

MINUTES

The **Rogers Planning Commission** met for a *regular session* in the Council Chambers of the Maurice H. Kolman Building on Tuesday, May 18, 2010 at 4:30 P.M. Due to the absence of the Chairman, the meeting was called to order by Vice-Chairman Chad Campbell. Those in attendance were led in the Pledge of Allegiance.

MEMBERS PRESENT:

Commissioners Chad Campbell, James Gosserand, Susan Fennel Mills, Mark Myers, Ron Shelby, Mike Shupe, Don Spann, David Thrasher were present. Jim White was absent.

OTHER OFFICIALS PRESENT:

City Clerk Peggy David, City Attorney Ben Lipscomb, Director of Planning and Transportation Steve Glass, Senior Planner Derrel Smith, Water Utilities Engineer Mark Johnson, Main Street Director Kerry Jensen, and City Council member Larry Daniel.

ACTION ON MINUTES:

(May 4, 2010)

Approved.

Motion by Mills, second by Shupe to approve the minutes of the meeting of May 4, 2010 as submitted.

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

REPORTS OF BOARDS AND STANDING COMMITTEES:

None.

PUBLIC HEARING:

(Agenda Item #1)

Request by Jerry Self (Car Solutions) for a Conditional Use Permit for vehicle sales & service at 1325 W. Walnut St. in the C-2 (Highway Commercial) zoning district

Mr. Self provided the green cards (return receipts) for the notice of public hearings to surrounding property owners.

There were no comments from anyone in the audience either for or against the conditional use permit.

The Public Hearing was declared closed.

Commissioner Shupe noted that due to the loss of several businesses in this area, “I support this operation”.

Commissioner Myers noted this business was originally allowed due to a typo, but he would rather see it as this rather than a vacant lot.

Commissioner Mills expressed appreciation to Mr. Self for the additional landscaping that had been added to this location.

Approved.

Motion by Mills, second by Gosserand to approve the conditional use permit as requested.

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

(Agenda Item #2)

Request by Emery Davis for a Conditional Use Permit for a private club at 218 So. 1st St. in the C-1 (Central Business) zoning district

Pat Moran, attorney representing Emery Davis, presented the request for the conditional use permit to operate a private club.

Moran said if this permit is approved, the application for the private club permit will be sent to the Arkansas Alcoholic Beverage Control Board for approval. A new corporation has been created to be known as Rail Pizza Restaurant will open as a full service pizza restaurant with an extensive menu offering different items and alcoholic beverages.

Kerry Jensen, Main Street Rogers Director, spoke in favor of the conditional use permit.

Jensen said surveys taken regarding downtown businesses indicate that a pizza restaurant is something that would be favorably supported.

There were no other comments either for or against the conditional use permit from anyone in the audience.

Commissioner Shelby asked if the conditional use permit is approved first, then that ABC board approves their permit or which should be first?

City Attorney Lipscomb said the ABC Board approves the permit which is subject to local legislation.

Approved.

Motion by Mills, second by Myers to approve the conditional use permit as requested.

Roll call: Gosserand, Mills, Myers, Shelby, Shupe, Thrasher & Campbell – Yes; Spann – Disqualified. ***Motion carried.***

(Agenda Item #3)

Request by Immanuel Baptist Church for a Conditional Use Permit for a private school at 2555 S. 26th St. in the A-1 (Agricultural) zoning district

Rev. Tom Hatley, presented the conditional use permit request to operate a private school within the church facilities.

Hatley said the private Christian academy will be a complementary ministry to the existing ministries for families within their church.

Hatley said the church facilities accommodate about 800 people at a time and the school will have about 100 students with plenty of parking. The egress and ingress are two long driveways off of S. 26th Street in a giant horseshoe shape around the church which provide parents the opportunity to go either way, north or south.

Rob Sabotoa, attorney for Floyds Kennan, expressed concern that the school will generate more traffic on S. 26th Street and wondered what the hours are and why the school only holds classes two days a week.

Hatley responded that the hours for the school will be 7:30 a.m. to 3:00 p.m. The classes for kindergarten to 5th grade will be held two days-a-week because of the parental involvement. The children will get the instruction in the classroom and the parents will assist with the application. This is a combination of a Christian traditional school and homeschooling. We expect to have some growth, but there is no way to predict the number.

Commissioner Shelby said that S. 26th Street has been developed into a street that is meant to carry the traffic. The development of the area south at Pleasant Grove Road will dictate the use of S. 26th Street whether this school or church is there or not.

Commissioner Myers reminded Ms. Keenan that this conditional use permit is subject to any complaint and could be addressed if a problem should occur.

Approved.

Motion by Shupe, second by Shelby to approve the conditional use permit as requested.

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

NEW BUSINESS:

(Agenda Item #1)

Request by Cole Mitchell for a temporary concession trailer at Frisco Station Mall in the C-2 (Highway Commercial) zoning district

David Hall, business partner of Mitchell, requested the temporary trailer permit for a shaved ice business in the Frisco Station Mall parking lot between Payless Shoes and Arvest Bank using the Payless entrance.

Hall said they previously operated at the location next to Andy's last year, but that space was taken. The hours of operation would be 12:30 p.m. everyday to 10:00 p.m. Monday thru Thursday, opened until 11:00 p.m. on Friday & Saturday and until 9:00 p.m. on Sunday.

Approved.

Motion by Myers, second by Shelby to approve the temporary trailer permit for a period of six months contingent upon obtaining license and inspections as required. Voice vote: Unanimous. ***Motion carried.***

There being no further business, the meeting adjourned at 4:58 P.M.

ATTEST

APPROVED

Susan Mills, Secretary

Chad Campbell, Vice Chairman