



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

**PLANNING COMMISSION MEETING AGENDA
SEPTEMBER 6, 2022
6:00 PM**

**LOCATION: CITY HALL, 301 W. CHESTNUT STREET
COMMITTEE SESSIONS: 5:30 PM
REGULAR SESSION: 6:00 PM**

ONLINE VIEWING: https://us02web.zoom.us/webinar/register/wn_3pa9xyoqiYWSA0-XAHSOG

COMMITTEE SESSIONS

DEVELOPMENT REVIEW COMMITTEE - NONE

PLANS & POLICIES - 5:30 PM, COUNCIL CHAMBERS

- 1. CUP: CIRCLE K**
- 2. REZONE/DCP APPLICATION REQUEST: COPELAND**

REGULAR SESSION 6:00 PM

AGENDA

CALL TO ORDER:

ROLL CALL:

ACTION ON MINUTES:

1. August 16, 2022

REPORTS FROM STAFF:

REPORTS OF BOARDS AND STANDING COMMITTEES:

CONSENT AGENDA:



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OLD BUSINESS:

PUBLIC HEARING:

1. Rezone: The Fields at Pinnacle

A request by Hatfield Whalen Land, LLC for The Fields at Pinnacle to rezone ±29.45 acres at the northwest corner of W. Northgate Road and S. Champions Drive from a mix A-1 (Agricultural), C-2 (Highway Commercial), C-3 (Neighborhood Commercial), RMF-31B (Residential Multifamily, 31 units per acre, rentals), U-COM (Uptown Commercial Mixed Use), and U-NBT (Uptown Neighborhood Transition) under a Planned Unit Development to just the U-COM (Uptown Commercial Mixed Use) and U-NBT (Uptown Neighborhood Transition) zoning districts. *(Tabled 8-16-22)*

- *STAFF: Nicholas Little*
- *REPRESENTED BY: Chris Bakunas*

2. Rezone/CGM Update: Sapphire Homes

A request by Sapphire Homes to amend the Comprehensive Growth Designation from Neighborhood to Neighborhood Center and rezone ±3.81 acres at the southeast corner of W. Pleasant Grove Road and N. Main Street from A-1 (Agricultural) to the C-3 (Neighborhood Commercial) zoning district.

- *STAFF: Nicholas Little*
- *REPRESENTED BY: Jay Young*

3. Rezone/CGM Update: Lawson

A request by Kristyn Lawson for Beth Young to amend the Comprehensive Growth Designation from Neighborhood to Downtown Regional Center and to rezone 102 E. Willow Street from R-DP (Residential Duplex Patio Home) to the NBT (Neighborhood Transition) zoning district.

- *STAFF: Kyle Belt*
- *REPRESENTED BY: Kristyn Lawson*

4. CUP: Circle K

A request by Circle K for a Conditional Use Permit to allow the use "Convenience Store with Gas" at 1787 W. Pleasant Grove Road in the C-2 (Highway Commercial) zoning district.

- *STAFF: Zachery Birdsong*
- *REPRESENTED BY: Kofi Addo*

NEW BUSINESS:



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1. **Rezone/DCP Application Request:**

A request by Daniel Copeland to allow a rezone/DCP application for property between Pine and Cypress streets, east of Dixieland Road, denied a rezone less than one year ago.

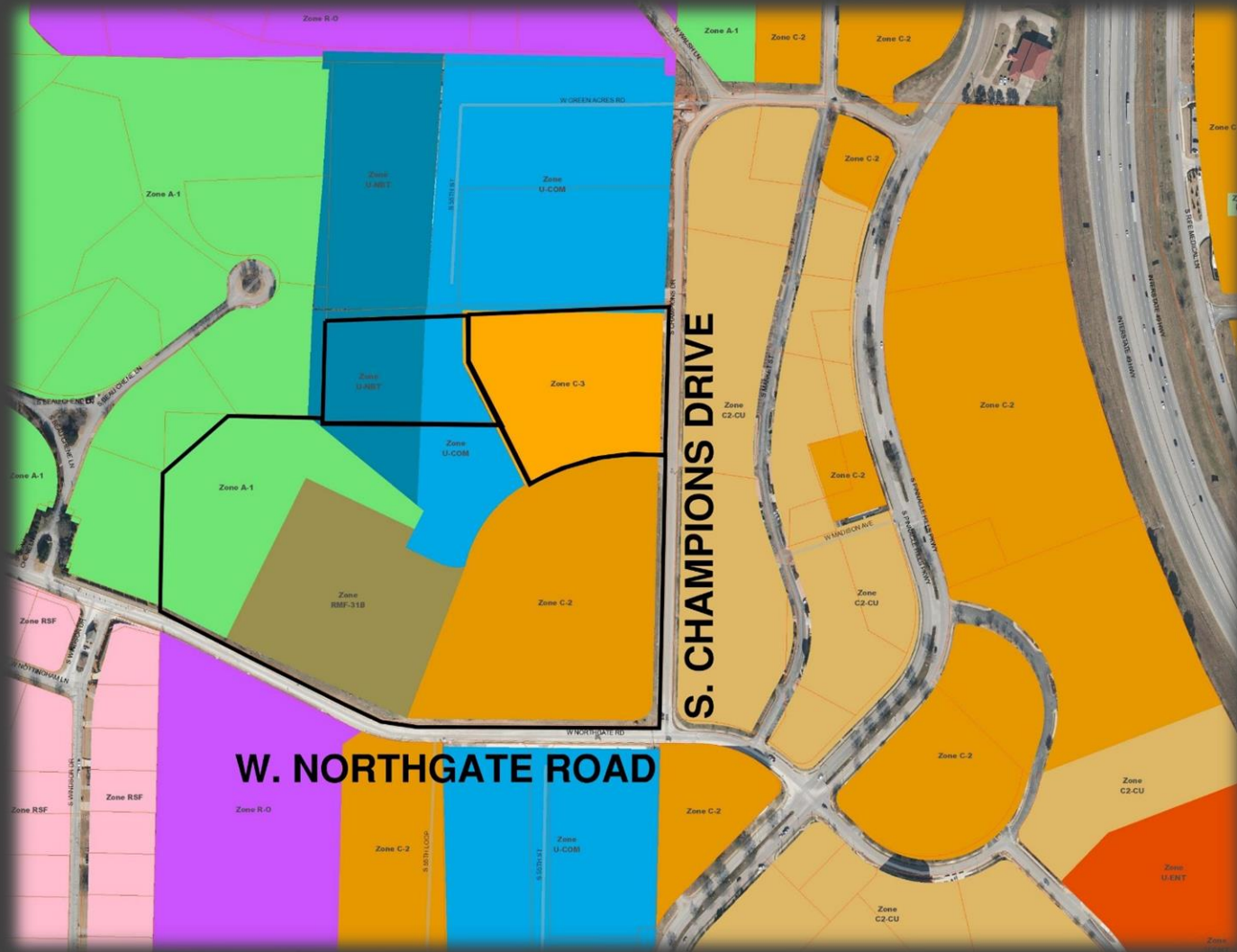
- *STAFF: Zachery Birdsong*
- *REPRESENTED BY: Phil Swope*

ADJOURN:



Hatfield Whalen Land, LLC

Rezone Request: The Fields at Pinnacle

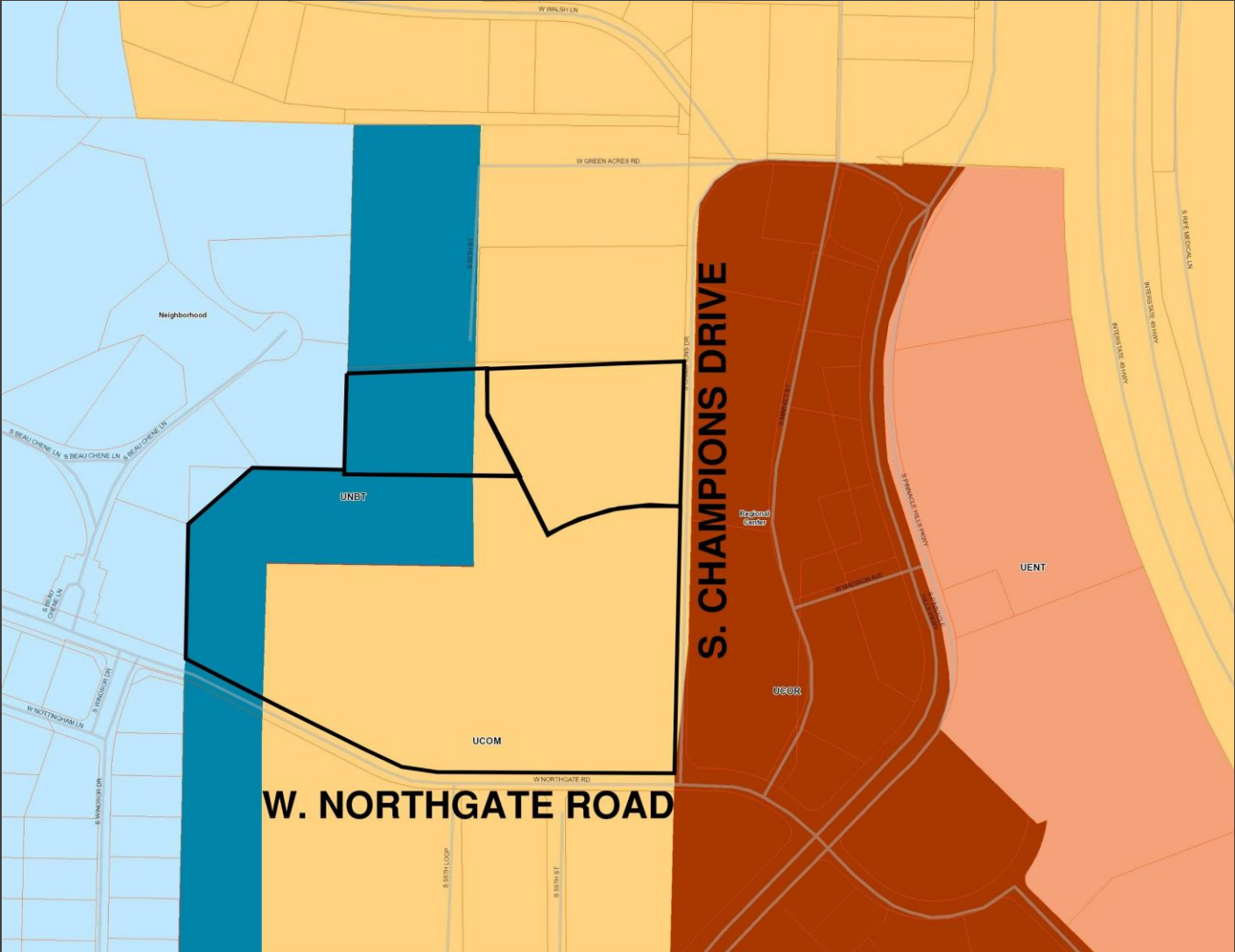


CURRENT ZONING:

Planned Unit Development,
containing A-1, RMF-31B, C-2,
C-3, U-COM and U-NBT
zoning.

Rezone Request:

The Fields at Pinnacle



REQUEST:

Rezone to U-COM (Uptown Commercial Mixed Use) and U-NBT (Uptown Neighborhood Transition)

FINDINGS:

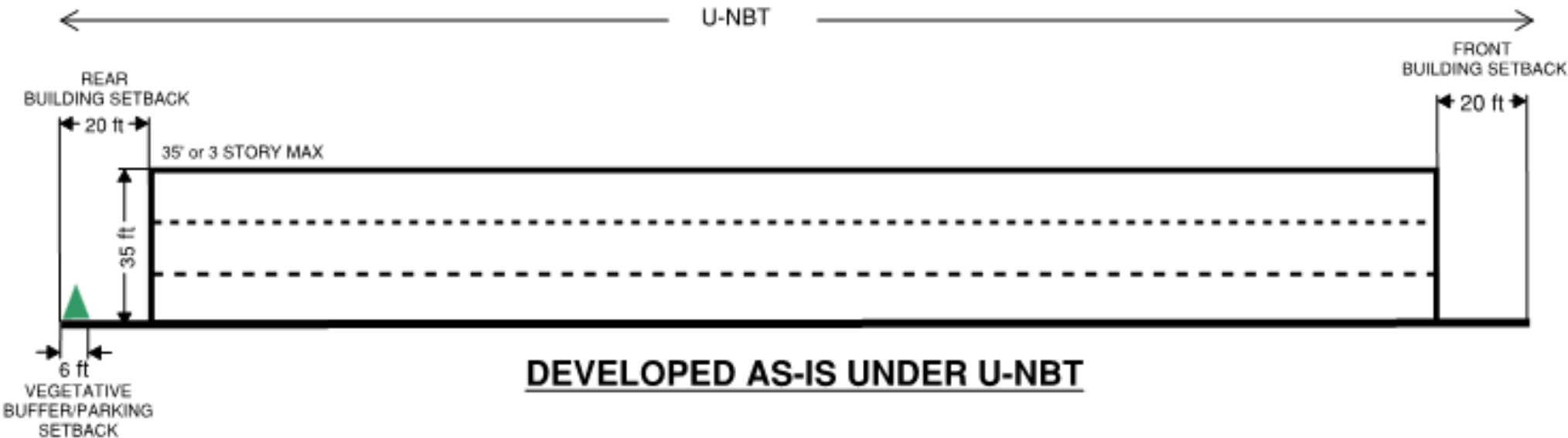
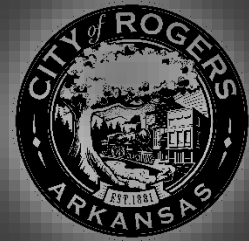
The request is consistent with the Comprehensive Growth Map, for U-COM and U-NBT are both allowed in Regional Centers. These specific zonings are required at this location, according to the Uptown Zoning Plan. However, the applicant's proposed U-NBT buffer is narrower than what is shown in the Uptown Zoning Plan.

Rezone Request: The Fields at Pinnacle



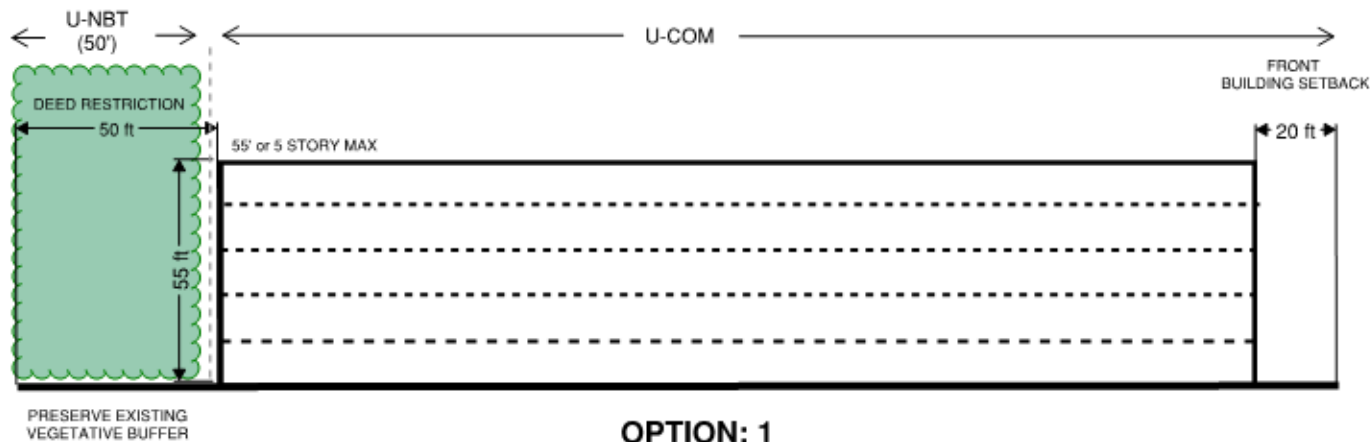
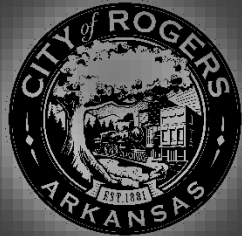
Rezone Request:

The Fields at Pinnacle

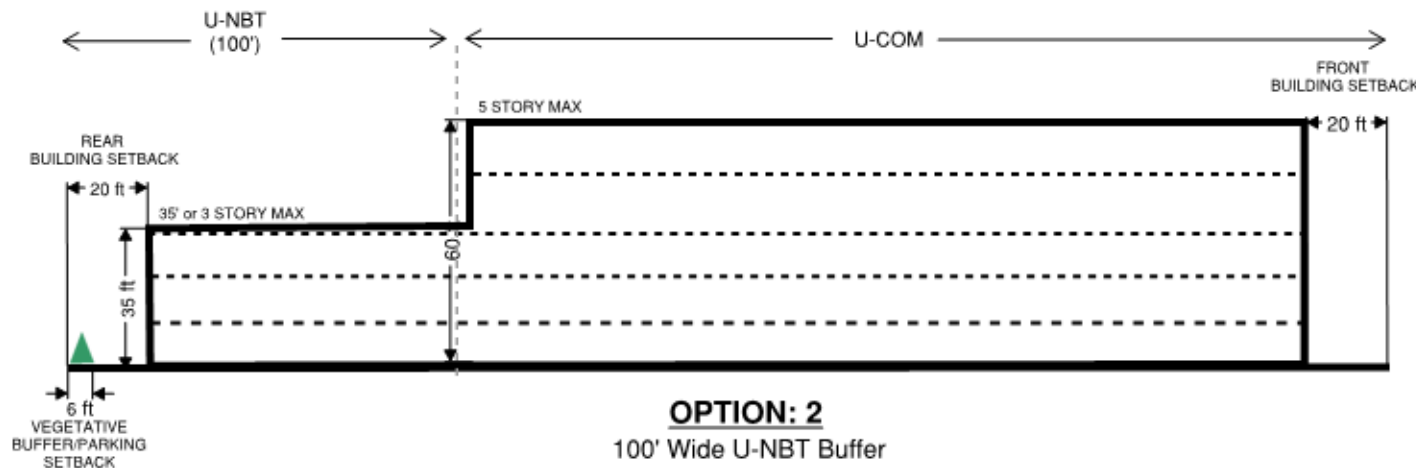


Rezone Request:

The Fields at Pinnacle



OPTION: 1
Preserve Mature Trees within 50' Wide U-NBT Buffer



OPTION: 2
100' Wide U-NBT Buffer

Rezone Request: The Fields at Pinnacle



RECOMMENDATION MOTION:
CONSIDER REQUEST AS PRESENTED

Note: *Approval of this rezone does not include approval of certain shown elements. Future development must comply with all applicable development standards and regulations during the formal plan review process.*

Rezone Request:

The Fields at Pinnacle



STAFF REVIEW

COMPREHENSIVE GROWTH MAP:

Growth Designation:

Regional Center (Uptown).

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).

Base Density:

N/A.

Max Density:

N/A.

Allowed Zoning Districts:

COR, COM, IA, NBT, U-COR, U-COM, U-ENT, U-NBT.

Rezone Request:

The Fields at Pinnacle



STAFF REVIEW(Cont.)

ZONING:

U-NBT (Neighborhood Transition)

The purpose and intent of the U-NBT zoning district is “to provide medium- to high-density residential infill between the other URDC zones and surrounding existing residential neighborhoods. U-NBT development is typically characterized by residential structures that are single-family, 2- to 3-stories, with very small or zero side setbacks, such as brownstones, townhomes, garden homes, or similar housing types that normally feature front on-street parking and rear- or side-entry garages.”

(Sec. 14-732(1.1)(a)(iv))

U-COM (Uptown Commercial Mixed Use)

The purpose and intent of the U-COM is “to allow relatively dense, pedestrian-friendly, primarily commercial mixed-use development that retains many of the characteristics of the U-COR zone while allowing more flexibility with respect to building disposition, single-use form, off-street parking options, and increased setbacks. U-COM attains increased density over traditional, single-use (strip mall or office park) form through shared parking and maximum parking requirements, shared access, maximum setbacks, pedestrian connectivity between adjacent properties, the use of boulevards, and public spaces.” (Sec. 14.732(1.1)(a)(ii))

General Findings:

The subject property, which is currently undeveloped greenfield, has multiple zonings, due to a PUD that was approved and adopted in 2017. The property is designated for Regional Center growth, and more specifically, designated for U-COM and U-NBT zoning by the Uptown Regional Center Zoning Plan. The property is flanked on its east side by C2-CU zoning. Directly to the south, U-COM, C-2 and R-O zoning are present. Zoning to the north includes U-NBT and U-COM. The subject property shares its western border with Beau Chene Farms Subdivision, a single-family residential development with A-1 zoning. Staff finds this rezone to be an appropriate request, along with the proposed U-NBT buffer depth, due to its consistency with the CGM and the current neighborhood characteristics.



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CITY OF ROGERS, ARKANSAS
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PHONE: (479) 621-1186
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OFFICE USE ONLY

Permit Fee: _____ (\$200)
Zoning: _____ to _____
Permit Number: _____
CityView Application: _____
Date: _____

REZONE APPLICATION

APPLICANT: McClelland Consulting Engineers, Inc.

ADDRESS: 1580 E. Stearns Street, Fayetteville, AR. 72703 SUITE #: _____

GENERAL LOCATION OF PROPERTY: N.W. corner of W. Northgate Road & S. Champions Drive

PARCEL NUMBER: 02-01671-090, 02-01671-094, and 02-01671-093

PHONE #: (479) 443-2377 EMAIL: cbakunas@mce.us.com

PROPERTY OWNER: Hatfield Whalen Land, LLC. PHONE #: (479) 619-6334

PRESENT USE: Open Field ZONING: PUD (C-3, C-2, U-COM, U-UNBT, RNF-31-B, A-1)

PROPOSED USE: Mixed-Use (Residential, Retail, and Restaurant) ZONING: U-CON & U-NBT

 7.8.2022
Applicant Signature Date

Attachment Checklist:

- ☒ Legal description of property
- ☒ Parcel Number for property
- ☒ Applicant Certification
- ☒ Property Owner Affidavit
- ☒ Site plan as needed

PLANNING STAFF PROVIDES:

DATE FILED: _____ PUBLIC HEARING DATE: _____ CERTIFIED MAIL DATE: _____

PLANNING COMMISSION ACTION: _____ DATE: _____

CITY COUNCIL ACTION: _____ DATE: _____

ORDINANCE NUMBER: _____ COMMENTS: _____

PROPERTY OWNER AFFIDAVIT

The petitioner, HATFIELD WHALEN LAND LLC, petitions the Planning Commission of the City of Rogers, Arkansas to rezone certain real property as set forth herein:

LEGAL DESCRIPTION:

See attached.

LAYMAN'S DESCRIPTION:

W NORTHGATE RD/CHAMPIONS DR

PRESENT ZONING: A-1, U-NBT, C-3, U-COM, C-2, RMF- 31B

ZONING REQUEST: U-NBT & U-COM

Respectfully Submitted,

By: Chris Holt
(Property Owner Signature)

STATE OF ARKANSAS
COUNTY OF WASHINGTON

Subscribed and sworn before me this the 25 day of July, 2022.

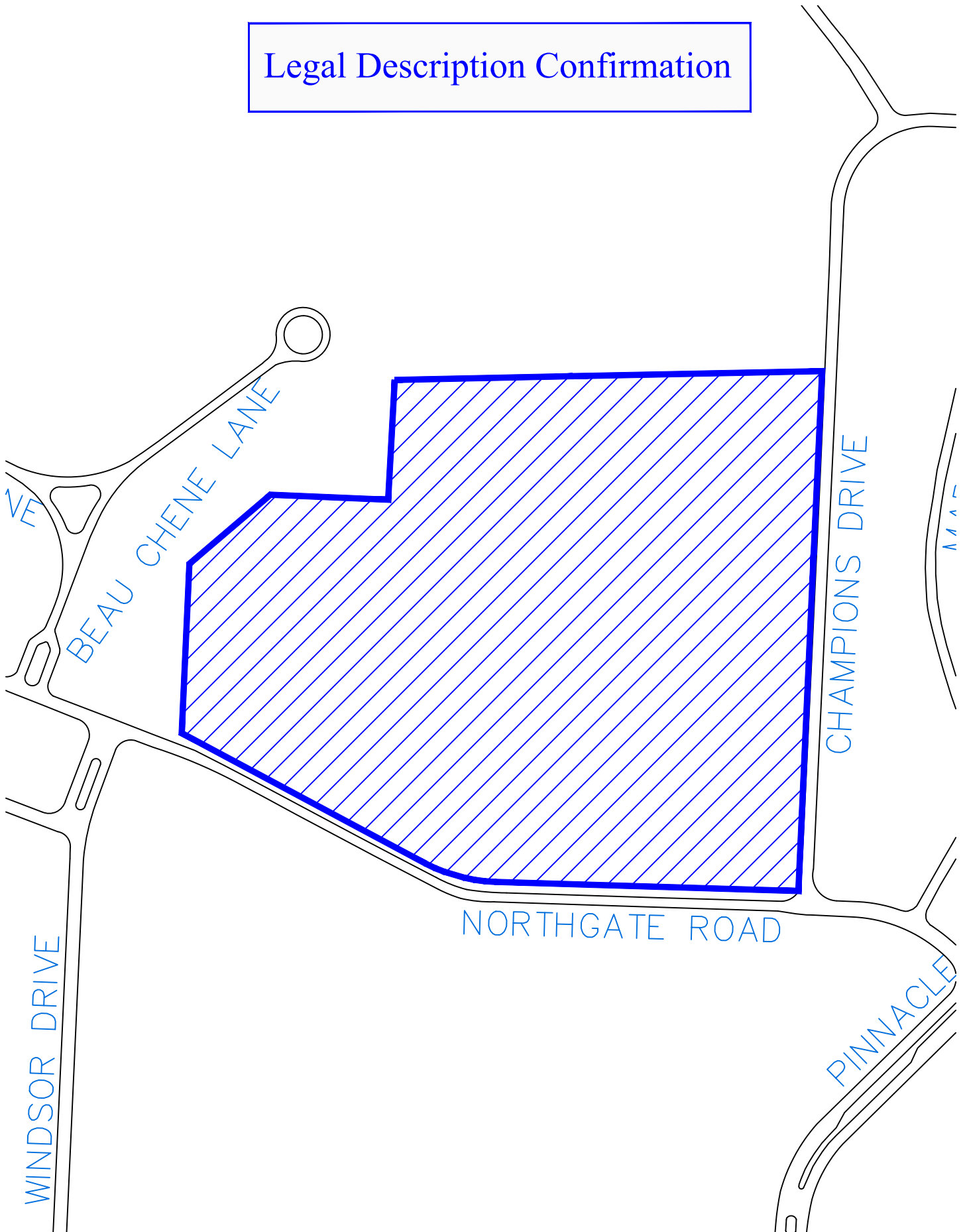



Notary Signature

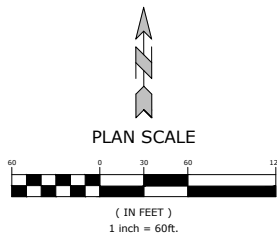
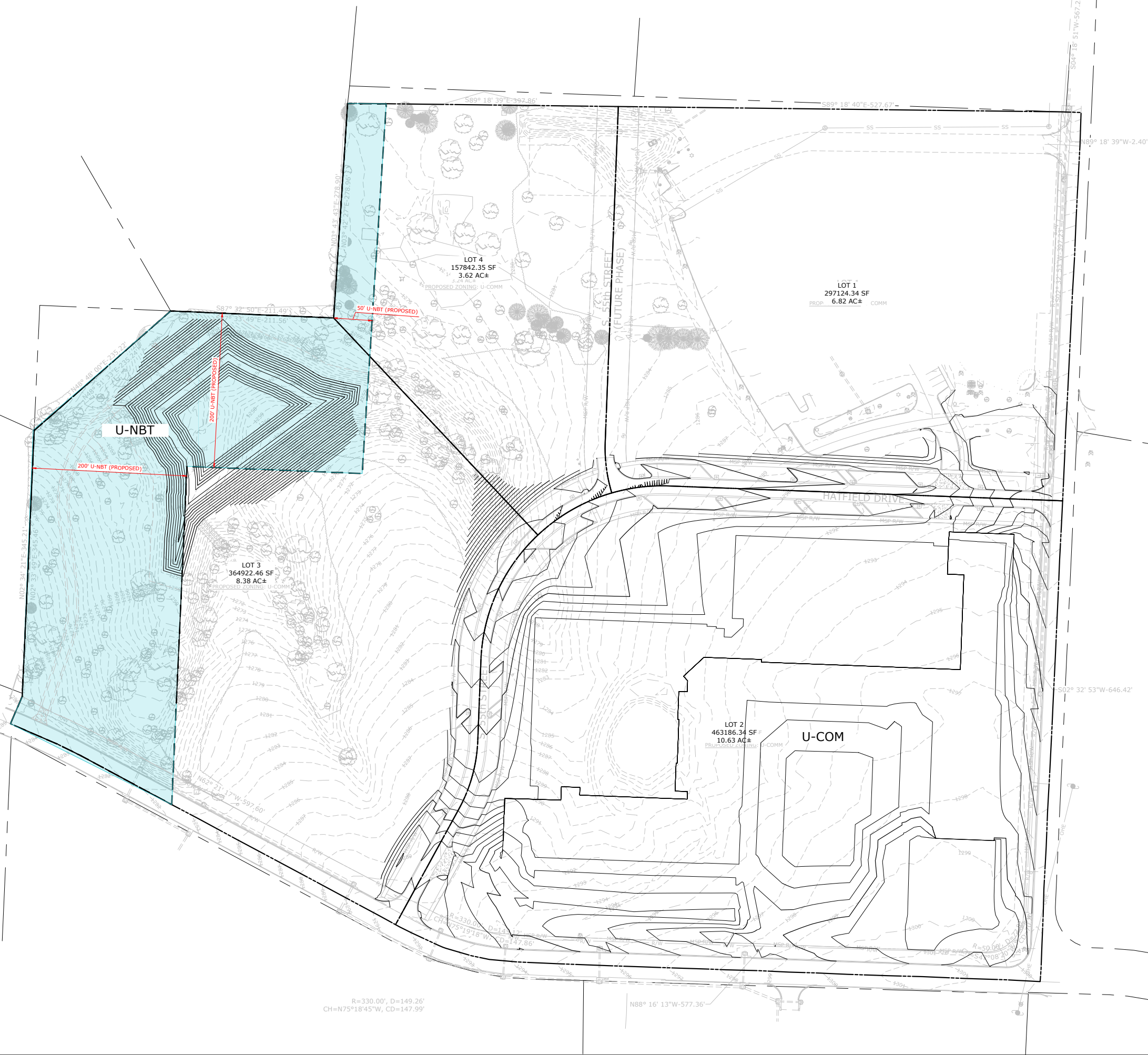
Justin Taffner
Notary Name Printed

06-01-26
Commission Expires

Legal Description Confirmation



W:\2022\22-2107 - Rogers, AR City Street And Public Utility Extensions\Design Drawings\Exhibits\Land Area Exhibit.dwg, PRINTED ON: July 8, 2022 @ 12:25 PM



MCE **McCLELLAND**
CONSULTING
ENGINEERS, INC.
1580 E STEARNS ST
FAYETTEVILLE, ARKANSAS 72703
(479) 443-2377
HTTP://WWW.MCE.US.COM

PRELIMINARY
NOT FOR
CONSTRUCTION

ORIGINAL SIGNATURE ON FILE

THE FIELDS AT PINNACLE
STREET & UTILITY EXTENSIONS
W. NORTHGATE RD & S. CHAMPIONS DR.
ROGERS, AR



REVISIONS

DESCRIPTION

DATE

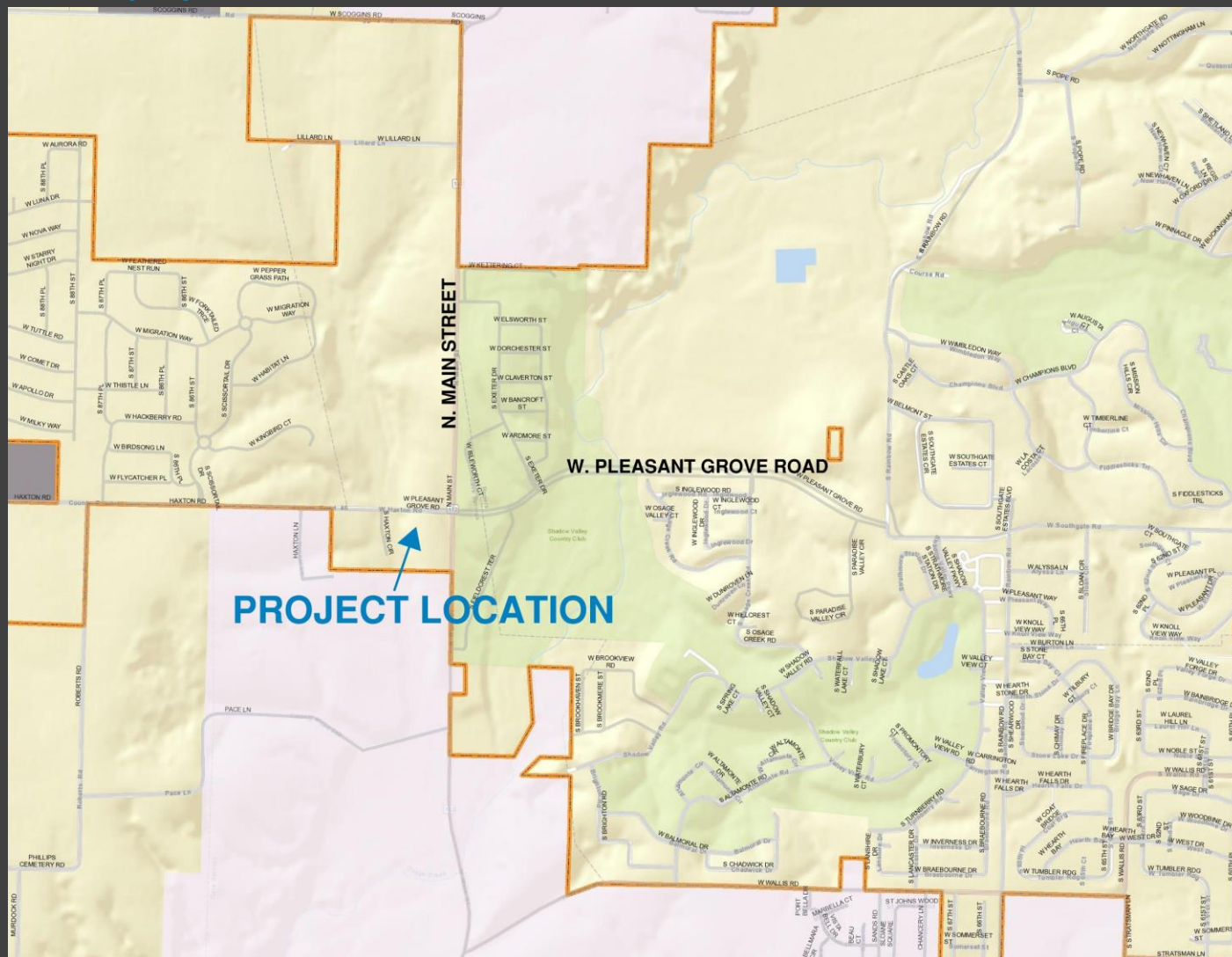
REV

REZONING
EXHIBIT

DESIGNED BY: JAD	DRAWN BY: JAD
DATE: 7/8/2022	REVISION: REV-1
SCALE: AS NOTED	JOB NUMBER: 22-2107



CGM Update/Rezone Request: Sapphire Homes



Aerial Map

Summary

- **Representative:** Jay Young - DCI
- **CGM Designation:** Neighborhood
- **Zoning:** A-1 (Agricultural)
- **Proposed CGM Designation:** Neighborhood Center
- **Proposed Zoning:** C-3 (Neighborhood Commercial)
- **Location:** 1995 N Main Street, 02-02137-351

Staff:

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

CGM Update/Rezone Request: Sapphire Homes



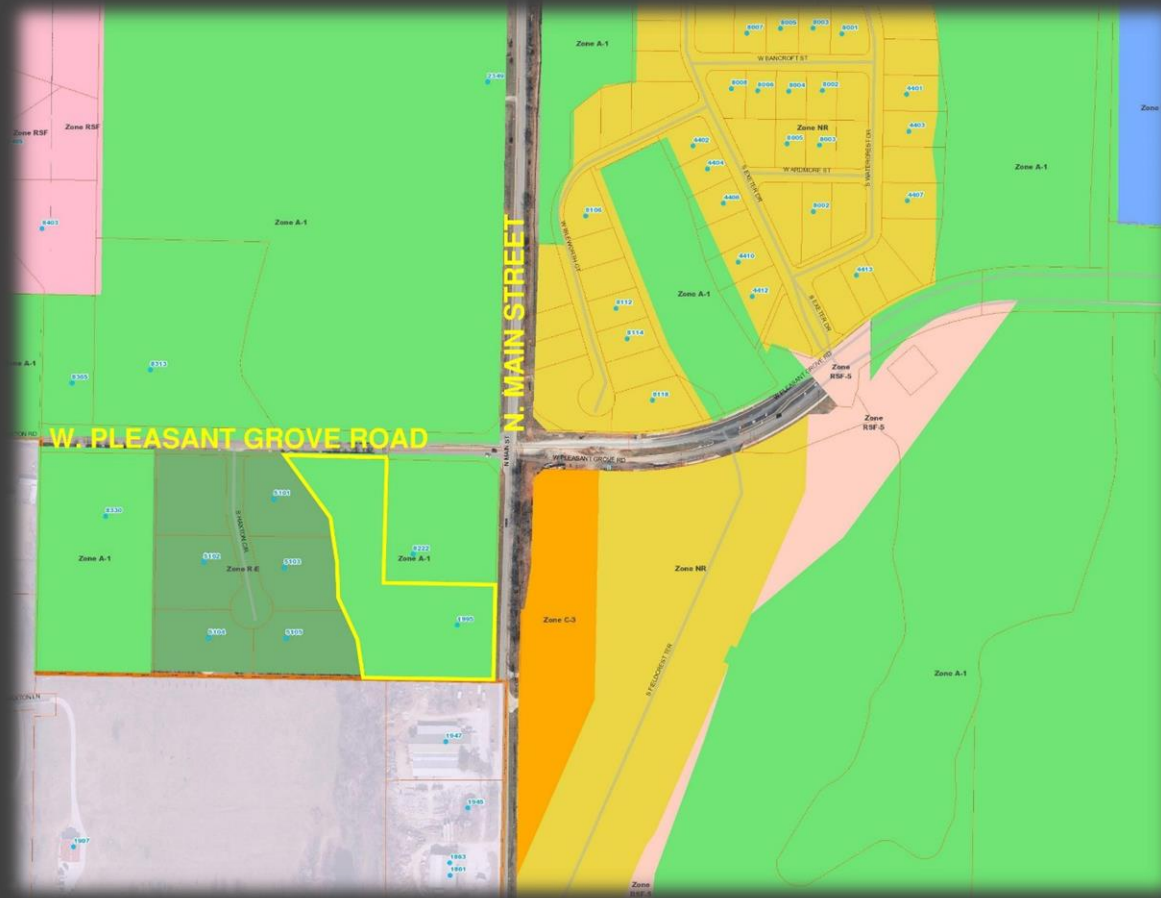
Aerial Imagery

Request: Amend CGM from “Neighborhood” to “Neighborhood Center” and Rezone from A-1 to C-3.

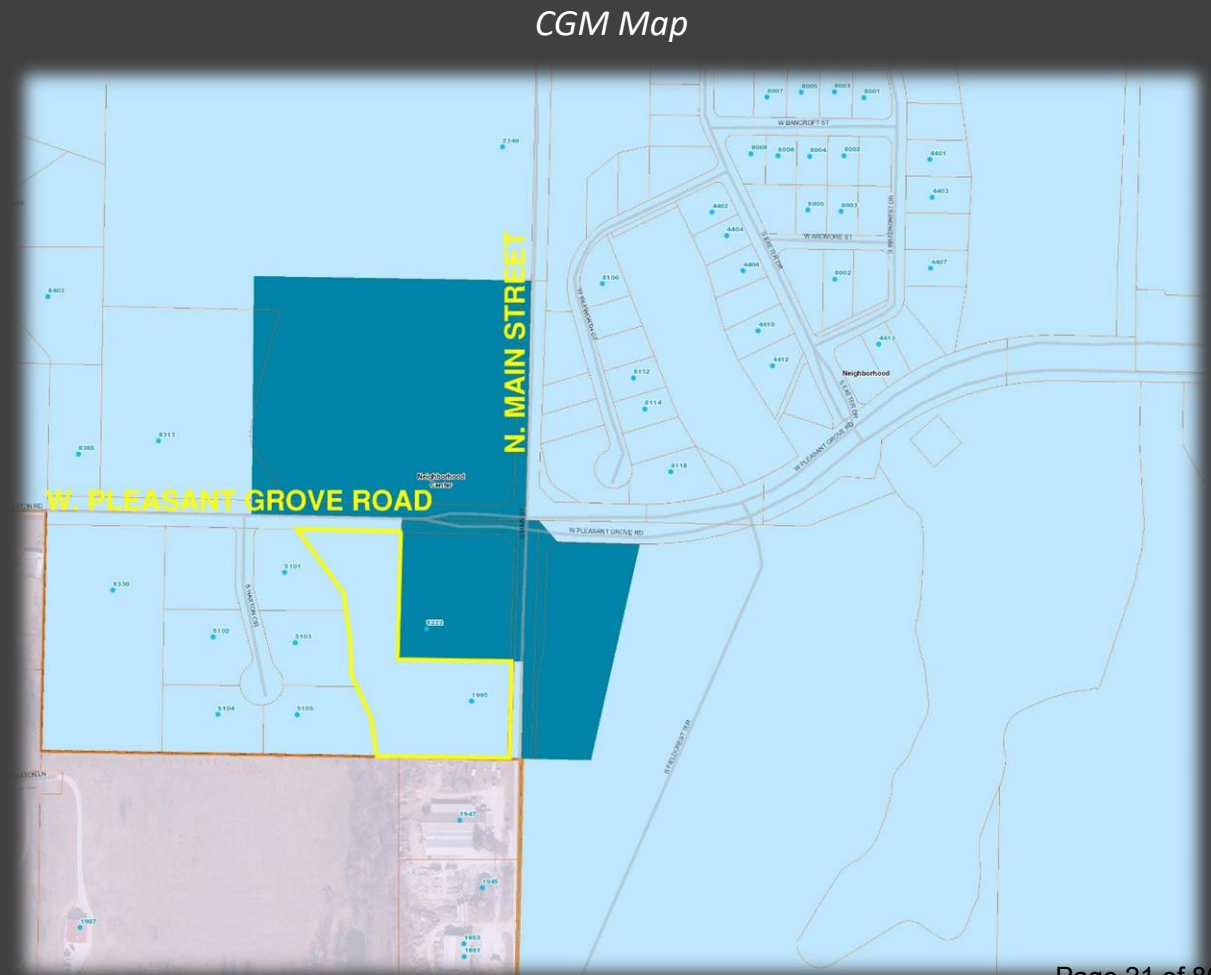
Summary: The requested rezone to C-3 would be consistent with the requested amendment to the Comprehensive Growth Map. This was recommended for consideration by the Plans and Policy Committee at the August 16, 2022 Planning Commission meeting.

Recommendation: Approve request.

CGM Update/Rezone Request: Sapphire Homes



Zoning Map



CGM Map

CGM Update/Rezone Request: Sapphire Homes



Recommended Motion

- Move to **approve** rezone as presented.



CGM Update/Rezone Request: Sapphire Homes

Staff Review

- **COMPREHENSIVE GROWTH MAP:**

- Current Growth Designation:
 - Neighborhood.
- Growth Designation Character:
 - 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 (CGM Page 1).
- Base Density:
 - 6 units/acre.
- Max Density:
 - 12/units/acre.
- Allowed Zoning Districts:
 - R-SF, N-R, R-DP, R-MF

- **COMPREHENSIVE GROWTH MAP CHANGE REQUEST:**

- Requested Growth Designation:
 - Regional Center - NBT.
- Growth Designation Character:
 - Mixed-use centers located around intersections of arterial and collector streets. Polycentric pattern serves neighborhood populations within 1/2 mile radius of each center and supports efficient multi-modal transportation network. Goals include creating neighborhood character, conserving opportunity for non-residential activities, and providing accessibility to civic facilities, religious assembly, basic commercial services, and recreation.
- Base Density:
 - Determined by a Density Concept Plan
- Max Density:
 - 24 units/acre.
- Allowed Zoning Districts:
 - C-3

CGM Update/Rezone Request: Sapphire Homes



Staff Review Cont.

Zoning:

- A-1 (Agricultural)
The purpose and intent of the R-DP zoning district is to “consist of areas for agricultural uses, related uses, and low-density residential uses.” Sec. 14-697(a)

Requested Zoning:

- C-3 (Neighborhood Commercial)
The purpose of the Neighborhood Transition Zone is “for areas designated as Neighborhood Centers on the city's Comprehensive Growth Map. The ideal application of this district is the development of a compact, mixed-use, neighborhood-oriented environment that transitions into lower density residential near Neighborhood Center boundaries. This district allows uses that provide essential goods and services to surrounding neighborhoods in a way that promotes placemaking and pedestrian accessibility. It is also intended to encourage medium-density residential development such as townhomes, bungalow courts, and other multi-unit or attached single-family housing types. Because the permitted non-residential uses are intended to be integral to the functions of a neighborhood, emphasis is placed on design and neighborhood compatibility.” Sec. 14-710(a)

• General Findings:

- The property is located just southwest of the intersection of W Pleasant Grove Road and N Main Street, also classified as Arkansas Highway 112.
- The property is located in the “Neighborhood” Growth Designation (CGM Page 1).
- The zoning is A-1 (Agricultural), which is not an allowed zoning district in the Neighborhood Growth Designation. A-1 is considered a ‘holding zone’, thus any proposed change and/or conditional use prompts the rezoning of an A-1 property to a zone that is allowed by-right.
- The subject property is an L-shaped property that fronts both Pleasant Grove Road and Highway 112. The property directly south of the subject parcel is inside of Cave Springs’ City Limits. Directly west of the subject property is Haxton Estates Subdivision. The parcel directly northeast of the subject parcel is a single-family residential lot with agricultural zoning.
- Everything west of the subject property is designated for Neighborhood Growth. The properties directly north, northeast and east of the subject property are designated for Neighborhood Center growth. Based on the shape of the parcel in question, this proposed CGM Amendment would not contribute to the linear growth of Neighborhood Centers, a characteristic that staff does not support.
- Regarding the rezone portion of this project, C-3 is the only allowed zone in the Neighborhood Center growth designation. Thus, if the CGM Amendment is accepted, C-3 would be the only allowable zoning designation at this location.



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301 W. CHESTNUT
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FAX: (479) 986-6896

OFFICE USE ONLY

Permit Fee: _____ (\$200)

Zoning: _____ to _____

Permit Number: _____

CityView Application: _____

Date: _____

REZONE APPLICATION

APPLICANT: Allen Jay Young, DCI as Representative for: Howard Owen, Sapphire Homes NWA

ADDRESS: 1 E Center St, Fayetteville, AR 72701 SUITE #: 290

GENERAL LOCATION OF PROPERTY: West of Highway 112 (also known as N Main Street), and south of W Pleasant Grove Rd (also known as W Haxton Rd).

PARCEL NUMBER: #02-02137-351

PHONE #: 479-579-8740 EMAIL: HHO@KAEMARK.COM

PROPERTY OWNER: Jon P. Simpson PHONE #: (479) 621-1574

PRESENT USE: Vacant ZONING: A-1

PROPOSED USE: Commercial ZONING: C-3

Applicant Signature

Date

8-15-22

Attachment Checklist:

- ☒ Legal description of property
- ☒ Parcel Number for property
- ☒ Applicant Certification
- ☒ Property Owner Affidavit

N/A ☐ Site plan as needed

PLANNING STAFF PROVIDES:

DATE FILED: _____ PUBLIC HEARING DATE: _____ CERTIFIED MAIL DATE: _____

PLANNING COMMISSION ACTION: _____ DATE: _____

CITY COUNCIL ACTION: _____ DATE: _____

ORDINANCE NUMBER: _____ COMMENTS: _____

Comprehensive Growth Map Amendment Application

To: Dept of Planning
City of Rogers, Arkansas

Property Owner: Jon P. Simpson

Applicant: Howard Owen, Sapphire Homes NWA / 479-579-8740 / HHO@KAEMARK.COM

Representative: Allen Jay Young, DCI / 479-263-3893 / JAYY@DCIUS.PRO

Property: Parcel #02-02137-351. Located west of Highway 112 (also known as N Main Street), and south of W Pleasant Grove Rd (also known as W Haxton Rd).

Legal Description: Lot 3, being a part of the NW1/4 of the SE1/4 in Section 25, Township 19 North, Range 31 West in the City of Rogers, Benton County, Arkansas, as shown on a Tract Split recorded February 6, 2018 as Instrument No. L201806074.

Present Use: Vacant Land, Zoned A-1

Present Designation: Neighborhood

Proposed Designation: Neighborhood Center

Narrative: The subject property is adjacent to and lies south and west of land that is currently designated as Neighborhood Center at the intersection of Highway 112 and W Pleasant Grove Rd. North of W Pleasant Grove Road directly north of the subject property is land that is currently designated as Neighborhood Center. East of Highway 112 directly east of the subject property is land that is currently designated as Neighborhood Center. The south boundary of the subject property is the City Limits Line of Rogers and Cave Springs, and the adjoining property to the south is currently used as Commercial property. The west boundary of the subject property is a creek that is heavily wooded.

The applicant requests to amend the CGM to designate the subject property as Neighborhood Center, and believes it to be the most appropriate designation for this property.

Signature



Date

7-25-22



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

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 **September 6, 2022** at **6:00 p.m.** on the application by **Sapphire Homes** to rezone **±3.81 acres at the SE corner of W. Haxton Rd. & N. Main St.** from the **A-1** (Agricultural) zoning district to the **C-3** (Neighborhood Commercial) zoning district, the property being more particularly described as follows:

PROPERTY DESCRIPTION:

±3.81 acres at the SE corner of W. Haxton Rd. & N. Main St.

Parcel Number: 02-02137-351

Eriks Zvers, Secretary
Planning Commission

PUBLISH ONE TIME ONLY: **Sunday August 21, 2022**
BILL THE CITY OF ROGERS

PROPERTY OWNER AFFIDAVIT

The petitioner, Jon P. Simpson, petitions the Planning Commission of the City of Rogers, Arkansas to rezone certain real property as set forth herein:

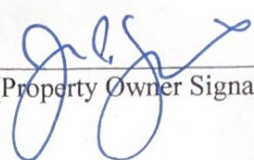
LEGAL DESCRIPTION: Lot 3, being a part of the NW1/4 of the SE1/4 in Section 25, Township 19 North, Range 31 West in the City of Rogers, Benton County, Arkansas, as shown on a Tract Split recorded February 6, 2018 as Instrument No. L201806074.

LAYMAN'S DESCRIPTION: Parcel #02-02137-351. Located west of Highway 112 (also known as N Main Street), and south of W Pleasant Grove Rd (also known as W Haxton Rd).

PRESENT ZONING: A-1

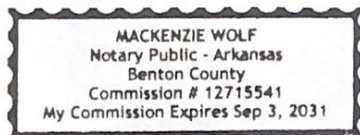
ZONING REQUEST: C-3

Respectfully Submitted,

By:  8-15-22
(Property Owner Signature)

STATE OF ARKANSAS
COUNTY OF Benton

Subscribed and sworn before me this the 15th day of August, 2022.




Notary Signature

Mackenzie Wolf
Notary Name Printed

September 3rd, 2031
Commission Expires

CERTIFICATION

I hereby state that to the best of my knowledge all property owners within 300 feet of my property have been notified by Certified mail at least 15 days prior to the upcoming public hearing for my rezone request.

Dated this the 15 day of August, 20 22.

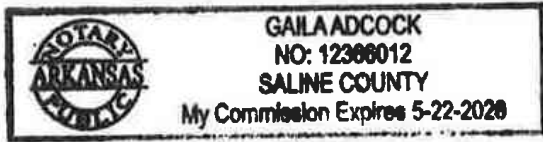
Signed 

Allen Jay Young
Name Printed

STATE OF ARKANSAS

COUNTY OF PULASKI

Subscribed and sworn before me this the 15 day of August, 20 22.





Notary Signature

Gaila Adcock

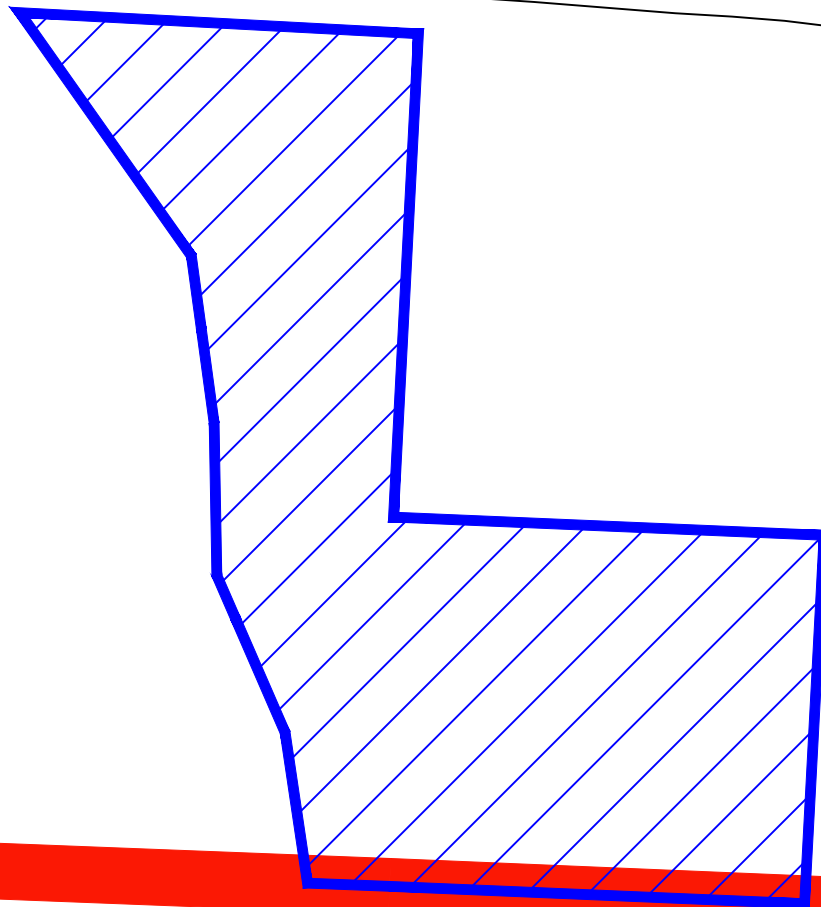
Notary Name Printed

5-22-2028

Commission Expires

Legal Description Confirmation

PLEASANT GROVE RD





NOTICE OF PUBLIC REZONE

DESCRIPTION	To rezone 3.31 acre W. Haxton Rd. & (Agricultural) t
APPLICANT	
BOARD/COMMISSION	Pla
MEETING DATE/TIME	September
MEETING LOCATION	Rogers City
PUBLIC COMMENTS	planningcommis
www.rogersar.gov/1181/Public-Hear	

 **COMMUNITY PLANNING DEPARTMENT**
(479) 621.1186
planning@rogersar.gov

7018 0680 0000 5220 3617
7018 0680 0000 5220 3488
7018 0680 0000 5220 3495

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Cave Springs, AR 72718

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\$3.25
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☐ Return Receipt (electronic) \$0.00
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☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.60

Total Postage and Fees \$7.85

Sent To Michael Archer & Kara Delcon

Street and Apt. No., or PO Box No.

P.O. Box 203

City, State, ZIP+4[®] Cave Springs, AR, 72718

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

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Cave Springs, AR 72718

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☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.60

Total Postage and Fees \$7.85

Sent To BJS Holdings

Street and Apt. No., or PO Box No.

909 Chancery

City, State, ZIP+4[®] Cave Springs, AR 72718-9106

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

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Saint Paul, MN 55123

Certified Mail Fee \$4.00
\$3.25
Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.60

Total Postage and Fees \$7.85

Sent To Scott & Janna Sundeen

Street and Apt. No., or PO Box No.

4664 Bristol Blvd

City, State, ZIP+4[®] Eagan, MN 55123

PS Form 3800, April 2015 PSN 7530-02-000-9047

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Postage \$0.60

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Sent To Highway 112 Partners LLC c/o David Harris

Street and Apt. No., or PO Box No.

809 S. 2nd St

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3112 N. George St.

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Postage \$0.60

Total Postage and Fees \$7.85

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Street and Apt. No., or PO Box No. 5105 S. Hexton Cir
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☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.60

Total Postage and Fees \$7.85

Sent To Mark & Kimberly Daniels
Street and Apt. No., or PO Box No. 1861 N. Main St.
City, State, ZIP+4® Cave Springs, AR 72718-7101

PS Form 3800, April 2015 PSN 7530-02-000-9047

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Bentonville, AR 72713

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Postage \$0.60

Total Postage and Fees \$7.85

Sent To Darise Murrell & Bryan & Brooke Smith
Street and Apt. No., or PO Box No. 8222 W. Pleasant Grove Rd
City, State, ZIP+4® Bentonville, AR 72713

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Postage \$0.60

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Sent To Lesly J. Trust - Jack William & Catherine Dana
Street and Apt. No., or PO Box No. PO Box 742
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Street and Apt. No., or PO Box No. 1947 N. Main St.
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☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.60

Total Postage and Fees \$7.85

Sent To Lance & Sonya Petre
Street and Apt. No., or PO Box No. 909 Chaucery Ln
City, State, ZIP+4® Cave Springs, AR 72718

PS Form 3800, April 2015 PSN 7530-02-000-9047

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7018 0680 0000 5220 3594

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☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage \$0.60

Total Postage and Fees \$7.85

Sent To Mark & Lacy Smith

Street and Apt. No., or PO Box No. 5102 S. Hexter Cir

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☐ Return Receipt (electronic) \$
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☐ Adult Signature Restricted Delivery \$

Postage \$0.60

Total Postage and Fees \$7.85

Sent To C R Reaves Family Ltd Partnership

Street and Apt. No., or PO Box No. 15138 Natural Habitat Way

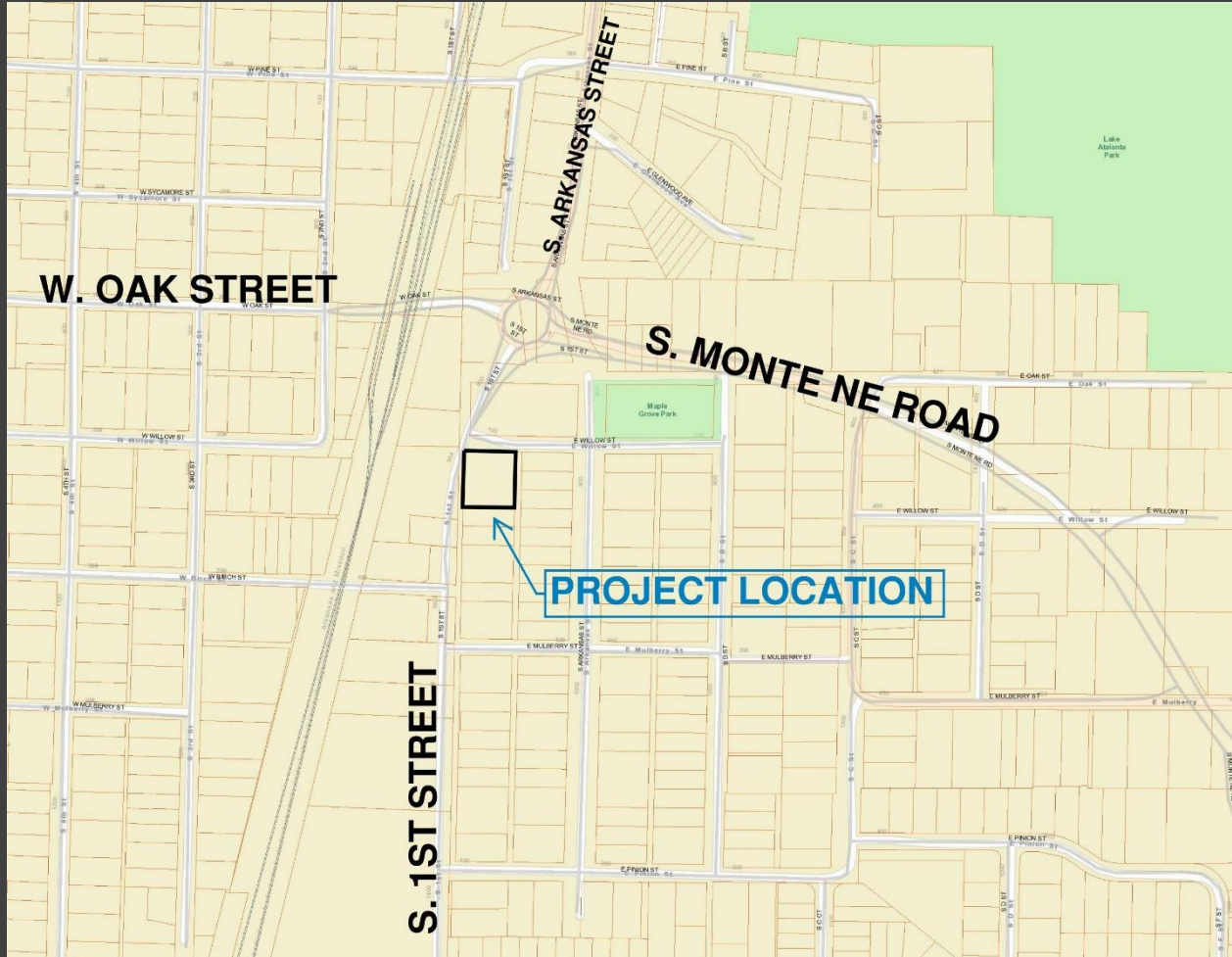
City, State, ZIP+4® Rogers, AR 72758

PS Form 3800, April 2015 PSN 7530-02-000-9047

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CGM Update/Rezone Request: Kristyn Lawson— 102 E. Willow



Aerial Map

Summary

- **Representative:** Kristyn Lawson
- **CGM Designation:** Neighborhood
- **Zoning:** R-DP (Residential Duplex and Patio Home)
- **Proposed CGM Designation:** Downtown Regional Center
- **Proposed Zoning:** NBT (Neighborhood Transition)
- **Location:** Directly SE of 1st Street and Willow St., 02-02913-000

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

CGM Update/Rezone Request: Kristyn Lawson



Summary Cont.

Request: Amend CGM from “Neighborhood” to “Downtown Regional Center” and Rezone from R-DP to NBT.

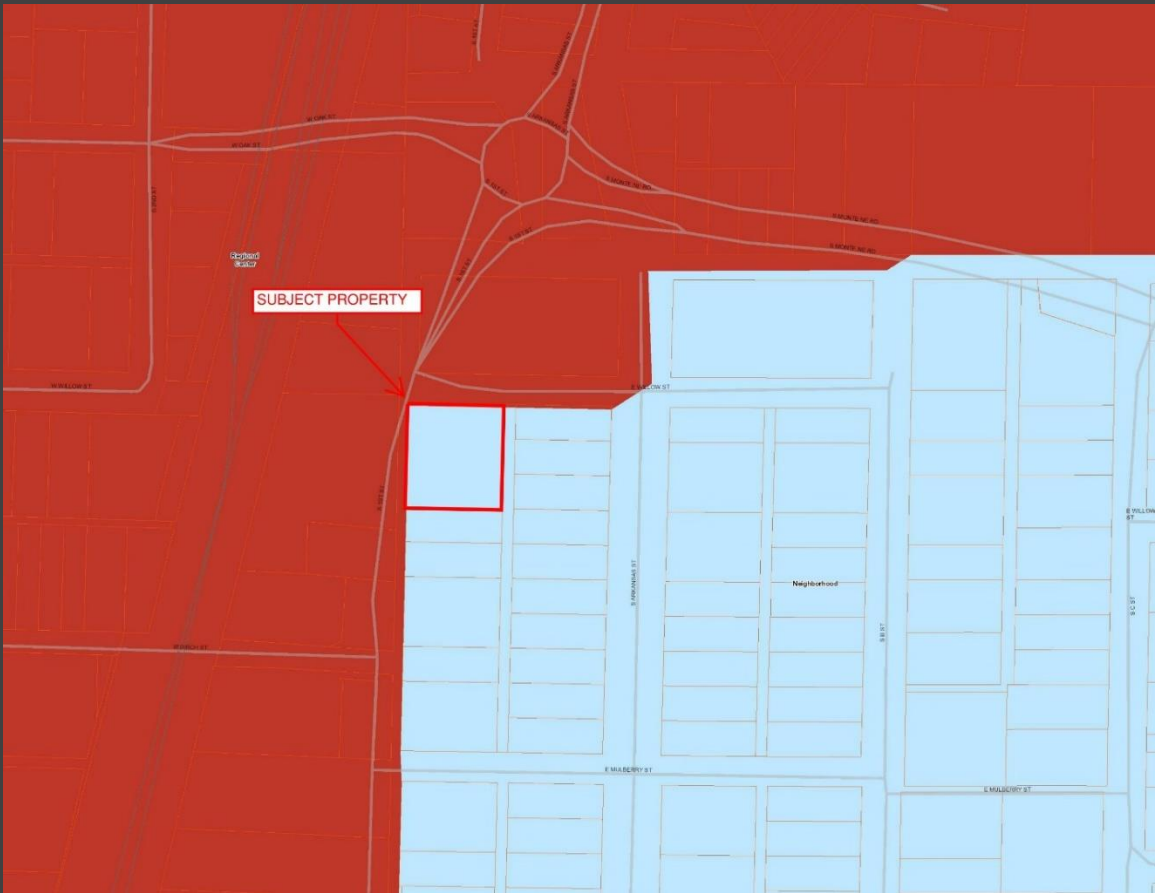
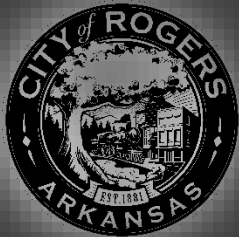
Summary: The requested rezone to NBT would be consistent with the requested amendment to the Comprehensive Growth Map. This was already recommended for by the Plans and Policy Committee at the August 2, 2022 Planning Commission meeting.

Recommendation: Approve request.



Aerial Imagery

CGM Update/Rezone Request: Kristyn Lawson



Comprehensive Growth Map

Zoning Map



CGM Update/Rezone Request:

Kristyn Lawson



Staff Review

• COMPREHENSIVE GROWTH MAP:

- Current Growth Designation:
 - Neighborhood.
- Growth Designation Character:
 - 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 (CGM Page 1).
- Base Density:
 - 6 units/acre.
- Max Density:
 - 12/units/acre.
- Allowed Zoning Districts:
 - R-SF, N-R, R-DP, R-MF

• COMPREHENSIVE GROWTH MAP CHANGE REQUEST:

- Requested Growth Designation:
 - Regional Center - NBT.
- 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).
- Base Density:
 - N/A.
- Max Density:
 - N/A.
- Allowed Zoning Districts:
 - COR, COM, IA, NBT, U-COR, U-COM, U-ENT, U-NBT

CGM Update/Rezone Request:

Kristyn Lawson



Staff Review Cont.

Zoning:

- R-DP (Residential Duplex and Patio Home)
The purpose and intent of the R-DP zoning district is “provide areas for the development of one- or two-family residential structures. The district may be located in developed areas or undeveloped areas of the City where an environment compatible with moderate density residential development can also be established. This zoning district replaces the former R-2, RMF 6A and 6B zoning districts.” Sec. 14-701(a)

Requested Zoning:

- NBT (Neighborhood Transition)
The purpose of the Neighborhood Transition Zone is “to support appropriate transition between existing residential neighborhoods and open space and the more active commercial and urban residential areas. The intent is to support the character of the neighborhoods around downtown. Development Standards within this DRDC zone specifically address the unique aspects of redevelopment in this area by retaining the existing development pattern while allowing higher density, pedestrian-oriented development to occur. In addition, the standards allow phasing of redevelopment and encourage the use of existing buildings and parking lots to the extent possible.” Sec. 14-715(4.5)(a)

• General Findings:

- The property is located in the Blackburn Subdivision at 102 E. Willow St. and is within walking distance of the designated Downtown Regional Center, separated by E. Willow Street to the north and S. 1st Street to the west.
- The property is located in the “Neighborhood” Growth Designation (CGM Page 1).
- The zoning is R-DP (Residential Duplex and Patio Home), and is allowable in the Neighborhood Growth Designation (CGM Page 1).
- The subject location’s characteristics and context are better suited as part of the Downtown Regional Center designation of “NBT” (Neighborhood Transition Zone). NBT zoning’s purpose is “to support appropriate transition between existing residential neighborhoods and open space and the more active commercial and urban residential areas.”
- It should also be noted that almost all of the immediate surrounding properties are also designated as “Neighborhood” are also zoned R-DP and are being used as single-family dwellings. However, many of the surrounding parcels do not meet the R-DP zoning district standards such as minimum frontage and lot area.
- Due to the character and context of the surrounding area, this property would be better suited as “Regional Center” with the “NBT” designation under the Downtown Regional Center Zoning Plan on the Comprehensive Growth Map (CGM Page 3).

CGM Update/Rezone Request:

Kristyn Lawson

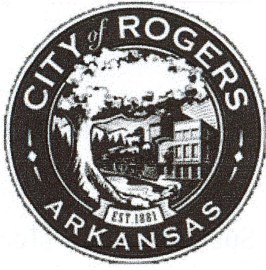


Recommended Motion

- Move to **approve** rezone as presented.

SUPPLEMENTS

- Rezone application with required materials



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

**Comprehensive Growth Map (CGM) Update
and/or Rezone Application**

Kristyn Lawson for Beth Young

APPLICANT: _____

LOCATION DESCRIPTION and/or ADDRESS: 102 E Willow St.
Rogers, AR 72758

PARCEL NUMBER: 02-02913-000

APPLICANT PHONE #: 479-544-1441

EMAIL: KristynLawson@cox.net

PRESENT CGM GROWTH DISTRICT: Neighborhood

REQUESTED CGM GROWTH DISTRICT: ✓ Regional center

PRESENT ZONING: R-DP

PROPOSED ZONING: NBT

Lisbeth A. Young
Applicant Signature

8/12/22
Date

Attachment Checklist:

- ☒ Legal description of property
- ☐ Notice of Surrounding Property Owners Certification
- ☐ Property Owner Affidavit

PLANNING STAFF PROVIDES:

DATE FILED: 8/12/2022 PUBLIC HEARING DATE: 9/16/2022 CERTIFIED MAIL DATE: 8/22/2022

PLANNING COMMISSION ACTION: _____ DATE: _____

CITY COUNCIL ACTION: _____ DATE: _____

ORDINANCE NUMBER: _____ PROJECT NUMBER: _____

CGM Amendment Request Letter

July 18, 2022

To Whom It May Concern,

We would like the CGM of Downtown Rogers to be extended to include our lot at 102 East Willow and be changed to Regional Center to be rezoned to NBT. Doing so will allow us to maximize the lot so we can divide and build proposed Brownstones with zero lot lines. One lot will be for my permanent residence and one will be a second home for Beau Reed. This will not only beautify two entrances to Downtown Rogers, but also provide additional housing for future residents. We appreciate you considering our proposal and look forward to working with you.

Sincerely,

Kristyn Lawson

PROPERTY OWNER AFFIDAVIT

The petitioner, Beth Young, petitions the Planning Commission of the City of Rogers, Arkansas to rezone certain real property as set forth herein:

LEGAL DESCRIPTION:

LAYMAN'S DESCRIPTION:

102 E Willow St. / Corner of First St. & E. Willow

PRESENT ZONING:

R-DP

ZONING REQUEST:

NBT

Respectfully Submitted,

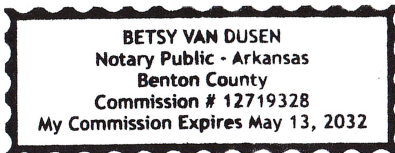
By:

Beth Young
(Property Owner Signature)

STATE OF ARKANSAS

COUNTY OF Benton

Subscribed and sworn before me this the 15th day of August, 2022.



Betsy Van Dusen
Notary Signature

Betsy van Dusen
Notary Name Printed

May 13, 2032
Commission Expires

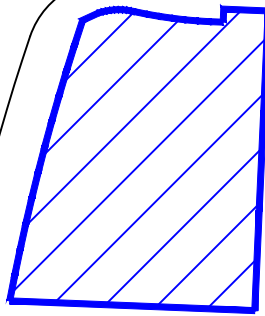
Legal Description Confirmation

S 1ST ST

ARKANSAS

ST.

WIL



CERTIFICATION

I hereby state that to the best of my knowledge all property owners within 300 feet of my property have been notified by Certified mail at least 15 days prior to the upcoming public hearing for my request.

Dated this the 23rd day of August, 2022.

Signed Beth Young

Beth Young
Name Printed

STATE OF ARKANSAS

COUNTY OF Benton

Subscribed and sworn before me this the 23rd day of August, 2022.



Betsy Van Dusen
Notary Signature

Betsy Van Dusen
Notary Name Printed

May 13, 2032
Commission Expires



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

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 **September 6, 2022** at **6:00 p.m.** on the application by **Beth Young** to amend the Comprehensive Growth Designation from **Neighborhood** to **Regional Center** and to rezone **102 E. Willow St.** from the **R-DP** (Residential Duplex Patio Home) zoning district to the **NBT** (Neighborhood Transition) zoning district, the property being more particularly described as follows:

PROPERTY DESCRIPTION:

102 E. Willow St.

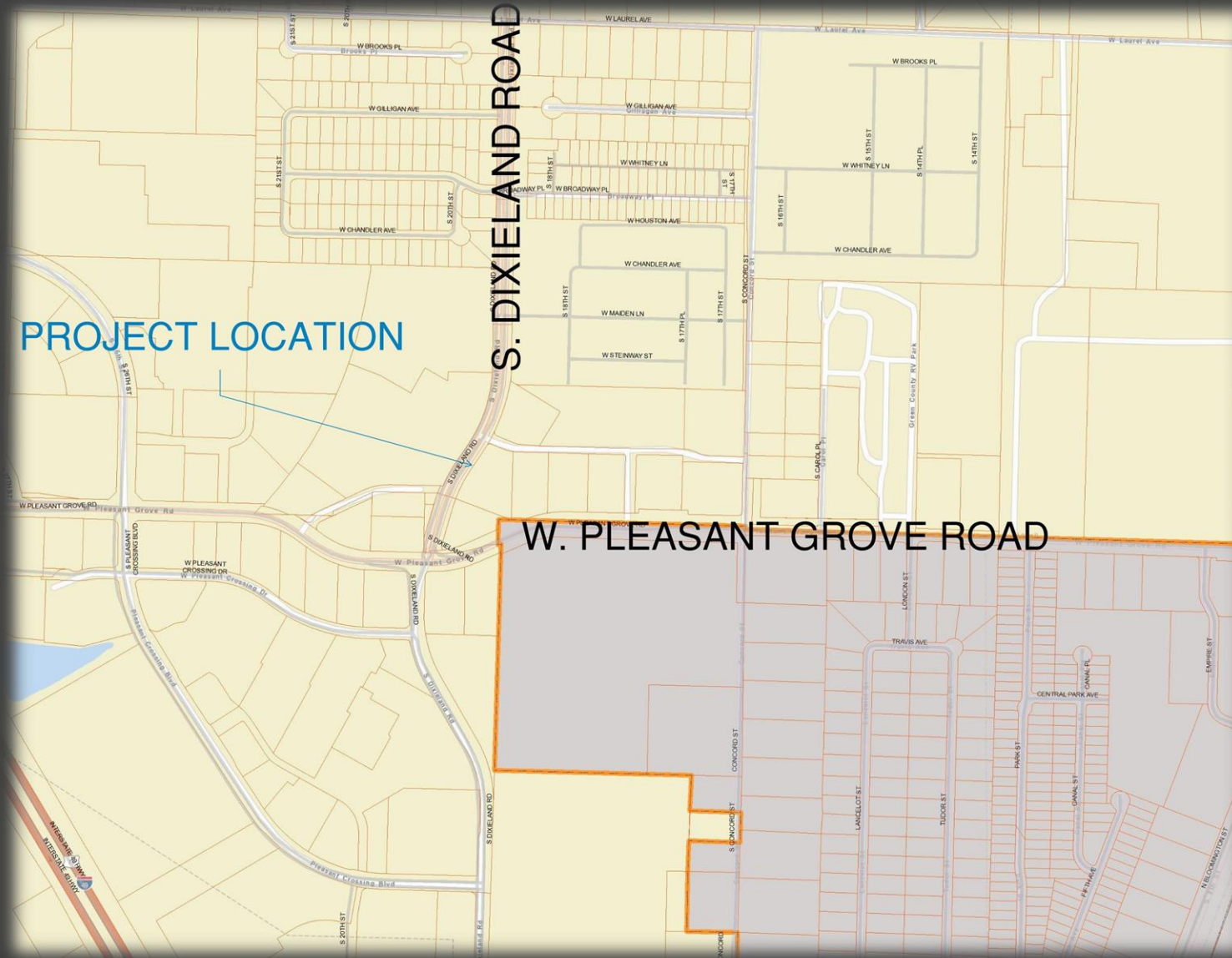
Parcel Number: 02-02913-000

Eriks Zvers, Secretary
Planning Commission

PUBLISH ONE TIME ONLY: **Sunday August 21, 2022**
BILL THE CITY OF ROGERS



Conditional Use Permit: Circle K



Summary

Representative:

Kofi Addo – Bowman Consulting

Location:

1787 W. Pleasant Grove Rd.

Parcel 02-21544-000

Proposed Use:

Convenience Store with Gas

Zoning:

C-2 (Highway Commercial)

Growth Designation:

Neighborhood

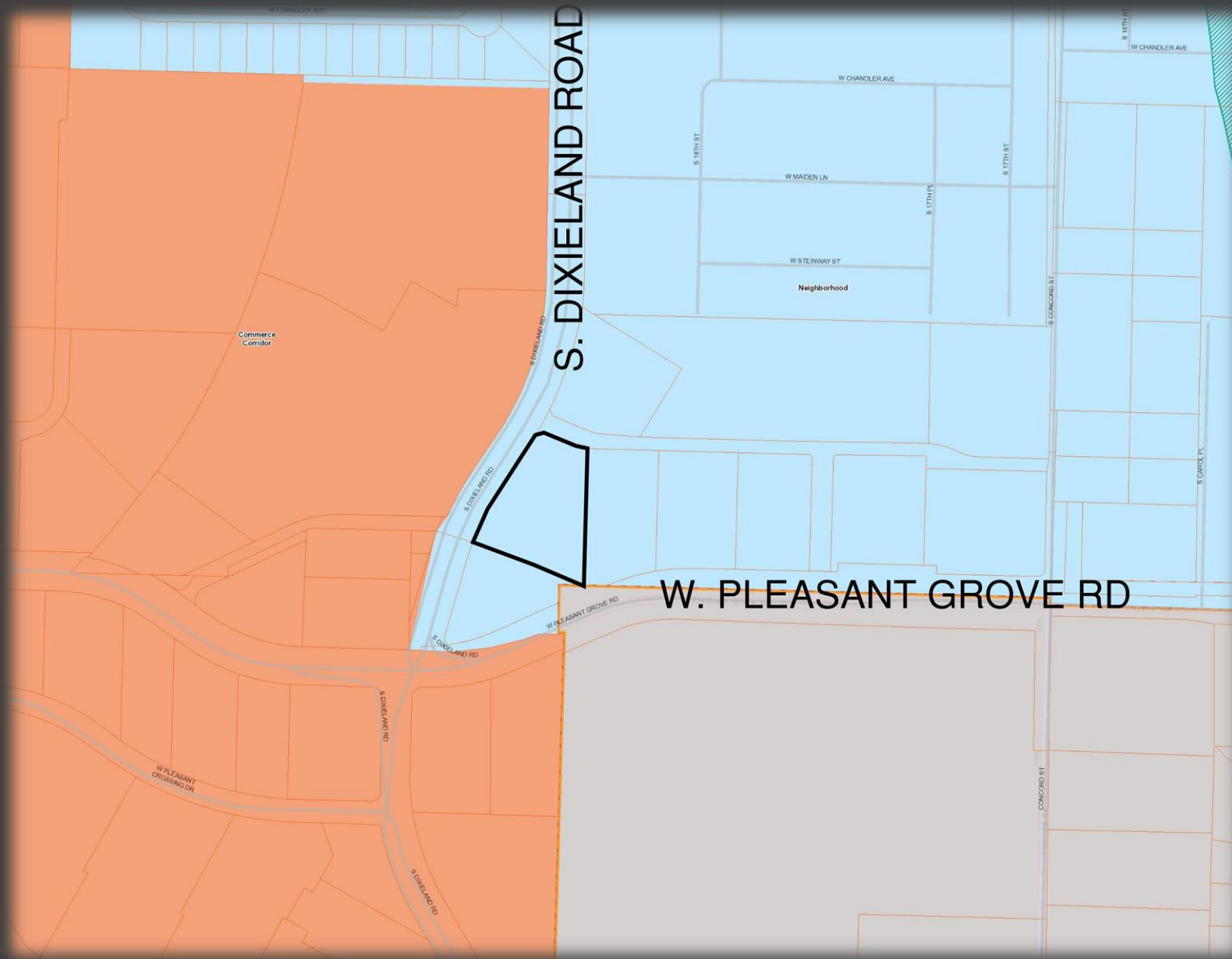
Vicinity Map

Staff: Zachery Birdsong, Planner (zbirdsong@rogersar.gov)



- Zoned correctly?
 - The proposed use is conditional within C-2.
- Compatible with CGM?
 - No, the subject property is located within a Neighborhood Growth Designation.
- Can zoning requirements be met?
 - Yes
- Cleared of known traffic hazards?
 - Yes, however staff opposes ingress and egress off of W. Pleasant Grove Road.

Conditional Use Permit: Circle K



Comprehensive Growth Map

Summary Continued CONSIDERATIONS & FINDINGS

- Zoned correctly?
 - The proposed use is conditional within C-2.
- Compatible with CGM?
 - No, the subject property is located within a Neighborhood Growth Designation.
- Can zoning requirements be met?
 - Yes
- Cleared of known traffic hazards?
 - Yes, however staff opposes ingress and egress off of W. Pleasant Grove Road.

Conditional Use Permit: Circle K



Aerial Image

City limit boundary is incorrect as shown. The boundary travels along southern border of Pleasant Grove Road.

Committee Report:
(Committee Recommendation)

Staff Recommended Motion:
"I move to accept the request with the condition that no ingress/egress be provided off of W. Pleasant Grove Road."

Note: Ingress/egress will be examined further during the large-scale process due to proposed S. Dixieland Road access being right-in/right-out only.

Conditional Use Permit: Circle K



Comprehensive Growth Map:

- a) *Growth Designation: Neighborhood*
- b) *Growth Designation Character: 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 (CGM Page 1).*
- c) *Allowed Zoning Districts: R-SF, N-R, R-DP, R-MF*

Zoning:

- a) *C-2 (Highway Commercial): The purpose and intent of the C-2 zoning district is "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).*
- b) *Use Definition: "Convenience Stores with Gas" is defined as "a secondary use classification encompassing retail sales of food, beverage, and small convenience items typically found in establishments with long or late hours of operation that also sell gasoline."*



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

OFFICE USE ONLY

Permit Fee: \$100 (\$100)
Zoning: C-2
Permit Number: 22-20
CityView Application: PL202200795
Date: 8/15/2022

CONDITIONAL USE PERMIT

APPLICANT: Kofi Addo Circle K
ADDRESS: 5601 Democracy Drive, Plano, TX, 75024 SUITE #: 205
GENERAL LOCATION OF PROPERTY: 1787 W Pleasant Grove RD
PARCEL NUMBER: 02-21544-000
PHONE #: 972.497.2992 EMAIL: kaddo@bowman.com
PROPERTY OWNER: PWX LLC PHONE #: _____
PRESENT USE: Vacant ZONING: C-2
PROPOSED CONDITIONAL USE: Gas Station
PARKING SPACES AVAILABLE: 16 HOURS OF OPERATION: to be determined
IF APPLYING TO OPEN A DAYCARE:
NUMBER OF CHILDREN: N/A MOST CHILDREN AT ONE TIME: N/A

[Signature]

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

Attachment Checklist:

- ☒ Letter explaining request
☒ Parcel Number
☐ Applicant Certification
☒ Site plan as needed
☒ Letter of Approval from Property Owner

PLANNING STAFF PROVIDES:

DATE FILED: 8/15/2022 PUBLIC HEARING DATE: 9/6/2022 CERTIFIED MAIL DATE: 8/21/2022

PLANNING COMMISSION ACTION: _____

COMMENTS, CONDITIONS, LIMITS: _____



August 12, 2022

City of Rogers
Planning Commission
301 W. Chestnut Street,
Rogers, AR 72756

**Re: Circle K Convenience Store with Fueling Station, 1787 W. Pleasant Grove Road
Parcel #02-21544-000
Conditional Use Permit Application**

To Whom It May Concern:

Bowman, acting on behalf of the property owner, would like to request a Conditional Use Permit for the proposed Circle K Convenience Store with a Fueling Station at 1787 W. Pleasant Grove Road in Rogers, AR.

PROJECT DESCRIPTION

The property is an approximately 1.78-acre undeveloped parcel located at the northeast corner of W. Pleasant Grove Road and S. Dixieland Road and is currently zoned C-2 Highway Commercial. The properties adjacent to the parcel are zoned C-2 Highway Commercial and RMF-22B – Residential Multifamily.

The project will have one access on S. Dixieland Road and a shared access on W. Pleasant Grove Road. The proposed convenience store will be open 24 hours and 7 days in a week. The development is anticipated to have signs which will meet the City's sign regulations. The project will adhere to all City regulations by ensuring all outdoor lighting is positioned in such a way to minimize light trespass across property lines. The operator of the convenience store and fueling station will ensure that the noise levels from the project site are within acceptable limits and not a nuisance to the adjacent properties or the community. Any flammable or hazardous material present at the site will be secured properly and according to industry standards. There will not be any significant impact to the traffic on the streets adjacent to the proposed development.

We look forward to having the support of The Planning Commission on the proposed Circle K development in The City of Rogers. Should you have any questions about the project, do not hesitate to contact me at 972.497.2992.

Sincerely,

BOWMAN

A handwritten signature in blue ink, appearing to read "Kofi Addo".

Kofi Addo, P.E.

5601 Democracy Drive, Suite 205, Plano, TX 75024
972.497.2992
www.bowman.com

August 4, 2022

To: Seaborn

From: Catherine



Re: Conditional Use Permit (CUP) property owner permission/PWX Sale to Bluefin Development for Lot 6, The Grove

Seaborn,

Attached is being requested for permission of Property Owner (PWX, LLC) for Purchaser (Bluefin Development) to seek a CUP on Lot 6, The Grove, to allow for approval of a C-store on the property which is now under contract.

Please if you will sign and return to me, I will notarize then get it back to Bluefin.

Let me know of any questions.

Thank you,

Cat

PROPERTY OWNER PERMISSION

I, PWX, LLC, by Seaborn J. Bell, Manager hereby permit the use of a convenience store with gas
(name) (use)
on my property at 1787 W. Pleasant Grove Road Rogers, Arkansas.
(address)

Dated this the 4th day of August, 2022.

PWX, LLC
By: Seaborn J. Bell
Signed Manager

Seaborn J. Bell
Name Printed

STATE OF ARKANSAS

COUNTY OF Pulaski

Subscribed and sworn before me this the 4th day of August, 2022.

Catherine Mulkey
Notary Signature

Catherine Mulkey
Notary Name Printed

7/17/2024
Commission Expires



CERTIFICATION

I hereby state that to the best of my knowledge all property owners within 300 feet of my property have been notified by Certified Mail **with return receipts requested** at least 15 days prior to the upcoming public hearing.

Dated this the 18th day of August, 20 22.

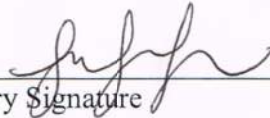

Signed

KOFI ADDO
Name Printed

Texas
STATE OF ~~ARKANSAS~~
COUNTY OF Tarrant

Subscribed and sworn before me this the 18 day of August, 20 22.




Notary Signature

Elvia Aguilar
Notary Name Printed

May 26, 2025
Commission Expires

PROPOSED SITE

1771

W Pleasant Grove Rd

S Dixieland Rd

W Gilligan Ave

45.00' BUILDING SETBACK

65.00' BUILDING SETBACK

116.97'

66.00'

18.00'

9.00'

24.00'

CONCRETE CURB & GUTTER

LANDSCAPE

R15'

41.00'

R20'

40.00'

R20'

37.00'

18.00'

9.00'

16.00'

9.00'

10

6

CIRCLE K

3,000 SF

FTE = KM

LANDSCAPE

SIDEWALK

DUMPSTER ENCLOSURE

15.00' BUILDING SETBACK

R10'

R8'

LANDSCAPE

FUEL PUMPS

50.00'

CONCRETE CURB & GUTTER

UNDERGROUND FUEL TANK

CONCRETE CURB & GUTTER

15.00' BUILDING SETBACK

R40'

40.00'

R40'

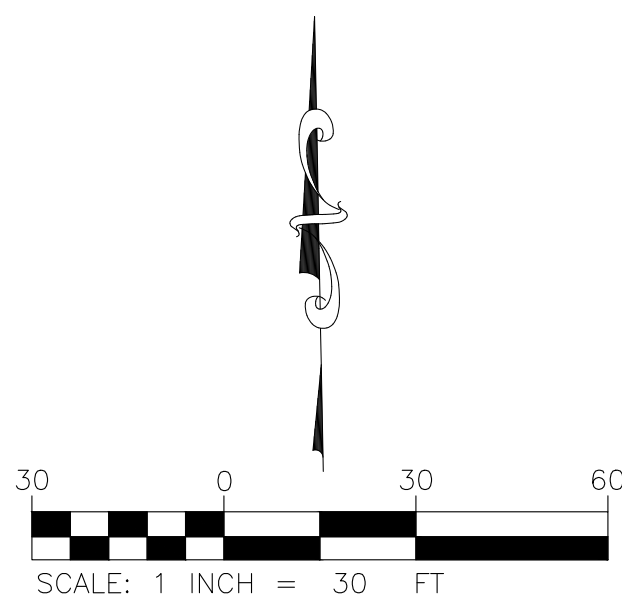
R20'

R40'

W Pleasant Grove Rd

W Pleasant Grove Rd

PROPOSED BUILDING
PROPERTY LINE
STD. 6" CONCRETE CURB
PARKING SPACE COUNT
CONCRETE SIDEWALK



SITE DATA TABLE		
PHYSICAL ADDRESS	1787 W PLEASANT GROVE RD	
GROSS SITE AREA	77,537 SF (1.78 AC)	
NET SITE AREA	77,537 SF (1.78 AC)	
ZONING	C-2	
CURRENT USE	VACANT	
LOT COVERAGE DATA		
BUILDING COVERAGE	4.6%	
IMPERVIOUS AREA	42,155 SF (0.97)	
PERVIOUS AREA	35,382 SF (0.81)	
Parking Summary - 1 SPACE PER 250 GFA		
	REQUIRED	PROVIDED
PARKING	15	16
BUILDING DATA		
BUILDING	1-STORY	
PEAK HEIGHT	28'-0 ³ / ₂ "	
MEAN HEIGHT	28'-0 ¹ / ₂ "	
TOTAL SQUARE FOOTAGE	3,600 SF	

[illegible]

SITE PLAN

CIRCLE K
1787 W PLEASANT GROVE RD,
ROGERS, AR 72758

FOR PRELIMINARY
REVIEW ONLY

DESIGN AM	DRAWN AM	CHKD KAN
JOB No. ??????-??-???		
SHEET 1.0		

Memorandum

To: City of Rogers Planning Commission
From: Kofi Addo, P.E. | Bowman Consulting Group
Date: 8/12/2022
Re: Proposed Circle K to be located at 1787 W Pleasant Grove Rd, Rogers, AR 72758 - Trip Generation Memorandum

Bowman has been retained by Bluefin Development LLC to provide a summary of the anticipated trip generation of the proposed 3,600 SF Circle K Convenience Store with 8 Vehicle Fueling Positions Canopy proposed at 1787 W Pleasant Grove Rd, Rogers, Arkansas. The site location is depicted in **Figure 1**.

Access to the site is proposed to be provided via one (1) right-in/right-out driveway along S Dixieland Rd and one (1) full-access driveway along W Pleasant Grove Rd. The latest Site Plan is presented in **Appendix A**.

Trip generation rates were extracted from the Institute of Transportation Engineers *Trip Generation Manual 11th Edition* for the comparable land use Convenience Store/Gas Station (Land Use 945) Subcategory GFA (2-4k) for the proposed Circle K Development. The Land Use Definition is presented in **Appendix B**.

Table 1 displays the trip generation for the proposed development.

Table 1. Site Trip Generation

Land Use	Land Use Code ⁽¹⁾	Intensity	Units	Time Period	Average Rate/ Fitted Curve Eq. ⁽¹⁾	Development Trips ⁽¹⁾		
						In	Out	Total
Proposed:				Weekday	$T = 158.28(X) + 850.23$	1060	1061	2121
Convenience Store/Gas Station	945	8.00	VFP	AM ⁽²⁾	16.06	64	64	128
GFA (2-4k)				PM ⁽²⁾	18.42	73	74	147

(1) Based on the Institute of Transportation Engineers Trip Generation, 11th Edition

(2) Peak Hour of Adjacent Street

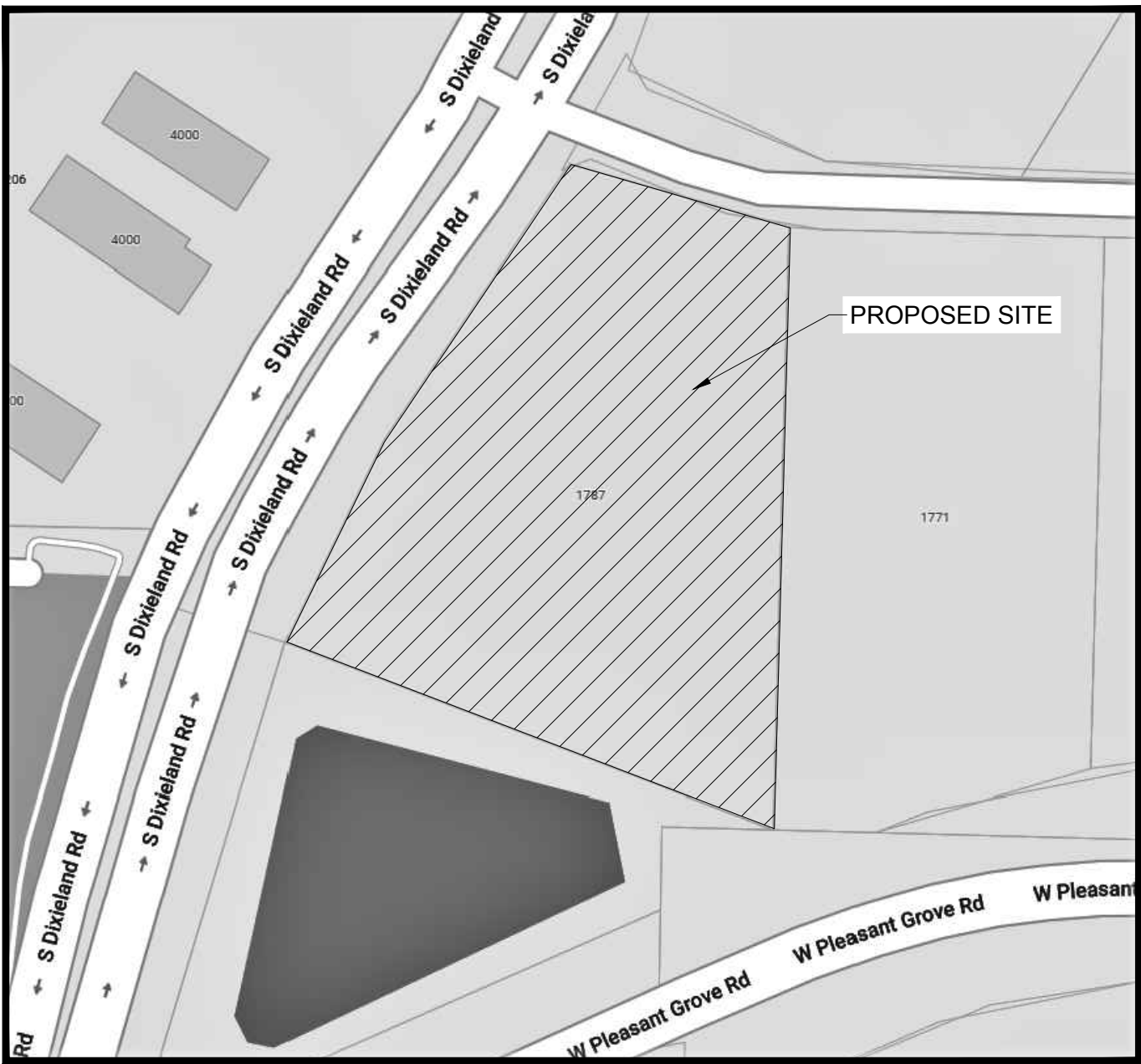
The proposed development is expected to generate a total of 2,121 trips during the weekday, 128 trips during the morning peak hour, and 147 trips during the evening peak hour.



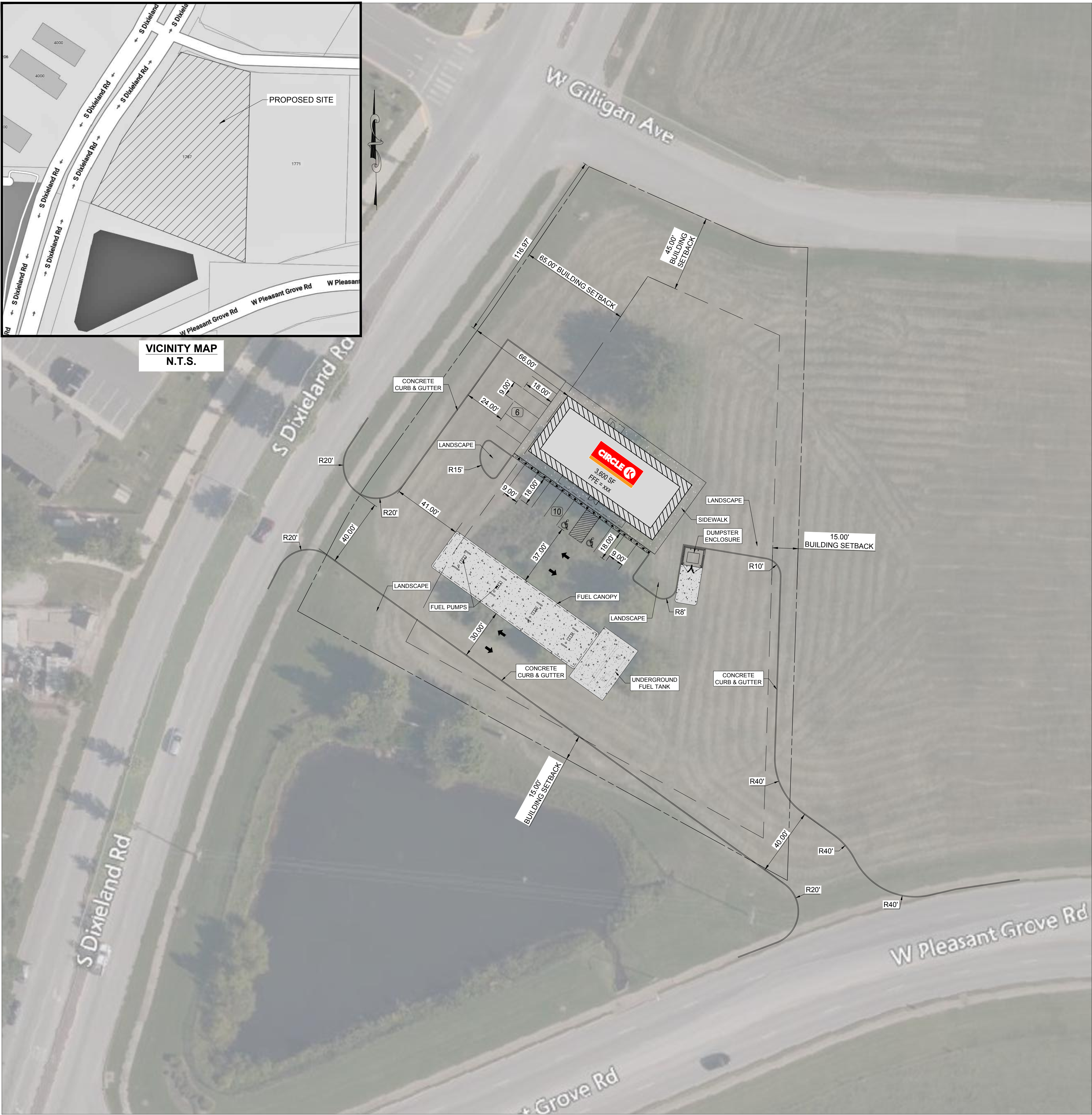
Figure 1. Site location

Appendix A

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY BOWMAN CONSULTING SHALL BE WITHOUT LIABILITY TO BOWMAN CONSULTING.

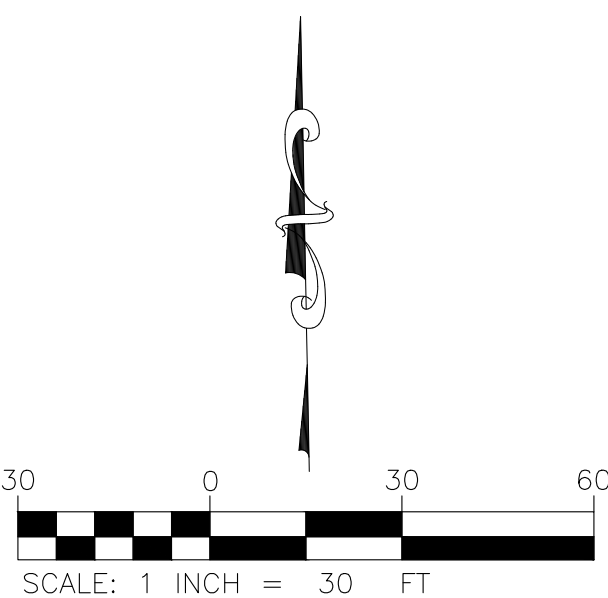


VICINITY MAP
N.T.S.



PROPOSED LEGEND

PROPOSED BUILDING	
PROPERTY LINE	
STD. 6" CONCRETE CURB	
PARKING SPACE COUNT	
CONCRETE SDIEWALK	



SITE DATA TABLE		
PHYSICAL ADDRESS	1787 W PLEASANT GROVE RD	
GROSS SITE AREA	77,537 SF (1.78 AC)	
NET SITE AREA	77,537 SF (1.78 AC)	
ZONING	C-2	
CURRENT USE	VACANT	
LOT COVERAGE DATA		
BUILDING COVERAGE	4.6%	
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Parking Summary - 1 SPACE PER 250 GFA		
	REQUIRED	PROVIDED
PARKING	15	16
BUILDING DATA		
BUILDING	1-STORY	
PEAK HEIGHT	28'-0 ³ / ₂ "	
MEAN HEIGHT	28'-0 ¹ / ₂ "	
TOTAL SQUARE FOOTAGE	3,600 SF	

Bowman

© 2021 Bowman Consulting Group, Ltd.

5601 Democracy Dr.
Suite 205
Plano, Texas 75024

Phone: (972) 407-2900
Fax: (972) 407-4862
www.bowman.com

REVISIONS		DATE	
REVISION	DESCRIPTION		

SITE PLAN

CIRCLE K
1787 W PLEASANT GROVE RD,
ROGERS, AR 72758

FOR PRELIMINARY
REVIEW ONLY

DESIGN AM	DRAWN AM	CHKD KAN
JOB No.	??????-??-???	
SHEET 1.0		

CAD file name: C:\Users\amanu\OneDrive - Bowman Consulting Group\KAddo\New Projects\Circle K\S Dixieland Rd & W Pleasant Grove Rd, Rogers, AR\Engineering\Engineering Plans\Concept\Circle K (S Dixieland Rd & W Pleasant Grove Rd), AR - Concept 1.0-amanu-lt.dwg 8/12/2022

Page 63 of 86

Appendix B

Land Use: 945

Convenience Store/Gas Station

Description

A convenience store/gas station is a facility with a co-located convenience store and gas station. The convenience store sells grocery and other everyday items that a person may need or want as a matter of convenience. The gas station sells automotive fuels such as gasoline and diesel.

A convenience store/gas station is typically located along a major thoroughfare to optimize motorist convenience. Extended hours of operation (with many open 24 hours, 7 days a week) are common at these facilities.

The convenience store product mix typically includes pre-packaged grocery items, beverages, dairy products, snack foods, confectionary, tobacco products, over-the-counter drugs, and toiletries. A convenience store may sell alcohol, often limited to beer and wine. Coffee and pre-made sandwiches are also commonly sold at a convenience store. Made-to-order food orders are sometimes offered. Some stores offer limited seating.

The sites in this land use include both self-pump and attendant-pumped fueling positions and both pre-pay and post-pay operations.

Convenience store (Land Use 851), gasoline/service station (Land Use 944), and truck stop (Land Use 950) are related uses.

Land Use Subcategory

Multiple subcategories were added to this land use to allow for multi-variable evaluation of sites with single-variable data plots. All study sites are assigned to one of three subcategories, based on the number of vehicle fueling positions (VFP) at the site: between 2 and 8 VFP, between 9 and 15 VFP, and between 16 and 24 VFP. For each VFP range subcategory, data plots are presented with GFA as the independent variable for all time periods and trip types for which data are available. The use of both GFA and VFP (as the independent variable and land use subcategory, respectively) provides a significant improvement in the reliability of a trip generation estimate when compared to the single-variable data plots in prior editions of *Trip Generation Manual*.

Further, the study sites were also assigned to one of three other subcategories, based on the gross floor area (GFA) of the convenience store at the site: between 2,000 and 4,000 square feet, between 4,000 and 5,500 square feet, and between 5,500 and 10,000 square feet. For each GFA subcategory range, data plots are presented with VFP as the independent variable for all time periods and trip types for which data are available. The use of both VFP and GFA (as the independent variable and land use subcategory, respectively) provides a significant improvement in the reliability of a trip generation estimate when compared to the single-variable data plots in prior editions of *Trip Generation Manual*.

When analyzing the convenience store/gas station land use with each combination of GFA and VFP values as described above, the two sets of data plots will produce two estimates of site-generated trips. Both values can be considered when determining a site trip generation estimate.

Data plots are also provided for three additional independent variables: AM peak hour traffic on adjacent street, PM peak hour traffic on adjacent street, and employees. These independent variables are intended to be analyzed as single independent variables and do not have sub-categories associated with them. Within the data plots and within the ITETripGen web app, these plots are found under the land use subcategory “none.”

Additional Data

ITE recognizes there are existing convenience store/gas station sites throughout North America that are larger than the sites presented in the data plots. However, the ITE database does not include any site with more than 24 VFP or any site with gross floor area greater than 10,000 square feet. Submission of trip generation data for larger sites is encouraged.

The technical appendices provide supporting information on time-of-day distributions for this land use. The appendices can be accessed through either the ITETripGen web app or the trip generation resource page on the ITE website (<https://www.ite.org/technical-resources/topics/trip-and-parking-generation/>).

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in Alberta (CAN), Arkansas, California, Connecticut, Delaware, Florida, Indiana, Iowa, Kentucky, Maryland, Massachusetts, Minnesota, Nevada, New Hampshire, New Jersey, Pennsylvania, Rhode Island, South Dakota, Texas, Utah, Vermont, Washington, and Wisconsin.

Source Numbers

221, 245, 274, 288, 300, 340, 350, 351, 352, 355, 359, 385, 440, 617, 718, 810, 813, 844, 850, 853, 864, 865, 867, 869, 882, 883, 888, 904, 926, 927, 936, 938, 954, 960, 962, 977, 1004, 1024, 1025, 1027, 1052



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

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 **September 6, 2022** at **6:00 p.m.** on the application by **Circle K** for a **Conditional Use Permit** to allow the use “**Convenience Store with Gas**” at **1787 W. Pleasant Grove Rd.** in the **C-2 (Highway Commercial)** zoning district at the following described location:

PROPERTY DESCRIPTION:

1787 W. Pleasant Grove Rd.

Parcel Number: 02-21544-000

Eriks Zvers, Secretary
Planning Commission

PUBLISH ONE TIME ONLY: **Sunday August 21, 2022**
BILL THE CITY OF ROGERS



Rezone/Density Concept Plan Application Request: Copeland



Summary

- **Representative:** Phil Swope
- **CGM Designation:** Neighborhood
- **Zoning:** R-SF (Residential Single-Family)
- **Proposed Zoning:** R-MF (Residential Multi-Family)
- **Location:** NW of the intersection of S. 15th Street and W. Pine Street (02-04412-000 & 02-04413-002)

Code reference: Sec. 14-729(d): “Any part of all of a property involved in an application which was denied or withdrawn after public hearing shall not be resubmitted for a period of one year from the date of last action on the amendment request.”

Request: To allow the resubmission of a rezone request prior to a full year from the date of last action.

Summary: The applicant submitted a rezone for the subject property at the October 19th 2021 Planning Commission meeting. In order for them to submit again for the same property before October 19th, 2022, the ability to submit must be approved by Planning Commission. This request differs in that it is accompanied by a Density Concept Plan.

Recommended Motion: “I move to approve the application request .”



COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
planning@rogersar.gov
(479) 621-1186

MEETING DATE
OCTOBER 19, 2021

TO: PLANNING COMMISSION

RE: **STAFF SUMMARY REPORT**
REZONE – DANIEL COPELAND

STAFF: AMBER LONG, PLANNER II

REQUEST DETAILS

ADDRESS/PARCEL:	NW of the Intersection of S. 15 th St. and W. Pine St. / 02-04412-000 & 02-04413-002
TOTAL AREA TO BE REZONED:	± 6.04 acres
CURRENT ZONING:	R-SF (Residential Single-Family)
PROPOSED ZONING:	R-MF (Residential Multifamily)
APPLICANT/REPRESENTATIVE:	Daniel Copeland
PROJECT OWNER/DEVELOPER:	N/A
PROPERTY OWNER:	Daniel Copeland
NATURE OF REQUEST:	Approval of Rezone
AUTHORITY:	Sec. 14-727, Rogers Code of Ordinances

SUMMARY

This request is inconsistent with the Comprehensive Growth Map. R-MF is an allowed zoning district in the Neighborhood Growth Designation, but is inappropriate at the subject location due to distance from higher-intensity Growth Designations, conflict with the stated intent of R-MF zoning, and the potential incompatibility of current R-MF development standards for neighborhood infill.

Staff recommends **denial** of this request.

STAFF REVIEW

1. COMPREHENSIVE GROWTH MAP:

- a) Growth Designation:
Neighborhood.
- b) Growth Designation Character:
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 (CGM Page 1).
- c) Base Density:
6 units/acre.
- d) Max Density:
12 units/acre.
- e) Allowed Zoning Districts:
R-SF, N-R, R-DP, R-MF.

2. ZONING:

- a) R-MF (Residential Multifamily)
The purpose and intent of the R-MF zoning district is “to provide suitable areas within the City for attached and detached residential development...The district is intended for areas that have access for vehicular traffic from collector or higher classification streets without traversing minor streets in adjoining residential neighborhoods. New single-family dwellings are not permitted to ensure that vacant land set aside for multifamily development is not preempted by less intense development. The zero-lot-line concept, which permits construction with no side yard setback on one side, may be used within such districts,” (Sec. 14-703(a)).
- b) General Findings:
 - i) The subject location consists of parcel 02-04413-002 and the recently adjusted parcel 02-04412-000, zoned R-SF in the Neighborhood Growth Designation. The subject location is less than a quarter-mile from the midtown Regional Center and is less than a half-mile from three Neighborhood Centers and an Access Corridor. Surrounding zoning within the Neighborhood is primarily R-SF and RSF-5, with some RMF-12B and R-DP located west of S. Dixieland Road and N-R zoning located east of S. 15th Street. Tracts within the nearby Regional Center are zoned RMF-12B, C-2, and C2-CU; and tracts within the Access Corridor, located along W. Walnut Street, are zoned C-2, R-O, and R-SF. Most of the tracts within the nearby Neighborhood Centers are zoned incorrectly per the CGM, as only one tract in the Neighborhood Center located southwest of the subject location is zoned C-3. The entirety of the Neighborhood Center southeast of the subject location is zoned N-R, while the Neighborhood Center located northeast of the subject location is zoned C-2, C2-CU, and R-O.
 - ii) Staff finds the subject location to be inappropriate for R-MF zoning for the following reasons:
 - (1) As stated in the *CGM User Manual and Decision Making Guide*, “[t]ransition areas are considered the areas within 300’ of the shared boundary between two different Growth Designations...When transitioning from a low-density or undeveloped Neighborhood area to an area of higher intensity, higher-density housing types should be used to order development in a way that gradually increases intensity but ensures compatibility with the surrounding context.” The subject location is not considered a transition area per these guidelines; additionally, the subject location does not meet the stated intent of R-MF zoning by relying solely on access from minor neighborhood streets.
 - (2) Current R-MF development standards (bulk, height, area, etc.) are not well-calibrated for neighborhood infill and do not necessarily ensure compatibility with existing neighborhood characteristics in terms of scale and form.

3. RECOMMENDATIONS:

- a) **Deny** request.

DIRECTOR'S COMMENTS

1. Agree with recommendations.



JOHN C. MCCURDY, Director
Community Development

SUGGESTED MOTIONS

1. IF APPROVING AS PRESENTED:
Move to recommend City Council approval as presented.
2. IF APPROVING SUBJECT TO OTHER ACTIONS:
Move to recommend City Council approval subject to [conditions or contingencies].
3. IF DENYING:
Move to deny the request.
4. IF TABLING:
Move to table the request.

TABS

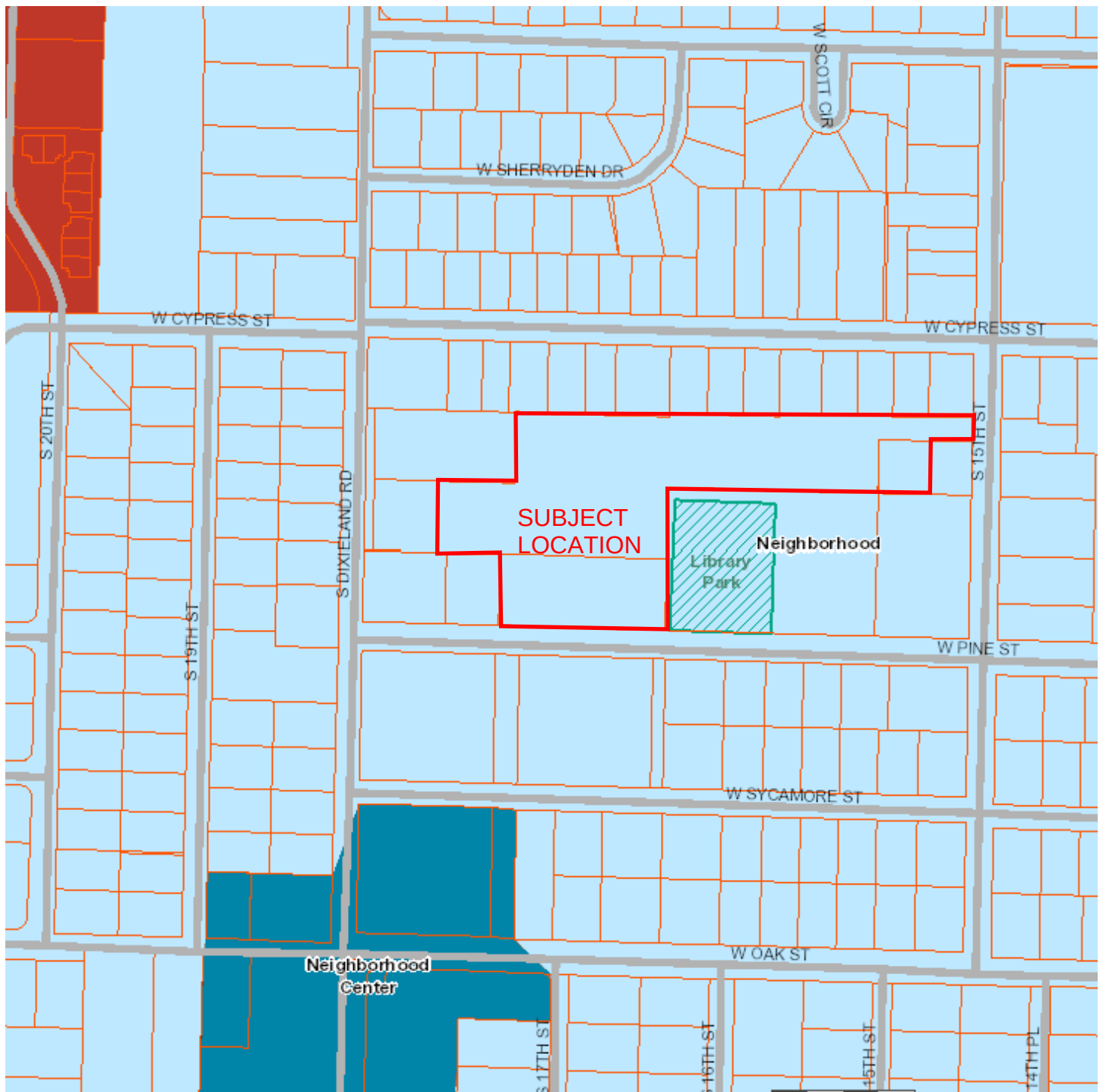
1. Vicinity maps (aerial, CGM, zoning)
2. Rezone application with required supplements

TAB 1

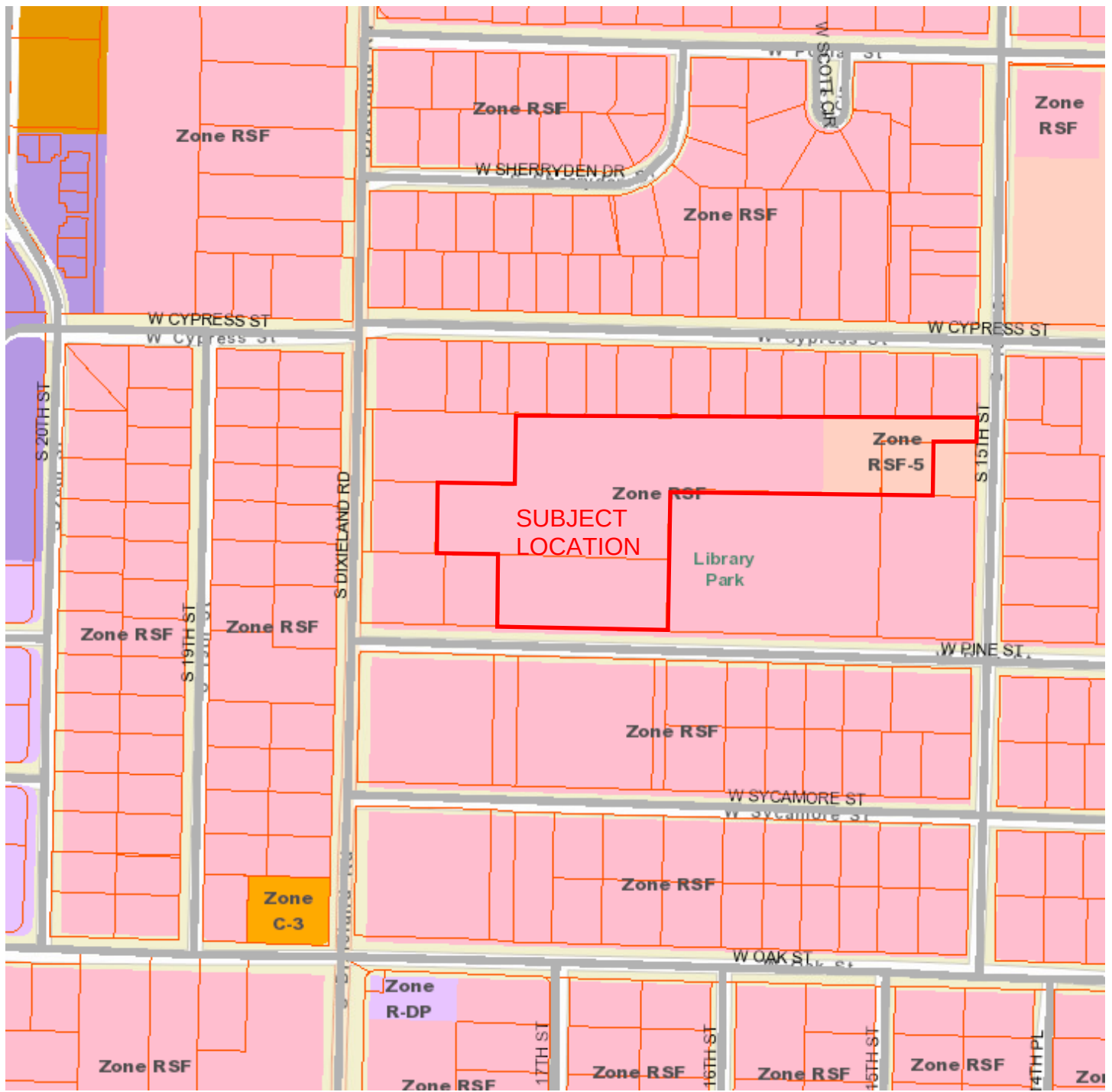
AERIAL VICINITY MAP



CGM VICINITY MAP



ZONING VICINITY MAP



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

Permit Fee: _____ (\$200)
Zoning: _____ to _____
Permit Number: _____
CityView Application: _____
Date: _____

REZONE APPLICATION

APPLICANT: Daniel Copeland

ADDRESS: 1904 W Linda Lane; Rogers, AR 72758

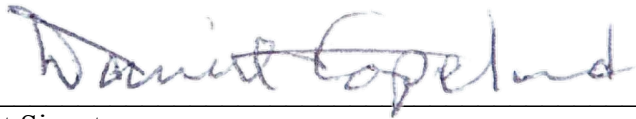
GENERAL LOCATION OF PROPERTY: 1703 W. PINE ST & 504 S. 15th St; ROGERS, AR

PHONE #: 479-640-2954 EMAIL: dan.arbors@gmail.com

PROPERTY OWNER: Daniel Copeland PHONE #: 479-640-2954

PRESENT USE: VACANT LOT ZONING: RSF

PROPOSED USE: MULTIFAMILY ZONING: RMF



09-22-2021

Applicant Signature

Date

Attachment Checklist:

- ☐ Legal description of property
- ☐ Applicant Certification
- ☐ Property Owner Affidavit
- ☐ Site plan as needed

PLANNING STAFF PROVIDES:

DATE FILED: _____ PUBLIC HEARING DATE: _____ CERTIFIED MAIL DATE: _____

PLANNING COMMISSION ACTION: _____ DATE: _____

CITY COUNCIL ACTION: _____ DATE: _____

ORDINANCE NUMBER: _____ COMMENTS: _____

PROPERTY OWNER AFFIDAVIT

The petitioner, Daniel Copeland, petitions the Planning Commission of the City of Rogers, Arkansas to rezone certain real property as set forth herein:

LEGAL DESCRIPTION:

Felker's Sub-Rogers - -

REPLAT 2/21/2020 L202009496. SCRIV ERR AFF 3/26/2021 L202122363 & REPLAT 6/10/2021 L202143588 (see attached survey information)

LAYMAN'S DESCRIPTION: 504 S 15th ST (Parcel 02-04412-000), Rogers, AR

PRESENT ZONING: RSF

ZONING REQUEST: RMF

Respectfully Submitted,

By:

Daniel Copeland
(Property Owner Signature)

STATE OF ARKANSAS

COUNTY OF Benton

Subscribed and sworn before me this the 17 day of September, 2021

Mary E Stuchel
Notary Signature

Mary E Stuchel
Notary Name Printed

April 27, 2024
Commission Expires



PROPERTY OWNER AFFIDAVIT

The petitioner, PINE STREET PROPERTIES, LLC, petitions the Planning Commission of the City of Rogers, Arkansas to rezone certain real property as set forth herein:

LEGAL DESCRIPTION:

PARCEL 02-04413-02, About 1.17 acres

A PART OF THE SOUTH ONE HALF OF LOT 3, BLOCK 6 OF FELKER'S SUBDIVISION OF THE SE1/4 OF SECTION 11, TOWNSHIP 19 NORTH, RANGE 30 WEST OF THE FIFTH PRINCIPAL MERIDIAN TO THE CITY OF ROGERS, BENTON COUNTY, ARKANSAS KNOWN AS TRACT 2-B AND BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST (SE) CORNER OF LOT 3, BLOCK 6 OF FELKER'S SUBDIVISION; THENCE NORTH 86°19'45" WEST A DISTANCE OF 347.12 FEET TO A SET 5/8" REBAR PLS 1845; THENCE NORTH 02°34'00" EAST A DISTANCE OF 147.63 FEET TO A SET 5/8" REBAR PLS 1845; THENCE SOUTH 86°14'38" EAST A DISTANCE OF 346.74 FEET TO A FENCE POST; THENCE SOUTH 02°24'49" WEST A DISTANCE OF 147.12 FEET TO THE POINT OF BEGINNING CONTAINING 1.17 ACRES OR 51,117 SQUARE FEET MORE OR LESS. SUBJECT TO ANY EASEMENTS OR RIGHT-OF-WAYS OF RECORD OR FACT.

See attached survey (red outlined portion).

LAYMAN'S DESCRIPTION: **1703 W PINE ST, Rogers, AR**

PRESENT ZONING: RSF

ZONING REQUEST: RMF

Respectfully Submitted,

By: Sharon Mattingly, Manager
(Property Owner Signature)

STATE OF ARKANSAS
COUNTY OF Benton

Subscribed and sworn before me this the 10th day of March, 2021.

Nicole Hall
Notary Signature

Nicole Hall
Notary Name Printed

May 22, 2022
Commission Expires



PROPERTY OWNER AFFIDAVIT

The petitioner, Murray Austin, petitions the Planning Commission of the City of Rogers, Arkansas to rezone certain real property as set forth herein:

LEGAL DESCRIPTION:

LOT 12, BLOCK 6, FELKER'S SUBDIVISION SURVEY DESCRIPTION -

Being a part of the SW ¼ of the SE ¼ of Section 11, Township 19 North, Range 30 West, Fifth Principal Meridian, same being a part of Lot 7, Block 6, Felker's Subdivision to the City of Rogers, as recorded at Instrument L202143588 as recorded in the Official Public Records of Benton County, Arkansas, being more particularly described by metes and bounds as follows: COMMENCING at a Found 5 8" Rebar w/ Cap "AR1002", being the Northeast Corner of Lot 8, Block 6, Felker's Subdivision per Plat L202143588, and being a point in the West right-of-way of S. 15th St.; Thence along said West right-of-way, South 02°22'50" West 50.01 feet to a Found 5 8" Rebar w/ Cap "AR1002" for the POINT OF BEGINNING; Thence continuing along said West Right-of-Way, South 02°22'50" West 108.85 feet to a Found 58" Rebar w/ Cap "AR1002"; Thence departing said West Right-of-Way, North 87°28'54" West 99.57 feet to a Set 58" Rebar w/ Cap "AR1002"; Thence North 03°12'46" East 110.05 feet to a Set 58" Rebar w/ Cap "AR1002"; Thence South 86°47'14" East 97.98 feet to the POINT OF BEGINNING, containing 10,810 Square Feet or 0.25 acres, more or less. Subject to any covenants, restrictions, easements or rights-of-way of record or fact. (See attached survey - red outlined portion.)

LAYMAN'S DESCRIPTION: 506 S 15th ST (the west .25 acres of that lot), Rogers, AR

PRESENT ZONING: RSF

ZONING REQUEST: RMF

Respectfully Submitted,

By: [Signature]
(Property Owner Signature)

STATE OF ARKANSAS
COUNTY OF Benton

Subscribed and sworn before me this 1st day of September, 2021



Wilma M Verneetti
Notary Signature

Wilma M. Verneetti
Notary Name Printed

09/28/2027
Commission Expires

CERTIFICATION

I hereby state that to the best of my knowledge all property owners within 300 feet of my property have been notified by Certified mail at least 15 days prior to the upcoming public hearing for my rezone request.

Dated this the 4th day of October, 2021.

Daniel T. Copeland
Signed

Daniel T. Copeland
Name Printed

STATE OF ARKANSAS

COUNTY OF Benton

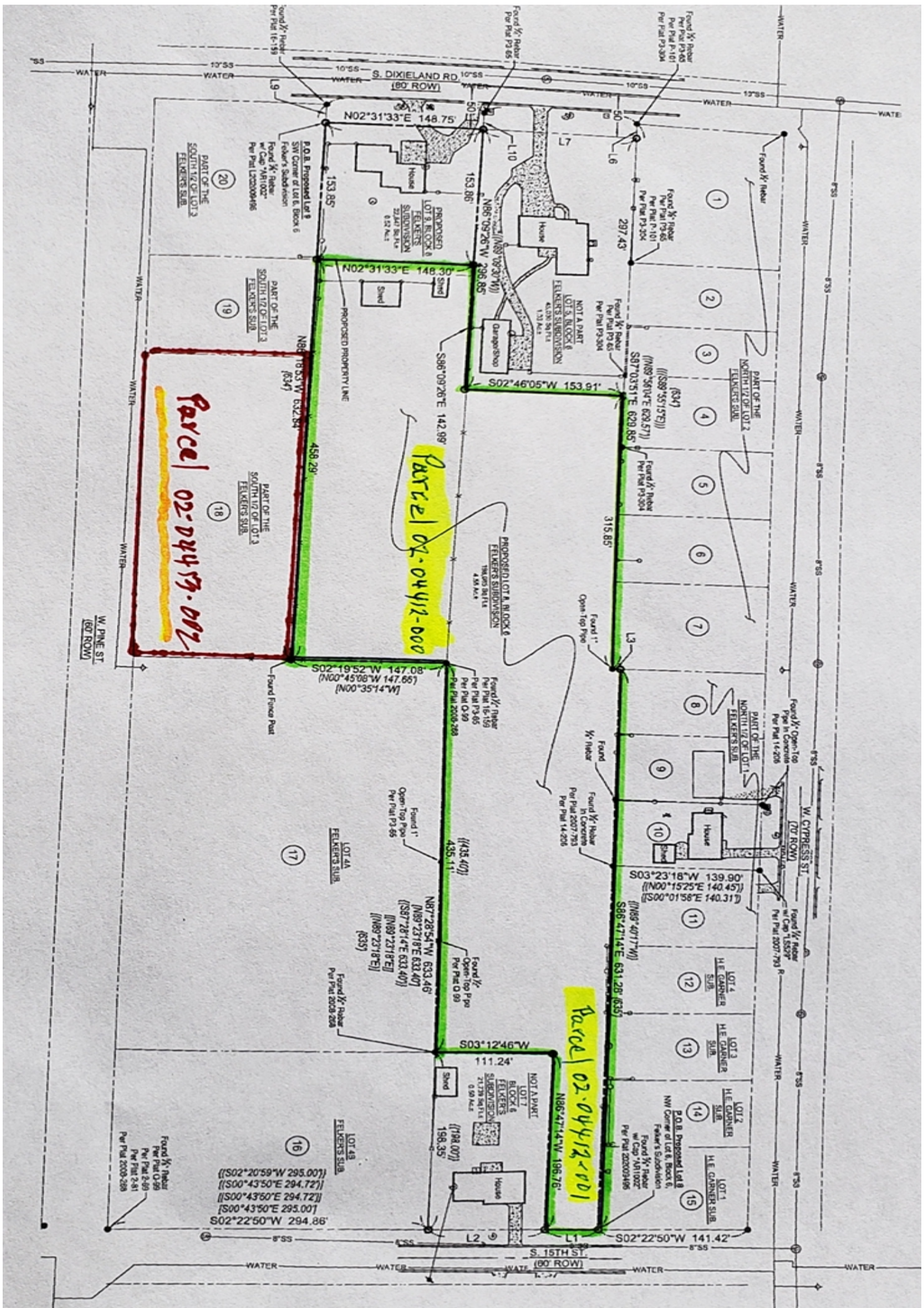
Subscribed and sworn before me this 4th day of October, 2021.

Mary E. Stuchel
Notary Signature

Mary E. Stuchel
Notary Name Printed

April 27, 2024
Commission Expires







COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
planning@rogersar.gov
(479) 621-1186

ROGERS PLANNING COMMISSION MINUTES

The **Rogers Planning Commission** met for a public meeting at Rogers City Hall at 301 W. Chestnut St. on October 19, 2021 at 5:00 P.M. The meeting was called to order by Chairman Mandel Samuels.

ROLL CALL

Commissioners Mandel Samuels, Rachel Crawford, John Schmelzle, Jorge Andrade, Derek Burnett, Kevin Jensen, and Eriks Zvers were present. Commissioners Steven Lane and Mark Myers was absent.

ACTION ON MINUTES

Motion by Jensen, Second by Crawford, to approve the October 5, 2021, Planning Commission meeting minutes as presented.

Voice Vote: Unanimous - Yes. **Motion carried.**

Approved.

REPORTS FROM STAFF

1. "Blue Cities" presentation by Morgan Keeling with the Illinois River Watershed Partnership (IRWP).

REPORTS FROM BOARDS AND COMMITTEES

PLANS & POLICIES COMMITTEE —

1. RZN/DCP: Black Pine Multifamily

This item was recommended for approval as presented.

DEVELOPMENT REVIEW COMMITTEE —

1. LSDP: Promenade & Oak Office

This item was recommended for approval with the following item withdrawn by the applicant:

- 1) Deny WAIVER from Sec. 14-228(30) and require street improvements along the east side of S 45th Street.

2. LSDP: Heritage High School Parking Lot

This item was recommended for approval as presented subject to the following actions:

- 1) Approve WAIVER from Sec. 14-256(14)(b) for the requirement to provide parking lot landscaping in the form of a narrow tree lawn between parking rows, or tree islands every 15 spaces.

CONSENT AGENDA

OLD BUSINESS

1. Pre-Submittal Variance & Waiver Requests: Soaring at Scissortail

A request for multiple Variances and Waivers related to N-R (Neighborhood Residential) zoning standards, connectivity standards, and typical street section design.

Applicant representatives, Jennifer Watkins and Bill Watkins (no relation), advocated on behalf of their client.

McCurdy addressed the staff report recommendations as well as provided background on Rogers Municipal Code as it related to the request at hand.

Commissioner Crawford stated for the record that she was opposed to this request.

Motion by Jensen, Second by Schmelzle, to approve the request subject to the following actions:

- 1) Consider **VARIANCE** from Section 14-702(c)(2) requiring minimum building setbacks for N-R zoning
- 2) Consider **VARIANCE** from Section 14-702(d)(1) requiring minimum lot area for N-R zoning
- 3) Approve **WAIVER** from Section 14-46(g) regarding the Typical Street Section for a Minor Arterial Street along W. Pleasant Grove Road with a **CONDITION** to match existing conditions east along Pleasant Grove Road in front of Scissortail Subdivision, provide street trees and streets lights as required by City Engineer during the review process, and include right-of-way dedication for a planned future round-about.

Roll Call Vote: YES – Unanimous. **Motion carried.**

Approved.

Motion by Crawford, Second by Jensen, to approve the request subject to the following actions:

- 4) Deny **WAIVER** from Section 14-604 requiring Connectivity Standards.

Roll Call Vote: YES – Andrade, Burnette, Crawford, Jensen, Samuels, Zvers. NO- Schmelzle. **Motion denied.**

Denied.

PUBLIC HEARINGS

1. RZN: Dan Copeland

A request to rezone ± 6.04 acres located NW of the intersection of S. 15th St. and W. Pine St. from the R-SF (Residential Single-Family) zoning district to the R-MF (Residential Multi-Family) zoning district.

Samuels introduced the item and requested a staff report.

Hunter provided a staff report with recommended actions.

Applicants, Daniel Copeland, was available to introduce the item and explain the request.

Samuels opened the public hearing for comments.

Sloan Stevens, who did not state her address, inquired as to the locations of the entrances and exits of the development that the applicant mentioned. Samuels explained that this was only a Rezone request and that development was not a factor in this request. Stevens stated that she understood,

but had concerns that if this were developed in the manner that the applicant mentioned, that she had concerns regarding traffic, walkability, and safety.

Rodney Little, a neighbor who did not provide his address, was concerned with trees being removed and flooding if there were to be future development in this area.

Robert Sowder, of 408 SE 20th Street, spoke in favor of the project.

There were no further comments. The public hearing was closed.

Commissioners Crawford and Schmelzle stated for the record that they were not in support of the request due to the requested zoning not being aligned with the Comprehensive Growth Map.

Motion by Crawford, Second by Schmelzle, to deny the request.

Roll Call Vote: YES –Burnett, Crawford, Jensen, Lane, Samuels, Schmelzle, Zvers; ABSTAIN - Andrade.

Motion carried.

Denied.

2. **RZN/DCP: Black Pine Multifamily**

A request to rezone ± 2.39 acres at 1626 S. Dixieland Rd. from the A-1 (Agricultural) zoning district to the RMF-10 (Residential Multi-Family; 10 units/acre) zoning district with the acceptance of a Density Concept Plan.

Samuels introduced the item and requested a staff report. He also noted that this item was recommended for approval as presented coming out of the Plans and Policy Committee.

Hunter provided a staff report with recommended actions.

Applicant representative, Bill Watkins, was available to introduce the item and explain the request.

Samuels opened the public hearing for comments.

There were no comments. The public hearing was declared closed.

Motion by Crawford, Second by Zvers, to recommend for City Council approval.

Roll Call Vote: YES –Unanimous. **Motion carried.**

Recommended to City Council for Approval.

NEW BUSINESS

1. **LSDP: Promenade & Oak Office**

A request to allow the construction of two office buildings and paved parking on ± 5.15 acres located at 900 & 1000 S. Promenade Blvd.

Samuels introduced the item and noted that it came out of the Development Review committee with a recommendation to be approved as presented during the Committee Meeting.

Applicant representative, Libby Topping, was available to address any questions or comments.

There were no questions or comments from Commissioners.

Motion by Zvers, Second by Crawford, to approve as presented.

Voice Vote: YES – Unanimous. **Motion carried.**

Approved.

2. **LSDP: Heritage High School Parking Lot**

A request to allow the construction of a 157-space paved parking lot on ± 1.50 acres located at the SW corner of W. Ash and S. 6th streets.

Samuels introduced the item and noted that it came out of the Development Review committee with a recommendation to be approved as presented.

Applicant representative, Jake Chavis, was available to address any questions or comments.

There were no comments.

Motion by Zvers, Second by Crawford, to approve as presented.

Voice Vote: YES – Unanimous. **Motion carried.**

Approved.

ADJOURN

There being no further business, Samuels adjourned the meeting at 6:18 p.m.

ATTEST:

APPROVED:

John Schmelzle, Secretary

Mandel Samuels, Chairman