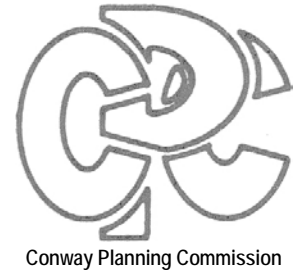




**PLANNING COMMISSION MEETING**  
**District Court Building**  
7:00 p.m., October 19, 2009



The regular meeting of the Conway Planning Commission was held Monday, October 19, 2009. Present: Craig Cloud, Kent Mathis, Mary Etta Qualls, Todd Smithhart, Terry Sossong, and Chris Steplock. Absent: Kimberly Gardner, Richard Kirkman, Sandy Mabry, Jeff Sturdivant.

Chairman Terry Sossong called the meeting to order and requested that commission members introduce themselves to the audience present.

Before getting started on the agenda, Mr. Sossong gave a quick background of the Planning Commission stating that it is a board of ten volunteers charged with providing the city council objective recommendations about land use items presented to the city. The council has the option to use or reject the planning commission's recommendations. It is important that if you are here in support of, or against, any item heard tonight, that you follow the item to the council's final approval or denial. All land use decisions reached here tonight may be appealed to the city council without further public notification. The meeting is divided into three categories, typically, or three sections—review of the minutes, the committee reports, and then a public hearing.

Staff reports on the agenda require no action and include site plans, lot splits, mergers, and minor subdivisions filed for record. Site plans reported: Enertech, 1710 Mayor Lane; Conway Regional Health System O-R expansion, 2302 College Avenue. Lot splits, lot mergers and minor subdivisions reported (filed for record): none.

The first item of business was the September minutes. Todd Smithhart made a motion to approve the minutes; Kent Mathis seconded. Motion passed unanimously, 6 – 0.

Since there were no items submitted for Subdivision Committee consideration at this meeting, the commission moved on to consider the two items held over from the September meeting.

## **HELD OVER**

1. Mitch Hart request to rezone from A-1 to R-2A property located at 3535 Nutter Chapel Road was effectively denied since there were only six (6) commissioners present and the required six majority could not be achieved on a motion to approve the rezoning request. Mary Etta Qualls made the motion to approve; Todd Smithhart seconded; vote was 5 – 1 for approval with Chris Steplock voting against the motion. Mr. Steplock's concerns included the pushing out of single-family homeowners in the area, inadequate street infrastructure, and access. Since the public hearing on this item was closed at the September meeting, the chair asked that a representative for this request come forward and briefly refresh everyone's memory about events at the earlier public meeting. Local surveyor Robert French again appeared on behalf of the applicant Mitch Hart and explained that the reason for requesting R-2A with a conditional use for MF-1 density was that in the past it seems like the commission and also city council likes an applicant to bring a conditional use where they can address neighbors' concerns and maybe put some stipulations on the request that everybody can live with, hopefully. Per the commission's request at the September meeting, Mr. French presented a drawing showing possible development on this property should the rezoning and the

conditional use be approved. The drawing showed parking, structure location, ingress and egress, and green space.

2. Mitch Hart request for a conditional use for MF-1 density in R-2A zoning was also effectively denied or at least rendered moot at this level because the rezoning request failed for lack of a majority vote. Public hearing on this item was reopened by the chair and concerns of the residents at the last meeting were briefly reviewed. Prior to voting on the first issue—the rezoning, commissioners felt they almost had to discuss the conditional use and decide what conditions, if any, they might want to place on it. Below are conditions the Planning Commission discussed and on which they would have voted had the rezoning been approved for submission to the city council for final action. Commissioners felt these possible conditions should be forwarded to the council as a starting point for their consideration should the applicant appeal the denial of the rezoning and the conditional use.
  1. All buildings on the site are to be single-story structures.
  2. Masonry shall occupy no less than 71% of any façade of any structure.
  3. Architectural shingles required on all structures.
  4. Privacy fencing is required along the west and north property lines. Should applicant acquire the one-acre property to the north, no fencing along the north property line would be required.
  5. No banners allowed.

## **PUBLIC HEARING**

### **REZONING**

3. HDR Properties, LLC, request to rezone from R-2 to MF-3 property located at 2505, 2507, 2509, 2511, 2513, 2515, and 2517 West Martin Street at Denison was effectively denied for lack of a majority vote also. Kent Mathis made the motion to deny this rezoning; Mary Etta Qualls seconded; vote was 4 – 2 with Craig Cloud and Terry Sossong voting against the motion to deny the rezoning request. The four commissioners voting for denial felt the street is too narrow to support an additional multi-family complex. There was also some concern expressed about the effect of a project of this density on drainage in the area. Again, this item also failed to achieve the necessary majority of six votes to pass. Speaking for this request was David Tapp, 630 Cherub Drive. Mr. Tapp stated their intent is to demolish the property's existing twenty-five-year-old duplexes and replace them with new multi-family, two-story structures. Speaking against the request was Tina Stapleton, nearby business owner.

## **DISCUSSION**

4. The proposed 2010 Planning Commission meeting schedule was adopted in a unanimous vote on a motion made by Mary Etta Qualls and seconded by Todd Smithhart.

Brief discussion of appointing a committee to interview Planning Commission applicants resulted in no action since only one application had been submitted as of the current date.

Meeting adjourned by acclamation around 8:30 p.m., on a motion made by Kent Mathis.