



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

PLANNING COMMISSION MEETING AGENDA

JULY 7, 2026

5:30 PM

VIEW ONLINE

PLANNING COMMISSION: [HTTPS://US02WEB.ZOOM.US/J/89475806198](https://us02web.zoom.us/j/89475806198)

BOARD OF ADJUSTMENT: [HTTPS://US02WEB.ZOOM.US/J/89475806198](https://us02web.zoom.us/j/89475806198)

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AGENDA

CALL TO ORDER PLANNING COMMISSION:

ROLL CALL:

ACTION ON MINUTES:

- a. Approving June 16, 2026 meeting minutes.

PUBLIC FORUM:

Public testimony on any issue not listed on the agenda may be provided at this time.

CONSENT AGENDA:

Items listed under the Consent Agenda are considered standard review and may be approved by a single motion. If you wish to provide testimony on any item, please notify the Commission prior to vote so that the item may be moved to New Business for separate consideration.



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a. No items.

PUBLIC HEARINGS:

a. **OLD BUSINESS** — Items previously discussed and tabled.

i. RZ26-00236 - 3.67 acres west of 701 W. Hudson Rd.

A request by Louis Froud to rezone 3.67 acres west of 701 W. Hudson Rd. from the T5.2 (City Medium-Intensity) zoning district to the I-1 (Light Industrial) zoning district.

STAFF: Zachery Birdsong, Planner II

OWNER REPRESENTED BY: Geoff Bates, Bates and Associates Inc.

b. **NEW BUSINESS** — Items removed from Consent Agenda.

i. No items.

REPORTS :

a. COMMISSIONERS

b. STAFF

ADJOURN PLANNING COMMISSION:

CALL TO ORDER BOARD OF ADJUSTMENT:

ACTION ON MINUTES:

a. Approving March 17, 2026 meeting minutes.

OLD BUSINESS:

a. No items.

NEW BUSINESS:

a. VAR26-0314 - 5715 W. Stoney Brook Rd.

A request by Swope Consulting LLC for a variance to differ from the United Development Code at 5715 W. Stoney Brook Rd. in the T4.2 (Neighborhood High-Intensity) zoning district.

STAFF: Zachery Birdsong, Planner II

OWNER REPRESENTED BY: Phil Swope, Swope Consulting

REPORTS :

a. COMMISSIONERS



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b. COMMISSIONERS

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 June 16, 2026 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, Kevin Jensen, Steve Lane, Ed McClure, Isaac Stevens, and Ezequiel Tovar.

DECLARATION OF ABSTENTION

Chairwoman Best asked that any Commissioners needing to abstain on agenda items state so and not participate in discussion or vote on the item.

ACTION ON MINUTES

Motion by McClure, second by Andrade to approve the June 2, 2026 Planning Commission meeting minutes as presented.

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

APPROVED.

PUBLIC FORUM

None.

CONSENT AGENDA

- a. RZ26-00260 – 835 S. 40th St. and the +26.15 acres surrounding parcel
A request by Blockwright Studio to rezone 835 S. 40th St. and the +26.15 acres surrounding from the T2 (Rural) zoning district to the T4.2 (Neighborhood High-Intensity) zoning district.
- b. RZ26-00250 – 1013 W. Laurel Ave.
A request by John Schmelzle to rezone 1013 W. Laurel Ave. from the T2 (Rural) zoning district to the T4.1 (Neighborhood Medium-Intensity) zoning district.

The Chair opened the public hearing for comments on the consent agenda. There were none. The public hearing was declared closed.

Motion by McClure, second by Jensen to approve the consent agenda as presented.

Voice vote: Unanimous – Yes, *Motion carried.*

APPROVED.

PUBLIC HEARINGS

Old Business

None.

New Business

a. RZ26-00236 – 3.67 acres west of 701 W. Hudson Rd.

A request by Louis Froud to rezone ±3.67 acres west of 701 W. Hudson Rd. from the T5.2 (City Medium-Intensity) zoning district to the I-1 (Light Industrial) zoning district.

Planning Deputy Director presented the staff report and noted that the subject property is in the Highway Corridor placetype subject to enhanced review. The requested rezone does not conform to some of the review criteria for special purpose districts. Highway Corridor allows for continuance of existing warehouse operations and light industrial. It emphasizes that infill and redevelopment consist of mixed-use buildings with residential and amenities. I-1 form and permitted uses would therefore not implement the placetype envisioned by the Future Land Use Map and would be incompatible with adjacent T zoned sites. One specific concern related to the staff analysis is that, warehouses are allowed in HC (Highway Commercial) indoor or outdoor, but they have to be at least 250 feet away from a major street. The applicant can't meet the 250-foot standard which is the reason for the request. Staff recommends denial of the request.

Eli La Salle, with Bates and Associates, represented the request. He discussed the proposed design, which would make the front of the building appear more like an office than a warehouse and questions the necessity of the 250-foot setback.

Commissioners and staff discuss the zoning requirements.

The Chair opened the public hearing for comments on the consent agenda. There were none. The public hearing was declared closed.

La Salle requests tabling the request to further discuss with his client.

Motion by McClure, second by Andrade to table the rezone request to the 7/7/26 Planning Commission meeting.

Voice vote: Unanimous – Yes, Motion carried.

TABLED.

ADJOURN

There being no further business, the Chair adjourned the meeting at 5:54 p.m.

ATTEST:

APPROVED:

Ezequiel Tovar, Secretary

Samantha Best, Chair

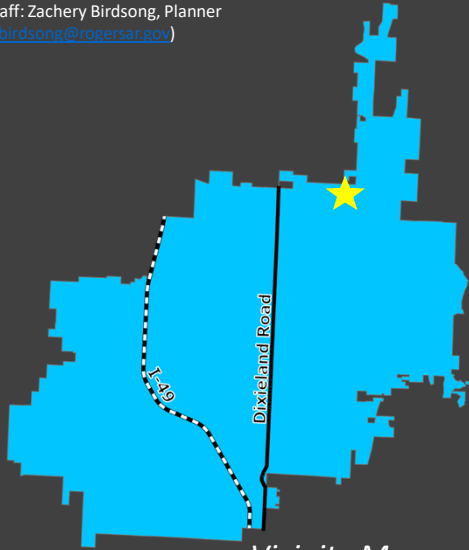


Rezone

Froud-Hudson Rezone

PLANNING

Staff: Zachery Birdsong, Planner
zbirdsong@rogersar.gov



FLUM Place Type
 Highway Corridor

Zoning
 T5.2

Proposed Zoning
 I-1 (Request Revised to HC)

Review Type
 Standard Review

Location
 Approximately 3.67 acres north of the junction of N 8th St and W Hudson Road

Representative
 Eli La Salle

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 ±3.67 acres from T5.2 to HC in the Highway Corridor Placetype.
- Review Type: Standard



Rezone

Froud-Hudson Rezone

PLANNING

Zoning's Relationship to the FLUM

Table 2.8.3.A Zoning Districts Allowed in Placetypes established two types of zoning map amendment requests:

- Standard Review (SR) requests are for zones that are likely to create the envisioned placetype.
- Enhanced Review (ER) requests are for zones that may create the envisioned placetype.

Permitted Zones by Placetype Per Table 2.8.3.A

PLACETYPE	SR	ER
Highway Corridor	T5.1, T5.2, HC	I-1

Rezone Request

- HC in the Highway Corridor Placetype is subject to Standard Review



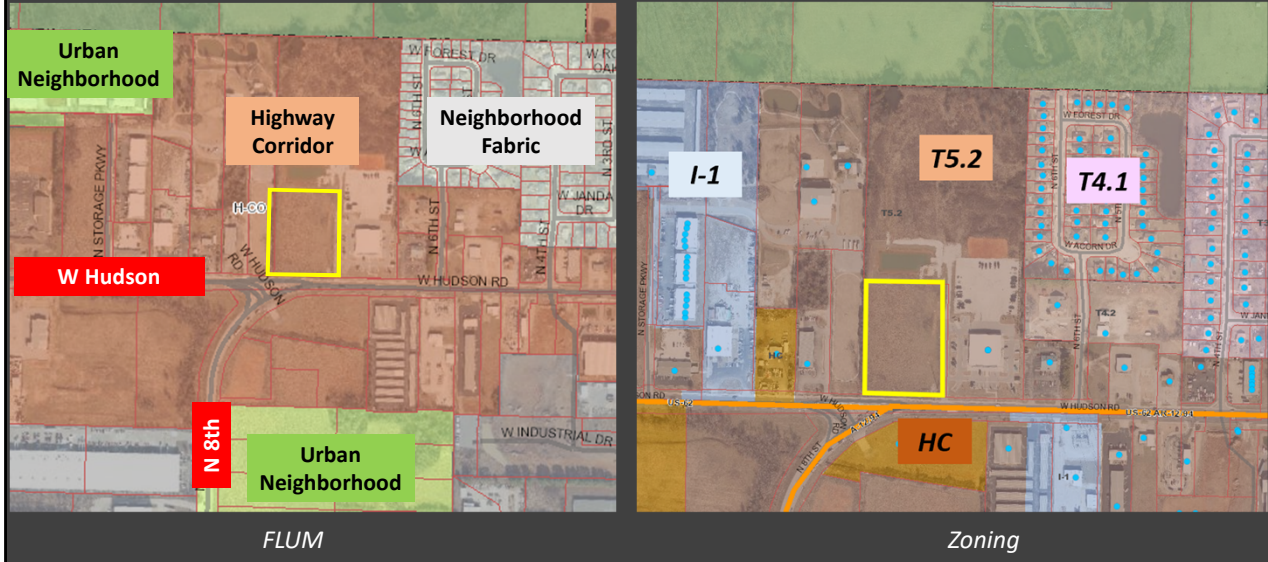
Aerial

Location Description

The subject property is located north of the junction of North 8th Street and West Hudson Road.

Standard Review Criteria for Special Purpose Districts

- The proposed district(s) conform to the applicable requirements of this UDC; and
- The proposed district(s) are likely to implement the place type envisioned by the Future Land Use Map; and
- Adequate infrastructure exists to serve the development permitted in the proposed district(s); and
- The property is unlikely to develop, or poorly suited for development allowed under the current district(s); and
- The proposed district will result in development compatible with the placetype assigned to nearby properties.



Placetype Description

Highway Corridor (H-CO): “Highway Corridors comprise areas including open-display commercial uses, light industry, warehousing and distribution, and other businesses centered around large-scale trades and services. Infill and redevelopment will add mixed-use buildings with residential units and amenities for residents and employees. Developments will be connected through cross-access lanes and active transportation facilities.” *Rogers Future Land Use Placetypes*, pg. 5

Policy Maps Analysis:

Per the Future Land Use Map (FLUM), the subject area is located in and surrounded by the Highway Corridor Placetype on the south, west and north. There is some Neighborhood Fabric further northeast as well as Urban Neighborhood and Industry and Technology to the south.

Adjacent Zoning:

A portion of the property to the east was recently rezoned to HC. The rest of the abutting properties are T5.2. There is some HC to the south, I-1 further west, and T4.1 to the northeast.



Rezone

PLANNING

Froud-Hudson Rezone

Zone Standards	T5.2 (Existing)	HC (Proposed)	Uses	T5.2 (Existing)	HC (Proposed)
Max Building Coverage	100%	70%	Townhouse	P	P
Max Impervious Surface	100%	80%	Apartment House	P	P
Exterior Yard	0' – 10' btz	30'	Mixed Use Building	P	P
Interior Yard Setback	0'	20'	Agriculture, Civic Spaces, Office, Professional or Personal Services, Eating and Drinking, Lodging, Parking, Retail, Event Venue	P	P
Alley side setback	0'	0'	Community Services, Healthcare Service, Artisanal Industry, Technology Industry, Auto Service	P/C	P
Max building height	6 stories	6 stories	Freight, Logistics, and Storage	X	P/C

Use Table Legend

- P = Permitted without location conditions
- P/C = Permitted with location conditions
- X = Not permitted

Note:

- HC permits freight, logistics, and storage as a use, but prohibits it within 250' of a street on the master street plan.

Zone Standards

- T5.2 zoning requires buildings to be located along the street with urban form. HC zoning allows for buildings to be set back an unlimited distance from the street with parking surrounding the building.

Use Allowances

- T5.2 permits residential, commercial, and mixed use development. HC zoning also permits residential, commercial, and mixed use development with restricted allowances of freight, logistics, and storage.

Relevant Use Standards in T5.2

- Community Service (4.7.4)
 - Such uses providing intensive services are prohibited in T4 in all cases and in T5 and T6 on a property with frontage on a mixed use street or boulevard.
- Healthcare Service (4.7.8)
 - In T5 and T6 such uses are prohibited on lots with frontage on a mixed use street.
- Artisanal (4.7.12)
 - In T5 and T6 such uses may not be located at ground level along a mixed use street or boulevard unless they occupy a storefront and at least 25% of the sales is derived from onsite transactions.
- Technology Industry (4.7.13)
 - In T5 and T6 such uses may not be located at ground level along a mixed use street.

Relevant Use Standards in HC

- Freight, Logistics, and Storage
 - In HC such uses may not be located within 250 feet of an arterial or collector street or any mixed-use street or boulevard.



Rezone

PLANNING

Froud-Hudson Rezone (Revised Request to HC)

Standard Review Criteria for Special Purpose Districts

- A. The proposed district(s) conform to the applicable requirements of this UDC; and
- B. The proposed district(s) are likely to implement the place type envisioned by the Future Land Use Map; and
- C. Adequate infrastructure exists to serve the development permitted in the proposed district(s); and
- D. The property is unlikely to develop, or poorly suited for development allowed under the current district(s); and
- E. The proposed district will result in development compatible with the placetype assigned to nearby properties.

HC Zoning Staff Analysis

- A. The proposed rezone does conform to applicable requirements of this UDC.
- B. The requested zone to HC is a standard review request and therefore is likely to implement the placetype envisioned by the future land use map.
- C. Adequate infrastructure is available to serve the development permitted in the proposed district
- D. The property is not poorly suited for the current zone, though it may be more unlikely to develop due to the form of adjacent sites. Parking is not allowed between the building and the street in the current zones and buildings must be located along the street. Which does not match the surrounding built environment.
- E. The proposed HC district will result in development compatible with the placetype assigned to nearby properties. Adjacent properties are within the same placetype.

All criteria for the request to HC zoning are met.

Standard Review Criteria for Special Purpose Districts

- A. The proposed district(s) conform to the applicable requirements of this UDC; and
- B. The proposed district(s) are likely to implement the place type envisioned by the Future Land Use Map; and
- C. Adequate infrastructure exists to serve the development permitted in the proposed district(s); and
- D. The property is unlikely to develop, or poorly suited for development allowed under the current district(s); and
- E. The proposed district will result in development compatible with the placetype assigned to nearby properties.

Staff Analysis

- A. The proposed rezone does conform to applicable requirements of this UDC.
- B. The requested zone to HC is a standard review request and therefore is likely to implement the placetype envisioned by the future land use map.
- C. Adequate infrastructure is available to serve the development permitted in the proposed district
- D. The property is not poorly suited for the current zone, though it may be more unlikely to develop due to the form of adjacent sites. Parking is not allowed between the building and the street in the current zones and buildings must be located along the street.
- E. The proposed HC district will result in development compatible with the placetype assigned to nearby properties. Adjacent properties are within the same placetype.



Rezone

Froud-Hudson Rezone

PLANNING



Aerial View

Recommendation

Approve revised request to HC zoning

PUBLIC INPUT:

No public input has been provided regarding this request.

RECOMMENDATIONS:

Staff recommends **approval** of the request to HC zoning.

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.

Possible Planning Commission Motions for Standard Review:

- Accept the findings and recommendations of the Director and recommend approval of the rezoning by a majority vote of the quorum present as part of the consent agenda; or
- 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.

Birdsong, Zachery

From: Eli <eli@batesnwa.com>
Sent: Wednesday, July 1, 2026 5:11 PM
To: Birdsong, Zachery; Rexwinkle, Joe
Cc: 'Geoff Bates'; 'Louis Froud'; 'Heather Davis'; 'Dave Burris'
Subject: RE: Scheduling informational meeting for Hudson Rd Warehouse project/ rezone

Follow Up Flag: Follow up
Flag Status: Completed

CAUTION: This email originated from outside of the City of Rogers and attachments were detected. Do not open attachments unless you recognize the sender and know the content is safe.

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

Thank you for your help with this.

Following our meeting earlier today we would like update the submitted rezone request to a less intensive zoning and request Highway Commercial HC zoning instead of the previously requested Industrial I-1.

Thank you,



Eli La Salle

Project Engineer

Phone: 479-442-9350

Email: Eli@batesnwa.com

7230 S Pleasant Ridge Drive
Fayetteville, AR 72704

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 public hearing request.

Dated this the 29th day of May, 2026.

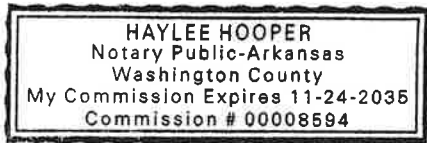
Eli La Salle
Signed

Eli La Salle
Name Printed

STATE OF ARKANSAS

COUNTY OF Washington

Subscribed and sworn before me this the 29th day of May, 2026.



Haylee Hooper
Notary Signature

Haylee Hooper
Notary Name Printed

11-24-2035
Commission Expire

PROPERTY OWNER AFFIDAVIT

I, Louis Froud, certify that I am the legal owner of the property located at
(Owner name, printed)

Parcel #02-02129-000 which is the subject of this application. I hereby
(Address or Parcel ID)

authorize, Bates and Associates, INC. to act as my agent for this application only.
(agent name or list self)

I acknowledge that all information contained in this application has been prepared by me or my agent and are true and correct. I have read the application and consent to its filing, and I remain responsible for compliance with applicable regulations.

Dated this the 17 day of April, 2026.

Louis Froud
Signed

Louis Froud
Name Printed

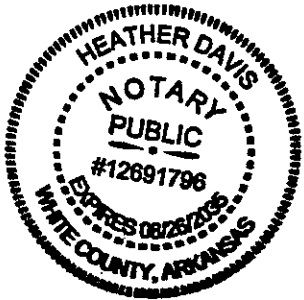
STATE OF Arkansas
COUNTY OF White

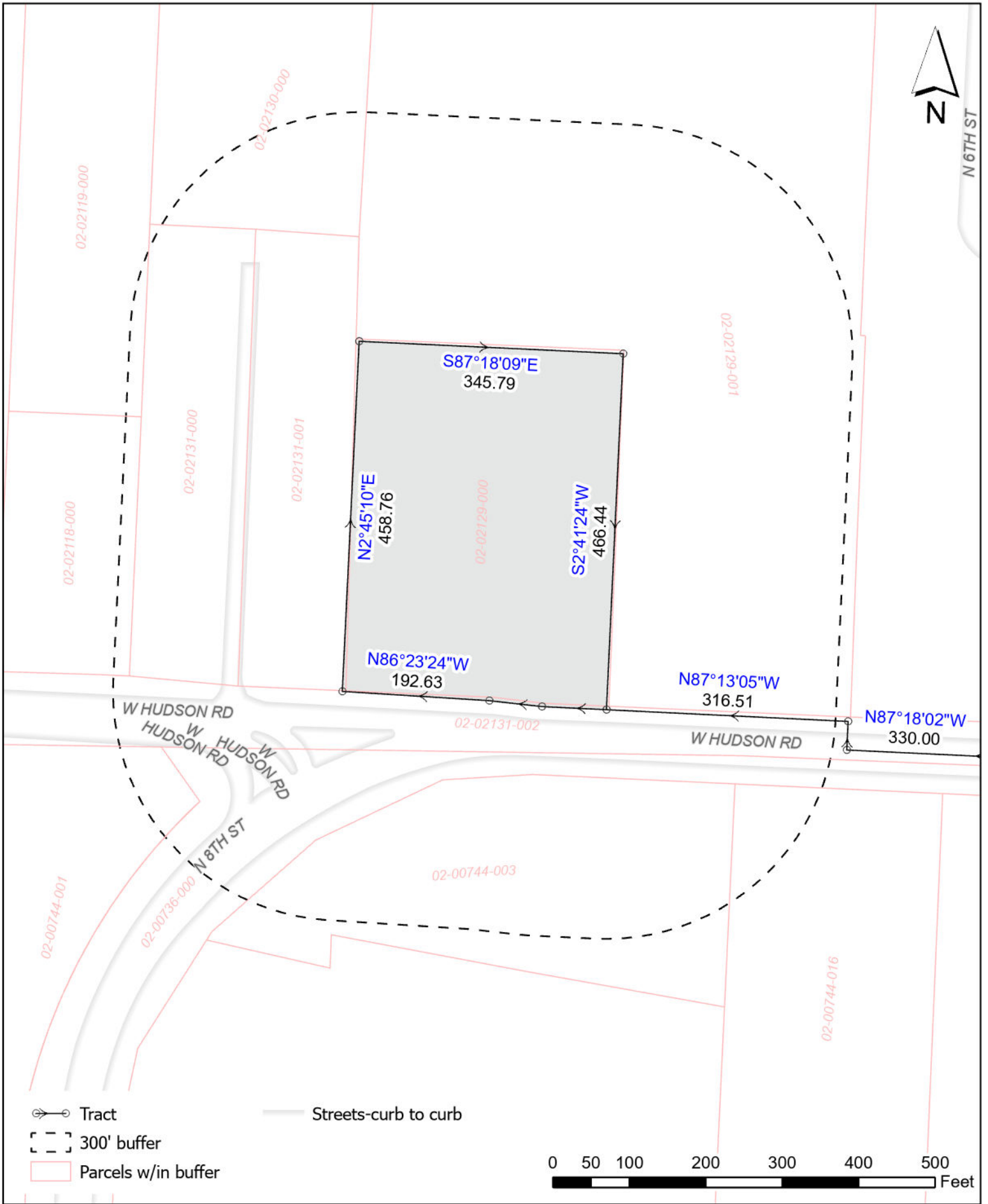
Subscribed and sworn before me this the 17 day of April, 2026.

Heather Davis
Notary Signature

Heather Davis
Notary Name Printed

08/26/2035
Commission Expires





**RZ26-00236
Froud Hudson Rezone**





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

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Rogers Planning Commission in the Rogers City Hall at 301 West Chestnut Street on **June 16, 2026** at **5:30 p.m.** on the application by **Bates and Associates, Inc on behalf of Louis Froud (Case #: RZ26-00236)** to rezone **±3.67 acres west of 701 W. Hudson Road** from the **T5.2 (City Medium-Intensity)**, zoning district to the **I-1 (Light Industrial)** zoning district, the properties being more particularly described as follows:

PROPERTY DESCRIPTIONS:

±3.67 acres west of 701 W. Hudson Road
Parcel Number: 02-02129-000

PUBLISH ONE TIME ONLY: **Sunday May 31, 2026**
BILL THE CITY OF ROGERS

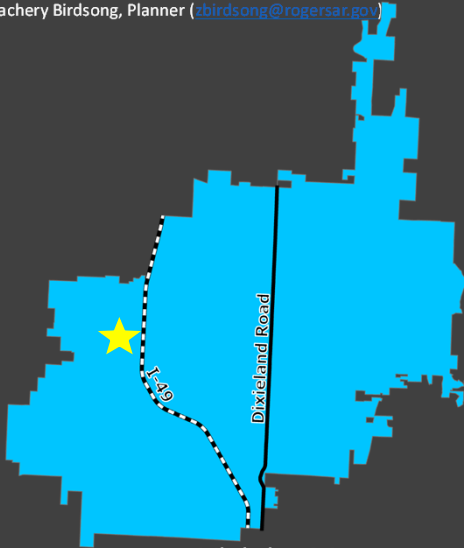


Variance

PLANNING

5715 W Stoney Brook

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



Vicinity Map

Location

5715 W Stoney Brook Road

Nature of Request

To allow for construction of buildings on-site where natural grades exceed 20%.

Zoning

T4.2

Existing Use

Residential

Representative

Phil Swope

Summary:

This request is for a variance from Section 3.3.4 prohibiting development on grades that are above 20%.



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.

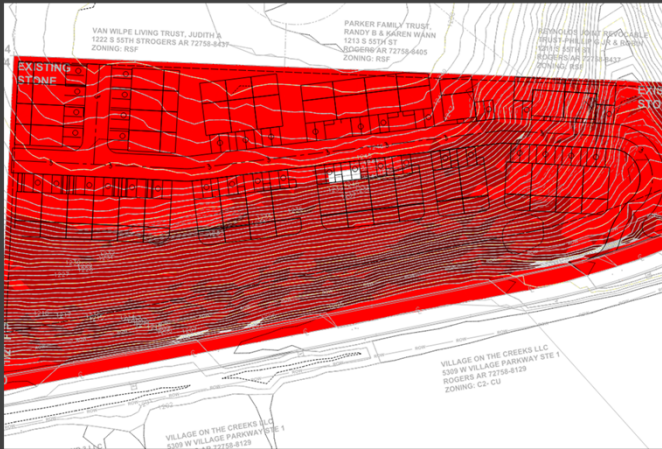
2.12.2 Review Criteria

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

- 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.



5715 W Stoney Brook



Existing Conditions

- The property has steep natural grades throughout the site exceeding 20%. The existing slope limits construction of buildings to the northern portion of the property.
- There is existing tree canopy on the southern portion of the site where the grade is steepest.

Site Area:

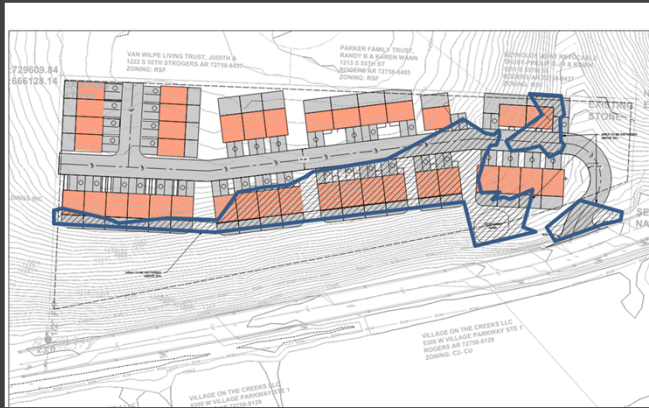
This site is located at in west Rogers at 5715 W Stoney Brook Road.

Existing Conditions:

- The property has steep natural grades throughout the site exceeding 20%. The existing slope limits construction of buildings to the northern portion of the property.
- There is existing tree canopy on the southern portion of the site where the grade is steepest.



5715 W Stoney Brook



Proposal exhibit

Variance Request

- Section 3.3.4 states: “Grades above 20% are considered unbuildable and must be set aside within open space or where included within new lots. Lots with grades above 20% must have sufficient lot area outside of steep grades to construct a habitable structure compliant with other applicable provisions of this UDC.”
- The applicant is requesting that they be able to develop within the outlined area where the maximum slope is greater than 20%.

Variance Request:

- Section 3.3.4 states: “Grades above 20% are considered unbuildable and must be set aside within open space or where included within new lots. Lots with grades above 20% must have sufficient lot area outside of steep grades to construct a habitable structure compliant with other applicable provisions of this UDC.”
- The applicant is requesting that they be able to develop within the outlined area where the maximum slope is greater than 20%.



Applicant's Response

<p>How does strict enforcement of the code cause undue hardship due to circumstances that are unique to this property?</p>	<p>"This site has approximately 65% of its land over the 20% slope limit where the code restricts development. While the proposed project is primarily located in the areas under 20%, there are some steeper slopes that cannot be avoided in accessing the site. There are also some slopes, which are steeper than 20% and under 33%, which are utilized in the current site plan. Also, the intent of the "20% code" was to prevent erosion and maintain existing tree canopy/screening. The vast majority of tree canopy will be preserved with the site plan proposed."</p>
<p>Is the hardship the result of any action taken by the property owner or on their behalf?</p>	<p>"This hardship is not due to action taken by the property owner, but instead due to the existing slopes."</p>

Summary of Applicant's Hardship:

The applicant states that approximately 65% of the site is within an area with slopes greater than 20%. The hardship is not a result of any action taken by the property owner.



Applicant's Response

Is the variance or waiver requested the minimum amount necessary to carry out the project?	"Yes, the requested variance is a result of multiple layouts and meetings with the city to find the least-obtrusive layout."
Is there another reasonable method of avoiding the need for a variance or waiver?	"Please keep in mind that the code restricting existing slopes between 20-33% is somewhat contradictory, in that new grading of a site is allowed slopes up to 33%. New structures are proposed only in areas under 33% existing slopes. This is all true other than the required detention pond in steep slopes. The development must account for water quantity and quality mitigation, and the lowest spot on the site is the only place that detention can be placed."
Any other factor the Board feels is important to consider in keeping with the purpose and intent of this UDC?	"Please allow a variance for where units/drives exceed 20%, and where the proposed pond exceeds 20%. Precise location of the pond, and its exact dimensions, may vary once drainage calculations are approved from the Engineering Department."

Applicant's Response:

- "Please allow a variance for where units/drives exceed 20%, and where the proposed pond exceeds 20%. Precise location of the pond, and its exact dimensions, may vary once drainage calculations are approved from the Engineering Department."
- "Please keep in mind that the code restricting existing slopes between 20-33% is somewhat contradictory, in that new grading of a site is allowed slopes up to 33%. New structures are proposed only in areas under 33% existing slopes. This is all true other than the required detention pond in steep slopes. The development must account for water quantity and quality mitigation, and the lowest spot on the site is the only place that detention can be placed."
- "Please allow a variance for where units/drives exceed 20%, and where the proposed pond exceeds 20%. Precise location of the pond, and its exact dimensions, may vary once drainage calculations are approved from the Engineering Department."



Staff's Analysis

How does strict enforcement of the code cause undue hardship due to circumstances that are unique to this property?	Strict enforcement limits new construction to the northern portion of the site. Approximately 65% of the property is subject to slopes exceeding 20%. However, the purpose of this code requirement is to prevent erosion and slope failure on steep natural terrain, preserve existing tree canopy, and avoid construction of buildings on ground where unsafe.
Is the hardship the result of any action taken by the property owner or on their behalf?	No. The existing slopes are natural and were not due to any action taken by the property owner.
Is the variance or waiver requested the minimum amount necessary to carry out the project?	No. The proposed concept plan depicts the majority of the development under 20% slopes. However, several of the units proposed to the south of the drive are almost completely within slopes exceeding 20%.
Is there another reasonable method of avoiding the need for a variance or waiver?	Yes. The 33% engineered-slope standard applies to newly graded, stabilized slopes rather than existing terrain. Units could be shifted or removed to limit disturbance in areas exceeding 20% slopes.
Any other factor the Board feels is important to consider in keeping with the purpose and intent of this UDC?	The concept plan does propose preserving majority of the tree canopy to the south, meeting the intent to preserve existing tree canopy.

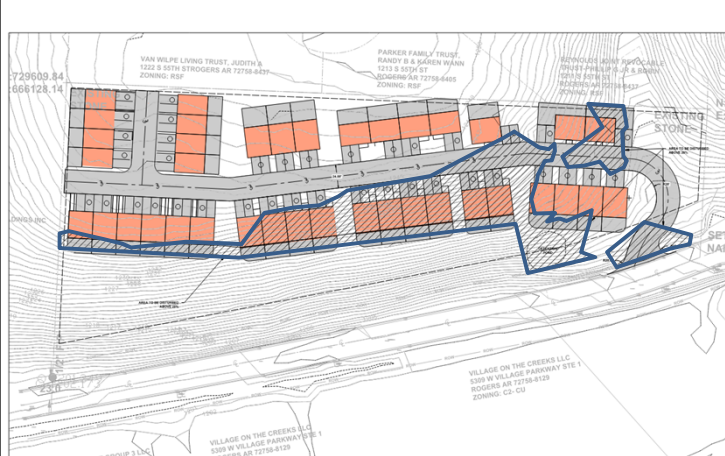
Staff Analysis:

- Strict enforcement limits new construction to the northern portion of the site. Approximately 65% of the property is subject to slopes exceeding 20%. However, the purpose of this code requirement is to prevent erosion and slope failure on steep natural terrain, preserve existing tree canopy, and avoid construction of buildings on ground where unsafe.
- No. The existing slopes are natural and were not due to any action taken by the property owner.
- No. The proposed concept plan depicts the majority of the development under 20% slopes. However, several of the units proposed to the south of the drive are almost completely within slopes exceeding 20%.
- Yes. The 33% engineered-slope standard applies to newly graded, stabilized slopes rather than existing terrain. Units could be shifted or removed to limit disturbance in areas exceeding 20% slopes.
- The concept plan does propose preserving majority of the tree canopy to the south, meeting the intent to preserve existing tree canopy.



5715 W Stoney Brook

Staff Analysis



Proposal exhibit

- The exhibit shows areas above 20% slope being developed outlined in blue. Several units south of the main drive are completely within this area. The drive and detention pond are not subject to this requirement.
- This is the first variance request from Section 3.3.4.

Staff Summary:

- The exhibit shows areas above 20% slope being developed outlined in blue. Several units south of the main drive are completely within this area. The drive and detention pond are not subject to this requirement.
- This is the first variance request from Section 3.3.4.



5715 W Stoney Brook



Recommendation

- **CONSIDER** the variance from Section 3.3.4, meeting one of the following conditions:
 - That a geotechnical report is provided confirming development within slopes exceeding 20% will not create a safety hazard or create slope instability, meeting the purpose and intent of the code; or
 - That the units outlined in red, where fully within slopes exceeding 20%, not be permitted. And only those units encroaching within slopes exceeding 20% be allowed.

Public Input:

Staff did receive inquiries about this request but no opposition was voiced.

Recommendation

- **CONSIDER** the variance from Section 3.3.4, meeting one of the following conditions:
 - That a geotechnical report is provided confirming development within slopes exceeding 20% will not create a safety hazard or create slope instability, meeting the purpose and intent of the code; or
 - That the units outlined in red, where fully within slopes exceeding 20%, not be permitted. And only those units encroaching within slopes exceeding 20% be allowed.

PROPERTY OWNER AFFIDAVIT

I, PAUL SCHMIDT, certify that I am the legal owner of the property located at
(Owner name, printed)

02-01671-474 which is the subject of this application. I hereby
(Address or Parcel ID)

authorize, Phil Swope - Swope Consulting to act as my agent for this application only.
(agent name or list self)

I acknowledge that all information contained in this application has been prepared by me or my agent and are true and correct. I have read the application and consent to its filing, and I remain responsible for compliance with applicable regulations.

Dated this the 18th day of May, 20 26.

Paul A Schmidt
Signed

Paul A. Schmidt
Name Printed

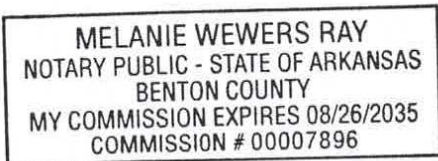
STATE OF Arkansas

COUNTY OF Benton

Subscribed and sworn before me this the 18 day of May, 20 26.

Melanie Ray
Notary Signature

Melanie Ray
Notary Name Printed



08/26/2035
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 public hearing request.

Dated this the 22nd day of May June, 2026.

Lissa Gilder

Signed

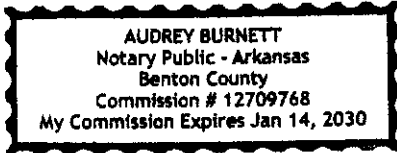
Lissa Gilder

Name Printed

STATE OF ARKANSAS

COUNTY OF Benton

Subscribed and sworn before me this the 22nd day of June, 2026.



Audrey Burnett
Notary Signature

Audrey Burnett
Notary Name Printed

01/14/2030
Commission Expire

PRELIMINARY PLAT LEGEND

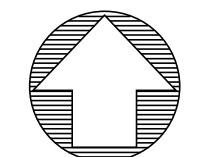
FEATURE LINES AND SURVEY SYMBOLS

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

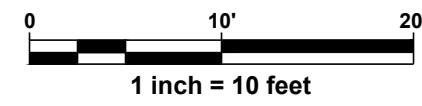
UTILITY SYMBOLS HATCHES

- FLARED END SECTION
- CURB INLET
- AREA INLET
- JUNCTION BOX
- GRATE INLET
- SANITARY SEWER
- SEWER SERVICE
- FIRE HYDRANT ASSEMBLY
- WATER VALVE
- WATER SERVICE
- WATER METER
- POWER POLE
- LIGHT
- ELECTRICAL BOX
- TELEPHONE PEDESTAL
- GAS METER
- ASPHALT
- CONCRETE
- FLOOD ZONE
- GRAVEL
- WET
- 13M POND

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



GRAPHIC SCALE



WETLANDS INFORMATION

There are no known Wetlands on this Site.

MISCELLANEOUS INFORMATION

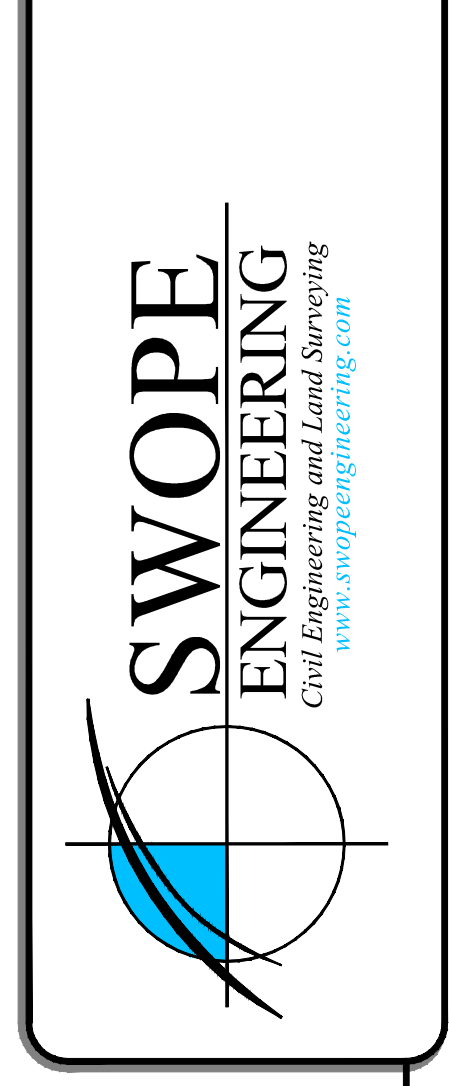
BASIS OF BEARING:
 ARKANSAS STATE PLANE, NORTH ZONE (NAD 83), BASED UPON CITY OF BENTONVILLE GPS MONUMENT, CONVERGENCE ANGLE -01°19'24.76", COMBINED SCALE FACTOR: 0.999973753.



STANDARD SHEET ENGINEERING TITLE BLOCK

PROJECT NAME
 PRELIMINARY PLAT OR LSD
 OWNER
 OWNER ADDRESS LINE 1
 OWNER ADDRESS LINE 2

NO.	DATE	REVISION
1	06/30/2026	FIRST SUBMITTAL



DRAWN BY: YOMAR	JOB NUMBER: XX-XXXX
SUBMITTAL DATE: 06/30/2026	CITY NUMBER: PP##-####
DRAWING NAME: 19-140CONCEPT.DWG	
SHEET NUMBER: ---	



Know what's below.
 Call before you dig.

FLOOD INFORMATION

This property does not lie in Zone 'A/AE' (Special Flood Hazard Areas Inundated by 100-year Flood) as determined from the F.I.R.M. maps of Benton County, Arkansas, and Incorporated Areas, Map Number O5007C0235K, Effective Date September 28, 2007.

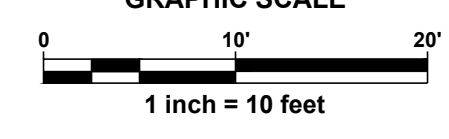
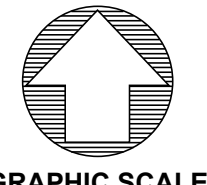
PRELIMINARY PLAT LEGEND

FEATURE LINES AND SURVEY SYMBOLS

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- SET/FOUND COTTON SPINDLE
- ▼ SET / FOUND P/K NAIL
- ▲ RAILROAD SPIKE
- ⊕ BENCH MARK (ELEV.)

- UTILITY SYMBOLS**
- FLARED END SECTION
 - CURB INLET
 - AREA INLET
 - JUNCTION BOX
 - GRATE INLET
 - ⊕ SANITARY SEWER
 - SEWER SERVICE
 - ⊕ FIRE HYDRANT ASSEMBLY
 - ⊕ WATER VALVE
 - WATER SERVICE
 - ⊕ WATER METER
 - POWER POLE
 - ⊕ LIGHT
 - ⊕ ELECTRICAL BOX
 - ⊕ TELEPHONE PEDESTAL
 - ⊕ GAS METER
- HATCHES**
- ASPHALT
 - CONCRETE
 - FLOOD ZONE
 - GRAVEL
 - POND

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



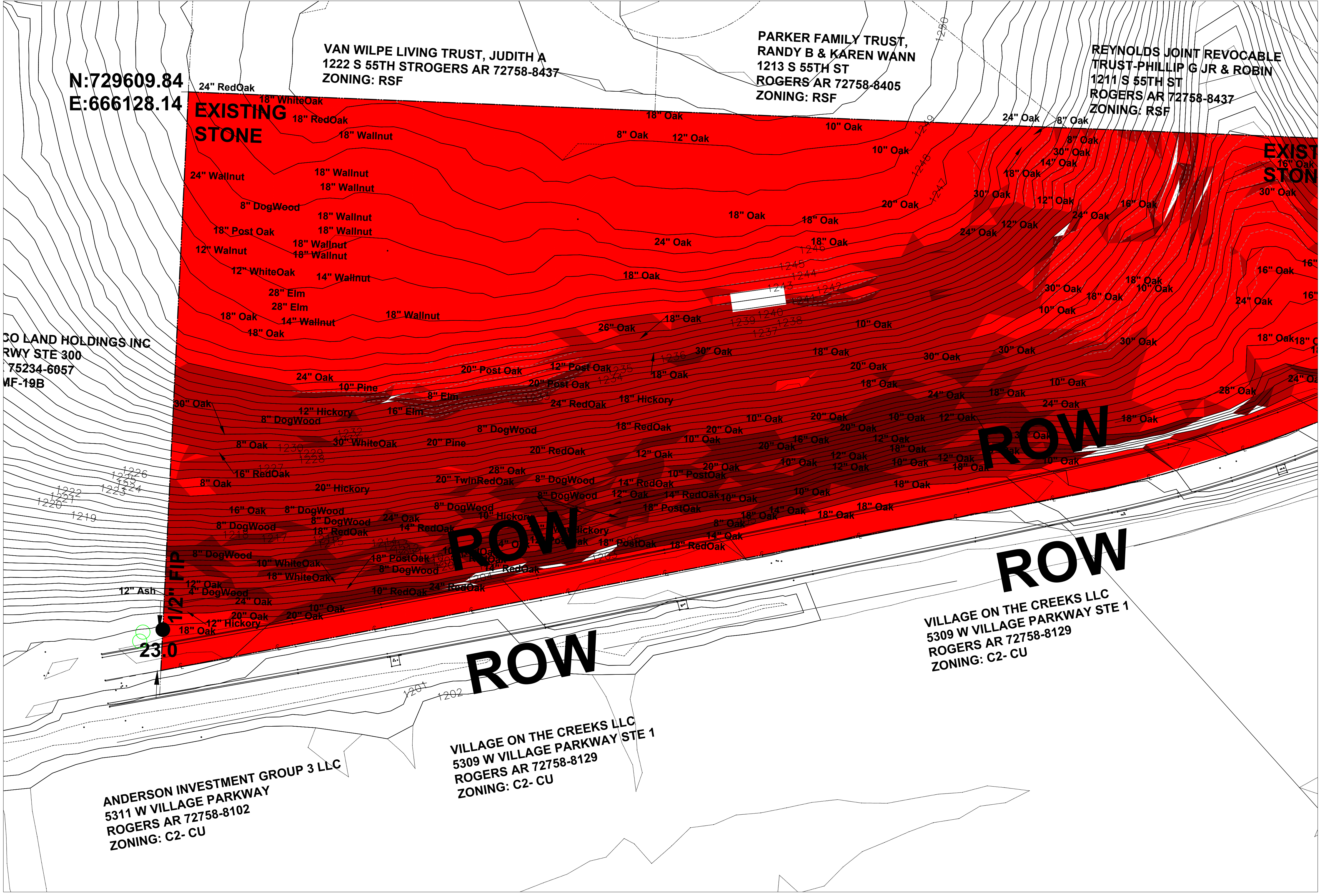
WETLANDS INFORMATION

There are no known Wetlands on this Site.

MISCELLANEOUS INFORMATION

BASIS OF BEARING:
 ARKANSAS STATE PLANE, NORTH ZONE (NAD 83), BASED UPON CITY OF BENTONVILLE GPS MONUMENT, CONVERGENCE ANGLE -01°19'24.76", COMBINED SCALE FACTOR: 0.999973753.

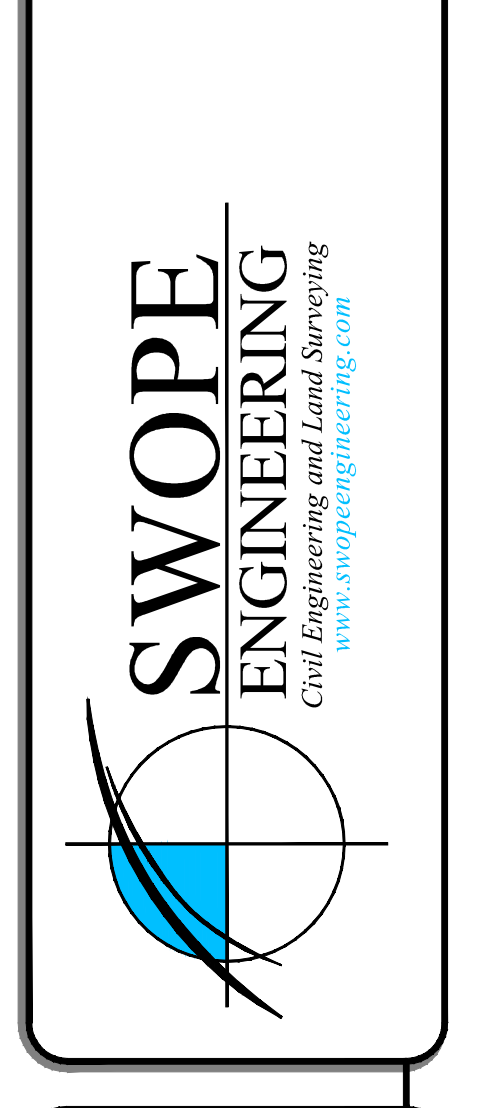
Slopes Table				
Number	Minimum Slope	Maximum Slope	Area	Color
1	0.00%	20.00%	92382.22	Red
2	20.00%	33.33%	52028.61	Dark Red
3	33.33%	60.00%	17614.42	Dark Brown



STANDARD SHEET ENGINEERING TITLE BLOCK

PROJECT NAME
 PRELIMINARY PLAT OR LSD
 OWNER
 OWNER ADDRESS LINE 1
 OWNER ADDRESS LINE 2

NO.	DATE	REVISION	FIRST SUBMITTAL
1	05/18/2026		



DRAWN BY: YOMAR	JOB NUMBER: XX-XXXX
SUBMITTAL DATE: 05/18/2026	CITY NUMBER: PP##-####
DRAWING NAME: 19-140SU.DWG	
SHEET NUMBER: ---	



FLOOD INFORMATION

This property does not lie in Zone 'A/AE' (Special Flood Hazard Areas Inundated by 100-year Flood) as determined from the F.I.R.M. maps of Benton County, Arkansas, and Incorporated Areas, Map Number 05007C0235K, Effective Date September 28, 2007.

R:\SWOPE\19-140 STONEYBROOK MULTIFAMILY\EXTERNAL REFERENCES\19-140SU.DWG - PLOTTED ON 5/18/2026 9:26:51 AM @ A SCALE OF 1:1 TO DWG TO PDF.PCS BY YOMAR CRUZ



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

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the **Rogers Board of Adjustment** on **July 7, 2026 at 5:30 p.m.** at Rogers City Hall under the provisions of the City of Rogers Code of Ordinances, regarding an application for **Swope Consulting LLC on behalf of Schmidt Stoney Brook (Case #: VAR26-0314)** for a variance to differ from the **Unified Development Code** at **5715 W. Stoney Brook Road** in the T4.2 (Neighborhood High-Intensity) zoning district more particularly described as follows:

PARCEL NUMBER:

5715 W. Stoney Brook Road
Parcel Number: 02-01671-474

PUBLISH ONE TIME ONLY: **Sunday June 21, 2026**
BILL THE CITY OF ROGERS

