



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

OCTOBER 9, 2018

TO: PLANNING COMMISSION

CONDITIONAL USE PERMIT, ANIMAL MEDICAL CENTER STAFF SUMMARY REPORT

ADDRESS:	±2.09 acres east of W Chastain Crossing and S 43 rd Street
LAND OWNER:	EF Capital AR LLC
APPLICANT/REP:	Animal Medical Center / HCH Consulting
ZONING DISTRICT:	R-O (Residential Office)
GROWTH DESIGNATION:	Commerce Corridor
CUP REQUEST:	Animal Hospital
AUTHORITY:	Sec. 14-723, Rogers Code of Ordinances

BACKGROUND

- 1) Use Definition: Per Sec. 14-695(b)(3)(c), "Animal Hospital" is defined as "establishments that provide medical or surgical treatment to animals...may also include grooming or boarding of animals for less than thirty days if the grooming or boarding is attendant to the primary purpose of providing medical or surgical treatment."
- 2) Zoning District Intent: Per Sec. 14-706(a), the purpose of R-O zoning is "for the conversion of existing structures to office use or the construction of offices in areas where the continuation of residential activity is no longer practical or to establish a transition between residential and non-residential uses. It is further the intent of this district to encourage mixed residential and office uses."
- 3) Growth Designation Characteristics: Per CGM Page 1, Commerce Corridor is characterized as "high-intensity, medium-density areas mostly built-out with retail and office development. Conventional development standards allow large-format building and site design. Compatibility with adjacent areas achieved with transitions; mixed-use and medium-density residential generally appropriate transition types."
- 4) Conditional Use Considerations: Per Sec. 14-723(a)(3), conditional uses may be considered by the Planning Commission subject to four factors:
 - a) Whether the use is a conditional use in the district requested and that the property under application is zoned correctly.
 - b) Whether the use would be compatible with adjacent property and would not set a precedent contrary to the City land-use plan.
 - c) Whether all other zoning requirements can be met.
 - d) Whether ingress and egress for the proposed use will create a traffic hazard.

STAFF REVIEW

ENGINEERING REVIEW:

- 1) Street Network Capacity:
 - a) Conditional Use Considerations:
 - i) The proposed use **would not** create or compound a traffic hazard in terms of access management or trip generation.

Dylan Cobb - EH

DYLAN COBB, Planning Engineer
City of Rogers Engineering Division

PLANNING REVIEW:

- 1) Land-Use Compatibility:
 - a) Comprehensive Growth Map: The proposed use is consistent with the current Comprehensive Growth Map (Tab 2).
 - b) Conditional Use Considerations:
 - i) The proposed use **is** conditional in R-O. The property **is** zoned correctly per CGM.
 - ii) The proposed use **is** compatible with adjacent property and would not set a precedent contrary to the CGM.
 - iii) The proposed use **would not** prevent any R-O zoning requirements from being met.
- 2) General Findings: Staff finds this to be an appropriate use at the subject location based on consistency with the CGM and zoning district intent. The subject request would not adversely impact adjacent property and is consistent with the development goals of the surrounding area.
- 3) Views of Others: No supporting or opposing comments have been received by the Planning Division to date.

4) RECOMMENDATIONS:

- a) Consider request with regard to land-use compatibility and the health, safety, and general welfare of the public.
- b) Approve.



ETHAN HUNTER, Planner III
City of Rogers Planning Division

ADMINISTRATOR'S SUGGESTED MOTION:

- 1) Move to **approve/deny/table** the request by Animal Medical Center for a CUP to allow 'Animal Hospital' at the subject location.

DIRECTOR'S COMMENTS:

- 1) Agree with recommendations and suggested motion.

JOHN C. McCURDY, Director
City of Rogers Department of Community Development

Tabs:

1. CUP application with required supplements
2. Maps and/or photos



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: \$100 ^{CH} 3478 (\$100)
Zoning: R-0
Permit Number: 18-30
CityView Application: PL201800801
Date: 9-28-18

CONDITIONAL USE PERMIT

APPLICANT: ANIMAL MEDICAL CENTER
ADDRESS: CHASTAIN CROSSING @ 43RD ST. SUITE #: _____
PHONE #: 479.640.6392 EMAIL: _____
PROPERTY OWNER: EF CAPITAL AR, LLC PHONE #: 479.640.6392
PRESENT USE: GREEN FIELD ZONING: R-0.
PROPOSED CONDITIONAL USE: ANIMAL HOSPITAL
PARKING SPACES AVAILABLE: _____ HOURS OF OPERATION: M-SAT
IF APPLYING TO OPEN A DAYCARE:
NUMBER OF CHILDREN: _____ MOST CHILDREN AT ONE TIME: _____

[Signature]
Applicant Signature

9.27.18
Date

Is the property switching from a residential to non-residential use?

- ☐ Yes. If so, large-scale approval and/or coordination with Risk Reduction for compliance with the appropriate building codes will be required.
☒ No

Attachment Checklist:

- ☒ Letter explaining request
☒ Legal description of property
☒ Applicant Certification
☐ Site plan as needed
☒ Letter of Approval from Property Owner

PLANNING STAFF PROVIDES:

DATE FILED: 9-27-18 PUBLIC HEARING DATE: 10-16-18 CERTIFIED MAIL DATE: 10-1-18
PLANNING COMMISSION ACTION: _____
COMMENTS, CONDITIONS, LIMITS: _____



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 **October 16, 2018 at 4:30 p.m.** on the application by **Animal Medical Center** for a **Conditional Use** to allow an **animal hospital** at **2.09 acres east of W Chastain Crossing and S 43rd Street** in the **R-O (Residential Office)** zoning district in the city's Overlay District at the following described locations:

LEGAL DESCRIPTION:

Lot 11, The Farms Commercial Subdivision, Rogers, Benton County, Arkansas as shown on Final Plat Record 2008 at Pages 58 to 60.

LAYMAN'S DESCRIPTION:

2.09 acres east of W Chastain Crossing and S 43rd Street

Dennis Ferguson, Secretary
Planning Commission

PUBLISH ONE TIME ONLY: **October 1, 2018**
BILL THE CITY OF ROGERS

HCH CONSULTING, INC.
599 Horsebarn Road, Suite 102
Rogers, AR 72758

September 26, 2018

Animal Medical Center

Re: Conditional Use Permit Farms Subdivision R-O

Dear Sir/Madam:

Animal Medical Center is applying for a Conditional Use Permit to allow for the operation of a to be built Veterinarian Clinic at The Farms Subdivision; the property in question is currently zoned R-O. The Clinic would operate during normal business hours, as they have done for 20 years in Rogers. The property is bordered by Mr. Chastain's Cattle Farm and other R-O and C-2 Zoned property.

We look forward to seeing you all on October 16th, should you have any questions, please feel free to contact me directly at 479.640.6392 or hunter@hchconsulting.us.

Sincerely,



Hunter C. Haynes

Property Owner Permission

I, EF Capital AR, LLC, hereby permit the use of Veterinarian Clinic Boarding Grooming on my property at Lot 11 The Farms Subdivision Rogers, AR Rogers, Arkansas.

Dated this the 27 day of September, 2018.

X

Signed

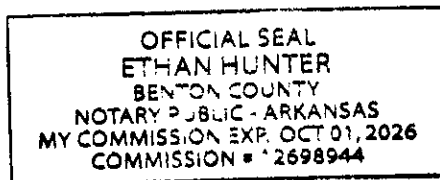
X

Name printed

STATE OF ARKANSAS

COUNTY OF BENTON

Subscribed and sworn before me this the 27 day of SEPT, 2018.



X

Notary Signature

X

Notary Name Printed

X

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 27 day of SEPTEMBER, 2018.

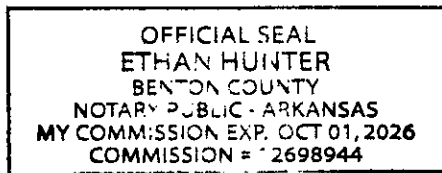
Signed

HUNTER HAYNES.
Name Printed

STATE OF ARKANSAS

COUNTY OF BENTON

Subscribed and sworn before me this the 27 day of SEPT, 2018.



Eth H
Notary Signature

ETHAN HUNTER
Notary Name Printed

10/1/26
Commission Expires

