



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

PLANNING COMMISSION MEETING AGENDA

AUGUST 19, 2025

5:30 PM

VIEW ONLINE

PLANNING COMMISSION: [HTTPS://US02WEB.ZOOM.US/J/82478368404](https://us02web.zoom.us/j/82478368404)

BOARD OF ADJUSTMENT: [HTTPS://US02WEB.ZOOM.US/J/82478368404](https://us02web.zoom.us/j/82478368404)

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 August 5, 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** - Items removed from consent agenda.
- c. **NEW BUSINESS**



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a. Inicio Rezone

A rezone subject to standard review at 504 & 511 S. B Street from the T5.2 (City Medium-Intensity) zoning district to the T4.2 (Neighborhood High-Intensity) zoning district.

STAFF: Nicholas Little, Planner II

REPRESENTED BY: Hannah Cicioni

b. St. Vincent de Paul Rectory Expansion Rezone

A rezone subject to standard review at 1300 W. Cypress Street from the T3.1 (Neighborhood Very Low Intensity) zoning district to the T4.1 (Neighborhood Medium-Intensity) zoning district.

STAFF: Christina Moore, Planner I

REPRESENTED BY: Josh Lane

REPORTS :

a. COMMISSIONERS

b. STAFF

ADJOURN PLANNING COMMISSION:

CALL TO ORDER BOARD OF ADJUSTMENT:

ACTION ON MINUTES:

a. Approving August 5,2025

OLD BUSINESS :

a. NONE

NEW BUSINESS:

a. Massco Dental Expansion Variance

Requesting a variance from the Unified Development Code at 1506 N. 2nd Street in the HC (Highway Commercial) zoning district.

STAFF: Nicholas Little, Planner II

REPRESENTED BY: Caroline Fox

b. Thrasher Investments Variance

Requesting a variance from the Unified Development Code at 2010 W. Walnut Street in the T5.2 (City Medium-Intensity) zoning district.

STAFF: Zachery Birdsong, Planner II

REPRESENTED BY: Leah Thrasher



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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 August 5, 2025 at 5:30 P.M. The meeting was called to order by Chairman Steve Lane followed by the Pledge of Allegiance.

ROLL CALL

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

ACTION ON MINUTES

Motion by McClure, second by Jensen to approve the July 15, 2025 Planning Commission meeting minutes as presented.

Voice Vote: Unanimous – Yes. Motion carried.

APPROVED.

PUBLIC HEARINGS

Old Business

None.

New Business

i. 21st Street Property Rezone

A rezone subject to standard review at 2124 21st Street from the T2 (Rural) zoning district to the T4.1 (Neighborhood Medium-Intensity) zoning district.

Planning Deputy Director Joe Rexwinkle noted that the request is to rezone to T4.1 in the Neighborhood Fabric placetype which is subject to standard review. Residential uses are allowed in the requested zone and some have use standards that apply to some of those building types. Apartment houses are not allowed in the requested zone due to the use standards. The proposed zoning is compliant with the FLUM and all reasonable notification requirements have been met by the applicant. Staff recommends approval of the request.

Drew Dingler with Halff Associates represented the request and stated that the intent is for medium density residential development that will adhere to the Unified Development Code

The Chairman opened the public hearing for comments.

- Patricia Campbell – against request.
- Chalese Emert – against request.
- Todd Stuart – against request.
- Tony Lundquist – against request.
- Dennis Corter – against request.

The public hearing was declared closed.

Commissioners discuss the appropriateness of T4.1 versus T3.2.

Motion by Best, second by Stevens to recommend the request to City Council for approval as presented.

Voice Vote: Unanimous – Yes. Motion carried.

APPROVED.

ii. Shores Ave. Property Rezone

A rezone subject to standard review at 6303 W. Shores Ave. from the T2 (Rural) zoning district to the T3.2 (Neighborhood Low-Intensity) zoning district.

Planning Deputy Director Joe Rexwinkle noted the subject property is in the Neighborhood Fabric placetype and the requested rezone to T3.2 is the least intense district they can request. Residential uses are allowed but they have to meet the use standards. Staff recommends approval of the request.

Drew Dinger with Halff Associates represented the request.

The Chairman opened the public hearing for comments.

- Chris Peterson – against request.
- Chris Boyett – against request.
- Jackie Snead – against request.
- Angie Lipe – against request.
- Jenni Skarsten – against request.
- Jose Valdez – against request.

The public hearing was declared closed.

Commissioners and staff discuss some of the concerns.

Motion by McClure, second by Andrade to recommend the request to City Council for approval as presented.

Voice Vote: Unanimous – Yes. Motion carried.

APPROVED.

PUBLIC FORUM

REPORTS

ADJOURN

There being no further business, the Chair adjourned the meeting at 6:42 p.m.

ATTEST:

APPROVED:

Derek Burnett, Secretary

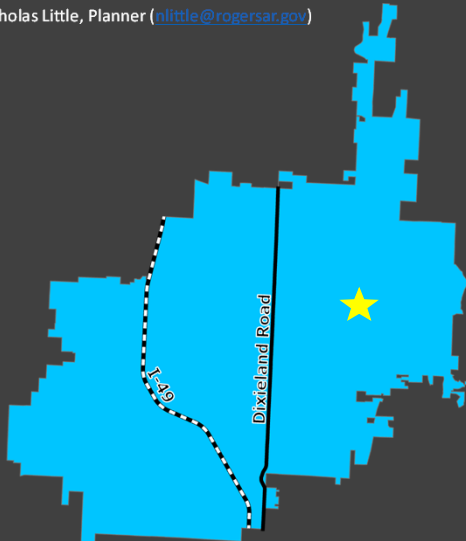
Steve Lane, Chairman



Rezone Inicio LLC

PLANNING

Staff: Nicholas Little, Planner (nlittle@rogersar.gov)



Vicinity Map

FLUM Place Type

Downtown City Center (DT-CC)

Zoning

T5.2

Proposed Zoning

T4.2

Location

504, 511 S. B Street

Representative

Inicio LLC

Nature of the Request:

The following request is for an amendment to the City of Rogers Unified Development Code Zoning Map, in accordance with Section 2.8 of the Rogers Unified Development Code.

Request Details:

- Proposal: The applicant is proposing to rezone ±0.71 acres from T5.2 to T4.2(Neighborhood High Intensity) in the Downtown City Center placetype.
- Review Type: Standard



Geolocation

Location Description

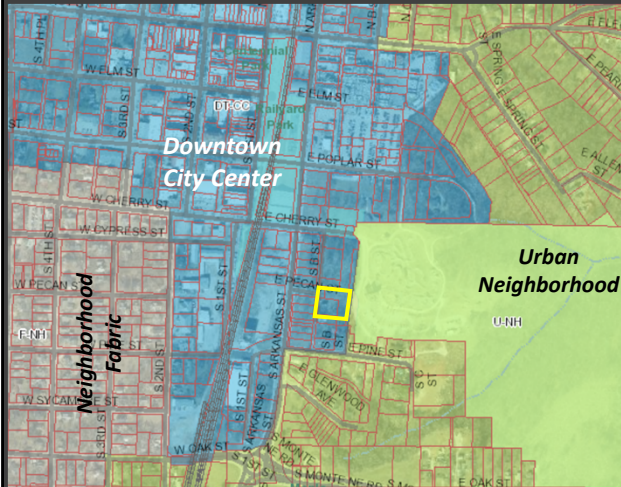
The subject property is located at the southeast corner of E Pecan Street and S. B Street, just west of the Railyard Bike Park.

Parcels: 02-02515-000, 02-02518-000, and a portion of vacated right-of-way north and east of the subject properties.

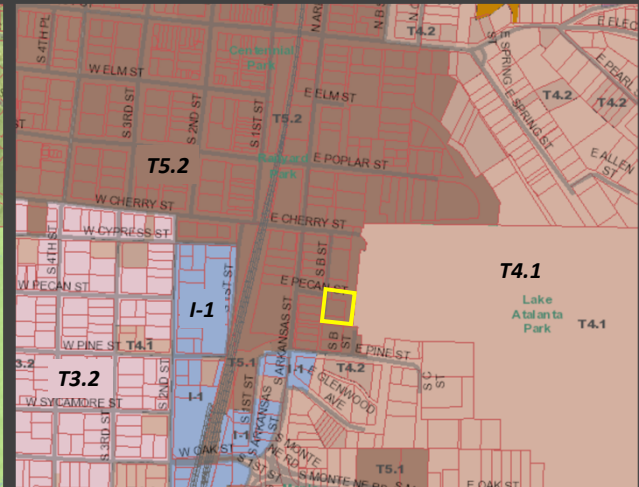


Rezone Inicio LLC

PLANNING



FLUM & MSP



Zoning Map

Current Zoning

T5.2 – City Medium-Intensity.

A medium-low intensity mixed-use district where medium to large-scale buildings line streets in corridor and city center placetypes.

Proposed Zoning

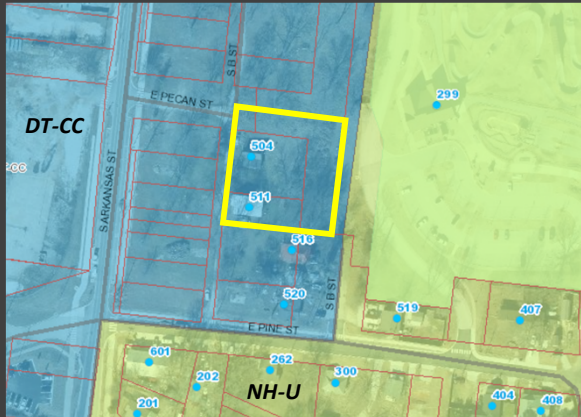
T4.2 – Neighborhood High Intensity

A high-intensity district intended primarily for urban neighborhood placetypes where compatible nonresidential uses within walking distance of homes are encouraged.



Rezone Inicio LLC

PLANNING



FLUM

Rezone Request

- T4.2 in Downtown City Center is subject to Standard Review

2.8.6 Standard Review Criteria

When reviewing and making decisions on zoning map amendments labeled "SR" in Table 2.8.3.A, the Planning Commission:

- Shall recommend approval of the proposed district(s) where they conform to the applicable requirements of this UDC.

	T2	T3.1	T3.2	T4.1	T4.2	T5.1	T5.2	T5.3	T6.1	T6.2	T6.3	HC	I-1	I-2
City Centers														
Downtown City Center					SR	SR	SR	ER						
Midtown City Center					SR	SR	SR	SR						
Southwest					SR	SR	SR	SR						

Placetype

Neighborhood Fabric

Placetype Description

"Neighborhood Fabric areas offer a diverse mix of housing options, ranging from single-family homes to small-scale multi-unit housing, neighborhood-scale parks, schools, and low impact retail and service establishments. These areas are constructed in an interconnected pattern of accessible streets and blocks for active transportation users of all ages and abilities. Neighborhood character is created through the style and type of housing and greenspace." *Rogers Future Land Use Placetypes*, pg. 6.



Rezone Inicio LLC

PLANNING

Uses Allowed in T4.2

- Residential, agriculture, civic, and commercial uses.

Use Standards in T4.2

- Detached House, Cottage House, Attached House and Duplex allowed without use-specific standards.
- Multi-unit House must be consistent in scale with the two nearest residential buildings on the same block face.
- Townhouses must be rear or side-loaded.
- Apartment Houses must be:
 - On a lot with frontage on an arterial or collector; or
 - Located in a Center placetype; or
 - Located abutting or across the street from a public park or programmed open space.
- Specific standards apply for the following uses:
 - Eating and Drinking
 - Retail

Selected Zone Standards in T4.2

- Max Height 4 stories (2 stories less than surrounding properties)
- Setbacks (5 ft exterior, 5 ft interior)

Use	T2	T3.1	T3.2	T4.1	T4.2	T5.1	T5.2
LIVING, in a	P	P	P	P	P	P	P
Detached House	P	P	P	P	P	P	
Cottage House	P	P	P	P	P	P	
Attached House	P	P	P	P	P	P	
Duplex		P	P	P	P	P	
Multi-Unit House		P	P	P	P	P	
Town House			P	P	P	P	P
Apartment House				P	P	P	P
Live-Work Building				P	P		
Mixed-Use Building					P	P	P
AGRICULTURE	P	P	P	P	P	P	P
CIVIC SPACES	P	P	P	P	P	P	P
COMMUNITY SERVICES					P	P	P
OFFICE					P	P	P
PROFESSIONAL OR PERSONAL SERVICES					P	P	P
EATING AND DRINKING					P	P	P
HEALTHCARE SERVICE						P	P
LODGING	P				P	P	P
PARKING				P	P	P	P
RETAIL					P	P	P

4.7.7 Eating and Drinking

In T4.2, such uses are allowed on the ground floor of a mixed-use building. Such uses are only allowed in a single-purpose building where:

Located within 660 feet or one block, whichever is less, of the intersection of two streets each being a collector or an arterial; and

They do not have a drive-through.

4.7.10 Retail

In T4.2, such uses are allowed on the ground floor of a mixed-use building. Such uses are only allowed in a single-purpose building where:

Located within 660 feet or one block, whichever is less, of the intersection of two streets each being a collector or an arterial; and

They do not have a drive-through.



Rezone Inicio LLC

PLANNING



Recommendation:

Approve

Geolocation

PUBLIC INPUT:

Staff hasn't received any calls or inquiries regarding this request.

RECOMMENDATIONS:

Staff recommends **approval** of this request.

2.8.8 Planning Commission

2.8.8.1 Standard Review Districts

Where the Director recommends approval of the application they shall cause the Commission to be presented with the request as part of its consent agenda. Interested persons must be provided an opportunity to speak in a public hearing before consideration of the consent agenda.

Thereafter the Commission must take one of the following actions:

- (A) Accept the findings and recommendations of the Director and recommend approval of the rezoning by majority vote of the quorum present as part of the consent agenda; or
- (B) Remove the application from the consent agenda for commissioner discussion on the application after which the Commission may accept the findings and recommendations of the Director and recommend approval of the rezoning by a majority vote of the quorum present or issue its findings and recommend approval or denial by majority vote of the quorum present.

Possible Planning Commission Motions for Standard Review:

- Recommend approval or denial. Either motion is deemed to pass when a majority of the quorum present vote in favor; or
- Table the request to a date certain not to exceed 60 days for more information. Such a motion requires a majority of the quorum present to pass; or
- Dismiss the request and the applicant's request. Such a motion requires a majority of the quorum present to pass.



DEPT. OF COMMUNITY DEVELOPMENT
PLANNING DIVISION
CITY OF ROGERS, ARKANSAS
301 W. CHESTNUT
PHONE: (479) 621-1186
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OFFICE USE ONLY

Permit Fee: _____

Zoning: _____ to _____

Permit Number: _____

CityView Application: _____

Date: _____

REZONE APPLICATION

APPLICANT: Intero, LLC

ADDRESS: 115 S 2nd St, Rogers AR 72756 SUITE #: _____

GENERAL LOCATION OF PROPERTY: 504 + 511 S B St, Rogers 72756

PARCEL NUMBER(S) OF PROPERTY: 02-02515-000 + 02-02518-000

PARCEL NUMBER: (504 SB#) 02-02515-000 (511 SB#) 02-02518-000

PHONE #: (479) 270-4982 EMAIL: hcc@intero.com

PROPERTY OWNER: Intero, LLC + Rogers Capital, LLC PHONE #: (479) 270-4982

PRESENT USE: Vacant ZONING: T5.2

PROPOSED USE: Housing ZONING: T4.2

[Signature] Date: June 26th, 2025

Attachment Checklist:

- ☐ Legal description of property
- ☐ Parcel Number for property
- ☐ Applicant Certification
- ☐ Property Owner Affidavit
- ☐ Site plan as needed

PLANNING STAFF PROVIDES:

DATE FILED: _____ PUBLIC HEARING DATE: _____ CERTIFIED MAIL DATE: _____

PLANNING COMMISSION ACTION: _____ DATE: _____

CITY COUNCIL ACTION: _____ DATE: _____

ORDINANCE NUMBER: _____ COMMENTS: _____

PROPERTY OWNER AFFIDAVIT

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

LEGAL DESCRIPTION: Please see Exhibit A

LAYMAN'S DESCRIPTION: 504 + 511 S B st

PRESENT ZONING: T5.2

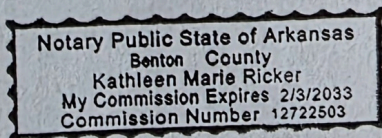
ZONING REQUEST: T4.2

Respectfully Submitted,

By: [Signature]
(Property Owner Signature)

STATE OF ARKANSAS
COUNTY OF Benton

Subscribed and sworn before me this the 26th day of June, 2025.



Kathleen Marie Ricker
Notary Signature

Kathleen Marie Ricker
Notary Name Printed

2/3/2033
Commission Expires

CERTIFICATION

I hereby state that to the best of my knowledge all property owners within 300 feet of my property have been notified by Certified mail at least 15 days prior to the upcoming public hearing for my rezone request.

Dated this the 26 day of June, 2025.

Signed

Hannah Cicioni

Name Printed

STATE OF ARKANSAS

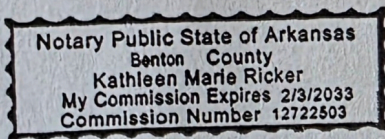
COUNTY OF Benton

Subscribed and sworn before me this the 26th day of June, 2025.

Kathleen Marie Ricker
Notary Signature

Kathleen Marie Ricker
Notary Name Printed

2/3/2033
Commission Expires



Bst Rezone

- Arkansouth LLC 204 SE 6th St Unit 202
Bentonville AR 72712
~~Railyard Properties LLC~~
~~PO Box 515 Bentonville, AR 72712~~
- CTF Holdings LLC
75 N Paul Ave ~~STE~~ 500
Fayetteville, AR 72701
- Clear Diamond LLC
3704 Phyllis Ct North Little Rock, AR 72116
- Gauch, Ernesto + Carmen
1509 SE Andry Ln, Bentonville, AR 72712-6493
- MSB Holdings
224 N Main St, Bentonville AR 72712-5335
- Eniko Garmendia
~~908~~ 908 W Olmick St, Rogers 72756
- Alexander Wayne Trustee c/o Robert W Branson
PO Box 698 Pimville, MO 64856
- Koeller Ventures LLC
609 E Ridgewood St, Orlando FL 32803
- Rally Properties LLC
1300 Blue Quail Dr Bentonville, AR 72712

✓

- Joshua + Beatriz McKinnon
625 Wharton Rd Lowell, AR 72745-8715

- Federico Robles
+ 207 Glenwood Ave Rogers AR 72756
1928 S 17th Pl, Rogers 72756

- Karl Harchenkoeder
201 E Glenwood Ave Rogers 72756

(Applicant's Signature)

By:

Respectfully Submitted

Chester Street, Rogers, Arkansas

Planning Staff) at 2:30 PM in the City Council Chambers of the City Hall Building located at 301 W.

A public hearing by the Rogers Planning Commission will be held on _____ 20____ (Date and time)

PROPOSED ZONING (Insert proposed zoning designation)

BEFORE THE PLANNING COMMISSION OF THE CITY OF ROGERS, ARKANSAS

NOTICE OF PUBLIC HEARING FOR A REZONE REQUEST

Notice is hereby given pursuant to Section 14-725-730 of the Rogers City Code that Hannah Cicioni is applying to the Rogers Planning Commission to rezone certain real property at 504 & 511 S B St, Rogers, Arkansas 72756. The property is more particularly described as follows:

LEGAL DESCRIPTION:

Lots 1 and 4, Block 33, BF Sikes Addition, to the City of Rogers, Arkansas, as shown on Plat Record in Plat Book "A", at Page 7 & 8, Plat Records of Benton County, Arkansas.
And

Lot 5, Block 33, BF Sikes Addition, to the City of Rogers, Arkansas, as shown on Plat Record in Plat Book "A", at Page 7 & 8, Plat Records of Benton County, Arkansas.
And
Exhibit A

LAYMAN'S DESCRIPTION: 504 & 511 S B ST, ROGERS, ARKANSAS 72756

PRESENT ZONING: T5.2

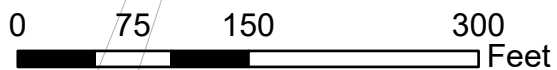
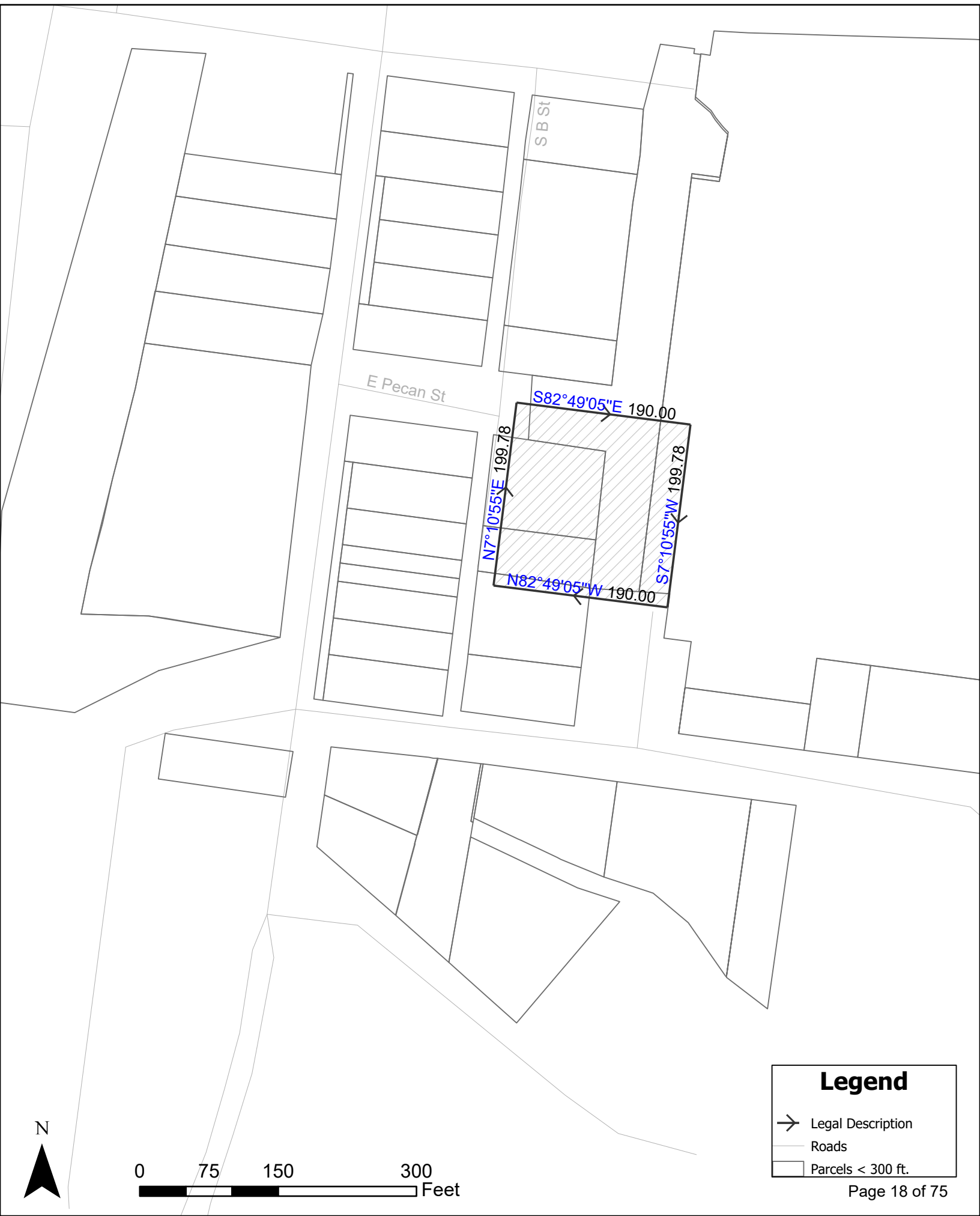
ZONING REQUEST: T4.2

A public hearing by the Rogers Planning Commission will be held on _____, 20__ at 5:30pm in the City Council Chambers of the City Hall Building located at 301 W Chestnut St, Rogers, Arkansas.

Respectfully submitted,

By: _____
Hannah Cicioni
(479)270-4982

RZ 25-00355 Legal Description Confirmation



Legend	
	Legal Description
	Roads
	Parcels < 300 ft.

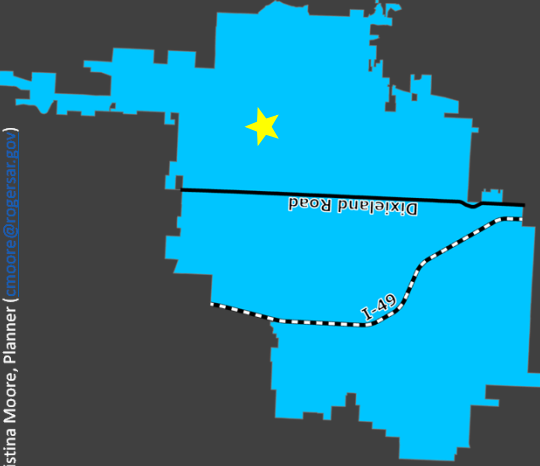




Rezone

St Vincent Rectory

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



Vicinity Map

FLUM Place Type

Neighborhood Fabric (F-NH)

Zoning

T3.1

Proposed Zoning

T4.1

Location

1300 W Cypress St.

Representative

Josh Lane

Nature of the Request:

The following request is for an amendment to the City of Rogers Unified Development Code Zoning Map, in accordance with Section 2.8 of the Rogers Unified Development Code.

Request Details:

- Proposal: The applicant is proposing to rezone ±0.35 acres from T3.1 to T4.1(Neighborhood Medium Intensity) in the Neighborhood Fabric (F-NH) placetypes.
- Review Type: Standard

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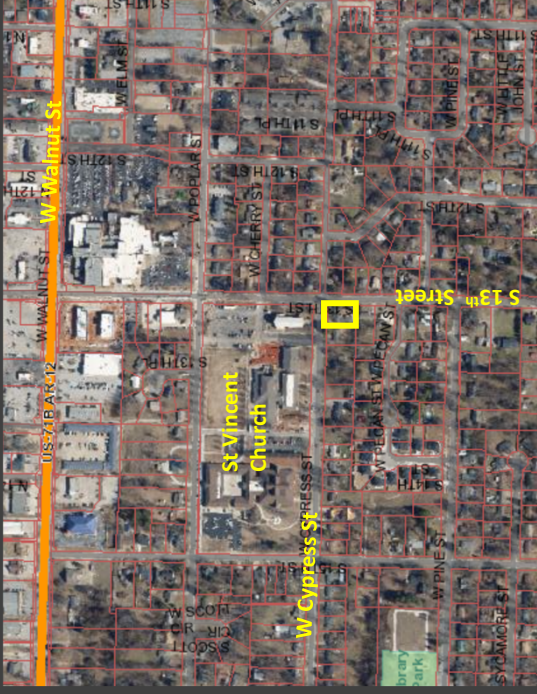
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Rezoning

St Vincent Rectory

PLANNING



Geolocation

Location Description

The subject property is located at the southwest corner of W Cypress Street and S 13th Street just south of the St Vincent Church. The existing building is used as a Rectory associated with St Vincent Church. Surrounding developments include civic spaces and detached houses.

Parcels: 02-04381-000



Rezone

St Vincent Rectory

PLANNING



FLUM & MSP



Zoning Map

Current Zoning

T3.1 – Neighborhood Very Low Intensity: A very low-intensity district intended primarily for suburban neighborhood placetypes.

Proposed Zoning

T4.1 – Neighborhood Medium-Intensity: A medium-intensity district intended primarily for neighborhood fabric, downtown neighborhood, and urban neighborhood placetypes where compatible nonresidential uses within walking distance of homes are allowed.



Rezone

St Vincent Rectory

PLANNING



FLUM & MSP

Rezoning Request

- T4.1 in Neighborhood Fabric is subject to Standard Review

2.8.6 Standard Review Criteria

When reviewing and making decisions on zoning map amendments labeled “SR” in Table 2.8.3.A, the Planning Commission:

- Shall recommend approval of the proposed district(s) where they conform to the applicable requirements of this UDC.

Place Type	T2	T3.1	T3.2	T4.1	T4.2	T5.1	T5.2	T5.3
Urban Neighborhood			ER	SR	SR	ER		
Fabric			SR	SR	ER			

Placetype

Neighborhood Fabric

Placetype Description

“Neighborhood Fabric areas offer a diverse mix of housing options, ranging from single-family homes to small-scale multi-unit housing, neighborhood-scale parks, schools, and low impact retail and service establishments. These areas are constructed in an interconnected pattern of accessible streets and blocks for active transportation users of all ages and abilities. Neighborhood character is created through the style and type of housing and greenspace.” *Rogers Future Land Use Placetypes*, pg. 6.



Rezone

St Vincent Rectory

PLANNING

Uses Allowed in T4.1

- Residential uses, agriculture, and civic uses.

Use Standards in T4.1

- Detached House, Cottage House, Attached House and Duplex allowed without use-specific standards.
- Multi-unit House must be consistent in scale with the two nearest residential buildings on the same block face.
- Townhouses must be rear or side-loaded.
- Apartment Houses must be:
 - On a lot with frontage on an arterial or collector, or
 - Located in a Center Placetype; or
 - Located abutting or across the street from a public park or programmed open space.

Selected Zone Standards in T4.1

- Max Height 3 stories (1/2 story greater than surrounding zones)
- Setbacks (10 ft exterior; 5 ft interior)

Standard	T2	T3.1	T3.2	T4.1	T4.2
Area Standards					
Max Building Coverage (% of lot)	30	40	50	60	70
Min. Impervious Surface (% of lot)	30	50	60	70	80
Principal Buildings					
Min. Exterior Yard (ft)	30	20	15	10	5
Max. Exterior Yard (ft)	See 4.2.5.1				
Min. Building Occupancy	None				
Min. Interior Yard (ft)	30	10	5	5	5
Min. Interior Yard, Alley-side	10	5	5	0	0
Min. Building Height (stories)	2	2.5	2.5	3	4

Table 4.6.AA Permitted Principal Uses

Use	T2	T3.1	T3.2	T4.1	T4.2	T5.1	T5.2	T5.3	T6.1	T6.2	T6.3	HC	I-1	I-2	Use-Specific Standards
LIVING, in a	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Detached House	P	P	P	P	P	P	P	P							
Cottage House	P	P	P	P	P	P	P	P							
Attached House	P	P	P	P	P	P	P	P							
Duplex		P	P	P	P	P	P	P							4.7.1
Multi-Unit House		P	P	P	P	P	P	P							
Town House		P	P	P	P	P	P	P				P			
Apartment House				P	P	P	P	P				P			

Placetype

Neighborhood Fabric

Placetype Description

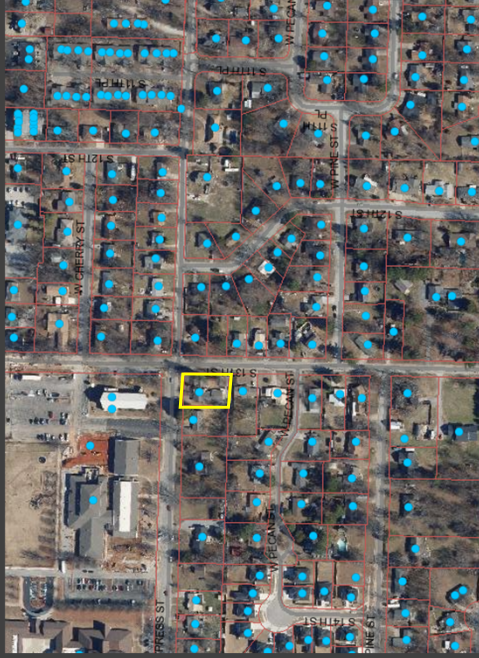
“Neighborhood Fabric areas offer a diverse mix of housing options, ranging from single-family homes to small-scale multi-unit housing, neighborhood-scale parks, schools, and low impact retail and service establishments. These areas are constructed in an interconnected pattern of accessible streets and blocks for active transportation users of all ages and abilities. Neighborhood character is created through the style and type of housing and greenspace.” *Rogers Future Land Use Placetypes*, pg. 6.



Rezone

St Vincent Rectory

PLANNING



Geolocation

Recommendation:

Approve

PUBLIC INPUT:

Staff received a call requesting more information about the rezone.

RECOMMENDATIONS:

Staff recommends **approval** of this request.

2.8.8 Planning Commission

2.8.8.1 Standard Review Districts

Where the Director recommends approval of the application they shall cause the Commission to be presented with the request as part of its consent agenda. Interested persons must be provided an opportunity to speak in a public hearing before consideration of the consent agenda.

Thereafter the Commission must take one of the following actions:

- (A) Accept the findings and recommendations of the Director and recommend approval of the rezoning by majority vote of the quorum present as part of the consent agenda; or
- (B) Remove the application from the consent agenda for commissioner discussion on the application after which the Commission may accept the findings and recommendations of the Director and recommend approval of the rezoning by a majority vote of the quorum present or issue its findings and recommend approval or denial by majority vote of the quorum present.

Possible Planning Commission Motions for Standard Review:

- Recommend approval or denial. Either motion is deemed to pass when a majority of the quorum present vote in favor; or
- Table the request to a date certain not to exceed 60 days for more information. Such a motion requires a majority of the quorum present to pass; or
- Dismiss the request and the applicant's request. Such a motion requires a majority of the quorum present to pass.



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

OFFICE USE ONLY

Permit Fee: _____

Zoning: _____ to _____

Permit Number: _____

CityView Application: _____

Date: _____

REZONE APPLICATION

APPLICANT: Josh Lane

ADDRESS: 3104 Cotswold Ln, Little Flock, AR, 72756 SUITE #: _____

GENERAL LOCATION OF PROPERTY: 1300 W. Cypress St., Rogers, AR 72758

PARCEL NUMBER(S) OF PROPERTY: 02-04381-000

PARCEL NUMBER: 02-04381-000

PHONE #: 479-721-8229 EMAIL: jthomashomesnwa@gmail.com

PROPERTY OWNER: Catholic Diocese of Little Rock PHONE #: 501-664-0340

PRESENT USE: Residential Housing ZONING: T3.1

PROPOSED USE: Residential Housing ZONING: T4.1

 06/27/2025
Applicant Signature Date

Attachment Checklist:

- ☐ Legal description of property
- ☐ Parcel Number for property
- ☐ Applicant Certification
- ☐ Property Owner Affidavit
- ☐ Site plan as needed

PLANNING STAFF PROVIDES:

DATE FILED: _____ PUBLIC HEARING DATE: _____ CERTIFIED MAIL DATE: _____

PLANNING COMMISSION ACTION: _____ DATE: _____

CITY COUNCIL ACTION: _____ DATE: _____

ORDINANCE NUMBER: _____ COMMENTS: _____

PROPERTY OWNER AFFIDAVIT

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

LEGAL DESCRIPTION:

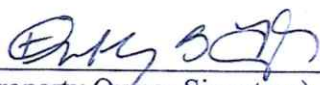
A PART OF LOT ONE (1), BLOCK FIVE(5) OF FELKER'S SUBDIVISION TO THE CITY OF ROGERS, ARKANSAS, AS PER PLAT OF SAID SUBDIVISION ON FILE IN THE OFFICE OF THE CIRCUIT CLERK OF BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS BEGINNING AT A SET 1/2" IRON REBAR AT THE NORTHEAST CORNER OF SAID LOT ONE (1); THENCE THENCE S00°11'57"W 143.60 FEET ALONG THE EAST LINE OF SAID LOT ONE (1) TO A SET 1/2" IRON REBAR; THENCE N89°02'17"W 105.00 FEET TO A SET NAIL IN A CONCRETE WALL; THENCE N00°11'54"E 143.45 FEET TO A SET 1/2" IRON REBAR ON THE NORTH LINE OF SAID LOT (1); THENCE S89°07'08"E 105.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.35 ACRES, MORE OR LESS

LAYMAN'S DESCRIPTION: 1300 W. Cypress St., Rogers, AR 72758

PRESENT ZONING: T4.1

ZONING REQUEST: T3.1

Respectfully Submitted,

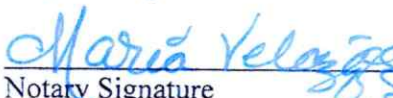
By: 
(Property Owner Signature)

Anthony B. Taylor, Bishop
Roman Catholic Diocese of Little Rock

STATE OF ARKANSAS
COUNTY OF Pulaski

Subscribed and sworn before me this the 1st day of July, 2025.




Notary Signature

Maria Velazquez
Notary Name Printed

1/15/2030
Commission Expires

PROPERTY OWNER AFFIDAVIT

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

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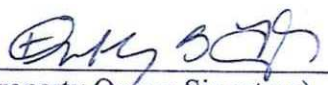
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LAYMAN'S DESCRIPTION: 1300 W. Cypress St., Rogers, AR 72758

PRESENT ZONING: T4.1

ZONING REQUEST: T3.1

Respectfully Submitted,

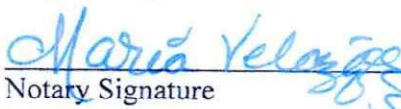
By: 
(Property Owner Signature)

Anthony B. Taylor, Bishop
Roman Catholic Diocese of Little Rock

STATE OF ARKANSAS
COUNTY OF Pulaski

Subscribed and sworn before me this the 1st day of July, 2025.




Notary Signature

Maria Velazquez
Notary Name Printed

1/15/2030
Commission Expires

CERTIFICATION

I hereby state that to the best of my knowledge all property owners within 300 feet of my property have been notified by Certified Mail **with return receipts requested** at least 15 days prior to the upcoming public hearing.

Dated this the 23 day of July, 2025.

Signed

Josh Lane

Josh Lane

Name Printed

STATE OF ARKANSAS

COUNTY OF Benton

Subscribed and sworn before me this the 23 day of July, 2025.

[Signature]
Notary Signature

Mary E Stuchel
Notary Name Printed

April 27, 2034
Commission Expires



Rezone Contact List

Number	Company name	Contact name	Mailing Address	City	State or province	Postal code	Parcel Number (Property Address)
1		JEANNE A HICKMAN	1316 W CYPRESS ST	ROGERS	AR	72758	02-04383-000
2		JEANNE A HICKMAN	1316 W CYPRESS ST	ROGERS	AR	72758	02-04382-000 (1310 W CYPRESS ST)
3		KATHLEEN S PHILLIPS	500 S 12TH ST	ROGERS	AR	72756	02-03784-000
4		DIANA WEST	1249 W CYPRESS ST	ROGERS	AR	72756	02-04276-000
5		DAVID & TAMMY ROYAL	1217 W CYPRESS ST	ROGERS	AR	72756	02-04277-000
6		TERRY JR & ANGES BRYANT	1215 W CYPRESS ST	ROGERS	AR	72756	02-04278-000
7	LOURDES LLC		1919 S 21ST ST	ROGERS	AR	72758	02-03785-000 (501 S 13TH ST)
8	LOURDES LLC		1919 S 21ST ST	ROGERS	AR	72758	02-03786-000 (13th ST adj. to 501 S 13TH)
9		ROGER & JULIA PRICE	515 S 13TH ST	ROGERS	AR	72758	02-03787-000
10		LISA & CHRISTOPHER RILEY	517 S 13TH ST	ROGERS	AR	72758	02-03788-000
11		WENDY M LEWIS	521 S 13TH ST	ROGERS	AR	72758	02-03789-000
12		ADAM & JENNIFER KREIN	525 S 13TH ST	ROGERS	AR	72758	02-03790-000
13		MELISSA J HIGBY	510 S 13TH ST	ROGERS	AR	72758	02-08532-000
14		MICHAEL SMOTHERS	520 S 13TH ST	ROGERS	AR	72758	02-08533-000
15		ANTHONY J COLES	517 S 15TH ST	ROGERS	AR	72758	02-08542-000 (1300 W PECAN ST)
16		DAWN JIMENEZ	203 N OLD WIRE RD	LOWELL	AR	72745	02-03799-000 (504 S 12TH ST)
17		GRAYSON & BRENNALLEN	506 S 12TH ST	ROGERS	AR	72756	02-03798-000
18		AMILCAR RAMOS	1221 W PINE ST	ROGERS	AR	72756	02-03791-000
19		ERIK MARTINEZ	1303 W PECAN ST	ROGERS	AR	72756	02-08534-000
20		TERRY BOYLE	1305 W PECAN ST	ROGERS	AR	72758	02-08535-000
21		ALYCE M PARRISH	1307 W PECAN ST	ROGERS	AR	72758	02-08536-000
22		KAYLEN E & ELIZABETH A DOWD	1304 W PECAN ST	ROGERS	AR	72758	02-08541-000
23	JOCO REAL ESTATE INVESTMENT LLC		212 S CHERRY ST	OLATHE	KS	66061	02-08540-000 (1306 W PECAN ST)
24		JOANNE GOULD & LISA EISELE	1216 W CHERRY ST	ROGERS	AR	72756	02-04269-000
25		BROOKS MOORE	1401 VINEYARD ST	PEA RIDGE	AR	72751	02-04270-000 (1214 W CHERRY ST)



RZ 25-00374 Legal Description Confirmation

Legend



Legal Description



Roads



Parcels < 300 ft.

0 75 150 300 Feet

W Cypress St

S86°52'32"E 104.95

N2°11'19"E 143.68

N87°01'11"W 105.63

S2°00'11"W 144.01

S 13th St

N





STOP

DIP

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING
REZONE

PLANNING DIVISION
1501 10th St.
Baltimore, MD 21202
www.baltimore.gov



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

BOARD OF ADJUSTMENT MINUTES

The **Rogers Board of Adjustment** met for a public meeting at Rogers City Hall at 301 W. Chestnut Street on August 5, 2025 at 6:44 P.M. The meeting was called to order by Commissioner Kevin Jensen.

ROLL CALL

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

ACTION ON MINUTES

Motion by Jensen, second by Burnett, to approve 7/15/25 Board of Adjustment minutes as presented.

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

APPROVED

NEW BUSINESS

a. Leister Variance

Requesting a variance from the Unified Development Code at 6601 S. Silverthorne Lane in the T3.1 (Neighborhood-Very Intensity) zoning district.

Deputy Director of Planning Joe Rexwinkle stated that the applicant is requesting a variance to allow encroachment on setbacks in three small areas. The stated hardship is that the applicants home sits at an angle on the property, therefore, any additions to the home would cross into the setbacks. The intent of the addition proposed to the home is to allow for more functional space to care for elderly parents. The applicant believes the request aligns with the intent of the code. They state that the addition will maintain functionality and aesthetics while remaining consistent with the scale and appearance of neighboring properties. Encroachment on the setbacks is very minor in both places, allowing the spirit and intent of the code to still be met. Staff recommends approval of the request.

Michael Leister stated the house is angled on the lot and limits expansion options.

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 Jensen, second by Burnett to approve the request.

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

APPROVED

ADJOURN

There being no further business, the Commissioner Burnett adjourned the meeting at 6:51 p.m.

Approved by vote of the Board of Adjustment on:

Kevin Jensen, BOA Secretary

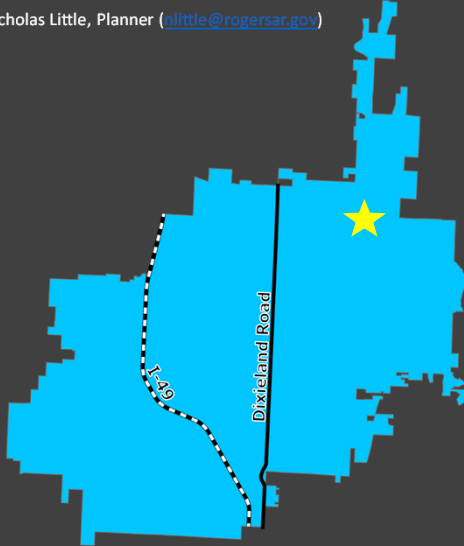


Variance

PLANNING

Massco Dental

Staff: Nicholas Little, Planner (nlittle@rogersar.gov)



Vicinity Map

Location

1506 N 2nd Street

Nature of Request

Setback Encroachment; Use Standard Variance

Zoning

HC – Highway Commercial

Existing Use

Freight, Logistics and Storage; General Industry

Representative

Caroline Fox, DCI

Summary:

This request is for a variance from Section 4.5 Zone Standards to allow an encroachment into the front setback in HC zoning. The applicant is also requesting a variance from Section 4.7.15, which restricts the use “Freight, Logistics and Storage” within 250’ of any arterial or collector street, or any mixed-use street or boulevard.

Parcel: 02-00749-000

Site Acreage: ±2.14 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.

Section 2.12 Variances:

2.12.1 Purpose & Intent

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



Aerial Image

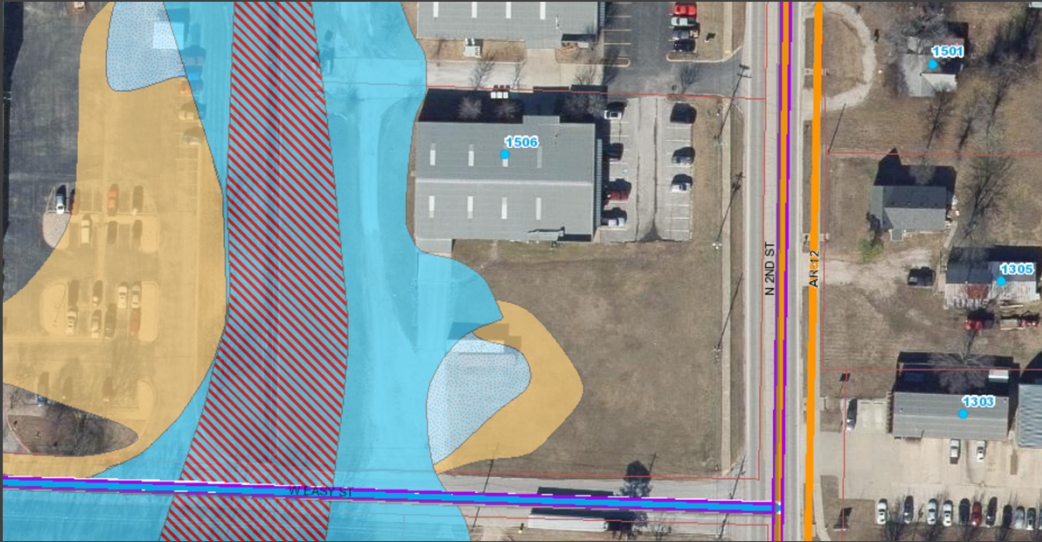
This site is located in northeast Rogers, at the northwest corner of N 2nd Street and W Easy Street.



Variance

Massco Dental

PLANNING



Aerial Image, with MSP and Floodplain layers

This aerial image shows the subject property with master street plan and floodplain layers. N 2nd Street is considered a minor arterial, and W Easy Street is considered a collector.



Variance

Massco Dental

PLANNING

Variance Request

- 1) Variance request from Sec. 4.7.15., to allow the use Freight, Logistics and Storage in HC zoning within 250' of an arterial or collector street, or any mixed-use street or boulevard typology.
- 2) Variance request from Table 4.5.A. to allow a 10' encroachment into the 30' exterior yard setback for HC zoning.



Proposal Exhibit

Variance Summary:

- 1) Variance request from Sec. 4.7.15., to allow the use Freight, Logistics and Storage in HC zoning within 250' of an arterial or collector street, or any mixed-use street or boulevard typology.
- 2) Variance request from Table 4.5.A. to allow a 10' encroachment into the 30' exterior yard setback for HC zoning.



Variance

PLANNING

Massco Dental

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?	"For the variance to code 4.7.15: This site is an existing business that is currently operating as a Freight, Logistics, and Storage use type and would like to expand their operation on the portion of the property that is currently open yard space. The property is approx. 290'x274' and with the floodplain on the west portion there is no spot available that is more than 250' from 2nd St (arterial) and Easy St. (collector). Strict enforcement of this code would restrict the owner from expanding his operation or forcing him into a whole new business line to be able to use the remaining buildable area. For the variance to HC zoning setbacks: (Please refer to submitted exhibit) The floodplain, slope of this property, and the existing structures make the southeast corner of this property the only feasible location for a building. To make adequate room for detention and the new building, we would like to reduce the setbacks to the edge of the existing general utility easement."

The stated hardship for the use standard variance from Sec. 4.7.15 for Freight, Logistics and Storage is that the business has nowhere else to expand their building, other than toward the minor arterial-collector intersection of N 2nd and W Easy Streets, because of the floodplain on the western portion of the site. The existing business is already located less than 250' from that intersection.

The stated hardship for the HC setbacks variance is rooted in the same cause. The applicant points to the western portion of the lot is unbuildable due to the floodplain, leaving the southeastern portion of the lot as the only feasible location for expansion. In order to build the size and shaped building the applicant's wish, a variance would be required for the encroachment of the exterior yard/front setback.



Variance

PLANNING

Massco Dental

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?	"For the variance to code 4.7.15: This new warehouse will be a 100'x100' building that will reflect the aesthetic of the existing building on the property. The 2nd Street façade will have the look and glazing of an office space. The new warehouse will be a 100'x100' structure that will not create an overwhelmingly long building face that would negatively impact the street frontage or pedestrian routes. For the variance to HC zoning setback: The glazing of the building façade will be increased to account for the closer proximity to the pedestrian routes. This percentage will be determined by planning staff during the site development plan review."

The applicant believes the request aligns with the intent of the code given that the proposed building will reflect the



Variance

PLANNING

Massco Dental

Staff Analysis – Variance from Use Standards Sec. 4.7.15.

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

Yes. There is no other location on the site that is developable due to the existing floodplain on the western portion of the property. The “Freight, Storage and Logistics” use was taking place on this site before the adoption of the UDC and this statute that prohibits the existing use within 250’ of certain types and classifications of roads.



Google Street View from May 2014

Strict application of the code would cause hardship at this location, due to the business existing here before the adoption of the UDC, and the existing floodplain area on the western portion of the property.



Variance

PLANNING

Massco Dental

Staff Analysis – Variance from Use Standards Sec. 4.7.15.

Is the hardship a result of any action taken by the property owner or on their behalf?	No. Expansion of an existing business is not seen as a self-inflicted hardship, as Section 1.2.2 speaks to generally supporting economic growth and industrial development.
Is the variance or waiver requested the minimum amount necessary to carry out the project?	Yes. There is nowhere for this business to expand on this site other than closer to the arterial/collector intersection.
Is there another reasonable method of avoiding the need for a variance or waiver?	No.

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

No. Expansion of an existing business is not seen as a self-inflicted hardship, as Section 1.2.2 speaks to generally supporting economic growth and industrial development.

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

Yes. There is nowhere for this business to expand on this site other than closer to the arterial/collector intersection.

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

No.



Variance

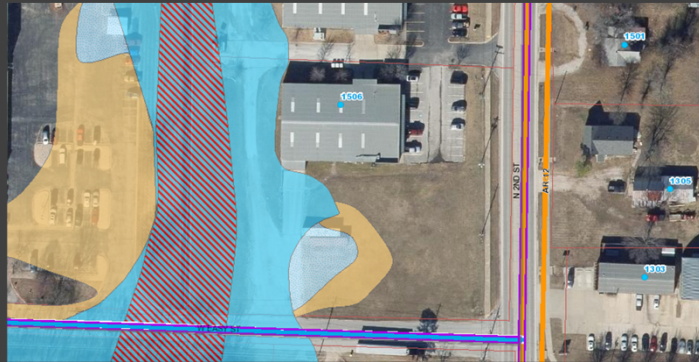
PLANNING

Massco Dental

Staff Analysis – Variance from Minimum Exterior Yard Setback Table 4.5.A.

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

Yes. The presence of significant floodplain area along the western portion of the property creates a situation that only really makes the southeastern corner of the lot feasible for development.



Site Aerial Imagery with Floodplain

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

Yes. The presence of significant floodplained area on the southwestern portion of the property creates a situation that only really makes the southeastern corner of the lot feasible for development.



Variance

PLANNING

Massco Dental

Staff Analysis – Variance from Minimum Exterior Yard Setback Table 4.5.A.

Is the hardship a result of any action taken by the property owner or on their behalf?	No. The main hardship in this instance is the presence of floodplain on the subject property, which is no fault of the property owner.
Is the variance or waiver requested the minimum amount necessary to carry out the project?	Yes. The presence of the floodplain area forces the applicants to encroach the setback given the size of the proposed structure.
Is there another reasonable method of avoiding the need for a variance or waiver?	A smaller building footprint could cause the applicant to avoid this variance. At the proposed size of the new structure, there is no other reasonable avoidance of the variance.

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

No. The main hardship in this instance is the presence of floodplain on the subject property, which is no fault of the property owner.

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

Yes. The presence of the floodplain area forces the applicants to encroach the setback given the size of the proposed structure.

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

A smaller building footprint could cause the applicant to avoid this variance. At the proposed size of the new structure, there is no other reasonable avoidance of the variance.



Variance

Massco Dental

PLANNING



Recommendation

- **APPROVE** the variance from Use Standard in Sec. 4.7.15., allowing “Freight, Logistics and Storage” use in HC zoning no less than **20’** (variance of 230’) from an arterial and a collector street, and boulevard typology; with the condition that at least 25% glazing be provided on south and east facades of the new southeastern building.
- **APPROVE** the variance to Table 4.5.A. to allow a **10’ encroachment** (variance of 20’) into the 30’ exterior yard setback for HC zoning.

Public Input:

No.

Recommendation:

- **APPROVE** the variance from Use Standard in Sec. 4.7.15., allowing “Freight, Logistics and Storage” use in HC zoning no less than **20’** (variance of 230’) from an arterial and a collector street, and boulevard typology; with the condition that at least 25% glazing be provided on south and east facades of the new southeastern building.
- **APPROVE** the variance to Table 4.5.A. to allow a **10’ encroachment** (variance of 20’) into the 30’ exterior yard setback for HC zoning.

3 July 2025

City of Rogers

Planning Commission
301 W Chestnut St.
Rogers, AR 72756
479.621.1186

DCI Job Number: 25-139

Project Name: Massco Dental Expansion

Owner: Dunagin Family Revocable Trust – Michael Sean & Christin
1506 N 2nd Street
Rogers, AR 72756

Project Narrative:

Massco Dental is a dental equipment manufacturing business located at 1506 N 2nd Street and is looking to expand their business operations. The business is located on Parcel Number 02-00749-000 and consists of approximately 2.14 acres currently zoned HC – Highway Commercial. The owners wish to construct a new building that will be used as a flex space for warehousing and retail, approximately an 80/20 split, that will front N 2nd Street and will be of the Freight, Logistics, and Storage use type.

The property is bordered to the north by another business in the HC zone and then industrial zoning immediately north of that parcel, to the east by N 2nd Street (an arterial street), to the south by W East Street (a collector street), and to the west by a regulatory floodway and floodplain. Additionally, this property is in an area dominated by industrial zoning to the north, west, and south.

Current zoning does not allow for the use of Freight, Logistics, and Storage to be located within 250 feet of an arterial or collector street within the HC Zone, which removes the southern and easter portions of the developable area for this property. Additionally, a significant portion of the property, approximately 33.7%, is within the floodplain or floodway, further hampering the western developable area of the property. A 20' utility easement borders entire property, reducing the developable area.

Due to the floodway and regulatory floodplain being located on the western portion of this property, as well as the topography of the property, the most logical space for development is to the east. The owners wish to expand their current operations and are asking for variances from the Rogers UDC Section 4.5 Setback requirements for HC Zoning and Section 4.7.15 Freight, Logistics, and Storage.

Variance Request:

On behalf of the owner, DCI is requesting variances to the following sections of the Unified Development Code.

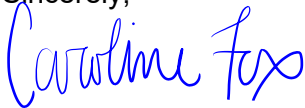
1. Variance to UDC Section 4.5 – Zone Standards. Code requires Highway Commercial zones to have a 30' setback on exterior yards (i.e. frontages). Due

Engineering • Planning • Land Surveying • Landscape Architecture

- to the floodplain, slope of this property, and the existing structures, the southeast corner of this property is the only feasible location for a building. To make adequate room for detention and the new building, we would like to reduce the setbacks to the edge of the existing general utility easement. To keep with the spirit and intent of the code, the glazing of the building façade will be increased to account for the closer proximity to the pedestrian routes. This number will be determined by planning during the site development plan review.
2. Variance to UDC Section 4.7.15 – Freight, Logistics, and Storage. Code does not allow for Freight, Logistics, and Storage use type to be located within 250 ft. of an arterial or collector street type. The site has an existing business that is currently operating as a Freight, Logistics, and Storage use type and would like to expand their operation on the portion of the property that is currently open space. The property is approx. 290'x274' and with the floodplain on the west portion there is no spot available that is more than 250' from 2nd St (arterial) and Easy St. (collector). Strict enforcement of this code would restrict the owner from expanding their current operations in a region that heavily influenced by Freight, Logistics, and Storage or other industrial uses. In keeping with the spirit and intent of the code, the new warehouse will be a 100'x100' building that will reflect the aesthetic of the existing building on the property. The N 2nd Street façade will have the look and glazing of an office space. The new warehouse will be a 100'x100' structure that will not create an overwhelmingly long building face that would negatively impact the street frontage or pedestrian routes.

Thank you for your consideration and we look forward to working with the City moving forward.

Sincerely,

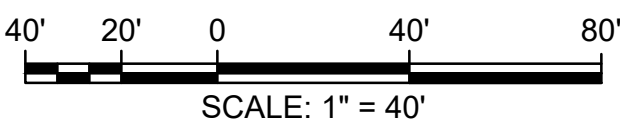
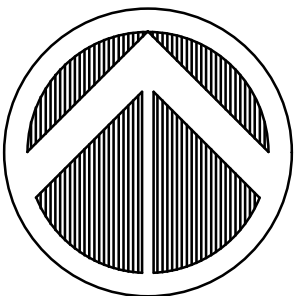
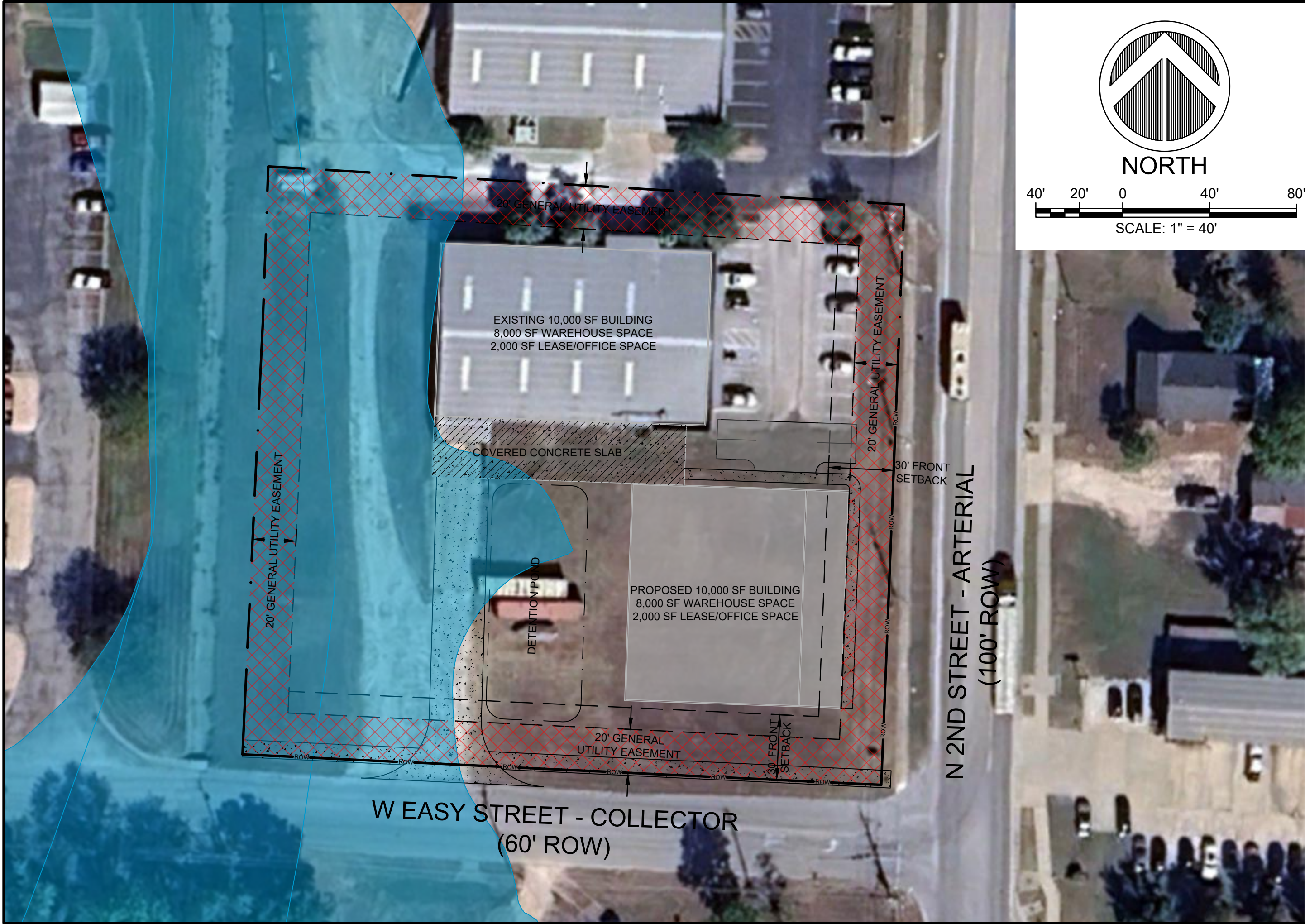


Caroline Fox, P.E.

CarolineF@DCIUS.PRO

479.444.7880

Development Consultants



DCI DEVELOPMENT CONSULTANTS INCORPORATED 2200 N. ROONEY PARHAM ROAD SUITE 200 LITTLE ROCK, AR 72212 501-224-7800	
COPYRIGHT:	2025
SCALE:	1" = 40'
DATE:	6-26-2025
REVISIONS	
INCORPORATED	
CONSULTANTS	
DEVELOPMENT	
PROJECT TITLE:	MASSCO DENTAL EXPANSION
PROJECT NO.:	22-135
SHEET NO.:	EX-1
VARIANCE EXHIBIT	



MASSCO MANUFACTURING

1506

MASSCO DENTAL
JANUARY 2018
2018-2019

- Contract Manufacturing
- Formulation
- Mixing
- Blending
- Packaging

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING
SUBSTANCE

MassCo Manufacturing, Inc. is seeking approval for a Conditional Use Permit (CUP) for the proposed use of the property as a light industrial facility. The proposed use is for the manufacturing of dental products. The property is located at 1506 [Address] in the [Neighborhood] area. The proposed use is for the manufacturing of dental products. The property is located at 1506 [Address] in the [Neighborhood] area. The proposed use is for the manufacturing of dental products.

COMMUNITY DEVELOPMENT
PLANNING DIVISION
4475 E. 11th
[Phone Number]
[Email Address]

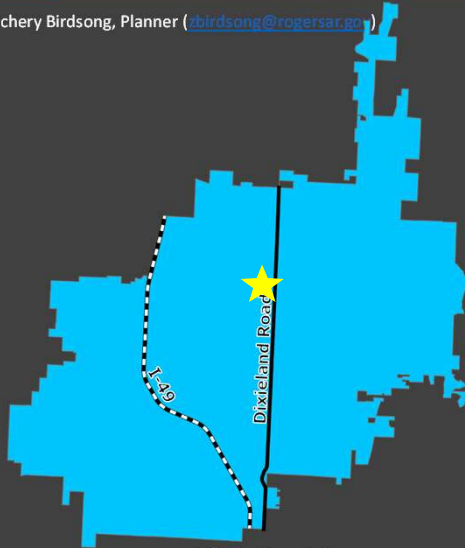


Variance

PLANNING

Thrasher Investments

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



Vicinity Map

Location

2010 W Walnut

Nature of Request

Use Standard Variance

Zoning

T5.2

Representative

Leah Thrasher

Summary:

This request is for a variance from Section 4.7.14(B) stating that auto service uses are prohibited on corner lots except within Highway Commercial and Light Industrial zoning.

Parcel: 02-10990-000

Site Acreage: ±.61 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.

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.

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- Would the variance or waiver cause undue hardship to the property owner due to circumstances unique to the property; and
- Is the hardship a result of any action taken by the property owner or on their behalf; and
- Is the variance or waiver requested the minimum amount necessary to carry out the project; and
- 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

Thrasher Investments

PLANNING



Aerial Image

Location:

This site is located in northcentral Rogers, at the southeast corner of Walnut and South 21st street.



Variance

PLANNING

Thrasher Investments

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?	"Strict enforcement of the new zoning code - specifically the restriction of garage doors on corner lots - creates an undue hardship for my property due to its unique physical characteristics and the unintended consequences of the updated regulations. The parcel in question is a rectangular-shaped corner lot, which significantly limits flexibility in site planning and building orientation. Unlike square or interior parcels that offer greater design <i>options</i>, the layout of this rectangular lot requires thoughtful use of every linear foot to accommodate essential building functions, such as customer access, traffic circulation, and required setbacks. The nature of the business I am leasing to—an automotive service provider—requires the inclusion of garage doors for customer service bays, and those must face outward to function appropriately. Under the prior zoning, this property was well-positioned for redevelopment. I secured a 15-year lease agreement with a nationally recognized company (Take 5), contingent upon the ability to demolish the outdated structure and build a new, modern facility. The project would bring substantial community benefit, including job <i>creation</i>, increased property and sales tax revenue, and improved traffic flow through a proposed rerouting of ingress/egress from Walnut Street to 21st Street." (See applicant's letter for full response)

Applicant's Response:

The stated hardship by the applicant is that the lot's shape limits flexibility in site planning and building orientation. She also states that the nature of the business the land is being leased to requires the inclusion of garage doors for customer service bays which must face outward to function properly.



Variance

PLANNING

Thrasher Investments

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?	"The spirit and intent of the zoning code—particularly the restriction on garage doors facing public streets on corner lots—is to promote aesthetic quality, pedestrian safety, and cohesive neighborhood design. I fully support these goals and believe the proposed development aligns with them, even with the requested variance. The project I am seeking to move forward with involves a complete redevelopment of an outdated structure into a modern, professionally designed facility. The design will include high-quality materials, updated landscaping, and a traffic rerouting plan that improves flow and safety for both vehicles and pedestrians. Every effort will be made to ensure the garage doors are visually integrated into the overall design and do not detract from the surrounding streetscape. Furthermore, this is not a request to avoid compliance but rather to adapt the intent of the code to the real-world limitations of this specific site. Due to the rectangular shape and corner location of the lot, there is no viable way to orient the building without some portion of the garage doors facing a street." (See applicant's letter for full response)

Applicant's Response:

The applicant believes the request aligns with the intent of the code because the site will be redeveloped with quality materials, updated landscaping, and a traffic rerouting plan that improves flow and safety for vehicles and pedestrians.



Thrasher Investments

Applicant's Response

	Applicant's Response
Is the variance or waiver requested the minimum amount necessary to carry out the project?	"Yes, the variance requested is the minimum necessary to make this project viable and to allow for reasonable use of the property. The sole request is for permission to place garage doors on a corner lot—an essential element of the <i>building design required by the national</i> tenant, whose business model depends on vehicle access to service bays. No other variances are being requested. The layout and design of the building have been carefully planned to fit within the existing zoning guidelines in every other respect, including setbacks, landscaping, and traffic flow. However, due to the rectangular shape and corner location of the property, there is no feasible orientation that would both meet the operational needs of the tenant and comply with the garage door restriction. This waiver does not seek to circumvent the intent of the zoning code but rather to provide just enough flexibility to address the unique physical constraints of the lot. Without this small but critical <i>adjustment</i>, the entire project—and the opportunity to lease to a national, job-creating business—cannot move forward. Therefore, this request is narrowly tailored to meet the minimum relief necessary to develop the site in a responsible, attractive, and economically productive way that benefits the surrounding community."

Applicant's Response:

The applicant states that the variance requested is the minimum necessary to make this project viable because due to the shape and corner location of the property there is no feasible orientation that would meet the operational needs of the tenant and comply with the garage door restriction.



Variance

PLANNING

Thrasher Investments

Applicant's Response

	Applicant's Response
Is there another reasonable method of avoiding the need for the variance or waiver requested?	"Unfortunately, there is no reasonable alternative method to avoid the need for the requested variance due to the physical constraints and unique characteristics of the property. The rectangular shape and corner location of the lot severely limit how a commercial building—particularly one requiring garage bay access—can be positioned. Because the business model of the prospective tenant (Take 5 requires multiple <i>garage</i> doors for <i>efficient</i> service flow, and because of setbacks, right-of-way requirements, and traffic routing considerations, there is no orientation of the building that would allow it to function properly without placing garage doors facing one of the adjacent streets. Attempts were made to explore alternate configurations, but each option resulted in either the loss of essential service bays (rendering the building unusable for the tenant) or conflicts with safety, access, and circulation requirements. Additionally, any design that tries to fully shield garage doors by internalizing them would create an inefficient layout that would likely result in increased traffic backups onto public streets—defeating one of the primary goals of the zoning update. Therefore, the requested variance is not only the least intrusive solution, but also the only practical path forward to allow this project to proceed in a way <i>that</i> is safe, <i>functional</i>, and beneficial to the surrounding area."

Applicant's Response:

The applicant states there is no other reasonable alternative to avoiding the need for the requested variance due to the physical constraints and unique characteristics of the property.



Variance

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Thrasher Investments

Applicant's Response

	Applicant's Response
Is there any other important factor that should be considered by the board in keeping with the purpose and intent of the UDC?	"Yes, one important factor the Board should consider is the broader economic and community benefit this project will bring—benefits that are fully aligned with the purpose and intent of the Unified Development Code (UDC), which seeks to promote thoughtful development, economic vitality, public safety, and an enhanced quality of life for the community. Granting this variance would allow for a significant investment from a nationally recognized, reputable company that will bring long-term stability to the area. The proposed project will create new jobs, generate substantial sales and property tax revenue, and provide an upgraded, modern facility that enhances the appearance and functionality of the site. Additionally, the development plan includes rerouting traffic off of Walnut onto 21st Street, which will improve traffic flow and safety—further supporting the UDC's goals of responsible urban design and infrastructure management. High-quality landscaping and architectural improvements will also contribute to the visual integrity of the area Finally, this variance helps ensure that underutilized commercial property does not remain stagnant due to overly rigid constraints. Instead, it promotes revitalization, encourages reinvestment, and demonstrates a balanced application of the UDC that supports both community standards and economic opportunity."

Applicant's Response:

The applicant states the board should consider the broader economic and community benefit this project will bring and falls in line with the intent of the UDC which is to promote thoughtful development, economic vitality, public safety, and an enhanced quality of life for the community.



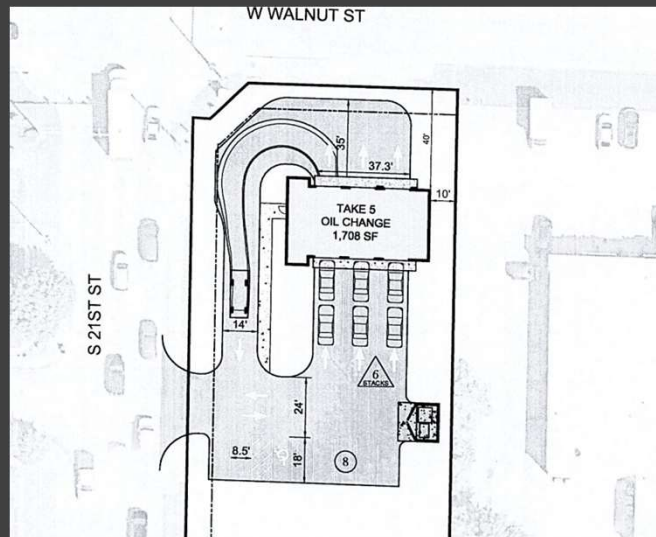
Variance

PLANNING

Thrasher Investments

Variance Request

- To allow an auto service use on a corner lot in a zone that is not HC or I-1



Proposal

Variance Summary:

The variance request is to allow an auto service use on a corner lot in a zone that is not Highway Commercial zoning or Light Industrial. This site is zoned T5.2 and is located in the Midtown City Center Placetype. HC and I-1 zoning are not allowed within this Placetype.



Variance

PLANNING

Thrasher Investments

Staff Analysis

Would strict application of the code cause an undue hardship due to circumstances that are unique to this property?	No. Strict application of the code at this location does not cause undue hardship. Other uses are allowed at this location that are more conducive to the zoning requirements.
Is the hardship a result of any action taken by the property owner or on their behalf?	Staff does not agree that there is a hardship in this proposal.

Staff Analysis:

- Strict application of the code does not cause undue hardship. There are other uses available in this zoning that would better contribute to the intent of the Midtown City Center and underlying zoning requirements.
- Staff does not see a hardship with this request.



Variance

PLANNING

Thrasher Investments

Staff Analysis

	Staff's Response
Is the variance or waiver requested the minimum amount necessary to carry out the project?	The variance requested is not the minimum amount necessary at this location. The proposal of this use on a corner lot results in other variances that would need to be requested. In T5.2 zoning, there is a build-to of 0'-10'. There is also a minimum building occupancy of 80%. Neither of which are being met by the general proposed site layout for this use. There are also other variances that would likely be required such as the minimum glazing percentage along both streetscapes.
Is there another reasonable method of avoiding the need for a variance or waiver?	Yes. The need for the variance could be avoided by proposing an allowed use at this location that functions in tandem with the underlying zoning requirements and intent of the Midtown City Center Placetype.

Staff Analysis:

- The variance request is not the minimum necessary because other variances would be required given the general site layout provided.
- The need for the variance could be avoided by proposing an allowed use at this location that functions in tandem with the underlying zoning requirements and intent of the Midtown City Center Placetype.



Variance

PLANNING

Thrasher Investments

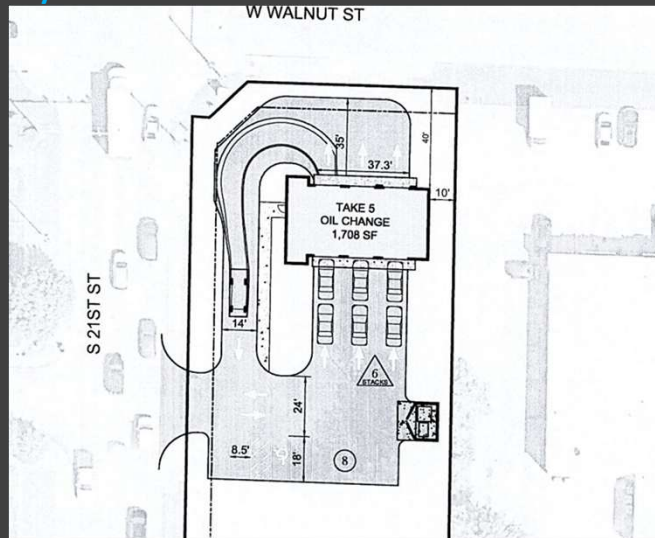
Staff Analysis

Staff's Response

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

The proposed use at a corner lot in this zone results in other needed variances. There are setback variances that would be required along both Walnut and S 21st Street. The building occupancy percentage is also not being met. Glazing requirements would also be applicable that may not be met.

Other types of variances may be required but could be unknown due to not having a full plan submission.



Staff Analysis:

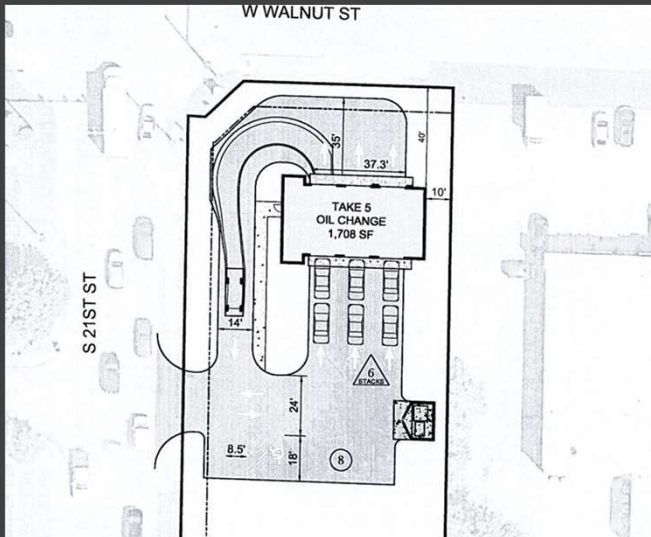
- The proposed use here at a corner lot results in the need for other variances. It does not align with the intent of the midtown city center which is for it to be “an active destination for goods and services, recreation, employment and housing. New developments will add a tight network of streets with ample active transportation facilities, and buildings and civic spaces that address the street in a manner comparable to Downtown Rogers.” Rogers Future Land Use Placetypes pg. 4



Variance

PLANNING

Thrasher Investments



Recommendation

DENY the request to propose a use not allowed on a corner lot in T5.2 zoning.

Public Input:

No input from the public has been provided.

Recommendation:

Deny the variance request to allow a use in T5.2 that is prohibited on a corner lot.



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: Thrasher Investments, LLC

ADDRESS: 4602 S Fieldcrest Terrace Rogers AR 7278 SUITE #: _____

GENERAL LOCATION OF PROPERTY: 2010 W Walnut Rogers

PHONE #: 903-824-7203 EMAIL: Leahthrasher1@gmail.com

PROPERTY OWNER: Leah Thrasher PHONE #: 903 824-7203

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

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

See attached letter

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

See attached letter

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

See attached letter

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

See attached letter

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

See attached letter

Leah Thrasher

Applicant Signature

7-7-25

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

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

Strict enforcement of the new zoning code—specifically the restriction of garage doors on corner lots—creates an undue hardship for my property due to its unique physical characteristics and the unintended consequences of the updated regulations.

The parcel in question is a rectangular-shaped corner lot, which significantly limits flexibility in site planning and building orientation. Unlike square or interior parcels that offer greater design options, the layout of this rectangular lot requires thoughtful use of every linear foot to accommodate essential building functions, such as customer access, traffic circulation, and required setbacks. The nature of the business I am leasing to—an automotive service provider—requires the inclusion of garage doors for customer service bays, and those must face outward to function appropriately.

Under the prior zoning, this property was well-positioned for redevelopment. I secured a 15-year lease agreement with a nationally recognized company (Take 5), contingent upon the ability to demolish the outdated structure and build a new, modern facility. The project would bring substantial community benefit, including job creation, increased property and sales tax revenue, and improved traffic flow through a proposed rerouting of ingress/egress from Walnut Street to 21st Street.

However, the zoning code changes adopted in 2024 now prohibit the very garage door placements necessary for this business to operate—effectively rendering the lease void and obstructing the highest and best use of the property. This not only threatens a major commercial investment but also creates a chilling effect for future redevelopment. Other potential tenants with similar space or function needs will also be deterred by this inflexible regulation, further limiting economic opportunities for the property and surrounding area.

In essence, the strict application of this regulation imposes a hardship that is unique to this lot's shape and location. It prevents me, as the property owner, from reasonably and responsibly developing my land in a way that contributes positively to the neighborhood and aligns with the broader goals of economic development and revitalization.

For these reasons, I respectfully request a variance to allow garage doors on this corner lot. This adjustment would not only allow the planned project to move forward but would also demonstrate the city's willingness to support responsible growth and practical flexibility for property owners contributing to the community's success.

Sincerely,

Leah Thrasher

Thrasher Investments, LLC

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

The spirit and intent of the zoning code—particularly the restriction on garage doors facing public streets on corner lots—is to promote aesthetic quality, pedestrian safety, and cohesive neighborhood design. I fully support these goals and believe the proposed development aligns with them, even with the requested variance.

The project I am seeking to move forward with involves a complete redevelopment of an outdated structure into a modern, professionally designed facility. The design will include high-quality materials, updated landscaping, and a traffic rerouting plan that improves flow and safety for both vehicles and pedestrians. Every effort will be made to ensure the garage doors are visually integrated into the overall design and do not detract from the surrounding streetscape.

Furthermore, this is not a request to avoid compliance but rather to adapt the intent of the code to the real-world limitations of this specific site. Due to the rectangular shape and corner location of the lot, there is no viable way to orient the building without some portion of the garage doors facing a street. However, thoughtful design elements—such as enhanced architectural features, screening, and landscaping—can maintain the visual character intended by the code while still meeting the operational needs of the business.

Granting this variance allows for the productive, attractive, and responsible use of a commercially zoned property while still upholding the broader goals of the zoning code. It ensures that the property can contribute to economic growth, job creation, and neighborhood vitality—outcomes that are very much in harmony with the code's purpose.

In short, approval of this variance honors both the letter and the spirit of the zoning code by balancing thoughtful development with practical application in a unique site context.

Sincerely,

Leah Thrasher

Thrasher Investments, LLC

Question: Is the variance or waiver requested the minimum amount necessary to carry out the project?

Yes, the variance requested is the minimum necessary to make this project viable and to allow for reasonable use of the property.

The sole request is for permission to place garage doors on a corner lot—an essential element of the building design required by the national tenant, whose business model depends on vehicle access to service bays. No other variances are being requested. The layout and design of the building have been carefully planned to fit within the existing zoning guidelines in every other respect, including setbacks, landscaping, and traffic flow. However, due to the rectangular shape and corner location of the property, there is no feasible orientation that would both meet the operational needs of the tenant and comply with the garage door restriction.

This waiver does not seek to circumvent the intent of the zoning code but rather to provide just enough flexibility to address the unique physical constraints of the lot. Without this small but critical adjustment, the entire project—and the opportunity to lease to a national, job-creating business—cannot move forward.

Therefore, this request is narrowly tailored to meet the minimum relief necessary to develop the site in a responsible, attractive, and economically productive way that benefits the surrounding community.

Sincerely,

Leah Thrasher

Thrasher Investments, LLC

Question: Is there another reasonable method of avoiding the need for the variance or waiver requested?

Unfortunately, there is no reasonable alternative method to avoid the need for the requested variance due to the physical constraints and unique characteristics of the property.

The rectangular shape and corner location of the lot severely limit how a commercial building—particularly one requiring garage bay access—can be positioned. Because the business model of the prospective tenant (Take 5) requires multiple garage doors for efficient service flow, and because of setbacks, right-of-way requirements, and traffic routing considerations, there is no orientation of the building that would allow it to function properly without placing garage doors facing one of the adjacent streets.

Attempts were made to explore alternate configurations, but each option resulted in either the loss of essential service bays (rendering the building unusable for the tenant) or conflicts with safety, access, and circulation requirements. Additionally, any design that tries to fully shield garage doors by internalizing them would create an inefficient layout that would likely result in increased traffic backups onto public streets—defeating one of the primary goals of the zoning update.

Therefore, the requested variance is not only the least intrusive solution, but also the only practical path forward to allow this project to proceed in a way that is safe, functional, and beneficial to the surrounding area.

Sincerely,

Leah Thrasher

Thrasher Investments, LLC

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

Yes, one important factor the Board should consider is the broader economic and community benefit this project will bring—benefits that are fully aligned with the purpose and intent of the Unified Development Code (UDC), which seeks to promote thoughtful development, economic vitality, public safety, and an enhanced quality of life for the community.

Granting this variance would allow for a significant investment from a nationally recognized, reputable company that will bring long-term stability to the area. The proposed project will create new jobs, generate substantial sales and property tax revenue, and provide an upgraded, modern facility that enhances the appearance and functionality of the site.

Additionally, the development plan includes rerouting traffic off of Walnut onto 21st Street, which will improve traffic flow and safety—further supporting the UDC's goals of responsible urban design and infrastructure management. High-quality landscaping and architectural improvements will also contribute to the visual integrity of the area.

Finally, this variance helps ensure that underutilized commercial property does not remain stagnant due to overly rigid constraints. Instead, it promotes revitalization, encourages reinvestment, and demonstrates a balanced application of the UDC that supports both community standards and economic opportunity.

This project is not just about one business—it represents a broader commitment to growth, responsible land use, and the ongoing development of a thriving city.

Sincerely,

Leah Thrasher

Thrasher Investments, LLC

Leah Thrasher

Thrasher Investments, LLC

2010 W Walnut

Rogers, AR 72758

Leahthrasher1@gmail.com

903-824-7203

7-03-2025

City Planning Board

301 W Chestnut

Rogers, AR

Re: Request for Variance Due to Hardship Caused by 2024 Zoning Change

Dear Members of the Planning Board,

I am writing to formally request a variance regarding the restriction of garage doors on a corner lot as defined in the zoning changes enacted in 2024. This new regulation has created a significant and unforeseen hardship for my business and property, and I appreciate your consideration of the following information in support of this request.

I am the owner of the property located at 2010 W Walnut, held under Thrasher Investments, LLC. In 2025, I entered into a long-term, 15-year lease agreement with Take 5, a nationally recognized, publicly traded company. This lease was contingent on our ability to demolish the existing structure and construct a new, modern facility that meets both city standards and corporate specifications. The proposed development includes improved landscaping, enhanced infrastructure, and a traffic rerouting plan that would direct ingress and egress from Walnut to 21st Street—alleviating congestion and improving safety in the area.

This project would not only increase the property's value but would also generate new jobs, provide substantial sales and property tax revenue, and contribute meaningfully to the city's economic development goals. The investment and partnership were secured with the full expectation that the zoning in place at that time would allow for reasonable use of the property—including the placement of garage doors necessary for the operational requirements of Take 5.

Unfortunately, the updated zoning code enacted in 2024 includes a restriction on garage doors on corner lots. This has effectively blocked the development and jeopardized the lease, as the

site's rectangular shape leaves no feasible alternative for building orientation or functionality. This restriction imposes an undue burden that prevents the productive and beneficial use of the property in a manner that is compatible with the surrounding commercial landscape.

Given these constraints, I respectfully request that the Planning Board grant a variance to allow garage doors on this corner lot. This relief is essential to the continuation of the proposed development and to honoring a significant commercial lease that was signed in good faith under prior zoning guidance.

Thank you for your time and consideration. I would welcome the opportunity to further discuss this matter and provide any additional information that may assist in your review. Please feel free to contact me directly at 903-824-7203.

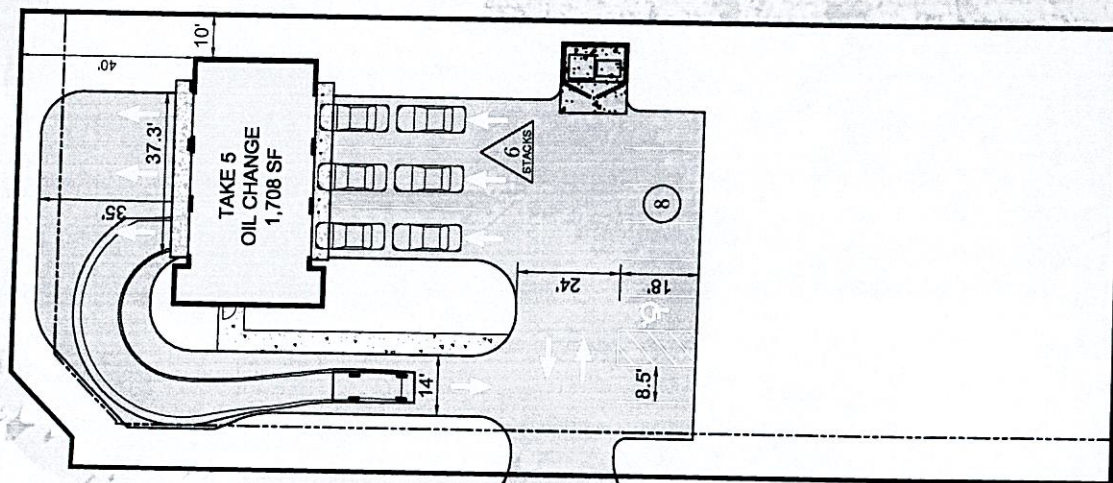
Sincerely,

Leah Thrasher

Owner, Thrasher Investments, LLC



W WALNUT ST



S 21ST ST

LEGEND

BOUNDARY LINE

DIH DINC CETOANV

