



COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
planning@rogersar.gov
(479) 621-1186

ROGERS PLANNING COMMISSION MINUTES

The Rogers Planning Commission met for a public meeting at Rogers City Hall at 301 W. Chestnut Street on March 4, 2025 at 5:44 P.M. The meeting was called to order by Chairman Steve Lane followed by the Pledge of Allegiance.

ROLL CALL

Commissioners attending: Jorge Andrade, Samantha Best, Hannah Cicioni, Kevin Jensen, Steve Lane, Ed McClure, Isaac Stevens, and Ezequiel Tovar.

ACTION ON MINUTES

Motion by McClure, second by Cicioni, to approve the February 4, 2025, Planning Commission meeting minutes as presented.

Voice Vote: Unanimous – Yes. *Motion carried.*

APPROVED.

DECLARATION OF ABSTENTION

Chairman Lane asked that any Commissioners needing to abstain on agenda items state so and not participate in discussion or vote on the item. Lane abstained from the FLUM Amendments and HOFDO rezoning.

REPORTS

None.

PUBLIC FORUM

Doug Brinley stated that him and surrounding neighbors hadn't seen the new agenda for the March 4th Planning Commission and requested to see the agenda. Senior Staff Attorney John Pesek and Chairman Lane both noted that the agenda was posted on the city website.

CONSENT AGENDA

a. Olympus Rezoning

Approving a rezoning subject to standard review at 4199 W. New Hope Road from the T4.2 (Neighborhood High-Intensity) zoning district to a mix of the T4.2 (Neighborhood High-Intensity) and T5.2 (City Low-Intensity) zoning districts.

The Chairman opened the public hearing for comments.

- Scott Bowman – proposed development will have a massive impact on quality of life, safety and property values of Bloomfield residents.

Chairman Lane stated that this item would be moved to the regular agenda.

REGULAR AGENDA – Items Removed from Consent

a. Olympus Rezone

Approving a rezone subject to standard review at 4199 W. New Hope Road from the T4.2 (Neighborhood High-Intensity) zoning district to a mix of the T4.2 (Neighborhood High-Intensity) and T5.2 (City Low-Intensity) zoning districts.

Planner Zachery Birdsong noted that this request is to rezone a portion of the property to T5.2 (City Low-Intensity). The applicant's current proposal shows the T5.2 zoning approximately 76' away from the northern property line at its closest. It is over 200' away from the northern property line at the southwest portion of the site. There are also some existing utilities and stormwater pipes that exist on site, limiting the developable area. The subject property is located within the City Corridor Placetype and T5.2 zoning is standard review within this Placetype. T5.2 allows for 8 stories and does allow for more commercial uses. The proposed area for T5.2 is within one full transect of adjacent zones. A portion of the property to the north is shown to remain T4.2 to act as a transition from the residential properties to the north. The request is consistent with the FLUM and staff is recommending approval of the rezone request.

Will Kellstrom represented the request and noted that T4.2 and T5.2 are both allowed as standard review in City Corridor which is what the property is designated on the Future Land Use Map. Kellstrom noted that the buffer zone on the north end of the property has always been part of the plan and they actually increased that buffer so that it lined the entire northern property along Arapaho Drive. The northern part of the property will be challenging to work and you can be reasonably assured that nothing is going to take place up there.

The Chairman reopened the public hearing for comments.

- Doug Brinley – stated that him and neighbors would request that the rezone be tabled.
- Philip Martin – stated that a previous rezone in 2016 from R-O to C-2 was denied and hopes the current commissioners will respect the previous decision and deny this request.
- Dylan Shaddox – in support of the request.
- Adam Wilson – against request and has concerns about privacy and parking.

The public hearing was declared closed.

Commissioner Best expressed her concerns about the possibility of an 8-story building in this area. Commissioner's further discuss height transition standards.

Commissioner Jensen asked Kellstrom what specific entitlements he's seeking from T5.2 that he can't get from T4.2. Kellstrom stated that since so much of the property is difficult to use because of existing encumbrances, they need the additional density on the southern end of the property.

Commissioner Stevens noted that he can see this as a rezone to allow because the higher density would allow housing to be built more affordably at this site than if they use the same amount of property to appeal mass houses.

Motion by Stevens, second by Cicioni, to recommend the rezone request to City Council for approval. Voice Vote: 6 – Yes, 2 – No (Best and Jensen) Motion carried.

APPROVED.

REGULAR AGENDA – Old Business

a. Beauty 4 Ashes Investments Rezone

Approving a rezone subject to standard review at 721 W. Persimmon Street from the T4.1 (Neighborhood Medium-Intensity) zoning district to the T4.2 (Neighborhood High-Intensity) zoning district.

Planner Amber Long noted that this request is standard review in Urban Neighborhood. Urban Neighborhood is a mix of housing and neighborhood scale services. This request is consistent with the area and consistent with the existing uses so staff is recommending approval.

Ben Fernando represented the request and had no further comments.

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

Motion by Cicioni, second by Jensen, to recommend the rezone request to City Council for approval. Voice Vote: Unanimous – Yes. Motion carried.

APPROVED.

b. Dung Nguyen & Xinh Dinh Le Rezone

A rezone request subject to enhanced review at 315 S. Promenade Boulevard from the T2 (Rural) zoning district to the T5.1 (City Low-Intensity) zoning district. (*Tabled at 1/21/25 PC Meeting*)

Planner Amber Long stated that this request is enhanced review in the Urban Neighborhood and noted that nothing has changed in the report from when it was heard at the 1/21 PC meeting. There was discussion when it was heard the first time about the transition standards and how it would affect this property if developed under T5.1. The height would be limited to one story above the maximum height allowed on the abutting lot within 40' of the property line. Buildings must meet the minimum interior yard setback requirement for the abutting property. Proposed development in T5.1 shall provide Buffer Type A (Table 5.5.5.A) along property lines abutting T2. Staff recommends approval of the request.

Will Kellstrom represented the request and stated that the applicant does not have any concrete plans for this site and is requesting T5.1 for some of the additional uses allowed. He noted that a 6-story building here would be unlikely due to the height standards transitions.

The Chairman reopened the public hearing for comments.

- Doug Raymond – asked if T4.2 allows eating and drinking. Planning

Planning staff clarified that eating and drinking would not be allowed at this location because it is not in a center placetype.

The public hearing was declared closed.

Commissioners discuss transition standards and agree they don't have any issues with the uses in T5.1 but are concerned with the height.

Motion by McClure, second by Stevens, to recommend the rezone request to City Council for approval.

Voice Vote: Unanimous – Yes. Motion carried.

APPROVED.

c. RRA Real Estate Developers Rezone

Approving a rezoning subject to enhanced review on 44.27 acres near the intersection between W. Pleasant Grove Road & S. Rainbow Road from the T2 (Rural) zoning district to a mix of the T5.1 (City Low-Intensity), T4.1 (Neighborhood Medium-Intensity), and T4.2 (Neighborhood High-Intensity) zoning districts. *(Tabled at 1/7/25 PC Meeting)*

Planner Nicholas Little noted that this request was initially heard at the 1/7 Planning Commission meeting and noted that the applicant has updated their request. The updated zoning plan shows T4.2 as the intense center of the development along W. Pleasant Grove Road, T4.1 in the center of the property, and T3.2 along the edges of the property.

The zoning request of T3.2 in the Urban Neighborhood placetype is considered enhanced review. Typically, Urban Neighborhood would call for a more intense zoning that would allow a more urban building bulk, but in this case, T3.2 would be appropriate due to the adjacencies. All criteria are being satisfied for this enhanced review request.

The zoning request of T4.2 in the Neighborhood Center placetype is considered an enhanced review. In this instance, T4.2 is the highest intensity zone proposed and it's located central to the development and relatively central to the intersection in which the Neighborhood Center is based. This zone would allow some specific commercial uses and more housing types, which would attribute to this actually becoming a neighborhood center. All criteria are being satisfied for this enhanced review request.

The following are considered standard review per the UDC: T3.2 zoning in Neighborhood Fabric; T4.1 in Urban Neighborhood and Neighborhood Fabric; T4.2 in Urban Neighborhood.

The criteria for all of these standard review rezone requests are being met.

Staff recommends approval of the rezone request as revised by the applicant.

Taylor Lindley represented the request and stated that they've made several changes to the original request, taking feedback from the commission and neighbors. T3.2 is proposed around the entire boundary other than Pleasant Grove Road, in which they've removed T5.1 and are now proposing T4.2. This will still allow some of the same uses they are seeking and will restrict the building height to 4-stories.

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

Motion by Andrade, second by McClure, to recommend the revised rezone request to City Council for approval.

Voice Vote: Unanimous – Yes. Motion carried.

APPROVED.

REGULAR AGENDA – New Business

a. Annual review of the Rogers Comprehensive Plan in accordance with Section 2.9.3 of the Unified Development Code.

During this session we will hold a public hearing and begin discussing potential changes to the Future Land Use Map (FLUM).

Planning Deputy Director Joe Rexwinkle provided an overview of the annual review process for the Rogers Comprehensive Plan. The review includes four potential amendments to the FLUM, two of which are related to rezoning applications. Rexwinkle provides the following criteria you should consider when adopting the proposed amendments: whether the amendment proposes fiscal and environmental sustainability, meets the challenge of changing conditions, promotes public health, safety, and welfare.

The first amendment pertains to property along Dodson Road, south of future Oak Street. Last summer there was a rezone/DCP application for an apartment complex at the southwest corner of Oak and Dodson. After staff spoke with some of those neighbors, they agreed that Regional Corridor is too intense to be right next to their neighborhood. This amendment would change the placetype from Regional Corridor to Urban Neighborhood and Suburban Neighborhood.

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

Cicioni asked if there are additional setbacks or standards that would apply if Suburban Neighborhood abuts Urban Neighborhood. Rexwinkle stated that the transition in height and setbacks previously referenced applies regardless of the zoning district and would carry forward in these two placetypes.

Motion by McClure, second by Andrade, to amend the FLUM to Suburban Neighborhood and Urban Neighborhood.

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

APPROVED.

The second amendment is an area north of downtown that should be IAT. The map that was presented to the Planning Commission and City Council back in July showed this area as IAT (Industry and Technology) but the map that was signed by the Mayor and put online showed it

as Downtown City Center placetype. Staff is seeking permission to change the official map to reflect what was previously approved which shows the subject area as Industry and Technology.

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

The public hearing was declared closed.

Motion by McClure, second by Jensen, to amend the FLUM to Industry and Technology.

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

APPROVED.

The third amendment is associated to a rezone application. The property is located at the south end of the city adjacent to Lowell. It is one of the three Regional Centers and it is more auto oriented in terms of the districts and uses allowed. The applicant had filed a rezone to I-1 (Light Industrial) so that they would be allowed a specific use. This would require changing the placetype to an Industry and Technology placetype or a Highway Corridor placetype. The City of Lowell made changes to their own ordinance to prohibit industrial uses along Goad Springs to reduce future impact of truck traffic. Lowell is also in the process of shifting the Razorback Greenway from the east side of the road to the west side of Goad Springs and is beginning work to tunnel the Greenway below AR-264 at Goad Springs. For all of these reasons staff does not support the FLUM amendment request.

The Chair opened the public hearing for comments.

- Libby Topping – noted that the developer would like to do a similar project to what is north of this site and said they do not anticipate the same kind of traffic as an industrial site.
- Marshall Savers – they are looking to do what is existing in the area and is in support of the request.

The public hearing was declared closed.

Jensen asked if there is another zone that better fits what the applicant is requesting. Rexwinkle noted that with a form-based code it consolidates a lot of uses into one broader category. In this case it's warehousing and the use would be allowed in the Highway Corridor which is an allowed zone in the Pleasant Grove Regional Center but it doesn't meet the use standards.

Motion by McClure, second by Stevens, to deny the FLUM amendment to Industry and Technology.

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

DENIED.

The fourth amendment is for a property to the east of Bellview Road and north of Perry Road. Some of the properties to the east of Bellview are part of the Uptown Regional Center and what is being requested is to expand the Regional Center further east. The proposed map shows that they are suggesting to change area A from Urban Neighborhood to Uptown Regional Center and area B from Neighborhood Fabric to Urban Neighborhood to provide adequate transition for area A.

The Chair opened the public hearing for comments.

- Taylor Lindley - the property to the south of Perry Road is already Uptown Regional Center so they would just be continuing that to the north.
- Greg Paschal – concerns about city services in this area, specifically the lack of city water and it's impact on public safety and welfare.

The public hearing was declared closed.

Community Development Director John McCurdy said he think's there could be a remedy for the neighbor that spoke out against the request. If the development came through, he could launch a complaint and then staff could require the developer to provide the water line to his property.

Motion by Stevens to approve the FLUM amendment to change area A to Uptown Regional Center.

Commissioners asked if they could make two separate motions for this FLUM amendment. Senior Staff Attorney John Pesek states that they could take them up separately or together.

Chair Best stated there was a motion and asked if there was a second. There was no second and Stevens withdrew his motion.

Motion by Andrade, second by McClure, to table FLUM amendment number four to the 3/18 PC meeting.

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

TABLED.

b. HOFCO Rezone

Approving a rezone on ±17 acres located NE of Bellview and Perry Road from the T2 (Rural) zoning district to the T5.2 (City Medium-Intensity) and T5.1 (City Low-Intensity) zoning district.

Rexwinkle states there is no need for a report since they have to table this request based on their decision for FLUM amendment number four.

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

The public hearing was declared closed.

Motion by McClure, second by Cicioni, to table this rezone to the 3/18 Planning Commission meeting.

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

TABLED.

c. Review sign code draft.

Planner Zachery Birdsong noted that there is no intent for a motion of the sign code draft, just for discussion and input. Birdsong describes the 11 subsections of the proposed sign code and goes through some of the proposed allowances in the draft.

Commissioners and staff review existing signs in the city as examples using the sign code draft.

McCurdy states there is no specific timeline for when this would be approved but would appreciate any feedback on the sign code draft from the commission.

COMMISSIONERS' FINAL COMMENTS

None.

ADJOURN

There being no further business, the Chair adjourned the meeting at 8:05 p.m.

ATTEST:

APPROVED:

Derek Burnett, Secretary

Steve Lane, Chairman



DEPT. OF COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
PHONE: (479) 621-1186
FAX: (479) 986-6896

**BOARD OF ADJUSTMENT
MINUTES
March 4, 2025**

The **Rogers Board of Adjustment** met for a public meeting at Rogers City Hall at 301 W. Chestnut Street on March 4, 2025 at 5:30 P.M. The meeting was called to order by Chairwoman Hannah Cicioni.

ROLL CALL

Board members attending: Ed McClure, Hannah Cicioni, and Kevin Jensen.

ACTION ON MINUTES

Motion by Jensen, second by McClure, to approve the 2/4/25 Board of Adjustment minutes as presented.

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

APPROVED

NEW BUSINESS

1. Armstrong VAR

Requesting a variance from the Unified Development Code at 805 S. 52nd Street in the T5.2 (City Medium-Intensity) zoning district.

Planner Nick Little stated the property is located on the east side of South 52nd Street, with its eastern property boundary fronting the interstate 49 right away. The requested variance here is to exceed the required separation distance between oversized pole signs, Table 5.8.2 of the UDC states that over that oversized pole signs must be no closer than 2640 feet from the nearest oversized sign. The applicant proposes placing the sign on the southeastern corner of their lot, about 430 feet away from the nearest oversized sign to the north. The applicant submitted no justification for the requested variance. The most obvious way to avoid this variance would be to utilize building signage, like so many of the buildings that front interstate 49. With the lack of hardship and justification staff recommends denial of the variance request.

Applicant Sam Harris, the market president for Armstrong bank explained the owner of the bank has a preference to have a standalone sign in the back of the property. This was the design that was decided on at the executive level, they wanted it to be consistent with their other branches.

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

Commissioner Ed McClure questioned when the property was purchased and if applicant was aware of the variance need and the staff recommendation. Commissioner Jensen questioned staff on the 2640 feet requirement give you a little background of why that number looks very specific. Deputy Director Joe Rexwinkle answered the oversized sign is intended to address billboards. If you look at the standards for the height and area that they're more consistent with the size of a billboard, it's just the title of that sign type was called oversized sign. That's why that separation requirement exists.

Commissioner Jensen stated the rules were in place when you purchase the property. The law requires 2640 feet and the requested sign is 430 feet away, a big difference. If you were 2638 feet I could see this going differently and there is no compelling hardship here for a sign this size.

Motion by McClure, second by Jensen to DENY the request as presented.
Voice Vote: Unanimous – Yes. Motion carried.
DENIED

ADJOURN

There being no further business, the Chairwoman adjourned the meeting at 5:43 p.m.

As recorded by:

Karen Perez
Planning Technician
Community Development Department
City of Rogers

Approved by vote of the Board of Adjustment on:

Kevin Jensen, BOA Secretary