



COMMUNITY DEVELOPMENT
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ROGERS PLANNING COMMISSION MINUTES

The Rogers Planning Commission met for a public meeting at Rogers City Hall at 301 W. Chestnut Street on September 6, 2022 at 6:00 P.M. The meeting was called to order by Chairwoman Rachel Crawford.

ROLL CALL

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

ACTION ON MINUTES

Motion by Samuels, Second by Andrade, to approve the August 16, 2022, Planning Commission meeting minutes as presented.

Voice Vote: Unanimous - Yes. Motion carried.

APPROVED

REPORTS FROM STAFF

None

REPORTS FROM BOARDS AND COMMITTEES

Presented during the New Business item for discussion.

OLD BUSINESS

None

PUBLIC HEARINGS:

1. Rezone: The Fields at Pinnacle

A request by Hatfield Whalen Land, LLC for The Fields at Pinnacle to rezone ±29.45 acres at the northwest corner of W. Northgate Road and S. Champions Drive from a mix A-1 (Agricultural), C-2 (Highway Commercial), C-3 (Neighborhood Commercial), RMF-31B (Residential Multifamily, 31 units per acre, rentals), U-COM (Uptown Commercial Mixed Use), and U-NBT (Uptown Neighborhood Transition) under a Planned Unit Development to just the U-COM (Uptown Commercial Mixed Use) and U-NBT (Uptown Neighborhood Transition) zoning districts. (Tabled 8-16-22)

Planner II Nicholas Little provided a staff report pointing out the location in northwest Rogers. He said the requested U-COM and U-NBT zoning districts are allowed in the location within the Regional Center Growth Designation. He noted the Commission's previous discussions about the proposed zoning, particularly the smaller width for the NBT zone along the west side of the property. He reviews

He reviewed the project history to date including the applicant's offer to place a deed restriction on the northwestern boundary of the property that would protect the proposed 50-foot of mature tree buffer to make it unbuildable. The applicant didn't really provide an alternative to that plan, he said, instead they provided documents graphically showing building heights and proximity to the single-family housing depending on the zoning allowed. Little pointed out the 300-foot buffer required for U-COM zoning, allowing a 5-story height after that transition area.

Chad Hatfield, owner of the property, said their main goal in trying to reduce the NBT zone was to keep as many of the mature trees as possible by placing the deed restriction on the property and allowing no development within that area. The trees will serve as a natural barrier, he said.

Commissioners discussed the allowable heights next to residential and the width of a buffer.

Crawford opened the public hearing for comments. The following comments were received:

- Kale Bowling, attorney with Friday Eldredge & Clark, representing Beau Chene POA, asked the Commission to maintain the zoning laid out in the CGM and not reduce the 300 feet or so of NBT zone. He said the buffer was crucial to the Beau Chene POA, and he didn't know of any reason to drastically reduce the NBT.

The public hearing was declared closed.

Crawford stated that the question would have two abstentions. Commissioners Steve Lane and John Schmelzle would abstain due to conflicts.

Hatfield with the NBT zone at the full width shown on the CGM and the need to dedicate right-of-way for S. 55th Street, the development would need to fully develop the NBT zone, which would allow a three-story building 20 feet from the property line with the construction of a wall. He said much of the mature-tree barrier would be removed in that case.

Samuels questioned the setback for a structure at the maximum height allowed in the NBT zone. Little confirmed that with a screening wall, a 35-foot-tall structure could be built 20-feet from the property line.

Hatfield said he had hoped there be some kind of tradeoff for the deed restriction for the mature trees. Chris Bakunas, landscape architect, McClelland Engineering, questioned the

code interpretation for the 300-foot buffer between single-family development and U-COM zoning. Commissioners and staff discussed.

Bakunas withdrew the request to adjust the NBT width as shown in the CGM but asked that the rezone be approved. Staff noted a need to change the legal descriptions for the zones in the ordinance.

Motion by Jensen, Second by Myers, to recommend the rezone reflecting the zoning shown in the Uptown Regional Center to the City Council for approval.

Voice Vote: YES – 6 (Abstain 2 – Schmelzle, Lane) **Motion carried.**

RECOMMENDED

2. Rezone/CGM Update: Sapphire Homes

A request by Sapphire Homes to amend the Comprehensive Growth Designation from Neighborhood to Neighborhood Center and rezone ±3.81 acres at the southeast corner of W. Pleasant Grove Road and N. Main Street from A-1 (Agricultural) to the C-3 (Neighborhood Commercial) zoning district.

Planner Little noted the location and the request to add the L-shaped lot to the Neighborhood Center at the intersection of W. Pleasant Grove Road and AR 112. The Growth Designation of Neighborhood would mandate the C-3 (Neighborhood Commercial) zoning per the CGM. He pointed out the applicant's plan for office buildings and model homes at the location. Staff recommended approval of the CGM amendment and the rezone to C-3, and the Plans and Policies Committee .

Jay Young, DCI, represented the request and explained the expansion of the Neighborhood Center with the CGM change. He also pointed out the creek and elevation drop-off on the property's western boundary that will make that area unbuildable and provide a buffer between the development and the homes to the west with the preservation of mature trees in that area. Young said the property adjoins Cave Springs on its southern edge where commercial development is already in place.

Crawford opened the public hearing for comments.

There were none.

The public hearing was declared closed.

Jensen said the use might be a little awkward for a few years in that spot but if a single-family home was built there, it would be out of place eventually. He said he would agree with the assessment

Motion by Jensen, Second by Myers, to recommend to City Council approval of the CGM designation update of the property to Neighborhood Center.

Voice Vote: YES – 7 (ABSTAIN – Lane) **Motion carried.**

RECOMMENDED

Motion by Jensen, Second by Myers, to recommend the rezone to C-3 to the City Council for approval as submitted.

Voice Vote: YES – 7 (ABSTAIN – Lane) **Motion carried.**

RECOMMENDED

3. Rezone/CGM Update: Lawson

A request by Kristyn Lawson for Beth Young to amend the Comprehensive Growth Designation from Neighborhood to Downtown Regional Center and to rezone 102 E. Willow Street from R-DP (Residential Duplex Patio Home) to the NBT (Neighborhood Transition) zoning district.

Planner I Kyle Belt pointed out the location on S. 1st Street within walking distance of the Downtown Regional Center and would be better suited for the Downtown Regional Center than Neighborhood due to the characteristics of the neighborhood. Staff recommended approval of the update to the CGM and the rezone to NBT as requested.

Beth Young, property owner, said she hopes to build townhomes on the site similar to other developments in the neighborhood.

Crawford noted the committee recommendation of approval. She opened the public hearing for comments.

- Rose Des Enfants, owns rental houses on Arkansas Street, supported the request and favored it for the entire subdivision to help with growth.
- Jennifer Taylor, 923 S. 1st Street, questioned what the rezone will mean.

The public hearing was declared closed.

Commissioner Derek Burnett said the city should consider updating the CGM for this area, rather than by piecemeal. He noted that Ms. Young brings a great project to the city and city should support that type of development in this area but not one parcel at a time.

Motion by Jensen, Second by Andrade to recommend to City Council approval of the CGM designation update of the property to the Downtown Regional Center.

Voice Vote: YES – 7, NO - Burnett **Motion carried.**

RECOMMENDED

Motion by Jensen, Second by Myers to approve as recommend to city council as presented.

Voice Vote: YES – 7, NO - Burnett **Motion carried.**

RECOMMENDED

4. CUP: Circle K

A request by Circle K for a Conditional Use Permit to allow the use “Convenience Store with Gas” at 1787 W. Pleasant Grove Road in the C-2 (Highway Commercial) zoning district.

Planner I Zachery Birdsong noted the location and staff plans to support the CUP request, but due to the recommendation to prohibit access to Pleasant Grove Road, the applicant requests to table while options are worked out.

Crawford noted the need to hold a public hearing despite the plan to table.

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

Motion by Jensen, Second by Samuels to table as requested.

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

TABLED

NEW BUSINESS

1. Rezone/DCP Application Request:

A request by Daniel Copeland to allow a rezone/DCP application for property between Pine and Cypress streets, east of Dixieland Road, denied a rezone less than one year ago.

Planner I Zachery summed up the request to allow the applicant to apply for a rezone that was denied last October. Code prohibits the application for rezone for the same property within one year, but the plan to provide a DCP makes the request different enough to allow it to be heard, he said.

Taylor McBride, E.I., Swope Engineering, said they are about a month and half out from year deadline but would like to move forward. They are coming back with a “nice little concept plan” and hope that will satisfy any concerns.

Crawford noted the Plans & Policies Committee recommended approval of the request.

Motion by Myers, Second by Jensen to waive the one-year requirement.

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

APPROVED

ADJOURN

There being no further business, Crawford adjourned the meeting at 6:46 p.m.

ATTEST:

APPROVED:

Eriks Zvers, Secretary

Rachel Crawford, Chairwoman