

# **CITY OF PINE BLUFF**

## **BOARD OF ZONING ADJUSTMENT**

**NOVEMBER 30<sup>TH</sup>, 2021, 4:00 P.M.**  
**PINE BLUFF CONVENTION CENTER**



### **AGENDA**

#### **CALL TO ORDER**

**CONSIDERATION OF MINUTES: October 26th, 2021, meeting**

**OLD BUSINESS: NONE**

#### **NEW BUSINESS:**

1. Variance request to reduce parking, greenspace, and to install fence within setback area of property located at the west of southwest corner of Hazel and Leslie Lea Drive.

**RECOMMENDATION  
TO THE  
PINE BLUFF BOARD OF ZONING ADJUSTMENT**

**SUBJECT:** Variance request by P3 Group – Representing Southeast Arkansas College to reduce the parking requirement, reduce the greenspace and allow 6-foot fencing on the property line perimeter. At the time of this review the property is zoned I-1, Light Industrial. The property is found west of Hazel between Leslie Lea Drive and 22<sup>nd</sup> Avenue.

**APPLICANT:** P3 Group – Representing Southeast Arkansas College

**ZONING AND LAND USES:** R-HR, Residential High-Rise

ZONING:	North:	I-1, Light Industrial	LAND USE:	North:	SE Arkansas Behavioral / Jenkins
	South:	Residential MF -21		South:	Apartments
	East:	I-1, Light Industrial		East:	SEARK Child Development Center
	West:	I-1, Light Industrial		West:	Interceptor Canal / Industrial Site

**History**

**REVIEW COMMENTS**

As noted in an earlier request the R-HR, High Rise zoning is intended for uses in areas where a high-rise residential structure can exist without negatively affecting the scale of the surrounding area.

This application is to request 3 type variances and they are:

1. Reduce the amount of parking as required by ordinance,
2. Reduce the amount of greenspace (actually yard)
3. Allow fencing to be placed on the perimeter property line with a height of 6 feet.

As staff has noted with previous variance recommendations, there are 5 requirements that must be met to allow approval of a variance. Those requirements are attached at the back of this recommendation.

To start staff will note that this is a unique request in that no High-Rise zone requests have been made in 10 plus years. Although this a 3 part request, staff will

try to be brief and consolidate the review for all requests together under the 5 various requirements.

Variance requirement #1- A special condition exists with lot size and space

#2 - That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are applicable to other lands, structures, or buildings in the same district

#4 - That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district;

The lot size and shape pose a unique situation in the fact that the property to be utilized is L-shaped, located between two streets and bordered on the west by a primary drainage canal. The affect on parking, fencing and yard are controlled by the width of the block and surrounding accessibility to the property. Comparison to other High-Rise districts is limited by the number. Staff only notes one other High Rise zone in the city and that is on UAPB campus. Since that campus was developed long ago with a major portion constructed prior to current codes all three requests of the applicant can be seen as allowed on the university's campus.

Variance requirement #3 - That the special conditions and circumstances do not result from the actions of the applicant;

Although the applicant is proposing new construction on this site which makes it a result of the applicant's action, when viewed as a "campus" site versus individual lot any special conditions and circumstances are unique to this location and proximity to the main campus.

Variance requirement #5 - No nonconforming use of neighborhood lands, structures, or buildings in the same district and no permitted or nonconforming use of lands, structures, or buildings in other districts, shall be considered grounds for the issuance of a variance.

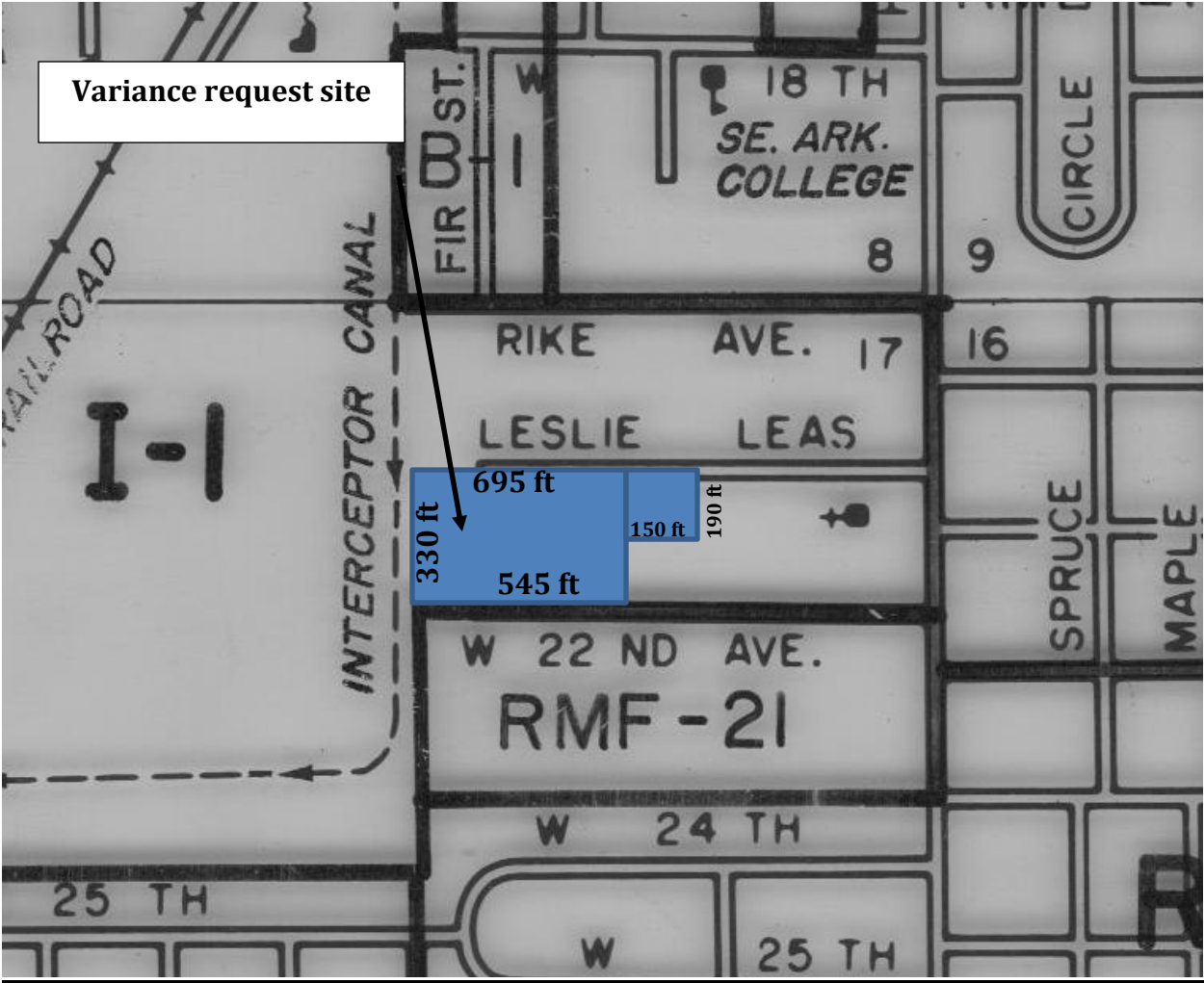
With regard to parking, staff agrees with the applicant's perspective that the parking should be considered at a less than 2 spaces per unit calculations and that the use more similarly fits the Rooming House category of 1 space per unit and the

fact that it is associated with campus housing. Fencing requirements even though established for aesthetics in residential zones are primarily a visibility concern. Access from this property will be to either Leslie Lea Drive or West 22<sup>nd</sup>. Any visibility would have been from the west; however, with the canal adjoining the property traffic traveling east is constrained.

Although applicant requested a greenspace variance, the ordinance does not mention greenspace in the R-HR zone. What is mentioned is yardage at 900 square feet per unit. Given 158 units that would equal 142,200 square feet needed to meet this requirement which is inclusive of parking. The property request is on five acres or 217,800 square feet leaving 75600 square feet available for buildings. Proposed footprint square footage is 17,500 per building or 35,000 square feet which is less than ½ of available space.

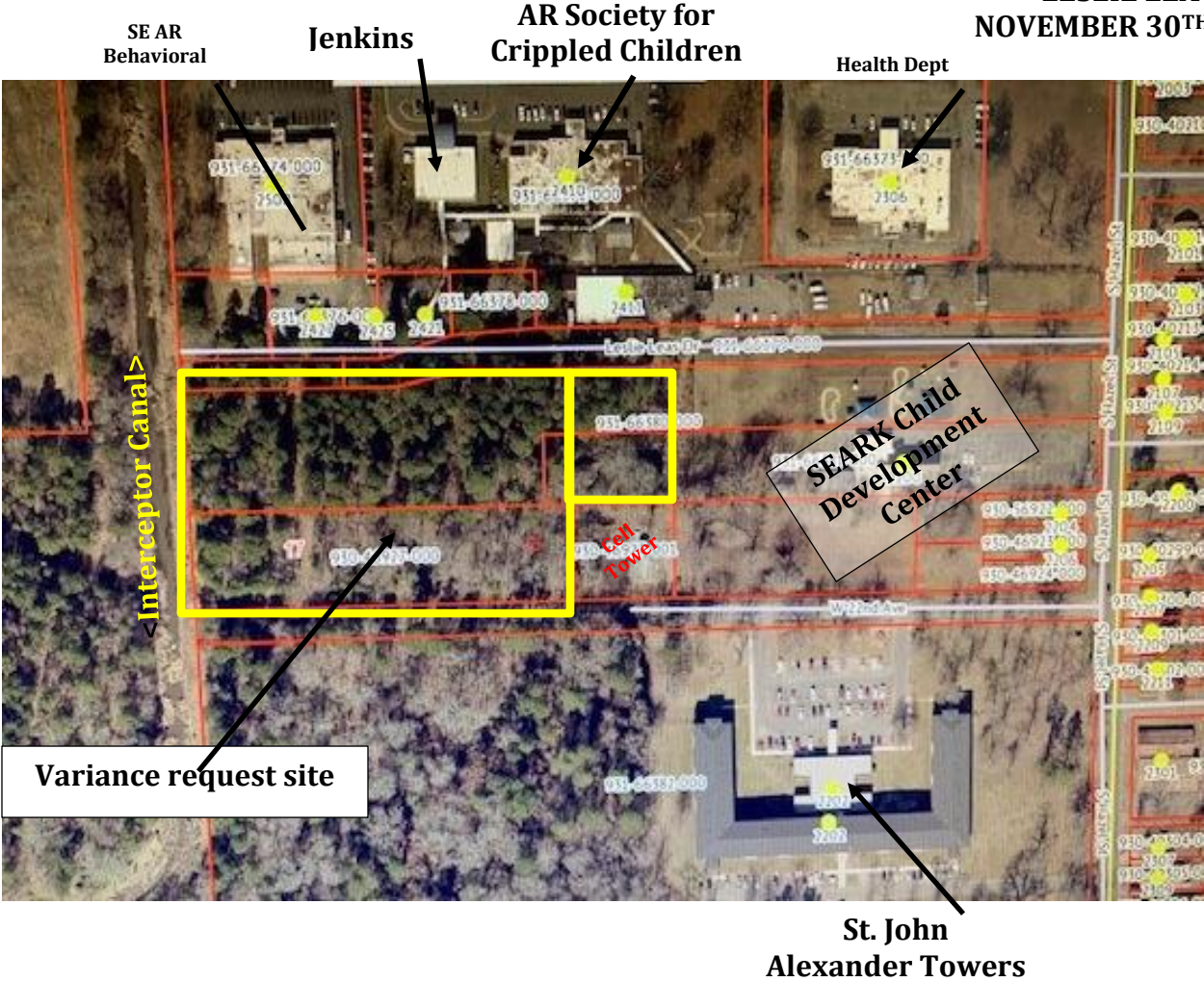
**RECOMMENDATION**

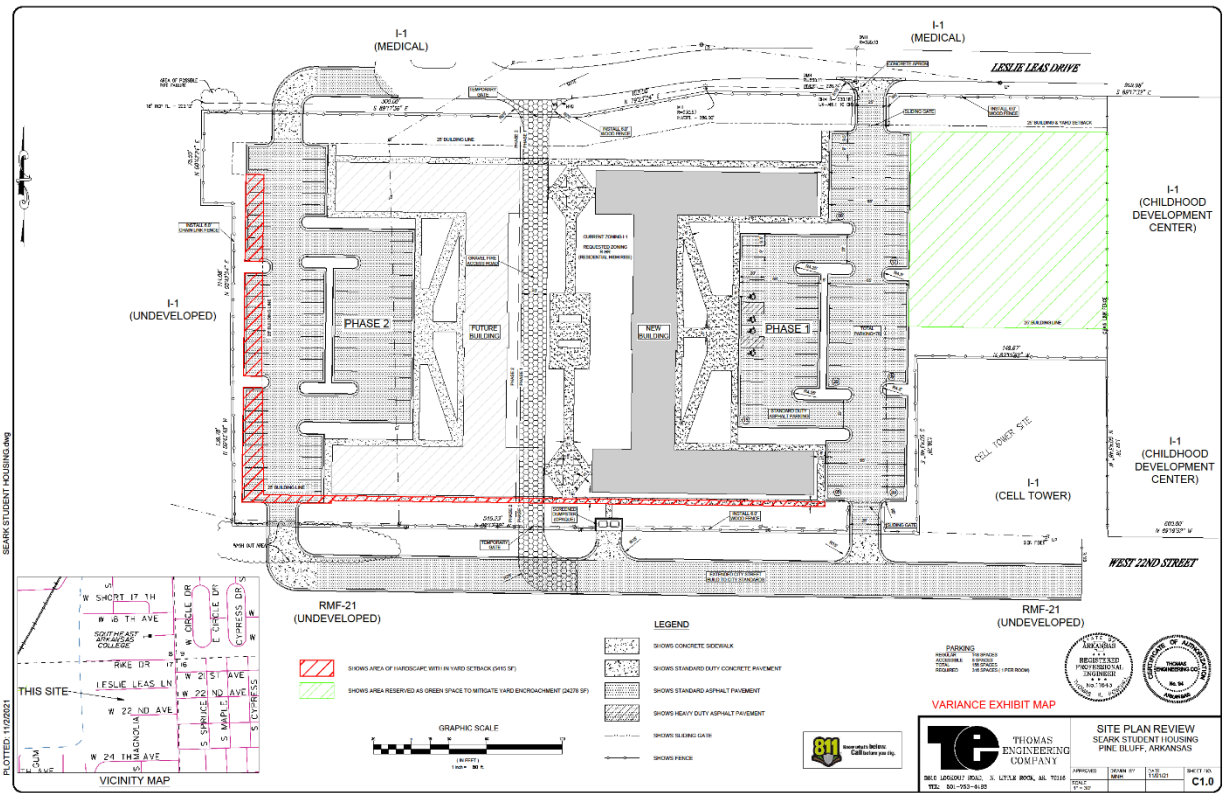
Based on the uniqueness of the use, proximity to campus and constrained traffic flow planning staff feels that all criteria can be met and recommends approval.



**VARANCE**

**AGENDA ITEM #1  
LESLIE LEA DRIVE  
NOVEMBER 30<sup>TH</sup>, 2021**





Case No.

2021-2030

**CITY OF PINE BLUFF, ARKANSAS**  
**Board of Zoning Adjustment Variance**  
 Application / Petition

Please fill out this form completely, supplying all necessary information and documentation to support your request.  
 Your application will not be placed on the Board of Zoning Adjustment agenda until this information is provided.

Address/Location of Property: P3 GroupLegal Description: Between Leslie Leas Drive and West 22nd Street 931-66380-000Size of Property (acres): 5.0 Current Zoning: I-1 Ward: 3Variance Requested: SEE APPLICATION LETTERReason for Request: SEE APPLICATION LETTER**Applicant / Agent**Name: P3 Group IncAddress: 2670 Union Avenue Extended, Suite 915  
Memphis, Tn 38112Telephone: 800-996-5502Email: dbrown@thep3groupinc.comFax: 901-297-4132**Property Owner (Must be filled out if different)**Name: Ref: Dr. Steven Bloomberg Southeast ArkansasAddress: 900 South Hazel Street  
Pine Bluff, Arkansas 71603Telephone: 870-547-5904Email: sbloomberg@seark.edu

Fax:

Additional information/comments: NoNo

Applicant / Business Owner Signature

Date

PROPERTY OWNER(S) / AUTHORIZED AGENT CERTIFICATION: I (We), the undersigned, hereby certify under penalty of perjury that I (we) are the owner(s) of the property that is the subject of this application and I (we) have read this application and consent to its filing. (If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on his/her behalf.)

Signature of Dr. Steven Bloomberg

11/1/2021 | 11:39:43 AM PDT

Signature Dr. Steven Bloomberg

Date

Signature

Date

Printed Name

Owner ☒ or Authorized Agent   
 (check one)

Printed Name

Owner  or Authorized Agent   
 (check one)

Submission Deadline:  Expected Planning Commission Meeting Date: 

• **SEE REVERSE SIDE FOR SUBMISSION REQUIREMENTS** •

It is our intention to assist you in making your project a success in a timely manner. Please call if you have any questions or need assistance from the City of Pine Bluff Inspection & Zoning Department, 200 E. 8<sup>th</sup> Avenue, Pine Bluff, AR 71611 telephone: (870) 730-2020 fax: (870) 730-2170.

November 1<sup>st</sup>, 2021

Ms. Lakishia Hill, CFM  
Zoning Official  
City of Pine Bluff  
Inspection & Zoning Department  
200 East 8<sup>th</sup> Avenue  
Pine Bluff, AR 71601

RE: Board of Zoning Adjustment Variance Application  
Southeast Arkansas College (SEARK)  
New Student Housing

Dear Ms. Hill:

Southeast Arkansas College (SEARK) is planning to construct a new student housing complex on 5.0 acres of its undeveloped property located between Leslie Leas Road Drive and W. 22<sup>nd</sup> Street. The complex is proposed to contain two, 4-storey, dormitory buildings, associated parking, and green space. The student housing complex is planned to be constructed in two phases, but we request both phases be considered for the variances. Each of the two structures contain 158, two bed, one bedroom units for a total of 632 beds.

We are requesting three variances for this project. They are as follows:

1. **A variance to allow for the reduction of parking requirements.** Our request is based upon the following unique situation:
  - a. The current project is considered Rooming Houses and require 1 parking space per room. The project currently has 158 rooms per building for a total of 316 spaces that are required for the project. The design currently has a total of 158 parking spaces for both Buildings. We are requesting a variance from the parking requirement for the following reasons.
    - a. This student housing is part of the overall larger SEARK campus where parking exists throughout the campus.
    - b. On-campus living will provide an option for the students to attend classes without the need for an everyday vehicle.
2. **A variance to allow paving, parking and hardscape encroachment into the 25 foot yard greenspace.** Our request is based upon the following unique situation:
  - a. The property depth in the north/south direction is limited by city right-of-way.
  - b. Parking encroaches the western yard setback, but directly adjacent and west to the property is a large drainage canal that will act as a natural buffer to any development to the west.
  - c. A large portion of the property at the northeast corner will remain undeveloped and will remain as greenspace.

3. **A variance to allow a six foot chain link fence along the property boundary/right-of-way line of all sides of the complex.** Our request is based upon the following unique situation:
  - a. Access to the housing will only be through a controlled vehicle gate and a controlled pedestrian gate, adding a great and necessary security level to the students for a 24 hour period.
  - b. The fence being located on the property boundary/right-of-way line will create secure greenspace for student recreation.

Included with this letter are the following items in support of this application:

1. Board of Zoning Adjustment Variance
2. Site Development Plan.
3. Application fee in the amount of \$75.00.

Please feel free to contact me with any questions.

Jonnie Henderson  
The P3 Group

