

**Planning Commission
Minutes
August 11, 2015**

The City of Sherwood Planning Commission met for their regular scheduled meeting on August 11, 2015 at 5:00 p.m. at 2201 East Kiehl Avenue, Sherwood, Arkansas.

Members Present

Lucien Gillham – Chairman
Forrest Penny
Scott Miller
Michele Phillips

Staff Absent

Albert Harris

Staff Present

Ellen Norvell – City Engineer
Stephanie Timaná-Putt – Secretary
Steve Cobb – City Attorney

Chairman Gillham called the meeting to order.

Commissioner Penny made a motion to approve the minutes of the regular meeting on July 14, 2015. Commissioner Miller seconded the motion. The roll call vote was unanimous to approve the minutes.

A Preliminary Development Plan and Zoning Request for 617 West Kiehl Avenue from R-1 to R-2, with a waiver to the sidewalk requirements along West Kiehl. Marlar Engineering, Agent. Jason with Marlar was present to discuss the request. Mr. Sam Emmerling, the owner of 617 West Kiehl Avenue, was also present to discuss the request. Jason stated that Mr. Emmerling is requesting to place nine, single-family homes on this one large lot that is 100ft wide and 660ft deep and a little under 2 acres. Mr. Emmerling desires to create a nice gated community with electronic access, a green house, community garden area, and a privacy fence surrounding the property with a brick and wrought iron gate along the front. They are proposing nine single-family dwellings at the City's minimum standard of 1000sq ft per home with an attached garage. Mr.

Emmerling has recently purchased the property and seeks to improve the area by taking out the three single-wide manufactured homes that are in disrepair. Staff Comments: City Engineer, Ellen Norvell said that this is a different request than we have seen before in that it is one lot but will have multiple single-family homes on it which would fall under the R-2 Zoning. They are not requesting duplexes which is what we normally see with an R-2 Zone. She also said that the proposed density is much lower than what they could request in an R-2 Zone. She also added that there is R-2 on either side of the property and they do meet the Engineering requirements with their proposal. Commissioner Gillham pointed out that they are bound to the Preliminary Development Plan they are submitting with the Zoning Request. If they chose to alter it in any way, such as changing to duplexes instead of single family homes, it would have to come back to the Planning Commission to seek new approval. Mr. Robert J. Walla of 8212 Mark Avenue was the first to make a public comment regarding the submittal. He voiced many concerns regarding the area around West Kiehl. Commissioner Gillham requested that if Mr. Walla was making a public comment, that it be limited only to the Zoning Request at hand and not any other issues around the city he might have. Let the record reflect that Mr. Mark Weber of 8216 Mark Avenue, Mr. Tommy Epperson of 1101 West Kiehl Avenue, Ms. Tammy Mason of 8214 Mark Avenue, and Ms. Millie Grimes of 614 West Kiehl Avenue were all in opposition of the Rezoning and had concerns regarding the devaluation of their own property by bringing more rental property and more multi-family property in the area. They do not feel this would be an improvement to their neighborhood. Mr. Tommy Epperson also presented a petition signed by numerous citizens of the surrounding neighborhood, all in opposition of the requested Rezoning from R-1 to R-2. Commissioner Penny made a motion to deny the Preliminary Development Plan and Zoning Request for 617 West Kiehl Avenue from R-1 to R-2, with a waiver to the sidewalk requirements along West Kiehl. Commissioner Phillips seconded the motion. The roll call vote to deny the request was 3 ayes (Phillips, Penny, and Miller) and one nay (Gillham) for the Preliminary Development Plan and Zoning Request for 617 West Kiehl Avenue from R-1 to R-2, with a waiver to the sidewalk requirements along West Kiehl

A proposal to amend the Schedule of Uses to allow small animal boarding in a C-3 Commercial Zone. Staff Comments: City Engineer, Ellen Norvell stated that we have had some requests for animal boarding to be allowed by our businesses that perform animal grooming. Currently it is

only allowed in a C-4 Zone by right or in conjunction with a Veterinary Clinic in C-2, C-3, and C-4. Mrs. Norvell added that it does go with animal grooming and it's hard for us to explain to business owners why it wouldn't be allowed by right to them in C-1, C-2, C-3. Nancy Lively the owner of a grooming business that would like to be able to board animals, was present to discuss this use in a C-3 Zone. Chairman Gillham suggested a conditional use for outdoor boarding in C-3 and to allow the indoor boarding by right in C-2, C-3 and maybe even C-1. Chairman Gillham suggested that we get a motion to approve indoor animal boarding in a C-3 Zone with a Conditional Use for any outdoor kennels/boarding in a C-3 Zone. Mrs. Norvell asked for clarification if Chairman Gillham was suggesting the indoor boarding be allowed by right in a C-3 and C-4 but outdoor as a Conditional use in C-3. Chairman Gillham said that was his intent. Let the record reflect there was no public comment on this request. Commissioner Penny made a motion to recommend for the City Council to amend the Schedule of Uses to allow animal boarding in a C-3 Zone with a Conditional Use for outdoor boarding. Commissioner Phillips seconded the motion. The roll call vote was unanimous to recommend the amendment to City Council.

A Preliminary Plat for Lot 1 Shaddai Meadows. Marlar Engineering, Agent. Staff Comments: City Engineer, Ellen Norvell stated that even though the Zoning Request was denied it could still be formally platted as a single lot for future use. Mike Marlar with Marlar Engineering made a request that this be tabled for a later date. Commissioner Penny made a motion to table the item. Commissioner Miller seconded the motion. The roll call vote was unanimous to table the item.

A Preliminary Plat for Lot 1 Woolverton Addition. Thomas Engineering, Agent. Mr. John Pownall with Thomas Engineering was present to discuss his request. He stated that the owner Mr. Woolverton wanted to combine his two commercial lots into one. Commissioner Penny made a motion to approve the Preliminary Plat for Lot 1 Woolverton Addition. Commissioner Phillips seconded the motion. The roll call vote was unanimous to approve the Preliminary Plat.

A Final Plat for Lot 1 Woolverton Addition. Thomas Engineering, Agent. Mr. John Pownall with Thomas Engineering was present to discuss his request. Commissioner Penny made a motion to approve the Final Plat for Lot 1 Woolverton Addition. Commissioner Phillips seconded the motion. The roll call vote was unanimous to approve the Final Plat.

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

ATTEST:

Stephanie Timaná - Putt, Secretary

Lucien Gillham, Chairman