

DEPT. OF COMMUNITY DEVELOPMENT

PLANNING DIVISION 301 W. CHESTNUT

PHONE: (479) 621-1186

FAX: (479) 986-6896

APRIL 10, 2019

TO:

PLANNING COMMISSION

REZONE – 3712 PHP LLC STAFF SUMMARY REPORT

ADDRESS:	3712 S. Pinnacle Hills Parkway
LAND OWNER:	3712 PHP LLC
APPLICANT/REP:	3712 PHP LLC / Portfolio Real Estate
CURRENT ZONING:	R-O (Residential Office)
PROPOSED ZONING:	U-COM (Uptown Commercial Mixed-Use)
GROWTH DESIGNATION:	Regional Center
AUTHORITY:	Sec. 14-727, Rogers Code of Ordinances

BACKGROUND

- 1) Planned Use: Mixed-use.
- 2) Zoning District Intent:
 - a) U-COM: Per Sec. 14-716(1.1)(a), the purpose of U-COM zoning is "to allow relatively dense, pedestrian-friendly, primarily commercial mixed-use development that retains many of the characteristics of the U-COR zone while allowing more flexibility with respect to building disposition, single-use form, off-street parking options, and increased setbacks. U-COM attains increased density over traditional, single-use (strip mall or office park) form through shared parking and maximum parking requirements, shared access, maximum setbacks, pedestrian connectivity between adjacent properties, the use of boulevards, and public spaces."
- 3) Growth Designation Characteristics:
 - a) Regional Center: Per CGM Page 1, Regional Centers are characterized by "high-intensity, high-density mixed-use areas that function as regional activity hubs for commerce, entertainment, living, recreation, and retail. Intensity supported by well-connected, high-capacity street networks with multi-modal accommodation. Form-based development standards encourage quality design, pedestrian friendliness, and efficient use of land. Compatibility with adjacent areas achieved with transitions; medium-density residential generally appropriate transition type, with special transition standards."
- 4) Existing PUD Designation: The proposed rezone is intended to replace a portion of the existing Pinnacle Hills West PUD (Tab 2). The subject property is not affected by any requirements or exceptions tied to the PUD and could reasonably be removed from the PUD without violating its conditions of approval. Since this rezone request is in accordance with the Uptown Zoning Plan, the proposed rezone would serve as a formal PUD modification per Sec. 14-717(c)(2).

STAFF REVIEW

ENGINEERING REVIEW: N/A

PLANNING REVIEW:

- 1) Land-Use Compatibility:
 - a) Comprehensive Growth Map: The proposed rezone is consistent with the CGM as it currently categorizes the subject property under the Regional Center Growth Designation. The Uptown Zoning Plan shows the subject property as U-COM.
 - b) General Findings: Staff finds this to be an appropriate rezone request based on the surrounding development context and consistency with the Uptown Zoning Plan. The subject property is unaffected by any specific PUD requirements that would be violated by the introduction of U-COM zoning standards.
- 2) Views of Others: No opposing or supporting comments have been received by the Planning Division to date.
- 3) RECOMMENDATIONS:
 - a) Consider request with regard to land-use compatibility and the health, safety, and general welfare of the public.
 - b) Recommend rezone for City Council approval.

ETHAN HUNTER, Planner III City of Rogers Planning Division

SUGGESTED MOTION:

 Move to recommend for City Council approval or deny/table the request by 3712 PHP LLC to rezone property at 3712 S. Pinnacle Hills Parkway to the U-COM zoning district.

DIRECTOR'S COMMENTS:

1) Agree with recommendations and suggested motion.

City of Rogers Department of Community Development

Tabs:

- 1. Rezone application with required supplements
- 2. Pinnacle Hills West PUD (plat)
- 3. Maps and/or photos



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

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OFFICE USE ONLY	
Permit Fee: # ZOO	(\$200)
Zoning: R-O to U-C	lom
Permit Number: 19-70	
CityView Application: PLZ690	2550
Date: 3-26-19	

REZONE APPLICATION

APPLICANT: 3/12 PHP, LLC			
ADDRESS: 3712 S. Pinnacle Hills Parkwa	y, Rogers, AR 72758 SUITE #: 101		
GENERAL LOCATION OF PROPERTY:	3712 S. Pinnacle Hills Parkway, Rogers, AR 72758		
PHONE #: 479-685-6660	EMAIL: kristen@portfolionwa.com		
PROPERTY OWNER: 3712 PHP, LLC	PHONE #: 479-685-6660		
PRESENT USE: Mixed Use	ZONING: R-O		
PROPOSED USE: Mixed Use	ZONING: UCOM		
Vistu 3	04.26.19		
Applicant Signature	Date		
Attachment Checklist: Legal description of property Applicant Certification Property Owner Affidavit Site plan as needed			
	PLANNING STAFF PROVIDES:		
DATE FILED: 3-26-19 PUBLIC HEARIN	NG DATE: $4-16-19$ CERTIFIED MAIL DATE: $4-1-19$		
PLANNING COMMISSION ACTION:	DATE:		
	DATE:		
	COMMENTS:		



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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 Street on April 16, 2019 at 5:00 p.m. on the application by 3712 PHP, LLC to consider a rezone from the R-O (Residential Office) zoning district to the U-COM (Uptown Commercial Mixed Use) zoning district at 3712 S. Pinnacle Hills Pkwy. the property being more particularly described as follows:

LEGAL DESCRIPTION:

Lot 1, Pinnacle Hills Office Park, Rogers, Benton County, Arkansas. PLAT 8/28/014 2014-422 & 423.

LAYMAN'S DESCRIPTION:

3712 S. Pinnacle Hills Pkwy.

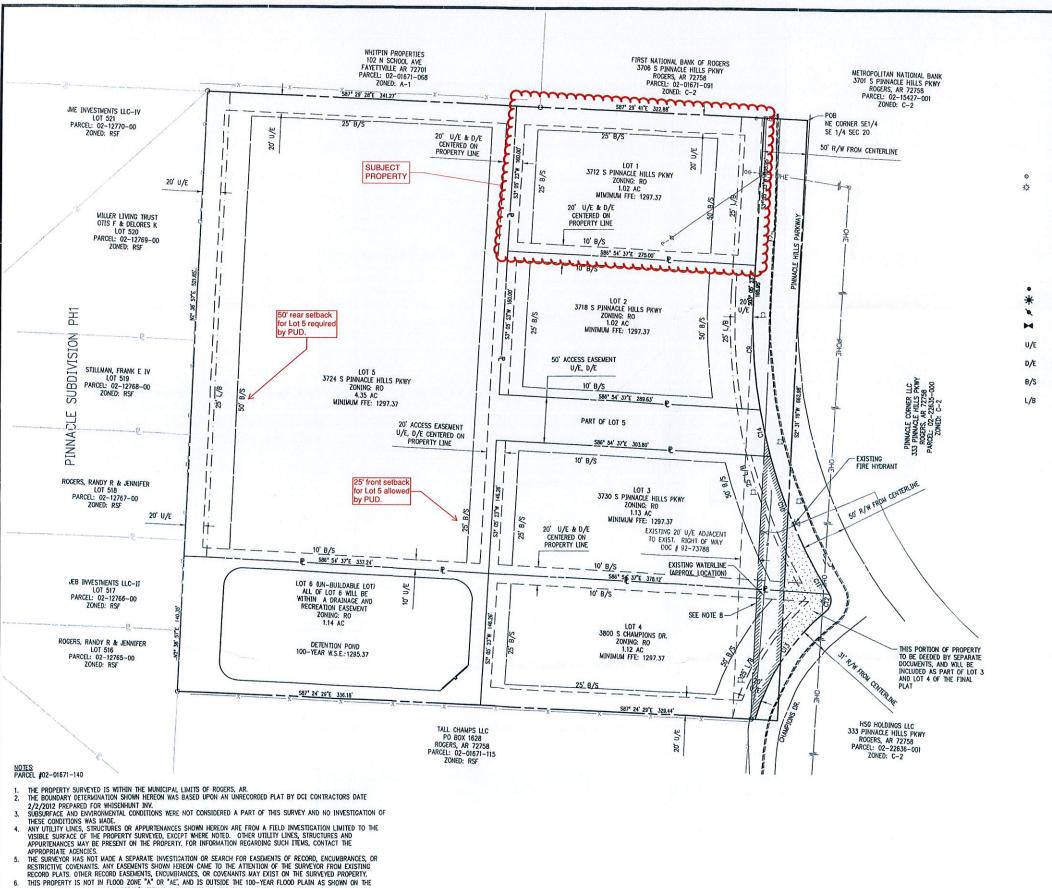
Mandel Samuels, Secretary Planning Commission

PUBLISH ONE TIME ONLY: April 1, 2019
BILL THE CITY OF ROGERS

PROPERTY OWNER AFFIDAVIT

The petitioner, 3712 PHP, LLC of Rogers, Arkansas to rezone certain real property	, petitions the Planning Commission of the City as set forth herein:
LEGAL DESCRIPTION: Lot 1, Pinnacle Hills	Office Park-Rogers, PLAT 8/28/2014 2014-422 & 423
LAYMAN'S DESCRIPTION: 3712 S. Pinnacle	Hills Parkway, Rogers, AR 72758
PRESENT ZONING: RO	
ZONING REQUEST: UCOM	
	Respectfully Submitted, By: (Property Owner Signature)
STATE OF ARKANSAS COUNTY OF COUNTY OF	
Subscribed and sworn before me this the 20 day	of March, 20 19.
ROBYN L BROOKS Notary Public Arksonal Benton Conet My Commission Expires Commission # 12	Roum Brooks Notary Signature Robyn Brooks Notary Name Printed
ROBYN L BROOKS	Commission Expires

ROBYN L BROOKS
Notary Public-Arkansas
Benton County
My Commission Expires 11-11-2021
Commission#12385258



6. THIS PROPERTY IS NOT IN FLOOD ZONE "A" OR "AE", AND IS OUTSIDE THE 100-YEAR FLOOD PLAIN AS SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM'S FIRM PANIE NUMBER 05007C0256K, REVISED DATE JUNE 5, 2012. THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP. IN ADDITION, NO INDEPENDENT STUDY OF THE LIKELIHOOD OF FLOODING OF THE SURVEYED PROPERTY HAS BEEN DONE BY THE SURVEYOR AND NO OPINION OF FLOOD HAZFORS IS INCLUDED IN THIS SURVEY.
7. ALL COPIES THAT DO NOT BEAR AN ORIGINAL SEAL AND SIGNATURE MAY HAVE BEEN ALTERED. THE ABOVE DECLARATION SHALL NOT APPLY TO ANY COPY THAT DOES NOT BEAR AN ORIGINAL SEAL AND SIGNATURE.
8. WEST RIGHT OF WAY CHAMPIONS DRIVE (OLD HORSE BARN ROAD) 30 FROM PROPERTY LINE AS DETERMINED BY FOUND MONUMENT. NO DEDICATION DOCUMENTS OF RECORD. THIS RIGHT OF WAY SHALL BE VACATED PER THIS PLAT.



S LEGEND (EXISTING)

SYMBOLS LINEWORK

P FOUND IRON PIN EASEMENT

CURB

RIGHT OF WAY

LEGEND (PROPOSED)

SYMBOLS

•	SET IRON PIN	EASEMENT
*	LIGHT POLE	
×	POWER FOLE	CURB
M	WATER VALVE	CHAIN LINK FENCE
U/E	UTILITY EASEMENT	WOOD FENCE
D/E	DRAINAGE EASEMENT	BARBED WIRE FENCE
B/S	BUILDING SETBACK	BUILDING SET BACK
L/B	LANDSCAPE BUFFER	LANDSCAPE BUFFER
		RIGHT OF WAY
		PROPERTY LINE

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C9	127.98	557.79	13°08'46"	N3° 29' 17"W	127.70'
C10	139.00	557.79	14°16'41"	N22° 32' 24"W	138.64'
C11	24.70'	557.79'	2°32'15"	N30° 56' 52"W	24.70
C12	21.90	15.00"	83°38'39"	N9° 38' 26"E	20.00'
C13	145.44	235.75	35°20'50"	N32° 38' 20"E	143.14'
C14	51.99'	557.79'	5°20'24"	N12" 43' 52"W	51.97'

LEGAL DECRIPTION:
A SURVEY OF PART OF THE SE1/4 OF THE SE1/4 IN SECTION 20,T-19-N,
R-30-W, BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT
RECORD 14 AT PAGE 307, BEING WORE PARTICULARLY DESCRIBED AS
FOLLOWS: BEGINNING AT THE NE CORNER OF THE SE 1/4, SE 1/4 OF SAID
SECTION 20 THENCE SE2*31*9" W, 662-38 ALONG THE EAST LINE OF SAID
SECTION; THENCE LEAVING SAID LAST LINE N 87*24*29*W, 665.62 FEET;
THENCE NO23*36*7*E, 662-00 FEET; THENCE S87*29*34*E, 664.15 FEET TO THE
POINT OF BEGINNING. CONTAINING 10.12 ACRES +/-



CEATION RULE ASSOCIATES, NC. 105

23 CRAFTON TULL

CELEBRATING 50 YEARS

PINNACLE HILLS WEST ROGERS, AR



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his document, and the ideas and is an instrument of professional se irafton, Tull & Associates, Inc., an ir in part, for any other project, wi uthorization of Crafton, Tull & As	rvice, is the property of d is not to be used, in whole lithout the written sociates, inc.
ROHET NO. 13107000 SSUE DATE 12/19/2013 ONTACT: I. ELY HECKED BY: WAY	ARKANSAS REGISTERED
1 West	PROFESSIONAL ENGINEER
2013 Crafton, Tuli & Associates, Inc.	O/ No. 14032
DELIMINARY PLAT	12/19/2013

C-101

