



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 July 18, 2023 at 5:30 P.M. The meeting was called to order by Vice Chair Hannah Cicioni, followed by the Pledge of Allegiance.

ROLL CALL

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

ACTION ON MINUTES

Motion by Andrade, Second by Samuels, to approve the June 20, 2023, Planning Commission meeting minutes as presented.

Voice Vote: Unanimous – Yes. Motion carried.

APPROVED

PUBLIC FORUM

REPORTS

DECLARATION OF ABSTENTION

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

- Commissioner Steve Lane noted his need to abstain from Pinnacle New Hope #1 & #2 from the public hearings.

CONSENT AGENDA

1. LSDP: First Baptist Church Addition

A proposal to construct a 45,739-sf building addition at 3364 W. Pleasant Grove Road in the A-1 (Agricultural) zoning district.

2. SUB: Soaring at Scissortail

A proposal to construct a new 18-lot subdivision on 5.05 acres northwest of W. Pleasant Grove Road & Roberts Road in the NR (Neighborhood Residential) zoning district.

Burnett had questions about Soaring at Scissortail regarding the tree replacement and the changes made for it to be added back to consent agenda. Planner Christina Moore stated that the entire site is considered buildable area due to engineering requirements, the site has to have a positive grade. The replacement ratio is for every five removed, one is replaced. Additionally, their staff arborist said that the oak trees on the site do not respond well to disturbance and the change to dry soil would cause them to die in less than five years. They have also identified six trees that can be saved which were previously shown to be torn down. If they lessen the number of trees they're tearing down, they can lessen the number of trees they're replacing.

Burnett asked if this new proposal meets city requirements. Moore answered yes.

Cicioni asked for a motion on the Consent Agenda.

Motion by Myers, Second by Andrade, to approve the Consent Agenda as presented.

Voice Vote: Unanimous – Yes. Motion carried.

APPROVED.

PUBLIC HEARINGS

1. RZN: Wood Family Living Trust

A request by Wood Family Living Trust to rezone 503 S. 5th Street from the NR (Neighborhood Residential) zoning district to the NBT (Neighborhood Transition) zoning district.

Planner Christina Moore stated that this is located at the corner of S. 5th Street and W. Cypress Street just south of the Arkansas Arts Academy. The applicant is requesting to rezone to NBT (Neighborhood Transition Unit) which is what this area is designated as. The current use of sign family would be allowed in NBT as well as other potential uses like galleries, finance, insurance and real estate office, etc. Staff recommends the request to City Council.

Kenna Staats represented the request and had no comments.

Cicioni opened the public hearing for comments.

The public hearing was declared closed.

Motion by Myers, Second by Burnett to recommend the rezone to City Council.

Voice Vote: Unanimous – Yes. Motion carried.

RECOMMENDED to COUNCIL

2. RZN: Elsa Properties LLC and Barry & Jill Williams

A request by Aaron Smith on behalf of Elsa Properties LLC and Barry & Jill Williams to rezone 509 & 515 N. 3rd Street from the R-DP (Residential Duplex Patio Home) zoning district to the NBT (Neighborhood Transition) zoning district.

Planner Christina Moore noted that this request is for two properties at 509 & 515 N. 3rd Street on the corner of W. Persimmon and N. 3rd Streets. The current zoning is R-DP and they are requesting to rezone to NBT (Neighborhood Transition Unit). The properties are designated to be NBT per the Comprehensive Growth Map and the current use of residential single family is allowed as well as other potential uses. Staff recommends the request to City Council.

Aaron Smith represented the request and had no comments.

Cicioni opened the public hearing for comments.
The public hearing was declared closed.

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

Voice Vote: Unanimous. Motion carried.

RECOMMENDED to COUNCIL

3. RZN/DCP: Saddle Ridge Townhomes

A request by Saddle Ridge Townhomes to rezone 6553 S. Bellview Road from the RMF-6A (Residential Multifamily, 6 gross units per acre, ownership) zoning district to the RMF-6.5A (Residential Multifamily, 6.5 gross units per acre, ownership) zoning district with a Density Concept Plan.

Planner Zachery Birdsong noted this is located in south Rogers at 6553 S. Bellview Road. It is near the southeast corner of S. Bellview Road and W. Lexington Drive just north of Lowell city limits. The applicant is requesting to rezone the subject property from Residential Multifamily, six units per acre, to own, to Residential Multifamily, 6.5 units per acre, to own. There exists residential multifamily, six units per acre zoning to the west and RSF-5 zoning to the north. The applicant is proposing an 18-unit townhome development on 2.7 acres at about 6.5 units per acre. The site is located within a neighborhood growth designation and the requested zoning is permitted within this area. The proposed density is just above the base density of six units per acre per the neighborhood growth designation. The development is located a quarter mile south of a partially undeveloped Neighborhood Center which is planned to provide some goods and services. Residential Multifamily use is allowed within the requested rezone and setback requirements are being met. The maximum height allowed for R-MF is 35 feet and the applicant is proposing a height of about 26 feet. Screening and buffer yard are required during the large-scale process for the development abuts single family residential zoning to the north, east and south. A mix of evergreen trees and shrubs are being provided to meet this requirement. No comments have been received from the public, drainage and other engineering items will be reviewed with the submission of the large-scale plans. Staff recommends referral to committee.

Dan Cole represented the request and had no comments.

Cicioni opened the public hearing for comments.

- Martin Vavra, resident of Lowell, had concerns about drainage and if a retaining wall would be built.

- Tyler Scantlan, resident of Lexington Subdivision, had concerns about drainage and the proposed privacy buffer.

There were no further comments. The public hearing was declared closed.

Dan Cole stated for that retaining wall in that southeast corner it would be an issue if we were elevating the pads, but we're actually doing the reverse of that. So, the drainage is not being impeded to any direction to where it would create a negative impact to those adjacent properties.

Best stated that one of the plants chosen on their landscape plan, is an invasive plant listed on the Arkansas Natural Heritage Commission. It's important that invasive plants are not used in developments and it would need to be swapped out. Cole stated it won't be an issue to revise the landscape plan.

Burnett asked why this request was referred to committee. Birdsong said items are referred to committee if they are DCP's or don't have a specific underlying zone shown on the Comprehensive Growth Map.

Motion by Myers, Second by Samuels, to recommend the rezone/DCP to City Council with the removal of the invasive plant.

Voice Vote: Unanimous – Yes. Motion carried.

RECOMMENDED to COUNCIL

4. RZN: Crossover Trails

A request by Crossover Trails to rezone 29.73 acres along E. New Hope Road and north of S. Monte Ne Road, near the northeast corner of E. New Hope Road and S. Cierra Drive, from the A-1 (Agricultural) zoning district to the R-SF (Residential Single Family) zoning district.

Planner Zachery Birdsong stated this property is in east Rogers near the northeast corner of E. New Hope Road and S. Cierra Drive. The applicant is requesting a rezone to Residential Single Family which is permitted within the neighborhood growth designation. The subject property is currently zoned Agricultural, this zone is not permitted within the neighborhood growth designation. Residential Single-Family zoning exist immediately to the west as well as to the southeast. Staff's recommendation is referred to Committee.

Chase Allison with Halff represented the request and had no comments.

Cicioni opened the public hearing for comments.

The public hearing was declared closed.

Motion by Myers, Second by Burnett to recommend the rezone to City Council.

Voice Vote: Unanimous – Yes. Motion carried.

RECOMMENDED to COUNCIL

5. RZN: Haardt Living

A request by Joseph Bieker for Haardt Living to rezone 2.2 acres at 1700 S. 26th Street from the A-1 (Agricultural) zoning district to the R-DP (Residential Duplex Patio) zoning district.

Planner Zachery Birdsong noted the subject property is located in central Rogers at 1700 S. 26th Street. It is at the southwest corner of W. Seminole Drive and S. 26th Street across the street from Duck Wheeler Park. The applicant is requesting a rezone to Residential Duplex and Patio which is permitted within the neighborhood growth designation. The subject property is currently zoned Agricultural which is not permitted for the neighborhood growth designation. There are existing Residential Duplex and Patio zonings to the north, south and northeast.

Public input has been received from a nearby resident voicing concerns over the possible addition of duplexes and rental properties and its effect on their property values, and other residents brought up density and traffic concerns. Staff will note that the adjacent road along the northern border of this property W. Seminole is in substandard condition and must be widened and built out before approval of a lot split or further development. Birdsong also noted that the R-DP lot size requirements states that for duplex you need to have a lot size of at least 12,000 square feet. If you were to have an acre lot for example, you would only be able to split that lot into three parcels to have a duplex on each one. Which would mean that the max density that would be allowed per acre for duplexes would just be three duplexes, which would be six units per acre, which is the base density allowed per the neighborhood growth designation and could be done through R-SF zoning as well. Staff's recommendation is to refer to committee.

Joseph Bieker represented the request and had no comments.

Cicioni opened the public hearing for comments.

- David Cole, 1605 S. 27th Street, had concerns about property values decreasing, crime rate going up, and rental properties not being maintained.
- Lee Brown, 1709 Indian Trails Drive, concerned about property values decreasing and W. Seminole Drive not being a wide enough street.
- Scott Lindauer, 1602 S. 28th Place, agrees with previous concerns and thinks single family would be more fitting.
- Nancy Rogers, 1806 S. Indian Trail Drive, also believes single family would be better for this area.
- Uriel Cortes, 1704 S. 26th Street, had concerns about future development for multifamily in the area.
- Kelsey Kreher, 1601 S. 20th Place, curious how properties would be impacted if sewer is required if subject property is developed.
- Ron & Sheila Golie, 3230 W. Seminole Drive, concerned about water runoff, traffic and property values.
- Tasha Settles, 1603 S. 27th Place, has concerns about increase in traffic.
- Angelique Morales, 1603 S. 26th Place, agrees with previous concerns.
- Andy Warren, 2718 W. Seminole Drive, has concerns about increase traffic.

There were no further comments. The public hearing was declared closed.

Bieker stated that this is just a rezone request and no plans were submitted because he does not know what those plans look like at the moment. If the property is developed, they would possibly do single family, patio homes that are ADA compliant.

Lane asked if W. Seminole Drive would need to be widened before a lot split or further development. Birdsong said yes and it would essentially be a two-lane road and sidewalks.

Best asked what the total units allowed would be. Birdsong said the max would be six units an acre.

Myers stated that pretty much all the multifamily resides to the east of S. 26th Street and everything on the west side is single family. As you get closer to W. New Hope Road the use gets more and more intense. Single family homes might fit just fine at the subject property but duplexes start changing the character of everything that lives on the west side of S. 26th Street and that is why he would not be for multifamily.

Burnett and Birdsong discuss the density for the subject property.

Motion by Myers, Second by Burnett to deny the rezone request.

Voice Vote: 7 – Yes, 1 – No. Motion carried.

DENIED

6. RZN/DCP: 9th Street Development

A request by 9th Street Development to rezone 7.98 acres at the intersection of W. Linda Lane & S. 9th Street from the RMF-10B (Residential Multifamily, 10 units per acre, rentals) zoning district to the RMF-9.5B (Residential Multifamily, 9.5 gross units per acre, rentals) zoning district with a Density Concept Plan.

Planner Nicholas Little noted this project is located northwest of the intersection of W. Banz Road and S. 8th Street. This rezone action would take the subject property from its current zoning RMF-10B to RMF-9.5B with a density concept plan. The proposed density concept plan includes 72 dwelling units on 7.98 acres, which gives the site a gross density of 9.02 units per acre. The concept plan contains both attached and detached townhome forms with three- and four-bedroom model options. The comprehensive growth map designates the subject property as neighborhood which allows for R-MF zoning, any proposed density above the base density of six units per acre in the neighborhood growth designation is required to go through the density concept plan process. The proposed setback as part of this DCP are five foot from all road rights-of-way, public and private, as well as a 15-foot setback from the perimeter of the exterior property line for the entire site. Engineering is requiring that the applicant provide pedestrian connection stub out to the east property line so that the development will have a direct pedestrian access to S. 8th Street upon future development of the lot to the east. All other

engineering comments are being reserved for the large-scale process. Staff's recommendation is to refer to committee.

Landry Stewart represented the request and had no comments.

Cicioni opened the public hearing for comments.

- Barbara & Paul Hricik, 1102 W. Cottonwood Street, against the rezone request and concerned about congestion.

There were no further comments. The public hearing was declared closed.

Stewart stated they've lowered the density to 9.5 and are keeping the 31 feet back to back residential section for those smaller townhome lots. They are providing a larger street section so there should not be any traffic or congestion on W. Linda Lane and S. 9th Street.

Myers asked about the walkway to the east. Little stated they're showing a trail sidewalk around the entire exterior of the development. The Engineering department was just looking for a specific stub, sidewalk stub out to the east so that whenever the property to the east of this property develops, pedestrians can get from here to S. 8th Street.

Best asked what the height of the structures were. Little stated they are only two story and meet the maximum height requirement.

Commissioners and staff discussed the proposed setbacks for the property.

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

Voice Vote: Unanimous – Yes. Motion carried.

RECOMMENDED to COUNCIL

7. RZN: Pinnacle New Hope #1

A request by Pinnacle New Hope LLC to rezone 11.55 acres at the southeast corner of W. Green Acres Road & S. 41st Street from the C-2 (Highway Commercial) zoning district to the U-COM (Uptown Commercial Mixed Use) and U-ENT (Uptown Entertainment) zoning districts.

Planner Nicholas Little stated this project is located north of the Promenade Mall at the southwestern corner of W. Lazy L Street and W. Bellview Road. The applicant is requesting to rezone the eastern portion of the lot that fronts W. Lazy L Street and S. Bellview Road to U-ENT and the western portion to U-COM. The comprehensive growth map here calls for regional center growth, but more specifically, the Uptown zoning plan calls for U-COM on the entire property. Uptown commercial mixed use. A CGM amendment would be required to change the Uptown zoning plan to allow for you U-ENT zoning on the eastern portion of the subject property. Staff proposes that the CGM and Uptown zoning plan be amended at this location to allow for U-ENT zoning. Although a CGM amendment would be required at this location to achieve the proposed

zoning staff finds this request for both U-COM and U-ENT zoning suitable here, given its regional center location nearby road network and close proximity to other commercial destinations. Staff recommends amending the CGM and Uptown zoning plan to allow U-ENT zoning as well as approve the rezone.

Taylor Lindley represented the request and had no comments.

Cicioni opened the public hearing for comments.

- Steve Cox, 307 W. Walnut Street, was in favor of the request.

There were no further comments. The public hearing was declared closed.

Motion by Samuels, Second by Myers, to amend the CGM to allow U-ENT zoning.

Voice Vote: 7 – Yes, 1 – Abstained. Motion carried.

RECOMMENDED to COUNCIL

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

Voice Vote: 7 – Yes, 1 – Abstained. Motion carried.

RECOMMENDED to COUNCIL

8. RZN: Pinnacle New Hope #2

A request by Pinnacle New Hope LLC to rezone 5.77 acres at the southwest corner of W. Huntington Drive & S. 41st Street from the C-2 (Highway Commercial) zoning district to the U-COM (Uptown Commercial Mixed Use) zoning district.

Planner Nicholas Little stated the project is south of the intersection of W. Huntington Drive and S. 42nd Street. The comprehensive growth map calls for regional center growth, but more specifically, the Uptown zoning plan calls for U-COM zoning. The requested zoning is consistent with that of the CGM and the Uptown zoning plan, staff recommends approval of the request.

Taylor Lindley represented the request and stated this is a supporting piece of this whole puzzle in the area and will be developed with mixed use facilities allowed within the U-COM district that supports the stadium's development.

Cicioni opened the public hearing for comments.

The public hearing was declared closed.

Motion by Myers, Second by Burnett, to recommend the rezone to City Council.

Voice Vote: 7 – Yes, 1 – Abstained. Motion carried.

RECOMMENDED to COUNCIL

OLD BUSINESS

NEW BUSINESS

COMMISSIONERS' FINAL COMMENTS

The Chairman polled Commissioners for comments.

Best wanted to thank everyone for the thoughtful conversations.

ADJOURN

There being no further business, the Chairman adjourned the meeting at 7:04 p.m.

ATTEST:

APPROVED:

Jorge Andrade, Secretary

John Schmelzle, Chairman