

## MINUTES

The **Rogers Planning Commission** met for an online public meeting on April 21, 2020 at 5:03 P.M. The meeting was called to order by Chairman Eriks Zvers.

### **MEMBERS PRESENT:**

In addition to Chairman Eriks Zvers, 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, Planning Administrator Lori Ericson, City Planner Ethan Hunter, Planner III Beth Johnson, Planner I Chris Robinson, Planning Tech Gloria Garcia, Staff Attorney Bonnie Bridges Deputy Fire Chief B.J. Hyde., and Jerry Carmichael.

### **ACTION ON MINUTES:**

(April 7, 2020)

#### **APPROVED**

Motion by Jensen, second by Schmelzle to approve the minutes of the April 7, 2020 as presented.

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

### **PUBLIC COMMENT PERIOD:**

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

### **REPORTS FROM STAFF:**

Staff gave a brief overview of the Zoom virtual meeting protocol.

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

#### **DEVELOPMENT REVIEW COMMITTEE:**

None.

#### **PLANS & POLICIES COMMITTEE:**

None.

### **CONSENT AGENDA:**

#### **OLD BUSINESS:**

(Agenda Item #1)

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

The applicant requested to table the request.

Motion by Jensen, second by Spann, to table the request indefinitely.

Roll Call: Unanimous ***Motion carried***

**APPROVED**

## **PUBLIC HEARINGS:**

(Agenda Item #1)

**A request by Landmarc Custom Homes, LLC to consider a Density Concept Plan and rezone from a mix of RMF- 15B (Residential Multifamily, 15 units per acre) and C-2 (Highway Commercial) zoning districts to the C-3 (Neighborhood Commercial) zoning district for 9.27 acres on New. Hope Road, west of S. 8<sup>th</sup> Street.**

Geoff Bates represented the request. Staff stated the expansion of the adjacent Neighborhood Center is necessary for this request to be consistent with the Comprehensive Growth Map. The proposed Density Concept Plan supports the density requested, but the CGM must be amended for C-3 to be allowed. Overall, the proposed DCP ensure compatibility with the surrounding development context and does not negatively impact the capacity of the surrounding transportation network. Community Development recommends approval of this request subject to the following actions:

1. Confirm applicant's intent to request a CGM amendment.
2. Approve CGM amendment to expand the adjacent Neighborhood Center to include the subject property.
3. Acknowledge street design issues along S. 9<sup>th</sup> Street extension.
4. Relocate dumpster enclosure(s).
5. Clarify intent of "common area" shown on east side of property.

Bates stated they are wanting to amend the CGM and will make changes to the street during large scale.

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

- Julie Snodgrass, 1006 W. Linden Street- is against the request and the opening of the dead end street. Snodgrass would like for the 50' buffer and tree line to stay in place and would like a privacy fence.
- Rhonda Campbell- is concerned about drainage issues.

The public hearing was declared closed.

Dave Burris and Geoff Bates addressed concerns from the public and the extension of S. 9<sup>th</sup> Street. Myers stated that the City required S. 9<sup>th</sup> Street to be stubbed out years ago for connectivity. Deputy Fire Chief B.J. Hyde stated that Myers is correct of the intended

extension to reach W. New Hope Road from a different access point.

Motion by Myers, second by Schmelzle, to amend the Comprehensive Growth Map to include this new development.

Roll Call: 8 yes, Noblin abstained **Motion carried**

**APPROVED**

Motion by Myers, second by Jensen, to recommend the rezone to City Council for approval including comments 1, 3, 4, and 5 recommended by staff.

Roll Call: 8 yes, Noblin abstained **Motion carried**

**APPROVED**

(Agenda Item #2)

**A request by The Greens at Blossom Way Homes, LLC to consider a Density Concept Plan and rezone from the PUD-Overlay District to the RMF-23B (Residential Multifamily, 23 units per acre, rentals) zoning district for undeveloped property at the southeast corner of I-49 and Bellview Road.**

Daniel Ellis represented the request. Staff stated that this request is consistent with the Comprehensive Growth Map and the proposed Density Concept Plan supports the density requested. Overall, the proposed DCP ensures compatibility with the surrounding development context and does not negatively impact the capacity of the surrounding transportation network. Community Development recommends approval of this request subject to the following actions:

1. Acknowledge the potential need for additional right-of-way for planned roundabout at Bellview/28<sup>th</sup> intersection.
2. Consider shifting Building 1-2 to the west to better align opposing driveways (pending the above ROW needs).
3. Provide pedestrian connections from Building 1-4 to sidewalk.

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.

Ellis stated he is aware and will address Staff's recommendations.

Motion by Myers, second by Jensen to accept the DCP and recommend the rezone to City

Council for approval with the recommendations from Staff.

Roll Call: Unanimous **Motion carried**

**APPROVED**

**NEW BUSINESS:**

(Agenda Item #1)

**Lot Split, Hews Ark, LLC, a proposed lot split creating a 0.64-acre lot and a 4.26-acre lot on N. 13<sup>th</sup> Street in the I-1 (Light Industrial) zoning district and the Rogers Overlay District**

Patrick Bardone represented the request. Staff stated that this request is to approve a lot split that requires two variances from Sec. 14-713(d)(2), which requires a 25-foot interior side setback in the I-1 zoning district; a reduction from 25 feet to 7 feet on Tract A and from 25 feet to 10.1 feet on Tract B (as indicated on the accompanying survey). This request has come before the Planning Commission previously; it was tabled as concerns were expressed of the possibility of the lot split being approved and the cell tower not being developed, as the site would have limited development given current zoning requirements. The applicant has constructed the cell tower and is now moving forward with the lot split again. Though the concern of the cell tower being built has been alleviated, the lot split will still need a variance for setback requirements. Though the applicant nor staff has identified a site-specific hardship, the adjacent property owner sharing the property line with encroached setback is in support of this lot split. Community Development recommends consideration of this request.

Motion by Noblin, second by Schmelzle to approve the request.

Roll Call: Unanimous **Motion carried**

**APPROVED**

(Agenda Item #2)

**LSDP, KD3 Office Building, a 4,867-sf building proposed at 5313 W. Village Parkway in the C2-CU (Highway Commercial, Condominium Use) zoning district.**

Andres Forero represented the request. Staff stated that this request is to allow the construction of a 4,867-sf office building on 0.43± acres off of W. Village Parkway. The proposed development plans meet all City requirements (except for requested waivers/variances). Community Development recommends approval of this request subject to the following actions:

1. Consider waiver from Sec. 14-256(14)(B) for the requirement to provide a 324-sf tree island every 15 parking spaces.
2. Deny waiver from Sec. 14-260(1)d and require that either the centerline of opposing nonresidential driveways shall align, or shall be offset no less than 75 feet.
3. Approve work-in-lieu of sidewalk installation along the north side of the lot, allowing offsite improvements as proposed.
4. Approve waiver from Sec. 14-608 from requiring improvements of substandard streets.

Forero and Commissioners discussed waiver number one. Jensen stated that he doesn't see the need for a large tree island in this little parking lot. Spann agreed with Jensen.

Kris Paxton stated that the alignment would move the entrance away from the intersection, which would be preferred.

Motion by Myers, second by Spann to approve the request with the following conditions:

1. Approve waiver from Sec. 14-256(14)(B) for the requirement to provide a 324-sf tree island every 15 parking spaces.
2. Deny waiver from Sec. 14-260(1)d and require the driveways to be lined up.
3. Approve work-in-lieu of sidewalk installation along the north side of the lot, allowing offsite improvements as proposed.
4. Approve waiver from Sec. 14-608 from requiring improvements of substandard streets.

Roll Call: Unanimous **Motion carried**  
**APPROVED**

(Agenda Item #3)

**LSDP, Hudson Road Townhomes, a 35-unit multifamily development with eight four-plex units and a triplex unit on 2.92 acres at 1900 - 2400 W. Hudson Road in the C-3 (Neighborhood Commercial) zoning district.**

Andres Forero represented the request. Staff stated that this request is based off a DCP that was previously approved. This request is to allow the construction of nine new buildings comprising 35 apartment units on 2.92± acres, with a density of 12 units per acre. The proposed development plans meet all City requirements (except for requested waivers/variances). Community Development recommends approval of this request subject to the following actions:

1. Approve variance from Sec. 14-285(2) which requires the front setback for all lots within the Overlay District to be 75’.
2. Deny waiver from Sec. 14-256(14)(B) for the requirement to provide a 324-sf tree island every 15 parking spaces.
3. Consider variance request from Sec. 14-285(3) from the requirement to provide a 25’ front landscape buffer as required by Overlay District.
4. Consider variance request from Sec. 14-285(4) from the requirement to provide a 10’ (east) side landscape buffer as required by the Overlay District.
5. Deny waiver from Sec. 14-260(2)b.1 requiring the project to provide a cross access the length of the property.
6. Deny the waiver from Sec. 14-260(1)e limiting the project to one curb cut.
7. Deny waiver from DCM DET-4 for the requirement to provide a 5’ wide concrete trickle channel.
8. Approve waiver from Sec. 14-608 requiring a 6’ greenspace and 10’ sidepath along W. Hudson Road.

Forero and the Commissioners discussed the requested waivers and variances. Forero stated he would like to table the request so that he may go back to the design stage so that he’s not asking for so many waivers.

(Agenda Item #4)  
**LSDP, Inglewood Townhomes, a 58-unit multifamily development on 11.77 acres at 2002 S. Dixieland Road in the C-3 (Neighborhood Commercial) zoning district.**

Motion by Myers, second by Noblin to table the request until the applicant is ready to present again.

Roll Call: Unanimous Motion carried  
**TABLED**

Jason Ingalls represented the request. Staff stated the this request is to allow the construction of 58 duplex and quadplex units in 20 buildings totaling 141,532-sf on 11.77± acres. The proposed development plans meet all City requirements (except for requested waivers/variances). Community Development recommends approval of this request subject to the following actions:

1. Approve waiver from Sec. 14-256 requiring street improvements along S. Dixieland Road if a fee-in-lieu is provided.
2. Deny waiver from Sec. 14-604(c)(1) and require the proposed S. 20<sup>th</sup> Street to make a direct connection east/west with a stub out to the west.
3. Approve waiver from Sec. 14-256(16) for the requirement to provide bike racks.

Motion by Samuels, second by Myers to approve the request as presented.

Roll Call: Unanimous Motion carried  
**APPROVED**

There being no further business, Chairman Zvers adjourned the meeting at 6:30 p.m.

**ATTEST:**

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Rachel Crawford, Secretary

**APPROVED:**

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Eriks Zvers, Chairman