

CAPITOL ZONING DISTRICT COMMISSION
STAFF REPORT
1/25/2018
JBC / BIM



Location: 705 & 707 Dennison Street
Applicant: Jamie and Ruth Vasquez
Permit Types: Certificate of Appropriateness & Conditional Use Permits

Project Description: This application is for a Certificate of Appropriateness at 705 Dennison to allow for the rehabilitation of a circa 1979, one-story outbuilding as a two-bedroom dwelling unit. The 1,120-square-foot structure constructed of concrete blocks would see extensive remodeling under this proposal. The structure currently contains no windows, doors, or a roof. The application calls for reusing some of the existing window openings, while enclosing some others and creating some new ones. Windows will be single-hung vinyl models, with one glass-block window on the south side of the structure. The missing roof will be replaced with a gable roof of composition shingles. Stucco will cover the concrete-block walls. A six-foot masonry fence of concrete blocks will be placed behind the outbuilding along the rear property line. A matching stucco will cover the blocks.

In a separate application, the owner proposes to use both dwelling units (the main house and guest house), along with the property next door at 707 Dennison as short-term rentals, marketed on home-sharing websites such as AirBnB.

Historic Significance: The house at 705 Dennison was built no later than 1913, but appears to have seen some Craftsman-style remodeling in the 1920s or '30s. The house has also seen some more recent alterations, such as artificial siding, but the original footprint is largely unchanged. A small garage once stood where the current outbuilding is today, but was removed sometime after 1960. Since the Capitol Zoning District was created, various businesses have operated out of the house including a furniture restoration shop and a catering concern. The outbuilding under consideration in this application was built in the late 1970s as storage for the furniture business. The current owners acquired the property in 2017, having recently rehabilitated the house next door at 707 Dennison.

The house at 707 Dennison was built circa 1920 in the Craftsman style. An early garage at the rear of the property was replaced with an open carport sometime after 1950. The property was in a state of deep disrepair when the current owners acquired it 2009. Besides a recent rear addition, the house appears to have maintained its original footprint.

Previous Action: A number of business permits have been issued at 705 Dennison property over the years. Most recently, staff issued a permit in July 2005 to allow previous occupants to use it as a home catering business. In January 2018, staff issued a permit to the current owners to replace the metal siding on the main house with cement fiberboard (Hardie plank), to re-roof the main house, and to construct a small kitchen addition on the south side of the house.

At 707 Dennison, staff issued a series of permits, from 2009 to 2014, to the current owners for rehabilitation of the house, fencing, paving, and a small rear addition. A carport was removed from 707 Dennison in 2009, though no permit was issued for this work.

Zoning: The properties are located in Zone “B,” Capitol Area Residential. This zone encompasses what remains of the early neighborhoods that once surrounded the State Capitol.

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.

Staff finds the proposal constitutes a request to erect a new structure and requires a Certificate of Appropriateness that must be reviewed by the Design Review Committee and approved by the Commission.

C. 1. (e) When considering an application for a Certificate of Appropriateness, the Commission shall consider any applicable review Standards and Master Plan goals, the recommendations offered by the committees and staff, as well as any public testimony or evidence presented at the public hearing.

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 ...

(b) ... new construction, shall be evaluated according to the applicable Design Standards

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 property, as a whole, to be historic because of the main house’s age and historic integrity. Staff finds the proposal should be evaluated using the General Standards, the Rehabilitation Standards (as they relate to the property as a whole), the Capitol Area Design Standards, and the Capitol Area Master Plan.

Historic Streetscape & Site Design Features, Section 4-201, *Fences*

R1.10 A solid fence may be used in a rear or side yard.

• Although the use of transparent fences is also encouraged in rear and side yards, a solid stockade fence may be used where privacy is a concern. The Commission will consider requests for masonry (brick or stone) privacy fences on a case-by-case basis.

• Privacy fences used in back yards and along alleys should be 72 inches (6 feet) or less.

Staff finds that the proposal is generally consistent with this standard. The proposed 6’ masonry fence at the rear of 705 will be only partly visible from 7th Street, though the standard is silent on the appropriateness of stucco.

Rehabilitation Standards for Historic Properties, Section 4-209, Secondary Structures

R9.1 The preservation of an existing secondary structure is encouraged.

- When treating a historic secondary building, respect its character-defining features such as primary materials, roof materials, roof form, historic windows, historic doors and architectural details.
- Avoid moving a historic secondary structure from its original location.
- If the secondary structure does not date from the period of significance, then its preservation is optional.

Staff finds that even though the primary residence is historically significant due to its age and status as one of the few remaining residential homes in the area, the secondary structure does not date from the District's period of significance.

R9.3 A new secondary structure should be in character with those seen traditionally.

- The building should be subordinate in scale to the primary structure.
- It should be located to the side or rear of the primary structure.
- See also the standards for new construction and for site design.

Staff finds that the outbuilding will remain subordinate to the primary residence after the rehabilitation, as it is located rear of the primary structure.

Capitol Area Design Standards, Section 7-101(B), Capitol Area Neighborhoods

2. Capitol Area Residential (Zone "B")

These areas retain the greatest number of historic residential buildings, several still in rows that convey the early character of the neighborhood. These should be retained and new construction in this area should be designed to be compatible with this established context ... Parking should be located to the side or in the rear of a lot and screened from view.

Capitol Area Design Standards, Section 7-101(C), Capitol Area Street Corridors

4. Low Density Mixed Use Corridors

Streets in the Low Density Mixed Use Corridors are ones where development should blend with established residential scale structures ... These are generally located in the remaining residential areas.

Staff finds that the proposal is generally consistent with these recommendations.

Capitol Area Design Standards, Section 7-202, Architectural Design Standards

C26. A building should appear compatible in height with established buildings in the block.

Staff finds that the proposal is consistent with this standard.

C29. The primary building material should be masonry.

- Brick, stone and concrete are appropriate.
- Stucco should only be used as a secondary material.

C32. Use building materials that are similar in their dimensions and that can be repeated in traditional modules.

- This helps to establish a sense of scale.
- Brick and stone are preferred.
- Cast or scored concrete that conveys a sense of proportion similar in scale to traditional materials also may be appropriate.

Staff finds that the proposal to cover the building with stucco is NOT consistent with these standards. Though many consider stucco an attractive building material, the current concrete block construction is actually more in keeping with the traditions of the State Capitol Area. On the other hand, the proposed guest house is an ancillary building, only partially visible from the street, whereas these Standards were written for principle structures.

C34. Simple rectangular forms [are] preferred.

- In Zone B, buildings with sloping roofs that reflect the residential tradition are also appropriate.

Staff finds that the proposal is consistent with this standard.

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.

Staff finds the proposal to use the two properties as short-term rental units should be evaluated using the General Standards, and the Capitol Area Master Plan.

Capitol Zoning General Standards, Section 3-201 Zoning Requirements

Z2. Zone “B”, Capitol Area Residential - This zone encompasses what remains of the early neighborhoods that once surrounded the State Capitol. It allows for some light commercial and office uses, but the predominant building form should continue to be residential.

4. Permitted uses

- Allowed by right = Residential 1, Office 1-2, Commercial 1
- Conditional uses = Residential 2-3, Civic 1-3

Capitol Zoning General Standards, Section 3-203 Use Groups

U.16 OTHER USES (1.) For any use not listed in one of the above groups, the Commission or its staff shall determine on a case-by-case basis which Use Group the proposed use most closely resembles, following due consideration.

The list of uses does not include “short-term rental” nor “AirBnB”. However, the use group Residential 2 (Multifamily) includes “bed and breakfast house (maximum 5 guest rooms).” Staff believes the proposed use can be categorized in this group.

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

- 4.) Residential (bed & breakfast house) = 1 per guest room plus one for residence

The applicant has indicated the house at 707 has four bedrooms, warranting four parking spaces at this property. The main house at 705 Dennison has three bedrooms, while the proposed guest house will have two, for a total of five required parking spaces.

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 are two parking spaces at the end of the driveway at 707 Dennison, and one additional street space in front of the house. (One parallel space is 22 feet long, and staff measures roughly 42 feet from the property line to the driveway).

Staff finds there is one parking space in the driveway at 705 Dennison, two more in the shared driveway (former alley) at the rear of the property and one more street space in front of the property. (Staff measures roughly 37 feet from the property line to the driveway).

P4. Parking Reductions

2. The Commission may ... approve a parking reduction up to 50% ... with review. In such reviews, the applicant must demonstrate to the Commission's satisfaction that:

- a. The pattern and character of development in the vicinity is consistent with the request for reduced parking; and
- b. The use is likely to attract residents, employees, and/or visitors who are likely to avail themselves of alternate modes of transportation.

Staffs finds the available parking at each property to be one space short of the required amount. (Three out of four at 707 Dennison and four out of five at 705 Dennison). Staff believes the Commission should grant parking waivers to accommodate the shortfall at each property. This block of Dennison is residential in character and not a through street. Additionally, the owners have indicated they let out a whole dwelling unit (not individual rooms) to their short-term tenants. An individual tenant (or family) is unlikely to use more than two vehicles when occupying one of these properties for a short stay in Little Rock.

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

1. To activate the area with a mix of uses

The Capitol Area should accommodate a variety of users: This should include legislators, trade associations and service businesses. In addition, tourists and local residents should be recognized as important user groups. Promoting a mix of uses will support a lively neighborhood in use twenty-four hours a day.

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

The tradition of having neighborhoods with distinct identities should be continued. For example, where historic residential buildings survive in sets, that character should be preserved.

Staff finds that this project is consistent with these goals as maintaining this pocket of surviving residences aids the character of the Capitol Area.

Capitol Area Zoning Districts, Section 5-202, Zone "B" – Capitol Area Residential

Recommendations:

4. Parking should be located to the side of a building or in the rear and screened from view.

Staff finds that the proposal consistent with this recommendation.

Staff Recommendation: Staff recommends **approval** of the application 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 (7-0) to recommend **approval** with the additional condition:

- 3) That the outbuilding's roof should have a pitch similar to the main house.

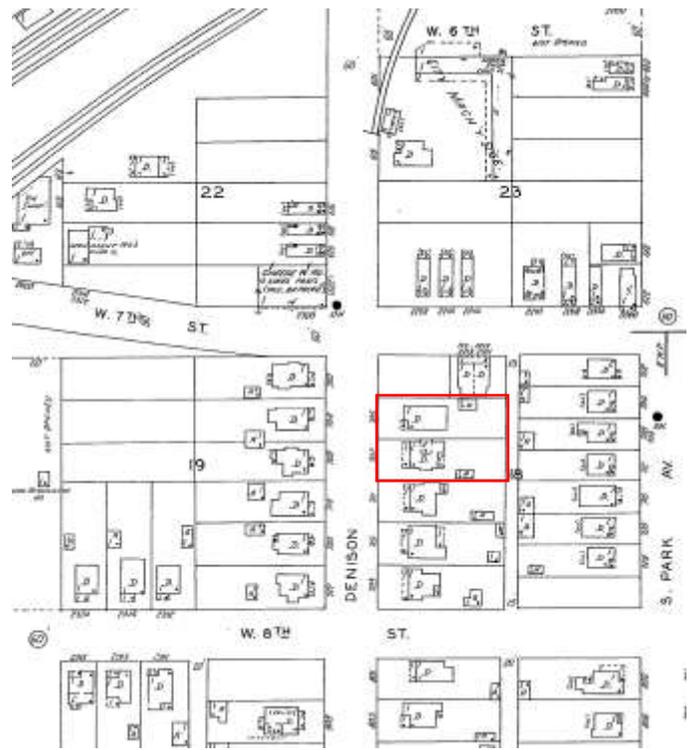
Committee members also agreed that stucco is an acceptable finish for the outbuilding.

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

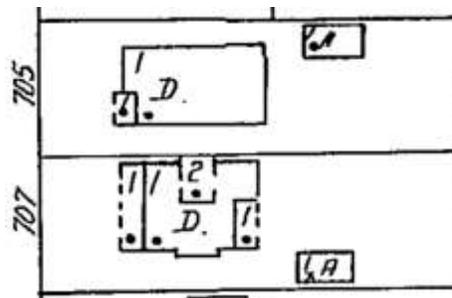
Details from historic Sanborn Fire Insurance Co. maps



1913 – For many years, Park Avenue was considered Little Rock’s western boundary. The “Capitol Hill Extension” subdivision has been platted here, but is still largely undeveloped west of Park. The house at 705 Denison, however, is already present.



1939 – This area quickly developed as a semi-industrial neighborhood over the last quarter century. Note the “cheese warehouse”, “tin shop”, “city machine storage” and numerous shotgun houses. 705 Denison now has a small garage at the rear, and an earlier back porch was enclosed. 707 Denison is now present.



1950 – No apparent changes.

Archive photos of 705 Dennison



1960 – former garage still present



1978 – main house at 705



1998 – main house at 705. Unpermitted changes since 1978 include replacement of front window with two smaller windows, and enclosure of the previously exposed rafter tails.



1998 – outbuilding

Google Maps Street View imagery



2017 – The outbuilding at 705 still had a roof and windows as recently as last summer. No permits were issued for the removal of these features.

Current photos of 705 Dennison



Google Maps Street View imagery



The current owners recently completed a significant rehabilitation project at 707 Dennison. These images captured in 2007 (above) and 2013 (below) illustrate the scope of this work.





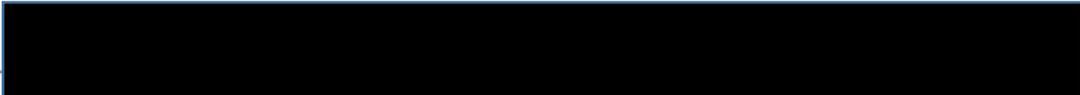
CAPITOL ZONING DISTRICT COMMISSION

APPLICATION FORM

PROPERTY ADDRESS 705 8 707 Dennison St.

PROPERTY OWNER Jaime & Ruth Vasquez.

PERSON FILING APPLICATION Ruth Vasquez.
if other than owner

APPLICANT PHONE AND EMAIL 

APPLICANT SIGNATURE AND DATE Ruth Vasquez. 1/24/2018.
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 Airbnb rental.

Attach as many pages of 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 junction. 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.



CAPITOL ZONING DISTRICT COMMISSION

APPLICATION FORM

PROPERTY ADDRESS T05 Dennison. St. Little Rock AR 72201.

PROPERTY OWNER Jaime & Ruth Vasquez.

PERSON FILING APPLICATION Ruth Vasquez.
if other than owner

APPLICANT PHONE AND EMAIL

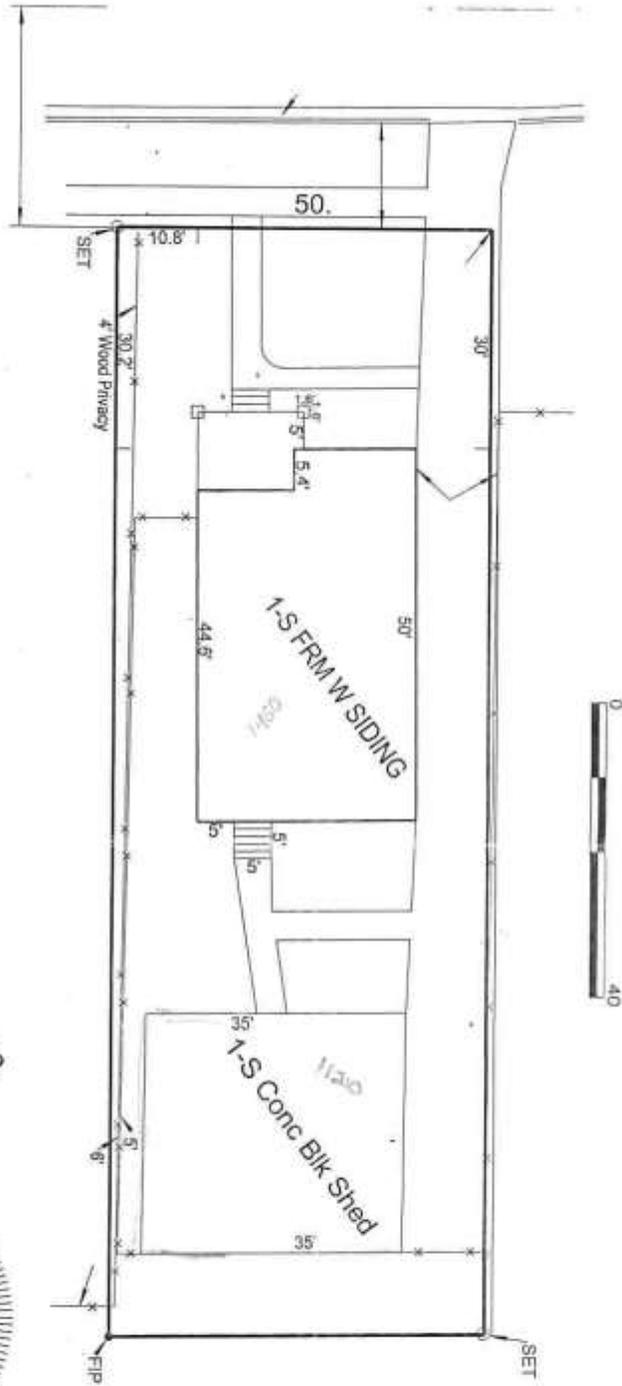


APPLICANT SIGNATURE AND DATE Ruth Vasquez · 10/17/2018.

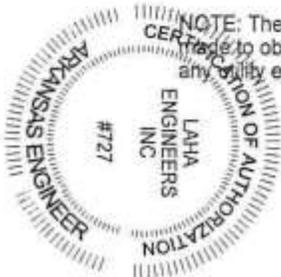
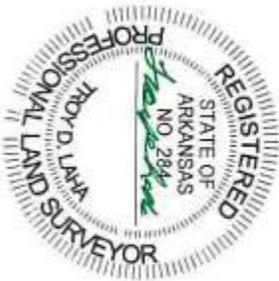
Signature certifies that applicant is authorized to represent this property, and that all information presented in this application, as well as in any supporting materials, is true and correct to the best of the signatory's knowledge.

DESCRIPTION OF PROPOSED WORK AND / OR USE Guest house.

Attach as many pages of 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, PDF's, digital images, etc) are welcome.

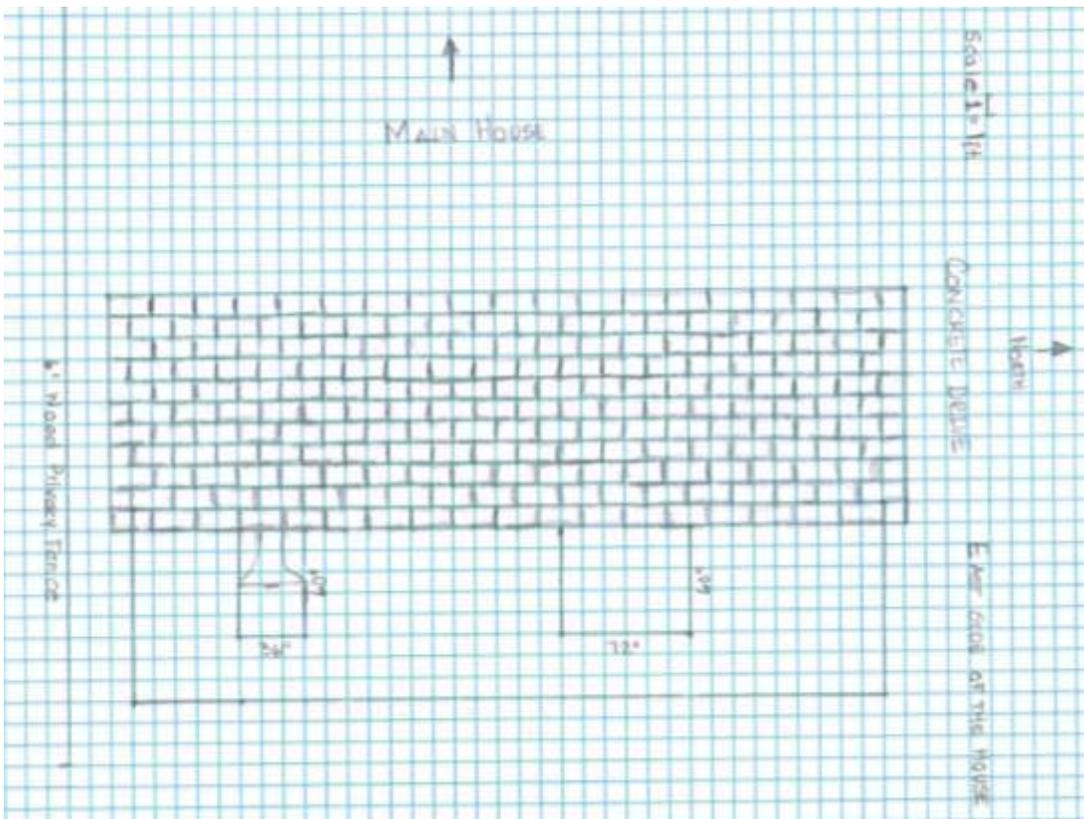
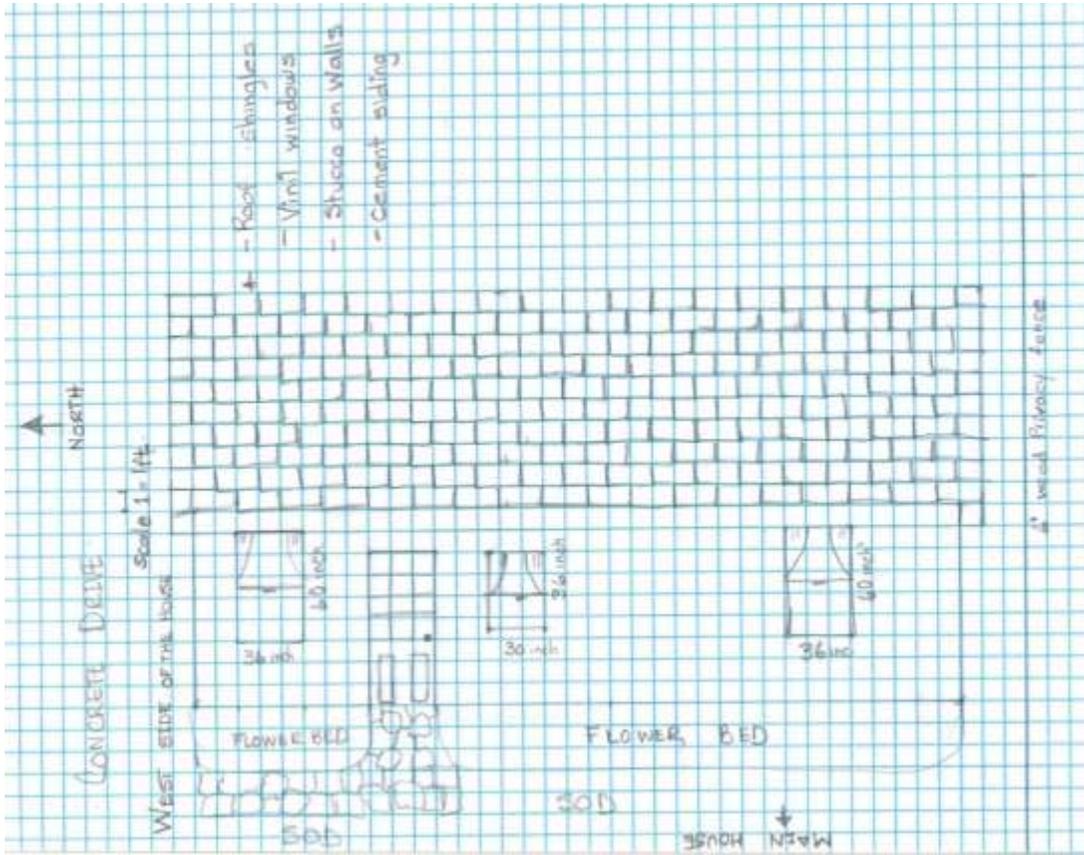


encroachments
LOT 3



NOTE: There is indication there may be underground utility lines on the site, whether private, municipal or otherwise. It is recommended that the owner obtain or show data concerning existence, size, location and depth of any utility existing on the site, whether private, municipal or otherwise.

East and West Elevations



North and South Elevations

