



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

PLANNING COMMISSION MEETING AGENDA

JULY 15, 2025

5:30 PM

VIEW ONLINE

PLANNING COMMISSION: [HTTPS://US02WEB.ZOOM.US/J/87571818370](https://us02web.zoom.us/j/87571818370)

BOARD OF ADJUSTMENT: [HTTPS://US02WEB.ZOOM.US/J/87571818370](https://us02web.zoom.us/j/87571818370)

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 PLANNING COMMISSION:

ROLL CALL:

ACTION ON MINUTES:

- a. Approving July 1, 2025 meeting minutes.

CONSENT AGENDA:

The Planning Commission will offer anyone in attendance the opportunity to express interest in speaking on an item on consent. When they do so, please identify yourself, and the Commission will remove the item you're interested in from Consent Agenda to Old Business. Anything not removed from Consent Agenda will be approved with one motion and vote.

PUBLIC HEARINGS:

a. OLD BUSINESS

Items previously discussed and tabled.

b. ITEMS REMOVED FROM CONSENT



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Items removed from Consent Agenda.

c. NEW BUSINESS

- i. Consider the repeal of Section 14-715 of the City of Rogers' Code of Ordinances and the NBT (Neighborhood Transition) zoning designation.

STAFF: Joe Rexwinkle

REPORTS :

- a. COMMISSIONERS
- b. STAFF

ADJOURN PLANNING COMMISSION:

CALL TO ORDER BOARD OF ADJUSTMENT:

ACTION ON MINUTES:

- a. Approving July 1, 2025 minutes.

OLD BUSINESS :

None.

NEW BUSINESS:

a. Pinnacle Collector Suites

Requesting a variance from the Unified Development Code at 2103 S. 31st Street in the T5.2 (City Medium-Intensity) zoning district.

STAFF: Christina Moore, Planner II

REPRESENTED BY: Courtney Austin

ADJOURN BOARD 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 July 1, 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, Kevin Jensen, Ed McClure, Isaac Stevens and Ezequiel Tovar.

ACTION ON MINUTES

Motion by McClure, second by Stevens to approve the June 17, 2025 Planning Commission meeting minutes as presented.

Voice Vote: Unanimous – Yes. Motion carried.

APPROVED.

PUBLIC HEARINGS

Old Business

None.

New Business

1. Consider adoption of the Unified Development Code, Engineering Manual, and Drainage Criteria Manual.

STAFF: Joe Rexwinkle, Planning Deputy Director

Chairwoman Best asked when the next round of amendments would occur. Planning Deputy Director Joe Rexwinkle noted that the next round would possibly come up in August.

Motion by McClure, second by Jensen to recommend to City Council for approval of the adoption of the Unified Development Code, Engineering Manual, and Drainage Criteria Manual.

Voice Vote: Unanimous – Yes. Motion carried.

APPROVED.

PUBLIC FORUM

REPORTS

ADJOURN

There being no further business, the Chair adjourned the meeting at 5:34 p.m.

ATTEST:

Derek Burnett, Secretary

APPROVED:

Steve Lane, Chairman



Ordinance Revision

PLANNING

Repeal of NBT Standards (Sec. 14-715)

Purpose of the Public Hearing

On July 15, 2025, the Planning Commission will consider repealing Section 14-715 from the Rogers Code of Ordinances. If repealed, all properties must comply exclusively with the Unified Development Code (UDC).

❖ 2015

- Neighborhood Transition (NBT) zone adopted as part of the Downtown Rogers Development Code (DRDC).

❖ January 2024

- Code of Ordinances amended to make all commercial uses in NBT conditional and to establish modified setbacks within a described overlay.

❖ July 2024

- UDC adopted and all previous zoning districts repealed. NBT standards remained in the Code of Ordinances for an additional year to allow property owners to apply for development projects.

❖ April 2025

- Planning staff mailed notice to NBT property owners regarding a Planning Commission public hearing on July 15, 2025.

❖ July 6, 2025

- The public hearing was advertised in the newspaper.

Key Language from Ordinances

Ord. 24-01: Amending Chapter 14, Section 715 – Downtown Rogers Development Code Of The City Of Rogers Code Of Ordinances

Language added to Code of Ordinances per this ordinance: “In the area between West Poplar Street to the north, South 7th Street to the west, West Oak Street to the South, and South 2nd Street to the east; and a second area between West Chestnut to the south, North 3rd Street to the east, West Persimmon Street to the north, and North 5th Street to the west; an overlay district is established. Within this overlay the front and side street setbacks must match or be between the front setback of existing buildings on the same side of the block. The side setback shall be 5-feet minimum; and the rear setback in the absence of an alley shall be 12-feet minimum.”

Ord. 24-34: Adopting The Unified Development Code, The Future Land Use Map, And The Official Zoning Map For The City Of Rogers; Amending The City Of Rogers Code Of Ordinances

Language in the ordinance pertaining to NBT: “Chapter 14 of the City of Rogers Code of Ordinances is hereby repealed, excepting Chapter 14 Subsection 14-715 to the extent that this section applies to the Downtown Neighborhood Transition (D-NBT), and the Municode Corporation is hereby instructed to make this revision.”

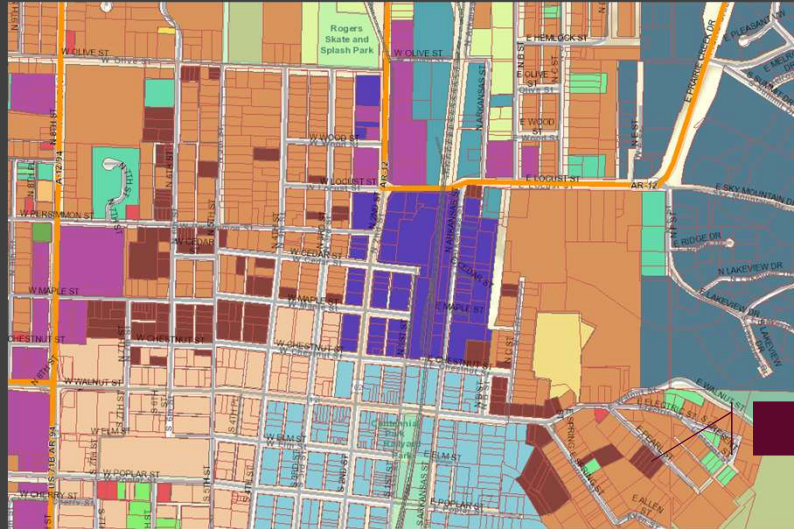


Ordinance Revision

PLANNING

Repeal of NBT Standards (Sec. 14-715)

NBT-zoned
parcels shown
in maroon.



Former NBT Zoning



PLANNING





Ordinance Revision

PLANNING

Repeal of NBT Standards (Sec. 14-715)

Standards Comparison			
	NBT	T4.1	T4.2
Setbacks/BTZ	Exterior: 0ft. – 20ft. PFF <u>OR</u> 0ft.-30ft. GF, Match existing context OV. Interior: 0 ft. <u>OR</u> 5ft. OV. Rear: Determined by parking <u>OR</u> 12ft. OV.	Exterior: 10ft. min. Interior: 5ft. Min. <u>OR</u> 0ft. Alleyside	Exterior: 5ft. Min Interior: 5ft. Min. <u>OR</u> 0ft. Alleyside
Occupancy %	50% min. PFF <u>OR</u> 30ft. GF	N/A	N/A
Building Coverage %	N/A	60%	70%
Building Height	3 Stories	3 Stories	4 Stories
Transition Standards	Transition Area*: 30ft. Max. Height*: 35ft. in Transition Area Setback*: 10ft. Buffer/Screening*: 6ft. landscape buffer, 6ft. – 8ft. masonry screening	Max. Height: 1 Story above max. height allowed on adjacent property within 40 ft. of property line.	Max. Height: 1 Story above max. height allowed on adjacent property within 40 ft. of property line.

Abbreviations and Notations

Pedestrian-Friendly Frontage (PFF)

General Frontage (GF)

Overlay (OV)

* = Applicable only when adjacent to existing single-family detached residentially zoned lots.

Links

Sec. 14-715 Downtown Rogers Development Code (DRDC):

- https://library.municode.com/ar/rogers/codes/code_of_ordinances?nodeId=COOR_CH14UNDECO_S14-715DORODECODR

Table 4.5.A Selected Zone Standards in the Unified Development Code (UDC):

- <https://codehub.gridics.com/us/ar/rogers-udo#/0e8d0073-fdb4-4ee6-bf80-e3e27b4cbc00/c70c2f8a-fdc6-4bef-b086-ae586336138>

ORDINANCE NO. 24- 01

AN ORDINANCE AMENDING CHAPTER 14, SECTION 715 – DOWNTOWN ROGERS DEVELOPMENT CODE OF THE CITY OF ROGERS CODE OF ORDINANCES; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, the Department of Community Development finds it to be in the best interest of the City to update Table 3-1: Schedule of Uses in the Downtown Rogers Development Code (DRDC) as found in § 14-715 of the City of Rogers' Code of Ordinances;

WHEREAS, the Department of Community Development also finds it to be in the best interest of the City to amend Sub-Section 4.5 Neighborhood Transition (NBT) also found in § 14-715 of the City of Rogers' Code of Ordinances;

WHEREAS, these changes will assist the Department of Community Development and Planning Commission in changing all currently permitted commercial uses for the NBT District in the Downtown Rogers Development Code to conditional uses, and will establish an overlay district to adjust street setback requirements in the area described below; and

WHEREAS, the Planning Commission unilaterally approved the changes to the Schedule of Uses found in § 14-715 and the creation of an overlay district as described below for the adjustment of set backs within that district.

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

Section 1: Chapter 14, § 14-715 – Downtown Rogers Development Code (DRDC) of the City of Rogers, Code of Ordinances, is amended to read as follows, and the Municode Corporation is hereby instructed to make said revisions:

- a. Table 3-1: Schedule of Uses: For the Neighborhood Transition (NBT) District, all Permitted (P) Commercial uses are changed to Conditional (C);
- b. Sub-section 4.5 Neighborhood Transition (NBT): add the following note before paragraph "a":

“Note: In the area between West Poplar Street to the north, South 7th Street to the west, West Oak Street to the South, and South 2nd Street to the east; and a second area between West Chestnut to the south, North 3rd Street to the east, West Persimmon Street to the north, and North 5th Street to the west; an overlay district is established. Within this overlay the front and side street setbacks must match or be between the front setback of existing buildings on the same side of the block. The side setback shall be 5-feet minimum; and the rear setback in the absence of an alley shall be 12-feet minimum.”

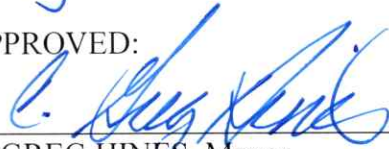
Section 2: Emergency Clause: The need to amend said City Code chapter is immediate in order to protect the public peace, health, safety, and welfare. An emergency is hereby declared to exist and this Ordinance shall be in full force and effect from the date of passage and approval;

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 9th day of January, 2024.

APPROVED:


C. GREG HINES, Mayor

Attest:


JESSICA RUSH, City Clerk



Requested By: John McCurdy, Director, Community Development Department

Prepared by: John M. Pesek, Senior Staff Attorney

For Consideration By: Community Environment & Welfare Committee

ORDINANCE NO. 24-34

AN ORDINANCE ADOPTING THE UNIFIED DEVELOPMENT CODE, THE FUTURE LAND USE MAP, AND THE OFFICIAL ZONING MAP FOR THE CITY OF ROGERS; AMENDING THE CITY OF ROGERS CODE OF ORDINANCES; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers desires to adopt the Unified Development Code to promote and protect the public health, safety, and general welfare and to promote and regulate development in Rogers at a citywide and site-specific scale;

WHEREAS, the City of Rogers desires to adopt the Future Land Use Map to illustrate the desired projected growth in different types of development in accordance with the City's Comprehensive Growth Plan and Unified Development Code, thereby replacing the Comprehensive Growth Map previously adopted by this City Council;

WHEREAS, the City of Rogers desires to adopt and replace the Official Zoning Map dividing the City into zones, or districts in accordance with the Unified Development Code;

WHEREAS, the adoption of the Unified Development Code creates the need to amend the City of Rogers Code of Ordinances so as to not create conflicts between certain provisions of the Codes;

WHEREAS, the City of Rogers desires to promote a smooth transition to the Uniform Development Code and wishes to provide transitional provisions to facilitate this change; and

WHEREAS, in regard to municipal planning, pursuant to Ark. Code Ann. §14-55-207, the City is authorized to adopt by reference technical codes, regulations, or standards, without setting forth the provisions therein, if copies of the code and any related documents are filed either electronically or by hard copy in the office of the clerk of the municipality for inspection by the public before the passage of the ordinance.

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

Section 1: The City Council of the City of Rogers hereby adopts by reference the Unified Development Code published on the Rogers City Clerk's website on June 23, 2024 and that was passed by the Rogers Planning Commission on July 2, 2024, in accordance with Ark. Code Ann. § 14-55-207, and the Municode Corporation is hereby instructed to direct users from Chapter 14 to <https://codehub.gridics.com/us/ar/rogers-udo> where the Unified Development Code is housed;

Section 2: The City Council of the City of Rogers hereby adopts by reference the Future Land Use Map published on the Rogers City Clerk's website on June 23, 2024 and that was passed by the Rogers Planning Commission on July 2, 2024, in accordance with Ark. Code Ann. § 14-55-207, and replaces the Comprehensive Growth Map previously adopted by this City Council;

Section 3: The City Council of the City of Rogers hereby adopts by reference the Official Zoning Map published on the Rogers City Clerk's website on July 9, 2024 and that was passed by the Rogers Planning Commission on July 2, 2024, in accordance with Ark. Code Ann. § 14-55-207, and replaces all versions of the Official Zoning Map previously in effect;

Section 4: Chapter 14 of the City of Rogers Code of Ordinances is hereby repealed, excepting Chapter 14 § 14-715 to the extent that this section applies to the Downtown Neighborhood Transition Zone (D-NBT), and the Municode Corporation is hereby instructed to make said revision;

Section 5: Chapter 44 of the City of Rogers Code of Ordinances is hereby repealed, and the Municode Corporation is hereby instructed to make said revision;

Section 6: Chapter 2 § 2-121(a) of the City of Rogers Code of Ordinances is hereby amended to read as shown on the Attached Exhibit "A", and the Municode Corporation is hereby instructed to make said revision;

Section 7: Chapter 24 § 24-2(11) of the City of Rogers Code of Ordinances is hereby amended to read as shown on the attached Exhibit "A", and the Municode Corporation is hereby instructed to make said revision;

Section 8: Chapter 50 § 50-22 and § 50-23(1) and (2) of the City of Rogers Code of Ordinances is hereby amended to read as shown on the attached Exhibit "A", and the Municode Corporation is hereby instructed to make said revision;

Section 9: Chapter 54 § 54-233(i) of the City of Rogers Code of Ordinances is hereby amended to read as shown on the attached Exhibit "A", and the Municode Corporation is hereby instructed to make said revision;

Section 10: Appendix B of the City of Rogers Code of Ordinances is hereby amended to read as shown on the attached Exhibit "A", and the Municode Corporation is hereby instructed to make said revision;

Section 11: Regarding pending applications for Large Scale Development Plans, Small Scale Development Plans, Conditional Use Permits, Density Concept Plans, Planned Unit Developments, and minor or administrative applications authorized or required by Chapter 14: The applicant must submit final plans addressing any deficiencies previously noted by September 30, 2024, and must secure approval from the decision-maker authorized by Chapter 14 by December 31, 2024. Any pending application not meeting these terms shall be deemed withdrawn;

Section 12: Regarding unvested approved Large Scale Development Plans and Small Scale Development Plans: The applicant must commence work as authorized by the approved large scale development plan or small scale development plan within one year of the date of approval. If work in accordance with the approved plan does not commence within one year of the date of approval the plan shall be deemed expired and any development thereafter shall be in accordance with the

Unified Development Code, Engineering Manual, and Drainage Criteria Manual in effect at that time;

Section 13: Regarding unvested approved Conditional Use Permits, Density Concept Plans, and Planned Unit Developments: Any conditional use permit, density concept plan, or planned unit development which depicted development requiring subsequent plan approval under Chapter 14, and for which no complete subsequent plan application is currently pending, shall secure approval of a development plan as required by the Unified Development Code;

Section 14: Regarding approved Conditional Use Permits, Density Concept Plans, Planned Unit Developments: Any of these plans approved prior to the effective date of this Ordinance that do not require subsequent plan approval under Chapter 14, shall be governed by the code under which the plan was approved;

Section 15: Modifications in approved Conditional Use Permits, Density Concept Plans, Planned Unit Developments, Large Scale Development Plans, or Small Scale Development Plans: If the applicant proposes modifications to a previously approved plan, whether vested or unvested, the Community Development Director shall determine whether the modification is a major change to the approved plan. If the modification is deemed a major change the applicant may withdraw the modification or apply for a new approval under the Unified Development Code and forfeit the rights granted by the original plan. The Director shall determine whether the modification is a major change to the approved plan using the following criteria:

- a. If the plan proposes an increase in impervious surface by 10% or greater; or
- b. If the plan proposes an increase in building floor area by 10% or more; or
- c. If the plan proposes an expansion of the plan's boundaries; or
- d. If the plan proposes an increase in dwelling units by 10% or more; or
- e. If the plan proposes an increase in building height of one story or more; or
- f. A change in street or block layout is proposed; or
- g. If the Community Development Director determines that the arrangement of buildings, parking areas, roads, driveways or other features depicted on the approved plan are materially different from what was approved.

Section 16: The City of Rogers hereby waives the filing fee for rezoning applications submitted within one year following the enactment of this Official Zoning Map for all residents who believe their property was zoned improperly under the Zoning Map being approved by this Ordinance;

Section 17: Emergency Clause: The need to adopt the Unified Development Code, Future Land Use Map, and Official Zoning Map and amend the City of Rogers Code of Ordinances as described herein is immediate in order to protect the public peace, health, safety, 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 18: 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 19: 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 23rd day of July, 2024.

APPROVED:



C. GREG HINES, Mayor

Attest:



JESSICA RUSH, City Clerk



Requested by: John McCurdy, Director, Department of Community Development

Prepared by: John M. Pesek, Senior Staff Attorney

Exhibit “A”

Chapter 2

Sec. 2-121. Neighborhood services unit duties and responsibilities.

- (a) The neighborhood services unit shall have responsibility for the investigation and enforcement of potential violations of the following Rogers City Code chapters:
- (1) ~~Chapter 14 (Development).~~ Uniform Development Code.
 - (2) Chapter 18 (Environment).
 - (3) Chapter 24 (Historic Protection and Preservation).
 - (4) Chapter 34 (Offenses), section 34-2 and section 34-5 only.
 - (5) Chapter 42 (Secondhand Goods).
 - ~~(6) Chapter 44 (Signs).~~
 - ~~(76)~~ Chapter 46 (Solid Waste).

Chapter 24

Sec. 24-2. Commission powers.

- (11) Periodically review the ~~city zoning ordinance (chapter 14, article VI)~~ Uniform Development Code and recommend to the planning commission and the city council any amendments appropriate for the protection and continued use of property within historic districts;

Chapter 50

Sec. 50-22. Uniform application requirements.

Cellular antenna towers for cellular telecommunications services or personal communications services may be allowed in the ~~A-1 agricultural district~~ T2 district, I-1 light industrial district and I-2 heavy industrial district with a ~~conditional use development~~ permit. Alternative cellular antenna towers may be allowed in any zone with the approval of a ~~conditional use development~~ permit. In either instance, the ~~conditional use development~~ permit must be approved prior to the submittal of the uniform cellular antenna tower application. The following regulations shall apply:

- (1) *Applicability.* Every entity, or a company that is engaged in the business of providing the required infrastructure to said entity, that proposes to construct a cellular antenna tower shall submit a completed uniform application to the planning commission. Where the planning commission finds that circumstances or conditions relating to the application of an alternative cellular antenna tower are such that one or more of the requirements of the uniform application listed below are not necessary or desirable for the protection of surrounding property or the

public health, safety, and general welfare, and that such special conditions or circumstances make one or more said requirements unreasonable, the planning commission, or its duly authorized representative, may modify or waive such requirement of the uniform application, either permanently or on a temporary basis. Any such modification or waiver shall be requested by the applicant, and the applicant shall submit a written justification for each requested modification or waiver. The planning commission shall not regulate the placement of antennas or related equipment on an existing structure. However, every entity choosing to locate an antenna or related equipment on an existing structure shall file with the city planning commission the name and address of the entity, the structures upon which the entity plans to place antennas or related equipment and the information set forth in subsections (2)e, f, r and t of this section.

(2) *Application requirements.* Applications for the construction of personal communications services shall include the following:

- a. The full name and address of the applicant.
- b. The applicant's articles of incorporation, if applicable.
- c. A geotechnical investigation report signed and sealed by a professional engineer registered in the state that includes boring logs and foundation design recommendations.
- d. A written report prepared by a professional engineer or land surveyor of findings as to the proximity of the proposed site to flood hazard areas.
- e. Latitude/longitude coordinates with associated reference datum, and clear directions to the proposed site, including highway numbers and street names, if applicable, with the telephone number of the person who prepared the directions.
- f. A copy of the lease or sale agreement for the property on which the tower is proposed to be located, including the portion of the agreement that specifies, in the case of abandonment, a method that the entity will follow in dismantling and removing the proposed cellular antenna tower, including a timetable for removal.
- g. The identity and qualifications of each person directly responsible for the design and construction of the proposed tower.
- h. A site development plan, signed and sealed by a professional engineer licensed in the state, that shows the proposed location of the tower and all easements and existing structures within 500 feet of the proposed site on the property on which the tower will be located, and all easements and existing structures within 200 feet of the access drive, including the intersection with the public street system. Additionally, the development plan shall show a survey, prepared by a surveyor licensed in the state. The survey shall be in accordance with all of the requirements of the city subdivision ordinance (~~chapter 14, article V~~ **Unified Development Code**) that shows lease lines or property lines, which upon approval, shall be recorded.

Sec. 50-23. Design Standards.

- 1) *Monopole, lattice and guyed towers.* Monopole, lattice, and guyed cellular antenna towers shall be permitted in the ~~A-1 agricultural district-T2 district~~, I-1 light industrial district, and I-2 heavy industrial district subject to the ~~conditional-use development~~ permit requirements of section 50-22.
- (2) *Minimum lot size.* Regardless of the minimum lot sizes listed in the specific zoning districts, or the city subdivision ordinance (~~chapter 14, article V~~ **Unified Development Code**), the lot size may be the minimum necessary to comply with the objectives and standards of this section.

Chapter 54

Sec. 54-233. Unlawful inflow connections, discharge of sewage and polluted waters generally.

- (i) *Storm sewers.* Stormwater and all other uncontaminated drainage may be discharged to such sewers as are specifically designated as storm sewers in accordance with other applicable provisions of this Code, including, without limitation, ~~chapter 14, article VII~~ **the Uniform Development Code**.

Appendix B

FEE SCHEDULE

~~Sec. 14-229, Large scale development fee.~~

~~Large scale development plan: \$200.00~~

~~Sec. 14-258(a), Nonresidential trailers requested pursuant to a large scale development plan.~~

~~Application for a nonresidential trailer: \$100.00~~

~~Sec. 14-582, Subdivision filing fees.~~

~~Preliminary plat: \$200.00~~

~~Final plat: \$200.00~~

~~Lot split: \$100.00~~

~~Lot line adjustment: \$100.00~~

~~Lot combination: \$100.00~~

~~Sec. 14-723(a)(1), Conditional use application fee.~~

~~Conditional use permit: \$100.00~~

~~Sec. 14-724(e)(4), Board of Adjustment appeals and variances.~~

~~Appeal: \$100.00~~

Variance: \$100.00

~~Sec. 14-727, Zoning or rezoning application.~~

Zoning or rezoning application: \$200.00

~~Sec. 14-796(n), Grading permit fees.~~

Total Project Area	Fee
1-acre or less	\$500.00
Greater than 1-acre	\$1,000.00

~~Sec. 44-3(2), Application for sign permit.~~

Application fee: \$10.00

~~Sec. 44-17(b), Alternative sign request fee: \$250.00~~

Uniform Development Code: Application Filing Fees

Preliminary Plat: \$500.00

Variance: \$500.00

Appeal: \$500.00

Administrative Adjustment: \$500.00

Vacation: \$500.00

Final Plat: \$500.00 per acre or fraction thereof, not to exceed \$5,000.00, plus \$10.00 per lot

Rezoning: \$500.00 per acre or fraction thereof, not to exceed \$5,000.00

Site Development Plan: \$500.00 per acre or fraction thereof, not to exceed \$5,000.00

Development Permit: \$250.00

Uniform Development Code: Resubmittal Fees

50% of the application filing fee, doubling with each subsequent resubmittal

Engineering Manual: Fees

Land Disturbance Permit (developments less than one acre): \$500.00

Land Disturbance Permit (developments greater than or equal to one acre): \$1,000.00

HECRAS Peer Review Fee: \$5,000.00



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NOTICE OF ORDINANCE REVISION

Dear KLAUSING, ADAM C & COURTNEY J,

Your property 616 W MAPLE ST (parcel # 02-01124-001) was zoned Neighborhood Transition (NBT) prior to July 23, 2024. On this date the Rogers City Council voted to repeal Chapter 14 of the Rogers Code of Ordinances, excepting regulations in Sec. 14-715 that pertain to NBT zoning. Properties zoned NBT were assigned a new zoning district per the Rogers Unified Development Code but were also permitted to develop according to NBT standards for an additional year.

You are receiving this notice because on July 15, 2025, the Rogers Planning Commission will consider an amendment to the Rogers Code of Ordinances to repeal Sec. 14-715. At this time, properties previously zoned NBT must develop according to the standards of their assigned zoning district per the Rogers Unified Development Code.

I want to take this opportunity to invite you to contact me to discuss the proposed repeal and how it may affect your property. Whether or not you choose to contact us, you are invited to attend the Planning Commission meeting and testify during the hearing.

Respectfully Submitted,

Amber Long

Planner II, Long-Range

along@rogersar.gov

479-621-1186



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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 **July 15, 2025** at **5:30 p.m.** by the City of Rogers concerning the repeal of Section 14-715 of the City of Rogers' Code of Ordinances and the NBT (Neighborhood Transition) zoning designation.

Derek Burnett, Secretary
Planning Commission

PUBLISH ONE TIME ONLY: **Sunday June 29, 2025**
BILL THE CITY OF ROGERS



DEPT. OF COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
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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 July 1, 2025 at 5:35 P.M. The meeting was called to order by Commissioner Derek Burnett.

ROLL CALL

Board members attending: Derek Burnett, Kevin Jensen, and Ed McClure.

ACTION ON MINUTES

Motion by McClure, second by Jensen, to approve 5/6/25 Board of Adjustment minutes as presented.

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

APPROVED

NEW BUSINESS

a. Gall Flex Space Variance

Requesting a variance from the Unified Development Code at 1244 W. Easy Street in the I-2 (Heavy Industrial) zoning district.

Planner Zachery Birdsong stated that the applicant is requesting a variance to reduce the exterior yard setback from 30 feet to 9 feet along the northern property line. The applicant states no hardship, and that the design and intent of the development was originally proposed under the previous code which required front yards that made the property unbuildable. To keep with the spirit and intent of the code the applicant proposed to place the building within the minimum amount of front yard encroachment, while still allowing for the required maneuvering area in the rear to access the loading doors. The applicant states that, placing the building outside of the 30 foot front yard would prevent the ability of vehicles to access the rear loading doors and limit the amount of parking that could be proposed, and considering other factors, the applicant stated that reducing the front exterior setback presents an urban form that serves as an aesthetically pleasing transition between the residential areas to the east and south, to the heavy industrial areas to the north and west. The requested reduction is about the minimum necessary to carry out the project. However, reductions in size of the building and parking could be done to meet the setbacks and buffer yard areas. Additional criteria to consider is the fact that this site is within the urban neighborhood place type. I-2 is a nonconforming zone in the place type. The proposed use is not allowed in any zone permitted within urban. Staff recommends approval.

Jason Young reiterated that the design and intent of the development was originally proposed under the previous code.

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

Commissioners and staff discuss the request.

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

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

APPROVED

ADJOURN

There being no further business, the Commissioner Burnett adjourned the meeting at 5:40 p.m.

Approved by vote of the Board of Adjustment on:

Kevin Jensen, BOA Secretary



Variance

PLANNING

Pinnacle Collector Suites

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



Vicinity Map

Location

2103 S 31st Street

Nature of Request

Install an 8ft fence

Zoning

T5.2

Existing Use

Personal Service

Representative

Courtney Austin, CTA

Summary:

This request is for a variance from Section 4.5 Zone Standards to allow an increase in the maximum fence height in the exterior yard.

Parcel: 02-01694-036

Site Acreage: ±4.42 acres



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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- Any other factor the Board feels is important to consider in keeping with the purpose and intent of this UDC.



Variance

PLANNING

Pinnacle Collector Suites



Aerial Image

This site is located east of Promenade Mall



Variance

PLANNING

Pinnacle Collector Suites

Site Conditions



View from S 31st Street

Site Conditions:

This is the view of the site from S 31st Street.



Variance

PLANNING

Pinnacle Collector Suites

Applicant's Stated Hardship

	Applicant's Response
Would strict application of the code cause an undue hardship due to circumstances that are unique to this property?	"We would like to request a variance from the exterior fence height requirements listed in Article 4 Section 4.5.10 of the UDC. The UDC currently limits fence height to 4 feet. However, we are requesting approval to install an 8-foot-tall, black-coated chain link fence as a temporary security measure during Phase 1 of the project. This fence will be replaced and removed upon commencement of Phase 2, which includes additional buildings that will provide permanent surety and visual screening from the public street. Due to the unique transitional nature of the site, during Phase 1, the site is relatively exposed, and without the permanent structures planned in Phase 2, the car club and its high-value vehicles are left vulnerable to trespassing, theft, and vandalism. A 4-foot fence does not provide the necessary level of security for a facility of this nature. This is a temporary condition and not a permanent deviation from code requirements. Once Phase 2 is developed, the need for an 8-foot fence will no longer exist, as the new buildings will both screen and protect the property effectively."

The stated hardship is the applicant is requesting a variance to install an 8ft black coated chain link fence, temporarily, during Phase 1 of their project. They state the site is currently exposed and lacks security for high value vehicles. The fence is meant as a short-term security measure until Phase 2 is developed, which they state will include permanent buildings that provide visual screening and protection. They emphasize that this is not intended as a permanent deviation from the code.



Variance

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Pinnacle Collector Suites

Applicant's Stated Spirit and Intent

	Applicant's Response
How will approval of this variance be in keeping with the "spirit and intent" of the code being varied?	"We believe every measure to meet the intent of the code is being met. The fence will be constructed using black-coated materials to minimize visual impact. The design prioritizes public safety and property protection, which are key goals of the code. The fence is non-permanent, and its removal is planned and tied directly to the project's development timeline."

The applicant believes the request aligns with the intent of the code. They state the black-coated fence minimizes visual impact, enhances safety and security, and is intended as a temporary measure tied to the project's development timeline.



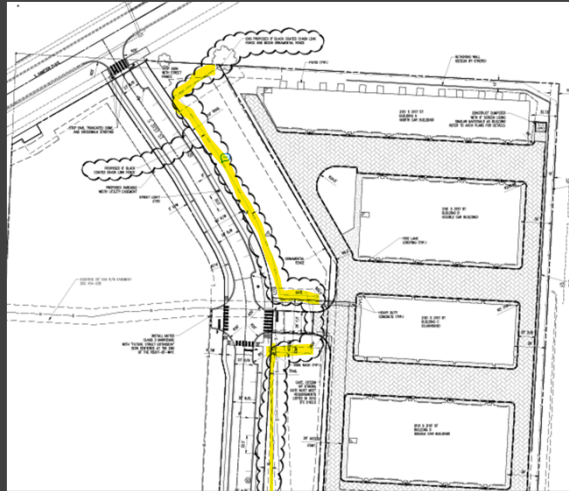
Variance

PLANNING

Pinnacle Collector Suites

Variance Request

Increase the exterior yard fence height limit in T5.2 from 4ft to 8ft for the area highlighted in yellow.



Fence Proposal

Variance Summary:

The variance request is to allow an increase in maximum fence height from 4ft to 8ft in the exterior yard for the fence highlighted in yellow.



Variance

PLANNING

Pinnacle Collector Suites

Staff Analysis

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

No. The approved plans for this site indicate a fence on the inside (shown in green). The additional fence (shown in yellow), would be closing in grass.



Strict application of the code would not cause hardship. The approved plans have a fence indicated by the green line. The proposed fence, shown in yellow, would be in addition to and surround a grass lot.



Variance

PLANNING

Pinnacle Collector Suites

Staff Analysis

	Staff's Response
Is the hardship a result of any action taken by the property owner or on their behalf?	Yes. The property owner is requesting a variance for Phase 1 security based on an anticipated Phase 2 development. However, Phase 2 is not reflected in any approved development plans. The lack of a filed or approved development plan, including confirmed Phase 2 improvements, could result in an 8ft fence along S 31st Street indefinitely because variances run with the land.

Yes, the applicant is requesting a security fence to protect Phase 1 of the project before Phase 2 is built. However, Phase 2 of the project has not been approved nor submitted for review. If this were a construction fence, it could be shown on the approved plans for Phase 2 and then removed at the end of the project.



Variance

PLANNING

Pinnacle Collector Suites

Staff Analysis

	Staff's Response
Is the variance or waiver requested the minimum amount necessary to carry out the project?	Not clearly. The applicant has requested an 8ft fence but has not demonstrated why a lesser fence height of 6ft would not suffice. The approved plans show an ornamental fence around the entire development. The 8ft fence would be in addition to the approved fence and it would be enclosing a grassed property.
Is there another reasonable method of avoiding the need for a variance or waiver?	Yes. The applicant could get approval of phase 2 development and show a temporary construction fence that is 8ft tall that would be removed before C/O was obtained.

It is not clear why the applicant chose an 8ft fence as opposed to a 6ft fence. A solution to avoid the variance is submit a Phase 2 project and show the fence as a construction fence and this could be approved without a variance.



Variance

Pinnacle Collector Suites

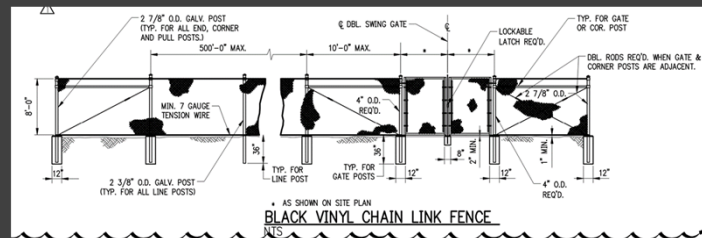
PLANNING

Staff Analysis

Staff's Response

Any other factor the Board feels is important to consider in keeping with the purpose and intent of this UDC.

The purpose and intent of the 4ft fence limit in the exterior yard is to maintain open, visually appealing streetscapes and allow an exterior yard separator while still allowing public engagement. An 8ft fence without a definite timeline for removal would disrupt the streetscape.



Proposed Fence Detail

The purpose and intent of the fence height is to maintain a visually appealing streetscape and promote public engagement. The proposed fence would disrupt the streetscape and would create a physical barrier without a defined timeline of removal.



Variance

PLANNING

Pinnacle Collector Suites



Recommendation

DENY the request to increase the maximum fence height in the exterior yard from 4ft to 8ft

*Suggested Alternative Solution

- Allow an 8 foot fence on the property line in between the development and the grass properties (highlighted in green). This would allow the 8ft fence to exist without compromising the streetscape. If the vacant property does develop. Then the 8ft fence would be blocked by buildings.

Public Input:

No

Recommendation:

DENY the variance request to increase the minimum fence height.

Staff has an alternative solution to approve an 8ft fence in between the two properties. This would be the area highlighted in green and is already indicated to be a fence on the approved plans.



UNDERSTANDING THE VARIANCE PROCESS

Sec. 2.12 of Rogers Unified Development Code

Application steps:

1. Discuss variance with Planning staff to verify nature of request.
2. Complete application and provide the following supplements:
 - Five-hundred dollar (\$500) filing fee made payable to the City of Rogers.
 - A signed copy of the Director's Minimum Submittal Requirements with all required documents for a Variance.
 - Unabbreviated legal description. Platted lot/block description is sufficient.
 - Reduction survey, site plan, sign proofs, pictures, or any other items necessary to explain request. Setback reduction requests must include the reduction distance in terms of linear feet.
3. Once application and required supplements are submitted and determined to meet all requirements, Planning staff will assign the variance request to a public hearing date based on the Public Hearing deadline and meeting schedule.

Public hearing details:

- Public hearings for variance requests are held during regularly scheduled Board of Adjustment meetings which take place on the first and third Tuesday of each month. The Board meets at 5:30 pm in the Council Chambers at City Hall.
- A legal notice of public hearing is advertised in the newspaper, and a public hearing notice sign is placed on the subject property 15 days prior to the Board of Adjustment meeting.
- The applicant or representative must be in attendance to represent the request and answer questions from the Board. If the applicant or representative fails to appear on the scheduled meeting date, the item can be postponed only once. If the applicant fails to appear on the second meeting date, the request will be automatically denied.
- The Board may approve a variance request with conditions or limits.

If your setback reduction is approved:

- Setback reduction variances require provision of an official reduction survey that complies with the city's REDUCTION SURVEY STANDARDS.
- Planning staff will review and confirm that the reduction survey complies with survey standards and the approved variance. Survey revisions may be necessary.
- Once reviewed, surveys may be submitted for signatures on paper not exceeding 18" x 24". If a survey requires City and utility signatures, utility signatures must be gathered first.
- Surveys must be recorded with the Benton County Circuit Clerk, and a pdf must be filed with the Department of Community Development before considered final.



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

OFFICE USE ONLY

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

App. Number _____

CityWorks Application: _____

Date: _____

VARIANCE APPLICATION

APPLICANT: Crafton Tull

ADDRESS: 901 N 47th St SUITE #: 400

GENERAL LOCATION OF PROPERTY: Bewteen W. Green Acres Rd. and Hampton Place in Rogers, AR

PHONE #: 479-878-2456 EMAIL: Daniel.Ellis@craftontull.com/Courtney.Austin@craftontull.com

PROPERTY OWNER: Technical Park Development GP, LLC PHONE #: _____

REQUEST to ALLOW(Cite Variation[s] from Applicable Section[s] of Code and Proposal): _____

Exterior fence to be above 4' in height

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 project is phased. The fence is temporary and would be replaced once phase II is complete. Due to items stored at the car club security and safety of people's good is of the upmost importance a taller fence would provide this added security while phase II is under construction.

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

No. See attached letter.

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

Yes, This would be the best alternative while phase II is underway and will provide adequate security measures for the site. See attached letter for more details.

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

No.

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

The fence is temporary to provide protection and security to the site while
phase II is underway. The Variance will only need to be temporary.

5/25/2025

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



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

REDUCTION SURVEY STANDARDS

Surveys must feature the following:

- Information required per Arkansas Standards of Practice No. 1.
- Graphic depiction (with bearings and distances) of the area to be reduced.
- Textual depiction of the linear distance to be reduced.
- If a reduction only involves specific encroachments, the reduction area must include the specific encroachments.

Required signatures:

<i>Setback and easement reduction:</i>	<i>Setback reduction only:</i>	<i>*Easement reduction only:</i>
Property owner (with notarization) Secretary, Board of Adjustment Community Development Director RWU Electric provider Gas provider CATV provider Phone/Internet provider	Property owner (with notarization) Secretary, Board of Adjustment Community Development Director	Property owner (with notarization) Community Development Director RWU Electric provider Gas provider CATV provider Phone/Internet provider

*Easement reductions do not require a variance, but shall be submitted for review by Community Development and RWU, and require approval from all appropriate utilities. Submittals for easement reductions follow the standards and details above.

Utility Contact Information:

Provider	Contact	Phone #	Email
Rogers Water Utilities	Stephen Ponder	(479) 621-1156	stephenponder@rwu.org
Carroll Electric	Derek Thurman	(479) 273-2421 *2690	dthurman@carrollecc.com
AEP SWEPCO	Chris Andreolli	(479) 986-1015/ (479) 721-8573	clandreolli@aep.com
Black Hills Energy	Adam Comer	(479)320-5104/(479)877-0006	adam.comer@blackhillscorp.com
CATV (Cox)	Jason Combs	(479) 263-7057	jason.combs@cox.com
Phone (AT&T)	Justin Kumpe	(479) 435-2762	Jk449q@att.com



May 28th, 2025

City of Rogers
Community Development
301 W. Chestnut
Rogers, AR 72756

RE: Pinnacle Collector Suites – Variance Request
CTA Job No. 22109500
CityView Planning #PL202201168

Attention City of Rogers,

We would like to request a variance from the exterior fence height requirements listed in Article 4 Section 4.5.10 of the UDC. The UDC currently limits fence height to 4 feet. However, we are requesting approval to install an 8-foot-tall, black-coated chain link fence as a temporary security measure during Phase I of the project. This fence will be replaced and removed upon commencement of Phase II, which includes additional buildings that will provide permanent security and visual screening from the public street.

Due to the unique transitional nature of the site. During Phase I, the site is relatively exposed, and without the permanent structures planned in Phase II, the car club and its high-value vehicles are left vulnerable to trespassing, theft, and vandalism. A 4-foot fence does not provide the necessary level of security for a facility of this nature.

This is a temporary condition and not a permanent deviation from code requirements. Once Phase II is developed, the need for an 8-foot fence will no longer exist, as the new buildings will both screen and protect the property effectively.

We believe every measure to meet the intent of the code is being met. The fence will be constructed using black-coated materials to minimize visual impact. The design prioritizes public safety and property protection, which are key goals of the code. The fence is non-permanent, and its removal is planned and tied directly to the project's development timeline.

We appreciate your consideration of this variance request. Should you have any questions, or require any additional information, please contact us at your convenience.

Sincerely,

Courtney Austin, E.I.
Project Engineer

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING

VARIANCE

A variance to allow for the use of the property for a purpose not permitted by the Comprehensive Zoning Ordinance, Chapter 210.0, § 31-1, is being requested for the property located at 2100 S. 31st Street in the T5-1 (Community Medium Density) zoning district. The property is currently zoned T5-1 (Community Medium Density) and is being requested for a variance to allow for the use of the property for a purpose not permitted by the Comprehensive Zoning Ordinance, Chapter 210.0, § 31-1.

DESCRIPTION	APPLICANT
BOARD COMMISSION	MEETING DATE
MEETING TIME	MEETING LOCATION
PUBLIC COMMENTS	

APPLICANT: [Name]
BOARD COMMISSION: [Name]
MEETING DATE: July 13, 2022 at 6:30 PM
MEETING LOCATION: Project City Council Chamber, 301 W. Cherokee St., 3rd Floor, Oklahoma City, OK 73102
PUBLIC COMMENTS: [Name]
APPLICANT: [Name]



COMMUNITY DEVELOPMENT
PLANNING DIVISION
(479) 621-1188
planning@rogersar.gov