



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

BOARD OF ADJUSTMENT MEETING AGENDA

JANUARY 17, 2023

6:00 PM

DATE: JANUARY 17TH, 2023

LOCATION: CITY HALL, 301 W. CHESTNUT STREET

REGULAR SESSION: 6:00 PM

ONLINE VIEWING: [HTTPS://US02WEB.ZOOM.US/J/81987695620](https://us02web.zoom.us/j/81987695620)

AGENDA

CALL TO ORDER:

ROLL CALL:

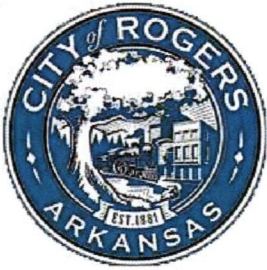
NEW BUSINESS:

1. (VAR 23-01) A request by Tapestry Hotel for a reduction in required building frontage along Pinnacle Hills Parkway and West Park Ave., at 4100 S. Pinnacle Hills Pkwy., in the U-COR (Uptown Core Mixed Use) zoning district.
 - *STAFF: Kyle Belt*
 - *REPRESENTED BY: Elizabeth Topping, Crafton Tull*

ACTION ON MINUTES:

1. Approved mins

ADJOURN:



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OFFICE USE ONLY

Permit Fee: \$100⁰⁰ (\$100)
Zoning: U-COR, C-2
App Number: 23-06
CityView Application: PL202201305
Date: 12/22/23

VARIANCE APPLICATION

APPLICANT: CRAFTON TULL (Tapestry Hotel)
ADDRESS: 901 N. 47TH STREET SUITE #: 400
GENERAL LOCATION OF PROPERTY: 4100 S PINNACLE HILLS PKWY (02-22636-040)
PHONE #: 479.636.4838 EMAIL: daniel.ellis@craftontull.com
libby.topping@craftontull.com
PROPERTY OWNER: JH LAND HOLDINGS LLC PHONE #: _____
REQUEST to ALLOW: Reduction in required building frontage along Pinnacle Hills Parkway and West Park Ave

HARDSHIP JUSTIFICATION to VARY FROM CODE: See hardship letter

Applicant Signature Elizabeth Topping Date 12.21.2022

Attachment Checklist:

- ☒ Legal description of property
- ☒ Survey, elevations, sign proofs and/or other documents as needed to illustrate request

PLANNING STAFF PROVIDES:

DATE FILED: 12/22/22 PUBLIC HEARING DATE: 1/17/23

BOARD OF ADJUSTMENT DECISION: _____

SECRETARY, BOARD OF ADJUSTMENT

DATE



January 6, 2023

Lori Ericson
City of Rogers
Planning Administrator
301 W. Chestnut
Rogers, AR 72756

RE: Variance Request – Tapestry Hotel
Crafton Tull Job No. 22110700

I am writing this letter to request the following variance regarding the Tapestry Hotel
LSDP:

The site is oriented toward Pinnacle Hills Parkway, but due to the curvature of that road, it would be extremely difficult for any building to meet the 90% building frontage requirement with a Pedestrian Priority designation. Additionally, the nature of this building (a hotel), requires a drop off area in front of the building. We are providing 46% building frontage and all of the frontage along this area has been designed with pedestrian priority in mind. We have provided additional site amenities, landscaping areas, and plaza/gathering spaces near the trail and frontage.

Park Avenue has also been designated Pedestrian Priority, however, due to the required utilities onsite, aerial fire apparatus access needs and the width of the building, we are providing as much building frontage as possible. The frontage area along Park Ave has been landscaped appropriately.

We believe we are meeting the intent of the code with this site/landscaping plan. Additionally, this site plan with variances was originally approved at the May 5, 2020 Planning Commission meeting. We are providing more frontage with the current site plan than with the previous plan.

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.

Elizabeth Topping, E.I.
Project Engineer



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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 **January 17th, 2023 at 5:30 p.m.** at Rogers City Hall regarding an application by **Tapestry Hotel** under the provisions of the City of Rogers Code of Ordinances, for a variance **for reduction in required building frontage along Pinnacle Hills Parkway and West Park Ave. at 4100 S. Pinnacle Hills Pkwy.,** in the U-COR (Uptown Core Mixed Use) zoning district more particularly described as follows:

PARCEL NUMBER:

02-22636-040

LOCATION:

4100 S. Pinnacle Hills Parkway

Ed McClure, Secretary
Board of Adjustment

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

PINNACLE HEIGHTS

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING VARIANCE

DESCRIPTION:	To allow a reduction in required building frontage along Pinnacle Hills at 4100 S. Pinnacle Hills Pkwy. in the U-COR zoning district.
APPLICANT:	Tapestry Hotel
BOARD/COMMISSION:	Board of Adjustment
MEETING DATE/TIME:	January 17, 2023 at 5:30 PM
MEETING LOCATION:	Rogers City Hall 301 W. Chestnut Street
PUBLIC COMMENTS:	boardofadjustments@rogersar.gov



COMMUNITY DEVELOPMENT
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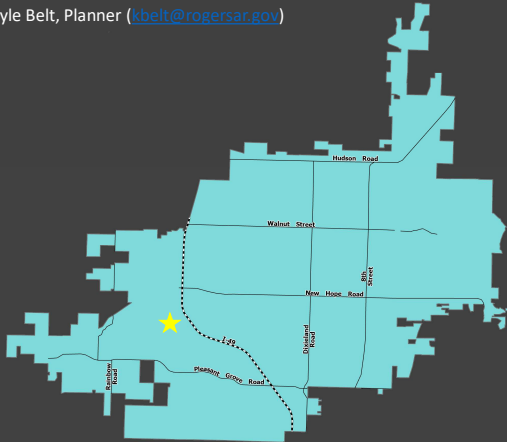


Variance

PLANNING

Tapestry Hotel

Staff: Kyle Belt, Planner (kbelt@rogersar.gov)



Vicinity Map

Location

NW corner of S. Pinnacle Hills Pkwy. and W. Park Ave.

Nature of Request

Reduction of 90% Pedestrian Priority
Build-to-Zone Building Frontage Requirement

Zoning

U-COR (Uptown Core Mixed Use)

Proposed Use

Hotel

Representative

Libby Topping, Crafton Tull and Associates

Summary:

This project is located at the NW corner of S. Pinnacle Hills Pkwy. and W. Park Ave. The request is to reduce the requirement of 90% pedestrian priority frontage on the following two streets:

- Reduce the required 90% pedestrian-priority frontage on S. Pinnacle Hills Pkwy. to 46%.
- Reduce the required 90% pedestrian-priority frontage on W. Park Ave. to 44%.

Parcel: 02-22636-040

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.

Zoning:

U-COR (Uptown Core Mixed Use): The purpose of the Uptown Core Mixed Use zone is to anticipate higher intensity growth within the Uptown Rogers area and to expand the core to include key locations for mixed-use development that are compatible with the vision of the Comprehensive Growth Map. The intent is to mix commercial uses with some residential and public uses. Focusing on pedestrian facilities and unique experience destinations will be a key to establishing Uptown Rogers as a place for public interaction. Development Standards within this URDC zone specifically address the unique aspects of development in this area by respecting the existing development pattern while allowing high-density, pedestrian-oriented development to occur.

Sec. 14-732(4.2)(a).

Growth Designation:

Regional Center

Growth Designation Purpose:

To focus urban development in three areas – Downtown, Midtown, and Uptown – that serve as centers of gravity for the greater Northwest Arkansas region. (CGM PAGE 1)

Growth Designation Character:

Mixed-use urban cores that function as regional activity hubs for commerce, arts and entertainment, living, recreation, and retail. Intensity supported by well-connected, high-capacity, pedestrian-oriented street network. Goals include high-quality design and efficient use of land. (CGM PAGE 1)

Allowed Zoning Districts:

U-COR, U-COM, U-ENT, U-NBT



Board of Adjustment

PLANNING

(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
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Summary:

This project is located at the NE corner of S. Pinnacle Hills Pkwy. and W. Park Ave. The request is to reduce the requirement of 90% pedestrian priority frontage on the following two streets:

- Reduce the required 90% pedestrian-priority frontage on S. Pinnacle Hills Pkwy. to 46%.
- Reduce the required 90% pedestrian-priority frontage on W. Park Ave. to 44%.

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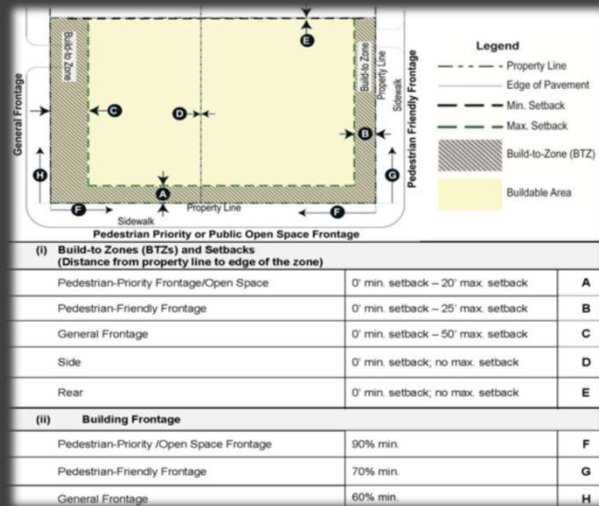
Allowed Zoning Districts:

U-COR, U-COM, U-ENT, U-NBT



Variance Tapestry Hotel

PLANNING



U-COR Building Placement Display

Request

Reduce the 90% Pedestrian Priority Frontage Build-to-Zone Requirements on this site for S. Pinnacle Hills Pkwy. and W. Park Ave. from:

- 1) 90% pedestrian-priority/open space frontage on S. Pinnacle Hills Pkwy. to 46%.
- 2) 90% pedestrian-priority/open space frontage on W. Park Ave. to 44%.

Request:

- A variance from Sec. 14-732(4.2)(b)(ii) reducing the required 90% pedestrian-priority/open space frontage on S. Pinnacle Hills Pkwy. to 46%.
- A variance from Sec. 14-732(4.2)(b)(ii) reducing the required 90% pedestrian-priority/open space frontage on W. Park Ave. to 44%.

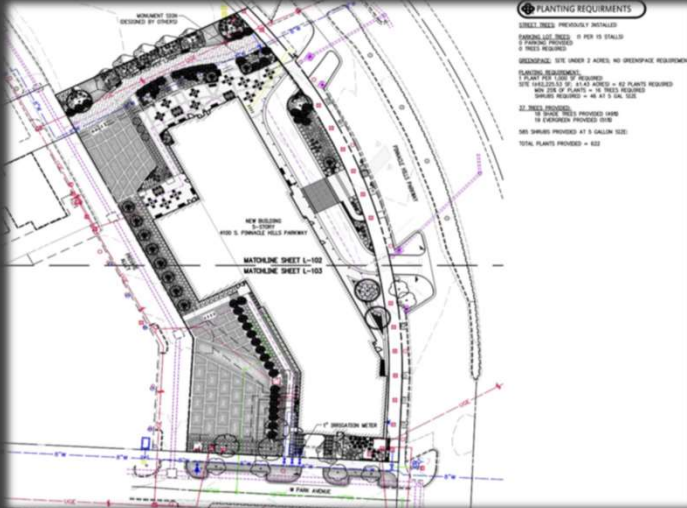
Stated Hardship:

The applicant states that a drop off area is required in the front due to this proposal being a hotel. They argue that this need for the drop-off area, as well as the curvature of S. Pinnacle Hills Parkway create a site-specific hardship.



Variance Tapestry Hotel

PLANNING



Proposed Landscape Plan

Developer's Intent

To establish a drop-off area for patrons.

Stated Hardship

The applicant states that a drop-off area is required in the front due to this proposal being a hotel. They argue that this need for the drop-off area, as well as the curvature of S. Pinnacle Hills Parkway create a site-specific hardship.

Request:

- A variance from Sec. 14-732(4.2)(b)(ii) reducing the required 90% pedestrian-priority/open space frontage on S. Pinnacle Hills Pkwy. to 46%.
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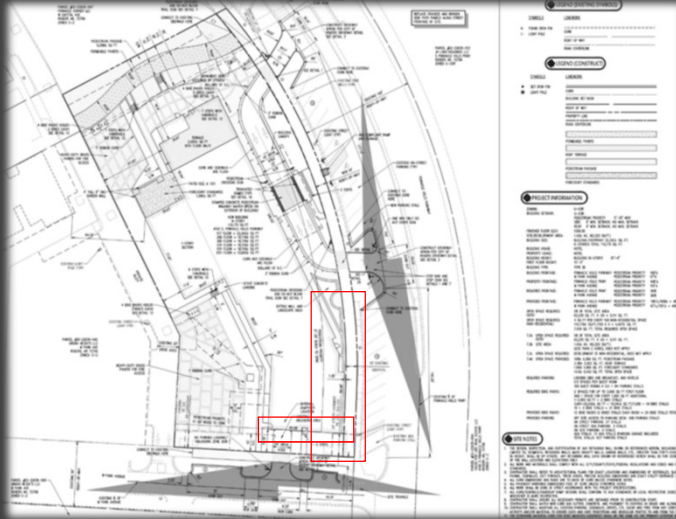
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Variance

Tapestry Hotel

PLANNING



Site Plan

Staff Findings

The proposed drop-off/valet area meets the purpose and intent of pedestrian-priority frontage standards.

The sidewalk still functions as a pedestrian priority area due to its width and orientation in relation to the street and parking stalls.

Findings:

- U-COR building frontages that have not already been designated are intended to be 90% Pedestrian Priority.
- The proposed drop-off/valet area meets the purpose and intent of pedestrian-priority frontage standards in that it functions as a porte-cochere, which is one of the few allowable curb-cuts within this designation. Sec.14-732(1.1)(c)(i).
- The sidewalk still functions as a pedestrian priority area due to its width and orientation in relation to the street and parking stalls.
- The applicant has also made an extensive effort through landscaping and appropriate open space features along both subject build-to-zones and throughout the entire site that creates “an interconnected network of sidewalks, trails and paths for pedestrians and bicyclists alike, providing desired amenities and facilities for residents and visitors to Uptown Rogers.” Sec.14-732(7.1)
- The applicant’s proposal maintains the purpose and character of the Regional Center (CGM page 1).
- Staff recommends Approval of this request.

Zoning:

U-COR (Uptown Core Mixed Use): The purpose of the Uptown Core Mixed Use zone is to anticipate

higher intensity growth within the Uptown Rogers area and to expand the core to include key locations for mixed-use development that are compatible with the vision of the Comprehensive Growth Map. The intent is to mix commercial uses with some residential and public uses. Focusing on pedestrian facilities and unique experience destinations will be a key to establishing Uptown Rogers as a place for public interaction.

Development Standards within this URDC zone specifically address the unique aspects of development in this area by respecting the existing development pattern while allowing high-density, pedestrian-oriented development to occur.

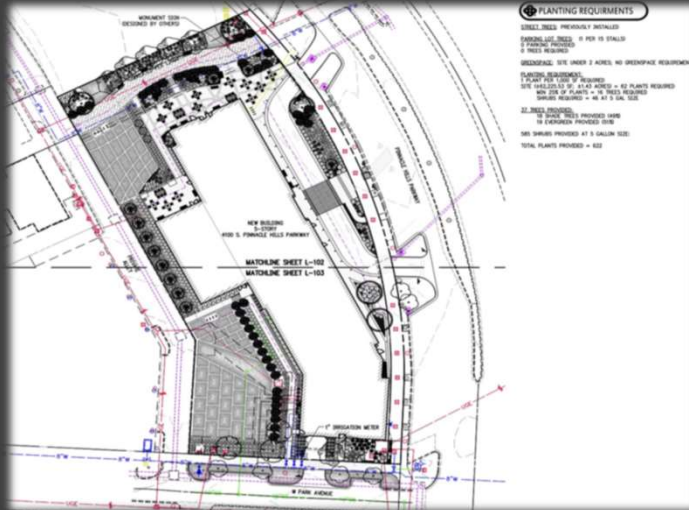
Sec. 14-732(4.2)(a).



Variance

Tapestry Hotel

PLANNING



Proposed Landscape Plan

Staff Findings Cont.

The applicant has also made an extensive effort through landscaping and appropriate open space features along both subject build-to-zones and throughout the entire site that creates “an interconnected network of sidewalks, trails and paths for pedestrians and bicyclists alike, providing desired amenities and facilities for residents and visitors to Uptown Rogers.”

The applicant’s proposal maintains the purpose and character of the Regional Center.

Findings:

- U-COR building frontages that have not already been designated are intended to be 90% Pedestrian Priority.
- The proposed drop-off/valet area meets the purpose and intent of pedestrian-priority frontage standards in that it functions as a porte-cochere, which is one of the few allowable curb-cuts within this designation. Sec.14-732(1.1)(c)(i).
- The sidewalk still functions as a pedestrian priority area due to its width and orientation in relation to the street and parking stalls.
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- The applicant’s proposal maintains the purpose and character of the Regional Center (CGM page 1).
- Staff recommends Approval of this request.

Zoning:

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higher intensity growth within the Uptown Rogers area and to expand the core to include key locations for mixed-use development that are compatible with the vision of the Comprehensive Growth Map. The intent is to mix commercial uses with some residential and public uses. Focusing on pedestrian facilities and unique experience destinations will be a key to establishing Uptown Rogers as a place for public interaction.

Development Standards within this URDC zone specifically address the unique aspects of development in this area by respecting the existing development pattern while allowing high-density, pedestrian-oriented development to occur.

Sec. 14-732(4.2)(a).



Variance

PLANNING

Tapestry Hotel



Current Street View

Findings:

- U-COR building frontages that have not already been designated are intended to be 90% Pedestrian Priority.
- The proposed drop-off/valet area meets the purpose and intent of pedestrian-priority frontage standards in that it functions as a porte-cochere, which is one of the few allowable curb-cuts within this designation. Sec.14-732(1.1)(c)(i).
- The sidewalk still functions as a pedestrian priority area due to its width and orientation in relation to the street and parking stalls.
- The applicant has also made an extensive effort through landscaping and appropriate open space features along both subject build-to-zones and throughout the entire site that creates “an interconnected network of sidewalks, trails and paths for pedestrians and bicyclists alike, providing desired amenities and facilities for residents and visitors to Uptown Rogers.” Sec.14-732(7.1)
- The applicant’s proposal maintains the purpose and character of the Regional Center (CGM page 1).
- Staff recommends Approval of this request.

Zoning:

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Development Standards within this URDC zone specifically address the unique aspects of development in this area by respecting the existing development pattern while allowing high-density, pedestrian-oriented development to occur.

Sec. 14-732(4.2)(a).



Variance

PLANNING

Tapestry Hotel



Aerial Map

Staff Recommended Motion:
Approve

Findings:

- U-COR building frontages that have not already been designated are intended to be 90% Pedestrian Priority.
- The proposed drop-off/valet area is similar to many Urban Core hotels and is necessary for functionality on this site.
- The sidewalk still functions as a pedestrian priority area due to its width and orientation in relation to the street and parking stalls.

Sec.14-732(7.1)

- The applicant's proposal maintains the purpose and character of the Regional Center (CGM page 1).
- Staff recommends Approval of this request.

Public Input Received:

None.

Recommendation:

Approve

COMPREHENSIVE GROWTH MAP:

Growth Designation:

Regional Center

Growth Designation Purpose:

To focus urban development in three areas – Downtown, Midtown, and Uptown – that serve as centers of gravity for the greater Northwest Arkansas region. (CGM PAGE 1)

Growth Designation Character:

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Allowed Zoning Districts:

U-COR, U- COM, U-ENT, U-NBT



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**BOARD OF ADJUSTMENT
MINUTES
January 17th, 2023**

The **Rogers Board of Adjustment** met for a public meeting at Rogers City Hall at 301 W. Chestnut Street on January 17th, 2023 at 6:50 P.M. The meeting was called to order by Chairman Mandel Samuels.

ROLL CALL

Board members attending: Hannah Cicioni, Ed McClure, and Mandel Samuels.

ACTION ON MINUTES

Previous minutes: January 3rd, 2023

Motion by McClure to accept the prepared minutes for the January 3rd, 2023 meeting of the Board of Adjustment as presented. Second by Cicioni.

Voice vote: YES - Unanimous **Motion carried**

APPROVED

NEW BUSINESS

- 1. (VAR 23-03) A request by Red Box Realty to allow additional wall sign on the south elevation at 3300 S. 27th Street, in the C-2 (Highway Commercial) zoning district.**

The business is located at 3300 S. 47th Street and south Duluth Trading Company. The property is zoned C-2 and is located in the City's overlay and interstate sign district. The applicant is requesting an additional wall sign at 36 square feet. There is no site-specific hardship listed but state that they would like an additional wall sign in place of the allowed freestanding sign. The business was already issued a sign permit for two wall signs at a total of 94 square feet. And if approved, the site would still be under the total allowed sign area by 30 square feet. Texas Roadhouse and Duluth were granted variance back in 2021 and 2018. Staff recommends consideration.

Mike Graham, applicant, had nothing to add.

McClure asked for clarification. Samuels clarified that the applicant was requesting an additional wall sign in place of a pole sign. A pole sign allowed by right in the interstate sign district.

Mandel opened the public hearing. There were no comments.
The public hearing was closed.

Motion by McClure to APPROVE the variance. Second by Cicioni.

Voice vote: 3 YES-UNANIMOUS Motion carried
APPROVE

2. (VAR 23-06) A request by Tapestry Hotel for a variance for the reduction in required building frontage along Pinnacle Hills Parkway and West Park Ave., at 4100 S. Pinnacle Hills Parkway, in the U-COR (Uptown Core Mixed Used) zoning district.

Planner Kyle Belt stated the request was located in southwest Rogers, specifically the U-COR zoning district. The applicant is requesting two separate requests varying from the 90% pedestrian priority frontage requirements to 46% on South Pinnacle Hills Parkway and 44% on the West Park Ave. The reason for the requests is to establish a drop off area at the front of the hotel, which is very common in urban areas. Their stated hardship is the curvature of S. Pinnacle Hills Parkway. Staff finds the purposed drop off valet area does meet the purposed and intended pedestrian priority frontage standards. The sidewalk still functions as a pedestrian priority area due to its width and orientation in relation to the street and parking stalls. Applicant has also made extensive effort through landscaping and appropriate open space features along both subject build-to-zones and throughout the entire site that creates an interconnected network of sidewalks, trails and paths for pedestrians and bicyclists alike, providing desired amenities and facilities for residents and visitors to Uptown Rogers. Staff is recommending approval.

Libby Topping, Crafton Tull, stated she had nothing to add but would be happy to answer any questions.

McClure questioned if there have been similar requests in the area with other buildings? Belt responded there had been approvals of similar requests in the past.

Mandel opened the public hearing. There were no comments.
The public hearing was closed.

Motion by McClure to APPROVE the variance. Second by Cicioni

Voice vote: 3 YES-UNANIMOUS Motion carried
APPROVED

Cicioni suggested that the public hearing be opened before commissioners' comment. She believes the public input in helpful feedback.

ADJOURNMENT

Meeting adjourned at 7:01 PM by Chairman Mandel Samuels.

As recorded by:

Karen Perez

Planning Technician

Community Development Department

City of Rogers

Approved by vote of the Board of Adjustment on:

Ed McClure, BOA Secretary