



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

PLANNING COMMISSION MEETING AGENDA

AUGUST 15, 2023

5:30 PM

ONLINE VIEWING:

PLANNING COMMISSION: <HTTPS://US02WEB.ZOOM.US/J/85188794771>

BOARD OF ADJUSTMENT: <HTTPS://US02WEB.ZOOM.US/J/85188794771>

ZONING REVIEW COMMITTEE: <HTTPS://US02WEB.ZOOM.US/J/84805490416>

AGENDA

CALL TO ORDER:

ROLL CALL:

ACTION ON MINUTES:

1. August 1, 2023

PUBLIC FORUM:

REPORTS :

1. Staff
2. Commissioners

DECLARATION OF ABSTENTION:

CONSENT AGENDA:

PUBLIC HEARING:

CALL FOR RECESS:

1. Zoning Review Committee
2. Board of Adjustment



DEPT. OF COMMUNITY
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CALL TO ORDER:

OLD BUSINESS:

NEW BUSINESS:

1. All recommended items from committees.
2. **LSDP: NWA Drop Yard**
A waiver request for paved parking for the use of "Vehicle Storage" at 2609 W. Hudson Road in the I-1, CU (Light Industrial w/ Condominium Unit) zoning district.
 - *STAFF: Nicholas Little*
 - *REPRESENTED BY: Chad Caletka*

COMMISSIONERS' FINAL COMMENTS:

ADJOURN:



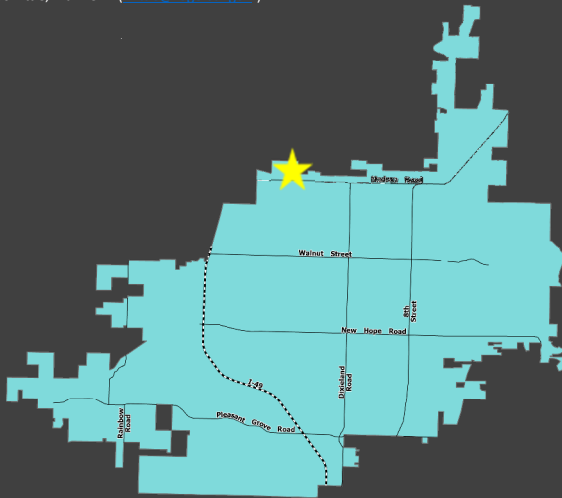
WAIVER

PLANNING

NWA Drop Yard

Staff:

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



Vicinity Map

Location

2609 W Hudson Road

CGM Designation

Employment Center

Zoning

I-1, CU (Light Industrial w/ Condominium Unit)

Requested Waiver

Paved Parking

Code Section being Waived

14-713(h)

Representative

Chad Caletka, CEI

Location:

Located in north Rogers, north of W Hudson Road, directly adjacent to Little Flock city limits on it's east and north sides.

Proposal:

The request at hand proposes the use of vehicle storage on a gravel lot. Sec. 14-256(6) states that a waiver can be requested for the paving of parking within a development, if the parking is intended for storage of a vehicle and is screened from public view.



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NWA Drop Yard

Regulating Code

- Section 14-256. – Design standards, regulations and required improvements
 - (6) - *Parking must meet the requirements of the zoning ordinance and must be paved. However, the Planning Commission may upon request waive the paving requirement under this subdivision if the parking is intended for storage of a vehicle and is screened from public view. Handicap spaces provided must meet local, state and ADA requirements, including truncated domes at all handicap ramps.*



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NWA Drop Yard

PLANNING



The exhibit above describes different aspects of the proposed development.

- Red – proposed paved areas as part of the ongoing LSDP for NWA Drop Yard
- Yellow – Graveled area that is currently being used to store materials and vehicles. The proposed LSDP is an attempt to bring this ongoing operation into compliance
- Green – Proposed landscape buffer, as a part of the LSDP and the waiver, being that the waiver language calls for the gravelled areas to be screened from public view. Only proposed on the north and east sides of the development, according to this exhibit.
- Blue – The blue shaded area shows the proposed stormwater detention pond that is part of the ongoing NWA Drop Yard LSDP



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PLANNING

NWA Drop Yard

Site Aerial



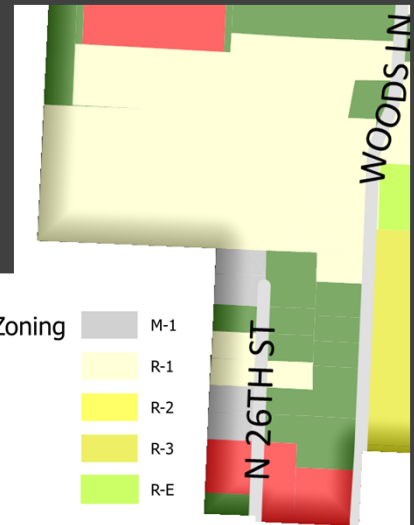
Adjacencies

South: Rogers – I-1
West: Rogers – I-2
North: Little Flock – R-1
East: Little Flock – Mixed

Adjacent properties to the east appear to be single-family residential, currently.

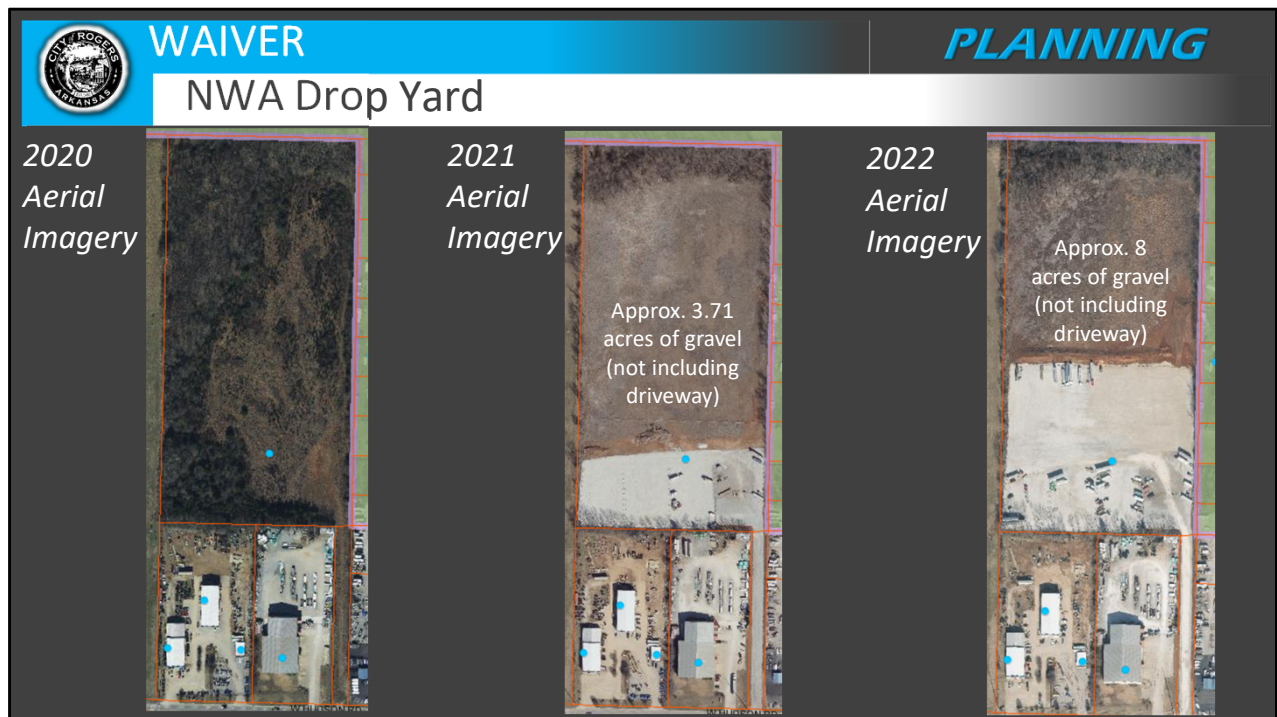
Little Flock Zoning

	A		M-1
	C		R-1
	I		R-2
			R-3
			R-E



Adjacencies

- South – Rogers – Industrial/Open display commercial uses
- West – Rogers – Industrial/Chemical/Storage Use
- North – Little Flock – Undeveloped Ag. Currently... zoned for low-density residential
- West – Little Flock – Mostly single-family residential currently... Mixed zonings (Commercial, Agricultural, Single-family residential, Multifamily residential)
- **NOTE: The shown Little Flock zoning map has not been adopted**



Clearing without a Permit

It appears that between early 2020 (The time in which the aerial imagery that City of Rogers GIS uses was captured) and early 2021, most of the existing trees and vegetation were cleared.

A grading permit was issued on 8/24/2020 by Community Development. The permit seems to only be issued for the grading of 4.95 acres, which seems to be the bounds of the graveled area in the 2021 imagery. The graveled area was expanded sometime between early 2021 and early 2022, according to aerial imagery.

Community Development staff has no records of receiving or approving conceptual plans or permits during this time from the applicant.

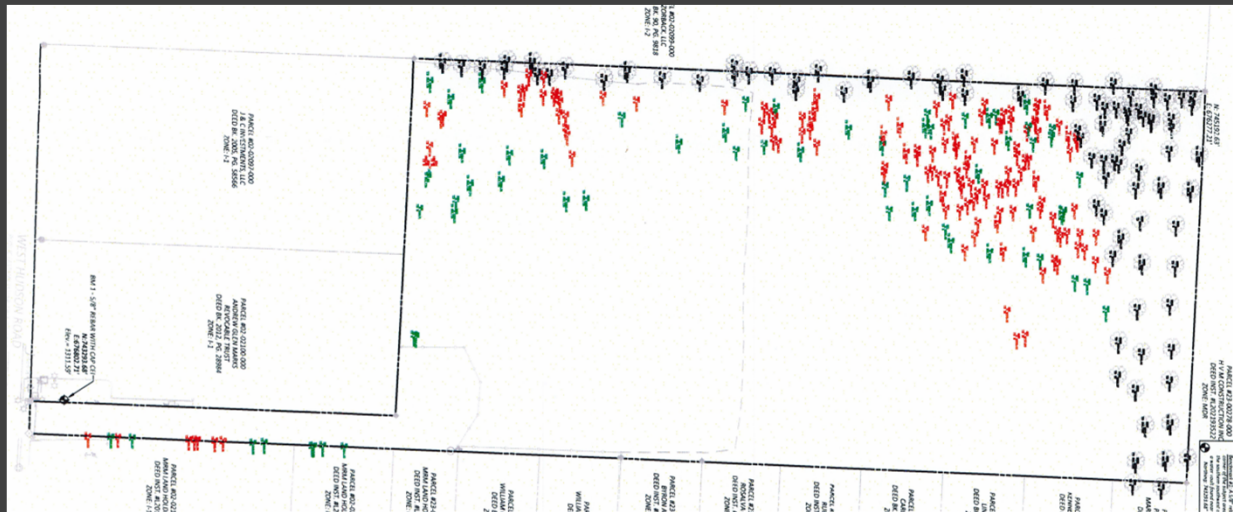
Despite the grading plan only showing less than 5 acres, nearly the entire site (19.9 acres) was clear-cut. The owner of the property states that the site will be developed at some point, but Community Development staff has not received any large-scale plans showing a full development – only one paving the driveway from Hudson and turnaround area on the south side of the gated entrance into the Drop Yard. Until staff receives a formal concept and guarantee that the entire site will be built out in an agreed-upon time frame, the property owner will be expected to replace the trees that were cleared outside of the development area at a 5:1 ratio. (5 trees planted for every 1 removed)



WAIVER

NWA Drop Yard

PLANNING

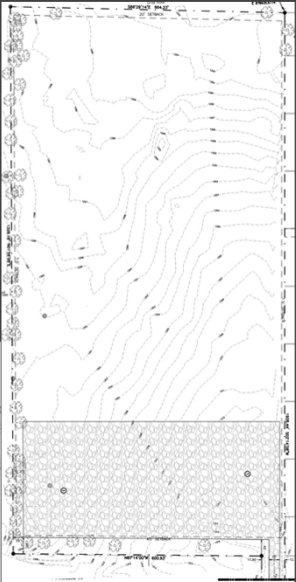


Tree Preservation Plan

North →

Tree Preservation Plan

- Dated 2/2/23
- Red dots signify significant trees cleared (8" or greater in caliper) – 143
Significant trees removed from the site
- Green dots signify insignificant trees cleared (Less than 8" in caliper)
- Black dots signify preserved trees
- 5:1 tree mitigation ratio would require the developer to plant 715 new plantings.

	WAIVER NWA Drop Yard	PLANNING
 DEPT. OF COMMUNITY DEVELOPMENT PLANNING DIVISION 301 W. CHESTNUT PHONE: (479) 821-1186 FAX: (479) 986-6896 GRADING, DISTURBANCE, STORMWATER AND FLOODPLAIN DEVELOPMENT PERMIT APPLICATION NO. _____ CITY/VIEW NO. _____ APPLICANT PROVIDES: PROJECT NAME: <u>Wilshar, Inc.</u> TELEPHONE NUMBER: <u>479-986-0311</u> ADDRESS/LOCATION: <u>2609 W. Hudson Road, Rogers, AR 72758</u> PROPERTY OWNED BY: <u>Wilshar, Inc.</u> TELEPHONE NUMBER: <u>479-986-0311</u> ADDRESS: <u>325 A 45th Street, Rogers, AR 72758</u> CONTRACTOR'S NAME: <u>S & K Dirtworks, LLC</u> TELEPHONE NUMBER: <u>479-531-5529</u> ADDRESS: <u>1923 Pinewoods Dr, Rogers, AR 72758</u> ENGINEER'S NAME: <u>Jason Ingalls/ECE</u> TELEPHONE NUMBER: <u>479-367-2924</u> ADDRESS: <u>P.O. Box 5484, Bella Vista, AR 72714</u> STATE OF ARKANSAS NOI PERMIT NUMBER: <u>AR 150000/Under 5 Acres</u> APPLICATION DATE: <u>8/17/2020</u> ACREAGE OF PROPERTY: <u>4.95</u> ATTACH LEGAL DESCRIPTION, GRADING PLAN, AND OTHER INFORMATION AS REQUIRED. APPLICANT SIGNATURE: <u></u> PRINT NAME: <u>Billy Wicofski</u> TITLE: <u>President</u> PLANNING AUTHORITY PROVIDES: PLANNING COMMISSION APPROVAL DATE: _____ STAFF ACTION: _____ DATE: _____ APPLICATION FEE: _____ PERMIT EXPIRES IF NO ACTIVITY FOR 6 MONTHS. REVEGETATION IS REQUIRED. Municipal Code Sections 14-796, 22-71, and Rogers Drainage Manual	Use Permit - Use Permit for “Building Materials and Services” was issued for the subject property on 7/29/20. Grading Permit - Grading permit issued 8/24/2020, according to city records. - Requirement for grading permit came about after Community Development staff was notified of clearing and equipment/material storage on the site. 	

Use Permit

- 2020-172
- Use permit approved on 7/29/2020 for the use “Building Materials and Services”
- Sec. 14-695(b)(3)(j) - *Building Materials is a secondary use classification encompassing retail, wholesale, or rental of building supplies, equipment, or services.*
 - 2. *Building Materials includes but is not limited to the following tertiary use classifications:*
 - i. *Lumber yards;*
 - ii. *Tool and equipment sales;*
 - iii. *Tool and equipment rental; and*
 - iv. *Building contractors' yards.*

Grading Permit

- Issued 8/24/2020
- Only allowed grading of the south 4.95 acres of the property, including the driveway that reaches down to W Hudson Road.
- Gravel lot has since expanded to the north beyond what was permitted, without another grading permit



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NWA Drop Yard

Aerial Image



Staff Findings

- Vehicle Storage is a permitted use in I-1 zoning.
- Sec. 14-256(6) states “the Planning Commission may upon request waive the paving requirement under this subdivision if the parking is intended for storage of a vehicle and is screened from public view.”
- Intent of screening language in this portion of the code is to shield adjacent properties from the dust that gravel creates when driven on.
- Adjacent neighbors to the east of the subject property are currently used as single-family residential.
- Gravel lot was expanded, existing trees were cleared, and vehicle storage has been taking place here, all without proper permitting.

Staff Findings

- Sec. 14-256(6) states “the Planning Commission may upon request waive the paving requirement under this subdivision if the parking is intended for storage of a vehicle and is screened from public view.”
- Intent of screening language in this portion of the code is to shield adjacent properties from the dust that gravel creates when driven on.
- Adjacent neighbors to the east of the subject property are currently used as single-family residential.
- Gravel lot was expanded, existing trees were cleared, and vehicle storage has been taking place here, all without proper permitting.

Aerial Image



Recommendation
CONSIDER

Because of the violation history on this property and the wording of the regulatory code that drives this request, Staff is recommending consideration to the Planning Commission.



Civil Engineering, Landscape Architecture,
Survey, Planning & Program Management

3108 SW Regency Parkway
Bentonville, AR 72712
Office: 479.273.9472
ceieng.com

March 24, 2023
City of Rogers
Community Development
301 W Chestnut St.
Rogers, AR 72756

RE: Drop Yard NWA – Large Scale Development Plan Waiver Request
CEI Project No. 32987
CityView Project #PL2023xxxxx

Dear Rogers Community Development:

On behalf of Wil-Shar, Inc., CEI is requesting consideration of the waiver below for the existing storage on gravel area at 2609 W Hudson Road, Parcel 02-02100-001 & 02-02100-002.

- **Division 3 – Large-Scale Development Plan Regulations.**
- **Section 14-256 – Design standards, regulations and required improvements:**

(6) Parking must meet the requirements of the zoning ordinance and must be paved. However, the Planning Commission may upon request waive the paving requirement under this subdivision if the parking is intended for storage of a vehicle and is screened from public view. Handicap spaces provided must meet local, state and ADA requirements, including truncated domes at all handicap ramps.

We request a waiver for the storage of vehicles on gravel rather than pavement. The Drop Yard storage area is located 600 feet from the public right of way along Hudson Road and screened from view behind two commercial developments which face Hudson Road. The driveway access for the property is intended to be paved as a part of the Large Scale Development Plan to mitigate dust and ponding. In addition to existing site fencing, tree plantings are concentrated along the eastern side as shown in the landscape plan to provide additional screening for the eastern neighbors.

We appreciate your consideration of our request and look forward to discussing any questions you may have. Contact me at your convenience in the office at 479-273-9472, or by email: ccaletka@ceieng.com

Respectfully Requested,
CEI Engineering Associates, Inc.

Chad Caletka
Project Manager – Local Development

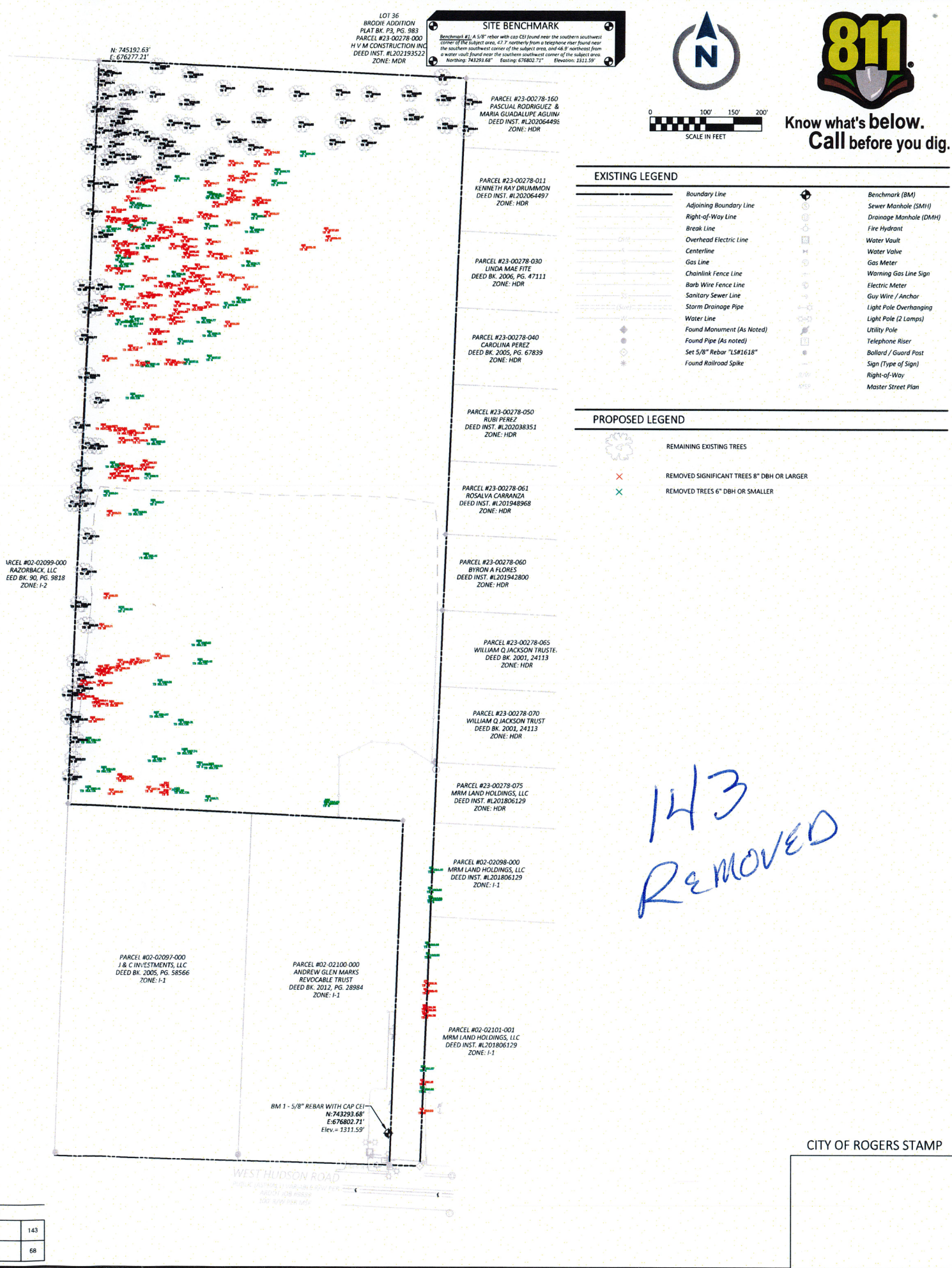
DRAWING LOCATION: P:\32000\32987\DRAWINGS\EXHIBITS\2023-01-05 TREE SURVEY\32987-TREE SURVEY.DWG - SAVED BY: MPARKS

TREE INVENTORY				
NO.	SPECIES	DBH	SIGNIFICANT TREE	CONDITION
142		12	X	REMOVED
153		6		REMOVED
154		6		REMOVED
155		6		REMOVED
166		8	X	REMOVED
167		8	X	REMOVED
168		8	X	REMOVED
169		8	X	REMOVED
170		12	X	REMOVED
181		6		REMOVED
182		6		REMOVED
193		6		REMOVED
194		6		REMOVED
195		6		REMOVED
196		6		REMOVED
222		6		REMOVED
223		6		REMOVED
233		8	X	REMOVED
234		10	X	REMOVED
235		8	X	REMOVED
236		6		REMOVED
237		18	X	REMOVED
238		18	X	REMOVED
239		15	X	REMOVED
240		15	X	REMOVED
247		24	X	EXISTING
250		10	X	EXISTING
253		24	X	EXISTING
254		24	X	EXISTING
258		24	X	EXISTING
261		28	X	EXISTING
263		18	X	EXISTING
266		20	X	EXISTING
268		20	X	EXISTING
264		18	X	REMOVED
270		28	X	EXISTING
271		28	X	EXISTING
272		20	X	EXISTING
273		20	X	EXISTING
274		20	X	EXISTING
276		28	X	EXISTING
280		20	X	EXISTING
283		25	X	EXISTING
284		28	X	EXISTING
287		28	X	EXISTING
292		20	X	EXISTING
293		8	X	EXISTING
295		18	X	EXISTING
297		30	X	EXISTING
300		30	X	EXISTING
304		20	X	EXISTING
313		50	X	EXISTING
608		10	X	REMOVED
609		8	X	REMOVED
615		12	X	REMOVED
828		8	X	EXISTING
829		8	X	EXISTING
831		24	X	EXISTING
832		12	X	EXISTING
834		10	X	EXISTING
835		8	X	EXISTING
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840		6		EXISTING
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842		12	X	EXISTING
843		6		EXISTING
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845		12	X	EXISTING
846		10	X	EXISTING
847		14	X	EXISTING
848		24	X	EXISTING
850		16	X	EXISTING
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853		6		EXISTING
854		20	X	EXISTING
855		12	X	EXISTING
856		6		EXISTING
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858		8	X	EXISTING
859		18	X	REMOVED
860		6		REMOVED
863		18	X	REMOVED
864		18	X	REMOVED
865		18	X	EXISTING
866		12	X	EXISTING
867		12	X	REMOVED
869		12	X	REMOVED
870		18	X	REMOVED
871		24	X	REMOVED
872		6		REMOVED
873		6		REMOVED
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876		13	X	REMOVED
877		12	X	REMOVED
878		6		REMOVED
879		10	X	REMOVED
880		10	X	REMOVED
881		10	X	REMOVED
882		6		REMOVED
883		12	X	REMOVED
884		6		EXISTING
885		12	X	REMOVED
886		12	X	REMOVED
887		12	X	REMOVED
888		6		REMOVED
889		12	X	REMOVED
890		6		REMOVED
891		12	X	REMOVED
892		12	X	REMOVED
893		24	X	EXISTING
894		6		REMOVED
895		24	X	REMOVED
896		12	X	REMOVED
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903		12	X	REMOVED
904		6		REMOVED
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916		6		REMOVED
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922		24	X	REMOVED
924		6		REMOVED
925		10	X	REMOVED
926		24	X	REMOVED
927		24	X	REMOVED

TREE INVENTORY				
NO.	SPECIES	DBH	SIGNIFICANT TREE	CONDITION
928		12	X	REMOVED
929		24	X	REMOVED
930		24	X	REMOVED
931		12	X	REMOVED
932		36	X	REMOVED
933		12	X	REMOVED
934		12	X	REMOVED
935		15	X	REMOVED
936		6		REMOVED
937		24	X	REMOVED
938		6		REMOVED
939		12	X	REMOVED
940		30	X	REMOVED
941		6		REMOVED
942		12	X	REMOVED
943		12	X	REMOVED
944		12	X	REMOVED
945		24	X	REMOVED
946		6		REMOVED
947		12	X	REMOVED
948		18	X	REMOVED
949		6		REMOVED
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953		6		REMOVED
954		12	X	REMOVED
955		12	X	REMOVED
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959		36	X	REMOVED
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1030		8	X	EXISTING
1031		8		EXISTING
1032		12	X	EXISTING
1033		6		REMOVED
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1035		12	X	REMOVED
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1038		6		REMOVED
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1061		6		EXISTING
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1107		20	X	REMOVED
1108		12	X	REMOVED
1109		12	X	REMOVED
1110		12	X	REMOVED
1111		24	X	REMOVED
1112		6		REMOVED
1123		6		REMOVED
1124		6		REMOVED
1125		6		REMOVED
1126		6		REMOVED
1127		6		REMOVED
1128		6		REMOVED
1129		6		REMOVED
1130		6		REMOVED

TREE MITIGATION CALCULATIONS

SIGNIFICANT TREES REMOVED	143
SIGNIFICANT TREES EXISTING	68

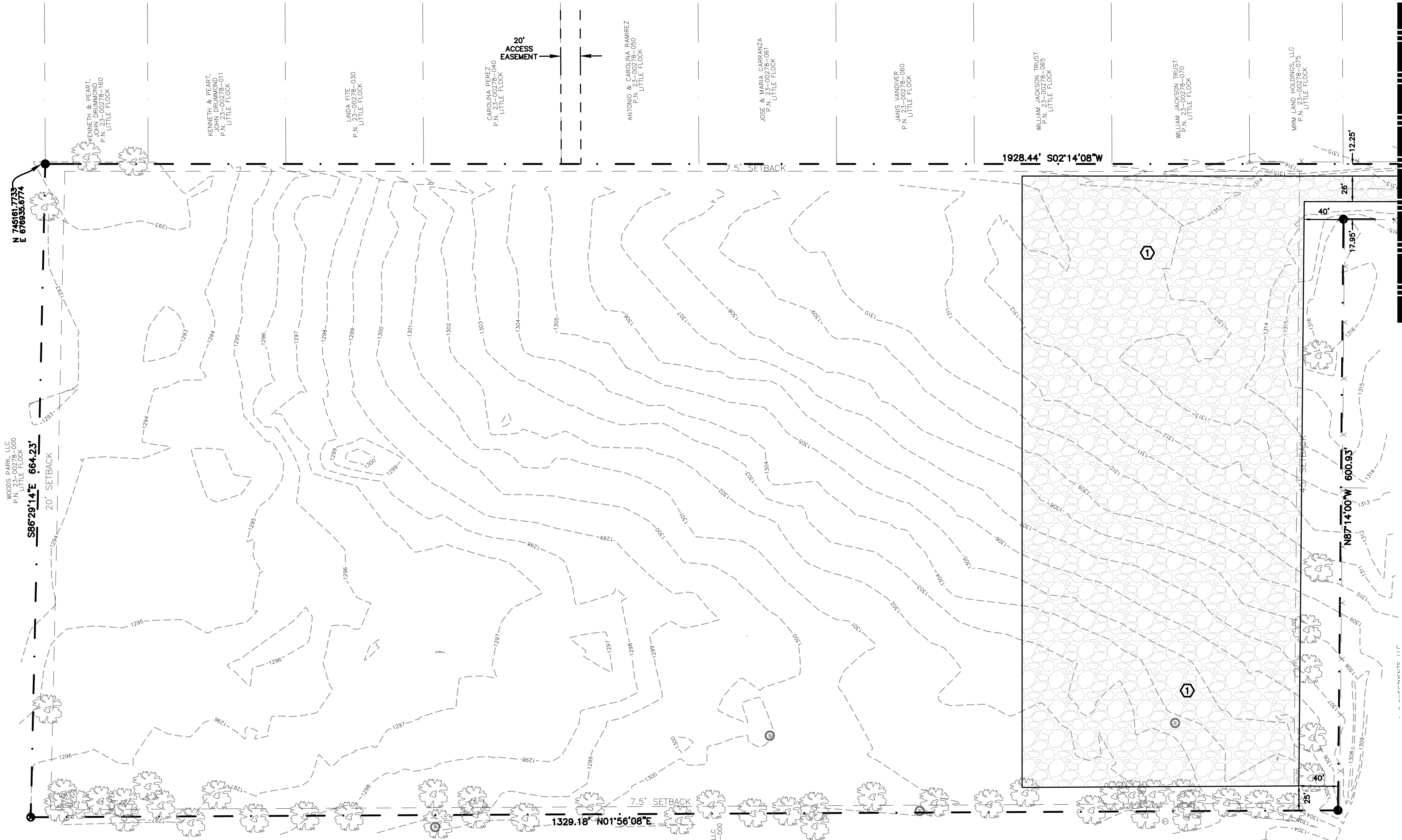


CEI ENGINEERING ASSOCIATES, INC.
3108 SW REGENCY PKWY
BENTONVILLE, AR 72712
PHONE: (479) 273-9472
FAX: (479) 273-0844

DROP YARD NWA
CITYVIEW PROJECT #
2609 WEST HUDSON ROAD
ROGERS, ARKANSAS

PRELIMINARY
NOT FOR
CONSTRUCTION

PROFESSIONAL OF RECORD	NLB
PROJECT MANAGER	CC
DESIGNER	CLL
CEI PROJECT NUMBER	32987
DATE	



SITE DEVELOPMENT STANDARDS:

SITE USAGE: LAYDOWN YARD
OVERALL SITE AREA: 20.90 ACRES
SITE DISTURBANCE: 4.85 ACRES
GROSS FLOOR AREA: PROPOSED-0 SF
SETBACKS: FRONT-45'
SIDE-7.5'
REAR-20'

LOT COVERAGE/
OPEN SPACE RATIO: 215,190 SF/910,404 SF
0.236

ZONING:

I-1 - LIGHT INDUSTRIAL

KEYNOTES:

1 GRAVEL PAVING SECTION.

MATCHLINE - ACCESS DRIVE

FOUND IRON PIN
PROPERTY LINE
EXISTING CONTOUR
EXISTING OVERHEAD ELECTRIC
EXISTING BARBED WIRE FENCE
EXISTING EASEMENT
EXISTING GAS METER
EXISTING MONITORING WELL
EXISTING ELECTRIC TRANSFORMER
EXISTING POWER POLE
EXISTING WATER VALVE
EXISTING FIRE HYDRANT
EXISTING ASPHALT
EXISTING CENTERLINE OF ROAD
EXISTING 8" WATER MAIN
PROPOSED CONTOUR
PROPOSED GRAVEL PAVING
EXISTING TREE

ENGINEER:

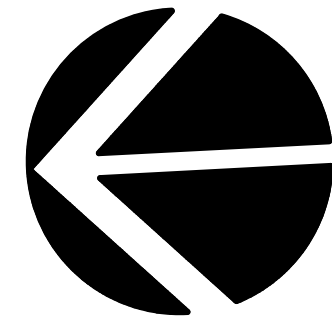
EXPEDIENT CIVIL ENGINEERING, PLLC
9200 SUITS US DR, STE. B
BELLA VISTA, AR 72714

DEVELOPER:

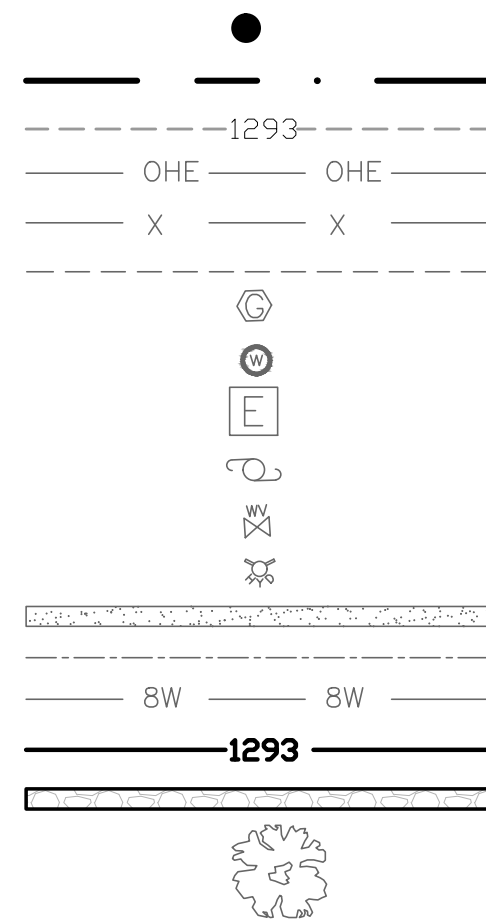
WILSHAR, INC.
325 A 45TH STREET
ROGERS, AR 72758

ZONING:

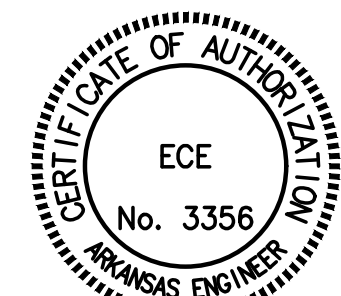
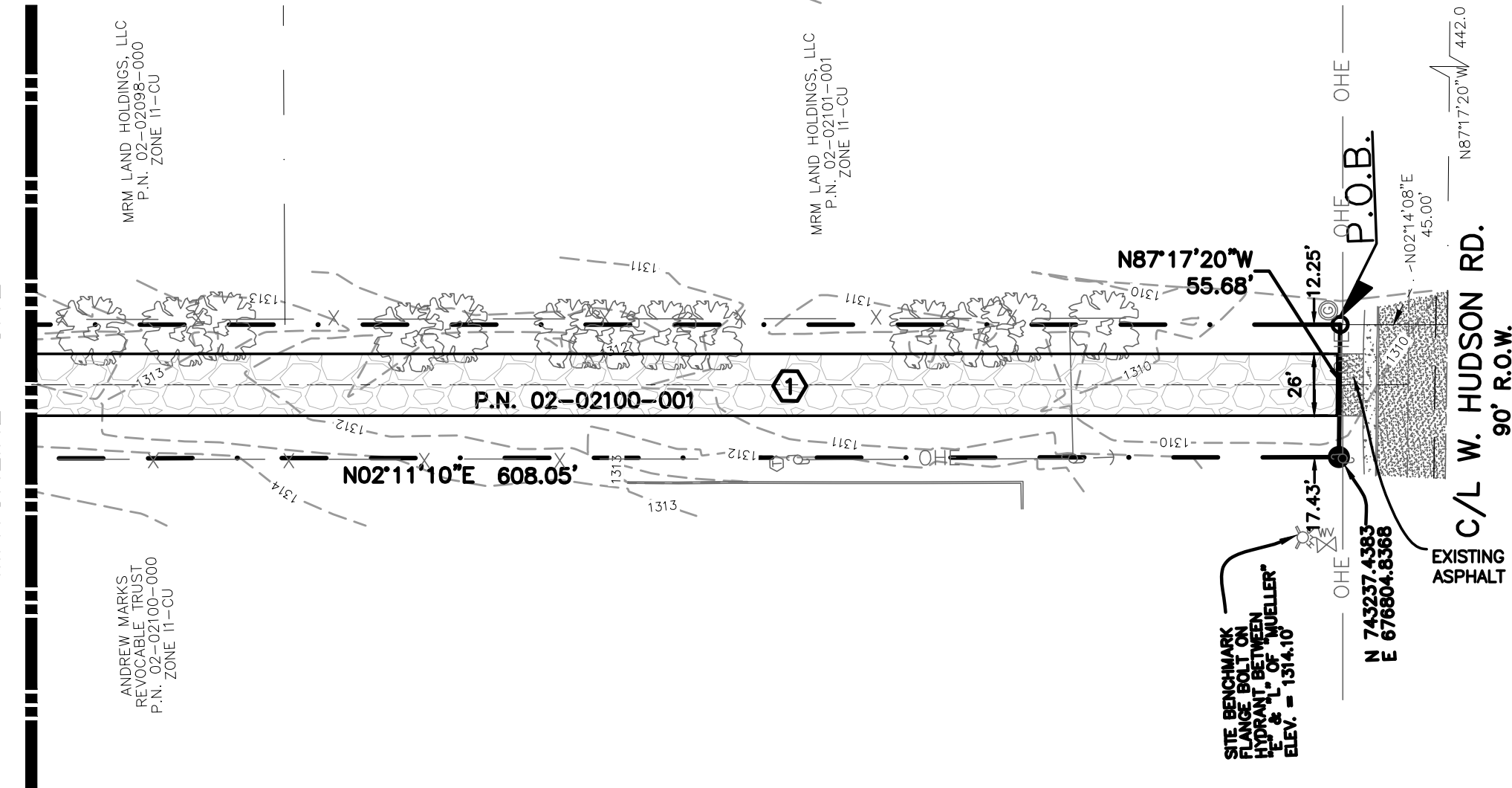
I-1 - LIGHT INDUSTRIAL



NORTH
SCALE 1" = 60'
LEGEND



MATCHLINE - SITE



Rev	Comments	Date

WILSHAR LAYDOWN YARD

2609 W. HUDSON ROAD
ROGERS, AR 72756

WILSHAR, INC.

325 A SOUTH 45TH STREET, ROGERS, AR 72758

9200 SUITS US DR, STE. B
BELLA VISTA, AR 72714
D: (479) 367-2924
M: (606) 759-5300
EMAIL: jason@cec-engineering.com



DRAWN BY:
JEI

CHECKED BY:
JEI

DATE
8/25/2020

JOB NUMBER
20-1007

SHEET NAME

SITE &
GRADING
PLAN

File No.
20-1007.dwg

1 OF 1