



COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
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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 November 19, 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: Samantha Best, Derek Burnett, Hannah Cicioni, Steve Lane, Ed McClure, Mark Myers, Mandel Samuels and John Schmelzle.

ACTION ON MINUTES

Motion by Samuels, second by Best, to approve the November 5, 2024, Planning Commission meeting minutes as presented.

Voice Vote: Unanimous – Yes. Motion carried.

APPROVED.

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. There were none.

REPORTS

Planning Deputy Director Joe Rexwinkle gave a brief presentation on new DWG items listed below:

- Arvest Bank Downtown – delayed, no resubmittal. About seven weeks to approval.
- Eighth Street Motel & Restaurant – on schedule for DWG approval on 11/25/2024.
- Marquee Townhomes – on schedule for DWG approval on 11/25/2024.
- Valley West – on schedule for DWG approval on 11/25/2024.
- Metaphase – approved by DWG on 11/12/24.
- Metaphase Highlands Oncology – on schedule for DWG approval on 12/9/24.
- Dixieland & Olive Apartments – delayed, no resubmittal.
- Pleasant Crossing Master Plan – approved by DWG on 11/12/24.
- Rainbow Road Subdivision – waiting on resubmittal.
- Teufel Medical Office - on schedule for DWG approval on 11/25/2024.
- Pinnacle Village Townhouses – two-week delay.

Community Development Director John McCurdy stated that a number of commissioners would have expired appointments in December and some of them would have replacements around January.

McCurdy recommended that the commission consider voting to eliminate the second Planning Commission in December due to City Council not meeting on the fourth Tuesday of December.

Motion by Schmelzle, second by Cicioni, to remove the second Planning Commission meeting in December.

Voice Vote: Unanimous – Yes. Motion carried.

APPROVED.

PUBLIC FORUM

None.

CONSENT AGENDA

a. Summerwood Subdivision

Approving a preliminary plat located on 2.09 acres near W. Price Lane & S. 1st Street for 10 lots for single family homes in the T4.1 zoning district.

b. Trinity Grace Church

Approving a large-scale development at 5845 S. Bellview Road for an 8,668-sf addition and paved parking to an existing church in the T2 zoning district.

c. Blue Ember Smokehouse

Approving a large-scale development at 1723 W. Pleasant Grove Road for a 5,810-sf restaurant and paved parking in the C-2 (Highway Commercial) zoning district, translated to T5.2 zoning under the new Unified Development Code.

d. 2nd Street Rezone

Approving a rezoning subject to standard review on 10.06 acres off of N. 2nd Street, near the southwest corner of N. 2nd Street and W. Hudson Road from the I-1 zoning district to the T5.2 zoning district.

e. Faithful Friends Animal Clinic Rezone

Approving a rezoning subject to standard review at 5497 S. Pinnacle Hills Parkway from the T2 zoning district to the T4.2 zoning district.

Motion by Myers, second by Cicioni, to approve the consent agenda.

Voice Vote: Unanimous – Yes. Motion carried.

APPROVED.

REGULAR AGENDA – Items Removed from Consent

REGULAR AGENDA – New Business

a. Nicholas & Shea Frakes Rezone

A rezone request subject to enhanced review at 5581 S. Bellview Road and a portion of 5537 S. Bellview Road from the T2 zoning district to the T5.1 zoning district.

Planner Amber Long stated that the applicant is requesting to rezone from T2 to T5.1 in the Urban Neighborhood Placetype. Long noted that this is the first enhanced review rezone since the UDC has been adopted and explained the FLUM's relationship to the rezone process. In the UDC there is certain criteria reviewed for enhanced review rezones and explained which of them are being met and which are not with the proposed request. Staff recommends denial

due to the request for T5.1 being inappropriate. Long mentioned that the applicant would like the commission to consider another appropriate zoning.

The Chairman opened the public hearing for comments.

- Therese Rohr – against request.
- Gregg Lawler – concerned about additional traffic and proposed commercial at this site.

The public hearing was declared closed.

Will Kellstrom represented the request and said the applicant is requesting T5.1 for flexibility on uses. Kellstrom said they are amenable to zoning down to T4.2 if the commission would consider that.

Commission and staff discuss allowed uses in T4.2. Staff clarifies the use standards and restrictions under T4.2, emphasizing the importance of compatibility.

Motion by Samuels, second by Lane, to approve the rezone request to T4.2.

Voice Vote: Unanimous – Yes. Motion carried.

APPROVED.

b. Villas at Turtle Creek Phase 2 Rezone

A rezone request on 9.63 acres near the southwest corner of W. Walnut Street & S. 28th Street from the C-2 (Highway Commercial) & RO (Residential Office) zoning districts to the C-3 (Neighborhood Commercial) zoning district, translated to T5.1 zoning under the new Unified Development Code, with a Density Concept Plan.

Planner Zachery Birdsong noted that this request is under Chapter 14 and the applicant is proposing a mixed-use development that includes 171 units on ±9.6 acres resulting in about 18 units per acre. The requested rezone to C-3 is the only zoning designation allowed within the Neighborhood Center Growth Designation. The proposal does not meet underlying C-3 zoning regulations regarding front setbacks, building frontage percentage, and height requirements but Density Concept Plans do allow for proposals that vary from the underlying zoning. This proposal is consistent with adjacent properties. There have been two approved multifamily developments to the west and southeast of this site. Staff is recommending approval.

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

Jess Griffin represented the request.

Commissioners and staff discuss the height and building locations.

Motion by Schmelzle, second by Cicioni, to approve the request as presented.

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

APPROVED.

COMMISSIONERS' FINAL COMMENTS

ADJOURN

There being no further business, the Chairman adjourned the meeting at 6:14 p.m.

ATTEST:

APPROVED:

Samantha Best, Secretary

Ed McClure, Chairman



DEPT. OF COMMUNITY DEVELOPMENT
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**BOARD OF ADJUSTMENT
MINUTES
November 19, 2024**

The **Rogers Board of Adjustment** met for a public meeting at Rogers City Hall at 301 W. Chestnut Street on November 19, 2024 at 5:52 P.M. The meeting was called to order by Chairman Mandel Samuels.

ROLL CALL

Board members attending: Derek Burnett, Hannah Cicioni, and Mandal Samuels.

ACTION ON MINUTES

Motion by Cicioni, second by Burnett, to approve the 11/5/24 Board of Adjustment minutes as presented.

Voice vote: YES - Unanimous **Motion carried**

APPROVED

NEW BUSINESS

1. VAR: Drop yard

To allow gravel as a paving surface, exceptions for the landscape buffer areas along the western, northern and eastern property boundaries, a decrease in open space trees provided, and payment into the tree fund, despite site specific hardship at 2609 W Hudson Road in the I.1 (light Industrial) zoning district.

Planner Nicholas Little presents the variance request for the NWA drop yard development, detailing the variances requested and their implications. Nicholas presents a summary of staff's recommendations. Denial on the request to allow gravel as a permitted paving surface for commercial developments and to allow less open space trees to be provided than what is required for section 5.6.4.2. Approval on the request to modify the landscaping buffering requirements in Table 5.5.5.A along the western, northern, and eastern property boundaries, with the following conditions.

- An opaque privacy fence, no shorter than 6' tall, be provided east of the proposed landscape buffer along the eastern property boundary, that runs from the northeastern corner of the lot to the proposed entrance off of N. 26th Street.

Approval on variance to section 5.6.9., allowing the applicants to pay the difference for open space and mitigation trees not provided into the tree fund.

Representative Chad Caletka added that his client had agreed to pave the site so he would like that waiver to be removed.

The Chairman Samuels opened the public hearing for comments.
The public hearing was declared closed.

Further discussion between staff, applicant, and commissioners on the specifics of the landscape buffering and open space tree requirements.

Motion by Cicioni, second by Burnett, to approve the variance request to allow exceptions for the landscape buffer areas along the western, northern, and eastern property boundaries.

Voice Vote: Unanimous – Yes. Motion carried.

APPROVED.

Motion by Cicioni, second by Burnett, to deny the variance request to allow less open space trees.

Voice Vote: Unanimous – Yes. Motion carried.

APPROVED.

Motion by Cicioni, second by Burnett, to approve the variance request for tree fund payment.

Voice Vote: Unanimous – Yes. Motion carried.

APPROVED.

ADJOURN

There being no further business, the Chairman adjourned the meeting at 7:05 p.m.

As recorded by:

Karen Perez
Planning Technician
Community Development Department
City of Rogers

Approved by vote of the Board of Adjustment on:

Derek Burnett, BOA Secretary