

FILE NO.: Z-6886-C

---

NAME: Bowman Pointe Long-form PD-R

LOCATION: Located on the Northeast corner of South Bowman Road and West 36<sup>th</sup> Street

DEVELOPER:

Richardson Properties, LLC  
9800 Maumelle Boulevard  
Maumelle, AR 72113

ENGINEER:

White-Daters and Associates  
24 Rahling Circle  
Little Rock, AR 72223

AREA: 31.08 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

VARIANCE/WAIVERS: A variance from the City's Land Alteration Ordinance to allow grading of the entire site with the construction of the first phase of the development.

---

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The request is to allow a rezoning of 31.07-acres from R-2, Single-family to PD-R. The approval will allow the development of 609-units of multi-family housing. The apartments are proposed with 287 1-bedroom units and 322 2-bedroom units. The buildings are proposed 2 and 3-story. The maximum building height proposed is 35-feet.

The development is proposed with 234,919 square feet of building coverage (17.36% of the site), 443,724 square feet of pavement coverage (32.78% of the site) and 674,901 square feet of landscape/common area (49.86% of the site). The plan indicates covered and uncovered parking. 36-garage parking spaces are proposed. A maximum of 201-carport spaces will be provided and 904-open parking spaces. A total of 1,150 parking spaces are indicated on the site plan.

The buildings are proposed in 3 phases. Buildings F, G, H, I and J are proposed in Phase 1. Buildings A, B, C, D and E in Phase 2 and Buildings K, L, M, N and O are proposed in the third phase.

The applicant has indicated an area of floodway located south of this site will be dedicated as open space and is proposed as a part of the overall development plan for this site. The floodway/open space contains 6.89-acres to be included within the land area for this development for an overall development total acreage of 37.97 acres.

B. EXISTING CONDITIONS:

The property is densely wooded sloping upward from West 36<sup>th</sup> Street. Adjacent to the site South Bowman Road is unimproved with open ditches for drainage. To the north are single-family homes in the Sandpiper Neighborhood. There is a nursing home located on South Bowman Road along this property's northern boundary. Across South Bowman Road there are a number of single-family homes located on acreage and a large apartment development. East of the site is the Church at Rock. South of the site along West 36<sup>th</sup> Street are single-family homes located on acreage. There is also an office building located on the south side of West 36<sup>th</sup> Street. West 36<sup>th</sup> Street is an unimproved street with open ditches for drainage with the exception of the frontage of the Church at Rock Creek. Improvements were put in place for the church's property with the construction of the sanctuary.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received several informational phone calls from area residents. All owners of property located within 200-feet of the site along with the John Barrow Neighborhood Association and the Sandpiper Neighborhood Association were notified of the public hearing. The John Barrow Neighborhood Association voted to support the request at their August Neighborhood Association meeting.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. South 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. West 36<sup>th</sup> Street is classified on the Master Street Plan as a minor arterial. A dedication of right-of-way 45-feet from centerline will be required. Where a minor arterial intersects another minor arterial, the applicant shall dedicate an additional 10-feet of right-of-way measured from the centerline of the right-of-way for a right turn lane. The additional right-of-way shall normally be 250 feet in length measured from the intersecting right-of-way. At such intersections, the intersecting right-of-way lines shall normally have a radius of 75 to 100 feet.
3. The proposed plan should show the public street north off West 36<sup>th</sup> Street. The right-of-way should be a width of 60 feet.
4. If the proposed street is to be public, it should be located within a 60 foot right-of-way and additional right-of-way dedicated to connect to the existing right-of-way north off West 36<sup>th</sup> Street.
5. With site development, provide the design of street conforming to the Master Street Plan. Construct one-half street improvement to South Bowman Road including 5-foot sidewalks with the planned development. The new back of curb should be located 29.5-feet from centerline. Striping should be provided for a left turn lane. Portions of the proposed right-of-way are not in the possession of the applicant. All street improvements should be made per AASHTO standards.
6. With site development, provide the design of street conforming to the Master Street Plan. Construct one-half street improvement to West 36<sup>th</sup> Street including 5-foot sidewalks with the planned development. The new back of curb should be located 29.5-feet from centerline. West 36<sup>th</sup> Street should be widened where the public street from the north intersects West 36<sup>th</sup> Street at the time the apartments take access and/or the street from South Bowman Road is constructed. At the South Bowman intersection, improvements should be made per the Arterial Intersection design in the MSP and AASHTO standards with sufficient width for a left turn lane, 2-thru lanes, and 1-right turn lane with channelization islands.
7. Street Improvement plans shall include signage and striping. Public Works must approve completed plans prior to construction.
8. 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 Traffic Engineering 501.379.1813, Greg Simmons, for more information.
9. The proposed public street should be constructed no closer than 600-feet from the South Bowman Road/West 36<sup>th</sup> Street intersection (arterial/arterial intersection) due to vehicle stacking and tapers for left turn lanes. The right-of-way should be within a 60-foot right-of-way. It is believed a future street will be desired to the west.
10. Stormwater detention ordinance applies to this property. A regional detention pond is proposed. What covenants and agreements are in place concerning enlargement of the facility, maintenance of the facility, shared

- ownership of the facility, etc.? The detention ponds should be placed in a private drainage easement.
11. Provide a letter prepared by a registered engineer certifying the sight distance at the proposed driveway and street intersections comply with 2004 AASHTO Green Book standards. Superelevation of South Bowman Road should be considered.
  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. Hammerheads should be designed to be at least 80 feet in length and the same width as the street at the end of Brook Forest Drive.
  14. 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. The applicant proposes to grade the entire property with construction of Phase 1. An advanced grading variance is required to be requested.
  15. Provide a Sketch Grading and Drainage Plan per Section 29-186 (e).
  16. Stormwater detention ordinance applies to this property. A regional detention pond is proposed. What covenants and agreements are in place concerning enlargement of the facility, maintenance of the facility, shared ownership of the facility, etc.? The detention pond should be placed within a private easement.
  17. If disturbed area is one (1) or more acres, obtain a NPDES stormwater permit from the Arkansas Department of Environmental Quality prior to the start of construction.
  18. Alteration of the water course will require approval from the Little Rock District of the US Army Corps of Engineers prior to start of work.
  19. 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 at 501.371.4646 for more information.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer main extension required, with easements, if sewer service is required for this project. Contact Little Rock Wastewater Utility for additional information.

Entergy: Entergy has a 3-phase power line running along the eastern side of South Bowman Road and northern side of West 36<sup>th</sup> Street. There are no lines on the preliminary plat. Contact Entergy in advance for service requirements,

line location and easement needs. If existing power lines need to be adjusted to accommodate road work or driveways, please communicate with Entergy early in the process.

Center-Point 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. 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.
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. Additional fire hydrant(s) will be required. Contact the Little Rock Fire Department to obtain information regarding the required placement of the hydrant(s) and contact Central Arkansas Water regarding procedures for installation of the hydrant(s).
6. A capital investment charge based on the size of meter connection(s) will apply to this project in addition to normal charges.

Fire Department: 26-foot drive lanes required, fire hydrants within 100-feet of FDC, 2-ways to enter and exit development, fire hydrants per code, no obstruction between fire hydrant, FDC and fire apparatus. Gates must be 20-feet wide. Contact Little Rock Department for additional information.

County Planning: No comment.

CATA: CATA has reviewed the plans submitted by your office on the above referenced area. The area is currently served by CATA at West 36<sup>th</sup> Street and South Shackelford Road approximately six (6) blocks away. The development consists of 609 apartment units. CATA has this corridor in mind for future expanded transit utilizing South Bowman Road and West 36<sup>th</sup> Street as corridors to serve the growing population. CATA requests consideration of pullouts and

sidewalks on South Bowman Road and West 36<sup>th</sup> Street near the entrance to the complex.

Parks and Recreation: No comment received.

F. ISSUES/TECHNICAL/DESIGN:

Building Code: Apartment complex shall meet Accessibility requirements including designated parking, building access and accessible dwelling units. For information on submittal requirements and the review process, contact a commercial plans examiner: Curtis Richey at 501.371.4724; [crichey@littlerock.org](mailto:crichey@littlerock.org) or Mark Alderfer at 501.371.4875; [malderfer@littlerock.org](mailto:malderfer@littlerock.org).

Planning Division: This request is located in the I-430 Planning District. The Land Use Plan shows Mixed Use (MX) for this property. This category provides for a mixture of residential, office and commercial uses to occur. A Planned Zoning District is required if the use is entirely office or commercial or if the use is a mixture of the three (3). The applicant has applied for a rezoning from R-2 (Single Family District) to PCD (Planned Commercial District) to allow for development of an apartment complex (at approximately 12-units/acre) and a commercial center on this site.

Master Street Plan: South Bowman Road and West 36<sup>th</sup> Street are Minor Arterials on the Master Street Plans. 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 West 36<sup>th</sup> Street and South Bowman Road. These streets 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 South 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. Street buffers will be required at six (6) percent of the average depth of the lot. The minimum dimension shall be one-half (1/2) the full width requirement but in no case less than nine (9) feet. Easements cannot count toward fulfilling this requirement. The plantings, existing and proposed, shall be provided within the City's Landscape Ordinance requirements.
3. Street buffer at Parcel B and Bowman Road should have an average of thirty-five (35) feet.
4. 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: (August 27, 2014)

Mr. Keith Richardson and Mr. Tim Daters were present representing the request. Staff presented an overview of the development stating this item and the previous item (The Church at Rock Creek Revised Long-form POD) were closely related and would be discussed together. Staff requested addition information concerning the request for the Church at Rock Creek. Staff stated there was also a preliminary plat which included two (2) tracts south of West 36<sup>th</sup> Street of which 6.89-acres of open space was being proposed to be included with the overall acreage of this development. Staff requested additional information concerning the construction materials of the proposed new multi-family units (the Pointe at Brodie Creek), the building heights and building elevations.

Staff noted on the site plan for the Church at Rock Creek there was a note indicating advanced grading. Mr. Daters stated the Church was proposing to grade an area on their site with the grading of this site. He stated this development was proposing to grade their entire site with the construction of the first phase of the multi-family.

Public Works comments were addressed. Staff questioned the proposed street construction to South Bowman Road and if the street construction would be phased. Mr. Richardson stated the improvements would be phased and stated the revised site plan would include the proposed phasing plan. There was a general discussion concerning the proposed public street and if the street met the intent of the Master Street Plan. Staff stated the new location of the proposed street did not meet the intent of the Master Street Plan and should the developments be approved a revision to the Master Street Plan would be required. Staff questioned the proposed stormwater detention plan. Mr. Richardson stated agreements would be in place between the two (2) property owners, the apartment development and the church, related to the capacity of the detention facility and maintenance of the facility.

Landscaping comments were addressed. Staff stated the development plans were to include landscaping to comply with the typical standards of the City's Landscape and Buffer Ordinances. Mr. Daters stated part of the request was to eliminate the previously required 50-foot land use buffer on the Church's western perimeter. He stated all other buffers would remain as previously approved.

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 and cover letter to staff addressing a number of the issues raised at the August 27, 2014, Subdivision Committee meeting. This item is related to a proposed revision to the adjacent property, the Church at Rock Creek Revised Long-form POD (Z-6556-B) in that several improvements proposed for this development will be completed in conjunction with grading and clearing on the church's property.

This request is to allow a rezoning of 31.07-acres from R-2, Single-family to PD-R to allow the development with multi-family housing. The approval will allow the development of 609-units contained within 15-buildings. Within the development there will be 287 1-bedroom units and 322 2-bedroom units. The buildings are proposed 2 and 3-stories in height. The maximum building height proposed is 35-feet.

The development is proposed with 234,919 square feet of building coverage (17.36% of the site), 443,724 square feet of pavement coverage (32.78% of the site) and 674,901 square feet of landscape/common area (49.86% of the site). There is also 6.89-acre located within a floodway located south of West 36<sup>th</sup> Street which will be maintained as open space to be included with this development.

The plan indicates a total of 1,150 parking spaces both covered and uncovered. 36-garage parking spaces are proposed and a maximum of 201-carport spaces are proposed. There will be 904-open parking spaces. Parking for a multi-family development is typically calculated at one and one-half (1 ½) parking spaces per unit. For a development containing 609-units 913-parking spaces would typically be required.

The buildings are proposed in 3 phases. Buildings F, G, H, I and J are proposed in Phase 1. Buildings A, B, C, D and E in Phase 2 and Buildings K, L, M, N and O are proposed in the third phase. The site plan includes a secondary access which will be constructed as a construction/emergency access during the first phase. At the completion of the final phase the access will be converted to an exit only access for the residents of the development.

The site plan indicates the placement of a development sign at the main entrance to the complex along South Bowman Road. The sign is proposed with a maximum sign height of six (6) feet and a maximum sign area of 72 square feet. Signage typically allowed in multi-family zones is six (6) feet in height and 24-square feet in area. The signage proposed is consistent with signage approved in similar type developments.

The street construction of South Bowman Road will be phased with the building phasing of the development. With the first phase of the apartment development South Bowman Road will be constructed to one-half of a 59-foot pavement width



to just south of the entrance drive. The plan includes the placement of a five (5) foot sidewalk with Phase II of the site development. With the second phase of the development the developer is proposing to dedicate the required right of way for South Bowman Road and pay an in-lieu for the construction cost of the street or if additional right of way is provided on the west side of South Bowman Road, the developer will provide 36-feet of pavement to be installed to the intersection of West 36<sup>th</sup> Street. With the first phase of the apartment development improvements to West 36<sup>th</sup> Street will be completed. The improvements to West 36<sup>th</sup> Street include a right turn lane constructed with 250-feet of stack and a 150-foot taper. The plan includes the placement of a right turn slip lane to accommodate north bound turning movements. With the Phase III construction improvements to West 36<sup>th</sup> Street to include 24-feet of pavement from centerline will be constructed along with curb, gutter and sidewalk.

Staff is supportive of the request. The site plan as presented provides for buffering and screening along the northern perimeter of the property to protect the adjacent single-family residence. The Master Street Plan indicates the placement of a collector street through this property. The applicant has indicated should zoning approval be gained prior to construction of the residential units an amendment to the Master Street Plan will be requested. To staff's knowledge there are no outstanding technical issues associated with the request. Staff feels the development of the site with multi-family is appropriate.

I. STAFF RECOMMENDATION:

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 future phases of building construction with the first phase of construction.

---

PLANNING COMMISSION ACTION:

(SEPTEMBER 18, 2014)

The applicant was present. There were no registered objectors present. Staff presented the item stating they and the applicant were working to resolve issues raised at the August 27, 2014, Subdivision Committee meeting. Staff presented a recommendation of deferral of the item to the October 30, 2014, public hearing.

There was no further discussion. The Chair entertained a motion for approval of the item as presented by staff. The motion was approved by a vote of 9 ayes, 0 noes and 2 absent.

PLANNING COMMISSION ACTION:

(OCTOBER 30, 2014)

The applicant was present. There were a number of registered objectors present. Staff presented the three items (Item D – Bowman Pointe Preliminary Plat S-1731, Item H – the Church at Rock Creek Revised Long-form POD Z-6886-B and the Bowman Point Long-for PD-R Z-6883-C) as a single item for discussion purposes. Staff presented a recommendation of approval of each of the items along with an associated variance for advance grading for the Church at Rock Creek and the Brodie Creek Long-form PD-R.

Mr. Tim Daters of White Daters and Associates was present representing the request. Mr. Daters stated the development included the Church at Rock Creek property, property owned by Mr. Richardson proposed for multi-family development and a preliminary plat to allow property owned by Mr. Richardson on the South side of West 36<sup>th</sup> Street to be subdivided into two (2) tracts. He stated a 7-acre area of floodway would be dedicated as open space. Mr. Daters stated the development would include improvements to South Bowman Road and to West 36<sup>th</sup> Street. Mr. Daters stated on West 36<sup>th</sup> Street additional paving would be added to allow traffic to flow northward on South Bowman Road during peak times of church dismissal. He stated the multi-family portion of the development would include areas of green space and courtyards. Mr. Daters stated improvements to the intersection of South Bowman Road and West 36<sup>th</sup> Street would not be completed at this time. He stated the exact alignment of the intersection had not been determined by the City. He stated the desire was to soften the curve in South Bowman Road. He stated the current right of way did not allow for the improvements to be completed. He stated the developer would complete all the improvements required by the Boundary Street Ordinance with the development of particular phases.

Ms. Daniel Norwood of Richsmith Development addressed the Commission on the particulars of the development. She stated the development was proposed on a similar style as the development across South Bowman Road. She stated the units would be a little smaller and the amenities would be a little less but the units would still be high end units. She stated as the units were being leased across the street they found there were a number of residents that would like to live in the area but did not want to pay as high a rent as the existing development commanded. She stated this development would allow those potential residents an option for west Little Rock living. She stated the development would be constructed in phases. She stated as each phase was nearing full lease out the next phase would be started.

Ms. Carolyn Bolin addressed the Commission with concerns. She stated her property was located on West 36<sup>th</sup> Street and questioned what would happen to their property. She questioned the street improvements to South Bowman Road and West 36<sup>th</sup> Street at this intersection.

Ms. Carolyn Powers addressed the Commission in opposition of the request. She stated she objected to 609-apartments behind her house. She stated the area to the north was a quiet residential neighborhood and the development was too dense for the area.

Mr. Brad Adrens addressed the Commission in opposition of the request. He stated his home was located at 11207 Shady Ridge Drive. He stated he was concerned with the development. He questioned if the development would take access through the single-family subdivision. He stated if access was allowed this would change the character of the single-family subdivision.

Ms. Samantha Wesley addressed the Commission in opposition of the request. She provided the Commission with a petition from the neighborhood. She stated she did not speak to everyone in the neighborhood but all the residents she spoke with were opposed to apartments behind their home. She stated the notice form mailed to the residents was very misleading and stated the Commission may want to reconsider their notification requirements. She stated the development was too intense and would change the character of the neighborhood. She requested the area remain zoned for single-family and develop the area with single-family homes. She stated the development would strain the infrastructure, stain the waterways and increase traffic.

Mr. Jaheon Koo addressed the Commission in opposition of the request. He stated the residents were concerned with the loss of their green belt, the loss of their critters and were concerned with the potential impacts on their adjacent homes. He stated he felt the area should develop with single-family homes.

Mr. Daters stated the Land Use Plan indicated the property for MX or Mixed Use. He stated the development had contained a commercial aspect at the intersection of South Bowman Road with West 36<sup>th</sup> Street but was removed when the improvements to West 36<sup>th</sup> Street and South Bowman Road could not be settled with the City. He stated the improvements to South Bowman Road would include reducing the tightness of the existing curve. He stated additional right of way was necessary to remove the curve but the curve could be softened with the existing right of way.

Commissioner Nunnley questioned the need for advanced grading of this site as well as the Church site. Mr. Daters stated the advanced grading was necessary to remove a hill on the Church's property and allow for a driveway to extend to West 36<sup>th</sup> Street to aid in the church members exiting the site during peak times. He stated the apartment development was asking to advance grade to allow the entire site to balance. Commissioner Nunnley questioned the time frame for construction of the apartment buildings. Mr. Daters stated once the building was nearing full lease out, the next building would be started. He stated the entire development would be completed within 24-months. Commissioner Nunnley questioned staff of the requirements for the advanced grading. Staff stated the site was required to be seeded and vegetated and not allowed to remain as a dirt covered field.

There was a general discussion concerning traffic in the area and if the existing infrastructure could handle the traffic. Mr. Daters stated South Bowman Road was an arterial and West 36<sup>th</sup> Street was a collector street. He stated there were options for the residents in the area which did not include accessing the intersection of South Bowman Road and Kanis Road.

Staff stated at the intersection of West 36<sup>th</sup> Street and South Bowman Road did not carry a large volume of traffic. Staff stated 7700 vehicles per day were at this intersection. Staff stated the volume of traffic on Kanis was 17,000 vehicles per day and on Vimy Ridge Road there were 10's of thousands of vehicles per day. Staff stated at some point this area would potentially become a public project but at this point the City was going to put its money where the largest number of cars were located.

The Commission continued a general discussion concerning the condition of the existing streets and their ability to handle the traffic volumes. The Commission noted there were no paved shoulders on South Bowman Road and when emergency vehicles traveled the area there was nowhere for vehicles to move out of the way. Commission Brock stated he traveled this road frequently and the emergency vehicles maneuvered as best they could but did not appear to have a problem with the condition of the road.

The Commission discussed providing housing for the residents and providing housing in areas the residents wanted to live. The Commission stated it was important to provide diversity in housing types in all areas of the City. The Commission noted they were not comfortable with the number of units proposed with this development in addition to the number of units currently being developed across South Bowman Road.

Mr. Daters stated this was the first he had heard of the street condition being a problem. He stated staff did not raise traffic volumes as an issue during the review process. He stated if density was a concern he was willing to defer the item to allow a review of the overall density and determine if the development could still occur with fewer units.

A motion was made to defer the item, at the applicant's request, to the December 18, 2014, public hearing. The motion carried by a vote of 11 ayes, 0 noes and 0 absent.

---

**STAFF UPDATE:**

The applicant has submitted a revised site plan to staff reducing the number of units from 609-units to 500-units. For the most part the development has not changed significantly. The following highlights the changes proposed:

The development is proposed in three (3) phases. Phase 1 includes the construction of the clubhouse, leasing office and 189-units. Phase 2 consists of the construction of 187-units and in the final phase 124-units will be constructed. The applicant has indicated the buildings will be three (3) story buildings with a maximum building height of 40-feet. The site plan includes the placement of covered parking and garages at various locations throughout the site.

The site plan indicates a secondary access to the site to be developed with the first phase of construction. The access will act as secondary access for emergency personnel for the first two phases of the development. In the third phase the access will be converted to a gated entry and exit to the development and allow residents two access points for entering and departing the site.

The revised plan indicates an 80-foot undisturbed buffer along the northern perimeter of the site. In addition the site plan indicates an additional 20-foot landscape strip.

The street construction of South Bowman Road continues to be as previously proposed. The construction will be phased with the building phasing of the development. With the first phase of the apartment development South Bowman Road will be constructed to one-half of a 59-foot pavement width to just south of the entrance drive. The plan includes the placement of a five (5) foot sidewalk with Phase II of the site development. With the second phase of the development the developer is proposing to dedicate the required right of way for South Bowman Road and pay an in-lieu for the construction cost of the street or if additional right of way is provided on the west side of South Bowman Road, the developer will provide 36-feet of pavement to be installed to the intersection of West 36<sup>th</sup> Street. With the first phase of the apartment development partial improvements to West 36<sup>th</sup> Street will be completed. The improvements to West 36<sup>th</sup> Street include a right turn lane constructed with 250-feet of stack and a 150-foot taper. The plan includes the placement of a right turn slip lane to accommodate north bound turning movements. With the Phase III construction final improvements to West 36<sup>th</sup> Street to include 24-feet of pavement from centerline will be constructed along with curb, gutter and sidewalk.

Staff continues to support the request. The development is proposed with 500-units of multi-family housing constructed on 31.07-acres. The overall site development includes 17.36 percent of building coverage, 32.78 percent of paved area and 49.86 percent of landscaped area. The development is proposed containing 16.09 units per acre. 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 advanced grading of the site with the development of the first phase and staff recommends approval of the applicant's proposed phasing plan for street construction.

---

PLANNING COMMISSION ACTION:

(DECEMBER 18, 2014)

The applicant was present. There were registered objectors present. Staff presented the item with a recommendation of approval. This item as well as Items C and D, S-1731 and Z-6886-B were discussed as a single item but three (3) separate votes were taken on the items.

The discussion of these three items was primarily related to this development of this site with multi-family housing. Staff presented the item stating the applicant had reduced the number of units proposed for the development from 600 to 500 units. Staff stated the developer had also indicated the secondary access located along the southern portion of the site would be developed as a full access for the development with the completion of the final phase.

Mr. Keith Richardson addressed the Commission as the developer. He stated his intent was to develop a Class 'A' project similar to his development across South Bowman

Road. He stated the development would be a gated controlled development. He stated the rents would range from \$820.00 to \$1,125.00 per month.

Mr. Tim Daters addressed the Commission on the merits of the request. He stated the plan indicated the placement of an 80-foot undisturbed buffer along the northern perimeter and an additional 20-foot planted landscape buffer. He stated the developer had hired Peters and Associates to prepare a traffic study for the site. He stated the conclusion was the increase in traffic after this development would not significantly change traffic and congestion in the area. He stated with the traffic analysis the traffic engineer also looked at the intersection of Kanis and Bowman Roads. He stated the intersection was not current in the City's funding cycle for improvements. He stated once the improvements were completed to the Kanis/Bowman Roads intersection traffic delays in the area would be significantly reduced. He stated the current level of service for the intersection was a Level of Service D and after full development of the multi-family units under consideration the level of service at the intersection would remain a Level of Service D. He stated with the improvements both with and without the development of the multi-family development the level of service at the intersection would be increased to a Level of Service C.

Ms. Samantha Wesley addressed the Commission in opposition. She stated the developers had met with the neighborhood and had provided a number of concessions to the residents. She stated even with the modifications she did not feel the development was a fit for the area. She stated she felt the developers and the City should try to redo the existing multi-family developments and make residents want to stay in the multi-family developments instead of building new apartment buildings. She stated she did not want to devastate a neighborhood by the construction of more and more multi-family units.

Mr. Grover Bolin, Jr. addressed the Commission with concerns. He stated traffic in the area was already heavy and he questioned the addition of 500 apartments and the impact of the new development on traffic. He stated getting out of his driveway was already a difficult task and he felt before any new development occurred the street infrastructure should be completed.

Ms. Carolyn Bolin addressed the Commission with concerns. She stated West 36<sup>th</sup> Street was a narrow street with open ditches for drainage. She stated the street was a hazard. She stated before any new construction the street should be widened.

Mr. Monte Savoy addressed the Commission in support of the request. He stated the developer had met with the neighborhood and had made a number of concessions. He stated the increase in the buffer, the decrease in the number of units and the agreement to not connect to the subdivision were very critical issues to the residents of the neighborhood. He stated there were still concerns with the development and the increase in traffic. He stated traffic would always be a challenge based on the current practices of the City for street construction.

Brad Ahrens addressed the Commission in opposition of the request. He stated without widening the street it was difficult to approve a development of this intensity. He stated one of the tremendous concerns of the neighborhood was the narrowness of Bowman Road and a narrow bridge just before entering the subdivision. He stated the bridge was narrow and was difficult for two cars to pass. He stated there was no pedestrian access over the bridge when cars were crossing. He stated the intersection of South Bowman Road and Kanis Road was severely congested and without improvements adding additional multi-family would only increase congestion in the area.

There was a general discussion of the Commission with Mr. Daters concerning the traffic analysis and the traffic volumes in the area. Mr. Daters once again stated the traffic volume with the development would not significantly impact the existing traffic counts in the area. He stated based on the analysis a number of the residents of the apartment development would travel south and use West 36<sup>th</sup> Street and/or Colonel Glenn Road.

The Commission questioned the time frame for build-out. Mr. Daters stated the full build-out was expected in two (2) to three (3) years. He stated as each phase was brought on-line a subsequent phase would begin construction.

Commissioner Berry questioned staff as to the status of the funding for the improvements at the Kanis Bowman Road intersection. Staff stated the improvements were not in the current funding cycle. Staff stated in 2015 a project list would be completed for the 2016, 2017 and 2018 funding cycle. Staff stated this was subject to Board of Directors approval. The Commission questioned if any State funding was available for street widening. Staff stated currently there was not.

The Chair entertained a motion for approval of this item as presented by staff, including the variance request from the City's Land Alteration Ordinance to allow advanced grading. The motion carried by a vote of 10 ayes, 0 noes and 1 absent.