

FILE NO.: Z-2333-D

NAME: Ellis Short-Term Rental – PD-C

LOCATION: 900 West 15th Street

DEVELOPER:

Darrell Ellis
905 West 15th Street
Little Rock, AR 72202

OWNER/AUTHORIZED AGENT:

Darrell Ellis
905 West 15th Street
Little Rock, AR 72202

SURVEYOR/ENGINEER:

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

AREA: 0.11 acre

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 1

PLANNING DISTRICT: 8

CENSUS TRACT: 47

CURRENT ZONING: PRD (Planned Residential Development)

VARIANCE/WAIVERS:

BACKGROUND:

In July, 31 2018, an application for a Conditional Use Permit (CUP) was submitted to modify an existing duplex residence and detached studio apartment located on the O-3 zoned lot. On October 04, 2018, the Planning Commission approved the request with conditions.

On June 22, 2019, an application was submitted to revise the Conditional Use Permit (CUP) to allow a building addition to a studio apartment which was previously approved as part of a three (3) unit residential development on this O-3 property. On August 01, 2019, the Planning Commission approved the request with conditions.

On April 20, 2021 the City Board of Directors passed Ordinance No. 21,979 which rezoned this property from O-3 to PRD. The PRD zoning allowed a lot split, with the duplex being on one lot and the studio apartment being on the second lot.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is now proposing to rezone the property from PRD to PD-C (Planned Development Commercial) to allow a short-term rental.

B. EXISTING CONDITIONS:

An existing duplex sits on the northwest corner of IZARD Street and West 15th Street. To the west of the duplex lies an existing studio apartment. Access to the proposed residences is provided via separate driveways off of West 15th Street. North of the site contains a mixture of office and commercial uses and zoning. To the east lies a mixture R-4 (Two-family) and commercial uses and zoning. To the south and west of the site lie additional R-4 (Two-family) two-family residential zoning and commercial uses and zoning.

C. NEIGHBORHOOD NOTIFICATIONS:

All owners of property 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:

1. A 20 feet radial dedication of right-of-way is required at the intersection of 15th St. and IZARD St.

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

Little Rock Water Reclamation Authority: Separate sewer services required for Existing Duplex and Studio Apartment building, with a sewer easement across Lot 7AR, if property is subdivided.

Entergy: No comments received.

Summit Utilities: No comments.

AT & T: No comments received.

Central Arkansas Water: No comments received.

Fire Department:

As per Appendix D, Section D107.1 of the Arkansas Fire Prevention Code Vol. 1, One- or Two-Family dwelling residential developments.

Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads, and shall meet the requirements of Section D104.3.

Exceptions:

1. Where there are **more than 30 dwelling units** on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved **automatic sprinkler system** in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the Arkansas Fire Code, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

Fire Hydrants

Locate Fire Hydrants as per Appendix C of the 2012 Arkansas Fire Prevention Code. Section C101 – C105, in conjunction with Central Arkansas Water (Daniel Tull 501-377-1245) and the Little Rock Fire Marshal's Office (Capt. Tony Rhodes 501-918-3757 or Capt. John Hogue 501-918-3754). Number and Distribution of Fire Hydrants as per Table C105.1.

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 Central City District. The Land Use Plan shows Mixed Use (MX) for the requested area. The Mixed Use category provides for a mixture of residential, office and commercial uses to occur. A Planned Zoning District is required if the use is entirely office or commercial or if the use is a mixture of the three. The application is to change the property from O-3 (General Office District) with a Conditional Use Permit to PRD (Planned Residential Development) District to recognize the existing uses while allowing for a lot split (i.e. one parcel with one residential unit and one parcel with two residential uses).

Surrounding the application area, the Land Use Plan shows Mixed Use (MX) to the west, north and south (across 15th Street). Residential High Density (RH) is east (across Izard Street) and south beyond this is more Mixed Use (MX). Residential Low Density (RL) is shown to the southeast catty-corner to the application area. The Mixed Use (MX) category provides for a mixture of residential, office and commercial uses to occur. A Planned Zoning District is required if the use is entirely office or commercial or if the use is a mixture of the three. In this area to the north and west of the application are single-family houses and one business. The Mixed Use to the south, across 15th Street, is currently vacant. The Residential High Density (RH) category accommodates residential development of more than twelve (12) dwelling units per acre. The area across Izard is a vacant lot and a single-family house. The RH land across 15th Street is vacant. 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 land is a mix of single-family houses, a duplex, four-plex and vacant tracts.

Master Street Plan:

To the south is 15th Street and to the east is Izard Street, both streets are Local Streets 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". These streets 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.

H. ANALYSIS:

The property is located at 900 West 15th Street and contains 1,939 square feet duplex structure. The applicant proposes to rezone the property from PRD to PD-C (Planned Development Commercial) to allow the existing duplex to be

utilized as a non-owner occupied short-term rental. The proposed PD-C zoning is for the east lot only (Lot 7BR). Lot 7AR will remain zoned PRD.

The applicant notes one (1) unit, the “A side”, will be permanently occupied by a family member. The remaining unit, the “B side” contains three (3) rooms proposed for short-term rental preferably for traveling doctors and nurses. The applicant notes the length of stay on the “B side” will not exceed a period of six (6) months and all common areas will be shared by occupants. The applicant notes no physical changes to the property is intended at this time. The applicant further notes guests will share full access to the common areas within the “B side.”

Typically three (3) off-street parking spaces are required for two-family residences. An existing carport is located in the rear of the property along W. 15th Street. The applicant notes a minimum of 2-3 vehicles may utilize the carport for on-site parking. Off-street parking is allowed on both sides of most streets in this area including W. 15th Street and IZARD Street. Historically, the residents of this property have used on-street parking as well as on-site parking as have other residential properties in this general area. Staff believes parking is sufficient for the use of the duplex as a short-term rental.

No signage is proposed at this time. Any future signage must comply with Section 36-551 of the City’s Zoning Ordinance (signs permitted in residential – one and two-family homes).

No changes in lighting or additional lighting is proposed with this revised PD-C application.

Staff is supportive of the revised PD-C zoning to allow a short-term rental at 900 W. 15th Street. To staff’s knowledge, there are no outstanding issues. The property has existed in its current configuration for many years. The proposed short-term rental will have no adverse impact on the surrounding area. The use is compatible with other uses and zoning located in this area.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested PD-C zoning subject to compliance with the comments and conditions outlined of the staff analysis and the agenda staff report.

PLANNING COMMISSION ACTION:

(FEBRUARY 10, 2022)

Staff informed the Commission that the applicant failed to respond to staff’s request for additional information regarding the proposal, including a site plan. Staff made several attempts to contact the applicant via phone and e-mail and had no response. Staff recommended the application be deferred to the March 10, 2022 agenda. There was no

further discussion. The item was placed on the Consent Agenda and deferred. The vote was 10 ayes, 0 nays and 1 open position.

PLANNING COMMISSION ACTION: (MARCH 10, 2022)

The item was placed on consent agenda for deferral to the April 14, 2022 agenda. By a vote of 7 for, 0 against, 3 absent, and 1 vacant position the consent deferral was approved.

PLANNING COMMISSION ACTION: (APRIL 14, 2022)

Staff informed the Commission that the applicant failed to send the required notifications to surrounding property owners. Staff recommended the application be deferred to the May 12, 2022 agenda. The item was placed on the Consent Agenda and deferred as recommended by staff. The vote was 10 ayes, 0 nays, 0 absent and 1 open position.

PLANNING COMMISSION ACTION: (MAY 12, 2022)

The applicant was present. There were no persons present registered in support or opposition. Staff presented the item and a recommendation of approval as outlined in the “staff recommendation” above. There was no further discussion. The item was placed on the Consent Agenda and approved as recommended by staff, including all staff comments and conditions. The vote was 10 ayes, 0 nays, 0 absent and 1 open position.