

Name: Hillcrest Design Overlay District Revision

Location: An area generally bounded by Markham, University Markham Street, University Avenue, "L" Street, the north ravine of Allsopp Park, Cantrell Road and Woodrow Street.

Request: Revise the Design Overlay District for the area

Source: Staff, Hillcrest Residents Association, and the Hillcrest Merchants Association

This revision of the Hillcrest Design Overlay District (DOD), originally approved by the Board of Directors in 2007 and amended in 2010, is primarily to clarify the variance process for items that do not conform to the Hillcrest Design Overlay District and/or do not conform to the underlying zoning.

This amendment changes the requirement to use the Planned Zoning District process for all requests not in conformance with the Design Overlay District or the base zoning, such that only requests not in conformance with the Design Overlay District (DOD) must use the Planned Zoning District process. That is, any request in conformance with the DOD but not in conformance with the base zoning would use the variance process (Board of Adjustment) as in any other section of Little Rock. In the paragraph below that is labeled "Old Language", the word "article" is proposed to be changed to "Hillcrest Design Overlay District". The word article refers to all of the zoning districts in the city, not just to the Design Overlay District. Currently, all items from fences, accessory dwellings, and side and rear yard setback, etc. are required to go to the Planning Commission even though they are compliant with the Hillcrest Design Overlay District. The second sentence in the new language clarifies that all items that are compliant with the Design Overlay District, but are not compliant with the underlying base zoning, will go to the Board of Adjustment for review. The underlined text reflects the changes.

According to our survey of the past files since the inception of the ordinance in 2007, approximately 30% of the Planned Zoning Developments could have been reviewed through the Board of Adjustment process if this change had been in place.

OLD LANGUAGE:

Sec. 36-434.16 Exceptions.

Property, if for any reason, that cannot be developed without violating the standards of this article 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.

HILLCREST DESIGN OVERLAY DISTRICT REVISION (Cont.)

NEW LANGUAGE:

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.

Staff met with the President of the Hillcrest Residents Association (HRA) and another member prior to the writing of this staff report for their review. Based upon that response, Staff decided to proceed with the revision. Staff also contacted the Hillcrest Merchants Association and the HRA members that edited the ordinance in 2010.

Staff has not received any emails or phone calls on the proposed change.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed changes.

PLANNING COMMISSION ACTION:

(SEPTEMBER 4, 2014)

This item was placed on the Consent Agenda for approval. There was a motion to approve the Consent Agenda. The motion passed by a vote of 8 ayes, 0 nays and 3 absent.