

FILE NO.: Z-9731

NAME: Bernier Short-Term Rental – PD-C

LOCATION: 208 Cherokee Circle

DEVELOPER:

Cindy Bernier (Owner)
5 Foursons Court
Norwalk, CT 06851

OWNER/AUTHORIZED AGENT:

Cindy Bernier (Owner)
5 Foursons Court
Norwalk, CT 06851

SURVEYOR/ENGINEER:

Brooks Surveying, Inc.
20820 Arch Street Pike
Hensley, AR 72065

AREA: 0.31 acre

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 6

PLANNING DISTRICT: 3

CENSUS TRACT: 21.03

CURRENT ZONING: R-2

VARIANCE/WAIVERS: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to rezone 0.31-acre property located at 28 Cherokee Circle from R-2 to PD-C to allow use of the property as a Short-Term Rental with a maximum stay of fourteen (14) days. The owner will not reside in the residence. The entire residence will be rented as one (1) unit.

B. EXISTING CONDITIONS:

The 0.31-acre property is located between S. Rodney Parham Road to the west and Hiawatha Drive to the east. The property contains a one-story brick and wood

structure. A driveway is located on the east side of the property along Cherokee Circle leading to a garage. Additional parking is available on the site. The property is surrounded by R-2 zoning to the north, east and south. To the west, across S. Rodney Parham Road, contains PCD and PRD zoning.

C. NEIGHBORHOOD NOTIFICATIONS:

All owners of property located within 200 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 received.

Entergy: No comments received.

Summit Energy: No comments.

AT & T: No comments received.

Central Arkansas Water: No comments.

Fire Department: No comments

Parks and Recreation: No comments received.

County Planning: No comments received.

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 The 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 remain less than 6 units per acre. The application is to rezone from Single Family District (R-2) to Planned Commercial Development (PCD) District to allow for short Term Rental on to this site.

Surrounding the application area, the Land Use Plan shows Residential Low Density (RL) use in all directions from the site. 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 remain less than 6 units per acre. This area is currently zoned Single Family District, R-2 and is an existing developed single-family subdivision.

Master Street Plan: To the east and north is Cherokee Circle, it is a Local Street on the Master Street Plan. The primary function of Local Streets is to provide access to adjacent properties. Local Streets that are abutted by non-residential zoning/use or more intensive zoning than duplexes are considered as “Commercial Streets”. This street may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: There are no bike routes shown in the immediate vicinity.

Historic Preservation Plan: There are no existing historic sites on, or in proximity to, this land.

H. ANALYSIS:

The applicant proposes to rezone 0.31-acre property located at 28 Cherokee Circle from R-2 to PD-C to allow use of the property as a Short-Term Rental with a maximum stay of fourteen (14) days. The owner will not reside in the residence. The entire residence will be rented as one (1) unit.

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A paved driveway extends from Cherokee Circle which provides four (4) external parking spaces. Staff feels the parking is sufficient to serve the proposed use.

The applicant notes that meals will not be provided to guests and standard trash pick-up will be through the City of Little Rock trash collection.

The applicant is not proposing any signage at this time. Any signage must comply with Section 36-551 of the City's Zoning Ordinance (signs permitted in residential one – and two-family 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.

Staff does not support the requested PD-C rezoning. Staff does not believe the request is reasonable and that the proposed commercial use is not appropriate for this location. The property is designated as "RL" Residential Low Density on the City's Future Land Use Plan and is bordered in all directions by single family homes. Staff feels that the introduction of a commercial short-term rental will be out of character with the overall area at this time. Staff believes that this type of short-term rental would be more appropriately located on the outer edge of a single-family subdivision, in a more transitional area, and not in the center of a single-family neighborhood.

I. STAFF RECOMMENDATION:

Staff recommends denial of the requested PD-C zoning request.

PLANNING COMMISSION ACTION:

(JANUARY 12, 2023)

Nina Rodriguez was present representing the applicant. There were no objectors present. Staff presented the application with a recommendation of denial.

Nina Rodriguez addressed the commission stating that she was representing her parents who owns the property and lives in Connecticut. She stated that they visit the Little Rock about three times a year and rent out the property to help supplement their income and pay expenses for the property. She additionally stated that there was a caretaker who maintained the property and that she lived in the area and was involved in the oversight of the property as well.

There was a discussion by the PC regarding the parking area, oversight, and maintenance of the property, and who is responsible for issues such as disturbances due to noise or parties.

There was a motion to approve the application, including all staff comments and conditions. The motion passed by a vote of 6 ayes, 4 nay, and 1 open position. The application was approved.