

FILE NO.: Z-5257-B

NAME: Markham Vernon, LLC – PCD

LOCATION: 2623 West Markham Street

DEVELOPER:

Markham Vernon, LLC (Owner)
212 Center Street, 10th Floor
Little Rock, AR 72201

OWNER/AUTHORIZED AGENT:

Thomas M. Davis (Agent)
212 Center Street, 10th Floor
Little Rock, AR 72201

SURVEYOR/ENGINEER:

Brooks Surveying
20820 Arch Street Pike
Hensley, AR 72065

AREA: 0.52 acre NUMBER OF LOTS: 3 FT. NEW STREET: 0 LF

WARD: 3 PLANNING DISTRICT: 9 CENSUS TRACT: 48

CURRENT ZONING: R-3

VARIANCE/WAIVERS: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to rezone an overall 0.52 acres containing three (3) lots located at 2623 West Markham Street from R-3 to PCD to allow the use for a short-term rental and a professional office as an alternate use. The entire residence will be rented as one (1) unit. The owner will not reside at the residence.

B. EXISTING CONDITIONS:

The property contains an existing 3,448 square foot, two-story, wood-framed residence. Access is provided via a concrete driveway extending from Vernon

Avenue. The property is primarily surrounded by R-3 zoning south of West Markham Street. A mixture of higher density residential and commercial zoning exists in the general area.

C. NEIGHBORHOOD COMMENTS:

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.

Summit Utilities: No comments.

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.

Grade

Maintain fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 **Section D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade except as approved by the fire chief. If the grade exceeds 10 percent, approval will be denied and the applicant must submit request to be reviewed by Fire Chief for Approval.**

Loading

Maintain fire apparatus access road design as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 **Section D102.1 Access and loading.** Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus

access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.

One- or Two-Family Residential Developments

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 Fire Marshal Derek N. Ingram 501-918-3756 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 I-630 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 R-3 (Single Family District) to PCD (Planned Commercial Development). The request is to use the existing structure for a Short Term Rental.

Surrounding the application area, to the south of W Markham Street, is shown on the *Future Land Use Map* as Residential Low Density (RL) with platted and developed residential subdivisions. Adjacent to W. Markham Street to the west is an area of Commercial (C) with a medical office, convenience store with gas pumps, and a car wash. The Commercial (C) 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. To the north of W. Markham Street is shown as Public/Institutional (PI) and are the campuses for the Arkansas School for the Blind and the Arkansas School for the Deaf. The Public/Institutional (PI) category includes public and quasi-public facilities that provide a variety of services to the community such as schools, libraries, fire stations, churches, utility substations, and hospitals.

Master Street Plan:

W Markham St is shown as a Minor Arterial on the *Master Street Plan Map*. Minor Arterials are high volume roads designed to provide the connections to and through an urban area. Curb cuts should be limited to allow for continuous traffic flow while still allowing some access to adjoining property, Deceleration Lanes are required. Right of way is 90 feet. Sidewalks are required on both sides. Vernon Avenue is a Local Street, which are roads designed to provide access to adjacent property with the movement of traffic being a secondary purpose. Right-of-way is 50'. Sidewalks are required on one side. These streets may require dedication of additional right-of-way and may require street improvements.

Bicycle Plan:

W. Markham Street is shown on the *Master Bike Plan Map* with a proposed Class 1 Bike Path. Class I Bike Paths are a route designated for the sole use of bicycles that is physically separated from vehicular lanes.

Historic Preservation Plan:

This site is in the Capitol View National Historic District.

H. ANALYSIS:

The applicant is proposing to rezone an overall 0.52 acres containing three (3) lots from R-3 to PCD to allow the use of an existing residential structure for a short-

term rental and general professional office as an alternate use. The typical length of stay will range between two (2) to five (5) nights, although weekly and monthly stays are allowed. The applicant notes no meals will be provided to guests. The entire residence will be rented as one (1) unit. The owner will not reside at the residence.

The property contains a 3,448 square foot, two-story, wood-framed residence. Access is provided via a concrete driveway extending from Vernon Avenue. The property is primarily surrounded by R-3 zoning south of W. Markham Street. A mixture of higher density residential and commercial zoning exists in the general area.

The site plan indicates parking for eight (8) vehicles in the carport and driveway area. This will provide ample parking for the short-term rental and general professional office uses. The applicant notes the proposed alternative professional office use would only be an alternative use should the short-term rental be discontinued. The proposed office use would be for a law office or other similar low-traffic professional or business office. Staff feels the parking is sufficient for this use.

The applicant is not proposing any signage at this time. Any signage for the short-term rental or the general professional office use shall comply with Section 36-551 of the City's Zoning Ordinance (signs permitted in residential one – and two-family zones).

Any new lighting shall be low-level and directed away for adjacent properties.

The applicant notes that standard City of Little Rock garbage collection will continue to be used.

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 PCD zoning.

Staff supports the requested PCD zoning to allow a short-term rental and general professional office as an alternate use. Staff views the request as reasonable. To staff's knowledge there are no outstanding issues associated with this application. The Arkansas School for the Blind and Visually Impaired is located north of the site. Staff feels the minor increase in traffic will not have an adverse impact in the area. There is a mixture of commercial uses west of the site along W. Markham Street. Staff feels that this is a good location for a short-term rental and office use and will not be out of character within the overall area.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested PCD zoning subject to compliance with the comments and conditions outlined in paragraph E, and the staff analysis, of the agenda staff report.

PLANNING COMMISSION ACTION:

(MARCH 9, 2023)

The applicant was present. There were no persons registered in opposition. Staff presented the item and a recommendation of approval as outlined in the “staff recommendation” above. The item remained on the consent agenda for approval as recommended by staff, including all staff comments and conditions. The vote was 9 ayes, 0 nays, 1 absent and 1 abstain (Brown).