



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

April 4, 2017

STAFF SUMMARY REPORT

TO: PLANNING COMMISSION

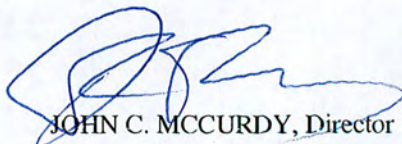
SUBJECT: Rezone Request 17-09

The Mills family requests a rezone per Sec. 14-727 from A-1 (Agricultural), Sec. 14-697, to a mix of C-2 (Highway Commercial) Sec. 14-709, R-O (Residential Office) Sec. 14-706, RMF-24B (Residential Multifamily, 24 units per acre, rentals) and RMF-12B (Residential Multifamily, 12 units per acre with rentals) Sec. 14-703.

PLANNING OFFICIAL: Lori Ericson

SUMMARY

- **BACKGROUND:** The applicant's plans are for
  - i. 141.85 acres of C-2
  - ii. 20.69 acres of R-O
  - iii. 13.62 acres of RMF-12B
  - iv. 11.99 acres of RMF-24B
- a. The request was tabled at the March 21 meeting, and the applicant has expanded the planned zoning districts for R-O and RMF-12B to address buffering concerns.
- b. The property is surrounded by a mix of A-1 and residential properties, with C-2 development north of Pleasant Grove Road and on the east side of I-49.
- c. The comprehensive zoning map shows the future zoning as a mix of commercial, office, and medium-density and high-density residential.
- **FINDINGS:** The planned development of the property as commercial is ideal for the city's future plans for growth along the I-49 corridor. This is likely the largest undeveloped open tract of property along I-49. Staff feels that commercial development is appropriate to flank the major arterial planned to dissect this property.
- **VIEWS OF OTHERS:** Public input from property owners in surrounding subdivisions has been primarily negative.
- **SUGGESTED MOTION:** "Motion to recommend approval/denial of the rezone from A-1 to C-2, R-O, RMF-24B and RMF-12B pursuant to Rogers Code Section 14-729."
- **RECOMMENDATION: Approval**  
Note: staff recommendations are based on the documentation available at the time they are made and may not reflect all of the information available to the members.

  
JOHN C. MCCURDY, Director



Department of Community Development

Tabs:

1. Memo for record
2. Original Staff Report
3. Amended Application
4. Public Hearing Notice
5. Owner affidavit
6. Zoning map provided by applicant
7. Map





DEPT. OF COMMUNITY DEVELOPMENT  
PLANNING DIVISION  
301 W. CHESTNUT  
PHONE: (479) 621-1186  
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April 12, 2017

TO: Rogers Planning Commission  
SUBJECT: Mills Rezone Request

1. The purpose of this memo is to provide staff feedback on the proposed adjustments to the originally submitted Mills Farm property rezone.
2. Rezone request as it relates to the November 2011 Comprehensive Growth Map.

It is important to note that the Comprehensive Growth Map predates the Master Street Plan, which was published June 2015.

Significantly, the Master Street Plan depicts a major arterial road that would function as a commercial frontage road along I-49, and is not taken into account on the Comprehensive Growth Map. This road would most appropriately be flanked by commercial development, but in the Comprehensive Growth Map it is flanked by RMF and MDR, and separated from commercial zoning depicted along I-49. Obviously, it does not make sense from a planning perspective to sandwich residential zoning between a major arterial frontage road and commercial property; nor does it make sense to place residential zoning between commercial property backing against a limited access major highway and the frontage road. For the purposes of this submission, then, we should view the Comprehensive Growth Map with its limitations at the micro level in mind. However, the fact that the intersection between Pleasant Grove Road and I-49 is depicted as a commercial center is relevant.

3. Future street plans and their impact on Pleasant Grove / I-49.

As mentioned in the original staff report, the Mills property represents one of the largest remaining pieces of prime commercial property along the I-49 corridor. Looking forward, Rogers intends to significantly improve Rainbow Road from Bentonville to the southern city limits, and expand Pleasant Grove Road through existing Southgate. This will result in the creation of a major thoroughfare around the western edge of the city connecting Bentonville to the Pleasant Grove / I-49 interchange, and the Pinnacle district. This will only increase the commercial value of the property in question.

From a transect densities perspective, the sort of urban high-density development currently found at the New Hope / I-49 interchange will likely spread between New Hope and Pleasant Grove, with concentrated development at both interchanges. Regional planning strategies seek to encourage concentrated growth in areas best served by major transportation arteries and future mass transit. The Pleasant Grove / I-49 interchange provides ideal regional access for this type of growth. In summary, the highest and best use of this property is urban multi-use, high density commercial, office and residential.

4. Impact of Silo Falls as a contextual factor in planning growth around the Pleasant Grove / I-49 Intersection.

At a recent ULI presentation, a speaker asserted the area along I-49 in Rogers is becoming the downtown of Northwest Arkansas. Silo Falls finds itself at the edge of what could very well become the most important intersection in Rogers. Just as the landscape surrounding Pinnacle Country Club has completely changed since the early 1990s, Silo Falls and other small subdivisions near this interchange will be impacted by growth. The question to grapple with at this point is how best to provide some reasonable transition from the urban density levels expected around the interchange and along the frontage road, and Silo Falls. Given Silo Falls' extreme



## Mills

proximity to the interchange, there is no ideal solution. Pinnacle is transforming into an urban pocket country club, and Silo Falls will almost certainly become an urban single family neighborhood at some point in the not distant future. "Buffering," then, is a less compelling planning objective in this situation than is density management.


### 5. The Mills Proposal.

The proposal is to convert the majority of the land (141.85 acres) into C-2, with buffer zones along the southwest corner consisting of RMF-24B, RMF-12B, and R-O.

The two RMF zones sit adjacent the proposed C-2 to the east, and either church or public school property to the west. Although the church and public school property are A-1, both properties support non-residential public / semipublic uses less sensitive to adjacent land use. Therefore, we see no concerns from a zoning perspective with the RMF zones. (We do note the proposed RMF-12B is diagonally adjacent the northwest corner of Silo Falls. However, considering the placement of a future east-west road separating Silo Falls from the Mills property, and the fact that any future RMF development will require LSD review and be subject to all setback and screening requirements, the placement of RMF near Silo Falls in this way is appropriate.)

The proposed RO zone provides an appropriate density transition between Silo Falls and the commercial zone. Per Chapter 14 of the Rogers Code, one purpose and intent of RO residential office is "...to establish a transition between residential and nonresidential uses" (§ 14-706. (a)). There is no other zone in the Rogers Code specifically designed to provide a transition between commercial and residential. The planning staff typically requires 300' wide RO transition space, and in the revised submission the proposed RO is 500'. We consider this to be ample.

6. Conclusion. If Silo Falls did not exist, the land it occupies would likely be developed at a higher density than it currently is. However, since it does exist our challenge is to manage the transition between what will become urban-level commercial, office and multi-use densities in the immediate vicinity of the Pleasant Grove / I-49 Interchange and this residential neighborhood. Although we are sympathetic to the concerns expressed by the residents, the proposed rezone is consistent with the spirit and intent of the City Code, future street plans, and growth management principles.



JOHN C. MCCURDY, Director  
Department of Community Development



DEPT. OF COMMUNITY DEVELOPMENT  
PLANNING DIVISION  
301 W. CHESTNUT  
PHONE: (479) 621-1186  
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March 14, 2017

STAFF SUMMARY REPORT

TO: PLANNING COMMISSION


SUBJECT: Rezone Request 17-09

The Mills family requests a rezone per Sec. 14-727 from A-1 (Agricultural), Sec. 14-697, to a mix of C-2 (Highway Commercial) Sec. 14-709, R-O (Residential Office) Sec. 14-706, RMF-24B (Residential Multifamily, 24 units per acre, rentals) and RMF-12B (Residential Multifamily, 12 units per acre with rentals) Sec. 14-703.

PLANNING OFFICIAL: Lori Ericson

SUMMARY

1. **BACKGROUND:** The applicant plans to market/develop the 188 acres for mostly commercial purposes, but a 25-acre portion is designated multifamily in the southwest corner of the property.
  - a. The property is surrounded by a mix of A-1 and residential properties, with C-2 development north of Pleasant Grove Road and on the east side of I-49.
  - b. The comprehensive zoning map shows the future zoning as a mix of commercial, office, and medium-density and high-density residential.
2. **FINDINGS:** The planned development of the property as commercial is ideal for the city's future plans for growth along the I-49 corridor. This is likely the largest undeveloped open tract of property along I-49.
3. **VIEWS OF OTHERS:** There have been a few inquiries from residential property owners expressing concern about the proximity of possible commercial development.
4. **RECOMMENDATION:** Approve.  
Note: staff recommendations are based on the documentation available at the time they are made and may not reflect all of the information available to the members.

  
JOHN C. MCCURDY, Director  
Department of Community Development

Tabs:

1. Amended Application
2. Original Application
3. Public Hearing Notice
4. Owner affidavit
5. Map





DEPT. OF PLANNING  
CITY OF ROGERS, ARKANSAS  
301 W. CHESTNUT  
PHONE: (479) 621-1186  
FAX: (479) 986-6896

OFFICE USE ONLY

Permit Fee: \$200 OK\* 52524 (\$200)  
Zoning: A-1 to C-2 & RMF24B  
Permit Number: 17-09  
CityView Application: PL201700135  
Date: 3-2-17

REZONE APPLICATION  
(AMENDED)

APPLICANT: Mills Family Farm

ADDRESS: 4204 S Pinnacle Hills Pkwy, Rogers, AR SUITE #: 102

GENERAL LOCATION OF PROPERTY: 188 Acres at the SW Intersection of Pleasant Grove Road and I-49

PHONE #: 479-636-4838 EMAIL: daniel.ellis@craftontull.com

PROPERTY OWNER: Mills Family PHONE #:

PRESENT USE: Agricultural ZONING: A-1

PROPOSED USE: Commercial & Multifamily ZONING: C-2 & RMF-24B  
RMF24B + R-O

Mills Family Farm LLC by Jan F. Mills Date 2/28/17  
Applicant Signature

Attachment Checklist:

- ☐ Legal description of property
- ☐ Applicant Certification
- ☐ Property Owner Affidavit
- ☐ Site plan as needed

PLANNING STAFF PROVIDES:

DATE FILED: 3-2-17 PUBLIC HEARING DATE: 3-21-17 CERTIFIED MAIL DATE: 3-10-17

PLANNING COMMISSION ACTION: DATE:

CITY COUNCIL ACTION: DATE:

ORDINANCE NUMBER: COMMENTS:





DEPT. OF COMMUNITY DEVELOPMENT  
PLANNING DIVISION  
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## NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Rogers Planning Commission in the Rogers City Hall at 301 West Chestnut on March 21, 2017 at 4:30 p.m. on the application by Mills Family Farm to rezone a 188 acres southwest of the intersection of Pleasant Grove Road and I-49 from A-1 (Agriculture) to a mix of C-2 (Highway Commercial) and RMF-24B (Residential Multifamily, 24 units per acre, rentals). The property being more particularly described as follows:

### LEGAL DESCRIPTION:

#### Property to be Rezoned C-2:

PART OF THE NE 1/4 OF THE NW 1/4 AND PART OF THE NE 1/4 OF SECTION 34 AND PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 35 ALL IN TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHWEST CORNER OF THE NE 1/4 OF SAID SECTION 34, AS SHOWN IN PLAT RECORD BOOK 2006 AT PAGE 130;  
THENCE ALONG THE WEST LINE THEREOF N02°38'15"E 1160.96 FEET;  
THENCE LEAVING SAID WEST LINE N87°56'51"W 340.34 FEET;  
THENCE N02°39'01"E 236.41 FEET;  
THENCE N87°20'59"W 174.06 FEET;  
THENCE N17°33'39"W 288.30 FEET;  
THENCE 139.39 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 390.00 FEET AND A LONG CHORD OF N27°48'00"W 138.65 FEET;  
THENCE N38°02'22"W 97.81 FEET;  
THENCE 212.93 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 300.00 FEET AND A LONG CHORD OF N17°42'21"W 208.49 FEET;  
THENCE N02°37'40"E 552.56 FEET TO THE SOUTH RIGHT OF WAY OF WEST PLEASANT GROVE ROAD AS DESCRIBED IN DEED RECORD BOOK 2008 AT PAGE 13526;  
THENCE ALONG SAID SOUTH RIGHT OF WAY S87°02'49"E 679.90 FEET;  
THENCE ALONG SAID SOUTH RIGHT OF WAY S81°20'05"E 141.32 FEET TO THE SOUTH RIGHT OF WAY OF WEST PLEASANT GROVE ROAD AS DESCRIBED IN DEED RECORD BOOK 2008 AT PAGE 13520;  
THENCE ALONG SAID SOUTH RIGHT OF WAY THE FOLLOWING EIGHT COURSES:  
THENCE S81°20'05"E 106.33 FEET;  
THENCE S86°44'55"E 141.30 FEET;  
THENCE 29.66 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 36.24 FEET AND A LONG CHORD OF S63°18'22"E 28.84 FEET;  
THENCE S02°33'08"W 66.45 FEET;  
THENCE S87°23'34"E 119.94 FEET;  
THENCE N02°34'10"E 64.02 FEET;  
THENCE 31.15 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 37.97 FEET AND A LONG CHORD OF N68°36'45"E 30.29 FEET;  
THENCE S87°52'56"E 395.06 FEET TO THE WESTERLY RIGHT OF WAY OF INTERSTATE I-49 AS DESCRIBED IN DEED RECORD BOOK 2008 AT PAGE 13517;  
THENCE ALONG SAID WESTERLY RIGHT OF WAY S88°11'22"E 98.88 FEET TO THE WESTERLY RIGHT OF WAY OF INTERSTATE I-49 AS DESCRIBED IN DEED RECORD BOOK 2008 AT PAGE 13514;  
THENCE ALONG SAID WESTERLY RIGHT OF WAY THE FOLLOWING FIVE COURSES:  
THENCE S03°06'14"W 11.04 FEET;  
THENCE S81°10'04"E 205.97 FEET;  
THENCE S53°00'50"E 54.09 FEET;  
THENCE S28°13'17"E 143.73 FEET;  
THENCE N74°24'33"E 13.12 FEET TO THE WESTERLY RIGHT OF WAY OF INTERSTATE I-49;  
THENCE ALONG SAID WESTERLY RIGHT OF WAY THE FOLLOWING SIX COURSES:



THENCE S37°46'17"E 114.97 FEET;  
THENCE S57°36'19"E 114.82 FEET;  
THENCE S70°48'37"E 400.47 FEET;  
THENCE S59°55'00"E 236.87 FEET;  
THENCE S42°23'59"E 234.71 FEET;  
THENCE S35°27'15"E 13.65 FEET TO THE WESTERLY RIGHT OF WAY OF INTERSTATE I-49 AS DESCRIBED IN COURT ORDER CV16 514-4;  
THENCE ALONG SAID WESTERLY RIGHT OF WAY THE FOLLOWING THREE COURSES:  
THENCE S43°14'07"W 253.66 FEET;  
THENCE S22°14'56"E 387.76 FEET;  
THENCE S86°54'25"E 345.25 FEET TO THE WESTERLY RIGHT OF WAY OF INTERSTATE I-49;  
THENCE ALONG SAID WESTERLY RIGHT OF WAY THE FOLLOWING THREE COURSES:  
THENCE S27°14'40"E 29.36 FEET;  
THENCE S31°16'02"E 300.03 FEET;  
THENCE S31°17'01"E 475.12 FEET TO THE WESTERLY RIGHT OF WAY OF INTERSTATE I-49 AS DESCRIBED IN COURT ORDER CV16 526-4;  
THENCE ALONG SAID WESTERLY RIGHT OF WAY THE FOLLOWING THREE COURSES:  
THENCE S60°31'28"W 239.78 FEET;  
THENCE S29°28'32"E 350.00 FEET;  
THENCE N60°31'28"E 227.77 FEET TO THE WESTERLY RIGHT OF WAY OF INTERSTATE I-49;  
THENCE ALONG SAID WESTERLY RIGHT OF WAY S30°22'55"E 175.00 FEET;  
THENCE ALONG SAID WESTERLY RIGHT OF WAY S31°14'03"E 253.46 FEET TO THE SOUTH LINE OF THE SW 1/4 OF THE NW 1/4 OF SAID SECTION 35;  
THENCE ALONG SAID SOUTH LINE N86°56'22"W 744.66 FEET TO THE SOUTHEAST CORNER OF THE SE 1/4 OF THE NE 1/4 OF SAID SECTION 34;  
THENCE ALONG THE SOUTH LINE THEREOF N86°56'22"W 1325.51 FEET TO THE SOUTHEAST CORNER OF THE SW 1/4 OF THE NE 1/4 OF SAID SECTION 34;  
THENCE ALONG THE SOUTH LINE THEREOF N86°56'22"W 1326.11 FEET TO THE POINT OF BEGINNING, CONTAINING 163.01 ACRES, MORE OR LESS AND SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY OF RECORD OR FACT.

AND

**Property to be rezoned RMF-24B:**

PART OF THE SE 1/4 OF THE NW 1/4 OF SECTION 34, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 34, AS SHOWN IN PLAT RECORD BOOK 2006 AT PAGE 130;  
THENCE ALONG THE SOUTH LINE THEREOF N86°55'18"W 1060.53 FEET;  
THENCE LEAVING SAID SOUTH LINE N02°37'42"E 495.26 FEET;  
THENCE S86°59'28"E 173.68 FEET;  
THENCE N02°39'01"E 445.07 FEET;  
THENCE N35°29'53"E 245.13 FEET;  
THENCE S87°56'51"E 753.84 FEET TO THE EAST LINE OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 34;  
THENCE ALONG SAID EAST LINE S02°38'15"W 1160.96 FEET TO THE POINT OF BEGINNING, CONTAINING 25.14 ACRES, MORE OR LESS AND SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY OF RECORD OR FACT.

**LAYMAN'S DESCRIPTION:**

188 acres southwest of the intersection of Pleasant Grove Road and I-49

Barney Hayes, Secretary  
Rogers Planning Commission

**PUBLISH ONE TIME ONLY 3-6-17**  
**BILL THE CITY OF ROGERS**



## PROPERTY OWNER AFFIDAVIT

The petitioner, Mills Family Farm, petitions the Planning Commission of the City of Rogers, Arkansas to rezone certain real property as set forth herein:

LEGAL DESCRIPTION: See Attached

LAYMAN'S DESCRIPTION: 188 Acres at the SW Intersection of Pleasant Grove Road and I-49

PRESENT ZONING: A-1

ZONING REQUEST: C-2 & RMF-24B

Respectfully Submitted,

By: Mills Family Farm by Jan Mills  
(Property Owner Signature)

STATE OF ARKANSAS

COUNTY OF Benton

Subscribed and sworn before me this the 28th day of February, 2017.

Lea Ann Kirby  
Notary Signature

Lea Ann Kirby  
Notary Name Printed

3-24-26  
Commission Expires









# Mills Property

Future Major Arterial  100' ROW  
Future Collector  70' ROW



0 250 500  
Feet

Rezone  
To C-2

Rezone  
To RMF-24B

Rezone  
To RMF-12B

Rezone  
To R-O

