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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 April 16, 2024 at 5:30 P.M. The meeting was called to order by Chairman Ed McClure followed by the Pledge of Allegiance.

ROLL CALL

Commissioners attending: Jorge Andrade, Samantha Best, Derek Burnett, Hannah Cicioni, Ed McClure, Mandel Samuels, and John Schmelzle.

ACTION ON MINUTES

Motion by Schmelzle, Second by Andrade, to approve the April 2, 2024, Planning Commission meeting minutes as presented.

Voice Vote: Unanimous – Yes. Motion carried.

APPROVED.

PUBLIC FORUM

REPORTS

DECLARATION OF ABSTENTION

McClure asked that any Commissioners needing to abstain on agenda items state so and not participate in discussion or vote on the item. Chairman McClure abstained from the Directline Logistics rezone.

CONSENT AGENDA

1. LSDP: Vin Hotel

A proposal to construct a 53,137 sq. ft. hotel at 5501 W. Northgate Road in the U-COM & U-NBT (Uptown Commercial Mixed Use & Uptown Neighborhood Transition) zoning districts.

Motion by Samuels, Second by Best, to approve the large scale as presented.

Voice Vote: Yes - Unanimous. Motion carried.

RECOMMENDED

PUBLIC HEARINGS

1. Inform Rogers & Unified Development Code

Regarding adoption of Inform Rogers, a new comprehensive plan guiding land use and development for the City of Rogers, and adoption of the Rogers Unified Development Code regulating land use and development for the City of Rogers.

Planning Deputy Director Joe Rexwinkle gave a brief presentation about the new Comprehensive Plan and Unified Development Code. He also stated that a new Engineering manual will be adopted and there will be amendments to the Drainage manual.

2. CUP: William E. Sullivan

A request by William E. Sullivan for a Conditional Use Permit to allow the use "Vehicle/Equipment Sales & Rentals" at 2255 W. Hudson Road in the C-2 (Highway Commercial) zoning district.

Planner Zachery Birdsong noted this site is located at the northwest corner of W. Hudson Road and N. 22nd Street. The applicant intends on resubmitting a plan similar to one approved by Planning Commission in 2022 that expired last year. However, some changes will likely be required throughout the large-scale process due to any applicable regulation changes since approval. All conditional use requirements are met and there has been no public input. Staff recommends approval with the following conditions that the hours are confined from 8 am to 7 pm and that a 6-foot bufferyard be provided along the northern boundary of the site with a mix of evergreen trees and shrubs for full screening.

William Sullivan represented the request.

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

Motion by Schmelzle, Second by Cicioni, to approve the request

Roll Call: 8 – Yes, 1 – Abstained (Cicioni). Motion carried.

APPROVED with CONDITIONS.

3. RZN: Directline Logistics

A request by Directline Logistics to rezone 2259 N. 2nd Street from the C-2 & I-1 (Highway Commercial and Light Industrial) zoning districts to the I-1 (Light Industrial) zoning district.

Planner Zachery Birdsong noted this site is currently made up of two zones, I-1 and C-2, and the applicant is requesting that the entire site be rezoned to I-1. The requested zoned is allowed per the Comprehensive Growth Map. Staff recommends referring to Zoning Review Committee due to there being more than one zoning option within this growth designation.

Jorge DuQuesne represented the request.

Secretary Best opened the public hearing for comments.

- Nancy Zarzosa with NWA Headstart was concerned how this rezone would affect the childcare center that is adjacent to the site in question.

The public hearing was declared closed.

Senior Staff Attorney John Pesek stated this rezone would only affect the subject property at 2259 N. 2nd Street.

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

Roll Call: 6 – Yes, 1 – Abstained (McClure). Motion carried.

RECOMMENDED.

CALL FOR RECESS

CALL TO ORDER

OLD BUSINESS

1. VAR: The Pointe at Rogers

A request by The Pointe at Rogers to allow Rogers Planning Staff to extend the approval of the LSDP at ±67.17 acres Near the intersection of S. Champions Drive and W. Pleasant Grove Road in the C-3 (neighborhood commercial) zoning district. (Tabled at 4/2/24 meeting)

Planner Nicholas Little stated that this request was tabled at the previous Planning Commission meeting and that the commission was looking for a compromise road design. Little explains the proposed plans submitted by the applicant to achieve the requested connectivity and explains staffs suggested plan.

Planning Commissioners discuss the suggested connectivity plans by staff and the applicant.

McCurdy states that if the developer is not okay with staff's suggested plan then the Commission may deny the large scale or the developer can table the request.

Bill Watkins presents his clients proposal on achieving the connectivity. Watkins and McClure discuss potential issues with a Planning Commission approved design.

Timothy Daters, with White-Daters & Associates, gave an analysis on why some of the proposed connections wouldn't make sense.

Commissioners and applicant discuss the request.

McCurdy states that the primary concern with this phase is that it interrupts the main intersection on Pleasant Grove to Champions to the west. The left turn conflict is what a roundabout is designed to solved.

Watkins states that his client would be willing to table and reengage with staff to see what kind of internal connectivity is created.

Motion by Samuels, Second by Best, to table the request until the 5/7/24 Planning Commission meeting.

Voice vote: Unanimous– Yes. Motion carried.

TABLED.

NEW BUSINESS

1. LSDP: NWA Drop Yard Gravel Vehicle Storage Waiver

A waiver request by NWA Drop Yard for paved parking at 2609 W. Hudson Road in the I-1, CU (Light Industrial w/ Condominium Unit) zoning district.

Planner Nicholas Little stated the nature of this request is a waiver, allowing the use “Vehicle Storage” on gravel, and LSDP consideration for the Drop Yard NWA. The portion of code that allows for consideration of a waiver for using a property for Vehicle Storage on gravel comes from Sec. 14-256(6). This code states that sufficient screening and parking requirements must be provided as a condition of the waiver.

A grading permit was issued at this location, allowing 4.95 acres of gravel on the south end of the subject property. No such expansion of the gravel has been permitted, but according to the historical aerial imagery of the site, the graveled area was expanded sometime between early 2021 and early 2022. The graveled area has not changed since the second expansion.

Little provided information about the latest LSDP and tree demolition and preservation plan submitted by the applicants on 4/2/24. Per approval of the proposed LSDP, the applicants would be required to plant 951 trees, including 715 mitigation trees for indiscriminate clearing (5:1 ratio), 14 standard mitigation trees, based off of proposed clearing per this LSDP (1:5 ratio), and 222 trees, based off of their 20.39-acre development area. Their landscape plan with the latest submittal proposed 216 trees, citing a 2:5 alternative compliance ratio. Staff recommends denial of the waiver and large scale.

Chad Caletka, with CEI Engineering, represented the request and said the intent of this large scale is to complete the waiver for the vehicular storage on gravel. The screening requirements along the eastern property line against the residences are being met, and they are also adding additional screening on the other sides. The drainage will be brought up to code with the offsite channel as well as the detention for the site. They will also be removing the curb cut on Hudson Road and move the driveway over to 26th Street which is more favorable from an access perspective.

Community Development Director John McCurdy explains the issue with the applicant's clearing of trees without a large-scale development plan.

Schmelzle asked what would've happened to those trees if a 250,000 square foot building were to come in and what is the reasoning for the required asphalt. McCurdy said there would still be a tree replacement plan and also noted that the tree and asphalt requirements are both code requirements.

Senior Staff Attorney John Pesek clarified that this is a code requirement. There is a process if you want to remove trees and if you do not follow the process, as they did not here, there is punishment for that. With that being said, we're trying to work with them. That's why the large-scale development plan is encouraged but the city council has made it very aware if you remove these trees without going through this process, the fines are very significant. We have worked with them and have tried to reduce the number of trees required by working with him but the punishment set out by City Council is more severe than what has been required right here.

Commissioners and applicant further discuss the request.

Motion by Cicioni, Second by Best, to deny the waiver request
Roll Call: 6 – Yes, 1 – No (Schmelzle). Motion carried.

DENIED

Motion by Cicioni, Second by Andrade, to deny the large scale.
Voice vote: Yes – Unanimous. Motion carried.

DENIED

COMMISSIONERS' FINAL COMMENTS

ADJOURN

There being no further business, the Chairman adjourned the meeting at 7:19 p.m.

ATTEST:

APPROVED:

Samantha Best, Secretary

Ed McClure, Chairman