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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 19, 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, Samantha Best, Derek Burnett, Hannah Cicioni, Steve Lane, Ed McClure, Mark Myers, Mandel Samuels and John Schmelzle.

ACTION ON MINUTES

Motion by McClure, Second by Cicioni, to approve the September 5, 2023, Planning Commission meeting minutes as presented.

Voice Vote: Unanimous – Yes. Motion carried.

APPROVED

PUBLIC FORUM

REPORTS

Community Development Director John McCurdy presented a statement on a rezone request in downtown Rogers addressing concerns and avenues for an informed decision. McCurdy provided information on the draft for the new code and the section that would apply to downtown Rogers residential areas. The new code will introduce an overlay district in historic downtown areas to preserve the historic character of neighborhoods. McCurdy answered questions from the public.

DECLARATION OF ABSTENTION

Schmelzle 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 abstained from item one under New Business. Commissioner Ed McClure abstained from the Hannah Cicioni rezone. Commissioner Jorge Andrade abstained from LSDP, St. Vincent De Paul School. Commissioner Steve Lane abstained from LSDP, CarMax.

CONSENT AGENDA

1. LSDP: 2nd Street Industrial

A proposal to construct 115,089-sf of building area for Manufacturing, Wholesale, and

Distribution near the southwest corner of W. Hudson Road and N. 2nd Street in the I-1 and C-2 (Light Industrial, Highway Commercial) zoning districts.

2. LSDP: CarMax

A proposal to construct 11,311-sf. of building area for vehicle/equipment sales and rentals east of I-49 and west of N. Dixieland Road bordering Lowell city limits in the C-2 (Highway Commercial) zoning district.

3. LSDP: PLP Parking Expansion

A proposal to construct additional parking spaces for the existing development at 2740 S. 1st Street in the I-2 (Heavy Industrial) zoning district.

4. LSDP: St. Vincent De Paul School

A proposal to construct an addition to the existing school at 1315 W. Cypress Street in the RSF-5 (Residential Single Family) zoning district.

Commissioner Best was curious about the fee-in-lieu for 2nd Street Industrial LSDP and why the impervious requirement couldn't be met. Best stated she would like to pull the item from consent agenda and discuss in Zoning Review Committee.

Motion by Best, Second by Myers, to pull LSDP, 2nd Street Commercial from consent agenda.

Voice Vote: Unanimous – Yes. Motion carried.

APPROVED.

Schmelzle asked for a motion on the remaining items on Consent Agenda.

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

Voice Vote: 7 – Yes, 2 – Abstain (Andrade & Lane) Motion carried.

APPROVED.

PUBLIC HEARINGS

1. RZN: Hannah Cicioni

A request by Hannah Cicioni to rezone 511 W. Pecan Street from the N-R (Neighborhood Transition) zoning district to the NBT (Neighborhood Transition) zoning district.

Planner Christina Moore stated the current zoning is Neighborhood Residential and the requested zoning is NBT (Neighborhood Transition) and the Comprehensive Growth Map designates this area to be NBT. The current use is single family residential and other potential commercial uses could be galleries, finance, insurance and real estate office, professional office, and mixed use with commercial and residential on top floor and townhomes. Staff recommends to refer the rezone request to the Zoning Review Committee along with the schedule of uses change.

Hannah Cicioni represented the request. Cicioni stated she is appreciative of the process and the fact that people are actually aware and knowledgeable. This is a home she grew up in and

she is investing to fix the interior of the property to make it better. The property will remain residential and she is choosing to take the path that has been dictated by this body and the council.

The Chairman opened the public hearing for comments.

- Franklin Jennings, 519 W. Pecan Street – issued a statement on behalf of himself and residents of the neighborhood who are against the rezone request.
- Rob Swearingen, 525 S. 6th Street – against rezone request.
- Kevin Thiessen, 515 W. Pecan Street – concerned about a mailing error on a previous rezone and NBT setbacks, and is against rezone.
- Korey Reed, 520 W. Pecan Street – agrees with previous speakers and urges postponing the rezone request.
- Randy McCrory, 404 N. 5th Street – concerned about NBT zoning.
- Will Swearingen, 416 S. 6th Street – against rezone.

The public hearing was declared closed.

Cicioni mentioned that upon a successful rezone, the side setbacks would increase from 6 feet to 10 feet since the adjacent properties are not zoned NBT.

Myers asked Cicioni if she is only remodeling the house. Cicioni said yes and nothing is changing from the exterior footprint of the house.

Burnett asks why she is seeking a rezone if she is only remodeling the home. Cicioni said she is doing something that is complying with the Comprehensive Growth Map.

Commissioners and staff discuss questions regarding the new code and Future Land Use Map for this area in downtown.

Motion by Samuels, Second by Myers, to refer the rezone request to Zoning Review Committee. Voice Vote: 5 – Yes, 2 – Abstain (Cicioni & McClure). Motion carried.

APPROVED.

2. RZN: SVM22 Homes

A request by SVM22 Homes to rezone 3.98 acres south of the intersection at N. 22nd Street & W. Easy Street from the RMF-12B (Residential Multifamily, 12 units per acre, rentals) zoning district to the NR (Neighborhood Residential) zoning district.

Planner Zachery Birdsong noted this site is located in north Rogers south of the intersection of N. 22nd Street and W. Easy Street. The request is to specifically rezone the property from RMF-12 to Neighborhood Residential. The requested zoning is allowed per the Neighborhood growth designation. The intent of the Neighborhood Residential zoning district is to make existing use of infrastructure and promote development in more established areas. Staff recommends referral to the Zoning Review Committee.

Jason Ingalls, with Expedient Civil Engineering, represented the request. Ingalls stated they previously tried to do a multifamily development at this site but staff was not in support of that. They are now downsizing from multifamily to neighborhood residential and plan to do about 22 single family homes.

The Chairman opened the public hearing for comments.

- Siva Sivakumar, 1205 N. 22nd Place – concerned about privacy and the increase to 12 units per acre.

The public hearing was declared closed.

Ingalls clarified that they are not increasing to 12 units per acre but that they are actually downsizing to below six units per acres.

Motion by Myers, Second by Lane, to recommend the rezone request to City Council for approval. Voice Vote: Unanimous – Yes. Motion carried.

RECOMMENDED to COUNCIL FOR APPROVAL.

3. CGM Amendment: Trinity Grace Church

A request by Trinity Grace Church to amend the Comprehensive Growth Map from Neighborhood to Neighborhood Center growth designation at 5845 S. Bellview Road.

Planner Nicholas Little stated this site is located in south Rogers on the east side of S. Bellview Road, just south of the intersection of W. West Drive & S. Bellview Road. The property is currently zoned A-1 in the Neighborhood growth designation. The applicants are seeking for the growth designation to be changed to Neighborhood Center and a subsequent rezone of the subject property to C-3, which would allow Neighborhood Commercial uses and form. The subject property is roughly .25 miles south of the Pleasant Grove Road & Bellview Road Neighborhood Center and about .55 miles north of the Garrett Road & Bellview Road Neighborhood Center. Typically, Neighborhood Centers are intended to be about a half mile apart and are located at functioning arterial intersections. Because of the subject property's close proximity to two existing Neighborhood Centers and its non-intersection location, staff feels that this is not an appropriate spot for a Neighborhood Center. Staff recommends that the request be referred to the Zoning Review Committee.

Barry Williams, with Crafton Tull, represented the request.

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

Lane stated that the Future Land Use Map shows this area as NHU and asked what NHU is. Little said that NHU is Urban Neighborhood and the intent for NHU is for high density, mostly multifamily and mixed middle housing in urban neighborhood and some commercial.

Motion by McClure, Second by Myers, to refer the item to Zoning Review Committee.

Voice Vote: Unanimous – Yes. Motion carried.

APPROVED.

4. CUP: Specialized Hail Company

A request by Specialized Hail Company to allow the use “Vehicle/Equipment Repair & Installation” at 702 N. 2nd Street in the C-2 (Highway Commercial) zoning district.
(Postponed at 9/5/23 meeting)

Planner Christina Moore noted this site is located on N. 2nd Street just west of Harps. The proposal is for a Conditional Use for an auto repair shop that performs paint less dent repair. The current zoning is not consistent with the Regional Center Growth designation. Per the downtown regional center zoning map the property is designated to be IA (Industrial Arts) which does not allow the proposed use.

There was not an applicant present to represent the request.

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

The public hearing was declared closed.

Motion by McClure, Second by Samuels, to deny the request.

Voice Vote: Unanimous – Yes. Motion carried.

DENIED.

CALL FOR RECESS

The meeting recessed at 6:53 p.m. for the following meetings:

- Board of Adjustment Meeting
- Zoning Review Committee

CALL TO ORDER

The meeting was called back to order at 7:32 p.m.

OLD BUSINESS

NEW BUSINESS

The Chairman asked if Zoning Review Committee had anything to add to the agenda under New Business. Myers noted the Zoning Review Committee had met and would recommend approval to the full commission on the LSDP, 2nd Street Commercial.

Motion by Myers, Second by Andrade, to approve the LSDP, 2nd Street Commercial as presented.

Voice Vote: Unanimous – Yes. Motion carried.

APPROVED.

Myers noted that the committee had also discussed the Cicioni rezone which they requested to postpone and the committee members directed staff to address the NBT setbacks, the allowed commercial uses in NBT, and to address the allowance of multifamily development in NBT. Myers also said they discussed the CGM Amendment but the applicant requested to withdraw the request until the new zoning is adopted.

Community Development Director John McCurdy gave a presentation on the Future Land Use Map and provided an update. He noted that there would be another presentation at the next Planning Commission meeting regarding the Future Land Use Map, a draft of the new code, and the Comprehensive Growth Map.

COMMISSIONERS' FINAL COMMENTS

The Chairman polled Commissioners for comments.

ADJOURN

There being no further business, the Chairman adjourned the meeting at 8:09 p.m.

ATTEST:

APPROVED:

Jorge Andrade, Secretary

John Schmelzle, Chairman