

CAPITOL ZONING DISTRICT COMMISSION
STAFF REPORT
4/4/17
JBC



Location: 1415 West Seventh Street
Applicant: Roby Brock for The American Legion, Department of Arkansas
Permit Type: Conditional Use Permit

Project Description: This application is for a Conditional Use Permit to allow for the operation of a small events center and office space.

Historic Significance: The 1400 block of 7th Street, much like the surrounding area, was originally a working-class neighborhood, while later transitioning into a predominately commercial area during the post-war period. The Mid-Century Modern structure seen today at 1415 7th Street was built in 1958 with storefront windows and a loading dock in the rear. The American Legion, Department of Arkansas operated its headquarters there until 1980, when it moved to the lot next door that once contained Union National Bank, and handed its prior building over to its women's auxiliary organization. A small granite marker stands in the front lawn dedicated to the American Legion, although the metal emblem featured on it has since fallen off. In recent years, the building has housed such businesses as American Medical Rentals and Bug Busters Pest Control.

Previous Action: There have been only two applications submitted to Capitol Zoning. In 2007, CZDC staff approved the installation of a sign for American Medical Rentals. In 2010, staff issued another permit to reroof the structure.

Zoning: This property is located in Zone "A", the State Capitol Foreground. This mixed-use zone calls for medium-scale office and commercial buildings, with some taller structures allowed along Capitol Avenue.

Review Criteria for Conditional Use Permits:

Capitol Zoning District Commission Rule, Section 2-105, *Permit Approval Procedure*

C.2. Each zone within the Capitol Zoning District allows for one or more use groups as to be allowed as conditional uses ... The conditional uses listed for each zone are understood to be acceptable for that zone, but are more intensive land uses than those allowed by right. Applications for Conditional Use Permits are therefore reviewed by the Commission on a case-by-case basis to allow Commission to set any conditions that the Commission finds will make a proposed use more consistent with the goals of the Master Plan.

a. The Commission shall grant a Conditional Use Permit to permit a use of land not permitted by right under the zoning applicable thereto, provided that the conditional use in question is permitted for that zone, but may attach additional conditions that will serve to make the proposed use more compatible with the surrounding neighborhood and the District as a whole.

F.1. All changes in the Capitol Zoning District will be evaluated according to the General Standards and the applicable Area Master Plan ...

F.5. (a) In reviewing the application, the Commissioners shall consider the application and base their decision upon the report of the Staff, ... advice from Advisory Committees, impact of the proposal on the property, neighboring properties, the District as a whole, the goals of the Master Plan, any applicable review criteria, and the evidence or testimony presented by the applicant(s) and other interested parties. The Commission shall approve the permit(s) if it finds the proposal to be substantially consistent with the applicable review criteria ...

Staff finds the proposal should be evaluated using the General Standards and the Capitol Area Master Plan.

Capitol Zoning General Standards, Section 3-201 Zoning Requirements

4. Permitted uses

Allowed by right = Residential 2, Office 1 - 2, Commercial 1
Allowed with Commission review (conditional uses) = Residential 1, Civic 1- 3, Commercial 2 – 4

The use group Civic 2 (Neighborhood Community Facilities) specifically lists "Meeting or reception facility".

Capitol Zoning General Standards, Section 3-301, Parking Requirements

P1. Requirement

There shall be provided for each use in any zone the number of off street parking spaces required for that use ...

P14. Required parking spaces by use

2.) Civic 2
Meeting facility ... = 1 space /300 gross sf of floor area
5.) Offices = 1 space /350 gross sf of floor area

Staff finds the proposal is consistent with these requirements. The auxiliary building and the American Legion headquarters share a parking lot. Records from Pulaski County Assessor's office indicate the building comprises of 2,900 square feet, so the permitted event use in it requires roughly 10 spaces (2900 / 300 ~ 10). The American Legion headquarters space is 3,475sf, so the permitted office use in it requires 10 spaces (3475 / 350 ~ 10). All of this is accommodated by the large parking with 22 striped spaces. Additionally, parking is also offered in a small lot behind the auxiliary building and several street spaces next to the American Legion headquarters on Victory Street.

Capitol Area Master Plan, Section 5-201(A), Goals for the Capitol Area

- 1. To activate the area with a mix of uses.**
- 2. To promote the development of more institutional and professional office uses.**

Capitol Area Master Plan, Section 5-202 (A), Zone "A" – State Capitol Foreground

1. This area should develop as a professional office center with supporting commercial uses that create a spine linking the Capitol Area to Downtown. A mix of governmental and private professional offices should be the prominent use with service businesses, dining and retail uses supplementing.
6. The commercial areas to the north and south of Capitol Avenue should also continue to develop as a concentration of governmental offices and commercial uses, including professional offices and support businesses, but at a density that is slightly lower than that along Capitol Avenue itself.

Staff finds the proposal is consistent with these goals and recommendations.

Neighborhood Reaction: None to date.

Staff Recommendation: Staff recommends **approval** of the application with the following conditions:

- 1) That all State and City Codes be followed at all times; and
- 2) That the property be maintained in a neat and safe condition at all times.

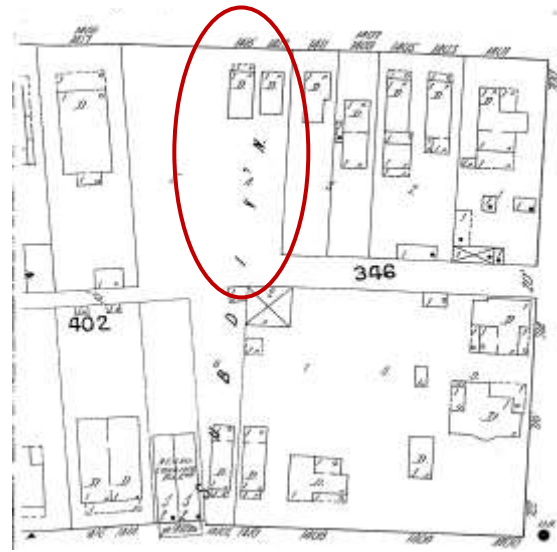
Capitol Area Advisory Committee Recommendation: The CAAC voted 13-0 to recommend **approval** with the following condition:

- 3) That a future façade design plan must include proposal to remove sign.

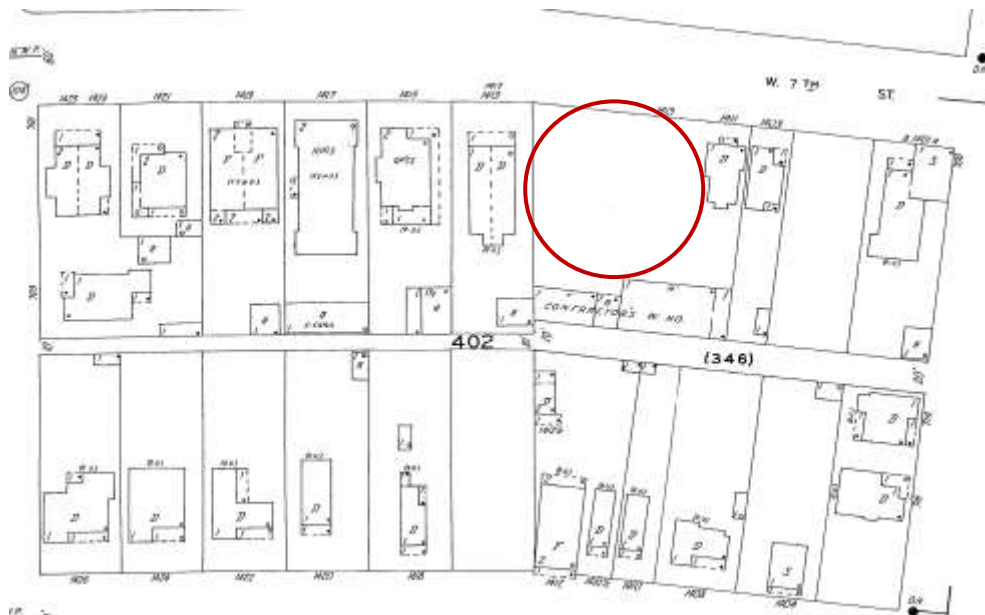
Sanborn Insurance Company map details



1897 – The 1400 block of 7th Street, like much of the surrounding area, consisted of working-class housing. Likely, the structure at 1415 was a small-framed house. An alley once existed behind the block.



1913 – The area experienced rapid change over the next 16 years. The back porch at the house on 1415 now has been enclosed.



1939 – The single-family home is gone and the lot now empty. Although, notice how the neighborhood has expanded and changed to include multi-family housing and now a contractor's warehouse behind the demolished residence.

Archival Aerial Photos



1943 – The lot is empty, while still surrounded by several single and multi-family homes.



1960 – The auxiliary building, built ca. 1958, appears.



1974 – Residential housing around the State Capitol had disappeared around this time. Notice how the granite marker is now visible in the front lawn. The I-630 right-of-way has been cleared in the southern half of the block.

Archival aerial photos (continued)



1980 – The new American Legion building appears. The structure at 1415 S. 7th Street is now turned into its auxiliary operations.

Archival Photographs (1992)



Current Photographs (2018)





CAPITOL ZONING DISTRICT COMMISSION

APPLICATION FORM

PROPERTY ADDRESS 1415 W. 7th St.

PROPERTY OWNER AMERICAN LEGION DEPT.

PERSON FILING APPLICATION ROBY BROCK
if other than owner

APPLICANT PHONE AND EMAIL [REDACTED] Roby@TalkBusiness.net

APPLICANT SIGNATURE AND DATE [Signature] 3/1/18
Signature certifies that applicant is authorized to represent this property, and that all information presented in this application, as well as in any supporting materials, is true and correct to the best of the signatory's knowledge.

DESCRIPTION OF PROPOSED WORK AND / OR USE small events center, office space

Attach as many pages or supporting materials as necessary. The Commission and its staff cannot make a determination on your application without a complete description of the property's proposed appearance, materials, and/or function. An application is not complete until all applicable supporting materials have been submitted to staff. Electronic submittals (email, scanned documents, PDFs, digital images, etc) are welcome.