

**PLANNING COMMISSION & BOARD OF ZONING ADJUSTMENT
MINUTES
FORT SMITH CONVENTION CENTER, EXHIBIT HALL A3
FEBRUARY 9, 2021 – 5:30 P.M.**

Before calling the meeting to order, Secretary Vicki Newton asked everyone to stand for the Pledge of Allegiance. On roll call, the following commissioners were present: Vicki Newton, Bob Cooper, Kelly Wilson, Matt Marshall, Brian Trumbly, Griffin Hanna and Shaun McCaffrey. Don Keese and Ret Taylor were absent.

Secretary Newton made a motion to excuse Don Keese and Ret Taylor's absences. The motion carried with no opposition.

Secretary Newton then called for a motion on the minutes from the January 12, 2021, meeting. Commissioner Trumbly moved, seconded by Commissioner Hanna, to approve the minutes as written.

Ms. Maggie Rice, Director of Development Services, spoke on the procedures.

1. Preliminary Plat - The HUB, Phase II - Crafton Tull & Associates

Secretary Newton introduced item 1. Ms. Andrews presented the staff report indicating the property was located just north of The HUB Phase 1. She said the approval of this plat would facilitate the development of a multi-use site with 28 new lots.

Mr. Connor Threet was present to represent this item. There were none present to speak in favor or opposition of this item.

Commissioner Hanna noted this would be a good development for the community.

Secretary Newton called for a motion. Commissioner Marshall moved, seconded by Commissioner Trumbly, to approve as written with staff comments. Secretary Newton called for a vote. The vote was 6 in favor and 1 abstention (Cooper). Approval subject to the following:

- The developer must agree to meet all franchise and City utility easement requirements.
- The final plat must comply with the city's Subdivision Design and Improvement Standards Specifications for Public Works Construction.

2. Final Plat – Stoneridge, Lots 1-58 – Crafton Tull & Associates

Secretary Newton introduced item 2. Ms. Andrews presented the staff report stating the property was located on the southeast side of Chad Colley Boulevard just northeast of Steep Hill Road. She said approval of this plat would facilitate the development of a 57 lot single-family subdivision.

Mr. Connor Threet was present to represent this item. There were none present to speak in favor or opposition.

Secretary Newton called for a motion. Commissioner Trumbly moved, seconded by Commissioner McCaffrey, to approve as written with staff comments. Secretary Newton called for a vote. The vote was 7 in favor and 0 opposed. Approval subject to the following:

- After all required approvals of the plat and the affixing of all required signatures on the original tracing and other copies and associated documents, the plat will be filed with the Sebastian County Clerk

- Staff approval of a temporary revocable license to allow the landscaping to encroach a utility easement.

3. Final Plat - Horseshoe Ridge, Lots 1-30, Tracts A & B1 – Mickle Wagner Coleman, Inc.

Secretary Newton introduced item 3. Ms. Andrews delivered the staff report indicating the property was located on the north side of Cliff Drive between Leigh Avenue and Old Greenwood Road. She said the approval of this plat would facilitate the replat of Horseshoe Ridge, which would reduce the size of the lots and create seven new lots.

Mr. Randy Coleman was present to represent this item. There were none present to speak in favor or opposition of this item.

Commissioner Hanna asked if there was a second access point. Ms. Andrews replied only one access point is required for up to 30 lots.

Secretary Newton called for a motion. Commissioner Cooper moved, seconded by Commissioner Hanna, to approve as written with staff comments. Secretary Newton called for a vote. The vote was 7 in favor and 0 opposed. Approval subject to the following:

- After all required approvals of the plat and the affixing of all required signatures on the original tracing and other copies and associated documents, the plat will be filed with the Sebastian County Clerk

4. Final Plat - Fianna Hills, Phase III, Lots 409A, 411A, 412A, and Tract 4A - Mickle-Wagner-Coleman

Secretary Newton introduced item 4. Ms. Andrews presented the staff report stating the property was located within the Fianna Hills subdivision located north of Roxbury Lane. She said the preliminary plat was appealed and presented to the Fort Smith Board of Directors. The Board of Directors tabled the item for 90 days to allow additional time for discussions on the future of the golf course.

Mr. Randy Coleman was present to represent this item. Dalton Person of Jones, Jackson and Moll was present to speak in favor of this item. John Alford of Alford Law Firm was present to speak in opposition of this item.

Mr. Person stated he had no objections to tabling this item, but requested it be tabled until the Board of Directors take action on the tabled preliminary plat. Mr. Alford requested for the item to be tabled for the 90 days.

Secretary Newton called for motion. Commissioner Hanna moved, seconded by Commissioner McCaffrey, to table until the Fort Smith Board of Directors takes action on the tabled preliminary plat. Secretary Newton called for a vote. The vote was 7 in favor and 0 opposed.

5. Preliminary Plat - Fianna Hills, Phase III, Lots 404A, 406A & Tract 4A, Fianna Hills, Phase V, Lots 400A, 402A & Tract 4, Fianna Hills, Phase X, Lots 1025A, 1028A, 1032A & 1035A – Mickle Wagner Coleman, Inc.

Secretary Newton introduced item 5. Ms. Andrews presented the staff report stating the property is located within the Fianna Hills subdivision north of Queensbury Way and south of Crosshill Road. She said approval of this item would allow portions of the existing Fianna Hills Golf Course to be platted with adjacent residential lots.

Mr. Randy Coleman was present to represent this item. Dalton Person of Jones, Jackson and Moll, and Dave Mille were present to speak in favor of this item. Mr. Person asked the commission to approve the item as they had the Fianna Plat in February. He said the commission should approve in accordance with 27-334.

John Alford was present to speak in opposition with concerns regarding property taxes, maintenance, drainage, environmental conditions and lack of community involvement.

Mr. Mille then spoke stating it would be best to give the property back to the homeowners, but he would continue to maintain and pay all property taxes until sold.

Commissioner McCaffrey noted the importance of consistency among the Commission's decisions.

Secretary Newton called for a motion. Commissioner Marshall moved, seconded by Commissioner Cooper, to approve as written with staff comments. Secretary Newton called for a vote. The vote was 7 in favor and 0 opposed.

6. Preliminary Plat - Fianna Hills, Lots 1236-1243 – Mickle Wagner Coleman, Inc.

Secretary Newton introduced item 6. Ms. Andrews presented the staff report stating the property is located within the Fianna Hills subdivision on the corner of South 30th Street and Brooken Hill Drive She said approval of this item would allow for the addition of 8 new residential lots to the existing subdivision.

Mr. Randy Coleman was present to represent this item. Dalton Person of Jones, Jackson and Moll, and Dave Mille were present to speak in favor of this item. John Alford was present to speak in opposition with concerns regarding property taxes, maintenance, drainage, environmental conditions and lack of community involvement.

Mr. Coleman asked for the process to continue forward so as to not delay the process if the appealed preliminary plat, Replat of Fianna Hills, Phase III, Lots 409A, 411A, 412A and Tract 4A, was approved.

Mr. Person asked the commission to approve this item for the same reasons as the previous item.

Secretary Newton called for a motion. Commissioner Hanna moved, seconded by Commissioner Wilson, to approve as written with staff comments. Secretary Newton called for a vote. The vote was 7 in favor and 0 opposed.

RECESS PLANNING COMMISSION CONVENE BOARD OF ZONING ADJUSTMENT

7. Variance #5-2-21 – A request by Crafton Tull & Associates, agent for HUB MU, LLC, from the HUB I PZD referring to UDO Section 27-602-4 (D)(5)(h) required private outdoor yard, patio, or balcony at 9001 R.A. Young Drive

Secretary Newton introduced item 7. Mr. Abdul Ghous read the staff report indicating the 0.93 acre property was located at the corner of R.A. Young Drive. He said the approval of this item would allow for the development of 12 unit apartment complex without the required outdoor yard, patio, or balcony. The available amenities to the residents would include outdoor gathering areas, barbeque grills, and eating areas.

Mr. Connor Threet was present to represent this item. There were none present to speak in favor or opposition of this item.

Secretary Newton indicated the shared amenities would be enjoyable for the community.

Secretary Newton called for a motion. Commissioner Hanna moved, seconded by Commissioner Wilson, to approve as written. Secretary Newton called for a vote. The vote was 6 in favor and 1 abstention (Cooper).

**RECESS BOARD OF ZONING ADJUSTMENT
CONVENE PLANNING COMMISSION**

8. Rezoning #8-2-21 – A request by Stuart Ghan, owner, for a zone change from Commercial Heavy (C-5) to a Planned Zoning District (PZD) at 7308, 7310 and 7320 Rogers Avenue

Secretary Newton introduced item 8. Ms. Rice presented the staff report indicating the 8.2 acre property is located southwest of the Rogers Avenue and South 74th Street intersection just south of Mercy Hospital. She said the approval of this item would allow for the a mixed-used site with buildings consisting of multi-family dwellings above retail, service, and entertainment uses as listed within the PZD land use chart.

Bob Cooper was present to represent this item. There were none present to speak in favor or opposition.

Secretary Newton called for a vote. The vote was 5 in favor, 0 opposed and 2 abstentions (Cooper, Trumbly).

The meeting adjourned at approximately 6:45 P.M.