



COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
planning@rogersar.gov
(479) 621-1186

ROGERS PLANNING COMMISSION MINUTES

The **Rogers Planning Commission** met for a public meeting at Rogers City Hall at 301 W. Chestnut St. on June 15, 2021 at 5:00 P.M. The meeting was called to order by Chairman Mandel Samuels.

ROLL CALL

Commissioners Mandel Samuels, Derek Burnett, Rachel Crawford, Kevin Jensen, Steve Lane, and Eriks Zvers were present. Commissioners Jorge Andrade, Mark Meyers, and John Schmelzle were absent.

ACTION ON MINUTES

Motion by Jensen, Second by Crawford to approve the June 1, 2021, Planning Commission meeting minutes as presented.

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

Approved.

REPORTS FROM STAFF

There were no reports from staff.

REPORTS FROM BOARDS AND COMMITTEES

PLANS & POLICIES COMMITTEE —

There were no items discussed.

DEVELOPMENT REVIEW COMMITTEE —

1. LSDP: Everett Car Dealership

This item was recommended for Commission approval with the following actions:

1. Deny WAIVER from Sec. 14-256(14)(b) from the requirement to provide a narrow tree lawn or narrow tree island with one tree every 15 parking spaces or every 30 linear feet.
2. Grant WAIVER from Sec. 14-285(3) from the requirement to provide trees at a 20-ft spacing for the full width of the frontage along the highway within the Overlay District buffer yard.
3. Approve VARIANCE from Sec. 14-711(h) from the requirement to provide the required number of parking spaces for "Automotive Services" in the C-4 zoning district, with the CONDITION that parking within the floodplain be upgraded to a permeable paver system for increased water quality mitigation.

2. LSDP: Ninth Street Townhomes

This item was recommended for Commission approval with the following actions:

1. Approve WAIVER from Ch. 14-46(g)4 to allow the minimal width right-of-way to exclude the parking areas while maintaining connectivity as required.
2. Require the condition that a tract combination/property line adjustment be completed prior to the issuance of the building permit.

CONSENT AGENDA

OLD BUSINESS

1. RZN: Joe Hewgley Inc.

A request to rezone 0.69 ± acres located between W. Olrich St. and S. 9th St. from the N-R (Neighborhood Residential) zoning district to the C-2 (Highway Commercial) zoning district.

Samuels introduced the item and requested a staff report.

Hunter provided a staff report with recommended actions.

Applicant representative, Jason Ingalls, requested that this item be tabled due to staff's recommendation for denial, but requested for the Public Hearing to be conducted.

Samuels opened the public hearing for comments.

Tom Flynn, a property owner who lives adjacent to the property, spoke against the request and cited that it would remove the only view from his property.

There were no further comments. The public hearing was declared closed.

Samuels called Ingalls back to the podium and Ingalls requested that the item be tabled.

Motion by Jensen, Second by Crawford, to table this item.

Roll Call Vote: YES – Unanimous. **Motion carried.**

Tabled.

2. CUP: Orale Inc.

A request for a Conditional Use Permit to allow the use "Commercial Assembly, Recreation, and Entertainment" located at 1902 S. 8th St. in the C-4 (Open Display Commercial; Overlay) zoning district.

Samuels introduced the item and requested a staff report.

Hunter provided a staff report with recommended actions.

Applicant representative, Jose Sanabria, requested that this item be withdrawn.

Samuels requested clarity on the request to withdraw and Sanabria stated that they did not want to proceed with the request at the moment.

Samuels checked with Pesek as to whether there was a 1 year re-application restriction on Conditional Use Permit requests and Pesek confirmed that this was not the case. Pesek also confirmed that no public hearing was necessary due to the item being withdrawn.

Motion by Jensen, Second by Crawford, to withdraw this item at the applicant's request.

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

Withdrawn.

PUBLIC HEARINGS

1. RZN: Montero Farms, LLC

A request to rezone 0.49 ± acres located between 618 & 620 N. 4th St. from the R-DP (Residential Duplex and Patio Home) zoning district to the NBT (Neighborhood Transition) zoning district.

Samuels introduced the item and requested a staff report.

Hunter provided a staff report with recommended actions.

Applicant representative, Bill Watkins, was available to introduce the item and explain the request.

Samuels opened the public hearing for comments.

There were no comments. The public hearing was declared closed.

Motion by Jensen, Second by Zvers, to approve as presented.

Roll Call Vote: YES – Unanimous. **Motion carried.**

Recommended for City Council approval.

2. RZN: Porchdog Properties, LLC

A request to rezone 2.86 ± acres located at W. Persimmon St. & N. 6th St. from the R-DP (Residential Duplex and Patio Home) zoning district to the NBT (Neighborhood Transition) zoning district.

Samuels introduced the item and requested a staff report.

Hunter provided a staff report with recommended actions.

Applicant representative, Sean Barnes, was available to introduce the item and explain the request.

Samuels opened the public hearing for comments.

Bill Watkins, a neighboring resident spoke in support of this request.

There were no further comments. The public hearing was declared closed.

Motion by Zvers, Second by Crawford, to approve as presented.

Roll Call Vote: YES – Unanimous. **Motion carried.**

Recommended for City Council approval.

3. CUP: Happy Hearts and Hands

A request for a Conditional Use Permit to allow the use "Day Care, General" located at 2703 N. 13th St. in the R-O (Residential Office) zoning district.

Samuels introduced the item and requested a staff report.

Hunter provided a staff report with recommended actions.

Applicant representative, Michelle Hill, was available to introduce the item and explain the request.

Samuels opened the public hearing for comments.

There were no further comments. The public hearing was declared closed.

Samuels asked if there were any comments from Commissioners. Jensen asked if there was gravel parking in the front area and Hill confirmed this, but that they would be improving the area.

Motion by Jensen, Second by Burnett, to approve as presented.

Roll Call Vote: YES – Unanimous. **Motion carried.**

Approved.

4. CUP: Caliber Collision

A request for a Conditional Use Permit to allow the uses “Vehicle/Equipment Repair and Installation & Vehicle Storage” located on 2.94 ± acres on the East side of S. Bellview Rd. and S. Side of Ajax Ave. intersection in the C-2 (Highway Commercial; Overlay) zoning district.

Samuels introduced the item and requested a staff report.

Hunter provided a staff report with recommended actions and stated for the record that this request was previously denied by the Planning Commission on April 20th, 2021 and then appealed to City Council on May 11th, 2021 upon being presented with information that was not brought before the Planning Commission at the April 20, 2021 Planning Commission meeting.

Applicant representative, Bill Watkins, was available to introduce the item and explain the request and presented the additional information that was not presented at the April 20, 2021 Planning Commission meeting.

Samuels opened the public hearing for comments.

Hunter Haynes, representing SKK, The Peaks Development, Rogers Insurance, and a local TV station, all neighboring property owners, spoke against the request.

There were no further comments. The public hearing was declared closed.

Hunter stated for clarity that allowed zoning districts in any given area, are not “by-right” or guaranteed for approval recommendation from Staff or the Commission based on a submitted request being located in an allowed zoning district on the Comprehensive Growth Map.

Jensen asked for clarity on the location of the proposed wall and Watkins clarified this aspect of the site plan.

Commissioners discussed concerns over the wall/screening and Watkins addressed their questions related to those concerns.

Commissioner Lane asked staff whether Conditional Use Permits were tied to the applicant or the location and Hunter and McCurdy clarified that this was true.

McCurdy also provided further clarity that a future application for the same use at the same location, would have to comply with all conditions.

Commissioners expressed further concerns over landscaping and setbacks and Watkins stated that the applicant would be willing to table this item and provide documents addressing the Commission's concerns.

Samuels requested confirmation that Watkins' client wished to table this item and Watkins confirmed this.

Motion by Jensen, Second by Burnette, to table the request.

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

Tabled.

NEW BUSINESS

1. LSDP: Everett Car Dealership

A request to allow the construction of a 20, 246 SF building and paved parking lot on ± 6.07 acres of land located at 4510 W. Poplar Street in the C-4 (Open Display Commercial); Overlay District zoning district.

Samuels introduced the item and requested a staff report.

Hunter provided a staff report with recommended actions.

Applicant representative, Jonathan Hope, was available to introduce the item and explain the request.

Samuels asked Hope if he had anything to add and he stated no.

Samuels asked if there were any comments from Commissioners.

Motion by Zvers, Second by Crawford, to approve subject to the following actions:

1. Deny WAIVER from Sec. 14-256(14)(b) from the requirement to provide a narrow tree lawn or narrow tree island with one tree every 15 parking spaces or every 30 linear feet.
2. Grant WAIVER from Sec. 14-285(3) from the requirement to provide trees at a 20-ft spacing for the full width of the frontage along the highway within the Overlay District buffer yard.
3. Approve VARIANCE from Sec. 14-711(h) from the requirement to provide the required number of parking spaces for "Automotive Services" in the C-4 zoning district, with the CONDITION that parking within the floodplain be upgraded to a permeable paver system for increased water quality mitigation.

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

Approved.

2. LSDP: Ninth Street Townhomes

A request to allow the construction of eleven 5-plex multifamily buildings, five 6-plex multifamily buildings, and a detention pond on ± 8.08 acres of land located at the NW corner of S 8th St. and W. Banz Rd. in the RMF-10B (Residential Multifamily) zoning district.

Samuels introduced the item and requested a staff report.

Hunter provided a staff report with recommended actions.

Applicant representative, Daniel Butler, was available to introduce the item and explain the request.

Samuels asked Butler if he had anything to add and he stated no.

Samuels asked if there were any comments from Commissioners and noted that this item came out of Committee with unanimous recommendation for approval. There were no comments from Commissioners.

Motion by Zvers, Second by Crawford, to approve subject to the following actions:

1. Approve WAIVER from Ch. 14-46(g)4 to allow the minimal width right-of-way to exclude the parking areas while maintaining connectivity as required.
2. Require the condition that a tract combination/property line adjustment be completed prior to the issuance of the building permit.

Roll Call Vote: YES – Unanimous. **Motion carried.**

Approved.

ADJOURN

There being no further business, Samuels adjourned the meeting at 5:55 p.m.

ATTEST:

APPROVED:

John Schmelzle, Secretary

Mandel Samuels, Chairman