



**PLANNING COMMISSION MEETING**  
**District Court Building**  
7:00 p.m., November 16, 2009



The regular meeting of the Conway Planning Commission was held Monday, November 16, 2009. Present: Craig Cloud, Richard Kirkman, Sandy Mabry, Kent Mathis, Mary Etta Qualls, Todd Smithhart, Terry Sossong, and Jeff Sturdivant. Absent: Kimberly Gardner and Chris Steplock.

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: Ponderosa Apartments, 1404 Hartje Lane. Lot splits, lot mergers and minor subdivisions reported (filed for record): Replat of Lot 2, Wade's Subdivision & Lot 92 Crosspoint Subdivision Phase II.

The first item of business was the September minutes. Todd Smithhart made a motion to approve the minutes; Kent Mathis seconded. Motion passed 8 – 0.

Since there were no committee reports to present, the chairman opened the public hearing.

## **PUBLIC HEARING**

### **CONDITIONAL USE**

1. William W. Watkins conditional use request for a drive-through pick-up window for property identified as Suite 101 in Townsend Center at 2625 Donaghey Avenue was approved 8 – 0 with five conditions attached on a motion made by Kent Mathis and seconded by Sandy Mabry.
  1. Permit is for Suite 101, or the westernmost suite.
  2. The pick-up window is allowed on the west end of the building.
  3. No remote/external order station allowed.
  4. Permit is for this owner/this business/this type of business only.
  5. Directional sign to be added to indicate traffic flow.

Mr. Watkins spoke for his request. Also speaking for the request was property owner Jim Rankin. No one spoke against the request.

2. Shaun Sutherland conditional use request for an automotive repair and service center at the southwest corner of Locust and Prince streets (941 Locust Avenue) was approved 7 – 1 on a motion made by Craig Cloud that was seconded by Kent Mathis. Commissioner Richard Kirkman voted against this motion to approve the requested conditional use. Conditions attached to the motion are as stated below.

1. Hours of operation 8 a.m. to 6 p.m., Monday through Friday.
2. No extended storage of inoperable vehicles.
3. Permit is for this owner/this business.

Mr. Sutherland was present to speak for his request as was his service manager Duncan Shumate.

3. BatchBarn, LLC conditional use request for a bookstore (college textbook store) at 708 South Donaghey Avenue was approved 8 – 0 on a motion made by Richard Kirkman and seconded by Kent Mathis. Conditional attached to the motion are as stated below.
  1. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday, except during peak periods to roughly coincide with the beginning of first and second semesters when hours are 8:00 a.m. to 7:00 p.m. and include Saturdays.
  2. No banners permitted.
  3. Permit is for this owner as he operates this bookstore.
  4. Directional signage to encourage entrance from Dave Ward Drive and exit to South Donaghey.

Speaking for this request were Sara Batcheller, Jim Batcheller, Don Bykoff (702 South Donaghey), and Roy Martin.

4. T-Mobile Central, LLC conditional use request for a transmission (cell) tower for property located at 1313 Deer Street was approved 7 – 1 on a motion to approve with seven conditions attached that was made by Todd Smithhart and seconded by Richard Kirkman. Voting against the motion to approve was Terry Sossong. Speaking for this request were Trevor Wood with Selective Site Consultants, Inc., and Garth Adcock, regional real estate manager for T-Mobile. Speaking against the request was Terry Fiddler who said he was not notified by certified mail of the public hearing. His property is adjacent to this proposed site. He doesn't feel he has enough information about the details of this project
  1. Monopole tower, 150-foot maximum height, of stealth design.
  2. No external antennae or cabling allowed.
  3. No signs, banners or advertising except for signage required by the FCC.
  4. No lighting except that required by the FAA and/or emergency lighting inside the compound.
  5. Forty-foot by forty-foot compound surrounded by 8-foot wood fence.
  6. Height will not exceed FAA regulations for height in that particular area.
  7. If the utility transformer or telephone rack cannot be built inside the compound, it is to be built outside and at least 6 feet away from fence to prevent someone from climbing onto transformer and jumping over fence.

## REZONING

*This rezoning item was tabled until the end of the meeting since neither the applicant nor his representative were present when this item was called. Mary Etta Qualls made the motion to table the item; Kent Mathis seconded; it passed 8 – 0.*

5. Frank Shaw request to rezone from R-1 to HR property located at 2018 Caldwell Street was effectively denied when a motion to approve the rezoning that was made by Craig Cloud and seconded by Sandy Mabry failed in a 2 – 6 vote. Mr. Shaw was present to speak for his request albeit his arrival was delayed by a phone call. Speaking against the request were area property owners Jay Bernard, Dan West, Heber McKissick, James Mullican, Wayne Mullican, Margaret West, and Zayre Robbins. Mr. Shaw spoke of his desire to build single family, Craftsman style homes on the property similar to what is being built at Hendrix. With its current zoning, duplexes could be built on the property. If rezoned to HR, you would not be able to build duplexes on it because of its proximity to other duplexes. The neighbors want big homes on oversized lots and suggested they would not object to his dividing the lot into two, but not four, lots. The objection seemed to be to the possibility of the smaller lots with homes that would perhaps become rental property. "Let's not add more little . . ." "From the streets, it needs to look nice."

## DISCUSSION

6. There was brief discussion of the selection process to choose nominees for the two Planning Commission positions that become vacant on January 1, 2010, when commissioners Sossong and Qualls rotate off. A special meeting to finalize planning commission nominees was scheduled for 8:00 p.m. on November 30, 2009. Vice chair Sandy Mabry divided the commissioners into three groups—Sandy and Richard, Todd and Chris are together, and Craig and Kent and Jeff are together—for candidate interviews. With the group of three, one of those can go to another group in the event someone can't be there. Chris may have some difficulty making the meeting.

There was also brief discussion as to whether there would be a Christmas gathering as has happened the past two years. Terry is to check with Mike's Place to see what facilities they may have available for such a get together.

Meeting adjourned around 9:30 p.m. on a motion made by Richard Kirkman and seconded by Todd Smithhart. Vote to adjourn was 8 – 0.