

FILE NO.: Z-9154-A

NAME: Phillips Duplexes Short-form PD-R

LOCATION: Located at the Northwest corner of Holt and West 38th Streets

DEVELOPER:

Stanley Phillips
c/o Kwendeche, AIA
2124 Rice Street
Little Rock, AR 72202

SURVEYOR:

Harbor
8114 Cantrell Road, Suite 350
Little Rock, AR 72227

AREA: 0.499 acres NUMBER OF LOTS: 1 zoning lot FT. NEW STREET: 0 LF

WARD: 6 PLANNING DISTRICT: 11 – I-430 CENSUS TRACT: 24.05

CURRENT ZONING: R-2, Single-family

ALLOWED USES: Single-family residential

PROPOSED ZONING: PD-R

PROPOSED USE: Two (2) duplex units

VARIANCE/WAIVERS: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is requesting a rezoning from R-2, Single-family to PD-R, Planned Development Residential, to allow the development of two (2) existing platted lots with two (2) residential duplex units with off-street parking. The new units (2 attached units with four (4) separate tenants) as a one-story flat reinforced concrete slab; thermal insulated wood-framed structure clad with vinyl siding, vinyl clad thermal glazed windows and a hip roof clad with asphalt shingles. Six (6) concrete paved car slots are to be constructed on the east side of the property.

B. EXISTING CONDITIONS:

This area of Holt Street is primarily single-family detached homes. The streets (West 38th and Holt Streets) are substandard streets with no curb and gutter and open ditches for drainage. There has been little to no new single-family or two-family construction taken place in this area in the recent past. There are single-family homes located to the north, south and west of this site. There are also single-family homes located to the east of the site along Holt Street.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200-feet of the site and the John Barrow Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Holt Street is classified on the Master Street Plan as a residential street. A dedication of right-of-way 25 feet from centerline will be required.
2. A 20 foot radial dedication of right-of-way is required at the intersection of Holt Street and West 38th Street.
3. The driveway should be moved further north to not place the parking spaces on two (2) lots or plat a shared access easement on Lots 7 and 8.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Little Rock Wastewater: Sewer available to this site. Separate service required for each lot. Contact Little Rock Wastewater Utility for additional information.

Entergy: Entergy does not object to this proposal. A single phase power line exists on the west side of this property. One single phase line is on the southwest corner of the property and another one is close to the northwest corner of the property. There do not appear to be any existing conflicts with Entergy facilities on this property. Contact Entergy in advance to discuss future service requirements, new facilities locations and adjustments to existing facilities (if any) as this project proceeds.

Centerpoint Energy: No comments received.

AT & T: No comments received.

Central Arkansas Water: No objection. All Central Arkansas Water requirements in effect at the time of request for water service must be met.

Fire Department:

1. Maintain fire apparatus access roads at fire hydrant locations as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D103.1 Access road width with a hydrant.
2. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders.
3. Grade. Maintain fire apparatus access roads as per Appendix D of the 2012 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.
4. Loading. Maintain fire apparatus access road design as per Appendix D of the 2012 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.
5. Gates. Maintain fire apparatus access road gates as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:
 - a. Minimum gate width shall be 20 feet.
 - b. Gates shall be of swinging or sliding type.
 - c. Construction of gates shall be of material that allow manual operation by one person.
 - d. Gate components shall be maintained in an operable condition at all times and replaces or repaired when defective.
 - e. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official.
 - f. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools or when a key box containing the keys to the lock is installed at the gate location.
 - g. Locking device specifications shall be submitted for approval by the fire code official
 - h. Electric gate operators, where provided, shall be listed in accordance with UL 325.
 - i. Gates, intended for automatic operation shall be designed, constructed and installed to comply with requirements of ASTM F 2200.

6. Fire Hydrants. Locate Fire Hydrants as per Appendix C of the 2012 Arkansas Fire Prevention Code. Section C101 – C105, in conjunction with Central Arkansas Water (Jason Lowder 501.377.1245) and the Little Rock Fire Marshal's Office (Capt. Tony Rhodes 501.918.3757 or Capt. John Hogue 501.918.3754). Number and Distribution of Fire Hydrants as per Table C105.1.

Parks and Recreation: No comments received.

County Planning: No comment.

Rock Region Metro: Location is served currently by Route 9, John Barrow and Route 14, Rosedale. We have no objection to increased housing in this neighborhood and encourage the redevelopment of vacant lots close to transit.

F. ISSUES/TECHNICAL/DESIGN:

Building Code: Project is subject to residential plan review and approval prior to issuance of a building permit. Contact the permit desk at 501.371.4832 for requirements.

Planning Division: This request is located in I-430 Planning District. The Land Use Plan shows Residential Low Density (RL) for this property. Residential Low 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 remain less than 6 units per acre. The applicant has applied for a rezoning from R-2 (Single-family) to PD-R (Planned District Residential) to allow the development of two (2) buildings of duplex housing on two (2) existing platted lots.

Master Street Plan: To the east of the property is Holt Street, to the south of the property is West 38th Street and they are both Local Streets 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. 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.

Landscape: No comment.

G. SUBDIVISION COMMITTEE COMMENT: (August 31, 2016)

Kwendeche was present representing the request. Staff presented an overview of the item stating there were few outstanding technical issues associated with the request. Staff stated the development was proposed with two (2) buildings of duplex housing located on two (2) platted lots. Staff stated the units would share parking located with access from Holt Street.

Public Works comments were addressed. Staff stated dedication of right of way for both Holt and 38th Streets was required per the Master Street plan to include 25-feet from centerline. Staff stated a 20-foot radial dedication of right of way was required at the intersection of Holt and 38th Streets. Staff stated the driveway should be moved further north to not place the parking spaces on two (2) lots or plat a shared access easement on Lots 7 and 8.

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.

H. ANALYSIS:

The applicant submitted a revised cover letter addressing most of the technical issues associated with the request and stating the two (2) lots would be replatted into a single lot to address staff's concerns related to the driveway, parking and future access to the units.

The applicant is requesting to rezone the site from R-2, Single-family to PD-R, Planned Development Residential, to allow the construction of two (2) duplexes structures on two (2) lots (a total of four (4) units). The one-story buildings will have vinyl siding. The roof will be asphalt-shingles with a hip roof profile with a gable dormers above the entry ways. Each unit within the duplexes will be 1,170 square feet in area. Parking is proposed accessed from Holt Street. Parking per the zoning ordinance for two (2) family dwellings is one and one-half (1 ½) spaces per unit. Based on this requirement six (6) spaces would typically be required for the four (4) units. The site plan indicates the placement of six (6) parking spaces.

Building setback is indicated at 20-feet along West 38th Street (southern perimeter) and a five (5) foot setback is indicated along the northern perimeter. The setback for the structure located along West 38th Street (the front of the building) is indicated at 20-feet. This unit has a side yard relationship to the property to the west. The setback is indicated at 25-feet. The northern structure will be constructed facing Holt Street. The setback from Holt Street is indicated at 40-feet. The rear yard setback (western) is indicated at 54-feet. There is a 14-foot separation between the buildings.

The applicant has indicated no fencing is proposed at this time. Staff recommends any future fencing be allowed as typically allowed in residential zones. This would allow fencing at a six (6) foot height located outside the required setbacks.

Staff is supportive of the applicant's request. The applicant is seeking approval to allow the construction of four (4) units located on two (2) existing platted lots. The lots as currently platted allow for the typical development standards per the R-4, Two-family zoning district (Section 36-256 - two-family dwellings). This section of the ordinance states lots are to contain a minimum of 7,000 square feet. In addition the minimum lot width is not to be less than 70-feet in width and a lot depth of not less than 100-feet. Staff feels the development with the duplexes as proposed 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 any future fencing be placed as typically allowed in residential zones as per Chapter 36, Section 36-516 of the Little Rock Code of Ordinances.

Staff recommends the two (2) lots be replatted into a single lot prior to the issuance of a building permit.

PLANNING COMMISSION ACTION:

(SEPTEMBER 22, 2016)

The applicant was present. There was one registered objector 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. Staff presented a recommendation any future fencing be placed as typically allowed in residential zones as per Chapter 36, Section 36-516 of the Little Rock Code of Ordinances. Staff presented a recommendation the two (2) lots be replatted into a single lot prior to the issuance of a building permit.

Mr. Stanley Phillips addressed the Commission on the merits of the request. He stated he had built a number of duplexes in the neighborhood and had done well with the units. He stated he was a good neighbor and had worked with the John Barrow Neighborhood Association to allow the placement and construction of the new units. He stated his tenants were screened and if there were any issues the tenants were ask to move. He stated he felt the new construction would be an asset to the community.

Mr. Booker Arnold addressed the Commission in opposition of the request. He stated he had a petition for the area residents in opposition of the request. He stated the crime rates in the area of duplex construction had increased. He stated he had contacted the

Police Department to secure the number of calls to the 44th and Bowers Streets duplexes. He stated since January 1st there had been 17 police calls. He stated at 32nd and Malloy Streets there had been 37 police calls. He stated he understood Mr. Phillips owned additional units but was not aware of the addresses to secure the crime statistics. He stated there would be a decrease in property values once the rental units were added to the neighborhood. He stated there were a number of vacant homes in the area and questioned why additional rental units were needed. He stated the additional units would increase traffic into the area. He stated there were a number of residents opposed to the request but most worked and could not attend the 4:00 meeting.

Mr. Phillips stated there were police calls but no one was arrested. He stated at 44th and Bowers Street there were some issues in the beginning. He stated the number of calls had reduced once the tenants and the long term residents got used to each other. He stated he did not have any issues with his tenants.

There was a general discussion by the Commission concerning the development and the need for additional housing in the area. The Commission questioned Mr. Phillips of his occupancy rate. Mr. Phillips stated the units were 100 percent occupied. He stated his homes were well constructed with quality materials and a number of amenities. He stated most of his tenants were long term tenants. He stated he was excited about what he was doing and just wanted to give back to the neighborhood.

A motion was made to approve the request as recommended by staff. The motion carried by a vote of 10 ayes, 0 noes, 0 absent and 1 open position.