

**Planning Commission
Minutes
February 12, 2013**

The City of Sherwood Planning Commission met for their regular scheduled meeting on February 12, 2013 at 5:00 p.m. at 2201 East Kiehl Avenue, Sherwood, Arkansas.

Members Present

Lucien Gillham – Chairman
Scott Miller
Forrest Penny
Andrew Phillips
Albert Harris

Staff Present

Ellen Norvell – City Engineer
Dwight Pattison – City Planner
Steve Cobb – City Attorney
Ashley Taylor – Secretary

Chairman Gillham called the meeting to order.

Commissioner Penny made a motion to approve the minutes of the regular meeting on January 8, 2013. Commissioner Harris seconded the motion. The roll call vote was unanimous to approve the minutes.

A Preliminary Plat for Millers Heights Addition. Marlar Engineering, Agent. Mike Marlar was present to discuss the request. Staff Comments: City Engineer, Ellen Norvell said all of her comments have been addressed. City Planner, Dwight Pattison said all of his comments have been addressed as well. Commissioner Penny made a motion to approve the Preliminary Plat for Millers Heights Addition. Commissioner Harris seconded the motion. The roll call vote was unanimous to approve the Preliminary Plat.

The following three items were heard together as a Planned Commercial Development and the motion and second made were for all three items.

A Preliminary Plat for a Planned Commercial Development at 617 W. Kiehl Avenue. Thomas Engineering Company, Agent. John Pownall, agent and Samantha Blakely, owner were present to discuss the request. Staff Comments: City Engineer, Ellen Norvell said the plat is in compliance with our requirements for a plat. She said it is an infill lot and is unusual in that it is narrow and very long. City Planner, Dwight Pattison said the Preliminary Plat is appropriate for what they are propping and meets all of our standards. He said the problem here is the zoning.

A Zoning Request for a Planned Commercial Development from R-1 to PCD at 617 W. Kiehl Avenue. Thomas Engineering Company, Agent. John Pownall, agent, and Samantha Blakely, owner, were present to discuss the request. Mr. Pownall said this lot is 100' x 660' so there is not much you can do with it besides residential. He said the owners are proposing the mini warehouses and to screen those adjacent property owners and have a quiet type of business there. He said typically a mini warehouse requires a C-3 zoning but in this case they are asking for a PCD zone, which means all they can do with this particular property is what they have proposed. He said they think the storage would be useful for some of the residents that abut the property. He said they have planned a 6' wood fence with some hedges along the side. Staff Comments: City Planner, Dwight Pattison said the main thing we look at is the land use plan for the area and the land use plan calls for single family residential development. He said there is single family, duplexes and 4-plexes in the immediately abutting this site so to zone it anything but residential would be a spot zone. He said there is nothing in the land use plan that would indicate that it should ever be commercial. He said the property is an odd shape property and is only 100' wide, which is the minimum width allowed for a C-3 zone. He said a PCD allows you to add some additional controls and additional ways to reduce impacts. He said in this case there is not really anything you can do to reduce the impacts. He said the proposed screening around it is the minimum required. He said it is going to have direct impact on about 15 residences that are abutting the property. He said we do not have any other mini warehouse development like this in any other residential area. He said it is in direct violation of our land use plan and therefore cannot possibly recommend for the rezoning of the property. City Engineer, Ellen Norvell, said there is not much for her to add. She said it is a difficult piece of property to develop in way form or fashion. She said it is a spot zoning.

A Site Plan for West Kiehl Mini Warehouse Addition at 617 W. Kiehl Avenue. Thomas Engineering Company, Agent. John Pownall, agent and Samantha Blakely, owner were present to discuss the request. Staff Comments: City Planner, Dwight Pattison said as for the Site Plan is appropriate for what they are proposing. However due to the zoning issue, Planning Staff would recommend for denial. City Engineer, Ellen Norvell said the Site Plan meets our requirements. She said the zoning is where we run into issues. Commissioner Penny said unfortunately for the owner this is in a residential area and is a mobile home park and he doesn't know that you could do anything different that have a mobile home park as narrow as that property is. He said as much as he would like to cooperate with the owner he feels they need to retain it as residential. The following neighbors were in attendance to express their concerns and objections to the development, Jimmy Brockington, Aaron George Bailey, Jim Grisham, Karen Coker and Mary Bell. Some of their concerns were trash, traffic issues, and fear of decreased property values being lowered due to the development. The owner of the property, Samantha Blakely, said they cannot replace the mobile homes that are there with nicer ones so this was another option for use of the property. She said it is an opportunity for them and an opportunity for the city for that area to look better. She said she knows that type of development doesn't fit in that area but they aren't sure what else to do with the property. Chairman Gillham said he noticed that there is about 10' of fall from the west side of the property to the east side. He said he thinks there would be a tremendous amount of water runoff from west to east due to the buildings and asphalt that would be on the property. He said he thinks it would be difficult to build what is shown there due to the dropping elevation from west to east. He said he doesn't think it is a very good use for the land. Commissioner Penny made a motion to deny all three requests (items 5, 6 & 7 on the agenda). Commissioner Harris seconded the motion. The roll call vote was unanimous to deny all three requests.

A Zoning Request for part of Lot 1R Briley Commercial Addition from C-3 to C-4. Pete Nikolakakis, Agent. Request was withdrawn by Pete Nikolakakis.

A Zoning Request for 15002 Highway 107 from R-1 to C-4. L & M Realty, Owner. Request has been tabled until the March 12th meeting due to the applicant not meeting all requirements.

A Zoning Request for 3110 E. Kiehl Avenue from C-1 to C-3. Clayton Engineering, Agent. Michael Clayton was present to discuss the request. Staff Comments: City Engineer, Ellen Norvell said we looked at this one as far as the Site Plan a few months ago. She said they would like to be able to have a few tables in there and in order for it to be a sit-down restaurant it has to be a C-3 zoning. She said that is the reason they are asking for this zoning. She said under the conditions she feels it would be a good use for the property and is looking really nice. She said Engineering Staff would recommend for approval. City Planner, Dwight Pattison said his comments are mainly on the lot size. He said it is 6' narrower than the minimum 100' lot width required for a C-3 zoning. He said seeing how the building is existing it is going to be difficult for access and parking no matter what you do. Mr. Clayton said the business is Two Sisters Catering. He said in the current C-1 zoning they can do a bakery food type store in there but since they do catering and would like to put some tables in there it requires a C-3 zone. He said he believes they are improving the area. There was no public comment. Commissioner Penny made a motion to approve the zoning request of 3110 E. Kiehl Avenue from C-1 to C-3. Commissioner Phillips seconded the motion. The roll call vote is unanimous to approve the zoning request.

Under Old Business, City Engineer, Ellen Norvell said she just wanted to make the Planning Commission aware that the developer is requesting that the name of the approved subdivision plat for Oakdale Valley Phase 3 be changed to Millers Glen Addition.

Kelly Coughlin, Economic Development Director, asked the Commissioners if they would like for her to move forward with the City's Comprehensive Plan that has been started by Metroplan. The Commissioners said that would be good.

There being no further business, Commissioner Penny made a motion to adjourn. Commissioner Harris seconded the motion. The roll call vote was unanimous to adjourn.

ATTEST:

Ashley Taylor, Secretary

Lucien Gillham, Chairman