

## MINUTES

The **Rogers Planning Commission** met for a *regular session* in the Council Chambers of the Maurice H. Kolman Building on Tuesday, July 20, 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, Mark Myers, Don Spann, and Jim White were present. David Thrasher, Ron Shelby and Mike Shupe were absent.

### OTHER OFFICIALS PRESENT:

City Clerk Peggy David, Senior Planner Derrel Smith, Director of Planning & Transportation Steve Glass, Assistant City Planners Candy Anderson and Lori Stone, Deputy City Attorney Jim Clark, Water Utility Engineer Mark Johnson, Building Official Mike Rouse, Project Engineer Lance Jobe, Main Street Assistant Denise LaBeff, and City Council member Larry Daniel.

### ACTION ON MINUTES:

(July 6, 2010)

**Approved.**

Motion by Mills, second by Gosserand to approve the minutes of the meeting of July 6, 2010 as submitted.

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

### REPORTS OF BOARDS AND STANDING COMMITTEES:

Discuss the 24<sup>th</sup> St. connection from Laurel Road to Pleasant Grove Road

Senior Planner Derrel Smith displayed the existing 24<sup>th</sup> Street north of Pleasant Grove Road and asked the commission's opinion on whether it should be added as a collector street to the Master Street Plan so that it would eventually connect Laurel Road to Pleasant Grove Road.

Commissioners agreed that as this area continues to be developed the connection of Laurel to Pleasant Grove would be beneficial.

Discussion followed whether the street needs to be considered a collector street or just a two lane street, but all agreed that it would provide another north/south connection.

Smith said previously there was only one property owner that wanted this connection, but now more property owners were coming on board and were in favor.

Smith said the “collector” designation could always be downgraded in the future if needed, but it is harder to go up.

Commission Chair White recognized Robert Sowder from the audience.

Sowder, 10885 Kennesaw Drive, Bentonville, said the 20 acres that he owns south of Laurel would be affected and he was in favor of the extension of 24<sup>th</sup> Street from Laurel to Pleasant Grove Road.

Sowder said he is in the process of starting the planning for this property and had consulted with the Planning Office to possibly line up the street with Creekside Subdivision.

Smith said this discussion would give the planning staff the direction for future planning for this area.

Smith also reported the city has encouraged residential use in the C-1 zone especially on the second and third floors of the buildings, but we have nothing in our code that says that.

Smith proposed that a change in the schedule of uses would allow by right, residential use in the C-1 zone upstairs or above the first floor and conditional on the first floor.

**Changes the Schedule of Uses** to allow by right residential use in upstairs or above the first floor in the C-1 zone and conditional for residential use on the first floor in the C-1 zone.

Motion by Myers, second by Spann to change the schedule of uses to allow by right residential use in upstairs or above the first floor in the C-1 zone and conditional for residential use on the first floor in the C-1 zone.

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

**PUBLIC HEARING:**

(Agenda Item #1)

Request by Thomas & Judy Humphreys to rezone approx. 2.7 ac. at 3615 No. 2<sup>nd</sup> St. from I-1 (Light Industrial) to the A-1 (Agricultural) zoning district

Judy Humphreys told the commission that she and her husband had purchased this property which had been rezoned previously to I-1, and requested that the property be rezoned back to A-1.

Humphreys said they would be living in the house and maybe building a new home on the property and would rent out the existing home.

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

The Public Hearing was declared closed.

**Approved.**

Motion by Myers, second by Spann to recommend approval to the City Council the rezoning as requested.

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

**NEW BUSINESS:**

(Agenda Item #1)

LSDP for The Meadows at Rogers on So. 21<sup>st</sup> St. in the RMF-12B (Residential Multi-family) zoning district

Ferdie Fourie, representing the owner, presented the large scale development plan.

The Large Scale Development Committee reported the review of the plan and recommended that Fourie prepare a tree preservation plan and to work out a line of sight problem at the entrance to the development to prevent a traffic hazard. The

committee noted that there is a long list of bulleted items which have not been addressed and would suggest the item be tabled until these issues are worked out.

Thomas Embach, of Mountain Home and owner and developer, reported this 60-unit senior housing will be restricted to residents age 55 and up.

Embach said he owns and has developed other senior housing sites in Rogers and the area.

Embach said this development will be the first in Arkansas that will achieve the Energy Star rating which will result in lower utility bills for the residents.

Embach also stated that this will be the first multifamily unit in Arkansas to receive the Green certification.

Commission Chair White recognized Sandra Wanasek from the audience.

Wanasek, 819 N. 20<sup>th</sup> Street, said the residents are concerned with the location of the drive into the development, green space, fencing and berms to block the development from the neighborhood.

Wanasek asked if the residents were given a notice for this project.

Chair White noted for a large scale development no notice is required, but if it was a rezoning, then notice would be required.

## **Tabled**

Motion by Myers, second by Spann to table this item until the bulleted items are addressed, the tree preservation plan submitted and line of sight issue is worked out.

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

(Agenda Item #2)

Request by Maggie and Joe Neblett to operate a mobile concession trailer in downtown Rogers

Maggie and Joe Neblett requested the commission’s approval to operate a mobile hotdog concession trailer in the downtown areas.

Joe Neblett said he will be working with Main Street Rogers to determine the location where he will be and the trailer will not be left overnight. It will be brought in on a regular basis, Monday thru Friday, probably 10 to 2, during the Farmer’s Market and other special events that will be held downtown.

Neblett said he would request a six-month permit.

Senior Planner Smith reported that this request is unique and doesn’t really fit into the temporary trailer permit category.

Smith said there is nothing in the code addressing this use, so if the permit is approved, then we’ll see how it works out and maybe make a category where this type of business would fit in.

Commissioner Myers said he has two concerns: Not to block the sidewalk and that it is not left standing overnight.

Motion by Myers, second by Spann to approve the temporary trailer permit for six months and subject to the all Health Department rules and regulations.

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

There being no further business, the meeting adjourned at 5:17 P.M.

**ATTEST**

**APPROVED**

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Susan Mills, Secretary

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Jim White, Chairman