

FILE NO.: Z-8098-A

NAME: Palmer Revised Short-form PD-R

LOCATION: Located at 2919 – 2921 Lee Street and 1312 Kavanaugh Boulevard

DEVELOPER:

Patricia Palmer
143 Ridge Road
Little Rock, AR 72207

OWNER/AUTHORIZED AGENT:

Patricia Palmer, Owner
Julie Daggett, Agent

SURVEYOR:

Brooks Surveying, Inc.
20820 Arch Street Pike
Hensley, AR 72065

AREA: 0.25 acres NUMBER OF LOTS: 1 FT. NEW STREET: 0 LF

WARD: 3 PLANNING DISTRICT: 4 – Heights/Hillcrest CENSUS TRACT: 15.02

CURRENT ZONING: PD-R

ALLOWED USES: Addition of a third unit

PROPOSED ZONING: Revised PD-R

PROPOSED USE: Creation of two (2) lots and add a 2nd floor to the smaller residential unit

VARIANCE/WAIVERS: None requested.

BACKGROUND:

Ordinance No. 19,637 adopted by the Little Rock Board of Directors on November 21, 2016, allowed the rezoning of this property from R-3, Two-family District to PD-R, Planned Development Residential to allow the addition of third residential unit on the site. The property was constructed in 1928 as a duplex with an outbuilding located in the rear yard

area. The outbuilding was being used as an art studio and for storage. The proposal was to convert the outbuilding into a studio apartment and guest quarters. The site contained two (2) parking spaces extending from Lee Street and one (1) new space was proposed adjacent to the accessory building accessed from the existing alley.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The current request is to revise the previously approved PD-R, Planned Development Residential, to allow for the creation of a two (2) lot plat and allow a second floor addition to the studio apartment. The plat would allow the duplex to be located on a lot and allow the studio to be located on a separate lot. The second floor addition would primarily raise the roof of the existing studio apartment. The maximum building height proposed is 20-feet.

B. EXISTING CONDITIONS:

The site contains an existing duplex structure and a smaller building which has been converted to a residential use located in the rear yard fronting on Kavanaugh Boulevard. There is a paved alley extending across this property to the property located to the east of the site to allow residents access to a parking area. A drive is located in the front yard area extending from Lee Street to allow parking for two (2) to three (3) cars. Uses in the area include multi-family and single-family. There are a number of duplex structures located east of this site and the building located immediately east of the site contains five (5) units.

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:

No comment.

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

Little Rock Water Reclamation Authority: Sewer available to this site. Separate sewer service required for each lot.

Entergy: Please contact Entergy in advance to discuss electrical line locations in the vicinity of the accessory dwelling where the proposed addition is to be built. There is an overhead power line within a few feet of this building. NESC and OSHA required clearances must be maintained to the power lines during and after construction of the structure addition. Entergy does not object to the proposed lot split.

Centerpoint Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water: No objection.

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 located on Rock Region Metro route #1 – the Pulaski Heights route.

Planning Division: This request is located in the Heights Hillcrest Planning District. The Land Use Plan shows Residential Low Density (RL) for the application area. The Residential Low Density category provides for single family homes at densities not to exceed six (6) units per acre. Such residential development is typically characterized by conventional single family homes, but may include patio or garden homes and cluster homes, provided that the density remain less than six (6) units per acre. The applicant has applied for revision to an existing PDR (Planned Development Residential) to allow a lot split and to allow a second floor addition to the accessory dwelling. The request is in the Hillcrest DOD (Design Overlay District).

Master Street Plan: North of the property is Lee Avenue and it shown as a Local Street on the Master Street Plan. South of the property is Kavanaugh Boulevard and it is shown as a Collector on the Master Street Plan. The primary function of a Collector is to provide a connection from Local Streets to Arterials. 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. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: There is a Class III Bike Route shown on Kavanaugh Boulevard. These bike routes require no additional right-of-way, but either a sign or pavement marking to identify and direct the route.

H. SUBDIVISION COMMITTEE COMMENT: (June 6, 2018)

The applicant was present representing the request. Staff presented an overview of the item stating there were additional items necessary to complete the review process. Staff requested the maximum building height proposed. The applicant stated 20-feet. Staff also questioned parking for the smaller dwelling unit. The applicant stated there was a parking pad in the yard adjacent to Kavanaugh Boulevard. She stated there was a four-plex located to the south of this site. She stated the residents of the four-plex parked in the existing alley.

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:

There were no outstanding technical issues associated with the request in need of addressing via a revised site plan raised at the June 6, 2018, Subdivision Committee meeting. The request is to revise the previously approved PD-R, Planned Development Residential, to allow the creation of a two (2) lot plat and allow a second floor addition to the studio apartment.

The plat approval allows the duplex to be located on a lot and the studio on a second lot. The total lot area currently is 7,685 square feet. With the lot split the duplex lot is proposed containing 5,185 square feet and the studio lot is proposed containing 2,500 square feet.

The applicant is proposing a second floor addition to the studio. The proposal is to raise the roof of the existing structure to a maximum building height of 20-feet. The applicant is proposing a six (6) foot by fourteen (14) foot addition along the southern wall of the studio. The addition will extend the structure to within ten (10) feet of the southern (along Kavanaugh Boulevard) property line. Currently the building setbacks along the eastern (alley) and western (Kavanaugh Boulevard) perimeters are minimal, zero and two (2) feet respectively. With the addition along the southern side of the building there is little area left for the rear yard parking which currently exist for the studio.

Staff is not supportive of the applicant's request. The applicant is seeking approval to allow the creation of two (2) lots, both of which are substandard based on the underlying R-3, Single-family zoning. With the proposed addition to the studio lot there is limited outdoor living space. Staff does not feel the request is appropriate.

J. STAFF RECOMMENDATION:

Staff recommends denial of the request as filed.

PLANNING COMMISSION ACTION:

(JUNE 28, 2018)

The applicant was present. There were registered objectors present. Staff presented the item stating the applicant had submitted a request dated June 27, 2018, requesting deferral of this item to the August 9, 2018, public hearing. Staff stated the applicant indicated additional time was needed to review staff's recommendation and potentially meet with the neighbors. Staff stated they were supportive of the deferral request. Staff stated the deferral request would require a waiver of the Commission's By-laws with regard to the late deferral request. The chair entertained a motion for approval of the By-law waiver with regard to the late deferral request. The motion carried by a vote of 9 ayes, 0 noes, 1 absent and 1 recusal (Commissioner Laha). The chair entertained a motion to approve the deferral request as recommended by staff. The motion carried by a vote of 9 ayes, 0 noes, 1 absent and 1 recusal (Commissioner Laha).

STAFF UPDATE:

The applicant has amended the request and is no longer requesting to subdivide the property. The applicant is however continuing to request a second floor addition to the studio apartment located along Kavanaugh Boulevard. The proposal is to raise the roof of the existing structure to a maximum building height of 20-feet. The applicant is proposing a six (6) foot by fourteen (14) foot addition along the southern wall of the studio. The addition will extend the structure to within ten (10) feet of the southern (along Kavanaugh Boulevard) property line. Currently the building setbacks along the eastern (alley) and western (Kavanaugh Boulevard) perimeters are minimal, zero and two (2) feet respectively.

Staff is supportive of the applicant's request. The request to allow the addition of a second floor and a small addition to the building envelope does not increase the intensity of the site. The site was previously approved with three (3) residential units. Although the addition does decrease the setbacks for the lot along Kavanaugh Boulevard there are a number of units in this area along Kavanaugh Boulevard which have little to no building setback.

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.

PLANNING COMMISSION ACTION:

(AUGUST 9, 2018)

The applicant was present. There were two (2) registered objectors present. Staff presented 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.

Ms. Julie Daggett addressed the Commission on the merits of her request. She stated she was seeking to add onto the existing studio apartment. She stated the addition was roughly 60 square feet. She stated the roof pitch would be changed to allow for attic

storage space. She stated currently there was no room to stand up in the space and with the redesigned roof this would allow for standing and storage. She stated the only change to the north face of the building would be the addition of a window. She stated existing trees would be maintained and the roof was being carved out to save an existing tree on the site. She stated the addition to the building envelope was a four (4) foot by 14.5-foot addition. She stated with the redevelopment a parking pad would be added and with the bump out this would create a small covered porch. She stated the building now was not very attractive. She stated with the upgrades the unit would look more like a cottage.

Carolyn Newberg addressed the Commission in opposition of the request. She stated her home was on Ozark Point a few blocks from the site. She stated parking in the area was difficult. She stated the Design Overlay District was put in place to protect the neighborhoods. She stated variances from the Overlay without a hardship lessened the enforcement of the Overlay. She stated recently there was a commercial development along Kavanaugh that did need the variance for the hardship. She stated she was concerned with the massing and the floor area ratio for the development, two (2) important criteria of the Overlay. She stated the minimum needs of Hillcrest should be remembered. She stated the area was a Historic Neighborhood and it was important to keep the integrity of the neighborhood.

Terry Cowan addressed the Commission in opposition of the request. She stated her home was on Lee Street east of this site. She stated parking in the area was a challenge. She stated the tenants of the duplex often park on the street on the side which as signed for no parking. She stated when the studio was converted they were told the reason for the conversion was to allow the owners daughter a place to stay when in town. She stated often cars of the studio parked on the sidewalk forcing walkers onto the busy street. She stated even though the addition did not look that big there would be an impact on the neighborhood. She questioned if the foundation would support a second level.

Ms. Daggett stated there was never any indication the studio was for her. She stated she was going to architecture school and was not living in Little Rock. She stated her mother was going to Colorado to live with her sister for a time and was not living in the studio. She stated she was a young college student going to architecture school and ask her mother to allow her this project. She stated the units were her mother's sole means of income so rental was always the plan. She stated if the foundation would not support the second level then the project would not move forward. She stated the addition was a four (4) foot by 14.5 foot addition for roughly 60 square feet. She stated there was on-site parking and if there were additional cars then there was street parking on Kavanaugh.

A motion was made to approve the request as recommended by staff. The motion carried by a vote of 9 ayes, 1 noes and 1 absent.