



PLANNING COMMISSION MEETING
District Court Building
7:00 p.m., August 18, 2008



The regular meeting of the Conway Planning Commission was held Monday, August 18, 2008. Present at the meeting were: Craig Cloud, Kimberly Gardner, Richard Kirkman, Sandy Mabry, Kent Mathis, Mary Etta Qualls, Todd Smithhart, Terry Sossong, and Junior Storie. Absent: None.

Mr. Storie called the meeting to order at 7:05 p.m. He requested that commission members introduce themselves to the audience present.

Mr. Storie explained the meeting is generally divided into two halves. First is the Subdivision Committee report and second the public hearing with other items discussed as needed. He reminded those present to follow their item through to its final consideration at City Council.

Staff reports on the agenda require no action and include site plans, lot splits, mergers, and minor subdivisions filed for record. Site plans reported: Valley Creek Apartments (11 units), 308 Salem Road. Lot splits, lot mergers and minor subdivisions reported (filed for record): Valley Creek Subdivision Lot 17 Correction Plat and Doud Subdivision.

The first item of business was the July minutes. Mr. Smithhart asked that the minutes on item 1 be corrected to show that he and not Kent Mathis voted against the motion to deny the appeal of the sign variance denial by the Sign Administrator. With that correction, Craig Cloud made the motion to approve the minutes as amended. Sandy Mabry seconded. The motion passed 9 - 0.

There was no Subdivision report since the only item submitted (Trinity Washington Subdivision Phase II) was held until the September meeting as requested by applicant Jim Rankin.

PUBLIC HEARING

Chairman Storie briefly outlined the ground rules for the public hearing that allow up to fifteen (15) minutes for the first speaker either for or against an item, and then two minutes for each successive speaker for or against an item. He then called for the public hearing to begin.

REZONING

1. AT&T Mobility request to rezone from R-1 to S-1 property at 1303 Country Club was approved 6 – 3 on a motion made by Richard Kirkman and seconded by Kim Gardner. Voting against approval were Craig Cloud, Sandy Mabry, and Mary Etta Qualls. Speaking for the request was Laura McAnear (2 Broadmoor Drive), agent for AT&T Mobility.

An initial motion was made by Craig Cloud to deny the rezoning based on the location primarily being a residential area and school property and not an appropriate location for a cell phone tower. Sandy Mabry seconded the motion. It failed 4 – 5.

Speaking to oppose this rezoning were Jeff Holland, 3285 Tyler, John Thompson, 3155 Tyler, Glenda Heaslet, 18 Northwood Drive, Manuel Phillips, 26 Northwood Drive, and Ben Gibson representing Trinity Development. An email from Trinity's president Jim Rankin was read into the record by Planning Commission secretary Mary Etta Qualls. Objections to the rezoning and its attendant conditional use included the use being inappropriate for a residential area and for a school playground that is heavily used for outdoor activities that include peewee football, soccer, softball, and baseball as well as other activities that go on throughout the year. This is a school yard and not an appropriate place for a cell phone

tower. The question of safety was also an issue. The playground is essentially the green space for that particular residential area, a park used by children and adults practically year round. The aesthetics of a cell tower and enclosure in a residential area also came into question. For future development of the property at the corner of Country Club and Tyler adjacent to the school, it would absolutely kill property value to have this in the backyard opined Mr. Gibson.

CONDITIONAL USE

2. AT&T Mobility request for a conditional use permit to allow a transmission tower on property at 1303 Country Club was approved 8 – 1 with the conditions as stated. Kent Mathis made the motion for approval and Terry Sossong seconded. The motion passed 8 - 1. Craig Cloud opposed the motion.
 - 1) One-hundred (100) foot monopole transmission tower allowed maximum, flag pole design, with no external antennae or cabling.
 - 2) Enclosure façade to match brick exterior of Julia Lee Moore school and to be two feet higher than inner structure (not including monopole) but not to exceed 12 feet in total height.
 - 3) No signs, banners, or advertising allowed except for signage required by the FCC and flags at the discretion of the school so long as no lighting is used for flag.
 - 4) No lighting allowed except that required by the FAA and emergency lighting inside the compound.
 - 5) Access road to be paved with asphalt.
 - 6) Landscaping requirements as determined by development review.

Consideration of public hearing items concluded at 8:20 p.m.

OTHER

3. Planning Director Bryan Patrick requested that the Planning Commission consider the land use plan to be presented to them in the Old Morrilton Highway and Lower Ridge Road corridor studies and make a recommendation to the City Council regarding adoption of the land use plan presented in each study and the consequent amendment to the city's comprehensive growth plan. An abbreviated overview of both studies was presented by city planner Donald Anthony of the Planning and Development Department who designed and implemented the studies. Both studies are online and on CD's that were previously mailed to the commissioners for review.

Following the presentation and discussion, Terry Sossong made a motion seconded by Sandy Mabry that both land use and development studies be recommended to the City Council for adoption and that the City of Conway Comprehensive Growth Plan be amended accordingly. The motion passed 8 – 0. Commissioner Mary Etta Qualls left the meeting following the presentation and was not present for the vote.

4. Commissioners voted to strike all language related to attendance from the Planning Commission's bylaws and let the City of Conway code be the sole governing language on the issue. Todd Smithhart made the motion and Sandy Mabry seconded. It passed 6 – 2 with Richard Kirkman and Craig Cloud voting against the motion.

Per his request, Richard Kirkman will no longer chair the committee reviewing the bylaws. Kim Gardner has agreed to serve as chair. The committee's charge is to identify any areas in need of updating or not compatible with current city code and present them for discussion at the October Planning Commission meeting.

Meeting adjourned around 9:00 p.m.