

**Planning Commission
Minutes
May 10, 2016**

The City of Sherwood Planning Commission met for their regular scheduled meeting on May 10, 2016 at 5 p.m. at 2201 East Kiehl Avenue, Sherwood, Arkansas.

Members Present

Lucien Gillham – Chairman
Albert Harris
Scott Miller
Forrest Penny

Staff Present

Ellen Norvell – City Engineer
Steve Cobb – City Attorney
Candi Ussery – Secretary

Chairman Gillham called the meeting to order.

Commissioner Penny made a motion to approve the minutes of the regular meeting on April 12, 2016. Commissioner Miller seconded the motion. The roll call vote was unanimous to approve the minutes.

A Final Plat for Lot 1R Manson Road – Commercial Addition. Thomas Engineering Company, Agent. City Engineer, Ellen Norvell clarified that they have a request for the ½ street waiver as well. Commissioner Penny asked if it was half pavement. Commissioner Gillham stated that it would be no street. City Engineer, Ellen Norvell explained there is a path there now and that they are asking to waive that. Commissioner Penny made a motion to approve the request. Commissioner Miller seconded the motion. The roll call vote was unanimous to approve the request.

A Site Plan for Lot 1R Manson Road – Commercial Addition. Thomas Engineering Company, Agent. City Engineer, Ellen Norvell did want to see a landscape plan and offered for staff to approve that in house with the Commissioners approval and the Board of Adjustments that are asking for some adjustments and whatever we approve here needs to be contingent upon whatever variances are approved in the next meeting. Commissioner

Penny made a motion to approve the request. Commissioner Harris seconded the motion. The roll call vote was unanimous to approve the request.

A zoning request for 400 W. Maryland from R-1 to C-3. William Fraley, Owner. City Engineer, Ellen Norvell stated that the land use plan does allow for strip commercial in the area, that is an arterial street, and is completely surrounded by Residential zoning, so they may want to consider C-2 or C-1, it may not be as high commercial. Mr. Fraley was there to speak and consists of 6 lots, each lot has 100 feet of road frontage. The land backs up to Woodruff Creek wide and will separate any development from that subdivision as well as very dense trees and overgrowth blocking that area. Kevin Horne of 117 Robin Glen Drive was there to oppose this item, he stated that when he looks at the zoning map of Sherwood, every lot starting at the church in the corner all the way to Sherwood Forest is zoned residential, not commercial. The residents of Robin Glen and the adjacent houses to these lots has enjoyed a declining amount of quiet since Wal-Mart was built, I'm not here to develop that. However, he was concerned that this zoning change would decline property values. He also stated that commercial was not intended for West Maryland. Many letters have been written opposing this. Leslie Hauser, of 127 Robin Glen Drive, was the second person to move there. There is a lot of noise and lights from Wal-Mart and she does not want this to become a highly commercial area. They already have people stealing from Wal-Mart and try to hide from police in their area and that will increase if this zoning request is approved. The digging will also cause the creek to back up and could potentially back up and start flooding back yards. Mark Sowel, of 126 Robin Glen, was the first one to live in Robin Glen. They have enjoyed living there and is concerned that this will interfere with their way of living. Greg Mack, of 120 Robin Glen. He agrees with all spoken. In the winter the brush does not create much of a barrier and wants to oppose this request. Mr. Fraley, owner, acknowledged the complaints and stated that at least 150 feet of creek, trees and wood separate the neighborhood from any potential construction. He also stated that if left as it is, that the land would never be developed and will be left as empty property. He also suggests that the income from any commercial business would bring to Sherwood would be beneficial to the city. Commissioner Gillham asked if he would be willing to promise not to move the creek and not develop on the North side of the property. Mr. Fraley agreed and stated that he not only would comply to this agreement but that he would also being willing to sell them the property from the back

of their property to the creek for \$1 or whatever would be convenient as long as they paid for it to be re-platted. Mr. Horne stated that when he moved into the subdivision in 1999 and that Mr. Fraley used to park machinery in the empty lot, and he suspected that Mr. Fraley had items stolen after Wal-Mart put in. Mr. Fraley stated that they leased that property and asked the owner to move that equipment because it was making an impact on that land. Ms. Houser asked if someone could go out and measure it because it is not as large as Mr. Fraley stated. She was concerned about a wall between their properties and the creek to keep from flooding. Mr. Sowel also stated that they did hear noise from commercial traffic, and any clearing of trees or anything will create more impact. Commissioner Gillham stated that what people need to remember is that that street is a main thoroughfare to the North Little Rock Airport and is not suitable for Residential, no one is going to build a house there. Commissioner Penny asked how long it had been vacant. Mr. Fraley stated that the property has been in his family for over 50 years. Commissioner Penny stated that it will never be developed until they change it. Mr. Jay Hale of 107 Robin Glen came to support his fellow neighbors and concurs with all they've said. Mr. Horne made the comment that he disagreed that the property's only option is to become Commercial. There is an elderly apartment complex managed by the church. Commissioner Penny pointed out that they are not objecting. Mr. Horne stated that no plans have been submitted. Mr. Fraley stated that there are no plans at this moment and that a realtor has not been commissioned for the property. Mr. Hale petitioned the Commissioners to leave this property as a green space. Commissioner Penny made a motion to approve the request. Commissioner Harris seconded the motion. The roll call vote was unanimous to approve the request to rezone the property from R-1 to C-3. City Attorney Steve Cobb let everyone know that the City Council Meeting will be on May 23, 2016 at 7 and that the final decision will ultimately be determined in that meeting.

A zoning request for 9751 Brockington Road from C-2 to C-3. Thomas Engineering Company, Agent. Thomas Pownell was representing the owner of the property. The current zoning of the properties surrounding this property is C-2. Commissioner Gillham asked if there was anyone that would like to speak regarding this rezoning. There were no comments. Commissioner Miller made a motion to approve the request. Commissioner Penny seconded the motion. The roll call vote was unanimous to approve the request to rezone the property from C-2 to C-3.

A zoning request for Trammel Estates from R-3 to R-1. White-Daters & Associates, Inc., Agent. Joe White was there representing the developer. Commissioner Gillham asked if there was anyone that would like to speak. Ms. Marilyn Matthews and lives in Trammel Estates, she received the certified letter and wanted to clarify what R-1 specified. She stated her concerns about the pitching of the lots and flood hazards that that would create. Commissioner Gillham told her that they cannot control the development of the property. Commissioner Penny made a motion to approve the request. Commissioner Harris seconded the motion. The roll call vote was unanimous to approve the request to rezone the property from R-3 to R-1.

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

ATTEST:

Candi Ussery, Secretary

Lucien Gillham, Chairman