



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 June 6, 2023 at 5:30 P.M. The meeting was called to order by Chairman John Schmelzle, followed by the Pledge of Allegiance.

ROLL CALL

Commissioners attending: Jorge Andrade, Derek Burnett, Hannah Cicioni, Steve Lane, Ed McClure, Mark Myers, Mandel Samuels and John Schmelzle.

ACTION ON MINUTES

Motion by McClure, Second by Andrade, to approve the May 16, 2023, Planning Commission meeting minutes as presented.

Voice Vote: Unanimous – Yes. Motion carried.

APPROVED

PUBLIC FORUM

REPORTS

DECLARATION OF ABSTENTION

The Chairman asked that any Commissioners needing to abstain on agenda items state so and not participate in discussion or vote on the item.

- Commissioner Hannah Cicioni noted her need to abstain from the Rally Properties rezone.

CONSENT AGENDA

1. LSDP: Creekside Medical Office Phase 2

A proposal to construct a second phase of a medical office complex, containing two new 7,606-sf buildings at 3803 & 3805 W. Financial Parkway in the RO-CU (Residential Office – Condominium Unit) zoning district.

2. LSDP: Garage Suites of Arkansas

A proposal to construct three private storage buildings, totaling 38,460-sf, at 5911 W. Venture Park Boulevard in the C-2 (Highway Commercial) zoning district.

3. LSDP: McDonald Eye Associates

A proposal to construct an 8,461-sf optometry office and paved parking on 1.81 acres at 318 S. 52nd Street in the R-O (Residential Office) zoning district.

4. LSDP: NWA Industrial Partners Warehouse

A proposal to develop two warehouse office buildings totaling 78,000-sf on 11.54 acres at 6361 S. Oldridge Place in the C-2 (Highway Commercial) zoning district.

5. LSDP: Shane Tyson's Place

A proposal to construct four apartment buildings, totaling 30,026-sf on 3.49 acres at 700 N. 24th Street in the C-3 (Neighborhood Commercial) zoning district.

6. LSDP: Villas on Turtle Creek

A proposal to construct a 230,090-sf residential multifamily development on 28.08 acres south of the intersection of N. 34th Street & W. Walnut Street in the C-3 (Neighborhood Commercial) zoning district.

Schmelzle asked for a motion on the Consent Agenda.

Motion by McClure, Second by Cicioni, to approve the Consent Agenda as presented.

Voice Vote: Unanimous – Yes. Motion carried.

APPROVED.

PUBLIC HEARINGS**1. RZN: Rally Properties**

A request by Rally Properties to rezone 262 E. Pine Street from the R-DP (Residential Duplex Patio Home) zoning district to the NBT (Neighborhood Transition) zoning district.

Planner Christina Moore noted the property is located in downtown Rogers just south of the bike park. The downtown Regional Center Comprehensive Growth Map designates this parcel to be Neighborhood Transition. The current use of the property is Single Family Residential which is a permitted use under the NBT zoning. Other potential uses include galleries, finance, insurance, and real estate offices as well as, other mixed uses and townhomes. Staff recommends the rezone request to City Council for approval.

Katelyn Ball and Kim Johnson represented the request. They had nothing further to add to the report.

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

Samuels stated this is a straightforward request and it will bring them into compliance with the CGM.

Motion by Samuels, Second by Andrade, to recommend the rezone to City Council.

Voice Vote: 7 – Yes, 1 – Abstain (Cicioni). Motion carried.

RECOMMENDED to COUNCIL

2. RZN/DCP: Magnolia Phase 1B

A request by Crafton Tull for Magnolia Phase 1B to rezone 9.48 acres east of the intersection at S. Promenade Blvd. & W. Walnut Creek Pkwy. from the C-2, R-O, PUD (Highway Commercial, Residential Office, Planned Unit Development) zoning districts to the RMF-21 (Residential Multifamily, 21 gross units per acre) zoning district with a Density Concept plan.

Planner Zachery Birdsong stated the property is located in west Rogers, east of the intersection of W. Walnut Creek Parkway and S. Promenade Boulevard: slightly south of W. Walnut Parkway and across the Promenade Commons apartments. There is a single-family residential subdivision located to the northeast. The applicant is requesting to rezone the subject property from a mix of the C-2, R-O and PUD zonings to RMF-21. The applicant is also proposing a 198-unit residential multifamily development on 9.4 acres, resulting in a gross density of 21 units per acre and a net density of 26 units per acre.

The site is located in the Commerce Corridor growth designation. This designation does allow for R-MF zoning, though it also calls for Uptown Neighborhood Transition zoning along the east side of the development. The purpose of the Neighborhood Transition is to act as a buffer between the Commerce Corridor growth designation and less intense designations and uses. Neighborhood Transition only allows for low intensity commercial and it permits multifamily residential, which is what is being proposed here. Neighborhood Transition zoning does contain residential transition standards regarding setbacks and height. However, this is only implemented when the site is directly abutting single family residential uses. In this case, the only single-family residential use is located to the northeast and is separated from this site by S. 40th Street. Therefore, the residential transition standards do not apply. If the applicant had requested a rezone to Neighborhood Transition, this would have allowed for zero-foot setbacks and three stories on all frontages.

The required front and exterior side setbacks for R-MF are 30 feet. All setbacks on the site would fall under the front or exterior setback requirements due to road frontage falling on each side of the site. The applicant is requesting the following setbacks along each road frontage: 25 feet off of S. Promenade Boulevard, 14 feet off of W. Walnut Creek Parkway, 10 feet off of W. Oak Street, one foot off of S. 40th Street, and one foot off of the new interior road in the middle of the site. The maximum height allowed for R-MF is 35 feet. The applicant is proposing buildings measuring 46'5" and 39'6". All buildings will be at most three stories with a slope pitched roof. The neighborhood transition zoning designated for the CGM along the East would not enforce a stricter setback or height requirements due to the sight abutting S. 40th Street. The proposed on street parking and trail also act as a buffer. The Railyard Loop runs alongside the property and this site is close in proximity to the Scottsdale Center. The requested setback reductions allow for compact urban style design, which is the goal of the Commerce Corridor growth designation. While the applicant is requesting one-foot setbacks along S. 40th Street and the interior drive, this is being measured to the right-of-way along the trail and sidewalk. Between the structures and the road, there is the trail as well as on street parking to help buffer between adjacent land.

There does exist a single-family residential subdivision on the northeast portion of the site where the closest building to the right-of-way is located, requiring the one-foot set setback. The height increase request in part is to allow for the pitched roof design that resembles single family housing. The three stories provided would also be allowed if the site were zoned Uptown Neighborhood Transition. Input from the public has been received and the email was forwarded to Planning Commission on 6/1/2023 that contains concerns voiced by nearby residents. Staff's recommends to refer the request to the Zoning Review Committee.

Schmelzle stated that since there were no further items, they would go ahead and contemplate this item as a full commission.

Ali Karr represented the request and had no comments.

The Chairman opened the public hearing for comments.

- James Mullen, resident of Rural Oaks, had concerns about the project being on top of the Railyard Loop, the setback reductions, and building urban canyons.
- Joe Fernandez, resident of Rural Oaks, agreed with the previous speakers' comments. He stated this area is going to be dark, enclosed and will negatively impact the value of the homes behind it.

The public hearing was declared closed.

Schmelzle stated that we have Comprehensive Growth Map that has been codified by the City Council, that is governing how land use is determined which plays a large role in this rezone request.

Myers asked what the net setback would then be if they include the parking and trail off of S. 40th Street, where they're asking it be reduced to one foot. Birdsong stated that the total distance from the closest building on S. 40th Street to the road is 38 feet. Myers then asked if the trail was an easement on the property or if it was being dedicated. Birdsong said that the trail is being designated as part of the right-of-way so the setback is being based off the trail.

Myers stated that part of the desire is to have trails located close to these high-density areas to benefit the residents but one foot off the trail is a little too snug for him and has been a concern for the City Council members on past items. Cicioni said her one counter to Myers' comment, is that this would be on the south side and everything to the south side are commercial applications not residential. She stated that she doesn't find much heartburn to the one-foot setback on the south side: to the neighborhood's side, there's quite a bit of buffer from the width of the street in addition to the setback.

Schmelzle stated that the Comprehensive Growth Map designates the corridor up and down S. Promenade Boulevard to be Commerce Corridor and what we want in Commerce Corridor is highly dense urban style development which this request meets.

Andrade asked the applicant if they are asking for a variance from the 35-foot maximum height. Ali Karr stated that in a standard R-MF zoning the maximum height is 35 feet so with the Density Concept Plan they are resetting that maximum.

Ali stated they are dedicating additional right-of-way for on street parking and the trail which is encroaching further into the property and would eat into the setback. Not only are they providing the on-street parking but also a five-foot tree grade and the additional 10-foot trail. The building that is closest is two feet away, and that's the most northeast one and the other buildings are seven to eight feet off. Myers said he's more comfortable with 7-10 feet back. Ali stated that with the geometry of the lot, as it goes into the corner of the odd swoop it gets kind of tight to make sure they might fire code.

Lance Jobe, Deputy Director of Engineering, mentioned that S. 40th Street is a minor street which has a 50-foot right-of-way and typically doesn't require on street parking. The trail as well, is in an easement and they are dedicating it as right-of-way which is also not required. He noted that their road right-of-way is much wider than normally would be the case because of the on-street parking, the tree grades and the trail. Jobe stated that there were design compromises the city requested that benefited the city and the site.

Cicioni asked if the Density Concept Plan was approved, the only building with the one-foot setback would be the most northeast building. Birdsong stated that since the other buildings show a seven to eight-foot setback, that it would only be the building in the corner.

Motion by Myers, Second by Samuels, to recommend the rezone/DCP to City Council.

Voice Vote: Unanimous – Yes. Motion carried.

RECOMMENDED to COUNCIL

OLD BUSINESS

NEW BUSINESS

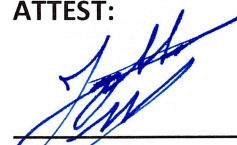
COMMISSIONERS' FINAL COMMENTS

The Chairman polled Commissioners for comments.

ADJOURN

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

ATTEST:



Jorge Andrade, Secretary

APPROVED:



John Schmelzle, Chairman

