**MINUTES**

The **Rogers Planning Commission** met for a *regular session* in the Council Chambers of the Maurice H. Kolman Building on February 5, 2019 at 4:30 P.M. The meeting was called to order by Chairman Kevin Jensen. Those in attendance were led in the Pledge of Allegiance.

**MEMBERS PRESENT:** In addition to Chairman Jensen, Commissioners Dennis Ferguson, Rachel McLosky, Tony Noblin, Mandel Samuels, John Schmelzle, Don Spann, and Eriks Zvers. Commissioner Mark Myers was not present.

**OTHER OFFICIALS PRESENT:**

Community Development Director John McCurdy, Planning Administrator Lori Ericson, Staff Attorney Bonnie Bridges, Project Engineer Dylan Cobb, City Planners Ethan Hunter and Elizabeth Johnson, Deputy Fire Chief B.J. Hyde, Councilmembers Betsy Reithemeyer, Mandy Brashear, Jerry Carmichael, and Mark Kruger.

**ACTION ON MINUTES:**

Motion by Noblin, second by Zvers to approve the minutes of the January 15, 2019 meeting.

Voice vote: Unanimous - Yes. ***Motion carried.***

**REPORTS FROM STAFF:**

None

**REPORTS OF BOARDS AND STANDING COMMITTEES:**

Commissioner Zvers reported the Large-Scale Development Committee had met and considered five items:

1. **LSDP, Valley West Phase 2**, a townhouse development with 16 units on 2.64 acres on N. Valley West Drive, with a recommendation for approval contingent upon all conditions listed in the engineer’s report.
2. **LSDP, AMP Temporary Parking**, a 267-space parking lot on S. J.B. Hunt Drive with a recommendation for approval limited to a 5-year period and contingent upon all conditions listed in the engineer’s report and including approval of waivers as follows:

* Sec. 14-256(14)(B)(b) for required tree islands.
* Sec. 14-604(c)(2) for the requirement to provide local street (stub out) connections along each boundary that abuts potentially developable or re-developable land.
* Sec 14-608(1) for required 35’ right-of-way dedication from the centerline of S. J.B. Hunt Drive.
* Sec. 14-256(11) for 6’ sidewalk and min. 6’ greenspace.
* Sec. 14-46(g) for required street trees.
* Sec. 14-256(12) for required site landscaping.

1. **LSDP, Uptown Square**, a mixed-use development on 13 acres between S. Champions and S. Pinnacle Hills Parkway with a recommendation for approval contingent upon all conditions listed in the engineer’s report including recommended changes to the plan set and approval of waivers as follows:

* Sec. 14-256(11) for the requirement to provide a 10’ sidepath with a minimum 6’ greenspace along S. Pinnacle Hills Pkwy per the Master Street Plan major arterial street section.
* Sec. 14-256(14)(g) for the requirement to provide street trees.

1. **LSDP, Equity Storage**, a two-story 73,340 sf storage facility at 3909 W. Ajax Ave with a recommendation for approval contingent upon all conditions listed in the engineer’s report including recommended changes to the plan set and approval of a waiver to Sec. 14-256(11) for the requirement to provide a 10’ sidepath with a minimum 6’ greenspace along S. Bellview Rd per the Master Street Plan major arterial street section.
2. **LSDP, The Park at Olive Street**, a 26,021-sf proposed apartment building on 2.64 acres at 1000 N. 16th St. with a recommendation for approval contingent upon all conditions listed in the engineer’s report including recommended changes to the plan set and approval of a waiver of the maximum allowed offset for a driveway.

**APPROVED**Motion by Zvers, second by Spann to place all five projects on the Consent Agenda as presented.

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

**APPROVED**Motion by Noblin, second by Spann to approve the Consent Agenda.

Roll call: Unanimous – Yes. ***Motion carried.***

**OLD BUSINESS:**

None

**PUBLIC HEARINGS:**

**1. A request by Credence Automotive Repair for a Conditional Use to allow vehicle/equipment repairs and installation at 3010 W. Walnut St. in the C-2 (Highway Commercial) zoning district in the City’s Overlay District.**

Jason Jeong, the applicant, said the building was previously a car wash.

Chairman Jensen opened the public hearing.

There were no public comments, and the public hearing was declared closed.

The Commission discussed the number of vehicles that might be present at the business, and discussed the maximum width of the driveway, which exceeds the 40-foot maximum. They also discussed cross access easement requirements with adjoining properties.

**APPROVED**

Motion by Spann, second by Noblin, to approve the request by Credence Automotive Repair for a CUP to allow Vehicle / Equipment Repair and Installation at 3010 W Walnut Street with the following conditions:

* + All vehicles outdoor must be parked in a striped parking space or screened from view.
  + No more than 6 vehicles at a time outside.
  + No outdoor storage.
  + CUP granted on the basis of reducing the existing driveway width to city code, 40 feet wide, and obtaining access easements to allow for joint access to the existing driveway approaches and cross access to the adjoining properties.

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

**2. A request by Rogers Elks Lodge for a Conditional Use to allow a club and lodge at 1222 W. Poplar St. in the R-O (Residential Office) zoning district.**Attorney Bill Watkins presented the request explaining the history of the building, the parking availability, and the planned hours of operation from 4 to 11 p.m. five days per week, with other hours for special events. It has 8,000 sf, which is larger than their current facility. He said the Elks Lodge provides social and service activities for its members, and is a fraternal organization not a bar.

Chairman Jensen opened the public hearing:

* Patti Brunner, 1230 W. Poplar, said her home has a business zone but is a home. She said she is concerned about parking for the facility.
* Kharma Parker, 1232 W. Poplar, said she’s concerned about the playground, women’s shelter, religious, and medical facilities surrounding the site.

The Public Hearing was declared closed.

Watkins stated that there are 56 parking spaces at the site and more parking available after office hours, and argued the facility’s fit in the neighborhood.

**APPROVED**

Motion by Schmelzle, second by Ferguson, to approve the request by the Elks Lodge for a CUP to allow “Clubs and Lodges” at 1222 W. Poplar Street.

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

**3. A request by Juan Lopez and Cesar Nieto for a Conditional Use to allow vehicle/equipment sales and rentals at 1540 S. 8th St. in the C-2 (Highway Commercial) zoning district in the City’s Overlay District.**

Cesar Nieto explained the request and that he is also involved in the CUP granted for 1710 W. Prairie Creek Drive. He said he’s been in trouble for the number of cars at the Prairie Creek site, but that they plan to move many of those vehicles at the new site on S. 8th Street.

Chairman Jensen opened the public hearing. There were no comments, and the Public Hearing was declared closed.

Neito was questioned about the number of vehicles at the other site. He said that they got too excited about tax season and possible sales and bought too many cars.

He stated a plan to improve the S. 8th Street site. He stated they plan to build an office eventually, but place cars on the lot for now until he can raise enough money to build the building.

Noblin said he’s not comfortable with the lot being used for overflow even on a temporary basis. Spann also said he’s not in favor of a lot full of cars with no oversight. Commissioners encouraged Nieto to withdrawn and come back when he’s ready to develop the site. Nieto was told that if denied, the Commission could not consider the issue again for a year.

**WITHDRAWN**

Nieto stated that he’d like to withdraw. Chairman Jensen accepted the withdrawal.

**4**. **A request by Top Shelf Marine for a Conditional Use to allow marine sales, rentals, and services at 219 E. Locust St. in the C-2 (Highway Commercial) zoning district.** Withdrawn by applicant.

**5. A request by NWA Ground Services for a Conditional Use to allow Building Materials and services on 9.64 acres at 2121 S. Bellview Road, a mix of C-2 (Highway Commercial) and R-O (Residential Office) zoning districts.**

Alex Blass, developer, explained the project and plans to serve customers in the Pinnacle area with the landscape business. He touted the plan to build a mixed-use facility at the site that would include offices and possible retail/restaurant development.

Chairman Jensen opened the public hearing.

There were no comments, and the Public Hearing was declared closed.

Commissioners discussed the need for specifics about the design, particularly screening, to make the project viable in that location. Blass and Engineer Ryan Gill agreed to table the request and return to the Commission with a plan to address more of the concerns about a landscape business in this location.

**TABLED**Motion by Noblin, second by Ferguson, to table the CUP request.

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

**6. A request by Randy and Natalie McCrory to rezone 404 N. 5th St. from R-DP (Residential Duplex Patio Home) to the NBT (NeighborhoodTransition) zoning district.** Randy McCrory stated that he’d like his home to be rezoned for the NBT zone now allowed in the downtown area.

Chairman Jensen opened the public hearing.

There were no comments, and the Public Hearing was declared closed.

Jensen noted the rezone meets the Comprehensive Growth Map.

**RECOMMENDED**Motion by Noblin, second by Zvers to recommend **for City Council approval** of the request by Randy and Natalie McCrory to rezone 404 N. 5th Street from R-DP to NBT.

Roll Call: Unanimous - Yes. ***Motion carried.***

**7. A request by Samuel R. Annable for The Fields to rezone 5.40 acres at the northwest corner of W. Northgate Rd. and S. Champions Dr. from R-O (Residential Office) to a mix of the U-COM (Uptown Commercial Mixed Use) and U-NBT (Uptown Neighborhood Transition) zoning districts.** Bill Watkins represented the request, stating that nothing in the previously approved Planned Unit Development for this site will change, it’s just a matter of updating the zoning to match the new Uptown Rogers zoning allowances.

Chairman Jensen opened the public hearing.

There were no comments, and the Public Hearing was declared closed.

Commissioners and staff discussed how possible changes in the PUD might be handled. John McCurdy stated that any major changes would need Planning Commission approval. Schmelzle said his property adjoins much of this property and he has no issue with the proposed development and supports the rezone.

**RECOMMENDED**

Motion by Spann, second by Zvers, to recommend for City Council approval the request by Hatfield Whalen Land LLC to rezone 5.04± acres at the northwest corner of W. Northgate Road and S. Champions Drive.

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

**8. A request by Bell Construction Solutions for the proposed Roselawn Subdivision to rezone 1.05 acres at 1221 E. New Hope Rd. from A-1 (Agricultural) to the N-R (Neighborhood Residential) zoning district.** Frieda Bell represented the request and noted that it was two small tracts to add to the pending subdivision with zoning to match surrounding property.

Chairman Jensen opened the public hearing.

There were no comments, and the Public Hearing was declared closed.

**RECOMMENDED**Motion by Noblin, second by Spann, to **recommend for City Council approval** or **deny/table** the request by Bell Construction Solutions to rezone 1.05± acres at 1221 E. New Hope Road.

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

**NEW BUSINESS:**

1. LSDP, Valley West Phase 2, a townhouse development with 16 units on 2.64 acres on N. Valley West Drive in the RMF-8A (Residential Multifamily, eight units per acre with ownership) zoning district.

**Moved and Approved on the Consent Agenda.**

2. LSDP, AMP Parking, a 267-space parking lot on S. J.B. Hunt Drive in the C-2 (Highway Commercial) zoning district.

**Moved and Approved on the Consent Agenda.**

3. LSDP, Uptown Square, a mixed-use development with 260 multifamily units, 20,000 sf of retail space and 7,500 sf of office on 13 acres between S. Champions and S. Pinnacle Hills Parkway in the C-2 (Highway Commercial) zoning district. **Moved and Approved on the Consent Agenda.**

4. LSDP, Equity Storage, a two-story 73,340 sf storage facility at 3909 W. Ajax Ave, in the C2-CU (Highway Commercial, Condominium Use) zoning district.

**Moved and Approved on the Consent Agenda**.

5. LSDP, The Park at Olive Street, a 26,021-sf proposed apartment building on 2.64 acres at 1000 N. 16th St. in the RMF-18B (Residential Multifamily, 18 units per acre- rentals) zoning district.

**Moved and Approved on the Consent Agenda**

.

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

**ATTEST: APPROVED:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Mandel Samuels, Secretary Kevin Jensen, Chairman