

FILE NO.: Z-7091-C

NAME: Rezoning from PRD to MF-24

LOCATION: 810 Brookside Drive (North end of Brookside Drive, East of Reservoir Road)

DEVELOPER:

Presbyterian Village, Inc.
500 Brookside Drive
Little Rock, AR 72205

OWNER/AUTHORIZED AGENT:

Presbyterian Village, Inc. – Owner
Joe White and Associates, Inc. – Agent

SURVEYOR/ENGINEER:

Joe White and Associates, Inc.
25 Rahling Circle, Suite A-2
Little Rock, AR 72223

AREA: 11.66 acres NUMBER OF LOTS: 1 FT. NEW STREET: 0 LF

WARD: 4 PLANNING DISTRICT: 3 CENSUS TRACT: 22.03

CURRENT ZONING: PRD

Variance/Waivers: None requested.

BACKGROUND:

On October 4, 2001 the Planning Commission approved a rezoning of this 10.66 acre property from R-2 and O-3 to “PRD” Planned Residential District. The PRD zoning was approved by the Board of Directors on November 20, 2001 (Ordinance No. 18,593). The PRD was approved to allow an independent living apartment facility including a 210,000 square foot four (4) story building with 190 parking spaces. The building was to contain 126 apartment units. The plan also included 15 independent living villas along the east portion of the overall property. This PRD project was never developed.

On December 3, 2020 the Planning Commission approved a rezoning of this site from PRD to “R-5” Urban Residence District. On January 19, 2021 the Board of Directors denied the

rezoning request. On December 17, 2020 the Board of Adjustment denied a requested building height variance for a proposed multifamily development.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to rezone the 11.66 acre property located at the north end of Brookside Drive, east of Reservoir Road from "PRD" Planned Residential District to "MF-24" Multifamily District. The rezoning is proposed to allow a future multifamily development.

B. EXISTING CONDITIONS:

The property is undeveloped and mostly wooded.

C. NEIGHBORHOOD COMMENTS:

All owners of property located within 200 feet of the site and all neighborhood associations registered with The City of Little Rock were notified of the public hearing.

D. ENGINEERING COMMENTS:

1. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to
2. 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.
3. Grading and drainage plan and traffic study will be required to be provided at time of building permit application.
4. 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. Those portions of the property within the floodway should be rezoned Open Space.
5. The minimum Finish Floor elevation of at least 1 ft or more above the base flood elevation is required to be shown on plat and grading plans. Show the limits of the 100-year floodway and floodplain.

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

Little Rock Water Reclamation Authority: Sewer main extension required with easements if new sewer service is required for this project. Capacity Analysis required.

Entergy: No comments received.

CenterPoint Energy: No comments.

AT & T: No comments received.

Central Arkansas Water: A 54-inch water transmission line and an 8-inch water main run along the eastern portion of this property. An easement will be required for the water lines. Indicate easements on the survey and submit to CAW for approval. Any construction, including earthwork, over the transmission main will need to be coordinated with CAW. No objection to Rezoning.

Fire Department: No comments.

Parks and Recreation: No comments received.

County Planning: No comments received.

F. BUILDING CODES/LANDSCAPE:

Building Code: No comments received.

Landscape: No comments.

G. TRANSPORTATION/PLANNING:

Rock Region Metro: No comments received.

Planning Division: The request is in the West Little Rock Planning District. The Land Use Plan shows Residential High Density (RH) for the requested area. The Residential High Density (RH) category accommodates residential development of more than twelve (12) dwelling units per acre. The application is to change the property from PRD (Planned Residential Development) District to MF24 (Multi-family District 24 units/acre) to allow for the future development of this land.

Surrounding the application area, the Land Use Plan shows Residential High Density (RH) to the north, south, and west of the site. Park/Open Space (PK/OS) is shown to the east with Residential Low Density (RL) beyond that. Residential High Density (RH) category accommodates residential development of more than twelve (12) dwelling units per acre. The land to the north has two apartment complexes on it. To the west is a condo development and to the south is a rehabilitation care facility with an assisted living facility. The Park/Open Space (PK/OS) category includes all public parks, recreation facilities, greenbelts, flood plains, and other designated open space and recreational land. This area is the floodplain/floodway of Grassy Flat Creek. The Residential Low Density (RL) 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 RL area is a developed single-family subdivision.

Master Street Plan: Brookside Drive ends at or is along the west line of a portion of the site. Brookside Drive is a Local Street on the Master Street Plan. 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.

H. ANALYSIS:

Presbyterian Village, Inc., owner of the 11.66 acre property located at the north end of Brookside Drive, east of Reservoir Road, is requesting that the property be rezoned from “PRD” Planned Residential District to “MF-24” Multifamily District. The rezoning is proposed to allow a future multifamily development. The property is currently undeveloped and mostly wooded.

The property is located in an area of mixed uses and zoning, including several multifamily developments along Reservoir Road. Multifamily developments (zoned MF-24 and PD-R) are located north and west of the site. Nursing home and assisted living facilities (zoned O-3, POD and R-5) are located to the south. Mixed commercial uses are located to the southwest. Grassy Flat Creek is located to the east within City of Little Rock owned property. Single Family residences (zoned R-2) are located on the east side of the creek/floodway area.

The City’s Future Land Use Plan designates this property as “RH” Residential High Density. The requested MF-24 zoning will not require a plan amendment.

The applicant provided a preliminary drainage analysis for this property. The preliminary drainage analysis shows that future development of this property will have no adverse drainage impact on surrounding properties. Prior to release of a building permit, a detailed hydrology and hydraulic analysis which complies with all codes and manuals must be submitted.

The applicant also submitted a traffic study which analyzes a future MF-24 development of this property. The traffic study concluded the following:

“With the low increase in traffic volume at the intersection of Rodney Parham Road and Brookside Drive during the AM and PM peak hours, there is expected to be minimal impact to traffic operations at this intersection if the development is constructed as proposed.”

Staff concurs with the results of the traffic study.

Staff is supportive of the requested MF-24 zoning. Staff views the request as reasonable. The proposed MF-24 zoning will be compatible with this general area along the Reservoir Road corridor. There are several other multifamily developments in the area. The proposed MF-24 zoning is also consistent with the City’s Future Land

Use Plan designation of “RH” Residential High Density. The requested rezoning should have no adverse impact on the general area.

Staff believes that the following additional important factors make this site a good location for a multifamily development:

- The site is less than 1,000 feet from Rodney Parham Road (via Brookside Drive), a minor arterial, and less than 2,000 feet from Reservoir Road (via Brookside Drive/White Rock Lane), another minor arterial.
- The nearest bus route, Bus Route #8 (Rodney Parham Route), is less than 1,000 feet to the south. The nearest bus stop is at the intersection of Rodney Parham Road and Brookside Drive (north and south sides).
- There are sidewalks along both sides of Brookside Drive, between this property and Rodney Parham Road. These sidewalks tie into sidewalks along both sides of Rodney Parham Road.
- The site is located within 1/3 mile of numerous amenities/support services such as retail, restaurant, grocery/pharmacy, vehicle service, mini-storage, banks, personal services (medical clinic, etc.). There are numerous other amenities within a one (1) mile radius. The nearest grocery/pharmacy uses are located from 1/3 mile to ½ mile from this site. The nearest medical clinic is located approximately one (1) mile from this site.
- There are numerous employment opportunities located within one (1) mile of this site.
- The site is located (via roadways) less than one (1) mile to Butler Park and less than two (2) miles to Reservoir Park.
- The site is located (via roadways) less than one (1) mile to the nearest elementary school (McDermott Elementary School), along Reservoir Road.
There are other schools and daycares located within a one (1) mile radius of the site. (Little Rock Adventist Academy, Henderson Middle School, Terry Elementary, Williams Elementary, and The Anthony School)
- A proposed future bike path (Bikeway 2), a class 2 bike lane will run east/west along Rodney Parham Road.
- A future paved trail, as part of the City’s master trail system, will run along the west side of Grassy Flat Creek, along the east boundary of this property. Future development of this site must acknowledge the future trail location.

I. STAFF RECOMMENDATION:

Staff recommends approval of the request MF-24 rezoning.

PLANNING COMMISSION ACTION:

(MAY 13, 2021)

Brian Dale was present, representing the application. There were several persons registered in opposition. Staff presented the item and a recommendation for approval as outlined in the staff recommendation above.

Brian Dale introduced his team and provided the Commission a brief history of the proposal making note regarding a decrease in density from R-5 (36 units per acre) to MF-24 (24 units per acre). The applicant also stated there were two access points therefore splitting traffic between N. Rodney Parham Road and Reservoir Road. He also stated the developer will comply with the City's drainage plan.

Mr. Blake Wiggins, Developer, addressed the Commission in support of the application. Mr. Wiggins made note there had been no new development in the general area within the last ten (10) years. He also stated Little Rock's growth has continued and expressed the need for additional apartments in the area.

Jerry Herbert addressed the Commission in opposition of the application. His concerns were regarding the decreased view from his residence and decrease in property values.

Dana Renard addressed the Commission in opposition of the application. She expressed concerns regarding the abundance of apartments currently available in the area and no need for several hundred more.

Brian Tinnermon addressed the Commission in opposition to the application. Mr. Tinnermon expressed the following concerns:

- 1) A decrease in the reduction of proposed units does not represent a significant change.
- 2) Traffic flow in and out of the proposed development. He stated speed bumps have already been installed in the area for safety.
- 3) COVID has allowed people living in the City to work from home as it relates to persons leasing an apartment versus owning a home.
- 4) Residents investing in property in the area recognized the Future Land Use as R-5 and this would not be an area zoned for high density.
- 5) Mr. Tinnermon referenced a neighborhood plan approximately 20 years ago citing low density. Mr. Tinnermon stated his concerns have led him to sell his property.

Commissioner Brooks asked Mr. Tinnermon why he sold his property before a decision was made regarding the application? Mr. Tinnermon replied, he was tired of fighting.

Commissioner Vickers, regarding his concerns about traffic, asked Mr. Tinnermon did he have any third-party analysis to support his concern. Mr. Tinnermon replied his data was sourced from websites but no independent third-party analysis to support his concerns.

Lee Beverly addressed the Commission in opposition to the application and expressed the following concerns:

- 1) A petition submitted to the Commission opposing rezoning R-5 to MF-24.
- 2) Slope, timber, floodplain, excavation, grading plan and residents' property potentially being destabilized due to these factors.
- 3) Provided a brief history of the proposed zoning regarding his residency in the area.
- 4) Loss of accountability with regards to a planned development versus rezoning which would not require review by the Planning Commission.

Commissioner Rahman asked why staff supported rezoning the site to MF-24 when current zoning reflects a PRD (Planned Residential Development)? Staff replied the PRD expired, however that option is still available. The applicant also replied that a PRD option still is being considered by the developer, however the MF-24 proposal removes the review process regarding planned developments and provides the applicant increased flexibility for site development.

Director Collins addressed the Commission regarding the differences between single-use versus large-scale projects as it relates to planned developments.

Anne Parat addressed the Commission in opposition to the application and expressed the following concerns:

- 1) How Grassy Flat Creek does not provide an adequate barrier for residents in the area.
- 2) A lack confidence in traffic studies based on previous experiences.
- 3) The developer not being clear about proposed development.
- 4) Encouraging the applicant to development the site into something neighbors can agree upon.

Commissioner Berry asked the applicant are single units versus market rate apartments proposed and how does this affect the density. The applicant replied, the Commission previously approved R-5 density (36-units per acre) versus the proposed MF-24 (24 units per acre) allows developer to remain environmentally aware about the proposal prior to development.

Commissioner Hart stated the site was approved for 36-units per acre, why now propose 24-units per acre? The applicant replied, the Board of Directors denied the previous proposal.

Commissioner Berry stated residents are not leaving city in droves as compared to the other cities and did not know what any type of compromise would be regarding density. He stated that he was more inclined to agree with Board of Directors that site remain a planned development.

Ernie Peters (Professional Engineer) provided more insight regarding traffic and stated he was available to respond to Commission questions regarding access and traffic.

Director Collins addressed the Commission with the following:

- 1) Factors that determine how the Division will review apartment complexes in the future as it relates to traffic, sidewalks, amenities, employment, schools and different modes of transportation in the area being not limited to just vehicular traffic.

There was a motion to approve the application as recommended by staff. The motion was seconded. The vote was 7 ayes, 3 nays, 0 absent and 1 open position. The application was approved.