

FILE NO.: Z-10064

NAME: Rezoning from R-2 to R-4

LOCATION: 45 lots along Mountain Vista Drive and Summit View Drive

DEVELOPER:

APEX Professional Construction, LLC
32 Caurel Court
Little Rock, AR 72223

OWNER/AUTHORIZED AGENT:

Ryan Brooks, APEX Professional Construction, LLC – Owner
Kendel Grooms and Parker Spaulding - Agents

SURVEYOR/ENGINEER:

Bond Consulting Engineers, Inc.
2601 T.P. White Drive
Jacksonville, AR 72076

AREA: 18.05 acres NUMBER OF LOTS: 45 FT. NEW STREET: 0 LF

WARD: 7 PLANNING DISTRICT: 16 CENSUS TRACT: 41.04

CURRENT ZONING: R-2

VARIANCE/WAIVERS: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to rezone 45 lots of the 57 lots in the Vista Pointe subdivision from "R-2" Single-family District to "R-4" Two-family district.

B. EXISTING CONDITIONS:

The Vista Pointe subdivision is platted with 57 lots. Twelve are currently occupied by residences. The remaining lots are undeveloped. Mountain Vista Drive is the only access to the subdivision and is connected to Skyline Drive in Saline County.

C. NEIGHBORHOOD NOTIFICATIONS:

All owners of property located within 300 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. Plan is not legible resubmit.
2. Secondary access is required for Fire and Police use.

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

Little Rock Water Reclamation Authority: No comment.

Entergy: No comments received.

Summit Utilities: No comments.

AT & T: No comments received.

Central Arkansas Water: No comments.

Fire Department:

Maintain Access:

Fire Hydrants.

Maintain fire apparatus access roads at fire hydrant locations as per Appendix D of the 2021 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 2021 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 2021 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.

County Planning: No comments.

F. BUILDING CODES/LANDSCAPE:

Building Codes:

As per 2021 Arkansas Fire Prevention Code Volume III R302.1(1) Single Family Dwellings have the following requirements when dealing with Dwellings that are closer than 7' from the property line:

1. If the soffit assembly extends inside of 5' from the property line, it must be constructed with fire treated materials. 5/8" Type "X" Drywall, stucco, fire treated plywood or some other fire treated material on underside of the soffit, fire treated fascia, elimination of soffit bents and gable vents and crawl space vents on the affected portion of the wall. Note: Vents must be relocated to ensure proper venting of the attic space.
 - a. Exceptions to this are to fire block this section of the exterior wall from the top plate to the underside of the roof decking and to fire caulk the blocking at all joints.
2. As per 2021 Arkansas Fire Prevention Code Volume III R302.1(1) Single Family Dwellings have the following requirements when dealing with Dwellings that are closer than 5' from the property line:
 - a. Exterior walls from 3 to 5' from the property line must be constructed of 1-hour fire rated material and the soffit must be constructed from 1-hour fire rated material. Soffit and gable vents are not allowed, and venting must be relocated to adjacent roof and wall sections.
 - b. Fire Treated roof decking must extend 4' up the roof as per the Authority having jurisdiction.
 - c. In applications 3' to 5' from the dwelling unit to the property line exterior windows are not allowed to exceed 25% of the wall area.

Note: Utilities are permitted below grade on property but cannot enter where dwellings are located less than 7' from the property line. HVAC Units are not permitted to be installed back-to-back on adjacent properties unless there are 7' setbacks and must be located on dwelling

Landscape: No comments.

G. TRANSPORTATION/PLANNING:

Rock Region Metro: No comments received.

Planning Division:

The request is in the Otter Creek Planning District. The Land Use Plan shows 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 remains less than 6 units per acre for the requested area. The application is to rezone from R-2 to R-4.

Surrounding the application area are undeveloped tracts in RL.

This site is not located in an Overlay District.

Master Street Plan:

Mountain Vista Drive is a Local Street on the Master Street Plan. Local Streets are roads designed to provide access to adjacent property with the movement of traffic being a secondary purpose. The standard Right-of-way is 50'. Sidewalks are required on one side. This street may require dedication of right-of-way and may require street improvements.

Bicycle Plan:

Mountain Vista Drive is not shown on the Master Bike Plan with existing or proposed facilities in this area.

Historic Preservation Plan:

The application, as shown, should have no effect on identified historic resources.

H. ANALYSIS:

The applicant proposes to rezone 45 lots of the 57 lots in the Vista Pointe subdivision from "R-2" Single-family District to "R-4" Two-family district.

The Vista Pointe subdivision is platted with 57 lots. Lots 2, 3, 13, 18, 24, 27, 30, 32, 42, 46, 48, and 56 are currently occupied by single-family residences. The remaining lots are undeveloped. Mountain Vista Drive is the only access to the subdivision and is connected to Skyline Drive in Saline County.

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The applicant's intent is to construct two-story, town house style duplexes on the 45 undeveloped lots. The proposed 1464 square feet town houses are designed to match the character of the existing homes. Each townhouse is designed with a one-car garage and independent driveway access.

Staff is not supportive of the requested rezoning from R-2 to R-4. Staff does not feel it is appropriate to double the density of the subdivision. Doubling the density does not fit the Land Use Plan and would put stress on the existing infrastructure. Additionally, having only one entrance to the subdivision poses safety concerns due to the difficulty of emergency response vehicle access.

I. STAFF RECOMMENDATION:

Staff recommends denial of the requested rezoning from R-2 to R-4.

PLANNING COMMISSION ACTION:

(DECEMBER 12, 2024)

The applicant was present. Due to the fact that there were only eight (8) Commissioners present, the applicant requested a deferral to the January agenda. There was a motion to defer the application. There was a second. The vote was 8 ayes, 0 nays, 1 absent and 2 open positions. The application was deferred to the January 9, 2025 Agenda.

PLANNING COMMISSION ACTION:

(FEBRUARY 13, 2025)

The applicant was present. There were eleven (11) persons present in opposition. Scott Bennett, Teressa Lynn, Teri Crofford, Sharon Bohahm, Amanda Hope, Mike Reev, Michelle Reed, BJ Wyrick, Tim Sanders and Troy Laha voiced their concerns about safety, traffic, and property value. After some discussion there was a motion to approve the application. There was a second. The vote was 3 ayes, 7 nays, and 1 open position. The motion failed.