

FILE NO.: Z-9679

NAME: Elrod Short-Term Rental – PD-C

LOCATION: 320 North Palm Street

DEVELOPER:

John Elrod (Owner)
320 North Palm Street
Little Rock, AR 72205

OWNER/AUTHORIZED AGENT:

John Elrod (Owner)
320 North Palm Street
Little Rock, AR 72205

SURVEYOR/ENGINEER:

Brooks Surveying
20820 Arch Street Pike
Hensley, AR 72065

AREA: 0.16 acre

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 3

PLANNING DISTRICT: 4

CENSUS TRACT: 15.01

CURRENT ZONING: R-3 (Single-family District)

VARIANCE/WAIVERS: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to rezone the 0.16-acre property located at 320 North Palm Street from R-3 to PD-C to allow use of the property as a short-term rental. The owner will not reside in the residence. The entire residence will be rented as one (1) unit.

B. EXISTING CONDITIONS:

The property is a 7,000 square foot lot zoned R-3 with an existing 1,307 square foot one-story residence in the Elmhurst Addition subdivision. The wood frame structure has a driveway extending from N. Palm Street. A paved driveway located

in the front of the property and will be utilized for parking. Additional parking is available on Palm Street and from the alley at the rear of the property.

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.

CenterPoint Energy: No comments received.

AT & T: No comments received.

Central Arkansas Water:

NO OBJECTIONS; All Central Arkansas Water requirements in effect at the time of request for water service must be met.

Fire Department:

Maintain Access:

Fire Hydrants.

Maintain fire apparatus access roads at fire hydrant locations as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 **Section D103.1 Access road width with a hydrant.** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders.

Parks and Recreation: No comments received.

County Planning: No comments.

F. BUILDING CODES/LANDSCAPE:

Building Code: No comments received.

Landscape: No comment.

G. TRANSPORTATION/PLANNING:

Rock Region Metro: No comments.

Planning Division:

The request is in the Heights Hillcrest 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 Single Family District (R-3) to a Planned Commercial Development (PCD) to allow for the use of this property as a short-term rental with the owner not living on site.

Surrounding the application area, the Land Use Plan shows Residential Low Density (RL) in the immediate surroundings, with single-family dwellings on individual tracts.

The land surrounding the applicant area is zoned Single Family (R-3) and is within the Hillcrest Design Overlay District. The purpose of the Hillcrest DOD is to help maintain the built environment in a neighborhood that is rich in history and architectural character and consists of both a vital residential area and a thriving commercial sector. R-3 provides an appropriate district for existing developed areas occupied by smaller scale single-family housing while at the same time maintaining reasonable standards of light, air and similar amenities for living. The tract directly west of the applicant property, across the shared alley, is zoned Planned Development-Residential (PD-R) to allow for an accessory dwelling. Further down the alley, another neighboring tract is zoned R-3 with a Conditional Use Permit to allow for an accessory building to be used as an accessory dwelling. Duplexes are conditionally permitted in R-3 zones.

The application site is zoned Single Family District (R-3) and is an existing single-family dwelling.

Master Street Plan: To the east is N. Palm Street and it is a Local Street on the Master 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 existing or proposed bike routes adjacent to or through this land.

Historic Preservation Plan: The primary structure for the requested area is a historic, Contributing structure within the Hillcrest Neighborhood Historic District. As a Contributing structure, built in 1926, it is listed on the National Register of Historic Places.

H. ANALYSIS:

The applicant proposes to rezone the 0.16-acre property located at 320 North Palm Street from "R-3" Residential to "PD-C" Planned Development - Commercial to allow use of the property as a short-term rental. The owner will not reside in the residence. The entire residence will be rented as one (1).

Residential single-family zoning and uses are heavily concentrated on all sides of the property. A special use permit was recently approved to allow a bed and breakfast at the property immediately to the north at 400 north Palm Street.

Access to the property is a one lane concrete driveway from North Palm Street. Additional parking is provided along Palm Street and the alley at the rear of the property. The applicant notes there is paved parking for two (2) vehicles on the main driveway of the property. Section 36-502 of the City's zoning Ordinance requires one (1) parking space per dwelling unit. Staff believes the parking is sufficient for this use.

The applicant notes no changes to the exterior of the property will be made from its current layout. The applicant notes that the three (3) bedroom and 1.5 bath dwelling will accommodate up to four (4) guests and that one of the three bedrooms will be offered as an office workspace.

The applicant is not proposing any signage at this time. Any future signage must comply with Section 36-551 of the City's Zoning Ordinance (signs permitted in residential zones).

The applicant is not proposing to install additional lighting at this time. Any site lighting shall be low-level and directed away from adjacent properties.

No dumpster is proposed for the site and trash collection will be collected using standard City of Little Rock garbage collection.

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 the location. The property is designated as "RL" Residential Low Density by the City's Future Land Use Plan and is bordered on all sides by single family homes. Staff believes that the introduction of a commercial short-term rental will be out of

character with the overall area at this time and could have an adverse impact on the surrounding single-family properties.

I. STAFF RECOMMENDATION:

Staff recommends denial of the PD-C zoning request.

PLANNING COMMISSION ACTION:

(MAY 12, 2022)

Commissioner Betton served as Chair as Commissioner Vogel recused himself for this item.

The applicant, John Elrod, was present. There was one person registered in opposition to the application. Staff presented the item and a recommendation of denial as outlined in the “staff recommendation” above. The applicant deferred to the registered opposition.

Frank Allison addressed the Commission in opposition to the application. He expressed concerns regarding the applicant not residing in the home he is proposing as a SRT. He noted there is no adequate way to address issues that may arise and parking.

John Elrod addressed the Commission in support of the application. The applicant presented a power point to demonstrate compliance. He noted that a live video feed will be observed at all times via cell phone during occupancy of the residence and his parents live in the area are capable to address any concerns that may occur during his absence. He also noted he feels parking is adequate. The applicant also noted he would utilize the residence when he is in town, however would like to keep options open for use of the residence in his absence as there is a large medical facilities and amenities in close proximity to the residence. He noted his target guests would be medical professionals visiting the city seeking short-term living accommodations.

There was general discussion regarding STR types, the notification process and if the application was approved, how will this effect SRTs moving forward? Staff provided clarification to the Commission regarding the questions raised.

There was a motion to approve the application including all comments and recommendations, except the recommendation of denial by staff by staff. The motion was seconded. The vote was 7 ayes, 2 nays, 0 absent, 1 recusal (Vogel) and 1 open position. The application approved.