

FILE NO.: Z-9870

NAME: Carbary #2 STR-2 – PD-C

LOCATION: 121 White Oak Lane

DEVELOPER:

Connie & William Carbary (Owner)
Carbary, LLC
PO Box 250206
Little Rock, AR 72207
conniecarbary@gmail.com
(501) 766-4148 or (501) 663-2600

OWNER/AUTHORIZED AGENT:

Connie & William Carbary (Owner)
Carbary, LLC
PO Box 250206
Little Rock, AR 72207
conniecarbary@gmail.com
(501) 766-4148 or (501) 663-2600

SURVEYOR/ENGINEER:

Brooks Surveying, Inc.
20820 Arch Street Pike
Hensley, AR 72065
(501) 888-5336

AREA: 0.17 acre NUMBER OF LOTS: 1 FT. NEW STREET: 0 LF

WARD: 3 PLANNING DISTRICT: 3 CENSUS TRACT: 49

CURRENT ZONING: R2

VARIANCE/WAIVERS: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to rezone 0.17-acre property located at 121 White Oak Lane from an R2 to PD-C to allow use of the property as Short-Term Rental-2 with

a maximum stay of twenty-nine (29) days. The owner will not reside in the residence. The entire structure will be rented as one unit.

B. EXISTING CONDITIONS:

The property is a 1,773 square foot split-level brick structure. The request is in West Little Rock Planning District. The Future Land Use Plan shows Residential Low Density (RL) for the requested area. The property has a double car garage and a long driveway that could easily accommodate four to five cars.

C. NEIGHBORHOOD COMMENTS:

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: No comments.

Fire Department: Fire Department Inspection required.

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:

The request is in the West Little Rock Planning District. The Land Use Plan shows Residential Low Density (RL) for the requested area. The Residential Low Density (RL) category provides for single family homes at densities not to exceed 6 dwelling units per acre. Such residential development is typically characterized by conventional single family homes but may also include patio or garden homes and cluster homes, provided that the density remains less than 6 units per acre. The application is to rezone from R2 to PD-C for use as an STR-2.

The Land Use surrounding the application area to the north, east, and south is Residential Low (RL) with Residential High (RH) to the west.

The application site is zoned Single Family (R-2). Surrounding properties to the north, east, and south are also zoned Single Family (R-2) with Multi-Family (MF-24) to the west.

Master Street Plan:

White Oak Lane is a Local Street on the Master Street Plan. May require dedication of ROW or improvements.

Bicycle Plan:

The Master Transportation Plan Map does not show existing or proposed facilities in this area. There are no existing or proposed bike routes adjacent to or through this land.

Historic Preservation Plan:

This property is not located in a Historic District.

H. ANALYSIS:

The applicant proposes to rezone 0.17-acre property located at 121 White Oak Lane from an R2 to PD-C to allow use of the property as Short-Term Rental-2 with a maximum stay of twenty-nine (29) days. The owner will not reside in the residence. The entire structure will be rented as one unit.

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On June 20, 2023 the City Board of Directors passed an ordinance regulating short-term rentals within the City of Little Rock. The new ordinance establishes “development standards” for short-term rentals. If approved, the applicant must

comply with the newly established development standards as follows, in addition to all other requirements of the new ordinance:

b.) Development Standards.

1. Hosting of private parties and special events such as weddings, receptions, and other similar gatherings is not allowed in Short-Term Rentals.
2. Tours for a fee are not allowed to anyone other than an Occupant.
3. The Occupancy Fee may include any meal to be served to paying guests; no other meal service is permitted.
4. Allowable signage is that as permitted by the Single-Family Residential Standard.
5. Parking plan must be provided with permit application. Off-Street Standard for STRs shall be provided in accordance with Little Rock Arkansas Code, Chapter 36 36-54 (e) (1). If on-street parking is proposed as an alternative to meet the above requirements, parking must be available for guest use within 330 feet of the STR and parking plan must address neighborhood impact. If the STR is proposed within a Design Overlay District, any alternate parking requirements, as provided in Little Rock, Arkansas Rev. Code, Chapter 36. Zoning, Article V. District Regulations shall be applicable.
6. Applicants shall provide a scaled floor plan that includes all of the rooms available for rent with location of windows, doors, and smoke detectors identified. Smoke detectors (certified) are required in all sleeping areas, in every room in the path of the means of egress from the sleeping area to the exit, and in each story with sleeping unit, including basements.
7. All sleeping areas must have two (2) ways of egress, one of which can be an operable window.
8. Proof of homeowner's fire, hazard, and liability insurance. Liability coverage shall have limits of not less than One Million Dollars (\$1,000,000.00) per occurrence.
9. All persons operating a Bed and Breakfast House/Short-Term Rental (Type I & 2) shall meet all applicable requirements of the City of Little Rock's Municipal Code, Chapter 12, Fire Prevention and Protection, Article II. Arkansas Fire Prevention Code. Prior to use as a Bed and Breakfast House/Short-Term Rental (Type 1 & 2), the annual City of Little Rock, Building Code and Fire Marshal inspection fee must be paid, and payment of annual Business License received.

10. Smoke alarms shall be installed, all smoke alarms shall meet local and state standards (current Fire Code). Smoke alarms shall be installed in all sleeping areas and every room in the path of the means of egress from the sleeping area to the door leading from the sleeping unit.
11. Carbon monoxide detectors shall be installed as directed by City Staff if there are fuel-fired appliances in the unit or the unit has an attached garage.
12. Five (5)-pound ABC-type extinguisher shall be mounted where readily accessible.
13. No recreational vehicles, buses, or trailers shall be visible on the street or property in conjunction with the Bed and Breakfast House/Short-Term Rental use.
14. Principal renter shall be at least eighteen (18) years of age.
15. Maximum occupancy. Maximum occupancy of any room or structure as a whole shall be determined by the Arkansas Fire Prevention Code.
16. Simultaneous rental to more than one party under separate contracts shall not be allowed.
17. The owner shall not receive any compensation or remuneration to permit occupancy of a STR for a period of less than a one (1)-day rental.

All trash pick-up shall comply with requirements for residential one—and two-family residential zones.

The applicant provided responses and additional information to all issues raised during staff's review of the application. The applicant is requesting no variances with the PD-C zoning request.

Staff is in support the requested PD-C rezoning. Staff believes the request is reasonable and that the proposed STR-2 use is appropriate for this location.

Currently the City of Little Rock Department of Planning and Development has thirty-five (35) short-term rentals (STR-1 and STR-2) listed within the database for approved short-term rentals in the City of Little Rock. The City's new short-term rental ordinance allows a maximum of 500 short-term rentals within the corporate boundary of the City of Little Rock.

I. STAFF RECOMMENDATION:

Staff recommends approval of the PD-C zoning request subject to compliance with the comments and conditions noted in paragraph E and the staff analysis of the agenda staff report.

PLANNING COMMISSION ACTION:

(DECEMBER 14, 2023)

The applicant was present, representing the application. Staff presented the item and a recommendation for approval. There was one person in opposition; Annie Naulhmann. The person in opposition did not stay to speak to the Commission. There was a motion to approve as recommended by staff. The motion was seconded. The vote was 8 ayes, 2 nays and 1 absent.