



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

PLANNING COMMISSION MEETING AGENDA

JULY 1, 2025

5:30 PM

COUNCIL CHAMBERS, ROGERS CITY HALL, 301 W. CHESTNUT STREET

PLANNING COMMISSION

[HTTPS://US02WEB.ZOOM.US/J/82891347160](https://us02web.zoom.us/j/82891347160)

BOARD OF ADJUSTMENT

[HTTPS://US02WEB.ZOOM.US/J/82891347160](https://us02web.zoom.us/j/82891347160)

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. Approving June 17, 2025 meeting minutes

CONSENT AGENDA:

OLD BUSINESS:

PUBLIC HEARING:

NEW BUSINESS:

1. Consider adoption of the Unified Development Code, Engineering Manual, and Drainage Criteria Manual. Can be viewed [here](#).
STAFF: Joe Rexwinkle

REPORTS OF BOARDS AND STANDING COMMITTEES:

REPORTS FROM STAFF:



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ADJOURN:

CALL TO ORDER BOARD OF ADJUSTMENT :

ACTION ON MINUTES:

1. Approving May 6, 2025 meeting minutes

OLD BUSINESS :

NEW BUSINESS:

1. **Gall Flex Space**
Requesting a variance from the Unified Development Code at 1244 W. Easy Street in the I-2 (Heavy Industrial) zoning district.
STAFF: Zachery Birdsong, Planner II
REPRESENTED BY: Jason Young

ADJOURN BORAD OF ADJUSTMENT:



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

ROGERS PLANNING COMMISSION MINUTES

The Rogers Planning Commission met for a public meeting at Rogers City Hall at 301 W. Chestnut Street on June 17, 2025 at 5:30 P.M. The meeting was called to order by Chairwoman Samantha Best followed by the Pledge of Allegiance.

ROLL CALL

Commissioners attending: Jorge Andrade, Samantha Best, Derek Burnett, Hannah Cicioni, Kevin Jensen, Ed McClure, and Ezequiel Tovar.

ACTION ON MINUTES

Motion by McClure, second by Tovar to approve the May 20, 2025 Planning Commission meeting minutes as presented.

Voice Vote: Unanimous – Yes. Motion carried.

APPROVED.

PUBLIC HEARINGS

Old Business

I. Maple Grove Rezone

A rezone subject to enhanced review at 800 S. Arkansas Street from the T4.1 (Neighborhood Medium-Intensity) zoning district to the T4.2 (Neighborhood High-Intensity) zoning district.

Planner Amber Long noted that the commission denied a rezone to T5.1 at the subject location in May 2025. The present request is to rezone to T4.2 in Urban Neighborhood subject to standard review. The requested zone is within one full transect of the most intense zone allowed on surrounding properties in both urban neighborhood and the downtown city center. The proposed zone would provide an orderly transition in intensity from the intersection to the lower intensity residential uses to the southeast. Staff recommends approval of the request.

Ben Fernando represented the request.

The Chairman opened the public hearing for comments. There were none.
The public hearing was declared closed.

Motion by Jensen, second by Andrade, to APPROVE the request.

Voice Vote: 6 – Yes, 1 – Abstained (McClure) Motion carried.

APPROVED.

PUBLIC FORUM

REPORTS

Senior Staff Attorney John Pesek gave a FOIA training presentation.

Pesek and commissioners discussed any questions.

ADJOURN

There being no further business, the Chair adjourned the meeting at 6:04 p.m.

ATTEST:**APPROVED:**

Derek Burnett, Secretary

Steve Lane, Chairman



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BOARD OF ADJUSTMENT MINUTES

The **Rogers Board of Adjustment** met for a public meeting at Rogers City Hall at 301 W. Chestnut Street on May 6, 2025 at 6:38 P.M. The meeting was called to order by Chairwoman Hannah Cicioni.

ROLL CALL

Board members attending: Derek Burnett, Hannah Cicioni, and Ed McClure.

ACTION ON MINUTES

Motion by McClure, second by Burnett, to approve the 4/15/25 Board of Adjustment minutes as presented.

Voice vote: YES - Unanimous **Motion carried**

APPROVED

NEW BUSINESS

a. Crossfit NWA Variance

Requesting a variance from the Unified Development Code at northwestern corner of West Arapaho Drive and South Osage Road in the T4.2 (Neighborhood High-Intensity) zoning district.

Planner Nick Little stated that the applicant is requesting a variance from the minimum glazing standards in Table 4.5.A. for T4.2. The table calls for 50% glazing for nonresidential buildings that sit within 50' of exterior property line. The applicant stated hardship is the proposed structure would not function properly of strict application of the glazing requirements were applied. Applicant is meeting the spirit and intent of the glazing code by incorporating glazing towards the top of the building, and other architectural elements that ensure aesthetic compatibility with the city's design standards. Staff recommends approval.

Matt Loos representative had no further comments. He was ready to answer questions.

Chairwoman Cicioni opened the public hearing for comments. There were none.

The public hearing was declared closed.

Commissioners and staff discuss the request.

Motion by Burnett, second by McClure to approve the request.

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

APPROVED

b. Voja Radosavljevic Variance

Requesting a variance from the Unified Development Code at 416 W. Chestnut Street in the T5.1 (City Low-Intensity) zoning district.

Planner Christina Moore stated the variance request is to allow an increase in maximum height of accessory dwelling units from 1 story to 22ft as measured from the eaves. The applicant's stated intent is that the proposed ADU is smaller in area. Secondly, the whole block is zoned T5.1 and allows much more intense development than the proposed two story ADU. Lastly, the home backs up to lots that front Walnut Street that exposes them to heavy traffic. The height increase is lower than the maximum height allowance for ADU's. The proposed height is 22ft, if the principal home were two stories, the max height allowed would be 25ft. The variance could be avoided if the applicant redesigned the structure to be 16 feet tall. Even though the primary structure is measured at 11ft at the eaves, our code measures 1 story as 16 ft and would allow a slightly taller accessory building if kept at 16 ft. Doing this redesign would increase the impervious coverage and building covers on the site. Staff believes this request is reasonable given the location on the Future Land Use Map as a transition from higher intensity city center to a lower intensity neighborhood.

Andrew Curry representative had one correction the house was built in 1936. He reiterated most of the points staff made.

Chairwoman Cicioni opened the public hearing for comments. There were none.
The public hearing was declared closed.

Deputy Director of Planning, Joe Rexwinkle stated that in the last legislative session there was a bill related to accessory dwelling units that preempt us from limiting the height. The purpose is to keep the accessory building units smaller opposed to taller.

Commissioners and staff discuss the request.

Motion by McClure, second by Burnett to approve the request.

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

APPROVED

ADJOURN

There being no further business, the Chairwoman adjourned the meeting at 6:55 p.m.

Approved by vote of the Board of Adjustment on:

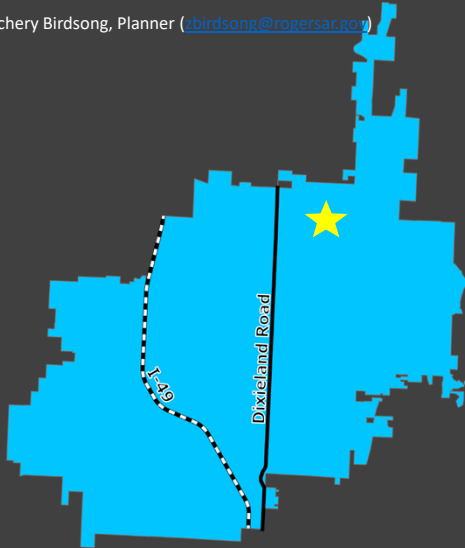
Kevin Jensen, BOA Secretary



Variance Gall Flex

PLANNING

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



Vicinity Map

Location

At the southeast intersection of N 13th and West Easy

Nature of Request

Reduction in the front exterior yard setback

Zoning

I-2

Proposed Use

Freight, Logistics, and Storage

Representative

Jason Young, Gavin Smith Civil Engineering

Summary:

This request is for a variance from the exterior yard setback requirements in I-2 zoning.



Section 2.12 Variances

2.12.1 Purpose & Intent

The Board of Adjustment is authorized to grant a variance or waive from any provision of this UDC where strict enforcement of the provision would cause undue hardship due to circumstances unique to the individual property under consideration, and grant such variances or waivers only when it is demonstrated that such action will be in keeping with the spirit and intent of the provisions of the UDC.

2.12.2 Review Criteria

The Board of Adjustment shall consider the following in determining whether or not to grant a variance or waiver:

- A. Would the variance or waiver cause undue hardship to the property owner due to circumstances unique to the property; and
- B. Is the hardship a result of any action taken by the property owner or on their behalf; and
- C. Is the variance or waiver requested the minimum amount necessary to carry out the project; and
- D. Is there another reasonable method of avoiding the need for a variance or waiver; and
- E. Any other factor the Board feels is important to consider in keeping with the purpose and intent of this UDC.

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- Is there another reasonable method of avoiding the need for a variance or waiver; and
- Any other factor the Board feels is important to consider in keeping with the purpose and intent of this UDC.



Variance Gall Flex

PLANNING



Aerial Image

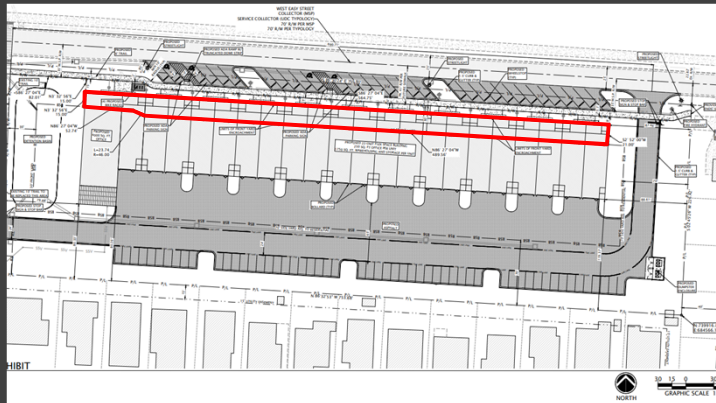
Location:

This site is located at the southeast intersection of W Easy Street and North 13th Street.



Variance Gall Flex

PLANNING



Site Plan

Variance Requested

The applicant is requesting a reduction in the exterior yard setback along the northern property line. They are asking to allow for about a 21' reduction to 9' (setback encroachment outlined in red).

Variance Requested:

The applicant is requesting a reduction in the exterior yard setback along the northern property line. They are asking to allow a 21' reduction.



Variance

Gall Flex

PLANNING

Applicant's Stated Hardship

Review Criteria	Applicant's Response
Would strict application of the code cause an undue hardship due to circumstances that are unique to this property?	"There is no undue hardship"
Is the hardship a result of any action taken by the property owner or on their behalf?	"While the hardship is a result of the property owner's needs, the design and intent of the development was originally proposed under the previous code, which required front yards that made the property unbuildable."
How will approval of this variance be in keeping with the "spirit and intent" of the code being varied?	"The applicant has proposed to place the building within the minimum amount of front yard encroachment, while still allowing for the required maneuvering area to access the rear loading doors of the proposed flex spaces."

Would strict application of the code cause an undue hardship due to circumstances that are unique to this property?

- "There is no undue hardship."

Is the hardship a result of any action taken by the property owner or on their behalf?

- "While the hardship is a result of the property owner's needs, the design and intent of the development was originally proposed under the previous code, which required front yards that made the property unbuildable."

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

- "The applicant has proposed to place the building within the minimum amount of front yard encroachment, while still allowing for the required maneuvering area to access the rear loading doors of the proposed flex spaces."



Variance Gall Flex

PLANNING

Applicant's Stated Hardship

Review Criteria	Applicant's Response
Is there another reasonable method of avoiding the need for a variance or waiver?	"Placing the building outside of the 30' front yard would prevent the ability of vehicles to maneuver and access the rear loading doors of the proposed flex spaces, and would also deny the owner to construct the number of parking spaces that will be needed for the owner's reasonable use of the office and flex space buildings."
Is there any other important factor that should be considered by the Board of adjustment in keeping with the purpose and intent of the UDC?	"By placing the building within the front yard, the development will present an urban form that serves as an aesthetically-pleasing transition of the residential areas to the east and south to the heavy industrial areas to the north and west."

Is there another reasonable method of avoiding the need for a variance or waiver?

- "Placing the building outside of the 30' front yard would prevent the ability of vehicles to maneuver and access the rear loading doors of the proposed flex spaces, and would also deny the owner to construct the number of parking spaces that will be needed for the owner's reasonable use of the office and flex space buildings."

Is there any other important factor that should be considered by the Board of adjustment in keeping with the purpose and intent of the UDC?

- "By placing the building within the front yard, the development will present an urban form that serves as an aesthetically-pleasing transition of the residential areas to the east and south to the heavy industrial areas to the north and west."



Variance Gall Flex

PLANNING

Staff Analysis

Review Criteria	Staff's Response
Would strict application of the code cause an undue hardship due to circumstances that are unique to this property?	There would be no undue hardship caused by circumstances unique to the property itself.
Is the hardship a result of any action taken by the property owner or on their behalf?	No.

Staff Analysis:

- There is no undue hardship caused by circumstances unique to the property.
- No hardship is due to any action taken by the property owner.



Variance Gall Flex

PLANNING

Staff Analysis

Review Criteria	Staff's Response
Is the variance or waiver requested the minimum amount necessary to carry out the project?	For what the applicant is proposing in so far as building square footage and parking needs, this is about the minimum necessary.
Is there another reasonable method of avoiding the need for a variance or waiver?	Reductions in the size of the building square footage and parking could be made.
Is there any other important factor that should be considered by the Board of adjustment in keeping with the purpose and intent of the UDC?	This site is zoned I-2 in Urban Neighborhood, which is a non-conforming zone. The proposed use is warehouse/office flex space. Reducing the exterior yard setback along W Easy Street would create a more urban environment. The applicant is also proposing on-street parking. Shifting the building further north does get the building and parking area further from the residences to the south. This provides a better transition from the industrial uses to the north.

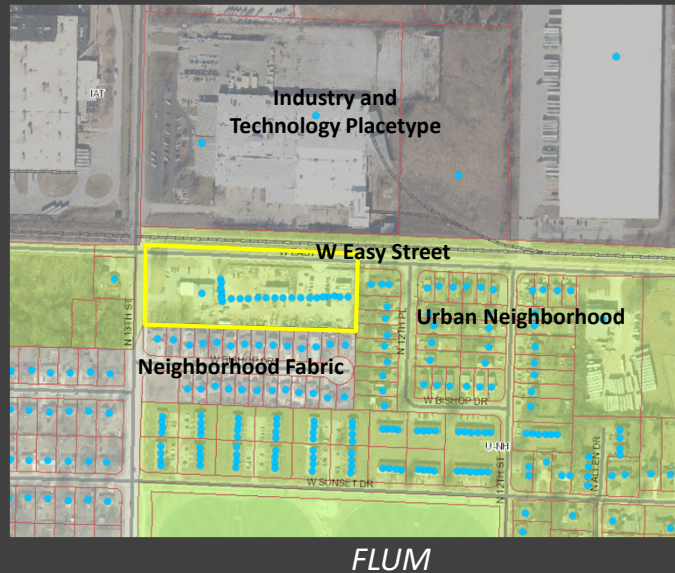
Staff Analysis:

- For what the applicant is proposing, this is about the minimum amount of setback reduction necessary to carry out the project.
- However, the applicant could propose a reduction in both building square footage and parking to remain out of the setback and meet bufferyard requirements.
- The applicant has not sought a rezone to allow reduced setbacks because the proposed use is not permitted in any zone allowed by the Urban Neighborhood Placetype. To both meet the intent of Urban Neighborhood and propose the desired use, the applicant is requesting the exterior yard be reduced along W Easy to better conform with the surrounding context. Placing the building closer to the street produces a stronger transition between the neighborhood to the south and the industrial to the north.



Variance Gall Flex

PLANNING



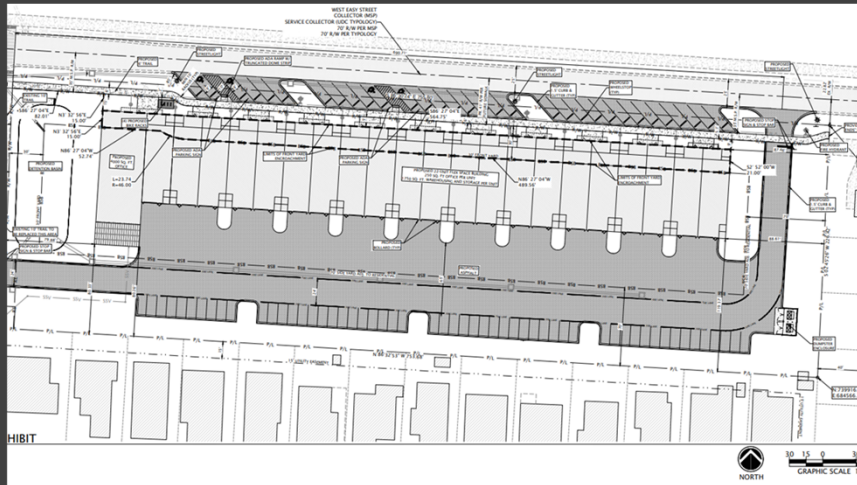
Future Land Use Map:

- The subject property is within the Urban Neighborhood Placetype, with Neighborhood Fabric to the south. Industry and Technology exists to the north across the street from W Easy.



Variance Gall Flex

PLANNING



Recommendation

APPROVE as presented

Public Input:

No public input has been received.

Recommendation:

APPROVE as presented.



DEPT. OF COMMUNITY DEVELOPMENT
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OFFICE USE ONLY

Permit Fee: _____ (\$500) Zoning: _____

App. Number _____

CityWorks Application: _____

Date: _____

VARIANCE APPLICATION

APPLICANT: Jason Young - Gavin Smith Civil Engineering

ADDRESS: 393 N Allen St, Fayetteville, AR 72701 SUITE #: _____

GENERAL LOCATION OF PROPERTY: 1244 W Easy St

PHONE #: 479-387-4450 EMAIL: jason@grsmithcivilengineering.com

PROPERTY OWNER: Gall Properties, LLC PHONE #: 479-925-1175

REQUEST to ALLOW(Cite Variation[s] from Applicable Section[s] of Code and Proposal): Construction of building within 30' front yard per I-2 zoning requirements. (Article 3, Section 4.5, Table 4.5.A)

Sec. 2.12.2 requires variance applicants to respond to these criteria for variance consideration:

Would the variance or waiver cause undue hardship to the property owner due to circumstances unique to the property; and

This variance would not cause any undue hardship to the property owner.

Is the hardship a result of any action taken by the property owner or on their behalf; and

While the hardship is a result of the property owner's needs, the design and intent of the development was originally proposed under the previous UDC, which required front yards that made the property unbuildable.

Is the variance or waiver requested the minimum amount necessary to carry out the project; and

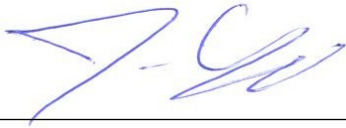
The applicant has proposed to place the building within the minimum amount of front yard encroachment, while still allowing for the required maneuvering area to access the rear loading doors of the proposed flex spaces.

Is there another reasonable method of avoiding the need for a variance or waiver; and

Placing the building outside of the 30' front yard would prevent the ability of vehicles to maneuver and access the rear loading doors of the proposed flex spaces, and would also deny the owner to construct the number of parking spaces that will be needed for the owner's reasonable use of the office and flex space buildings.

Is there any other important factor that should be considered by the Board in keeping with the purpose and intent of the UDC?

By placing the building within the front yard, the development will present an urban form that serves as an aesthetically-pleasing transition from the residential areas to the east and south to the heavy industrial areas to the north and west.



05/12/2025

Applicant Signature

Date

Attachment Checklist:

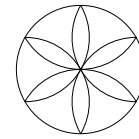
- ☒ Owner Signature on Letter or Application ☒ If needed, additional sheet for above required responses
- ☒ Survey, elevations, sign proofs and/or other documents as needed to illustrate request
- ☒ Director's Minimum Submittal Requirements(required at time of application)

PLANNING STAFF PROVIDES:

BOARD OF ADJUSTMENT DECISION: _____

SECRETARY, BOARD OF ADJUSTMENT

DATE of PUBLIC HEARING



ISSUE DATE

01/03/2025 SUBMITTAL

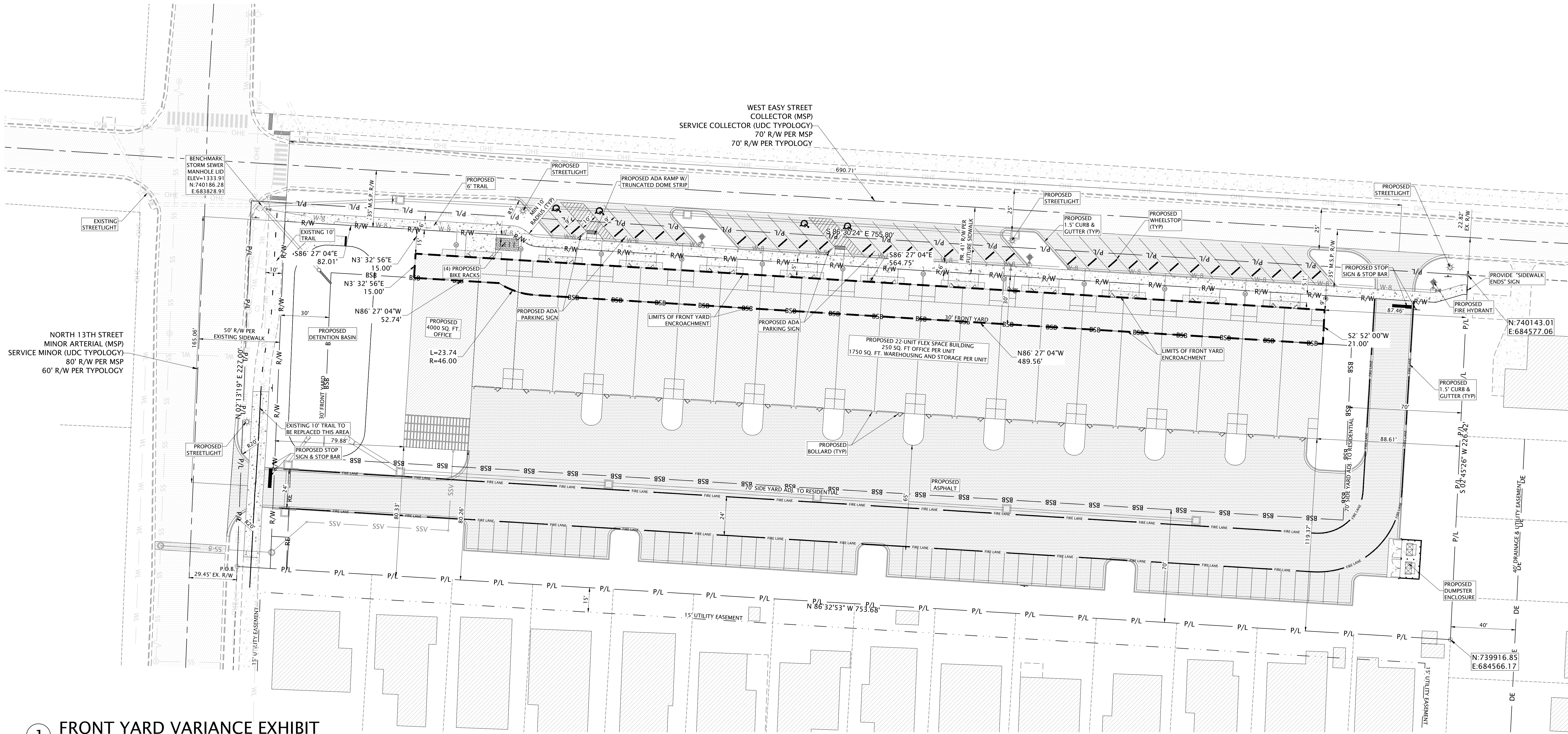
02/26/2025 REVISIONS

FRONT YARD VARIANCE EXHIBIT

GALL FLEX SPACE
SDP25-0008 & PIP25-0019
1244 W EASY STREET
ROGERS, ARKANSAS

GRS JOB #23-042
SHEET

EXHIBIT



1 FRONT YARD VARIANCE EXHIBIT

ZONING REGULATIONS

ZONING: I-2 HEAVY INDUSTRIAL DISTRICT
USE: BUSINESS AND PROFESSIONAL OFFICE / WAREHOUSING & STORAGE

MINIMUM YARD REQUIREMENTS	FRONT YARD: 30 FT EXTERIOR YARD: 20 FT EXTERIOR YARD ADJACENT TO RESIDENTIAL: 70 FT	
BUILDING COVERAGE	MAXIMUM: 80 %	PROPOSED: 32% SF
IMPERMEABLE SURFACE	MAXIMUM: 80 %	PROPOSED: 72%



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NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the **Rogers Board of Adjustment** on **July 1, 2025 at 5:30 p.m.** at Rogers City Hall under the provisions of the City of Rogers Code of Ordinances, regarding an application by **Gall Flex Space** for variances to differ from the **Unified Development Code** at **1244 W. Easy Street** in the I-2 (Heavy Industrial) zoning district more particularly described as follows:

PARCEL NUMBER:

02-07048-000

LOCATION:

1244 W. Easy Street

Kevin Jensen, Secretary
Board of Adjustment

PUBLISH ONE TIME ONLY: **Sunday June 15, 2025**

BILL THE CITY OF ROGERS

