



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

**JUNE 17, 2019**

TO: PLANNING COMMISSION

RE: **STAFF SUMMARY REPORT**  
**CONDITIONAL USE PERMIT – Mathias Shopping Centers, Inc.**

STAFF: ELIZABETH JOHNSON, PLANNER II

**REQUEST INFORMATION:**

ADDRESS/LOCATION:	1702 W Industrial Drive
CURRENT ZONING:	C-2 (Highway Commercial)
CURRENT USE:	Undeveloped
PROPOSED USE:	Warehouse/Office

**APPLICANT INFORMATION:**

APPLICANT/REPRESENTATIVE:	Crafton Tull
PROJECT OWNER/DEVELOPER:	Mathias Shopping Centers, Inc.
PROPERTY OWNER:	Mathias Shopping Centers, Inc.
REQUEST:	CUP approval

**CITY INFORMATION:**

CGM GROWTH DESIGNATION:	Employment Center
GROWTH DESIGNATION CHARACTER:	Single-use areas in proximity to major arterials and rail intended for industrial and commercial uses with substantial site activity. Physical separation and landscape screening necessary for compatibility with adjacent areas. Goals include responsibly organizing uses with like impacts and maintaining capacity for industry and service.
ZONING DISTRICT INTENT:	Per Sec. 14-709(a), "the purpose of the Highway Commercial zone is for commercial uses, which depend upon high visibility, generate high traffic volumes or cater to the traveling public. These characteristics dictate that this district be located along or at the intersections of arterial classification streets or along frontage roads adjacent to the interstate or other limited-access streets."
USE DEFINITION:	Per, Sec. 14-695, "Wholesaling, Distribution, and Storage" is defined as "encompassing storage and distribution facilities. Affiliated offices, support facilities, limited showroom, or retail sales areas may be included if use as an affiliated office, support facility, limited showroom, or retail sales area is attendant to the primary purpose of storage and distribution. Wholesaling, Distribution and Storage includes but is not limited to the following tertiary use classification: trucking terminals that have more than six heavy trucks on the premises at a time."."
AUTHORITY:	Sec. 14-723, Rogers Code of Ordinances



VICINITY MAP:





## PLANNING REVIEW:

### 1. LAND USE COMPATIBILITY:

- a) General Findings: Staff finds this to be an appropriate use at the subject location. The proposed use is compatible with other uses within the Van Dyke Center subdivision. The subject proposal does not conflict with the purpose, character, or goals of the Employment Center Growth Designation.

### 2. CONDITIONAL USE CONSIDERATIONS PER Sec. 14-723(a)(3):

- a) Is the proposed use listed as conditional in the subject zoning district and is the property zoned correctly?
  - The proposed use is conditional in C-2. The Employment Center Growth Designation does not allow for the C-2 zoning district, thereby making C-2 the “incorrect” zoning district at this location. However, the use is allowed conditionally in both the C-2 and C-4 zoning district and the C-2 zoning district is compatible with the surrounding development.
- b) Is the proposed use compatible with adjacent property in a way that is not contrary to the city’s Comprehensive Growth Map?
  - See General Findings above.
- c) Can all other zoning requirements be met?
  - All other zoning requirements must be addressed during the large-scale development process.
- d) Will ingress and egress for the proposed use create a traffic hazard?
  - See Engineering Review below.

### 3. REPORTS FROM OTHERS: The Planning Division has received one opposing comment to date.

### 4. RECOMMENDATIONS:

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

## ENGINEERING REVIEW:

### 1. STREET NETWORK CAPACITY:

- a) General Findings: The proposed use would not create or compound a traffic hazard in terms of access management or trip generation.

## STAFF SIGNATURES:



Elizabeth Johnson, Planner II  
City of Rogers Planning Division



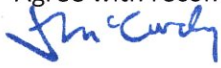
Dylan Cobb, Assistant City Engineer  
City of Rogers Engineering Division

**SUGGESTED MOTIONS:**

1. FOR APPROVE: "Move to approve the request by Mathias Shopping Centers, Inc. to allow "Wholesaling, Distribution, and Storage" at the subject location as presented."
2. FOR APPROVE WITH CONDITIONS: "Move to approve the request by Mathias Shopping Centers, Inc. to allow "Wholesaling, Distribution, and Storage" at the subject location subject to [conditions or contingencies]."
3. FOR DENY: "Move to deny the request as presented."
4. FOR TABLE: "Move to table the request [indefinite or date certain]."

**DIRECTOR'S COMMENTS:**

1. Agree with recommendations.



John McCurdy, Director  
City of Rogers Community Development

**TABS:**

1. CUP application
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 web (\$100)  
Zoning: C-2  
Permit Number: 19-26  
CityView Application: PL201900407  
Date: 6-6-19

CONDITIONAL USE PERMIT

APPLICANT: Mathias Shopping Centers Inc. / Lot 16 Van Dyke Center

ADDRESS: 5571 Bleaux Ave, Springdale, AR 72764 SUITE #: A

PHONE #: 479-750-9100 EMAIL: athurman@mathiasproperties.com

PROPERTY OWNER: Mathias Shopping Centers Inc. PHONE #: 479-750-9100

PRESENT USE: Undeveloped ZONING: C-2

PROPOSED CONDITIONAL USE: Warehouse/Office

PARKING SPACES AVAILABLE: 16 HOURS OF OPERATION: \_\_\_\_\_

IF APPLYING TO OPEN A DAYCARE:

NUMBER OF CHILDREN: NA MOST CHILDREN AT ONE TIME: NA

Sam Mathias

Applicant Signature

6-5-19  
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: 6-6-19 PUBLIC HEARING DATE: 7-2-19 CERTIFIED MAIL DATE: 6-17-19

PLANNING COMMISSION ACTION: \_\_\_\_\_

COMMENTS, CONDITIONS, LIMITS: \_\_\_\_\_



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## NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Rogers Planning Commission in the Rogers City Hall at 301 West Chestnut Street on **July 2, 2019** at **5:00 p.m.** on the application by **Lot 16 Van Dyke Center** for a **Conditional Use** to allow **warehousing and storage** at **1702 W. Industrial Dr.** in the **C-2 (Highway Commercial)** zoning district at the following described location:

### LEGAL DESCRIPTION:

Lot 16 of Van Dyke Center as shown on Survey Plat 23L-25.

### LAYMAN'S DESCRIPTION:

**1702 W. Industrial Dr.**

Mandel Samuels, Secretary  
Planning Commission

**PUBLISH ONE TIME ONLY:** **June 17, 2019**  
BILL THE CITY OF ROGERS



June 6, 2019

City of Rogers  
Attn: Community Development  
301 W Chestnut  
Rogers, AR 72756

RE: Conditional Use Permit – Dixie Lot 16 (Van Dyke Center)  
CTA Job Number 19105500

To who it may concern,

Enclosed is an application for a Conditional Use Permit for Lot 16 in the Van Dyke Commercial Subdivision to operate one warehouse/office building on the +/- 1 acre tract just east of N Dixieland Road in Rogers. The zoning for the property is C-2. Warehouse/Office is considered a conditional use in this zoning district.

The project will be similar to other businesses located in the same subdivision and will not bring any more additional traffic, noise or lighting than what a permitted use in this zoning would allow. The signage will not include anything that is not allowed by Code in the City's C-2 zoning classification. The hours and days of operation will be comparable to most small retail shops. A waiver letter to allow for less parking than required has been provided with the large-scale development submittal. The property is surrounded by C-2 zoning and is not adjacent to any Residential areas.

We appreciate your consideration of this request and look forward to answering any questions you might have.

Sincerely,

Joseph Fifer, PE  
Project Manager

**PROPERTY OWNER PERMISSION**

I, Mathias Shopping Centers Inc., hereby permit the use of Warehouse/Office  
(name) (use)  
on my property at 1702 W Industrial Dr. Rogers, Arkansas.  
(address)

Dated this the 4<sup>th</sup> day of June, 2019.

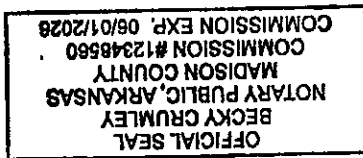
Sam Mathias  
Signed

SAM MATHIAS  
Name Printed

STATE OF ARKANSAS

COUNTY OF Madison

Subscribed and sworn before me this the 4<sup>th</sup> day of June, 2019.



Becky Crumley  
Notary Signature

Becky Crumley  
Notary Name Printed

June 1, 2026  
Commission Expires



