

FILE NO.: Z-7091-D

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NAME: Rezoning from O-3 to R-2

LOCATION: North end of Brookside Drive

DEVELOPER:

Wolfsbridge Leawood 1 LLC  
510 North Brookside Drive  
Little Rock, AR 72227

OWNER/AUTHORIZED AGENT:

Brian Dale (Agent)  
Joe White and Associates Engineers  
25 Rahling Circle, Suite A-2  
Little Rock, AR 72223  
Wolfsbridge Leawood 1, LLC (Owner)

SURVEYOR/ENGINEER:

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

AREA: 1.69 acres                      NUMBER OF LOTS: 1                      FT. NEW STREET: 0 LF

WARD: 4                                      PLANNING DISTRICT: 3                      CENSUS TRACT: 22.03

CURRENT ZONING:                      O-3

VARIANCE/WAIVERS:                      None requested.

BACKGROUND:

On September 9, 2021, the Planning Commission approved a preliminary subdivision plat of 10.66-acre property at the north and east sides of Brookside Drive. As part of the application the applicant requested that the northern 8.67 acres revert to an R-2 zoning from an expired PDR and the south 1.69 acres be rezoned to R-2 at a later date prior to development of the site.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is proposing to rezone the 1.69 acres at the North end of Brookside Drive from "O-3" Office to "R-2" Residential to allow for the previously approved single-family development. This proposed rezoning is a follow-up to the single-family plat approved on September 9, 2021.

B. EXISTING CONDITIONS:

The property currently undeveloped and mostly wooded. The property contains varying degrees of slope, primarily sloping downward from north to south.

C. NEIGHBORHOOD NOTIFICATIONS:

All owners of property 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: No comment.

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

Little Rock Water Reclamation Authority: No comments received.

Entergy: No comments received.

CenterPoint Summit Energy: No comment.

AT & T: No comments received.

Central Arkansas Water:

NO OBJECTIONS: All Central Arkansas Water requirements in effect at the time of request for water service must be met.

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.

**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 Fire Marshal Derek N. Ingram 501-918-3756 Number and Distribution of Fire Hydrants as per Table C105.1.

Parks and Recreation: No comment received.

County Planning: No comment.

F. **BUILDING CODES/LANDSCAPE:**

Building Code: No comments received.

Landscape: No comment.

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 rezone from O-3, General Office District to R-2, Single Family District to allow for the future development of single-family homes as part of a larger development to the north.

Surrounding the application area, the Land Use Plan shows Residential High Density (RH) to the west, north and south. The Park/Open Space (PK/OS) designation is shown to the east with Residential Low Density (RL) beyond that. The Residential High Density (RH) category accommodates residential development of more than twelve (12) dwelling units per acre. To the north are two apartment complexes (Brook Valley Apartments and the Barrington Hills Apartments), zoned MF-24, Multi-Family District 24-units per acre. To the west is Reservoir Heights, a condominium development, zoned PDR, Planned Development Residential District. To the south is Presbyterian Village, a retirement community (mid-rise apartments), zoned O-3, General Office District and POD, Planned Office Development District. 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 land is the floodway of Grass 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 land to the east is zoned R-2, Single Family District. There is a developed single-family subdivision on the land east of Grass Flat Creek.

Master Street Plan: To the west is Brookside Drive, it 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.

Historic Preservation Plan: There are no existing historic sites on, or in proximity to, this land.

H. ANALYSIS:

The applicant is proposing to rezone the 1.69 acres at the North end of Brookside Drive from "O-3" Office to "R-2" Residential to allow for the previously approved single-family development. This proposed rezoning is a follow-up to the single-family plat approved on September 9, 2021.

The property currently undeveloped and mostly wooded. The property contains varying degrees of slope, primarily sloping downward from north to south. Grassy Flat Creek is located adjacent to this property to the east.

The site is located at the north end of Brookside Drive adjacent to an existing O-3 zoned site with a Health and Rehabilitation Center to the west. The property is bordered on the southwest by a "POD" Planned Office Development and an R-5 zoned apartment development. Mostly single-family residential developments border the east and north sides and of the site.

The City's Future Land Use Plan designates the property as "RH" Residential High Density. The proposed R-2 zoning will not require an amendment to the City's Land Use Plan.

Staff is supportive of the requested R-2 zoning. Staff views the request as reasonable. The proposed R-2 zoning will be consistent with other residential zonings on adjacent properties and will represent a continuation of the existing zoning pattern. Staff believes the proposed R-2 zoning will have no adverse impact on the general area.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested R-2 rezoning.

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PLANNING COMMISSION ACTION:

(AUGUST 11, 2022)

Brian Dale, applicant, (Joe White & Associates) was present representing the application. There was one person registered in opposition. Staff presented the item and a recommendation for approval as outlined in the "staff recommendation" above. The applicant deferred to the opposition.

Mr. Neal Wyatt addressed the Commission in opposition to the application. His only concern was regarding if the R-2 zoning development pattern would continue. Mr. Dale replied in the affirmative. Mr. White stated he no longer opposed the application.

There was a motion to approve the application including all comments and recommendations by staff, including the requested front, rear and side yard variances. The motion was seconded. The vote was 9 ayes, 0 nays, 1 absent and 1 open position.