

**City of Sherwood
Planning Commission
Minutes
February 8, 2011**

The Sherwood Planning Commission met for their regularly scheduled meeting on February 8, 2011 at 7:00 p.m. in the City Council Chambers at 2201 East Kiehl Avenue, Sherwood, Arkansas.

Lucien Gillham chaired the meeting.

Members Present

Lucien Gillham
Rodney Freeman
Forrest Penny

Members Absent

Freddie Hudson
Albert Harris

Staff Present

Ellen Norvell – City Engineer
Dwight Pattison – City Planner
Steve Cobb – City Attorney
Barbara Hubbard - Secretary

Forrest Penny made a motion to approve the minutes of the last meeting. Rodney Freeman seconded the motion. The roll call vote was unanimous.

Chairman Gillham read a letter of resignation from Chairman Freddie Hudson. The resignation was dated February 1, 2011.

Public Hearing

Rezoning request for Highway 107 property south of Johnson Drive. Deere LLC, Owner. Marlar Engineering Co., Inc. Agent. David Jones said the purpose for rezoning of the property is possibly for a library but nothing is set as of yet. Staff Comments: Ellen Norvell said

there were some mapping issues. She said a portion of the property is already C-2 and a very small portion is actually R-3. She recommended C-2 zone for the entire tract. Dwight Pattison recommended approval. Forrest Penny made a motion to approve the request for rezoning to C-2. The roll call vote was unanimous.

A discussion to amend the Master Street Plan. Ellen Norvell. Ellen Norvell said Fairway is shown as a collector street all the way to the south boundary that would tie into Fairway in North Little Rock. She said NLR now has Fairway ending in a cul de sac that will prevent us from ever being able to tie into their section and so we need to decide if we want to continue the collector street designation into Koehler or stop at Wildwood. She said we would need to decide what we would like to do in that area. Chairman Gillham said he would like to go look at the street before he makes a decision.

Subdivision Review

Site Plan for McDonalds at Sylvan Hills and Oakdale Road. Adams Engineering, Agent. Deb Lyster with McDonalds Corp. was present to discuss the request. Staff Comments: Dwight Pattison said the site plan as far as structure and parking appear to be acceptable. He said the problem is that we only have a preliminary plat and a final plat is required before a building permit is issued. He said typically a final plat is not approved until all of the improvements are in place. He said he did not have a problem with a contingent approval. He said he would recommend approval of the site plan subject to the submittal of the final plat and the city's approval of a bond if the plat is signed before the improvements are in. Ellen Norvell said she would not have a problem approving the site plan contingent upon a final plat and all improvements being made or a bond in place for improvements. Dwight Pattison and Ellen Norvell said the Certificate of Occupancy would be held until all improvements are complete. Mr. McRae of McKimmey and Associates, agent for the owner/developer asked if the final plat could be approved at staff level as long as all of the contingencies are met. Ellen Norvell said as long as the final plat matches the preliminary plat and if the only change is the access that was not included on the preliminary plat. Mr. McRae said there was no way they could have the improvements done before construction begins and asked if a Performance Bond was standard

procedure in the absence of a final plat approval. Ellen Norvell said it is not standard practice but it can be done. Mr. McRae said all utilities are in place but off site improvements could take 60 to 90 days and the construction would begin before completion. He asked if their CO would be held up even if a bond were provided. Dwight and Ellen both responded that the CO would be held until all improvements were done. Ms. Lyster said McDonalds Corp. would not agree to that. She said they could not base the opening and production of their business on the completion of the improvements by the developer. Commissioner Penny asked Dwight Pattison what his recommendation was. Dwight said he would approve the site plan. Ellen said approval could be given for the site plan but the building permit and CO would fall under the Permit Dept. and be contingent upon the final plat approval. She said she didn't have a problem with the site plan as long as the easements of the adjacent properties are in place on the final plat. Commissioner Penny made a motion to approve the site plan. Commissioner Freeman seconded the motion. The roll call vote was unanimous.

There being no further business, Commissioner Penny made a motion to adjourn. Commissioner Freeman seconded the motion. The roll call vote was unanimous.

ATTEST:

Barbara Hubbard, Secretary

Lucien Gillham, Chairman