

FILE NO.: Z-9270

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NAME: Gardner Short-form PD-R

LOCATION: Located at 900 North Polk Street

DEVELOPER:

Gardner Custom Homes  
c/o Steve Gardner  
820 North Harrison Street  
Little Rock, AR 72205

SURVEYOR/ENGINEER:

Marlar Engineering Co., Inc.  
5318 John F. Kennedy Boulevard  
North Little Rock, AR 72116

AREA: 0.25 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 3

PLANNING DISTRICT: 4 – Heights/Hillcrest

CENSUS TRACT: 15.01

CURRENT ZONING: R-3, Single-family

ALLOWED USE: Single-family residential

PROPOSED ZONING: PD-R

PROPOSED USE: Two (2) residences on a single lot

VARIANCE/WAIVERS: None requested.

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A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is proposing the rezoning of the property located at 900 North Polk Street from R-3, Single-family to PD-R, Planned Development Residential, to allow two (2) homes on this single parcel. The property currently has three (3) separate structures consisting of a detached rear yard garage, a single-family residence and a front yard detached building that was once a neighborhood store. The applicant is requesting the PD-R zoning to allow the old store front to be renovated into a one (1) bedroom studio apartment. An addition to the store

front building will be placed on the western end of the building to allow for a bath to be added. The applicant indicates the existing residences will be rehabilitated or will be razed and a new home constructed on the site. The existing detached garage will be renovated or if not structurally sound will also be razed and a new garage constructed in a similar location.

B. EXISTING CONDITIONS:

The site contains a single-family residence, a detached garage and building located at the intersection of H and Polk Streets originally built as a non-residential structure. Holy Souls School is located to the east of the site and the Allen School is located to the southeast of the site. With the exception of these two (2) uses this area is predominately single-family. There are single-family homes located to the north and south of the site. Further west, along H Street, is the Fletcher Library.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200-feet of the site along with the Hillcrest Residents Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. A driveway apron should be constructed from edge of pavement to at least the sidewalk. All driveways shall have concrete aprons per City Ordinance.

E. Utilities/Fire Department/Parks/County Planning:

Little Rock Water Reclamation Authority: Sewer service required for each lot if subdivided. Sewer main extension may be required. Contact Little Rock Water Reclamation Authority for additional information.

Entergy: Entergy does not object to this proposal. There do not appear to be any conflicts with existing electrical utilities based on the information provided. There is an existing three phase power line running along the north side of Polk Street adjacent to this property, and another single phase line running along the west side of the property. Service is already being provided to the existing structures. Contact Entergy in advance to discuss electrical service requirements, or adjustments to existing facilities (if any) as this project proceeds. If construction takes place in the vicinity of the power lines, then OSHA and NESC clearance requirements must be maintained during and after construction.

Centerpoint 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 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. 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. 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).
5. 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.
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: No comment.

Parks and Recreation: No comment received.

County Planning: No comment.

F. Building Codes/Landscape:

Building Code: No comment.

Landscape: No comment.

G. Transportation/Planning:

Rock Region Metro: The site is not located on a dedicated Rock Region Metro Route.

Planning Division: This request is located in Heights Hillcrest Planning District. The Land Use Plan shows Residential Low Density (RL) for this property. The Residential Low Density is for single-family homes at densities no greater than six (6) dwelling units per acre. The applicant has applied for a rezoning from R-2 (Single-family District) to PRD (Planned Residential Development) to allow two (2) residences on a single lot. The request is within the Hillcrest Overlay District.

Master Street Plan: East side of the property is North Polk Street and it is shown as a Local Street. The south side of the property is H Street and it is shown as a Collector 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". A Collector design standard is used for Commercial Streets. The primary function of a Collector Road is to provide a connection from Local Streets to Arterials These streets 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. SUBDIVISION COMMITTEE COMMENT: (November 1, 2017)

Mr. Steve Gardner was present representing the request. Staff presented an overview of the item stating there were few outstanding technical issues in need of addressing related to the proposed development. Staff requested Mr. Gardner revise the site plan to include the addition for the proposed residence located in the former non-residential building.

Public Works comments were addressed. Staff stated the driveway apron was to be constructed from edge of pavement to at least the sidewalk as a concrete apron.

Staff noted the comments from the various other departments and agencies. Staff suggested the applicant contact the departments or agencies directly with any questions or concerns. There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.

I. ANALYSIS:

The applicant submitted a revised site plan to staff addressing the technical issues raised at the November 1, 2017, Subdivision Committee meeting. The applicant has provided the revised plan to include the proposed addition to the former non-residential building. The applicant has also noted the driveway apron will be constructed with concrete.

The request is a rezoning of the property from R-3, Single-family to PD-R, Planned Development Residential, to allow two (2) homes on a lot. The applicant is proposing to convert a former non-residential building into a second residential unit. The existing home located on the site will be rehabbed if the building is structurally sound. If found to not be structurally sound the applicant is proposing to remove the existing home and construct a new home with a similar building footprint as the existing home. The applicant notes if there is new construction the home will range in size from a 1,000 square foot to a 2,158 square foot building envelope. The applicant notes there may be a desire to add a second level if a new home is constructed. Should the existing home be removed the applicant has

indicated a five (5) foot side yard setback will be provided along the northern property line.

The existing non-residential building is proposed as a studio apartment containing roughly 500 square feet. An addition to the existing structure will be placed along the western façade of the building to allow for a plumbing wall. This will then allow for the addition of a bathroom and allow for a kitchen to be added within the existing square footage. The addition is proposed as eight (8) feet by 16.4-feet.

The existing detached garage will be renovated or if not structurally sound will also be razed and a new garage constructed in a similar location. The garage is located along the western portion of the lot. The garage is located 1.2-feet from the right of way of H Street. Should the garage be removed the new construction will be placed in a similar location as the current placement. The garage is proposed as 22-feet by 22-feet. The drive will be realigned and will enter the garage from the eastern side of the building, removing the need to back into H Street.

Staff is supportive of the applicant's request. The property is located within the Hillcrest Design Overlay District which has specific development criteria related to building placement, coverage and massing of structures. The current and proposed development will comply with the massing and building coverages of the Design Overlay District. The setback for the garage and the non-residential do not meet the typical setbacks required of the underlying zoning district or the Design Overlay District. To staff's knowledge there are no outstanding technical issues in need of addressing related to the site plan or the proposed reuse of the property. Staff feels the rezoning to allow the placement of two (2) residences on the single lot is appropriate.

J. 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.

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PLANNING COMMISSION ACTION:

(NOVEMBER 30, 2017)

The applicant was present. There were two (2) registered objectors present. Staff presented the item with a recommendation of 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.

Mr. Steve Gardner addressed the Commission on the merits of his request. He stated his desire was to rezone the property to allow the placement of two (2) residence on a single lot. He stated the existing home would be rehabbed and if found to not be structurally sound then the home would be removed. He stated the existing store front

would be converted into a residential unit. He stated the existing garage would be removed and rebuilt in the same location with a slightly larger footprint. He stated his desire was to revitalize the site and bring the old store front back into a productive use.

Mr. Lyle Coybill addressed the Commission in opposition of the request. He stated his home was located across the street from the proposed development. He stated his concern was the site would become a multi-family dwelling place. He stated if the new owner decided to he could turn the store front into an Air B & B. He stated if this was the case then the neighborhood would not know who was living/renting the place. He stated he was also concerned with lead base paint and asbestos. He stated the site was located across the street from Holy Souls School and the Francis Allen School. He stated the asbestos could impact the children of the nearby school and the neighborhood. He stated Mr. Gardner should be required to test the structures by a specialist removal comply to ensure compliance with all state and local laws. He stated the existing store front was located to close to the fire hydrant and the hydrant would have to be removed. He stated the old store font was located at the intersection of Polk and H Streets which created a bind spot for the students of the two (2) schools. He stated there were no sidewalks located on this portion of H Street. He stated the students walked to the library and did not have a sidewalk to travel. He stated multi-family would bring down property values in the area. He stated with two (2) units there would potentially be seven (7) to eight (8) vehicles. He stated there was no street parking on H Street adjacent to the site. He stated the number of vehicles created a concern. He stated he was trying to protect the students and felt this development was not good for the students or the homeowners in the area.

Mr. Robert Black-Ocken addressed the Commission in opposition of the request. He stated he lived at 824 North Polk Street. He stated his concerns were the same as Mr. Coybill's. He stated asbestos was a concern. He stated the developer should be required to hire a contractor to remove the structure. He stated he was also concerned with the future of the site should Mr. Gardner sell the homes.

Mr. Gardner stated his intention was to redevelop the site and sell the units. He stated the homes would not be sold individually but as a pair. He stated the store front could be used as a home office, an in-laws quarters or a bonus room. He stated the property would not be multi-family. He stated the use would be a primary residence and an accessory unit. He stated the future owner could rent the accessory dwelling or use as additional living space. He stated if a new home was constructed it would be period home. He stated he had met with a fire fighter and he had indicated the fire hydrant would not require removal. He stated he did not see any reason to tear down the store front just because it was old. He stated if this was the case then most of Hillcrest was in danger of being removed.

Commissioner Dillon stated she had concerns with two (2) homes on the single lot. She questioned if this had been done before. Staff stated the Commission had approved numerous request to allow two (2) homes on a single parcel. Staff stated typically this was carriage homes or garage apartments. She stated in most cases these were in the back and in this case the second residence was in front of the home.

There was a general discussion of the Commission of the use and the previous use of the property. It was noted the store front was a candy store in the distance past. The Commissioners questioned if there would be separate meters for the units. Mr. Gardner stated there would not be separate meters for the units. He stated one (1) electrical and one (1) water meter would serve the home and the accessory dwelling.

There was no further discussion. The chair entertained a motion for approval of the item as presented by staff. The motion carried by a vote of 7 ayes, 1 noes and 3 absent.