

April 11, 2024

ITEM NO.: 28

FILE NO.: Z-9963-A

NAME: Midtown Premium Properties (4) STR-2 – PD-C

LOCATION: 514 Sherman Street (Unit #2)

OWNER:

Midtown Premium Properties
Brandon Finch
P O Box 7884
Little Rock, AR 72217
(870) 530-4300

SURVEYOR/ENGINEER:

Brooks Surveying, Inc.
20820 Arch Street Pike
Hensley, AR 72065
(501) 888-5336

AREA: .12-acre NUMBER OF LOTS: 1 FT. NEW STREET: 0 LF

WARD: 1 PLANNING DISTRICT: 5 CENSUS TRACT: 44

CURRENT ZONING: R-4A

VARIANCE/WAIVERS: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to rezone a .12-acre property located at 514 Sherman Street Unit #2 from R-4A to PD-C to allow use of the property as Short-Term Rental-2 with a maximum stay of twenty-nine (29) days. The owner will not reside in the residence. The entire structure will be rented as one unit.

B. EXISTING CONDITIONS:

The property is occupied by a 2,788 square foot, two story, four-unit house. This is the second of three applications for this property. The property owner is requesting three of the four units to be used as short-term rental with the fourth unit being rented long term. Each unit has one bedroom and one bath. The

request is in the Downtown Planning District as well as being located in the Downtown NBHD Association and the MacArthur NBHD Association. This property is a Contributing structure to the MacArthur Park Historic District. The Land Use Plan shows Residential Medium Density (RM) for the requested area. There are two parking spaces in the rear of the unit and two additional on-street parking spaces.

C. NEIGHBORHOOD COMMENTS:

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: No comments.

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

Little Rock Water Reclamation Authority: No comments.

Entergy: No comments received.

Summit Utilities: No comments.

AT & T: No comments received.

Central Arkansas Water: No comments.

Fire Department: Life Safety Inspection required.

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 Downtown Planning District. The Land Use Plan shows Residential Medium Density (RM) for the requested area. The Residential Medium Density (RM) accommodates a broad range of housing types including single family attached, single family detached, duplex, town homes, multi-family 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 to rezone from R-4A to PD-C. STR-2.

The Land Use surrounding the application to the north and east is Mixed Use Urban (MXU) with Residential Medium Density (RM) to the west and south.

The application site as well as properties to the west and south are zoned Low Density Residential (R-4A). Properties to the north and east are zoned Urban Use (UU).

This property is not located in the Downtown NBHD Association and the MacArthur NBHD Association.

This site is not located in an Overlay District.

Master Street Plan:

Sherman Street (Unit #1) is a Local Street 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:

Sherman Street is on the Master Bike Plan as a Proposed Class 3 Bike Route. Class 3 Bike Routes require no additional right-of-way, but either a sign or pavement marking to identify and direct the route.

Historic Preservation Plan:

This property is a Contributing structure to the MacArthur Park Historic District, a local ordinance district. The goal of the local ordinance historic district is to protect and preserve the unique and valued qualities of such an area, its urban design, architectural character, and historic materials in buildings and in landscapes. Any exterior alterations or demolition to structures, additions, or site features must receive approval from the Historic District Commission for compliance with the Little Rock Historic Preservation Code (Sec. 23-76—23-160), including alterations

to fulfill the requirements of Short-Term Rental development standards, before a building permit or Short-Term Rental inspection can be issued.

H. ANALYSIS:

The applicant proposes to rezone a .12-acre property located at 514 Sherman Street Unit #2 from R-4A to PD-C to allow use of the property as Short-Term Rental-2 with a maximum stay of twenty-nine (29) days. The owner will not reside in the residence. The entire structure will be rented as one unit.

The STR-2 has been in operation for three years. The property is not currently under enforcement by the City of Little Rock Planning and Development. There have been three (3) police reports at this property in the last three years.

The property is occupied by a 2,788 square foot, two story, four-unit house. This is the second of three applications for this property. The property owner is requesting three of the four units to be used as short-term rental with the fourth unit being rented long term. Each unit has one bedroom and one bath. The request is in the Downtown Planning District as well as being located in the Downtown NBHD Association and the MacArthur NBHD Association. This property is a Contributing structure to the MacArthur Park Historic District. The Land Use Plan shows Residential Medium Density (RM) for the requested area. There are two parking spaces in the rear of the unit and two additional on-street parking spaces.

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:

b.) Development Standards.

1. 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 on-street 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 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.
11. 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 a 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.

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 request.

Staff is in support the requested PD-C rezoning. Staff believes the request is reasonable and that the proposed STR-2 use is appropriate for this location.

Currently the City of Little Rock Department of Planning and Development has eighty-two (82) 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. There are five approved STR applications within 1/4 mile of the application site.

I. STAFF RECOMMENDATION:

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