

Malvern Planning and Zoning Commission
Minutes of the September 13, 2017 Meeting
Malvern City Hall
7 p.m.

Following a public hearing regarding the proposed 2017 Fairview Hills Golf Course Development Preliminary Plat, the September 13, 2017, meeting of the Malvern Planning and Zoning Commission was **called to order** by Chairman Vicki Drews at 7:30 p.m. at the Malvern City Hall Council Chambers.

Roll call was answered by: Ryan Grant, Ardeth Henderson, Zack Jones, Jeff Williams, Josie Williams, and Tom Winchester. Zoning Administrator Bob Blum, City Clerk Mary Poort, City Engineer Preston Sargent, Developer Jay Burdic, Elvera Thomas, and Richard Maaske were also present.

Jones motioned to **approve the agenda**. Henderson seconded. All ayes; motion carried.

Jeff Williams motioned to **approve the minutes** of August 2nd and additional minutes of May 5th, 2017. Winchester seconded. All ayes; motion carried.

Membership information: The City Council had **reinstated Commissioner Josie Williams** for a term ending 12/2022 at the August 14, 2017, regular Council meeting. Diane Clay's verbal resignation for the term ending 12/18 was accepted by City Council on September 11, 2017, and **Ryan Grant was appointed** as a Commissioner to fill that term. Poort administered the Oath of Office to Grant. **Nominations were opened** to fill office of Commissioner, currently held by Jones, upon his term ending 12/17. Chairman Drews charged Commissioners to continue thinking about suitable persons who qualify according to ordinance, "by knowledge or experience to act in matters pertaining to the development of a City plan and shall not hold any elective office in the City government." On August 22, 2017, **Drews and Jeff Williams were appointed by the Mills County Board of Supervisors**, due to recent moves outside the Malvern City Limits, as stated in Chapter 21.01—Planning and Zoning Commission, Malvern City Ordinances. Terms are 12/2021 and 12/2018, respectively.

Drews recognized that **discussion had been held on the Preliminary Plat** of the 2017 Fairview Hills Golf Course Development during the public hearing.

Prior recommendations and replies were now discussed with reference to the preliminary plat including comments from Burdic, Blum, Maaske, Sargent, and Commissioners. The City will have jurisdiction of naming the streets. City Hall has a copy of the title opinion showing ownership of the subdivision ground as requested. Further discussion followed as such: City street to connect two golf greens, golf carts driving on a City street, need for insurance involvement, Burdic to obtain easement to use City street, conversations with people associated with Shadow Ridge and Bent Tree with similar graphics, stop signs for golf carts and painted lines to designate crossing—a must, about 20 homeowners traveling area, covenant to cover risks associated with golf course living, Lots 31 & 32 reconfiguration to gain access to Chariot Farms, parking area, driving range, fire hydrants, infrastructure, runoff ditches, natural waterways, use of same principles as Woodfield, importance of engineering, JEO may work with Soil Conservation for grants to offset costs, natural wetland already there and enhanced, costs savings on infrastructure but more cost on engineering and water planning. Jeff Williams motioned to **approve additional recommendations in conjunction with earlier recommendations**. Henderson seconded. All ayes; motion carried.

In review of the engineering report, discussion with City Engineer Sargent and et al. involved as such: Fairview Hills' road width (25 feet) in lieu of sidewalks, two feet of gravel on each side, right-of-way is 60 feet, Jeff to measure Woodfield Subdivision (24 feet hard-surface only—minutes updated 9/14/17 per Jeff's text), to encourage walking, sidewalks required in Malvern Subdivision Ordinance 166.05(6), approve without sidewalks or use Board of Adjustments, require a variance, swale cannot have sidewalks, covenant to cover all looks, sizes, initial covenant meeting: yard, controls, fences, pools outbuildings, animals, kennels, parking, campers, boats, match siding on buildings, roof pitches, size, meeting setbacks, need for deeper covenant to cover swales, land, ground, etc., may need P&Z help with covenant, also building permit to guide, 18 months to build from lot purchase, if you buy you build, time factor for taxes and TIF, multiple sale of lots, one house per lot.

Poort asked if there is **need for a Board of Adjustment** meeting. Sargent said that 'without sidewalks' is a variance from the subdivision ordinance and seeking a variance would be appropriate action. Chairman Drews compared this situation with the Williams Subdivision north of 13th Street, where sidewalks were not considered a requirement due to no sidewalks on the neighboring properties. Other comments talked of sidewalks appropriate per neighborhood. Jones suggested that this being a Conservation Subdivision makes for a new set of rules covered by a covenant.

Sargent then commented on the Century Link fiber: work will be in the County right of way, not connected to anything at this point, County issue rather than City, possibility of tying into the fairgrounds and golf course. Burdic commented on foregoing MidAmerican gas to implement fiber and cost per lot for fiber. Sargent suggested that the plans be delivered to the County Engineer. Josie Williams motioned to **approve findings of Engineer Sargent**. Jones seconded. All ayes; motion carried.

Henderson motioned to **approve** the 2017 Fairview Hills Golf Course Development Preliminary **Plat subject to compliance with all approved comments**. Jeff Williams seconded. All ayes; motion carried.

Comments on Non-Agenda Items: Zoning the whole area is a future need. The Final Plat will show more information.

Jones motioned to **adjourn the meeting**. There being no further business, the meeting was adjourned by Chairman Drews at 8:33 p.m.

Vicki Drews, Chairman
Malvern Planning and Zoning Commission

ATTEST:
Mary Poort, City Clerk