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

PLANNING COMMISSION MEETING AGENDA
JANUARY 17, 2023
6:00 PM
LOCATION: CITY HALL, 301 W. CHESTNUT STREET

ONLINE VIEWING

PLANNING COMMISSION: HTTPS://US02WEB.ZOOM.US/J/81987695620
BOARD OF ADJUSTMENT: HTTPS://US02WEB.ZOOM.US/J/81987695620
ZONING REVIEW COMMITTEE: HTTPS://US02WEB.ZOOM.US/J/86145911309

AGENDA

CALL TO ORDER:

ROLL CALL:

ACTION ON MINUTES:

1. January 3, 2023

PUBLIC FORUM:

REPORTS :

1. Staff
2. Commissioners

DECLARATION OF ABSTENTION:

CONSENT AGENDA:

PUBLIC HEARING:

1. **CUP: El Senor de los Carros**
   A request by El Senor de los Carros for a Conditional Use Permit to allow the use "Vehicle/Equipment Repair & Installation" at 1614 S. 8th Street in the C-2 (Highway Commercial) zoning district and the

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city's Overlay District. *(Tabled 1/3/2023)*

- *STAFF: Nicholas Little*
- *REPRESENTED BY: Yulianna Cueves*

2. **RZN/DCP: Dixieland Multifamily**
A request by Dixieland Multifamily to rezone 1704 & 1710 S. Dixieland Rd. from A-1 (Agricultural) to the RMF-10.5 (Residential Multifamily, 10.5 units per acre) zoning district with a Density Concept Plan.

- *STAFF: Christina Moore*
- *REPRESENTED BY: Caleb LeBow*

CALL FOR RECESS:

1. Board of Adjustment Meeting
2. Zoning Review Committee

CALL TO ORDER:

OLD BUSINESS:

NEW BUSINESS:

1. All recommended items from committees.

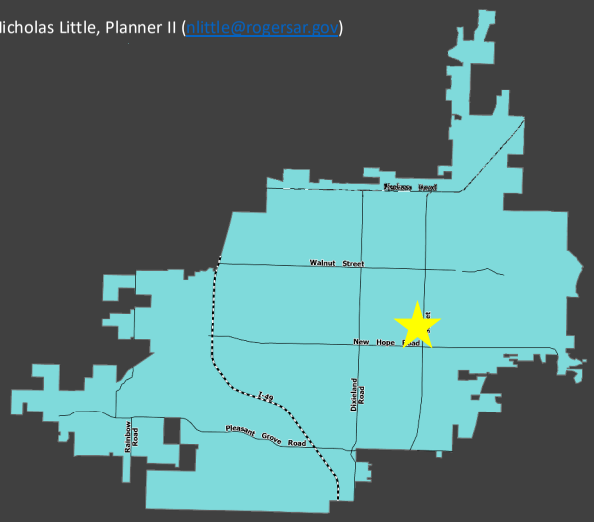
ADJOURN:

CONDITIONAL USE PERMIT

PLANNING

El Senor de los Carros

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



Vicinity Map

Location:
1614 S. 8th Street

Proposed Use:
Vehicle/Equipment Repair and Installation

Zoning:
C-2 (Highway Commercial)

Growth Designation:
Access Corridor

Applicant:
Yuliana Cuevas M.

STAFF REVIEW

CONSIDERATIONS & FINDINGS PER SEC. 14-723(a)(3):

Is the proposed use listed as conditional in the subject zoning district and is the property zoned correctly?
Vehicle/Equipment Repair and Installation is a conditional use in C-2. Per Sec. 14-709(a), C-2 zoning is intended for commercial uses. The subject property is zoned correctly as C-2 in the Access Corridor Growth Designation.

Is the proposed use compatible with adjacent property? Would proposed use set a precedent contrary to future land use plan?
The subject parcel contains Southgate Shopping Center, a strip mall development that was built in 1965. Southgate contains several different businesses, including restaurants, personal services, retail shops and a grocer. The specific address mentioned in the request is already being operated as a auto shop, but the ownership of the auto shop will be changing hands.

Can all other zoning requirements be met?
Requirements can be met.

Will ingress and egress for the proposed use create a traffic hazard?
Ingress and egress of this development should not propose a hazard, given it's location within a large shopping center that has multiple distant curb cuts along 8th Street. Nonetheless, the applicant's submitted site plan shows that the development will be focused on the west side, or the back, of Southgate, which functionally fronts S. 9th Street. There are 2 curb-cuts for Southgate along 9th Street.

COMPREHENSIVE GROWTH MAP:

Growth Designation:
Access Corridor

Growth Designation Character:
Stretches of single-use highway corridors in between other Growth Designation nodes. Goals include emphasizing access management, restricting uses with high trip generation, and encouraging compact residential development. (CGM PAGE 1)

Allowed Zoning Districts:
R-MF, R-O, C-2

ZONING:

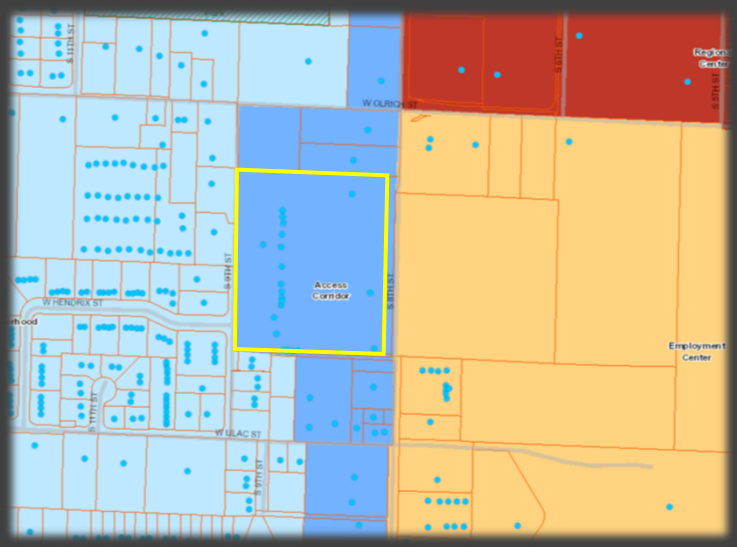
C-2 (Highway Commercial):
The purpose and intent of the C-2 zoning district is "for commercial uses, which depend upon high visibility, generate high traffic volumes or cater to the traveling public. These characteristics dictate that this district be located along or at the intersections of arterial classification streets or along frontage roads adjacent to the interstate or other limited-access streets." Sec. 14-709(a).

Use Definition:
"Vehicle/Equipment Repair and Installation" is defined as "a secondary use classification encompassing repairs of automobiles, trucks, motorcycles, mobile homes, recreational vehicles, or boats, including the sale, installation, and servicing of related equipment and parts. Vehicle/Equipment Repair and Installation includes but is not limited to the following tertiary use classifications: Auto repair shops; Body and fender shops; Audio, visual, and electronic sales and installation shops; Wheel and brake shops; Tire sales and installation. Sec. 14-695(b)(3)(II).

CONDITIONAL USE PERMIT

PLANNING

El Senor de los Carros



CGM Map

CONSIDERATIONS & FINDINGS

- Proposed use conditional? Zoned correctly?
  - Yes. The parcel is zoned correctly and vehicle/equipment repair is a conditional use in C-2.

Is the proposed use listed as conditional in the subject zoning district and is the property zoned correctly?
Vehicle/Equipment Repair and Installation is a conditional use in C-2. Per Sec. 14-709(a), C-2 zoning is intended for commercial uses. The subject property is zoned correctly as C-2 in the Access Corridor Growth Designation.

ZONING:
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).

Use Definition:
"Vehicle/Equipment Repair and Installation" is defined as "a secondary use classification encompassing repairs of automobiles, trucks, motorcycles, mobile homes, recreational vehicles, or boats, including the sale, installation, and servicing of related equipment and parts. Vehicle/Equipment

CONDITIONAL USE PERMIT

PLANNING

El Senor de los Carros

CONSIDERATIONS & FINDINGS

- Compatible with surroundings? Would use not set a precedent contrary to city land use plan?
  - The proposed use has been taking place here since the 1960s, when Southgate was built.
  - Conditional Use Permit is required with change of ownership.
  - Similar use and environment directly west of the proposal across 9th Street

Is the proposed use compatible with adjacent property? Would proposed use set a precedent contrary to future land use plan?
Other uses inside of Southgate shopping center include restaurants, personal services, grocery and retail sales. Adjacent uses to the west seem to be auto-centric, including an auto shop and what looks to be self storage.

In the applicant's letter to staff at the time of submittal, specific uses were listed as "detailing and repairing cars to prepare them for sale." Staff contacted the applicant to verify that they would not be selling cars at this location. The applicant verified that they will not be selling cars here – only repairing them to sell them at their car lot in Springdale.

Per the Comprehensive Growth Map the Access Corridor is meant to limit uses with high-trip generation. Trip generation would not necessarily be increased from what it currently is, based off of the fact that the use isn't changing.

The proposed use is not compatible with surrounding uses because it would bring traffic directly adjacent to a residential neighborhood. A residential driveway abuts the entrance to this facility across 37th street.

COMPREHENSIVE GROWTH MAP:
Growth Designation:
Access Corridor
Growth Designation Character:
Stretches of single-use highway corridors in between other Growth Designation nodes. Goals include emphasizing access management, restricting uses with high trip generation, and encouraging compact residential development. (CGM PAGE 1)
Allowed Zoning Districts:
R-MF, R-O, C-2

CONDITIONAL USE PERMIT

PLANNING

El Senor de los Carros

Highway Commercial Use Regulations	
Building Materials and Services	P
Building Service	P
Personal Services	P
Maintenance and Repair Services	P
Commercial Assembly, Recreation and Entertainment	C
Food and Beverage Sales	P
Convenience Store with Gas	C
Financial Services	P
Business and Professional Office	P
Medical, Dental and Health Practitioner Office	P
Personal Improvement and Instructional Services	P
Restaurants, Fast Food	P
Restaurant Full Service	P
Retail Sales	P
Vehicle Washing	C
Vehicle Commercial Parking Facility	P
Service Stations	C
Vehicle/Equipment Repair and Installation	C
Vehicle/Equipment Sales and Rentals	C
Warehousing and Storage, Limited	C

This list contains commonly requested uses and other auto-centric uses in C-2.

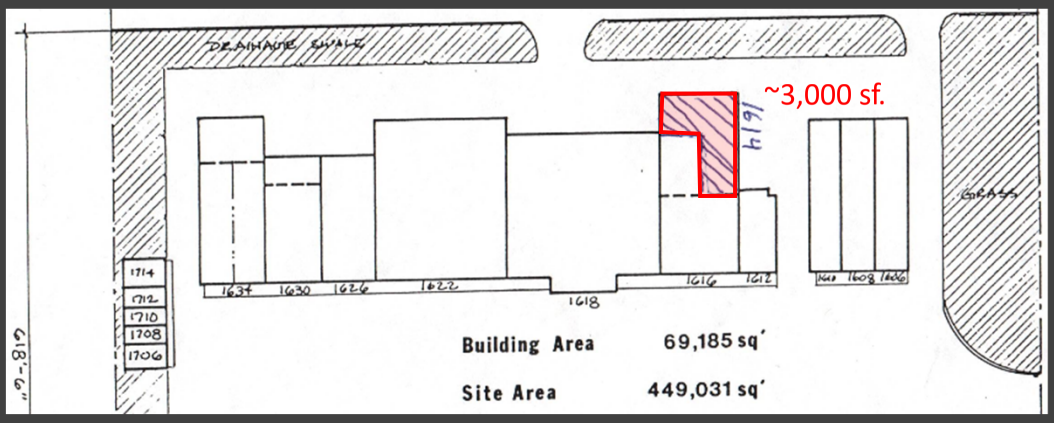
CONDITIONAL USE PERMIT

PLANNING

El Senor de los Carros

CONSIDERATIONS & FINDINGS

- Can zoning requirements be met?
  - Yes



Site Plan

This site plan shows the estimated area in which the auto shop will operate. Has been operating as an automotive service shop since the 1960s, according to the property owner.

Shaded red area is an estimated 3000 sq. ft.

CONDITIONAL USE PERMIT

PLANNING

El Senor de los Carros

CONSIDERATIONS & FINDINGS

- Cleared of known traffic hazards?
  - Yes

Looking South – 9th Street

Will ingress and egress for the proposed use create a traffic hazard?
Ingress and egress for the proposal should not create any traffic hazards beyond what is already present at this location. There are two curb cuts along 9th Street, fairly spaced apart, on the west side of Southgate that will likely be the primary accesses for this business. 9th Street is designated as a minor street and sees little traffic throughout the day, apart from commercial traffic and residential traffic for residents of the Hendrix Subdivision. 9th Street tees just to the south with W Lilac Street.

The only potential traffic hazards that come along with this development are mostly internal to Southgate, if any.

CONDITIONAL USE PERMIT

PLANNING

El Senor de los Carros

SUMMARY

- ☑ Is the proposed use conditional?
- ☑ Is the property zoned correctly per the CGM?
- ☑ Is the proposed use compatible with surroundings?
- ☑ Would the proposed use set a precedent contrary to the City land use plan?
- ☑ Can zoning requirements be met?
- ☑ Will ingress and egress for the proposed use create a traffic hazard?

In Summary:

1. The proposed use of vehicle/equipment repair and installation is conditional in C-2 zoning. It is zoned correctly in the Access Corridor.
2. Vehicle and Equipment repair has been the use in this specific portion of Southgate for more than 30 years. The proposal is compatible with the surrounding uses to the west. Though they may not be as compatible with the rest of the businesses within Southgate, this particular development is focused in the rear of the building, physically and visually separating it from the traditional retail areas. Future land use at this location calls for Access Corridor growth, which emphasizes access management, restricting high trip generation and encouraging compact residential development. This isn't a residential development, but it doesn't generate more trips or congest traffic, based off of it's proximity.
3. There are no proposals for further development of this property at this time, but C-2 zoning requirements can be met, beyond what is already built. Southgate was built in 1967, so it doesn't fully meet C-2 zoning standards in itself.
4. There are no traffic hazards with the development of this site.

RECOMMENDATION:

APPROVE. The applicant has successfully met all mailing and notification requirements for a Conditional Use Permit.

Project was tabled at 12/6/22, 12/20/22, and 1/3/23 PC Meetings because of a notification error.

CH 1604

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, Overlay
Permit Number: 22-25
CityView Application: PL202201146
Date: 11/14/2022

CONDITIONAL USE PERMIT

APPLICANT: El Senor de los Carros, LLC,
ADDRESS: 5507 W Bay Dr Rogers, AR 72758 SUITE #:
GENERAL LOCATION OF PROPERTY: 1614 S. 8th Street, Rogers, AR 72756
PARCEL NUMBER: 02-06829-000
PHONE #: 479-715-7505 EMAIL:
PROPERTY OWNER: John Spoerleder PHONE #: 479 619-5250
PRESENT USE: Vehicle Repair ZONING: C2
PROPOSED CONDITIONAL USE: Vehicle Repair
PARKING SPACES AVAILABLE: 10 HOURS OF OPERATION: 9-6 M-Sat

IF APPLYING TO OPEN A DAYCARE:

NUMBER OF CHILDREN: MOST CHILDREN AT ONE TIME:

Juliana Cuevas M — Nov. 9, 2022
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:

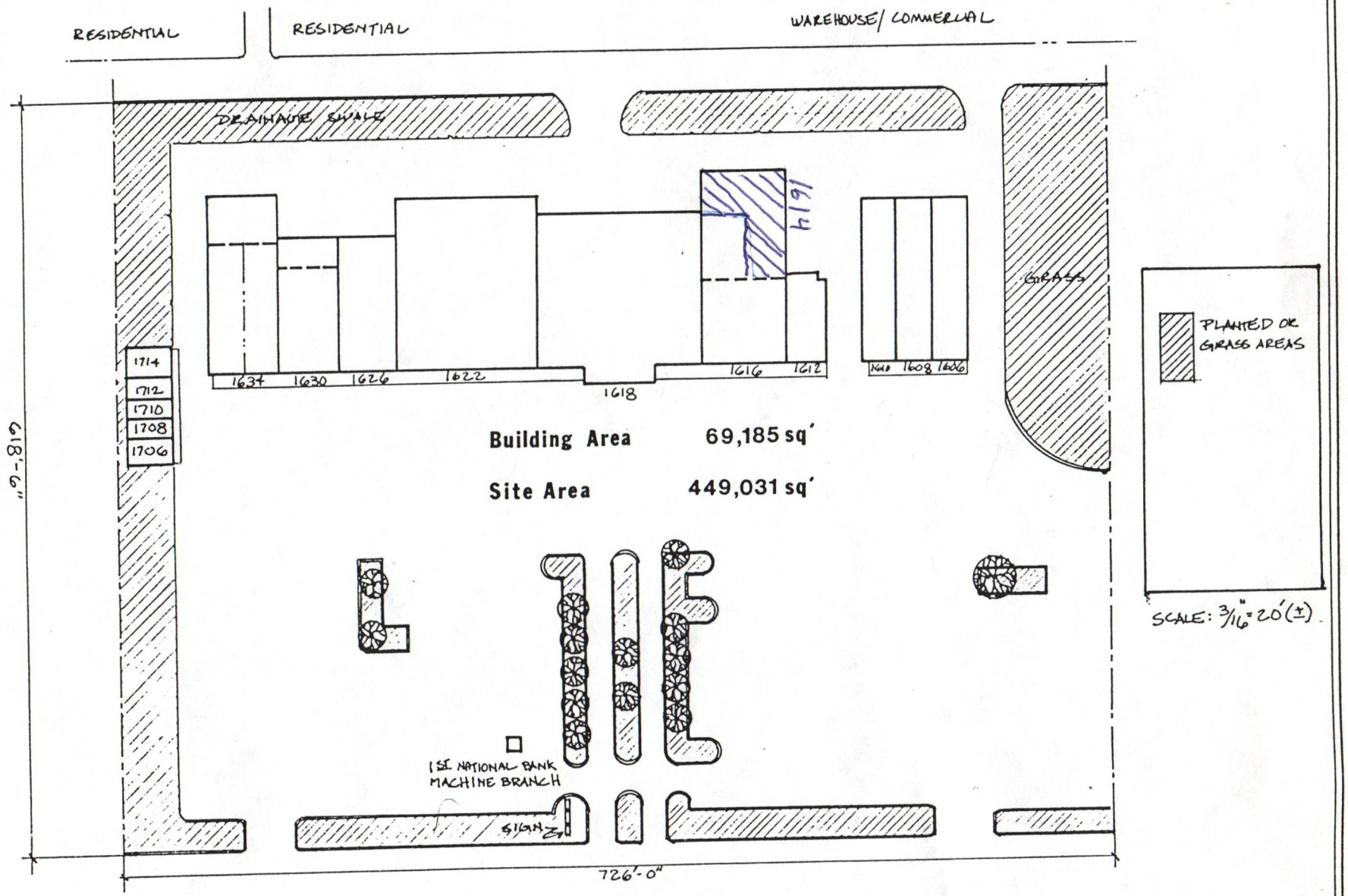
- ☑ Letter explaining request
- ☑ Parcel Number
- ☐ Applicant Certification
- ☑ Site plan as needed
- ☑ Letter of Approval from Property Owner

PLANNING STAFF PROVIDES:

DATE FILED: 11/14/2022 PUBLIC HEARING DATE: 12/6/2022 CERTIFIED MAIL DATE: 11/21/2022

PLANNING COMMISSION ACTION:

COMMENTS, CONDITIONS, LIMITS:


RESIDENTIAL
RESIDENTIAL
WAREHOUSE/ COMMERCIAL
DRAINAGE SWALE
GRASS
1614
1634
1630
1626
1622
1618
1616
1612
1610
1608
1606
1714
1712
1710
1708
1706
Building Area 69,185 sq'
Site Area 449,031 sq'
1ST NATIONAL BANK
MACHINE BRANCH
SIGN
618'-6"
726'-0"
PLANTED OR
GRASS AREAS
SCALE: 3/16" = 20' (±)
N

Southgate

October 31, 2022

Dear Sir:

This letter is confirmation that I have signed a lease with Yuliana Cuevas Sole, DBA: El Senor de Los Carros, LLC. at 1614 S. 8th Street, Rogers, AR 72756.

Her business will be detailing and repairing used cars to prepare them for sale on her used car sales lot operating under the same name.

The approximately 3,000 square foot space at the Southgate Shopping Center has operated as an auto repair business since the Southgate Shopping Center was built in 1967.

The first tenant was Otasco that had 455 stores in 12 states. They filed for bankruptcy in 1988 and there are only two stores still in operation today.

Steve's Automotive leased the premises in February of 1991 and retired in 2015.

NWA Auto operated the auto repair business from 2015 until 2022.

Yuliana Cuevas Sole is currently operating the Senor Taco Restaurant next door at 1612 S. 8th Street, Rogers.

Sincerely,

John Sporleder, President
Southgate Shopping Center, Inc.

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 **December 6, 2022** at **6:00 p.m.** on the application by **El Senor de los Carros** for a **Conditional Use Permit** to allow the use **"Vehicle/Equipment Repair & Installation"** at **1614 S. 8th St.** in the **C-2** (Highway Commercial**)** zoning district and in the city's Overlay district at the following described location:

PROPERTY DESCRIPTION:
1614 S. 8th St.
Parcel Numbers: 02-06829-000

Kevin Jensen, Secretary
Planning Commission

PUBLISH ONE TIME ONLY: **Sunday November 20, 2022**
BILL THE CITY OF ROGERS

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** prior to the upcoming public hearing.

Dated this the 6 day of January, 2023.

Yuliana Cuevas M.
Signed

Yuliana Cuevas M.
Name Printed

STATE OF ARKANSAS

COUNTY OF Washington

Subscribed and sworn before me this the 6th day of January, 2023.

NAYELI ALVAREZ
Notary Public - Arkansas
Johnson County
My Commission Expires 05-13-2026
Commission # 12720372

Nayeli Alvarez
Notary Signature

Nayeli Alvarez
Notary Name Printed

May. 13. 2026
Commission Expires

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City, State, ZIP+4® Rogers, AR. 72756

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City, State, ZIP+4® Rogers, AR. 72756

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City, State, ZIP+4® Rogers, AR 72756

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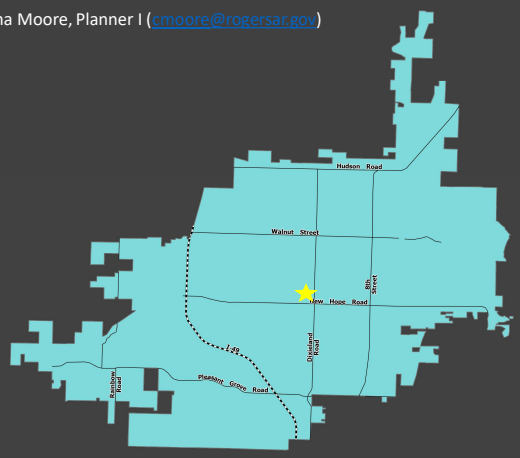
Rezone/DCP

PLANNING

Dixieland Multifamily

Staff:
Christina Moore, Planner I (cmoore@rogersar.gov)



Vicinity Map

CGM Designation
Neighborhood Center

Zoning
A-1 (Agricultural)

Proposed Zoning
RMF (Residential Multifamily) with DCP, 10.5 units/acre

Location
1704 & 1710 S Dixieland Rd

Representative
Matt Loos, Olsson

Location:
This Is located in central Rogers near the intersection of New Hope and Dixieland.

Proposal Overview:
The applicant is proposing a rezone and density concept plan for a residential multifamily development.

Rezone/DCP

PLANNING

Dixieland Multifamily

Site Plan

Density Concept Plan Request
A proposal to construct 49 dwelling units on about 4.84 acres at a gross density of 10.5 units per acre.

Rezone Request:
The applicant is specifically requesting to rezone the subject property from A-1 to RMF-10.5 to align with the Neighborhood growth designation.

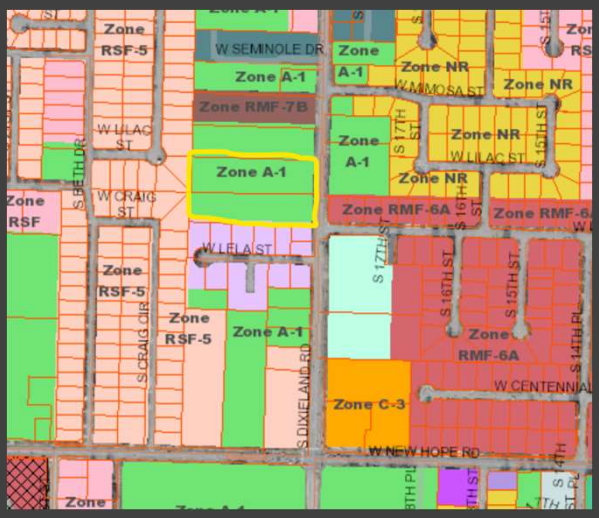
Density Concept Plan Request:
They are also proposing to construct 49 dwelling units on about 4.84 acres. The gross density of this is 49 units/acre, which is below the neighborhood max density of 12 units/acre.

ZONING:
RMF with DCP:
The purpose and intent of the RMF zoning district is "to provide suitable areas within the City for attached and detached residential development. The zoning shall be designated as R-MF followed by the specific density per acre in increments of one-half units per acre. The letter "A" or "B" will follow unit density to designate rental or individual ownership with "A" being individual ownership and "B" being rental. 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 setbackon one side, may be used within such districts. Horizontal property regimes shall be permited in this district." Sec. 14-703(a).

Rezone/DCP

PLANNING

Dixieland Multifamily



Zoning

Rezone Request
A proposal to rezone the subject property from A-1 to RMF-10.5.

Rezone Request:
The applicant is specifically requesting to rezone the subject property from A-1 to RMF-10.5 to align with the Neighborhood growth designation.

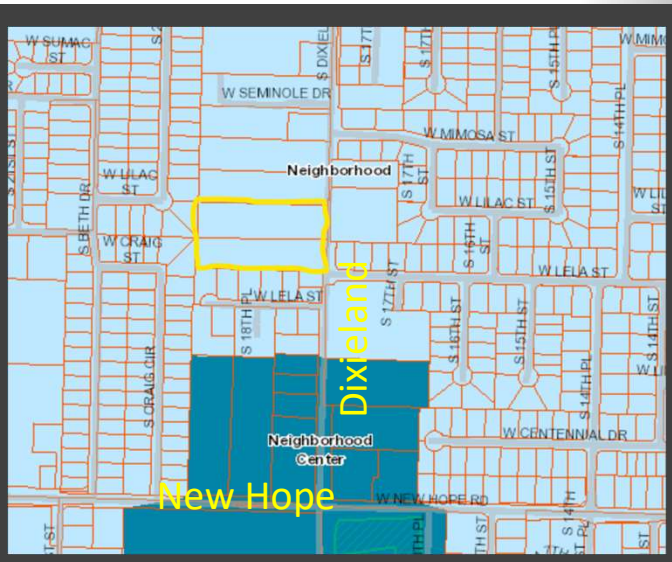
Density Concept Plan Request:
They are also proposing to construct 49 dwelling units on about 4.84 acres. The gross density of this is 49 units/acre, which is below the neighborhood max density of 12 units/acre.

ZONING:
RMF with DCP:
The purpose and intent of the RMF zoning district is "to provide suitable areas within the City for attached and detached residential development. The zoning shall be designated as R-MF followed by the specific density per acre in increments of one-half units per acre. The letter "A" or "B" will follow unit density to designate rental or individual ownership with "A" being individual ownership and "B" being rental. 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 setbackon one side, may be used within such districts. Horizontal property regimes shall be permited in this district." Sec. 14-703(a).

Rezone/DCP

PLANNING

Dixieland Multifamily



Comprehensive Growth Map

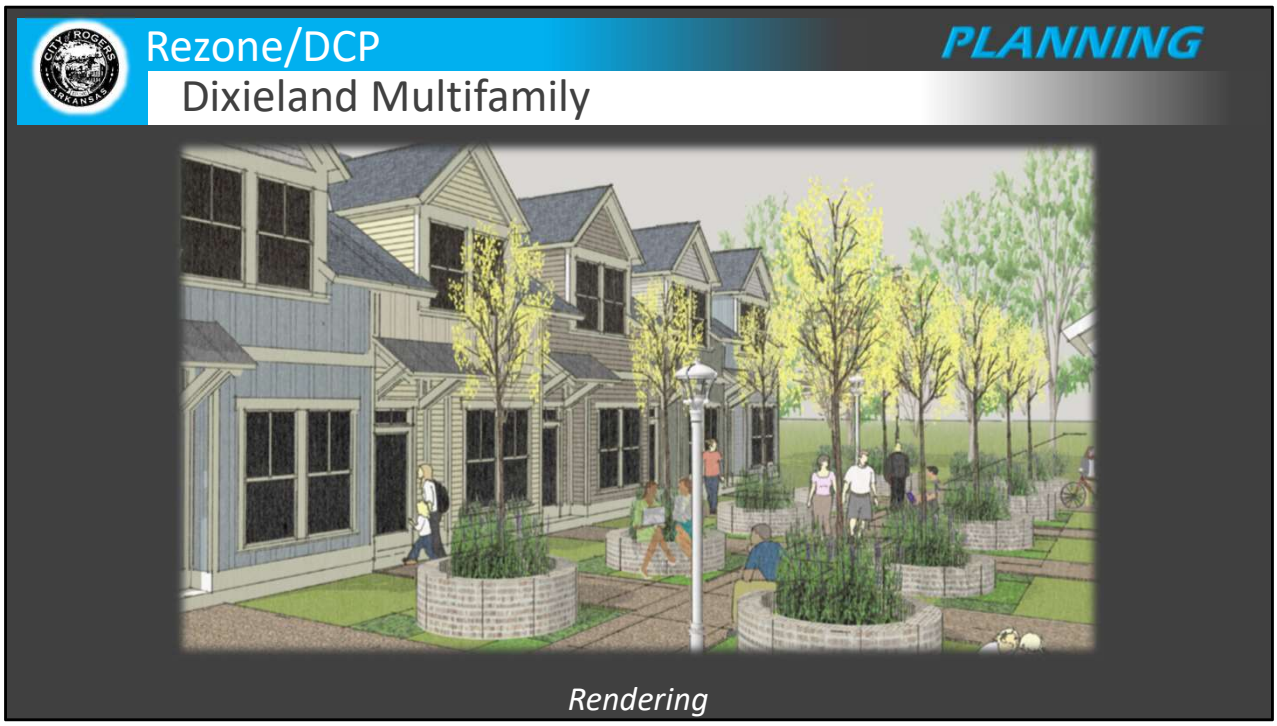
COMPREHENSIVE GROWTH MAP:
The development is located in a neighborhood growth designation.

Growth Designation:
Neighborhood.

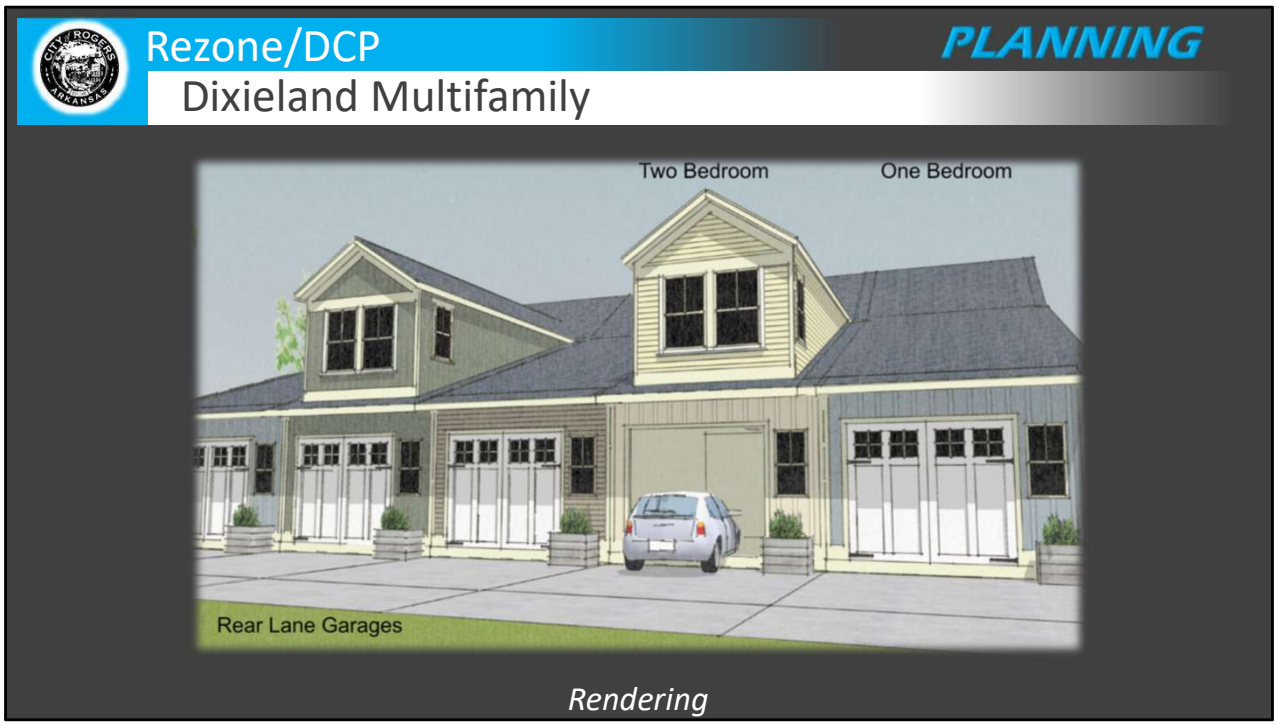
Growth Designation Character:
Single-use residential areas connected by collector and local streets that may feature community-oriented non-residential uses such as schools, resource centers, and paces of worship. Goals include preserving locations for low-density residential while limited its proliferation in areas proposed for higher-intensity development (CGM Page 1).

Base Density:
6 units/acre.

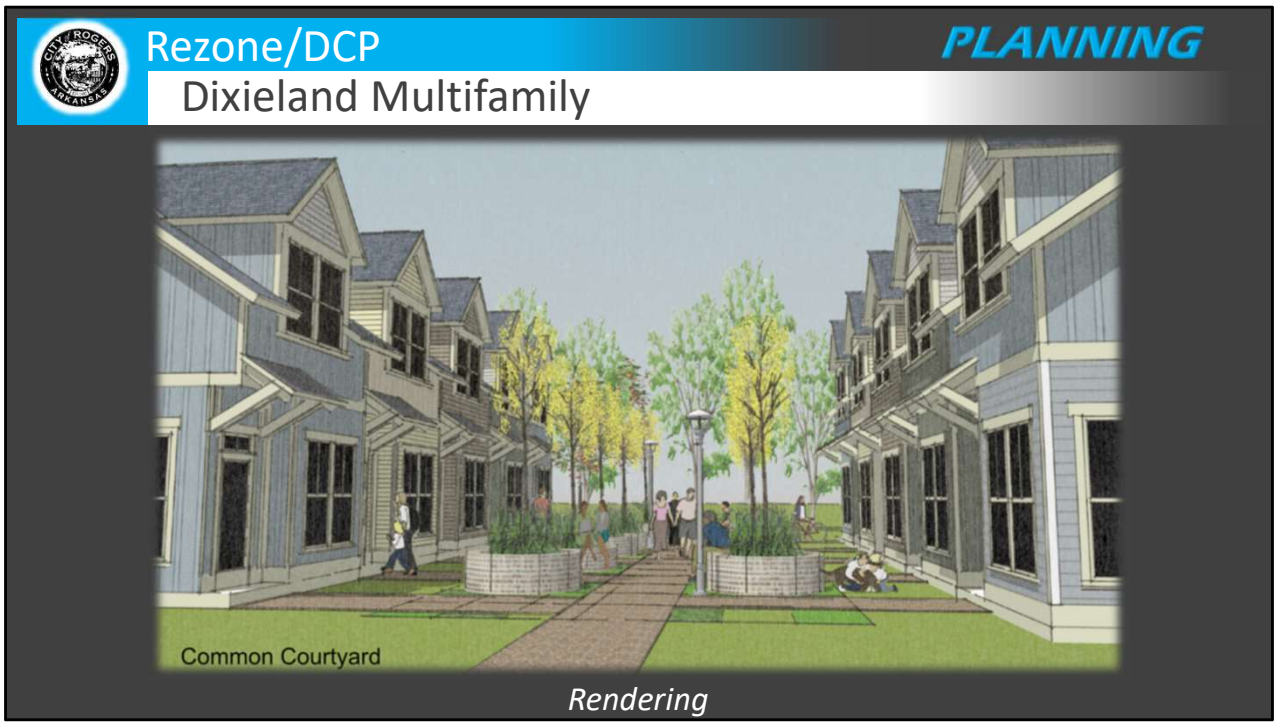
Max Density:
12 units/acre.



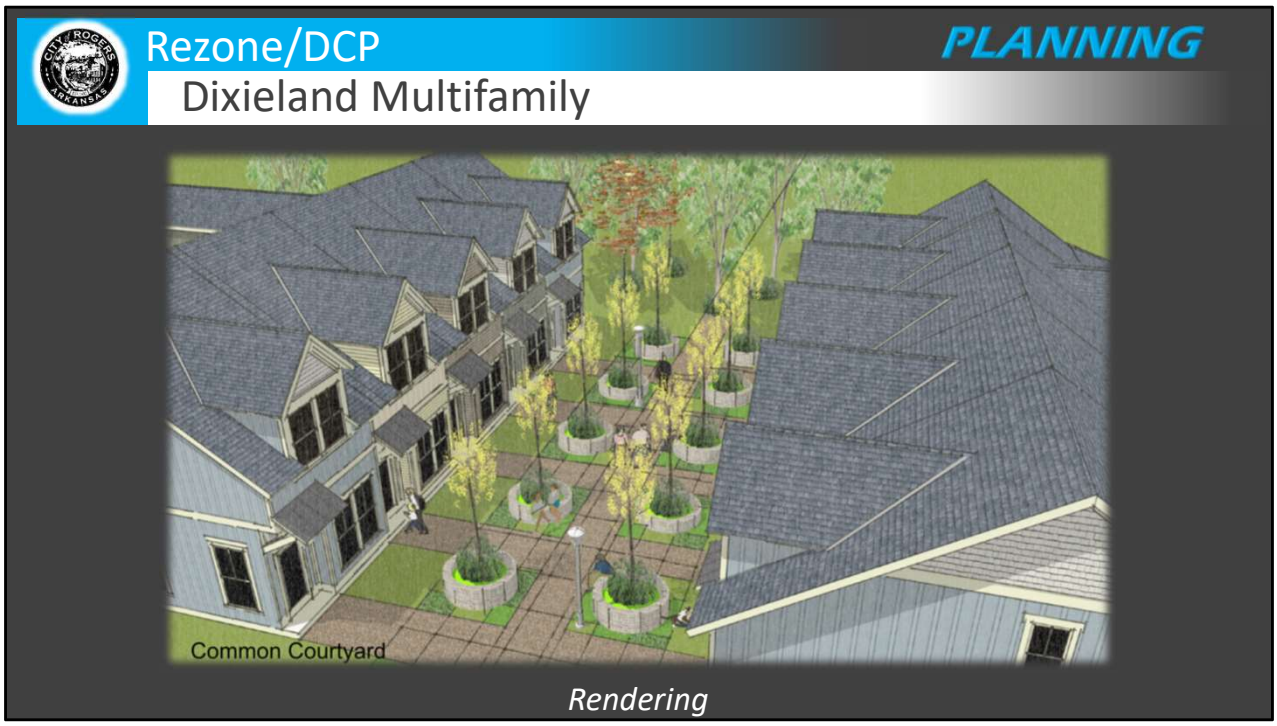
Rendering:


Rezone/DCP
PLANNING
Dixieland Multifamily
Two Bedroom
One Bedroom
Rear Lane Garages
Rendering

Rendering:


Rezone/DCP
PLANNING
Dixieland Multifamily
Common Courtyard
Rendering

Rendering:


Rezone/DCP
PLANNING
Dixieland Multifamily
Common Courtyard
Rendering

Rendering:

<u>Surrounding Context:</u>
This is looking north on Dixieland Road with the planned development directly to the west. You can see the property is on a major roadway.

Rezone/DCP

PLANNING

Dixieland Multifamily

Required Setback:

- Front Yard: 30 feet

Requested Setback:

- Proposed site plan has a front setback of 4 feet and 4 inches

Rezone/DCP

PLANNING

Dixieland Multifamily

Required Setback:

- Interior Side Yard: 10 feet

Requested Setback:

- Proposed site plan has both interior side setbacks of 9 feet

Rezone/DCP

PLANNING

Dixieland Multifamily

Site Plan

Staff Analysis:

- The site location is near a neighborhood center.
- The proposal is located near other multifamily developments.
- The proposal has ample sidewalks and common spaces for residents.
- Staff finds the surrounding characteristics to support the proposed density.

Rezone/DCP

PLANNING

Dixieland Multifamily

Aerial Map

Recommendation:
Refer to Committee.

RECOMMENDATIONS:
Refer to Committee.

Engineering Comments:
All comments are reserved for the Large Scale Development.

Public Input Received:
No input has been received from the public.

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

OFFICE USE ONLY
Approved Density: _____
Application Number: _____
CityView Project: _____
Date Approved: _____

DENSITY CONCEPT PLAN

To be submitted with Rezone Application

PROJECT INFORMATION:

PROJECT NAME:	Dixieland Multifamily Project - RZN/DCP
ADDRESS/LOCATION:	1704 & 1710 S Dixieland Rd, Rogers, AR 72758 / 02-01574-000 & 02-01587-000
PROPOSED ZONING:	R-MF
PROPOSED DENSITY:	10.12 acres/Unit
GROSS SITE AREA:	4.84 acres
DWELLING UNITS:	49 units
BUILDING TYPE:	Residential - Duplex, Triplex, Quadplex

APPLICANT INFORMATION:

APPLICANT/REPRESENTATIVE:	Olsson / Matt Loos	PHONE:	501-733-2240
		EMAIL:	mloos@olsson.com
PROJECT OWNER/DEVELOPER:	Bespoke Homes / Aaron Wade	PHONE:	662-808-8522
		EMAIL:	Aaron@bespokeNWA.com
PROPERTY OWNER:	LEPP, KIMILA J & LUPER, NANCY J	PHONE:	479-877-7119
		EMAIL:	marketing@bespokeNWA.com
REQUEST:	Approval of Rezone with Density Concept plan		

CITY INFORMATION:

CGM GROWTH DESIGNATION:	Neighborhood
CGM GROWTH DESIGNATION PURPOSE/CHARACTER:	To protect and maintain existing residential areas in between other Growth Designation nodes while encouraging low-density infill. / 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.
BASE DENSITY:	6 units/acre
MAX DENSITY:	12 units/acre
CURRENT ZONING:	A-1 (agricultural district)

APPLICANT SIGNATURE: Matt Loos _____

SUBMITTAL DATE: 12-22-2022

ATTACH SITE PLAN AND OTHER DCP DOCUMENTS (Sec. 14-737 Rogers City Code):

MINIMUM REQUIRED INFORMATION:

- Site area
- Building setbacks
- Building height
- Building elevation drawings
- Building materials breakdown
- Lot coverage and open space calculations
- Impervious area calculations
- Physical constraints, easements, encumbrances
- Current and proposed zoning
- Dwelling unit counts
- Gross and net density calculations

ADDITIONAL INFORMATION:

- ITE Trip Generation Manual estimates
- Sightline elevation drawings
- Written project narrative
- Travel demand factors
- Traffic and roadway characteristics
- Landscaping and screening plans

*** LABEL EACH ATTACHMENT "*EXHIBIT A, B, C…*" AND SUBMIT IN COMBINED PDF WITH THIS APPLICATION***

EXHIBIT A: AREIAL VICINITY MAP

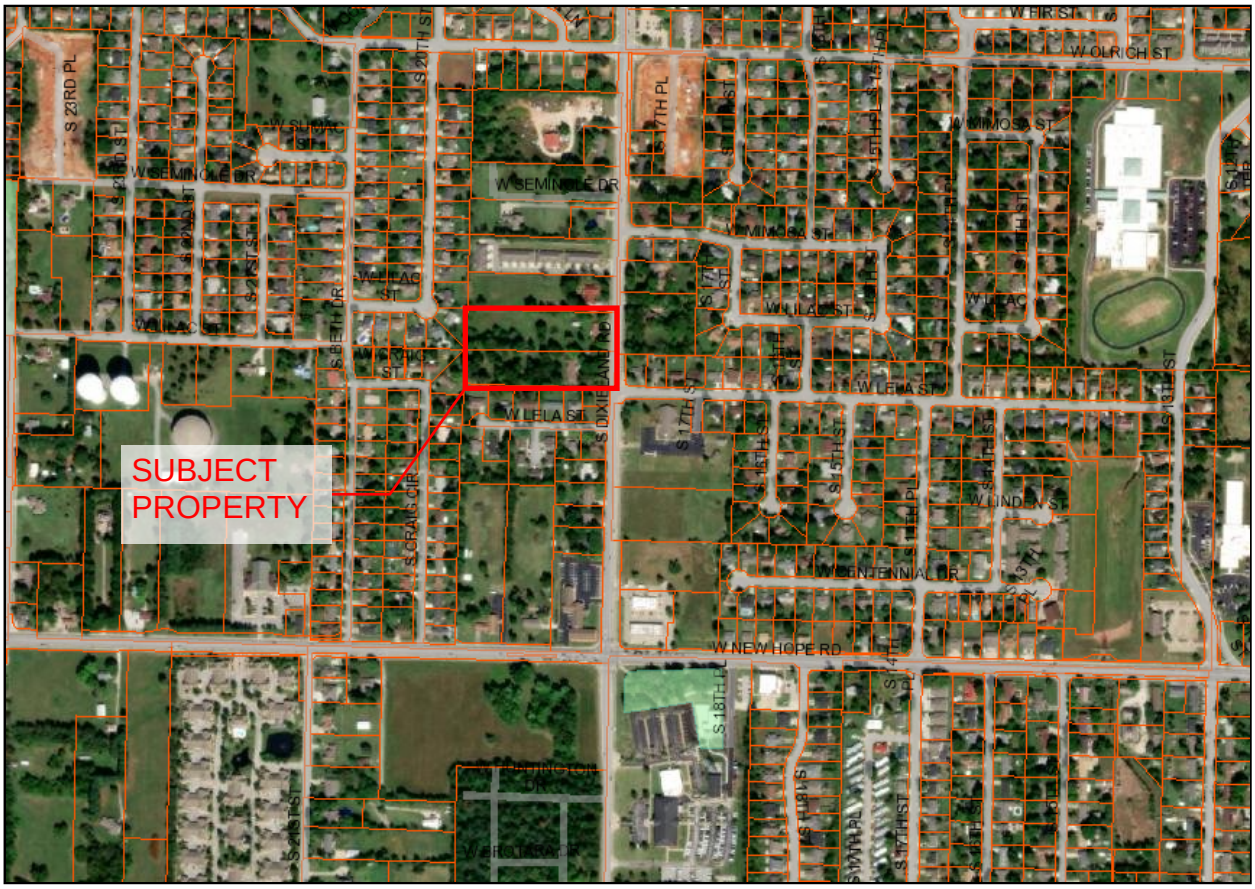


EXHIBIT B: CGM VICINITY MAP

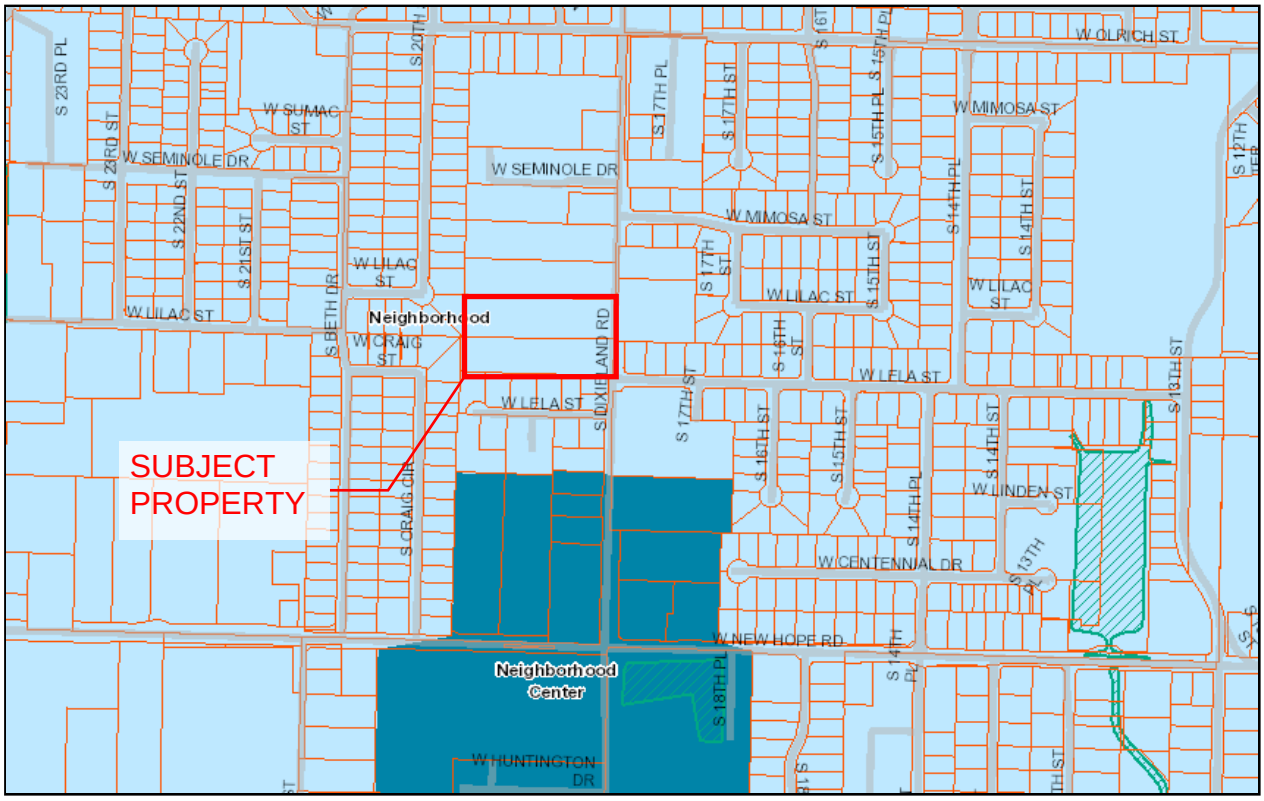


EXHIBIT C: ZONING VICINITY MAP

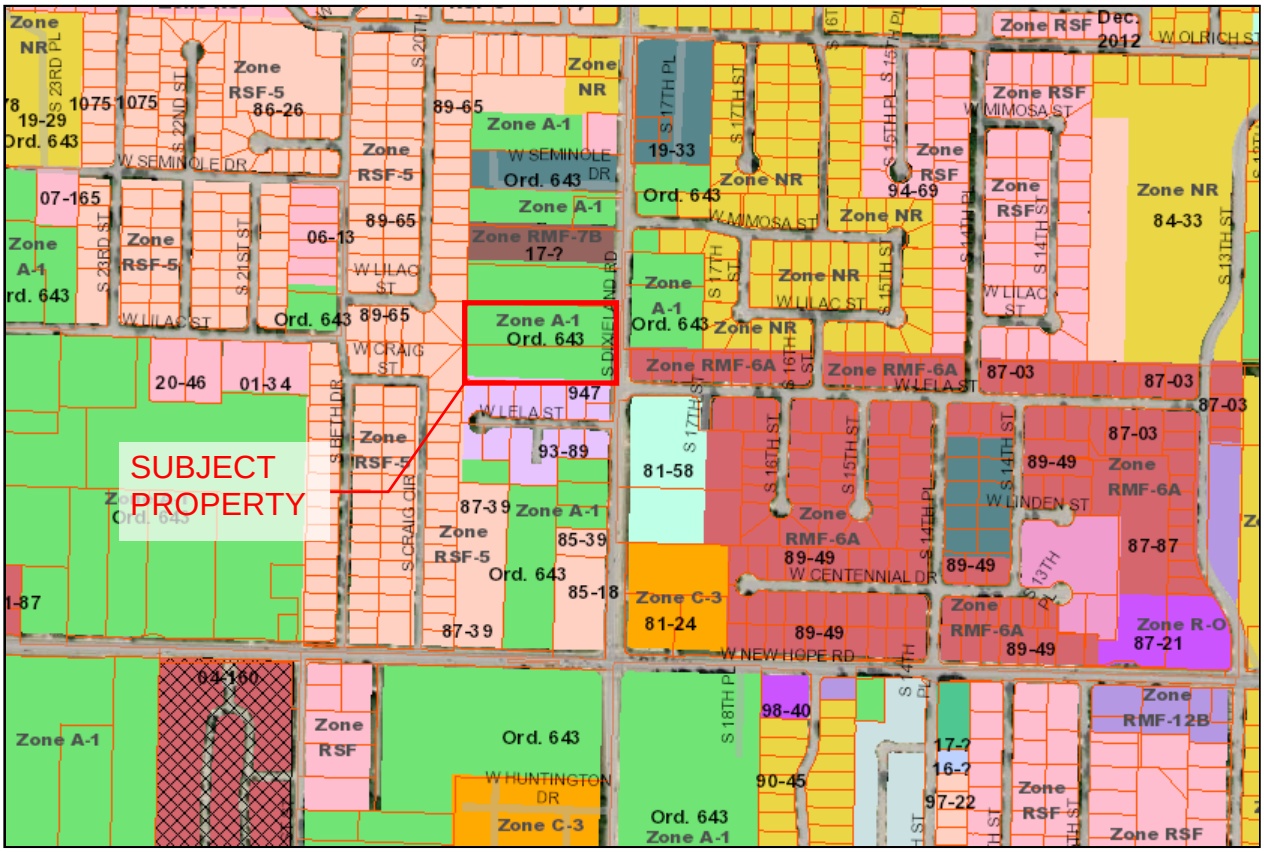
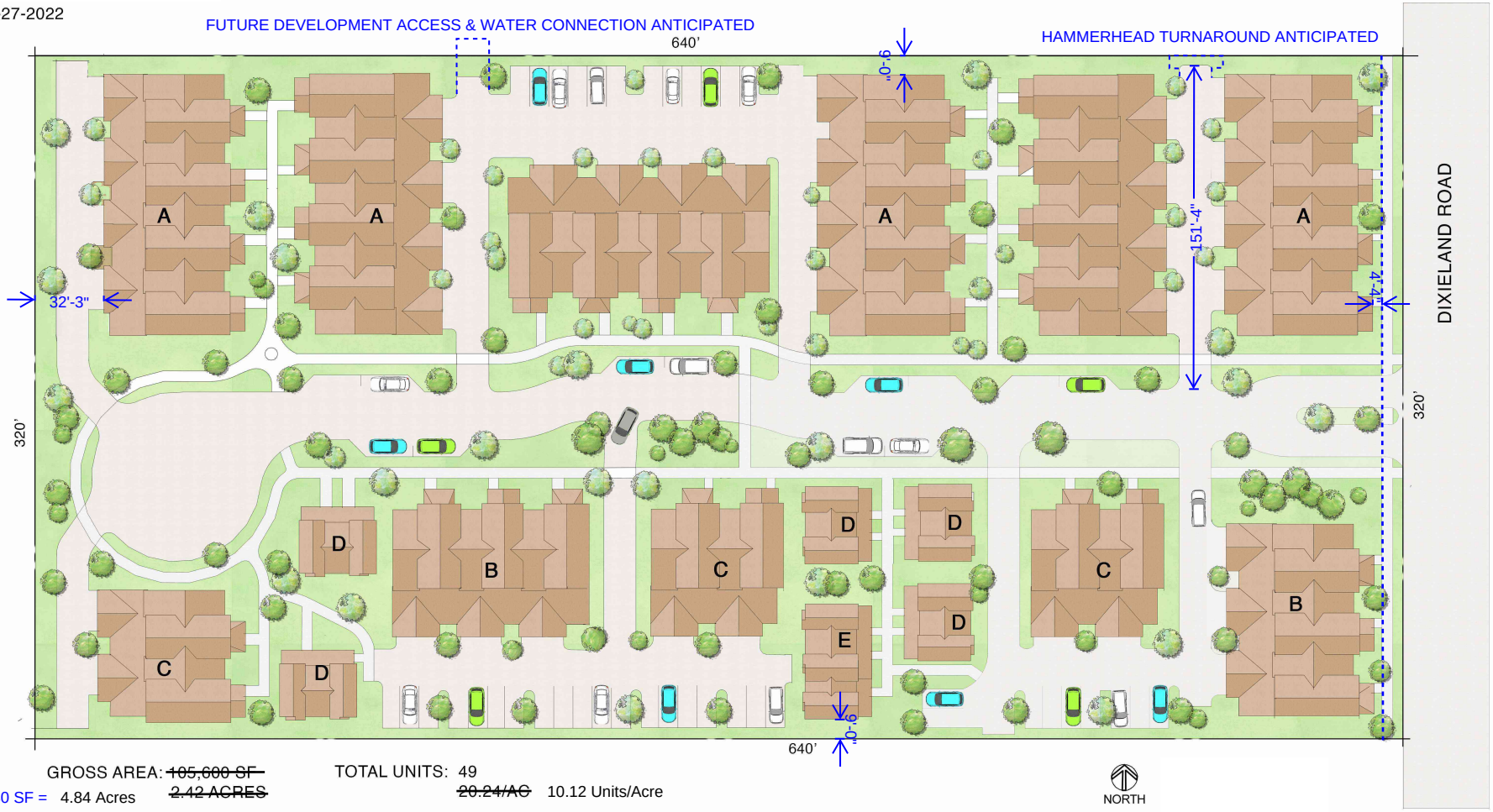


EXHIBIT D:

CONCEPTUAL SITE DESIGN

9-27-2022



GROSS AREA: ~~105,600 SF~~ ~~2.42 ACRES~~
210,830 SF = 4.84 Acres

TOTAL UNITS: 49
~~20.24/AC~~ 10.12 Units/Acre

PRODUCT: *ROW HOUSES* (2-CAR GARAGES)
A 4 PLEX
B 3 PLEX
C DUPLEX
2 BEDROOM (Primary BR on first floor)
1600 SF (approx)
3 BEDROOM (Primary BR on first floor)
1775 SF (approx)

PRODUCT: *VILLAS*
D DUPLEX
E 3 PLEX
1 BEDROOM
1.5 baths
685 SF (approx)

Preliminary

COVERAGE
MAX BUILDING COVERAGE = 40%
-PROPOSED BUILDING AREA = 84,635 SF
-PROPOSED BUILDING COVERAGE = 40%

MIN OPEN SPACE = 20%
-PROPOSED OPEN SPACE = 24%

MAX IMPERVIOUS = 70%
-PROPOSED IMPERVIOUS AREA = 153,394 SF
-PROPOSED IMPERVIOUS COVERAGE = 76%

BESPOKE HOMES

BUILDING SETBACKS
FRONT / REAR - 30'
INTERIOR SIDE -10'
EXTERIOR SIDE - 30'

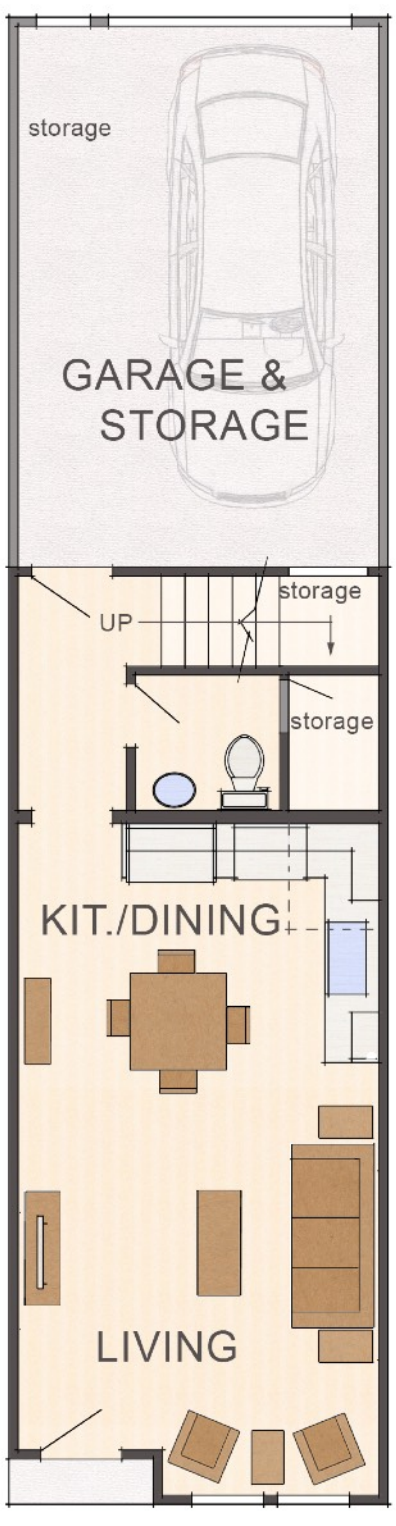
BUILDING INFORMATION
MAX EAVE HEIGHT = 29'
MATERIAL = HARDIE BOARD SIDING WITH BRICK/STONE ACCENTS, 20% CMU

LARRY W. GARNETT, FAIBD, CNU-a
DESIGN & PLANNING

EXHIBIT E:

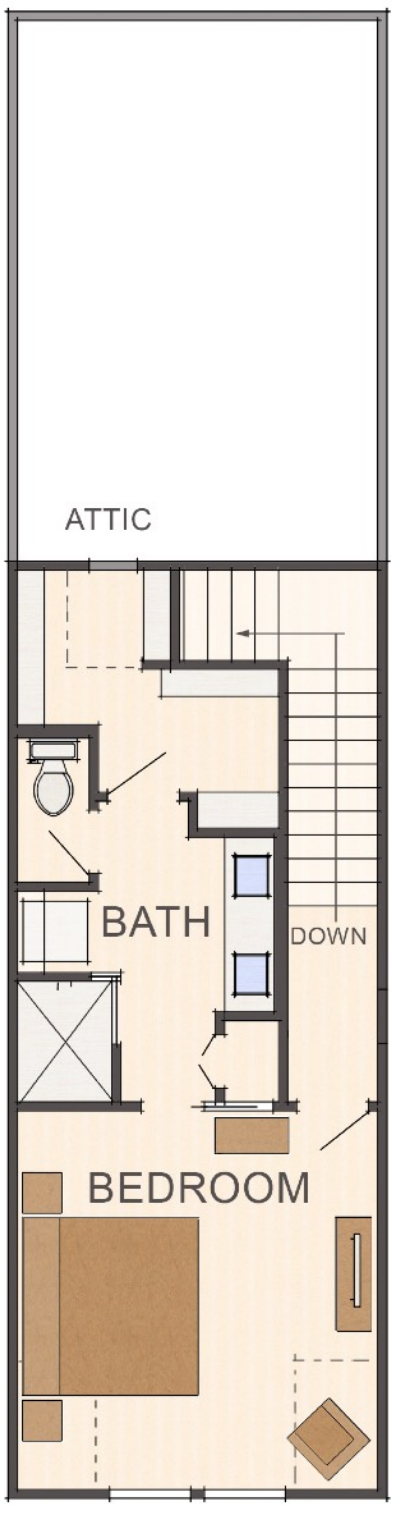
Brasenhill

The Lofts



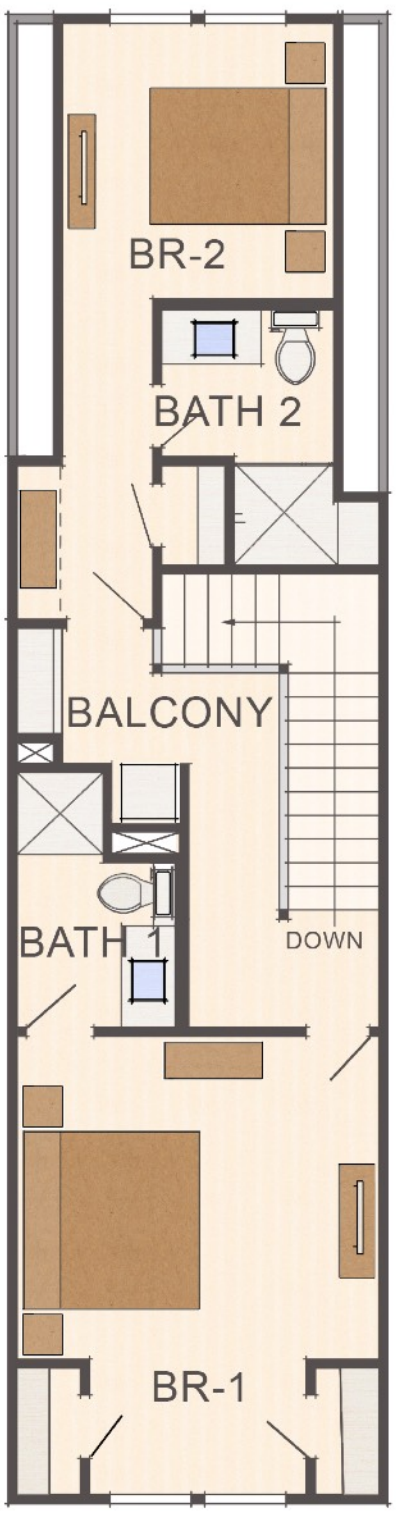
FIRST FLOOR
Living Area: 477 sf

Width: 14'-0"



SECOND FLOOR
1 BEDROOM
Living Area: 410 sf

Options

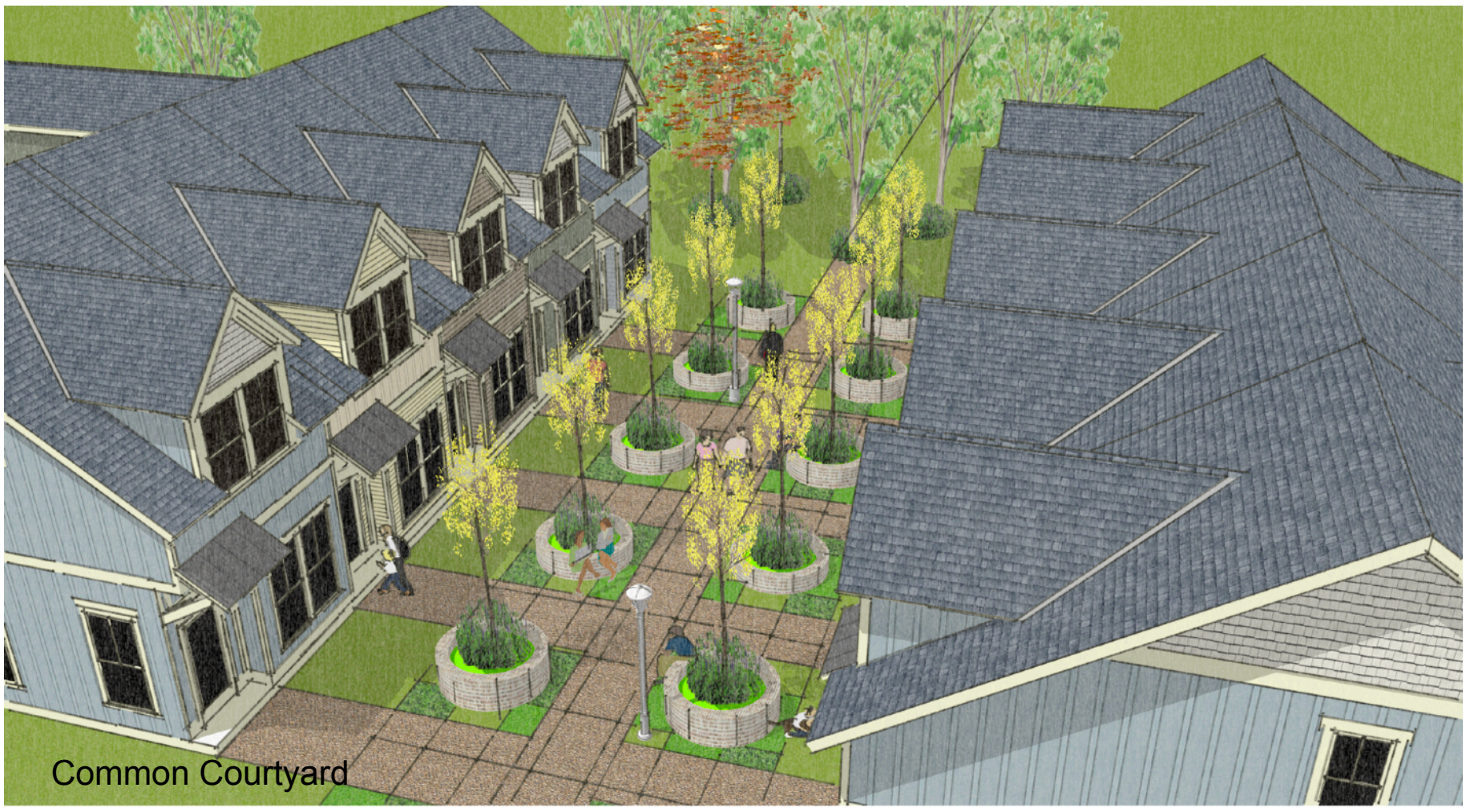


SECOND FLOOR
2 BEDROOM
Living Area: 720 sf

LARRY W. GARNETT, FAIBD, CNU-a
DESIGN & PLANNING

Two Bedroom
One Bedroom
Rear Lane Garages

Common Courtyard


Common Courtyard

PROPERTY OWNER AFFIDAVIT

The petitioner, LEPP, KIMILA J & LUPER, NANCY J, petitions the Planning Commission of the City of Rogers, Arkansas to rezone certain real property as set forth herein:

LEGAL DESCRIPTION: PART OF THE EAST HALF (E1/2) OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING A POINT WHICH IS SOUTH 00 DEGREES 31' WEST 1152.6 FEET FROM THE NORTHEAST CORNER OF THE SAID NORTHEAST QUARTER (NE1/4) O THE SOUTHWEST QUARTER (SW1/4), THENCE NORTH 89 DEGREES 39' WEST 660 FEET, MORE OR LESS, TO THE WEST LINE OF THE EAST H (E1/2) OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4), THENCE SOUTH 00 DEGREES 31' WEST 160 FEET, THENCE SOUTH 89 DEGREES 39' EAST 660 FEET, MORE OR LESS, TO THE EAST LINE OF THE SAID NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4) THENCE NORTH 00 DEGREES 31' EAST 160 FEET TO THE POINT OF BEGINNING.

LAYMAN'S DESCRIPTION: 1704 S Dixieland Rd, Rogers, AR 72758

PRESENT ZONING: A-1

ZONING REQUEST: R-MF

Respectfully Submitted,

By: _____
(Property Owner Signature)

ATE OF ARKANSAS
OUNTY OF Benton

bscribed and sworn before me this the 17 day of Dec, 2022.

DEANNE GREEN
NOTARY
#02019942
PUBLIC
STATE OF OKLAHOMA

_____
Notary Signature

Deanne Green
Notary Name Printed

12/31/2023
Commission Expires

PROPERTY OWNER AFFIDAVIT

ne petitioner, LEPP, KIMILA J & LUPER, NANCY J, petitions the Planning Commission of the City Rogers, Arkansas to rezone certain real property as set forth herein:

GAL DESCRIPTION: PART OF THE EAST HALF (E1/2) OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 14, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS SOUTH 00°31' WEST 1152.6 FEET FROM THE NORTHEAST CORNER OF THE SAID NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4); THENCE NORTH 89°39' WEST 660 FEET, MORE OR LESS TO THE WEST LINE OF THE EAST HALF (E1/2) OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4); THENCE SOUTH 00°31' WEST 160 FEET; THENCE SOUTH 89°39' EAST 660 FEET, MORE OR LESS TO THE EAST LINE OF SAID NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW¼); THENCE NORTH 00°31' EAST 160 FEET TO THE POINT OF BEGINNING. SUBJECT TO THE RIGHT OF WAY OF DIXIELAND ROAD.

YMAN'S DESCRIPTION: 1710 S Dixieland Rd, Rogers, AR 72758

ESENT ZONING: A-1

NING REQUEST: R-MF

Respectfully Submitted,

By: _____
(Property Owner Signature)

E OF ARKANSAS
NTY OF Benton

ibed and sworn before me this the 17 day of Dec, 2022.

DEANNE GREEN
NOTARY
#02019942
PUBLIC
STATE OF OKLAHOMA

_____
Notary Signature

Deanne Green
Notary Name Printed

12/31/2023
Commission Expires

Rezone Request
Application Requirements and Information

1. Complete application and submit a two hundred dollar ($200) filing fee made payable to the City of Rogers with the completed application.

2. Provide a full legal description and the parcel number. Legal description must not be abbreviated. Subdivision lot/block description is sufficient. This is used by Planning Staff to publish a legal notice for the public hearing. Visit with Planning Staff prior to completing the following step; the content of the legal notice can be used for the Notice of Public Hearing letter. Planning Staff will verify the accuracy of all information prior to applicant sending Certified Mail.

3. Applicant must notify all property owners within a 300-foot radius of the property of the public hearing via Certified Mail with return receipt requested (see attached sample letter for *Notice of Public Hearing for a Rezone Request*). The list of property owners can be obtained through a title or abstract company or the Benton County Assessor's Office. The title or abstract company is likely to charge for this service and will need a legal description. Certified Mail must be sent at least 15 days prior to the public hearing date. Bring the receipt cards and any returned mail, along with a list of all recipients, to the public hearing and remit items to Planning Staff.

4. Attach a signed and notarized copy of the Property Owner Affidavit (see attached). May be submitted with application.

5. Attach a signed and notarized copy of the Certification that covenants have been checked and proper steps taken to notify surrounding property owners (see attached). Provide at time of public hearing.

6. If approved by Planning Commission, the rezone will be forwarded to the City Council for final approval. An applicant must be in attendance to represent their item. Please provide the name and contact number of the representative to attend the City Council meeting by noon the day following Planning Commission.
    - Questions regarding this should be directed to the City Clerk's office; City Hall; (479) 621-1117

NOTES:

- The public hearing will be held during a regularly scheduled Planning Commission meeting. The Planning Commission meets on the first and the third Tuesday of each month. A representative must attend the public hearing to answer any questions from the Planning Commission.
- There is a 10-day appeal period following any Planning Commission decision.
- If the property to be rezoned is located within a PUD, the PUD must be revised prior to rezone.

FINDINGS

The Planning Commission may vote to recommend approval to the City Council, approval with revisions, or to deny the application. A denied application may be appealed to the City Council by filing a letter of appeal with the City Clerk within 15 days of denial: State the reason for deeming error on part of the Planning Commission. If the application is further denied by City Council, an appeal may be brought to a court of record having jurisdiction.

Any or all of the property involved in the application which was denied or withdrawn after public hearing shall not be re-submitted for a period of one year from the date of the last action taken for the same change in zoning, unless the Planning Commission finds a substantial change in conditions from the previous application.

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: _____ ($200)

Zoning: _____ to _____

Permit Number: _____

CityView Application: _____

Date: _____

REZONE APPLICATION

APPLICANT: Olsson - Matt Loos, PE

ADDRESS: 1704 & 1710 S Dixieland Rd, Rogers, AR 72758 SUITE #: _____

GENERAL LOCATION OF PROPERTY: South-Central Rogers (14-19-30-Rogers)

PARCEL NUMBER: 02-01574-000 & 02-01587-000

PHONE #: 501-733-2240 EMAIL: mloos@olsson.com

PROPERTY OWNER: LEPP, KIMILA J & LUPER, NANCY J PHONE #: 662-808-8522

PRESENT USE: Residence ZONING: A-1 (agricultural district)

PROPOSED USE: Multifamily Developments - Duplex, 3 plex, 4 plex ZONING: R-MF

Matt Loos 12-22-2022

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: _____

LEGAL DESCRIPTION OF PROPERTY

PARCEL NUMBER: 02-01574-000
2.42 ACRES
SUBDIVISION: 14-19-30-ROGERS

PART OF THE EAST HALF (E1/2) OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 14, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS SOUTH 00 DEGREES 31' WEST 1152.6 FEET FROM THE NORTHEAST CORNER OF THE SAID NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4), THENCE NORTH 89 DEGREES 39' WEST 660 FEET, MORE OR LESS, TO THE WEST LINE OF THE EAST HALF (E1/2) OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4); THENCE SOUTH 00 DEGREES 31' WEST 160 FEET; THENCE SOUTH 89 DEGREES 39' EAST 660 FEET, MORE OR LESS, TO THE EAST LINE OF THE SAID NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4) THENCE NORTH 00 DEGREES 31' EAST 160 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION OF PROPERTY

PARCEL NUMBER: 02-01587-000
2.42 ACRES
SUBDIVISION: 14-19-30-ROGERS

PART OF THE EAST HALF (E1/2) OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 14, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS SOUTH 00°31' WEST 1152.6 FEET FROM THE NORTHEAST CORNER OF THE SAID NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4); THENCE NORTH 89°39' WEST 660 FEET, MORE OR LESS TO THE WEST LINE OF THE EAST HALF (E1/2) OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4); THENCE SOUTH 00°31' WEST 160 FEET; THENCE SOUTH 89°39' EAST 660 FEET, MORE OR LESS TO THE EAST LINE OF SAID NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW¼); THENCE NORTH 00°31' EAST 160 FEET TO THE POINT OF BEGINNING. SUBJECT TO THE RIGHT OF WAY OF DIXIELAND ROAD.

BEFORE THE PLANNING COMMISION OF THE CITY OF ROGERS, ARKANSAS

NOTICE OF PUBLIC HEARING FOR A REZONE REQUEST

Notice is hereby given pursuant to Section 14-725-730 of the Rogers City Code that **Olsson, Inc.** is applying to the Rogers Planning Commission to rezone certain real properties at **1704 and 1710 S Dixieland Rd**. The property is more particularly described as follows:

A set of two parcels in south-central Rogers totaling 4.84 acres and currently zoned A-1, to be combined. This development would provide multifamily residential developments including duplexes, triplexes, and quadplexes adding 49 units in total along with associated parking and infrastructure.

LEGAL DESCRIPTION:

PART OF THE EAST HALF (E1/2) OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 14, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS SOUTH 00 DEGREES 31' WEST 1152.6 FEET FROM THE NORTHEAST CORNER OF THE SAID NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4), THENCE NORTH 89 DEGREES 39' WEST 660 FEET, MORE OR LESS, TO THE WEST LINE OF THE EAST HALF (E1/2) OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4); THENCE SOUTH 00 DEGREES 31' WEST 160 FEET; THENCE SOUTH 89 DEGREES 39' EAST 660 FEET, MORE OR LESS, TO THE EAST LINE OF THE SAID NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4) THENCE NORTH 00 DEGREES 31' EAST 160 FEET TO THE POINT OF BEGINNING.

PART OF THE EAST HALF (E1/2) OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 14, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS SOUTH 00°31' WEST 1152.6 FEET FROM THE NORTHEAST CORNER OF THE SAID NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4); THENCE NORTH 89°39' WEST 660 FEET, MORE OR LESS TO THE WEST LINE OF THE EAST HALF (E1/2) OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4); THENCE SOUTH 00°31' WEST 160 FEET; THENCE SOUTH 89°39' EAST 660 FEET, MORE OR LESS TO THE EAST LINE OF SAID NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW¼); THENCE NORTH 00°31' EAST 160 FEET TO THE POINT OF BEGINNING. SUBJECT TO THE RIGHT OF WAY OF DIXIELAND ROAD.

LAYMAN'S DESCRIPTION:
1704 S Dixieland Rd.
1710 S Dixieland Rd.

PRESENT ZONING:
A-1 (Agricultural District)

ZONING REQUEST:
R-MF (RESIDENTIAL MULTIFAMILY DISTRICT)

A public hearing by the Rogers Planning Commission will be held on **January 17th, 2023** at 6:00 p.m. in the City Council Chambers of the City Hall Building located at 301 W. Chestnut Street, Rogers, Arkansas.

Respectfully Submitted,

By: Matt Loos, PE

ORDINANCE NO. _____
CITY OF ROGERS, ARKANSAS

AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING CERTAIN LANDS FROM A-1 TO RMF-10.5, PROVIDING FOR THE EMERGENCY CLAUSE AND FOR OTHER PURPOSES

WHEREAS, pursuant to the provisions of Rogers Code Section Rogers Code Section 14-725, et seq, and upon the consideration of the report and recommendations of the Planning Commission of the City of Rogers, Benton County, Arkansas, on January 17, 2023, the City Council has found that certain lands hereinafter described are better suited for RMF-10.5 zoning.

NOW, THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF ROGERS, ARKANSAS:

SECTION 1: That Section 14-675 of the Code of Ordinances, City of Rogers, should be and the same hereby is amended as hereinafter provided.

SECTION 2: That the land hereinafter described should be and the same is hereby zoned as RMF-10.5 and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:
PARCEL 02-01574-000
PART OF THE EAST HALF (E1/2) OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 14, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS SOUTH 00°31' WEST 1152.6 FEET FROM THE NORTHEAST CORNER OF THE SAID NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4), THENCE NORTH 89°39' WEST 660 FEET, MORE OR LESS, TO THE WEST LINE OF THE EAST HALF (E1/2) OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4); THENCE SOUTH 00°31' WEST 160 FEET; THENCE SOUTH 89°39' EAST 660 FEET, MORE OR LESS, TO THE EAST LINE OF THE SAID NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4) THENCE NORTH 00°31' EAST 160 FEET TO THE POINT OF BEGINNING.

PARCEL 02-01587-000
PART OF THE EAST HALF(E1/2) OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 14, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS SOUTN 00° 31' WEST 1152.6 FEET FROM THE NORTHEAST CORNER OF THE SAID NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4); THENCE NORTH 89°39' WEST 660 FEET, MORE OR LESS TO THE WEST LINE OF THE EAST HALF (E1/2) OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4); THENCE SOUTH 00°31' WEST 160 FEET; THENCE SOUTH 89°39' EAST 660 FEET, MORE OR LESS TO THE WAST LINE OF SAID NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4); THENCE NORTH 00°31' EAST 160 FEET TO THE POINT OF BEGINNING. SUBJEJCT TO THE RIGHT OF WAY OF DIXIELAND ROAD.

LAYMAN'S DESCRIPTION:
1704 S Dixieland & 1710 S Dixieland

SECTION 3: **Zoning**. That the above described lands are better suited for RMF-10.5 than A-1

zoning and same should be and are hereby zoned RMF-10.5.

SECTION 4: **Emergency Clause**. That it is necessary to bring proposed uses of the property into conformance with the Rogers City Zoning Ordinances and because of such an emergency is declared to exist and in order to protect the public peace, health, safety and welfare, this ordinance shall be in full force and effect from the date of its passage and approval.

SECTION 5: **Severability Provision**. In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

SECTION 6: **Repeal of Conflicting Ordinances and Resolutions**. All ordinances, resolutions or orders of the City Council, or parts of ordinances, resolutions or orders of the City Council in conflict herewith are hereby repealed to the extent of such conflict.

PASSED THIS _____ DAY OF _____, 2023.

ROGERS, ARKANSAS

ATTEST: APPROVED:

_____ _____

JESSICA RUSH, CLERK C. GREG HINES, MAYOR

Requested by: John McCurdy, Director Community Development
Reviewed by: John M. Pesek, Senior Staff Attorney
Prepared by: Christina Moore, Planner I

NOTICE OF PUBLIC HEARING
NOTICE OF PUBLIC HEARING
REZONE & DENSITY CONCEPT PLAN
7