

MINUTES

The **Rogers Planning Commission** met for a *regular session* in the Council Chambers of the Maurice H. Kolman Building on May 7, 2019 at 4:30 P.M. The meeting was called to order by Vice Chairman Eriks Zvers. Those in attendance were led in the Pledge of Allegiance.

MEMBERS PRESENT:

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

OTHER OFFICIALS PRESENT:

Community Development Director John McCurdy, Planning Administrator Lori Ericson, Staff Attorney John Pesek, Planning Engineer Derec Bass, City Planners Elizabeth Johnson and Ethan Hunter, Asst. Fire Chief B.J. Hyde, Fire Marshals Bill Rumsey and Joseph Jerabeck, BOA Member Hannah Cicioni, Councilmembers Mark Kruger and Betsy Reithemeyer.

ACTION ON MINUTES:

April 16, 2019

APPROVED

Motion by Noblin, second by Ferguson, to approve the minutes of the April 16, 2019 meeting.

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:

None

REPORTS OF BOARDS AND STANDING COMMITTEES:**DEVELOPMENT REVIEW COMMITTEE:**

Committee Chairman Zvers reported the Development Committee had met and reviewed four items on the agenda, which included two lot splits recommended for approval as follows:

1. Lot Split, Mick Wagner, a two-lot division of property creating a lot without street frontage as a split of the Wanamaker Addition at 4602 W. Walnut Street in the C2/CU (Highway Commercial with Condominium Use) zoning district.
2. Lot Split, Alex Blass, a three-lot division of property without street frontage and not meeting minimum lot standards at the south end of Pope Road, north of Pinnacle Subdivision in a mix of the A-1 (Agricultural) and RMF-6 (Residential Multifamily, six units per acre) zoning districts.

Zvers said the Development Committee also supported two large-scale development projects for approval on the Consent Agenda with waiver requests recommended as follows:

1. LSDP, Animal Medical Center, a 6,062-sf animal hospital on 1.10 acres at 1203 S. 43rd Street in the R-O (Residential Office) zoning district. With a recommendation to waive the following:
 - Sec. 14-604(c)(2) for the requirement to provide a local cross street at intervals not to exceed 660 feet.
2. LSDP Waiver Request, Venture Park LLC, request for pre-submittal approval to waive certain development requirements for a planned 21,585-sf commercial structure at 5911 W. Venture Park Blvd. in the C-2 (Highway Commercial) zoning district. With a recommendation to deny two requested waivers, but approve the following:
 - Waiver of Sec. 14-604(3) for the requirement to provide minor street connections at intervals not to exceed 660 feet.
 - Waiver of Sec. 14-260(2) for the requirement to provide joint and cross access to the existing development to the west.

APPROVED

Motion by Spann, second by Samuels, to place all items as recommended by the Committee on the Consent Agenda for approval.

Roll Call: Unanimous – Yes. ***Motion carried.***

CONSENT AGENDA:

Zvers asked for a motion on the Consent Agenda as proposed.

APPROVED

Motion by Myers, second by Noblin, to approve the Consent Agenda.

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

PLANS & POLICIES COMMITTEE:

The Committee did not meet due to a lack of members present.

OLD BUSINESS:

None

PUBLIC HEARINGS:

1. **A request by David Bodeen for Olrich Plaza for a Conditional Use Permit to allow vehicle/equipment sales and rentals at 1540 S. 8th Street in the C-2 (Highway Commercial) zoning district.**

David Bodeen, Pinnacle Design Associates of Springfield, presented the request, noting a Conditional Use Permit application for the same property was withdrawn earlier this year. At the time, it was an open lot with no planned structures. It was withdrawn until the owner could come back with a development plan as recommended by the Commission, Bodeen said, adding that the owner now has a site plan. He presented the plan for paving to accommodate 70 cars and a structure with approximately 1,260 sf of office space and 700 sf of space for vehicle detailing.

Vice Chairman Zvers asked if anyone in the audience wanted to speak in favor or against the request. The following comments were received:

- David Stitt, Stitt Energy, 1301 S. 8th Street – concerned about the 8th Street corridor and opposed to the CUP. He said the commission had previously indicated that it would keep used-car dealerships south of New Hope Road, and that some of the dealerships on S. 8th are not enhancing the corridor. He offered to join with the city to support any effort to improve the S. 8th Street corridor.
- Orlo Stitt, 1301 S. 8th Street – Noting his company's improvements to its own property, echoed his son's comments that they would like to see the quality of S. 8th Street corridor go up.

The public hearing was declared closed.

Zvers stated that he'd like to see the Neighborhood Center extended to include the corner and would like to see the Comprehensive Growth Map updated to include the corner.

Bodeen asked to speak, stating that the comments by the Commission previously were to come up with a development plan and come back. He said that was the guidance given by the Commission and his client had gone to great expense to do that. Zvers noted that the Commission is still tasked with deciding the best use of the property.

Commissioners discussed whether to allow the CUP and its long-term impact on the corner, or to change the growth designation for the corner to

Neighborhood Center to encourage more neighborhood-friendly development. They also discussed how it might happen with existing uses in the area. The Neighborhood Center designation would not permit the open display use.

Myers said the Conditional Use is not truly conditional because it will endorse outdoor display in the location with the infrastructure that would be built. Schmelzle said the new development will enhance the corner and shouldn't be compared to other older used-car dealerships on S. 8th Street.

Motion by Noblin, second by Samuels, to approve the Conditional Use Permit request to allow vehicle/equipment sales and rentals at 1540 S. 8th Street.

Voice Vote: 5 – Yes, 2 – No. ***Motion carried.***

APPROVED

NEW BUSINESS:

- LSDP, NWA Ground Services, a 36,450-sf building on 9.64± acres at 2225 S. Bellview Road in the R-O (Residential Office) and C-2 (Highway Commercial) zoning district.**

Zvers stated that the Development Review did not get to NWA Ground Services' request for large-scale development so it didn't make it on the Consent Agenda. Ryan Gill, engineer with HFA, represented the request.

Commissioners discussed aspects of the development including some variation of the 6' greenspace along Bellview Road due to the location of existing fire hydrants. McCurdy said the 10-foot trail is an important connection for the city. Zvers said he's opposed to the trail being located at the curb as a traffic hazard along Bellview.

Blass said the developers realize the importance of the trail connection and plan to include an LED-signalized trail crossing on Bellview Road to improve connectivity in that area.

Noblin questioned how close the trail can be to the hydrants and if RWU had been asked about the possibility of moving the hydrants to accommodate the trail. Stephen Ponder said there is no issue in moving the fire hydrants.

McCurdy suggested city staff work with the developer to agree upon a location for the 10-foot sidepath with adequate separation from the curb and the fire hydrants.

APPROVED

Motion by Samuels, second by Myers, to approve the Large-Scale Development Project contingent upon all conditions and recommendations listed in the staff report, and with the following actions for the requested waivers and variances:

- **Deny waiver to Sec. 3.0 of the Drainage Manual for storm sewer pipe under traffic areas to be reinforced concrete pipe.**
- **Deny waiver to Sec. 14-260(2) for required cross access to potential future development to the South of the site.**
- **Deny waiver to Sec. 14-604(c)(3) for the requirement to provide minor street connections at intervals not to exceed 660 feet and not less than 200 feet along existing streets.**
- **Deny waiver to Sec. 14-256(11) for required 10' sidepath with 6' greenspace along S. Bellview Road.**
- **No action on variance to Sec. 14-706(c)(2) to allow a front setback encroachment for two dumpster pads because it was moot upon the denial of a requested waiver.**

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

2. **Lot Split, Mick Wagner, a two-lot division of property creating a lot without street frontage as a split of the Wanamaker Addition at 4602 W. Walnut Street in the C2/CU (Highway Commercial with Condominium Use) zoning district.**

Moved and APPROVED on the Consent Agenda.

3. **Lot Split, Alex Blass, a three-lot division of property without street frontage and not meeting minimum lot standards at the south end of Pope Road, north of Pinnacle Subdivision in a mix of the A-1 (Agricultural) and RMF-6 (Residential Multifamily, six units per acre) zoning districts.**

Moved and APPROVED on the Consent Agenda.

4. **LSDP, Animal Medical Center, a 6,062-sf animal hospital on 1.10 acres at 1203 S. 43rd Street in the R-O (Residential Office) zoning district.**

Moved and APPROVED on the Consent Agenda.

5. **LSDP Waiver Request, Venture Park LLC, request for pre-submittal approval to waive certain development requirements for a planned 21,585 sf commercial structure at 5911 W. Venture Park Blvd. in the C-2 (Highway Commercial) zoning district.**

Moved and APPROVED on the Consent Agenda.

6. **Lot Split, Silver Development, a 25-lot division of property with infrastructure in place as a replat of The Grove, Phase III, Lot 19-B, 20-B, and 21, located along the south side of W. Broadway Place and in the R-DP (Residential Duplex Patio) zoning district.**

Ryan Gill, engineer, explained the lot split will create lots along an existing street and represents the first phase of the planned Silver Development that has been previously approved.

McCurdy noted that the property split includes more lots than what the staff can approve but is supported by staff due to the lack of need for any infrastructure development to support the duplex housing to be built. He said the density plan for the project has already been approved and the first phase complies with that.

APPROVED

Motion by Samuels, second by Spann, to approve the 25-lot division of property with infrastructure in place as a replat of The Grove, Phase III, Lot 19-B, 20-B, and 21 in the R-DP (Residential Duplex Patio) zoning district.

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

Zvers adjourned the meeting; however, McCurdy pointed out there was one additional item on the agenda.

Motion by Noblin, second by Samuels, to reopen the meeting.

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

Noblin noted for the record that nobody had left the session during the brief adjournment.

7. **Comprehensive Growth Map, a proposal to expand two Neighborhood Centers located at S. Bellview and New Hope roads, and S. 28th Street and W. Walnut Street.**

Planner Beth Johnson explained the recommendation to expand two Neighborhood Centers on the Comprehensive Growth Map as follows:

- Five parcels along S. Bellview Road, between W. New Hope Road and S. Hampton Place, currently designated as part of the Regional Center to the west, but recommended for a Neighborhood Center growth designation. Johnson said the property is better suited for the

buffering to less intense uses to the east and allowing a rezone to C-3 (Neighborhood Commercial).

- An 8.2-acre parcel along the west side of S. 28th Street, south of Walnut, with an existing zoning of 20 units per acre that doesn't meet its current Neighborhood growth designation

APPROVED

and should be linked to the Neighborhood Center to the north and west of the property. Johnson reported the parcel is better suited to the Neighborhood Center growth designation and the change would eliminate the conflict with the approved zoning.

Motion by Samuels, second by Spann, to expand the Neighborhood Center on the Comprehensive Growth Map at S. Bellview and New Hope Road. Zvers amended the motion to state “as recommended by staff,” second by Noblin. Voice Vote: Unanimous – Yes. ***Motion carried.***

APPROVED

Motion by Myers, second by Noblin, to update the Comprehensive Growth Map to change 8.2 acres along S. 28th Street and W. Chateau Drive from a Neighborhood growth designation to a Neighborhood Center growth designation. Schmelzle asked that the vote be by roll call. Roll Call: 6 – Yes, 1-Abstain (Schmelzle). ***Motion carried.***

There being no further business, Vice Chairman Zvers adjourned the meeting at 5:47 p.m.

ATTEST:

APPROVED:

Mandel Samuels, Secretary

Kevin Jensen, Chairman