

PLANNING COMMISSION MEETING MINUTES MARCH 2, 2010

The Planning Commission held its monthly meeting Tuesday, March 2, 2010 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

PLANNING COMMISSION ADJOURNS
BOARD OF ADJUSTMENTS CONVENES:

2. Consideration for Conditional Use Permit Application by Bridget Asbury to operate a daycare at 8 South 45th Street, Van Buren, Arkansas
3. Consideration for Rezone Request by TPC Partners, LLC, John Rupe, Jr. Managing Member, for Lot 4B-1, The Plaza Addition, being a replat of Lot 4B, The Plaza to the City of Van Buren, Crawford County, Arkansas, less the Southeast 150 feet by 150 feet thereof. Request is to rezone the property from its present C-2 zoning to R-3 zoning for the purpose of constructing retirement living for seniors only and be restricted to those with age of 62 and above.

BOARD OF ADJUSTMENTS ADJOURNS
PLANNING COMMISSION RECONVENES:

4. Any other business that comes before this commission

PRESENT: Andrew Dibble, Chairman
Philip Bagby, Vice-Chairman
Jay White
John Symonds
Dorvan Wiley
Mark Evans
Sue Moore
Woody Nelson
Clarke Moore
Cami Brown, Recording Secretary
David Martin, Chief Building Inspector
Brad Baldwin, City Engineer

Stanley Clark, Fire Marshal
Johnny Ragsdale, City Alderman
Kenneth Fry, Editor PAC
Rusty Garrett, SWTR

OTHERS

PRESENT: Bridgett Asbury
John Rupe, Sr.

Chairman Andrew Dibble called this meeting to order at 7:00 PM. First order of business was approval of minutes from last meeting. Philip Bagby made a motion to accept minutes as written, motion was seconded by John Symonds and motion carried a unanimous vote.

PLANNING COMMISSION ADJOURNS
BOARD OF ADJUSTMENTS CONVENES:

The next item for consideration was Conditional Use Permit application for operation of a daycare by Bridgett Asbury at 8 South 45th St., Van Buren, AR. After review of location and discussion, Philip Bagby made a motion to approve this request, and Jay White seconded the motion. The motion passed with a unanimous vote.

Next for consideration was a rezone request by TPC Partners, LLC, John Rupe, Jr. Managing Member, for Lot 4B-1, the Plaza Addition, being a replat of Lot 4B, The Plaza to the City of Van Buren, and Crawford County, Arkansas less the Southeast 150 feet by 150 feet thereof. Request is to rezone the property from its present C-2 zoning to R-3 zoning for the purpose of constructing retirement living for seniors only and be restricted to those with age 62 and above. This was presented to the commission by John Rupe, Sr. Mr. Rupe brought the commission photos, and sketched layouts of the one and two bedroom units. The construction would be a three-story building, and Mr. Rupe commented this would be market-rate rent, and commented the market shows a need for this. He commented there are two individuals living in local assisted living locations that would be interested in moving to this location when completed. Chairman Andrew Dibble asked Mr. Rupe how many units this construction would house, to which Mr. Rupe replied 60 units. Mr. Rupe commented there would be more than abundant parking, as there would be 75 parking spaces provided. The question of water and sewer being able to serve this complex was studied and this could be done. Dorvan Wiley commented that under C-2 zone metal buildings could be placed on this property, and Mr. Wiley's point was Mr. Rupe is trying to come in and develop this property that is pleasing to the neighborhood. Mr. Wiley commented that Mr. Rupe, Sr. and his son have come in to the community and brought a movie theatre and two nice commercial buildings and that he would like to commend them for this. John Symonds brought up the point that Mr. Rupe was requesting an R-3 zoning, but for a senior living facility. R-3

zoning just states multi-family zoning, and Mr. Symonds concern was how to hold Mr. Rupe's commitment to this type of living facility. Mr. Rupe commented he would not mind having a restriction of 55 plus living on this zoning. Philip Bagby commented this could legally be done. Mr. Dibble commented that Mr. Ballard, who was the main objector to this rezone before, emailed a letter to the Mayor and this was given to the Planning Commission for consideration. Mr. Dibble stated in his personal opinion the issues in this letter were not major issues with this proposed project. Mr. Dibble commented he was in agreement with Mr. Wiley, that this project would be a nice addition to the City of Van Buren. Woody Nelson commented he agreed with Dorvan Wiley that the present zoning leaves the city open for more potentially negative community impact for the subdivision across the street from this project. Mark Evans commented he agrees this would create a buffer and that Mr. Rupe has pushed this project back in the corner of the property, creating a buffer, and this would prevent just anything going in there, for example and auto service center. Philip Bagby commented with the condition of senior living 55 years old and above, they would be creating a new provision, and this would be taking out a lot of traffic and other issues that the previous project presented. John Symonds asked how this restriction will travel with this decision, and it was determined a deed restriction would go with this project. At this time Chairman Dibble asked if anyone else had any comments. Mr. Dibble specifically asked Alderman Johnny Ragsdale if he had any comment on this rezone request. Mr. Ragsdale commented he had no objections to this project. At this time John Symonds made a motion to approve this request with the restriction discussed. This motion was given a second by Dorvan Wiley, and this motion carried a unanimous vote. This rezone request with restriction will be recommended to City Council for approval.

With no other business, this meeting was adjourned.

Andrew Dibble, Chairman

Cami L. Brown Rec. Sec.