

**CAPITOL ZONING DISTRICT COMMISSION
STAFF REPORT
10/5/17
BIM**



Location: 1920 South Gaines Street
Applicant: Eric Freeman
Permit Type: Conditional Use Permit

Project Description: This application is for a Conditional Use Permit to allow for an art studio and gallery.

Historic Significance: If a house ever stood on the parcel at the northwest corner of Charles Bussey Avenue and Gaines Street, it wasn't there for very long. The 1913 and 1939 Sanborn maps both show a vacant lot, as does a 1943 aerial photo. The 1950 Sanborn map, however, shows the one-story brick garage seen today. Its footprint appears unchanged, and its semi-circular metal awning is a unique Art Moderne detail in the Mansion Area. The structure seems to have always been used as a garage and storage building. The property is listed as a non-contributing resource in the Governor's Mansion Historic District. The current owner acquired it in 2006.

Previous Action: In 2006, staff issued a permit to the current owner for a privacy fence.

Zoning: This property is in Zone "M", the residential zone that comprises most of the Mansion Area.

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, the recommendations of the Design Review Committee, 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 Mansion Area Master Plan.

Capitol Zoning General Standards, Section 3-201 Zoning Requirements

Z6. Zone “M”, Mansion Area Residential - This zone, comprising most of the Governor’s Mansion Area, allows for the continuation of traditional neighborhood residential development patterns. Single-family residences should be the predominant, though not the exclusive, land use and building form in this zone.

4. Permitted Uses

- Allowed by right = Residential 1
- Conditional uses = Residential 2, Civic 1- 2; also Office 1-2, Commercial 1 (when located in a historic civic or commercial building),

The use group Civic 2 (Neighborhood Community Facilities) includes “Fine arts studio” as well as “Museum or art gallery”.

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

Museum or art gallery = 1 per 200 gross square feet

Pulaski County Assessor records indicate the structure comprises 1,200 square feet, yielding a requirement of six parking spaces. (1,200sf / 200 = 6 spaces). Staff finds the concrete parking pad in front of the garage is approximately 30 feet wide, sufficient to accommodate three vehicles without blocking the shared driveway (former alley) that runs through the middle of the block. (One 90-degree space = 9 feet wide)

P5. Use of Right-of-Way for Provision of Required Parking

The public street frontage immediately adjoining the parcel(s) containing a current or proposed use may be considered as fulfilling or partially fulfilling the parking requirements of this section.

Staff finds there is room for roughly seven street parking spaces adjoining the 50' x 150' property – two on the Gaines Street side and five along Charles Bussey, without blocking the driveway. (One parallel space = 22 feet). Staff finds these seven adjoining street spaces, along with the three off-street spaces are more than sufficient to accommodate the proposed use's parking requirement.

P7. Location of Required Parking

The adjoining property owner at 1918 S. Gaines has offered the applicant use of the small paved area immediately behind the structure. Staff finds the use of this additional off-site parking will not be necessary to approve the application. (But she is really nice to offer it.)

Mansion Area Master Plan, Section 6-201, Mansion Area Goals & Recommendations

A. Mansion Area Goals

7. To create a mixture of uses throughout the neighborhood. Providing convenient neighborhood services is vital to the long-term success of any community.

Staff finds the proposal to be consistent with this goal.

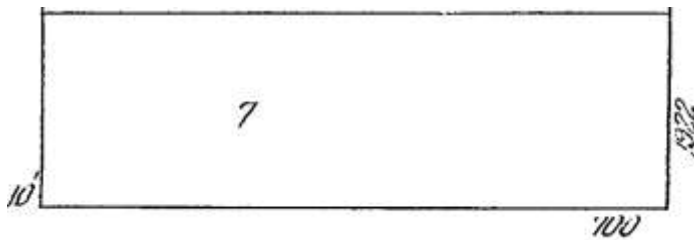
Neighborhood Reaction: None to date.

Mansion Area Advisory Committee Recommendation: The MAAC voted unanimously (17-0) to recommend approval.

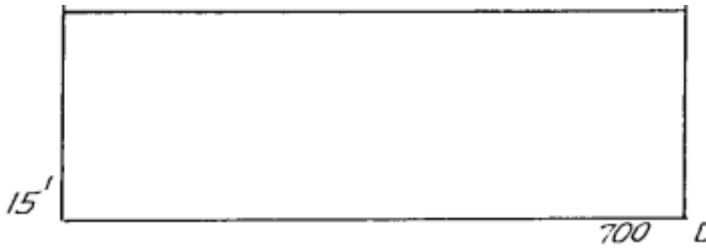
Staff Recommendation: Staff recommends **approval** of the application with the following conditions:

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.

Details from Sanborn Fire Insurance Maps



1913 – Still a vacant lot.



1939 – Nope.



1950 – Here's something! It's a brick veneered garage / storage building.

(But still no house.)

1943 aerial photo



The vacant lot in this photo indicates the garage seen today dates to the mid-to-late 1940s.

1998 photo of property



Current photos of property



The applicant proposes to use this 1,200 sf garage for an art studio and gallery.



This “front” yard may have never had a house on it. But the adjoining street parking counts towards the proposed use, because it’s the same parcel as the garage structure behind the fence.



CAPITOL ZONING DISTRICT COMMISSION

APPLICATION FORM

PROPERTY ADDRESS 708 WEST CHARLES BUSSEY AVE (1920 S. GAINES)

PROPERTY OWNER ERIC FREEMAN

PERSON FILING APPLICATION ERIC FREEMAN
if other than owner

APPLICANT PHON AND EMAIL 

APPLICANT SIGNATURE AND DATE Eric Freeman 9/11/17
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 ART STUDIO/GALLERY

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.

Plan for Eric Freeman Studio/Gallery

I own a property in the Mansion District, which consists of a vacant corner lot on 20th and Gaines and a building at the rear of the lot, which is empty. The building's address is 708 West Charles Bussey Avenue. The lot's address is 1920 South Gaines.

The building fronts West Charles Bussey, and according to the Arkansas Historic Preservation records, the property's historic name was "Hastings Garage" In the past it was used as a fire substation as well as a commercial auto repair garage. The building was never used as a residence: it has concrete floors, an industrial sink, and a toilet.

The building sits on the exact end of the Mansion District's western edge, and, from what I can see on the map, is zoned M. Directly behind the studio is an alley. Across the alley is out of the Mansion District. Charles Bussey is the bus line.

I want to use the space as a studio/gallery, hosting art shows (maximum 12 events in a year)
I don't want to change the building's structure.

Parking is ample:

There is space for 3 to 4 cars in my building's drive, which fronts Bussey.

Directly behind my building, directly accessible by the alley, there is a concrete parking pad (21 feet by 100 feet) for 8 cars to park. This pad was no doubt used to park cars when my building was a car repair garage. In addition, there are 2 covered parking spaces there; as well a several more spaces on the concrete drive behind my neighbor Erin Finzer's gated driveway.

My neighbor is excited about allowing parking on her adjacent property and has given her ok.
(see attached letter)

A handwritten signature in black ink that reads "Eric Freeman". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

1918 South Gaines St.
Little Rock, AR 72206

Capitol Zoning District Commission
410 South Battery St.
Little Rock, AR 72201

To Whom It May Concern:

I am writing to confirm that I have agreed to allowing Eric Freeman, owner of 1920 South Gaines Street, to use my back yard and front driveway for parking for events for his studio and gallery, located in the historic Hastings Garage building. My home at 1918 South Gaines Street is located on the adjacent lot directly to the north of Mr. Freeman's lot and will provide convenient parking. The dimensions of the space available for parking behind the property is a concrete pad that is 100' x 21'. In addition, at the rear of my property, there is a single-car concrete drive (50' long) and a covered garage that can hold an additional two vehicles.

If you have any questions for me, I can be reached by email at [REDACTED] Thank you.

Best regards,



Erin Finzer