

DIVISION 13. HILLCREST DESIGN OVERLAY DISTRICT¹

Sec. 36-434.10. Purpose and intent.

The purpose of a Hillcrest design overlay district (district) is to help maintain the built environment in a neighborhood that is rich in history and architectural character and consists of both a vital residential area and a thriving commercial sector. In order to preserve and enhance those qualities, compatible design and scale of buildings, parking areas, signage, landscaping, streetscapes, and street furnishings are required such that the friendly, pedestrian-oriented, "small-town" nature of the neighborhood is continued.

Through additional guidelines for buildings, the district intends to prevent incompatible and poorly planned projects from having a negative impact on Hillcrest's unique character and its living and working environment. Such incompatible construction has the potential to destroy the very attributes that have attracted people to the neighborhood since its beginning as Little Rock's first "suburb" in the 1890s, and more recently during its resurgence since the 1960s.

(Ord. No. 20,223, § 2, 3-2-10)

Sec. 36-434.11. Definitions.

Floor area ratio (FAR). The total area of all enclosed spaces on all floors of the principal structure as measured to the outside surfaces of the exterior walls and including halls, stairways, elevator shafts, and attached garages divided by the area of the lot.

Attached unfinished spaces such as storage areas, floored attics and above ground basements, shall be included as part of the permitted floor area at fifty (50) percent of the measured area.

Crawlspaces or similar spaces that must be accessed from outside the main structure, unenclosed porches, decks, and attached carports that are open on at least two (2) sides are excluded from the permitted floor area.

Grade plane. A reference plane representing the average of finished ground level adjoining the building at exterior walls. The reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six (6) feet from the building, between the building and a point six (6) feet from the building. A minimum of four (4) points, each from a different side of the building, shall be used in this calculation.

Lot coverage. The area of a lot covered by a building or buildings expressed as a percentage of the total lot area. All buildings or structures that have a roof are counted toward the total. Decks, driveways, patios, arbors, trellises, and other structures that do not have a roof are not counted toward the total.

(Ord. No. 20,223, § 2, 3-2-10)

¹Editor's note(s)—Ord. No. 20,223, §§ 1, 2, adopted March 2, 2010, amended div. 13 in its entirety and enacted similar provisions as set out herein. The former div. 13 derived from Ord. No. 19,782, § 1, adopted July 17, 2007.

Sec. 36-434.12. Application of the regulations.

- A. The regulations of this district shall be in addition to and shall overlay all other zoning districts and other ordinance requirements regulating the development of land so that any parcel of land lying in the overlay district shall also lie within one (1) or more of the other underlying zoning districts. Therefore, all property within this overlay district shall have requirements of both the underlying and overlay zoning districts, in addition to any other provisions regulating the development of land. In case of conflicting standards between this article and other city ordinances, the overlay requirements shall control.
- B. These regulations shall apply to new development and redevelopment exceeding fifty (50) percent of the structure's current replacement value or expansion of existing development. These regulations shall apply to new development, expansion of existing development, when a permit is requested for exterior improvements on buildings, and private improvements located in the public right-of-way. Private improvements in the public right-of-way may include, but [are] not limited to: awnings, benches, and flagpoles. Routine repairs, maintenance, and interior alterations shall not require compliance with this section.
- C. Uses, structures, or lots that existed on the effective date of this ordinance, July 17, 2007, which do not conform to the standards and guidelines established in this division, shall be treated as nonconforming according to the provisions of article III. Nonconforming status shall not apply to construction of improvements in the public right-of-way required by the city, redevelopment, or expansion of the existing development.
- D. The following guidelines shall apply to both residential and nonresidential types of structures. In the case of multiuse structures, the applicant shall conform to section 36-434.15, the multifamily—nonresidential developments.
- E. Churches and schools, regardless of underlying zoning shall conform to section 36-434.15. Multifamily—Nonresidential developments. All other properties which require conditional use permits and special use permits on residentially zoned land shall conform to section 36-434.14, Single-family and two-family development.

(Ord. No. 20,223, § 2, 3-2-10)

Sec. 36-434.13. Overlay boundaries.

The district shall include all parcels within the area bounded as follows, less that area within the Midtown DOD (chapter 36, article V, division 10):

Starting at the southwest corner of the Arkansas School for the Blind (with Markham), thence west along Markham to University Avenue, thence north along University Avenue to "H" Street, thence east along "H" Street to Fillmore, thence north along Fillmore Street to "L" Street, thence east along "L" Street to Kavanaugh Boulevard, thence south along Kavanaugh Boulevard to North Lookout Street, thence east along North Lookout (southern boundary of Allsop Park (north)), thence east and south along the north and west boundary of Doyle Place Addition to Allsop Park (south), thence south and west along said boundary to Cedar Hill Road, thence southwest along Cedar Hill Road to a point approximately two hundred fifty (250) feet west of Cedar Hill Circle, thence south approximately two hundred (200) feet, thence north east parallel to Oakwood Road approximately seven hundred (700) feet, thence south to a point two hundred (200) feet north of "I" Street, thence east parallel to "I" Street and Edgerstoune Lane approximately one thousand six hundred (1,600) feet, thence south approximately two hundred (200) feet to Ozark Point Water Treatment Plant, thence east, south and west along the boundary of the Ozark Point Water Treatment Plant to Arkansas School for the Blind, thence south along the western boundary of the Arkansas School for the Blind to Markham the point of beginning.

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Sec. 36-434.14. Single-family and two-family developments.

The residential regulations shall apply to single-family and two-family developments R-2, R-3, and R-4 residential zoned land within the district boundaries. Although the overlay district does not regulate the style and character of Hillcrest housing, new construction and additions should be respectful of the prevailing styles of the neighborhood. The compatible design of housing contributes to the richness of the history and architectural character of Hillcrest.

A. *Scale.* Floor-to-area ratio is abbreviated as FAR.

Lot sizes of less than eight thousand (8,000) square feet.

- * For residential structures with one (1) floor, the FAR shall be 0.37;
- * For residential structures with two (2) floors, the FAR shall be 0.50;
- * For residential structures with more than two (2) floors, i.e. built-out attics, the FAR shall be .55.

Lot sizes of eight thousand (8,000) square feet or more.

- * For residential structures with one (1) floor, the FAR shall be 0.37;
- * For residential structures with more than one (1) floor, the FAR shall be 0.50.

The purchase of an adjoining lot shall not allow a proportionate increase in the size of the building in all cases. For the purposes of computing the FAR, lot sizes of more than ten thousand (10,000) square feet shall use a maximum lot size in the calculations of ten thousand (10,000) square feet. Any lot of record or any combination of lots creating a zoning lot of record exceeding ten thousand (10,000) square feet in existence at the time of the adoption of this section shall have an FAR as described for lots exceeding eight thousand (8,000) square feet.

B. *Mass.* Maximum lot coverage for all structures under roof shall not exceed fifty (50) percent. For lots of four thousand five hundred (4,500) square feet or less, maximum lot coverage for all structures under roof shall not exceed sixty (60) percent.

C. *Setbacks.* All setbacks shall be as required for the zoning district, except as follows:

1. The minimum front yard setback for new principal structures or additions to principal structures in the R-2, R-3, and R-4 zoning districts shall be fifteen (15) feet in all instances.
2. Front yard and side yard setbacks on existing and proposed buildings shall be measured from twelve (12) inches above grade on the closest vertical surface measured to the property line.
3. Front yard setbacks for structures on interior lots: The front yard setback for the principal structure shall be aligned with the average of the current setbacks of the adjoining residential structures within ten (10) percent variance, but no structure may be within the minimum fifteen (15) foot front setback as established in this section.
4. If adjoining structure(s) or the average of the adjoining structure(s) is encroaching into the minimum fifteen (15) foot front yard setback as set forth in this section or the minimum street side yard setback as stated elsewhere in this chapter, the building shall be built to the minimum front yard and/or the street side yard setback line.
5. Additions to the side of a principal structure on an interior lot line shall not be subject to the front yard setback ten (10) percent variance rule if the addition does not extend in front of the main wall of the existing structure towards the front property line.

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6. Front and street side yard setbacks for structures on corner lots: The front yard setback shall be within ten (10) percent of the adjoining residential principal structure and the street side yard setback shall be within ten (10) percent of the adjoining residential principal structure but no structures shall be built within the minimum front or side yard setbacks.
 7. Additions to the rear of the principal structure on a corner lot shall not be subject to the side yard setback ten (10) percent variation rule if the addition does not extend in front of the main wall of the structure towards the street side property line.
 8. When determining front or side yard setbacks on a structure that is oriented differently than all other structures on the block face, the front yard setback shall be fifteen (15) feet and the side yard setback shall be ten (10) percent of the lot width not to exceed eight (8) feet.
 9. Accessory buildings setbacks and separations shall be as permitted in 36-156 (Height and area exceptions).
- D. *Accessory building coverage.* Accessory building coverage within the twenty-five-foot setback from the rear property line shall be no more than forty (40) percent of the area in that section.
- E. *Building height and ridge-line elevations.* Maximum building height shall be thirty-nine (39) feet, measured from the "grade plane" to the ridge-line of the highest roof surface. In addition, new buildings and additions shall be constructed to an elevation that is within one story of the adjacent residential structures.
- (Ord. No. 20,223, § 2, 3-2-10)

Sec. 36-434.15. Multifamily and nonresidential developments.

The multifamily and nonresidential developments regulations shall apply to all zoning districts except R-2, R-3 and R-4 within the district, and shall apply to all churches and schools, regardless of underlying zoning within the district.

- A. *Building form.* New and renovated buildings (more than fifty (50) percent exterior surface area altered) shall be compatible with existing scale, setbacks, and mass of the buildings in the immediate area (e.g., along Kavanaugh Boulevard most buildings have minimum setbacks from the street, whereas along Beechwood the former residences have setbacks with yards).
1. *Facades.* Street-level facades shall reflect the same building materials as existing commercial buildings in the one-block area adjacent to and across from the location. Predominant exterior building materials may be any standard material, except corrugated or ribbed materials, smooth-faced concrete block, tilt-up concrete panels, or prefabricated steel panels.
 2. *Setbacks.* Setbacks from street and alley shall meet current code requirements, except setbacks may align with surrounding structures.

Front-yard setbacks on Kavanaugh Boulevard between Rose Street and L Street shall not exceed ten (10) feet. A minimum of fifty (50) percent of the front facade must be constructed along this line. Front yard and side yard setback on existing and proposed buildings shall be measured from twelve (12) inches above grade on the closest vertical surface measured to the appropriate property line.
 3. *Height.* Maximum building height shall be thirty-nine (39) feet, measured from the "grade plane" to the ridge line of the highest roof surface or parapet wall.
 4. *Building form.*
 - (a) Wall projections or recesses a minimum of three (3) feet depth and a minimum of twenty (20) contiguous feet not to extend over twenty (20) percent of the facade shall be required.

Arcades, display windows, entry areas or awnings shall exist along at least sixty (60) percent of the facade.

- (b) Buildings shall maintain a distinction between upper and lower levels; any elevation greater than eighteen feet in height shall contain an architectural treatment, which visually divides the structure into "stories".
- (c) Roof lines shall be varied with a change in height every one hundred (100) linear feet in building length. Parapets, mansard roofs, gable roofs, high roofs shall be used to conceal flat roofs and roof top equipment.

B. *Parking.*

- 1. *Standard parking requirements.* Parking requirements within the district shall be fifty (50) percent of that required by article VIII. The maximum parking allowed for this district shall be the minimum standard established in article VIII. Multifamily developments or mixed-use developments that contain residential units must provide the minimum number of parking spaces as required in section 36-502 for those residential units. All other parking for the mixed-use facility may develop at the requirements stated in this division.
- 2. *Off-site parking.* Where on-street parking is allowed it shall be credited toward the parking requirements at a rate of one (1) space per ten (10) linear feet of street frontage. Parking spaces within a common parking facility may be counted toward the parking requirements of any development. The total number of parking spaces within the common parking facility shall not be less than the sum of requirements for the various individual uses utilizing the facility.
- 3. *Parking facilities.* Surface parking shall be limited to the side and rear of structures. No parking shall be allowed in the "front yard" setback. Surface parking is to be located behind or adjacent to a structure, never between the building and any abutting street.

Any parking structure shall be required to have active uses on the street level other than parking (such as quiet office, or neighborhood retail uses).

C. *Utilities and services.* All new developments are required to place utilities and cabled services in subterranean locations from the pole to the structure.

D. *Signage.* Permitted signs shall be as in section 36-553, Signs permitted in institutional and office zones. On the street level, the maximum area of signage may be doubled if at least fifty (50) percent of the street-level office and retail space has direct access to the street.

The highest point on any commercial sign attached to the building shall not exceed the corresponding building's height.

* Freestanding commercial signs may not exceed eighteen (18) feet in height.

* Neon-lit signs greater than thirty (30) square feet are prohibited.

* Off-premises signs are prohibited.

E. *Lighting.*

- 1. The purpose of this section is to regulate the intensity of exterior lighting. The intent is to prevent light from commercial developments from excessively illuminating the property in question, other properties, or the night sky.
- 2. Only light fixtures that are categorized as full cut-off (FCO) fixtures shall be permitted. The use of fully shielded (FCO) floodlights are permitted but not encouraged.

3. The following are specific standards for lighting intensity based upon the activities performed involved. Values are presented in allowable footcandles (fc) maintained (measured horizontally) at grade and are to be averaged throughout the site to avoid hot spots, i.e.; areas of extreme light intensity relative to the remainder of the site:

Land Use	Minimum	Maximum
<i>Pedestrian areas/sidewalks</i>	0.2 fc	1.0 fc
Building entries	1.0 fc	10.0 fc
Street lighting	0.2 fc	1.0 fc
Parking areas	2.0 fc	4.0 fc
Playgrounds		5.0 fc
Sports grounds		20.0 fc
Site perimeter		0.5 fc

4. Gas station canopies shall be illuminated at a maximum luminance of thirty (30) fc and individual fixtures shall be flush-mounted or have the canopy edge below the lowest light-emitting point on the fixtures.
5. Up lighting may be used to illuminate a building, landscaping element or architectural feature, provided the lighting design has a maximum luminance of twelve (12) fc, measured in a vertical plane. Down lighting is preferred.
6. A lighting plan shall be submitted for staff review and approval prior to issuance of building permits. The plan shall contain the following information:
- (a) An area lighting plan, drawn to scale, indicating all structures, parking lots, building entrances, vehicular and pedestrian traffic areas, vegetation that may interfere with lighting, and adjacent land uses that may be adversely impacted by the lighting. The plan shall contain a layout of all proposed fixtures by location, orientation, aiming direction, mounting height and type.
 - (b) The submission shall include, in addition to proposed area lighting, all other exterior lighting, e.g., architectural, building entrance, landscape, flagpole, sign, etc.
 - (c) A ten-foot luminance grid (point by point) of maintained foot-candles overlaid on the site plan plotted out to 0.0 footcandles, which demonstrates compliance with light intensity standards.

(Ord. No. 20,223, § 2, 3-2-10)

Sec. 36-434.16. Exceptions.

Property, if for any reason, that cannot be developed without violating the standards of the Hillcrest Design Overlay District shall be reviewed through the planned zoning district (PZD) section of the zoning ordinance, with the intent to devise a workable development plan which is consistent with the purpose and intent of the overlay standards. All variances to the underlying zoning requirements shall be reviewed as per article II, division 2, Board of Zoning Adjustment.

(Ord. No. 20,223, § 2, 3-2-10; Ord. No. 20,942, §§ 1, 2, 10-21-14)

Secs. 36-434.17—36-434.24. Reserved.