

MINUTES

The **Rogers Planning Commission** met for a *regular session* in the Council Chambers of the Maurice H. Kolman Building on Tuesday, February 16, 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, Susan Fennel Mills, Mike Shupe Don Spann, David Thrasher, and Jim White were present. Mark Myers, and Ron Shelby and David Thrasher were absent. Shelby arrived at 4:40 p.m.

OTHER OFFICIALS PRESENT:

City Clerk Peggy David, Deputy City Attorney Jim Clark, Senior Planner Derrel Smith, Assistant City Planners Candy Anderson and Lori Stone, Water Utilities Engineer Mark Johnson, Main Street Director Kerry Jensen, Project Engineer Lance Jobe, and Assistant Fire Marshal Bill Rumsey.

ACTION ON MINUTES:

(February 2, 2010)

Approved.

Motion by Mills, second by Gosserand to approve the minutes of the meeting of February 2, 2010 as submitted. Voice vote: Unanimous - Yes. ***Motion carried.***

REPORTS OF BOARDS AND STANDING COMMITTEES:

Senior Planner Derrel Smith reminded the commission that the City Council will be taking action on the proposed amended Master Street Plan and Master Trail Plan at the February 23rd meeting at 7:30 p.m.

Smith also announced that a request has been made for the commission to consider changing the schedule of uses to allow landscaping/lawn and garden type business “conditionally” in the C-3 zone.

Smith said the location where this would occur is at the southwest corner of Bellview and Garrett Road.

Smith introduced the Mr. Mineart, who is making the request, for more details.

Doug Mineart, 4255 N. Thompson, Springdale, said he is currently looking at relocating his business to this location because of the majority of his business occurs in areas close to this.

Mineart said there would be no retail sales at this location, but his ten employees would meet at this location and drive his trucks loaded with equipment for the lawn care service.

Mineart said there is currently an access on Garrett Road, but he is considering making an access off of Bellview.

Motion by Spann, second by Shupe to change the schedule of uses to allow landscaping/nursery in the C-3 zone “conditionally”.

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

Changes the Schedule of Uses to allow Landscape/Nursery “Conditionally” in the C-3 Zone.

CONSENT AGENDA:

(Agenda Item #1)

LSDP for Ridgpoint Townhouses in the SW corner of 26th St. & New Hope Road in the RMF-6 (Residential Multi-family) zoning district

(Agenda Item #2)

LSDP for Hank’s Fine Furniture at 4308 Pleasant Crossing in the C-2 (Highway Commercial) zoning district

Chairman White announced two items are listed on the consent agenda.

The Large Scale Development Committee reported that Assistant Fire Marshal Bill Rumsey had a concern regarding an issue that needs to be addressed with Ridgpoint Townhouses.

Motion by Spann, second by Shupe to amend the Consent Agenda to move Agenda Item #1 Ridgpoint Townhouses to New Business and approve the Large Scale Development Plan for Hanks Fine

Furniture on the Consent Agenda with the conditions as listed.

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

LSDP, Hank's Fine Furniture

1. Drainage improvements must be completed and certified by the engineer of record, Crafton, Tull, Sparks, 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. A variance was approved by the Board of Adjustment on 2-1-10 to reduce the required number of parking spaces from 308 spaces to 101 spaces. A second variance was approved to allow two additional wall signs for a total of 445 s.f.
5. Provide a soils report signed and sealed by a professional engineer to be included with the building permit application.
6. All signs will require separate permits.
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. Trees are required in the front landscape buffer not less than 20 feet apart.
9. Sidewalks must be 6' in width and ramped at all curb cuts to meet ADA and AHTD specifications and installed along Pleasant Crossing Boulevard 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 min. of 6' feet behind the curb.
10. Interior sidewalks are the responsibility of the lot owner and must be installed prior to issuance of a Certificate of Occupancy.
11. Street signs and stop signs must be in place and installed by the developer prior to issuance of a Certificate of Occupancy. The cost of the sign and the installation will be at the developer's expense.
12. Developer to contact the U.S. Postmaster at 401 No. 8th St. to schedule type of mail delivery.

13. The proposed trash dumpster must be screened with a solid-type screening consistent with the architectural style of the building.
14. 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.
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 copy of the Notice of Termination with ADEQ must be provided in order to receive a Certificate of Occupancy (projects over 5 ac).
17. A perimeter buffer strip (or acceptable alternative) shall be temporarily maintained around the disturbed area. The minimum width for the buffer strip is 25' with a maximum width of 40'.
18. A truck wash down area must be shown on the plans. A typical detail will be provided by the Planning Department and must be shown on a detail sheet.
19. All parking lots and drives must be hard surfaced.
20. All mechanical, electrical and air conditioning equipment must be screened from public view.
21. The entire facility must comply with the requirements of the Americans with Disabilities Act of 1990.
22. 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.
23. The owner/developer will be responsible for any upstream or downstream flooding as a direct result of this development.
24. Provide the city planner with a copy of the final site plan and utility plan on compact disk formatted for AutoCAD 2004 prior to issuance of a Certificate of Occupancy.

Approved.

Motion by Campbell, second by Gosserand to approve the Consent Agenda as amended. Voice vote: Unanimous – Yes. ***Motion carried.***

PUBLIC HEARINGS:

(Agenda Item #1)

Request by Firestone for a Conditional Use Permit to operate an automotive repair facility on Lot 1G, Pleasant Crossing PUD in the C-2 (Highway Commercial) zoning district

Daniel Ellis, of Crafton, Tull, Sparks & Associates, presented the conditional use request.

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

The Public Hearing was declared closed.

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

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

Approved.

(Agenda Item #2)

Request by La Mas Mexicana to rezone 1504 W. Persimmon from RMF-18B (Residential Multi-family) to the R-O (Residential Office) zoning district

Genaro Salas, representing the La Mas Mexicana Radio, requesting the rezoning to conform to the zoning code.

Salas said the rezoning was previously scheduled, but the notices were not mailed in time for the public hearing so the rezoning never occurred.

Salas said the radio station currently operates at the location and it will not be used for residential.

There were no comments from anyone in the audience either for or against the rezoning request.

The Public Hearing was declared closed.

Motion by Mills, second by Spann to recommend approval to the city council the rezoning as requested.

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

Approved.

(Agenda Item #3)

Request by Meinke of NW Arkansas for a Conditional Use permit to operate an automotive repair facility at 1418 W. Walnut in the C-2 (Highway Commercial) zoning district

Gary Scott, representing the owner, presented the conditional use permit request.

Scott said this would be an auto repair facility and hopefully there will be none or very few vehicles parked while waiting to be serviced. If any vehicles are not serviced within the day, the cars would be parked in the back of the building under the canopy and this would be only if the parts were not available for the repair.

Approved.

Motion by Shupe, second by Gosserand to approve the conditional use permit for an automotive repair facility as requested.

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

NEW BUSINESS:

(Moved from the Consent Agenda)
LSDP for Ridgepoint Townhouses in the SW corner of 26th St. & New Hope Road in the RMF-6 (Residential Multi-family) zoning district

Kevin McClafflin, representing the development, said the water hydrant will be moved.

Mark Johnson, Water Utilities Engineer, requested that the water hydrant be added rather than moved.

The Large Scale Development Committee reported the review of the plan and recommended approved subject to the following conditions:

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 entire development must comply with the requirements of the overlay district. A variance was approved by the Board of Adjustment on 2-1-10 to reduce the required front setback from 75' to 30'.
4. All wells and septic systems must be located and abandoned by a state-licensed and bonded driller in accordance with state requirements.
5. Provide the building official and city planner with compaction tests for all ponds and fill areas.
6. Provide a soils report signed and sealed by a professional engineer to be included with the building permit application.
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. Trees are required in the New Hope landscape buffer not less than 20 feet apart.
9. Interior sidewalks are the responsibility of the lot owner and must be installed prior to issuance of a Certificate of Occupancy.
10. Street signs and stop signs must be in place and installed by the developer prior to issuance of a Certificate of Occupancy. The cost of the sign and the installation will be at the developer's expense.

11. Developer to contact the U.S. Postmaster at 401 No. 8th St. to schedule type of mail delivery.
12. 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.
13. 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.
14. A perimeter buffer strip (or acceptable alternative) shall be temporarily maintained around the disturbed area. The minimum width for the buffer strip is 25' with a maximum width of 40'.
15. A truck wash down area must be shown on the plans. A typical detail will be provided by the Planning Department and must be shown on a detail sheet.
16. All parking lots and drives must be hard surfaced.
17. All mechanical, electrical and air conditioning equipment must be screened from public view.
18. 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.**

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

compact disk formatted for AutoCAD 2004 prior to issuance of a Certificate of Occupancy.

20. Provide the city planner with a copy of the final site plan and utility plan on

Approved.

Motion by Spann, second by Campbell to approve the large scale development subject to the conditions as listed and adding another fire hydrant as agreed.

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

There being no further business, the meeting adjourned at 4:57 P.M.

ATTEST

APPROVED

Susan Mills, Secretary

Jim White, Chairman