ITEM NO.: 18 FILE NO.: Z-9076-A

NAME: Gray STRs-2 (2) - STR-2 - PD-C

**LOCATION:** 1421 Cumberland Street

#### **AGENT/OWNER:**

Joyce Gray (agent) 1421 Cumberland St., Unit A Little Rock, AR 72202

J&J Gray Company (owner)

#### **SURVEYOR/ENGINEER:**

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

AREA: .16 acre NUMBER OF LOTS: 2 FT. NEW STREET: 0 LF

WARD: 1

**CURRENT ZONING: PD-R** 

**VARIANCE/WAIVERS:** 

None Requested.

### A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is requesting to rezone a 0.16-acre property located at 1421 Cumberland Street from PD-R to PD-C to allow the property to operate as a short-term rental 2 (STR-2) with a maximum stay of twenty-nine (29) days. The home is a townhouse consisting of two units, A and B. Each unit will be rented out separately and as a whole unit. The owner will not reside in unit B, but will live part of the year in unit A. Unit A has never been used as a short-term rental, however unit B has been in operation since 2022.

#### **B. EXISTING CONDITIONS:**

The property is occupied by a 3,788 square foot, two-story townhouse; each unit is 1,894 square feet. The townhouse is on the corner of E 15<sup>th</sup> Street and Cumberland

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Street. Each unit has a two-car garage and a two-car driveway accessible from the alley off of E 15<sup>th</sup> Street. The Future Land Use Plan is Residential Medium Density "RM". The current zoning is PD-R.

# C. <u>NEIGHBORHOOD COMMENTS</u>:

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 (PLANNING)**: No comments.

**ENGINEERING COMMENTS (PUBLIC WORKS)**: No comments.

# E. <u>Utilities/Fire Department/Parks/County Planning</u>:

<u>Little Rock Water Reclamation Authority</u>: No comments.

Entergy: No comments received.

Summit Utilities: No comments.

AT & T: No comments received.

<u>Central Arkansas Water</u>: NO OBJECTIONS; All Central Arkansas Water requirements in effect at the time of request for water service must be met

Fire Department: Full life Safety Inspection

<u>Landscape</u>: No comments.

## F. <u>Transportation/Planning</u>:

Rock Region Metro: No comments received.

Planning Division:

## Land Use Plan:

The request is in Planning District 8, the Central City Planning District. The development principles of the district include strengthening existing development, increasing residential infill, improving street design and pedestrian connectivity, historic preservation, and increasing neighborhood serving commercial uses. The Land Use Plan shows Residential Medium Density (RM) for the application area. The Residential Medium Density category provides for a broad range of housing types

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including single family attached, single family detached, duplex, town homes, multifamily and patio or garden homes. Any combination of these and possibly other housing types may fall in this category provided that the density is between six (6) and twelve (12) dwelling units per acre. The application is for an STR-2.

To the north and east of the application area are areas designated for Residential Medium Density (RM) uses and are characterized by diverse residential densities from single-family to 20+ unit apartment complexes. To the west is an area regulated by the Capitol Zoning District Commission and is characterized by diverse residential and neighborhood commercial uses. To the south are Residential Low Density (RL) uses characterized by single-family homes, duplexes, medium density apartments, educational facilities, and religious institutions.

This site is not located in an Overlay District. The site is located in a Local Ordinance Historic District.

## Master Street Plan:

Cumberland Street and E. 15<sup>th</sup> Street are Local Streets on the Master Street Plan. Local Streets are roads designed to provide access to adjacent property with the movement of traffic being a secondary purpose. The standard Right-of-way is 50'. Sidewalks are required on one side. This street may require dedication of right-of-way and may require street improvements.

#### Bicycle Plan:

These segments of Cumberland Street and E. 15<sup>th</sup> Street are not shown on the Master Bike Plan with existing or proposed facilities in this area.

#### Historic Preservation Plan:

The property is the site of new residential construction b. 2007 located with the MacArthur Park Local Ordinance Historic District. Any alterations to the exterior of the structure and site require review and approval through the Certificate of Appropriateness process for consistency with the MacArthur Park Historic District Design Guidelines. The application, as shown, should have no effect on identified historic resources.

## G. ANALYSIS:

The applicant is requesting to rezone a 0.16-acre property located at 1421 Cumberland Street from PD-R to PD-C to allow the property to operate as a short-term rental 2 (STR-2) with a maximum stay of twenty-nine (29) days. The home is a townhouse consisting of two units, A and B. Each unit will be rented out separately and as a whole unit. The owner will not reside in unit B but will live part of the year in unit A. Unit A has never been used as a short-term rental, however unit B has been in operation since 2022.

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The property is occupied by a 3,788 square foot, two-story townhouse; each unit is 1,894 square feet. The townhouse is on the corner of E 15<sup>th</sup> Street and Cumberland Street. Each unit has a two-car garage and a two-car driveway accessible from the alley off of E 15<sup>th</sup> Street. The Future Land Use Plan is Residential Medium Density "RM". The current zoning is PD-R.

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:

## Development Standards.

- 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 onstreet 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

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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.
- 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 an 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.

There is existing off-street parking for at least four (4) vehicles.

There have been no Department of Planning & Development enforcement cases nor any police reports for this property.

Currently the City of Little Rock Department of Planning and Development has one hundred and thirty-two (132) 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.

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Staff is supportive of the requested rezoning to allow a short-term rental 2 as the desired use. Staff feels the rental will continue to create a diversity of housing options for this neighborhood. Staff feels that the rezoning of this property will have no adverse impact on the surrounding properties in the general area.

# I. STAFF RECOMMENDATION:

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