

MINUTES

The **Rogers Planning Commission** met for a *regular session* in the Council Chambers of the Maurice H. Kolman Building on Tuesday, May 3, 2011 at 4:30 P.M. The meeting was called to order by Chairman Chad Campbell. Those in attendance were led in the Pledge of Allegiance.

MEMBERS PRESENT:

Commissioners Chad Campbell, James Gosserand, Susan Mills, Ron Shelby (arrived at 4:35), Mike Shupe, Don Spann, David Thrasher, and Jim White. Mark Myers was absent.

OTHER OFFICIALS PRESENT:

Director of Planning and Transportation Steve Glass, City Planner Derrel Smith, Assistant City Planners Candy Anderson and Lori Stone, Deputy City Attorney Jim Clark, Water Utility Engineer Earl Rausch, Main Street Director Kerry Jensen, and Council Members Larry Daniel, Betsy Reithemeyer and Buddy Wright.

ACTION ON MINUTES:

(April 18, 2011)

APPROVED.

Commissioner Mills stated on page 7487, item #2, the minutes need to reflect the vote was not unanimous. There was one “no” vote.

Motion by Mills, second by Shupe to approve the minutes of the April 18, 2011 meeting as corrected.

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

REPORTS OF BOARDS AND STANDING COMMITTEES:

City Planner Smith stated the developer’s conference is this Friday. Smith said if you have not already signed up and plan to attend, let him know. Smith said all the mayors will participate in a round table discussion Friday morning. Smith said Congressman Womack will attend the reception at Arvest Ballpark from 5:00 until 6:00 P.M. prior to the Naturals game.

OLD BUSINESS:

(Agenda Item #1)

A Request by Shelly King for a Conditional Use Permit to Operate a Day Care Facility at 1215 West Pine in the R-SF-(Residential Single-Family) Zoning District.

WITHDRAWN BY THE APPLICANT.

(Agenda Item #2)

A Request by Devang Parmar for a Conditional Use Permit at 2931 West Walnut Street to Operate a Self-Service Storage Facility in the C-2 (Highway Commercial) Zoning District.

Mr. Parmar stated he would like to ask this request be tabled until the next meeting. Parmar said due to the recent rainfalls, his engineer needs the extra time before bringing this to Planning Commission.

TABLED.

Motion by White second by Thrasher to table this request.

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

(Agenda Item #3)

A Request by Minerva Hurtado and Luis Gamez to Rezone 814 West Poplar Street from R-DP (Residential Duplex-Patio) to the R-O (Residential Office) Zoning District.

City Planner Smith said this request will have to go back through the process. The notification requirements were not met.

NO ACTION.

PUBLIC HEARINGS:

(Agenda Item #1)

A Request by SMEK, LLC to Rezone 1112 Elm Street from R-DP (Residential Duplex-Patio) to the C-2 (Highway Commercial) Zoning District.

Bill Watkins stated this property fronts Elm Street. The property is bordered by C-2 to west and C-2 across the street. Our client wants to put in a violin instruction studio and repair business at this location.

Commissioner Shelby asked if R-O would work for the rezoning request. Watkins said R-O will not allow this as a permitted or conditional use. Discussions were held on uses. City Planner Smith said the schedule of uses is being changed too often.

Conditional use should not be used to circumvent zoning. Deputy City Attorney Clark said commercial is the only economic viability for the Elm Street frontage.

No one spoke in favor or in opposition to this rezone request.

The Public Hearing was declared closed.

APPROVED.

Motion by White, second by Shelby to recommend this rezoning request to City Council for approval. Roll Call Vote: Unanimous. **Motion carried.**

NEW BUSINESS:

(Agenda Item #1)

A Request by Landon Garner for a Waiver from the Large Scale Development Process to Allow a Quasi-Portable Ice Machine on a 1.86 Acre Site Immediately West of Garner Lumber on East Locust Street in the C-2 (Highway Commercial) Zoning District.

Landon Garner said the machine is 6 ½' wide and 12' long and will be placed on the east side of the site close to the railroad tracks. Garner said this will not impact what goes on Saturdays with Whitey's Chicken. Garner said the property is owned by his father, Reece Garner. Garner said this will be a self-service ice vending machine.

Commissioner Mills asked if the parking lot will stay gravel. Garner said yes. Mills also asked about signage. Garner said the signage will be on the machine.

Chairman Campbell asked since this is portable, will it be anchored to the ground in any way? Garner said yes.

Commissioner Shupe asked where power would be coming from to operate the machine. Garner said across the street from the pole at Hook, Line, and Sinker. It will be overhead power.

Large Scale Committee has met and recommends approval of the waiver from the large scale process.

APPROVED.

Motion by White, second by Shelby to approve this large scale waiver.

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

(Agenda Item #2)

Request by Grizzly Construction for Clarification of the Open Display Approval at 1531 South 8th (R & J Pawn) to Possibly Include Sheds and Carports.

Adam Howard provided the Commissioners pictures of the sheds and carports they proposed to put at this location. Howard said they would also like to do some landscaping at this location. They would like to put four or five metal carports and three to four wood portable buildings at the site. The buildings will be secured to the ground. Howard said their buildings are top quality construction and would be built on the customer's site—not at this location. Howard said the only thing built at this location will be the display models and they will be built at a smaller scale so they can put nine displays on the lot. They have a sublease for three years and plan to be there the three years or longer.

Chairman Campbell asked if the pawn shop was still in operation. Howard said yes. They will be located on the north end of the lot. Campbell also asked if they had a landscape plan. Howard stated he did not have one as they were not sure if this request would be allowed. Howard did give the Commissioners some different ways they could address the landscape issue. Howard said the two semi-trailers parked in the back will be moved.

Commissioner Spann asked if there was any way the displays could be placed on the property where they were not on the highway. Howard said they could move away from the property frontage.

Commissioner Shelby asked if there were any setback issues. Smith said if it is over 150 sq. ft. the displays would have to be inside the setbacks, however, the Planning Commission can not give a setback variance. Board of Adjustments grants variances.

Chairman Campbell said, as one Commissioner, he can not support this request without a more definite plan. City Planner Smith stated what is needed from the Commissioners today is a clarification on whether the open displays presented can be allowed at this location. Shelby said he would not support storage buildings on this site. Commissioner Gosserand told Mr. Howard based on conversations he has heard today, he needs to make sure they are in complete alignment with Staff. Smith reminded the Commissioners all they were here to do today was either allow storage sheds or not allow storage sheds on this property. Shelby advised Mr. Howard he was not against his business, but this location is not the appropriate place. Gosserand said he does not have a problem with storage buildings. Commissioner Shupe said he did not feel this open display would do anything to improve this lot. Commissioner Spann said he agreed. Commissioner Thrasher said with what is in front of him today, he could not support the request. Commissioner Mills said she thought Mr. Howard needed a better location. This area is already defined by a pawn shop and car lot. Although she agrees with the green space you presented, open display would be too much stuff on one property. Thrasher recommended to Mr. Howard to not proceed at this location.

There being no further business, the meeting adjourned at 5:10 P.M.

ATTEST

APPROVED

James Gosserand, Secretary

Chad Campbell, Chairman