



Vilonia Planning Commission
Minutes from December 29, 2022

Members Present:

Trey White, Chairman

Kimberly Williams

Mike Matos

Todd Beene

Ryan Sims

PUBLIC HEARING -NIGHTINGALE COTTAGE-REQUEST FOR CONDITIONAL USE PERMIT FOR 64
BLAIR DRIVE, VILONIA, AR

7:00 pm-Trey White explained the Public Hearing Process.

7:05 pm-Stormi Reynolds and Melissa Willis presented the proposed plan for Nightingale
Cottage.

7:07 pm-Public allowed to comment

Phillip Harrison of 68 Blair Drive (next door to subject property) spoke against the proposal
citing concerns over traffic and property values.

AE Johnson and Cynthia of 59 Blair Drive (across the street from subject property) spoke against
the proposal citing street and traffic concerns.

Hailey Stone of 63 Blair Drive mentioned the covenants and restrictions may not allow for
proposed use. Concerned about increased traffic, ambulatory service, family and visitors of
patients.

Bailey Harrison of 68 Blair Drive does not want to live next to a care facility. Concerned about security, medical waste, indecent exposure, visitors, decreased property values, and whether taxes will be affected.

7:15 pm-Floor given back to Stormi and Melissa.

They explained that traffic would not be a problem, because visitors would be at varying times. Stormi would park in garage and others in the driveway/outside. The backyard would be a fenced area for privacy when residents and visitors are outside. All doors would be locked and coded inside and outside for security purposes. Updates to the house would include widening doors, accessible shower, etc. They do not anticipate any problems with noise or escaping residents, as the residents will be happy to be in this setting. They also stated that there are other home-operated businesses in the area currently. The business has hired a contractor and an attorney.

In response to question from Tyler Wofford, Stormi stated that there would be 3 to 4 people and there would be a process to selecting prospective clients and patients. In response to question from Phillip Harrison, Stormi stated that all medical waste including sharps would be properly disposed of in order to avoid risk or danger to others. Patients on Home Health-HomeHealth disposes of sharps and waste.

Hailey Stone and AE Johnson voiced additional concerns over traffic created by HoemHealth and potential risk to children.

Stormi-Clients are not being visited by family daily and are typically after work hours.

7:25 pm-Public Hearing ends.

7:26 pm-Regular meeting of the Planning Commission called to order.

Approval of Minutes from the previous meeting will be postponed until the next regular meeting.

Old Business

None

New Business

Nightingale Cottage-Requesting Conditional Use Permit

Ryan Sims asked how they will be regulated and licensed. Answer: Will be licensed as a personal care or boarding home and they plan to have 4 people. Regulated by Department of Long-Term Care

Trey White cited conditional use guidelines. Stormi noted that the clients will be private/personal pay.

Mike Matos stated that our guidelines allow a maximum of two employees who are non-family members. Asked if they planned to have any signage. Spoke of past experience with assisted living facilities. Stormi answered that they planned to have 1 regular employee and a possible substitute and no signage. It would look like a normal house.

Kimberly Williams commended the great idea and spoke of grandparents staying in this type of facility that had a parking lot. Noted at times of an emergency or death, may be more family members at the site. Stated this could be against the Covenants and Restrictions and that the subdivision was designed to be a neighborhood, not multi-family or mixed use or commercial residential use. Cited Code Section 7.2 for home occupation and read the statute. States that no more than 25% of home can be used for business occupation for it to be considered a residential dwelling.

Mr. White brought up the daycare issue for comparison and mentioned defining adult boarding.

Mrs. Williams mentioned that perhaps this could be permitted on land outside of the subdivision.

Todd Beene state it not a permitted use.

Mr. White states that the scope of the Planning Commission is to determine whether to allow the conditional use.

Mr. Sims discussed what recourse is available to property owners wishing to dispute a violation of Covenants and Restrictions.

Mr. White stated that the issue for the commission is to define this facility and determine if we have enough information to approve the conditional use.

Mr. Matos stated that the subdivision is planned residential development but outside of subdivision is Medium Density.

Mrs. Williams cited Code 7.6.3 #2, #3—Money being collected could make property subject to additional restrictions, if considered commercial property.

Mr. Sims posed the question, If she purchases the house and rents out 2 rooms, where does that fall in the guidelines?

Noted that operation would be under the name of Nightingale Cottage, LLC. House to be owned by Stormi Reynold personally and it will be rented to the business.

Mr. White notes that there are two parts to the conditional use decision.

Mrs. Williams read Code 7.6.3 #2, #3 again.

Mr. White cited 5.1.3.1 Med Density Residential district. Not in planned residential development.

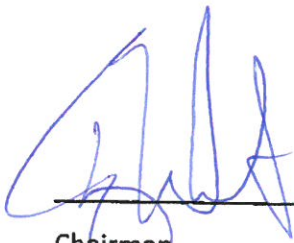
Question from the floor as to whether this would be allowed in a different area. Response: Would have to be determined by Planning Commission.

8:11 pm-Motion by Ryan Sims to approve the conditional use of 64 Blair Drive for Nightingale Cottage. The motion was seconded by Mike Matos.

Votes in favor: Matos

Votes opposed: Sims, Williams, Beene, White

Having no other business, the motion to adjourn was made by Ryan Sims and seconded by Todd Beene. Meeting adjourned at 8:14 pm.



Chairman

Secretary

Date: 1-26-23