

MINUTES

The **Rogers Planning Commission** met for a *regular session* in the Council Chambers of the Maurice H. Kolman Building on February 18 2020 at 5:00 P.M. The meeting was called to order by Chairman Eriks Zvers. Those in attendance were led in the Pledge of Allegiance.

MEMBERS PRESENT:

In addition to Chairman Eriks Zvers, Commissioners Rachel Crawford, Dennis Ferguson, Kevin Jensen, Mark Myers, Mandel Samuels, John Schmelzle, and Don Spann. Commissioner Tony Noblin did not attend.

OTHER OFFICIALS PRESENT:

Community Development Director John McCurdy, City Engineer Lance Jobe, Development Compliance Manager Kris Paxton, Planning Administrator Lori Ericson, City Planner Ethan Hunter, Planner III Beth Johnson, Planner III Jessie Masters, Planner I Chris Robinson, Planning Tech Gloria Garcia, Staff Attorney Bonnie Bridges, RWU Engineer Stephen Ponder, Deputy Fire Chief B.J. Hyde, Councilmembers Mark Kruger and Jerry Carmichael.

ACTION ON MINUTES:

Motion by Myers, second by Crawford to approve the minutes of the February 4, 2020 as presented.

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

APPROVED

PUBLIC COMMENT PERIOD:

Zvers asked if there were any public comments on items not on the agenda. There were none.

REPORTS FROM STAFF:

None

REPORTS OF BOARDS AND STANDING COMMITTEES:

PLANS & POLICIES COMMITTEE —

None.

DEVELOPMENT REVIEW COMMITTEE —

Committee Chairman Mandel Samuels reported the Development Review Committee had met and reviewed six items. The committee recommended approval on one preliminary plat and five large scale developments with decisions on requested waivers and variances as listed:

- 1. LSDP, Olrich Plaza, a 2,222-sf building with parking for vehicle sales on 1.63 acres at 1532 S. 8th Street in the C-2 (Highway Commercial) zoning district and the Rogers Overlay District.**
 - A waiver to Sec. 14-260(f) for the requirement of a minimum 250ft spacing between curb cuts.
 - A waiver to Sec. 14-482(b)(6) for the requirement of a 10ft sidepath on S. 8th Street.

- 2. LSDP, Rainbow Road Self-Storage Phase II, a 24,000 storage building on 6.40 acres at 1503 S Rainbow Road in the C-2 (Highway Commercial) and W-O (Warehouse Office) zoning district.**

No requested waivers or variances.

- 3. LSDP, Dodson Pointe Apartments, a 240 unit apartment complex on 20.2 acres at 6000 W Stoney Creek Drive in the RMF-12B (Residential Multifamily, 12 units per acre, rentals) zoning district.**

- A variance to Sec. 14-703(f)(2) for a setback reduction around the north and west garages and masonry dumpster enclosures.
- A waiver of Sec. 14-44 allowing intersections to be less than 250 feet in separation.
- A waiver of Sec- 14-256 with a FEE IN-LIEU of Street Improvements for S Dodson Rd.
- A waiver of Sec. 14-604(c)(2) from additional North/South right-of-way along the mid-point of this project.
- Condition of approval requiring the northeast and southeast intersections to be improved to the property lines.

- 4. LSDP, Pinnacle Springs Retirement Community, a 74,070-sf retirement facility on 7.70 acres at 2055 S Bellview Road in the C-3 (Neighborhood Commercial) zoning district.**

- Approve the waiver to Sec. 14-260(1)d from requiring nonresidential driveway centerlines to either align or be offset from each other by at least 75 feet.
- Approve the waiver to Sec. 14-604(c) from requiring a minor street to allow a north/south connection.
- Approve the waiver to Sec. 14-482(b)(6) from requiring a 10ft sidepath along a Major Arterial, S Bellview Road.
- Approve the waiver to Sec. 14-256(11) from requiring a 6' greenspace along S Bellview Road.
- Approve the waiver to Sec. 14-256(11) from requiring street trees within the green space allowing placement outside of the right-of-way along S Bellview Road.

- 5. Preliminary Plat, Pine Street Subdivision, a 17-lot subdivision on 4.38 acres between W Pine Street and W Pecan Street in the N-R (Neighborhood Residential) and R-SF (Residential Single-Family) zoning district.**

- A variance from Sec. 14-702(d)(2) from the 60' minimum lot width requirement.
- A waiver from Sec. 14-604(c) to allow a 21ft BOC to BOC.
- A waiver the DCM Ch. 4 Sec 1.2 from requiring the spread of 14.5ft and allow the 18.57ft spread at inlets 1-2 and 1-3.
- Condition of approval requiring the existing tree island along Pecan Street to be converted to one way traffic along the north heading west, and one way traffic along the south heading east to safely accommodate traffic flow, and require the applicant to include signage and any appropriate striping and lane markings to direct traffic safely around the existing tree island along Pecan Street.

- 6. LSDP, Rogers Fire Training Center, a 3,012-sf government building on 33.62 acres at 3003 W Oak Street in the A-1 (Agricultural) zoning district.**

- Approve the variance for the requirements in Sec. 14-697(e) to provide 26 new off-street parking spaces

- Approve the waiver to waive the landscaping requirements as stated in Section 14-256(12-14)
- Approve WAIVER of Sec. 14-256 from requiring any improvements along W Oak Street.
- Approve WAIVER of Sec. 14-604(c) from requiring connectivity.

Motion by Samuels, second by Myers, to add the project and lot split to the Consent Agenda.

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

APPROVED

CONSENT AGENDA:

Motion by Samuels, second by Crawford, to approve the Consent Agenda

Roll Call: Unanimous **Motion carried.**

APPROVED

OLD BUSINESS:

PUBLIC HEARINGS:

- 1. A request by Daisy Airgun Museum to consider an Alternative Sign request at 202 W. Walnut Street in the city's COR (Core Mixed Use) zoning district.**

Joe Murfin, Chairman of the Board of Nonprofit Daisy Airgun Museum, represented the item and explained the request. Murfin stated the proposed sign will be a 25-foot replica of the world famous Daisy Red Ryder BB Gun propped up against the side of the building, creating a historic piece for tourists who come to the city. The base of the stock comes out 58.73 inches, less than five from the building. The sidewalk from the building to the curb measures 114 ½ inches, leaving an unobstructed passage of 55.65 inches, exceeding the 36 inches required by ADA compliance.

Chairman Zvers asked if anyone in the audience wanted to speak in favor or opposed to the request.

- J.R. Shaw, Executive Director for Visit Rogers and Executive Vice President for the Rogers, Lowell Chamber of Commerce- in support of the request.

The public hearing was declared closed.

Zvers stated that the request will need to be approved by Planning Commission, Historic District Commission and the City Council Transportation Committee. Staff Attorney Bonnie Bridges stated that the legal department will need to work out an access agreement with Daisy Airgun Museum and asks the commission if they approve the request, they make a motion to approve with a condition to work out access agreements with the legal department.

Zvers stated he wanted to make sure the commission took into account any ADA issues for cane detection. Murfin stated that the BB gun will be flat against the building from muzzle to the tip of the gun.

Motion by Jensen, second by Crawford to approve the request as presented by Daisy Airgun Museum for an alternative sign at 202 W. Walnut Street with the condition that legal access is worked out with the city.

Voice Vote: Unanimous **Motion carried**

APPROVED

2. A request by Mill Creek Manor to rezone 2029 S Hampton Place from RMF-6B (Residential Multifamily, 6 units per acre, rental), PUD (Planned Unit Development) to the RMF-6B (Residential Multifamily, 6 units per acre, rental) zoning district.

Bill Watkins represented the request and stated they are requesting to take the property out of an existing PUD. Watkins stated his client owns the property to the south and intend on building an additional assisted living and nursing home center. One of the amenities agreement with the city on getting that approved was that access would be out on Hampton which requires installing driveways across the subject property which is a violation of the PUD.

Chairman Zvers asked if anyone in the audience wanted to speak in favor or opposed to the request.

There were none.

The public hearing was declared closed.

Jensen asked Watkins if he had information about an adjacent parcel violating the PUD. Watkins stated he was not aware.

Motion by Samuels, second by Myers to recommend to City Council for approval as presented.

Roll Call: Unanimous **Motion carried**

APPROVED

3. A request by Weeden to rezone 728 S Horsebarn Road from A-1 (Agricultural) to the R-O (Residential Office) zoning district.

Bill Watkins represented the item and explained the request. Watkins stated his client is proposing to build a small medical clinic which would require a modification to the Comprehensive Growth Map.

Chairman Zvers asked if anyone in the audience wanted to speak in favor or opposed to the request.

There were none.

The public hearing was declared closed.

Samuels stated he was concerned with putting a medical facility in an area surrounded by single family residences. Watkins believes it would be a fairly unobtrusive use compared to some of the low density multifamily alternatives that could go on that property. Spann stated he kind of supported the idea of a medical clinic and didn't see anything good about multifamily housing going there. Crawford stated rezoning to R-O did not make sense and would be intruding two neighborhoods.

Staff stated that they received a phone call prior to the meeting in opposition to the request.

Motion by Spann, second by Schmelzle, to recommend to City Council for approval as presented.

Roll Call: 3 yes, No- Crawford, Samuels, Jensen, Myers, Zvers *Motion carried*
DENIED

Motion by Jensen, second by Crawford to deny the request as presented.

Roll Call: 5 yes, No- Ferguson, Schmelzle, Spann *Motion carried*
DENIED

4. A request by Janacek to consider a conditional use permit for Building Services at .37 acres at 1880 S. 26th Street in the city's A-1 (Agricultural) zoning district.

Will Kellstrom represented the item and explained the request. Kellstrom stated that the property is zoned A-1 which allows building services with a conditional use permit but would not be compliant with the comprehensive growth map.

Chairman Zvers asked if anyone in the audience wanted to speak in favor or opposed to the request.

There were none.

The public hearing was declared closed.

Zvers stated in the staff report it is noted that the applicant does not currently have a conditional use permit for building services at 1812 S. 26th Street, regardless of the outcome of this subject request, the existing operation should be made legal through an additional set up request for existing operations. Kellstrom stated he spoke with Janacek about this and his client stated when he started on this 15 years ago, he had an inspector come out and give him a business license.

Myers asked staff if there was another condition classification that was not considered as intense as building services. Staff stated this is the request that was presented by the applicant. Jensen stated he agreed that is in an intense use and the challenge was the outdoor storage component of the request. Kellstrom stated they would not be storing any equipment outside. Myers stated his concern is if they approve this as a condition and he goes to build this, the building services condition will be stuck with this because it has been designed that way and it will allow for similar uses to follow onto to the property.

Myers stated A-1 is a holding zone and they need to find something that will work for him in the C-3 zoning or something that will fit the comprehensive growth map. Staff stated the reason that the question is asked is the property zoned correctly for the growth map is because if it isn't, this is an opportunity to bring it into compliance by encouraging a rezone rather than issuing a conditional use permit. Jensen agreed with staff.

Motion by Jensen, second by Crawford to deny the request as presented.

Roll Call: unanimous **Motion carried**

DENIED

NEW BUSINESS:

- 1. Large-Scale Development, Olrich Plaza, a 2,222-sf building with parking for vehicle sales on 1.63 acres at 1532 S 8th Street in the C-2 (Highway Commercial) zoning district and the Rogers Overlay district.**

Moved and approved on the consent agenda.

- 2. Large-Scale Development, Rainbow Road Self-Storage Phase II, a 24,000 storage building on 6.40 acres at 1503 S Rainbow Road in the C-2 (Highway Commercial) and W-O (Warehouse Office) zoning district.**

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- 4. Large-Scale Development, Pinnacle Springs Retirement Community, a 74,070-sf retirement facility on 7.70 acres at 2055 S Bellview Road in the C-3 (Neighborhood Commercial) zoning district.**

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- 5. Preliminary Plat, Pine Street Subdivision, a 17-lot subdivision on 4.38 acres between W Pine Street and W Pecan Street in the N-R (Neighborhood Residential) and R-SF (Residential Single-Family) zoning district.**

Moved and approved on the consent agenda.

- 6. Large-Scale Development, Rogers Fire Training Center, a 3,012-sf government building on 33.62 acres at 3003 W Oak Street in the A-1 (Agricultural) zoning district.**

Moved and approved on the consent agenda.

There being no further business, Vice Chairman Samuels adjourned the meeting at 5:45 p.m.

ATTEST:

APPROVED:

Rachel Crawford, Secretary

Eriks Zvers, Chairman