

**CAPITOL ZONING DISTRICT COMMISSION
STAFF REPORT
6/29/17
BIM**



Location: 411 South Victory Street
Applicant: David Bell for Arkansas Press Association
Permit Type: Certificate of Appropriateness

Project Description: This application is for a Certificate of Appropriateness to allow for the replacement of a brick retaining wall with a new concrete retaining wall. Approximately 50 feet of the existing brick retaining wall collapsed in early 2017. This application proposes to replace only the collapsed section.

Historic Significance: The area surrounding the train station and the state penitentiary (later the Capitol) originally developed in the late 1800s as a dense, mixed-use, working-class neighborhood, and the 400 block of South Victory was no exception. The triple lot, on which the subject property now sits, once held four one-story frame houses, which were present as early as 1897 and remained as late as 1950. The building seen today at 411 South Victory was constructed circa 1955 in the International style as the regional headquarters for Safeway grocery stores. (The Idaho-based Safeway chain first entered Arkansas in the late 1920s with the purchase of several Piggly Wiggly locations. Safeway continued in Arkansas until 1988, when its remaining stores were sold and renamed Harvest Foods.) It is unclear when Safeway left this property, but by the late 1970s it was home to a state government office. It was later used as a daycare before being purchased by the current owner in 1999, who conducted a major remodel of the front façade in 2004-05.

Previous Action: The Commission approved a permit in 1997 to allow this property be used for a daycare facility. In 2000, the Commission approved a permit to allow the current owner to replace most of the building's windows. Another permit was approved by the Commission in 2004 to allow for an extensive remodel of the Victory Street façade. Staff has issued a series of minor permits since the 1970s for a variety of signs and office uses at this property.

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 Standards for Certificates of Appropriateness:

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

C. 1. (a) A Certificate of Appropriateness must be obtained prior to effecting any major modification or addition to a structure, site or improvements within the District. *Major modifications* are those which substantially alter, from the public right-of-way, the appearance of a structure or site feature. Applications for major modifications requiring Commission review will first be scheduled for a review by the Design Review Committee which will make a recommendation regarding proposed work's appropriateness of the modification to the historical style of the structure and neighboring structures; compatibility with its architectural, historical or cultural significance and level of intactness; and its consistency with the goals of the Commission's Master Plan and Standards.

Staff finds the proposal constitutes a request for a major modification and requires a Certificate of Appropriateness that must be reviewed by the Design Review Committee and approved by the Commission.

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

a. Changes to historic structures or site features shall be evaluated according to the Rehabilitation Standards for Historic Properties.

i. Structures and site features 40 years or older are assumed to be historic ...

ii. The Commission may waive the Rehabilitation Standards for cause (see Section 4-101 C.), in which case a proposed change to a historic structure or site feature shall be evaluated according to the applicable Design Standards.

Staff finds, based on documentary and physical evidence, the site feature in question to be historic because it is over 40 years old and not significantly altered. Staff finds the proposal should be evaluated using the General Standards, the Capitol Area Master Plan, and the Rehabilitation Standards. If the Commission finds cause to waive one or more of the Rehabilitation Standards, the Capitol Area Design Standards should be used in their place.

Capitol Zoning Rehabilitation Standards, Section 4-301, *Interpretation of Terms Related to Compliance*

Historic - In general, a historic property is one that is at least 40 years old or older and largely unchanged; some properties less than 40 years old may also be considered historic if they are of exceptional significance. The CZDC is especially concerned with those properties that are associated with significant people or events or convey a character of building and design found during the District's period of significance, roughly 1880-1940. Note that in some cases, a CZDC-designated property may also be listed in the National Register of Historic Places.

Staff finds the property to be historic, but not constructed during the District's period of significance, because of the documentary and physical evidence indicating the structure was built in the 1950s.

Capitol Zoning Rehabilitation Standards, Section 4-201, *Streetscape & Site Design Features*

Policy: Historic streetscape and site features that survive should be preserved. In addition, new features should be compatible with the historic context.

Staff finds the proposal is partially consistent with this policy. The applicant proposes to replace only the collapsed section of the wall in question and to retain the portion that remains intact. Staff believes the proposed replacement material is not incompatible with the surrounding neighborhood.

R1.13 For a replacement retaining wall, use materials that appear similar to that of the original.

- The color and finish of the brick or stone, as well as its mortar style, are distinctive features that should appear in replacement walls.

Staff finds the proposal is not consistent with this standard. The proposal to replace the brick retaining wall with a concrete wall amounts to a request for a waiver of this standard.

Capitol Zoning Rehabilitation Standards, Section 4-101, Purpose & Applicability

C. An asterisk (*) adjacent to a statement in the text in this article indicates that it is a standard that will not be waived by the Capitol Zoning District Commission for historic structures or site features built during the District's period of significance and/or listed in the National Register of Historic Places ...

1. For other historic structures or site features, these standards may be waived if it is demonstrated to the Commission's satisfaction that such a waiver will not adversely affect the historic character of the surrounding neighborhood.

2. Compliance with other standards, without an asterisk, is also required, but may be waived if it is demonstrated to the Commission's satisfaction that such a waiver will not adversely affect the historic character of the surrounding neighborhood.

Since Standard R1.13 is not marked with an asterisk, and since the wall in question does not date to the period of significance, the Commission may waive Standard R1.13 if it determines the proposal will not adversely affect the neighborhood and is consistent with the Capitol Area Design Standards.

Capitol Area Design Standards, Section 7-204, Landscape Standards

C55. Construct retaining walls of materials that harmonize with the surroundings in the area where they are built.

- Textured concrete or rock-faced walls are encouraged. Brick may be considered as well.
- Railroad ties and other wood materials are not allowed.

Staff finds the proposal is consistent with this standard.

Capitol Area Master Plan, Section 5-201 Capitol Area Goals & Recommendations

6. To provide an attractive foreground for the Capitol

8. To enhance the character of individual neighborhoods within the Capitol Area

10. To establish a sense of visual continuity within individual neighborhoods

Staff believes the proposal is generally consistent with these goals. And, by its consistency with these goals and with Standard C55 (above), staff further finds that the proposed waiver of R1.13 will not serve to adversely affect the historic character of the neighborhood.

Neighborhood Reaction: None to date.

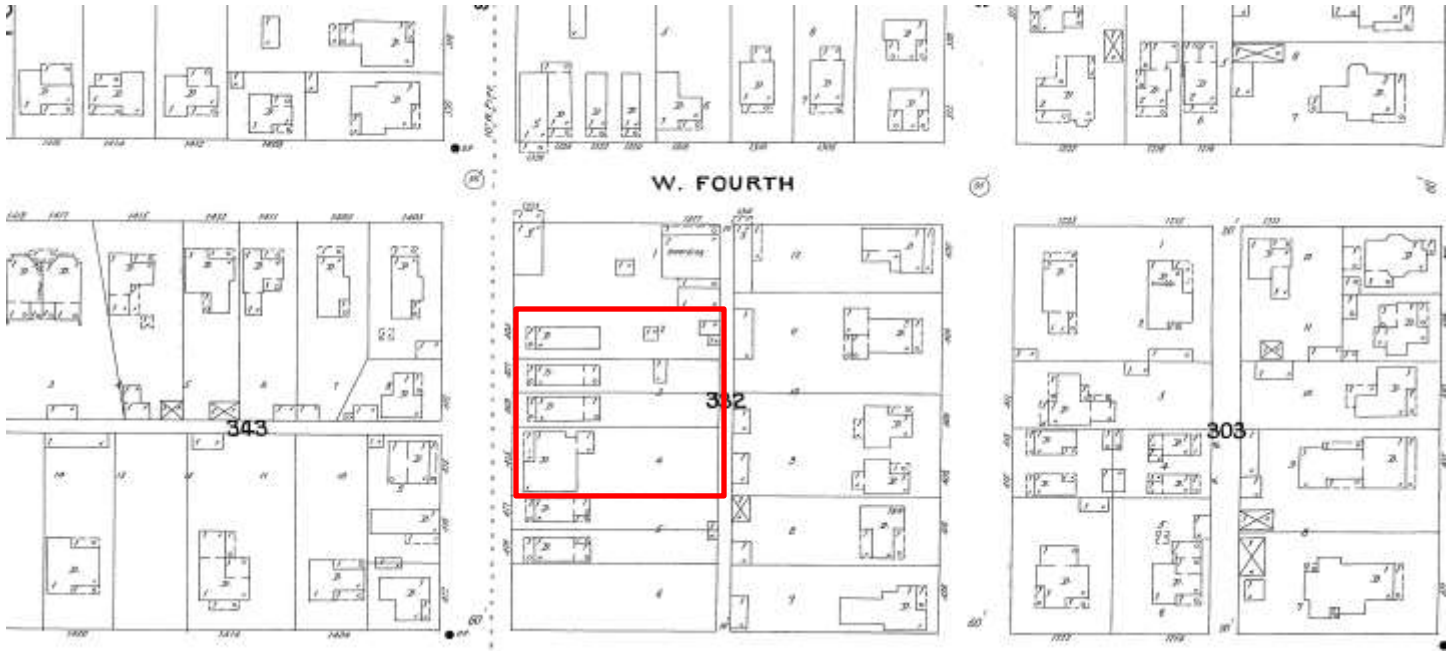
Staff Recommendation: Staff recommends **approval** with the following conditions:

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

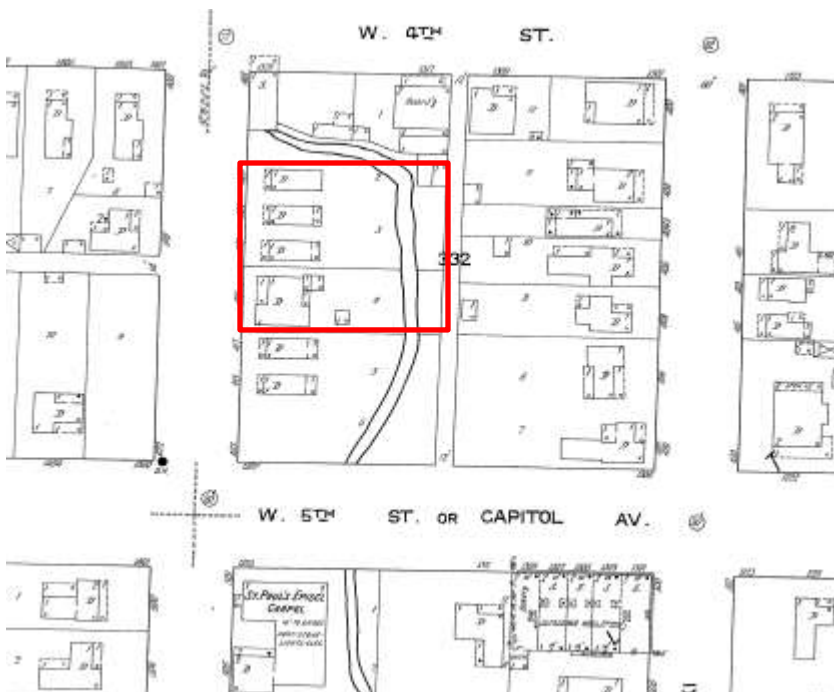
Design Review Committee Recommendation: The Committee voted unanimously (9-0) to concur with staff's recommendation of **approval**. Members suggested the applicant consider the use of rebar, or other reinforcing material, within the replacement wall.

Capitol Area Advisory Committee Recommendation: The CAAC voted unanimously (12-0) to recommend **approval**.

Details from Sanborn Fire Insurance Co maps

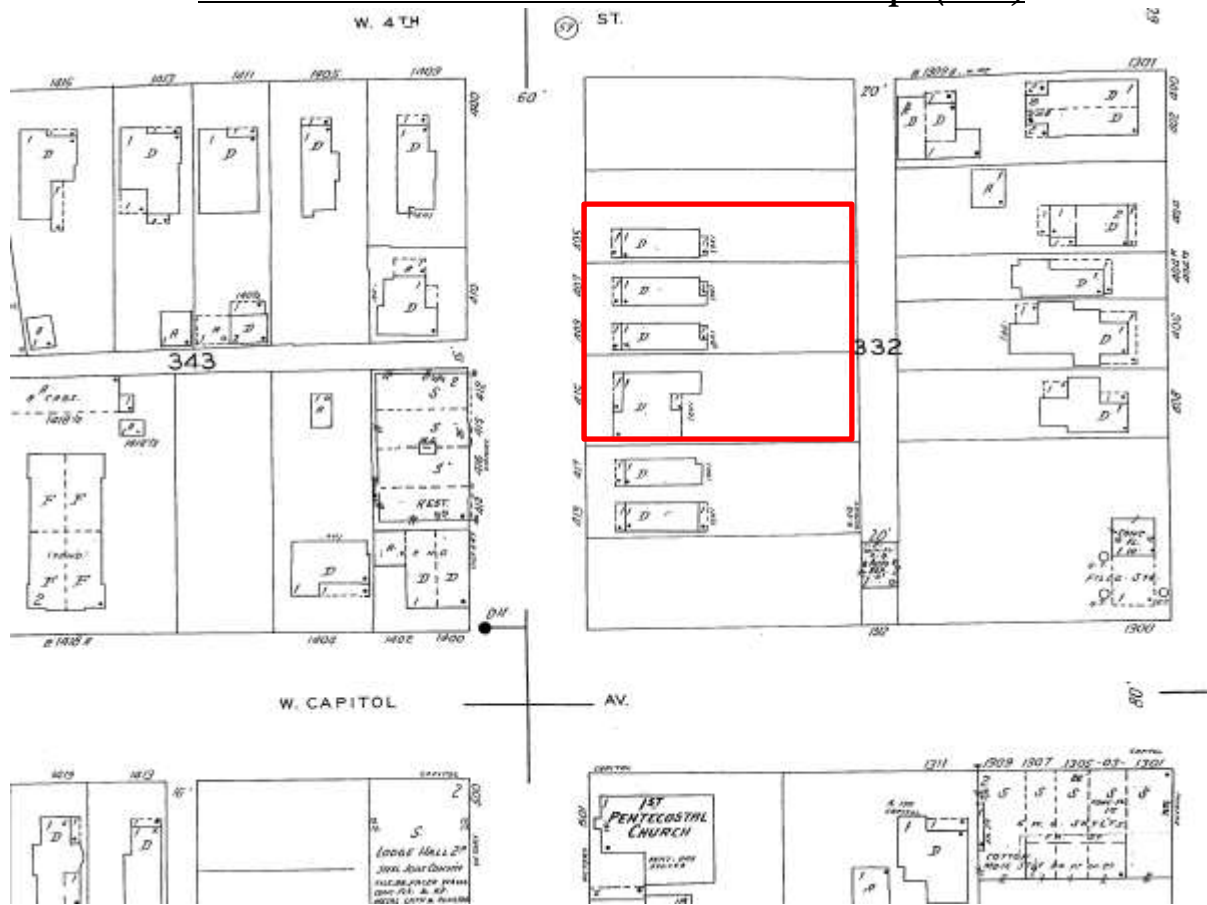


1897 – The original neighborhood surrounding the train station and state penitentiary was primarily residential. The land that is now 411 South Victory held four houses (three of which may have been “shotguns”) and some small outbuildings.



1913 – The same four houses are still present, but this map shows an open creek (noticeably absent from the 1897 map) running through the middle of the block.

Details from Sanborn Fire Insurance Co maps (cont.)

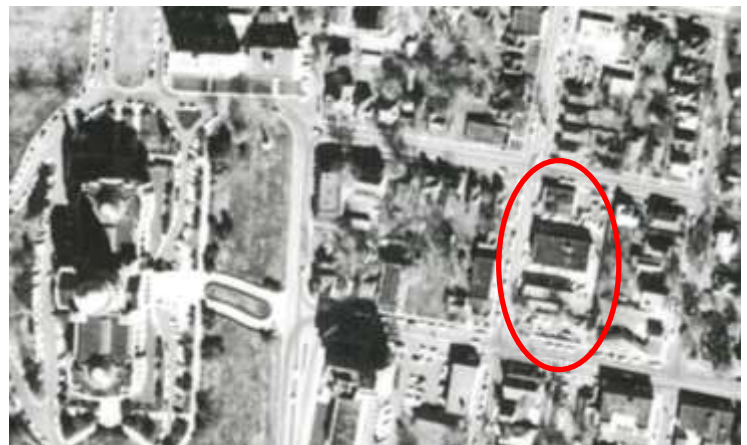


1950 – The area remains predominantly residential, but is already changing into an automobile-oriented neighborhood. Note the filling station at Capitol and Pulaski, the small repair shop in the alley, and proliferation of garages (“A” = auto). The four houses are still present here, but would be removed in the coming decade.

Aerial photos of property



1943 – This block is occupied by half a dozen small houses. The creek shown on the 1913 map is visible in the middle of the block.



1960 – The east side of the block is now comprised of the commercial buildings seen today.

Archive photos of property



circa 1980



1998



2000

Current photos of property





CAPITOL ZONING DISTRICT COMMISSION

APPLICATION FORM

PROPERTY ADDRESS 411 South ZVictory, Little Rock, AR 72206

PROPERTY OWNER Arkansas Press Association

PERSON FILING APPLICATION David Bell, Bell Construction Company
if other than owner

APPLICANT PHONE AND EMAIL (501)375-3325 dbell@bellconstruct.com

APPLICANT SIGNATURE AND DATE  6/6/17

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 (see attached photos)
Exterior Work - Replace fallen retaining wall with concrete retaining wall
Interior Work - replace water damage plaster in restrooms, replace

vanity cabinets, one toilet, and hallway carpet

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.



ARKANSAS PRESS ASSOCIATION – 411 South Victory