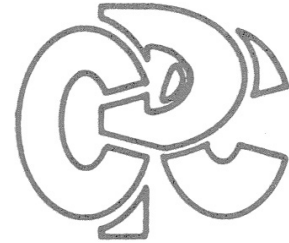




## PLANNING COMMISSION MEETING

District Court Building  
810 Parkway Street  
Conway, AR 72034



Conway Planning Commission

**June 15, 2015, 7:00 pm**

The regular meeting of the Conway Planning Commission was held Monday, June 15, 2015 in the Russell L. "Jack" Roberts District Court Building. Present: Chairman, Lee Washington, Vice-Chairman Mark Lewis, Stan Hobbs, Matthew Brown, Marilyn Armstrong, Bryan Quinn, Anne Tucker, Wendy Shirar, Jerry Rye and Justin Brown.

Chairman, Lee Washington, called the meeting order.

The Conway Planning Commission (PC) makes recommendations to the City Council on public hearing items. The City Council will make a final decision on these items using the PC's recommendation as a guide. Items not approved by the PC may be appealed to the City Council within 30 days after the PC's denial. If an item is appealed to the City Council a public hearing sign must be placed on the property no less than 7 days prior to the City Council meeting and a public notice will be placed on the City's website at [www.cityofconway.org](http://www.cityofconway.org). Items reviewed by the PC on this agenda may be considered by the City Council as early as June 23, 2015.

Chairman Washington requested that the Commission members introduce themselves to the audience present.

Minutes from the May meeting were approved unanimously on a motion made by Anne Tucker and seconded by Marilyn Armstrong.

There being no committee business to report the chairman moved directly to the public hearing items.

The procedure followed for this meeting is to allow the first representative to speak in favor of a request for ten minutes and each subsequent favorable speaker for two minutes each. Then, if there is any opposition, the first speaker opposed to the request may speak for ten minutes and each subsequent opposed speaker for two minutes each. Anyone wishing to speak either for or against an item may do so on any public hearing issue presented. Once all public parties have spoken the item will be brought back into committee for discussion.

### **I. PUBLIC HEARINGS**

- A. The Ministry Center's request for a conditional use permit to allow a crisis/homeless shelter in a C-3 zone for property located at 701 Polk Street and 766 Harkrider Street was approved 8-1 on a motion made by Jerry Rye and seconded by Wendy Shirar, with Commissioner Matthew Brown voting in opposition. Greg Pillow, Chairman of the Ministry Center's Board of Trustees, 510 Whispering Winds Circle, presented the request. Mr. Pillow shared some history of the Ministry Center (MC), a 501c3 organization, and their facility which is proposed for the shelter use. The MC

organization has been operational since April 2014 after the Second Baptist Church [former tenant and property owner] congregation voted in 2012 to repurpose the facility to be used by different organizations in order to minister to the community. Mr. Pillow shared the MC's mission, which is, "to be a one-stop locale of physical and spiritual resources for our neighbors in need. The Ministry Center is an integration of evangelical partners, demonstrating the love of Christ and delivering the Gospel of Jesus Christ to those in need." Currently, the MC is used by 10 ministry partners throughout the week. Mr. Pillow shared that it is the desire of the MC to meet a different, unique need, not to duplicate a ministry that is already being done. Some of the current ministry offerings include food, clothing, household items, etc. The MC provides case management, which is not offered by those ministry partners that use the facility. Though the case management process, Mr. Pillow explained that it became evident that homelessness in Faulkner County was an issue. He went on to explain that homelessness is not only the stereotypical chronically homeless individual, it is often families that have lost their homes due to fire, natural disasters, loss of wages/death of the primary breadwinner, etc. The proposed program is to operate a crisis shelter offering temporary housing from 4:00 pm to 9:00 am, seven days a week with on-site staff supervision of occupants. The goal is to provide temporary housing for a maximum of 45 to 60 days, during which time occupants participate in the MC's case management program and receive life-skills training as needed to move toward permanent stability. Criminal background checks will be performed for each guest wishing to spend the night. No sex offenders will be housed in the MC. Male and Female guests will be housed in separate quarters which will be secured from outside access. Video surveillance will be installed and monitored and building code upgrades will be performed as needed for the intended use. All guests will be required to leave the facility by 9:00 am if they are not participating in the MC's case management/life-skills training in an effort to prevent loitering. Mr. Pillow stated that the MC feels their proposed program will improve safety and decrease petty crime in the immediate area.

In answer to questions from the PC, Mr. Pillow explained that the MC plans to offer 30 beds and would provide on-site security as needed or required. Current planned security measures include on-site staff supervision, complete facility (public areas) video surveillance, door and window locks with alarms to prevent outside access and to notify the staff/security of anyone exiting through those areas. Mr. Pillow shared the January 2015 study that identified 161 homeless individuals in Faulkner County. He went on to explain that the MC will have a list of rules including one of zero tolerance for alcohol and illegal substance use on the property, though all policies and procedures have not been fully developed as the program is still in development and pending conditional use permit approval. As for "repeat customers", Mr. Pillow stated that each case would be considered individually based on the individual's participation in case management, etc.

Judi Lively, Executive Director of Bethlehem House, 1845B Hairston Street, spoke in favor of the request stating that the facility she manages can not meet the emergency/crisis homeless shelter need that exists. She clarified that the 'homeless count' compiled each January included individuals living in places that are unfit for human habitation, including shelters. She explained the Bethlehem House's program of long-term transitional housing and that safety has not been an issue at her facility. She feels that the proposed MC's crisis shelter program for short-term housing (30-60 days) is a need not being met in the community and if it were, Bethlehem House could use some 8

emergency beds they have to provide more transitional housing.

Phillip Fletcher, Founder and Executive Director of City of Hope Outreach (CoHO), 2652 Bruce Street, spoke in favor of the request. He described the City of Hope's mens shelter program. He also shared his own personal experience with homelessness and that homelessness can happen to anyone at anytime. He pleaded with the PC and audience to not impose a stereotype on these homeless individuals and to consider that crime spans all financial classes and is therefore not a product of homelessness., but rather, "a human experience." Though, Mr. Fletcher did explain, in response to a PC question, that people will do whatever is necessary to survive and/or provide for their needs and the needs of their families, i.e. theft.

Maret Cahill, Executive Director of the United Way of Central Arkansas, 189 Keath Circle, spoke in favor of the request stating that her organization receives requests daily for emergency housing and that there are few facilities to meet this growing need. She believes that the MC's proposed shelter will meet this need.

Quentin Washispack, Outreach and Missions Paster at New Life Church (NLC), 5335 Chateau Drive, spoke in favor of the request. Mr. Washispack shared his history of meeting the emergency homeless housing need through his work at NLC, as former benevolence chairperson of the Conway Ministerial Alliance (CMA) and as a member of the Toad Suck Continuum of Care, a homeless prevention group. He explained that he felt the CMA could better use their benevolence money to support people experiencing homelessness by supporting the MC's shelter program in lieu of paying for hotel rooms, etc. as a "stop-gap solution." He also shared that he felt the 13 churches that are providing support to the MC's proposed program will unite and work together to help solve this problem.

Anthony Hendricks, Campus Pastor of Mosaic Church Conway, 1305 Josita Circle, spoke in favor of the request stating that the homeless issue in Conway is "our current reality" and posed the question asking what Conway was going to do about it. He implored the PC to recommend the MC's proposal for approval to allow those churches and individuals that want to help the homeless do so.

Derek Jones, Lead Pastor of Sold Out Church, 6 Jared Lane, spoke in favor of the request. He too shared his experience working with homeless individuals and developing systems and processes for facilities like the proposed MC shelter through the Union Rescue Mission [Little Rock, AR] and as a member of the MC's Board of Trustees. He reiterated the need for a crisis shelter and the intent of the MC to collaborate with other programs and organizations in the community, like CoHO and Bethlehem House, to meet these individuals' needs. He stated that "strict policies" are often enough to prevent violence and substance use, citing "you don't bite the hand that feeds you."

Spring Hunter, Case Manager for the Ministry Center, 1422 Mitchell Street, spoke in favor of the request clarifying that a great percentage of the homeless people she works with through the MC's case management program are families, women and children and the elderly. She did include that some of the individuals she works with do have a criminal background and/or a substance abuse problem, but not the majority. She explained that the MC's goal is not to simply house people, but to help them change

their circumstances by giving them the tools to do so. Ms. Hunter described how the MC is working with AETN to develop life-skills curriculum through partnerships with local organizations and businesses, including financial management curriculum; nutritious and budget-conscious meal planning; earning GEDs; and job-readiness training. Ms. Hunter shared her practical understanding that the MC's shelter program is not going to "save all of them", but it will make a difference for many. She went on to discuss the word of mouth network that exists among the homeless population and that it would bring individuals in need to the shelter. The MC will also receive people in need via the Conway Police Department (CPD), which currently transports these individuals or alerts the MC to a situation, as well as by referral via partner churches.

Scott Taylor, Director of the Ministry Center, 62 Windy Cove, spoke in favor of the request stating that it is his belief that the MC's program is a partial solution needed for the homeless in Faulkner County which is a growing problem. He offered that the MC has the ideal facility that is partially vacant. He combated the likely opposition by stating any opposition would be based on finances and property values.

Scott Hayes, 95 Lakeview Drive, spoke in opposition of the request. Mr. Hayes is a nearby property owner and opened by commending the MC for their ministry efforts. He went on to state that, in his experience as a licensed real estate agent, it was improbable that property values would increase in the near proximity of a homeless shelter. Mr. Hayes concern is not related to the individuals being housed in the shelter, but to those who are not. He cited statistics from the CPD of 4% of the City's total crime occurs in 0.02 of the City's total geographic area [19 block area, from Harkrider east to Ingram and 6th Street north to Oak Street]. He went to discount that 30 beds could not make an impact in the face a large scale natural disaster, such as the 2014 tornado, as the shelter beds would likely already be filled with others in need. Mr. Hayes stated that in his past experience as a Garland County law officer he found that homeless individuals have a higher level of substance abuse problems and criminal history than non-homeless, also citing the Centers for Disease Control, the Arkansas and National Crime Information Centers and police records as sources of statistical information. He is also concerned about a lack of state issued identification among the homeless and how that pertains to criminal background checks. Finally, Mr. Hayes expressed concern that opening a homeless shelter in this area would draw many more homeless individuals than can be housed in the shelter to the area and that these individuals will linger in the downtown area, aggravating the existing crime problem in the area. He questioned if the PC would approve this request if the MC's facility was not an existing structure. In response to a PC question, Mr. Hayes confirmed that he would have "less of an issue" with this type of facility if it was located somewhere else due to the crime and substance abuse concerns he mentioned previously. He again expressed concern for safety and security in the immediate area as well as the value of his properties. In response to questions about the current crime rate in the area and how that pertains to the homeless population, Mr. Hayes stated that there is not currently any incentive to draw additional homeless individuals from well-known homeless gathering areas behind Kroger on Oak Street and near Target on Elsinger Boulevard to the proposed shelter area. He went on to express concern about the sheer number of homeless individuals that might linger in the area if there is not enough room in the MC's shelter to meet the need. The PC implored Mr. Hayes to be open to the MC's opportunity to help some of the homeless individuals and potentially improve the safety and value of the immediate area. The PC also inquired if

Mr. Hayes would be more comfortable with the shelter if the MC required all guests to have state issued identification and be thoroughly screened for criminal background, to which he said he would.

Gene Salter, 2915 St. Charles Drive, spoke in opposition to the request. Mr. Salter is nearby area property owner and long-time member of Second Baptist Church. He agreed that the outreach missions happening at the MC are wonderful, but disagreed that the intent was to allow housing of any kind when the Second Baptist Church congregation considered and subsequently voted on the matter a few years before. Mr. Salter felt it necessary to note, as representative of the tenants of property he owns, the amount of current unwanted solicitations and pandering that occur in the area and request that, if granted, the shelter be "policed" and staffed accordingly. He went on to express that the advertised 'temporary housing' might be misunderstood by the community as the shelter plans to provide housing to individuals for 45 to 60 days at a time.

Robyn Hayes, Area Director of Gentiva Hospice Conway, 95 Lakeview Drive, spoke in opposition to the request. As the owner of a nearby business that operates 24/7, Mrs. Hayes expressed concern for the safety of the nurses and social workers that enter and leave Gentiva Hospice care at all different hours. One of her specific concerns pertains to hospice nurses being authorized to transport narcotics and that they might become targets of substance abusers in the area. She implored the PC to require extreme oversight by the MC of the property and program.

Upon conclusion of the public input time, the PC discussed many facets of the matter in committee. Some aspects discussed were the comparison of the location of the Bethlehem House and the similar type of services it offers; how the MC plans to process the entry of guests each evening and the requirement of state issued identification, which the MC will help individuals obtain if need be; the amount and types of security measures and staff and MC staff that will be provided and required; if and when drug testing would be required; the potential of allowing individuals with felony convictions and/or active arrest warrants to stay in the shelter; the number of beds/spaces the MC would be allowed to offer; if the MC would be required to reappear before the PC for a program update after one year; and potential future expansion.

Ultimately the conditions the PC attached to the motion are as follows:

1. Shelter housing is allowed from 4:00 pm to 9:00 am.
2. No registered sex offenders may be housed.
3. Valid state identification and criminal background check are required for every occupant every day.
4. At least one on-site security personnel is required for overnight housing.
5. At least one on-site supervising staff member is required for overnight housing.
6. Maximum occupancy is limited to 30 persons (beds).
7. Interior and exterior video surveillance is required to the furthest extent possible.

## **II. ITEMS NOT REQUIRING PLANNING COMMISSION ACTION**

### **A. Development Reviews**

1. Pediatrics Plus Expansion, 2740 College Avenue

- B. Lot Splits, Lot Mergers, and Minor Subdivisions (filed for record)
  - 1. Zion Temple Replat

There being no further business to conduct, the meeting was adjourned by a unanimous vote on a motion made by Justin Brown and seconded Anne Tucker.