

DEPT. OF COMMUNITY DEVELOPMENT PLANNING DIVISION

301 W. CHESTNUT

PHONE: (479) 621-1186

FAX: (479) 986-6896

APRIL 5, 2019

TO: PLANNING COMMISSION

CONDITIONAL USE PERMIT – KEZIE ODUNUKWE STAFF SUMMARY REPORT

ADDRESS:	2510 S. Dixieland Road
LAND OWNER:	Kezie Odunukwe
APPLICANT/REP:	Kezie Odunukwe
ZONING DISTRICT:	A-1 (Agricultural)
GROWTH DESIGNATION:	
CUP REQUEST:	Assembly, Ceremonies, and Weddings; Bed and Breakfast Inns
AUTHORITY:	Sec. 14-723, Rogers Code of Ordinances

BACKGROUND

- 1) Use Definition:
 - a) Per Sec. 14-695(5)(J), "Assembly, Ceremonies, and Weddings" is defined as "an activity involving assembly or the intention of attracting people for ceremonial, educational, and celebratory purposes at one specific location. Assembly, Ceremonies, and Weddings includes receptions, weddings, recitals, exhibits, private parties, and social gatherings."
 - b) Per Sec. 14-695(3)(FF), "Bed and Breakfast Inns" is defined as "establishments that offer lodging on a less than weekly basis in a converted single-family or multifamily dwelling. Eating and drinking service for lodgers may be included, if the eating and drinking service is attendant to the primary purpose of lodging."
- Zoning District Intent: Per Sec. 14-697(a), the purpose of A-1 zoning is "This district shall consist of areas for agricultural uses, related uses, and low-density residential uses."
- 3) Growth Designation Characteristics: Per CGM Page 1, Neighborhoods are characterized as "Single-use residential areas connected by collector and local streets that may feature community-oriented non-residential uses such as schools, resource centers, and places of worship. Goals include preserving locations for low-density residential while limiting its proliferation in areas proposed for higher-intensity development."
- 4) Conditional Use Considerations: Per Sec. 14-723(a)(3), conditional uses may be considered by the Planning Commission subject to four factors:
 - a) Whether the use is a conditional use in the district requested and that the property under application is zoned correctly.
 - b) Whether the use would be compatible with adjacent property and would not set a precedent contrary to the City land-use plan.
 - c) Whether all other zoning requirements can be met.
 - Whether ingress and egress for the proposed use will create a traffic hazard.

STAFF REVIEW

ENGINEERING REVIEW:

- 1) Street Network Capacity:
 - a) Conditional Use Considerations:
 -) The proposed use **would not** create or compound a traffic hazard in terms of access management or trip generation.
- 2) RECOMMENDATIONS:
 - a) None.

DEREC BASS, Planning Engineer City of Rogers Engineering Division

PLANNING REVIEW:

- Land-Use Compatibility:
 - a) Comprehensive Growth Map: The proposed use is not consistent with the current Comprehensive Growth Map (Tab 2).
 - b) Conditional Use Considerations:
 - i) The proposed use **is** conditional in **A-1**. The Comprehensive Growth Map shows the allowed zoning districts in the Neighborhood Growth designation as R-SF, N-R, R-DP, and R-MF, so this property **is not** zoned correctly per the CGM.
 - ii) The proposed use is not compatible with adjacent property and could set a precedent contrary to the CGM.

iii) The proposed use would not prevent any A-1 zoning requirements from being met.

- 2) General Findings: The subject location is in the middle of a predominately single-family area. Across the street is an established single-family neighborhood and to the rear of the property is a planned single-family neighborhood. Changing the use of this property to allow for commercial purposes could negatively impact adjacent property. Additionally, Sec. 14-723(i) states outdoor activities, which involve lights and noise, shall not be allowed any closer than 500 feet to a dwelling unit for a temporary conditional use permit. To allow outdoor events on a permanent basis would be a violation of this code. Overall, staff does not support the request for Assembly, Ceremonies, and Weddings or Bed and Breakfast Inns. Staff finds that these requests would be more compatible closer to a neighborhood center or a commercial corridor.
- 3) Views of Others: No supporting or opposing comments have been received by the Planning Division to date.

4) RECOMMENDATIONS:

- a) Consider request with regard to land-use compatibility and the health, safety, and general welfare of the public.
- b) Deny the conditional use request for Assembly Ceremonies and Weddings.

Deny the conditional use request for Bed and Breakfast Inns.

City of Rogers Planning Division

SUGGESTED MOTION:

- Move to approve, deny, or table the request by Kezie Odunukwe for a CUP to allow "Assembly, Ceremonies, and Weddings" at the subject location.
- 2) Move to approve, deny, or table the request by Kezie Odunukwe for a CUP to allow "Bed and Breakfast Inns" at the subject location.

DIRECTOR'S COMMENTS:

1) Agree with recommendations and suggested motion.

JOHN C. McCURDY, Director

City of Rogers Department of Community Development

Tabs:

- 1. CUP application with required supplements
- 2. Maps and/or photos

This report may not reflect all information, documents, or other materials made available to officials during discussion and public input. Staff recommendations are based on technical review of City code and materials provided by the applicant at time of submittal.

X



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

CH 144	
OFFICE USE ONLY	
Permit Fee: 100	(\$100)
Permit Number: 19-18	
CityView Application: PL 20190	0234
Date: 03/28/19	

CONDITIONAL USE PERMIT

APPLICANT: Kerie Odunukwe					
ADDRESS: 1510 5 Dixieland Rd SUITE#:					
PHONE #: 419-200-7569 EMAIL: Kodunu Kuz @ gmail.com					
PROPERTY OWNER: Kezie Odunukwe PHONE #: 479-200-7569					
PRESENT USE: Single family ZONING: A-1					
PROPOSED CONDITIONAL USE: assembly, ceremonies and weddings / bed and brecklast					
PARKING SPACES AVAILABLE: 75 + HOURS OF OPERATION: Westerds 12cm - 11pm					
IF APPLYING TO OPEN A DAYCARE:					
NUMBER OF CHILDREN: N A MOST CHILDREN AT ONE TIME: N A					
24 04					
Applicant Signature Date					
Is the property switching from a residential to non-residential use? Yes. If so, large-scale approval and/or coordination with Risk Reduction for compliance with the appropriate building codes will be required. No No Attachment Checklist: □ Letter explaining request □ Legal description of property □ Applicant Certification □ Site plan as needed □ Letter of Approval from Property Owner					
PLANNING STAFF PROVIDES:					
DATE FILED: U3/28/19 PUBLIC HEARING DATE: APVILLE CERTIFIED MAIL DATE: 04/01/19					
PLANNING COMMISSION ACTION:					
COMMENTS, CONDITIONS, LIMITS:					



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NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Rogers Planning Commission in the Rogers City Hall at 301 West Chestnut Street on April 16, 2019 at 5:00 p.m. on the application by Kezie Odunukwe for a Conditional Use to allow assembly, ceremonies, weddings and bed and breakfast at 2510 S. Dixieland Rd. in the A-1 (Agricultural) zoning district at the following described location:

LEGAL DESCRIPTION:

PART OF THE E ½ OF THE SE ¼ OF THE NW ¼ OF SECTION 26, TOWNSHIP 19 NORTH, RANGE 30 WEST DESCRIBED AS FOLLOWS: BEGINNING AT THE NE CORNER OF THE SE ¼ OF THE NW ¼; THENCE WEST 660 FEET; THENCE SOUTH 330 FEET; THENCE EAST 660 FEET; THENCE NORTH 330 FEET TO THE POINT OF BEGINNING. EXCEPT 20 FEET ON THE WEST SIDE FOR PUBLIC ROAD AND SUBJECT TO COUNTY ROAD ON THE EAST SIDE THEREOF.

<u>LAYMAN'S DESCRIPTION:</u> 2510 S. Dixieland Rd.

Mandel Samuels, Secretary Planning Commission

PUBLISH ONE TIME ONLY: April 1, 2019

BILL THE CITY OF ROGERS

March 22, 2019

Kezie Odunukwe 2510 S Dixieland Rd Rogers, AR 72758 479-200-7569

Dear Planning Commission,

We are prosing 2510 S Dixieland Rd to be a low impact event venue. Visually the site will still appear "residential" in nature. The front elevation will be a new and improved version of itself, with updated features, repairs and manicured landscaping to restore it back to its original state. Since events are not booked on an daily basis, any additional traffic will be low impact as well.

The estate itself sits back over 400 feet off Dixieland Road. The parking area will in the Northwest corner of the property with 75 to 100 parking spaces. The existing heavy vegetation surrounding the property will be retained for natural screening and beauty, therefore the parking area will not be visible from the road.

Assemblies will not take place on the front lawn, only on the back lawn and inside the estate. Any outdoor lighting will be shielded from the neighboring properties and signage will be in compliance with the City of Rogers sign ordinance.

Thank you for reviewing our request and we look forward to discussing this in detail and answering any questions.

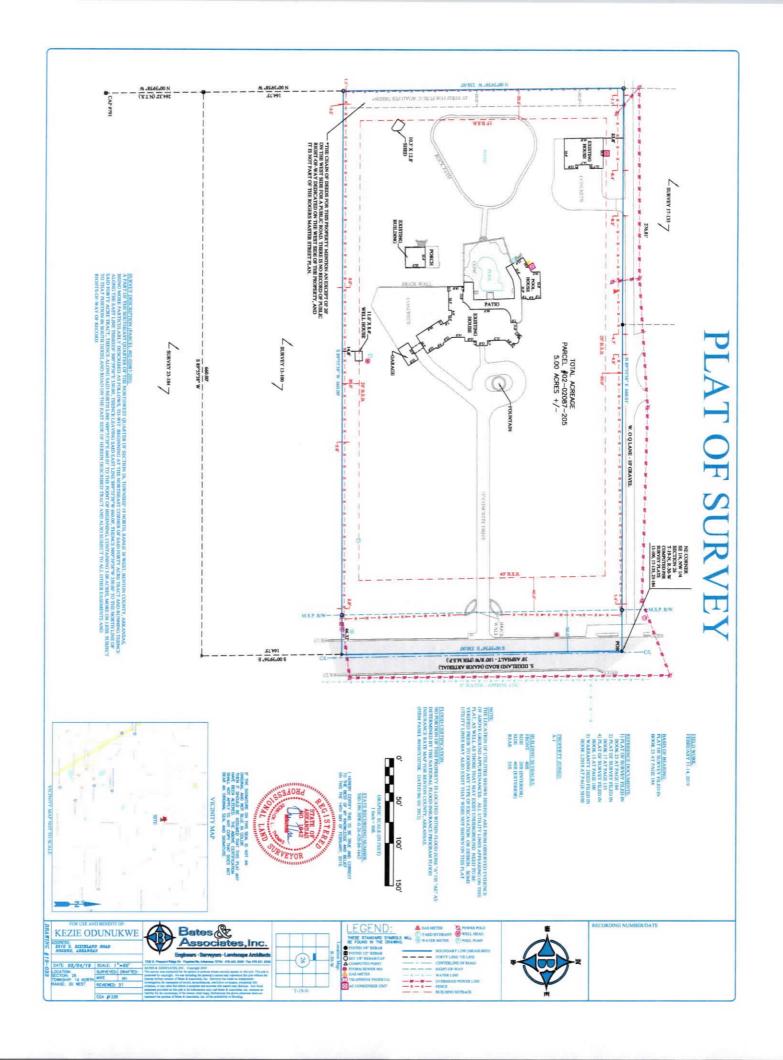
Best regards,

Kezie Odunukwe

ny va

PROPERTY OWNER PERMISSION

I, Kerie Odunu Kwe	, hereby permit the use of	(use) bed + breakfast
on my property at 1510 5	(address)	Rogers, Arkansas.
Dated this the 18 day of March	, 20 <u>19</u> .	
2 Val	-	
Kezie Odunu kwe Name Printed	_	
STATE OF ARKANSAS COUNTY OF Benton		
	ne 18th day of March	, 20_19
Subscribed and sworn before me this the subscribed and subscribed	Notary Signature	Johnson
ammission Expires Oct. 28, 2028	Notary Name Printe	<u>Johnson</u> d
	October 28, Commission Expire	



COMPREHENSIVE GROWTH MAP

