

PLANNING COMMISSION MEETING TRANSCRIPT

THURSDAY, AUGUST 9, 2007

The regular meeting of the Planning Commission was held on Thursday, August 9, 2007, at 6:00 p.m. in the Board Chambers at the Hot Springs Municipal Building, 133 Convention Boulevard, with Chairman Gary Threadgill calling the meeting to order at 6:00 p.m.

Chairman Threadgill: If everybody's ready, we'll go ahead and get the proceedings underway. We'll start off with an invocation given by Wanda Thorp and the Pledge of Allegiance given by James Clopton. Please stand.

At this time, I'd like to call the August 9, 2007, agenda meeting to order. To start with, we have two items that are going to be pulled off of the agenda which are Items 6 and 7. Item 6 is the Norton Kent Studio Gallery and Item 7 is the townhomes on Thornton Ferry. If anybody is here for those, they are not going to be on the agenda tonight.

At this time, we'll start off by calling the roll, please.

Roll Call

Present: James Clopton, Lauri Ames, David Campbell, Wanda Thorp, Gary Threadgill

Absent: Louis Kleinman

Approval of Minutes

Chairman Threadgill: I need a motion to approve the previous minutes. We have two packets. We'll do them one at a time. We'll approve the July meeting first. Do I have a motion to approve the previous minutes of July?

Commissioner Clopton: Mr. Chairman, I move that we approve the minutes for July.

Chairman Threadgill: Do I have a second? I have a motion and a second. All in ...

Commissioner Campbell: Mr. Chairman, I have a comment. In reading the minutes, it appears there possibly may be an omission. I would like to table the approval of the minutes of July until that is determined.

Chairman Threadgill: I have a motion to table. I need to withdraw ...

Commissioner Clopton: I withdraw.

Chairman Threadgill: Mr. Clopton.

Commissioner Thorp: Okay.

Chairman Threadgill: In that case, we'll make a motion to table the July 12th. Do I have a motion? You make the motion? And a second?

Commissioner Clopton: Second.

Chairman Threadgill: I have a motion and a second. All in favor? <Ayes> Opposed? <None>
We need to go back to the minutes for June. I'll entertain a motion to approve the minutes.

Commissioner Campbell: I make a motion to approve, sir.

Chairman Threadgill: I have a motion. Do I have a second?

Commissioner Clopton: Second.

Chairman Threadgill: I have a motion and a second. All in favor? <Ayes> Opposed? <None>

Approval of Agenda.

Chairman Threadgill: I need to approve the agenda with Items 6 and 7 being withdrawn. Do I have a motion?

Commissioner Clopton: Mr. Chairman, I move that the agenda be approved with Items 6 and 7 removed from the agenda.

Chairman Threadgill: Do I have a second?

Commissioner Ames: Second.

Chairman Threadgill: I have a motion and a second. All in favor? <Ayes> Opposed?
<Commissioner Campbell made an unintelligible comment.> Motion passes.

We have three items on Old Business. Kathy, would you like to start with Item 1?

OLD BUSINESS

- 1A. Comprehensive Plan Revision (CPR-07-0108) – Hilltop Manor B&B Comp Revision – Comprehensive Plan revision request for bed and breakfast from Suburban Residential to Commercial Enclave – 2009 Park Avenue – District 1 – R-1
- 1B. Comprehensive Plan Revision (CPR-07-0108) – Hilltop Manor B&B Comp Revision – Comprehensive Plan revision request for bed and breakfast from Suburban Residential to Commercial Enclave – 2009 Park Avenue – District 1 – R-2

Director Kathy Sellman: Thank you. Item 1 is a Comprehensive Plan amendment request. This is an item that was tabled at the June meeting to allow the petitioners and their neighbors to meet for the purpose of finding common ground. There was a meeting on July 11th. It appears that the attendees failed to reach a consensus about the application and subsequently we had communication from the applicant indicating her desire to amend the application consistent with the recommendation in the June 14th Planning Commission staff report and that is to change the classification on the front half of the property – that is the property that is developed with the bed and breakfast at this time.

Chairman Threadgill: Is the applicant present? Please come forward. Give us your name and address for the record.

Ms. Faith Cramer, 2009 Park Avenue, Hot Springs, and Mr. Bob Cramer.

Chairman Threadgill: A little bit of what you've got going now.

Ms. Cramer: Basically we did do the meeting. We are just looking to build a residence on the property and it will be right next to the property. It will be in between the National Park forest and the side of the house, so it is actually not visible from the neighbors' view at all. It will be a

place for ourselves to live with our two children.

Chairman Threadgill: All we're doing is looking at the front property at this time?

Director Sellman: Yes.

Chairman Threadgill: So this has nothing to do with the structure at the rear? This is just the front?

Director Sellman: That would probably be a question for the applicant. Let me find the map here.

Commissioner Campbell: May I ask the applicant a question?

Chairman Threadgill: Yes. Commissioner Campbell?

Commissioner Campbell: You own the property behind, right?

Ms. Cramer: <unintelligible>

Commissioner Campbell: You can't build your house on the lot behind?

Ms. Cramer: It's all one lot, but it's dual zoned.

Commissioner Campbell: But you could do a lot split and build a house behind it. Am I right?

Ms. Cramer: Well the idea is building it next to it. No. 1 – behind would actually be more of a viewing issue from the neighbors and No. 2 – the other thing would be that we wanted to connect it with a walking bridge so the kids could get to me in the bed and breakfast. We are connecting it through an existing entrance up on the second story.

Commissioner Campbell: Let me ...

Commissioner Clopton: Go ahead.

Commissioner Campbell: Is it not possible to do a lot split right at the rear of this and build a structure back there with a connecting bridge between them?

Chairman Threadgill: On this one, she's discussing building it beside it from what I'm understanding.

Director Sellman: If the structures are connected, they are considered to be one structure. There will be a substantial structural connection between them. These are not separate.

Mr. Cramer: The lot line is hundreds of feet back from the existing structure.

Commissioner Campbell: Again, we're getting out of the Comprehensive Plan change here. I wish that we could hold a Comprehensive Plan at bay until we look at the rezone first. Can we do that?

Director Sellman: No. The Comprehensive Plan sets the scene for what the zoning is to be. The zoning implements the plan. This, because of the way in which the applicants would like to do this, they want them connected. This becomes the inn keepers' home. It is a part of the bed and breakfast the way they wish to do it. This is their decision. It's for their convenience. To expand the bed and breakfast, which this does, requires that they be in a zoned district that is consistent with having a bed and breakfast and they are not at this time. So that's the reason that we have this before us tonight.

Commissioner Campbell: Okay, but to have a CTR, we need a definite plan in front of us to see what they're going to do because it tells us in our ordinance that we have to have something there to look at to know what's going to go there. We don't have that. That's why I was trying to get the rezoning up here so we could talk about that. I mean that's what the ordinance says. It definitely says in the last thing "to this end, the Planning Commission shall carefully evaluate the proposals according to the following standards" and then it's got a list a standards below that and it tells everything that you have to go through. We don't have anything to show us what they're going to do in this CTR other than their word.

Director Sellman: Right. You don't. That's why we're looking at the Comprehensive Plan first.

Ms. Cramer: We've been told that the plans were going to wait until the Conditional Use Permit at the next meeting. Otherwise, we would have plans for you.

Director Sellman: Because there is a conditional use with this, we were trying to keep this as simple as possible.

Commissioner Campbell: Well, it's making us go against our regulations to do that – the way I read it.

Chairman Threadgill: Right now we're looking at changing the Comprehensive Plan alone, so do I have any other questions to the applicant? You may be seated. Is there anyone in the audience with anything to say for or against this item? Please come forward and give us your name and address.

Mr. Gerald Murders, 107 Fox Pass Cutoff: I live next door to their <unintelligible>. My address is 107 Fox Pass Cutoff, but it's next door. We share a property line. First off, I have no objection to them adding on to the we'll call it the South side of that building for their residence. I do have an objection to changing the zoning. I realize what you're saying and the way the Comprehensive Plan is and the zoning, but you grant variances quite often. I don't know why you can't grant a variance here and let them build what they want and keep the residential zone. The reason I feel that way is because I am afraid if you change it to CTR and one year, 20 years down the line, these folks may decide to sell and the people that come in will be expecting, just like they did when they took this over, that they have the right to change it to whatever they need it to if it was allowed in a CTR. When you change that plan, you change a lot. You don't just change the zoning. You change the possibility later for other things to occur. I don't see what would be wrong with letting them have an addition to their building there unless they added a lot of rooms to rent. That would change the whole complexion. I wouldn't be particularly in favor of that, but I don't have a problem with them adding onto their house for a residence. It seems to me like it could be done without changing that zone. I would appreciate your consideration.

Chairman Threadgill: Alright, Mr. Murders. Thank you. Would you like to explain the CTR?

Director Sellman: Yes. The zoning establishes what uses can occur on a piece of land. Because of changes that occurred after the bed and breakfast conditional use was approved on this land, the zoning no longer allows this kind of use. However, because it was approved before, this was allowed to be developed. It cannot be expanded. When you talk about a variance, a variance is for a nominal type of requirement such as a setback. If there is something on the land that prohibits somebody from being able to achieve a 25' setback from their property line, but they can do 23', that is something that can be varied. A use cannot be varied. A use is established through the zoning and the way to change the allowable uses is to change the zoning. There is no other option available. So in this case, because the applicants want to expand their operation to include the inn keeper's residence, a change in zoning is required.

Chairman Threadgill: Is there anyone else in the audience who has anything to say for or against this item? Again, anyone else in the audience with anything to say for or against this item? Seeing none, I'll close the public portion. Any questions or comments from the Commissioners? Commissioner Campbell?

Commissioner Campbell: I have one if I might. This change in the Comprehensive Plan is real similar to one we've had in the past and I appreciate our Planning Director's stand on that. I think that this small change in a one-lot situation kind of wrecks of spot zoning, the old term of spot zoning. I myself am against this myself.

Chairman Threadgill: Any other questions or comments from the Commissioners? Seeing none, I'll entertain a motion.

Commissioner Clopton: Mr. Chairman, I make a motion that we approve the change to the Comprehensive Plan as requested.

Chairman Threadgill: I have a motion to approve. Do I have a second?

Commissioner Ames: Second.

Chairman Threadgill: I have a motion and a second. Call the roll, please.

James Clopton – yes; Lauri Ames – yes; David Campbell – no; Louis Kleinman; Wanda Thorp – yes; Gary Threadgill – yes.

Chairman Threadgill: It passes. Move to Item No. 2 on Old Business.

- 2A. Re-Zoning (RZ-07-0109) – Hilltop Manor B&B Rezone – rezone request for bed and breakfast – 2009 Park Avenue – District 1 – R-1
- 2B. Re-Zoning (RZ-07-0109) – Hilltop Manor B&B Rezone – rezone request for bed and breakfast – 2009 Park Avenue – District 1 – R-2

Director Sellman: Item No. 2 is the Hilltop Manor Bed and Breakfast. This is a zoning request. This zoning request is to CTR. That's Commercial Transitional. This also was tabled

at the June 14th meeting. This zoning seeks to create a zone district that is consistent with the existing use.

Chairman Threadgill: We've already heard from the applicant. Is there anyone in the audience who would like to say anything for or against this item? Again, anyone in the audience with anything to add for or against the item? Seeing none, I'll close the public portion. Do I have any questions or comments from the Commissioners? This is a rezoning. Commissioner Campbell?

Commissioner Campbell: Again, I will say that § 16-2-49 gives us a minimum of four things that we're supposed to look at for the CTR rezoning and we really don't have anything in front of us to tell us what's going to happen in that CTR.

Chairman Threadgill: Any other questions or comments from the Commissioners? Commissioner Clopton?

Commissioner Clopton: A question. Did I hear you say earlier or did they say earlier that they had talked with you about bringing the plans in for the change for the next meeting?

Director Sellman: If they received approval on the zoning, they will bring in plans for the conditional use to expand the bed and breakfast. This zoning makes the existing use lawful, not non-conforming which it is now.

Chairman Threadgill: Any other questions or comments from the Commission? Commissioner Thorp?

Commissioner Thorp: Yes. Did I understand it right that this is just to add the inn keepers?

Director Sellman: They, at this time, are not proposing a change. This change makes the existing use a permitted use and not a non-conforming use. It's a non-conforming use at this time because of changes that were made to the Zoning Code in 2003. So, there is no plan for expansion before you tonight.

Commissioner Thorp: Okay.

Chairman Threadgill: What we're approving is the building that's already there, bringing it up to what the Code is.

Commissioner Thorp: Okay.

Chairman Threadgill: Any other questions or comments? Commissioner Campbell?

Commissioner Campbell: If we disapprove this, there is no action taken against the current building that's there, right?

Director Sellman: Right. It's still non-conforming, but they would be unable to expand should they desire to do that.

Chairman Threadgill: Any other questions or comments? Seeing none, I'll entertain a motion.

Commissioner Campbell: Mr. Chairman, I would like to make a motion that we deny this rezoning on the grounds that we do not have the requirements of the ordinance before us.

Chairman Threadgill: I have a motion. Do I have a second? Again, do I have a second? Seeing no second, the motion dies. I'll entertain another motion.

Commissioner Clopton: Mr. Chairman, I make a motion to approve.

Chairman Threadgill: I have a motion to approve. Do I have a second?

Commissioner Ames: Second.

Chairman Threadgill: I have a motion and a second. Call the roll, please.

James Clopton – yes; Lauri Ames – yes; David Campbell – no; Louis Kleinman; Wanda Thorp – yes; Gary Threadgill – yes.

Chairman Threadgill: Motion passes. Item No. 3.

3. Planned Development (PD-07-0134) – Golf Links Gardens – 37 lot subdivision for Planned Development – Golf Links Road – District 5 – R-2

Director Sellman: Item No. 3 is Golf Links Gardens Planned Development. This is a 37 lot

subdivision for Planned Development. This item was heard at your last meeting and the Planning Commission failed to make a recommendation on it as there was a 3-3 tie. The Code provides that within 30 days, the Planning Commission has to forward something to the Board of Directors in terms of a recommendation. Because we have no recommendation and because the next meeting was within the 30 day period, we have replaced this item under Old Business on tonight's agenda for your consideration.

Chairman Threadgill: Is the applicant present? Please come forward and give us your name and address for the record, sir.

Mr. Michael Hunter, 116 Gardens Gate Circle, City of Hot Springs, 71913.

Chairman Threadgill: A little bit of what you've got there, Mr. Hunter.

Mr. Hunter: We are proposing a Planned Development of 55 and older subdivision. We're looking to provide a smaller home for a lot of seniors, hopefully making them a little more affordable than what is currently available in the City of Hot Springs at this time. We have provided lots of amenities as far as sidewalks, street lights, green space, and you have the plan there. We haven't really changed anything since the last submittal.

Chairman Threadgill: Do I have any questions from the Commission to the applicant? Sir, you may have a seat.

Mr. Hunter: Thank you.

Chairman Threadgill: Is there anyone in the audience who would like to say anything for or against this item? Again, anyone in the audience with anything to say for or against this item? Seeing none, I'll close the public portion. Do I have any questions or comments from the Commissioners? Seeing none, I'll entertain a motion.

Commissioner Clopton: Mr. Chairman, I move that we approve with staff's recommendations.

Chairman Threadgill: I have a motion to approve with staff's recommendations. Do I have a second?

Commissioner Thorp: Second.

Chairman Threadgill: I have a motion and a second. All in favor? <Ayes> Opposed? <Commissioner Campbell: Yeah.> One opposed. Motion passes. Item on New Business, we'll go to Item No. 4.

4. Preliminary Subdivision (PS-07-0133) – Golf Links Gardens – 37 lot subdivision for planned development – Golf Links Road – District 5 – R-2

Director Sellman: Item No. 4 is ... That's the Planned Development and this is the subdivision. It's a preliminary plat for 37 lots on Golf Links Road. It's zoned PD and the recommendation is for you to send this for the Board with a do pass.

Chairman Threadgill: Is the applicant present? Give us your name and address again, please.

Mr. Michael Hunter, 116 Gardens Gate Circle, City of Hot Springs, 71913.

Chairman Threadgill: This is basically the same set up. This is just the site plan that you're submitting here?

Mr. Hunter: That is correct. I will note one revision. I think the revision has been noted in your paperwork; but as far as the scheduling goes here, it's only 36 lots because we've taken one lot out for a detention pond.

Chairman Threadgill: Okay. Do I have any questions to the applicant from the Commission? Commissioner Campbell?

Commissioner Campbell: I just have one. Are ya'll going to have curb and gutter on Golf Links?

Mr. Hunter: Yes.

Commissioner Campbell: Okay.

Chairman Threadgill: Any other questions to the applicant?

Mr. Hunter: Although I believe that we are not required to, we are and we also have to build a big storm sewer box down there that there's a big open ditch in.

Commissioner Campbell: Thank you. That's all I have.

Chairman Threadgill: Sir, you may be seated. Again, is there anyone in the audience who has anything to say for or against this item? Again, anyone in the audience with anything to say for or against this item? Seeing none, I'll close the public portion. Any other questions or comments from the Commissioners? Commissioner Campbell?

Commissioner Campbell: I just have one of staff. In the DRC, everyone corrected everything until you got down to Sanitation and Sanitation says it's located in the County.

Director Sellman: Well, it isn't. <laughter>

Chairman Threadgill: Any other comments from the Commissioners?

Mr. Rick Stauder: Mr. Chairman, could I make one comment? I believe there has been one thing that has changed. The little stub street that was classified as an alley before they have widened that and actually made it standard street width. It does not require a turnaround because it's not over 150' in length. That's just one thing that I wanted to be sure and bring out.

Chairman Threadgill: Any other questions or comments from the Commissioners? Seeing none, I'll entertain a motion.

Commissioner Thorp: Mr. Chairman, I make a motion for approval.

Chairman Threadgill: I have a motion to approve. Is that with conditions?

Commissioner Thorp: Yes, sir.

Chairman Threadgill: With staff's recommendations. Do I have a second?

Commissioner Clopton: Second.

Chairman Threadgill: I have a motion and a second. All in favor? <Ayes> Opposed? <None> Motion passes. Item No. 5.

5. Site Plan Approval (SPA-07-0118) – Shady Grove Mini Storage – Article II site plan review for multiple building site plan – Shady Grove and Hi-Lo Terrace –

District 6 – R-2

Director Sellman: Item No. 5 is Shady Grove Mini Storage Site Plan Approval. This item was tabled at the June 14th meeting. The items that were required to be approved in order to consider this were appealed to the Board of Directors and the Comprehensive Plan, zoning, and conditional use permit have been approved by the Board of Directors. So this item is ready to be heard by you tonight.

Chairman Threadgill: Is the applicant present? Please come forward and give us your name and address for the record, sir.

Mr. Rodney Meyers, 46 Batan Circle, Little Rock, 72223.

Chairman Threadgill: A little bit of what you're going to do here, Mr. Meyers.

Mr. Meyers: We're planning to build a 117 unit mini storage with a 5,200 square foot private fitness center.

Chairman Threadgill: Do I have any questions or comments from the Commissioners? Commissioner Campbell?

Commissioner Campbell: I have. On your entry into your storage buildings, would you explain to me why you can't come off of Shady Grove into that instead of using that residential street of Hi-Lo Terrace?

Mr. Meyers: The engineer's recommendations – the way it laid out the best. We thought it was safer because of the distance between the fitness center, instead of putting another one in the middle of the road. I mean it would be between the fitness center entrance and Hi-Lo.

Commissioner Campbell: I talked with City Engineering just this afternoon and they informed me that they only required 40' distance between driveways. How many units are in there?

Mr. Meyers: 117.

Commissioner Campbell: That's 117 and all of them have to be accessed from Hi-Lo Terrace, right?

Mr. Meyers: That's the only entrance for the mini storage.

Commissioner Campbell: Would you consider bringing your entrance off of Shady Grove into there instead of Hi-Lo Terrace? You'd have to change up a little bit.

Mr. Meyers: We can look at it. We've spent a lot of money and a lot of time planning this thing out and we considered that. I should have Mr. Kaeskie here to give his explanation, but we're pretty comfortable with the plan the way it is and the way it lays. We feel that they way that we've got it right now with all the additional landscaping – we're trying to keep the trees along Shady Grove to act as a barrier to the people across – we've put a lot of thought into this and we feel this is a good plan.

Commissioner Campbell: I see your trees there and there is a break between them and all it would amount to is probably the maneuvering of two or three of your storage buildings there to get a driveway in between them to where you could access them off of Shady Grove and not off of a residential street. It would take a load off of that street that doesn't need to be there because it's not that big a street to begin with.

Mr. Meyers: Okay.

Commissioner Campbell: Do you all intend on putting curb and gutter on Shady Grove?

Mr. Meyers: I don't believe we did.

Commissioner Campbell: In talking with them there also, they're telling me that the building permit would trigger that as to whether or not that had to be there.

Mr. Meyers: Okay, well if it's required, we'll do it.

Commissioner Campbell: I think in talking with them, they said there was a possibility that you would also have to put sidewalks on Shady Grove.

Chairman Threadgill: Any other questions to the applicant from the Commission? Seeing none Commissioner Clopton?

Commissioner Clopton: Hold it. How do you address the screening from the residential side of this project?

Mr. Meyers: Well, we're going to do trees and we're also going to do some bamboo.

Commissioner Clopton: Bamboo fencing?

Mr. Meyers: Yes.

Commissioner Clopton: Or bamboo?

Mr. Meyers: Bamboo.

Commissioner Clopton: Plantings?

Mr. Meyers: Yes, sir.

Commissioner Clopton: Okay. Thank you.

Chairman Threadgill: Is that it? Any other questions to the applicant? Sir, you may have a seat. Is there anyone in the audience with anything to say for or against this item? Please come forward and give us your name and address.

Mr. Jerry Mabry, 105 Hi-Lo Terrace: First of all, I want to say we've gained a new appreciation for what you all do down here. You spend a lot of time doing it and I know it's thankless at times. Commissioner Campbell actually covered one of the questions about the road and access and Hi-Lo Terrace. We definitely object to the road coming from that small residential street. There was another question and Ms. Sellman, I think some of these may be for you because we are unclear on the plan so just some questions. The setback on Hi-Lo Terrace – is that within the appropriate requirement if this plan occurs this way?

Director Sellman: I'm going to ask Rick Stauder to answer that question. I can't read what it is on this plan to be perfectly honest.

Mr. Stauder: It's my estimation that the setback ...well I'd probably have to take a closer look at the plan. Hang on one second and let me see if I can zoom in. In my opinion, there would have to be a front, side, and rear determined for the property. Whether or not the property is addressed off of Shady Grove Road or not, in my opinion, would bear some weight as to where the front yard is. C-3 property – the front yard setback is 25'. So to answer your question, I think we're going to have to determine where the front yard of this development would be. If in

fact it is off of Hi-Lo Terrace, which I'm not sure it could be addressed that way, there would be a 25' front yard setback requirement. I don't actually see on this particular site plan in front of me a setback from Hi-Lo Terrace. It does appear to me to be approximately 25' or 30' based on the width of this 24' drive entrance. I believe it is further back. To answer your question, I believe it's at least 25' from Hi-Lo, which would comply.

Mr. Mabry: Okay. The other question – landscape buffing for the group of units on Hi-Lo Terrace. Could we have clarification on what that is? I know we've said trees and cane, but I think that applies to a different section. Does it not?

Director Sellman: The landscape buffer that's required along the street side? Again, Rick, can you give the detail on that?

Mr. Stauder: Along the street side of Hi-Lo?

Mr. Mabry and Director Sellman: Yes.

Mr. Stauder: There would be a minimum of a 5' thoroughfare buffer along Hi-Lo Terrace that would have to be kept as a permanent green space or thoroughfare buffer. There could be a possibility that there be either a vegetative screen or a privacy screening of fencing for example that would be required along the Hi-Lo Terrace frontage due to it being adjacent to a residential zoning district. There's no doubt in my mind that there's going to be a 6' opaque screening requirement along – on the big screen, I'm kind of drawing this out here – along this property line and I believe it would also trigger in a requirement for this property line as well because on the other side of Hi-Lo of course is residentially zoned property. But the applicant could screen that any way that he chose as far as vegetation screening, privacy fencing, as long as the minimum 6' tall opaque screening was provided.

Chairman Threadgill: Commissioner Clopton?

Commissioner Clopton: Question. Rick, a quick question. Does that screening have to be in place and 6' tall when they complete the plan? Is that correct?

Mr. Stauder: That is what the Landscape Ordinance says. Yes, sir.

Mr. Mabry: And that does apply to the Hi-Lo Terrace side?

Mr. Stauder: It does. Now one small twist to this, I believe they are proposing to build this similarly to another mini storage development on Golf Links where basically the rear walls of the buildings are just a split faced type wall which gives the appearance of a masonry wall, almost a masonry fence. So if there's any gray area or a question here, in my opinion it would be can that masonry split faced wall serve as a privacy screening? I don't really know the answer to that, but they may be trying to kill two birds with one stone is what I'm saying.

Mr. Mabry: We would ask for some consideration aside from the rear of those buildings there being exposed to the street. It's possible to specify that. I think there were only two other questions and if you'll bear with me, these are questions that we've collected here and you'll have less people at the microphone hopefully. The watershed on the North side of Shady Grove, I'm told by the neighbor over there, there is already a problem – an accumulation of water on the North side of the culvert on Shady Grove. The address that it affects is 105 Shady Grove, 1045, excuse me, Shady Grove. Could we get clarification on the specific plans to address that?

Chairman Threadgill: Under the DRC review, it says that they had to get the required storm water permits and all of that so that would be covered when the development started and the City would make the checks to make sure that they're not adding any water. It's not causing a runoff onto any other property as part of the storm water management program now. So that would be covered.

Mr. Mabry: Okay, so that would be the time for him to address an existing problem as well. Is that correct? <unintelligible> How would he address that?

Chairman Threadgill: Where the water is already building up off site, there will be no changes to that. It won't even be addressed. All that the storm water management takes care of is just any additional water being put off of this site.

Mr. Mabry: But as that's done, it could possibly help this property I would suspect. As it is addressed, there is a new drainage plan for this property?

Chairman Threadgill: It could, but I can't give you an answer on that.

Mr. Mabry: No guarantees. I understand. The only other thing we have is we heard something at the City Board meeting about houses to be provided as a buffer in this project. That was never brought out at this meeting. We're still unclear about that comment. The comment I believe was made by agent Hurst that there was a plan for two houses to go into the lots next to the odd

shaped portion on Hi-Lo Terrace, right where you have your pointer. There's confusion about that – if we could get some clarification. I don't know if the applicant can come and clarify that or ...

Director Sellman: There's nothing that's been submitted to the City with regard to those houses.

Mr. Mabry: Okay. Thank you.

Chairman Threadgill: Thank you, sir. Yes, please come back forward and give us your name and address, sir.

Mr. Rodney Meyers, 46 Batan Circle, Little Rock, 72223: What I'd like to propose, you know, Mr. Campbell proposed it, but it will make these residents happy. Maybe we can just table this issue. I'll go in and see if I can come off Shady Grove Road. I'll try to get a better landscaping plan and get some of their issues addressed. I have hired Owen Carpenter. Me and Denny met this week and he's going to do the drainage. If we can do something to help out the neighbors, we don't have a problem with that.

Chairman Threadgill: Alright.

Mr. Meyers: So if we can just ...I don't know if that's the procedure or what.

Chairman Threadgill: That will be fine, sir. I have a motion by the applicant to table this item. Would you like to table it to the next meeting?

Mr. Meyers: Yes. And as far as the issue about the two houses, that was told to us by Darren Meyers, who is the listing agent, that the person that we're buying the property from still owns those two remaining lots and that was his plans to build two homes there.

Chairman Threadgill: Alright, sir.

Commissioner Campbell: I didn't make a motion there ...

Chairman Threadgill: I'm fixing ...

Commissioner Campbell: I appreciate the applicant's concern there with what's going on and wanting to make a motion to table. I make a motion that we table this until the next meeting at

least ...

Chairman Threadgill: I have a motion to table.

Commissioner Clopton: Second.

Commissioner Campbell: ...longer if they need.

Chairman Threadgill: I have a motion to table and a second. All in favor? <Ayes> Opposed? <None> Motion is tabled. Item No. 6 has been pulled and Item No. 7 has been pulled, so we'll go to Item No. 8 on New Business.

NEW BUSINESS

6. Home Occupation Type B (HOB-07-0146) – Norton Kent Studio-Gallery – an after-the-fact application for home occupation – studio used for creating art and office and sales of art – 650 Prospect – District 3 – R-3

PULLED FROM THE AGENDA.

7. Preliminary Subdivision (PS-07-0130) – townhomes at Thornton Ferry – 43 lot subdivision adjacent to the Crossings at Thornton Ferry – located at intersection of Thornton Ferry and Imperial – County – ET

PULLED FROM THE AGENDA.

8. Preliminary Subdivision (PS-07-0154) – Arlington Park Subdivision – 92 lot subdivision – Malvern and Golf Links – District 5 – R-3

Director Sellman: Arlington Park Subdivision, preliminary subdivision, is the next item. This is a request for a 92 lot subdivision at Malvern and Golf Links. It's zoned R-3 and it's in District 5.

Chairman Threadgill: Will the applicant please come forward and give us your name and address, sir?

Mr. Jack McRae, 12615 Chenal Parkway, Little Rock: Mr. Commissioner and Commission Members.

Chairman Threadgill: A little bit of what you've got there, sir.

Mr. McRae: We are proposing to develop a residential subdivision adjacent to the Majestic Golf Course at the Hot Springs Country Club fronting on Malvern Avenue. Our preliminary plat will be in two phases. The initial phase which we have before you today consists of 92 lots. We'll develop that in two phases. We have addressed all of the issues that were brought up at the review meeting and have incorporated those into our preliminary plat. I'd be happy to answer any questions at this time.

Chairman Threadgill: Do I have any questions from the Commissioners to the applicant? Seeing none, you may sit down.

Mr. McRae: Thank you.

Chairman Threadgill: Thank you. Is there anyone in the audience who has anything to say for or against this item? Again, anyone in the audience with anything to say for or against this item? Seeing none, I'll close the public portion. Do I have any questions from the Commissioners? Commissioner Campbell?

Commissioner Campbell: I just have one of our Director. On the DRC, it says 7/24/07, they had the plans submitted. Is that ...DRC looked at it close?

Director Sellman: They were reviewed 7/24, 7/27, 7/26. They have reviewed it.

Commissioner Campbell: Okay.

Chairman Threadgill: I was at the last DRC meeting that they had and they had a real nice presentation on this thing here.

Commissioner Campbell: It looks good to me.

Chairman Threadgill: Any other questions or comments from the Commissioners? Did I close the public portion? <Several responses> No, I did not. Again, is there anyone in the audience with anything to say for or against this item? Seeing none, I'll close the public portion. Are there any other questions or comments from the Commissioners? Seeing none, I'll entertain a motion.

Commissioner Campbell: Mr. Chairman, I make a motion that we approve this site plan with the recommendations set forth by staff.

Chairman Threadgill: I have a motion to approve with staff's recommendations. Do I have a second?

Commissioner Clopton: Second.

Chairman Threadgill: I have a motion and a second. All in favor? <Ayes> Opposed? <None> Motion passes. Item No. 9.

9. Miscellaneous (MISC-07-0153) – Mural Craighead Building – wall mural of the history of Hot Springs – 225 Malvern Avenue – District 2 – C-1

Director Sellman: Item No. 9 is a request for a wall mural of the history of Hot Springs to be placed on the Craighead Building. This is located in District 2, zoned C-1. It's kind of an unusual project for you.

Chairman Threadgill: Is the applicant ...? Please give us your name and address for the record.

Ms. Jacqueline Jones, President, and <unintelligible>, the artist: Literally a book of Hot Springs. A history of Hot Springs flowing down the wall.

Chairman Threadgill: Alright. Do I have any questions to the applicant from the Commissioners? Commissioner Campbell?

Commissioner Campbell: I have a question. What about your funding? Is it in place?

Male Speaker: We're half way there and we should be there by the end of next week. Now what we're going to do, we're opening an account Wednesday with funds from Weyerhaeuser and the

banks are giving some money. Quite a few people are giving some money.

Commissioner Campbell: What's our stand on, and this is to our Director and maybe you know and maybe you don't, what's our stand on the upkeep of it beyond the installation?

Director Sellman: I don't know what the answer to that is.

Male Speaker: In my lifetime, the removal of street graffiti, if the <unintelligible> and everything is I'll clear coat it with a UV block to keep it going as long as I'm alive.

Commissioner Clopton: Could you speak into the microphone? I couldn't hear you. I'm sorry.

Male Speaker: As long as I'm alive, graffiti will be removed and clear coat every ten years. The clear coat has a UV block in it. I'll put two coats over it originally.

Commissioner Clopton: Okay.

Chairman Threadgill: Commissioner Clopton?

Commissioner Clopton: One quick question. What do you project is the longevity of such a painting on this wall presuming that you aren't here forever?

Male Speaker: Yeah, I'm getting up there in age. Sixty (60) years before it would really start to deteriorate.

Commissioner Clopton: Thank you.

Chairman Threadgill: Will that be out of an oil base or some solid type of ...?

Male Speaker: Yes, oil base with <unintelligible> block <unintelligible>.

Chairman Threadgill: Sixty (60) years? You want to paint my house? <laughter> Rick, I have a question of you. Did the property owner sign an okay to paint on the side of their building?

Mr. Stauder: I received an e-mail from Mr. Fish saying that he had no objection.

Chairman Threadgill: Alright. Are there any other questions? Lauri?

Commissioner Ames: I have a question. Have you seen the recommendations from staff in the agenda? How long do you anticipate the project to take?

Male Speaker: Depending on weather, 60 days and I'll be done.

Chairman Threadgill: Any other questions? You may have a seat. Is there anyone in the audience who has anything to say for or against this item? Again, anyone in the audience with anything to say for or against this item? Seeing none, I'll close the public portion. Do I have any other questions or comments from the Commissioners? Seeing none, I'll entertain a motion.

Commissioner Clopton: Mr. Chairman, I move we approve with staff's recommendations.

Chairman Threadgill: Thank you. Motion to approve with staff's recommendations. Do I have a second?

Commissioner Ames: Second.

Chairman Threadgill: I have a motion and a second. All in favor? <Ayes> Opposed? <None> Motion passes. Item No. 10.

10. Miscellaneous (MISC-07-0157) – parking amendment – amendment to parking ordinance for medical offices

Director Sellman: Item No. 10 is an amendment proposed to the parking requirements. We mentioned this at an earlier Planning Commission meeting and it was the Planning Commission's desire to consider this change. This change that is before us was proposed by Michael Graham, who is development manager of the Cirrus Group. They are looking at doing a major medical development in the City. They provided a significant study of parking requirements in the health-related developments and I provided that information in your staff report. It was their conclusion that our medical offices and clinics have the requirement that exceeds that which is being used in other places. We did some independent study of that ourselves after looking at the study that they provided and it appears to bear out what their findings were. The Hot Springs Code requires 6.6 spaces per 1,000 gross floor area feet for medical and dental offices and clinics. The range of surveyed communities is anywhere from 1 space to the 6.66 per 1,000 feet of gross floor area. So the recommendation here is to approve the request of Cirrus Group to change the Hot Springs requirement to 4 spaces per 1,000 square

feet. It appears very reasonable based both upon the technical memorandum they provided and our survey this month of other communities.

Chairman Threadgill: Before we get too far along, I'd like to make one comment on this. I'm not too much in favor of this due to the fact that it's being presented by the developer that wants the variances. To me, that kind of sets up an area of favoritism. In my opinion, it needs to cover all areas and not just what the hospital interests are. Again, to me it looks like we're setting ourselves up for showing a basis for giving this medical facility more leeway than we've given any other hospital or any other in the past or future. Are there any other comments from the Commissioners? Commissioner Clopton?

Commissioner Clopton: This kind of follows up on what we've proposed or tried to do the last meeting. I was under the impression the last meeting we had, we made an attempt and sent forward to the Board not to be particularly aiming at any one particular group or individual but overall changing our parking requirements for ...

Director Sellman: It is that.

Commissioner Clopton: ...regardless of whether or not it was brought to our attention by one individual or one proposed development. I guess I'm asking the question here are we looking at changing this as a matter of what we would expect in the future as a total change, period, for the City...

Director Sellman: It's a total change, period.

Commissioner Clopton: ...of all or for this one individual?

Director Sellman: It's a total a change, period, to the parking requirements for medical and dental offices and clinics.

Commissioner Clopton: So the main purpose of this is not to accommodate one particular individual, but to accommodate all future developments in the medical field – medical office buildings and so on and so forth – so I think to me that takes it out of the individual favoritism area although it has been brought to our attention by one individual.

Director Sellman: Right. All developments potentially would equally benefit or not by this change.

Chairman Threadgill: All medical facilities.

Commissioner Clopton: Yes. I agree with your point that we should not ever try to establish any kind of precedent that favors one individual over another if we can so avoid it unless there's some basis for it.

Chairman Threadgill: Then why do we not amend the parking for all areas instead, other than just medical?

Commissioner Clopton: That's what I thought we were doing, all medical. This ordinance that we're talking about only covers medical, does it not?

Chairman Threadgill: No. The Parking Ordinance covers all.

Director Sellman: Just that section of the Parking Ordinance.

Commissioner Clopton: Just that section that covers medical of the Parking Ordinance, so we're only ...and we already sent forward to the Board a change in the parking requirements for the subdivisions.

Director Sellman: For retail.

Commissioner Clopton: For retail subdivisions. I don't see the parallel. I'm trying to understand. If we're doing it to all medical facilities the same way we were doing it for all retail, we're not singling out one individual as favoritism.

Director Sellman: No. This is at the request, certainly ...

Commissioner Clopton: Certainly brought forward by one individual ...

Director Sellman: Right.

Commissioner Clopton: ...but the intent of the change is not just for that one individual.

Director Sellman: That's right.

Chairman Threadgill: I'm not telling you how to vote. I'm voicing my opinion.

Commissioner Clopton: Well, I was just putting forward my thoughts on it.

Chairman Threadgill: You have a question?

Mr. Stauder: Can I possibly make one comment? As most of you know, I believe most Commissioners were present when I started taking on trying to make some revisions to our Zoning Code. This was over a year ago, I believe. The parking section was one of the main things that I focused my efforts on because just through my dealings with developers this very same sort of issue, restaurants in particular, was that some of our parking requirements were pretty far out of whack or off base with other communities. So I pretty much was recommending a rewrite of pretty much the whole off-street parking requirement. Now if we do or if you all decide to allow us to go ahead and move forward in the future with trying to get those revisions approved, I think maybe that would address some of your concerns, Gary, that we don't just do this for one or one use or another use. It would pretty much be a whole rewrite of the parking regs for the City as a whole. The problem with that, I mean if there is a problem, this is my opinion, you have some of these developments that are anxious to get started and are needing some sort of finality as far as a decision on some of these things before they can move forward for example with purchases of property or development plans. I just wanted to bring that up.

Chairman Threadgill: So this hospital development won't build if we don't change the parking regs?

Mr. Stauder: I'm not saying they will or they won't, but it would for sure delay what they want to do.

Chairman Threadgill: Alright. Any other questions or comments? Commissioner Clopton?

Commissioner Clopton: Just one to make sure I understand it. I presume this would be like our last month's recommendation, just be a recommendation sent forward to the Board, and they for whatever reason in their judgment didn't take action on it even though it was not specifically aimed at one individual.

Chairman Threadgill: It was. It made the newspapers especially set out for SBI.

Commissioner Clopton: Well, it may have ...the newspapers may have taken it that way, but I

didn't take it that way when we voted on it.

Chairman Threadgill: That's why I was making sure this one didn't go that way. Any other questions or comments?

Commissioner Thorp: So what are you saying?

Chairman Threadgill: Pardon me?

Commissioner Thorp: What were saying in this last little volley here?

Commissioner Clopton: All he said was that inside the newspapers took up that change as being a favoritism item toward that development at the fairgrounds.

Commissioner Thorp: Okay.

Chairman Threadgill: Any other questions or comments? Yes, please come forward and give us your name and address, sir.

City Director Carroll Weatherford, 103 Ironwood: The last one you sent to the Board of Directors was for retail development, not medical. It was retail only. It was presented to the Board of Directors as SBI was requesting that, but there was mention of other retail developers who had asked for it before, but SBI was the one that was mentioned. Now you're coming back and asking for a change in medical. If you want to change it, rewrite the Parking Ordinance before you send it back to the Board of Directors. Don't come one at a time. If they're in a hurry, they should have checked before they bought the property or decided to do the development. It's not fair for one person to come in and ask for a variance and that's what they're asking for – a variance for right now. You're changing the ordinance to suit them. The one sent to the Board of Directors last time was retail. Now it's medical and in two weeks, you'll be asking for something else. So rewrite the ordinance and send it to them.

Commissioner Clopton: With all due respect, sir, my vote in that meeting was with the understanding that we were changing it for all, not for one...

City Director Weatherford interjected: I understand, but it was presented to the Board of Directors ...

Commissioner Clopton: ...and, and, and, and that it was pointed out to us very clearly that our current standards were well out of line ...

Director Weatherford interjected: I understand that.

Commissioner Clopton: ...with what other City requirements are.

Director Weatherford: And I've seen the requirements of other cities and I personally asked for other tourist towns, which I thought was for retail, and ours are out of line with those towns. I don't think there would be a problem, you know, if we rewrite the ordinance to get it in line with everybody else, but the last one was specific for SBI.

Commissioner Clopton: Not with my understanding.

Director Weatherford: The way it was presented to the Board of Directors was specific for SBI.

Chairman Threadgill: Thank you, sir. Anyone else in the audience have anything to say for or against the item? Seeing none, I'll close the public portion. Any other questions or comments from the Commissioners? I'll entertain a motion. Again, I'll entertain a motion. Seeing none, sending the ordinance forward dies for lack of a motion. Item No. 11.

Commissioner Campbell: Mr. Chairman, may I make a statement?

Chairman Threadgill: You recused yourself?

Commissioner Campbell: Yes. I apologize for not telling you I recuse myself. I just want to make it a point of record that I did recuse from that because it was specifically for a company that I have ties with.

Chairman Threadgill: Okay. Thank you. Item No. 11.

11. Miscellaneous (MISC-07-0156) – mobile home park review – Article II enforcement of Subdivision Ordinance regarding mobile home parks in ETJ

Director Sellman: Item 11 is a request to clarify and then take action to confirm whether the Planning Commission considers that Article II of the Subdivision Code is the standard for reviewing proposed manufactured home parks. In going through the Subdivision Code, I think

you all will remember that there is a list of sub-titles in the Subdivision Code, one of which is manufactured home subdivision, however there is no specific standard in the Subdivision Ordinance that tells us what the method of review would be for such a subdivision. This is a request to clarify that Article II standards can be used to be the standard for reviewing a proposed manufactured home park.

Chairman Threadgill: Again, I brought this one up to staff. One of the items ...we were sitting in the office and a gentleman called in for a mobile home park in the County and they told him he didn't have to bring it in because he was in the County and we didn't do mobile home parks in the County. If you read the Mobile Home Subdivision Code, it states subdivisions and the definition is mobile home parks and mobile home subdivisions. So I brought it to staff and staff wanted to try to get some clarification that we do or we don't do mobile home parks. In the ordinance, there is nothing covering mobile home parks. There's no definition of what you're going to do with it. So I just wanted some clarification. Either we are going to do them or we aren't. Anybody have any questions or comments?

Commissioner Campbell: I would just like to add that in the subdivision, in the ETJs, do we not just use the subdivision ...what am I thinking of here? The requirements of a subdivision as it is in the City in the ETJ also? Doesn't it just use that?

Director Sellman: We do.

Commissioner Campbell: Why can't you use what the Manufactured Home Park and Subdivision says in that ordinance to go along with what you require in the ETJ?

Director Sellman: And what would that be?

Commissioner Campbell: The requirements for a subdivision? There are requirements for a manufactured home subdivision in the ordinance. There is also, in the manufactured home ordinance, it tells you what you have to have in a subdivision. It tells you what you have to have in a manufactured home park. Can those just not be used in the ETJ?

Director Sellman: The Manufactured Home Ordinance in what section?

Commissioner Campbell: In the Manufactured Home Ordinance.

Director Sellman: Is that in the Subdivision Ordinance?

Commissioner Campbell: It is in the Zoning Code.

Director Sellman: Right.

Commissioner Campbell: That doesn't trail over into the subdivision.

Director Sellman: Our authority from the statute is under the Subdivision Ordinance in the extraterritorial jurisdiction.

Commissioner Campbell: Can you move those into it?

Director Sellman: Probably. There's probably a way to do that. That's not where it is now.

Chairman Threadgill: Then how do we control mobile home subdivisions?

Director Sellman: Well, we haven't ...

Chairman Threadgill: We pull in the Subdivision Code.

Commissioner Campbell: We have in the past in the County.

Director Sellman: Since I've been here, we haven't done any.

Commissioner Campbell: There wasn't one done under the past Director but the third one back, we did -- a manufactured home subdivision in the County.

Director Sellman: Okay. How would you like to do that? What would you like the standard to be?

Commissioner Campbell: The same standard that it is in the City.

Director Sellman: Under the Mobile Home Ordinance. The Manufactured Home Ordinance.

Commissioner Campbell: Right.

Mr. Lance Hudnell: Mr. Chairman, if I might make a recommendation for your consideration.

This is something that the Chairman and I have discussed.

Chairman Threadgill: Yes. Give us your name and address, please.

Mr. Lance Hudnell, Deputy City Manager, 102 Norway Court: That is an issue, Mr. Campbell, that I think we would need clarification from the City Attorney on. The only way that that could possibly apply is under the Subdivision Code, some related regulations. There are other applicable ordinance rules and regulations of the City. At this time in a brief conversation with him, which we've not delved into it, that the Manufactured Home Ordinance would not apply in the ETJ. The subdivisions of a manufactured home subdivision would be reviewed with regard to the rules for subdivisions as you have them in the Subdivision Code. Now there are other things in the Manufactured Home Ordinance that deal with subdivisions with manufactured home subdivisions that we would not necessarily apply in the ETJ. I would recommend that you instruct us to get an opinion from him as to whether we can bring those regulations over. In lieu of that, there is some guidance with regards to manufactured home subdivisions because you could apply the regular subdivisions standards to them. With regard to parks, there is zero. So what we were requesting is that you give us clarification and an interpretation as far as the Planning Commission is concerned that those should be reviewed as an Article II. Now in your review of an Article II, you could informally perhaps use your standards over there. You know what I'm saying, because as you are well aware, Article II says bring us a site plan as to what you're considering and we'll tell you what we want kind of approach within our current Article II as it's written today. So what I'm saying is, you could say "well we would like to see this or see that or see the other," but I don't believe we can arbitrarily apply the manufactured home standards to the ETJ. I would recommend that you would give us guidance of yes, you do want to review manufactured home parks and in lieu of any other standards, you would do those as Article IIs and request an opinion from the City Attorney as to whether or not we can apply the standards of the Manufactured Home Ordinance.

Commissioner Campbell: Well, you know in the ETJ, if I understand it right, we're out here looking out for the well-being of what eventually will be the City.

Mr. Hudnell: But only from the subdivision standpoint. Now the problem has been ...

Commissioner Campbell: ...<unintelligible> Article II, right?

Mr. Hudnell: Well, no. No. Only from a subdivision standpoint. But what we and other communities have – and Kathy, I'll let you chime in here anytime you wish – what we and other

communities have cleverly done is bring this idea of large scale development in under that umbrella. Now as far as I know, that's not been challenged. It would probably be interesting to see what would happen if it ever was challenged, but it is clear under State statute that we have subdivision authority within the ETJ area, within the County. Now the thing is then how do you bring in these other regulations? Now we've brought them in by having a provision in our Subdivision Code that says related regulations – drainage, streets, etc. – so that you don't have to rewrite all of that over in this Code. But the clear, the bright line, is subdivisions. Beyond that, you begin to get into a gray line.

Commissioner Campbell: Even in our subdivisions, I think the same regulations that we've got set forth now should extend into the ETJ because ...

Mr. Hudnell: It does for subdivisions.

Director Sellman: It does.

Commissioner Campbell: I mean the age factor and everything, you know.

Mr. Hudnell: No. I don't know about manufactured homes. That's why I'm saying that I would recommend that you get the City Attorney's opinion on whether we can, under our ... because we specifically say "the subdivision regulations shall be used in association with the latest adopted regulations relating to street specifications and regulations, drainage specifications and regulations, utility regulations, planning and zoning regulations, and other applicable ordinances." So whether he would consider either we could amend those Subdivision Codes to specifically say that or if we could bring it in under that catch-all phrase. I'm just saying that what I'd recommend to you tonight is just give us guidance of yes, you want to start reviewing them, but get a City Attorney's opinion as to whether we can use the Manufactured Home Ordinance as that standard.

Commissioner Campbell: But you see where I'm coming from though, right?

Mr. Hudnell: Oh, yes. We all agree. We agree.

Commissioner Campbell: <unintelligible> out there, you know ...

Mr. Hudnell: It makes perfect sense. It would make it a lot easier for review because then you've got a clear standard on what you're looking at and you don't get into the let's-make-a-

deal-under-Article-II type situation. But in lieu of that bright line, if we could get a City Attorney opinion that yes, you can do that; otherwise, you could fall back on just your normal Article II review.

Chairman Threadgill: Under our Subdivision Code, Hot Springs Code Subdivisions § 16-4-6, Types of Subdivisions, it says it establishes five types of subdivisions: commercial office, industrial, manufactured or mobile home park, manufactured or mobile home subdivisions, or residential.

Mr. Hudnell: Right.

Chairman Threadgill: Now those are the type of subdivisions and we regulate subdivisions in the ETJ. So those are five. It says mobile home parks.

Mr. Hudnell: Correct.

Chairman Threadgill: So we do not, when the ordinance says we do?

Mr. Hudnell: We have not. The practice up till this point in history that I'm aware of has not been to deal with parks in the County. Subdivisions, yes. Parks, no. Now perhaps back in Art Merkle days maybe we did, but I can't remember. But from ...

Chairman Threadgill: But I'm saying by this ordinance ...

Mr. Hudnell: You have authority. There's no question that you have authority.

Director Sellman: There is authority.

Mr. Hudnell: There is no question that you have authority to do it. Our practice has not been to do that. So all we were asking for this evening is for you to drive a stake in the ground for staff that says since we have authority, let's start doing it.

Chairman Threadgill: Well, since we're supposed to be abiding by these ordinances, that's what I'm saying. You know, the reason we're having it on us to follow these guidelines and here it says that we're supposed to do them and we're not.

Mr. Hudnell: Right. And the reason that you haven't done it in the past is because you have not

had a clear set of standards by which to evaluate them.

Director Sellman: And part of the difficulty right now is that the previous interpretation is that if we don't have a standard, we don't do it and my interpretation is that if there's more than one structure there that we do and that we do it under Article II. So the only reason I'm not enforcing it is because nobody's come in with such a project.

Chairman Threadgill: I sat there in your office that day and a lady or a gentleman called in and asked if he had to draw a permit for a mobile home park and was told no.

Mr. Hudnell: Well that's probably because of previous guidance that Kathy was unaware of.

Chairman Threadgill: Then why does it not fall into multi-building development?

Mr. Hudnell: We think it does. All we're asking is for you to say, "yes, please do it."

Commissioner Campbell: Let's do it.

Director Sellman: Okay. Good.

Mr. Hudnell: We're just wanting the Planning Commission standing behind staff saying "do it," because it is a change in practice that's been long established. I visited with Brian about that extensively and he concurs that just because it's there doesn't mean that you have to do it.

Chairman Threadgill: So just because the ordinance says we're supposed to do something, we don't have to?

Mr. Hudnell: It depends, again ... We've dealt with that a lot, Gary, and as you well understand, you have authority, but you have no standards. All we're saying is since we have no standards, would you say, would the Planning Commission agree, that the interpretation of the ordinance should be we'll review them as Article II unless the City Attorney can give us some other guidance to review them?

Chairman Threadgill: Alright.

Mr. Hudnell: We need interpretation as to how you want them reviewed.

Chairman Threadgill: Alright. Commissioner Campbell?

Commissioner Campbell: I really think we need to. I think we need to develop the standards that we're going to go by. I think as a public relations kind of thing, this needs to come out prior to enactment. There should be a little bit of a time lapse and a community awareness made that we are going to do this to the community, to the dealers; instead of just throwing it out there at them, because it is something new.

Mr. Hudnell: In light of that, I would suggest that you give us direction that as of September 1st, you would like for us to begin reviewing manufactured home parks as Article II projects unless we can get guidance from the City Attorney that they can be reviewed in accordance with the Manufactured Home Ordinance. I'm just trying to get a simple motion before you for ya'll to <unintelligible>.

Commissioner Campbell: As long as we've got a set of standards to review them by, I'm all for it. I make a motion that we do that.

Mr. Stauder: Can I bring one thing up?

Chairman Threadgill: Discussion. Rick?

Mr. Stauder: I just want to bring one thing up and maybe it doesn't need clarification, but if we are going to start reviewing them; I mean is that two buildings? What is going to trigger or what is the definition of a mobile home park? Because we get a lot of requests for example, I own a five acre tract of land with a house on it and my daughter got divorced and she has nowhere to go. I want to move a trailer into my back five acres for her to live in. There's a financial situation here. Will that addition of that one manufactured home to an existing site be considered a manufactured home park? Would that trigger a review? It seems like we need some sort of a definition of what a manufactured home park is – how many units, that type of thing.

Chairman Threadgill: What do we have on a multi-building?

Mr. Stauder: Well it's vague in my opinion as well. It says large scale developments consisting of two or more buildings. So that puts staff in a position to make a call as to what large scale is.

Chairman Threadgill: Two or more buildings. It specifies.

Mr. Stauder: Large scale developments too.

Chairman Threadgill: Two or more buildings.

Mr. Stauder: Well it also says large scale. I mean it does say that. So ...

Chairman Threadgill: Well we're opening ourselves up for a lawsuit if I go any further with that comment.

Mr. Stauder: I'm not trying to be argumentative. I'm trying ...

Chairman Threadgill: <unintelligible> reads it as large scale developments or two or more buildings. There's nothing else to read in – two or more buildings. I mean what's a small scale development? Two Wal-Mart's side by side?

Mr. Stauder: There's not a definition...

Chairman Threadgill: <unintelligible> the terminology <unintelligible> ...that's why I'm saying two buildings. Any other questions or comments from the Commissioners?

Mr. Hudnell: We can get clarification on that again from, or ask Brian for help with that.

Chairman Threadgill: Okay.

Mr. Hudnell: But we just wanted to make you aware of that.

Commissioner Campbell: Again, I will make a motion that we direct staff to go ahead and proceed with getting this in gear. Whatever it takes to work the details out, keep us well informed of what's going on.

Chairman Threadgill: I have a motion to go forward with the mobile home parks being entered into the Subdivision Code however staff finds it feasible. Do I have a second?

Commissioner Thorp: Second.

Chairman Threadgill: I have a motion and a second. All in favor? <Ayes> Opposed? <None>

It carries forward.

Mr. Hudnell: Thank you, Mr. Chairman. I did want to clarify that the reason I was presenting that or wanted to speak to you was because it pre-dated Kathy and it wasn't fair to her to be in that situation.

Chairman Threadgill: That's no problem. Item No. 12.

12. Miscellaneous (MISC-07-0159) – subdivision revisions – next steps

Director Sellman: Yes. Item 12 – it's just like Item 11 on there. Okay? Here we go. This is next steps on subdivisions. We've spent a lot of time looking at the subdivision regulations as they are, considering possible changes. This has been going on for about two years. There was a point of frustration about two months ago where the Planning Commissioners who were at the meeting/work session decided that it wasn't worth going any further. Because there were only three members there, we would like to propose that we take a look at how we want to deal with the next steps on this. We still have an ordinance that doesn't work well. We clearly have some mixed opinions on what it takes to get it to the point where we want to present it to the Board of Directors for their approval. I agree that this is probably not ready, because we don't have consensus on it. Whether we want to abandon it is something that I think needs debate by this whole group, not just three people who were there. I'd also like to suggest that in whatever it is we're doing, especially in light of the criticism on how the changes to the parking requirements are being met here, are we going to do this or are we going to not do this? Because there are things that are driving us crazy. Things that drive you crazy. Things that drive the staff crazy. Things that drive the public crazy. So are we just going to let it go and then come back to it at some point in the future? Weren't there things that we specifically wanted to see different and that's why we spent all this time working on it? Would it make some sense to make a list maybe over the next couple of weeks of what we were hoping would be different and put that list together and then the next time the Planning Commission meets, we can assess what's on that list and determine what it's going to take to meet some of those goals? It's been an awful lot of hard work that's gone into making the draft what it is now. If it's not perfect in everybody's opinion, you know I get that; but are we going to just chuck it because why? I don't know why? So, I'd like to have some formal action by the Planning Commission to let us know where it is that the Commission, as a whole, stands on this and to know also if it would make any sense at all for each of us individually to put together some goals that we were trying to get to with this and see if there's something we can salvage here. You've done a lot of good

work on this.

Chairman Threadgill: Okay. If I might, I'll start off and give all of the Commissioners the benefit to speak on this. My opinion when we come to a stop, it's happened again tonight. I think we had six, seven meetings that we actually sat down and had discussion on this that I'm aware of. It started out that we've had six months and then it was a year and it was a year and a half and now we've been working on it two years. I don't think the Planning Commission has, but what gets me is we're spending our time, our efforts, we're trying to work on this and all I'm getting from staff is we've got to do this now. I'm not going to endorse anything to send forward to the Board of Directors that I'm not just totally happy with. At the meeting, it was push, push. Let's hurry up and have our public hearings. It's over. Let's do this, let's do that. That's when I come up with the feeling that we just need to stop this. Just back up, regroup. We've got two County members coming to the Commission. We've got a possible City/County or a County itself Planning Commission coming. There's going to be a lot of changes put on people and I'm not going to throw out an ordinance to send forward to the Board of Directors if I'm not happy with it. At the time, I'm not; so that's why I requested that it just stop. Commissioner Ames, do you have any comments?

Commissioner Ames: Well, I wasn't present at that meeting and as the newest member of the Board, haven't been involved for two years now in this work. But in my few months here, I have seen evidence of how much of it isn't working and then the frustrations that it brings out for the Commission, for staff, and for people who are applicants. So, what's that saying about throwing the baby out with the bath water, I mean I think that Commissioner Threadgill makes a good point. The Commission is expanding. It's going to be changing and maybe right now it's time to take a break and not put aside the work but acknowledge that the work is there and then come back to it. I don't know if it's a month, two months, when we're larger and we've got the whole body here to then, like the Director has said, it's been kind of regroup a little bit, figure out our individual and group goals for it, look back at the work that's been done, what has accomplished some of those goals already or are we getting to a point, and then what's left to be done at that point.

Chairman Threadgill: Commissioner Clopton?

Commissioner Clopton: I sat in I think on all but one of the meetings. I think that was the meeting that ya'll decided to throw it out. Gosh, I do want to say something, Lance. I appreciate all the work you've put in on this, because I know you've had hours and hours and

hours of work in on this to get us to the point that we were. I kind of agree that you don't really want to throw the baby out in the bath water. I felt like and I still feel that way, I don't disagree with you that we probably need to throw out everything and start over sooner or later; however, in the interim it doesn't seem reasonable, like some people might say, that if you've got five things broken that you're going to wait till you fix all five of them till you fix one. We did some fixing in this work and I don't think everybody was happy with everything in it. Matter of fact, probably we weren't all happy completely with everything that we did. But I hate to see us not go ahead and pick up what we've done, fix what we can now, and I believe wait until we get through with the Comprehensive Plan and then we can come back and try to redo the thing from start to finish. I may not be on the Board by then, but it seems to me like I just hate to see us throw away all the work we've done if we're fixing anything at all. I agree. We had some differences. I think one of the biggest differences was we got down to a point where we didn't all agree on what might consist of something we brought up tonight – large scale developments. If you don't want to change that, leave it like it is; but we've got other things in there that we need to change and probably ought to go ahead and at least do those and at least take another look at them and see if we want to do them if we don't go ahead and do it. That's my position. I agree with you. I think we probably ought to take a hard look at the entire process and not just stop there. You've got to go to the Comprehensive Plan. You've got to go to subdivisions. You've got to do it by looking at the ordinances. Everything needs a good hard look.

Chairman Threadgill: Commissioner Campbell?

Commissioner Campbell: One of my main reasons for stopping it, because there has been a lot of other development that's come along since we started on this. We do have the event of the County Planning. We have the event of the County Planning Commissioners coming ...or the County people coming onto the Planning Commission. I was totally just knocked away with Article II. I never saw anything that came into Article II that gave us any explanation of what was going to happen there. I think with all of the happenings, you don't have to throw it away, what we've got. I think we need to just back up. We've been working with the ordinance, working around the little quirks here and there since 2003 I think is when it was changed I believe. Just back up for a little bit and let's see what's going to happen with the County. We may lose the five mile ETJ. For my part, I hope we do. I think we need to get out of the five mile. Let's just slow down. Work with what we got. Six or eight months from now, a year, start all over. Don't throw it away, Lance. Hang onto it so we can come back to it, but let's just slow down. Why make a change when we know we are looking at a complete Comprehensive Plan change for the City and the County, possibly together, that

may conflict with what we're doing. I appreciate your work because I know the hours you've put into it.

Chairman Threadgill: Commissioner Thorp?

Commissioner Thorp: Well I think I feel sort of the same way that the rest of them do that maybe we need to sort of keep what we have. I think there were some things in there that weren't clear, that we didn't understand. I think that's why the three of us made our decision is that we didn't want to go forward with something that we didn't understand. Sometimes the language is not clear to where the common man can kind of understand it. Ya'll know how I am about that. I think there were several things in there that we didn't understand and maybe my learning curve has improved some. I hope it has. I just think that maybe we don't need to get in a rush with our new folks that are coming too. I think Lance has worked hard on it and I know he has. I know we've worked hard because we've had those two hour meetings for several years you're saying now. We don't realize, I guess, when one year rolls into another.

Chairman Threadgill: So what I'm looking at here is the sense that we're going to keep what we've got. Does anybody have any idea when they'd like to start back with the workshops? Commissioner Clopton?

Commissioner Clopton: Let's get this thing back -- I think two good points here. We've got three members, one member is not here tonight, another member that's going to be coming on from the City ...

Chairman Threadgill: And two more next month.

Commissioner Clopton: ... and two more from the County. Let's just set this thing back maybe until November or so until we get a full Board and then come back and take another look at it. Does that make sense?

Chairman Threadgill: Commissioner Campbell?

Commissioner Campbell: I agree with that timeframe and I would say that once we do get into this, I know what we went through with the Manufactured Home Ordinance and lot of the Zoning Code changes that we made. At that time, we had committees, but we met weekly for awhile. I think once we get into this, we need to hit it on a weekly basis for a two

hour period to get this thing going; because I'm 62 years old and it's hard for me to remember two weeks from now what I was thinking two weeks ago. So I think once we get into it, we need to really get in and work on it.

Chairman Threadgill: So we're looking at keeping the ordinance or the revisions that we've worked up so far and setting a work session to begin some time in September? November? Well I tried. <laughter> The 10th?

Mr. Kent Myers, 125 Oak Street, #303: Just one additional issue and this has been alluded to earlier but I just want to remind you that we also have some major revisions to the zoning regulations in addition to parking. There's a number of other issues we need to look at in zoning, so are you still thinking the subdivision will take priority to zoning? I'm trying to get clarification as to where do we start the subdivision meetings in November, possibly continue those until after the first of the year, and then the zoning would come in 2008? Is that kind of the thinking process at this point in time, because parking ...? We cannot do anything. Again, we agree that parking and Rick is ready to come to the Commission on the parking regulations. He's got the staff review done. He's ready to present that. Are you wanting to push that back to 2008 with all the other zoning changes? We're in this kind of backlog right now because of this process is continuing. In talking to Dave, the message I'm getting is that developers want these changes. It's costing them money. So if it's costing developers money, again, are we going to cost them another year or when does this whole process come to an end?

Chairman Threadgill: Well, see that's where we're getting. We started off like mobile homes and we fought with that and had the mobile home people jumping on us and now we've got the Article II come out and the subdivisions are jumping on us. Now we've got the parking regs. We get all this worked out and there's going to be something else. There's always going to have to be updating.

Mr. Myers: We're just looking for direction priorities more than anything. Are you still thinking subdivision is a higher priority than zoning I guess?

Chairman Threadgill: Commissioner Clopton?

Commissioner Clopton: One point and this affects staff. It doesn't affect me. I'm retired or semi-retired and doing a little bit of work for the fun of it, but I'm available any time. I can work every week, but to have staff working those kind of hours when we can meet – which is

after work for most of these people who work – you’re looking at some overtime. You’re looking at some cost. You’re looking at some tired people that I’m surprised they’ve kept their cool sometimes as long as they have. I don’t know how to tell you what to make as the priority. I think we need some guidance from some place else as to what they consider priority and that might be from the Board. What does the Board want us to do first? That might be a better place to ask the question about priorities.

Commissioner Thorp: While he’s <unintelligible>, would parking be something that we could do maybe a little easier, faster, if that’s a way to put it, than it would be the subdivisions?

Chairman Threadgill: Personally myself, I don’t have a problem working multi-tasking. Okay?

Commissioner Thorp: Well I do that 24-7.

Chairman Threadgill: If you want to work one shot on this one, slip over and try to get two done at the same time, I don’t have a problem with it; but we’re double working staff again. The thing that staff is screaming about, you know. We’re redoing. We’re redoing. They’re having to rewrite. They’re tearing up. They’re rewriting or redoing.

Commissioner Thorp: The question is could we do parking easier? How much does Rick have done on it? Would it be something that it wouldn’t take us very long to do if we did it from the middle of September to the middle of October? Could we get that problem solved?

Chairman Threadgill: It’s another complete entity. It’s an ordinance of its own, so it entails about as much as the subdivision and anything else.

Commissioner Thorp: Okay. That’s what I need for you to tell me.

Chairman Threadgill: We’ll make a decision on working however you folks want. Director Weatherford, what kind of ...

City Director Weatherford: I was under the understanding that Rick already had parking ready to ... Is that correct?

Mr. Stauder: Yes, sir. Pretty much. The whole rewrite of the parking section has been done

for a year or so. It's just never been approved.

Chairman Threadgill: I meant for commercial, for ...

Mr. Stauder: It was basically a total rewrite of the whole § 103, which is the off-street parking requirements of <unintelligible> ...

Chairman Threadgill: Do you have a draft of this preparation?

Mr. Stauder: I have it saved on disk, yes. I mean I don't have it in ordinance form or anything like that, but it won't take long to get it that way.

Chairman Threadgill: How fast do you think you could get us a draft up?

Mr. Stauder: By next month.

Chairman Threadgill: Next Monday?

Mr. Stauder: Next month. Well, next Monday? No. <laughter>

Chairman Threadgill: I thought you said Monday.

Mr. Stauder: I think it can be placed as an item on next month's agenda.

Chairman Threadgill: No. I'm not ready to pass it yet. We were ...

Mr. Stauder: No, I understand. I think we could have it ready for next month's agenda.

Chairman Threadgill: Because we're going to have to have the public hearings and all that. If you could get something ready, we don't have to have it at the public hearing. If you can just get us a draft ready as soon as you get it ready, get it to us to where we can start running through it and looking over it. I don't see a problem with here in the next month or so, say mid-month, if Rick can get it to us at the first of the month, say somewhere around the 15th or so holding a work session, getting together and hashing this thing out and seeing if we can get something done with the parking.

Commissioner Clopton: I'm available.

Chairman Threadgill: Commissioner Campbell?

Commissioner Campbell: I just have a question of Rick. Rick?

Mr. Stauder: Yes, sir.

Commissioner Campbell: You deal with it day in and day out. How many ...

<END OF TAPE>

Commissioner Clopton: <CONVERSATION ALREADY IN PROGRESS> ...parking lots at some of these restaurants are crowded pretty regular. I know several of them that you can't hardly find a parking spot in if you go in a rush hour. You might want to keep in mind while you're looking at statistics from other cities, Hot Springs is a little bit unique. We're a little bit more of a resort community and we've got more people visiting and staying in hotels than many of these cities around here that you're comparing with.

Mr. Stauder and other: That's true.

City Director Weatherford: We're not a City of 40,000 at any time, we're a City of 100,000 at almost any time and a lot of that is based off of population as to how many people live there. I think that's one of the reasons that our parking is probably a little higher, because when you have over 2 million visitors a year, that calculates to a pretty good population at almost any time during the week.

Commissioner Clopton: And they're eating out.

City Director Weatherford: Yes.

Chairman Threadgill: So what we're ...

City Director Weatherford: And shopping.

Chairman Threadgill: So we're at right now, we're going to have a ...Rick's going to try to get the Parking Ordinance put together by September 1st hopefully some time around there and maybe mid-September we can schedule work sessions. We'll determine that at our next

meeting when the next work session will be.

Commissioner Thorp: I'll be back on the 17th.

Chairman Threadgill: You'll be back on the 17th? Okay, any time after the 17th then. Lance?

Mr. Hudnell: Mr. Chairman and Commission, I just wanted to apologize for any miscommunication. It wasn't staff's intent to be pushing anything. It was my understanding that the Planning Commission was wanting to come to an end, so I just wanted to make it clear that Kathy, Rick, and I get paid the same no matter what you do, so don't worry about that at all. We just want direction from you as to which way you want us to jump.

Chairman Threadgill: That's just me smoking.

Commissioner Campbell: May I?

Chairman Threadgill: Go ahead.

Commissioner Campbell: We're somewhat into the zoning. You and I sat and I gave you a whole list of zoning.

Mr. Hudnell: Right. While I was working on subdivision regulations, Rick was working on zoning. So, zoning is not a ...He's done a lot on that and I've done a lot on ...Well, I say me. I didn't. Ya'll did a lot on ...I was just the scribe. Ya'll did a lot on subdivisions, so I apologize if you interpreted the last thing as a pushing. That was not it's intent. I just assumed that we were almost done. That was my miscommunication. Like I said, we get the paid so don't worry about that. Okay.

Chairman Threadgill: Any other questions or comments here? Commissioner Thorp?

Commissioner Thorp: Yes. I'd like to ask a question. It was brought up that, along with what Mr. Clopton said, about SBI and the parking. If that was presented to the Board of Directors and they thought that was wrong, who presented that then that it wasn't made clear?

Director Sellman: I presented it and I don't recall presenting it that way.

Commissioner Thorp: I wasn't trying to put the iron. I just wondered because the comment was made that it was not presented that way.

Director Sellman: I didn't write it up that way and I don't believe I said that.

Commissioner Thorp: Okay.

Chairman Threadgill: I never saw the Board of Directors' agenda, but it came out in the paper that Monday morning, I think, or that Sunday night, that the Board of Directors had SBI on their agenda and that the Planning Commission had sent forward a recommendation to approve the parking variances for the parking; which that morning I got several phone calls and the next thing I knew, it was pulled from the agenda. I never saw it. It could have been a misprint from the newspaper or anything. Kent?

Mr. Myers: At the agenda meeting, staff was asked where these regulations came from, because it was a new item for the Board. The Board wasn't aware that that was coming before them. So Kathy and I responded by saying that we have had these requests from retail developers over the years and they're concerned about our regulations. We were asked what developer and the only one I could think of was SBI. I think I mentioned SBI or Kathy mentioned SBI as an example because it was the only one I could think of. I couldn't recall Cornerstone or anybody else who had that kind of problem. So then they said let's have SBI have a representative at our meeting then, and that's kind of where ...So SBI has agreed to be at the meeting. In fact they're going to be at the meeting on August 20th and they're going to have an engineer here to present their argument on why they think this is <unintelligible>. So that's kind of how this whole thing progressed.

Chairman Threadgill: Okay.

Director Sellman: I need to make this point. They are not the only ones who have raised this issue.

Chairman Threadgill: I'm not saying that. But when it comes out in the paper that the Planning Commission is revising an ordinance for SBI, that upsets me.

Mr. Myers: I don't remember reading that in the paper.

Commissioner Clopton: That's where I'm coming from when I'm saying, hey, that was not

the spirit in which that recommendation was sent forth.

Mr. Myers: The reporter was at the agenda and we just answered the question and he picked up on that item for whatever reason.

Commissioner Campbell: I went back through our minutes and I could not find the mention of SBI in our minutes -- nowhere in our minutes.

Mr. Myers: Again, it was a question that we answered at the agenda meeting and that's where the reporter picked it up.

Commissioner Campbell: It was a generalization was the way I took it. Now tonight, I took tonight's as a request from the hospital, which I do have connections, and that's why I recused.

Chairman Threadgill: Okay.

City Director Weatherford: The SBI came when I asked who had come forward to ask for this and the statement from Kathy was several developers had and Mr. Myers said SBI because he knew of no names, because I pressed for a name. The article in the paper came from a direct response from Kathy to Don Thomason the next day and that's where it said SBI had come for this specific variance.

Chairman Threadgill: So you see where I'm getting at...

City Director Weatherford: I understand. I was upset about it also that we're changing for one person and we're just not going to get into where we're doing it for one person. That's why I said let's get it completely rewritten if we're going to do it.

Chairman Threadgill: Alright.

City Director Weatherford: I mean, Kent making that statement, I see no reason for SBI to be here on the 20th because we're not going to make a change for them I don't think just as one person. It needs to be rewritten and taken care of. To me, that's a variance the same as changing from residential to C-3. I mean I understand that, but that is a variance and BZA probably should be hearing that for parking to me instead of the Planning Commission.

Chairman Threadgill: Well I think that's where the developers should be at the meeting when we revised the Parking Ordinance. They should be there at the public hearing to voice their opinions then and get their input into the ordinance at that time.

City Director Weatherford: Well, once again, I looked at it and then asked for the stuff that Lance had gotten me from tourists – you know, Gatlinburg, Branson, and places like that – and I wanted to see what they had done. They are at that four, that number four, where we're at six or six and a half, whatever it is, on a lot of that. I can understand going down to four. I don't have a problem with that...

Commissioner Thorp: However, we just said that we are a little unique and there are ...

City Director Weatherford: Yes, but Branson is also. I had info on Eureka Springs, Branson, and Gatlinburg and ...

Director Sellman: I did that.

City Director Weatherford: Oh, okay.

Director Sellman: They are between 3.3 and 4.

Commissioner Thorp: So if the restaurant is full, you just go somewhere else and forget it?

City Director Weatherford: Well, that is probably the way they look at. You know, they have enough restaurants and they figure that if that one's full, they're going some place else. And that's probably the case. I mean if you go out and eat like I go out and eat and I'm wanting to go to Olive Garden and the parking lot's full and I can't get a parking place, my mind is changed and I'm going some place else. That's probably the way they look at it. That kind of moves business around probably.

Commissioner Thorp: Well, I agree with that; however, it might hinder us if we got a happy medium there too. Maybe instead of four, maybe we'd want to do five. I mean, not to the excess, but ...

City Director Weatherford: But I don't want to get in, as a Board of Director, I don't want to get in where we're changing something for one person. That's kind of the way that it seemed that it was. It may not have been intended that way, and probably wasn't intended

that way ...

Chairman Threadgill: But the public's going to take it that way.

City Director Weatherford: ...the public got that feeling after the article in the paper. If we're going to change it, let's get it rewritten, which Rick has done a lot of work on it and let's get it to both groups and let's look at it and get it taken care of.

Chairman Threadgill: Done deal. Commissioner Campbell?

Commissioner Campbell: I think that what you said, we are unique, and I think we need to err on the high side instead of the low side in changing these things because we're 40,000 people here. We've got 10,000 people at Hot Springs Village. We've got a lot of people in the County. We're a County ...an area of people that really a lot of them go eat out.

City Director Weatherford: Well not only that ...

Commissioner Campbell: And all the visitors in here.

City Director Weatherford: ...if you look at last weekend, you had 62,000 in four days go to the Civic Center. 26,000 on Sunday. Now if two people rode for every car, that was 13,000 cars down there.

Commissioner Thorp: Well my husband had to park at the Exchange parking lot ...

City Director Weatherford: Well I can tell you Hank Parker, Jr. who did the deal wanted a helicopter so he could fly over and see it. He had never seen that many cars around a function like that. It was very unique. It is, as I say, it's only going to get worse, but it's not worse. It's better for us because those things are going to continue to happen there.

Commissioner Clopton: I was going to say, ain't it great?

City Director Weatherford: Yes.

Chairman Threadgill: If I might...

City Director Weatherford: No one's complaining.

Chairman Threadgill: If I might, let's kind of close this portion here. That poor secretary is going to be writing all night. Do I have any other questions or comments from the Commissioners?

Commissioner Clopton: So where are we? Are we going to have a meeting?

Chairman Threadgill: We're going to have a meeting. In September, Rick is going to get us an outline or a draft ready to present to us.

Commissioner Clopton: Before the September meeting, we're going to sit down with Rick and go over what ...

Director Sellman: It will be after the September meeting because the September meeting will be what, the first or second week?

Mr. Stauder and Chairman Threadgill: It think it's the 13th.

Chairman Threadgill: And Wanda won't be back till the 17th, so we'll have it some time after the 17th as quick as possible, if that's alright with everybody. Do I need a motion on that? It was an item, was it not?

Director Sellman: It would be good. It was.

Chairman Threadgill: Do I have a motion to whatever?

Commissioner Campbell: To bring the parking forward.

Director Sellman: To hold the subdivision till November so you have your new members of the Board...

Commissioner Clopton: I move that we hold the continued work on the Subdivision Code until a special meeting in November to be set at a future date and that Rick provide us, as soon as possible, with a proposed revision to the Parking Code for the City of Hot Springs.

Chairman Threadgill: I have a motion. Do I have a second?

Commissioner Thorp: Second.

Chairman Threadgill: I have a motion and a second. All in favor? <Ayes> Opposed? <None> Motion passes. Director's comments.

ITEMS FOR DISCUSSION AND ANNOUNCEMENT

1. PLANNING DIRECTOR'S REPORT

Director Sellman: Yes, we've already talked about three of the appeal items on Shady Grove and Hi-Lo Terrace. Those appeals were ...well, the Planning Commission decisions were overturned by the Board of Directors. There was also an appeal on Mr. Grise's property at 3205 Marion Anderson and that decision was overturned as well.

Commissioner Clopton: Excuse me.

Director Sellman: Yes?

Commissioner Clopton: Refresh my memory. What was that on Marion Anderson?

Director Sellman: His was Article II. He had a duplex, manufactured home, and another one ...

Commissioner Clopton: A manufactured home and they overturned that?

Director Sellman: Yes, they overturned that.

Commissioner Clopton: Thank you.

Director Sellman: And we have a new Planning Commission member who is not yet sworn in or he would have been here tonight and that's Harriel White. He will join us at our next meeting. He's coming in Monday for orientation.

Chairman Threadgill: Monday at noon you said?

Director Sellman: I think it's 11:30.

Commissioner Ames: What kind of orientation <unintelligible>? <laughter>

Director Sellman: Well we have the computer to give him and we'll just talk a little bit about the Code and so on and so forth.

Chairman Threadgill: He'll get a copy of the Comp Plan and all that as well or is that to be put on disk?

Director Sellman: Mmm, huh.

2. COMMENTS FROM COMMISSION

Chairman Threadgill: Okay. Commissioner Clopton?

Commissioner Clopton: Are we going to be providing computers for the County Commissioners?

Director Sellman: I think we probably are.

Commissioner Clopton: Would you like to have mine? I'm not using it. I'm using my own computer. Would you like to have mine back?

Director Sellman: I would. That will mean that I don't have to buy any more.

Chairman Threadgill: That would be very nice.

Director Sellman: That's great. Thank you very much.

Chairman Threadgill: What happens when we get our other two people, we'll lose this pretty little face over here. She'll have to go down and sit at the deal next to Rick.

Commissioner Clopton: Can I go down there too?

Director Sellman: If you want.

Commissioner Ames: I already called the seat. Sorry. <laughter>

Chairman Threadgill: Any other input from anyone? Director, any other comments?

Director Sellman: No.

Chairman Threadgill: Wanda? Amy?

Commissioner Ames: It's Lauri.

Chairman Threadgill: Lauri? I'm sorry. The Ames gets me.

Commissioner Ames: <unintelligible> my whole life.

Chairman Threadgill: James? Dave?

Commissioner Campbell: My tabling of the minutes – in our conversation at the end of the meeting the other night, you and I had talked about the 2', the 5' setbacks and you had passed on to me that you felt that since the property had been scraped down, that the 5' was suitable and I asked you the question "well are you changing the ordinances now?" That did not get into the minutes.

Director Sellman: I didn't notice that.

Commissioner Campbell: I couldn't find it in there in the minutes. I've looked them and looked them and looked them.

Director Sellman: I'll take a look for it.

Commissioner Campbell: That was an important statement between the two of us that I felt like should have been a record and it wasn't. It should have been in the recording stage because it appears from what I remember when that happened, there is things behind that.

Director Sellman: Well take a look too at the timing of that, because if that was at the moment we were flipping the tape, sometimes we miss a couple of lines. We'll take a look for it.

Chairman Threadgill: We had finished all of the agenda items and that was under discussion at the last so it should be pretty close to the end of it.

Director Sellman: Look at the minutes reading on that when that turned out.

Chairman Threadgill: Anybody else?

Mr. Myers: Next Tuesday at 5:00, the Board of Directors will interview the six nominees for the Planning Commission for the two positions on the County. Ya'll are welcome to attend those interviews. They are open to the public at 5:00. I think Judge Williams has nominated some really quality individuals. Following that, the Board is scheduled to make the appointments at their August 20th meeting, so they'll be coming on board here pretty quick. They'll be in here for your September meeting we believe. The final thing is my understanding is SBI is bringing in their site plans tomorrow. In talking to them this week, Kathy, are they meeting with you tomorrow?

Director Sellman: They are talking about doing it. We don't have a time to meet.

Mr. Myers: Okay. So that could be on your agenda, your September agenda. Now what their parking ratio will be I don't know, but that is something that will likely be on your September agenda.

Chairman Threadgill: Alright. Great.

Commissioner Campbell: Are the deadlines for those to be in?

Director Sellman: Yes.

Chairman Threadgill: Tomorrow is the deadline.

Commissioner Campbell: I have one question before we adjourn. There's an APA meeting in Eureka Springs September 6th and 7th I believe. Is there money available for us to go to that?

Director Sellman: There's some money. I'll look at it.

Commissioner Clopton: Where is it at?

Director Sellman: Eureka Springs.

Chairman Threadgill: It's Eureka Springs for our conference.

Commissioner Campbell: The Fall Conference I believe.

Director Sellman: I'll take a look.

Commissioner Campbell: An also, I got a thing from APA and November the 16th or 17th, there is a commissioner training session. Since we've got new ones coming on, in Fayetteville, and there is another one scheduled I believe in March in Pine Bluff. So staff may want to take a look at those things.

Director Sellman: We got that.

Commissioner Campbell: You got it? Okay.

Chairman Threadgill: Last time I went to those conferences, I purchased myself I think six of those little program books, training program. You might still have those in the office. There were three or four of them left that ...training workshops for Commissioners.

Director Sellman: Okay. Okay.

Chairman Threadgill: You might be able to just <unintelligible> up a few copies of those and pass those out. They're really informative and helpful. They were behind Robin's desk.

Director Sellman: I'll look for them.

Commissioner Campbell: I would like to attend the one in Eureka if possible, and if you can ...I'll check my e-mail. I prefer you call me and let me know if we can so arrangements can start being made.

Director Sellman: Yes. We'll find out.

Commissioner Campbell: Do you know the cost on it?

Chairman Threadgill: The hotel is \$89 a night and the conference I believe is \$75. It's a

Thursday night and Friday. The conference starts Thursday night, or Thursday and Friday. The conference actually starts at 8:30 Thursday morning, so you'd have to be there Wednesday.

Commissioner Campbell: We'd have to leave. Wednesday is our agenda meeting.

Chairman Threadgill: Wednesday noon. You'd have to leave after lunch.

Commissioner Campbell: You'd have to leave right after agenda meeting to go up there.

Commissioner Clopton: I'd like to make that trip.

Chairman Threadgill: They have an application. Have you received your application? Alright, I'll bring the application in that APA sent me.

Director Sellman: We have it too.

Chairman Threadgill: You have it?

Director Sellman: Yes.

Chairman Threadgill: Oh, okay. We might get some copies made up or something.

Director Sellman: <unintelligible> ...of the APA training, Fall Conference.

Chairman Threadgill: At Eureka Springs. Alright. Any other input from the Commissioners?
Meeting adjourned.

ADJOURNMENT
