

## MINUTES

The **Rogers Planning Commission** met for a *regular session* in the Council Chambers of the Maurice H. Kolman Building on October 2, 2018 at 4:30 P.M. The meeting was called to order by Chairman Don Spann. Those in attendance were led in the Pledge of Allegiance.

### **MEMBERS PRESENT:**

Commissioners Dennis Ferguson, Kevin Jensen, Rachel McLosky, Mandel Samuels, John Schmelzle, and Don Spann were present.

Commissioners Mark Myers, Tony Noblin, and Eriks Zvers were absent.

### **OTHER OFFICIALS PRESENT:**

City Clerk Peggy David, Community Development Director John McCurdy, Staff Attorney Bonnie Bridges, Planning Administrator Lori Ericson, Planner III Ethan Hunter, Planner II Elizabeth Johnson, Project Engineer Dylan Cobb, Deputy Fire Chief B.J. Hyde, Water Utilities Engineer Stephen Pound, Councilmember Jerry Carmichael.

### **ACTION ON MINUTES:**

(September 18, 2018)

**Approved.**

Motion by Ferguson, second by Schmelzle to approve the minutes of the September 18, 2018 as submitted.

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

### **REPORTS FROM STAFF:**

None.

### **REPORTS OF BOARDS AND STANDING COMMITTEES:**

Commissioner Jensen announced the Large Scale Development Committee had met, reviewed the plans, recommended approval of Discount Tire and the approval of the Waiver request for Silver Development Company.

**APPROVED.**

Motion by Jensen, second by Schmelzle to move these two items to the consent agenda. Voice vote: Unanimous – Yes. ***Motion carried.***

**CONSENT AGENDA:**  
**APPROVED**

Motion by Jensen, second by Schmelzle to approve the Consent Agenda.

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

Commissioner Jensen reported the Subdivision Committee met to review the Density Concept Plan for Uptown Square. The minutes of the committee meeting are before the commission and the committee recommended approval subject to Mr. Ellis, representing the concept plan, provide a detailed plan showing elevations of the buildings. This will be an item of New Business and considered later in the meeting.

Chair Spann announced that a request has been made to move the last item on the Agenda under New Business to Old Business, which he has agreed to do.

**OLD BUSINESS:**

Density Concept Plan, Uptown Square, a plan to allow a density of 20 units per acre for a planned mixed commercial/multifamily development between Champions and Pinnacle Hills Parkway

Daniel Ellis, of Crafton, Tull & Associates, provided the density concept plan with detailed drawings showing the proposed elevation layout and types of materials to be used.

Ellis said landscaping will be added and the detention area will be designed to be more esthetically appealing as well as helping with the drainage for that area.

Commissioner Jensen reminded the commission that once the density concept plan is accepted that is how the development will be built and look like.

Commissioner Schmelzle noted that the concept plan is what he expected to see.

Chair Spann noted that all of the first floors of the buildings within the development will be built for commercial-retail type use.

**APPROVED**

Motion by Jensen, second by Ferguson to approve the density concept plan as submitted for Uptown Square.

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

**PUBLIC HEARINGS:**

(Agenda Item #1)

A request by HFA for Pleasant Grove Development LLC to rezone 9.25 acres at 4504 S. Rainbow Road from A-1 (Agricultural) zoning district to the C-3 (Neighborhood Commercial) zoning district

Ryan Gill, of Harrison French & Associates, presented the rezoning request.

The Public Hearing was opened.

There were no comments from anyone in the audience either for or against the rezoning.

The Public Hearing was declared closed.

**Approved.**

Motion by Jensen, second by Ferguson, to recommend approval to the City Council the rezoning from A-1 to C-3.

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

(Agenda Item #2)

A request by HFA for LEM 3 Consulting for a Conditional Use to allow commercial assembly, recreation, and entertainment at 13.5 acres at the north end of S Rainbow Road in the C-3 (Neighborhood Commercial) zoning district

Ryan Gill, of Harrison French & Associates, presented the conditional use permit request to allow commercial assembly, recreation and entertainment to build an indoor soccer training facility and Cross-Fit Gym at this location.

Commissioner Samuels asked if the Conditional Use is premature since the comprehensive growth map has not yet been updated.

Community Development Director John McCurdy explained the comprehensive growth map changes will be updated annually to include all changes made during the year and this use would be consistent with those changes.

The Public Hearing was opened.

There were no comments from anyone in the audience either for or against the conditional use permit.

The Public Hearing was declared closed.

Motion by Ferguson, second by Jensen to approve the conditional use permit with the following restrictions:

- The facility can only be used for indoor soccer fields and gymnasium.

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

(Agenda Item #3)

A request by Larry Malone & David Groves for a Conditional Use to allow Vehicle Equipment Repair and Installation at 1557 W. Hudson Rd in the C-2 (Highway Commercial) zoning district

Larry Malone requested the Conditional Use Permit to allow Vehicle Equipment Repair and Installation use at this location.

Malone said this would be basic automotive repair and doesn't expect to have many vehicles at the location at any one time.

The Public Hearing was opened.

There were no comments from anyone in the audience either for or against the conditional use permit.

The Public Hearing was declared closed.

Commissioner Jensen asked Malone, "In your letter you say that you have four to six designated parking spaces dedicated to your storefront. Are you comfortable to being limited to a maximum of six vehicles that would be allowed to be parked there?"

Malone responded, "Yes. There would be no repairs made outside, and the six parking spaces would be adequate. We are going to start small and work on vehicles day-to-day."

Jensen cautioned Malone that the six parking spaces would be the maximum number allowed. This is the type of business that is needed, and the number of vehicles stack up fast. If more vehicles are at the location he could be called back-in as a violation of the conditional use permit.

Malone said he understood, that he has a day job and hoped that this hobby could grow into a business.

**Approved.**

Motion by Jensen, second by McLosky to approve the conditional use permit to allow Vehicle Equipment Repair and Installation at the location subject to the following restrictions:

- Limit the number of vehicles to six at any one time
- All vehicles must be parked in a stripped parking space
- The hours of operation will not exceed Monday thru Friday, 8 a.m. to 5 p.m.

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

(Agenda Item #4)

A request by Quality Assurance Roofing for a Conditional Use to allow Building Service at 111 S. Dixieland Road in the R-O (Residential Office) zoning district

Mr. Bray, representing the applicant, requested the conditional use permit for the office operation only of Quality Assurance Roofing.

Bray said there would be no storage of roofing materials or trailers at the location only scheduling jobs through the office.

The Public Hearing was opened.

There were no comments from anyone in the audience either for or against the conditional use permit.

The Public Hearing was declared closed.

Commissioners asked if the use is strictly office use, why the conditional use permit is required.

McCurdy explained the nature of the business would require the conditional use permit to protect the city from future uses. An example would be a porta-potty business using an office area similar to this and then storage of porta-pottys and tanks begins around the location. This CUP would limit the use to office only and protect the city and allow the planning commission to take action if necessary.

Motion by Jensen, second by Ferguson to approve the conditional use permit for Quality Assurance Roofing with the following conditions:

- No outside storage of material is allowed
- The location would be for office use only.

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

### **NEW BUSINESS:**

(Agenda Item #1)

Density Concept Plan, Uptown Square, a plan to allow a density of 20 units per acre for a planned mixed commercial/multifamily development between Champions and Pinnacle Hills Parkway.

Moved to Old Business

(Agenda Item #2)

LSDP, Discount Tire, a 8,192-sf proposed building on 1.86 acres at 2401 W Pleasant Grove Road in the C2-CU (Highway Commercial, Condominium Use) zoning district.

Moved to Consent Agenda

(Agenda Item #3)

LSDP Waiver, Silver Development Company, 28 acre lot between S Dixieland Road and S Concord Street, South of Broadway Place in the R-O (Residential Office) and C-2 (Highway Commercial) zoning district requesting a waiver from cross connectivity.

Moved to Consent Agenda

There being no further business, the meeting adjourned at 5:01 P.M.

**ATTEST:**

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Dennis Ferguson, Secretary

**APPROVED:**

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Don Spann, Chair