

November 13, 2025

ITEM NO.: 18

FILE NO.: A-351

NAME: Colonel Miller Estates Annexation

LOCATION: East side of Colonel Miller Road between Crystal Valley Road and Torey Pines Drive

OWNER/AUTHORIZED AGENT:

Crystal Valley LLC (Owner)
PO Box 23670
Little Rock, AR
72221-3670

Harrison Kemp, Mann & Kemp, PLLC (Agent)
221 W 2nd St., #408
Little Rock, AR
72201

SURVEYOR/ENGINEER:

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

AREA: 17.57 acres more or less

WARD: N/A - ETJ

PLANNING DISTRICT: 17

CENSUS TRACT: 42.26

CURRENT ZONING: Not currently zoned

BACKGROUND:

- Petition for Annexation was filed with the County Court of Pulaski County pursuant to A.C.A § 14-40-409 on August 13, 2025.
- The petition qualifies as an annexation by 100%, in accordance with Arkansas Code § 14-40-609.
- The County Judge's Order verifying findings was filed on September 12, 2025.
- In a letter dated July 25, 2025, the Arkansas GIS Office confirmed that the annexation request meets all requirements outlined in Arkansas Code § 14-40-101.
- The subject area is contiguous to the City of Little Rock's municipal boundary along a portion of the area's southern boundary.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The request is to grant the 100% petition, accept the property petitioned to be annexed, and to obtain municipal services. The annexation request involves approximately 17.57 acres proposed for incorporation into the City of Little Rock. The applicant (petitioner) seeks access to municipal services in order to facilitate development of the property. The applicant has not confirmed requested zoning or

land use designation and, therefore, zoning and land use change is not considered within this request.

B. EXISTING CONDITIONS:

Land use authority

The property is located outside the city's incorporated limits, within what was previously the City's extraterritorial jurisdiction (ETJ). With the enactment of Act 314 by the Arkansas State Legislature, the City's authority over zoning, land use, and infrastructure regulations in unincorporated areas outside the city limits was repealed in August 2025. Little Rock Municipal Ordinance No. 22,651 repealed the City of Little Rock's ETJ in compliance with Act 314 and clarified the retention of comprehensive plans, including the Land Use Plan, Master Street Plan, and other long range plans. Upon annexation of any property into the corporate limits of the City of Little Rock, all applicable municipal planning documents and regulations shall immediately apply to the annexed property.

Development & environmental context

The site consists of approximately 16.37 acres of primarily wooded and undeveloped low-lying land associated with hydrological functions, with portions lying within the 100-year floodplain (Zone AE) and floodway. Haw Branch creek borders the southwestern edge of the site and two of its tributaries cross over a large western section of the subject property. Additionally, a 100-foot-wide transmission line easement crosses the eastern section of the property.

In April 2025, the property proposed for annexation was illegally subdivided in April 2025 through a warranty deed filed with Pulaski County. This action created parcels 44R0320002100 and 44R0320002101 without the required review and approval of the Little Rock Planning Commission, as mandated by Chapter 31 of the Little Rock Municipal Code. At the time of this subdivision, the property was located within the City's extraterritorial jurisdiction.

C. NEIGHBORHOOD NOTIFICATIONS:

Neighborhood Association contacts are notified of all items on the Planning Commission agenda via a single notice prior the Commission's hearing.

D. ENGINEERING COMMENTS:

Engineering Division, Planning & Development Department: No comments received.

Public Works Department: The cost to construct half street improvements to Colonel Miller for the property frontage shown (approximately 630 feet) is \$500,000, and the cost to widen the bridge adjacent to the subject property is another estimated \$500,000. Therefore, total cost for half street improvements to the Master Street Plan standards to Colonel Miller Road would be \$1,000,000.

Haw Branch creek runs through the subject property. Due to the creek, portions of the subject property are shown to contain 100 yr floodplain, Zone AE, and floodway on the Flood Insurance Rate Map. Development of property within the floodplain and floodway will be regulated by Chap 13 of the City of Little Rock Municipal Code.

F. BUILDING CODES/LANDSCAPE

Building Code: No comment received.

Landscape: No comment received.

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

Little Rock Water Reclamation Authority: Indicated no objections to the subject property.

Entergy: No comments received.

Summit Utilities: No comments received.

AT & T: No comments received.

Central Arkansas Water: No comments received.

Fire Department: No comments received.

Police Department: No comments received.

Parks and Recreation: The proposed annexation of 16.37 acres of residential land lies over one mile away from the nearest existing park infrastructure, which is currently an undeveloped floodway and does not provide functional recreational opportunities. Following the Park Masterplan an eight-block service strategy, this area will require the development of new parkland or the extension of existing services to meet equity and accessibility goals.

County Planning: The subject property petitioning for annexation is believed to be part of an illegal subdivision and the illegally subdivided lot may not be buildable due to the constraints provided by the floodplain/floodway encompassing said lot, and that a portion of Colonel Miller Road adjacent to the lot—including the bridge over Haw Branch—may not be adequate to support the additional traffic generated by new development.

G. TRANSPORTATION/PLANNING:

Rock Region Metro: No comments received.

Planning Division:

Land Use Plan:

The request is in the Crystal Valley Planning District, District 17. The development principles of the district include improvement of public infrastructure--such as street, drainage, streetlights and traffic lights, and sidewalks—limiting of curb cuts along arterials, and preservation of existing open space, wetlands, and sound barriers.

The Land Use Plan shows Residential Low Density (RL) and Residential Medium Density (RM) for the requested area. 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. The Resident Medium Density (RM) category provides for a broad range of housing types including single family attached, single family detached, duplexes, townhomes, multifamily and patio or garden homes at densities between six (6) and twelve (12) dwelling units per acre.

The areas east, north, west, and southwest of the subject area are designated for Residential Low Density (RL) uses and are characterized by rural, large residential

tracts outside the city limits. To the southwest the area is designated for Residential Low Density (RL) use and is characterized by a single-family residential subdivision within the city limits. South of the application are areas designated for Park/Open Space (PK/OS) and Residential Medium Density (RM) uses characterized by the Haw Branch creek, the Eagle Hill apartment complex, and the Eagle Hill Golf & Athletic Club. The PK/OS category includes all public parks, recreational facilities, greenbelts, flood plains, and other designated open space and recreational land.

There have been two (2) Land Use Plan amendments in the vicinity which thematically changed the land use of the areas from a previous Single-Family category to Residential Low Density (RL) and Park/Open Space (PK/OS).

Master Street Plan:

The eastern section of the subject area abuts approximately 300 feet of Colonel Miller Road. Colonel Miller Road is designated as a Minor Arterial in the Master Street Plan. The primary function of a Minor Arterial to provide short distance travel within the urbanized area. Minor Arterials are considered high volume roads, require a minimum of four travel lanes with a central turning lane, sidewalks on both sides of the road within a standard right-of-way of 90 feet.

Bicycle Plan:

Colonel Miller Road 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 area requesting annexation is contiguous with the City limits along its southern boundary. The land to the south was annexed by the City in 1996 with Ord. 17,316 (A-286 Colonel Carl Miller Annexation). The area is undeveloped woodland and tributaries associated with hydrological functions, with portions lying within the 100-year floodplain (Zone AE) and floodway.

Land Use & Zoning

The subject area requesting annexation is designated as Residential Low Density (RL) and Residential Medium Density (RM) in the Land Use Plan. The area is not zoned and unless otherwise requested, if annexed the applied zoning will be R-2, Single-Family District. There is not a request to change the zoning or land use designations.

Infrastructure & Services

Upon annexation, the City will be responsible for the continued maintenance of approximately 300 linear feet of roadway—Colonel Miller Road—and related drainage facilities.

If annexed, municipal solid waste services will be provided to the area if needed for residential use.

The nearest Little Rock Water Reclamation Authority (LRWRA) facility is a 10” to 21” sewer line directly adjacent to the property to the south. The nearest Central Arkansas Water (CAW) facility is directly adjacent to the property to the south. As part of the development of any land within the annexation area, the developer will have to extend these services from the existing service lines to any new development in coordination with CAW and LRWRA.

The nearest fire station is Station 24 at 8801 Stagecoach Road, approximately 1.7 miles from the closest annexation area utilizing the existing street system. No comments have been received from the Little Rock Fire Department on the proposed annexation.

The current patrol district for the Little Rock Police Department for this area is approximately 10.35 square miles. The annexation would increase the patrol district by 0.265 percent. No comments have been received from the Little Rock Police Department on the proposed annexation.

The applicant has provided the City with a letter, dated July 25, 2025, from the Arkansas Geographic Information Systems Office (AGIO) that the annexation request meets all requirements outlined in Arkansas Code § 14-40-101. The area is contiguous to the City of Little Rock’s municipal boundary along the area’s southern boundary and meets all requirements for a petition of annexation by 100 percent, in accordance with Arkansas Code § 14-40-609, verified by the Pulaski County Judge’s Order that was signed and filed on September 12, 2025. The Order sets the exact boundaries of the annexation, which, by custom, includes all adjacent rights-of-way.

It has come to staff's attention that the property proposed for annexation was subdivided in April 2025 via a warranty deed without the required review and approval of the Little Rock Planning Commission, in direct violation of Chapter 31 of the Little Rock Municipal Code. At the time, the property was located within the City's extraterritorial jurisdiction, and the subdivision action also contravenes the Pulaski County subdivision ordinance.

The annexation request excludes the southern parcel (44R0320002101), which remains in violation of county subdivision regulations and is located within a designated floodway. This exclusion creates a fragmented jurisdictional landscape along Colonel Miller Road, where portions of the roadway—including a bridge—would remain under county control. This results in a city-incorporated right-of-way island within a county-maintained corridor, complicating maintenance responsibilities, floodway management, and coordination of city services.

Because the excluded parcel would remain in the county, half-street improvements would not be mandated along the segment of Colonel Miller Road that includes the bridge. This would create a scenario where improvements of this segment to service future development would fall on the city and county. The southern parcel's location within a floodway introduces additional complexity. Without annexation of the full corridor, the City would have limited authority to enforce floodplain management standards or coordinate right-of-way improvements in a manner consistent with municipal stormwater and transportation policies.

Staff believes the configuration of the petition for annexation places an unwarranted financial burden on City taxpayers to support future development, potentially imposing long-term costs on the City without commensurate benefits. For these reasons, staff finds the petition for annexation to be unfavorable for incorporation. Pursuant to A.C.A. § 14-40-609, the City of Little Rock may grant a petition for annexation at its discretion.

I. STAFF RECOMMENDATION:

The Staff recommends denial of the petition for annexation and incorporation into the City of Little Rock.