



DEPT. OF COMMUNITY
DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
PHONE: (479) 621-1186
FAX: (479) 986-6896

BOARD OF ADJUSTMENT MEETING AGENDA

OCTOBER 17, 2023

5:30 PM

ONLINE VIEWING: [HTTPS://US02WEB.ZOOM.US/J/85054461830](https://us02web.zoom.us/j/85054461830)

DISCLAIMER: THE CITY OF ROGERS MAKES NO CLAIMS, PROMISES, OR GUARANTEES REGARDING THE PARTICIPANTS' ABILITY TO ATTEND ANY PUBLIC MEETING VIRTUALLY. TECHNOLOGY RESOURCES, VIRTUAL MEETING PLATFORMS, AND THE INTERNET MAY OCCASIONALLY BE INTERRUPTED OR MADE UNAVAILABLE BY CAUSES BEYOND THE CITY'S REASONABLE CONTROL. THE CITY CANNOT GUARANTEE THAT PARTICIPANTS WILL HAVE THE OPPORTUNITY TO PARTICIPATE VIRTUALLY AT ALL TIMES. PUBLIC FORUMS, PUBLIC HEARINGS, AND SCHEDULED ITEMS OF BUSINESS WILL NOT BE TABLED OR POSTPONED DUE TO TECHNOLOGICAL ISSUES. IF YOU ARE REPRESENTING A PUBLISHED ITEM OF BUSINESS OR WISH TO SPEAK AT A PUBLIC HEARING, IN PERSON ATTENDANCE IS REQUIRED.

AGENDA

CALL TO ORDER:

ROLL CALL:

OLD BUSINESS:

1. *(VAR 23-32) A request by WoodSpring Suites for a variance to allow a reduction in front and interior side setback at 1.43 acres near the SW corner of S. Pleasant Crossing Blvd. & S. Dixieland Rd. in the C2-CU (Highway Commercial, Condominium Unit) zoning districts.*

STAFF: Nick Little

REPRESENTED BY: Ali Karr, CTA

NEW BUSINESS:

1. *(VAR 23-34) A request by Promenade Medical Plaza Phase 1 for a variance to allow a reduction in building setbacks at 4300 W. Oak Street in the C-2 (Highway Commercial) zoning district.*

STAFF: Nick Little

REPRESENTED BY: Ali Karr, CTA

ACTION ON MINUTES:



**DEPT. OF COMMUNITY
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ADJOURN:

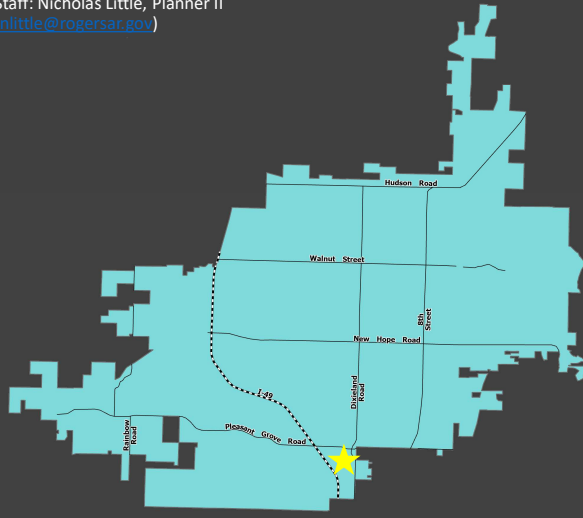


Variance

PLANNING

Woodspring Suites

Staff: Nicholas Little, Planner II
(nlittle@rogersar.gov)



Vicinity Map

Location

Just east of 4307 S Pleasant Crossing Blvd

Nature of Request

To allow for a reduction in the front and exterior side setbacks

Zoning

C-2-CU (Highway Commercial with Condominium Unit)

Proposed Use

Hotel

Representative

Ali Karr, CTA

Summary:

This request is for a reduction in the front and side yard setbacks for the construction of a new hotel.

Zoning:

C-2 (Highway Commercial): This district is intended for commercial uses, which depend upon high visibility, generate high traffic volumes or cater to the traveling public. These characteristics dictate that this district be located along or at the intersections of arterial classification streets or along frontage roads adjacent to the interstate or other limited-access streets. Sec. 14-709(a)

Growth Designation:

Commerce Corridor

Growth Designation Purpose:

To serve as an extension of the Uptown Regional Center in a way that provides for high-intensity development while respecting established residential and commercial patterns along the I-49 corridor. (CGM PAGE 1)

Growth Designation Character:

Interstate-adjacent areas intended for development that maximizes land use efficiency through vertical form, shared or hidden parking, horizontal or vertical mixed-use, and judicious use of open space. Development should provide walkability and access to multi-modal transportation network. Goals include encouraging compact urban-style design, while discouraging suburban forms such as apartment complexes. (CGM PAGE 1)

Allowed Zoning Districts:

R-MF, U-NBT, R-O, C-2, C-4



(e) Appeals; powers and duties. Sec. 14-724(e)(1)(a)(b)

(1) The Board of Adjustment shall hear the following appeals as provided by state law:

- a. Hear appeals from the decision of the Department of Community Development in respect to the enforcement and application of the zoning ordinance and the sign permitting provisions contained in Chapter 44, and may affirm or reverse, in whole or in part, said decision of the Department of Community Development; and
- b. Hear requests for variance from the literal provisions of the zoning ordinance in instances where strict enforcement of the zoning ordinance would cause undue hardship due to circumstances unique to the individual property under consideration, and grant such variances only when it is demonstrated that such action will be in keeping with the spirit and intent of the provisions of the zoning ordinance.

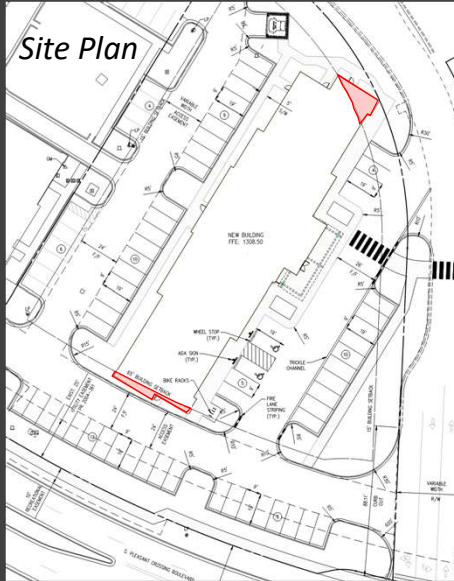
Board of Adjustment Duties Per Sec. 14-724(e)(1):

- a) Hear appeals from the decision of the Department of Community Development in respect to the enforcement and application of the zoning ordinance and the sign permitting provisions contained in Chapter 44, and may affirm or reverse, in whole or in part, said decision of the Department of Community Development; and
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Variance Woodspring Suites

PLANNING



Request

- To vary from the front and interior* side setbacks in C-2.
- C-2 Setbacks:
 - Front – 65'
 - Interior Side – 15'
 - Exterior Side – 45'
 - Rear – 15'
- Plan shows 15' of encroachment on the northeastern side of the development; 4'9" of encroachment on the southwestern side.
- *45' exterior side setback may need to be applied because of the adjacent private drive

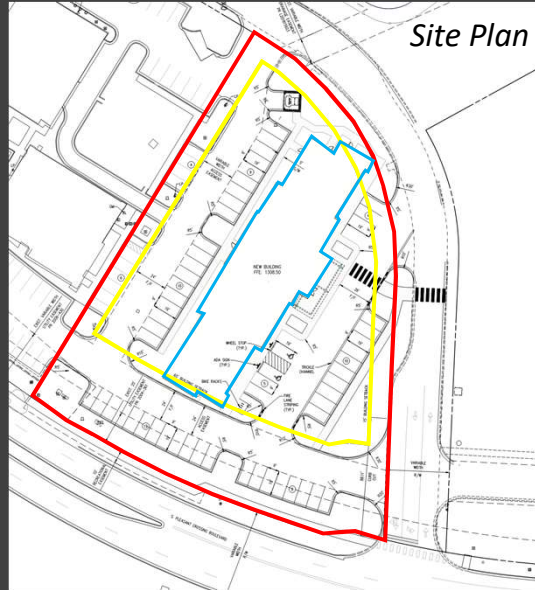
Request:

- Variance request to encroach front and side setbacks
- Plan shows deepest points of encroachment to be 15' on the northeast side; 4'9" on the south side
- Exterior side setback may need to be applied along private drive adjacent to eastern side of development.



Variance Woodspring Suites

PLANNING



Applicant Hardship

“This in-fill project is just under 1.5 acres (1.43 ac) within the Power Center commercial area. The property is fully surrounded by right of way frontage, access drives with various radii, and existing utility easements, making the lot an odd shape for development.”

Applicant Spirit and Intent

“By granting this variance, the project will be a cohesive addition to the Power Center that provides connectivity between adjacent parcels. There is still a large setback off the arterial road standard for commercial development. The proposed building is placed in line with the west property line and encroaches in the setback for only 30’ of the 415’ east property frontage.”

Stated Hardship:

- Odd shaped lot surrounded by right of way, access drives and easements.
- Infill development

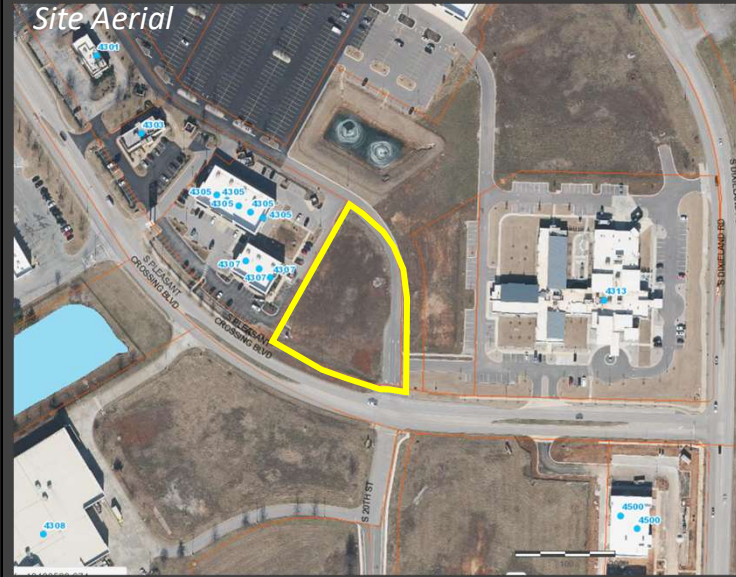
Spirit and Intent:

- Cohesive addition to the area
- Still setback off the arterial road by about 60’
- Only encroaching eastern property line for about 30’ linear. Number subject to change depending on which setback is applied.
- Nothing to “protect” with setbacks, except for existing commercial center to the west.



Variance Woodspring Suites

PLANNING



Analysis

- Odd-shaped lot within a commercial subdivision; surrounded by right-of-way and private commercial access
- Long, linear shaped building doesn't quite fit within the bounds of the setbacks for this lot under the current site design
- Setbacks being encroached are based off of right-of-way or easements. Latest information tells us that the access drive on the east side of the development isn't an access easement.
- Building may be able to fit within the setbacks if it's rotated to fit adjacent to the eastern property line.



Variance Woodspring Suites

PLANNING



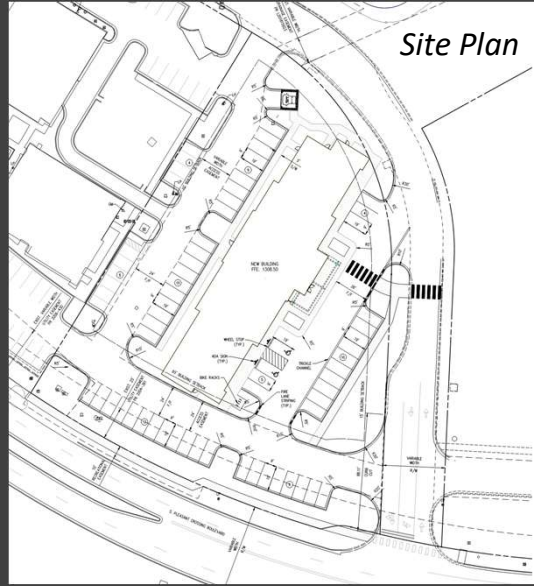
Analysis

- Legally, drive along the eastern side of the property is a private drive. Discovered after first review that this is not right-of-way.
- Unclear where to establish side setback.
 - Relocation of eastern property line could alleviate need for side setback variance.



Variance Woodspring Suites

PLANNING

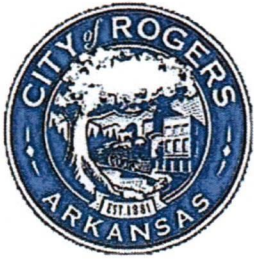


Site Plan

- Recommendation**
- **CONSIDER** variance for front and side setback encroachment

Recommendation:

- Staff recommends consideration of the request.



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OFFICE USE ONLY	
Permit Fee: _____ (\$100)	Zoning: <u>C2-UM</u>
App Number: <u>23-32</u>	
CityView Application: <u>PL202300882</u>	
Date: <u>9/11/23</u>	

VARIANCE APPLICATION

APPLICANT: Crafton Tull (Woodspring Suites)

ADDRESS: 901 N 47th St., Suite 400, Rogers, AR 72756 SUITE #: _____

GENERAL LOCATION OF PROPERTY: S Pleasant Crossing Blvd

PHONE #: 479-878-2468 EMAIL: ali.karr@craftontull.com

PROPERTY OWNER: PCPC1 LLC PHONE #: PCPC1 LLC

REQUEST to ALLOW(Cite Variation[s] from Applicable Section[s] of Code and Proposal):
Reduction in building setbacks - Section 14-709(d)(2). Reduce front setback from 65'
to 60'. Reduce interior side setback from 15' to 0' in the northeast corner.

Sec. 14-724(e)(1)(b) requires variance applicants to respond to these two questions for variance consideration:

How does strict enforcement of the code cause undue hardship due to circumstances that are unique to this property?

This in-fill project is just under 1.5 acres (1.43 ac) within the Power Center commercial area. The property is fully surrounded by right of way frontage, access drives with various radii, and existing utility easements making the lot an odd shape for development.

How will approval of this variance be in keeping with the "spirit and intent" of the code being varied?

By granting this variance the project will be a cohesive addition to the Power Center that provides connectivity between adjacent parcels. There is still a large setback off the arterial road standard for commercial development. The proposed building is placed in line with the west property line and encroaches in the setback for only 30' of the 415' east property frontage.

Ali Karr 08.28.2023
 Applicant Signature _____ Date _____

[Signature] 8-28-23
 Attachment Checklist: Property Owner Signature _____ Date _____

- Owner Signature on Letter or Application If needed, additional sheet for above required responses
- Survey, elevations, sign proofs and/or other documents as needed to illustrate request

PLANNING STAFF PROVIDES:

BOARD OF ADJUSTMENT DECISION: _____

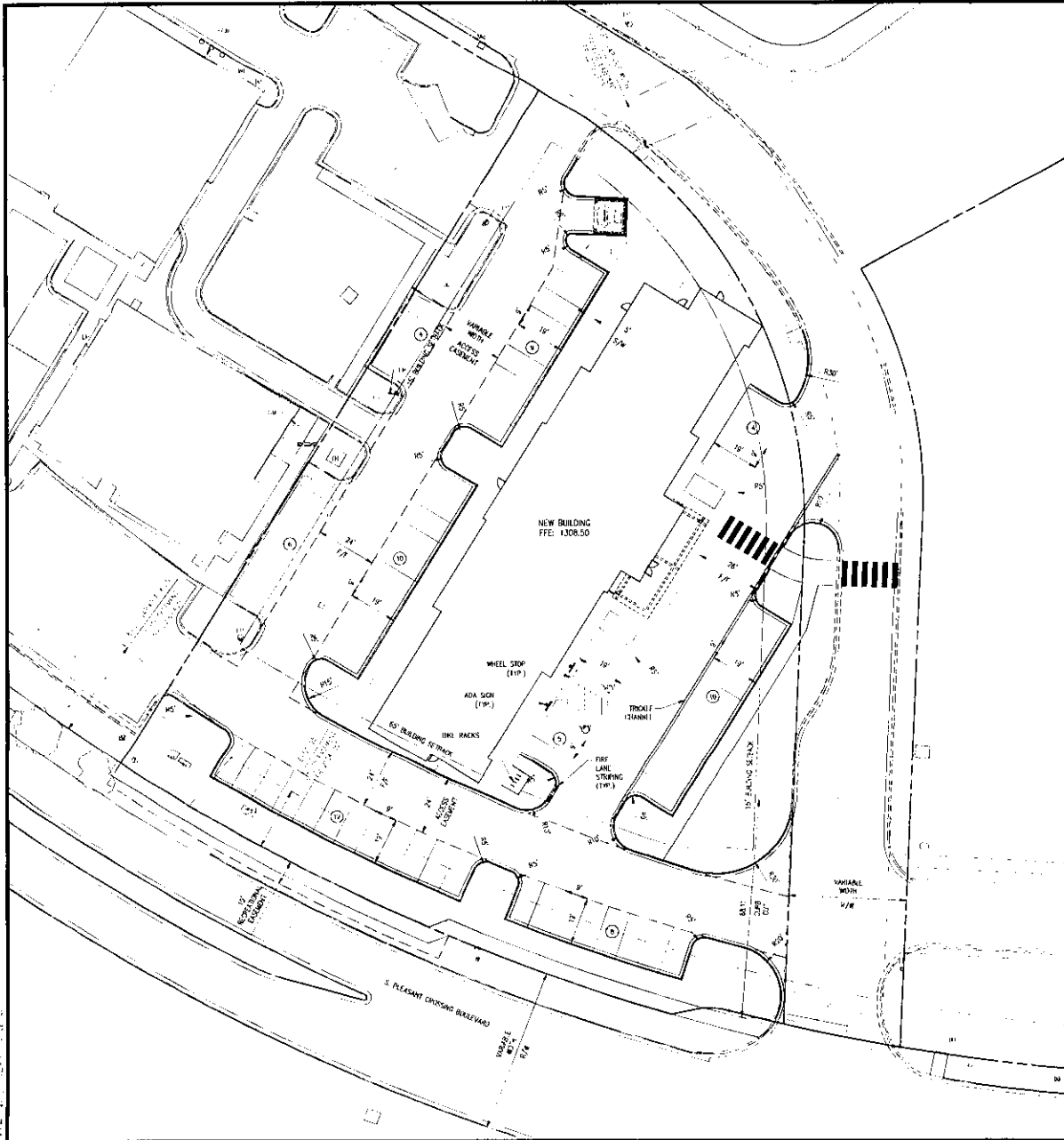
SECRETARY, BOARD OF ADJUSTMENT

DATE of PUBLIC HEARING



PROPERTY DESCRIPTION

LOT 3E OF THE REPLAT OF LOTS 3A AND 3B OF PLEASANT
CROSSING, PHASE I, TO THE CITY OF ROGERS, BENTON COUNTY,
ARKANSAS, AS SHOWN ON PLAT RECORD 2005 AT PAGE 980.



LEGEND (EXISTING SYMBOLS)

SYMBOLS	LINEWORKS
11 HVAC CONDENSER	BASEMENT
12 ELECTRIC BOX/TELESTAL	CURB
13 ELECTRIC JUNCTION BOX	HOIST OR WAY
14 ELECTRIC METER	ROAD CENTERLINE
15 ELECTRIC TRANSFORMER	
16 GAS METER	
17 GAS VALVE	
18 LIGHT POLE	
19 SANITARY MANHOLE	
20 TELEPHONE PEDIESTAL	
21 WATER METER	
22 WATER VALVE	
23 STORM SEWER MANHOLE	
24 DUCT/CURB	
25 PILE	

LEGEND (CONSTRUCT)

SYMBOLS	LINEWORKS
• SLEET IRON PIN	CURB
	BUILDING SET BACK
	PROPERTY LINE
	SIDEWALK
	TRUCK LANE STOPPING

PROJECT INFORMATION

BUILDING SETBACK: FRONT 65'
 REAR/LEFT CORN 10'
 1313 PARK SIDE 45'
 REAR 10'

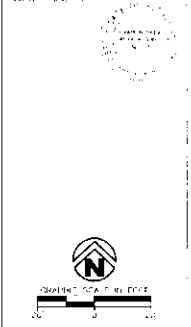
PROPOSED:
 IMPERVIOUS COVER: 47,975.87/62,198 = 78.9%
 OPEN SPACE/GREENSPACE: 14,413.9/62,198 = 23.1%
 GFA: 143,442.02/68,521.17
 BUILDING SIZE: 11,208.50 FT. (FOOTPRINT)
 BUILDING USAGE: HOTEL (106 ROOMS TOTAL, 4 STORED)
 FINISHED FLOOR ELEVATION: SEE GRADING PLAN
 ZONING: C-201
 PROPERTY USAGE: HOTEL
 BUILDING TYPE: CONSTRUCTION TYPE V A

BUILDING HEIGHT: 45'-11"
ADDRESS: 5 PLEASANT CROSSING BLVD
 ROSSINI, MO 65754
SITE OWNER: TCC HOLDINGS, LLC
 322 S MOULEY
 MOBILE, AL 36602
 904-935-8888
 904-935-8888
SITE ENGINEER: CRAIG TULL
 AUBURN PLE.
 901 N. 47TH ST., SUITE 400
 MOBILE, AL 36626
 479-636-4028

REQUIRED PARKING: 1 SPACE IS REQUIRED PER GUESTROOM FOR DEVELOPMENTS LARGER THAN 20 ROOMS. 10 PARKING SPACES MUST BE PROVIDED FOR EACH 10 ROOMS OR FRACTION THEREOF FOR EMPLOYEE AND WORKER USE (WORKING PARKING INCLUDING ROOMS AND OTHER FACILITIES, BUT NOT INCLUDING RESTAURANTS)
 106 ROOMS/10 = 10.6
 10.6 X 11 SPACES = 117 TOTAL
 1 BIKE RACK PER 20 PARKING SPACES
 60 SPACES/3 = 20 BIKE RACKS
PROVIDED PARKING: PARKING SPACES PROVIDED = 60
 HANDICAP PARKING PROVIDED = 2
 TOTAL PARKING PROVIDED = 62
 4 BIKE RACKS
 8 BI-CYCLES

SITE NOTES

- THE DESIGN, INSPECTION, AND CERTIFICATION OF ANY RETAINING WALL SHOWN OR REFERENCED HEREIN, INCLUDING BUT NOT LIMITED TO, STRUCTURAL RETAINING WALLS, MASS GRAVITY WALLS, CANTON WALLS, ETC., GREATER THAN FORTY-EIGHT INCHES IN HEIGHT, SHALL BE BY OTHERS. ANY RETAINING WALL DATA SHOWN OR REFERENCED HEREIN SHALL BE FOR COORDINATION OF THE WALL LOCATION AND ELEVATIONS ONLY.
- ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY/DISTRICT/STATE/FEDERAL REGULATIONS AND CODES AND TEST STANDARDS.
- CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF ALL UTILITIES, CURB, PARKING, SIDEWALKS, TRUCK POLES, TRUCK DOCKS, PRIVATE BUILDING DIMENSIONS AND EXISTING UTILITY ENTRANCE LOCATIONS.
- ALL CURB DIMENSIONS AND RAMP RISE TO BACK OF CURB UNLESS OTHERWISE NOTED.
- ALL PARKING MARKINGS SHOWN OR REFERENCED HEREIN SHALL BE BY OTHERS UNLESS OTHERWISE NOTED.
- ALL WORK SHALL BE DONE IN STRICT ACCORDANCE WITH THE PROJECT SPECIFICATIONS.
- ALL CURB/SIDEWALK/PARKING RAMP SIDINGS SHALL CONFORM TO ADA STANDARDS OF LOCAL REGULATORY CODES, WHICHEVER IS MORE RESTRICTIVE.
- CONTRACTOR SHALL ENSURE ALL NECESSARY PERMITS ARE OBTAINED PRIOR TO CONSTRUCTION START.
- CONTRACTOR SHALL MAINTAIN PROPER DRAIN AND GUTTER, CONCRETE, AND PAVEMENT TO EXISTING IN GRADE AND ALIGNMENT.
- CONTRACTOR SHALL MAINTAIN ALL EXISTING PARKING, SIDEWALKS, DRIVEWAYS, ETC. CLEAR AND FREE FROM ANY CONSTRUCTION MATERIAL AND/OR MATERIAL BY PRODUCT EAST AND SHEET PILE/SHIELD AND VIBRATORY TRAFFIC TO AND FROM THE SITE.
- THE SCHEDULING MATERIAL USED FOR ROOF MOUNTED EQUIPMENT SHALL BE THE SAME AS THE PRIMARY EXTERIOR BUILDING MATERIALS.
- ALL HVAC AND OTHER EQUIPMENT MUST BE SCHEDULED FROM PUBLIC WORK.



WOODSPRING SUITES
 5 PLEASANT CROSSING BOULEVARD
 ROSSINI, AL 37205

PRELIMINARY PLANS
 NOT TO BE USED FOR CONSTRUCTION

SHEET PLAN
C-102



DEPT. OF COMMUNITY DEVELOPMENT
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REDUCTION SURVEY STANDARDS

Surveys must feature the following:

- Information required per Arkansas Standards of Practice No. 1.
- Graphic depiction (with bearings and distances) of the area to be reduced.
- Textual depiction of the linear distance to be reduced.
- If a reduction only involves specific encroachments, the reduction area must include the specific encroachments.

Required signatures:

<i>Setback and easement reduction:</i>	<i>Setback reduction only:</i>	<i>*Easement reduction only:</i>
Property owner (with notarization) Secretary, Board of Adjustment Community Development Director RWU Electric provider Gas provider CATV provider Phone/Internet provider	Property owner (with notarization) Secretary, Board of Adjustment Community Development Director	Property owner (with notarization) Community Development Director RWU Electric provider Gas provider CATV provider Phone/Internet provider

*Easement reductions do not require a variance, but shall be submitted for review by Community Development and RWU, and require approval from all appropriate utilities. Submittals for easement reductions follow the standards and details above.

Utility Contact Information:

Provider	Contact	Phone #	Email
Rogers Water Utilities	Stephen Ponder	(479) 621-1156	stephenponder@rwu.org
Carroll Electric	Derek Thurman	(479) 273-2421 *2690	dthurman@carrollecc.com
AEP SWEPCO	Chris Andreolli	(479) 986-1015 / (479) 721-8573	clandreolli@aep.com
Black Hills Energy	Adam D. Comer	(479) 320-5104 / (479) 877-0006	adam.comer@blackhillscorp.com
CATV (Cox)	Jason Combs	(479) 263-7057	jason.combs@cox.com
Phone (AT&T)	Anthony Williams	(479) 442-3173	aw9156@att.com



UNDERSTANDING THE VARIANCE PROCESS

Sec. 14-724 of Rogers Code of Ordinances

Application steps:

1. Discuss variance with Planning staff to verify nature of request.
2. Complete application and provide the following supplements:
 - One-hundred dollar (\$100) filing fee made payable to the City of Rogers.
 - Unabbreviated legal description. Platted lot/block description is sufficient.
 - Reduction survey, site plan, sign proofs, pictures, or any other items necessary to explain request. Setback reduction requests must include the reduction distance in terms of linear feet.
3. Once application and required supplements are submitted and determined to meet all requirements, Planning staff will assign the variance request to a public hearing date based on the Public Hearing deadline and meeting schedule.

Public hearing details:

- Public hearings for variance requests are held during regularly scheduled Board of Adjustment meetings which take place on the first and third Tuesday of each month. The Board meets at 5:30 pm in the Council Chambers at City Hall.
- A legal notice of public hearing is advertised in the newspaper, and a public hearing notice sign is placed on the subject property 15 days prior to the Board of Adjustment meeting.
- The applicant or representative must be in attendance to represent the request and answer questions from the Board. If the applicant or representative fails to appear on the scheduled meeting date, the item can be postponed only once. If the applicant fails to appear on the second meeting date, the request will be automatically denied.
- The Board may approve a variance request with conditions or limits.

If your sign variance is approved:

- Sign variances require that a sign permit be obtained within six (6) months of approval.

If your setback reduction is approved:

- Setback reduction variances require provision of an official reduction survey that complies with the city's REDUCTION SURVEY STANDARDS.
- Planning staff will review and confirm that the reduction survey complies with survey standards and the approved variance. Survey revisions may be necessary.
- Once reviewed, surveys may be submitted for signatures on paper not exceeding 18" x 24". If a survey requires City and utility signatures, utility signatures must be gathered first.
- Surveys must be recorded with the Benton County Circuit Clerk, and a pdf must be filed with the Department of Community Development before considered final.

FOR LEASE
479.371.4071
CITY OF ROGERS
PULLMAN
WELLS
PERKINS



NOTICE OF PUBLIC HEARING

**NOTICE OF PUBLIC HEARING
VARIANCE**

DESCRIPTION
A variance to allow a reduction in in front and easter side setback at 1.43 acres near the SW corner of S. Pleasant Crossing Blvd. & S. Dovelana Rd. in the C2-CU zoning.

APPLICANT
WoodSpring Suites

BOARD/COMMISSION
Board of Adjustment

MEETING DATE/TIME
October 3, 2023 at 5:30 PM

MEETING LOCATION
Rogers City Hall
301 W. Chestnut Street
Rogers, AR 72757

PUBLIC COMMENTS
Email: Planning@rogersar.gov
Phone: 479.371.1186

CITY OF ROGERS ARKANSAS

COMMUNITY DEVELOPMENT DIVISION
6/11/86
Planning@rogersar.gov



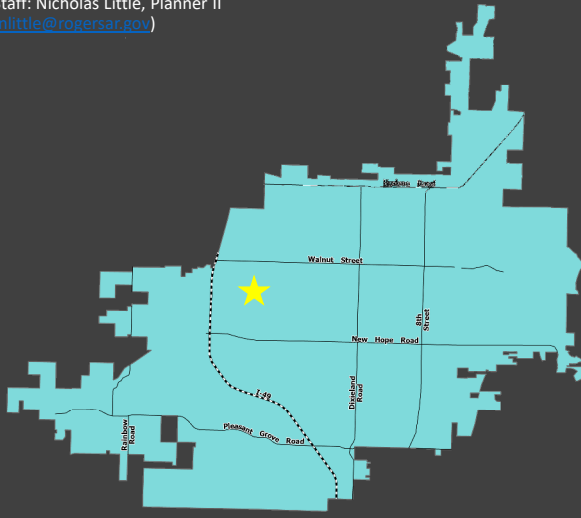


Variance

PLANNING

Promenade Medical Plaza Phase 1

Staff: Nicholas Little, Planner II
(nlittle@rogersar.gov)



Vicinity Map

Location

02-22392-000, 02-22391-001
Southeastern corner of S Promenade Blvd. and
W Oak Street

Nature of Request

To allow for a reduction in the front and
interior side setbacks

Zoning

C-2 with PUD (Highway Commercial)

Proposed Use

Medical Office, Retail

Representative

Ali Karr, CTA

Summary:

This request is for a reduction in the front and side yard setbacks for the construction of a medical and retail development.

Zoning:

C-2 (Highway Commercial): This district is intended for commercial uses, which depend upon high visibility, generate high traffic volumes or cater to the traveling public. These characteristics dictate that this district be located along or at the intersections of arterial classification streets or along frontage roads adjacent to the interstate or other limited-access streets. Sec. 14-709(a)

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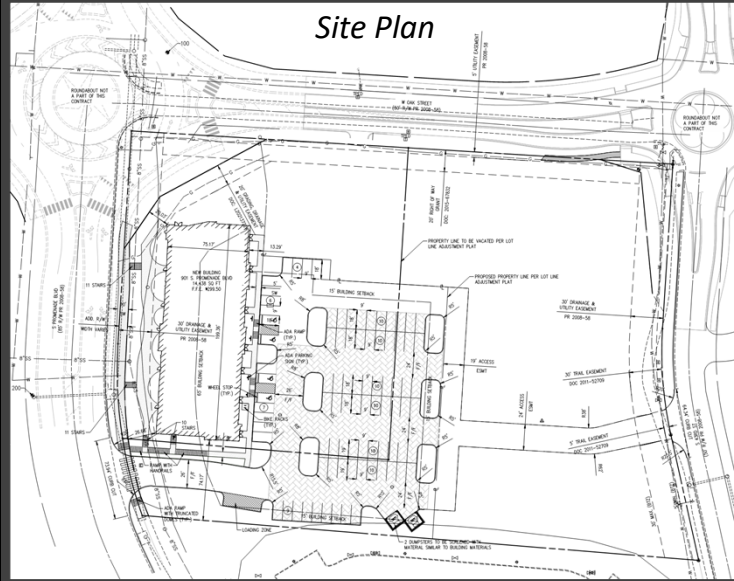
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Board of Adjustment Duties Per Sec. 14-724(e)(1):

- a) Hear appeals from the decision of the Department of Community Development in respect to the enforcement and application of the zoning ordinance and the sign permitting provisions contained in Chapter 44, and may affirm or reverse, in whole or in part, said decision of the Department of Community Development; and
- b) Hear requests for variance from the literal provisions of the zoning ordinance in instances where strict enforcement of the zoning ordinance would cause undue hardship due to circumstances unique to the individual property under consideration, and grant such variances only when it is demonstrated that such action will be in keeping with the spirit and intent of the provisions of the zoning ordinance.



Promenade Medical Plaza Phase 1



Applicant Hardship

“This project is located at the corner of S Promenade and W Oak St with large amounts of right-of-way dedicated for the roundabout and extensive utility easements with existing facilities. Standard C-2 setbacks would create unusable/inactivated frontage along the street corridor and wouldn't allow for building placement close together. The dumpster would also need to be located more interior to the site causing discontinuity in aesthetics with adjacent sites.”

Stated Hardship:

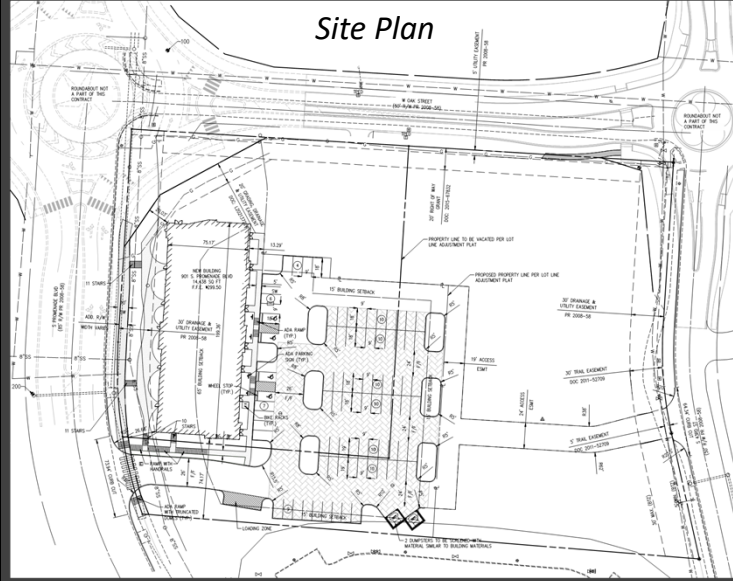
- Dedication of roundabout right of way and standard C-2 setbacks create dead, unusable space on the property
- Location of dumpsters within the setbacks would create discontinuity of site aesthetics



Variance

PLANNING

Promenade Medical Plaza Phase 1



Applicant Spirit and Intent

“By granting this variance, the project will align with the City of Rogers proposed comprehensive growth map (FLUM) and desire for form based design. This variance will allow the building to be placed closer to the street to activate the pedestrian corridor. This will provide continuity with other recently approved zoning districts that allow for build-to zones. The site has been designed for multiple connections to the right-of-way with sidewalks and enhanced with planting design. This variance will also allow the dumpster to be located in the “rear” of the project, out of public view, and adjacent with the “back of house” of the neighboring property.”

Spirit and Intent:

- More consistent with proposed FLUM and code
- Design will activate pedestrian corridor, more than standard C-2 development.
- Continuity with recently approved developments/zonings in the vicinity



Promenade Medical Plaza Phase 1



Analysis

- Proposed design is more consistent with development designs that would be allowed/required under the new Future Land Use Map and Development Code.
- 3 different townhome projects, all utilizing a more urban, efficient form, have been approved within the immediate vicinity of this subject property. (Shown in RED)
- Planned roundabouts along W Oak Street at S Promenade and S 43rd Street intersections.
- Proposed dumpster location would be situated towards the “side” of the development to the south.

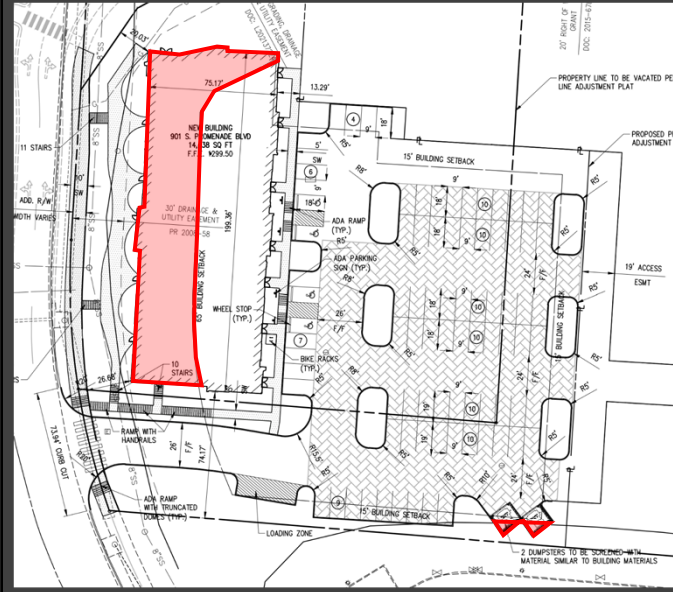
- FLUM designates this area of town as Mixed Use Corridor, which would allow T5.1, 5.2, and HC zoning. T5.1 and 5.2 echo the building disposition and bulk of those in the heart of Downtown Rogers – 4-5 max stories, 12-15’ MAXIMUM building setback, mixed use, wide pedestrian passage along building frontage, etc. HC zoning follows the form of what we see with standard Highway Commercial developments.
- 3 different nearby townhome developments, have gotten zoning approval and are in LSDP review right now, are all being built to urban form, NBT standards.



Variance

PLANNING

Promenade Medical Plaza Phase 1



- Recommendation**
 - **APPROVE** variance for front and side setback encroachment

Staff hasn't received any public comments regarding this request.

Recommendation:

- Staff recommends approval of the request.



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FAX: (479) 986-6896

OFFICE USE ONLY
Permit Fee: _____ (\$100) Zoning: _____
App Number: _____
CityView Application: _____
Date: _____

VARIANCE APPLICATION

APPLICANT: Crafton Tull

ADDRESS: 901 N 47th St., Suite 400, Rogers, AR 72756 SUITE #: _____

GENERAL LOCATION OF PROPERTY: S Promenade Blvd

PHONE #: 479-878-2468 EMAIL: ali.karr@craftontull.com

PROPERTY OWNER: Prime Medical Investment NWA, LLC PHONE #: 256-428-0060

REQUEST to ALLOW(Cite Variation[s] from Applicable Section[s] of Code and Proposal):
Reduction in building setbacks - Section 14-709(d)(2). Reduce front setback from 65'
to 20'. Reduce interior side and rear setback from 15' to 4'.

Sec. 14-724(e)(1)(b) requires variance applicants to respond to these two questions for variance consideration:

How does strict enforcement of the code cause undue hardship due to circumstances that are unique to this property?

This project is located at the corner of S Promenade and W Oak St with large amounts of right of way dedicated for the roundabout and extensive utility easements with existing facilities. Standard C-2 setbacks would create unusable/unactivated frontage along the street corridor and wouldn't allow for building placement close together. The dumpster would also need to be located more interior to the site causing discontinuity in aesthetics with adjacent sites.

How will approval of this variance be in keeping with the "spirit and intent" of the code being varied?

By granting this variance the project will align with the City of Rogers proposed comprehensive growth map and desire for form based design. This variance will allow the building to be placed closer to the street to activate the pedestrian corridor. This will provide continuity with other recently approved zoning districts that allow for build to zones. The site has been designed for multiple connections to the right of way with sidewalks and enhanced with planting design. This variance will also allow the dumpster to be located in the "rear" of the project, out of public view, and adjacent with "back of house" of the neighboring property.

Ali Karr 09.08.2023
Applicant Signature Date

DocuSigned by:
Mark Samples Date
9/8/2023

Attachment Checklist: 12E650E7F7824B0
Property Owner Signature Date

- Owner Signature on Letter or Application If needed, additional sheet for above required responses
- Survey, elevations, sign proofs and/or other documents as needed to illustrate request

PLANNING STAFF PROVIDES:

BOARD OF ADJUSTMENT DECISION: _____

SECRETARY, BOARD OF ADJUSTMENT

DATE of PUBLIC HEARING

DESCRIPTION LOT 16A:

PART OF LOT 16, THE FARMS COMMERCIAL SUBDIVISION, AS PER PLAT RECORD 2008 AT PAGES 58-60 AND PART OF LOT 17, THE FARMS COMMERCIAL SUBDIVISION, AS PER PLAT RECORD 2015 AT PAGE 691 BOTH IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 16;
THENCE ALONG THE NORTH LINE THEREOF S86°28'58"E 118.84 FEET;
THENCE LEAVING SAID NORTH LINE S08°07'44"E 40.51 FEET;
THENCE 12.27 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 60.00 FEET AND A LONG CHORD OF S02°16'13"E 12.25 FEET;
THENCE S03°31'02"W 55.64 FEET;
THENCE S86°28'58"E 62.50 FEET;
THENCE S03°31'02"W 18.50 FEET;
THENCE S86°28'58"E 109.00 FEET;
THENCE S03°31'02"W 232.83 FEET TO THE SOUTH LINE OF SAID LOT 16;
THENCE ALONG SAID SOUTH LINE N85°22'26"W 268.16 FEET TO THE SOUTHWEST CORNER OF SAID LOT 16;
THENCE ALONG THE WEST LINE THEREOF 161.05 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 397.50 FEET AND A LONG CHORD OF N08°00'10"W 159.95 FEET;
THENCE ALONG SAID WEST LINE N03°36'14"E 196.91 FEET TO THE POINT OF BEGINNING, CONTAINING 1.94 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.



DEPT. OF COMMUNITY DEVELOPMENT
 PLANNING DIVISION
 301 W. CHESTNUT
 PHONE: (479) 621-1186
 FAX: (479) 986-6896

REDUCTION SURVEY STANDARDS

Surveys must feature the following:

- Information required per Arkansas Standards of Practice No. 1.
- Graphic depiction (with bearings and distances) of the area to be reduced.
- Textual depiction of the linear distance to be reduced.
- If a reduction only involves specific encroachments, the reduction area must include the specific encroachments.

Required signatures:

<i>Setback and easement reduction:</i>	<i>Setback reduction only:</i>	<i>*Easement reduction only:</i>
Property owner (with notarization) Secretary, Board of Adjustment Community Development Director RWU Electric provider Gas provider CATV provider Phone/Internet provider	Property owner (with notarization) Secretary, Board of Adjustment Community Development Director	Property owner (with notarization) Community Development Director RWU Electric provider Gas provider CATV provider Phone/Internet provider

*Easement reductions do not require a variance, but shall be submitted for review by Community Development and RWU, and require approval from all appropriate utilities. Submittals for easement reductions follow the standards and details above.

Utility Contact Information:

Provider	Contact	Phone #	Email
Rogers Water Utilities	Stephen Ponder	(479) 621-1156	stephenponder@rwu.org
Carroll Electric	Derek Thurman	(479) 273-2421 *2690	dthurman@carrollecc.com
AEP SWEPCO	Chris Andreolli	(479) 986-1015/ (479) 721-8573	clandreolli@aep.com
Black Hills Energy	Adam D. Comer	(479) 320-5104 / (479) 877-0006	adam.comer@blackhillscorp.com
CATV (Cox)	Jason Combs	(479) 263-7057	jason.combs@cox.com
Phone (AT&T)	Anthony Williams	(479) 442-3173	aw9156@att.com



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NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the **Rogers Board of Adjustment** on **October 3, 2023** at **5:30 p.m.** at Rogers City Hall regarding an application by **Promenade Medical Plaza Phase 1** under the provisions of the City of Rogers Code of Ordinances, for variance to **allow a reduction in building setbacks** at **4300 W. Oak Street** in the C-2 (Highway Commercial) zoning districts more particularly described as follows:

PARCEL NUMBERS:

02-22392-000, 02-22391-001

LOCATION:

4300 W. Oak Street

Ed McClure, Secretary
Board of Adjustment

PUBLISH ONE TIME ONLY: **Sunday October 1, 2023**
BILL THE CITY OF ROGERS

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING VARIANCE

DESCRIPTION:	A variance to allow a reduction in building setbacks at 4300 W. Oak St. in the C-2 (Highway Commercial) zoning district Promenade Medical Plaza Ph. 1
APPLICANT:	Board of Adjustment
BOARD/COMMISSION:	October 17, 2023 at 5:30 PM Rogers City Council Chambers 301 W. Chestnut St.
MEETING DATE/TIME:	boardofadjustments@rogersar.gov
MEETING LOCATION:	boardofadjustments@rogersar.gov
PUBLIC COMMENTS:	boardofadjustments@rogersar.gov



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