



Office of the City Clerk-Treasurer
301 W. Chestnut
Rogers, Arkansas 72756
479-621-1117
www.rogersar.gov

***AMENDED* COMMITTEE SCHEDULE**

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.

TO: MAYOR
CITY COUNCIL
DEPARTMENT HEADS
PRESS

FROM: Jessica Rush, CITY CLERK-TREASURER

DATE: March 11, 2025

The following committee meetings will be held on **Tuesday, March 11, 2025** prior to the City Council Meeting:

05:30 p.m. - COMMUNITY ENVIRONMENT & WELFARE COMMITTEE: (Minor*, Townzen, Hayes)

Committee Room #1 OR <https://us02web.zoom.us/j/86863608311> OR (312)626-6799 ID: 868 6360 8311

- To Discuss:
- (a) An Ordinance Amending The City Of Rogers Future Land Use Map
 - (b) An Ordinance Amending The City Of Rogers Unified Development Code Section 1.4.3 By Re-Zoning Certain Lands From T4.2 To T5.2 [Map](#)
 - (c) An Ordinance Amending The City Of Rogers Unified Development Code Section 1.4.3 By Re-Zoning Certain Lands From T2 To T5.1 [Map](#)
 - (d) An Ordinance Amending The City Of Rogers Unified Development Code Section 1.4.3 By Re-Zoning Certain Lands From T2 To T4.2, T4.1 And T3.2 [Map](#)
 - (e) An Ordinance Amending The City Of Rogers Unified Development Code Section 1.4.3 By Re-Zoning Certain Lands From T4.1 To T4.2 [Map](#)
 - (f) An Ordinance Amending The City Of Rogers Unified Development Code Section 1.4.3 By Re-Zoning Certain Lands From T2 To T5.2 And T5.1 [Map](#)

06:05 p.m. - PUBLIC SAFETY COMMITTEE: (Wolf*, Reithemeyer, Minor)

Committee Room #1 OR <https://us02web.zoom.us/j/86863608311> OR (312)626-6799 ID: 868 6360 8311

- To Discuss:
- (a) An Ordinance Declaring A Nuisance Structure And Ordering The Razing And Removal Of Said Structure Within The City Of Rogers, Arkansas, Located At 1312 W. Wood Street
 - (b) A Resolution Scheduling A Public Hearing To Determine A Nuisance Structure On Certain Property Located In Rogers, Arkansas
 - (c) A Resolution Scheduling A Public Hearing To Determine A Nuisance Structure On Certain Property Located In Rogers, Arkansas
 - (d) A Resolution Authorizing The Mayor And City Clerk To Enter Into An Agreement With Stryker Sales, LLC Of Chicago, Illinois For The Purchase Of A Power Lift Chair For Use By The Rogers Fire Department

06:15 p.m. - TRANSPORTATION COMMITTEE: (Kendall*, Surly, Minor)

Committee Room #1 OR <https://us02web.zoom.us/j/86863608311> OR (312)626-6799 ID: 868 6360 8311

- To Discuss:
- (a) A Resolution Expressing The Willingness Of The City Of Rogers To Utilize Federal-Aid Funds For The Development Of A City-Wide Pedestrian And Bicycle (Active Mobility) Master Plan
 - (b) Street Closure Request - Splash, Pedal & Sprint [Map & Event Information](#)
-

06:15 p.m. - RESOURCES & POLICY COMMITTEE: (Hayes*, Reithemeyer, Brashear)

Committee Room #2 OR <https://us02web.zoom.us/j/88140557011> OR (312)626-6799 ID: 881 4055 7011

- To Discuss:
- (a) A Resolution Authorizing The Mayor And City Clerk To Enter Into A Right-Of-Way And Utility Easement Agreement With Carroll Electric Cooperative Corp. Of Berryville, Arkansas
 - (b) A Resolution Declaring Certain Real Property As Surplus; Authorizing The Mayor And City Clerk To Enter Into A Real Estate Sales Agreement With Fly Down Holdings, LLC Of Fayetteville, Arkansas For The Sale Of Certain Real Property Owned By The City Of Rogers
 - (c) A Resolution Authorizing The Destruction Of Certain Records Of The City Of Rogers Legal Department
-



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ROGERS CITY COUNCIL
***AMENDED* AGENDA**

MARCH 11, 2025
6:30 PM

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.

In Person Rogers City Council Chambers

OR via [ZOOM LINK](#) OR By Phone (312) 626-6799 ID: 874 1104 8687

PUBLIC HEARING:

1. An Ordinance Declaring A Nuisance Structure And Ordering The Razing And Removal Of Said Structure Within The City Of Rogers, Arkansas, Located At 1312 W. Wood Street

PUBLIC FORUM:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES:

1. February 25, 2025

REPORTS OF BOARDS AND STANDING COMMITTEES:

1. ORD. Re: Declaring A Nuisance Structure And Ordering The Razing And Removal Of Said Structure Within The City Of Rogers, Arkansas, Located At 1312 W. Wood Street PUBLIC SAFETY COMMITTEE
2. RES. Re: Scheduling A Public Hearing To Determine A Nuisance Structure On Certain Property Located In Rogers, Arkansas - 1109 N. 9th Street PUBLIC SAFETY COMMITTEE

- | | | | |
|-----|----------|--|---|
| 3. | RES. Re: | Scheduling A Public Hearing To Determine A Nuisance Structure On Certain Property Located In Rogers, Arkansas - 817 W. Walnut Street | PUBLIC SAFETY COMMITTEE |
| 4. | RES. Re: | Authorizing The Mayor And City Clerk To Enter Into An Agreement With Stryker Sales, LLC Of Chicago, Illinois For The Purchase Of A Power Lift Chair For Use By The Rogers Fire Department | PUBLIC SAFETY COMMITTEE |
| 5. | RES. Re: | Expressing The Willingness Of The City Of Rogers To Utilize Federal-Aid Funds For The Development Of A City-Wide Pedestrian And Bicycle (Active Mobility) Master Plan | TRANSPORTATION COMMITTEE |
| 6. | RES. Re: | Authorizing The Mayor And City Clerk To Enter Into A Right-Of-Way And Utility Easement Agreement With Carroll Electric Cooperative Corp. Of Berryville, Arkansas | RESOURCES & POLICY COMMITTEE |
| 7. | RES. Re: | Declaring Certain Real Property As Surplus; Authorizing The Mayor And City Clerk To Enter Into A Real Estate Sales Agreement With Fly Down Holdings, LLC Of Fayetteville, Arkansas For The Sale Of Certain Real Property Owned By The City Of Rogers | RESOURCES & POLICY COMMITTEE |
| 8. | RES. Re: | Authorizing The Destruction Of Certain Records Of The City Of Rogers Legal Department | RESOURCES & POLICY COMMITTEE |
| 9. | ORD. Re: | Amending The City Of Rogers Future Land Use Map | COMMUNITY ENVIRONMENT & WELFARE COMMITTEE |
| 10. | ORD. Re: | Amending The City Of Rogers Unified Development Code Section 1.4.3 By Re-Zoning Certain Lands From T4.2 To T5.2 | COMMUNITY ENVIRONMENT & WELFARE COMMITTEE |
| 11. | ORD. Re: | Amending The City Of Rogers Unified Development Code Section 1.4.3 By Re-Zoning Certain Lands From T2 To T5.1 | COMMUNITY ENVIRONMENT & WELFARE COMMITTEE |
| 12. | ORD. Re: | Amending The City Of Rogers Unified Development Code Section 1.4.3 By Re-Zoning Certain Lands From T2 To T4.2, T4.1 And T3.2 | COMMUNITY ENVIRONMENT & WELFARE COMMITTEE |
| 13. | ORD. Re: | Amending The City Of Rogers Unified Development Code Section 1.4.3 By Re-Zoning Certain Lands From T4.1 To T4.2 | COMMUNITY ENVIRONMENT & WELFARE COMMITTEE |
| 14. | ORD. Re: | Amending The City Of Rogers Unified Development Code Section 1.4.3 By Re-Zoning Certain Lands From T2 To T5.2 And T5.1 | COMMUNITY ENVIRONMENT & WELFARE COMMITTEE |

OLD BUSINESS:

NEW BUSINESS:

1. ORD. Re: Accepting The Final Plat Of Blossom Woods Phase 2, Rogers, Benton County, Arkansas; The Dedication Of Utility Easements And Other Public Ways
Therein

APPOINTMENTS:

ANNOUNCEMENTS:

ORDINANCE NO. 25-_____

**AN ORDINANCE DECLARING A NUISANCE STRUCTURE AND ORDERING THE
RAZING AND REMOVAL OF SAID STRUCTURE WITHIN THE CITY OF ROGERS,
ARKANSAS, LOCATED AT 1312 W. WOOD STREET; PROVIDING FOR THE
EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

WHEREAS, Larry Brust is the record owner of certain real property situated in Rogers, Benton County, Arkansas, more particularly described as follows:

LEGAL DESCRIPTION: Lot 12, Block 2, Western Terrace, Unit 1 to the City of Rogers, Benton County, Arkansas, as shown in Correction Plat in Benton County Plat Record Book 14 Page 81.

Layman's Description: 1312 W. Wood Street, Rogers, AR 72756
Tax Parcel No. 02-08747-000

WHEREAS, the structure on the property is unfit for human habitation, constitutes a fire hazard, and is otherwise a dangerous to human life, or constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment, and further is unsightly, and is considered an unsafe and unsightly structure in violation of City of Rogers' Code of Ordinance, §§ 18-55 through 18-68; more specifically, the following violations have been found to exist in violation of the International Property Maintenance Code, which is adopted by reference in the Rogers' Code of Ordinances §§ 10-32 and 10-33:

1. 2021 IPMC- section 111.1.1 - Unsafe structures.

An unsafe *structure* is one that is found to be dangerous to the life, health, property or safety of the public or the *occupants* of the *structure* by not providing minimum safeguards to protect or warn *occupants* in the event of fire, or because such *structure* contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

Inspection Findings: The property has damage from the tornado event that occurred May 26/27 2024. The debris and junk accumulation is extensive and poses a public hazard or nuisance. The damage is visible from West Wood Street and from all sides within the property boundaries. The property could be considered unsightly.

2. 2021 IPMC – Section 302.1 Sanitation

Exterior property and *premises* shall be maintained in a clean, safe and sanitary condition. The *occupant* shall keep that part of the *exterior property* that such *occupant* occupies or controls in a clean and sanitary condition.

Inspection findings: The property is inundated with debris, a dismantled vehicle, trash, fallen trees etc. to the extent that the structure itself is nearly impossible to access without climbing over.

3. 2021 IPMC – Section 302 Protective treatment

All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All

metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

Inspection findings: Some windows are broken and attic vents are missing.

4. 2021 IPMC – Section 301.3 Vacant structures and land

All vacant structures and *premises* thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

Inspection findings: The individual that resides on the property appears to have vacated the home and has moved into a makeshift shelter in the front yard.

5. 2021 IPMC – 302.5 Rodent Harborage

Structures and *exterior property* shall be kept free from rodent harborage and *infestation*. Where rodents are found, they shall be promptly exterminated by *approved* processes that will not be injurious to human health. After *pest elimination*, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

Inspection Findings: The accumulation of trash and other materials provides harborage for pests and rodents.

6. 2021 IPMC – 302.8 Motor Vehicles

Except as provided for in other regulations, inoperative or unlicensed motor vehicles shall not be parked, kept or stored on any premises, and vehicles shall not at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth. Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

Inspection Findings: There is an RV in the driveway that may have been damaged by the storm. This vehicle has been modified to store unknown materials but is not drivable.

7. 2021 IPMC – 308.1 Accumulation of rubbish or garbage

Exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

Inspection findings: There are large quantities of trash and debris strewn throughout the property making it unsightly.

8. 2021 IPMC - 305.2 Structural members.

Structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

Inspection findings: Wall studs on the upper level have been stripped of supporting members and are exposed.

WHEREAS, the owner has been notified by the City of Rogers prior to the consideration of this Ordinance, that the structure on the property is in violation of various ordinances of the City of Rogers;

WHEREAS, pursuant to City of Rogers' Code of Ordinances § 18-57, the owner was given fourteen (14) calendar days from December 2, 2024 to abate or correct documented violations;

WHEREAS, pursuant to City of Rogers' Code of Ordinances § 18-57, a follow up inspection was conducted on December 17, 2024;

WHEREAS, the owner has failed, neglected, or refused to comply with the Notice to correct the documented violations, and as such, the matter of condemning, razing and removing

the building may be referred to the City Council pursuant to City of Rogers' Code of Ordinances § 18-58;

WHEREAS, pursuant to City of Rogers' Code of Ordinances § 18-59(d); a Compliance Inspection was conducted by the Office of Building Inspections on March 11, 2025, which concluded that violations do currently exist; and

WHEREAS, pursuant to Ark. Code Ann. § 14-56-203 and City of Rogers' Code of Ordinances Chapter 18, Article III, if repair or removal is not done within the required time frame, the City shall have the power to order the removal or razing of, or to remove or raze any buildings that in the opinion of the Council have become dilapidated, unsightly, unsafe, unsanitary, obnoxious, or detrimental to the public welfare.

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

Section 1: The structure located at 1312 W. Wood Street, Rogers, Arkansas, is dilapidated, unsightly, and unsafe; and is in the best interest of the City of Rogers to proceed with the removal of this dilapidated, unsightly, and unsafe structure;

Section 2: The owner is hereby ordered to raze (demolish) and remove the dilapidated, unsightly, and unsafe structure located on the aforesaid property; and, is further ordered to abate the unsightly conditions on the property. Said work shall be completed within thirty (30) days from the passage of this Ordinance. The manner of razing (demolishing) and removing said structure shall be to dismantled by hand or bulldoze and then disposed of all debris, completely cleaning up the property to alleviate any unsightly conditions, in a manner consistent with City of Rogers' Code of Ordinances Chapters 10, 18, and 20, and all other state laws and regulations pertaining to the demolition or removal of residential structures;

Section 3: If the aforesaid work is not completed within thirty (30) days, the Mayor, or the Mayor's authorized representative, is hereby directed to cause the aforesaid structure to be razed (demolished) and removed; and the unsafe, unsanitary and unsightly conditions abated; and the City of Rogers shall have a lien upon the aforesaid described real property for the cost of razing (demolishing) and removing said structure and abating said aforementioned conditions, said costs to be determined at a hearing before the City Council;

Section 4: Emergency Clause: The need to raze and remove a certain structure is immediate and in order to protect the public peace, health, safety and welfare an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval;

Section 5: Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 6: Repeal of Conflicting Ordinances and Resolutions: All ordinances, resolutions or orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: John Vanetta, Deputy Fire Chief- Risk Reduction
Prepared By: John M. Pesek, Senior Staff Attorney
For Consideration By: Public Safety Committee

RESOLUTION NO. R25-_____

**A RESOLUTION SCHEDULING A PUBLIC HEARING TO DETERMINE A
NUISANCE STRUCTURE ON CERTAIN PROPERTY LOCATED IN ROGERS,
ARKANSAS; AND FOR OTHER PURPOSES.**

WHEREAS, Virgil E Jr. & Pattie J. Leaman, are the owners of certain real property situated in Rogers, Benton County, Arkansas, more particularly described as follows:

LEGAL DESCRIPTION: The North 40 feet of Lot 28, the South 20 feet of Lot 29, the North 30 feet of Lot 29 and the South 12 ½ feet of Lot 30, all located in Block 4 of Rogers Heights Addition to the City of Rogers, Benton County Arkansas as shown in Plat Record “A” at Page 120.

LAYMAN’S DESCRIPTION: 1109 N. 9th Street, Rogers, AR 72756

PARCEL NO.: 02-07215-000

WHEREAS, the owners were given proper notice of numerous violations of the standards provided for in the Rogers’ Code of Ordinances, including the International Property Maintenance Code (“IPMC”) as adopted by reference in Rogers’ Code of Ordinances §§ 10-32 and 10-33, which constitute life, health, or safety violations, located on the property described above, and were instructed to abate the nuisance in accordance with § 18-58 of the Code of Ordinances;

WHEREAS, the property owners of record did not abate the dilapidated, unsightly, unsafe, and unsanitary conditions on this property, and as a result, the City of Rogers requests a hearing to seek a finding that the structure is a nuisance structure in accordance with § 18-59 of the Code of Ordinances; and

WHEREAS, to make a finding that the structure is a nuisance, this City Council shall set a date and time for a public hearing before the City Council for consideration of the dilapidated, unsightly, unsafe, and unsanitary conditions on the above described property.

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

Section 1: A hearing to determine if the structure shall be deemed a nuisance is scheduled for and shall be held along with the regularly scheduled City Council meeting on Tuesday, April 22, 2025 at 6:30 p.m.;

Section 2: The City’s Legal Department will send a copy of this Resolution and its request for a hearing to the property owner as required under § 18-59 of the Code of Ordinances;

Section 3: Severability Provision: If any part of this Resolution is held to be invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4: Repeal of Conflicting Resolutions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this ____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: John Vanatta, Deputy Fire Chief - Risk Reduction

Prepared By: John M. Pesek, Senior Staff Attorney

For Consideration By: Public Safety Committee

RESOLUTION NO. R25-_____

**A RESOLUTION SCHEDULING A PUBLIC HEARING TO DETERMINE A
NUISANCE STRUCTURE ON CERTAIN PROPERTY LOCATED IN ROGERS,
ARKANSAS; AND FOR OTHER PURPOSES.**

WHEREAS, RNR Investments, LLC, is the owner of certain real property situated in Rogers, Benton County, Arkansas, more particularly described as follows:

LEGAL DESCRIPTION: LOT 19, BLOCK 2, WEST END ADDITION TO THE CITY OF ROGERS, BENTON COUNTY, ARKANSAS, EXCEPT A STRIP 116 FEET WIDE OFF OF THE NORTH SIDE THEREOF. ALSO LESS AND EXCEPT: PART OF LOT 19, BLOCK 2, WEST END ADDITION, BEING PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A 1/2 INCH REBAR BEING USED AS THE NORTHEAST CORNER OF LOT 19, BLOCK 2, WEST END ADDITION AS ESTABLISHED BY A PLAT RECORDED IN BOOK 52 AT PAGE 13; THENCE SOUTH 02°17'15" WEST ALONG THE EAST LINE OF SAID LOT 19 A DISTANCE OF 244.16 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY 71 B (WEST WALNUT STREET) AS ESTABLISHED BY AHTD JOB 090338 FOR THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 02°17'15" WEST ALONG SAID LOT LINE A DISTANCE OF 21.84 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY 71B (WEST WALNUT STREET) AS ESTABLISHED BY THE PLAT OF WEST END ADDITION RECORDED IN BOOK 52 AT PAGE 13; THENCE NORTH 87°13'15" WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 100.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF NORTH 9TH STREET AS ESTABLISHED BY A PLAT OF WEST END ADDITION AS RECORDED IN BOOK 52 AT PAGE 13; THENCE NORTH 02°12'35" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 19.13 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY 71 B (WEST WALNUT STREET) AS ESTABLISHED BY AHTD JOB 090338; THENCE SOUTH 88°46'32" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 100.04 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.05 ACRES (2,049 SQUARE FEET) MORE OR LESS, AS SHOWN ON PLANS REFERENCED AS AHTD JOB 090338. JOB 090338

LAYMAN'S DESCRIPTION: 817 W. Walnut Street, Rogers, AR 72756
PARCEL NO.: 02-08684-000

WHEREAS, the owners were given proper notice of numerous violations of the standards provided for in the Rogers' Code of Ordinances, including the International Property Maintenance Code ("IPMC") as adopted by reference in Rogers' Code of Ordinances §§ 10-32 and 10-33, which constitute life, health, or safety violations, located on the property described above, and were instructed to abate the nuisance in accordance with § 18-58 of the Code of Ordinances;

WHEREAS, the property owners of record did not abate the dilapidated, unsightly, unsafe, and unsanitary conditions on this property, and as a result, the City of Rogers requests a hearing to seek a finding that the structure is a nuisance structure in accordance with § 18-59 of the Code of Ordinances; and

WHEREAS, to make a finding that the structure is a nuisance, this City Council shall set a date and time for a public hearing before the City Council for consideration of the dilapidated, unsightly, unsafe, and unsanitary conditions on the above described property.

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

Section 1: A hearing to determine if the structure shall be deemed a nuisance is scheduled for and shall be held along with the regularly scheduled City Council meeting on Tuesday, April 22, 2025 at 6:30 p.m.;

Section 2: The City's Legal Department will send a copy of this Resolution and its request for a hearing to the property owner as required under § 18-59 of the Code of Ordinances;

Section 3: Severability Provision: If any part of this Resolution is held to be invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4: Repeal of Conflicting Resolutions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this ____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: John Vanatta, Deputy Fire Chief - Risk Reduction

Prepared By: John M. Pesek, Senior Staff Attorney

For Consideration By: Public Safety Committee

RESOLUTION NO. R25-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH STRYKER SALES, LLC OF CHICAGO, ILLINOIS FOR THE PURCHASE OF A POWER LIFT CHAIR FOR USE BY THE ROGERS FIRE DEPARTMENT; WAIVING COMPETITIVE BIDDING; AND FOR OTHER PURPOSES.

WHEREAS, the Rogers Fire Department desires to purchase a power lift chair from Stryker Sales, LLC of Chicago, Illinois for use by that department;

WHEREAS, the Rogers fire Department is requesting that City Council waive the requirements for competitive bidding for this purchase due to Stryker Sales, LLC being the sole manufacturer of Stryker's Xpedition powered stair chair Model 6257; and

WHEREAS, this purchase was accounted for in the 2025 budget.

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

Section 1: The Mayor and City Clerk are hereby authorized to enter into an agreement with Stryker Sales, LLC of Chicago, Illinois for the purchase of a power lift chair for use by the Rogers Fire Department in an amount not to exceed one hundred five thousand three hundred forty-five dollars (\$105,345.00);

Section 2: There exists an exceptional circumstance whereby the requirements of competitive bidding are neither practical nor feasible and the City Council, therefore, waives the requirements of competitive bidding for the purchase of a power lift chair for use by the Rogers Fire Department;

Section 3: Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4: Repeal of Conflicting Provisions: All resolutions of the City Council, or part of resolutions of the City Council in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: Chief Hyde, Rogers Fire Department
Prepared by: John M. Pesek, Senior Staff Attorney
For Consideration By: Public Safety Committee

RESOLUTION NO. R25-_____

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF ROGERS TO UTILIZE FEDERAL-AID FUNDS FOR THE DEVELOPMENT OF A CITY-WIDE PEDESTRIAN AND BICYCLE (ACTIVE MOBILITY) MASTER PLAN; AND FOR OTHER PURPOSES.

WHEREAS, Arkansas Department of Transportation and the Northwest Arkansas Regional Planning Commission has issued a call for projects to be funded with Federal-aid funds;

WHEREAS, the funding for selected projects will be at the following Federal and Local participating ratios, up to the maximum Federal-aid available;

Work Type	Work Phase	Federal %	City %
Projects that reach construction	Planning Activities	80	20
	Preliminary Engineering	80	20
	Right-of-Way	80	20
	Utilities	80	20
	Construction	80	20
	Construction Engineering	80	20
Projects that never progress to construction	All Phases	-0-	100

WHEREAS, the estimated cost of the project is two hundred fifty thousand dollars (\$250,000.00), and the City will be responsible for all costs above the federal share; and

WHEREAS, it should be noted that the estimated project cost could change, and it may be necessary to commit additional funds to complete the project as originally proposed.

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

Section 1: The City authorizes the application submittal for a City-wide pedestrian and bicycle (active mobility) master plan;

Section 2: The City will participate in accordance with its designated responsibilities in this project, including providing the local match requirement;

Section 3: The Mayor or his designated representative is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of this City project;

Section 4: The City pledges its full support and hereby authorizes the Arkansas Department of Transportation to initiate action to implement this project;

Section 5: Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 6: Repeal of Conflicting Resolutions: All resolutions or orders of the City Council, or parts of resolutions or orders of the City Council, in conflict with this Resolution, are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: John McCurdy, Community Development Director

Prepared by: John M. Pesek, Senior Staff Attorney

For Consideration By: Transportation Committee

RESOLUTION NO. R25-_____

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO
A RIGHT-OF-WAY AND UTILITY EASEMENT AGREEMENT WITH CARROLL
ELECTRIC COOPERATIVE CORP. OF BERRYVILLE, ARKANSAS; AND FOR
OTHER PURPOSES.**

WHEREAS, The City of Rogers desires to grant Carroll Electric Cooperative Corp. of Berryville, Arkansas a right-of-way and utility easement to place underground utility lines as part of the Net Metering Facility Operating Agreement; and

WHEREAS, the City believes it appropriate to grant Carroll Electric Cooperative Corp. a right-of-way and utility easement containing the following described property:

From the apparent SE Corner of the W ½ of the NW1/4 of Section 30, Township 19 North, Range 30 West in Benton County Arkansas, thence North along the Eastern property line in approximate 340 Feet, thence turning and commencing Westerly an approximate 145 Feet to the Point of Beginning, thence commencing North Easterly an approximate 50 Feet, thence turning and commencing North Easterly an approximate 280 Feet, thence turning Northerly and commencing an approximate 365 feet to the end of the easement being described as an easement 30 Feet in width.

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

Section 1: The Mayor and City Clerk are hereby authorized to enter into a right-of-way and utility easement agreement, and sign all necessary documents, with Carroll Electric Cooperative Corp. of Berryville, Arkansas for the purpose of placing underground utility lines;

Section 2: Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3: Repeal of Conflicting Provisions: All resolutions of the City Council, or parts of resolutions of the City Council, in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: David Hook, Facilities Development Manager

Prepared by: John M. Pesek, Senior Staff Attorney

For Consideration By: Resources & Policy Committee

ATTACHMENT C

Easement Diagram



Produced image is not an exact representation of described easement. Centerline of easement will be determined as constructed.

RESOLUTION NO. R25-_____

**A RESOLUTION DECLARING CERTAIN REAL PROPERTY AS SURPLUS;
AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A REAL ESTATE
SALES AGREEMENT WITH FLY DOWN HOLDINGS, LLC OF FAYETTEVILLE,
ARKANSAS FOR THE SALE OF CERTAIN REAL PROPERTY OWNED BY THE CITY OF
ROGERS; AND FOR OTHER PURPOSES.**

WHEREAS, The City of Rogers is the record owner of 3.27+/- acres of land within a parcel located in the City of Rogers, parcel 02-22701-000 located Northeast of Pine Street, and adjacent southeasterly to the Railyard Bike Park that is no longer needed or used by the City;

WHEREAS, the City of Rogers desires to enter into an agreement for the sale of the surplus property as allowed under Ark. Code Ann. § 14-54-302(a)(1) to Fly Down Holdings, LLC of Fayetteville, Arkansas;

WHEREAS, the City desires to sell the property for a total of six hundred five thousand dollars (\$605,000.00) along with the agreement that the Buyer will contribute funds and dedicate property for a regional sewer pump station on the land; and

WHEREAS, the property to be sold has been appraised by an Arkansas licensed appraiser for six hundred five thousand dollars (\$605,000.00).

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF ROGERS, ARKANSAS, THAT:**

Section 1: The City of Rogers is the record owner of 3.27+/- acres of land within a parcel located in the City of Rogers, parcel 02-22701-000 located Northeast of Pine Street, and adjacent southeasterly to the Railyard Bike Park that is hereby declared surplus;

Section 2: The Mayor and City Clerk are hereby authorized to enter into a real estate sales contract with Fly Down Holdings, LLC of Fayetteville, Arkansas, and sign all necessary documents for the sale of certain land within parcel 02-22701-000 at Northeast of Pine Street, and adjacent southeasterly to the Railyard Bike Park at a purchase price of six hundred five thousand dollars (\$605,000.00) and other good and valuable consideration;

Section 3: Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4: Repeal of Conflicting Resolutions: All resolutions or orders of the City Council, or parts of resolutions or orders of the City Council, in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: C. Greg Hines, Mayor
Prepared by: John M. Pesek, Senior Staff Attorney
For Consideration By: Resources & Policy Committee

RESOLUTION NO. R25- _____

**A RESOLUTION AUTHORIZING THE DESTRUCTION OF CERTAIN RECORDS OF
THE CITY OF ROGERS LEGAL DEPARTMENT; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Rogers Legal Department desires to destroy certain archived court records to create space for current court records; and

WHEREAS, the list of records to be destroyed is set out in the attached Affidavit of Destruction.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF ROGERS, ARKANSAS THAT:**

Section 1: The City of Rogers' Senior Staff Attorney may destroy the following records of the City of Rogers Legal Department pursuant to Ark. Code Ann. §16-10-211;

Section 2: Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3: Repeal of Conflicting Resolutions: All ordinances, resolutions, or orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested and Prepared by: John M. Pesek, Senior Staff Attorney
For Consideration By: Resources & Policy Committee

AFFIDAVIT OF DESTRUCTION OF LEGAL DEPARTMENT RECORDS

I, John M. Pesek, Senior Staff Attorney, do hereby certify that the following records of the Rogers Legal Department, have been retained for at least seven (7) years as specified under Ark. Code Ann. § 16-10-211 and have been audited as required by law. The records listed below, covering the time period stated, are to be destroyed on or about April 22, 2025 by burning/shredding said records.

TYPE OF RECORDS

TIME PERIOD

Senior Staff attorney/city attorney closed case files

2018

Receipts/Receipt listings

2018



Senior Staff Attorney
John M. Pesek

Subscribed and Sworn to me this 6th day of March, 2025.



Notary Public

Notary Public State of Arkansas
Benton County
Maritza Joanna Rosales
My Commission Expires 2/3/2033
Commission Number 12722663

ORDINANCE NO. 25-____

**AN ORDINANCE AMENDING THE CITY OF ROGERS FUTURE LAND USE MAP;
PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

WHEREAS, pursuant to Section 2.9.3 of the Unified Development Code, the Rogers Comprehensive Plan, including the City's Future Land Use Map, must be reviewed at least once annually by the Planning Commission;

WHEREAS, the City's Community Development Department has identified three amendments to the Future Land Use Map and presented such amendments to the Planning Commission on March 4, 2025 and March 10, 2025; and

WHEREAS, the Planning Commission recommends the City Council approve the three identified amendments as attached in Exhibit A.

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

Section 1: The City of Rogers Future Land Use Map shall be amended as depicted on the attached Exhibit A; and

Section 2: Emergency Clause: The need to amend the Future Land Use Map as described herein is immediate in order to protect the public peace, health, safety, and welfare. An emergency is hereby declared to exist and this Ordinance shall be in full force and effect from the date of passage and approval;

Section 3: Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 4: Repeal of Conflicting Provisions: All ordinances, resolutions or orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED this ____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

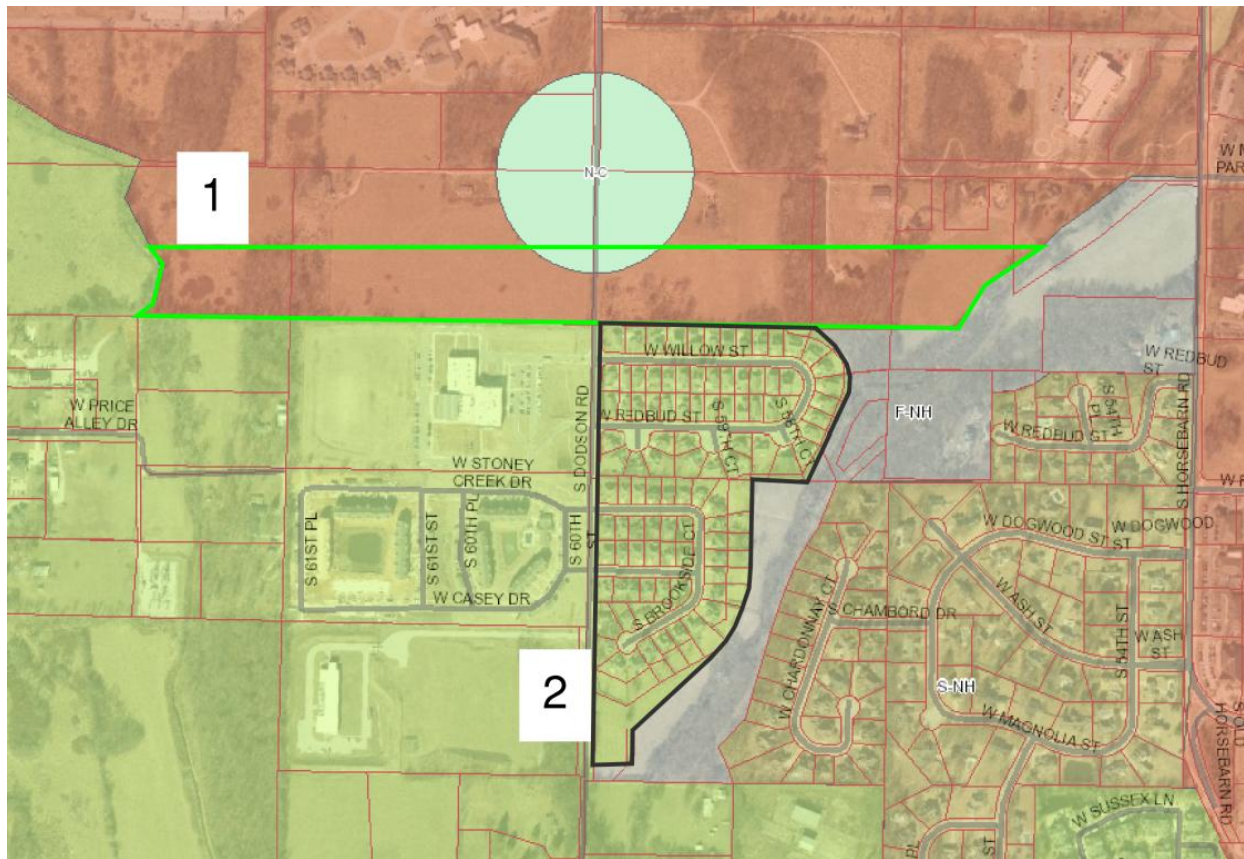
JESSICA RUSH, City Clerk

Requested by: John McCurdy, Director of Community Development

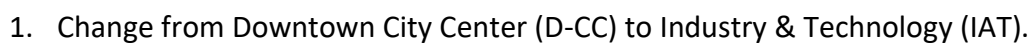
Reviewed by: John M. Pesek, Senior Staff Attorney

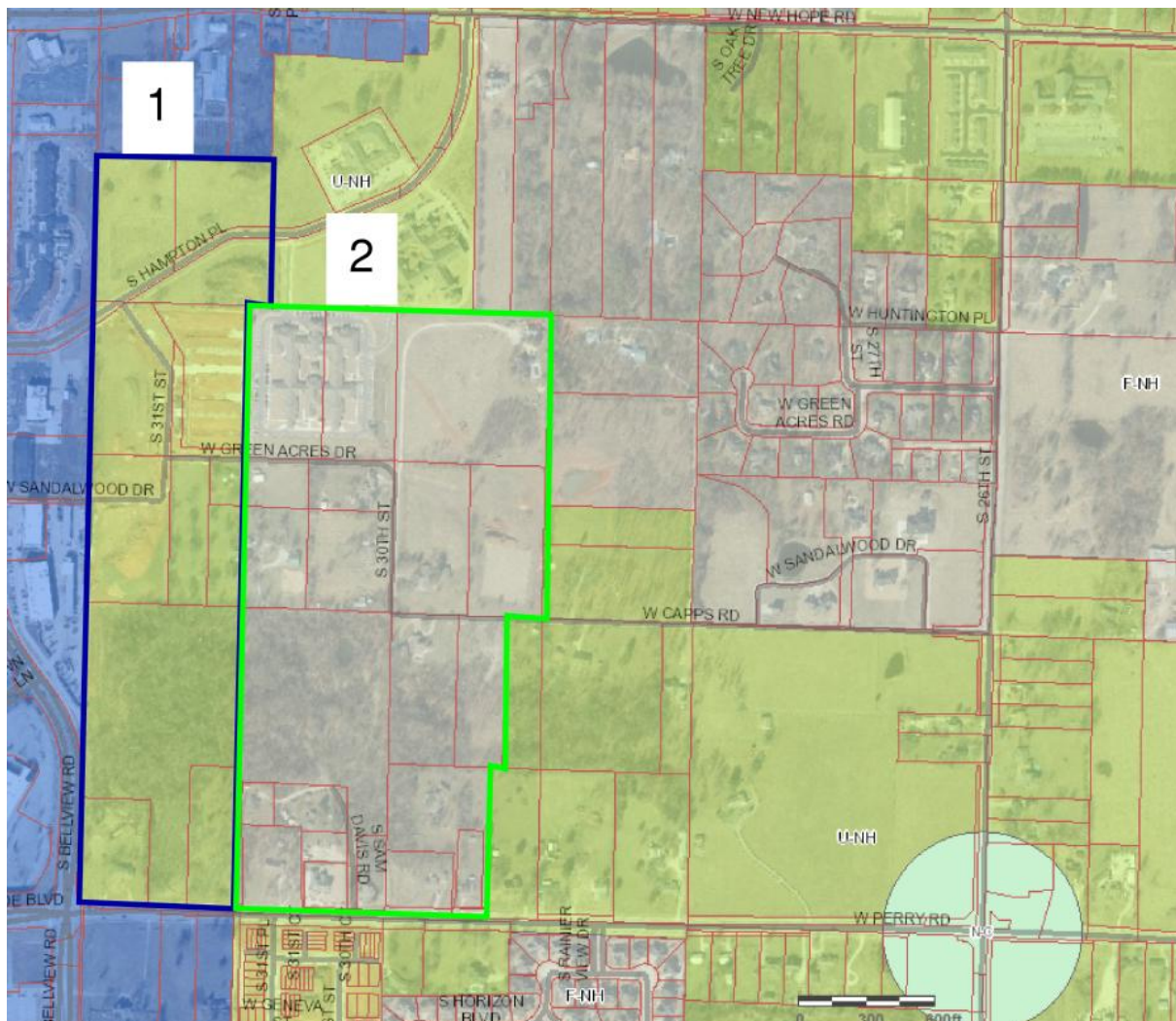
For Consideration By: Community Environment & Welfare Committee

MAR 2025 - FLUM AMENDMENT



1. Change from Regional Corridor (R-CO) to Urban Neighborhood (U-NH).
2. Change from Urban Neighborhood (U-NH) to Suburban Neighborhood (S-NH).





1. Change from Urban Neighborhood (U-NH) to Uptown Regional Center (UT-RC).
2. Change from Neighborhood Fabric (F-NH) to Urban Neighborhood (U-NH).

ORDINANCE NO. 25-_____

AN ORDINANCE AMENDING THE CITY OF ROGERS UNIFIED DEVELOPMENT CODE SECTION 1.4.3 BY RE-ZONING CERTAIN LANDS FROM T4.2 TO T5.2; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to the provisions of the City of Rogers' Unified Development Code § 2.8, *et seq.*, and upon consideration of the report and recommendations of the City of Rogers Planning Commission, the City Council finds it to be in the best interests of the City that certain lands hereinafter described are better suited for T5.2 zoning.

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

Section 1: Section 1.4.3 of the City of Rogers Unified Development Code as well as the City of Rogers Official Zoning Map shall be amended as provided herein;

Section 2: The land described herein shall be zoned as T5.2 and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

Portion to be zoned as T5.2:

PART OF TRACT 2A OF CREEKSIDE PLACE SUBDIVISION, AS PER PLAT RECORD 2005-433 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID TRACT 2A; THENCE ALONG THE EAST LINE THEREOF S01°27'27"W 76.50 FEET TO THE POINT OF BEGINNING; THENCE S01°27'27"W 167.92 FEET TO THE NORTH RIGHT-OF-WAY OF FINANCIAL PARKWAY DRIVE; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING THREE COURSES: THENCE 236.38 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 200.00 FEET AND A LONG CHORD OF S50°57'10"W 222.86 FEET; THENCE S17°05'35"W 117.33 FEET; THENCE 45.62 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 30.00 FEET AND A LONG CHORD OF S60°39'08"W 41.35 FEET TO THE NORTH RIGHT-OF-WAY OF WEST NEW HOPE ROAD; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING THREE COURSES: THENCE N75°47'19"W 121.37 FEET; THENCE N68°32'41"W 272.63 FEET; THENCE N58°24'11"W 111.34 FEET TO THE EAST RIGHT-OF-WAY OF SOUTH 42ND STREET; THENCE ALONG SAID RIGHT-OF-WAY 22.74 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 15.00 FEET AND A LONG CHORD OF N14°58'52"W 20.62 FEET; THENCE ALONG SAID RIGHT-OF-WAY N28°26'28"E 81.07 FEET; THENCE LEAVING SAID RIGHT-OF-WAY N72°35'40"E 506.51 FEET; THENCE N87°04'31"E 197.76 FEET TO THE POINT OF BEGINNING, CONTAINING 4.23 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

Portion to remain T4.2:

PART OF TRACT 2A OF CREEKSIDE PLACE SUBDIVISION, AS PER PLAT RECORD 2005-433 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT 2A, THENCE ALONG THE EAST LINE THEREOF S01°27'27"W 76.50 FEET; THENCE S87°04'31"W 197.76 FEET; THENCE S72°35'40"W 506.51 FEET TO THE EAST RIGHT-OF-WAY OF SOUTH 42ND STREET; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING THREE COURSES: THENCE N28°26'28"E 124.36 FEET; THENCE 92.28 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 230.00 FEET AND A LONG CHORD OF N16°56'48"E 91.66 FEET; THENCE 14.53 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 19.50 FEET AND A LONG CHORD OF N26°48'21"E 14.20 FEET TO THE SOUTH

RIGHT-OF-WAY OF WEST ARAPAHO DRIVE; THENCE ALONG SAID RIGHT-OF-WAY 248.64 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 17324.74 FEET AND A LONG CHORD OF N87°29'11"E 248.63 FEET; THENCE ALONG SAID RIGHT-OF-WAY N87°04'31"E 342.48 FEET TO THE POINT OF BEGINNING, CONTAINING 1.66 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

LAYMAN'S DESCRIPTION:

A portion of parcel 02-17121-000

Section 3: Zoning: The above described lands are better suited for T5.2 (City Medium-Intensity) than T4.2 (Neighborhood High-Intensity) zoning and same should be and are hereby zoned T5.2, with the remainder of the tract retaining its T4.2 designation as identified above;

Section 4: Emergency Clause: The need to bring the proposed use of the property into conformance with the Rogers City Zoning Ordinances is immediate in order to protect the public peace, health, safety, and welfare. An emergency is hereby declared to exist and this Ordinance shall be in full force and effect from the date of passage and approval;

Section 5: Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 6: Repeal of Conflicting Provisions: All ordinances, resolutions or orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED this ____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: John McCurdy, Director of Community Development

Reviewed by: John M. Pesek, Senior Staff Attorney

Prepared by: Zachery Birdsong, Planner

For Consideration By: Community Environment & Welfare Committee

ORDINANCE NO. 25-_____

**AN ORDINANCE AMENDING THE CITY OF ROGERS UNIFIED DEVELOPMENT
CODE SECTION 1.4.3 BY RE-ZONING CERTAIN LANDS FROM T2 TO T5.1;
PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

WHEREAS, pursuant to the provisions of the City of Rogers' Unified Development Code § 2.8, *et seq.*, and upon consideration of the report and recommendations of the City of Rogers Planning Commission, the City Council finds it to be in the best interests of the City that certain lands hereinafter described are better suited for T5.1 zoning.

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

Section 1: Section 1.4.3 of the City of Rogers Unified Development Code as well as the City of Rogers Official Zoning Map shall be amended as provided herein;

Section 2: The land described herein shall be zoned as T5.1 and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

Part of the NE 1/4 of the SE 1/4 of Section 9, Township 19 North, Range 30 West, Benton County Arkansas, described as follows: Beginning at the SW corner of said 40 acres; thence N 02° 40' 21" E, 218.00 feet; thence S 87° 19' 39" E, 468.52 feet; thence S 02° 24' 05" W, 218.15 feet; thence N 87° 18' 33" W, 469.55 feet to the point of beginning. Subject to the road on the West side thereof and subject to a street right-of-way, drainage and utility easement deed found at book 2005, page 56826 of deed records of Benton County, Arkansas.

LAYMAN'S DESCRIPTION:

315 S. Promenade Blvd; Parcel 02-00861-093

Section 3: Zoning: The above described lands are better suited for T5.1 (City Low-Intensity) than T2 (Rural) zoning and same should be and are hereby zoned T5.1;

Section 4: Emergency Clause: The need to bring the proposed use of the property into conformance with the Rogers City Zoning Ordinances is immediate in order to protect the public peace, health, safety, and welfare. An emergency is hereby declared to exist and this Ordinance shall be in full force and effect from the date of passage and approval;

Section 5: Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 6: Repeal of Conflicting Provisions: All ordinances, resolutions or orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: John McCurdy, Director of Community Development

Reviewed by: John M. Pesek, Senior Staff Attorney

Prepared by: Amber Long, Planner II

For Consideration By: Community Environment & Welfare Committee

ORDINANCE NO. 25-_____

AN ORDINANCE AMENDING THE CITY OF ROGERS UNIFIED DEVELOPMENT CODE SECTION 1.4.3 BY RE-ZONING CERTAIN LANDS FROM T2 TO T4.2, T4.1 AND T3.2; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to the provisions of the City of Rogers' Unified Development Code § 2.8, *et seq.*, and upon consideration of the report and recommendations of the City of Rogers Planning Commission, the City Council finds it to be in the best interests of the City that certain lands hereinafter described are better suited for T4.2, T4.1, and T3.2 zoning.

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

Section 1: Section 1.4.3 of the City of Rogers Unified Development Code as well as the City of Rogers Official Zoning Map shall be amended as provided herein;

Section 2: The land described herein shall be zoned as T4.2, T4.1, and T3.2 and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

ENTIRE PARCEL:

PART OF THE SW 1/4 OF THE NE 1/4 AND PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 30, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE NW 1/4 OF THE SE 1/4 OF SAID SECTION 30, SAID POINT BEING A 8"X3" STONE; THENCE ALONG THE SOUTH LINE THEREOF N87°32'03"W 1318.41 FEET TO THE SOUTHWEST CORNER OF THE NW 1/4 OF THE SE 1/4 OF SAID SECTION 30, SAID POINT BEING A 5/8" IRON PIN WITH PS 1460 CAP; THENCE ALONG THE WEST LINE THEREOF N02°31'45"E 1753.80 FEET TO THE SOUTH RIGHT-OF-WAY OF WEST PLEASANT GROVE ROAD, AS DESCRIBED IN DOCUMENT 2017-39403, SAID POINT BEING A 5/8" IRON PIN WITH PS 1519 CAP; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING FIVE COURSES: THENCE 350.86 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 773.00 FEET AND A LONG CHORD OF S71°04'14"E 347.86 FEET TO A 5/8" IRON PIN; THENCE S58°04'03"E 520.94 FEET TO A 5/8" IRON PIN WITH PS 1519 CAP; THENCE S58°03'01"E 257.05 FEET TO A 5/8" IRON PIN; THENCE S55°15'50"E 144.39 FEET TO A 5/8" IRON PIN WITH PS 1519 CAP; THENCE S64°36'11"E 198.96 FEET TO THE EAST LINE OF THE NW 1/4 OF THE SE 1/4 OF SAID SECTION 30, SAID POINT BEING A 5/8" IRON PIN WITH PS 1519 CAP; THENCE ALONG SAID EAST LINE S02°27'13"W 1117.83 FEET TO THE POINT OF BEGINNING, CONTAINING 44.29 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

TRACT 1 - ZONE T4.2

PART OF THE SW 1/4 OF THE NE 1/4 AND PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 30, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NW 1/4 OF THE SE 1/4 OF SAID SECTION 30; THENCE ALONG THE EAST LINE THEREOF N02°27'13"E 1117.83 FEET TO THE SOUTH RIGHT-OF-WAY OF WEST PLEASANT GROVE ROAD, AS DESCRIBED IN DOCUMENT 2017-39403; THENCE ALONG SAID RIGHT-OF-WAY N64°36'11"E 90.56 FEET; THENCE S22°57'44"W 133.15 FEET; THENCE S26°05'56"W 412.15 FEET; THENCE N58°04'03"W 723.82 FEET; THENCE N31°55'57"E 59.68 FEET; THENCE 19.63 FEET

ALONG A CURVE TO THE LEFT WITH A RADIUS OF 50.00 FEET AND A LONG CHORD OF N20°40'57"E 19.51 FEET; THENCE N09°25'57"E 62.57 FEET; THENCE N80°34'03"W 23.06 FEET; THENCE 19.63 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 50.00 FEET AND A LONG CHORD OF N69°19'03"W 19.51 FEET; THENCE N58°04'03"W 21.05 FEET; THENCE 17.98 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 50.00 FEET AND A LONG CHORD OF N68°22'06"W 17.88 FEET; THENCE 117.57 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 250.00 FEET AND A LONG CHORD OF S87°51'28"W 116.49 FEET; THENCE S88°26'24"W 68.94 FEET; THENCE N02°08'43"E 574.11 FEET TO THE SOUTH RIGHT-OF-WAY OF WEST PLEASANT GROVE ROAD, AS DESCRIBED IN DOCUMENT 2017-39403; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING FIVE COURSES: THENCE 178.88 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 773.00 FEET AND A LONG CHORD OF S64°41'49"E 178.48 FEET; THENCE S58°04'03"E 520.94 FEET; THENCE S58°03'01"E 257.05 FEET; THENCE S55°15'50"E 144.39 FEET; THENCE S64°36'11"E 108.40 FEET TO THE POINT OF BEGINNING, CONTAINING 12.95 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

TRACT 2 - ZONE T4.1

PART OF THE SW 1/4 OF THE NE 1/4 AND PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 30, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NW 1/4 OF THE SE 1/4 OF SAID SECTION 30; THENCE ALONG THE EAST LINE THEREOF N02°27'13"E 650.87 FEET; THENCE LEAVING SAID EAST LINE N87°32'47"W 295.34 FEET TO THE POINT OF BEGINNING; THENCE S26°04'21"W 213.82 FEET; THENCE 284.39 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 169.95 FEET AND A LONG CHORD OF S74°00'44"W 252.35 FEET; THENCE N58°04'03"W 417.61 FEET; THENCE 124.19 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 100.00 FEET AND A LONG CHORD OF N22°29'20"W 116.36 FEET; THENCE N13°05'23"E 182.42 FEET; THENCE 32.89 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 100.00 FEET AND A LONG CHORD OF N22°30'40"E 32.74 FEET; THENCE N31°55'57"E 127.35 FEET; THENCE S58°04'03"E 723.82 FEET TO THE POINT OF BEGINNING, CONTAINING 14.32 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

TRACT 3 - ZONE T3.2

PART OF THE SW 1/4 OF THE NE 1/4 AND PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 30, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE NW 1/4 OF THE SE 1/4 OF SAID SECTION 30; THENCE ALONG THE SOUTH LINE THEREOF N87°32'03"W 1318.41 FEET TO THE SOUTHWEST CORNER OF THE NW 1/4 OF THE SE 1/4 OF SAID SECTION 30; THENCE ALONG THE WEST LINE THEREOF N02°31'45"E 1753.80 FEET TO THE SOUTH RIGHT-OF-WAY OF WEST PLEASANT GROVE ROAD, AS DESCRIBED IN DOCUMENT 2017-39403; THENCE ALONG SAID RIGHT-OF-WAY THENCE 171.98 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 773.00 FEET AND A LONG CHORD OF S77°42'00"E 171.63 FEET; THENCE S02°08'43"W 574.11 FEET; THENCE N88°26'24"E 68.94 FEET; THENCE 117.57 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 250.00 FEET AND A LONG CHORD OF N87°51'28"E 116.49 FEET; THENCE 17.98 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 50.00 FEET AND A LONG CHORD OF S68°22'06"E 17.88 FEET; THENCE S58°04'03"E 21.05 FEET; THENCE 19.63 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 50.00 FEET AND A LONG CHORD OF S69°19'03"E 19.51 FEET; THENCE S80°34'03"E 23.06 FEET; THENCE S09°25'57"W 62.57 FEET; THENCE 19.63 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 50.00 FEET AND A LONG CHORD OF S20°40'57"W 19.51 FEET; THENCE S31°55'57"W 187.03 FEET; THENCE 32.89 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 100.00 FEET AND A LONG CHORD OF S22°30'40"W 32.74 FEET; THENCE S13°05'23"W 182.42 FEET; THENCE 124.19 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 100.00 FEET AND A LONG CHORD OF S22°29'20"E 116.36 FEET; THENCE S58°04'03"E 417.61 FEET; THENCE

284.39 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 169.95 FEET AND A LONG CHORD OF N74°00'44"E 252.35 FEET; THENCE N26°04'21"E 213.82 FEET; THENCE N26°05'56"E 412.15 FEET; THENCE N22°57'44"E 133.15 FEET TO THE SOUTH RIGHT-OF-WAY OF WEST PLEASANT GROVE ROAD, AS DESCRIBED IN DOCUMENT 2017-39403; THENCE ALONG SAID RIGHT-OF-WAY S64°36'11"E 90.56 FEET; THENCE S02°27'13"W 1117.83 FEET TO THE POINT OF BEGINNING, CONTAINING 24.96 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

LAYMAN'S DESCRIPTION:

SW Corner of W Pleasant Grove Road and S Rainbow Road; 02-24422-000

Section 3: Zoning: The above described lands are better suited for T4.2 (Neighborhood High-Intensity) in Tract 1, T4.1 (Neighborhood Medium-Intensity) in Tract 2, and T3.2 (Neighborhood Low-Intensity) in Tract 3 rather than T2 (Rural) zoning and same should be and are hereby zoned T4.2, T4.1, and T3.2;

Section 4: Emergency Clause: The need to bring the proposed use of the property into conformance with the Rogers City Zoning Ordinances is immediate in order to protect the public peace, health, safety, and welfare. An emergency is hereby declared to exist and this Ordinance shall be in full force and effect from the date of passage and approval;

Section 5: Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 6: Repeal of Conflicting Provisions: All ordinances, resolutions or orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: John McCurdy, Director of Community Development

Reviewed by: John M. Pesek, Senior Staff Attorney

Prepared by: Nicholas Little, Planner

For Consideration By: Community Environment & Welfare Committee

ORDINANCE NO. 25-____

AN ORDINANCE AMENDING THE CITY OF ROGERS UNIFIED DEVELOPMENT CODE SECTION 1.4.3 BY RE-ZONING CERTAIN LANDS FROM T4.1 TO T4.2; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to the provisions of the City of Rogers' Unified Development Code § 2.8, *et seq.*, and upon consideration of the report and recommendations of the City of Rogers Planning Commission, the City Council finds it to be in the best interests of the City that certain lands hereinafter described are better suited for T4.2 zoning.

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

Section 1: Section 1.4.3 of the City of Rogers Unified Development Code as well as the City of Rogers Official Zoning Map shall be amended as provided herein;

Section 2: The land described herein shall be zoned as T4.2 and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

PART OF THE NW 1/4 OF THE NE 1/4 OF SECTION 12, TOWNSHIP 19 NORTH, RANGE 30 WEST, MORE PARTICULARLY DESCRIBED AS FOLLOWS: STARTING AT THE SOUTHWEST CORNER OF SAID NW 1/4 OF THE NE 1/4, WHICH IS THE POINT OF BEGINNING, THENCE NORTH 0 DEGREES 33 MINUTES 23 SECONDS WEST, 185.00 FEET; THENCE EAST 161.00 FEET; THENCE SOUTH 0 DEGREES 33 MINUTES 23 SECONDS EAST 185.00 FEET; THENCE WEST 161.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.68 ACRES, MORE OR LESS. SUBJECT TO THE STREETS ON THE WEST AND SOUTH SIDES THEREOF.

LAYMAN'S DESCRIPTION:

721 W Persimmon St.; Parcel 02-01096-000

Section 3: Zoning: The above described lands are better suited for T4.2 (Neighborhood High-Intensity) than T4.1 (Neighborhood Medium-Intensity) zoning and same should be and are hereby zoned T4.2;

Section 4: Emergency Clause: The need to bring the proposed use of the property into conformance with the Rogers City Zoning Ordinances is immediate in order to protect the public peace, health, safety, and welfare. An emergency is hereby declared to exist and this Ordinance shall be in full force and effect from the date of passage and approval;

Section 5: Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 6: Repeal of Conflicting Provisions: All ordinances, resolutions or orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED this ____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: John McCurdy, Director of Community Development

Reviewed by: John M. Pesek, Senior Staff Attorney

Prepared by: Amber Long, Planner II

For Consideration By: Community Environment & Welfare Committee

ORDINANCE NO. 25-_____

AN ORDINANCE AMENDING THE CITY OF ROGERS UNIFIED DEVELOPMENT CODE SECTION 1.4.3 BY RE-ZONING CERTAIN LANDS FROM T2 TO T5.2 AND T5.1; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to the provisions of the City of Rogers' Unified Development Code § 2.8, *et seq.*, and upon consideration of the report and recommendations of the City of Rogers Planning Commission, the City Council finds it to be in the best interests of the City that certain lands hereinafter described are better suited for T5.2 and T5.1 zoning.

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

Section 1: Section 1.4.3 of the City of Rogers Unified Development Code as well as the City of Rogers Official Zoning Map shall be amended as provided herein;

Section 2: The land described herein shall be zoned as T5.2 and T5.1 and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

ENTIRE PROPERTY:

THE WEST 1/2 OF THE NW 1/4 OF THE SW 1/4 OF SECTION 22, TOWNSHIP 19 NORTH, RANGE 30 WEST, CITY OF ROGERS, BENTON COUNTY, ARKANSAS, AS SHOWN ON SURVEY RECORDED IN PLAT RECORD 34 AT PAGE 89. LESS AND EXCEPT: BEGINNING AT THE SW CORNER OF THE SAID NW 1/4 OF THE SW 1/4; THENCE NORTH 00°16'00" WEST 462.80 FEET; THENCE NORTH 89°31'30" EAST 283.08 FEET; THENCE SOUTH 00°16'00" EAST 462.80 FEET; THENCE SOUTH 89°31'30" WEST 283.08 FEET TO THE POINT OF BEGINNING.

TRACT 1 – ZONE T5.1

PART OF THE NW 1/4 OF THE SW 1/4 OF SECTION 22, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NW 1/4 OF THE SW 1/4 OF SAID SECTION 22, SAID POINT BEING THE NORTHWEST CORNER OF PARCEL 02-01694-165; THENCE ALONG THE NORTH LINE OF SAID PARCEL S87°06'32"E 489.95 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE S87°06'32"E 175.00 FEET TO THE NORTHEAST CORNER OF SAID PARCEL; THENCE ALONG THE EAST LINE THEREOF S02°43'04"W 699.46 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL; THENCE ALONG THE SOUTH LINE THEREOF N86°56'50"W 175.00 FEET; THENCE LEAVING SAID SOUTH LINE N02°43'04"E 698.96 FEET TO THE POINT OF BEGINNING, CONTAINING 2.81 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

AND

PART OF THE NW 1/4 OF THE SW 1/4 OF SECTION 22, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NW 1/4 OF THE SW 1/4 OF SAID SECTION 22; THENCE S87°06'32"E 664.95 FEET; THENCE S02°43'04"W 699.46 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE NORTHEAST CORNER OF PARCEL 02-01694-175; THENCE ALONG THE EAST LINE THEREOF S02°43'04"W 624.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL; THENCE ALONG THE SOUTH LINE THEREOF N86°56'50"W 175.00 FEET; THENCE LEAVING SAID SOUTH LINE N02°43'04"E 624.00 FEET TO THE NORTH LINE OF SAID PARCEL; THENCE ALONG SAID NORTH LINE S86°56'50"E 175.00 FEET TO THE POINT OF BEGINNING, CONTAINING 2.51 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

TRACT 2 – ZONE T5.2

PART OF THE NW 1/4 OF THE SW 1/4 OF SECTION 22, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NW 1/4 OF THE SW 1/4 OF SAID SECTION 22, SAID POINT BEING THE NORTHWEST CORNER OF PARCEL 02-01694-165; THENCE ALONG THE NORTH LINE OF SAID PARCEL S87°06'32"E 489.95 FEET; THENCE LEAVING SAID NORTH LINE S02°43'04"W 698.96 FEET TO THE EAST LINE OF SAID PARCEL; THENCE ALONG SAID EAST LINE N86°56'50"W 33.00 FEET; THENCE ALONG SAID EAST LINE S02°43'04"W 624.00 FEET TO THE SOUTH LINE OF SAID PARCEL; THENCE ALONG SAID SOUTH LINE THE FOLLOWING THREE COURSES: THENCE N86°56'50"W 167.35 FEET; THENCE N02°31'43"E 470.71 FEET; THENCE N87°33'24"W 285.07 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL; THENCE ALONG THE WEST LINE THEREOF N02°31'05"E 853.94 FEET TO THE POINT OF BEGINNING, CONTAINING 11.26 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

AND

PART OF THE NW 1/4 OF THE SW 1/4 OF SECTION 22, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NW 1/4 OF THE SW 1/4 OF SAID SECTION 22; THENCE S87°06'32"E 664.95 FEET; THENCE S02°43'04"W 699.46 FEET, SAID POINT BEING THE NORTHEAST CORNER OF PARCEL 02-01694-175; THENCE ALONG THE NORTH LINE THEREOF N86°56'50"W 175.00 FEET TO THE POINT OF BEGINNING; THENCE LEAVING SAID NORTH LINE S02°43'04"W 624.00 FEET TO THE SOUTH LINE OF SAID PARCEL; THENCE ALONG SAID SOUTH LINE N86°56'50"W 33.00 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL; THENCE ALONG THE WEST LINE THEREOF N02°43'04"E 624.00 FEET TO THE NORTHWEST CORNER OF SAID PARCEL; THENCE ALONG THE NORTH LINE THEREOF S86°56'50"E 33.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.47 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

LAYMAN'S DESCRIPTION:

Parcels 02-01694-165 and 02-01694-175

Section 3: Zoning: The above described lands are better suited for T5.2 (City Medium-Intensity) in Tract 2 and T5.1 (City Low-Intensity) in Tract 1 rather than T2 (Rural) zoning and same should be and are hereby zoned T5.2 and T5.1 respectfully;

Section 4: Emergency Clause: The need to bring the proposed use of the property into conformance with the Rogers City Zoning Ordinances is immediate in order to protect the public

peace, health, safety, and welfare. An emergency is hereby declared to exist and this Ordinance shall be in full force and effect from the date of passage and approval;

Section 5: Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 6: Repeal of Conflicting Provisions: All ordinances, resolutions or orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED this ____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: John McCurdy, Director of Community Development

Reviewed by: John M. Pesek, Senior Staff Attorney

Prepared by: Nicholas Little, Planner

For Consideration By: Community Environment & Welfare Committee

ORDINANCE NO. 25- _____

AN ORDINANCE ACCEPTING THE FINAL PLAT OF BLOSSOM WOODS PHASE 2, ROGERS, BENTON COUNTY, ARKANSAS; THE DEDICATION OF UTILITY EASEMENTS AND OTHER PUBLIC WAYS THEREIN; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, the Final Plat has been submitted for the subdivision of Blossom Woods Phase 2, Rogers, Benton County, Arkansas which is more particularly described as follows, to-wit:

THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26 IN TOWNSHIP 19 NORTH OF RANGE 30 WEST, BENTON COUNTY, ARKANSAS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

WHEREAS, the City Council finds that said Final Plat is in conformance with the Ordinances of the City of Rogers, Arkansas; and

WHEREAS, the City Council finds that it is in the best interest of the citizens of Rogers, Arkansas that said Final Plat be approved and the dedication of the utility easements and other public ways be accepted and confirmed.

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

Section 1: The Final Plat of Blossom Woods Phase 2, Rogers, Benton County, Arkansas, as described in the Plat thereof, is hereby accepted, approved, and confirmed;

Section 2: All dedication of utility easements and other public ways as set forth in the Plat are hereby accepted by the City. The Mayor and City Clerk are authorized and directed to certify the aforesaid approval and acceptance upon the face of the Plat;

Section 3: Emergency Clause: As the facilities to be constructed within this subdivision will promote the economy of the City and will promote the public health and welfare, an emergency is declared to exist and this Ordinance shall be in full force and effect from the date of passage and approval;

Section 4: Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 5: Repeal of Conflicting Provisions: All ordinances, resolutions, or orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: John McCurdy, Director Community Development

Prepared by: John M. Pesek, Senior Staff Attorney

For Consideration By: Community Environment & Welfare Committee