

## MINUTES

The **Rogers Planning Commission** met for a *regular session* in the Council Chambers of the Maurice H. Kolman Building on March 7, 2017 at 4:30 P.M. The meeting was called to order by Chair Don Spann. Those in attendance were led in the Pledge of Allegiance.

### **MEMBERS PRESENT:**

Commissioners Dennis Ferguson, Barney Hayes, Kevin Jensen, Myra Moran, Mike Shupe, Don Spann and Eriks Zvers. Commissioners Mark Myers and Tony Noblin were absent.

### **OTHER OFFICIALS PRESENT:**

Community Development Director John McCurdy, Senior Staff Attorney Jennifer Waymack, Project Engineers Lance Jobe and Dylan Cobb, City Planners Lori Ericson, Ethan Hunter, and Kara King, Fire Marshall Bill Rumsey, Councilmember Mark Kruger.

### **ACTION ON MINUTES:**

(February 21, 2017)

**Approved.**

Motion by Hayes, second by Ferguson to approve the minutes of the February 21, 2017 meeting as submitted.

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

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

Commissioner Dennis Ferguson reported that the Lot Split Committee met and recommended approval of New Business Agenda Item #1 a lot split for Ed Smith for Blue Hill Investments.

Motion by Ferguson, second by Jensen to move the lot split for Ed Smith to the consent agenda. Voice vote: Unanimous – Yes.

***Motion carried.***

Ferguson reported that the Lot Split Committee met and recommended approval of New Business Agenda Items #2 The Blake at Rogers and #3 Pleasant Crossing Power Center Outparcel 2.

Motion by Ferguson, second by Jensen to move New Business Agenda Items #2 and #3

to the consent agenda. Voice vote:  
Unanimous – Yes. ***Motion carried.***

## CONSENT AGENDA:

### OLD BUSINESS:

(Agenda Item #1)

PRELIMINARY PLAT, Chandler Run, a 96-lot subdivision in the RSF-6.5 (Residential Single Family, 6.5 units per acre) zoning district and The Grove Phase II PUD on the west side of S. Dixieland Road and south of Laurel Avenue.

**Approved.**

Motion by Hayes, second by Jensen to approve the consent agenda. Voice vote:  
Unanimous – Yes. ***Motion carried.***

Blake Murray outlined that all staff comments have been addressed since the last meeting on February 21, 2017 Planning Commission meeting. Commissioner Spann outlined that the waiver from the minimum pipe cover will be approved as part of the approval of the preliminary plat.

Commissioner Kevin Jensen stated that developer has worked closely with City staff, the Subdivision committee, and the Planning Commission to present this plan.

Motion by Jensen, second by Zvers to approve the preliminary plat as submitted, including the waiver from the minimum drain cover. Voice vote: Unanimous – Yes. ***Motion carried.***

## PUBLIC HEARINGS:

(Agenda Item #1)

A request by 13 Stars, LLC for a Conditional Use Permit to allow commercial assembly, recreation, and entertainment (arcade) at 1902 S 8th Street Suite 3 in the C-4 (Open Display Commercial) zoning district.

**Withdrawn.**

(Agenda Item #2)

A request by Victor Arguelles for a Conditional Use Permit to allow vehicle repair at 116 W Easy Street in the C-2 (Highway Commercial) zoning district.

**Tabled.**

No one was in attendance to represent this agenda item.

Motion by Jensen, second by Ferguson to table until the next Planning Commission on March 21. Voice vote: Unanimous – Yes. ***Motion carried.***

(Agenda Item #3)

A request by New Life Detail, LLC for a Conditional Use Permit to allow vehicle washing (auto detail) at 2501 N 4th Street in the C-2 (Highway Commercial) zoning district.

**Approved.**

Bobby Douthit outlined that this request is for a detail shop only. They do not perform any vehicle service. Only 1-2 cars would be worked on per day and all work would be done inside.

Spann asked if they would have any open display or sales of vehicles. Douthit responded, “No.”

Spann asked, “How many employees would they have?” Douthit responded that he is the only employee.

No one spoke in favor or in opposition to the request.

Motion by Ferguson, second by Jensen to approve the Conditional Use Permit. Voice vote: Unanimous- Yes ***Motion carried.***

(Agenda Item #4)

A request by At Home LLC to rezone a 20.31 acres between S. 26th and S. 27th Street from A-1 (Agricultural) to C-2 (Highway Commercial).

**Approved.**

Diego Garcia represented At Home LLC for the rezone request. Garcia stated that the Comprehensive Growth for this area shows it zoned commercial and that the surrounding properties are also commercial. Garcia stated that this request fits within the City’s future plans for this area.

No one spoke in favor or in opposition to the request.

Commissioner Kevin Jensen affirmed Garcia’s statements that this fits within the City’s plans for the future of this area.

Motion by Jensen, second by Shupe to recommend the rezone to City Council. Roll call vote: Unanimous – Yes. ***Motion carried.***

(Agenda Item #5)

A request by Alicia Rodriguez to rezone 704 N Dixieland Rd from R-DP (Residential Duplex and Patio Home) to R-O (Residential Office).

**Approved.**

Alicia Rodriguez outlined that the intent of the rezone is to allow them to operate a small business office from this location. The business provides legal services pertaining to El Salvador law. Rodriguez stated that there would be approximately one customer per day by appointment.

Shupe asked how many parking spaces were at this location. Rodriguez responded there were two parking spaces not including the main drive.

Spann asked about the surrounding properties. Rodriguez outlined that to the north there is a daycare. Nearby, there is Farmers Insurance, First National Bank, and Allstate Insurance. Jensen stated that across the street was the field by Oakdale.

Jensen asked if the appointment policy has always been in place or if this was in reaction to a code violation for the violation of the Home Occupation Permit. Rodriguez stated that she never violated the Home Occupation by having customers coming in and out. The violation was mistaken because the only traffic coming in and out was caused by construction work when she expanded her driveway.

No one spoke in favor or in opposition of the request.

Motion by Jensen, second by Shupe to recommend the rezone to City Council. Roll call vote: Unanimous – Yes. ***Motion carried.***

**NEW BUSINESS:**

(Agenda Item #1)

LOT SPLIT, Ed Smith for Blue Hill Investments, split of a 3.84-acre tract of property on Blue Hill Road in the city's Growth Planning Area, east of Rogers city limits.

**Approved** on the Consent Agenda

(Agenda Item #2)

LSDP, The Blake at Rogers, a 43,230 sf assisted living facility at 4211 S. Champions Drive in the R-O (Residential Office) zoning district.

**Approved** on the Consent Agenda

(Agenda Item #3)

LSDP, Pleasant Crossing Power Center Outparcel 2, an 11,200 sf retail building at 4305 S. Pleasant Crossing Blvd. in the C-2 (Highway Commercial) zoning district.

**Approved** on the Consent Agenda

There being no further business, the meeting adjourned at 4:52 P.M.

**ATTEST:**

**APPROVED:**

---

Barney Hayes, Secretary

---

Don Spann, Chair