

**Planning Commission
Minutes
November 10, 2015**

The City of Sherwood Planning Commission met for their regular scheduled meeting on November 10, 2015 at 5:00 p.m. at 2201 East Kiehl Avenue, Sherwood, Arkansas.

Members Present

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

Staff Present

Ellen Norvell – City Engineer
Steve Cobb – City Attorney
Ashley Taylor – Secretary

Chairman Gillham called the meeting to order.

Commissioner Penny made a motion to approve to minutes of the regular meeting on October 13, 2015. Commissioner Harris seconded the motion. The roll call vote was unanimous to approve the minutes.

A Preliminary Plat for Creekside Addition Phase 6. Thomas Engineering Company, Agent. Thomas Pownall was present to discuss the request. Staff Comments: City Engineer, Ellen Norvell, said the only comment staff had was just to verify that all of the lots had a 60' width at the building line and that had been verified and the request meets all other requirements. She said the property was also on the agenda for rezoning so the preliminary plat would need to be approved contingent upon the rezoning being approved. Commissioner Penny made a motion to approve the Preliminary Plat for Creekside Addition Phase 6 as requested. Commissioner Harris seconded the motion. The roll call vote was unanimous to approve the Preliminary Plat.

A Preliminary Plat for Millers Cove Addition. Thomas Engineering Company, Agent. Thomas Pownall was present to discuss the request. Staff Comments: City Engineer, Ellen Norvell said staff would recommend for approval. She said it is vacant land that has been vacant for a while and we would love to see Oakbrook Drive constructed. Commissioner Penny made a motion to approve the Preliminary Plat for Millers Cove Addition. Commissioner Harris seconded the motion. The roll call vote was unanimous to approve the Preliminary Plat

A Preliminary Plat for Windsor Meadows Subdivision. Harbor, Agent. No one was present to discuss the request. Staff Comments: City Engineer, Ellen Norvell, said we need to make sure they have to 60' width at the building line in the cul-de-sacs. She said it is showing the drainage to be carried in an open channel through the front of the lots and we typically require the drainage be routed through the subdivision storm drain. Chairman Gillham said he is reluctant to approve the plat with the drainage issue without someone present to speak for it. Commissioner Harris made a motion to table the Preliminary Plat until next month's meeting. Commissioner Penny seconded the motion. The roll call vote was unanimous to table the request.

A Zoning Request for Creekside Addition Phase 6 from CSC, O-2 & R-3 to R-1. Thomas Engineering Company, Agent. Thomas Pownall was present to discuss the request. Chairman Gillham explained the vicinity of the property. Public Comments: Mr. Gordy Meyer of 9200 Wooded Acres Circle said he has no problem with the rezoning; however, he would like an access to Highway 107 or Brockington Road be required to be shown on the plat due to traffic and safety concerns. Mr. Pownall responded that they had briefly considered putting an access onto Highway 107 but there are some grade issues there with a 5'-6' drop between Highway 107 and this land so the road would have to be raised considerably. He said future development has been shown to connect Cliffside Drive to Brockington Road. Staff Comments: City Engineer, Ellen Norvell, said the Collector Streets are Oakbrook and Johnson and they are following our Master Street Plan as far as being the major arterials and this would be another connection to Brockington. Chairman Gillham said he would like the plan to stay as it is. Commission Phillips said traffic is very heavy in that area during the morning and afternoon hours. Commissioner Harris said he would like to see a traffic light installed at Oakbrook and Highway 107. Ms. Norvell said that has been submitted to the Highway Department for approval but it is a

lack of a funding source at this time. She said they also requested that the Highway Department lower the speed limit through there and they denied out request. Mr. Matt Gifford of 9224 Wooded Acres Circle said his property would abut this new development and one concern is if there has been a plan to have development directly behind him or if there a plan to have a green space in-between the existing development and the new development. Chairman Gillham said the development was laid out 10 or 15 years ago and does show the new phase to abut to the existing phase. Mr. Chuck Rickard of 9240 Wooded Acres Circle said they have lived there since the subdivision was first developed in 2004 and one concern they had was the drainage that comes down through there. He asked if the price range of the new houses would be the same as the existing houses. Commissioner Penny said that they should be in the same range. Commissioner Penny made a motion to approve the zoning request for Creekside Addition Phase 6 from CSC, O-2 & R-3 to R-1. Commissioner Miller seconded the motion. The roll call vote was unanimous to approve the rezoning.

A Zoning Request for 104 Elmwood Avenue from C-2 to C-3

Conditional Use. Marlar Engineering Company, Agent. Jason with Marlar Engineering was present to discuss the request. He said the property used to be a Heat & Air Conditioning Business but the owner let his license expire and now they are trying to bring the property back for that same use. Chairman Gillham asked if they own the property to the East. The owner was present and confirmed that they had sold that property a few years ago. He said he bought the property from a man who was in the Heat & Air Business since 1985. He said he was not aware that if he let his license expire and that the property would go back to the former zoning. He said he is trying to get his business open again but the property has to be rezoned in order for him to reopen it. Public Comments: Mr. Rick Hershberger who is the Pastor of the Cherrywood Baptist Church said the church is two doors down from this property and they have a parsonage as well. He said the heat & air business has been an eyesore for the past 4 years. He said Elmwood Avenue is all residential other than this heat & air business and he would like to see it go back to being residential. He expressed his concerns that the property would sell as a C-3 property in the future and some other type of business could come in and affect the church. Ms. Karen Harvey of 115 Cottonwood said she lives on the street behind the property and she also feels that the property is an eyesore and would like to see the property go back to a residential zoning. She said they have talked to several of the residents on Elmwood and Cottonwood and they have gathered about 25

signatures of neighbors that do not want the property to be rezoned to a C-3. Ms. Elizabeth Winfield of 107 Elmwood Avenue said she lives directly across the street from this property in her childhood home. She said she has put \$40,000 into remodeling her home as well as some of her neighbors and they would like to see the property be residential. She said the property being commercial will affect their property values and they are trying to improve their neighborhood. Staff Comments: City Engineer, Ellen Norvell explained that the property was zoned C-2 at some time but it was a Non-Conforming Use because a heat & air business isn't allowed in a C-2 zoning so once it was no longer in business for 6 months then the Non-Conforming Use goes away. Chairman Gillham said he has lived in the area for about 40 years and that neighborhood looks much better now than it has in years past. The owner explained that due to the economy he had to close his business and move out of town. He said if it would help the property owners he would get it painted or sell it to the neighbors. Commissioner Penny made a motion to deny the zoning request for 104 Elmwood Avenue from C-2 to C-3 Conditional Use. Commissioner Harris seconded the motion. The roll call vote was Harris-aye, Phillips-abstain, Penny-aye, Miller-aye, Gillham-aye to deny the rezoning.

A Temporary Use in an R-1 Zone for a Model Home at 2032 Cub Trail. Rausch Coleman Homes, Owner. Anthony Motes was present to discuss the request. Staff Comments: City Engineer, Ellen Norvell said they have a model home in Trammel Estates that they have kept very nice looking and she does think it helps with their sales. She said our Zoning Regulations allow for them do this and it is granted for up to 18 months at a time and they can come back and ask that it be extended. She said their construction has started out there and they have a lot of new homes going in so Staff would recommend for approval. Commissioner Penny made a motion to approve the Temporary Use in an R-1 Zone for a Model Home at 2032 Cub Trail. Commissioner Miller seconded the motion. The roll call vote was unanimous to approve the temporary use.

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