

MINUTES

The **Rogers Planning Commission** met for an online public meeting following on August 3, 2020 at 5:00 P.M. The meeting was called to order by Chairman Eriks Zvers.

MEMBERS PRESENT:

Chairman Eriks Zvers, and Commissioners Rachel Crawford, Dennis Ferguson, Kevin Jensen, Mark Myers, Tony Noblin, Mandel Samuels, John Schmelzle, and Don Spann.

OTHER OFFICIALS PRESENT:

Community Development Director John McCurdy, City Engineer Lance Jobe, City Planner Ethan Hunter, Planner III Beth Johnson, Planner II Kyle Belt, Planning Tech Gloria Garcia, Planning Administrator Lori Ericson, Staff Attorney John Pesek, and other city staff and officials.

ACTION ON MINUTES:

Motion by Jensen, second by Ferguson to approve the minutes of the July 21, 2020 as presented.

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

APPROVED

REPORTS FROM STAFF:

City Planner Ethan Hunter suggested the Commission remove from the agenda request number 3 under Public Hearings. He noted the Plans & Policies Committee may cover the issue, but staff had recommended denial and the applicant then requested to be withdrawn from the agenda.

City Planner Ethan Hunter explained the Zoom online meeting process, noting that only the Commissioners and needed staff are shown on the screen, attendees are not shown and are muted until recognized by staff. He explained the “raise hand” option for attendees online and by phone.

Zvers suggested the Commission move forward with a motion to withdraw the item from the evening’s agenda.

Motion by Jensen, second by Samuels to withdraw Public Hearing item 3 from the agenda.

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

APPROVED

REPORTS OF BOARDS AND STANDING COMMITTEES:

PLANS & POLICIES COMMITTEE —

Committee Member Kevin Jensen reported committee members had met and reviewed four items. He noted Committee action as follows:

- Density Concept Plan for Shadowbrooke at the Peaks Phase IV – The applicant requested to be tabled to allow them to update the architectural information to meet the requirement. The Committee recommended the item be tabled.

- Density Concept Plan for Everest Avenue Townhomes – The Committee identified a few items, including pedestrian access and rear elevations that need additional work. The Committee recommended the item be tabled to allow time for the changes.
- Density Concept Plan for Magnolia Farms Townhomes Phase 1 – Committee recommended it be removed from the agenda, which had just occurred.
- Density Concept Plan for Magnolia Farms Townhomes Phase 2 – The Committee recommended it be approved.

Jensen noted that action needed on the Committee items will occur during regular session.

DEVELOPMENT REVIEW COMMITTEE —

Committee Chairman Mandel Samuels stated committee members had met and reviewed four items prior to the regular Commission session. He noted the actions taken.

1. LSDP Revision for The AMP Phase 2 request to prohibit parking along W. Northgate Road and was recommended for denial.
2. LSDP for Hudson Station was recommended for approval to include:
 - approval of a waiver of Sec. 14-482(b)(6) from requiring a 10-foot sidepath and allow a six-foot sidewalk as required by ArDOT.
 - approval of a variance from Sec. 14-285(3) for the requirement to provide a 25-foot front landscape buffer as required in the Overlay District.
3. LSDP for RNR was recommended for approval to include:
 - approval of a variance from Sec. 14-709(b) from the required number of parking spaces.
 - approval of a fee-in-lieu of detention in the amount of \$3,952.20.
 - approval of a variance from the requirement to provide a 25-foot vegetative buffer between the wetland and top of bank to the limits of disturbance and require two rows of silt fence during construction.
 - approval of waiver from Sec. 14-608 from requiring street improvements with conditions outlined in the staff report.
 - approval of a waiver 14-260(f) requiring a minimum of 250 feet between curb cuts.
4. LSDP for BOST phase 2 was recommended for approval to include:
 - approval of a waiver from Sec. 14-256(14)(d) from the requirement that no more than 25 percent of the total number of trees be ornamental.
 - approval of a fee-in-lieu of street improvements for W. Oak Street.

Zvers noted that Committee items will be taken up later in the agenda.

CONSENT AGENDA:

None

OLD BUSINESS:

1. **A request by Jon Brittenum for Shadowbrooke at the Peaks Phase IV to consider a Density Concept Plan to the zoning for 7.82 acres at the northeast corner of the S. Kilimanjaro Way and W. Everest Avenue allowing development in the zoning district RMF-9A (Residential Multifamily, 9 units per acre, ownership).**

Zvers introduced the item and stated that it came out of committee with a recommendation to table.

Motion by Noblin, second by Myers to table the request.

Roll Call: (YES-Unanimous) *Motion carried*

TABLED

- 2. LSDP Revision, The AMP Phase 2, plan revisions for street parking along a previously approved expansion project at 5051 W. Northgate Road in U-ENT (Uptown Entertainment) zoning district.**

Zvers introduced the item and stated that it came out of Committee with a recommendation to deny the request as noted by Committee Chairman Mandel Samuels during Committee Reports.

Motion by Noblin, second by Crawford to deny the request.

Roll Call: (YES-Unanimous) *Motion carried*

DENIED

- 3. LSDP, Hudson Station, a proposed 28,130-sf warehouse and office building on 2.53 acres at 3005 W. Hudson Road in the I-1 (Light Industrial) zoning district and the city's Overlay District.**

Zvers introduced the item, noting that Mandel Samuels, chairman of the Development Review Committee had presented the project and noted the findings in Committee Reports.

Motion by Noblin, second by Myers to approve on a do pass pursuant to all recommendations of Development Review Committee as presented.

Roll Call: (YES-Unanimous) *Motion carried*

APPROVED

PUBLIC HEARINGS:

Zvers explained the Public Hearing process and noted that the first two items had been withdrawn by the applicants and would not be heard.

- 1. A request by Sunil Panchal to consider a rezone from the C-2 (Highway Commercial) zoning district to the I-2 (Heavy Industrial) zoning district at 1601 S. 8th St.**

Zvers introduced the item and called for a staff report.

Hunter said I-2 zoning is an allowed use in the Employment Center Growth Designation within the Comprehensive Growth Map, but the property doesn't comply with certain standards of the zone and would require variances to develop. This particular tract would not be suitable for Heavy Industrial-type development due to its relative size and the potential for high-impact uses too near the intersection at 8th and Olrich streets. He said staff recommends denial of the rezone.

He noted that the applicant did not appear to be on the Zoom meeting.

Chairman Zvers opened the public hearing and asked if anyone in attendance wanted to speak in favor or opposed to the request.

There were none.

The public hearing was declared closed.

Commissioners discussed the size of the lot, the appropriateness of I-2 in that location, and agreed that denial of the request was appropriate. Staff was asked what zoning would work. Hunter expressed hesitancy at recommending zoning for the applicant due to speculation on the applicant's needs, but noted that C-4 would be more appropriate. The zone's extensive setbacks and other standards would make it difficult to development, Hunter said. Myers agreed and said it was just not an appropriate location.

Motion by Myers, second by Spann to deny the rezone request.

Roll Call: (YES-Unanimous) *Motion carried*

DENIED

- 2. A request by Candlewood Conner LLC to consider a rezone from a mix of the A-1 (Agricultural) and RMF-6A (Residential Multifamily, 6 units per acre, owner) zoning districts to the R-SF (Residential Single Family) zoning district at 3850 S. Pope Rd.**

Zvers introduced the item and called for a staff report.

Hunter said the request is consistent with the Comprehensive Growth Map, as Residential Single Family is an allowed zoning with the Neighborhood Growth Designation, appropriate in the location, and staff recommends approval.

Developer Alex Blass represented the request, but said he had nothing to add to the staff report.

Chairman Zvers opened the public hearing and asked if anyone in attendance wanted to speak in favor or opposed to the request.

There were none.

The public hearing was declared closed.

Commissioners discussed the shape and extent of the rezone.

Motion by Jensen, second by Spann to recommend the rezone as presented to City Council for approval.

Roll Call: (YES-Unanimous) *Motion carried*

APPROVED

- 3. A request by Crafton Tull for Magnolia Farms Townhomes Phase 1 to consider a Density Concept Plan and a rezone from the R-O, PUD (Residential Office, Planned Unit Development) zoning district to the U-NBT (Uptown Neighborhood Transition) zoning district on Lot 8 of the Farms Commercial Subdivision.**

Zvers noted Commissioners had voted previously to withdraw the item.

4. A request by Crafton Tull for Magnolia Farms Townhomes Phase 2 to consider a Density Concept Plan and a rezone from the R-O, PUD (Residential Office, Planned Unit Development) zoning district to the U-NBT (Uptown Neighborhood Transition) zoning district on Lot 6 of the Farms Commercial Subdivision.

Zvers introduced the item and stated it came out of Committee with a recommendation for approval. He called for a staff report.

Hunter said the request is consistent with the Comprehensive Growth Map and the proposed Density Concept Plan supports the requested density of 14 units per acre. U-NBT is appropriate in the Commerce Corridor Zoning Plan, the project is compatible with surrounding development, and shouldn't negatively impact the capacity of the surrounding transportation network.

Barry Williams, project manager with Crafton Tull, represented the project.

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

- Efron Coello, 1210 S. 45th Street, stated his family favors the development of townhomes in that location, but recommended that public parking be considered by the city somewhere close for trail users. He noted that trail users park on the street in the area already.

The public hearing was declared closed.

Motion by Jensen, second by Myers to accept the Density Concept Plan and recommend the rezone as presented to City Council for approval.

Roll Call: YES - Unanimous *Motion carried*

APPROVED

5. A request by Bates & Associates, Inc. for Everest Avenue Townhomes to consider a rezone of 4.06 acres east of Everest Avenue from the RMF-9A (Residential Multifamily, 9 units per acre, ownership) zoning district to the RMF-12B (Residential Multifamily, 12 units per acre, rentals) zoning district with a Density Concept Plan.

Zvers introduced the item, stating it would be represented by Engineer Geoff Bates, and asked for a staff report.

Hunter said the proposed zoning is consistent with the Comprehensive Growth Map, and the density is appropriate. However, he said, the proposed DCP presents multiple concerns related to access management, open space, building placement, pedestrian connectivity, and rear façade design.

Chairman Zvers noted that the item did come out of Committee with a motion to table. He opened the public hearing and asked if anyone in attendance wanted to speak in favor or opposed to the request.

- Bonnie Deason said her family has a complex nearby and expressed concern about the look of the proposed townhomes and access into the development.

The public hearing was declared closed.

Motion by Jensen, second by Spann to table the request until the applicant is able to revise per the Committee comments.

Roll Call: Unanimous *Motion carried*

TABLED

NEW BUSINESS:

- 1. LSDP, Rent N Roll Tire Express, a proposed 7,832-sf commercial tire shop at 3405 W. Walnut Street in the C-2 (Highway Commercial) zoning district and the Rogers Overlay District.**

Zvers introduced the item and stated that it came out of Committee with a recommendation to approve.

Samuels made a motion to approve the request with the waivers, fee-in-lieu and variances recommended for approval in committee. The motion was seconded by Myers.

Roll Call: Unanimous *Motion carried*

APPROVED

- 2. LSDP, BOST, Phase 2, a 2,860-sf office and three quadplex housing units on 1.99 acres at 4500 W. Oak Street in the R-O (Residential Office) zoning district.**

Zvers introduced the item and stated the Committee had recommended approval. He called for a motion.

Samuels made a motion to approve the LSDP along with the waiver and the fee-in-lieu for street improvements as recommended by the Development Review Committee. Myers seconded the motion.

Roll Call: Unanimous *Motion carried*

APPROVED

There being no further business, Chairman Zvers adjourned the meeting at 5:33 p.m.

ATTEST:

APPROVED:

Rachel Crawford, Secretary

Eriks Zvers, Chairman