

FILE NO.: Z-8411-A

NAME: Harrell Rooming – Boarding House/Bed and Breakfast – PRD

LOCATION: 3221 West Markham Street

DEVELOPER:

Martha Nanette Harrell
3221 West Markham Street
Little Rock, AR 72205

OWNER/AUTHORIZED AGENT:

Harry Steven Thomas and Martha Nanette Harrell
3221 West Markham Street
Little Rock, AR 72205

SURVEYOR/ENGINEER:

Marlar Engineering
5318 JFK Blvd.
North Little Rock, AR 72116

AREA: 0.16 acre NUMBER OF LOTS: 1 FT. NEW STREET: 0 LF

WARD: 3 PLANNING DISTRICT: 9 CENSUS TRACT: 48

CURRENT ZONING: R-3

VARIANCE/WAIVERS:

1. None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to rezone the property from R-3 to PRD to allow for the existing residential structure to be used as a boarding house and bed and breakfast. The applicant's proposed is as follows:

"Proposal for a PRD for 3221 West Markham Street to allow use as follows:

- **Primary goal:** Boarding House:

- Three bedrooms, Maximum of six people
 - Advertise to professionals who are searching for a place to stay that is one week to less than 12 month rental.
 - Bed and Breakfast type of use for rentals less than one week. This option will be used to fill gaps in scheduled bookings.
- Provide an option to all occupants for meal service (Will meet license and permit requirements.)
- Shared common area: Living Room, Dining Room, Utility Room, Office Space, Sun room, Back deck, Front Terrace
- Owner Occupied: Owners will have a space in the downstairs bedroom.
- **Parking:** Will include one location on the carport in the back yard, off of Brown Street. Three additional parking locations are available on the driveway on the east side of the house, off of Markham Street.
- **Signage:** Create a stained glass sign within the arched front porch roof. Provide ground level signage in the North West corner of the front yard, five feet from city right-of-way. (Will meet city ordinance requirements.)”

B. EXISTING CONDITIONS:

The property is occupied by a one-story brick and frame single family residence with basement level. Driveways from West Markham Street and Brown Street serve as access to the property. Parking is located along the east, west and north sides of the residence.

C. NEIGHBORHOOD COMMENTS:

All owners of property located within 200 feet of the site and the Hillcrest and Capitol View Stiff Station neighborhood associations were notified of the public hearing.

D. ENGINEERING COMMENTS:

1. Markham Street is classified on the Master Street Plan as a minor arterial with special design standards. A dedication of right-of-way 35 feet from centerline will be required. A property survey was not provided.
2. Due to the proposed use of the property, the Master Street Plan specifies that Brown Street for the frontage of this property must meet commercial street standards. Dedicate right-of-way to 30 feet from centerline. A property survey was not provided.
3. A 20 feet radial dedication of right-of-way is required at the intersection of Markham Street and Brown Street. A property survey was not provided.

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

Little Rock Water Reclamation Authority:

Sewer main extension required with easements if new sewer service is required for this project. Capacity Fee Analysis Required.

Entergy: No comments received.

CenterPoint Energy: No comments received.

AT & T: No comments received.

Central Arkansas Water: No comments received.

Fire Department:

Full plan review

Parks and Recreation: No comments received.

County Planning: No Comments.

F. BUILDING CODES/LANDSCAPE:

Building Code: No Comments.

Landscape: No Comments.

G. TRANSPORTATION/PLANNING:

Rock Region Metro: No comments received.

Planning Division:

Land Use Plan: The request is in the Interstate 630 Planning District. The Land Use Plan shows Residential Low Density (RL) for the requested area. Residential Low Density 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 rezoning an area from R-3 (Single Family District) to PRD (Planned Residential Development District) to allow the existing house to be used as a Board House, with meeting/conference space for up to 10 persons.

Surrounding the application area, the Land Use Plan shows Residential Low Density (RL). Approximately a block and a half to the east, is the Stiff Station business district which is shown primarily as Commercial (C) and Residential High Density (RH). Residential Low Density 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. Commercial category includes a broad range of retail and wholesale sales of products, personal and professional services, and general business activities. Commercial activities vary in type and scale, depending on the trade area that they serve. Residential High Density accommodates residential development of more than twelve (12) dwelling units per acre.

Master Street Plan: To the north is Markham Street and it is a Minor Arterial on the Master Street Plan. To the west is Brown Street, this street are classified Local Streets by the Master Street Plan. A Minor Arterial provides connections to and through an urban area and their primary function is to provide short distance travel within the urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians Markham Street since it is a Minor Arterial. 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 applicant requests to rezone the property located at 3221 West Markham Street from “R-3” Single Family District to “PRD” Planned Residential District to allow for the existing residential structure on the site to be used as a boarding house and bed and breakfast. The applicant’s proposed use for the property is as follows (also noted in paragraph A.):

“Proposal for a PRD for 3221 West Markham Street to allow use as follows:

- **Primary goal:** Boarding House:
 - Three bedrooms, Maximum of six people
 - Advertise to professionals who are searching for a place to stay that is one week to less than 12 month rental.
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The applicant notes that parking for one (1) vehicle exists on the west side of the property (from Brown Street) and three (3) spaces exist along the east side of the residence (access from West Markham Street). There is also a circular driveway from West Markham Street, which is located mostly within the public right-of-way. Staff will allow one (1) vehicle to be parked on the circular driveway. On-street parking is also allow along the east side of Brown Street. The City’s Zoning Ordinance would typically require four (4) parking spaces for the proposed use. Staff believes that the applicant’s parking plan will adequately serve the proposed use of the property.

The applicant proposes to place a stained glass sign within the arched area above the front door. This sign will be approximately 10 square feet in area. The applicant also proposes a ground sign at the northwest corner of the property, five (5) feet back from the property lines and conforming with city ordinance requirements. Section 36-552 allows a ground sign for a multifamily-type development to have a maximum height of six (6) feet and a maximum area of 24 square feet.

Staff is supportive of the requested PRD zoning to allow use of the existing residence as an owner-occupied boarding house/bed and breakfast. Staff views the request as reasonable. The property is located on West Markham Street, a minor arterial roadway, and on the outer edge of the Capitol View Stiff Station neighborhood. The proposed use of the property as a boarding house will not be out of character with the overall neighborhood. There are other non-single family residential uses and zoning scattered throughout this neighborhood, including R-4, R-5 and PRD zonings and multi-unit residential developments. Staff believes the proposed PRD zoning will have no adverse impact on the general area.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested PRD zoning, subject to the following conditions:

1. Compliance with the comments and conditions outlined in paragraphs D and E, and the staff analysis, in the agenda staff report.

2. Obtain a franchise agreement from Public Works (Bennie Nicolo, 371-4818) for the private improvements such a fencing, landscaping and circular driveway located within dedicated right-of-way.

PLANNING COMMISSION ACTION:

(SEPTEMBER 24, 2020)

Dr. Nanette Harrell was present, representing the application. There were no supporters and two (2) registered objectors. Staff presented the application with a recommendation for approval. The applicant deferred to the registered opposition.

James Smith, 102 Ridgeway Drive, addressed the Commission in opposition of the application. As a 17-year resident of the Hillcrest Community, he expressed concern for the effect of the approval of the Boarding House on the housing market when he and his wife decide to downsize for retirement. Mr. Smith added that the zoning change from single-family residential is the primary reason for his opposition.

Commissioner Vogel asked the Staff if this zoning proposal was a work-around for the previous problems with the short-term rentals, vacation rentals, and other Bed and Breakfast properties for revenue streams by the property owners in the city. Director Collins explained the proposed future-plans for regulation of short-term rentals will not be affected by the current process. As it stands, any property deemed as a short-term rental by Planning and Development must be reviewed as a Planned Residential Development (PRD) due to its intended use. The report presented to the Board of Directors defines the distinction between owner-occupied properties and property owners not living onsite. Further distinction will be proposed for applications which will require final approval by the Board of Directors (i.e., Planned Developments) and those which will be allowed final approval by the Planning Commission (i.e., Special Use Permits). However, as of now, our office requires these proposed uses to be reviewed as a Planned Development.

Staff emphasized that a Bed and Breakfast and a Boarding House are specifically defined terms in the ordinance. In most cases, a Special Use Permit (SUP) can be considered. In this case, the Bed and Breakfast use does not allow full-meal services. Originally, the applicant proposed full-meal service to all the occupants. The SUP with a variance or the PRD would allow this service. However, the applicant was more comfortable with the PRD zoning since there was a variance involved.

Dr. Harrell addressed the Commission in support of the application. To address the opposing points, she briefly explained that the home has more room than she and her husband will need as they approach retirement. This method will help to secure their future. She acknowledged Mr. Smith concerns by adding that the proposed use of their property will improve the value of his property as he considers downsizing for retirement.

Commissioner Brooks asked the applicant if there were a prior attempt to sell the property with a follow-up question of how long the property remained on the market. The applicant confirmed that her home remained on the market for about a year and a half.

There was motion to approve the application as recommended by staff, including all staff comments and conditions. The motion was seconded. The vote was 8 ayes, 1 nay and 2 absent.