign should be removed from the driveway landscape median.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this project. Sewer main relocation required to construct project as shown. Contact Vince Hortho at Little Rock Wastewater Utility for additional information.

Entergy: Entergy does not object to the proposal. Three phase power is available along the west side of Bowman Road. Care should be taken in constructing the sign and in locating the construction office as both shown to be in close proximity to the power line. Contact Entergy in advance to discuss service requirements and facilities locations.

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. 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.
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. Contact Central Arkansas Water if additional fire protection or metered water service is required.
6. 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.

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. Fire sprinkler systems which do not contain additives such as antifreeze shall be isolated with a double detector check valve assembly. If additives are used, a reduced pressure zone back flow preventer shall be required.
9. 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.

Fire Department:

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.

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.

Commercial and Industrial Developments – 2 means of access - Maintain fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D104.1 Buildings exceeding three stories or 30 feet in

height. Building or facilities exceeding 30 feet or three stories in height shall have at least two means of fire apparatus access for each structure. Section D104.2 Building exceeding 62,000 square feet in area. Buildings or facilities having a gross building area of more than 62,000 square feet shall be provide with two separate and approved fire apparatus access roads.

Exception: Projects having a gross building area of up to 124,000 square feet that have a single approved fire apparatus access road when all building are equipped throughout with approved automatic sprinkler systems.

D104.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.

30' Tall Buildings - Maintain aerial fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D105.1 – D105.4 D105.1 Where Required. Where the vertical distance between the grade plane and the highest roof surface exceed 30', approved aerial fire apparatus access roads shall be provided. For the purposes of this section the highest roof surfaces shall be determined by measurement to the eave of a pitched roof, the intersection of a roof to the exterior wall, or the top of the parapet walls, whichever is greater. D105.2 Width. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26', exclusive of shoulders, in the immediate vicinity of the building or portion thereof. D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official. D105.4 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be places with the approval of the fire code official.

Dead Ends: Maintain fire apparatus access roads at dead end locations as per Appendix D of the 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.

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). Number and Distribution of Fire Hydrants as per Table C105.1.

County Planning: No comment.

CATA: The site is not located on a dedicated CATA bus route.

Parks and Recreation: No comment received.

F. ISSUES/TECHNICAL/DESIGN:

Building Code: Project is subject to full commercial plan review 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.org or Mark Alderfer at 501.371.4875; malderfer@littlerock.org.

Planning Division: This request is located in the I-430 Planning District. The Land Use Plan shows Residential Low Density (RL) for this property. The Residential Low Density (RL) 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 PDR (Planned District Residential) to allow development of an apartment complex at a density of 15 units per acre on the site.

Master Street Plan: Bowman Road is a Minor Arterial on the Master Street Plan. A Minor Arterial provides connections to and through an urban area and their primary function is to provide short distance travel within the urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Bowman Road. This street may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: A Class II Bike Lane is shown along Bowman Road. Bike Lanes provide a portion of the pavement for the sole use of bicycles.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. Perimeter planting strip is required along any side of a vehicular use area that abuts adjoining property. This strip shall be at least nine (9) feet wide. Provide trees with an average linear spacing of not less than thirty (30) feet within the perimeter planting strip. Provide three (3) shrubs or vines for every thirty (30) linear feet of perimeter planting strip.
3. 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). The minimum size of an interior landscape area shall be three hundred (300) square feet for developments with more than one hundred fifty (150) parking spaces. Interior islands must be a minimum of seven and one half (7 1/2) 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.
4. The development of two (2) acres or more requires an approved landscape plan stamped with the seal of a registered landscape architect prior to the issuance of a building permit.
5. A landscape irrigation system shall be required for developments of one (1) acre or larger.
6. Recycling containers must be screened per Section 36-523(d) of the City of Little Rock Code of Ordinances.
7. 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: (January 7, 2015)

Mr. Mike Marlar of Marlar Engineering was present representing the request. Staff presented the item stating the applicant had withdrawn the previous request prior to the Board of Directors action on the request. Staff stated the current request was to allow the development of 240 units of multi-family housing on the site. Staff stated the most notable differences were the addition of property which was previously under a different ownership and the placement of an additional building containing 24-units. Staff requested Mr. Marlar provide the areas in which the buffer would remain undisturbed and the areas in which the buffers would be cleared.

Public Works comments were addressed. Staff stated Bowman Road was classified on the Master Street Plan as a minor arterial. Staff stated dedication of right of way to 45-feet from centerline was required. Staff also stated a grading permit would be required prior to development. Staff questioned the proposed phasing plan and if advanced grading was being requested for future phases with the development of the first phase.

Landscaping comments were addressed. Staff stated buffers were required along the sites perimeters. Staff stated the required street and western buffer were an average of 50-feet with the minimum street buffer dimension of 25-feet. Staff stated screening was required along the northern, western and southern perimeters.

Staff noted the comments from the various other agencies. 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 to staff addressing a number of the issues raised at the October 8, 2014, Subdivision Committee meeting. The site plan indicates the placement of perimeter fencing, the maximum building height and the number of units per building. The site plan also includes the placement of a secondary access for the development and the placement of buffering along the sites northern, western and southern perimeters.

The applicant is requesting a rezoning from R-2, Single-family to PD-R to allow the development of 240-units of multi-family housing on this 16.02-acre tract for an overall density of 14.99 units per acre. The buildings are proposed as three (3) story buildings with a maximum building height of 48-feet. There are ten (10) buildings proposed, each containing 24-units. The site plan indicates the placement of an office/clubhouse, pool and covered pavilions as amenities for the residents. The buildings are proposed brick exteriors with architectural

singled roofs. The plan indicates the placement of covered and uncovered parking on the site. The perimeter fencing includes the placement of a six (6) foot wood fence along the northern, southern and eastern perimeters. Brick and wrought iron fencing will be placed along South Bowman Road.

The development is proposed in two (2) phases. With the initial phase five (5) apartment buildings containing 24-units each along with the clubhouse, pool administrative offices and the front entrance will be developed. The second phase includes the construction of five (5) additional buildings, each containing 24-units.

The site plan indicates the placement of covered and uncovered parking on the site. The plan includes the placement of 430 parking spaces. Included in the 430 parking spaces are 20 covered parking structures with approximately 80-spaces within the covered structure. Per the Zoning Ordinance parking for multi-family developments is calculated at one and one-half parking spaces per unit. Based on 240 units a total of 360 parking spaces is required.

The site plan includes the placement of several dumpster locations. Recycling facilities will be offered to the residents. A note on the site plan indicates dumpsters will be screened per typical ordinance requirements. The hours of dumpster service will be limited to 6 am to 7 pm daily.

The site plan includes the placement of an identification sign at the entrance to the development. The sign is indicated with a maximum height of six (6) feet and a maximum sign area of 72-square feet. The sign is located within a planted landscape feature within the divided entrance to the development. The sign will be moved to the west to not create a sight distance problem at the driveway entrance and South Bowman Road.

The request includes a variance from the City's Land Alteration Ordinance to allow an increase in the total retaining wall height along the northwestern perimeter. The top of the wall is between 381-feet and 393-feet and the finished floor heights will be nearer 352-feet.

Staff is continuing to review the request related to the perimeter land use buffers and the proposed retaining wall heights and locations. Staff recommendation is forthcoming.

I. STAFF RECOMMENDATION:

Staff recommendation forthcoming.

PLANNING COMMISSION ACTION:

(JANUARY 29, 2015)

The applicant was present. There were no registered objectors present. Staff presented the item stating staff was requesting a deferral of the item to the February 26, 2015, public hearing. Staff stated they needed additional time to review a revised site plan which had been submitted by the applicant.

There was no further discussion of the item. The Chair entertained a motion for approval of the item as presented by staff. The motion carried by a vote of 10 ayes, 0 noes, 0 absent and 1 open position.

STAFF UPDATE:

The site plan includes the construction of a retaining wall along the northwestern and western portions of the property. The wall height ranges for ground level to 30-feet in height in this area. The wall is cut into the development site allowing the top of the wall to be at grade with the property located to the north and west. (The overall height of the wall will be seen from within the multi-family development.) The applicant is requesting a variance to allow an increase in the wall height. Section 29-190 of the Little Rock Code of Ordinances states a maximum of thirty (30) vertical feet of fill or excavation (such as three (3) ten-foot vertical terraces or two (2) fifteen-foot vertical terraces) is permitted, however additional development areas may be constructed a minimum of one hundred fifty (150) feet in width and at a slope of no more than eight (8) percent. The maximum of thirty (30) feet of fill or excavation may be utilized. This section also states no more than two hundred (200) feet of terrace can be in a straight line and a minimum of a ten (10) feet curved section, jog, or offset is required for each additional two hundred (200) feet of terrace. The applicant is requesting a variance to allow the wall height to be 30-feet and to be allowed the wall in a straight line. Staff is supportive of the variance requests. The maximum height of the wall along the western perimeter is 15-feet which complies with the land alteration ordinance.

The request also includes a variance from the City's Land Alteration Ordinance to allow grading of the Phase II development area with the construction of the first phase. Staff is supportive of this variance request.

The land use buffer width along the northern portion of the property ranges from 39-feet along the eastern 500-feet of the development to 21.67-feet along the western 600-feet of the development. The northern land use buffer within the eastern portion of the development will be maintained as typically required per the zoning/buffer ordinance. A minimum of 70 percent of the land use buffer will be maintained in its natural state. The remaining area of the northern land use buffer will be disturbed most likely to the property line. The applicant indicates the land use buffer which is disturbed will be replanted with 2 and 3 inch caliper evergreen trees and shrubs. The plantings will be staggered and placed 17-feet on center. This will allow the reestablishment of the vegetation within the land use buffer and provide visual screening.

The land use buffer along the western perimeter ranges from 39-feet to 45-feet. A minimum of 70 percent of the land use buffer area will remain in its current natural state. The land use buffer along the southern portion of the development will be removed to the property line. The land use buffer along the southern portion of the site is indicated at 9-feet which is the minimum land use buffer width allowed per the zoning/buffer ordinance. Staff is supportive of the land use buffer on the southern perimeter as indicated on the site plan.

The developer is proposing a 6-foot wooden fence along the northern, western and southern perimeters. A 6-foot wrought iron fence with 8-foot brick columns will be placed along South Bowman Road.

Staff is supportive of the applicant's request for rezoning to PD-R. The requested rezoning is to allow a multi-family development at a density of 15-units per acre. A portion of the site is indicated on the City's Future Land Use Plan as Residential High which allows for multi-family development at a density of more than 12-units per acre. The remainder of the site is indicated at Residential Low which typically allows residential development at a density no greater than 6-units per acre. The Future Land Use Plan is general in nature. The site is located adjacent to a mobile home park, across the street from a school and near the commercial area of Colonel Glenn and I-430.

Staff does not feel the removal of the land use buffer along portions of the northern and western property lines will adversely impact the development. The applicant is proposing to replant the land use buffers which are lost to mitigate any potential negative impacts. Staff is also supportive of allowing the removal of the southern land use buffer as proposed by the applicant. Staff does not feel the variances from the City's Land Alteration Ordinance will adversely impact the development. Staff feels the rezoning of the site and the multi-family development as proposed is appropriate for the site.

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 Phase II area with the construction of the first phase.

Staff recommends approval of the variance request from the Land Alteration Ordinance to allow an increase in the wall height and allow the wall to not be staggered.

Staff recommends approval of the land use buffers as proposed.

PLANNING COMMISSION ACTION:

(FEBRUARY 26, 2015)

Mr. Mike Marlar of Marlar Engineering was present representing the request. There was one registered objector present. Staff presented the item with a recommendation of approval.

Mr. Marlar addressed the Commission stating he and the developer had met with the property owner to the north and offered additional landscaping in excess of the City code. Mr. Marlar stated the development was also proposing to provide stormwater detention for the 5, 10 and 25 year storm event which exceeded the minimum ordinance requirement for stormwater detention. Mr. Marlar stated he had met with the City's Traffic Engineer and the development was providing street improvements per the Master Street Plan and including a turn-lane into the development on South Bowman Road.

Mr. Charles Sullivan addressed the Commission in opposition of the request. He stated his home was located at 4100 South Bowman Road and he had lived there for 24 years. He stated he and his wife owned 40-acres to the north of this development. Mr. Sullivan stated he was appearing before the Commission to speak in opposition of rezoning the property from single-family to multi-family. He stated he was not in support of allowing 240 more apartments in addition to the 1,000 units previously approved for South Bowman Road. He stated with the approval of the additional 500 units north of West 36th Street the scope of development had dramatically been expanded.

Mr. Sullivan stated in the past few months he had visited with a number of persons in the private sector and in City government concerning the overbuilding of apartments in an area and the impacts on neighborhoods. He stated in those conversations he had repeatedly heard the comment that no one wanted to see Bowman Road experience the overbuilding of apartments as had occurred in areas such as Reservoir Road, Mara Lynn Drive, North Green Mountain Drive and Napa Valley Drive in West Little Rock. He stated since these areas were being used as examples of over concentration of apartments he contacted Mr. Jonathon Lupton of Metroplan and requested apartment number for the areas. He stated on Reservoir Road there were 905 units, Mara Lynn 720, North Green Mountain 1035 and Napa Valley 940 units. He stated the City had already approved more apartments on South Bowman Road than currently present in three of the areas considered over developed and had approved essentially an equal number for the fourth overbuilt area. He stated if the numbers truly represented being overbuilt, then South Bowman Road with its current approval of 1000 units was already in the overbuilt category and the area did not need an additional 240 units.

He stated he did not consider himself as anti-development, anti-apartment, or anti-people-who-live-in-apartments type person. He stated in a growing City like Little Rock development was needed which included affordable quality rental housing. He stated his objection was to the location the developer had selected for his project and to his request for rezoning of the land from single-family to multi-family to achieve his purpose. He stated it was explained to him that a normal zoning pattern would be office/warehouse adjacent to high density residential adjacent to single-family. He stated currently this zoning pattern was in place if considering the land from West Bowman Road beginning at Colonel Glenn and traveling north. He stated approving the rezoning request would add 16-acres of multi-family next to property currently zoned high density residential. He stated this additional multi-family zoning did not fit a normal development pattern. He stated this property should remain single-family residential.

He stated another point to note was that denying this application did not preclude this development from being built in West Little Rock. He stated there were 281.87 acres of land already zoned multi-family located north of Colonel Glenn and West of I-430 as described in a December 12, 2014, report prepared by City Manager Bruce Moore for Little Rock Board of Director Lance Hines. Mr. Sullivan stated in summary he felt the information provided to the Commission spoke loudly against approval of this rezoning request to building 240 more apartment units in the South Bowman Road corridor.

Mr. Mike Marlar addressed the Commission stating the location best suited the developer's needs. He stated this development was located on South Bowman Road nearer the theater, the commercial area and the automobile dealerships. He stated he felt the residents of this development would work and shop in the Colonel Glenn Road I-430 area.

Mr. John Burkhalter addressed the Commission as the developer. He stated his development provided 32-percent of the parking indoors or covered. He stated the development was located across the street from the Baptist Nursing School which he felt would be his primary occupants.

There was a general discussion by the Commission concerning the development and the number of units previously approved and if the area was overbuilt or would be overbuilt. Commissioner Bubbus stated he felt based on the topography of the area this area would not develop at the rate as the other areas which were considered as overbuilt. The Commission noted there were areas zoned in Chenal for multi-family and at the time of development the residents of the area would be appearing before the Commission stating they did not want apartments at this rate.

Commissioner May stated he was in Leawood when the apartments were developing along Reservoir Road. He stated the area was a problem area. He stated he felt apartment developments should be spread out and not concentrated in certain areas.

Commissioner Cox stated he felt the development was appropriate. He stated the development was located near the Colonel Glenn/I-430 intersection. He stated the project was across the street from a school. He stated this site was more appealing than the apartments the Commission just approved to the north on West 36th Street. Commissioner Cox stated the market dictated if a development was viable. He stated market studies were prepared to determine if a site was a good location for a particular type development. He stated he felt this was a good location and a good development.

A motion was made to approve the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report and approval of the variances associated with the request. The motion carried by a vote of 7 ayes, 1 no, 1 absent and 2 open positions.