

January 11, 2024

ITEM NO.: 17

FILE NO.: Z-9892

NAME: Tinnin Group Home 1 – Special Use Permit

LOCATION: 822 N. Monroe Street

DEVELOPER:

Hillcrest Homes, LLC (Owner)
401 W. 18th Street
Little Rock, AR 72206

OWNER/AUTHORIZED AGENT:

Ashley Gill (Agent)
425 W. Capitol Avenue
Little Rock, AR 72201

SURVEYOR/ENGINEER:

N/A

AREA: 0.30 acre

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 3

PLANNING DISTRICT: 4

CENSUS TRACT: 15.01

CURRENT ZONING: R-2

A. ROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is requesting a special use permit to allow for a group home facility to be operated in an existing 2-story, single-family residence. The proposed group home will have a maximum of eleven (11) residents including 1- to 2 house managers at any given time. The site is located within the Hillcrest Overlay District.

B. EXISTING CONDITIONS:

The site located in the Pulaski Heights Subdivision on the southwest corner of N. Monroe Street and Kavanaugh Boulevard and contains a 2,800 square foot, 2-story, single-family residence. The majority of the properties in the area contain

R-2 zoning. However, surrounding the site, there is a mixture of zoning and uses in the general area.

C. NEIGHBORHOOD NOTIFICATIONS:

All owners of property located within 300 feet of the site and all neighborhood associations registered with the City of Little Rock were notified of the public hearing.

D. ENGINEERING COMMENTS: No comments

E. UTILITIES/FIRE DEPARTMENT/PARKS/COUNTY PLANNING:

Little Rock Water Reclamation Authority: No comments.

Entergy: No comments received.

Summit Utilities: No comments.

AT & T: No comments received.

Central Arkansas Water:

1. All Central Arkansas Water requirements in effect at the time of request for water service must be met.

Fire Department: Life Safety Inspection

Parks and Recreation: No comments received.

County Planning: No comments.

F. BUILDING CODES/LANDSCAPE:

Building Code: No comments received.

Landscape: No comments.

G. TRANSPORTATION/PLANNING:

Rock Region Metro: No comments received.

Planning Division: No comments.

H. ANALYSIS:

The applicant is requesting a special use permit to allow for a group home facility to be operated in an existing 2-story, single-family residence. The proposed group home will have a maximum of eleven (11) residents including 1- to 2 house managers at any given time. The site is located within the Hillcrest Overlay District.

The site located in the Pulaski Heights Subdivision at the southwest corner of N. Monroe Street and Kavanaugh Boulevard. The property contains a 2,800 square foot, 2-story, single-family residence. The majority of the properties in the area contain R-2 zoning. However, surrounding the site, there is a mixture of zoning and uses in the general area.

No signage beyond that allowed in single-family and two-family zones will be permitted.

The applicant notes the facility will provide sober living housing to the ever-growing number of Arkansans with substance abuse issues. The residential housing model for living will provide persons in recovery with an opportunity to pursue sobriety in a stable environment away from the playgrounds and playmates that often pressure those in sobriety back into chemical dependency.

The facility will provide housing only through a group home setting. The owner will not provide counseling, rehabilitative or any other services to residents.

The applicant provided the following information:

- a) Bedroom 1 – 400sf will contain three (3) persons
- b) Bedroom 2 – 200sf will contain two (2) persons
- c) Bedroom 3 – 200sf will contain two (2) persons
- d) Bedroom 4 – 185sf will contain one (1) persons
- e) Bedroom 5 – 500sf will contain one (3) person

The applicant notes approximately 50% of the residents will drive their own vehicle. Currently five (5) residents, including staff, have vehicles.

The applicant provided a parking plan showing two (2) on-street parking spaces for staff and six (6) parking spaces for residents.

The applicant provided a bill assurance for this property, Pulaski Heights Addition, dated April 1904.

Section 36-54(e)(4) of the City's Zoning Ordinance provides the following provisions for Group Home Facilities, as adopted by the Board of Directors on September 6, 2005:

9. family care facility, group care facility, group home, parolee or probationer housing facility, rooming, lodging and boarding facility.

(a) Separation, spacing and procedural requirements for family care facilities, group care facilities, group homes, parolee or probationer housing facilities and rooming, lodging and boarding facilities will be determined by the planning commission so as not to adversely impact the surrounding properties and neighborhood. Unless the commission determines that a different area is more appropriate, a neighborhood shall be defined as an area incorporating all properties lying within one thousand five hundred (1,500) feet of the site for which the permit is requested.

(b) There shall be a presumption that a special use permit for a group home of 5, 6, 7, or 8 handicapped persons will be granted if all ordinance requirements are met, except that individuals whose tenancy would constitute a direct threat to the health or safety of other individuals of whose tenancy would result in substantial physical damage to the property of others shall not be allowed in such a home.

(c) Issues that the planning commission will consider during its review of a family care facility, group care facility, group home, parolee or probationer housing facility, or rooming, lodging and boarding facility include, but are not limited to:

1. Spacing of existing similar facilities.
2. Existing zoning and land use patterns.
3. The maximum number of individuals proposed to be served, the number of employees proposed and the type of services being proposed.
4. The need and provision for readily accessible public or quasi-public transportation.
5. Access to needed support services such as social services agencies, employment agencies and medical service providers.
6. Availability of adequate on-site parking.

(d) The fire marshal must approve the use of any structure proposed as a family care facility, group care facility, group home, parolee or probation housing facility or rooming, lodging and boarding facility.

(e) Family care facilities, group care facilities, group homes and parole or probation housing facilities shall be operated within any and all applicable licensing and procedural requirements established by the State of Arkansas.

To staff's knowledge, there are no other transitional residential facilities within 1,500 feet of the property.

Section 8-406 (a) of the City's Buildings and Building Regulations Ordinance (minimum area per dwelling unit) requires 150 square feet for the first occupant and 100 square feet for each additional occupant. Therefore, the minimum area for this residence occupied by eleven (11) persons is 1,150 square feet. As noted earlier the residence is 2,800 square feet in total area.

Section 8-406 (b) (minimum area per bedroom) requires 70 square feet for the first occupant and 50 square feet for each additional occupant. The applicant provided a statement demonstrating compliance with this section of the code as from one (1) to three (3) persons will occupy each bedroom.

Special Use Permits are not transferable in any manner. Permits cannot be transferred from owner to owner, location to location or use to use.

Staff is not supportive of the special use permit as requested. Staff believes that the total number of eleven (11) residents proposed is too intense for this single-family residence and will create an increase in traffic that is not in character with the surrounding residences. Staff feels the proposed use, number of occupants and the increase in traffic will have an adverse impact on the area.

I. STAFF RECOMMENDATION:

Staff recommends denial of the requested special use permit as requested.