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

PLANNING COMMISSION MEETING AGENDA
FEBRUARY 20, 2024
5:30 PM
ONLINE VIEWING:
PLANNING COMMISSION: HTTPS://US02WEB.ZOOM.US/J/88638737828
BOARD OF ADJUSTMENT: HTTPS://US02WEB.ZOOM.US/J/88638737828
ZONING REVIEW COMMITTEE: HTTPS://US02WEB.ZOOM.US/J/87985050090

DISCLAIMER: THE CITY OF ROGERS MAKES NO CLAIMS, PROMISES, OR GUARANTEES REGARDING THE PARTICIPANTS ABILITY TO ATTEND ANY PUBLIC MEETING VIRTUALLY. TECHNOLOGY RESOURCES, VIRTUAL MEETING PLATFORMS, AND THE INTERNET MAY OCCASIONALLY BE INTERRUPTED OR MADE UNAVAILABLE BY CAUSES BEYOND THE CITY'S REASONABLE CONTROL. THE CITY CANNOT GUARANTEE THAT PARTICIPANTS WILL HAVE THE OPPORTUNITY TO PARTICIPATE VIRTUALLY AT ALL TIMES. PUBLIC FORUMS, PUBLIC HEARINGS, AND SCHEDULED ITEMS OF BUSINESS WILL NOT BE TABLED OR POSTPONED DUE TO TECHNOLOGICAL ISSUES. IF YOU ARE REPRESENTING A PUBLISHED ITEM OF BUSINESS OR WISH TO SPEAK AT A PUBLIC HEARING, IN PERSON ATTENDANCE IS REQUIRED.

AGENDA

CALL TO ORDER:

ROLL CALL:

ACTION ON MINUTES:

1. February 6, 2024

PUBLIC FORUM:

REPORTS :

1. Staff
2. Commissioners

DECLARATION OF ABSTENTION:

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

CONSENT AGENDA:

PUBLIC HEARINGS:

1.

RZN/DCP: The Hamilton

A request by The Hamilton to rezone 4451 & 4453 S. Dixieland Road from the C2-CU & RO-CU (Highway Commercial with Condominium Use & Residential Office with Condominium Use) zoning districts to the RMF-32.5B (Residential Multifamily, 32.5 units per acre, rentals) zoning district with a Density Concept Plan.
− *STAFF: Zachery Birdsong*
− *REPRESENTED BY: Jess Griffin*

2.

VAR: Meadows Development

A request by Meadows Development for a variance request from the Overlay District landscape requirements and front setback at 2339 S. 8th Street in the C-4 (Open Display Commercial) zoning district and the city's Overlay District.
− STAFF: Zachery Birdsong
− REPRESENTED BY: Phil Swope

CALL FOR RECESS:

1. Zoning Review Committee
   - Any items referred by Commission
2. Board of Adjustment

CALL TO ORDER:

OLD BUSINESS:

NEW BUSINESS:

1. All recommended items from committees.

COMMISSIONERS' FINAL COMMENTS:

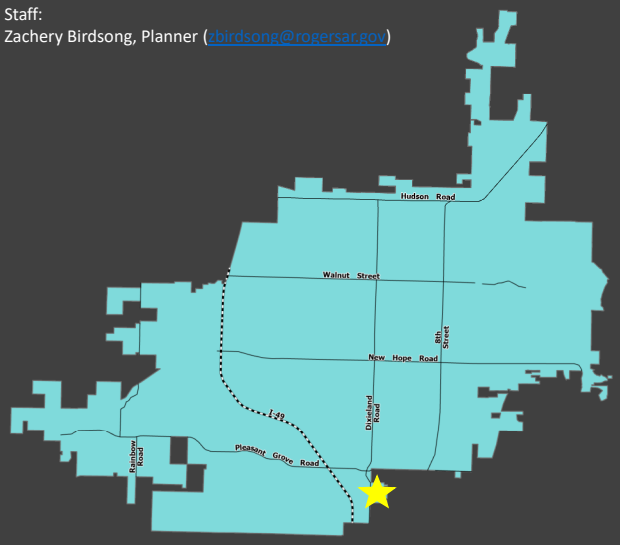
ADJOURN:

Rezone/DCP

PLANNING

Hamilton Apartments

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



Vicinity Map

CGM Designation
Commerce Corridor; U-NBT

Zoning
C2-CU, (Highway Commercial, with Condominium Unit) and RO-CU, (Residential Office, with Condominium Unit)

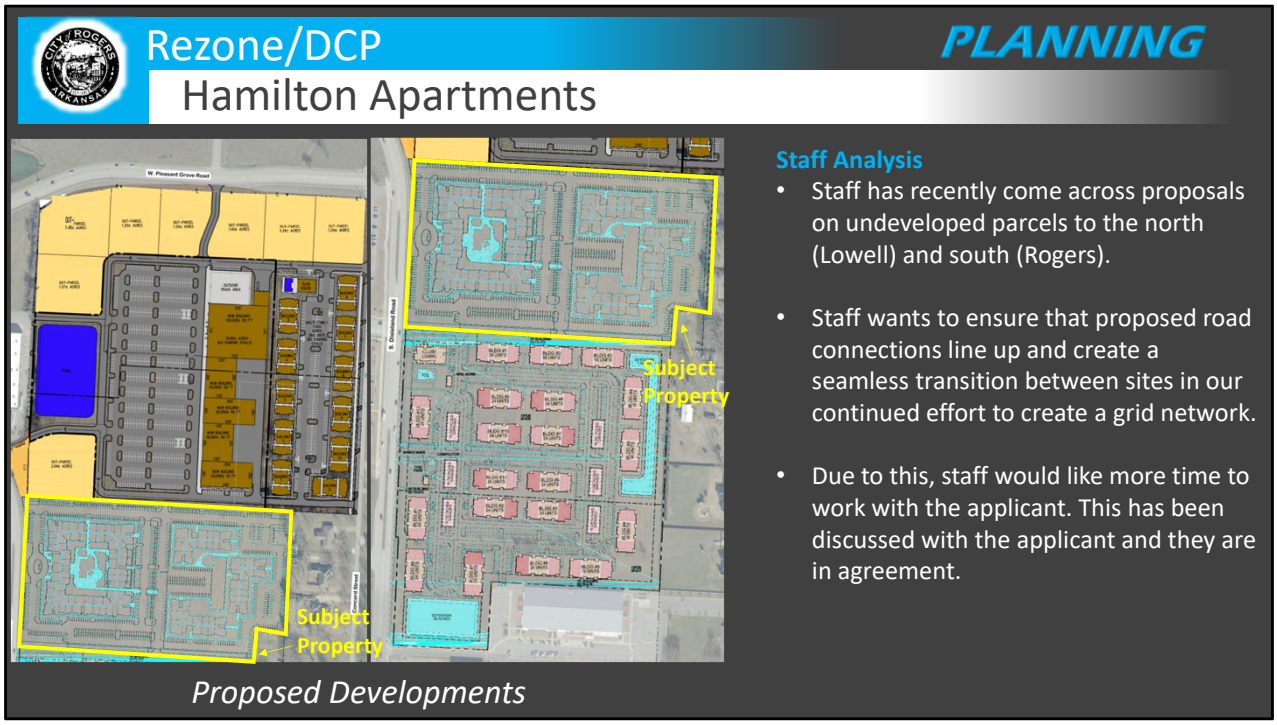
Proposed Zoning
RMF-32.5B

Location
4451 and 4453 South Dixieland Road

Representative
Jesse Griffin, Griffin Engineering

Location:

The applicant is proposing a rezone and density concept plan located in south Rogers, at 4451 and 4453 S Dixieland Road.



Staff Analysis:

- Staff has recently come across proposals on undeveloped parcels to the north (Lowell) and south (Rogers).
- Staff wants to ensure that proposed road connections line up and create a seamless transition between sites in our continued effort to create a grid network.
- Due to this, staff would like more time to work with the applicant. This has been discussed with the applicant and they are in agreement.

Growth Designation:

Commerce Corridor

Growth Designation Character:

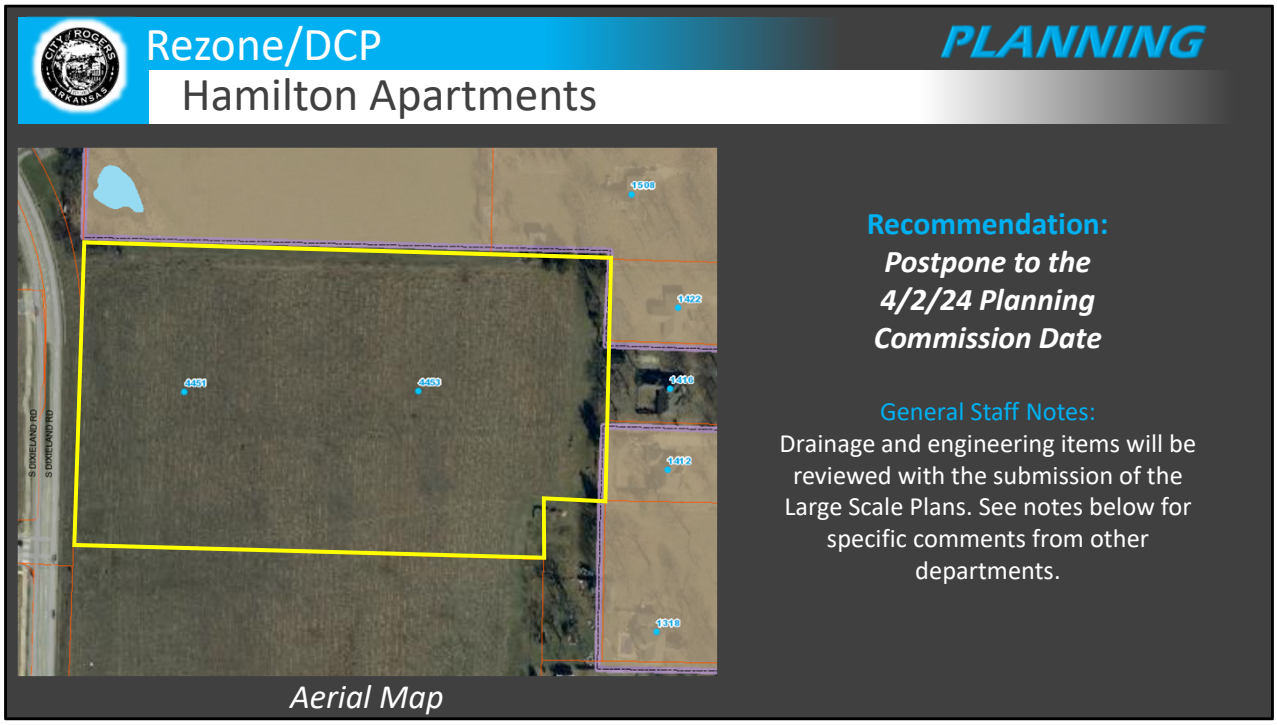
Interstate-adjacent areas intended for development that maximizes land use efficiency through vertical form, shared or hidden parking, horizontal or vertical mixed use, and judicious use of open space. Development should provide walkability and access to multi-modal transportation network. Goals include encouraging compact urban-style design, while discouraging suburban forms such as apartment complexes. (CGM Page 1).

Base Density:

Determined by DCP

Max Density:

Determined by DCP



Public Comments Received:
No comments from the public have been received.

Engineering:
Right-of-way dedication to be required at the intersection of S. Dixieland and S. Pleasant Crossing for a planned round-a-bout.

Risk Reduction:
Ensure that appendix D (105.2 and 105.3) are met in regards to width and aerial access in proximity to building. East side of property layout will be difficult to navigate with fire department apparatus.

Rogers Water Utilities:
A downstream sewer study will be required with any development on this site. Connections to the public water system must be through two independent locations to create a redundant supply for the project.

RECOMMENDATIONS:
Postpone to the 4/2/24 Planning Commission Date.

Possible Committee Motions:
- Move to recommend approval to the full Planning Commission as presented
- Move to recommend denial to the full Planning Commission as presented
- Move to recommend postponement to the full Planning Commission

Possible Planning Commission Motions:
- Move to recommend approval to City Council as presented
- Move to deny the request as presented
- Move to postpone the request (to specified date)

Birdsong, Zachery

From: Jesse Griffin <jess@griffinpe.com>
Sent: Friday, February 16, 2024 1:24 PM
To: Birdsong, Zachery
Cc: John A. Rees; Tiffany Rowe
Subject: Hamilton RZN/DCP

CAUTION: This email originated from outside of the City of Rogers and URL's were detected. Do not click links unless you recognize the sender and know the content is safe.

We are requesting a postponement to the 4/2/24 pc meeting. The justification is rooted in having time to rework the site plan to be consistent with adjacent sites as requested by staff.

Thanks,

Jess Griffin, PE. CFM
Civil Engineer Consultant
11719 Hinson Road, Suite 130E
Little Rock, AR 72212
(501) 690-3456
www.griffinpe.com

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:	The Hamilton @ Rogers, AR
ADDRESS/LOCATION:	4451 & 4453 S Dixieland Road
PROPOSED ZONING:	RMF-32.5B
PROPOSED DENSITY:	approx. 32.5 units per acre
GROSS SITE AREA:	13.94 acres
DWELLING UNITS:	449
BUILDING TYPE:	Apartments

APPLICANT INFORMATION:

APPLICANT/REPRESENTATIVE:	Jess Griffin PE	PHONE:	(501) 690-3456
		EMAIL:	jess@griffinpe.com
PROJECT OWNER/DEVELOPER:	John Rees / Rees Commercial	PHONE:	(501) 223-9298
		EMAIL:	jrees@reescommercial.com
PROPERTY OWNER:	John A & Deborah B Rees	PHONE:	(501) 993-7337
		EMAIL:	jrees@reescommercial.com
REQUEST:	Approval of Density Concept Plan and Rezone		

CITY INFORMATION:

CGM GROWTH DESIGNATION:	Commerce Corridor
CGM GROWTH DESIGNATION PURPOSE/CHARACTER:	To serve as an extension of the Uptown Regional Center in a way that provides for high-intensity development while respecting established residential and commercial patterns along the I-49 corridor. / Interstate-adjacent areas intended for development that maximizes land use efficiency through vertical form, shared or hidden parking, horizontal or vertical mixed-use, and judicious use of open space. Development should provide walkability and access to multi-modal transportation network. Goals include encouraging compact urban-style design, while discouraging suburban forms such as apartment complexes.
BASE DENSITY:	Determined by DCP
MAX DENSITY:	Determined by DCP
CURRENT ZONING:	PUD: C2-CU & RO-CU

APPLICANT SIGNATURE: _____

SUBMITTAL DATE: 1/23/24

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: Jess Griffin PE CFM

ADDRESS: 11719 Hinson Road, #130E, Little Rock, AR 72212 SUITE #: 130

GENERAL LOCATION OF PROPERTY: 4451 & 4453 S Dixieland Road

PARCEL NUMBER: 021400-111

PHONE #: 501-690-3456 EMAIL: JESS@GRIFFINPE.COM

PROPERTY OWNER: John Rees PHONE #: (501) 223-9298

PRESENT USE: Vacant ZONING: PUD: C2-CU & RO-CU

PROPOSED USE: Apartments ZONING: RMF-32.5B

Jess Griffin 01/23/24

Applicant Signature Date

Attachment Checklist:

- X Legal description of property
- X Parcel Number for property
- X Applicant Certification
- X Property Owner Affidavit
- X 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: _____

PROJECT CONTACT INFO

OWNER/DEVELOPER:
JOHN REES
REES COMMERCIAL
11719 HINSON RD, SUITE 130,
LITTLE ROCK, AR, 72212
(501) 993-7337
JREES@REESCOMMERCIAL.COM

ENGINEER:
JESS GRIFFIN PE, CFM
11719 HINSON RD, SUITE 130,
LITTLE ROCK, AR, 72212
(501) 690-3456
JESS@GRIFFINPE.COM

ARCHITECT:
MARY MOLTZAN, AIA, NCARB, LEED AP BD+C
CHARLAN BROCK ASSOCIATES
1770 FENNELL ST,
MAITLAND, FL 32751
(407) 660-8900 X228
MARY@CBAARCHITECTS.COM

LANSCAPE ARCHITECT:
FRANK RIGGINS, ASLA
33 VALLEY FORGE DR,
LITTLE ROCK, AR, 72212
(501) 551-2509
FRIGGINSLA@GMAIL.COM

PROJECT DATA & CALCULATIONS

SITE AREA: 13.94 ACRES 607,198 SQFT
BUILDING COVERAGE: 142,929 SQFT (23.5%)
IMPERVIOUS AREA: 429,039 SQFT (70.0%)
PERVIOUS AREA: 429,039 SQFT (30.0%)
(COMBINES GREENSPACE & PERVIOUS PAVING)
OPEN SPACE AREA: 129,937 SQFT (21.4%)
(RECREATIONAL & PARK AREA)

BUILDING SETBACKS:
FRONT – 50'
SIDE – 45'
REAR – 45'

BUILDING HEIGHT: 59'10"

BUILDING MATERIAL BREAKDOWN:
43% SIDING PANEL
5% LAP SIDING
25% FIBER CEMENT WOOD PANEL
14% STONE
13% GLAZING

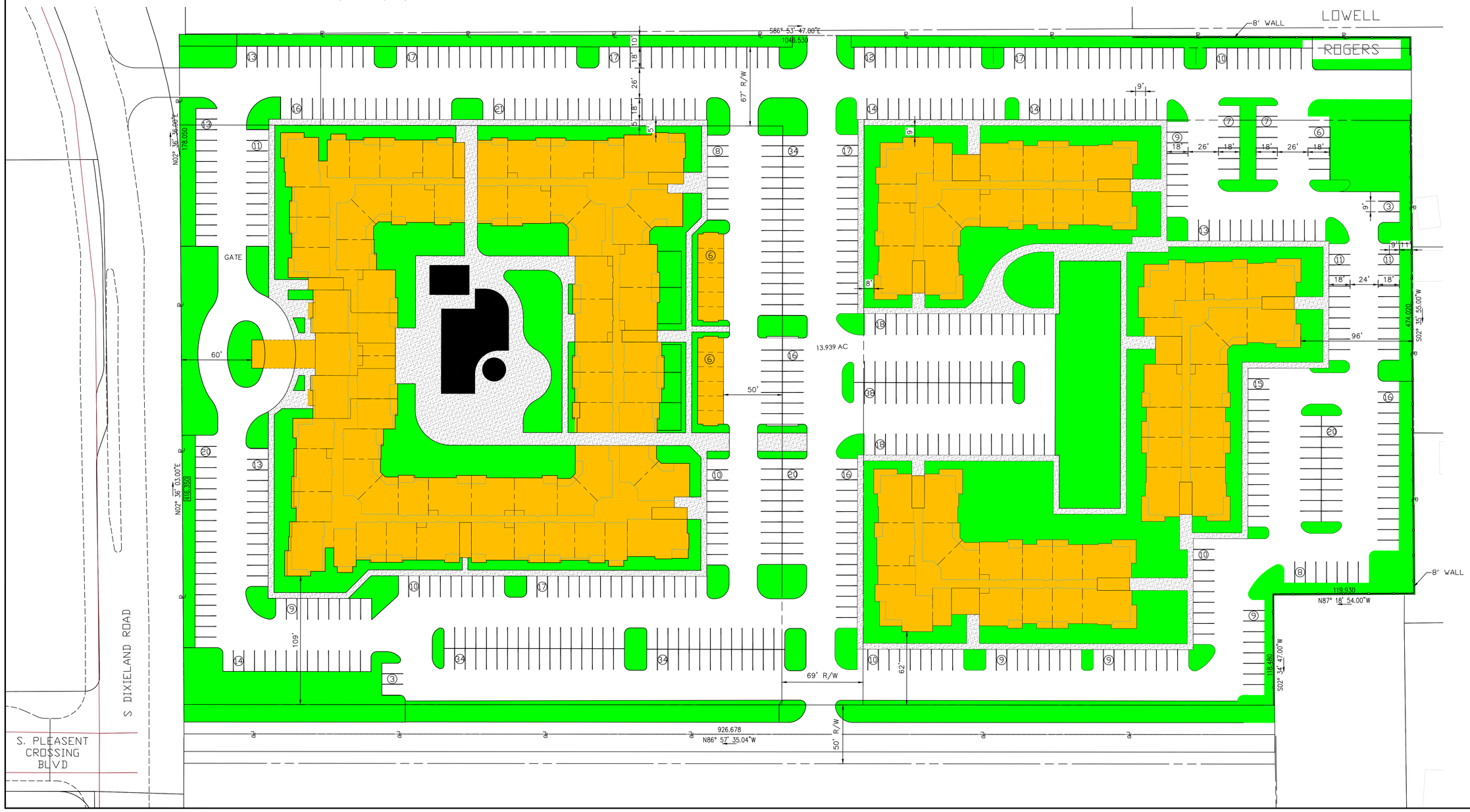
ZONING: EXISTING– PUD C2/CU & PUD RO/CU PROPOSED– RMF32.5B

PROPOSED UNITS: 449 UNITS (32.5 UNITS/ACRE)
PARKING SPACES REQUIRED: 674 (1.50 PARKS/UNIT)

PARKING SPACES PROVIDED: 706 (1.60 PARKS/UNIT)

LEGEND

160,353 SF		CONSTRUCT SF LANDSCAPE AREA
(21,806 SF PERVIOUS) 261,088 SF		CONSTRUCT ASPHALT PAVEMENT
42,828 SF		CONSTRUCT LIGHT DUTY CONCRETE PAVEMENT
0 SF		CONSTRUCT HEAVY DUTY CONCRETE PAVEMENT
142,929 SF		CONSTRUCT BUILDING FOOTPRINT
607,198 SF		



JESS GRIFFIN, PE
11719 HINSON DRIVE
LITTLE ROCK, AR 72212
TEL (501) 690-3456
JESS@GRIFFINPE.COM

REV.	DATE	DESCRIPTION	BY

HAMILTON @ ROGERS APARTMENTS
REES COMMERCIAL
PLEASANT CROSSING, ROGERS, ARKANSAS

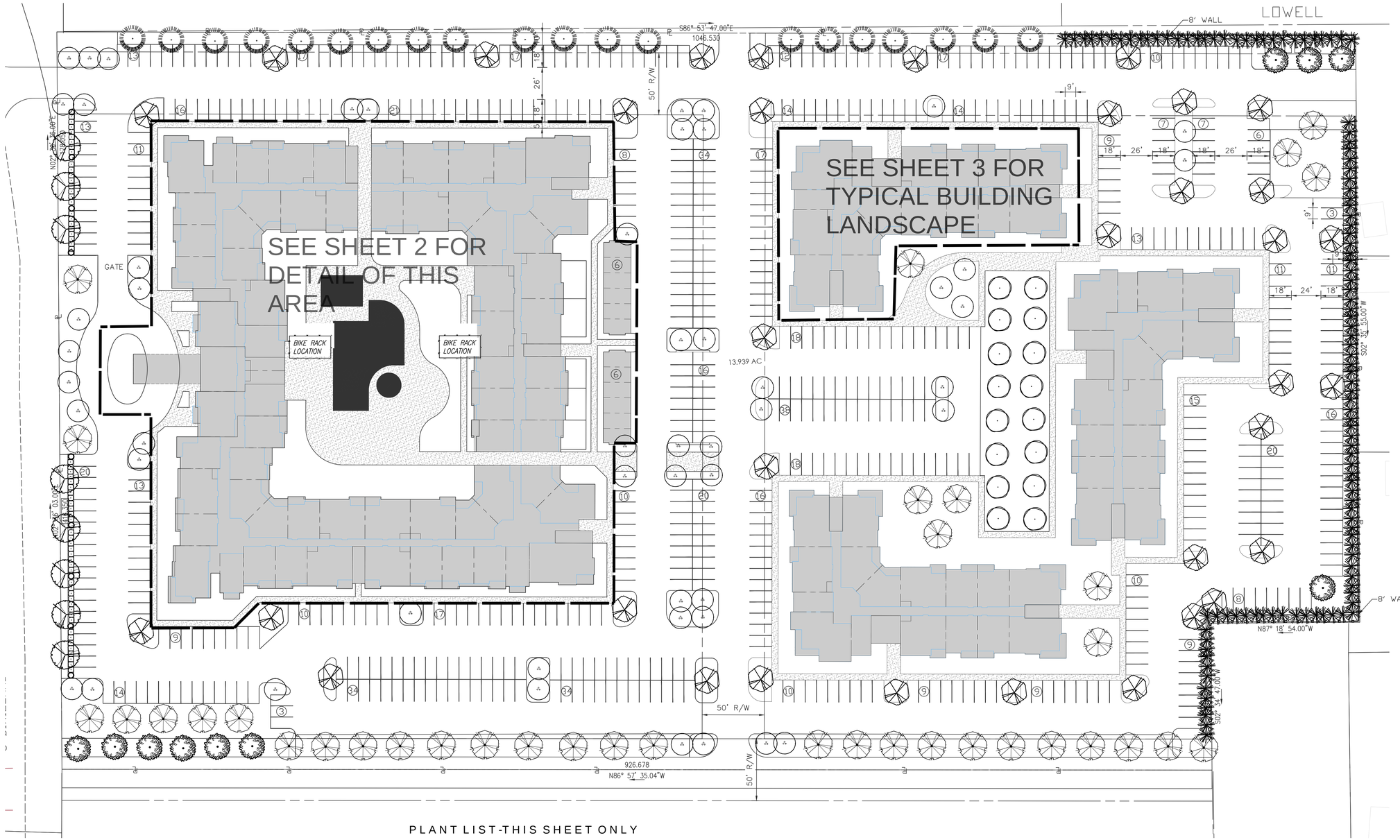
DEVELOPMENT CONCEPT PLAN

STATE OF ARKANSAS
REGISTERED PROFESSIONAL ENGINEER
17170
JESS G. GRIFFIN
NOT FOR CONSTRUCTION
2/9/24

N
W E
S
40 20 0 40

DATE: 2/9/24
DRAWN BY: JGG
SHEET NUMBER:

DCP-1



PLANT LIST-THIS SHEET ONLY

SYMBOL	COMMON NAME	BOTANICAL NAME	SIZE	QTY.
	SWEET BAY MAGNOLIA	MAGNOLIA VIRGINIANA	1 1/2" MIN. CAL. MULTI-TRUNK	52
	CHINESE PISTACHE	PISTACIO CHINENSIS	2" CALIPER	36
	AMERICAN SYCAMORE	PLATANUS OCCIDENTALIS	2" CALIPER	16
	LITTLE GEM MAGNOLIA	MAGNOLIA GRANDIFLORA 'LITTLE GEM'	2" CALIPER	10
	OCTOBER GLORY MAPLE	ACER RUBRUM 'OCTOBER GLORY'	2" CALIPER	36
	COLUMNAR ENGLISH OAK	QUERCUS ROBUR 'FASTIGIATA'	2" CALIPER	8

SYMBOL	COMMON NAME	BOTANICAL NAME	SIZE		QTY.
	LOBLOLLY PINE	PINUS TAEDA	8' MIN. HT.	PLANT ON 8' CENTERS	112
	BALD CYPRESS	TAXODIUM DISTICHUM	2" CAL.		21
	MAIDENGRASS	MISCANTHUS GRACILLIMUS	3 GAL.		9
	DWARF YAUPON HOLLY	ILEX VOMITORIA 'NANA'	3 GAL.		60
LAWN	ZOYSIAGRASS	ZOYSIA JAPONICA	SOLID SOD		20,500 SQ. YDS.

N
W E
S
40 20 0 40

FRANK R. RIGGINS
ARKANSAS
REGISTERED LANDSCAPE ARCHITECT
1843

FRANK R. RIGGINS
LANDSCAPE ARCHITECT
33 VALLEY FORGE DRIVE, LITTLE ROCK, ARKANSAS

REES COMMERCIAL

THE HAMILTON AT ROGERS

ROGERS, ARKANSAS

2 9 24

LANDSCAPE PLAN

L-1

HAMILTON AT ROGERS

VISIONING PACKAGE

REES COMMERCIAL

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@CBAARCHITECTS

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The Inspiration.

Color Pallette

Light Colored Stone

Tan Colored Stone

SW 9612 **Perfect Khaki**	SW 9089 **Llama Wool**	SW 1015 **Skyline Steel**
SW 9597 **Western Reserve**	SW 9613 **Terrain**	SW 9565 **Forged Steel**

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2

The Design.

Elevations
Renders

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The Design. // Front Elevation

Panel

Forestwood | SW 7730

Lap Siding

Threaded Loom | SW 9512

Wood-Textured Panel

Dry Dock | SW7502

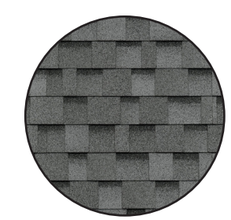
Panel & Trim board

High Reflective White | SW 7757

Country Ledgestone

Aluminum

Iron Ore | SW 7069



Shingle Roof

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6/06
2023

Hamilton at Rogers
CONCEPTUAL DESIGN PACKAGE

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6/06
2023

Hamilton at Rogers
CONCEPTUAL DESIGN PACKAGE

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PROPERTY OWNER AFFIDAVIT

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

LEGAL DESCRIPTION: BEING PART OF THE SW 1/4 OF THE NE 1/4 OF SECTION 35, TOWNSHIP 19 N, RANGE 30 W, BENTON COUNTY, AR, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER OF SAID SECTION 35, AS SHOWN ON PLAT RECORD P3-699, BEING THE E RIGHT-OF-WAY OF PLEASANT CROSSING PKWY, AS SHOWN ON PLAT RECORD 2005-434; THENCE ALONG SAID E R-O-W N02°37'03"E 682.40 FT TO THE POINT OF BEGINNING; THENCE N02°35'53"E 460.17 FT; THENCE LEAVING SAID E R-O-W N02°35'53"E 178.02 FT; THENCE S86°54'14"E 1046.34 FT; THENCE S02°35'23"W 474.02 FT; THENCE N86° 56'44"W 120.05 FT; THENCE N86°57'34"W 926.68 FT TO THE POINT OF BEGINNING, CONTAINING MORE OR LESS 13.94 ACRES.

LAYMAN'S DESCRIPTION:

4451 S DIXIELAND RD

PRESENT ZONING: PUD: C2-CU & R0-CU

ZONING REQUEST: R-MF

Respectfully Submitted,

By: John Rees
(Property Owner Signature)

STATE OF ARKANSAS
COUNTY OF Pulaski

Subscribed and sworn before me this the 20 day of December, 2023.

Tiffany Rowe
Notary Signature

Tiffany Rowe
Notary Name Printed

11/25/2025
Commission Expires

TIFFANY ROWE
NOTARY PUBLIC - ARKANSAS
PULASKI COUNTY
MY COMMISSION EXPIRES 11-25-2025
COMM. # 12696271

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 **February 20, 2024** at **5:30 p.m.** on the application by **The Hamilton** to rezone **4451 & 4453 S. Dixieland Road** from the **C2-CU & RO-CU** (Highway Commercial with Condominium Use & Residential Office with Condominium Use) zoning districts to the **RMF-32.5** (Residential Multifamily, 32.5 units per acre) zoning district with a Density Concept Plan, the property being more particularly described as follows:

PROPERTY DESCRIPTION:
4451 & 4453 S. Dixieland Road
Parcel Number: 02-14400-000

Samantha Best, Secretary
Planning Commission

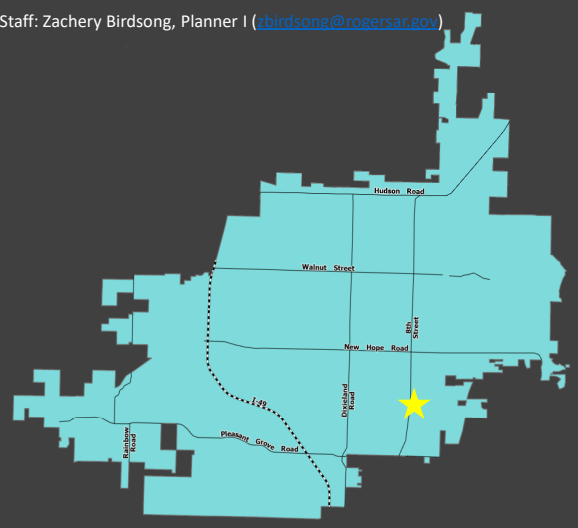
PUBLISH ONE TIME ONLY: **Sunday February 4, 2024**
BILL THE CITY OF ROGERS

Variance

Meadows Railyard

PLANNING

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



Vicinity Map

Location
2339 S. 8th Street

Nature of Request
- To allow variations for the following Overlay District requirements:
  - A reduction in the front 75' setback
  - A reduction in the front 25' bufferyard
  - A requirement to plant trees at a spacing of 20' within the front 25' bufferyard

Zoning
C-4 (Open Display Commercial) and the Overlay District

Proposed Use
Food Truck Court

Representative
Phil Swope, Swope Engineering

Summary:
This site is located in southeast Rogers at the northeast corner of South 8th and West Price Lane. The proposed use is for a food truck court.

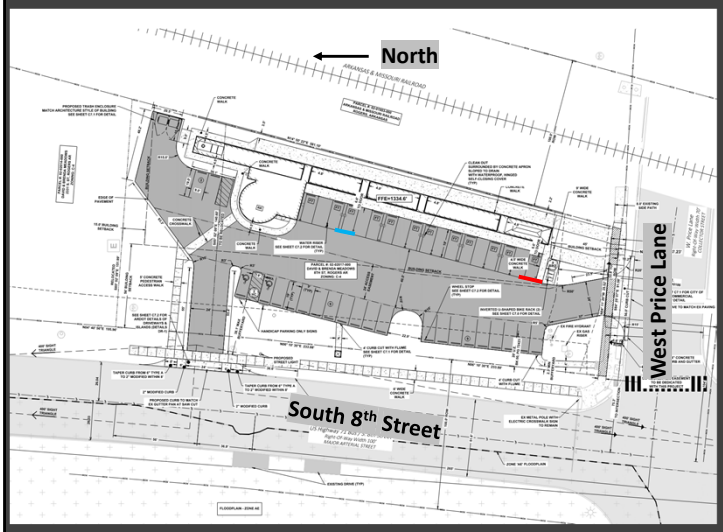
Growth Designation:
Employment Center

Growth Designation Purpose: "To maintain existing industrial activity while providing a location for activities like vehicle repair, construction yards, technology centers, and other physically and visually intense uses with high environmental impacts." CGM Page 1

Variance

Meadows Railyard

PLANNING



Site Plan

Setback Request

- To vary from the front 75' setback requirement
- The applicant is proposing a 56' setback at the closest point (outlined in red) for the canopy structure to be proposed over the food trucks
- As the proposed canopy shifts northeast with the site, the canopy falls outside of the 75' setback (outlined in blue)

Request:

- The applicant is requesting to vary from the front Overlay District setback.

Required Setbacks:

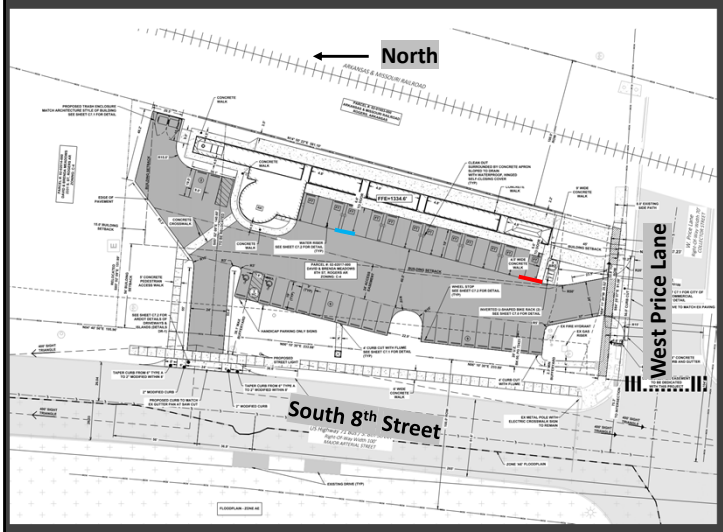
- The Overlay District requires a 75' front setback off of S 8th Street.

Proposed Setbacks:

- The applicant is proposing a setback reduction of, at most, 19' down to 56' (outlined in red) for the canopy hanging over the food trucks.
- The blue outline shows where the canopy would begin to fall outside of the 75' setback.

Variance
Meadows Railyard

PLANNING



Site Plan

Setback Applicant Hardship
"The hardship, in this case, is that the site is extremely small and limited in its geometry."

Setback Applicant Spirit and Intent
"Allowing these variances still meets the purpose and intent of the code because it still provides enough buffering from adjacent property lines. It also still provides plenty of visibility for traffic to see around buildings that could obstruct."

Stated Hardship:

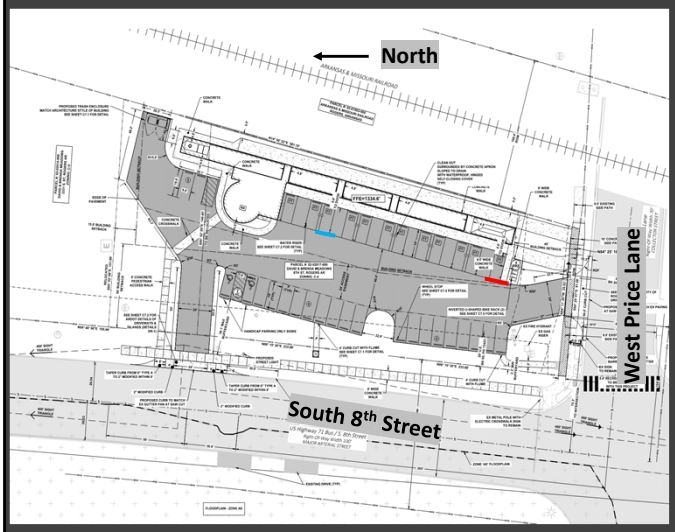
- "The hardship, in this case, is that the site is extremely small and limited in its geometry."

Spirit and Intent:

- "Allowing these variances still meets the purpose and intent of the code because it still provides enough buffering from adjacent property lines. It also still provides plenty of visibility for traffic to see around buildings that could obstruct."

Variance
Meadows Railyard

PLANNING



Zoning

Setback Analysis

- Sec. 14-284(a): "The purpose of the overlay district is to protect and enhance the scenic quality of the City's highways and primary corridors designated below, create design standards for developments, and provide effective land use planning and facilitate traffic flow."
- While the existing lot dimensions of the site do pose restrictions, the owner of this lot owns the property to the north as well. The applicant is proposing to shift the north property line further north with this proposal. The north property line could be shifted even further to the north or the lots could be combined to allow for the development to shift northeast outside of the front setback.

Analysis:

- Sec. 14-284(a): "The purpose of the overlay district is to protect and enhance the scenic quality of the City's highways and primary corridors designated below, create design standards for developments, and provide effective land use planning and facilitate traffic flow."
- The existing lot dimensions do pose restrictions, however, the applicant owns this lot as well as the lot to the north. The applicant is proposing to shift the north property line further north with this proposal.
- The north property line could be shifted even further or the lots could be combined to move the development northeast outside of the front setback.

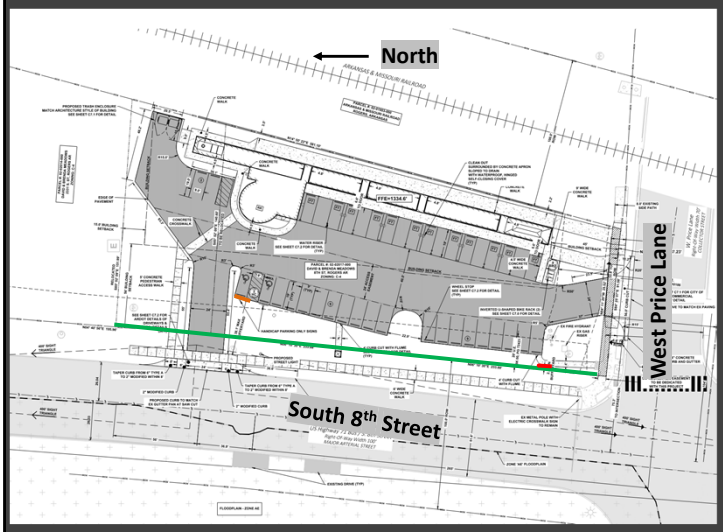
Zoning C-4 (Open Display Commercial):

"This district is intended for business uses which provide essential commercial services and support activities and may have higher environmental impacts in terms of noise, dust, glare, etc., which make them incompatible with the office or retail character of the other business districts. This district is intended for on-site production of handcrafted items in conjunction with retail sales. This district is also intended for businesses that combine wholesale and retail sales and that conduct extensive outdoor activities. This district is intended to function as a transition between industrial development and commercial development." Sec. 14-711(a)

Variance

Meadows Railyard

PLANNING



Site Plan

Bufferyard Request

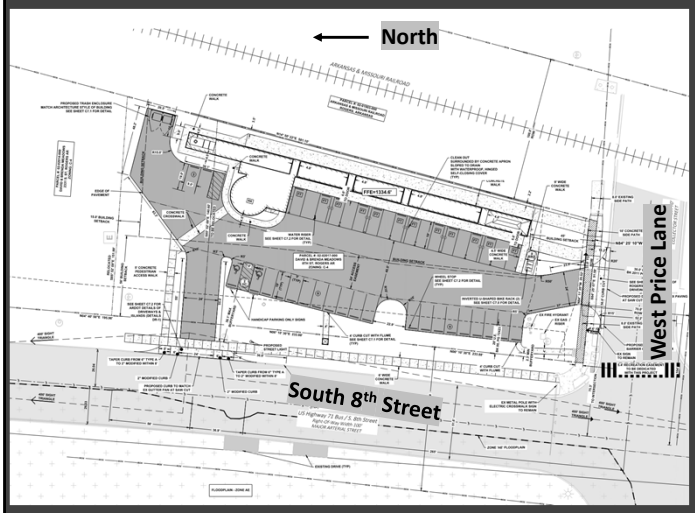
- To vary from the 25' front bufferyard requirement (measured from the right-of-way, outlined in green)
- The applicant is proposing 2.3' of bufferyard at the least (outlined in red)
- As the parking shifts northeast with the site, the bufferyard does begin to meet the 25' requirement (outlined in orange)

Request:

- The applicant is requesting a reduction in the Overlay District front bufferyard requirement from 25' to, at the least, 2.3'.
- As the parking shifts northeast, the bufferyard does begin to meet the 25' requirement.

Variance
Meadows Railyard

PLANNING



Site Plan

Bufferyard Applicant Hardship
"The hardship, in this case, is that the site is extremely small and limited in its geometry."

Bufferyard Applicant Spirit and Intent
"The intent and purpose of the code is still met because open space is added in other areas (through limited parking) and sufficient buffering already exists with street trees."

Stated Hardship:

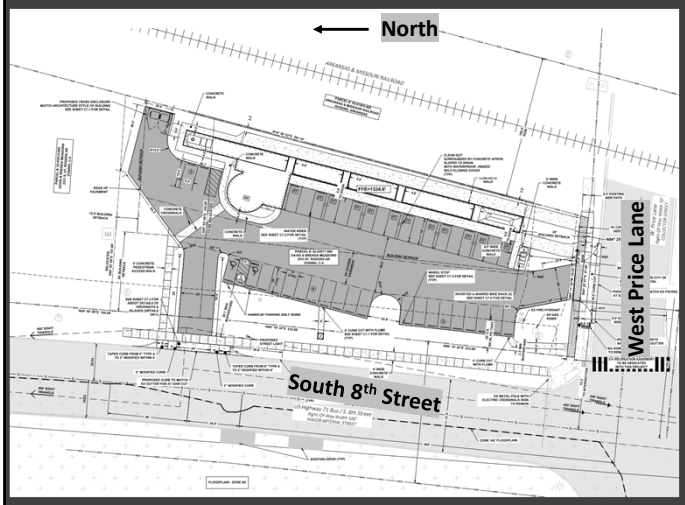
- "The hardship, in this case, is that the site is extremely small and limited in its geometry."

Spirit and Intent:

- "The intent and purpose of the code is still met because open space is added in other areas (through limited parking) and sufficient buffering already exists with street trees."

Variance
Meadows Railyard

PLANNING



Site Plan

Bufferyard Analysis

- Sec. 14-284(a): "The purpose of the overlay district is to protect and enhance the scenic quality of the City's highways and primary corridors designated below, create design standards for developments, and provide effective land use planning and facilitate traffic flow."
- While the existing lot dimensions of the site do pose restrictions, the owner of this lot owns the property to the north as well. The applicant is proposing to shift the north property line further north with this proposal. The north property line could be shifted even further to the north or the lots could be combined to allow for the development have enough space to meet the bufferyard requirements.

Analysis:

- Sec. 14-284(a): "The purpose of the overlay district is to protect and enhance the scenic quality of the City's highways and primary corridors designated below, create design standards for developments, and provide effective land use planning and facilitate traffic flow."
- The existing lot dimensions do pose restrictions, however, the applicant owns the lot to the north in addition to this site. The applicant is already proposing to shift the north property line further north with this proposal.
- The north property line could be shifted even further or the lots could be combined to move the development northeast allowing for the full 25' bufferyard to be met.

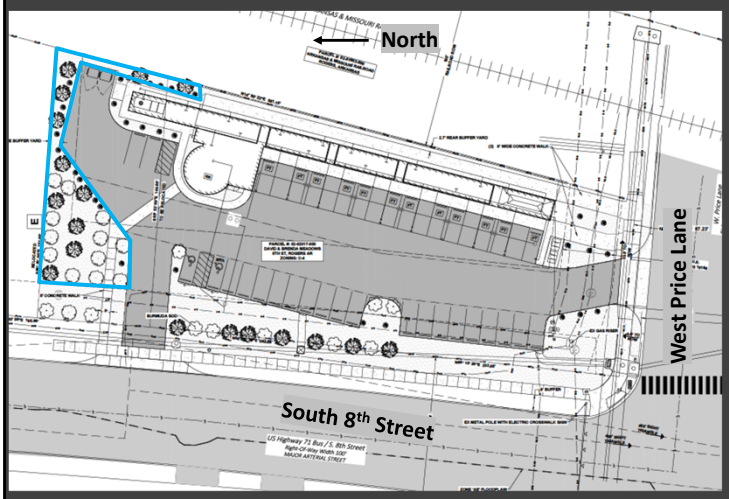
Zoning C-4 (Open Display Commercial):

"This district is intended for business uses which provide essential commercial services and support activities and may have higher environmental impacts in terms of noise, dust, glare, etc., which make them incompatible with the office or retail character of the other business districts. This district is intended for on-site production of handcrafted items in conjunction with retail sales. This district is also intended for businesses that combine wholesale and retail sales and that conduct extensive outdoor activities. This district is intended to function as a transition between industrial development and commercial development." Sec. 14-711(a)

Variance

Meadows Railyard

PLANNING



Site Plan

Frontage Tree Plantings Request

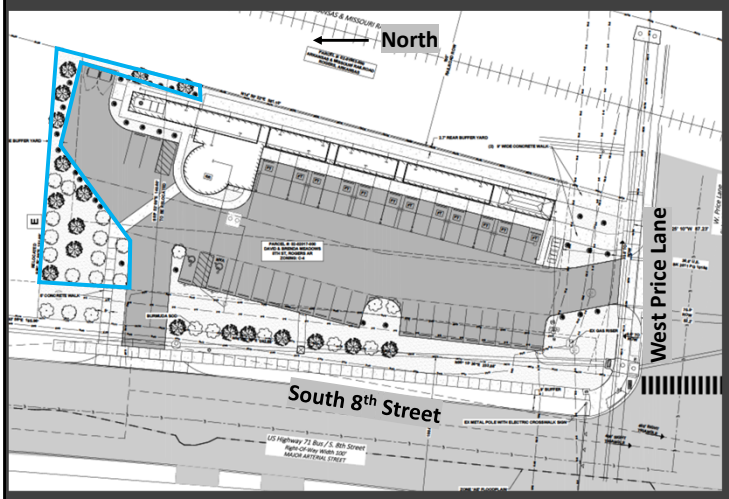
- To vary from the requirement to plant trees at 20' spacing (15 trees) within the 25' bufferyard
- The applicant is proposing the planting of the 15 Overlay Trees, in addition to site landscaping requirements, within the interior portion of the site (outlined in blue).
- The trees seen within the 25' bufferyard along South 8th are proposed street trees.

Request:

- The applicant is requesting to vary from the requirement to plant trees at 20' spacing within the 25' bufferyard.
- Instead, the applicant proposes planting the required 15 Overlay Trees within the site.

Variance
Meadows Railyard

PLANNING



Site Plan

Frontage Tree Plantings Applicant Hardship

"The hardship, in this case, is that the site is extremely small and limited in its geometry."

Frontage Tree Plantings Applicant Spirit and Intent

"The intent and purpose of the code is still being met because trees are added in other areas (through limited parking) and sufficient buffering already exists with street trees."

Stated Hardship:

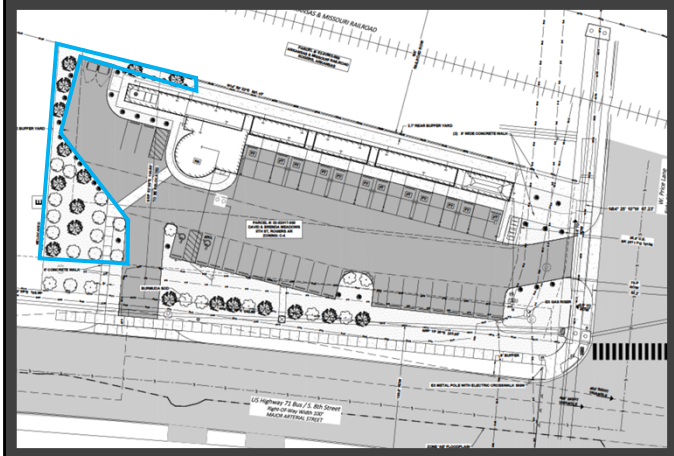
- "The hardship, in this case, is that the site is extremely small and limited in its geometry."

Spirit and Intent:

- "The intent and purpose of the code is still being met because trees are added in other areas (through limited parking) and sufficient buffering already exists with street trees."

Variance
Meadows Railyard

PLANNING



Site Plan

Frontage Tree Planting Analysis

- Sec. 14-284(a): "The purpose of the overlay district is to protect and enhance the scenic quality of the City's highways and primary corridors designated below, create design standards for developments, and provide effective land use planning and facilitate traffic flow."
- While the existing lot dimensions of the site do pose restrictions, the owner of this lot owns the property to the north as well. The applicant is proposing to shift the north property line further north with this proposal. The north property line could be shifted further to the north or the lots could be combined to allow for the development to have more space for the Overlay Trees within the 25' bufferyard.

Analysis:

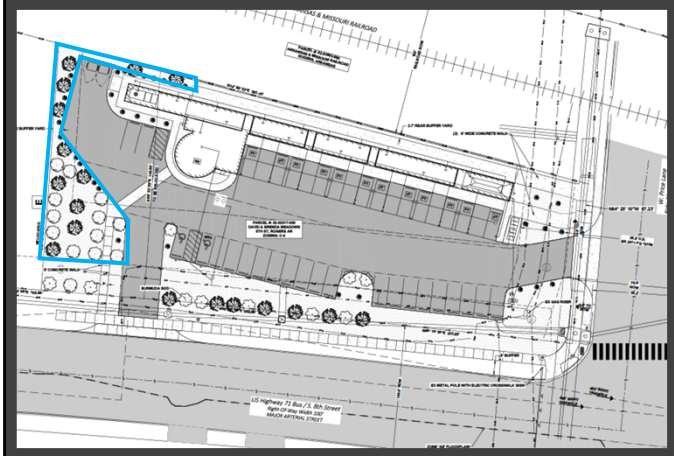
- Sec. 14-284(a): "The purpose of the overlay district is to protect and enhance the scenic quality of the City's highways and primary corridors designated below, create design standards for developments, and provide effective land use planning and facilitate traffic flow."
- The existing lot dimensions do pose restrictions, however, the applicant owns the lot to the north in addition to this site. The applicant is already proposing to shift the north property line further north with this proposal.
- The north property line could be shifted even further or the lots could be combined to move the development northeast providing the space needed to plant the Overlay District Trees.

Zoning C-4 (Open Display Commercial):

"This district is intended for business uses which provide essential commercial services and support activities and may have higher environmental impacts in terms of noise, dust, glare, etc., which make them incompatible with the office or retail character of the other business districts. This district is intended for on-site production of handcrafted items in conjunction with retail sales. This district is also intended for businesses that combine wholesale and retail sales and that conduct extensive outdoor activities. This district is intended to function as a transition between industrial development and commercial development." Sec. 14-711(a)

Variance
Meadows Railyard

PLANNING



Site Plan

Frontage Tree Planting Analysis

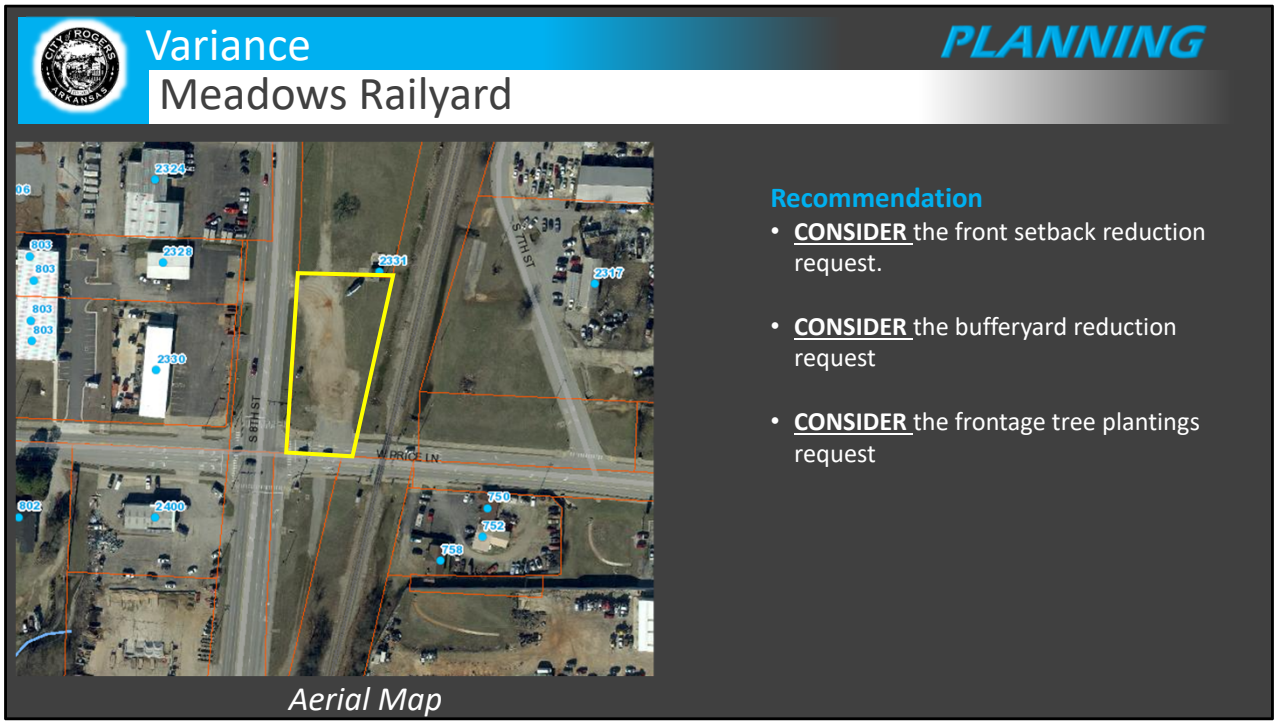
- The applicant is also not providing a stub-out to the north for cross-access which is required. This would result in the removal of some of the trees as shown.
- If the board wishes to grant this tree planting variance, staff recommends requiring shrubs to be planted along the front of the parking.

Analysis:

- The applicant is also not providing a stub-out to the north for cross-access which is required. This would result in the removal of some of the trees as shown.
- If the board wishes to grant this tree planting variance, staff recommends requiring shrubs to be planted along the front of the parking.

Zoning C-4 (Open Display Commercial):

"This district is intended for business uses which provide essential commercial services and support activities and may have higher environmental impacts in terms of noise, dust, glare, etc., which make them incompatible with the office or retail character of the other business districts. This district is intended for on-site production of handcrafted items in conjunction with retail sales. This district is also intended for businesses that combine wholesale and retail sales and that conduct extensive outdoor activities. This district is intended to function as a transition between industrial development and commercial development." Sec. 14-711(a)



Public Input:
No public input received.

Recommendation:
CONSIDER the front setback reduction request.

CONSIDER the bufferyard reduction request

CONSIDER the frontage tree plantings request

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

OFFICE USE ONLY

Permit Fee: _____ ($100) Zoning: _____

App Number: _____

CityView Application: _____

Date: _____

VARIANCE APPLICATION

APPLICANT: Swope Consulting

ADDRESS: 7 Halsted Circle SUITE #: 210

GENERAL LOCATION OF PROPERTY: 8th St and Price Lane

PHONE #: 479-877-7388 EMAIL: phil@swope-consulting.com

PROPERTY OWNER: Dave Meadows PHONE #: _____

REQUEST to ALLOW(Cite Variation[s] from Applicable Section[s] of Code and Proposal): 14-285 (2) and 14-285 (3)

Sec. 14-724(e)(1)(b) requires variance applicants to respond to these two questions for variance consideration:

How does strict enforcement of the code cause undue hardship due to circumstances that are unique to this property?

How will approval of this variance be in keeping with the "spirit and intent" of the code being varied?

Phil Swope David Meadows 1.8.2024

Applicant Signature Date

Attachment Checklist:

- □ Owner Signature on Letter or Application
- □ If needed, additional sheet for above required responses
- □ Survey, elevations, sign proofs and/or other documents as needed to illustrate request

PLANNING STAFF PROVIDES:

BOARD OF ADJUSTMENT DECISION: _____

SECRETARY, BOARD OF ADJUSTMENT DATE of PUBLIC HEARING

January 26th, 2024

Mr. John McCurdy
City of Rogers
301 W Chestnut Street
Rogers, AR 72756

RE: Dave Meadows Development Variance Requests for PC
Price Lane and 8th Street

Dear John:

Please accept this written request for the proposed variance and waiver requests.

1. We are requesting a variance from the front-required setback of 75 feet, code: 14-285(2), for the referenced development project. We are requesting that the front setback be reduced from 75' to 56.0'.
   Mr. Meadows would like to construct a food canopy with faux trains along the property. The offending portion of the "building" is simply a canopy that overhangs the food trucks.
   Allowing these variances still meets the purpose and intent of the code because it still provides enough buffering from adjacent property lines. It also still provides plenty of visibility for traffic to see around buildings that could obstruct.

2. We are requesting a variance from Section 14-285(3), requiring a landscaped area of 25' deep from the r/w along South 8th Street. The code requires this additional buffer in the overlay district, however the shallow depth of this lot would make the site unbuildable. After adding this 25', the lot would only have 22.5' of buildable depth at its shallowest point.
   The project proposes as many plantings as the overlay district requires, but the entire layout is adjusted to make use of the land available.
   The hardship, in this case, is that the site is extremely small and limited in its geometry.
   The intent and purpose of the code is still met because open space is added in other areas (through limiting parking) and sufficient buffering already exists with street trees.

3. We are requesting a variance from Section 14-285(3), requiring that trees are planted within the 25' deep landscaped area at 20-foot spacing. The code requires an additional row of trees beyond the normal street trees in the overlay district, however the shallow depth of this lot makes this unfeasible. Our proposal will still install all overlay trees, but in a separate location.
   The hardship, in this case, is that the site is extremely small and limited in its geometry.
   The intent and purpose of the code is still met because trees are added in other areas (through limiting parking) and sufficient buffering already exists with street trees.

If you have any questions, please call me at 479-685-8399.

Respectfully,

Phil Swope, P.E.
Principal Engineer

PRELIMINARY PLAT LEGEND

FEATURE LINES AND SURVEY SYMBOLS

- PROPERTY LINE
- OFFSITE PROPERTY LINE
- CENTERLINE OF ROAD
- RIGHT-OF-WAY
- FENCE
- ACCESS EASEMENT
- BUILDING SET BACK
- UTILITY EASEMENT
- CURB AND GUTTER
- ASPHALT PAVEMENT
- SET/FOUND REBAR
- SET/FOUND NAIL
- FENCE CORNER POST
- FOUND STONE
- STATE MONUMENT
- SET/FOUND ALUM. MONUMENT
- SET/FOUND COTTON SPINDLE
- SET / FOUND P/K NAIL
- RAILROAD SPIKE
- BENCH MARK (ELEV.)

UTILITY SYMBOLS

- FLARED END SECTION
- CURB INLET
- AREA INLET
- JUNCTION BOX
- GRATE INLET
- SANITARY SEWER
- SEWER SERVICE
- FIRE HYDRANT ASSEMBLY
- WATER VALVE
- WATER SERVICE
- WATER METER
- POWER POLE
- LIGHT
- ELECTRICAL BOX
- TELEPHONE PEDESTAL
- GAS METER
- RR RESTROOM AREA
- FT FOOD TRUCK PARKING

HATCHES

- ASPHALT
- CONCRETE
- FLOOD ZONE
- GRAVEL
- POND
- RECREATION EASEMENT

THIS LEGEND MAY CONTAIN SOME SYMBOLS NOT SHOWN WITHIN THE PLAN OR PLAT VIEW

ZONING - GENERAL COMMERCIAL (C-4) - OVERLAY DISTRICT

OVERLAY DISTRICT BUILDING SETBACKS

FRONT		SOUTH		REAR		NORTH	
CODE/ VARIANCE	PROVIDED	CODE	PROVIDED	CODE/ VARIANCE	PROVIDED	CODE	PROVIDED
75'	56'	45'	45'	15'	0'	15'	15'

BUILDING & SITE AREA CALCULATIONS

TOTAL SITE AREA: 41,055.09 SF OR 0.94 ACRES
USE: FOOD TRUCK COURT
ZONING: C-4 - OVERLAY DISTRICT

DEVELOPMENT AREA: 41,055.09 SF OR 0.94 ACRES
MAXIMUM BUILDING HEIGHT ALLOWED: 85'
PROVIDED BUILDING HEIGHT PROVIDED: 28.2'
MAXIMUM BUILDING AREA ALLOWED: 16,422.04 SF OR 40% SITE COVERAGE
PROVIDED BUILDING AREA: 6826.61 SF OR 16.6% SITE COVERAGE

PROVIDED OPEN SPACE AREA: 10,972.74 SF OR 26.7% GROSS SITE AREA

MAXIMUM IMPERVIOUS AREA ALLOWED: 32,844.08 SF OR 80% SITE AREA
MAXIMUM IMPERVIOUS AREA PROVIDED: 23,255.74 SF OR 56.7% SITE AREA

BUILDING BREAKDOWN:
RESTROOM = 602.39 SF
DINING (SEATING) = 5218.75 SF
STORAGE = 654.08 SF
OFFICE = 351.39 SF

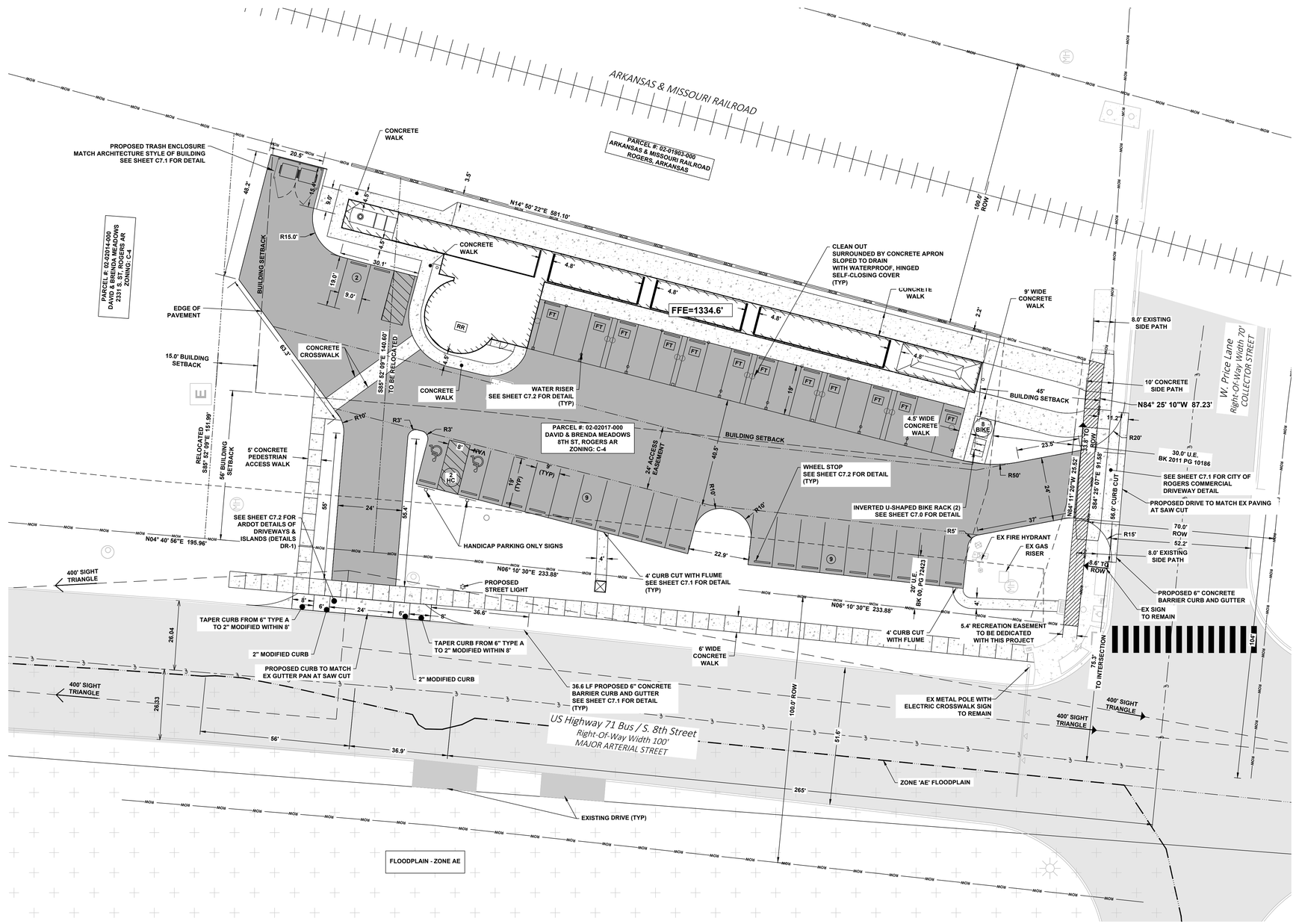
TOTAL SF = 6826.61 SF

PARKING SUMMARY

DESCRIPTION	PARKING REQUIREMENT	NUMBER OF SPACES REQUIRED	NUMBER OF SPACES PROVIDED
FOOD TRUCKS	1 PER 4 OCCUPANTS 1 PER EMPLOYEE	35	20
BIKE PARKING: 1 BICYCLE PARKING RACK PER TWENTY (20) AUTOMOBILE PARKING SPACES		2	8
ACCESSIBLE SPACES (INCLUDING VAN)		2	2
	TOTAL REQUIRED	39	
	TOTAL PROVIDED		22

CITY APPROVAL STAMP

STATE OF ARKANSAS REGISTERED PROFESSIONAL ENGINEER No.11426 PHILLIP R. SWOPE 01-23-24



MISCELLANEOUS INFORMATION

BASIS OF BEARING:
ARKANSAS STATE PLANE, NORTH ZONE (NAD 83), BASED UPON CITY OF BENTONVILLE GPS MONUMENT, CONVERGENCE ANGLE -01°14'14", COMBINED SCALE FACTOR: 1.00001341.

FLOOD INFORMATION

THIS PROPERTY DOES NOT LIE IN ZONE 'X' (SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100-YEAR FLOOD) AS DETERMINED FROM THE F.I.R.M. MAPS OF BENTON COUNTY, ARKANSAS, AND INCORPORATED AREAS, MAP NUMBER 05007C0270K, EFFECTIVE DATE JUNE 5, 2012.

PROJECT ENGINEER

PHIL SWOPE, P.E.
SWOPE ENGINEERING
7 HALSTED CIRCLE, SUITE 210
ROGERS, ARKANSAS 72756
479.685.8399 OFFICE

811 Know what's **below.** **Call** before you dig.

GRAPHIC SCALE 0 20' 40' 1 inch = 20 feet

SITE PLAN
DAVE MEADOWS DEVELOPMENT
2339 S 8TH ST., ROGERS AR 72758
DAVID & BRENDA MEADOWS
30 CHAMPIONS BLVD, ROGERS, AR 72758

NO.	DATE	REVISION
1	01/23/2024	FIRST SUBMITTAL
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SWOPE ENGINEERING
Civil Engineering and Land Surveying
www.swopeengineering.com

DRAWN BY: CARRIE	JOB NUMBER: 23-137
SUBMITTAL DATE: 01/23/2024	CITY NUMBER: PL202300958
DRAWING NAME: 23-137PR.DWG	
SHEET NUMBER: C2.0	

R:\~SWOPE\23-137 MEADOWS RAILYARD\CIVIL DRAWINGS\23-137PR.DWG - PLOTTED ON 1/23/2024 10:32:48 AM @ A SCALE OF 1:1 TO DWG TO PDF.PC3 BY CARRIE ISBELLE

PRELIMINARY PLAT LEGEND

FEATURE LINES AND SURVEY SYMBOLS	UTILITY SYMBOLS	HATCHES
PROPERTY LINE	FLARED END SECTION	ASPHALT
OFFSITE PROPERTY LINE	CURB INLET	CONCRETE
CENTERLINE OF ROAD	AREA INLET	FLOOD ZONE
RIGHT-OF-WAY	JUNCTION BOX	GRAVEL
FENCE	GRATE INLET	POND
ACCESS EASEMENT	SANITARY SEWER	
BUILDING SET BACK	SEWER SERVICE	
UTILITY EASEMENT	FIRE HYDRANT ASSEMBLY	
CURB AND GUTTER	WATER VALVE	
ASPHALT PAVEMENT	WATER SERVICE	
SET/FOUND REBAR	WATER METER	
SET/FOUND NAIL	POWER POLE	
FENCE CORNER POST	LIGHT	
FOUND STONE	ELECTRICAL BOX	
STATE MONUMENT	TELEPHONE PEDESTAL	
SET/FOUND ALUM. MONUMENT	GAS METER	
SET/FOUND COTTON SPINDLE		
SET / FOUND P/K NAIL		
RAILROAD SPIKE		
BENCH MARK (ELEV.)		

THIS LEGEND MAY CONTAIN SOME SYMBOLS NOT SHOWN WITHIN THE PLAN OR PLAT VIEW

PLANT SCHEDULE

PROVIDED	SYM.	COMMON NAME BOTANICAL NAME	SIZE/SPACING/ REMARKS
13		AMERICAN HOLLY ILEX OPACA	4.0" CAL./ B&B AS SHOWN; MATURE HEIGHT & SPREAD: 40-50 FT & 40 FT EVERGREEN PLANTED HT: 8' MIN
10		AUTUMN BLAZE MAPLE	4.0" CAL./ B&B AS SHOWN; MATURE HEIGHT & SPREAD: 40-70 FT 40-60 FT SHADE TREE/DECIDUOUS PLANTED HT:10' MIN
18		REDBUD TREE CERCIS CANADENSIS	4.0" CAL./ B&B AS SHOWN; MATURE HEIGHT 20 FT & SPREAD: 35 FT ORNAMENTAL PLANTED HT: 6' MIN
31		WINTERGREEN BARBERRY (EVERGREEN) Berberis julianae	5 GALLON/ B&B AS SHOWN; MATURE HEIGHT 2-4 FT PLANTED HT: 2' MIN

TOTAL TREES = 41

SITE TREES = 26
STREET TREES = 15 *TREE CLUSTERED DUE TO UTILITY CONFLICT
OVERLAY TREES = 0 *VARIANCE REQUESTED

BUILDING & SITE AREA CALCULATIONS

TOTAL SITE AREA: 41,055.09 SF OR 0.94 ACRES
USE: FOOD TRUCK COURT
ZONING: C-4 - OVERLAY DISTRICT

DEVELOPMENT AREA: 41,055.09 SF OR 0.94 ACRES
MAXIMUM BUILDING HEIGHT ALLOWED: 85'
PROVIDED BUILDING HEIGHT PROVIDED: 28.2'
MAXIMUM BUILDING AREA ALLOWED: 16,422.04 SF OR 40% SITE COVERAGE
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PROVIDED OPEN SPACE AREA: 10,972.74 SF OR 26.7% GROSS SITE AREA

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MAXIMUM IMPERVIOUS AREA PROVIDED: 23,255.74 SF OR 56.7% SITE AREA

BUILDING BREAKDOWN:
RESTROOM = 602.39 SF
DINING (SEATING) = 5218.75 SF
STORAGE = 654.08 SF
OFFICE = 351.39 SF

TOTAL SF = 6826.61 SF

LANDSCAPE REQUIREMENTS:
1 PLANT UNIT PER 1000 SF

TOTAL SITE AREA: 41,055.09 OR 0.94 ACRES
41,055.09 SF / 1000 = 42 PLANTS
42 PLANT UNITS REQUIRED (25% TREES)

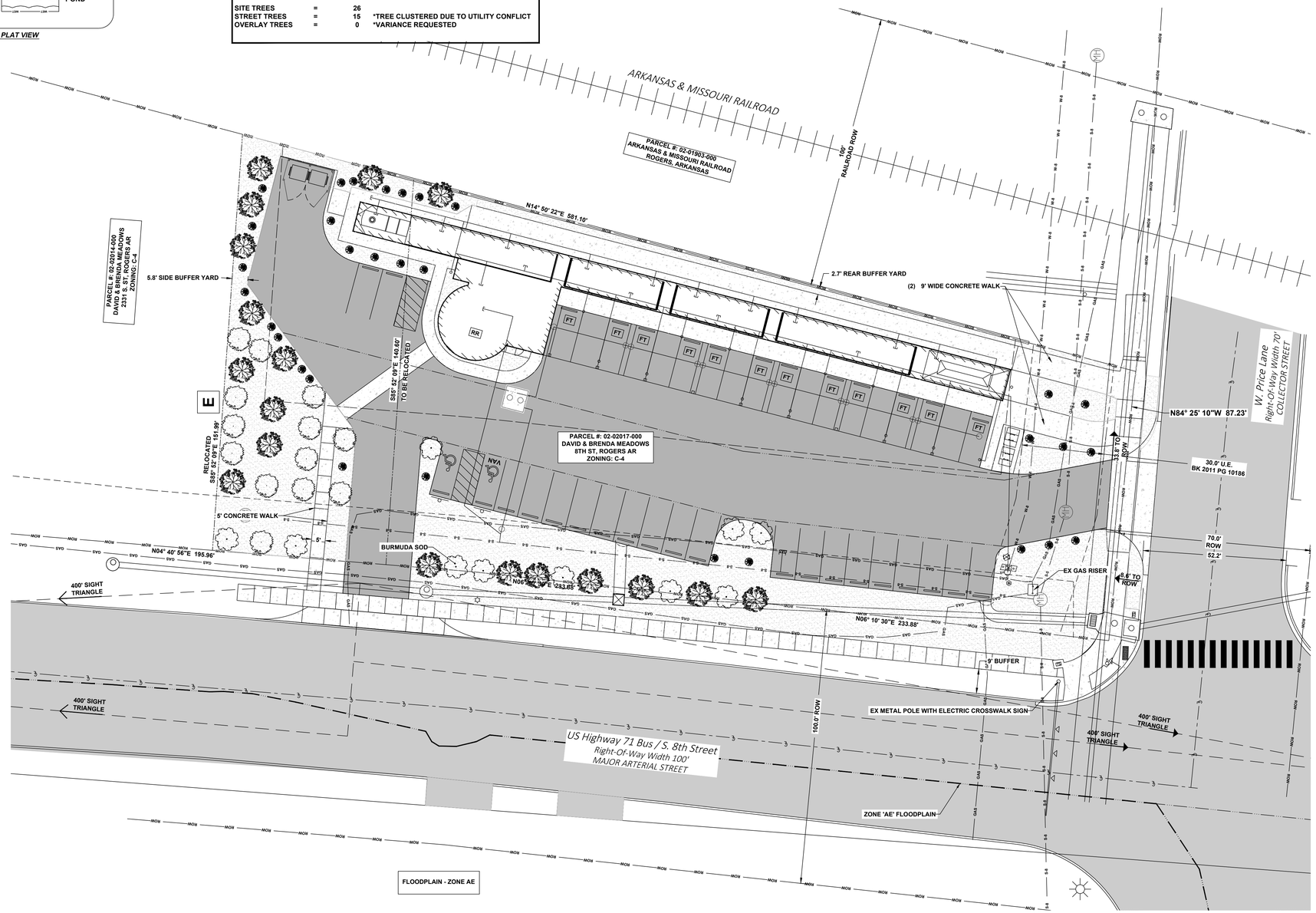
0 EXISTING SHRUBS
0 EXISTING TREES
0 EXISTING PLANT UNITS

31 PROPOSED SHRUBS
33 PROPOSED TREES
64 PROPOSED PLANT UNITS TOTAL

PROVIDED
4 EVERGREEN TREES
11 ORNAMENTAL TREES
3 SHADE/DECIDUOUS TREES
PLUS 15 OVERLAY TREES
INCLUDES:
7 ORNAMENTAL TREES
1 EVERGREEN TREE
7 SHADE TREES

CITY APPROVAL STAMP

STATE OF ARKANSAS REGISTERED PROFESSIONAL ENGINEER No.11426 PHILLIP R. SWOPE



LANDSCAPING NOTES:

1. ONCE INSTALLED, LANDSCAPING SHALL BE MAINTAINED IN HEALTHY LIVING CONDITION AND ALL PLANT MATERIAL THAT DIES SHALL BE REPLACED. (SEC 1400.5.C-10)
2. TREES SHALL NOT BE TOPPED AT ANY TIME AND PROPER TREE PRUNING TECHNIQUES AS ESTABLISHED BY THE LATEST EDITION OF ANSI A300 "STANDARDS FOR ALL TREE CARE" SHALL BE UTILIZED FOR MAINTENANCE PURPOSES. (SEC 1400.5.C-11)
3. HEALTHY TREES SHALL NOT BE REMOVED AT ANY TIME AND PROPER TREE PRUNING TECHNIQUES AS ESTABLISHED BY THE LATEST EDITION OF THE ANSI A300 "STANDARDS FOR TREE CARE" SHALL BE UTILIZED FOR MAINTENANCE PURPOSES. (SEC 1400.5.C-12)
4. LIVING MATERIALS, SUCH AS LAWN, GRASS OR HERBACEOUS GROUND COVERS LIKE JUNIPER OR LIRIOPE, ETC., SHALL COVER A MINIMUM OF EIGHTY PERCENT (80%) OF THE PLANTING ISLANDS. ONE HUNDRED PERCENT (100%) OF LIVING MATERIALS IS STRONGLY ENCOURAGED. (SEC 1400.6.A-8 & 1400.8.G-7)
5. ALL TREES PLANTED IN THE PUBLIC RIGHT-OF-WAY SHALL BE 4" CALIBER AND THE LOWEST LIMB SHALL BE 96" OR HIGHER FROM FINAL GRADE AT TIME OF PLANTING.
6. ALL PROPOSED TREES SHALL BE A MINIMUM OF 5' FROM ALL PUBLIC UTILITIES.
7. PLANTINGS THAT EXCEED THE MINIMUM REQUIREMENTS MAY NOT BE REDUCED ONCE APPROVED BY PLANNING COMMISSION.
8. OWNER/DEVELOPER MUST PROVIDE A 3-YEAR GUARANTEE FOR MAINTAINING AND REPLACING LANDSCAPING BEFORE ISSUANCE OF CERTIFICATE OF OCCUPANCY.

SEEDING AND SODDING NOTE:

1. ALL DISTURBED AREAS UNDER A 10% SLOPE SHALL BE TOPSOILED TO A MINIMUM DEPTH OF 4", FERTILIZED AT A RATE OF 250 POUNDS PER ACRE AND SEEDED WITH ANNUAL RYE GRASS AT A RATE OF 3-4 POUNDS PER 1000 SQUARE FEET AND WITH TURF-TYPE FESCUE AT A RATE OF 8 POUNDS PER 1000 SQUARE FEET, OR SODDED IF THE AREA IS DESIGNATED FOR SOD. THE AREA MUST ALSO BE MULCHED WITH STRAW. THE CONTRACTOR SHALL WATER AND MAINTAIN THE GRASS UNTIL A HEALTHY PERMANENT STAND IS ESTABLISHED.
2. ALL DISTURBED AREAS WITH A 10% TO 15% SLOPE SHALL BE TOPSOILED TO A MINIMUM DEPTH OF 4", FERTILIZED AT A RATE OF 250 POUNDS PER ACRE AND SODDED AND STAKED WITH ZOYSIA GRASS (SEE PLAN FOR AREAS.) IF ANY OTHER SLOPES ARE CREATED BY THE CONTRACTOR ABOVE 10%, THEY SHALL ALSO BE TREATED IN THIS MANNER.
3. ALL AREAS OVER 15% SHALL BE PLANTED AS ABOVE, BUT SHALL ALSO BE COVERED WITH EROSION CONTROL FABRIC AND STAKED.
4. AREAS TO BE SODDED ARE DESIGNATED BY THE DOTTED HATCH AS SHOWN IN THE LEGEND ON THE PLAN.

811 Know what's below. Call before you dig.

GRAPHIC SCALE
0 20' 40'
1 inch = 20 feet

PROJECT ENGINEER
PHIL SWOPE, P.E.
SWOPE ENGINEERING
7 HALSTED CIRCLE, SUITE 210
ROGERS, ARKANSAS 72756
479.685.8399 OFFICE

LANDSCAPE PLAN
DAVE MEADOWS DEVELOPMENT
2339 S 8TH ST., ROGERS AR 72758
DAVID & BRENDA MEADOWS
30 CHAMPIONS BLVD, ROGERS, AR 72758

NO.	DATE	REVISION
1	02/05/2024	FIRST SUBMITTAL

SWOPE ENGINEERING
Civil Engineering and Land Surveying
www.swopeengineering.com

DRAWN BY: CARRIE	JOB NUMBER: 23-137
SUBMITTAL DATE: 02/05/2024	CITY NUMBER: PL202300958
DRAWING NAME: 23-137PR.DWG	
SHEET NUMBER: C6.0	

R:\ SWOPE\23-137 MEADOWS RAILYARD\CIVIL DRAWINGS\23-137PR.DWG - PLOTTED ON 2/5/2024 1:26:51 PM @ A SCALE OF 1:1 TO DWG TO PDF.PC3 BY CARRIE ISBELLE

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** on **February 20, 2024** at **5:30 p.m.** at Rogers City Hall regarding an application by **Meadows Development** under the provisions of the City of Rogers Code of Ordinances, for a variance from **the Overlay District landscape requirements and front setback** at **2339 S. 8th Street** in the C-4 (Open Display Commercial**)** zoning district more particularly described as follows:

PARCEL NUMBER:
02-02017-000

LOCATION:
2339 S. 8th Street

Samantha Best, Secretary
Planning Commission

PUBLISH ONE TIME ONLY: **Sunday February 4, 2024**
BILL THE CITY OF ROGERS