



AGENDA

Planning Commission and Board of Zoning Adjustment

REGULAR MEETING

September 8, 2026 ~ 5:30 pm

101 North 2nd Street Blue Lion

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MEETING MINUTES FROM AUGUST 11, 2026

STAFF COMMENTS AND PROCEDURES

ITEMS

1. Final Plat - Serington - Crafton Tull
2. Conditional Use #14-9-26 – A request by Robby Raggio, agent for BPR Commercial Properties, LLC, for a contractor's shop and storage yard in a Commercial Heavy (C-5) zone at 5900 Highway 271 South
3. Temporary Use #3-9-26 – A request by Studio 6 Architects, agent for St. Edward Mercy Medical Center, for a temporary medical office building in a Planned Zoning District (PZD #90-21) at 7301 Rogers Avenue

RECESS PLANNING COMMISSION CONVENE BOARD OF ZONING ADJUSTMENT

4. Variance #27-9-26 – A request by Hart -to-Hart Investments LLP, owner, from 10 feet to 0 feet interior side yard setback in a Commercial Light (C-2) zone at 2612 South O Street

RECESS BOARD OF ZONING ADJUSTMENT CONVENE PLANNING COMMISSION

5. Development Plan #16-9-26 – A request by Hart-to-Hart Investments LLP, owner, for an addition to an existing art studio and salon in a Commercial Light (C-2) zone at 2612 South O Street
6. UDO Amendments

ADJOURN

Voting Procedures

- Chairman: Introduce the item
- Staff: Presents the item
- Chairman: Asks for those wishing to speak in support, then asks for those wishing to speak in opposition. Note: Planning Commission does not “debate” the issue at this time.
- Chairman: Following presentations by staff and comments by the public, the chairman asks for a (main) motion. Motions should be in the positive not the negative.
Examples: I move to Approve as submitted or I move to approve with staff comments.
- Chairman: Asks for discussion on the main motion.
- Planning Commission: Discussion, questions and debate by the planning commission. It is very helpful if the Planning Commission articulate why they are voting on an item and especially if voting against the motion to approve.
- Chairman: Following Planning commission discussion, the chairman asks for any amendments. If there are any amendments then a motion to amend and a second is required. Ask for discussion on the motion to amend. Then vote on the amendments and if the amendments are approved, then;
- Chairman: Calls for a vote on the amended main motion, or
If the main motion was not amended then vote on the main motion.

**PLANNING COMMISSION &
BOARD OF ZONING ADJUSTMENT AGENDA
BLUE LION DOWNTOWN, 101 NORTH 2ND ST
August 11, 2026, 5:30 P.M.**

Before calling the meeting to order Chairman McCaffrey asked everyone to stand for the Pledge of Allegiance. On roll call, the following commissioners were present: Vicki Newton, David Tyler, Kelly Wilson, Rod Coleman, Jackson Mendenhall, Ret Taylor, Griffin Hanna, Shaun McCaffrey.

Chairman McCaffrey called for a motion on the July 14, 2026 meeting minutes. Commissioner David Tyler moved, seconded by Commissioner Ret Taylor to approve the minutes. The motion carried with no objections.

Maggie Rice, Deputy City Administrator, spoke on the procedures.

1. Preliminary Plat – 81 South – Carrington Creek Holdings, LLC

Chairman McCaffrey introduced item 1. Greg Kaelin delivered the staff report, indicated that approval will facilitate future final platting of 44 residential lots, an amenity center, and private gated subdivision. Mr. Kaelin stated that Proposed 81 South residential lots are within the general conformance of existing PZD zoning and the preliminary plat was initially approved by the Planning Commission in December 2022. He stated that today's requested re-approval pertains to the same plat previously approved, with minor changes.

With no comments or questions, Chairman McCaffrey called for a motion on item 1. Commissioner Taylor moved to approve with staff comments, seconded by Commissioner Mendenhall. Chairman McCaffrey called for a vote on item 1. The vote was eight (8) in favor and zero (0) opposed.

2. Variance #26-8-26 – A request by Brandon Woodrome agent for William Brown Jr and Maxine Birdsong Family Living Trust, from 20 feet to 15 feet front yard setback and from the required perimeter and parking lot landscaping requirements at 3515 Vicksburg Street, Units 1-8

Chairman McCaffrey introduced item 2 with companion items 3, 4 and 5. Tyler Miller delivered the staff report indicating the applicant is seeking a variance from 20 feet to 15 feet front yard setback and a variance from the required perimeter landscaping and parking lot screening requirements adjacent to an undeveloped street right-of-way to accommodate construction of four (4) duplexes on one lot.

A Master Land Use Plan amendment was also requested to support the rezoning request from I-1 to RM-4 stating that the Mixed-Use Residential classification is appropriate for the RM-4 zoning request. He further explained the applicant had submitted a development plan approval for four (4) duplexes with a total of eight (8) dwelling units on one lot with sixteen (16) parking spaces, landscaping, and a sidewalk.

With no comments or questions, Chairman McCaffrey called for a motion on item 2. Commissioner Taylor moved with the addition of staff comments, seconded by Commissioner Tyler. Commissioner Wilson asked about the front setback, Tyler Miller explained that the requested variance was from the landscaping requirements and front yard setback from an undeveloped portion of North 32nd Street. Maggie Rice stated that it is likely that the undeveloped street will never be developed in response to a question from Commissioner Hanna.

Chairman McCaffrey called for a vote on item 2. The vote was eight (8) in favor and zero (0) opposed.

3. **Master Land Use Plan Amendment #7-8-26 – A request by Brandon Woodrome agent for William Brown Jr and Maxine Birdsong Family Living Trust, a Master Land Use Amendment from Residential Detached to Mixed Use Residential at 3515 Vicksburg Street, Units 1-8**

With no comments or questions, Chairman McCaffrey called for a motion on item 3. Commissioner Taylor moved to approve with staff comments, seconded by Commissioner Jackson Mendenhall.

Chairman McCaffrey called for a vote on item 3. The vote was seven (7) in favor and one (1) opposed, Kelly Wilson.

4. **Rezoning #11-8-26 - A request by Brandon Woodrome agent for William Brown Jr and Maxine Birdsong Family Living Trust for a zone change from Industrial Light (I-1) to Residential Multifamily High Density (RM-4) 3515 Vicksburg Street, Units 1-8**

With no comments or questions, Chairman McCaffrey called for a motion on item 4. Commissioner Taylor moved to approve with staff comments, seconded by Commissioner Hanna.

Chairman McCaffrey called for a vote on item 4. The vote was seven (7) in favor and one (1) opposed, Kelly Wilson.

5. **Development Plan #13-8-26 – A request by Brandon Woodrome agent for William Brown Jr and Maxine Birdsong Family Living Trust for a multifamily development for four duplexes in a proposed Residential Multifamily High Density (RM-4) at 3515 Vicksburg Street, Units 1-8**

With no comments or questions, Chairman McCaffrey called for a motion on item 5. Commissioner Taylor moved to approve with staff comments, seconded by Commissioner Tyler.

Chairman McCaffrey called for a vote on item 5. The vote was seven (7) in favor and one (1) opposed.

6. **Variance #12-8-26 – A request by Davidson Engineering, agent for ARCare, from the required street access of a Major Collector or higher in a proposed Commercial Light (C 2) zone at 2709 Massard Road**

Chairman McCaffrey introduced item 6 with companion items 7, 8 and 9. Mrs. Victoria Walls delivered the staff report. The applicant is requesting a variance from the required street access to a Major Collector or higher to support a proposed C-2 zone. She stated the variance approval will facilitate the construction of a two-story, 18,879 square foot pharmacy and doctor office and clinic. She further stated the applicant is requesting a Master Land Use Plan amendment from Residential Detached and Public institutional to Commercial Neighborhood, rezoning from RM-2 to C-2, and development plan approval. Ms. Walls stated that in staff's opinion that approval of the zone change to commercial within the residential zoning corridor is considered spot zoning. She further described that the site plan proposed two (2) driveways located on Massard Road and that the northernmost driveway will only be utilized for egress traffic. She stated the proposed two-story building will be approximately 31 feet in height with the pharmacy portion only utilizing 1,250 square feet and that the doctor office and clinic will have a floor area of 17,629 square feet for a total of 18,879 square feet. She stated that the site would have the required landscaping along with a proposed six-foot opaque privacy fence to be installed along the north, south and east property lines.

Mr. Dan Safranek of 8000 Dover Circle and Mr. Cole Kingsbery of 8013 Williamsburg Road present to speak in opposition of the items with concerns regarding the commercial development located within the existing residential zoning district, increased traffic, proximity of schools, number of patients for the doctor's office and pharmacy, and the type of future development for the remaining portion of the site.

Mr. Barry Davidson of Davidson Engineering and Andy Nicholson vice president of Arcare was present to represent the items. Mr. Nicholson stated that the facility would be Rheumatology, a behavior health primary care doctor and a pharmacy.

Commissioner Tyler stated the reason he thought the property has been undeveloped for so long was because of the challenges for utility infrastructure in addition to the difficulty utilizing the rear portion of the property. Commissioner Tyler said this clinic fits well in that area because of the existing churches and schools within.

With no additional comments or questions, Chairman McCaffrey called for a motion on item 2. Commissioner Wilson moved to approve with staff comments, seconded by Commissioner Mendenhall.

Chairman McCaffrey asked the applicant to discuss the number of patients and time of operation for the business to further answer Mr. Safranek's earlier questions. Mr. Nicholson responded that the clinic would have about 120 patients a day and would have operating hours from 8 a.m. to 5 p.m. Monday through Friday.

Tyler Miller went on to clarify that the city cannot regulate the operation hours and that the site does have the potential for further development. He stated that further development of the site would be subject to development plan approval by the Planning Commission.

Chairman McCaffrey called for a vote on item 6. The vote was seven (7) in favor and one (1) opposed, Rod Coleman.

7. Master Land Use Plan Amendment #8-8-26 – A request by Davidson Engineering, agent for ARCare, for a Master Land Use Plan amendment from Residential Detached and Public Institutional to Commercial Neighborhood at 2709 Massard Road

With no comments or questions, Chairman McCaffrey called for a motion on item 7. Commissioner Hanna moved to approve with staff comments, seconded by Commissioner Tyler.

Chairman McCaffrey called for a vote on item 7. The vote was seven (7) in favor and one (1) opposed, Rod Coleman

8. Rezoning #12-8-26 – A request by Davidson Engineering, agent for ARCare, for a zone change from Residential Multifamily Medium Density (RM-3) to Commercial Light (C-2) by classification at 2709 Massard

With no comments or questions, Chairman McCaffrey called for a motion on item 8. Commissioner Wilson moved to approve with staff comments, seconded by Commissioner Taylor.

Chairman McCaffrey called for a vote on item 8. The vote was seven (7) in favor and one (1) opposed, Rod Coleman.

9. **Development Plan #14-8-26 – A request by Davidson Engineering, agent for ARCare, for a pharmacy and doctor’s office and clinic in a proposed Commercial Light (C-2) zone at 2709 Massard**

With no comments or questions, Chairman McCaffrey called for a motion on item 9. Commissioner Tyler moved to approve with staff comments, seconded by Commissioner Mendenhall.

Chairman McCaffrey called for a vote on item 9. The vote was seven (7) in favor and one (1) opposed, Rod Coleman.

10. **Rezoning #13-8-26 – A request by Dinyn Keng and Tyler Teague, agents for United Brotherhood of Carpenters, for a zone change from Planned Zoning District (PZD ORD #57-23) to Planned Zoning District (PZD) at 5215 Kelley Highway**

Chairman McCaffrey introduced item 10. Greg Kaelin delivered the staff report stating that the subject request is to rezone from Planned Zoning District (PZD #57-23) to facilitate the remodel of the existing building into a bakery or confectionery shop. He stated the proposed rezoning will also allow additional compatible commercial uses, including a bookstore, florist shop, office supply store, salon, and print shop.

With no comments or questions, Chairman McCaffrey called for a motion on item 10. Commissioner Tyler moved to approve with staff comments, seconded by Commissioner Newton.

Chairman McCaffrey called for a vote on item 10. The vote was eight (8) in favor and zero (0) opposed.

11. **Variance #24-8-26 – A request by Satterfield Land Surveyors, agent for Izell Jones and Sexton Investments, LLC, from 25 feet to 16 feet front yard setback and from 25 feet to 7 feet exterior side yard setback in a Residential Single Family-Duplex Medium/High Density (RSD-3) zone at 1600 South 28th Street**

Chairman McCaffrey introduced item 11. Greg Kaelin delivered the staff report.

The applicant is requesting a variance for the existing single-family structure encroachments to facilitate platting the property into two (2) lots. A duplex will be developed on the westernmost lot and the single-family residence will remain on the easternmost lot.

With no comments or questions, Chairman McCaffrey called for a motion on item 10. Commissioner Wilson moved, seconded by Commissioner Tyler.

Chairman McCaffrey called for a vote on item 10. The vote was eight (8) in favor and zero (0) opposed.

12. **Variance #25-8-26 – A request by Satterfield Land Surveyors, agent for Kenneth & Tammy McClernon and Hernan Escobar JR, for the following requests in a proposed Residential Multifamily Medium Density (RM-3) zone:**

- **From 25 feet to 3 feet front yard setback at 1517 North 32nd Street**
- **From 25 feet to 18 feet front yard setback at 1527 North 32nd Street**
- **From 7.5 feet to 1.5 feet interior side yard setback at 1527 North 32nd Street**
- **From 10 feet to 7 feet minimum building separation at 1527 North 32nd Street**

Chairman McCaffrey introduced item 12 with companion items 13 and 14. Tyler Miller delivered the staff report stating that the applicant is requesting rezoning, Master Land Use Plan amendment, and several variances to bring the existing single-family dwellings into compliance with the zoning code. Additionally, the applicant has requested an abandonment of an undeveloped portion of North N Street right-of-way and alleyway for the subject site. He stated that the current development has several structures that were constructed without a building permit that encroach into North N Street right-of-way.

With no comments or questions, Chairman McCaffrey called for a motion on item 12. Commissioner Taylor moved, seconded by Commissioner Tyler.

Chairman McCaffrey called for a vote on item 12. The vote was eight (8) in favor and zero (0) opposed.

13. **Master Land Use Plan Amendment #9-8-26 – A request by Dana Roza and Ricky Hill, agent for Ken McClernon and Hernan for a Master Land Use amendment from Residential Detached to Mixed Use Residential in a proposed Residential Multifamily Low Density (RM-3) at 1517 and 1527 N 32nd Street**

With no comments or questions, Chairman McCaffrey called for a motion on item 13. Commissioner Tyler moved, seconded by Commissioner Taylor.

Chairman McCaffrey called for a vote on item 13. The vote was eight (8) in favor and zero (0) opposed.

14. **Rezoning #14-8-26 – A request by Dana Roza and Ricky Hill agent for Ken McClenon & Hernan Escobar JR for a zone change from an Industrial Light (1-1) to Residential Multifamily Medium Density (RM-3) at 1517 N 32nd Street**

With no comments or questions, Chairman McCaffrey called for a motion on item 14. Commissioner Taylor moved, seconded by Commissioner Tyler.

Chairman McCaffrey called for a vote on item 14. The vote was eight (8) in favor and zero (0) opposed.

15. Remote Parking Agreement #1-8-26 – A request by Misty Mountain Rentals, LLC, owner, for a remote parking agreement in a Planned Zoning District (PZD) zone at 7420, 7424, and 7428 Buckhorn Street

Chairman McCaffrey introduced item 15. Tyler Miller delivered the staff report stating that the request for a remote parking agreement will allow for 27 off-site parking spaces to facilitate the multifamily development would be located on the northwest side of Ellis Street between Darby Avenue and Ward Avenue.

With no comments or questions, Chairman McCaffrey called for a motion on item 15. Commissioner Taylor moved, seconded by Commissioner Wilson.

Commissioner Taylor stated the proposal doesn't work because of no sidewalk or access to the existing development, no site lighting and the potential for other ongoing developments needing off-site parking. Commissioner Taylor also stated that there are many things about this that the city should not get involved with and that the developers should complete the building permit that was issued. He stated that a road needs to be built for safety reasons. Commissioner Wilson also stated she thought it was a safety hazard for fire trucks in the future with the road not being completed.

Chairman McCaffrey called for a vote on item 15. The vote was zero (0) in favor and seven (7) opposed and one (1) abstained, David Tyler.

Adjourn

Memo

To: City Planning Commission

From: Planning Staff

Date: September 8, 2026

Re: Final Plat – Serington - Crafton Tull

SUBDIVISION LOCATION AND SIZE

The subject property lies at the eastern quadrant of Chad Colley Boulevard and Massard Road and extends southward to I-549 and eastward to Custer Boulevard. The proposed final plat includes three lots totaling approximately five (5) acres and will be the first phase of platting the total 54-acre property.

PURPOSE OF PLAT

Approval will facilitate the creation of three (3) lots that will accommodate storm drainage as each lot develops.

EXISTING ZONING

The entire 54-acre property is presently zoned Planned Zoning District (PZD #120-24). The purpose of a PZD is to assure control of certain development while providing the applicant with a means of gaining commitment without undue financial risk. Specifically, the purposes of a PZD are to encourage:

- Better utilization of sites characterized by special features of geographic location, topography, size, or shape;
- Flexible administration of general performance standards and development guidelines
- Primary emphasis shall be placed upon achieving compatibility between the proposed developments and surrounding areas to preserve and enhance the neighborhood through the use of enhanced site design, architecture, landscaping, and signage.
- Developments that utilize design standards greater than the minimum required by the UDO.

SITE FEATURES

- The plat is a the first phase of platting for the 54-acres that will ultimately propose four new streets, including Serington Boulevard in an 80-foot right-of-way connecting to Chad Colley Boulevard to the northwest, Fontenay Place in an 80-foot right-of-way connecting to Massard Road to the southwest, Fontenay Way, and interior cul-de-sac in a 60-foot right-of-way, and Talmont Trace in a 60-foot right-of-way connecting to Custer Boulevard
- A 10' wide perimeter landscaping strip is required adjacent to all public rights-of-way throughout the development.
- Public sidewalks either exist or are proposed adjacent to all public streets in accordance with City of Fort Smith Engineering requirements.

STAFF COMMENTS

The proposed final plat, as submitted, is generally in conformance with City of Fort Smith subdivision standards.

STAFF RECOMMENDATIONS

Staff recommends approval with the following comments:

- 1) The developer must agree to meet all franchise and City utility easement requirements.
- 2) Prepare applicable cross-access and shared maintenance agreements for shared driveways, trails, stormwater detention facilities or tracts and similar facilities prior to or at time of final platting.
- 3) An automatic irrigation system shall be installed for all required landscaping during the building permit phase.
- 4) Provide the required sidewalks along city streets in compliance with the City of Fort Smith standards.
- 5) Should any landscaping or structures be placed within any easements a Temporary Revocable License (TRL) be approved prior to the issuance of a building permit.
- 6) Following required reviews of the final plat, submitting franchise utility certifications, applicable inspection and/or bonding, and when required signatures are affixed to original document and associated instruments, the plat will be released by the City of Fort Smith Engineering Department and filed with the Sebastian County Clerk.

PROJECT INFORMATION

SURVEY DESCRIPTION:
SERINGTON COMMERCIAL DEVELOPMENT, AN ADDITION TO THE CITY OF FORT SMITH,
SEBASTIAN COUNTY, ARKANSAS (FILED: _____)

PLAT CERTIFIED CORRECT:

Jeremy Lawson
JEREMY A. LAWSON PS #1741

ALLOTTERS:

ERC CREATE LLC / NICOLE SWANSON, MANAGER

STATE OF ARKANSAS

COUNTY OF _____
SWORN AND SUBSCRIBED
BEFORE ME THIS _____ DAY OF _____ 20____

NOTARY PUBLIC _____
MY COMMISSION EXPIRES: _____

PLANNING COMMISSION APPROVAL

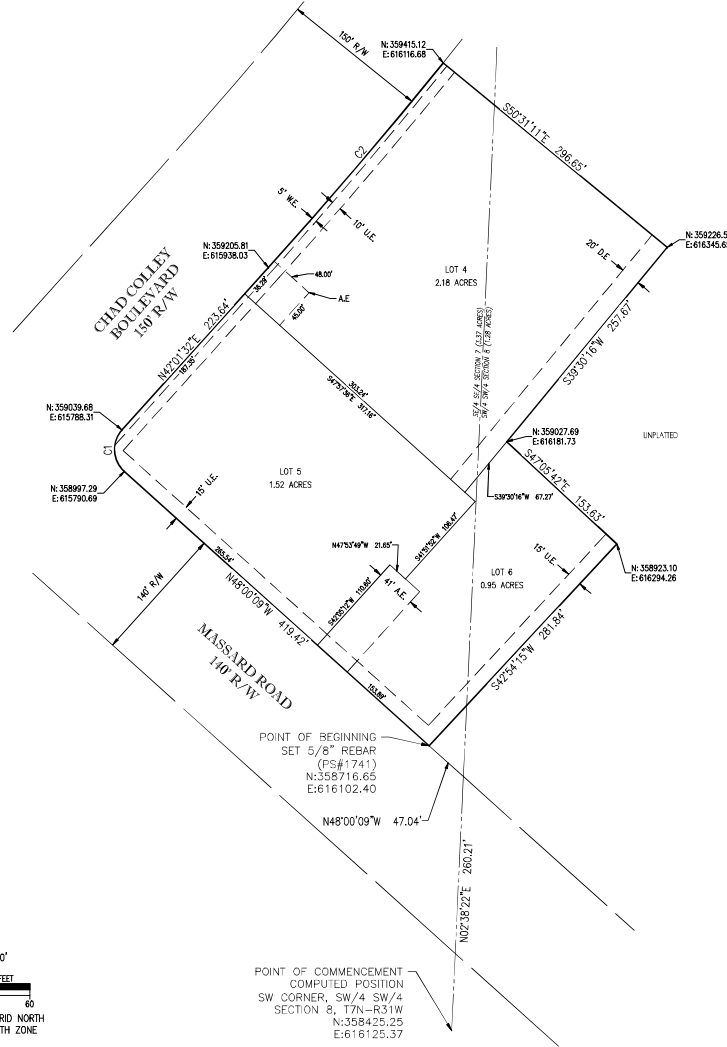
DATE: _____

CHAIRMAN: _____

SECRETARY: _____

FINAL PLAT

SERINGTON COMMERCIAL DEVELOPMENT FORT SMITH, SEBASTIAN COUNTY, ARKANSAS



DEDICATION

The Right-Of-Way as shown on this plat is hereby dedicated to the City of Fort Smith for public use. The easements shown on this plat are hereby dedicated to the city for utility, drainage, access, and other purposes. Any easement designated as a "utility easement" is dedicated to the city for the installation, operation and maintenance of city-owned utilities and utilities including cable tv, operated by utility companies having a franchise agreement with the city; the city and city franchised utility companies shall have access through and along designated easements for their personnel and equipment at all times with the authority to cut down and keep trimmed for the dedicated easements trees, hedges, and shrubs that may interfere with or endanger such utilities. In the event that fencing of individual lots is desired, gates that provide free ingress and egress to, and within the dedicated easements shall be provided.

FLOOD NOTE

This property is in flood zone "X", and is outside the 100-year flood plain as shown on the National Flood Insurance Program's FIRM panel number 0513100140E, effective date May 20, 2010.

NOTES

- This plat of survey meets the Arkansas Standards of Practice for Property Boundary Surveys and Plats. (Effective August 7, 2020)
- Monuments shall be as follows:
Magnetic Nail with Washer stamped "PS #1741" for all Paved Surfaces or
5/8" Rebar with a Plastic Cap stamped "PS #1741"
- No title search or report was provided to the surveyor. Except as specifically shown or stated on this plat, the surveyor does not represent or warrant any conditions that a full title examination may reveal.
- Required landscaping and associated irrigation shall be installed by the owner and maintained by the owner and/or property owner association, whichever is applicable.
- Any and all shared access drives are contained within shared access easements. Shared access and maintenance agreements are produced by the owner and recorded with the Sebastian County Clerk prior to or at the time of this final plat recording.
- All easements shown within the plat boundary herein are dedicated with this plat, unless otherwise noted as "existing".
- Individual stormwater detention/retention as well as storm quality treatments will need to be designed & implemented following the City of Fort Smith Standards.

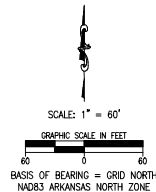
PROPERTY DESCRIPTION

Approximately 3.37 acres situate within the Southeast Quarter of the Southeast Quarter (SE/4 SE/4) of Section 7 and approximately 1.28 acres situate within the Southwest Quarter of the Southwest Quarter (SW/4 SW/4) of Section 8, all in Township 7 North, Range 31 West, 5th Principal Meridian, Fort Smith, Sebastian County, Arkansas being more particularly described as follows:

- COMMENCING at the southwest corner of said SW/4 SW/4; thence N02°38'22"E, 260.21 feet along the west line of said SW/4 SW/4 to the intersection of the northeasterly right-of-way of Massard Road; thence along said right-of-way the following two (2) calls:
- N48°00'09"W, 47.04 feet to the POINT OF BEGINNING; thence
 - N48°00'09"W, 419.42 feet to the beginning of a curve to the right; thence
- 47.17 feet along the arc of said curve having a radius of 30.00 feet, subtended by a chord of 42.46 feet which bears N03°12'40"W to the southeasterly right-of-way of Chad Colley Boulevard; thence along said right-of-way the following two (2) calls:
- N42°01'32"E, 223.64 feet to the beginning of a curve to the left; thence
 - 275.21 feet along the arc of said curve having a radius of 5069.21 feet, subtended by a chord of 275.18 feet which bears N40°28'56"E; thence
- S50°31'11"E, 296.65 feet; thence S39°30'16"W, 257.67 feet; thence S47°05'42"E, 153.63 feet; thence S42°54'15"W, 281.84 feet to the POINT OF BEGINNING, containing an aggregate of 4.65 acres, more or less, within the metes recited herein.

Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C1	47.17	30.00	09°05'27"	N03°12'40"W	42.46
C2	275.21	5069.21	003°06'38"	N40°28'56"E	275.18

LEGEND	
P.O.B.	POINT OF BEGINNING
EX.	EXISTING
R/W	RIGHT-OF-WAY
BL	BUILDING LIMIT LINE
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
S.E.	SANITARY SEWER EASEMENT
W.E.	WATERLINE EASEMENT
L.E.	LANDSCAPE EASEMENT
A.E.	ACCESS EASEMENT
(ESMT.)	EASEMENT



STATE PLAT CODE

500-07N-31W-0-07-220-65-1741
500-07N-31W-0-06-330-65-1741

OWNER:
ERC CREATE, LLC
NICOLE SWANSON, MANAGER
9301 R.A. YOUNG JR. DRIVE, SUITE 401
FORT SMITH, AR 72916
479-478-5103

ENGINEER:
CRAFTON TULL
MICHELLE DOORSE, PE
51 S. 6TH ST., SUITE B
FORT SMITH, AR 72901
479-636-4838

SURVEYOR:
CRAFTON TULL
JEREMY LAWSON, PS
65 BRADLEY COVE ROAD
RUSSELLVILLE, AR 72802
479-968-1885

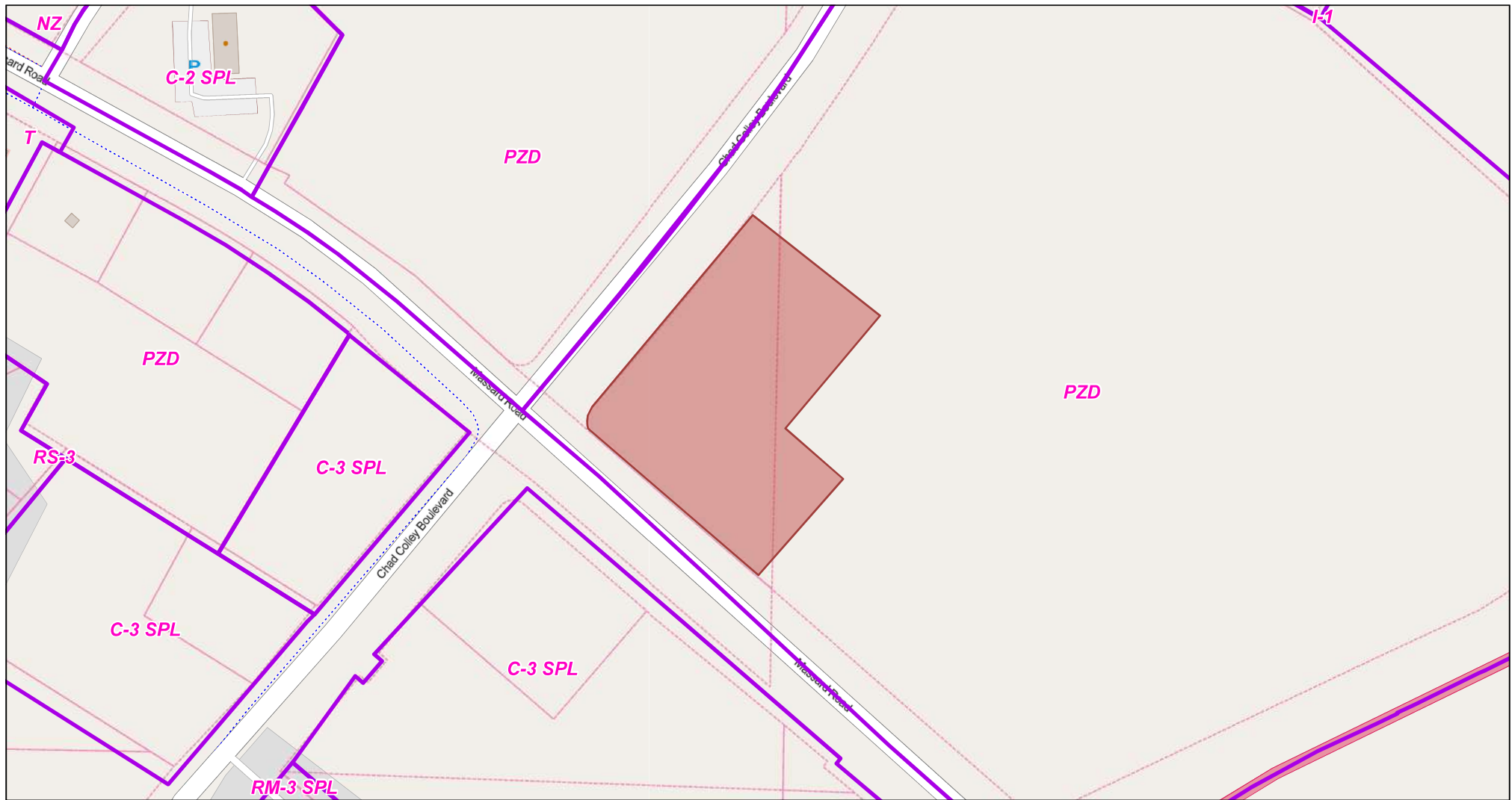
FINAL PLAT
SERINGTON COMMERCIAL DEVELOPMENT

21 South 4th Street, Suite B
Fort Smith, Arkansas 72901

Crafton Tull
architectural engineering planning
479-636-4838
www.craftontull.com

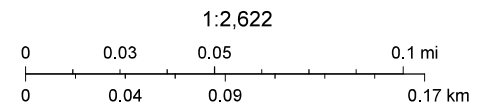
SHEET NO: 1 OF 1
DATE: 9-3-2026
PROJECT NO: 23500800

Final Plat Serington Commercial Development, Lots 4-6



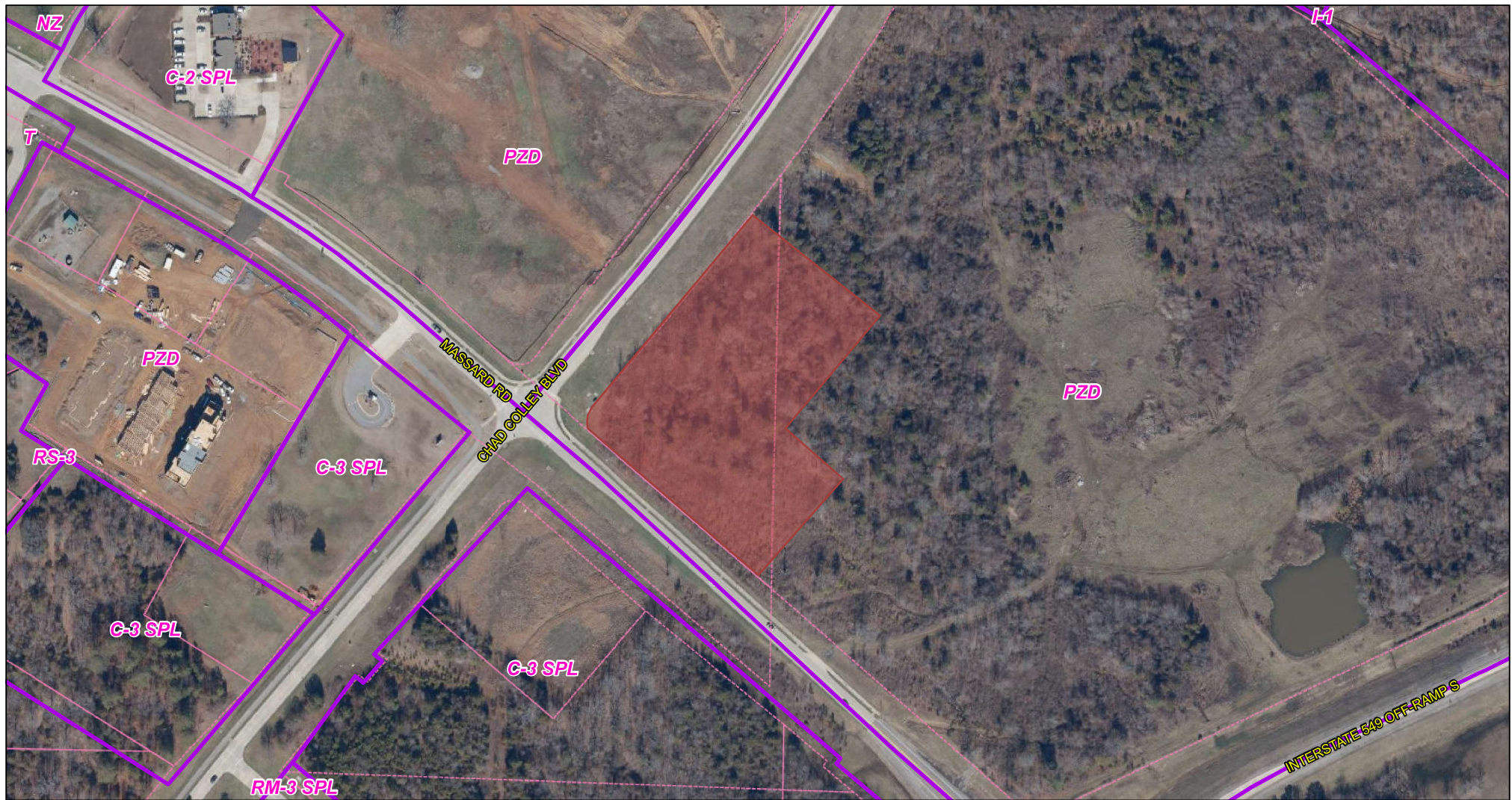
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-  Zoning
-  Parcels



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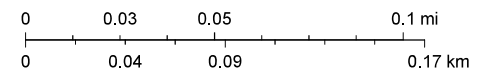
Final Plat Serington Commercial Development, Lots 4-6



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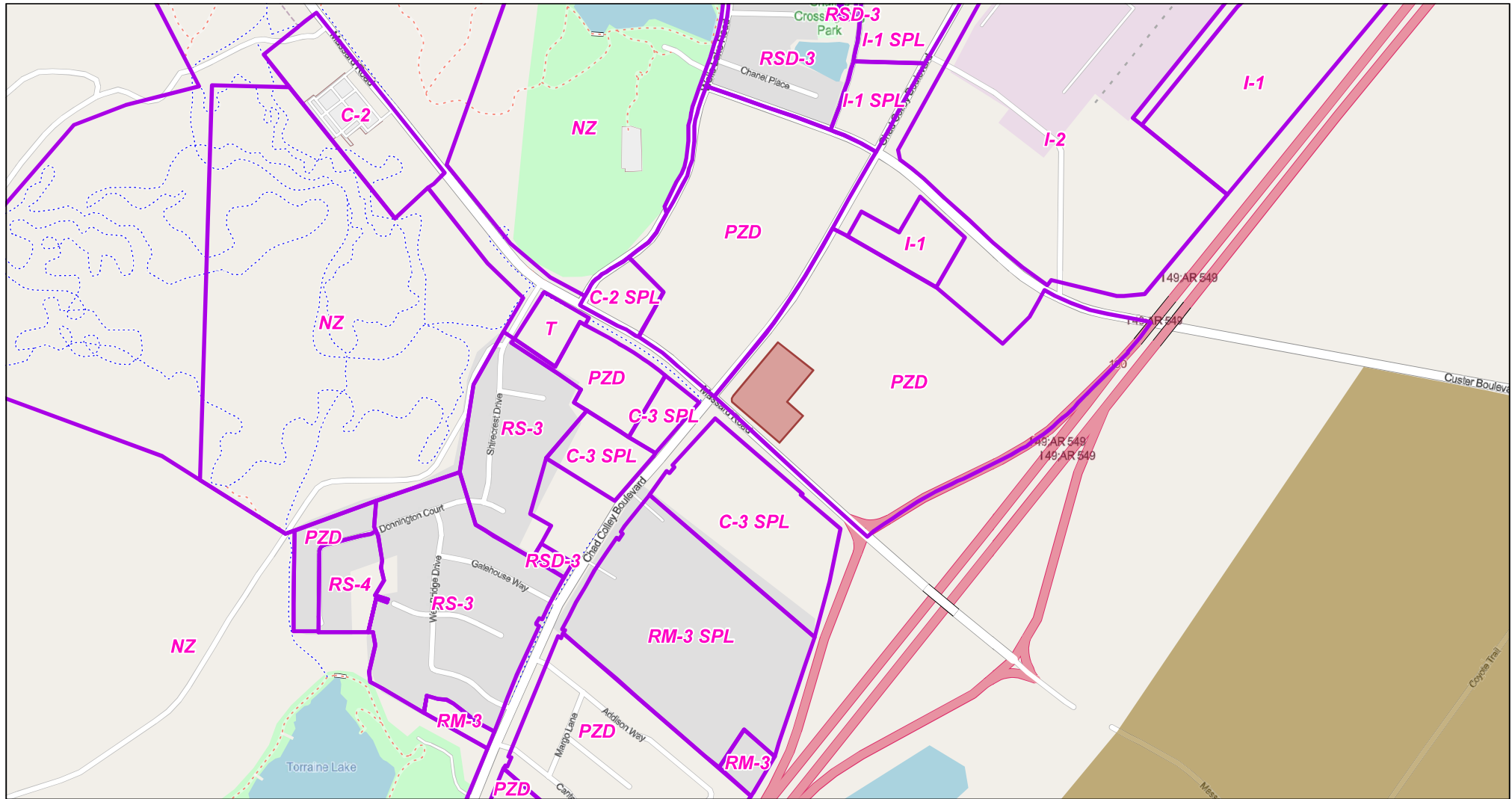
- Zoning
- Parcels
- Roads

1:2,622



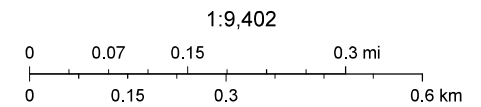
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Final Plat Serington Commercial Development, Lots 4-6

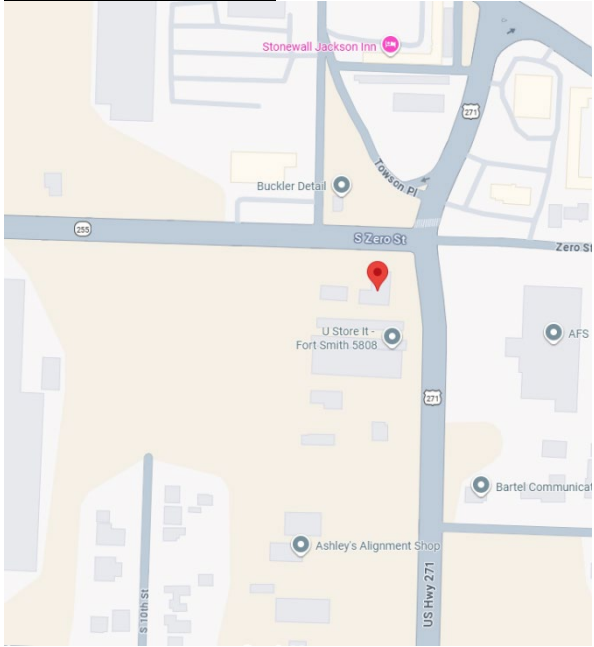


9/3/2026, 2:11:06 PM

- Zoning
- Military Reservation



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 Fort Smith Planning Commission	<u>Item Number:</u> Conditional Use #14-9-26 <u>Hearing Date:</u> September 8, 2026
<u>Report Prepared by:</u> Planning Staff	<u>Applicant Information:</u> Applicant: Robby Raggio Owner: BPR Commercial Properties, LLC.
<u>Location Map:</u> 	<u>Applicant Proposal:</u> Address: 5900 Highway 271 South Present Use: Contractor's office Summary: Conditional Use request for a contractor's shop and storage yard for an excavation contractor Total Tract Size: 0.75 Acres Location: Southwest corner of South Zero Street and Highway 271 South
<u>Existing Zoning:</u> C-5 and I-1 <u>Master Land Use Plan:</u> General Commercial	<u>Staff Recommendation:</u> Approval

Conditional Use

Memo

To: City Planning Commission

From: Planning Staff

Date: September 8, 2026

Re: Conditional Use #14-9-26 – A request by Robby Raggio, agent for BPR Commercial Properties, LLC, for a contractor's shop and storage yard in a Commercial Heavy (C-5) zone at 5900 Highway 271 South

PROPOSED CONDITIONAL USE

Approval allows for an excavation contractor's shop and storage yard to operate on site utilizing the existing storage building and yard area.

LOT LOCATION AND SIZE

The subject property is on the southwest corner of South Zero Street and Highway 271 South. The tract contains an area of 0.75 acres with approximately 245 feet of street frontage along Zero Street and approximately 118 feet of street frontage along Highway 271 South.

EXISTING ZONING

The existing zoning on this tract is Commercial Heavy (C-5) and Industrial Light (I-1). Characteristics of the C-5 zone are as follows:

Purpose:

To provide adequate locations for retail uses and services that generate moderate to heavy automobile traffic. The C-5 zoning district is designed to facilitate convenient access, minimize traffic congestion, and reduce visual clutter. The C-5 zoning district is appropriate in the General Commercial, Office, Research, and Light Industrial, Mixed Use Residential, and Mixed-Use Employment classification of the Master Land Use Plan.

Permitted Uses:

A wide variety of retail uses including clothing stores, specialty shops and restaurants. Commercial-5 zones also allow professional offices and multi-family apartments, community residential facility and neighborhood group homes are examples of permitted uses.

Conditional Uses:

Orphanage, dormitory, sorority, fraternity, auto vehicle impoundment or holding yard, auto body shop, medical laboratory, beer garden, restaurants with outdoor dining, pet cemetery, bus station, utility substations, museum, parks, educational facilities, police station, community food service, nursing home and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 14,000 square feet

Maximum Height - 45 feet (1+1)

Maximum Lot Coverage - 75%

Minimum Parcel/Lot Size for Rezoning – New District (By Classification) - 2 acres

Existing District (By Extension) – 14,000 square feet

Minimum Lot Width – 100 feet

Front Yard Setback - 25 feet

Side Yard on Street Side of Corner Lot - 15 feet

Side Yard Setback – 20 feet

Rear Yard Setback - 20 feet

Side/Rear (adjoining SF Residential District/Development) – 30 feet

Minimum building separation – to be determined by current City building and fire code.

Required street access – Minor Arterial or higher

Characteristics of the I-1 zone are as follows:

Purpose:

To provide for a mixture of light manufacturing, office park, research and development, and limited retail/service retail land uses in an attractive, business park setting. The Industrial Light district may be used as a zoning buffer between mixed uses, commercial uses and heavier industrial uses. The I-1 zoning district is appropriate with the Office, Research, and Light Industrial (ORLI) and Industry classifications of the Master Land Use Plan.

Permitted Uses:

Auto and boat related businesses, a wide variety of retail businesses, indoor flea market, pawnshop, financial services, offices, bar or tavern, restaurant, animal and pet services, manufacturing and commercial communication towers are examples of permitted uses.

Conditional Uses:

Homeless shelter, truck stop, outdoor flea market, beer garden, restaurant with outdoor dining, pet cemetery, animal food processing, petroleum distribution facility, bus station, recycling center, sports complex, educational facilities and police station are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 20,000 square feet

Maximum Height - 45 feet (1+1)

Maximum Lot Coverage - 75%

Minimum Parcel/Lot Size for Rezoning – New District (By Classification) - 2 acres

Existing District (By Extension) – 20,000 square feet

Minimum Lot Width – 100 feet

Front Yard Setback - 25 feet

Side Yard on Street Side of Corner Lot - 15 feet

Side Yard Setback – 10 feet

Rear Yard Setback - 10 feet

Side/Rear (adjoining SF Residential District/Development) – 100 feet (may be reduced to 60 feet with Planning Commission approval of screening and/or landscaping through the Development Plan approval process)

Minimum building separation – to be determined by current City building and fire code.

Required street access – Major Arterial or higher

SURROUNDING ZONING AND LAND USE

Direction	Land use	Zoning
North	Auto and Vehicle Dealer	C-5, Commercial Heavy
East	Call Center (Answer Fort Smith)	C-5, Commercial Heavy
West	Baldor	I-1, Industrial Light
South	Mini Storage	I-1, Industrial Light

PURPOSE OF CONDITIONAL USE

Certain uses are defined as conditional uses because of the potential harmful effects the use can cause to nearby properties and because the requirements to eliminate harmful effects vary from site to site. In considering conditional uses, the Planning Commission will review the overall compatibility of the planned use with the surrounding property as well as specific items such as screening, parking, and landscaping to make sure that no harmful effects occur to nearby properties.

CONDITIONS FOR CONDITIONAL USE

All requirements for a Conditional Use must be met before any part of the use may be utilized. If any specific condition is not met, the Conditional Use authorization may be revoked by the City of Fort Smith pursuant to Section 27-314.

Requirements for a Conditional Use must begin to be met within one (1) year of the authorization unless a special time limit has been imposed by the Planning Commission. An extension of time beyond one (1) year or that imposed by the Planning Commission may be granted by the Director one (1) time for up to ninety (90) days.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies South Zero Street and Highway 271 South as a Major Arterial classification.

MASTER LAND USE PLAN

The Master Land Use Plan classifies the site as General Commercial. This classification is intended to provide opportunities for business transactions and activities and meet the consumer needs of the community.

SITE DESIGN FEATURES

Ingress/egress/traffic circulation – The site will utilize two existing driveways with one located on South Zero Street and one located on Highway 271 South.

Easement/utilities – The developer must agree to meet all franchise and city utility easement requirements. Additionally, the development must comply with the City's Subdivision Design and Improvement Standards and the Standard Specification for Public Works Construction.

Parking – No new parking spaces are proposed. The site currently complies with the UDO for the required number of parking spaces.

Signage – No new signage is proposed. All future signage shall comply with Section 27-704-3 of the UDO for permitted signage allowed in commercial zones.

Lighting – No new site lighting is proposed. All future site lighting must comply with UDO Section 27-602-5 of the UDO.

NEIGHBORHOOD MEETING

A neighborhood meeting was held on August 31, 2026, at 3:00 PM, on site. One neighboring property owner attended the meeting and had concerns about large heavy equipment being stored on the property. Mr. Raggio informed the neighbor that they did not have any plans to store large equipment on site.

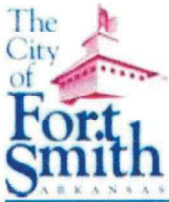
STAFF COMMENTS

Approval allows for the existing building and site to be utilized as a contractor's shop and storage yard for an excavation contractor. The primary structure will be utilized as office space and the existing structure and yard will be used for storage.

STAFF RECOMMENDATIONS

Staff recommends approval with the following conditions:

1. Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-330-7 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.
2. An opaque fence shall be required to completely screen any open storage of materials or equipment.
3. Parking lot striping shall be provided in accordance with table 27-601-2 prior to the issuance of a business license.



CITY OF FORT SMITH, ARKANSAS CONDITIONAL USE

FOR STAFF USE ONLY

Date Application Submitted:

Date Accepted as Complete:

Project Number:

Public Hearing Date:

FEE: \$350

Zone:

Application:

Indicate one contact person for this request:



Applicant



Agent

Applicant (person making request):

Name: Bobby Raggio

E-mail:

Address:

PO Box 542

Booneville, AR 72927

Phone: 479-675-4692

Fax:

Site Address / Location: 5900 Hwy 271 S, Fort Smith, AR 72908

Current Zoning District:

C-5

Assessor's Parcel Number(s) for property:

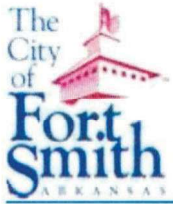
18883-0000-02599-00

Total Acreage: 0.78

Legal Description of property: Provide legal description in a word document.

Describe Proposed Conditional Use Request, including the development of any construction on the property:

We want to use the property for a contractors shop and storage for equipment. We will be remodeling inside of building for office space and possibly adding additional windows.



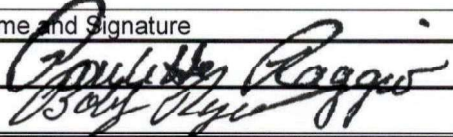
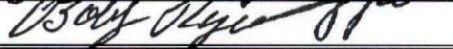
Application updated May 2022

PLANNING DEPARTMENT

CONDITIONAL USE

PROPERTY OWNER(S) / AUTHORIZED AGENT: I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.

(If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on his/her behalf.)

Name and Signature	Date
	7/17/2026
	7/17/2026

ATTACH ALL THE REQUIRED DOCUMENTATION (i.e. site plan, property ownership letter, development plan, pictures, survey, etc) via Email. INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED.

NOTE: Applications can be submitted online with Internet Explorer. If another browser is being used, the user will have to follow the instructions for electronic submission via email.

INSTRUCTIONS: To SUBMIT ELECTRONICALLY, please right click on download link and click save-as. Once the application has been downloaded to your device it can be filled out and submitted electronically.

Submit

NOTE: Applications can be submitted Online with Internet Explorer. If another browser is being used, the user will have to follow the instructions for electronic submission via email.

INSTRUCTIONS: To SUBMIT ELECTRONICALLY, please right click on download link and click save-as. Once the application has been downloaded to your device it can be filled out and submitted electronically.

AUTHORIZATION OF AGENT

If an agent (i.e., contractor) is acting on behalf of the owner(s), all owners must sign in the space provided. This form is necessary only when the person representing this request does not own all the property.

We the undersigned, being owners of real property, and requesting a conditional use by application do hereby authorize Robby Raggio to act as our agent in the (Print Name of Agent) matter.

(Type or clearly print)

(BPR Commercial Properties, LLC)
NAMES OF ALL OWNERS.

1.	Paulette Raggio
2.	Bobby Raggio
3.	
4.	
5.	
6.	
7.	
8.	
9.	

SIGNATURE OF ALL OWNERS.

<i>Paulette Raggio</i>
<i>Bobby Raggio</i>

This form is necessary only when the person representing this request does not own all the property.

9/1/26

To whom it may concern:

BPR Commercial Properties held a neighborhood meeting on August 31, 2026, at 5900 Highway 271 South, Fort Smith, Arkansas 72908.

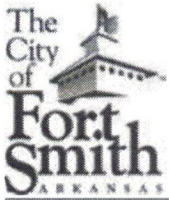
One neighbor, Mr. William Leonard, attended and expressed concern about heavy equipment being stored on the property.

We explained that our heavy equipment is stored at our shop approximately two miles away. The property at 5900 Highway 271 South will be used only for office space and small-equipment storage.

After receiving this clarification, Mr. Leonard was satisfied. The meeting concluded with no remaining concerns or objections.

Thank you,

BPR Commercial Properties

**Attendance List for Neighborhood Meeting**

List the names, addresses telephone numbers and email of all residents/property owners who attended the meeting.

Meeting Location

5900 Hwy 271 S, Fort Smith, AR 72908

Meeting Time & Date

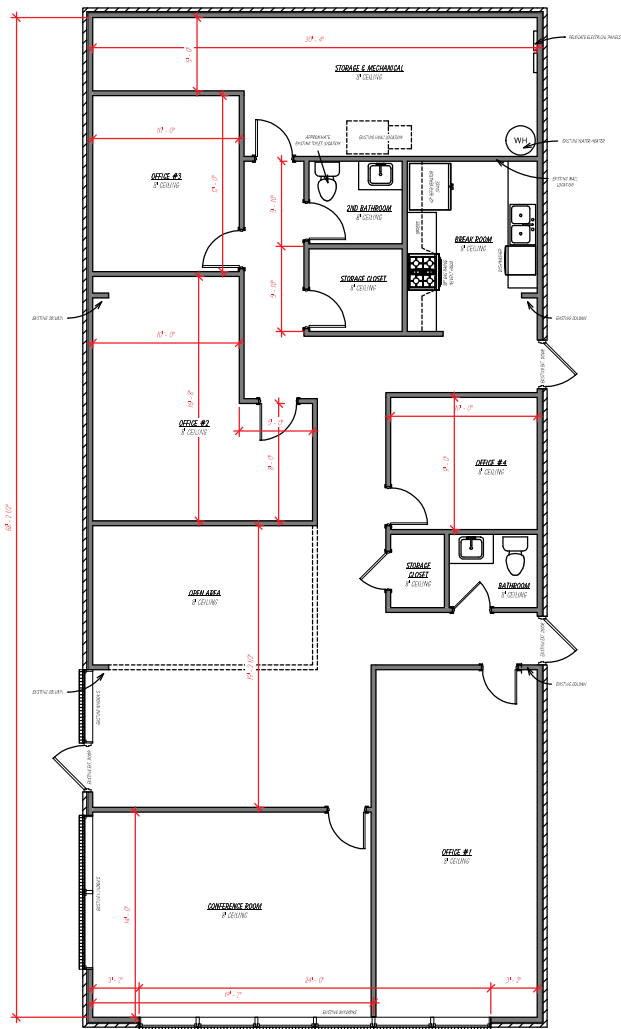
3:00pm on August 31, 2026

Meeting Purpose

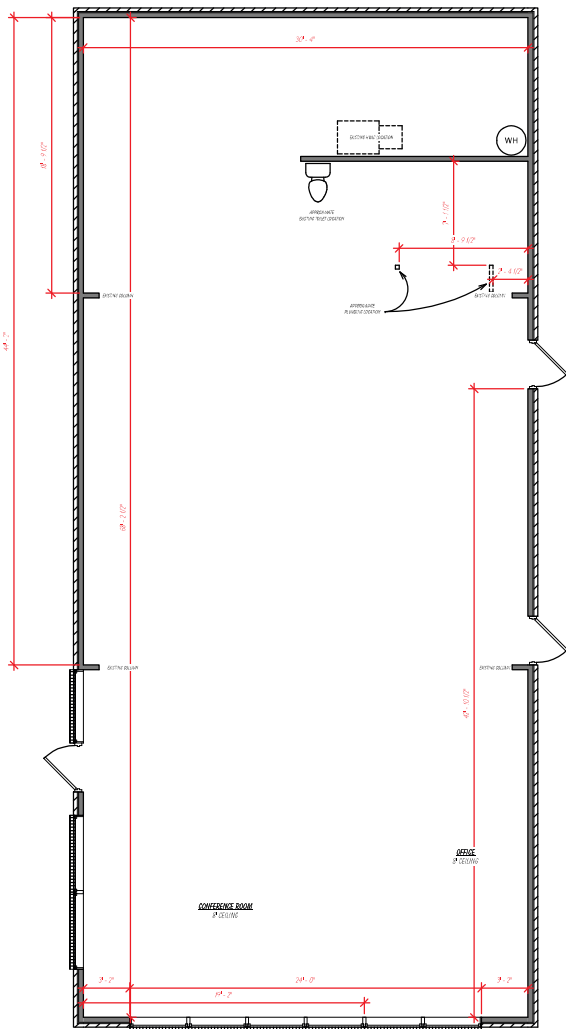
Conditional Use Permit for use of land and space

<u>Name</u>	<u>Address</u>	<u>Phone</u>	<u>Email</u>
William Leonard	1915 9th Ter, Barling, AR 72923	479-452-9981	

Modified Layout



Existing Layout



① Finished Floor
1/4" = 1'-0"

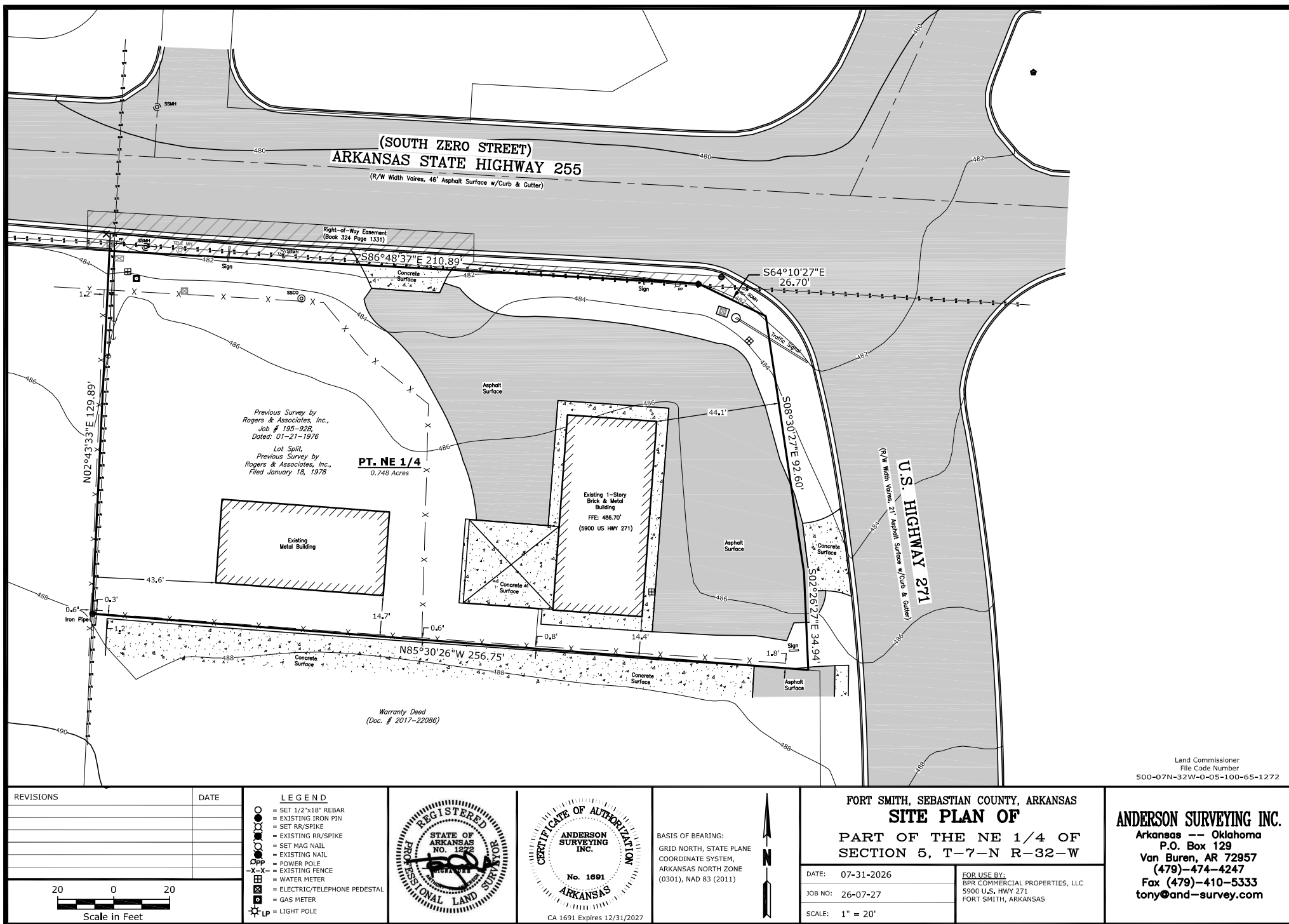
Footage Tabulation	
Heated Over Frames	0 sq.ft.
Covered Porches	0 sq.ft.
Garage Space	0 sq.ft.
2nd Floor/Bonus Room	0 sq.ft.
Total Heated Over Brick	0 sq.ft.
Total Under Roof	0 sq.ft.

JUSTIN GREEN
CUSTOM HOMES

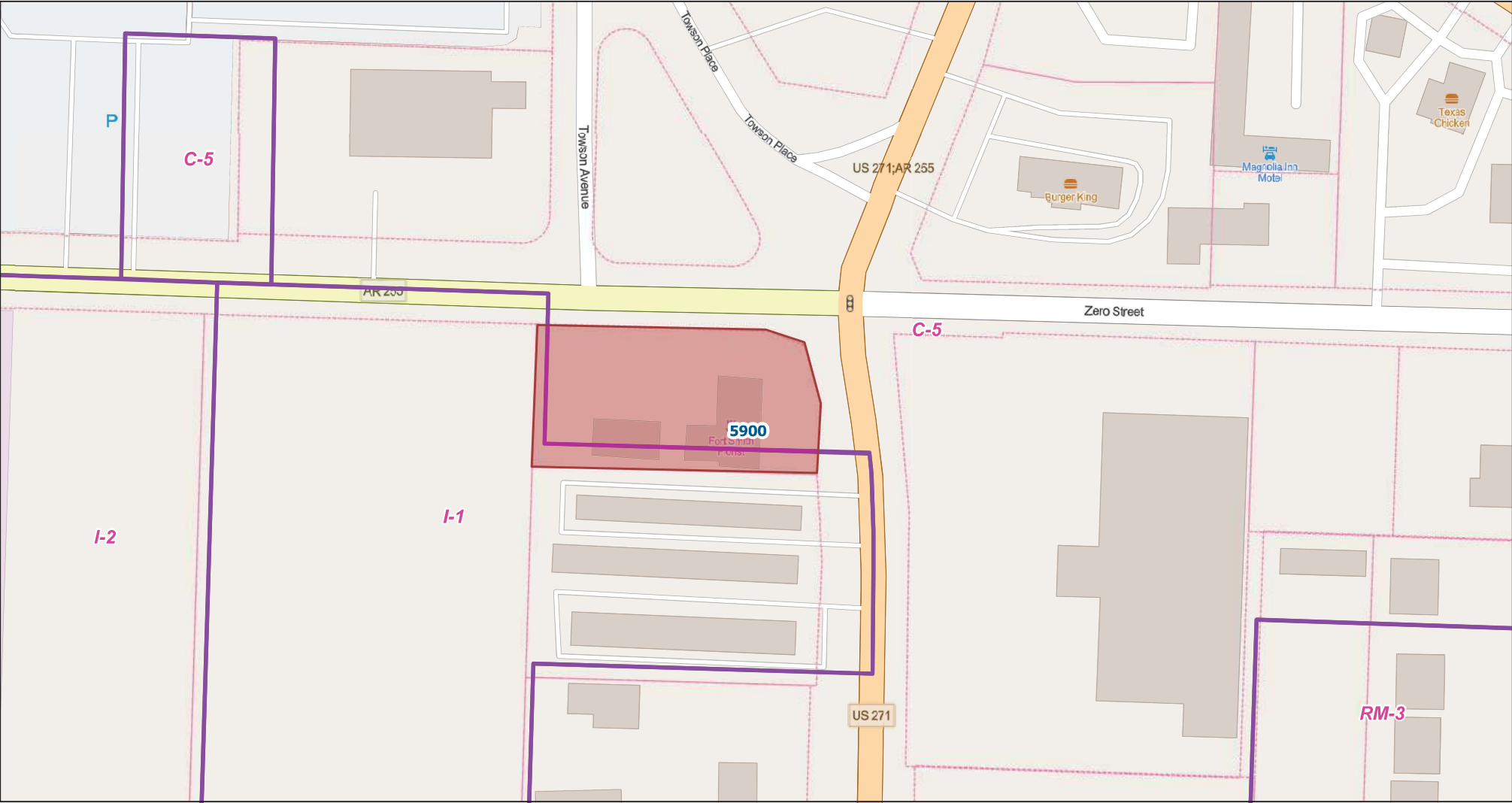
Date 6/23/2026

A101
Raggio Florist

6/23/2026 2:13:13 PM

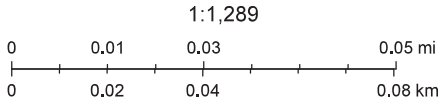


Conditional Use #14-9-26 – A request by Robby Raggio, agent for BPR Commercial Properties, LLC, for a contractor’s shop and storage yard in a Commercial Heavy (C-5) zone at 5900 Highway 271 South



8/24/2026, 1:43:12 PM

- Zoning
- Addresses
- Parcels



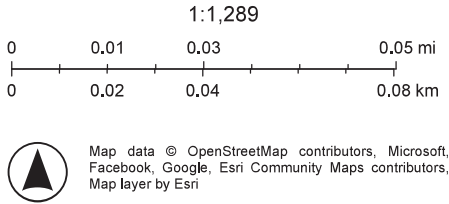
Map data © OpenStreetMap contributors, Microsoft, Facebook, Google, Esri Community Maps contributors, Map layer by Esri

Conditional Use #14-9-26 – A request by Robby Raggio, agent for BPR Commercial Properties, LLC, for a contractor's shop and storage yard in a Commercial Heavy (C-5) zone at 5900 Highway 271 South

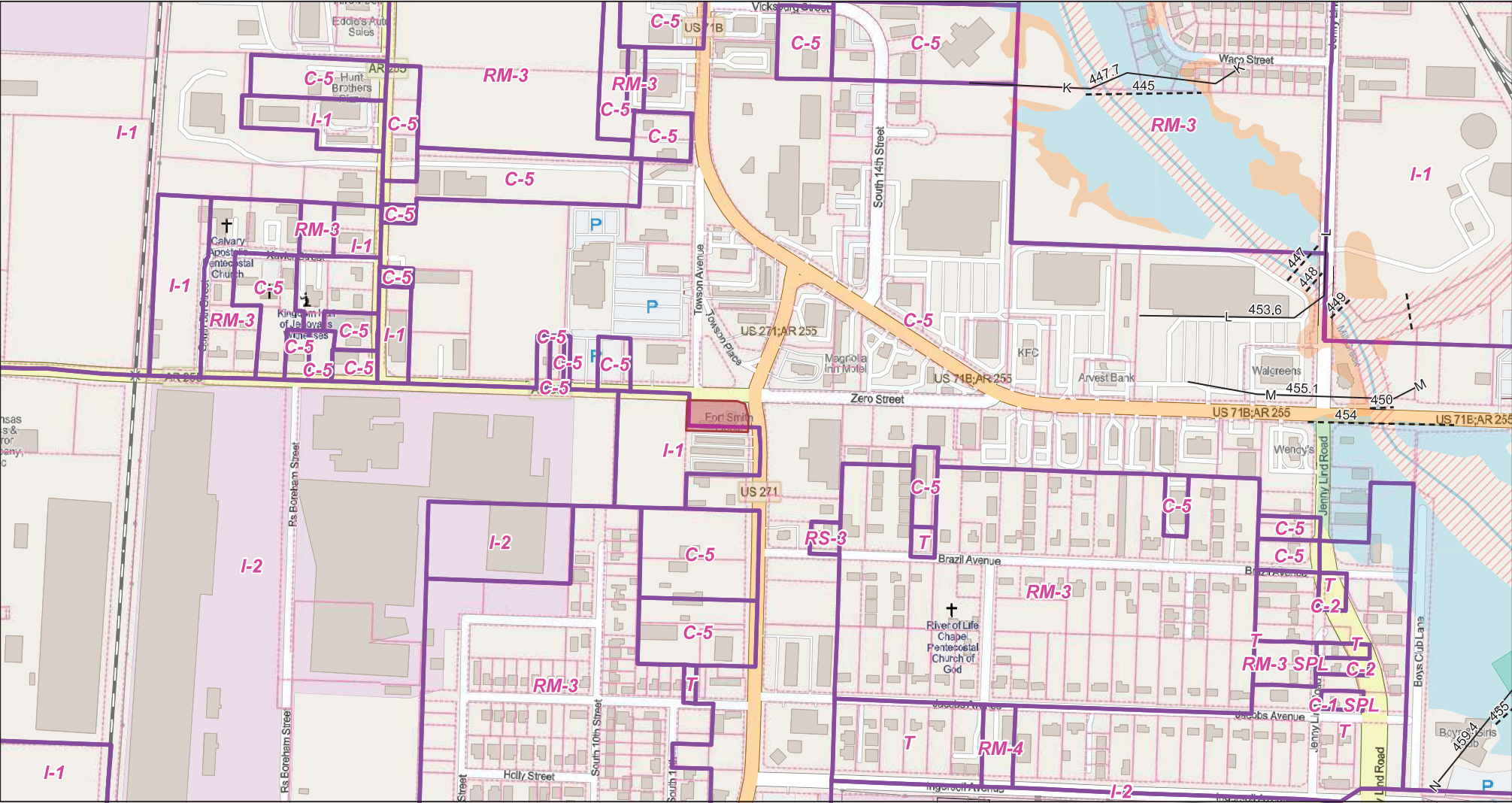


8/24/2026, 1:43:34 PM

- Zoning
- Addresses
- Parcels
- Roads



Conditional Use #14-9-26 – A request by Robby Raggio, agent for BPR Commercial Properties, LLC, for a contractor’s shop and storage yard in a Commercial Heavy (C-5) zone at 5900 Highway 271 South



8/24/2026, 1:43:22 PM

- Cross-Sections

Base Flood Elevations

Flood Hazard Zones

1% Annual Chance Flood Hazard

Regulatory Floodway

0.2% Annual Chance Flood Hazard

Zoning

Parcels
- 1:5,967
-
- Map data © OpenStreetMap contributors, Microsoft, Facebook, Google, Esri Community Maps contributors, Map layer by Esri
- 29

Fort Smith Planning Commission	<u>Item Number:</u> Temporary Use #3-9-26 <u>Hearing Date:</u> September 8, 2026
<u>Report Prepared by:</u> Planning Staff	<u>Owner and Applicant Information:</u> Applicant: Studio 6 Architects Owner: St. Edward Mercy Medical Center
<u>Location Map:</u>	<u>Applicant Proposal:</u> Address: 7301 Rogers Avenue Present Use: Hospital Summary: Temporary use request for a medical office building, bathroom trailer and awning tents in a Planned Zoning District (PZD #90-21) Total Area: 42.26 Acres Location: Northwest of Rogers Avenue and South 74th Street intersection
<u>Existing Zoning:</u> PZD #90-21 <u>Master Land Use Plan:</u> Institutional and Residential Detached	<u>Staff Recommendation:</u> Approval

Temporary Use Permit

Memo

To: City Planning Commission

From: Planning Staff

Date: September 8, 2026

Re: Temporary Use #3-9-26 – A request by Studio 6 Architects, agent for St. Edward Mercy Medical Center, for a temporary medical office building in a Planned Zoning District (PZD #90-21) at 7301 Rogers Avenue

PROPOSED TEMPORARY USE

Approval of the temporary use permit will allow for a 580 s.f. temporary medical office building two (2) 20' x 20' awning tents, and a bathroom trailer to be located at 7301 Rogers Avenue until September 1, 2028.

LOT LOCATION AND SIZE

The subject property is located on the northwest corner of Rogers Avenue and South 74th Street. The tract contains an area of 42.26 acres with approximately 1,370 feet of street frontage along Rogers Avenue and approximately 1,940 feet of street frontage along South 74th Street.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies Rogers Avenue as a Major Arterial. South 74th Street has two (2) street classifications. The portion of South 74th Street intersecting Rogers Avenue is classified as a Major Arterial and the northern portion of South 74th Street is classified as a Minor Arterial.

MASTER LAND USE PLAN

The Master Land Use Plan classifies the site as Institutional and Residential Detached. The Institutional classification is intended to provide for needed community services of both a public and quasi-public nature. The Residential Detached classification is intended to create and maintain stable neighborhoods, provide safe, attractive family environments, and protect property values.

SITE DESIGN FEATURES

Setbacks – The temporary medical office building, bathroom trailer and tents are placed in compliance with the required setbacks of the PZD and in compliance with the required 100' buffer area as shown on the plans.

Architectural Features/Height - The 580 s.f. temporary medical office building and bathroom trailer is composed of steel metal panels and is approximately fourteen (14) in height.

STAFF COMMENTS

Section 27-327-1 of the UDO allows the Director to grant a special temporary use permit (nonretail) for religious revivals, temporary recreational facilities, temporary medical facilities, temporary classroom facilities (for public or private institutions) and similar uses that do not involve retail or food or beverage sales activities. This is provided that the uses shall comply with parking, signs, sanitation requirements, etc. for the area and shall not constitute a nuisance for adjacent neighboring or nearby properties. The temporary use permits shall be granted for a period not to exceed sixty (60) days and are renewable for sixty-day periods thereafter. Permits for periods in excess of one hundred twenty (120) days, one (1) initial period plus one (1) renewal permit), must be reviewed and approved by the Planning Commission.

The applicant is seeking approval for a time frame in excess of one hundred twenty (120) days for the placement of a 580 s.f. temporary medical office building with two (2) 20' x 20' tents and a toilet trailer.

STAFF RECOMMENDATIONS

Staff recommends approval of the Temporary Use Permit expiring on September 1, 2028.

August 11, 2026

Mr Tyler Miller
Deputy Director, Planning and Zoning
City of Fort Smith, AR

Re: **Temporary Mobile Linear Accelerator**
Mercy Fort Smith Hospital
7301 Rogers Avenue
Fort Smith, AR

As part of the ongoing service upgrades to Mercy Hospital Fort Smith, there is a need for a temporary mobile linear accelerator. After considering the pros and cons for multiple on-site options, it has been determined that the best location is in the north employee parking lot.

This location will provide the least disruption to employee parking. The parking lot on Dallas Street will more than accommodate the temporary parking displacement. A shuttle will run from the hospital to the parking lot for employees' convenience.

It is anticipated that the unit will be on site possibly through September 01, 2028. Depending on circumstances, it could be removed sooner.

Sincerely,

Mr Lloyd McFerran
Executive Regional Director of FMO
Fort Smith, AR

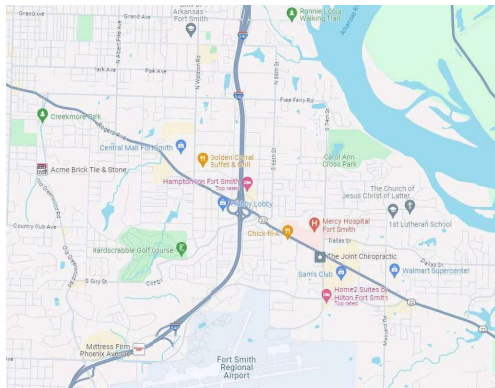
Temporary Mobile Linear Accelerator

Mercy Ft Smith Health Communities

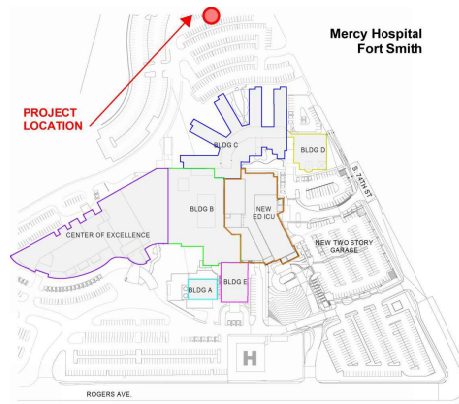
7301 Rogers Avenue
Fort Smith , Arkansas



TEMPORARY MOBILE UNIT



LOCATION MAP



Mercy Hospital
Fort Smith

ARCHITECT

STUDIO 6 ARCHITECTS
1120 GARRISON AVENUE - SUITE 1A
FORT SMITH, ARKANSAS
479.782.4085

www.gostudio6.com

CONTRACTOR

WEAR CONSTRUCTION MANAGEMENT, INC.
5507 SOUTH 28TH STREET
FORT SMITH, ARKANSAS
479.646.7676

www.wearcml.com

INDEX OF DRAWINGS

COVER SHEET & INDEX

ARCHITECTURAL

- A1.1 SITE PLAN
- A1.2 SITE DETAILS
- A1.3 SHIELDING REPORT

ELECTRICAL

- E-101 COVER
- E-201 RACK ELEVATIONS
- E-202 SITE ELECTRIC
- E-301 FEEDER SCHEDULE



1120 Garrison Avenue
Suite 1A
Fort Smith, AR 72901
479.782.4085
www.GoStudio6.com

SSA # 26-024

DATE	DESCRIPTION
08/18/2026	FOR CONSTRUCTION

FOR CONSTRUCTION



Mercy Ft Smith Health Communities
7301 Rogers Avenue
Fort Smith, Arkansas
Temporary Mobile Linear Accelerator
COVER SHEET & INDEX



FLOOR NO.

SHEET NO.
A0.0

CERTIFICATION

I hereby certify that these plans and specifications have been prepared by me, or under my supervision. I further certify that to the best of my knowledge these plans and specifications are as required by law and in compliance with the Arkansas Fire Prevention Code for the State of Arkansas.

Signature: *Shawn Pett*

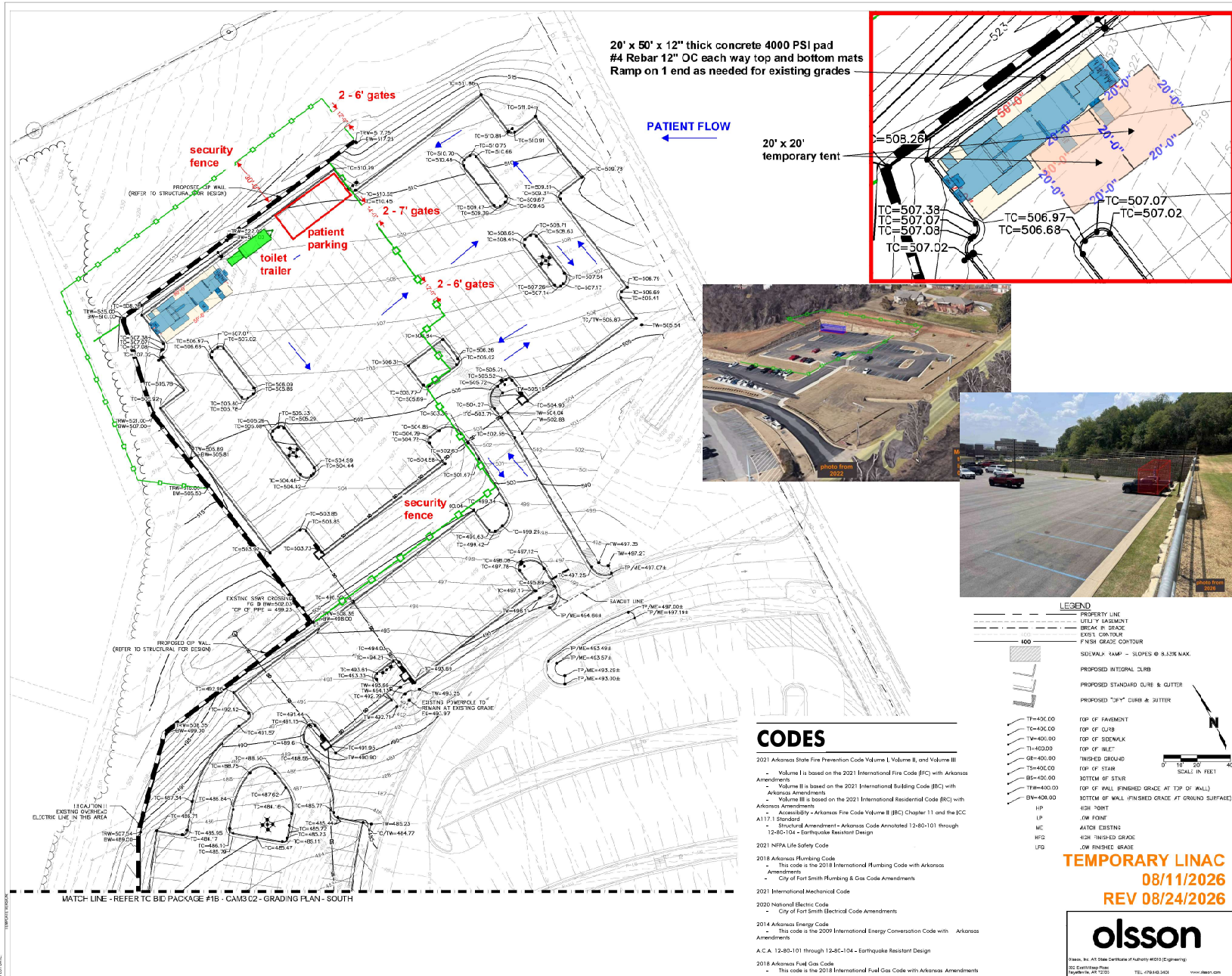
08/18/2026



DATE: 08/18/2026 rev 08/24/2026

SET NO.

JOB NO.



HKS

ARCHITECT/INTERIORS
HKS INC.
1000 WEST WASHINGTON AVENUE, SUITE 200
FORT SMITH, ARKANSAS 72901

MEP
HKS INC.
1000 WEST WASHINGTON AVENUE, SUITE 200
FORT SMITH, ARKANSAS 72901

STRUCTURES
HKS INC.
1000 WEST WASHINGTON AVENUE, SUITE 200
FORT SMITH, ARKANSAS 72901

CIVIL ENGINEER
LANDSCAPE ARCHITECT
HKS INC.
1000 WEST WASHINGTON AVENUE, SUITE 200
FORT SMITH, ARKANSAS 72901

PARKING
HKS INC.
1000 WEST WASHINGTON AVENUE, SUITE 200
FORT SMITH, ARKANSAS 72901

ELEVATOR
HKS INC.
1000 WEST WASHINGTON AVENUE, SUITE 200
FORT SMITH, ARKANSAS 72901

OWNERS CONSULTANT
HKS INC.
1000 WEST WASHINGTON AVENUE, SUITE 200
FORT SMITH, ARKANSAS 72901

REVISION
NO. DESCRIPTION DATE

1. 08/11/2026

2. 08/24/2026

3. 08/24/2026

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44. 08/24/2026

45. 08/24/2026



1120 Garrison Avenue
Suite 1A
Fort Smith, AR 72901
479.782.4085
www.GoStudio6.com

SEA # 26-024

DATE 08/11/2026

FOR CONSTRUCTION

08/18/2026

12" = 1'-0"

08/18/2026

08/18/2026

08/18/2026

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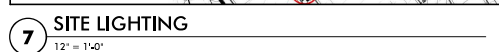
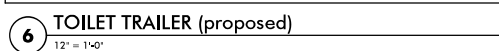
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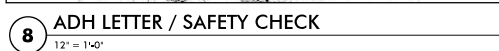


The primary purpose is to ensure a safe environment for Varian, Akumin, hospital personnel, and the public, during UNAC installation.

The Varian service engineer operates the machine while the site physicist records the exposure rates at each of the locations listed on the shielding report, and any other locations they feel need to be measured.

When it is confirmed, by the measurements and calculations, the area is safe and radiation levels are acceptable and below regulatory limits, the Varian forms will be filled out and signed, and Varian will be released to continue their testing and acceptance testing with the hospital team.

Below are images of where the measurements will be taken as well as areas close to the property lines of the hospital. Multiple readings will also be conducted inside the unit at the console (control) area where the therapists and Varina engineers will be working.



● TWO PORTABLE FIRE EXTINGUISHERS - 5 LB, ABC CLASS

4 INTERNAL RADIATION SHIELDING

Notes:

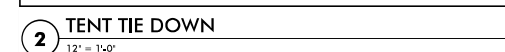
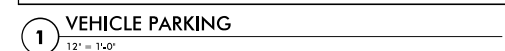
- [illegible]

The ground for this system must originate at the system power source, i.e. transformer or first access point of power into a facility, and be continuous to the system power disconnect on the Relocatable Coach. This ground can be spliced with "High Compression" fittings and should be terminated at each distribution panel it passes through. When it is broken for a connection to a panel, it must be connected into an approved grounding block with the incoming and outgoing ground in this same grounding block, which is then connected to the steel panel, never using the steel panel or the steel or any other material of the panel as the block.

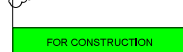
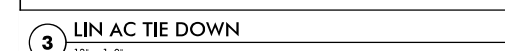
The connection at the power source must be at the grounding point of the "Neutral - Ground" if a "Wye" transformer is used, or typical grounding points of a separately derived system. In the case of an external facility, it must be bonded to the facility groundpoint at the service entrance.

It is the responsibility of the customer to ensure a safe environment with respect to radiation exposure in the vicinity of the Akumin Mobile Coach. When the system is generating radiation for either imaging or treatment, an exclusion zone is generally required to prevent exposure to either radiation workers or

5 **GROUNDING**
12" = 1'-0"



Figure



				06-10-202

8/18/2026
12" = 1'-0"

DATE:	0
SCALE:	1

community		
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Comr	erator
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Health

Smith H
Avenue
Arkansas
Mobile Line
S

cy Ft S
Rogers
Smith, A
E AND PROJECT M
Library Mo
DETAILS

BUILDING NAME	Merced	PROJECT NAME	Tempo	SHEET NAME	SITE
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ere

me

SHEET

SITE DETAILS S

SHEET NO. **A12**

AI.2



photo from
2022

Mercy Fort Smith
temporary mobile
linear accelerator
08/11/2026

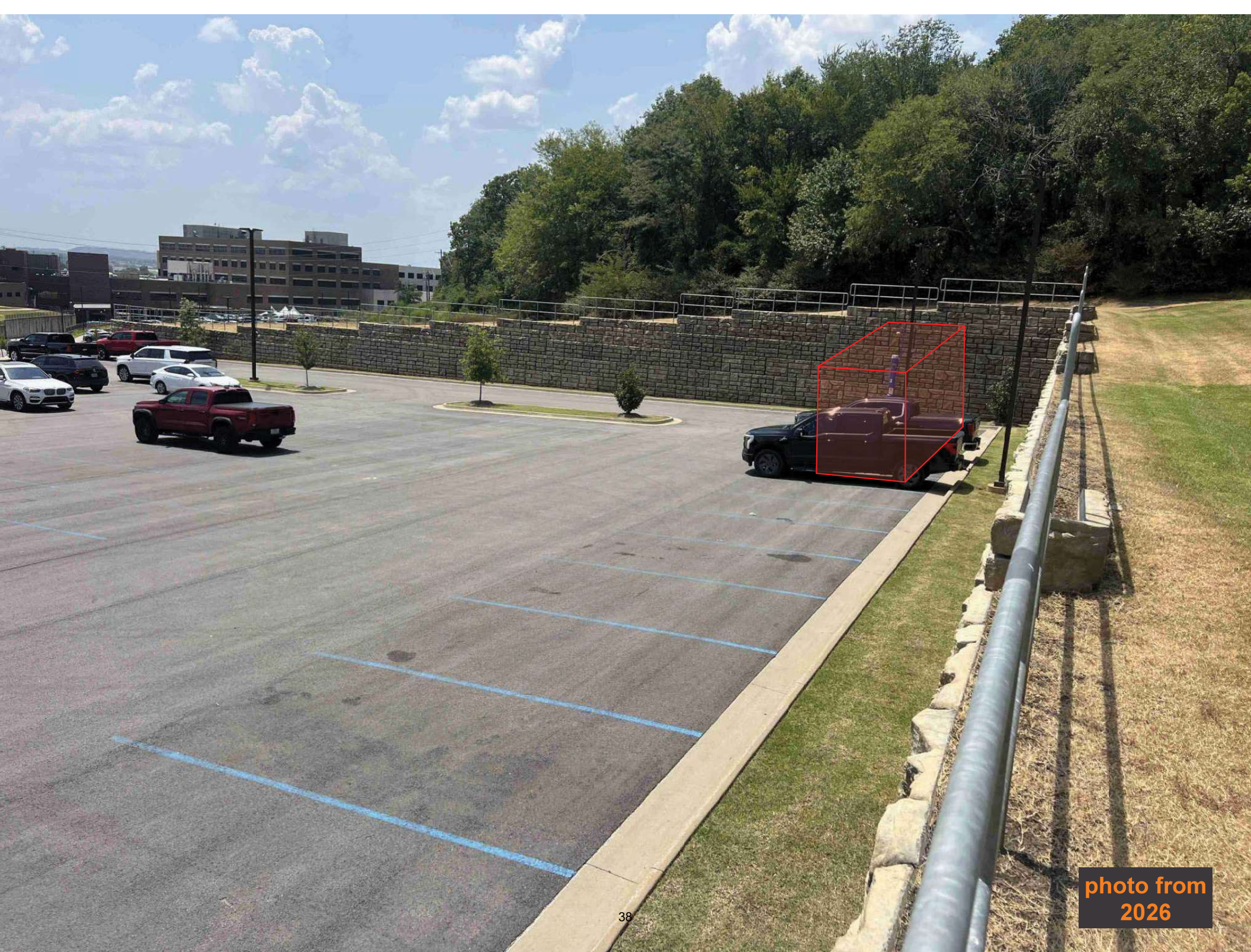


photo from
2026

100' BUFFER ZONE

SEE SITE PLAN - NORTH
SHEET CAM2.01

SEE SITE PLAN - SOUTH
SHEET CAM2.02

LOT E-1

SOUTH 74TH STREET
AS SHOWN
ON PLAN

ROGERS AVE.
(AR HIGHWAY 22)
ASPHALT
100' ROW

SITE PLAN NOTES:

1. ALL DIMENSIONS ARE TO BACK OF CURB UNLESS OTHERWISE NOTED ON PLANS.
2. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS GRADES AND DIMENSIONS ON SITE AND REPORT ALL MAJOR DISCREPANCIES TO ENGINEER.
3. CONSTRUCTION STAGING LOCATION SHALL BE COORDINATED WITH AND APPROVED BY OWNER.
4. REFERENCE ARCHITECTURAL PLANS FOR ADDITIONAL BUILDING INFORMATION.
5. UNLESS PROVIDED FOR IN THE PLANS, CONTRACTOR SHALL DEVELOP A CONCRETE PAVEMENT JOINTING PLAN USING THE PROPOSED SITE PLAN AND SITE CONDITIONS. JOINT LAYOUT SHALL BE IN ACCORDANCE WITH AC 308R GUIDE FOR THE DESIGN AND CONSTRUCTION OF CONCRETE PARKING LOTS, AND STANDARD CONSTRUCTION PRACTICES. JOINT DETAILS SHALL BE IN ACCORDANCE WITH SDAS SPECIFICATIONS. CONTRACTOR SHALL PROVIDE A PAVEMENT JOINTING PLAN FOR OWNER APPROVAL.
6. ALL CONCRETE PAVEMENT SHALL MEET ADOPT SPECIFICATIONS AND HAVE A MINIMUM 28-DAY COMPRESSIVE STRENGTH OF 4000 PSI.
7. ALL PAVEMENT MARKINGS FOR PARKING STALLS SHALL BE 4" WIDE WHITE MARKINGS, CONFORMING TO AASHTO M248 READY MIXED WHITE TRAFFIC PAINT. (REFERENCE PLANS FOR PAVEMENT MARKINGS).
8. THE CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT ALL ACCESSIBLE AREAS AND ROUTES ARE BUILT IN ACCORDANCE WITH THE PLANS AND THE ACCESSIBILITY CODES ARKANSAS FIRE CODE VOLUME II (BFC) CHAPTER 11 AND THE ICC A117.1 STANDARD (2009 ANSI A117.1). THE SITE MAY BE INSPECTED BY CITY PERSONNEL FOR COMPLIANCE WITH THE STANDARDS.
9. ADA ACCESSIBLE PARKING STALLS AND AISLES SHALL BE CONSTRUCTED WITH A MAXIMUM SLOPE OF 2.00% IN ANY DIRECTION. ADA ACCESSIBLE ROUTES SHALL BE CONSTRUCTED WITH A MAXIMUM CROSS SLOPE OF 2.00% AND A MAXIMUM LONGITUDINAL SLOPE OF 5.00% (UNLESS RAMPS AND LANDINGS ARE PROVIDED PER ADA STANDARDS). CURB RAMPS SHALL HAVE A MAXIMUM LONGITUDINAL SLOPE OF 8.33% (12:1). ACCESSIBLE MANEUVERING AREAS AT DOORS SHALL BE CONSTRUCTED WITH A MAXIMUM 2.00% IN ANY DIRECTION. CONTRACTOR SHALL FIELD VERIFY ADA GRASSES AND FORMWORK PRIOR TO PLACING ANY CONCRETE. ENGINEER SHALL BE NOTIFIED IMMEDIATELY OF ANY DISCREPANCY SHOWN ON THE PLANS.
10. THE CONTRACTOR SHALL VERIFY THE LOCATION AND ELEVATION OF THE EXISTING PAVEMENT.
11. THE CONTRACTOR SHALL COORDINATE ALL PAVEMENT TESTING.
12. THE PAVING CONTRACTOR SHALL PLACE TRAFFIC RATED CAPS, RING AND COVERS ON ALL CLEAN-OUTS WITHIN PAVED AREAS.
13. ALL ACCESSIBLE STALLS TO BE PAINTED AND SIGN INSTALLED.
14. MAINTAIN 2% MAXIMUM CROSS SLOPE ON SIDEWALKS UNLESS OTHERWISE NOTED. ALL SIDEWALKS TO BE 4" P.C.C. PAVEMENT UNLESS OTHERWISE NOTED.
15. UNLESS OTHERWISE NOTED, ALL CURB RADI SHALL BE EITHER 3' OR 10'.

LEGEND

- RIGHT-OF-WAY LINE
- PROPERTY LINE
- UTILITY EASEMENT

HKS
ARCHITECT/INTERIORS

1410 E. 10TH
1201 WEST WARDEN BLVD SUITE 200
PORT WORTH, TEXAS 76166

MEP

ENGINEERED BY
1410 E. 10TH BLVD SUITE 200
LITTLE ROCK, ARKANSAS 72202

STRUCTURES

1410 E. 10TH
1201 WEST WARDEN BLVD SUITE 200
LITTLE ROCK, ARKANSAS 72202

CIVIL ENGINEER/ LANDSCAPE ARCHITECT

OLSSON, INC.
300 S. GUYTON ST.
LITTLE ROCK, ARKANSAS 72202

PARKING

1410 E. 10TH
1201 WEST WARDEN BLVD SUITE 200
LITTLE ROCK, ARKANSAS 72202

ELEVATOR

1410 E. 10TH
1201 WEST WARDEN BLVD SUITE 200
LITTLE ROCK, ARKANSAS 72202

OWNER'S CONSULTANT

1410 E. 10TH
1201 WEST WARDEN BLVD SUITE 200
LITTLE ROCK, ARKANSAS 72202

REVISION

NO. DESCRIPTION DATE

1. 11/05/2021

2. 11/05/2021

3. 11/05/2021

4. 11/05/2021

5. 11/05/2021

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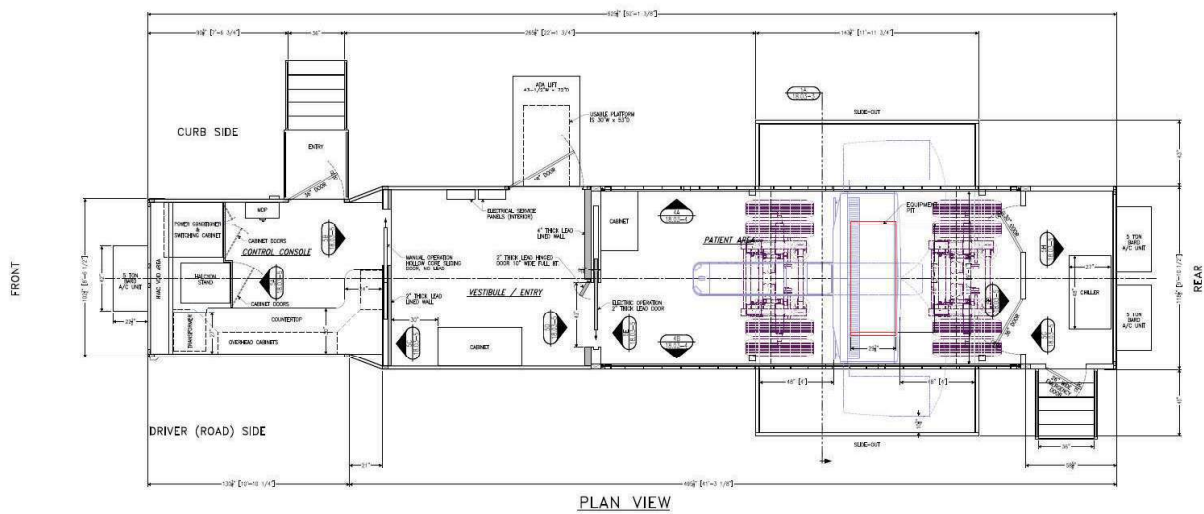
TEMPORARY LINAC
PRELIM OPTION
08/11/2026



PROJECT NAME	MERCY FORT SMITH EDICU EXPANSION
PROJECT LOCATION	FORT SMITH, ARKANSAS
PROJECT NUMBER	BP18 - NORTH PARKING LOT
DATE	11/05/2021
SCALE	AS INDICATED
OVERALL SITE PLAN	

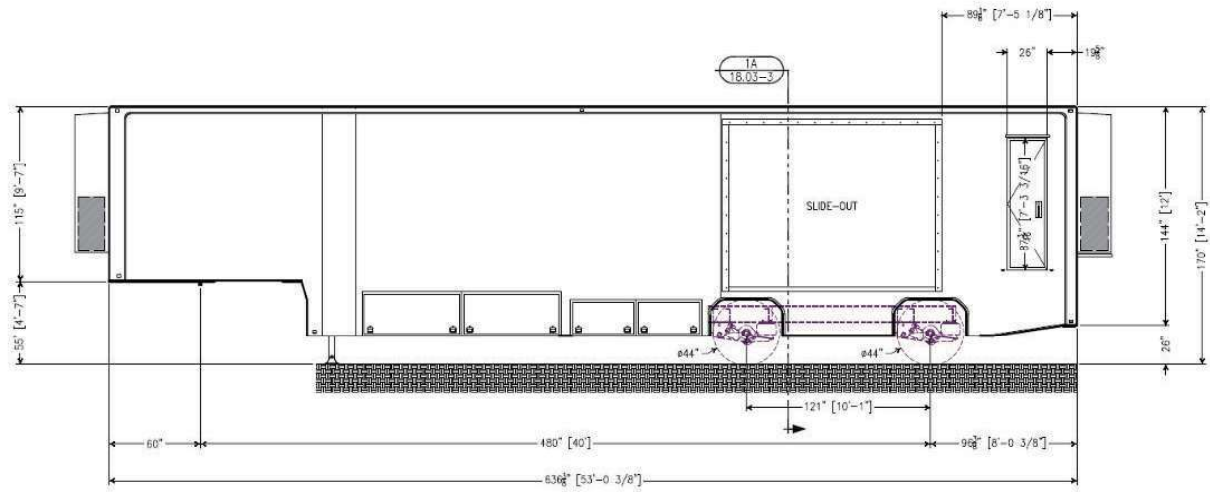


Figure 1: Planview

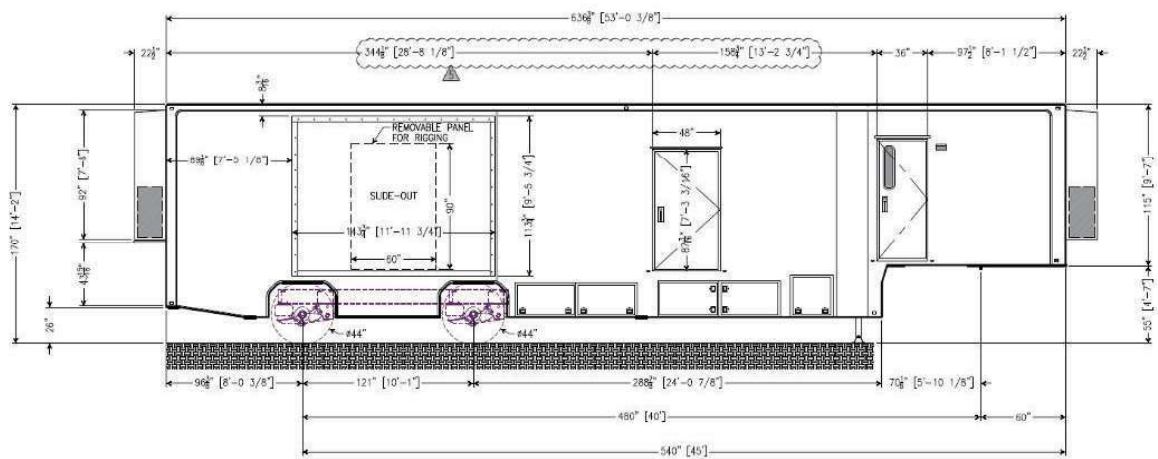


Figure

2 & 3: Roadside Elevation and Curbside Elevation

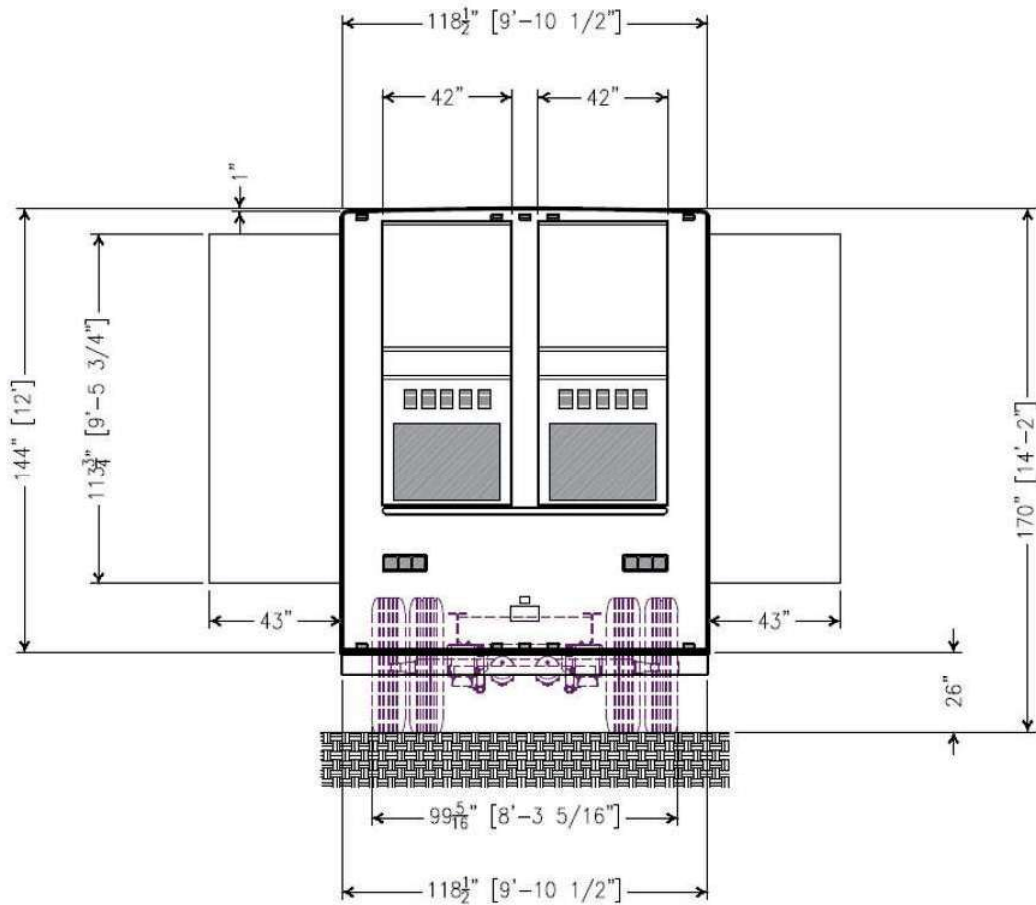


DRIVER (ROAD) SIDE ELEVATION



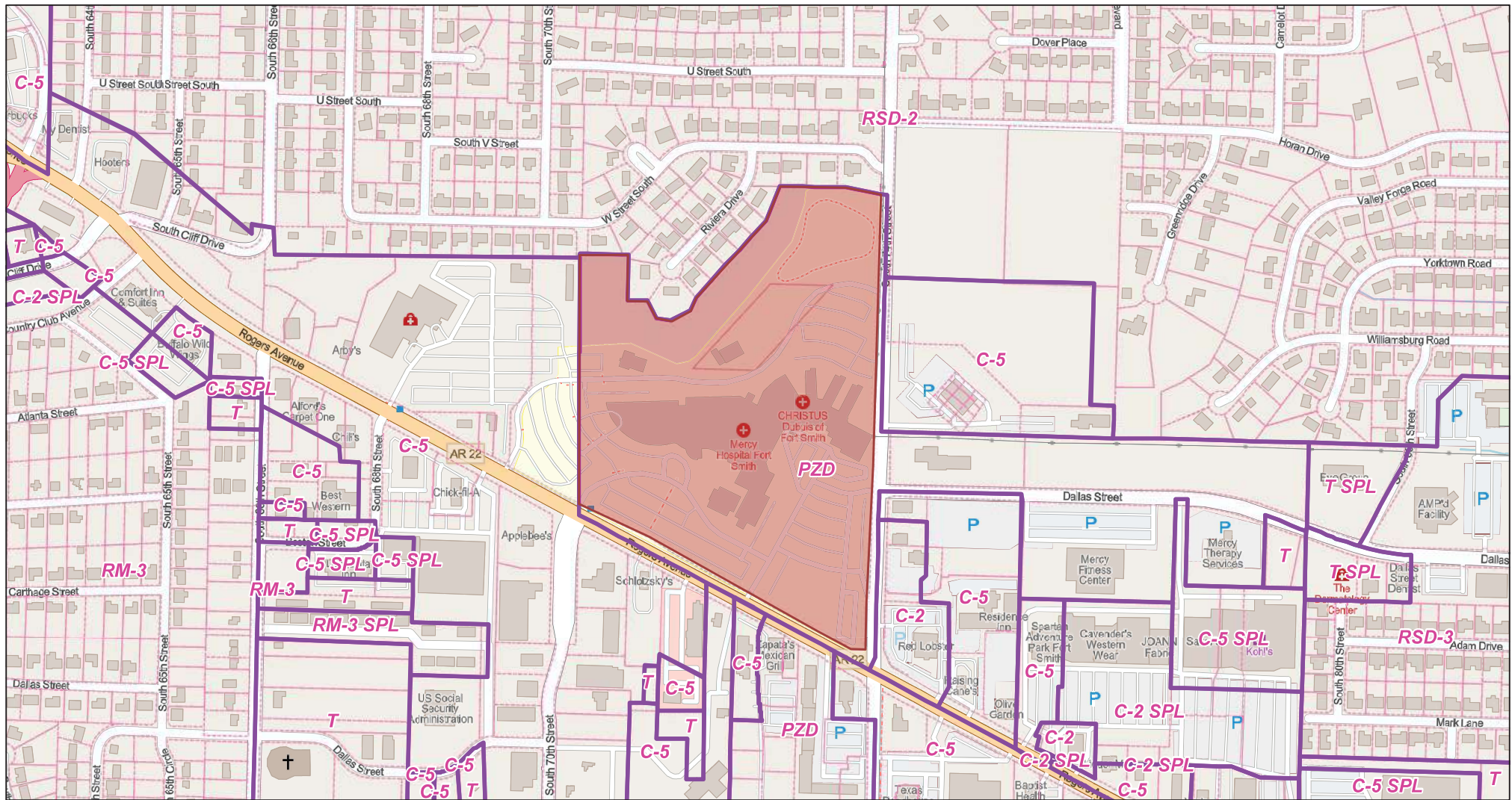
Figure

4: Rear Elevation



REAR ELEVATION
w/ SLIDE-OUTS OPEN

Temporary Use #3-9-26 – A request by Studio 6 Architects, agent for St. Edward Mercy Medical Center, for a temporary medical office building in a Planned Zoning District (PZD#90-21) at 7301 Rogers Avenue



8/24/2026, 2:38:28 PM

 Zoning
 Parcels

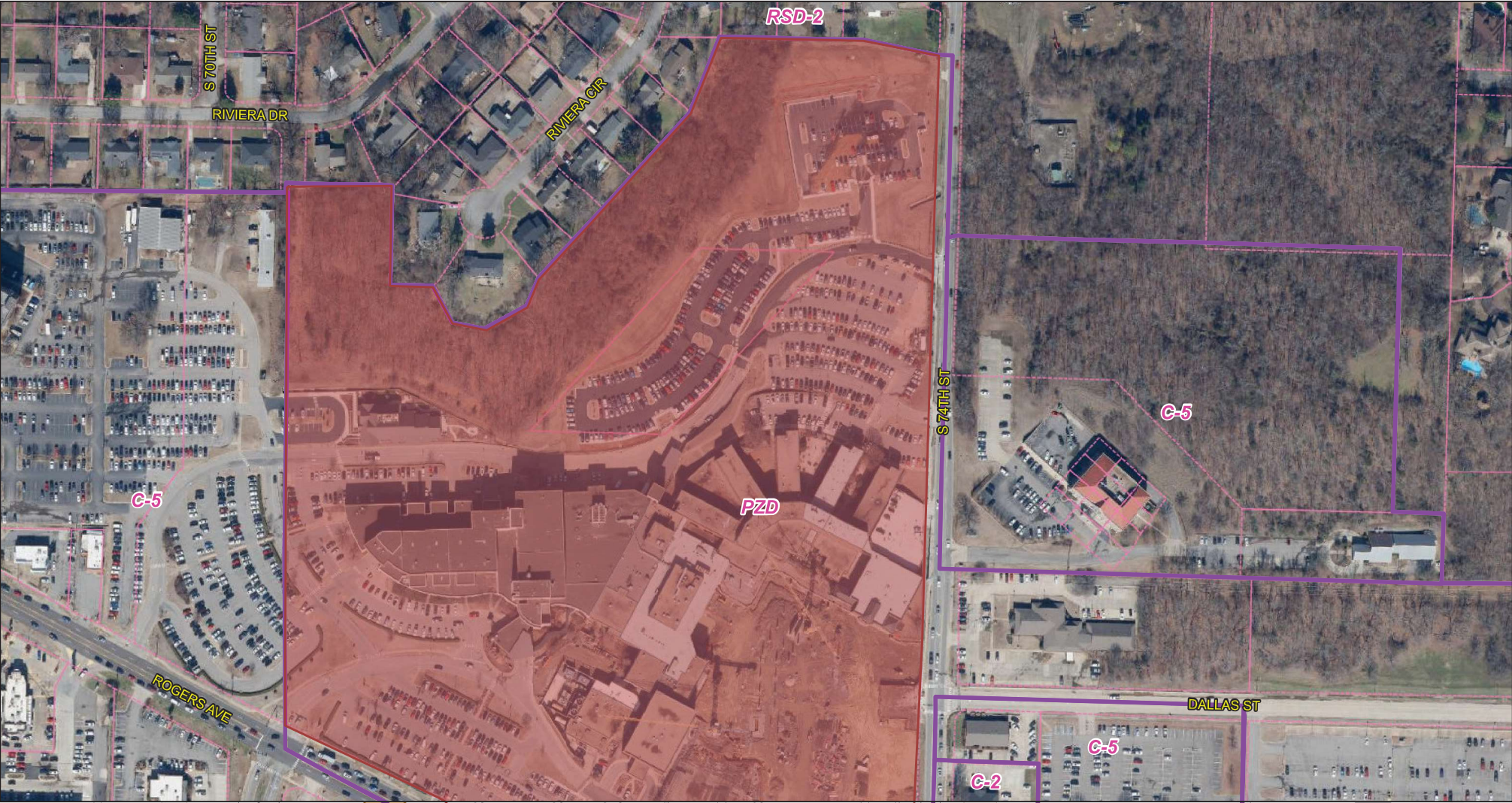
1:5,967

0 0.05 0.1 0.2 mi
 0 0.07 0.15 0.3 km



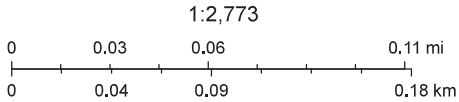
Map data © OpenStreetMap contributors, Microsoft, Facebook, Google, Esri Community Maps contributors, Map layer by Esri

Temporary Use #3-9-26 – A request by Studio 6 Architects, agent for St. Edward Mercy Medical Center, for a temporary medical office building in a Planned Zoning District (PZD#90-21) at 7301 Rogers Avenue



8/24/2026, 2:48:26 PM

-  Zoning
-  Parcels
-  Roads

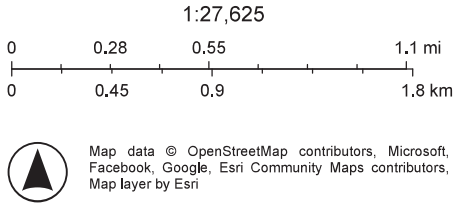


Map data © OpenStreetMap contributors, Microsoft, Facebook, Google, Esri Community Maps contributors, Map layer by Esri

Temporary Use #3-9-26 – A request by Studio 6 Architects, agent for St. Edward Mercy Medical Center, for a temporary medical office building in a Planned Zoning District (PZD#90-21) at 7301 Rogers Avenue



8/24/2026, 2:37:25 PM





Fort Smith Planning Commission

Item Number:
Variance #27-9-26

Hearing Date: September 8, 2026

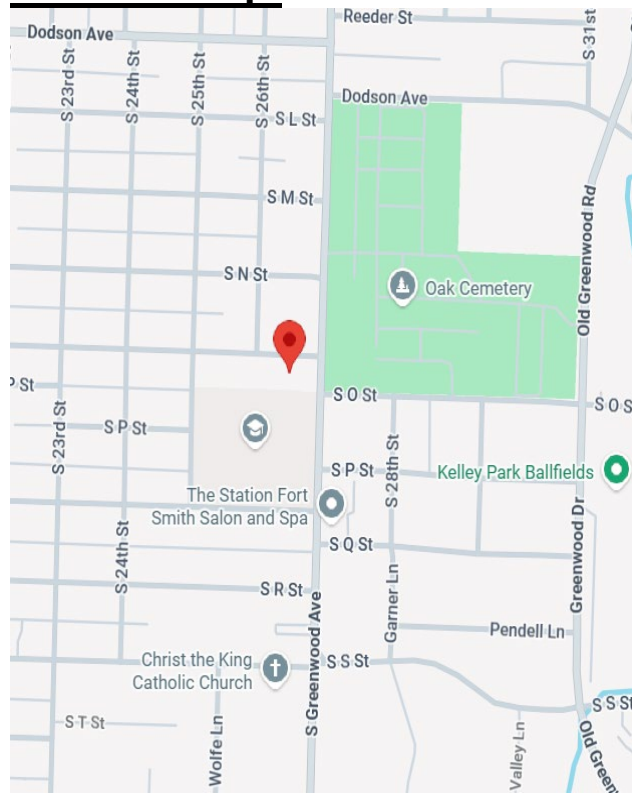
Report Prepared by:

Planning Staff

Owner and Applicant Information:

Applicant and Owner:
Hart to Hart Investments, LLP

Location Map:



Applicant Proposal:

Address: 2612 South O Street

Present Use:
Salon and Art Studio

Summary: Variance request from 10 feet
to 0 feet interior side yard setback

Total Tract Size: 0.37 Acres

Location: South side of South O Street
and west of South Greenwood Avenue

Existing Zoning:

C-2

Master Land Use Plan:

Commercial Neighborhood

Staff Recommendation:

Approval

Variance

Memo

To: City Planning Commission

From: Planning Staff

Date: September 8, 2026

Re: Variance #27-9-26 - A request by Hart to Hart Investments LLP, owner, from 10 feet to 0 feet interior side yard setback in a Commercial Light (C-2) zone at 2612 South O Street

REQUESTED VARIANCE

Approval of the variance and companion development plan will facilitate the installation of a new roof eave extension on the east side of the existing structure that will encroach the side yard setback.

LOT LOCATION AND SIZE

The subject property is on the south side of South O Street and west of South Greenwood Avenue. The tract contains an area of 0.37 acres with approximately 120 feet of street frontage along South O Street.

EXISTING ZONING

The existing zoning on this tract is Commercial Light (C-2).
Characteristics of this zone are as follows:

Purpose:

To provide office, service, and retail activities that are located within buffer areas near the edge of residential areas but which serve an area larger than adjacent neighborhoods. The C-2 zoning district is intended to accommodate well designed development sites and shall provide excellent transportation access, make the most efficient use of existing infrastructure, and provide for orderly buffers and transitions between Commercial and Residential land uses. C-2 zoning is appropriate in the Commercial Neighborhood, General Commercial, Mixed Use Residential, and Mixed Use Employment classification of the Master Land Use Plan.

Permitted Uses:

A wide variety of retail uses including clothing stores, specialty shops and restaurants. Commercial-2 zones also allow professional offices and multi-family apartments, community residential facility and neighborhood group homes are examples of permitted uses.

Conditional Uses:

Orphanage, dormitory, sorority, fraternity, auto detailing, lawn and garden supplies, bicycle sales and service, beer, wine and liquor store, convenience store, restaurants with outdoor dining, pet cemetery, pet shop, mail services, commercial communication towers, utility substations, event center, community recreation center, golf course, parks, educational facilities, police station, nursing home and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 7,000 square feet
Maximum Building Size – 30,000 square feet
Minimum Parcel/Lot Size – New District (By Classification) – 42,000 square feet
Minimum Parcel/Lot Size – Existing District (By Extension) – 7,000 square feet (one lot)
Minimum Lot Width – 50 feet
Minimum Street Frontage – 20 feet
Front Yard Setback - 25 feet
Side Yard on Street Side of Corner Lot - 10 feet
Side Yard Setback – 10 feet
Rear Yard Setback - 10 feet
Minimum building separation – to be determined by current City building and fire code.
Required street access – Major Collector or higher

SURROUNDING ZONING AND LAND USE

Direction	Land use	Zoning
North	Duplexes	RM-3, Residential Multifamily Medium Density
East	Restaurant and Bookstore	C-2, Commercial Light
South	Ballman Elementary School	C-2, Commercial Light
West	Duplex	C-2, Commercial Light

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies South O Street as a local road.

MASTER LAND USE PLAN

The Master Land Use Plan classifies the site as Commercial Neighborhood. This classification is intended to provide convenience goods and services in a residentially compatible design, for surrounding neighborhoods, and to provide appropriate uses for sites on arterials and collectors unsuitable for residential development due to lot configuration, safety and noise.

APPLICANT HARDSHIP

The applicant states that the existing building was constructed around the early 1950's in close proximity to the east property line. The proposed roof eave addition is not possible without encroaching further into

the interior side yard setback. He further states that the addition is needed to provide tenants and customers protection from the weather.

NEIGHBORHOOD MEETING

A neighborhood meeting was held Wednesday, September 2, 2026, at 2612 South O Street at 5:30 p.m. No neighboring property owners attended the meeting.

GRANTING OF A VARIANCE

If the BZA approves this variance, staff requests that it substantiate its reason for approval in accordance with Section 27-337-2 of the Unified Development Ordinance, which permits the granting of a variance only when it is demonstrated that such action is in keeping with the spirit and intent of the provisions of the zoning chapter.

STAFF COMMENTS

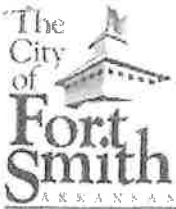
The applicant is requesting a variance to extend the roof eave on the east side of the structure over the walk path to provide protection from the weather for the tenants and customers. The existing structure was constructed prior to the UDO and is legal non-conforming to the existing bulk and area requirements including the eastern interior side yard setback. If the variance request is approved for the eave extension, it will intensify the side yard setback encroachment to zero feet.

A complaint was filed to the building department by the eastern property owner about the eave expansion without a building permit. Upon inspection it was discovered that the owner had started construction without the required building permit and a stop work order was issued. The applicant is requesting approval of the variance to obtain the required building permit to finish the expansion.

STAFF RECOMMENDATIONS

Should the Board of Zoning Adjustment be inclined to approve, staff recommends the following conditions:

1. Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-330-7 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.
2. A building permit that is in compliance with applicable 2021 Arkansas Fire Prevention Code Volumes I, II, and III must be obtained prior to any construction, remodeling, renovations, or issuance of a business license.
3. Each individual commercial suite must obtain a business license from the City of Fort Smith.
4. Each individual commercial suite must obtain a business license from the City of Fort Smith.
5. The proposed roof/eave extension must provide a code-compliant roof drainage system and cannot create an unsafe condition or discharge roof water onto the adjacent property.



Application updated January 2022

PLANNING DEPARTMENT

Variance Application

CITY OF FORT SMITH, ARKANSAS ZONING VARIANCE

FOR STAFF USE ONLY

Date Application Submitted:

Date Accepted as Complete:

Project Number:

Public Hearing Date:

FEE: \$250

Zone:

Application:

Indicate one contact person for this request:

☒ Applicant

☐ Agent

Applicant (person making request):

Name: Gene Hart

E-mail: gene.hart21@gmail.com

Address:

608 Valley Loop
Greenwood, AR 72936

Phone: 479-462-2101

Fax: NONE

Site Address / Location: 2612 South "O" ST. Ft. Smith

Current Zoning District: C-2

Assessor's Parcel Number(s) for property: 15925-0004-00063-00

Total Acreage: 2 1/2 Lots

1.37 acres

Agent (engineer, surveyor, realtor, etc.):

Name:

E-mail:

Address:

Phone:

Fax:



Application updated January 2022

PLANNING DEPARTMENT

VARIANCE APPLICATION

The applicant has filed with the Planning Department a written application pursuant to Section 27-337 of the City of Fort Smith's Unified Development Ordinance to secure a variance from the literal provisions of the zoning chapter as follows:

Office Use Only-List the Specific Variance Requested and Applicant Stated Hardship

--

FROM

TO

-

Front Yard Setback or Minimum Distance from Right-of-Way

-

Exterior Side Yard Setback

-

Interior Side Yard Setback

-

Rear Yard Setback

-

Maximum Height of Structure

-

Minimum Distance between Structures on the Same Lot

-

Minimum Lot Area (Square Feet)

-

Minimum Lot Frontage

-

Maximum Size of a Sign

-

Other:

--



Application updated January 2022

PLANNING DEPARTMENT

VARIANCE APPLICATION

☐☒

Does the lot front any street classified as an arterial or collector on the Master Street Plan?

1. Is the variance needed due to the unique circumstances of the property (such as lot area, lot width, setbacks, yard requirements, or building height) If yes, please explain.

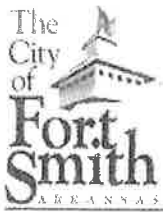
The building was built in the 1940's or 1950's and the east side concrete wall is 43 inches from the property line. The roof is 22 inches from the property line. The 21 inch overhang is not enough to prevent salon renters and their customers walking 60 feet down the east walk when there is rain, snow or ice.

2. Describe how the strict enforcement of the zoning code causes an undue hardship for your project:

I have completed the wood framing for an awning 60 feet long under the existing roof lasts week because I was told there was no requirement for a permit. I was ready to add the canvas and metal when I am informed that I not only need a permit but also a variance. I now have to add the additional expense of removing what was built and build back with more expensive production extend the existing roof which is easier and cheaper.

3. List any special circumstances/conditions which exist that have not been created by the owner/applicant and do not apply to other properties in your area:

I am in a mixed zone. Most are home owners or apartments around me. This building was built only 43 inches from the property line originally and did not allow for proper client customer considerations 50 to 75 years ago. I only want what my salon ladies need for their customer protection and most home owners don't have that problem in this area.



Application updated January 2022

PLANNING DEPARTMENT

VARIANCE APPLICATION

The undersigned will present said application to the Board of Zoning Adjustment at the first regular City Planning Commission meeting following the expiration of fifteen (15) days from the date of this publication, at which meeting the Board of Zoning Adjustment will conduct a public hearing on said application. All interested persons are invited to attend and are entitled to be heard. This notice is published this 28 day of August, 2026.

Signed:

Gene Hart
Owner or Agent Name (please print)

Gene Hart
Owner

or

479-462-2101
Owner or Agent Phone Number

Agent

608 Valley Loop
Owner or Agent Mailing Address
Greenwood, AR 72936

LETTER REGARDING RESTRICTIVE COVENANTS

Restricted covenants are regulations that are maintained and enforced by the property owners of the subject subdivision. These covenants may be found in your abstract or at the County Circuit Clerks Office. Restrictive covenants are often enforced in subdivisions with homeowner's associations and can always be more restrictive but never less restrictive than the City of Fort Smith's Zoning Regulations. *(See attached additional information on restrictive covenants)*

TO: Planning Department

SUBJECT: Legal Description of Property: Provide legal description in a word document.

E 22' of Lot 2 + All lots 3 + 4 Blk 63
Park Hill Addition

I have searched all applicable records, and to my best knowledge and belief, there are no restrictive covenants running with the above described land, except as follows:

☒

None; or

☐

Attach copy of Covenants in the application packet

Attach all supporting documents.

Submit

NOTE: Applications can be submitted Online with Internet Explorer. If another browser is being used, the user will have to follow the instructions for electronic submission via email.

INSTRUCTIONS: To SUBMIT ELECTRONICALLY, please right click on download link and click save-as. Once the application has been downloaded to your device it can be filled out and submitted electronically.

Hart To Hart Investments LLC 18 Aug. 2026
2612 South "O" St. Owner: Gene Hart

1. I am requesting a building permit to extend the existing roof overhang by 14 inches to my office building.
2. This extension will have Tar paper and shingles and metal underneath to match existing bld. colors.
3. A rain gutter will be added to bring rain water to the front of building.
4. This project is needed for several reasons.
 - a. This will help block the morning sun and reduce heat coming inside the building through two large picture windows.
 - b. Since Covid 19, I have six Salon renters on the East side and their clients need better rain protection than the existing 21 inches provides. Salons -
4 Suites
east side
 - c. Snow and Ice last winter blocked all the East side for two weeks. I can shovel snow but the Ice could not be removed.

Gene Hart

North

BLOCK 61
LOT 8

LOT 7

LOT 12

LOT 11

BLOCK 62

LOT 10

LOT 9

LOT 8

SOUTH 'O' STREET 50' R/W

20' PAVEMENT WACURB

BLOCK 64

LOT 5

LOT 6

LOT 1

SOUTH 26TH STREET 50' R/W

BLOCK 63

LOT 4

LOT 3

LOT 5

SURVEYOR'S NOTE: This survey was conducted under the supervision of Clovis W. Satterfield, No. 0147, or Ricky Hill, No. 1443, Satterfield Land Surveyors, P.A., Certificate of Authorization No. 718. Satterfield Land Surveyors, P.A., 1-(479)-632-3565 Hwy. 71 North, P.O. Box 640, Alma, AR 72921

SURVEYOR'S NOTE: This survey was done to mark the corners on the ground and to show observed structures. Utilities located if Requested according to utility company records, and or above ground inspection. This survey was done from description furnished to us or instruction from the person(s) named on this plot. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts which an accurate and current title search may disclose.

Satterfield Land Surveyors P.A., Copyright 2015

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REFERENCE DEED
SURVEY REFERENCES

BASIS OF BEARING
ARKANSAS STATE PLANE COORDINATES GRID NORTH



- LEGEND**
- S.R.B. = SET 1/2" REBAR W/ CAP
 - S.P.A.M. = SET P.A. NAIL
 - S.R.R.S. = SET RAILROAD SPIKE
 - S.N. = SET NAIL
 - E.R.B. = EXISTING REBAR
 - E.P. = EXISTING IRON PIN
 - E.P.A.N. = EXISTING P.V. NAIL
 - E.R.R.S. = EXISTING RAILROAD SPIKE
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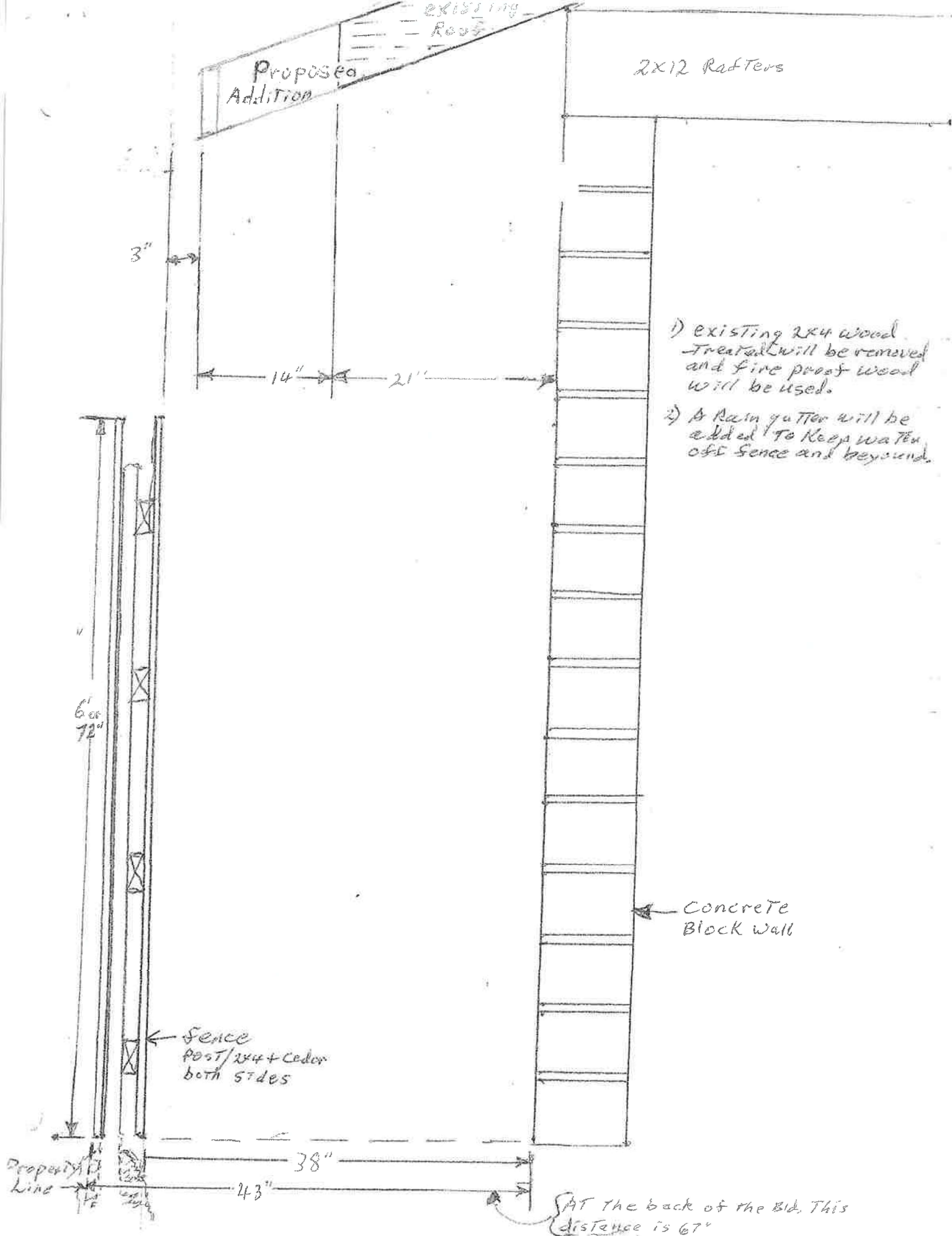
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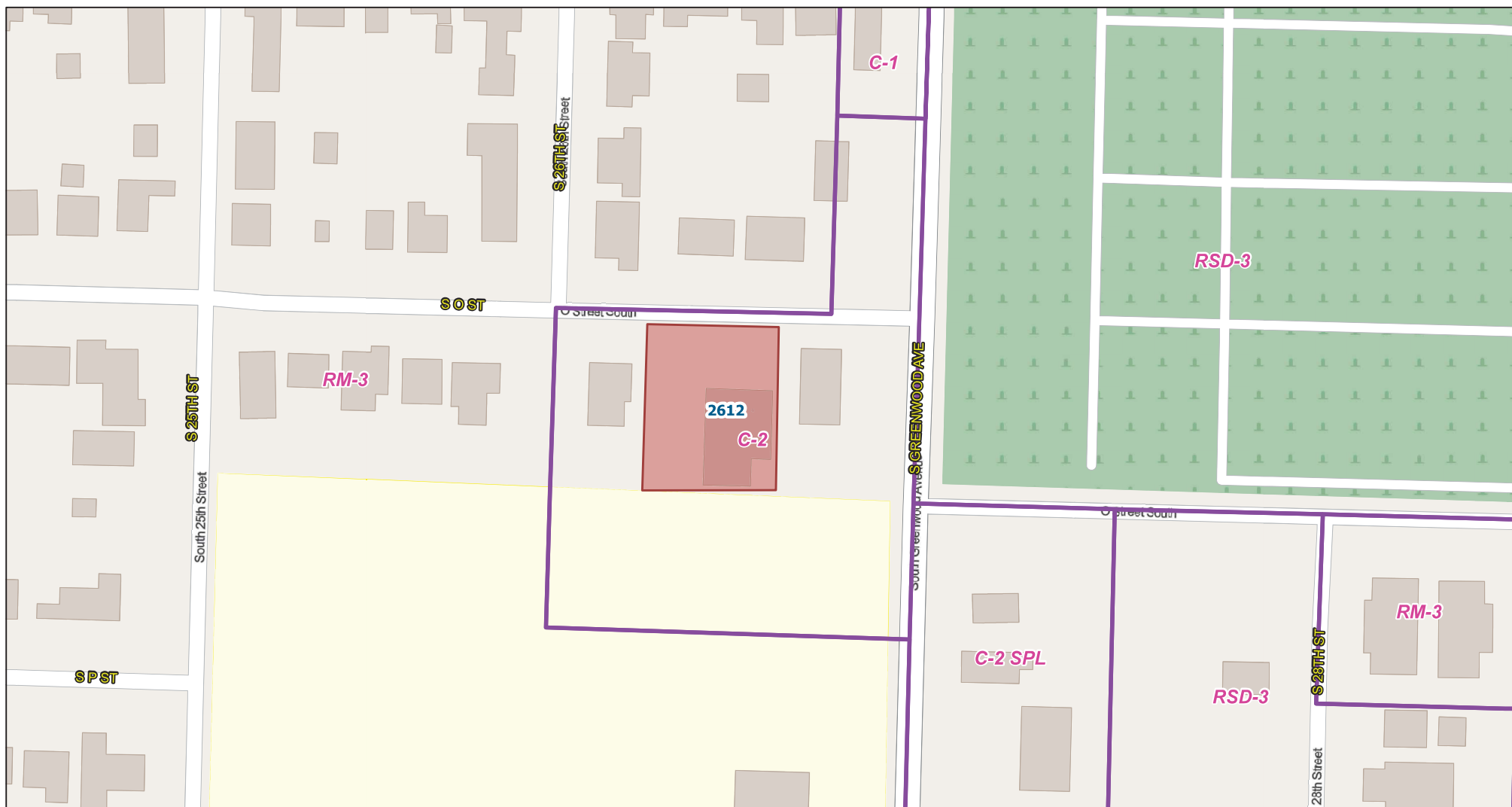
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SURVEY OF

LOTS 3, 4 & THE EAST 22 FEET OF LOT 2,
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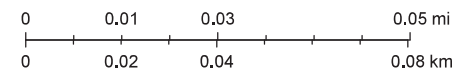
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- Zoning
- Addresses
- Roads

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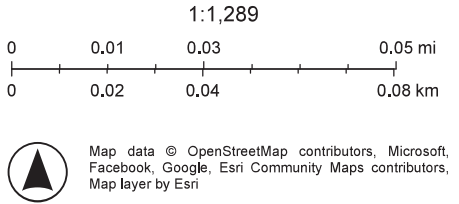
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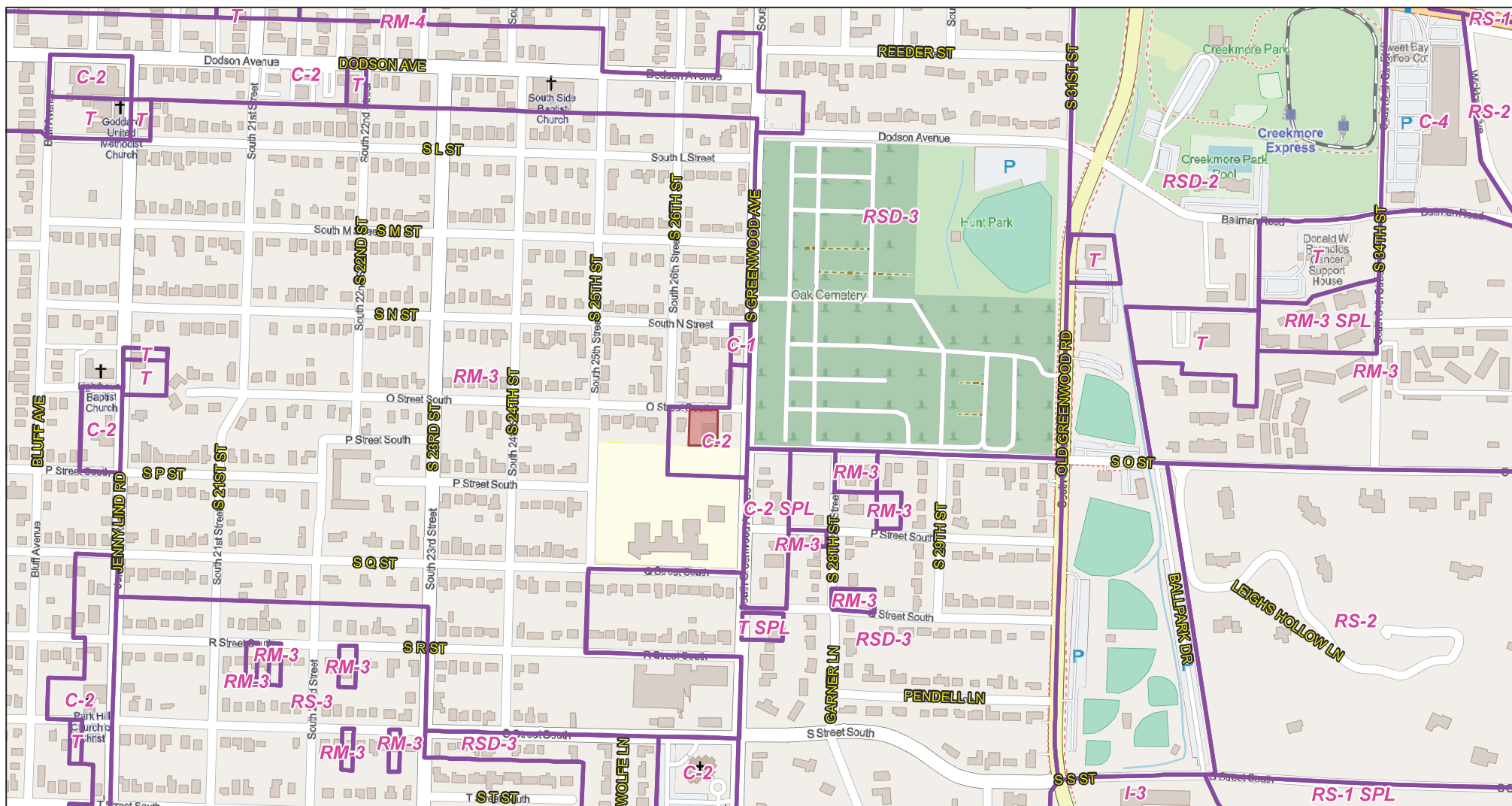


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-  Zoning
-  Addresses
-  Roads



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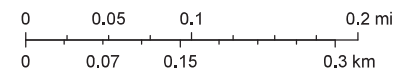


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Zoning

Roads

1:5,967



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Development Plan #16-9-26

Planning Staff

Applicant and Owner:
Hart to Hart Investments, LLP

[illegible]

Location: South side of South O Street
and west of South Greenwood Avenue

Commercial Neighborhood

Approval

Development Plan Review

Memo

To: City Planning Commission

From: Planning Staff

Date: September 8, 2026

Re: Development Plan #16-9-26 - A request by Hart-to-Hart Investments LLP, owner, for Planning Commission consideration for a building addition to an existing art studio and salon in a Commercial Light (C-2) zone at 2612 South O Street

PROPOSED DEVELOPMENT PLAN

Approval of the development plan and variance will facilitate the installation of a new roof eave extension on the east side of the existing structure that will encroach the side yard setback.

LOT LOCATION AND SIZE

The subject property is on the south side of South O Street and west of South Greenwood Avenue. The tract contains an area of 0.37 acres with approximately 120 feet of street frontage along South O Street.

EXISTING ZONING

The existing zoning on this tract is Commercial Light (C-2).
Characteristics of this zone are as follows:

Purpose:

To provide office, service, and retail activities that are located within buffer areas near the edge of residential areas but which serve an area larger than adjacent neighborhoods. The C-2 zoning district is intended to accommodate well designed development sites and shall provide excellent transportation access, make the most efficient use of existing infrastructure, and provide for orderly buffers and transitions between Commercial and Residential land uses. C-2 zoning is appropriate in the Commercial Neighborhood, General Commercial, Mixed Use Residential, and Mixed Use Employment classification of the Master Land Use Plan.

Permitted Uses:

A wide variety of retail uses including clothing stores, specialty shops and restaurants. Commercial-2 zones also allow professional offices and multi-family apartments, community residential facility and neighborhood group homes are examples of permitted uses.

Conditional Uses:

Orphanage, dormitory, sorority, fraternity, auto detailing, lawn and garden supplies, bicycle sales and service, beer, wine and liquor store, convenience store, restaurants with outdoor dining, pet cemetery, pet shop, mail services, commercial communication towers, utility substations, event center, community recreation center, golf course, parks, educational facilities, police station, nursing home and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 7,000 square feet
Maximum Building Size – 30,000 square feet
Minimum Parcel/Lot Size – New District (By Classification) – 42,000 square feet
Minimum Parcel/Lot Size – Existing District (By Extension) – 7,000 square feet (one lot)
Minimum Lot Width – 50 feet
Minimum Street Frontage – 20 feet
Front Yard Setback - 25 feet
Side Yard on Street Side of Corner Lot - 10 feet
Side Yard Setback – 10 feet
Rear Yard Setback - 10 feet
Minimum building separation – to be determined by current City building and fire code.
Required street access – Major Collector or higher

SURROUNDING ZONING AND LAND USE

Direction	Land use	Zoning
North	Duplexes	RM-3, Residential Multifamily Medium Density
East	Restaurant and Bookstore	C-2, Commercial Light
South	Ballman Elementary School	C-2, Commercial Light
West	Duplex	C-2, Commercial Light

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies South O Street as local road.

SITE DESIGN FEATURES

Easement/utilities – The developer must agree to meet all franchise and city utility easement requirements. Additionally, the development must comply with the City’s Subdivision Design and Improvement Standards and the Standard Specification for Public Works Construction.

Drainage – The development shall comply with the 2011 Stormwater Standards.

Right-of-way dedication – No new R.O.W dedication required.

Landscaping – No new landscaping is proposed or required with this addition.

Screening – No new screening is required.

Parking – No new parking is proposed or required.

Signage – No new signage is proposed at this time.

Lighting – No new lighting is proposed at this time.

Architectural features – The existing building is constructed with brick and wood siding. The eave and roofing materials will match the existing building and must comply with the building and fire code ratings for non-combustible materials for structures within five feet of property line.

Height and Area – The existing 4,276 s.f two-story building is approximately eighteen (18) feet in height.

NEIGHBORHOOD MEETING

A neighborhood meeting was held Wednesday, September 2, 2026, at 2612 South O Street at 5:30 p.m. No neighboring property owners attended the meeting.

STAFF COMMENTS

The applicant is requesting a variance to extend the roof eave on the east side of the structure over the walk path to provide protection from the weather for the tenants and customers. The existing structure was constructed prior to the UDO and is legal non-conforming to the existing bulk and area requirements including the eastern interior side yard setback. If the variance request is approved for the eave extension, it will intensify the side yard setback encroachment to zero feet.

A complaint was filed to the building department by the eastern property owner about the eave expansion without a building permit. Upon inspection it was discovered that the owner had started construction without the required building permit and a stop work order was issued. The applicant is requesting approval of the variance to obtain the required building permit to finish the expansion.

STAFF RECOMMENDATIONS

Should the Planning Commission be inclined to approve, staff recommends the following conditions:

1. Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-330-7 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.
2. A building permit that is in compliance with applicable 2021 Arkansas Fire Prevention Code Volumes I, II, and III must be obtained prior to any construction, remodeling, renovations, or issuance of a business license.
3. Each individual commercial suite must obtain a business license from the City of Fort Smith.
4. The proposed roof/eave extension must provide a code-compliant roof drainage system and cannot create an unsafe condition or discharge roof water onto the adjacent property.



Application updated May 2022

PLANNING DEPARTMENT

DEV. PLAN REVIEW

CITY OF FORT SMITH, ARKANSAS DEVELOPMENT PLAN REVIEW APPLICATION

FOR STAFF USE ONLY

FEE: \$300

Date Application Submitted:

Zone:

Date Accepted as Complete:

Project Number:

Public Hearing Date:

Application:

Indicate one contact person for this request:

☒ Applicant

☐ Agent

Applicant (person making request):

Name: Gene Hart

E-mail: gene.hart21@gmail.com

Address: 608 Valley Loop
Greenwood, AR 72936

Phone: 479-462-2101

Fax: NONE

Agent (engineer, surveyor, realtor, etc.):

Name:

E-mail:

Address:

Phone:

Fax:

Site Address / Location: 2612 South "D" ST. FT. SMITH

Current Zoning District: C-2

Before the Planning Commission of the City of Fort Smith, Arkansas

The undersigned, as owner(s) or agent for the owner(s) of the herein described property, makes application for a development plan in the City of Fort Smith, Arkansas, pursuant to Ordinance 87-19, representing to the Planning Commission as follows:

Gene Hart

Does the development plan include a companion application?



Yes



No

If yes, please specify the companion applications submitted:



Conventional Rezoning



Planned Zoning District



Conditional Use



Master Land Use Plan Amendment



Variance

If applicable, a companion rezoning application is proposed to change the zoning classification of the above described property to:

N/A
(Zoning Classification)

by

(Extension or classification)

Existing zoning, structures and driveways on surrounding properties within 300 feet of subject property:

Total Acreage:

.37 acres

F. **LETTER REGARDING RESTRICTIVE COVENANTS**

Restrictive covenants are regulations that are maintained and enforced by the property owners of the subject subdivision. These covenants may be found in your abstract or at the County Circuit Clerks Office. Restrictive covenants are often enforced in subdivisions with homeowner's associations and can always be more restrictive but never less restrictive than the City of Fort Smith's Zoning Regulations. *(See attached additional information on restrictive covenants)*

TO: Planning Department

SUBJECT: Legal Description of Property. Provide legal description in a word document.

Park Hill Addition
E 22' of lot 2 & All lots 3 & 4 Blk 63

I have searched all applicable records, and to my best knowledge and belief, there are no restrictive covenants running with the above described land, except as follows: **ATTACH COVENANTS WITH SUBMISSION**

NA

Attach all supporting documentation to the application packet.

Submit

NOTE: Applications can be submitted Online with Internet Explorer. If another browser is being used, the user will have to follow the instructions for electronic submission via email.

INSTRUCTIONS: To SUBMIT ELECTRONICALLY, please right click on download link and click save-as. Once the application has been downloaded to your device it can be filled out and submitted electronically.

North

BLOCK 61
LOT 8

LOT 7

LOT 12

LOT 11

BLOCK 62

LOT 10

LOT 9

LOT 8

SOUTH 'O' STREET 50' R/W

20' PAVEMENT W/ACURB

BLOCK 64

LOT 5

LOT 6

SOUTH 26TH STREET 50' R/W

LOT 1

BLOCK 63

LOT 4

LOT 3

LOT 5

SURVEYOR'S NOTE: This survey was conducted under the supervision of Clovis W. Satterfield, No. 0147, or Ricky Hill, No. 1443, Satterfield Land Surveyors, P.A., Certificate of Authorization No. 718. Satterfield Land Surveyors, P.A., 1-(479)-632-3565 Hwy. 71 North, P.O. Box 640, Alma, AR 72921

SURVEYOR'S NOTE: This survey was done to mark the corners on the ground and to show observed structures. Utilities located if Requested according to utility company records, and or above ground inspection. This survey was done from description furnished to us or instruction from the person(s) named on this plot. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts which an accurate and current title search may disclose.

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- LEGEND**
- S.R.B. = SET 1/2" REBAR W/ CAP
 - S.P.A.M. = SET P.A. NAIL
 - S.R.R.S. = SET RAILROAD SPWKE
 - S.N. = SET NAIL
 - E.R.B. = EXISTING REBAR
 - E.P. = EXISTING IRON PIN
 - E.P.A.N. = EXISTING P.V. NAIL
 - E.R.R.S. = EXISTING RAILROAD SPWKE
 - C.K. = EXISTING NAIL
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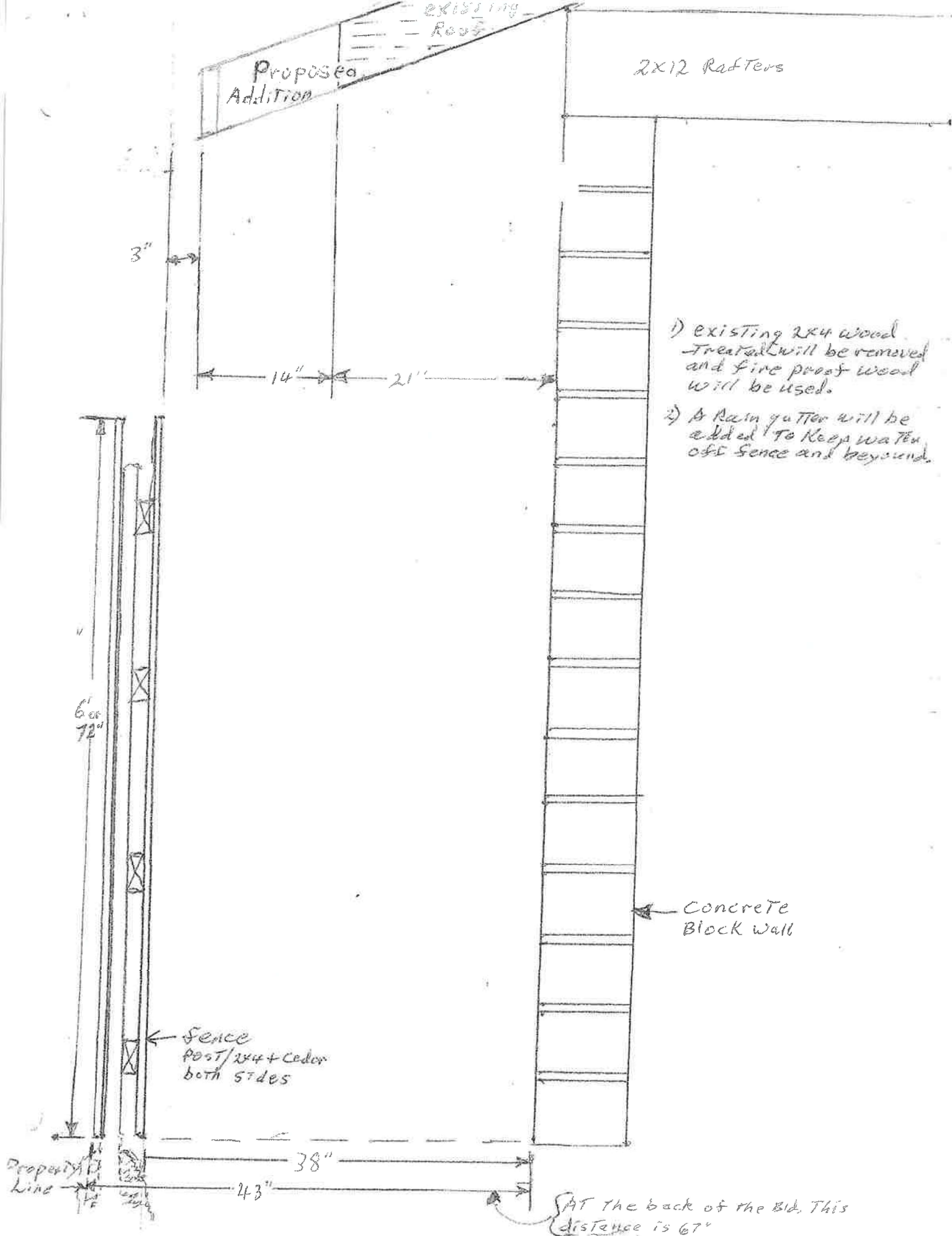
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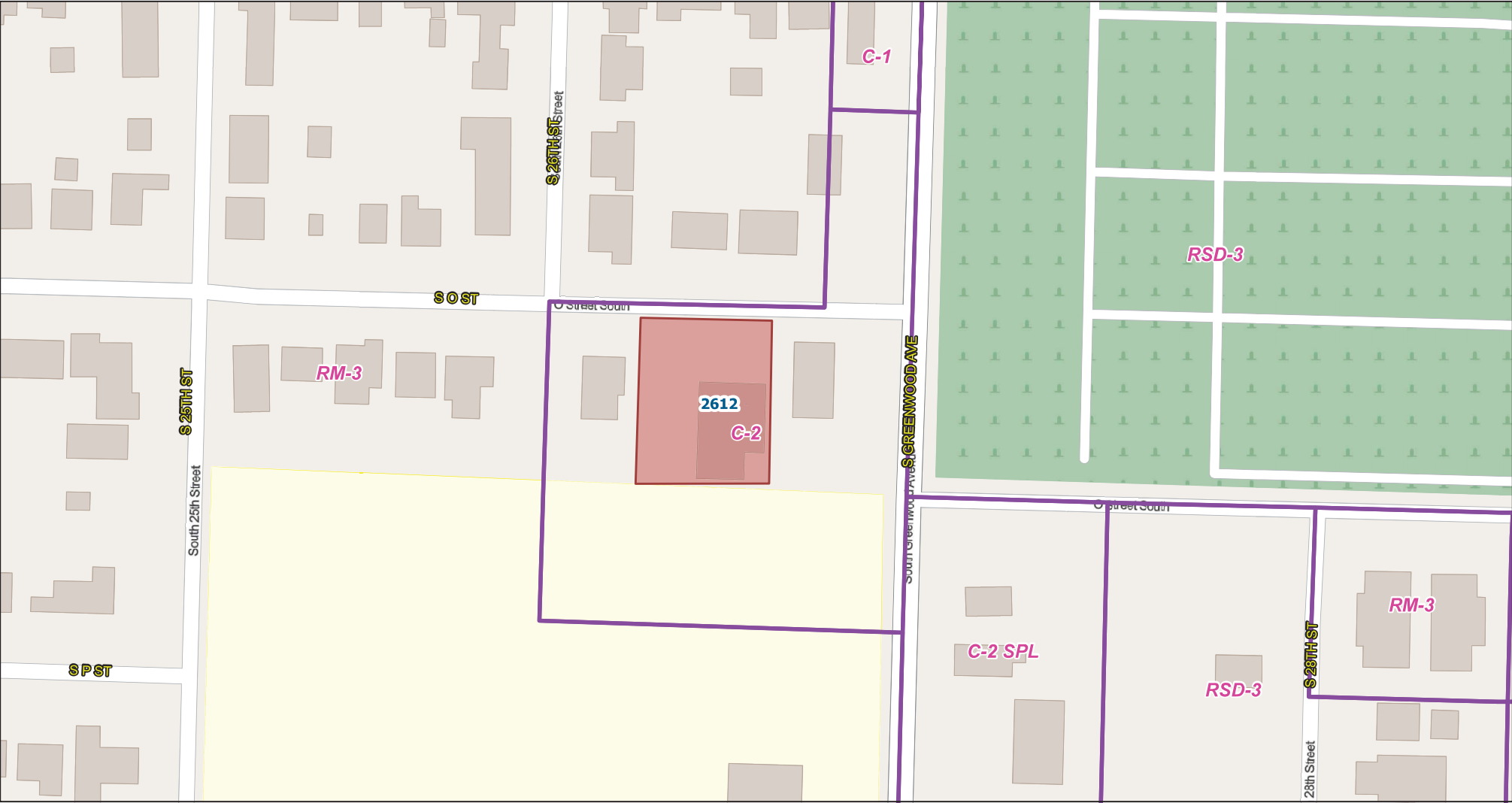
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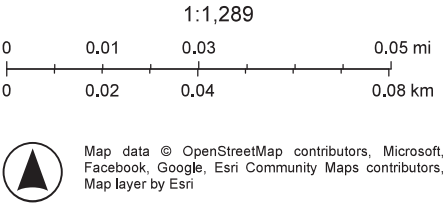


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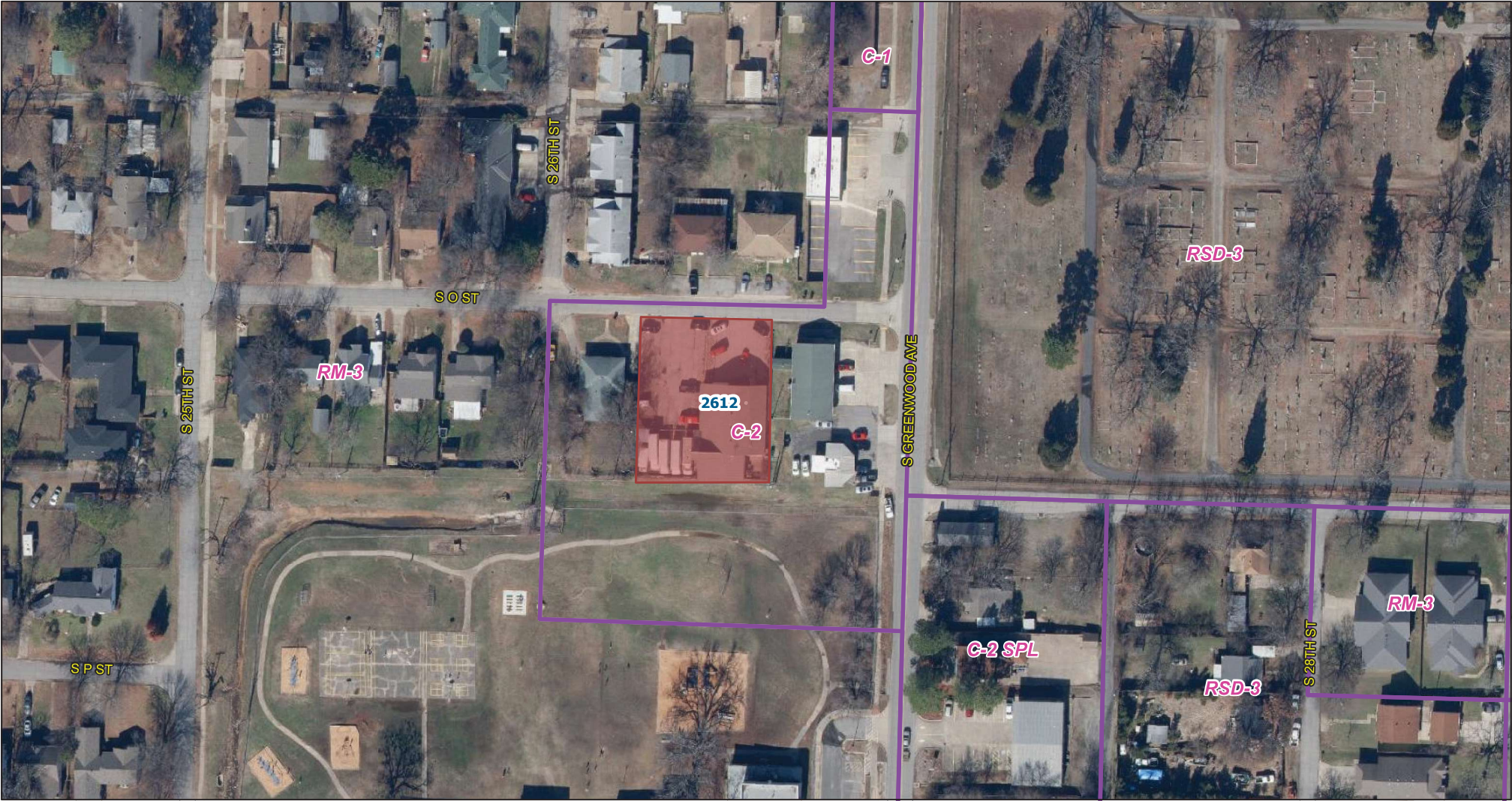


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- Zoning
- Addresses
- Roads

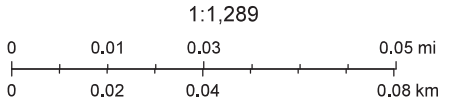


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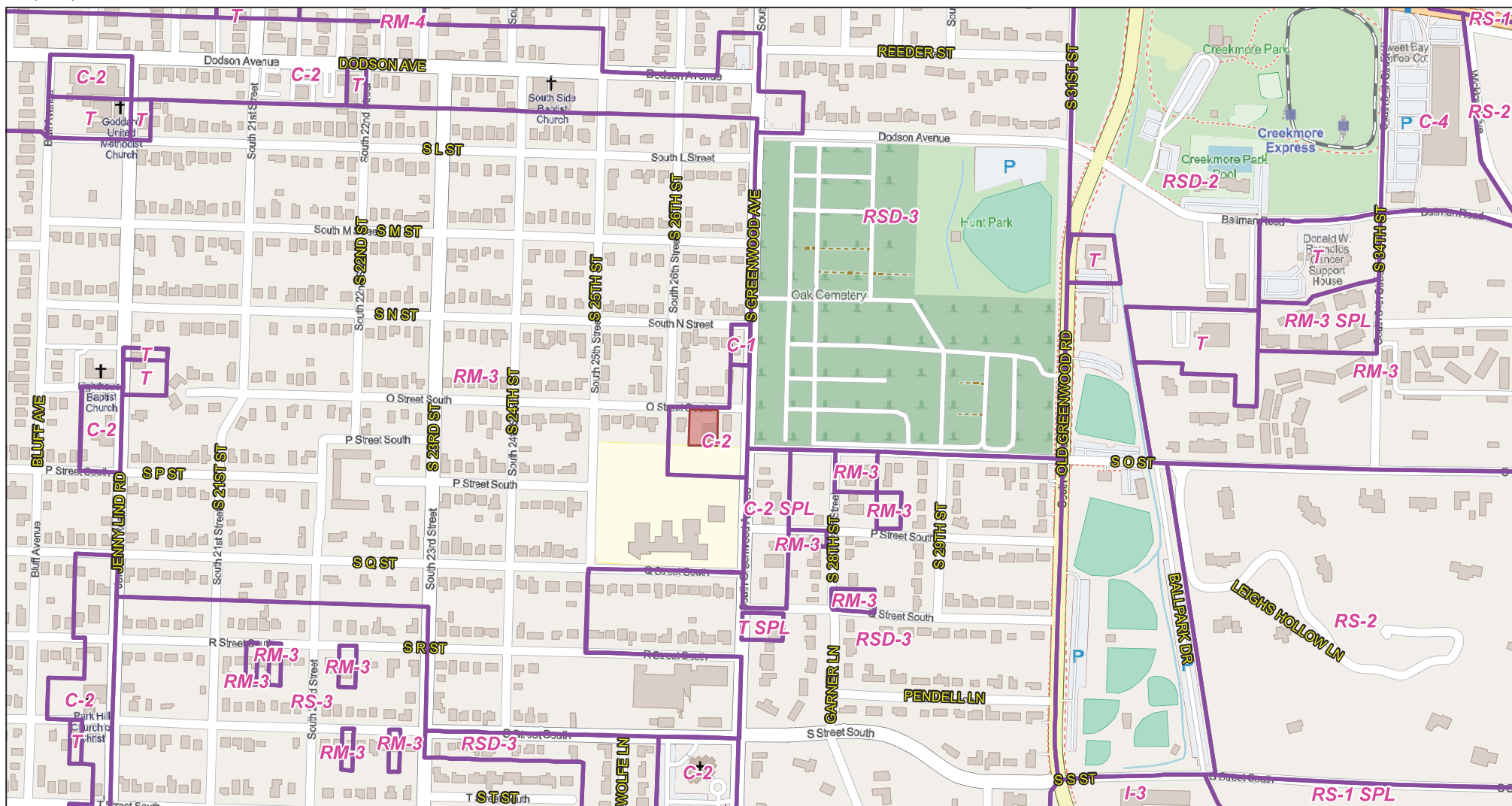
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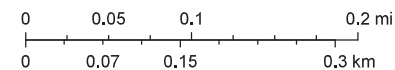


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Roads

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Memo

To: City Planning Commission

From: Planning Staff

Date: September 8, 2026

Re: UDO Amendments

Following the Board of Directors study session on August 11, 2026, staff is proposing the following changes to the Unified Development Ordinance relative to data centers:

- Require development plan (DP) review by the Planning Commission and approval by the Board of Directors in industrial zoning districts.
- Increased design standards such as an eight-foot opaque wall surrounding the property, 500 feet setbacks from each property line, and a Public Utility Capacity Certification from the Arkansas Public Works Commission.

Additionally, the Land Use Chart will be amended for data centers, and such will be identified as a development plan (DP) in the I-1, I-2 and I-3 zoning districts requiring review by the Planning Commission and approval by the Board of Directors.

Staff recommends approval of the amendments.

27-709 Data Center

27-709-1 Purpose

The purpose of these regulations is described as follows:

- A. Protect and enhance the City of Fort Smith.
- B. Provide good civic design and arrangement.
- C. Preserve natural resources and property values of surrounding property.

27-709-2 Data Center Locations

Data Centers will require development plan (DP) approval in the I-1, I-2 and I-3 zoning districts.

27-709-3 Data Center Standards

In addition to 27-602-4(E) Industrial Building Standards, data centers shall comply with the following:

- A. A setback of 500 feet shall be required from all property lines.
- B. Submittal shall include letters from applicable public utilities informing whether there is available capacity to serve the proposed load and whether any required transmission, generation, or substation upgrades have been identified before the Arkansas Public Service Commission.
- C. All data centers shall be screened from street rights of way and adjoining properties with a wall not less than eight (8) feet in height. The wall shall be:
 - (1) A decorative, opaque wall constructed of stone, brick, tinted/textured concrete masonry units, exterior insulated finished systems (EFIS), or other materials as approved. Main entry gates may utilize non-opaque materials such as wrought iron, steel tubing or similar materials.
 - (2) The wall shall be integrated with the overall architectural design of the development.
 - (3) Wood privacy and vinyl covered chain-link fences are prohibited. Razor wire and barbed wire shall only be permitted when not visible from a street right of way and adjacent property.

27-709-4 Application Requirements

- A. Submittal of a Development Plan Application as defined in Section 27-331 is required for all data center developments allowed in the zoning districts described in 27-709-2.
- B. All data center developments shall require review by the Planning Commission and approval of the Board of Directors prior to the issuance of a building permit.

1. **Planning Commission Action.** Following the public hearing, the Planning Commission may recommend approval, approval as amended, or denial of the proposed amendment.
 - a. The Planning Commission's recommendation shall be certified to the Board of Directors.
 - b. The Board of Directors shall consider the Planning Commission's recommendation at the second regularly scheduled meeting following action by the Planning Commission.
 - c. If the Planning Commission fails to make a recommendation on the application, it shall be deemed to have made a recommendation of denial. At that point the application shall be forwarded to the Board of Directors with no recommendation having been made.
2. **Action by the Board of Directors.** When the Planning Commission certifies a recommendation to the Board of Directors, the Board shall take any action consistent with its authority, including:
 - a. Approving the application
 - b. Approving the application as amended;
 - c. Denying the application;
 - d. Returning the application to the Planning Commission with specific questions or issues' or
 - e. Continue the application to a date certain.

27-709-7 Any standard not specifically covered by this section shall be subject to the general requirements of the Unified Development Ordinance.

[illegible]