

MINUTES

The **Rogers Planning Commission** met for a *regular session* in the Council Chambers of the Maurice H. Kolman Building on Tuesday, March 2, 2010 at 4:30 P.M. The meeting was called to order by Chairman Jim White.

MEMBERS PRESENT: Commissioners Chad Campbell, James Gosserand, Susan Mills, Mark Myers, Don Spann, David Thrasher and Jim White. Absent were Ron Shelby and Mike Shupe.

OTHER OFFICIALS PRESENT: City Planner Derrel Smith, Assistant City Planner Lori Stone, Deputy City Attorney Jim Clark, Administrative Assistant Donna Johnston, Water Utility Engineer Mark Johnson and Council Member Larry Daniel.

ACTION ON MINUTES:
(February 16, 2010)
APPROVED. Motion by Mills, second by Spann to approve the minutes of February 16, 2010 as submitted. Voice Vote: Unanimous.
Motion carried.

REPORTS OF BOARDS AND STANDING COMMITTEES: None.

PUBLIC HEARINGS:
(Agenda Item #1)
Request by Academy Sports for a Conditional Use Permit for Outdoor Display at 3855 South 26th Street in the C-2 (Highway Commercial) Zoning District.
Scott Mann, Adams Engineering, represented this conditional use request. Mann stated he had sent Staff pictures of what Academy Sports does with their outdoor displays. Mann said these are usually playground equipment, deer feeders and stands, and basically large items that can not be put in the stores. Mann said they have designed two places in front of the store and a small area in the parking lot for outdoor displays. Mann said these displays will be seasonal.

Commissioner Thrasher asked if the displays would be brought in at night. Mann

said he did not believe they would. They would be secured outside.

Commissioner Spann asked if there were entry areas into the store where the displays will be located. Mann said the entry doors are all in the vestibule.

Commissioner Myers asked why the deer stands are not shown in the green space next to the building. Mann said he could not answer that question; however, he felt Academy Sports wanted the displays to be where people could get up to them. Myers said the only thing he does not like about what is proposed is that it is open ended, however, since it is conditional, they have the right to make changes if they do not like it.

Chairman White advised Mann they do not want to see what is shown to be enlarged and suddenly go from 14 spaces to 80 spaces of display. Mann said their displays will be contained within the space shown.

Commissioner Campbell asked what was designated for the green space. Mann said it will be landscaped with 28 additional trees and shrubs.

No one spoke in favor or in opposition to this conditional use request.

The Public Hearing was declared closed.

APPROVED.

Motion by Thrasher, second by Myers to approve this conditional use permit request as submitted. Voice Vote: Unanimous.
Motion carried.

(Agenda Item #2)
Request by La Mas Mexicana for a
Conditional Use Permit to Operate a

Mr. Salas represented this conditional use permit request. Salas said this would be

Broadcast Studio at 1504 West Persimmon in the R-O (Residential Office) Zoning District.

more of an office than broadcasting studio as there would only be light broadcasting done at this location. Salas stated parking will consist of a couple of cars.

No one spoke in favor or in opposition to this conditional use permit request.

The Public Hearing was declared closed.

Chairman White said this was previously rezoned to R-O to allow the conditional use for the radio station.

APPROVED.

Motion by Myers, second by Spann to grant the conditional use permit as requested. Voice Vote: Unanimous. **Motion carried.**

NEW BUSINESS:

(Agenda Item #1)
Lot Split for Lot 11A in Phase 2 of The Manors on Blossom Way Creek, in the RSF (Residential Single-Family) Zoning District.

Don Phillips and Vance Puttkammer represented this request. Phillips said the history on this lot goes back to 2000.

Chairman White said he had done some research on this and at one time this lot was part of lots 20 and 21.

Commissioner Thrasher asked what the access would be for 11A. Phillips said there is an access easement going back to lots 18 and 19. This was dedicated as an access and utility easement on the original plat. White asked if the lot as it is now, lot 11A, have access and utility easement. Puttkammer said yes.

Commissioner Myers stated he would like to know the compelling reason for the Commission to approve this lot split. Puttkammer said the economy has changed and they have had offers for the house, but they don't want the lot. Puttkammer said

the utilities will not be affected by the lot split. There are separate utilities already there for the structure on the property. Commissioner Thrasher stated he knew this split was good for the owner, but does it impact the neighbors who bought their houses thinking there would only be a certain number of houses in the subdivision? Chairman White asked if there were covenants for this subdivision. Puttkammer said yes. Whoever buys this property will have to build a house within the minimums of the Manors POA. Commissioner Myers said he was reluctant to create more lots in the subdivision; however, these are extremely large lots. Puttkammer said he had letters from the bordering neighbors on this lot, and they have no objection to this lot split.

Commissioner Campbell asked who was responsible for the maintenance on the access road between lots 18 and 19. Phillips said it is a private road, and Vance would be responsible for the maintenance.

White said if the rest of the Commission had no objection, he would like to open the floor to anyone in the audience who might be here because of this proposed lot split. There was no one wanting to speak on behalf or against this lot split request. Puttkammer provided the Commissioners the letters he had received from the bordering neighbors as well as some other information of interest to the Commissioners. Myers asked City Planner Smith if had received any phone calls concerning this request. Smith said he had received one phone call, but that person did not send an objection letter and was not present for today's meeting. White said he had received one call also, but that person has chosen to not attend today's meeting.

Commissioner Mills asked if lots 18 and 19 were addressed off Blossom Way. Puttkammer said yes.

APPROVED.

Motion by Myers, second by Gosserand to approve the lot split as submitted. Chairman White called for a roll call vote. Roll Call Vote: Yes – Campbell, Gosserand, Mills, Myers, Spann, and White. No – Thrasher. **Motion carried.**

There being no further business the meeting was adjourned at 5:00 P.M.

ATTEST

APPROVED

Susan Mills, Secretary

Jim White, Chairman