

PLANNING COMMISSION MEETING FEBRUARY 5, 2008

The Planning Commission met Tuesday, February 5, 2008 at 7:00 P.M. in the City Council Room at the Municipal Complex. The following items were on the agenda:

1. Approval of minutes from last meeting
2. Consideration of Preliminary and Final Plat for Armstrong Tracts, Owner Eric Armstrong, represented by Ricky Hill of Satterfield Land Surveyors, Inc. Mr. Hill was given approval to present both plats at this meeting due to no quorum at the last Planning Commission meeting

PLANNING COMMISSION ADJOURNS BOARD OF ADJUSTMENTS CONVENES:

3. Rezone request, Lot 1, Quail Creek Addition, owner Young & Young Development LLC, represented by Al Prieur, Prieur Engineering
4. Variance request, contact River City Coatings, Inc., represented by Hawkins-Weir Engineers, Inc., for property located at 306 Sycamore Street.
5. Variance request on property located at 2501 Fayetteville Road, owner Paul and Terri Loyd, request due to ordinance changes made since original construction on this property.
6. Rezone request, Northridge XI, developer Jimmy Bell, represented by Van Hale of Hoffman & Associates, Inc.
7. Rezone request, Northridge XII, developer Jimmy Bell, represented by Van Hale of Hoffman & Associates, Inc.
8. Conditional Use Permit request from Susan D. Burger, 2802 Madeline Drive, Van Buren, Arkansas, to operate a daycare in the home
9. Rezone request for property located at 216 South 3rd Street to rezone this property from I-1 to C-1, owner Elmo Evans, represented by E Squared Architecture & Interior Design, P.A.
10. Variance request for property located at 1703 North Hills Drive, lot 129, Tanglewood Addition, owner Bill Allen, represented by Hawkins-Weir Engineers, Inc.
11. Variance request for Riverview Apartments at Park Ridge, 1809 Park Ridge Drive, developer Mr. Rick Mooney, represented by Hawkins-Weir Engineers, Inc.

BOARD OF ADJUSTMENTS ADJOURNS
PLANNING COMMISSION RECONVENES:

12. Letter from Rick Mooney Construction to provide information to the Planning Commission about Flooding issues at Hope's Creek
13. Discussion of Land Use Plan for City of Van Buren; this plan will be updated in 2008
14. Any other business that comes before this Commission

PLEASE NOTE: Items numbered 2 through 7 on this agenda are the items that were considered by the Planning Commission last month. Due to no quorum being present, these items are back in front of the Planning Commission for a vote. Please refer to your packet from January to review these items, as hard copies will not be duplicated in the February packets.

PRESENT: Andrew Dibble, Chairman
Jay White
John Symonds
Dorvan Wiley
Mark Evans
Sue Moore
Frank Newman
Woody Nelson
David Martin, Chief Bldg. Inspector
Brad Baldwin, City Engineer
Don Jenkins, City Atty.

ABSENT: Philip Bagby, Co-Chairman

OTHERS PRESENT: J.R. & Rita Young
Mike Henson
Alfredo Maruri
Will Henson
Van Hale
Al Prieur
Rick Mooney
Cody Hayes
Ricky Hill
Jimmy Bell
Susan Burger

At 7:00 P.M. Chairman Andrew Dibble called this meeting to order. At this time Chairman Dibble welcomed and introduced the newest member of the Planning Commission, Mr. Jay White, to the Planning Commission.

The first item on the agenda was approval of minutes from last meeting, and a motion was made by Mark Evans to approve minutes as written. The motion received a second by Sue Moore, and the motion carried with a unanimous vote.

Next item on the agenda was Preliminary & Final Plat for Armstrong Tracts, represented by Ricky Hill of Satterfield Land Surveyors, Inc. The Commission considered the Preliminary Plat at the January meeting, but with no quorum to vote, it is back in front of the Commission this month, along with the Final Plat. Ricky Hill explained that this project would be handled in two phases. Preliminary plat approval would be for Phase I & Phase II, and the approval of the Final plat would only be for Phase II. Dorvan Wiley made a motion to approve Phase I & II of the Preliminary plat for Armstrong Tracts, and Woody Nelson seconded the motion, with the motion carrying a unanimous vote. Mark Evans then made a motion to approve Phase I of Final plat for Armstrong Tracts, with Sue Moore giving the motion a second, and this motion carrying a unanimous vote.

**PLANNING COMMISSION ADJOURNS
BOARD OF ADJUSTMENTS CONVENES:**

At this time the Commission considered a rezone request for Lot 1, Quail Creek Addition, owner Young & Young Development LLC, represented by Al Prieur of Prieur Engineering. A motion was made by Dorvan Wiley to approve this rezone request, with Frank Newman giving the motion a second. This motion carried a unanimous vote, and will be recommended on to the City Council.

Next item for consideration was variance request for River City Coating, Inc. represented by Hawkins-Weir Engineers, Inc. for property located at 306 Sycamore. Brad Baldwin commented that Mr. Moreland with River City Coatings has agreed to work with the City of Van Buren on the drainage problems in this area. Mr. Moreland will purchase approximately 54 linear feet of box culvert, and the City will install this to help clean up drainage problems that presently exist. There will be fire truck access all the way around the property at this locations. A motion was made by Dorvan Wiley to approve this request, and Frank Newman seconded the motion, with a unanimous vote to approve.

The next item on the agenda, a variance request on property located at 2501 Fayetteville Road, was handled as an administrative variance, and this was duly noted.

Next for consideration was rezone request, Northridge XI, developer Jimmy Bell, represented by Van Hale of Hoffman & Associates, Inc. to rezone from R-3 to R1B. Mr. Baldwin noted this is the property that reciprocated the zero lot line zoning. Sue Moore made a motion to approve this rezone request, and Dorvan Wiley seconded the motion. The motion carried with a unanimous decision and will be recommended on to City Council for approval.

Next item for consideration was Northridge XII, developer Jimmy Bell, represented by Van Hale of Hoffman & Associates, Inc. This rezone request is for Tract A in the Southwest corner of this subdivision, and the request is also for R1B rezone. A motion was made by John Symonds to approve this request, and this motion was given a second by Woody Nelson. This motion carried a unanimous vote, and will be recommended on for approval to City Council.

The next item for consideration was Conditional Use Permit from Susan D. Burger, 2802 Madeline Drive, Van Buren, Arkansas to operate a daycare in the home. Mrs. Burger commented she can't get a state license until this Conditional Use Permit is in place. Chairman Dibble verified the yard was fenced. Brad Baldwin commented the

Commission needs to always include a couple of stipulations in these permits, one of these being that a state license is obtained, and the other is that the City of Van Buren's business license is obtained, along with the inspection by the City Fire Marshal of the premises before operation begins. Dorvan Wiley commented we update the Conditional Use Permit Application to include these stipulations, which everyone agreed to. Staff will update this application. After some discussion a motion was made by Frank Newman to approve this request, and John Symonds seconded this motion. This motion carried with a unanimous vote.

At this time Chairman Dibble asked the Commissioners to update the zoning regulations located in the Planning Commission Notebooks with the amended copy that was provided for them and placed at their seats at this meeting.

Next item was rezone request for property located at 216 South 3rd Street to rezone property from I-1 to C-1, owner Elmo Evans, represented by Mark Evans of E Squared Architecture & Interior Design, P.A. John Symonds, Planning Commissioner, commented that the firm he owns does work for E Squared, and wanted to make the Planning Commission aware of this. At this time it was decided that John Symonds and Mark Evans would abstain from a vote on this matter. After review, a motion was made by Dorvan Wiley to approve this request, and the motion was given a second by Sue Moore. The motion carried a unanimous vote the both John Symonds and Mark Evans abstaining as agreed. This rezone will be recommended to City Council for approval.

Next item for consideration was a variance request for 1703 North Hills Drive, lot 129, Tanglewood Addition, owner Bill Allen, represented by Ronnie Hawkins of Hawkins-Weir Engineers, Inc. After some discussion, a motion was made by Sue Moore to approve this variance. Mark Evans seconded this motion, and the motion carried a unanimous vote.

Next item was variance request for Riverview Apartments at Park Ridge, 1809 Park Ridge Drive, developer Rick Mooney, represented by Ronnie Hawkins of Hawkins-Weir Engineers, Inc., along with Cody Hayes, atty. from Pryor Law Firm well-versed in horizontal property regimes. This variance request is for allowing more than two buildings on a piece of property. The overall project will be more than 120 units. The intent is to sell as condominiums, and possibly some apartment rentals. City attorney Don Jenkins commented he did not have any problem with this type of property, but he did feel like it did not need to be under the present zoning regulations. Mr. Jenkins commented he felt like the present regulations would present a problem when trying to regulate this in the future, and his suggestion was to create an R-1C zoning specifically for this very type project. After further discussion, it was agreed to table this project until next month. A suggestion was made to contact developers and get input from them, but this was never confirmed and requested of staff. Ronnie Hawkins commented they would come back and request this zoning when in place and appropriate. Don Jenkins commented again he was concerned about passing under the present document. Chairman Dibble asked the City Attorney if he could have a document ready on R-1C zoning for the Commission to review next meeting, to which Jenkins commented absolutely. Woody Nelson commented he agreed that the proper zoning needed to be in place on such a matter, for example what if someone came up and wanted to take an apartment complex and rehab into condos.....the Commission needs some guidelines in place to establish that zoning, or the City may be facing issues in the future. Mr. Hawkins then commented he had a suggestion that Mr. Mooney would be

willing to table this for 30 days and see how the Planning Commission's progress is, and in the meantime Mr. Mooney will submit a copy of the draft document to the City Attorney, and then they will come back next month and by then the Commission will have had an opportunity to review. At this time Ronnie Hawkins commented it would take more than 60 days, as City Council would have to approve, then they would have to come back to Planning Commission for rezone of the new zone adopted. Mr. Hawkins commented that 120 days out would be a deal killer for Mr. Mooney. At this time this project was tabled until next month.

**BOARD OF ADJUSTMENTS ADJOURNS
PLANNING COMMISSION RECONVENES:**

Next item was a letter from Rick Mooney Construction thanking the City of Van Buren for the assistance with the drainage issues at Hope's Creek. Mr. Mooney commented on this letter, letting the Planning Commission know how the City of Van Buren stepped up to help correct a situation, and how thankful the citizens are for this.

Next on the agenda was drainage, revised land use plan to promote orderly growth, traffic problems on North side of town, revision of Master Street Plan, CRS application on behalf of City of Van Buren, City Master Plan revision, and meeting with TOPMA. City Engineer Brad Baldwin addressed the Planning Commission on these issues.

Mr. Baldwin commented he and Chairman Dibble met with the Mayor who reminded them that 2001 was the last time the Land Use Plan map was updated, and there are areas clearly out of date, and since that map is the basis of everything the Planning Commission does, this needs to be updated soon. Mr. Baldwin suggested appointing a small group to work on this to which the Commission was in agreement.

Mr. Baldwin mentioned that the Mayor and Judge Hall met with Highway Commissioner Barnett and took him on a tour of this area to focus on priorities here. The message that came from this meeting was keep it simple, get your priorities straight, and there must be funding on a local level, as the Highway Commission is out of funds. The Mayor, Judge Hall and WAPDD will meet to develop detail plan and costs in 2008. Mr. Baldwin handed each Commissioner a list of priorities in transportation planning issues.

Mr. Baldwin commented that Administrative Assistant Cami Brown and himself met with The Old Town Merchants Association, (TOPMA), and took them a copy of the new zoning regulations, that includes the zoning incorporated for the Historic District, and the group was very happy about the incorporation of the regs. We emphasized that we were from the Mayor's office, and that we were very interested in working with them, as the Mayor is very interested in preservation, and in protecting private investment in our downtown, as well as promote orderly growth there. Mr. Baldwin informed the Commission we also invited them to appoint a member to a Mayor's downtown working group. That group will include Barb Little from TOPMA, Brad Baldwin, Cami Brown, both representing the Mayor's office, Jody Rhoads, liaison from HDC, Jackie Krutsch from Chamber of Commerce, Maryl Koeth from A & P to work together on these things.

Brad Baldwin went on to inform the Commission that planning office has submitted a CRS Application, and ISO rating through FEMA, and review for this application will take place February 21, 2008. If accepted, this could drop flood insurance rates for citizens

in the City of Van Buren up to 15% when accepted. This is based on how well we serve the city with floodplain information.

At this time Frank Newman brought up the Levee situation, and Brad Baldwin briefed the Commission where we are on this at this time.

Chairman Dibble asked Cami Brown to email first draft of any document from the City Attorney for the Planning Commission to review, and then asked the Commissioners to consider serving on a subcommittee to work on the Land Use Plan Map.

With no other business to come before this Commission, Dorvan Wiley made a motion to adjourn, Sue Moore gave this motion a second, and this motion was given a unanimous vote. This meeting was adjourned.

Andrew Dibble, Chairman

Cami L. Brown, Rec. Sec.