



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

BOARD OF ADJUSTMENT MEETING AGENDA

NOVEMBER 7, 2023

5:30 PM

ONLINE VIEWING: [HTTPS://US02WEB.ZOOM.US/J/81401726739](https://us02web.zoom.us/j/81401726739)

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:

ACTION ON MINUTES:

ADJOURN:

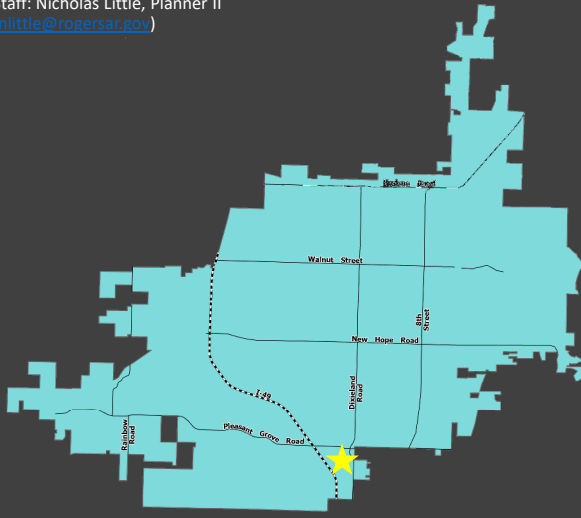


Variance

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 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.

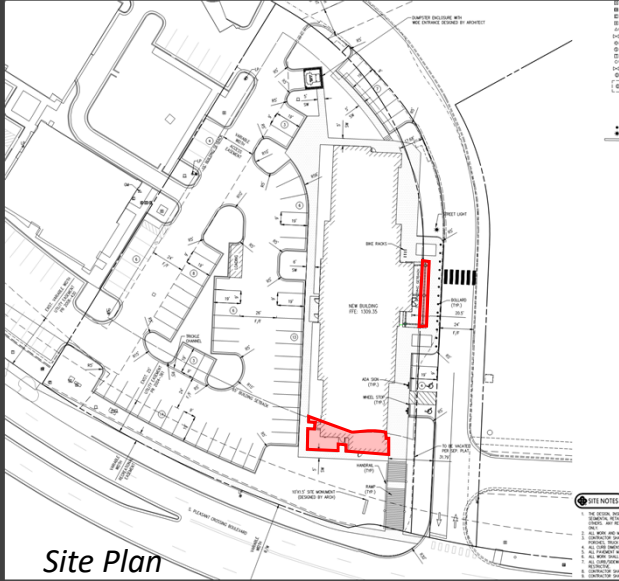
Board of Adjustment Duties Per Sec. 14-724(e)(1):

- 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
- 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.



Variance Woodspring Suites

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Site Plan

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 4'5" of encroachment on the eastern side of the development;
23'3" of encroachment on the southern side.

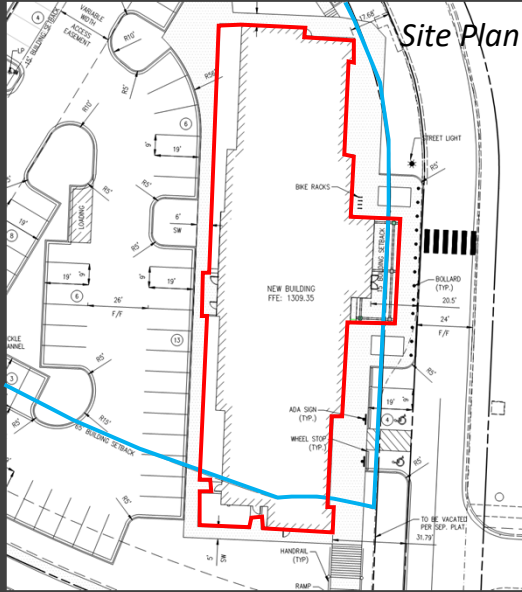
Request:

- Variance request to encroach front and side setbacks
- Plan shows deepest points of encroachment to be 4'5" on the eastern side; 23'3" on the south side
- Interior side setback applied on the eastern side since the adjacent drive isn't dedicated right-of-way.



Variance Woodspring Suites

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Applicant Hardship/Spirit and Intent Language

"This in-fill project is surrounded by curvilinear streets and drives. Pleasant Crossing Blvd and the private drive on the north side of the project are not in a grid layout causing a hardship on the site design with a rectangular building. The building cannot be fully oriented in one direction or another without clipping these curved building setbacks.

The site as designed with approval of this variance meets the intent of the code by providing plenty of setback off the major arterial road and any adjacent lots/structures. 550 sq ft of the building encroaches on the south and 245 sq ft of the front canopy encroaches on the east. There is "protection" provided with ample greenspace between the building and Pleasant Crossing for the south and added larger front sidewalks on the east. The site is laid out to provide a more urban, form-based design by fronting the east street and property line. The site utilizes on-street parking and added sidewalks in the setbacks to encourage pedestrian connectivity and provide buffers between the hotel and adjacent properties."

Stated Hardship:

- Odd shaped lot surrounded by curvilinear streets/drive aisles
- Infill development

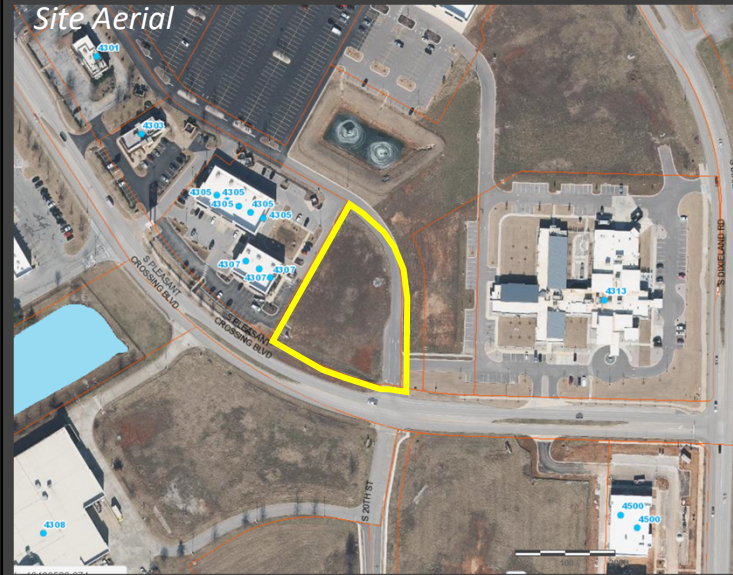
Spirit and Intent:

- Cohesive addition to the area
- Building is setback off of major arterial, while also utilizing more urban form on the east (Street parking, larger sidewalks).
- Greenspace between the structure and Pleasant Crossing



Variance Woodspring Suites

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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 drive aisles.
- Staff acknowledges some difficulty in establishing what should be considered "front" versus "side" setback in this instance, but overall considers the request to be reasonable.



Variance Woodspring Suites

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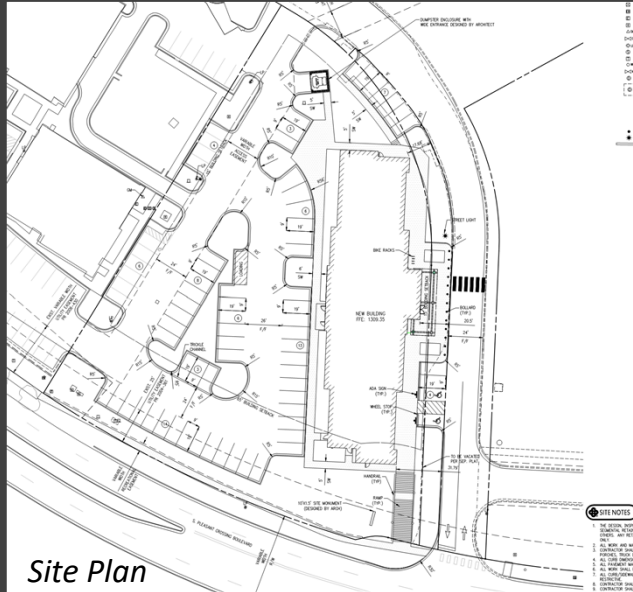
Analysis

- Legally, drive along the eastern side of the property is a private drive. Discovered after first review that this is not right-of-way.
- Latest LSDP revision from the applicant shows the eastern property boundary essentially following the existing curb adjacent to private driveway.
- 15' interior side setback applies because drive aisle is not dedicated right-of-way.



Variance Woodspring Suites

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Site Plan

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

Recommendation:

- Staff recommends APPROVAL of the request.



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OFFICE USE ONLY

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

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 _____

Ali Karr 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



October 12, 2023

City of Rogers
301 W. Chestnut
Rogers, AR 72756

RE: Variance Request – Woodsprings Suites
Crafton Tull Job No. 23105100

Planning Staff,

I am writing this letter to revise our current request for a variance on Woodsprings Suites to fit our redesign. We would like to reduce building setbacks listed in Section 14-709(d)(d) to 50' for the front (south) setback and 7' for the side (east) setback.

This in-fill project is surrounded by curvilinear streets and drives. Pleasant Crossing Blvd and the private drive on the north side of the project are not in a grid layout causing a hardship on the site design with a rectangular building. The building cannot be fully oriented in one direction or another without clipping these curved building setbacks.

The site as designed with approval of this variance meets the intent of the code by providing plenty of setback off the major arterial road and any adjacent lots/structures. 550 sq ft of the building encroaches on the south and 245 sq ft of the front canopy encroaches on the east. There is "protection" provided with ample greenspace between the building and Pleasant Crossing for the south and added larger front sidewalks on the east. The site is laid out to provide a more urban, form-based design by fronting the east street and property line. The site utilizes on-street parking and added sidewalks in the setbacks to encourage pedestrian connectivity and provide buffers between the hotel and adjacent properties.

Thank you for your consideration in approving these variance requests. Should you have any questions, please contact us at your earliest convenience.

Sincerely,
Crafton Tull & Associates, Inc.

Ali Karr, P.E.
Project Manager



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.

