



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

ROGERS PLANNING COMMISSION MINUTES

The Rogers Planning Commission met for a public meeting at Rogers City Hall at 301 W. Chestnut Street on July 19, 2022 at 5:00 P.M. The meeting was called to order by Vice Chairman John Schmelzle.

ROLL CALL

Commissioners attending: Jorge Andrade, Derek Burnett, Kevin Jensen, Steve Lane, Mandel Samuels, John Schmelzle, and Eriks Zvers.
Rachel Crawford and Mark Myers did not attend.

ACTION ON MINUTES

Motion by Samuels, Second by Jensen, to approve the July 5, 2022, Planning Commission meeting minutes as presented.

Voice Vote: Unanimous - Yes. Motion carried.

APPROVED

REPORTS FROM STAFF

Community Development Director John McCurdy and Planner II Amber Long provided information about a visit by representatives of the urban planning consulting group DPZ about the Rogers growth strategy, its Comprehensive Growth Plan, and revisions to the city's Development Code.

REPORTS FROM BOARDS AND COMMITTEES

PLANS & POLICIES COMMITTEE —

Samuels stated the following two proposals were reviewed and both were recommended for approval by the committee:

1. RZN/DCP: The Grotto at Osage Creek
2. CUP: Rock Brothers Offroad

DEVELOPMENT REVIEW COMMITTEE —

Schmelzle reported the following projects were reviewed and recommended with actions taken on variances and waivers as follows:

1. LSDP: Twenty-Second Street Business Park

- Approve **WAIVER** from Sec. 14-285(4) to allow a rear landscape yard of 4.5' instead of the required 10' within the Overlay District.
 - Approve **WAIVER** to allow the Dumpster to be located within the exterior side setback.
 - Approve **VARIANCE** from Sec. 14-709(d)(2)(d) to allow a rear setback of 25' from the proposed access easement instead of the required 45'.
 - Approve **WAIVER** from Sec. 4-260(1)(e) requiring curb cuts to be no closer than 250 feet from an intersection involving an arterial street.
 - Approve **WAIVER** from Sec. 14-46(g) requiring improvements to the Major Arterial Street to meet the Typical Street Section.
2. LSDP: The Reserve on Dixieland
- Approve **WAIVER** from Sec. 14-46 indicating the Typical Street Section for a Minor Street
3. LSDP: Health Lanes
- Approve **WAIVER** from Sec. for the placement of street trees outside of the typical street tree placement area, with the requirement that the street trees are within a recreation easement.
4. LSDP: The District Mixed Use, Phase 1
- Approve variance **VARIANCE** from Sec. 14-732(4.3)(i), to allow the front of the proposed structures to address internal private drives, instead of addressing existing public right-of-ways.
 - Approve **VARIANCE** from Sec. 14-732(4.1)(c), to allow 50 bicycle parking spaces, as opposed to the required 101 spaces.
 - Approve **VARIANCE** from Sec. 14-256(12)(a), to allow only 19% of the total development area of Phase 1 to be dedicated to greenspace, as opposed to the required 20%.
 - Approve **VARIANCE** from Sec. 14-256(14)(b)(2), to allow smaller parking lot tree islands than what is required. (Min. 324-SF)
 - Approve **WAIVER** from Sec. 14-482, (b), (1), to allow the developer to not improve Pauline Whitaker Parkway.
 - Approve **WAIVER** from Sec. 14-715, 4.3 to allow for internal drives to serve as streets to comply with U-COM setbacks and design principles.
5. LSDP: 45th Street Storage, Phase 1
- Approve **WAIVER** from Section 14-1005 requiring upgrades to the commercial driveway entrances.
 - Approve **VARIANCE** from Sec. 14-709(h), to allow only 9 total parking stalls, instead of the required 135 parking spaces.
 - Approve **VARIANCE** from Sec. 14-256 (16)(a) to allow no bicycle racks to be included in this development.
 - Approve **WAIVER** from Sec. 14-606 for street improvements.
 - Approve **WAIVER** from Chapter 14-46(g) 3 of 6 which requires additional right-of-way dedication along W Poplar Street.

- Approve **WAIVER** from Chapter 14-46(g) 3 of 6 which requires additional right-of-way dedication along S 45th Street.
- **NOTE:** Before final approval and the stamping of the plan set, the applicant must revise the landscape plan and denote the species of shrub that is to be planted.

OLD BUSINESS

None

PUBLIC HEARINGS:

1. Rezone: HBIC

A request by HBIC, LLC to rezone 0.45 acres at 300 E. Pine Street from R-DP (Residential Duplex Patio Home) to the NBT (Neighborhood Transition) zoning district. (*TABLED 7-5-22*)

Schmelzle introduced the item and asked for a staff report. Planner Christina Moore noted the location is south of the Railyard Bike Park, and said the request is consistent with the city's Comprehensive Growth Map and compatible with surrounding uses. Staff recommended approval.

Hannah Cicioni, CRD Real Estate & Development, representing the applicant, said the request is the first step in the redevelopment process for this property.

Schmelzle opened the public hearing for comments.

- Gary Rounds, Hwy. 412, Berryville, asked about the plans for the property, stating he didn't have any objections. Staff noted the uses in NBT is mostly residential.

The public hearing was declared closed.

Motion by Jensen, Second by Burnett, to recommend the rezone for City Council approval.

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

RECOMMENDED for City Council approval.

2. Rezone: Garcia

A request by Matilde Garcia to rezone ±0.67 acres at 415 N. Dixieland Road from R-O (Residential Office) to the U-COM (Uptown Commercial Mixed Use) zoning district. (*TABLED 7-5-22*)

Schmelzle introduced the item and asked if the applicant was present. Matilde Garcia and her husband came forward. Interpreting for her, her husband said she has a beauty shop at the location and would like to rezone it to allow a mixed use and have more business there. .

Schmelzle then asked for a staff report. Planner Justin Couch said the property is within the Midtown Regional Center and the U-Com zoning district is appropriate, but the Regional Center hasn't been mapped out for planned zoning yet. He said the zoning needed to be tabled again due to continued notification issues.

Matilde Garcia and an interpreter objected stating they had sent notification to neighboring landowners by the deadline.

Schmelzle opened the public hearing for comments. There were none.
The public hearing was declared closed.

After conferring with Planning staff, McCurdy clarified that the notification was completed properly and the Commission could take action on the request.

Motion by Jensen, Second by Andrade, to recommend the rezone for City Council approval.

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

RECOMMENDED for City Council approval.

3. Rezone: Bradford Nursery

A request by Bradford Nursery to rezone 1.49 acres south of E. Old Prairie Creek Road from A-1 (Agricultural) to the C-2 (Highway Commercial) zoning district.

Schmelzle introduced the item and asked for a staff report. Planner Justin Couch said the CGM doesn't support the zoning request to C-2, designating it as in the Neighborhood growth designation area. Commercial zoning isn't an allowed use in that growth district. Staff recommended denial.

Russell Ellis, owner of the property and the Bradford Nursery next to it, questioned why the staff would recommend denial. He noted that materials for the nursery are sometimes stored on the property, and the rezone would allow

Schmelzle opened the public hearing for comments.

The following noted support for the rezone:

- John Kurtz, 1622 Prairie Creek Drive, said he supports the rezone.
- Scott McCannon, 1601 Prairie Creek Drive, owner of Scotty's RV, noted the surrounding commercial businesses and the need for him to store RVs on the lot as well.
- Robert Spaw, 1700 W. Cypress, said he owns property across the street and favors the commercial rezone.

The following expressed concern or objection to the rezone proposal:

- Patti Bennett, 1414 Redbud Drive, said she was representing a couple of neighbors who couldn't attend. She noted the surrounding residential and possible traffic issues.
- Steve and Kim Williams, 1608 Old Prairie Creek Drive, who live next to the subject property on the east side, objected to the rezone.

The public hearing was declared closed.

McCurdy explained the staff recommendation, noting the Comprehensive Growth Map and the Neighborhood growth designation for the property. Old Prairie Creek Drive is mostly

residential, and the CGM protects that while allowing commercial one lot deep along Highway 12, he said.

Commissioners and McCurdy discussed the proposal and the procedure for changing the CGM to allow the rezone to happen.

Motion by Samuels, Second by Andrade, to deny the rezone.

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

DENIED

4. CUP: Rock Brothers Offroad

A request by Rock Brothers Offroad for a Conditional Use Permit to allow “Vehicle/Equipment Repair & Installation” at 1608 S. 9th Street in the C-2 (Highway Commercial) zoning district.

Schmelzle introduced the item and asked for a staff report. Planner Christina Moore recommended consideration of the proposal, stating the property isn’t properly zoned per the Neighborhood growth district in CGM. However, noting similar businesses in that area, she said vehicle repair fits at this time.

Aaron Vojdani, representing the request, noted the surrounding business uses.

Schmelzle opened the public hearing for comments. There were no comments. The public hearing was declared closed.

Zvers said the Plans & Policies Committee had discussed the request because it didn’t fit the CGM, but found it reasonable considering the current uses in the area.

Motion by Zvers, Second by Lane, to approve the request as proposed.

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

APPROVED

5. RXN/DCP: The Grotto at Osage Creek

A request by The Grotto at Osage Creek to rezone 8.2 acres at S. 28th Street W. Chateau Drive from RMF-18B (Residential Multifamily, 18 units per acre, rentals) to the C-3 (Neighborhood Commercial) zoning district with a Density Concept Plan.

Schmelzle introduced the item and asked for a staff report. Planner Zachery Birdsong said the proposed C-3 zoning and Density Concept Plan showing 16.1 units per acre are consistent with the Neighborhood Center growth designation in the CGM. He summed up the Plans & Policies Committee recommendation of approval for the project including approval of the following:

- A waiver from Sec. 14-604(c)(2) for a stub out connection to the north with the condition that the south stub out provides right-of-way dedication to the south property line as proposed.

- A variance from Sec. 14-732(5.4)(a)(ii) requiring “a height of not less than 12 feet measured from the entry level finished floor to the bottom of the structural members of the ceiling” for all buildings but the club house.
- Requirements from engineering regarding further consideration at LSDP of cross access, Floodplain Administration Requirements, and addition of Finished Floor Elevations.

Engineer Connor Threet, Crafton Tull, said the request will allow the property to better align with the CGM.

Schmelzle opened the public hearing for comments.

The following spoke in favor of the development:

- Kawan Afrasiabi, 6012 S. 38th Street, said he supported the development and it meets the standards of the Comprehensive Growth Map.

The following spoke in opposition to the development:

- Alan Cone, 707 S. Rochelle Court, said he lives in the subdivision on the east side of S. 28th Street questioned the street connection through the development and if it will relieve the anticipated increase in traffic.
- Brad Kieffer, 2707 W. Dauphine Drive, said he lives across the street and opposed the development’s increased density and traffic.

The public hearing was declared closed.

Threet confirmed the rezone is about changes to the Density Concept Plan and doesn’t increase the density previously approved.

Motion by Zvers, Second by Samuels, to recommend the DCP/rezone for City Council approval along with the associated waiver and variance as well as three comments from the Engineering Division regarding the development requirements.

Voice Vote: YES – 6, Abstain– 1 (Jensen) **Motion carried.**

RECOMMENDED for City Council approval.

NEW BUSINESS

1. LSDP: Twenty-Second Street Business Park

A 20,312-sf commercial building proposed at 2255 W. Hudson Road in the C-2 (Highway Commercial) zoning district.

Planner Amber Long explained the request, and stated that it meets development requirements, noting the Development Review Committee’s recommendation for approval including four waivers and a variance for the project.

Engineer Daniel Butler, ESI, represented the project but had nothing to add.

Motion by Jensen, Second by Andrade, to approve the project as recommended by Committee.

Voice Vote: YES – Unanimous **Motion carried.**
APPROVED

2. LSDP: The Reserve on Dixieland

A proposed 236-unit on 12.53 acres at 2002 S. Dixieland Road in the C-3 (Neighborhood Commercial) zoning district.

Planner Long reviewed the plans, stating the development aligns with the Density Concept Plan approved previously by the Commission. She noted the project's recommendation for approval including one engineering waiver.

Engineer Daniel Butler, ESI, represented the project but had nothing to add.

Motion by Andrade, Second by Burnett, to approve the request as recommended by the Committee.

Voice Vote: YES – 6, Abstain– 1 (Jensen) **Motion carried**
APPROVED

3. LSDP: Health Lanes

A 9,322-sf clinic proposed at 4199 W. New Hope Road in the R-O (Residential Office) zoning district.

Planner II Nicholas Little explained the project will include six drive-thru lanes for a health clinic. He noted the recommendation for approval along with one waiver.

Courtney Austin, E.I., Crafton Tull, represented the project.

Motion by Jensen, Second by Andrade, to approve as recommended by Committee

Voice Vote: YES – 6, Abstain– 1 (Lane) **Motion carried**
APPROVED

4. LSDP: The District Mixed Use, Phase 1

A mixed-use development including a three-story 40,539-sf building and a two-story 61,683-sf building proposed at 4301 S. J.B. Hunt Drive in the U-COM (Uptown Commercial Mixed Use) zoning district.

Planner Little noted the location and said the proposed development plans meets all City requirements except for five variances recommended for approval at Committee.

Jay Young, DCI, represented the project.

Motion by Jensen, Second by Andrade, to approve as recommended.

Voice Vote: YES – Unanimous **Motion carried.**
APPROVED

5. LSDP: 45th Street Storage, Phase 1

A 39,660-sf climate-controlled storage building proposed at 325 S. 45th Street in the C-2 (Highway Commercial) zoning district.

Planner Little said the applicant received a Conditional Use Permit previously to allow the warehousing development. He said the plans are recommended for approval along with two variances and three waivers, as well as a note about shrubs.

Motion by Samuels, Second by Andrade, to approve as recommended.

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

APPROVED

ADJOURN

There being no further business, Crawford adjourned the meeting at 6:00 p.m.

ATTEST:

APPROVED:

Eriks Zvers, Secretary

Rachel Crawford, Chairwoman