

MINUTES

The **Rogers Planning Commission** met for a *regular session* in the Council Chambers of the Maurice H. Kolman Building on Tuesday, June 1, 2010 at 4:30 P.M. The meeting was called to order by Chairman Jim White. Those in attendance were led in the Pledge of Allegiance.

MEMBERS PRESENT:

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

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, Main Street Director Kerry Jensen and Council Member Larry Daniel.

ACTION ON MINUTES:

(May 18, 2010)

APPROVED.

Motion by Campbell, second by Spann to approve the minutes of May 18, 2010 as submitted. Voice Vote: Unanimous.

Motion carried.

REPORTS FROM BOARDS AND STANDING COMMITTEES:

None.

PUBLIC HEARINGS:

(Agenda Item #1)

Request by NWA Taxi LLC for a Conditional Use Permit for Vehicle Rental at 997 Happy Trails Drive (Rogers Airport) in the W-O (Warehouse Office) Zoning District.

Joe Washington represented this conditional use request. Washington stated they are moving their taxi/limousine company from an existing location in Rogers to the Airport.

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

The Public Hearing was declared closed.

Commissioner Gosserand asked about the services Mr. Washington provided.

Washington said the taxi service is called

NWA Taxi and they also offer sedan/limousine service.

Commissioner Spann asked how many vehicles are being operated. Washington said about 18.

APPROVED.

Motion by Myers, second by Gosserand to approve this conditional use permit as requested. Voice Vote: Unanimous. **Motion carried.**

(Agenda Item #2)
Request by Red Ball Oxygen for a Conditional Use Permit to Allow Chemicals, Combustibles, etc. at 2953 Honeysuckle Drive in the I-1 (Light Industrial) Zoning District.

Clinton Bennett stated he was the commercial realtor representing the group leasing the building. Bennett stated Red Ball is currently operating in Fayetteville and looking to expand in Rogers.

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

Commissioner Myers stated the Commission had received a letter from First Western Bank voicing some concerns they had with this conditional use request.

The Public Hearing was declared closed.

Commissioners advised Mr. Bennett this is a conditional use and complaints could cause the applicant to have the conditional use permit revoked. This property is located next to RSF-4. Bennett said he appreciated the Commission's concern. Bennett said Red Ball has been around since the 1930s. It is a well run and managed company.

APPROVED.

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

(Agenda Item #3)

Request by Alan Wiseley for a Conditional Use Permit to Operate a Vehicle Sales and Service Facility at 1726 Acorn Drive in the C-2 (Highway Commercial) Zoning District.

Mr. Wiseley represented this conditional use request. Wiseley stated he would be selling motorcycles at this location. There will be no service.

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

The Public Hearing was declared closed.

Commissioner Shelby stated the applicant mentioned they would need no additional parking. Shelby said there are less than 20 spaces for servicing four establishments. Wiseley said the parking at the end of the building where they are located will be all the parking they will need.

Commissioner Campbell asked how many additional employees would work at the business. Wiseley said none.

Shelby asked about the signage for the business. Wiseley said they would replace the signage on the building, and he had already talked to Planning Staff concerning this.

APPROVED.

Motion by Shelby, second by Myers to grant the conditional use permit for motorcycle sales as submitted.

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

NEW BUSINESS:

(Agenda Item #1)

Request by Benton County School of Arts for a 3,540 s.f. Library Expansion and a 7,849 s.f. School Addition which will Replace the Temporary Trailers.

Dirk Thibodaux, Gray Rock Consulting, represented this large scale request.

Large Scale Committee has met and recommends approval contingent on the following conditions and plan revisions be met and submitted to the Planning Office:

1. Drainage improvements must be completed and certified by the engineer of record, Gray Rock Consulting, with all ditches and basins solid-sodded, concrete-lined, or underground conduit installed prior to issuance of a Certificate of Occupancy. Erosion control methods must be used during construction.
2. Construction debris must be cleared from all stormwater structures and verified by a site inspection from the Planning Department prior to issuance of a Certificate of Occupancy.
3. The limits of the floodway must be staked prior to issuance of a building permit.
4. Landscaping to be installed or letter of credit posted prior to issuance of a Certificate of Occupancy. Minimum size of shrubs is five gallons; minimum size of trees is 1 ½" B & B for ornamental trees and 2 ½" B & B for deciduous trees. Plant replacement must be guaranteed for three years from time of Certificate of Occupancy.
5. The proposed addition must be two foot above the base flood elevation. An elevation certificate must be provided to the Floodplain Administrator and Building Official prior to issuance of a building permit. A final elevation certificate must be provided prior to issuance of a Certificate of Occupancy.

6. Developer to dedicate a 20' recreation easement along the entire width of the property as part of the Greenway Trail System. Easement to be located in the floodplain along the floodway or in a location agreed upon by the developer and the City Planner. Must provide the City Planner with a copy of the trail easement for the entire property. Easement must be recorded prior to issuance of a Certificate of Occupancy.
7. The temporary trailers must be removed within 30 days of the issuance of a Certificate of Occupancy for the new addition.
8. All mechanical, electrical and air air conditioning equipment must be screened from public view.
9. Engineer to schedule a pre-construction meeting with the Rogers Planning Department prior to issuance of a grading permit. All Phase 1 erosion control must be installed prior to the pre-construction meeting and a reduced set of construction plans (11" x 17") will be required.
10. The person responsible for the project must obtain a grading permit including a copy of the NOI, a copy of the Stormwater Pollution Prevention Plan, and a copy of the Grading and Erosion Control Plan.
11. The entire facility must comply with the requirements of the Americans with Disabilities Act of 1990.
12. All water and sewer plans must be approved by the Rogers Water Utility Department prior to construction. THIS

IS A SEPARATE REVIEW PROCESS AND A PRE-CONSTRUCTION MEETING WILL BE REQUIRED.

13. The owner/developer will be responsible for any upstream or downstream flooding as a direct result of this development.

THE FOLLOWING PLAN REVISIONS ARE REQUIRED:

- Provide the City Planner with a copy of the landscape plan showing existing trees and shrubs. 214 plants are required for this site--not the three trees shown on the plans.
- Show the location of the entire trail location on the plans.
- Provide parking count to ensure that no additional parking is required due to the expansion.

APPROVED.

Motion by Shelby, second by Myers to approve this large scale development plan subject to conditions and plan revisions as listed. Voice Vote: Unanimous.

Motion carried.

(Agenda Item #2)
Request by New Hope Assembly of God for a 4,950 s.f. Addition at 2626 West New Hope Road in the RSF-5 (Residential Single-Family) and A-1 (Agricultural) Zoning District.

Mr. Bill Platz, W. R. Consulting, represented this large scale development plan. Platz stated the expansion will be in back of the building.

Commissioner Shelby asked if something other than Bradford Pears could be used along New Hope Road. Shelby said he would like to see something larger used like a Maple or Pin Oak. Shelby said small flowering trees typically have a shorter life.

Large Scale Committee has met and recommends approval of this large scale development plan subject to the following conditions and plan revisions:

1. Drainage improvements must be completed and certified by the engineer of record, W. R. Consulting, with all ditches and basins solid-sodded, concrete-lined, or underground conduit installed prior to issuance of a Certificate of Occupancy. Erosion control methods must be used during construction.
2. Construction debris must be cleared from all stormwater structures and verified by a site inspection from the Planning Department prior to issuance of a Certificate of Occupancy.
3. The entire development must comply with the requirements of the overlay district.
4. Provide a soils report signed and sealed by a professional engineer to be included with the building permit application.
5. All signs will require separate permits.
6. Landscaping must be installed and a three-year guarantee submitted on plant replacement or a letter of credit posted prior to issuance of a Certificate Of Occupancy. Minimum size of shrubs is five gallons, for shade trees it is 2 ½” B & B, and for ornamental trees it is 1 ½” B & B.
7. Trees are required in the front landscape buffer not less than 20’ apart.

8. Engineer to schedule a pre-construction meeting with the Rogers Planning Department prior to issuance of a grading permit. All Phase 1 erosion control must be installed prior to the pre-construction meeting and a reduced set of construction plans (11" x 17") will be required.
9. The person financially responsible for the project must obtain a grading permit including a copy of the NOI, a copy of the Stormwater Pollution Prevention Plan, and a copy of the Grading and Erosion Control Plan.
10. All parking lots and drives must be hard surfaced.
11. Provide the City Planner with a copy of the AHTD approval letter for curb cuts prior to issuance of the Certificate of Occupancy.
12. The entire facility must comply with the Requirements of the Americans with Disabilities Act of 1990.
13. All water and sewer plans must be approved by the Rogers Water Utility Department prior to construction.
THIS IS A SEPARATE REVIEW PROCESS AND A PRE-CONSTRUCTION MEETING WILL BE REQUIRED.
14. The owner/developer will be responsible for any upstream or downstream flooding as a direct result of this development.
15. Provide the City Planner with a copy of the final site plan and utility plan on compact disk formatted for

AutoCAD 2007 prior to issuance
of a Certificate of Occupancy.

**THE FOLLOWING PLAN REVISIONS
ARE REQUIRED:**

- Provide different types of trees other than Bradford Pears.
- Move the loading area out of the drive aisle.

**THE FOLLOWING WAIVER IS
GRANTED:**

- Allow the church to keep the 5' landscape buffer (10' required in Overlay District).

APPROVED.

Motion by Myers, second by Shelby to approve this large scale development plan subject to the above listed conditions and plan revisions. Voice Vote: Unanimous.
Motion carried.

There being no further business, the meeting was adjourned at 4:55 P.M.

ATTEST

APPROVED

Susan Mills, Secretary

Jim White, Chairman