

MINUTES

The **Rogers Planning Commission** met for a *regular session* in the Council Chambers of the Maurice H. Kolman Building on Tuesday, October 4, 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. Chairman Campbell welcomed new Planning Commissioner Myra Moran to the meeting.

MEMBERS PRESENT:

Commissioners Chad Campbell, Susan Mills, Myra Moran, Mark Myers, Ron Shelby, Don Spann, David Thrasher, and Jim White. Mike Shupe was absent.

OTHER OFFICIALS PRESENT:

Planning and Transportation Director Steve Glass, City Planner Derrel Smith, Assistant City Planners Candy Anderson and Lori Stone, Project Manager Lance Jobe, Deputy City Attorney Jim Clark, Administrative Assistant Donna Johnston, Water Utility Engineer Mark Johnson, Main Street Director Kerry Jensen, Inspections Director Mike Rouse, and Council Members Larry Daniel and Betsy Reithemeyer.

ACTION ON MINUTES:

(September 20, 2011)

APPROVED.

Motion by Mills, second by Myers to approve the minutes of the September 20, 2011 meeting as submitted. Voice Vote: Unanimous. **Motion carried.**

REPORTS OF BOARDS AND STANDING COMMITTEES:

City Planner Smith thanked the Commissioners for attending the work session held at 3:00 P.M. today. Smith said a Public Hearing on the Master Street Plan will be held at 3:00 P.M. on October 18. Smith also reminded the Commissioners a Public Hearing will be held from 4:00 until 7:00 P.M., October 6, on the Monte Ne and 1st Street road improvement projects.

Chairman Campbell stated on behalf of the Commissioners they would like to express their

appreciation to Staff for all their hard work in planning for the City of Rogers.

CONSENT AGENDA:

None.

PUBLIC HEARINGS:

(Agenda Item #1)

A Request by Cabela's for a Conditional Use Permit for Outdoor Display at 2300 Promenade Blvd. in the C-2 (Highway Commercial) Zoning District.

David Kochalka, Kimley-Horne and Associates, Inc. represented this conditional use request. Kochalka said they have read the Staff report and agree to those requirements.

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

The Public Hearing was declared closed.

Discussions were held on where the outdoor display would be located. Kochalka said the outdoor display would be in the plaza area in front of the building. Kochalka said they would also have some seasonal events in this area and possible tent sales in the parking lot. All products displayed outside will be items sold in the store.

Dennis Armstrong, corporate architect for Cabela's, stated their goal for boat displays would be to have one single representative boat of all the lines they carry. At any time there could be 20 to 30 boats displayed in the plaza area. Boats are rigged and on trailers and ready to go if a customer is ready to buy.

Commissioner Myers asked about the requirements for tent permits. City Planner Smith said tent permits are obtained through the Building Inspection Office and are temporary.

APPROVED.

Motion by Myers second by Shelby to grant the conditional use permit for outdoor display

limited to the plaza area. Voice Vote:
Unanimous. **Motion carried.**

(Agenda Item #2)

A Request by Cletus' Emporium and Pawn for a Conditional Use Permit to Operate a Pawn Shop at 614 North 2nd Street in the C-2 (Highway Commercial) Zoning District.

Bill Watkins represented this conditional use permit request on behalf of owner Charlie Simmons.

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

The Public Hearing was declared closed.

Watkins said their client had informed him they would not be selling guns at this location and if there were any outdoor displays, this would come back to the Commission at a later date.

Commissioner Spann asked if there was ample parking for this business. Watkins said yes. The business will occupy two suites at this location.

APPROVED.

Motion By Spann, second by Myers to grant the conditional use permit for an indefinite period of time. Voice Vote: Unanimous. **Motion carried.**

NEW BUSINESS:

(Agenda Item #1)

LSPD, Cabela's at 2300 Promenade Blvd. in the C-2 (Highway Commercial) Zoning District.

Dennis Armstrong, Dave Kochalka and Derek Halter represented this large scale development Plan. Armstrong said Cabela's considers this an excellent site for their business and the City of Rogers. Armstrong said this will be what they call their next generation prototype store and will be their second prototype store built. Armstrong said the site was challenging and they believe they have come up with a plan that will fit. Armstrong said they are really excited to have the opportunity to bring Cabela's to Rogers, Arkansas. Kochalka said they had some architectural and physical restraints to deal

with on this site. They will have two main access points to the building. There will be an access off Promenade, which will predominately be their service access with the main access coming off Target Drive. Kochalka said there will be a retaining wall that wraps around the building. The back of the building will be used for heavier uses such as deliveries and customer pick ups. Kochalka said the retaining wall will also be against the detention pond and will be like the one at Target. Kochalka said they will soften the wall with different landscaping. Kochalka said they will not be adjusting any hydrology on the pond. The front of the store and parking lots will be traditional grade. Kochalka said the City of Rogers Staff has been nothing short of incredible to work with. They have gone to great lengths to help us out and they are very appreciative of that. Halter, architect for the project, provided a drawing of the building and discussed materials that will be used on the outside of the building. Halter said for this site they have dressed up the back of the building. Halter said they will put features on the corners that will add lighting to the plaza area.

Commissioner Thrasher asked if the retaining wall shown was true to color. Halter said yes. Thrasher said it really blends well with the building.

Chairman Campbell asked about the maintenance of the detention pond. Mr. Armstrong said the detention pond is on a separate lot and will be maintained by General Growth Properties. City Planner Smith said that lot was split at a previous Planning Commission meeting.

Thrasher asked if there would be utilities on the parking lot for RV parking. Armstrong said they only have one store location set up for

spending the night, but as a convenience for travelers this site will provide a place to water and exercise pets and dump some customer contained items.

Commissioner Shelby asked what would be located behind the fence in the green space. Mr. Armstrong said it will be a storage area for cardboard and pallets that will be screened for visibility purposes. Access will be from the store and outside through a gate. The fence will be 8' tall.

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

1. Drainage improvements must be completed and certified by the engineer of record, Kimley Horn, 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. Any alcohol sales will require a Conditional Use Permit from the Planning Commission.

7. 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.
8. The building setback reduction plat approved by the Board of Adjustment must be recorded prior to issuance of a Certificate of Occupancy.
9. Trees are required in the front landscape buffer not less than 20 feet apart.
10. Sidewalks must be 6' in width and ramped at all curb cuts to meet ADA and AHTD specifications and installed the full width of the property or a letter of credit posted prior to issuance of a Certificate of Occupancy. Sidewalks must match any existing sidewalks in the area, include truncated domes at the handicap ramps and be located a minimum of 6' behind the curb. Two handicap ramps are required at each street radius for any street that is a collector and above.
11. Sidewalks not along lots must be built by the developer.
12. Interior sidewalks are the responsibility of the lot owner and must be installed prior to issuance of a Certificate of Occupancy.
13. Developer to contact the U. S. Postmaster at 401 North 8th Street to schedule type of mail delivery.
14. Engineer to schedule a pre-construction meeting with the Rogers Planning Department prior to issuance of a grading permit. All Phase I erosion control must

be installed prior to the pre-construction meeting and a reduced set of construction plans (11" x 17") will be required.

15. 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.
16. A perimeter buffer strip shall be temporarily maintained around the disturbed area. The minimum width for the buffer strip is 25' with a maximum width of 40'.
17. All parking lots and drives must be hard surfaced.
18. All mechanical, electrical and air conditioning equipment must be screened from public view.
19. The entire facility must comply with the requirements of the Americans with disabilities Acts of 1990.
20. 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.**
21. The owner/developer will be responsible for any upstream or downstream flooding as a direct result of this development.
22. Provide the City Planner with a copy of the final site plan and utility plan on compact disk formatted for AutoCAD 2009 prior to issuance of a Certificate of Occupancy.

THE FOLLOWING WAIVER WAS GRANTED:

- Exceed the maximum allowable impervious area by .26% (maximum allowable is 80%).

APPROVED.

Motion by Mills, second by Spann to approve this large scale development plan. Voice Vote: Unanimous. **Motion carried.**

Commissioner White expressed the Commission's appreciation for the work done by the engineer in submitting the plans for review. The plans were excellent.

Commissioner Myers expressed his appreciation to the architect for how they treated the I-540 view.

Chairman Campbell asked for the projected completion date. Mr. Armstrong said August 2012. Campbell also thanked the Cabela's representatives for expressing their appreciation to City Staff for all their help. It is nice to see Staff recognized for their work.

(Agenda Item #2)
LSDP Waiver, Boys & Girls Club of Benton County, Kaboom Playground, 409 South 8th Street in the C-2 (Highway Commercial) Zoning District.

Jacob Hutson, chief executive officer, represented this large scale development plan waiver. Hutson said they will not be removing any of the trees on the property, and will make sure the playground does not keep the trees from getting the water they need. The playground will be located in the front of the building.

Large Scale Committee has met and recommends approval of this large scale waiver.

APPROVED.

Motion by Mills, second by Myers to approve this large scale development plan waiver. Voice Vote: Unanimous. **Motion carried.**

City Planner Smith stated James Gosserand was Commission secretary and with his term expiring, this Commission will need to appoint a new secretary to serve the rest of the year. Commissioner Shelby agreed to fill this position. The Commissioners were all in favor of appointing Shelby as secretary for the rest of the year.

There being no further business, the meeting adjourned at 5:03 P.M.

ATTEST

APPROVED

Ron Shelby, Secretary

Chad Campbell, Chairman