

PLANNING COMMISSION MEETING TRANSCRIPT

THURSDAY, MARCH 13, 2008

The regular meeting of the Planning Commission was held on Thursday, March 13, 2008, 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.

Invocation <taping begins amid the prayer>

Pledge of Allegiance

Chairman Threadgill: Alright, before I call the meeting to order, I'd like to make a few statements here. If you'll notice on your monitors, on the left-hand side of the screen, there's a five minute indicator. On the left-hand side, there's a three minute. The applicant has a five minute time frame to give his presentation and then anyone speaking for or against the item will have three minutes. Please keep it to that. I don't want to ask anybody to sit down, but that's your time limit to get your information across. So at this time, I call the meeting to order. Call the roll, please.

Roll Call

Present: Harriel White, James Clopton, Lauri Ames, David Campbell, Louis Kleinman, Wanda Thorp, John Mory, Larry Raney, Gary Threadgill

Absent:

Approval of Minutes

Chairman Threadgill: I'll need a motion to consider the previous minutes.

Commissioner Campbell: So moved.

Commissioner Ames: Second.

Commissioner Clopton: Question with regard to the previous ...

Chairman Threadgill: I have a motion and a second. Question?

Commissioner Clopton: Sorry.

Chairman Threadgill: Go ahead.

Commissioner Clopton: Harriel White is shown as being absent; but as you read the minutes, he has testified.

Chairman Threadgill: Yes. We'll change that. Alright. That'll be noted and changed.

Commissioner White: Thank you.

Chairman Threadgill: Alright, with that, we'll add the amendment that Mr. White be added to the list. I still have a motion and a second. All in favor? <ayes> Those opposed? <none>

Approval of Agenda

Chairman Threadgill: Alright, I'll entertain a motion to consider the agenda as-is.

Commissioner Ames: So moved.

Commissioner Clopton: Second.

Chairman Threadgill: I have a motion and a second. All in favor? <ayes> Opposed? <none>
Agenda passes. We'll start off with Item No. 1 on New Business.

NEW BUSINESS

1. Re-Zoning (RZ-08-0040) – Entergy Annexation Initial Zoning – Initial zoning for property on East Grand Avenue and US Hwy 70 – East Grand Avenue and US Hwy 70--ET

Planning Director Kathy Sellman: Item No. 1 is the Entergy annexation initial zoning. This is a

voluntary annexation by petition of the property owner, Entergy. The State and City procedure for annexation required that a zone be established prior to the land being annexed by the City. The zone that is proposed for this property is M-1, light industrial. It is located in the now, of course, in the City's extraterritorial jurisdiction just off Malvern Avenue. The recommendation is for approval.

Commissioner Campbell: Grand Avenue.

Chairman Threadgill: Pardon me?

Commissioner Campbell: Grand Avenue.

Director Sellman: Oh, Grand?

Commissioner Campbell: Grand Avenue.

Director Sellman: Okay, thank you.

Chairman Threadgill: Alright.

Director Sellman: Yes.

Chairman Threadgill: At this time, I'll entertain a motion to get it on the floor for discussion.

Commissioner Raney: So moved.

Chairman Threadgill: I have a motion to approve ...

Commissioner ---: Second.

Chairman Threadgill: ...and I have a second. Any comments or anything from the Commissioners? Is the applicant present for Item No. 1?

Commissioner Campbell: Do we need to take a vote on that? Do we need to take a vote on that?

Mr. Dave Ingram, with Entergy, representing the landlords: Yes, sir.

Chairman Threadgill: Do I have any questions to the applicant from the Commissioners on the request? You may be seated. Is there anyone in the audience that has anything to say for or against this item? Again, anyone in the audience with anything to say for or against this item? Alright, I'll close the public portion. Do I have any questions or comments from the Commissioners? Commissioner White?

Commissioner White: I have a question. Are we looking at this project to refer it to the Board of Directors? Is that what we're looking at?

Chairman Threadgill: Yes, sir.

Commissioner White: I just wanted to make sure I was understanding it correctly, because it's changing the ...or a change for the ...

Chairman Threadgill: It's a change in the zoning.

Commissioner White: Well, changing the zoning and also a change in the ...what am I trying to say? The future plan. The map.

Chairman Threadgill: Right.

Commissioner White: Okay.

Chairman Threadgill: The future land use map.

Commissioner White: Land use map.

Chairman Threadgill: Alright, any other questions or comments from the Commissioners? Alright, we already have a motion to send this forward with approval to the Board of Directors. I have a motion and a second. Call the roll, please.

Ms. Teresa Minear: Harriel White – yes; James Clopton – uhm ...

Chairman Threadgill: A "yes" vote is to approve. A "no" vote is to deny.

Commissioner Clopton: Yes, I understand; but as a matter of finding, I agree with the Board's recommendations and therefore vote "yes."

Ms. Minear: Lauri Ames – yes; David Campbell – yes; Louis Kleinman – yes; Wanda Thorp – yes; John Mory – yes; Larry Raney – yes; Gary Threadgill – yes.

Chairman Threadgill: Alright, the motion passes. Item No. 2.

2. Conditional Use (CU-08-0038) – Lakeside Public School District – Proposed addition of 16 classrooms to serve the existing Primary and Intermediate Schools, and locker addition – 2865 Malvern Avenue – District 6 – R-2

Director Sellman: Item No. 2 is Lakeside Public School District. This is a conditional use, a Malvern Overlay proposal, the proposed addition of 16 classrooms to serve the Primary and Intermediate Schools and a locker room addition. This is located at 2865 Malvern Avenue. It's zoned R-2. The Comprehensive Plan Classification is low density residential. It's in Commissioner District 6. The staff recommendation is for approval. There are findings included in the Staff Report; and should you wish to vote "yes" with that recommendation and findings, that's probably something that you would want to mention.

Chairman Threadgill: Alright. At this time, I'll entertain a motion to get it on the floor for approval.

Commissioner Clopton: So moved.

Commissioner Kleinman: I second it.

Chairman Threadgill: May I have with staff's recommendations, please?

Commissioner Clopton: With staff's recommendations.

Chairman Threadgill: Alright, I have a motion with staff's recommendations and a second by Commissioner Kleinman. Discussion? Is the applicant present? Please come forward and give us your name and address for the record.

Mr. Rico Harris, with Harris Architecture: I represent the client. My address is 105 Blue Sage Court.

Chairman Threadgill: Alright. Do I have any questions for Mr. Rico from the Commissioners? Alright, sir. You may be seated.

Mr. Harris: Thank you.

Chairman Threadgill: Is there anyone in the audience with anything to say for or against this

item? Again, anyone in the audience with anything to say for or against this item? Alright, seeing none, I'll close the public portion. Do I have any questions or comments from the Commissioners? Commissioner Raney?

Commissioner Raney: Just a clarification for my own edification because as I was going through this, I couldn't find it. I think it's just common sense, but lighting full cutoff. What does "full cutoff" mean? Is there any implication to that over and above the assumption that it means that the lights will be turned dark?

Director Sellman: Full cutoff lighting is a specific design of fixture that contains the light downward onto the site so that there is as little leakage as possible onto something around it.

Commissioner Raney: If you would indulge me one further observation? As we read through these things, we require, and we've done this in the past, we require landscaping. In general, I don't see that the landscaping is an issue, but what I have seen as I observe what happens in the City is that there are certain areas where landscaping was required, but for some reason, it falls into disarray after a period of time, either through natural events – some of the shrubberies or trees die or maybe they're damaged in an auto accident or in storm damage – and generally I think most people take care of it; but you do see some instances where it is not. When there is a requirement like this placed on an application, is that requirement for the long-term preservation of that? In other words, if a tree dies, it has to be disposed of. Does it have to be replaced and likewise with the shrubbery? Because I couldn't find the answer for that when I went through ...

Director Sellman: It is a long-term. I believe it's two years. Five years. Most people do maintain it after that. In the past, until just about a year ago, there was not a person who was available to make sure that stayed where it was supposed to be, that the landscaping was in place and maintained. We now have a person who is able to do that and when you do notice things like that, give me a call or I'll make sure it gets taken care of.

Commissioner Raney: Thank you.

Chairman Threadgill: Do I have any other questions or comments from any of the Commissioners? None? Call the roll, please.

Ms. Minear: Harriel White – What am I voting on?

Chairman Threadgill: "Yes" you approve. You vote "no" you deny.

Mr. White: Yes.

Ms. Minear: James Clopton – yes; Lauri Ames – yes; David Campbell – yes; Louis Kleinman – yes; Wanda Thorp – yes; John Mory – yes; Larry Raney – yes; Gary Threadgill – yes.

Chairman Threadgill: Alright, we'll move to Item No. 3.

3. Conditional Use (CU-08-0035) – NRS Consulting Engineering Malvern – Malvern Overlay conditional use for new office building – intersection of Banks and Grant – District 6 – C-3

Director Sellman: Item No. 3 is NRS Consulting Engineering. This is another project on Malvern Avenue, subject to the Malvern Avenue Overlay. It's being reviewed as a conditional use, a new office building located at the intersection of Banks and Grant. The zoning is C-3. The Comprehensive Plan Classification is linear commercial corridor. It is in Commissioner or Director District 6 and the staff recommendation is for approval with conditions and findings are included in that recommendation.

Chairman Threadgill: Alright, at this time, I'll entertain a motion to approve with staff's recommendations.

Commissioner Raney: Moved.

Commissioner ---: Second.

Chairman Threadgill: Commissioner Raney, do you approve that?

Commissioner Raney: I'll move that.

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

Commissioner Campbell: Second.

Chairman Threadgill: I have a second by Commissioner Campbell. I'll open it for discussion. Is the applicant present? Please come forward and give us your name and address for the record, sir.

Mr. Jeremy Stone, 600 Main Street, Suite R:

Chairman Threadgill: A little bit of what you're going to do there, sir.

Mr. Stone: It's our office building. We're moving locations from over at Southwest Plaza to the other side of town. So it's a single story building for our firm.

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

Commissioner Campbell: I have one. You've been made well aware of the Malvern Avenue Overlay regulations?

Mr. Stone: Yes.

Commissioner Campbell: You have no problem with that?

Mr. Stone: No, sir.

Chairman Threadgill: Any other questions from the Commissioners? You may have a seat, sir.

Mr. Stone: Thank you.

Chairman Threadgill: Is there anyone in the audience with 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 or comments from the Commissioners? Alright, seeing none, call the roll, please.

Ms. Minear: Harriel White – yes; James Clopton – yes; Lauri Ames – yes; David Campbell – yes, with the recommendation of the staff and I'm not sure that was mentioned prior.

Chairman Threadgill: It was.

Commissioner Campbell: Okay.

Ms. Minear: Louis Kleinman – yes; Wanda Thorp – yes; John Mory – yes; Larry Raney – yes; Gary Threadgill – yes.

Chairman Threadgill: Go to Item No. 4.

4. Preliminary Subdivision (PS-08-0032) – Hidden Creek Garden Homes – Preliminary plat for 11 lot subdivision – Morpew Road – County – ET

Director Sellman: Item No. 4 is Hidden Creek Garden Homes. This is a preliminary subdivision request for an 11 lot subdivision. It's located on Morpew Road in the City's extraterritorial jurisdiction. The Comprehensive Plan Classification is suburban residential. The staff recommendation is for approval and that recommendation includes findings in support.

Chairman Threadgill: Alright, at this time, I'll entertain a motion to approve with staff's recommendations.

Commissioner Campbell: So moved with staff's recommendations.

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

Several Commissioners: Second.

Chairman Threadgill: I have a second by Commissioner Kleinman. At this time, I'll open the floor for discussion. Please give us your name and address, sir.

Mr. Milton Raabe, 130 Hillside Place, Hot Springs:

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

Mr. Raabe: She told you right. It's an 11 lot subdivision off of Morphew Road.

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

Commissioner Campbell: Milton, why don't they extend that 6" line on down to Lot 11 for future expansion down there?

Mr. Raabe: Lot 11 will be served off another phase of the other subdivision.

Commissioner Campbell: It will have another water line in it?

Mr. Raabe: Yes. Yes.

Commissioner Campbell: Okay.

Chairman Threadgill: Any other questions from the Commissioners?

Commissioner Mory: So they don't want to loop those two water lines together?

Chairman Threadgill: Commissioner Mory?

Commissioner Mory: Oh, sorry. <laughter>

Mr. Raabe: I can't say. I'm not sure. There's no plans. He hasn't developed the other <unintelligible> yet.

Chairman Threadgill: Commissioner Campbell?

Commissioner Campbell: I have one. That's only about 240', Milton. What's the added cost of that 6" versus the 2" for 240'?

Mr. Raabe: About \$5 or \$6 a foot.

Commissioner Campbell: Okay. Thank you.

Mr. Raabe: We'll look at it.

Commissioner Campbell: Looks like a feasible move really.

Chairman Threadgill: Do I have any other questions to the applicant from the Commissioners?
Commissioner Raney?

Commissioner Raney: Just one, Gary. The DRC said drainage not acceptable and I was looking. I made myself some pencil notes as to whether or not that was ...what that particular problem was. I guess I got away from my notes somehow because it's not complete. Is there an issue at this point as far as staff is concerned with regard to the drainage issue?

Chairman Threadgill: Director Sellman, would you like to...?

Director Sellman: Thank you. Drainage will have to be made acceptable prior to the final plat.

Commissioner Raney: Okay.

Chairman Threadgill: Any?

Mr. Raabe: It's been resolved. His issues have been resolved.

Commissioner Raney: They have? Very good. Nothing else.

Chairman Threadgill: Alright, any other questions from any of the Commissioners? Alright, sir, you may have a seat. Is there anyone in the audience with anything to say for or against this item? Again, is there 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 any of the Commissioners? None? A "yes" vote is to approve. A "no" vote is to deny. Call the roll, please.

Ms. Minear: Harriel White – yes; James Clopton – yes; Lauri Ames – yes; David Campbell – yes; Louis Kleinman – yes; Wanda Thorp – yes; John Mory – yes; Larry Raney – yes; Gary Threadgill – yes.

Chairman Threadgill: Item No. 5.

5. Miscellaneous (MISC-08-0031) – Uncle Joe's – Display of outside merchandise – 601 Albert Pike Road – District 4 – C-2

Director Sellman: Item No. 5 is not on my screen yet. Item No. 5 is a request for display of outside merchandise in a C-2 zoning. As you know, the C-2 zoning district prohibits outside storage unless specifically approved by the Planning Commission. This is such a request. The

project is located at 601 Albert Pike Road. The Comprehensive Plan Classification is linear commercial corridor. It is in Board District 4. The staff recommendation is for approval and there are findings in support of that recommendation included in your report.

Chairman Threadgill: At this time, I'll entertain a motion to approve to get it on the floor.

Commissioner Clopton: Mr. Chairman, I make a motion to approve based on staff's recommendations.

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

Commissioner Mory: Second.

Chairman Threadgill: I have a second by Commissioner Mory. I'll open for discussion. Is the applicant present? Please come forward and give us your name and address for the record.

Ms. Louise Tokarz, 601 Albert Pike:

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

Ms. Tokarz: I'm coming before the Board to get approval to display merchandise in front of my business – consisting of children's toys, doghouses, playpens, so forth and so on – during business hours only.

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

Commissioner Campbell: I have one. Yes, ma'am. I think I read in here where you said that you would keep this within 3' of the building and still have your 5' of sidewalk there.

Ms. Tokarz: Correct.

Commissioner Campbell: Okay. Thank you.

Chairman Threadgill: Any other questions from the Commissioners? Alright, you may be seated.

Ms. Tokarz: Thank you.

Chairman Threadgill: Is there anyone in the audience with anything to say for or against this item? Again, is there anyone else in the audience with anything to say for or against this item? At this time, I'll close the public portion. Do I have any questions or comments from the Commissioners? Well, I have one. I know staff has made a recommendation to approve, but in

the past up and down Albert Pike, we have denied pretty much every business that's come in and asked for outside display. One due to the fact that there are very limited sidewalks and then every time items are displayed on the sidewalks, people would end up having to step out into the street. And then you know on Albert Pike, most of it is if you step off the curb, you're in the street. So in the past, most of them has been denied. Do I have any other questions or comments? Commissioner Clopton?

Commissioner Clopton: Yes. It would be my judgment and my finding that based on past history of our denying these particular requests, and it is in violation of the particular zoning code, at this time, I would have to not support its approval.

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

Commissioner Campbell: In this particular instance, I have to support the applicant because there is an 8' sidewalk out there in front of this building and it only requires 5' I believe in that area. This is a particular instance where the sidewalk is way wider than what it should be and there is room for display. That's just my feelings on it as far as this particular one.

Chairman Threadgill: Any other questions or comments from the Commissioners? Alright, Commissioner Mory?

Commissioner Mory: I'd just like to go along with what Mr. Campbell said. I understand that there is a precedent for denying these based on limited sidewalk, but in this case, that does appear not to be the case. I think it would be probably <unintelligible> in this case because of that.

Chairman Threadgill: One comment on my own. You go the next block down. You going to deny that person when he has a small sidewalk and it's the same street?

Commissioner Mory: If he doesn't have the sidewalk space, then, yes, I think that would be ...I would have no problem telling him that's why he cannot do that.

Chairman Threadgill: Alright. Any other questions or comments from the Commissioners? A "yes" vote is to approve. A "no" vote is to deny. Call the roll, please.

Ms. Minear: Harriel White – Based completely on staff's recommendations, I vote yes; James Clopton – no; Lauri Ames – yes; David Campbell – yes; Louis Kleinman – yes; Wanda Thorp – no; John Mory – yes; Larry Raney – no; Gary Threadgill – no.

Chairman Threadgill: How does the item fall?

Director Sellman: The item falls five to approve and four to deny.

Chairman Threadgill: Item passes. Alright, Item No. 6.

6. Re-Zoning (RZ-08-0034) – Stover Road Zone Change – Zone change request from R-4 to C-4 – 124 Stover, 124 Stover and 540 Airport Road – District 4 – R-4

Director Sellman: Item No. 6 is the Stover Road zone change request. This is a request to change zoning from R-4 to C-4 at approximately 124 Stover Road and also the rear portion of 540 Airport Road. The current zoning is R-4. The Comprehensive Plan Classification is medium/high density residential. The staff recommendation is approval, I believe.

Commissioner Campbell: Page 150.

Director Sellman: 150, thank you very much. One more page. The recommendation is approval and findings are provided in support of the recommendation.

Chairman Threadgill: Alright, at this time, I'll entertain a motion to approve the rezoning to send it forward to the Board of Directors with our approval.

Commissioner Campbell: So moved.

Commissioner Clopton: Mr. Chairman, I move that we send this forward to the Board of Directors for approval according to staff's recommendations.

Chairman Threadgill: I have approval with staff's recommendations by Commissioner Clopton. Do I have a second?

Commissioner Kleinman: I'll second it.

Chairman Threadgill: I have a second by Commissioner Kleinman. Open the floor for discussion. Please give us your name and address.

Mr. Brad Holmes, 536 Airport Road:

Chairman Threadgill: Alright, sir, and you're wanting to rezone this parcel?

Mr. Holmes: Yes, sir.

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

Commissioner Campbell: Yeah, I do. Do you own the front portion out to Albert Pike?

Mr. Holmes: No, sir. Leonard Buckholtz owns it. Part of that is already C-4. They've got a dog grooming place there and then I own the piece of property behind it and I own the piece of property next door to it with 536 Airport Road, which is C-4.

Commissioner Campbell: Okay. Do you own the portion back where the cars are parked?

Mr. Holmes: Yes, sir. I own 536 Airport Road. We access off Airport Road, behind USA Karate. There's four businesses back there. We developed that property a couple of years ago. This is an adjoining piece of property on Stover that I bought after we developed that property and DHS is across the street. Like I said, it's kind of a weird deal. It's surrounded by C-4 except the piece of property in back which is residential.

Commissioner Campbell: None.

Chairman Threadgill: Any other questions from the Commissioners to the applicant? Alright, you may be seated, sir. Is there anyone in the audience with 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 or comments from any of the Commissioners? A "yes" vote is to approve. A "no" vote is to deny. Call the roll, please.

Ms. Minear: Harriel White – yes; James Clopton – yes; Lauri Ames – yes; David Campbell – yes; Louis Kleinman – yes; Wanda Thorp – yes; John Mory – yes; Larry Raney – yes; Gary Threadgill – yes.

Chairman Threadgill: Alright, item passes. My screen is losing Item 7. Do we not have Item 7?

7. Site Plan Approval (SPA-08-0028) – The Brookfield Assisted Living – Assisted living facility on Mote Street and Oak Tree Drive – Mote Street and Oak Tree Drive – District 6 – R-4

Director Sellman: Item 7 is I believe an item that was withdrawn. Is that correct?

Chairman Threadgill: We'll go to Item No. 8 then.

8. Site Plan Approval (SPA-08-0033) – Piney Baptist Church – Multiple building site plan review for church – 3150 Albert Pike – County – ET

Director Sellman: Yes, Item 8 is Piney Baptist Church. This is a site plan approval under the multiple building Article II subdivision site plan review criteria. The project is located at 3150 Albert Pike. It's in the City's extraterritorial jurisdiction, with a Comprehensive Plan Classification of suburban residential. The staff recommendation is for approval with a number of conditions.

Chairman Threadgill: Alright, at this time, I'll entertain a motion to approve for discussion.

Commissioner Campbell: Mr. Chairman, I make a motion that we approve this with the staff's recommendations.

Commissioner ---: Second.

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

Commissioner Clopton: Second.

Chairman Threadgill: I have a second by Commissioner Clopton. I'll open the floor for discussions. Please give us your name and address, sir.

Mr. Milton Raabe, 130 Hillside Place, Hot Springs:

Chairman Threadgill: Do I have any questions to Mr. Raabe from the Commissioners?

Commissioner Campbell: Go ahead. Do you?

Chairman Threadgill: Commissioner Thorp?

Commissioner Thorp: Do the neighbors have any problem, Milton, with this 6' height opaque screening?

Mr. Raabe: Not to my knowledge.

Commissioner Thorp: Okay.

Chairman Threadgill: Has staff had any calls in concern of the screening?

Director Sellman: I'm not aware of any.

Chairman Threadgill: Alright. Any other questions? Commissioner Campbell?

Commissioner Campbell: Milton, how come they've got to move this building so far back on that piece of property? Is there not room to come forward a little bit? They're only 3' off of that roadway back there.

Mr. Raabe: That's not a road. Which roadway are you talking about?

Commissioner Campbell: The one right behind it.

Mr. Raabe: Roy Street or the easement?

Commissioner Campbell: The easement.

Mr. Raabe: The easement?

Commissioner Campbell: Yeah.

Mr. Raabe: The easement's only a driveway to houses.

Commissioner Campbell: To three houses. <laughter>

Mr. Raabe: Well, no. Just that one house.

Commissioner Campbell: Well, does it not serve those two trailers too?

Mr. Raabe: No.

Commissioner Campbell: It appeared it did. <laughter> I mean they are right beside the house behind the church.

Mr. Raabe: Behind the new house?

Commissioner Thorp: Uhh, huh.

Commissioner Campbell: No, they're right beside it.

Commissioner Thorp: Yeah.

Mr. Raabe: Okay.

Commissioner Campbell: To the ...back towards town, the new house and then two trailers.

Mr. Raabe: That's a 20' access easement and they almost have to move back that far to get the building on the property.

Chairman Threadgill: Do I have any ... Go ahead.

Commissioner Campbell: I've got one more. The next question is, looking at the property, it all leans from where the detention pond is to Roy Street.

Mr. Raabe: Right.

Commissioner Campbell: What are you going to do about that ...and I saw a ...looked like an underground drainage system.

Mr. Raabe: It's going to be sewer. It's going to be an underground pipe out of this pond.

Commissioner Campbell: Okay, that's going to take care of the other side of the property where

it's going to run back there?

Mr. Raabe: Right. We're only building the detention basin. It's not required. We're building it to relieve some problems from a neighbor. They also want to put a playground behind the building. You almost have to move the building back that far to do that.

Commissioner Campbell: Did they have any problem with the requirement of the fireplug and having to bore under 270?

Mr. Raabe: It's going to be expensive.

Chairman Threadgill: Nothing more than money, huh?

Commissioner Campbell: Pretty good expense there, a 50' bore.

Mr. Raabe: \$10,000 probably.

Commissioner Campbell: Yeah. Okay.

Chairman Threadgill: Any other questions to the applicant from the Commissioners? You may sit down, sir.

Mr. Raabe: Thank you.

Chairman Threadgill: Is there anyone in the audience that has anything to say for or against this item? Again, anyone in the audience with anything to say for or against this item? This has got to be a first. <laughter> Alright, do I have any discussion from the Commissioners? I closed the public portion, excuse me. Any questions from the Commissioners? None? A "yes" vote is to approve. A "no" vote is to deny. Call the roll, please.

Ms. Minear: Harriel White – yes; James Clopton – yes; Lauri Ames – yes; David Campbell – yes; Louis Kleinman – yes; Wanda Thorp – yes; John Mory – yes; Larry Raney – yes; Gary Threadgill – yes.

Chairman Threadgill: Item No. 9.

9. Site Plan Approval (SPA-08-0027) – U Store It – Site plan review (storage units) -- U Store It – 566 Files Road, 500 Block Files Road – District 5 – C-4

Director Sellman: Item No. 9 is the U-Store-It site plan approval. This is a request for a project located at 566 Files Road. The current zoning is C-4. The Comprehensive Plan Classification is linear commercial storage. This is a site plan review for storage units. The staff recommendation is for approval with conditions. There are findings in support contained in the staff report.

Chairman Threadgill: Alright, I'll entertain a motion to approve this item with staff's recommendations.

Commissioner Kleinman: I move to approve to approve this item with staff recommendations.

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

Commissioner Clopton: Second.

Chairman Threadgill: I have a second by Commissioner Clopton. I'll open the floor for discussion. Please give us your name and address, sir.

Mr. Milton Raabe, 130 Hillside Place, Hot Springs:

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

Commissioner Thorp: Yes. Milton, on engineering with Denny, do you got that taken care of? No. 2 says the lot behind is landlocked and not allowed by Subdivision Code.

Mr. Raabe: They're working on it. That lot is not part of this project.

Commissioner Thorp: Okay.

Mr. Raabe: But they're working on it.

Commissioner Thorp: Okay.

Chairman Threadgill: Staff have any comments on that?

Director Sellman: No. Mr. Raabe is correct.

Chairman Threadgill: Alright. Any other questions to the applicant from the Commissioners? Alright, sir, you may be seated. Hold on. Hold on. Mr. Raney?

Commissioner Raney: I'm a little slow on the uptake here. I make myself margin notes and I try to read them. I wanted to ask about the parking spaces and what the intended use for them are. It indicated in these notes 15 rather than the 13 required and that four of them are to be located near the office building, and that would be obvious how those would be used. I assume the balance are being used to park boats, motor homes, things like that that would be in storage or ...?

Mr. Raabe: It's a requirement that for storage buildings you have one space for either 1,000 or 2,000 square feet.

Commissioner Raney: Okay. So again, this is ...

Mr. Raabe: I don't foresee anybody parking there.

Commissioner Raney: Okay, so it's client use when they're visiting their space primarily.

Mr. Raabe: I don't know.

Commissioner Raney: It's not for open storage.

Mr. Raabe: I don't know what the intention was, but they're ...

Chairman Threadgill: It's part of the Code.

Mr. Raabe: It's part of the Code.

Chairman Threadgill: It's part of the Code. That size of a development has to have ...

Commissioner Raney: I read through that. That's what I gathered, but I also thought that maybe they doubled up as open storage for motor homes, boats, things like that.

Mr. Raabe: No.

Commissioner Raney: No such deal.

Chairman Threadgill: No such deal.

Commissioner Raney: Very good. Thank you, sir.

Chairman Threadgill: Any other comments for the applicant? Now you may be seated. Is there anyone in the audience with anything to say for or against this item? Again, anyone in the audience with anything for or against this item? Seeing none, I'll close the public portion. Do I have any questions or comments from the Commissioners? Commissioner Mory?

Commissioner Mory: A question for staff. Since that back lot is not considered a part of this project, does ... How do we know it's not going to be landlocked?

Director Sellman: That lot split has to be accomplished or in some other way resolved prior to any development occurring on this site.

Commissioner Mory: Okay. Okay.

Chairman Threadgill: Commissioner Campbell?

Commissioner Campbell: I was going along the same line. It's in the recommendations, No. 1, it said it has to be done at the Commission's discretion. Would I be out of line asking staff which way they would like the Commission to go with this prior to construction or prior to the occupancy permit?

Director Sellman: Sooner is generally easier than later.

Commissioner Campbell: Okay.

Chairman Threadgill: We can add a motion to have that occur prior to if you wish.

Commissioner Campbell: As an amendment?

Chairman Threadgill: Yes.

Commissioner Campbell: I would like to do that. That we have the lot split issue cleared up prior to the building permit stage.

Chairman Threadgill: Before we make the amendment, do we have any other questions or comments from the Commissioners? Commissioner White?

Commissioner White: Isn't that what Condition No. 8 is?

Chairman Threadgill: I think what Commissioner Campbell is wanting is a little more identification ...

Commissioner Mory: Okay.

Chairman Threadgill: To make it a little ...

Commissioner Campbell: You said 8. Did you mean 1?

Director Sellman: No. 1 offers both alternatives. What we could do is end the sentence on Condition No. 1 to say the lot split issue for the recently purchased lands lying to the West of this site shall be resolved prior to the issuance of a building permit, if that is what you desire.

Chairman Threadgill: Alright, I'll entertain a motion to make it as read.

Commissioner Campbell: So moved.

Chairman Threadgill: I have a motion to make an amendment as Commissioner Campbell states

and Director Sellman read. I have a second by Commissioner Clopton. Call the roll on the amendment, please.

Ms. Minear: Harriel White – yes; James Clopton – yes; Lauri Ames – yes; David Campbell – yes; Louis Kleinman – yes; Wanda Thorp – yes; John Mory – yes; Larry Raney – yes; Gary Threadgill – yes.

Chairman Threadgill: Alright with that amendment being made, I'll call the roll. A "yes" vote is to approve the site plan review. A motion "no" is to deny. Call the roll.

Ms. Minear: Harriel White – yes; James Clopton – yes; Lauri Ames – yes; David Campbell – yes; Louis Kleinman – yes; Wanda Thorp – yes; John Mory – yes; Larry Raney – yes; Gary Threadgill – yes.

Chairman Threadgill: Alright, approved. We'll move to Item No. 10.

10. Site Plan Approval (SPA-08-0037) – Pointe Apartments at Hot Springs – Multiple building site plan approval – Lake Hamilton Drive – District 5 – R-4

Director Sellman: Item No. 10 has been withdrawn.

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

11. Preliminary Subdivision (PS-08-0042) – Fairgrounds Crossing – Preliminary plat review – 1350 Higdon Ferry – District 4 – C-4

Director Sellman: Item No. 11 is Fairgrounds Crossing. This is a request for preliminary subdivision at 1350 Higdon Ferry. This is the former site of County fairgrounds. It is currently zoned C-4. The staff recommendation is for approval with conditions.

Commissioner Campbell: 207.

Director Sellman: Thank you.

Commissioner Raney: Move approval with the recommendations as stated.

Chairman Threadgill: I have a motion to approve with staff's recommendations by Commissioner Raney.

Commissioner Clopton: Second.

Chairman Threadgill: I have a second by Commissioner Clopton. At this time, I'll open the floor for discussion. Is the applicant present?

Mr. Scott Mann, Adams Engineering, 6320 Copeland Road, Tyler, Texas:

Chairman Threadgill: Alright, sir. A little bit of what we've got going here for the public's interest.

Mr. Mann: It's approximately 35 acres. We are subdividing to do a nice retail shopping center with multiple use restaurant, general retail.

Chairman Threadgill: At this time, how many of those are set for use? How many do you have leased out already? Four?

Mr. Mann: We've got ...Currently we've ...Sam's has committed and I think SDI is working on three or four more that are real close at this time.

Chairman Threadgill: Do I have any questions to the applicant from the Commissioners? Commissioner Clopton?

Commissioner Clopton: Yes, sir. I was looking at the overall site plan and concerned interestingly enough with traffic. That obviously isn't a problem, is it? And one question that I had is I noticed that you only have a service entrance for trucks only coming off of Lakeshore Drive. I don't know if staff has looked at that or not, but it seems to me logical that in view of the configuration of the surrounding streets and land that a more open access to both trucks and public off of Lakeshore Drive would relieve a considerable amount of pressure on Higdon Ferry.

Chairman Threadgill: If I might, when a year or so ago, when this was brought in to the public for discussion, staff sat with the representatives along with key City employees and all. At that time, there was a determination made that Lakeshore still being a residential area that that would be kept as a truck entrance only. That's why the determination with ...and again, they come in to put a turn lane in off Lakeshore to keep the traffic down to utilize Panama and Higdon Ferry.

Commissioner Clopton: Panama is a residential street also. Why did they not take the same finding for Panama?

Chairman Threadgill: I'm just ...I'm telling you what discussions were done with City staff prior to this...

Commissioner Clopton: Okay, I understand what might have taken place prior to as far as City staff is concerned. My concern is still the same. I feel that, even though it's a residential area, you also have the same situation on Panama, that it would again relieve more of the traffic congestion, which you're going to have a lot of with this project, on Higdon Ferry. The fact that staff may have discussed this with them before has no bearing on my judgment. That's the way I feel.

Chairman Threadgill: Any other questions ...

Commissioner Clopton: And I go back and propose the question.

Mr. Mann: Well we've had several traffic studies done with traffic engineering companies and submitted to staff for review. And what the ...Also on Higdon Ferry with the DOT and those have all been approved with the study and with my understanding, with staff. So the drive on Lakeshore that I think you're referring to is just past the church.

Commissioner Clopton: Yes.

Mr. Mann: They're extending the turn lane to facilitate movement in that area. So we don't foresee a lot of traffic coming down Lakeshore approaching Panama if that's the concern.

Commissioner Clopton: Thank you.

Commissioner Kleinman: Mr. Chairman, I would like to hear from staff about the results of studying the traffic studies ...studying the traffic studies.

Director Sellman: Yes, there have been numerous traffic studies completed and the recommendations in those studies are implemented in both the preliminary subdivision that you see before you and the item that follows this – the general site plan. I don't know if our Public Works Director is here at this time or not. It looks as though maybe he isn't. But the situation that we have represented on this preliminary plat represents a compromise of a variety of issues. This is deemed to be the most satisfactory in terms of directing traffic to those roads that will have the capacity to handle the traffic that's being generated from this site. With the upcoming improvements to Higdon Ferry, that seems to be the direction where traffic can safely be handled. There are numerous other improvements that are being done by the applicant. Straightening out some situations that have long been problems on that side of the project as well as trail connections and sidewalks and so forth on other sides of the project.

Commissioner Kleinman: Thank you.

Chairman Threadgill: Any other questions to the applicant from the Commissioners?
Commissioner Mory?

Commissioner Mory: Mine is kind of for staff while the applicant is up here. On, and I'm not finding the same drawing in this one that I used as I was looking at it before, but as far as sidewalks go, I noticed that the only real internal sidewalks go from the main entrance down to Sam's. The sidewalks, we don't have any going across the strip center over on the Western side of the property. In fact, we don't even have ramps along those buildings for wheelchairs to be able to get from which on this sheet is shown as Best Buy up to Bed, Bath, and Beyond and from that retail center there up North to the next one, to the next entry there. I was kind of curious as to why that is.

Chairman Threadgill: One thing, when we get to the Item 12, the next item, that will show the internal sidewalks and the streets, the designing of that. You'll look in there. It shows you're handicapped ramps, all that cut in front of the buildings and all that is, is ...

Commissioner Mory: That's right. It is on our next item.

Chairman Threadgill: That will be in our next section. That's why you can't find it in this one.

Commissioner Mory: That's what it is.

Chairman Threadgill: We're doing the site plan approval here.

Commissioner Campbell: No. Subdivision.

Chairman Threadgill: Subdivision approval.

Director Sellman: Yes.

Commissioner Mory: That's what it is.

Chairman Threadgill: Thank you. Preliminary subdivision. The next one will be the site plan and that's where you'll get into the internal. Back again, preliminary subdivision plat. Any other questions to the applicant? Again, several questions were brought up and like I say, City staff sat down with the individual and had several lengthy discussions about turn lanes off of Panama, turn lanes off of Higdon Ferry, turn lanes off Lakeshore. They're widening what is that, McCauley?

Mr. Mann: Panama. We're realigning McCauley.

Chairman Threadgill: Yeah.

Mr. Mann: Realigned completely, and then adding a lane to Panama.

Chairman Threadgill: As you see on your design packet, there's a lot of changes. I don't know. Some of you weren't here when this thing first started out, but the City's had several meetings with them in regards to this. This plan is pretty much what the discussions over the last few meetings had turned out to be. So if I have no further questions from any of the Commissioners to the applicant, you may be seated, sir. 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, sir.

Mr. Alan Brown, 740 Park Avenue: I really feel that the City needs to not approve this until something is done about the traffic congestion in that area, namely Higdon Ferry Road. Central Avenue is bad. Higdon Ferry is getting bad. Please do not make it more congested for us. It's difficult to get through there. Also I'd like to remind you that Arkansas Highway Department has

done a botched up job on the bypass and Central, the bypass and Higdon Ferry. Please do not approve, depend on approval from Arkansas Highway Department. I would like for the City to show some responsibility in proper roads and traffic control. Thank you.

Chairman Threadgill: Thank you, sir. Any questions or comments to the speaker from the Commissioners? Alright, anyone else in the audience with 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 Clopton: Mr. Chairman?

Chairman Threadgill: Commissioner Clopton?

Commissioner Clopton: Yes. I wanted to point out that my question does not reflect my feeling that I am going to vote to approve this project, but it is still a question that I feel should be addressed a little bit more deeply because Higdon Ferry and Lakeshore, according to the traffic studies, are the two most traveled streets in that area. To me, the most trafficked streets are the ones that should have the access directly into the project by the public. That's my feeling and my comment. I still intend to support the project.

Chairman Threadgill: Alright. Any other questions or comments from the Commissioners? A "yes" vote is to approve the preliminary subdivision. A "no" vote is to deny. Call the roll, please.

Ms. Minear: Harriel White – yes; James Clopton – yes; Lauri Ames – yes; David Campbell – yes; Louis Kleinman – yes; Wanda Thorp – yes; John Mory – yes; Larry Raney – yes; Gary Threadgill – yes.

Chairman Threadgill: Alright, we'll move to Item No. 12.

12. Site Plan Approval (SPA-08-0041) – Fairgrounds Crossing – Large scale development plan review – 1350 Higdon Ferry – District 4

Director Sellman: Item No. 12 is Fairgrounds Crossing site plan approval. This is a large scale development plan review for a shopping center to be located at 1350 Higdon Ferry Road, currently zoned C-4 and located in Board District 4. The staff recommendation is for approval with conditions and findings in support are included in the staff report.

Chairman Threadgill: Alright at this time, I'll entertain a motion to approve with staff's recommendations.

Commissioner Raney: So moved.

Chairman Threadgill: I have a motion by Commissioner Raney to approve with staff's

recommendations. Do I have a second?

Commissioner Mory: Second.

Chairman Threadgill: One more time. I got multiple ...

Commissioner Mory: Second.

Chairman Threadgill: I have a second by Commissioner Mory. At this time, I'll open public discussion. Is the applicant present? Again, sir, name and address for the record.

Mr. Scott Mann, Adams Consulting Engineering, 6320 Copeland Road, Tyler, Texas:

Chairman Threadgill: Alright, Commissioner Mory, at this time, would you like to ask your questions?

Commissioner Mory: Okay, on the sidewalks, we have a sidewalk that goes from Higdon Ferry to the main entrance down to Sam's. We have sidewalks that run along Higdon Ferry. We have sidewalks that run along McCauley Court down and part of the way down Panama to the second entrance down Panama going North. We do not have sidewalks inside the development anywhere except from the main entrance to Sam's.

Mr. Mann: Correct.

Commissioner Mory: And when you look at the way the ramps are done, if a person is in a wheelchair in front of Best Buy and wants to go to Bed, Bath, and Beyond, they have to get off the sidewalk, in the middle of the sidewalk in front of Best Buy, go into the traffic lanes, go down past Bed, Bath, and Beyond, get on the sidewalk and come ...well, to Bed, Bath, and Beyond in traffic lane instead of being able to go North, go off a ramp, cross the street, and go back up on a ramp. And that, in my opinion, should be that way and on the Western side of the development, there should be ramps on the North and South ends of those sidewalks so that wheelchairs and pedestrians don't have to go in the street. Well the pedestrians won't, but the wheelchairs will.

Male Speaker: So is your question would we be able to put ADA ramps on those corners?

Commissioner Mory: Yes.

Male Speaker: Absolutely.

Commissioner Mory: The reason I asked the question is because looking at the footprint that's on here ...

Male Speaker: Right.

Commissioner Mory: ...when you get where the radii comes around those corners, it's very close to your building footprint that's shown. And of course, lines can be moved, this, that, and the other, but that was a concern right there.

Chairman Threadgill: Sir, I'll need your name as well for the record.

Mr. Bob Avery, SDI Realty, 712 Main Street, Houston, Texas:

Chairman Threadgill: Alright, thank you.

Mr. Mann: I think the intent would be to address that with flared concrete ramps at those corners with a striped crossing.

Commissioner Mory: Right.

Mr. Mann: I think it behooves the development for internal movement like he's saying, so it's one of those things we add. We're just in our about what I would call our 95% stage of civil plans, so that's a good point and we'll address that.

Commissioner Mory: Okay.

Commissioner Ames: Chairman?

Chairman Threadgill: Commissioner Ames?

Commissioner Ames: And just to go along with that, I'd recommend doing something similar between Retail 3 were to connect Anchor A as well. Just because in looking at that, you can see how Sam's Club is, it's just kind of its own entity over there but I would, you know, expect that they're be a little bit better circulation there on the West side.

Mr. Mann: I might also add that we're providing handicapped or accessible spaces in front of each of those buildings so ...

Mr. Avery: Right.

Mr. Mann: They can always, they can drive ...We'll be glad to implement that into the plan. No problem.

Chairman Threadgill: Any other questions to the applicant from the Commissioners? Commissioner Campbell?

Commissioner Campbell: Can you explain to me why you're not going to extend the sidewalk on down Panama all the way to Lakeshore?

Mr. Mann: It's primarily a grade issue. We've extended it to the second drive and then as you guys are familiar with Panama, Panama drops off severely. We're having to construct a retaining wall and some utility easements into it. There's a forced main. So it's just a, it's really a hardship and I'm not sure that it would connect because the same thing happens on Lakeshore Drive. So there's a ...it would get into an accessibility issue if anything else. There's just not enough room between the road that we're widening and having multiple switchbacks to take them down to that corner. There's also drainage systems. The drainage improvements <unintelligible>. The detention pond will be in that corner. It's my understanding that City staff in the near future plans on possibly reconstructing that outfall in that intersection, so it would be a ...but primarily it's a grade issue that prevents that.

Commissioner Campbell: Well, as far as the switchbacks, we've been made aware of some new rulings that do not require the switchbacks, that you can follow the grade that's there.

Mr. Mann: I'm not aware of that. This was discussed on several of the DRC meetings. The staff was satisfied that we terminated the drive with those at that second location. I'm just ...I would be ...I'm not saying that's not the ruling, but I would be concerned if somebody on a wheelchair were on a sidewalk and went down that grade on Panama, which is severe.

Commissioner Campbell: My only concern is you're not far from a school and there's going to be some people walking up through there. We've also been, and it's not in the drawings here, talking about a trail ...

Mr. Mann: Yes, sir.

Commissioner Campbell: ...behind Sam's and along that retaining wall. Are you going to make an access from that trail down to Panama or Lakeshore on the West end?

Mr. Mann: We are currently coordinating with staff. I don't recall the name, but they are as far as some type of a bike trail coming off Lakeshore through the property. Staff ...we're currently coordinating that with staff. Trying to get that worked out where there would be a bike trail, so to speak.

Commissioner Campbell: But are you going to connect it down to that corner down around Panama and Lakeshore?

Mr. Mann: Oh, right. Well, again you know that's a grade and there's a retaining wall there. So it would have to ...that would be a challenge; but I will say that we're working with City staff and receiving recommendations from them.

Commissioner Campbell: That's all I had.

Chairman Threadgill: Commissioner White?

Commissioner White: I'd like to ask the City's Planning Director to respond to that question too because I was wondering about that.

Director Sellman: Yes, there have been ongoing negotiations between the City's Trails Coordinator and Public Works and the applicant regarding the installation of a trail that would provide an alternative means of movement for non-vehicular traffic along Lakeshore. The feasibility of attaching that at the end onto Panama is something that's still being explored. The exact means of doing that hasn't been identified. The conversation is continuing and we have a commitment from the applicant that this will occur.

Chairman Threadgill: Commissioner Mory?

Commissioner Mory: Two more comments. One, personally, I would like to see a sidewalk along Lakeshore. I do understand the grade issue down Panama to some degree, although it is an ADA regulation that you can follow the slope of the existing road. That is a steep road. Right. That can be done. Secondly, on Panama, the sidewalks, again we have no connection from those sidewalks into the development. We've got a sidewalk that runs parallel to the development back behind the buildings, but we don't have anything to get mainly wheelchairs from that sidewalk into the development, again without going on the road.

Mr. Mann: That's, I mean that's primarily our service areas for three of those buildings. We can look at that and see if there's a route. If the City, if you guys foresee that much traffic – foot traffic on Panama – we can look at that and see if we can get them a route.

Commissioner Mory: Well, I was looking. We've got the church on the West side of Panama. You do have the school. You might have foot traffic coming from the school coming through there. And you've got those sidewalks that turn back to the West there. I do understand that the back side is going to have all the service areas. But you have the sidewalks that are running along the North side of Retail 3 for example, the South side of Anchor A, the North side of Anchor A, you have areas there that you could put ramps. And put ...basically you'd just have to build little ...or just do your islands a little differently and then mark it off and put a ramp on those buildings there. It would be pretty minimal, but it would at least show somebody that there is access into the development that way.

Mr. Avery?: Right.

Chairman Threadgill: What you're asking for is additional wheelchair ramps?

Commissioner Mory: Right. Right. You'll have to have ...if you mark it off, you'll have to have the ramps.

Chairman Threadgill: Alright.

Mr. Mann: I don't think that would be an issue. Ramps coming from the corners there going East/West back to this sidewalk...

Commissioner Mory: Correct.

Mr. Mann: ...that we're constructing on Panama. Back to the sidewalk issue on Lakeshore, there's also a problem. There's a retaining wall that's going to be constructed right on the right-of-way. As you know, there's a pretty good ditch section on the road and so there's really, without doing some pretty extensive roadway improvements to Lakeshore, that ditch section would have to be piped subsurface, which would be a substantial cost.

Chairman Threadgill: Alright, in regards to his comment that he just made, I sat in on a couple of meetings where the staff members and all were present and from what I got out of it, the Street Department and Engineering Department planned at a future date to do some widening onto Lakeshore and having to do some ditch cuts and all that. If I'm not mistaken, staff made the recommendation that they would deal with the sidewalks when they did the street widening because they would have to do cuts and all that. Now staff, do you have anything different to ...?

Director Sellman: No, I don't recall anything any different from that.

Chairman Threadgill: Okay, but that's kind of where the sidewalk went down to Lakeshore. Since the City's going to have to do some street repair and there's going to have to be alterations made to the road as-is, and then at the time, they were talking about a rather high retaining wall and having a sidewalk on top of it or do one down on it, so if you stepped off the sidewalk, you have a retaining wall, you step off the sidewalk, you're in the street. That wasn't a feasible thing, so it just kind of got put aside and the City said they would deal with that portion of the sidewalk. Now this is what staff is saying. That they would deal with Lakeshore in the future and then more or less relieved SDI from having to deal with the sidewalk down Lakeshore. Now that's what I got out of it. So ... Commissioner Campbell?

Commissioner Campbell: The only thing that disturbs me there is the gentleman just said that they're going to build this retaining wall on the right-of-way line. How far in is that right-of-way line and this is probably for staff? It looks pretty close to the edge of Lakeshore on our drawing. Is there going to be room, once the City supposedly goes in there and does some widening and curb and guttering, is there going to be room for a sidewalk?

Director Sellman: It's my understanding that there is adequate right-of-way there.

Commissioner Campbell: Is there?

Director Sellman: And there was nothing that was discovered during development review that would indicate otherwise.

Mr. Mann: I would like to add too that we've dedicated, as part of the plat, we've dedicated right-of-ways on Lakeshore, so...

Chairman Threadgill: Do I have any other questions to the applicant from the Commissioners? Alright, sir. You may be seated.

Mr. Mann: Thank you.

Chairman Threadgill: Yes, sir. Is there anyone in the audience with anything to say for or against this item? Again ...we got one coming up here. Yes, sir. Give us your name and address for the record.

Mr. Carroll Weatherford, 103 Ironwood: The questions I have go back to Mr. Clopton's questions – the entrance off of Lakeshore. This has been an ongoing thing for about two years. When we first discussed this shopping center, there were to be no driveways off of Lakeshore Drive. None whatsoever. That's been it from day one. This says it's going to be a truck entrance. All it says that because it's a sign. If you really think trailer and trucks or anything else is not going to be coming into that driveway, somebody's badly mistaken. Who is going to extend the three lane on down? Is it SDI or the City?

Chairman Threadgill: SDI.

Mr. Weatherford: Who is moving the fire hydrants?

Chairman Threadgill: Staff?

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

Mr. Weatherford: Okay. We had talked about how much traffic this was going to put on Lakeshore because we all know that anybody that's a truck driver is going to come in on the bypass and he's going to exit the best place for him to get to his destination. Now it may be originally Higdon Ferry and then come down Panama and turn on Lakeshore because it would be a nightmare for him to go Higdon Ferry and try to turn down Lakeshore at the church because it's not going to happen. We all know that at some point it's all going to be exiting McLeod and they're going to come up McLeod and come up Panama and then turn left on Lakeshore. This entrance is not going to work.

Chairman Threadgill: Alright, if I might real quick.

Mr. Weatherford: Go ahead.

Chairman Threadgill: At those meetings if you'll recall, at one time, it was discussion to eliminate that street and then the Fire Chief made the comment that that being a large building there, they would like that access to remain so they could utilize that to get their fire equipment

in and to the back of the buildings faster than having to drive in off of Panama, come all the way through the development to the back of the area. That's why it was incorporated back into as a truck lane. It was widened at that.

Mr. Weatherford: I can understand that, but even with that being a three lane or a widened street, trucks pulling in there is going to stop that traffic. We've heard a traffic study. Has there been a new one done since two years ago?

Chairman Threadgill: Yes. Yes, there has.

Mr. Weatherford: How many cars does it say that it's going to put in that area with the new traffic study?

Chairman Threadgill: Does staff know off-hand?

Director Sellman: I don't know off-hand. That's probably a question that the applicant can answer.

Mr. Mann: <unintelligible due to being off mic> We have the report from ...

Mr. Weatherford: I know what it says two years ago, so I just... Do you remember?

Chairman Threadgill: No. <laughter> Two years? That's ...

Mr. Weatherford: I'd like to hear their number now to see if it's grown or if it's declined.

Chairman Threadgill: Alright, does anyone in the audience have that information? Please come forward and give us your name and address, sir.

Mr. Ernie Peters, Peters & Associates, 43 Venay, Little Rock, Arkansas: We did do a completely new study for this site including all new traffic counts. We did look at the drive off of Lakeshore. We're estimating during the highest hour a total of 24 vehicles coming and going on that drive. We did not anticipate that it would be exclusively for trucks. It is however on the back side of the proposed Sam's, so it's not going to be a real attractive route for just everyday motorists and customers coming to the site; but we did anticipate that some would utilize that. That's a fairly low volume, if you will, 24 during the peak hour. That's less than one every <unintelligible> minutes.

Mr. Weatherford: I'm talking about vehicles total in the area that this is going to create.

Chairman Threadgill: Mr. Weatherford, would you use a microphone please so that we can ...

Mr. Weatherford: Total number of vehicles that's going to be in this area.

Mr. Peters: The combination of existing <unintelligible>, the site generated traffic on Lakeshore at that same point, during again the highest hour, is 169 Westbound and 81 Eastbound at that location.

Chairman Threadgill: Alright, Mr. ...

Mr. Weatherford: You still misunderstand. I'm talking about the total ...the total number ...

Chairman Threadgill: Mr. Weatherford, let me get you to go ahead and ask your questions, then we'll get Mr. Peters back up so we're not back and forth here. If you would be seated, sir, a minute Mr. Peters, and then we'll get you back up here.

Mr. Weatherford: Alright. We talked about McCauley Court. Who is going to rebuild that? Are they rebuilding that or are we rebuilding that?

Director Sellman: The applicant.

Chairman Threadgill: SDI.

Mr. Weatherford: SDI is going to totally rebuild it.

Chairman Threadgill: With walks on both sides.

Mr. Weatherford: Okay. The corner at McCauley and Panama, I had asked personally that that be a much larger radius because if you ever go into Cornerstone, you can see how the trailer and trucks pull over the curb and I don't care how big a rock you put there, they just drag the rock right down the driveway. I asked that be a much larger radius than what they have on there. Sidewalks on Panama. I would like to see that sidewalk go all the way to Lakeshore Drive. There are two churches there, plus the high school. I think there will be a lot of foot traffic. And as I understand, ADA does not require switchbacks any more. You can go with the grade, so you don't have to ...I know that was a big worry at one time. Switchbacks and it just didn't work. Number of signs. This plan shows five 35' pylon signs, one of those being at the back entrance of Sam's on Lakeshore Drive.

Chairman Threadgill: If I might, has that not been stricken?

Director Sellman: That has been stricken and there are four pylons per post with those four 35' ...

Mr. Weatherford: Are they all on Higdon and the corner of McCauley and ...?

Director Sellman: Yes.

Mr. Weatherford: Okay. But there will not be a 35' pylon sign on Lakeshore Drive?

Director Sellman: That is not on this plan. No.

Mr. Weatherford: No signs on Lakeshore?

Director Sellman: There's no signs ...

Chairman Threadgill: Except the truck entry sign.

Director Sellman: ...proposed on this plan for Lakeshore.

Mr. Weatherford: Okay. Go back to that entrance on Lakeshore, I know we had discussed and I know the Fire Department wants it, but we had discussed them entering on Higdon Ferry and working right straight down their property line to the back side of Sam's. I'd like to see that happen. I still do not like an entrance on Lakeshore Drive because I just ...I think there is too much traffic that's going to be there. That's already a heavily traveled street and it's going to get ...It's going to be worse because we have the red light that's going to go at some point at Higdon Ferry and Lakeshore and that's going to be a major arterial. I hate to see an entrance like that on Lakeshore Drive.

Chairman Threadgill: Alright.

Mr. Weatherford: Thank you.

Chairman Threadgill: Mr. Peters, would you like to come back up and answer his question on the traffic study please?

Mr. Peters: I will attempt to if I understand the question. The current volume during again the highest hour on Lakeshore bears a total in both directions of about 200 vehicles. The site traffic added to Lakeshore at this drive would be about 65.

Chairman Threadgill: That's the total day?

Mr. Peters: No, that's for the peak hour.

Chairman Threadgill: The peak hour?

Mr. Peters: Yes.

Chairman Threadgill: He asked for an average day.

Mr. Peters: The peak hour is usually about 10% of an average day, so if you multiply that number by 10.

Chairman Threadgill: So you're figuring 165, or 650 cars in there a day.

Mr. Peters: There could be that many. Now the 200 we're ...

Chairman Threadgill: We're talking the truck only entry.

Mr. Peters: Well, as I indicated earlier, we anticipated some vehicular traffic that was not truck traffic back there as well. There will be some folks we believe that will come either from the North on Panama or from the West on Lakeshore that will find this access point more convenient as opposed to coming around and coming in on Higdon Ferry. It's not a direct route, however. It is on the back side of the Sam's as I indicated.

Chairman Threadgill: When that was open for discussion, there was a comment of 20, maybe 20 trucks. Now you're talking 650 automobiles?

Mr. Peters: Well on a 24-hour basis, yes.

Chairman Threadgill: That's quite a few. Yeah. That's quite a few vehicles more than what I anticipated that ... Alright. Alright. You may be seated on that.

Mr. Peters: Thank you.

Commissioner Clopton: Chairman? Mr. Chairman?

Chairman Threadgill: Commissioner ...Hold on.

Commissioner Clopton: I believe Mr. Weatherford's question was more of a general nature of how many added vehicles in the entire circle around or that will be generated in this whole area, not just on Lakeshore. Is that correct?

Mr. Weatherford <from the audience>: That's correct.

Commissioner Clopton: So he was asking the question how much more traffic period there?

Mr. Peters: For the whole development?

Commissioner Clopton: For the whole development.

Mr. Peters: On all access points?

Commissioner Clopton: Yes. That was his question.

Mr. Peters: The entire development at full build, that is when everything is built and occupied during the peak hour, there will be about 1,600 vehicles during the p.m. peak hour. There will be about 18,000 vehicles that will come and go on all the driveways throughout the day.

Chairman Threadgill: Alright. Any other questions or comments for Mr. Peters? Yes, sir?

Mr. Weatherford: That is the number that I was looking ...Carroll Weatherford, 103 Ironwood. That was the number I was looking for because the study two years ago said there would be in the neighborhood of 20,000 cars a day added to that area because of this development. 20,000 cars. I don't ...I live on Lakeshore. I travel Lakeshore every day. My wife travels Lakeshore every day. I don't want 10% of those cars being dumped out on Lakeshore Drive. They're going to get there anyway by coming down Panama to the red light. But to add another driveway that is not controlled by a red light, if 10% of those use that entrance, that's 2,000 cars a day. You just heard him say that there was 684 cars and so many trucks. I think that's wrong because I live in Hot Springs and all of ya'll live in Hot Springs and you look for the best route to get some place – the easiest way. Everybody knows the back road. I use them every day. I mean, when I come home, I don't come all the way Lakeshore, down Higdon Ferry to Lakeshore. I come to Emery and I turn because the light's there and I come up Panama and I turn right. I even use McLeod exit and come McLeod and back over to ...If I'm out West and I'm going to Lowe's for some reason, I use the McLeod, come up Panama, come through McCauley, and use the lights. That's what's going to happen. I don't want a driveway on Lakeshore Drive. That was the big thing that I have fought the whole time in this project. No driveways on Lakeshore Drive.

Chairman Threadgill: Alright, sir. Anyone else in the audience with anything to say for or against this item? Yes, sir. Please come back and give us your name and address again.

Mr. Scott Mann, 6320 Copeland Road, Tyler, Texas: I would just like to add with regard to the rear drive, that that's with the grade of Lakeshore, the only realistic place that we can access the development is right there at that Northeast corner. With Lakeshore going down and the site continuing level, so if we close that off, it closes off the whole back of the development to any emergency vehicles or fire access vehicles as staff as pointed out before. And also, and I don't live in Hot Springs, but I think probably most of the traffic that's generated would come from that driveway back to Higdon Ferry. It's my understanding that the Highway Department is realigning the intersection there with Lakeshore at Higdon Ferry to make that easier for traffic coming <unintelligible>.

Chairman Threadgill: Alright. Commissioner Campbell?

Commissioner Campbell: There was a question brought up awhile ago about your other truck entrance over off of Panama. Isn't there one over there designed for a truck entrance also?

Mr. Mann: Yes, that's primarily for those in-line retail stores that back up to Panama.

Commissioner Campbell: Just looking at that, I have to agree with whoever brought it up awhile ago that you're going to have a tough time getting anything but a bob truck in there and around those curves to get to those stores looking at this drawing. It's a tight turn going in there. It's a narrow ...that ...because of those Anchor A and the store next to it there going back South,

Retail 3. You've only got 30' in there. There's just not a lot of turning room in there.

Chairman Threadgill: What is the radius for a tractor trailer on an entry?

Mr. Mann: Generally in a 110' diameter circle, they can turn a complete circle.

Chairman Threadgill: Are those radius wide enough by standards to accomplish a tractor trailer truck turning in without running up over the curbs?

Mr. Mann: We have a program that analyzes that and we've checked those. We will double check them to make sure that there's not a conflict there.

Chairman Threadgill: Alright.

Commissioner Campbell: Just looking at your Anchor A and it's not on the thing there now, but it looks like they had to cut a corner out of the building there to be able to make a left turn and come around behind Anchor A, but it still looks real close there. I know that's all going to be asphalt, you know, coming in that driveway and up to the back of the store, but it looks close in turning a, you know, a truck in there.

Mr. Mann: I'm not sure exactly where you're talking about. On the Northwest corner of Anchor A?

Commissioner Campbell: Uhh, no, on the Southwest.

Mr. Mann: Okay, that's a ...the fire lane is a 25' radius, inside radius, and of course the pavement extends beyond that, so that's my understanding that the minimum inside radius for a fire lane is 25', and those are pretty good sized trucks.

Commissioner Campbell: And to back up what Director Weatherford said, just looking at the drawing over at Sam's, you could still have your access off of Higdon down beside Sam's and still leave the roadway that you have behind Sam's if I'm seeing it right.

Commissioner ---: No, that's church property.

Commissioner Campbell: If I'm seeing it right. Isn't there a ...there's a street that goes down beside Sam's isn't there?

Mr. Mann: Uhm, yes, sir. A driveway?

Commissioner Campbell: Yeah, the driveway.

Mr. Mann: Yes, sir.

Commissioner Campbell: I mean there is some access there.

Mr. Mann: Yes, sir, but that would put that drive spacing extremely close to that existing pharmacy. I think that's one thing that Public Works looked at was keeping those drives and also the drives across the road.

Commissioner Campbell: Okay.

Chairman Threadgill: Commissioner Campbell, do you have any other questions?

Commissioner Campbell: That's it. That's all I have right now, thank you.

Chairman Threadgill: Any other questions to the applicant from the Commissioners to either gentleman? Commissioner Mory?

Commissioner Mory: I have a question, but it's for Mr. Peters.

Chairman Threadgill: Alright, Mr. Peters. You may be seated, sir. Mr. Peters, would you please come back up?

Mr. Ernie Peters, 43 Venay, Little Rock, Arkansas:

Chairman Threadgill: Mr. Mory, your question?

Commissioner Mory: Mr. Peters, unfortunately I put you on the spot just a little bit, and I understand that we're talking about <unintelligible> numbers here. But in your opinion, if we eliminated that drive on Lakeshore, how would that affect the traffic count coming down Lakeshore?

Mr. Peters: We estimated a total of 3% of the site traffic that would come and go on Lakeshore, with 2% of that coming from Higdon Ferry and 1% coming from the West. So it's fairly small numbers from a percentage standpoint. It would simply mean that it would place more traffic on the main access drive on Higdon Ferry and the right-in/right-out drive on Higdon Ferry; but there is, from a capacity standpoint, certainly enough to handle that additional load. But I understand in working with Mr. Mann and Adams Engineering that there's real constraints from a topography standpoint on this site and to get truck traffic around to the back of the Sam's is very problematic without it coming off of Lakeshore.

Commissioner Mory: Right. So what you said was, if we did away with that, it would only affect the Lakeshore Drive traffic by 3%.

Mr. Peters: Yes.

Chairman Threadgill: Any other questions for Mr. Peterson? Alright, sir. You may be seated. If I

could, could I get the applicant to stand one more time, please? I have a quick question. I've had several comments about the sidewalk on Panama, about extending it further on down to Lakeshore. Would the development have a problem with trying to accomplish that? With putting a sidewalk right on down to the end of Panama to Lakeshore? We've had several comments on it.

Mr. Mann: Give us just a minute.

Chairman Threadgill: Alright, I'll give you a second. Commissioner, Mr. Weatherford, would you like to come back up? Sorry.

Mr. Carroll Weatherford, 103 Ironwood: I heard Mr. Peters say that 1% of the traffic coming from the West would use Lakeshore Drive. Is that what he said?

Chairman Threadgill: Did he tell you too, Mr. Mory?

Mr. Weatherford: He said 3% total.

Commissioner Mory: Total.

Chairman Threadgill: Okay.

Mr. Weatherford: 1% coming from the West. Okay, go ahead and ask your question.

Chairman Threadgill: Go ahead, Commissioner Mory.

Commissioner Mory: The reason I was asking that question was, I don't disagree at all that traffic is going to use Lakeshore. I don't disagree with that a bit, but where I was going with that was if we close that off, if that's not there, then virtually every car that's going to come down Lakeshore is going to come down Lakeshore. The only difference is you're going to turn up Panama and go in as opposed to going the extra half a mile or whatever ...

Mr. Weatherford interjected: Anything coming from the West won't use Lakeshore anyway. It's going to use McLeod. It will come McLeod up to Panama and then up, on all up Panama. It's not going to get on Lakeshore Drive. Well, you live West. How you going to get there?

Commissioner Mory: That's the way I would probably get there. I probably would ...I'd rather go down Lakeshore because I used to live over on Fruitwood, so I'm pretty familiar with that. Also ...

Mr. Weatherford: Okay.

Chairman Threadgill: Let's, let's get back to the issue here.

Commissioner Mory: Well, I am. I am. The other way I was going to answer that question is if you're coming from the West, it's debatable. Coming from the East, I think people are going to use Lakeshore coming from the East because they can get off right there again at McLeod, make a u-turn, and come back down Lakeshore.

Chairman Threadgill: Alright, let me stop right there. We've got a traffic study to determine where traffic is coming from, so what we're having here is a debate back and forth between ...and we're not going to go anywhere with it.

Commissioner Mory: Sure.

Mr. Weatherford: But I just ...What percent of the, what percent of the 16,000 cars is 160 cars coming from the West going to get on Lakeshore Drive? That, you know, that figure is ...The majority of their customers at this shopping center, if the 16,000 is the figure ...12,000 is going to come from the West.

Chairman Threadgill: I understand where you're coming from, but if the development goes in, there's no way we're going to be able to regulate how many cars go North, how many cars go South ...

Mr. Weatherford interjected: I understand that.

Chairman Threadgill: It's an issue that no matter what we say or do today can <unintelligible> tomorrow...

Mr. Weatherford interjected and spoke over Chairman Threadgill: My problem is I live on Lakeshore now and I see the traffic and how hard it is to get ...When I leave the house and I come up Rosewood to get on Lakeshore in the morning, it's already bad enough. I can't ...I have to wait.

Chairman Threadgill: Alright.

Mr. Weatherford: It used to not be that way. It is now gone to the point of a lot of traffic and it speeds.

Chairman Threadgill: But ...But again, every street in town here lately has got that way...

Mr. Weatherford interjected and spoke over Chairman Threadgill: I'm understand that and I'm just here fighting for my street.

Chairman Threadgill: There you go. Alright. Anyone else in the audience? Yes, sir. I'm going to draw this to a conclusion, so ...

Mr. Bob Avery, SDI Realty, 712 Main Street, Houston, Texas: If we can, can we bring the site

plan up, the corner back there, the drive with <unintelligible due to Chairman Threadgill speaking at the same time> ...

Chairman Threadgill: Panama, Rick?

Mr. Avery: No, Lakeshore back there behind the Sam's.

Chairman Threadgill: Oh, to the entryway?

Mr. Avery: Right. I just want to kind of pose a general question here. If you're going to the grocery store, are you going to come in the back drive through their truck docks, through their gas station, through their car wash to pull around here to go shopping? Now my answer would be probably once, but the next time, you're not going to do it. It's going to be ... This would be a nightmare to try to get ...

Chairman Threadgill: Hold on. Commissioner Clopton?

Commissioner Clopton: Yes? I'm sorry.

Mr. Avery: It would be a nightmare to try to get your car down through there if that's the way you choose. I mean, is it possible? Yeah. Will people do it? Maybe once. But to me, and I'm a driver too in Houston, Texas, in a very crowded city, I wouldn't go through the back way of a store to come to the front to go shopping. I mean, that's just my general deal. And then on to the sidewalk, SDI doesn't have a problem putting that sidewalk there with a 5' on Panama, yeah on Panama, like you proposed, but we would definitely want to give that easement and right-of-way back to the City because we would definitely not want to have the liability of that sidewalk. <laughter>

Chairman Threadgill: Good issue.

Commissioner Thorp: That's a good one. <laughter>

Chairman Threadgill: I know where you're coming from. I don't think I would want to walk the sidewalk. That's alright. <laughter>

Mr. Avery: Well and Mr. Mory over here, you know, has brought up ADA a lot and I know ADA now says you can go with the slope, but tell somebody that in a wheelchair.

Chairman Threadgill: Yes, sir.

Mr. Avery: I mean that's going to be a tough float.

Mr. Mann: I just wanted to remind staff that we are adding a continuous lane all the way down Panama, so you know with ... there may be large ramifications if we have to add another 5' for a

sidewalk. We've got, like I said plans. We've been working with staff for almost two years now, so we've got that design. We've got a good design. I'm not so sure that if we have to dedicate another 5', unless we do it by separate <unintelligible>, that that wouldn't effect the plat and everything else that we have. We have utility easements that are back there, so it would ...the ramifications would go far from the plans.

Chairman Threadgill: While I've got you there, there are de-excel lanes on Higdon Ferry as well.

Mr. Mann: Yes, sir.

Chairman Threadgill: Alright. I look at one print and it says sidewalk, but it shows arrows for turn lanes, so I'm kind of

Mr. Mann: Yes, sir, we're doing a right, a continuous right turn lane coming from the Northeast I guess it is.

Chairman Threadgill: Alright. Any other questions to the applicant? <END OF TAPE>

Commissioner Campbell: <taping already in progress> ...Lady in the audience that wants to talk.

Chairman Threadgill: Yeah. Any other questions to the applicant? Alright, sir, you may be seated.

Mr. Mann: Thank you.

Chairman Threadgill: Last call. Please come forward and give us your name and address, ma'am.

Ms. Virginia Staton, 100 Trivista Right: I lived on his street for about 30 years. If I were going to shop there, I would definitely go down Lakeshore, go to Panama, turn right, and go into the shopping center. If I did not want to get near that traffic, I would go to McLeod or I would take a left on Emory. I think the greater good is for the shopping center to go in. I think you need the truck entrance. I can't imagine that at peak period, that's when the truck is going to be there anyway. So I think the site plan, as amended so far, is fine.

Chairman Threadgill: Thank you, ma'am. Alright last call. Anyone in the audience? I'll take one more. Anyone in the audience with anything for or against? No? I'll close the public portion. Do I have questions or comments from the Commissioners? We've heard a lot of input. If there's any changes that like to be made or anything added to, there's comments as far as addition of ADA ramps, sidewalks, anything like that, we might need to make verbal. Let's do so now.

Commissioner Clopton: Mr. Chairman?

Chairman Threadgill: Commissioner Clopton?

Commissioner Clopton: In recognition of Commissioner Mory's concerns about the wheelchair access ramps to each and every sidewalk at the ends as well as as proposed, I believe we should put that to an amendment and have it as a part of a condition for approval.

Chairman Threadgill: Alright. I have a motion to add the cuts to the sidewalks to allow for additional ADA which was okayed by the developers. They can get with staff and get it added to the prints. I have a recommendation, do I have a second, to make the amendment?

Commissioner Mory: Second.

Chairman Threadgill: I have a second by Commissioner Mory. Call the roll, please.

Ms. Minear: Harriel White – yes; James Clopton – yes; Lauri Ames – yes; David Campbell – yes; Louis Kleinman – yes; Wanda Thorp – yes; John Mory – yes; Larry Raney – no; Gary Threadgill – yes.

Chairman Threadgill: Alright, the amendment passed to add the ADA ramps. Do I have any discussion on staff's recommendations to approve at this time?

Commissioner Campbell: I have another amendment, sir.

Chairman Threadgill: Commissioner Campbell?

Commissioner Campbell: I would like to make an additional amendment that the sidewalk on Panama be extended the full length from ...all the way down to Lakeshore Drive.

Chairman Threadgill: Alright with that, you've, you've ...Alright. I have a motion to make an additional amendment to add a sidewalk from the top of Panama down to Lakeshore.

Commissioner White: Second.

Chairman Threadgill: I have a second by Commissioner White. Call the roll, please.

Ms. Minear: Harriel White – yes; James Clopton – no; Lauri Ames – no; David Campbell – yes; Louis Kleinman – no; Wanda Thorp – no; John Mory – yes; Larry Raney – no; Gary Threadgill – no.

Chairman Threadgill: Alright, the sidewalk amendment fails. Back to the original approval, do I have any other changes? Any comments from the Commissioners? Call the roll, please. A "yes" vote is to approve.

Director Sellman: As amended with the Item No. 7.

Chairman Threadgill: Right. A “yes” is to approve with the amendment, amended item. A “no” is to deny. Call the roll, please.

Ms. Minear: Harriel White – yes; James Clopton – yes; Lauri Ames – yes; David Campbell – no; Louis Kleinman – yes; Wanda Thorp – yes; John Mory – yes; Larry Raney – yes; Gary Threadgill – yes.

Chairman Threadgill: Alright, I’ve lost my screen here. We’re going to Item No. 13.

13. Item No. 13.

Director Sellman: Item No. 13 is Oaklawn Park expansion. This is a conditional use request for expansion and addition at Oaklawn Park. This is located at Central and Higdon Ferry Road, generally speaking. It’s currently zoned C-4 and C-1. The Comprehensive Plan Classification is tourism commercial center. It’s located in Board District No. 5. The recommendation is for approval and there are findings in support of that recommendation contained in the staff report. There are also numerous conditions with that recommendation.

Chairman Threadgill: Alright. I have one quick question. Will this come under ...is this a multi-site development? I mean, a ...

Director Sellman: This is that, but it’s also a conditional use. The race track itself is a conditional use. The expansion is an accessory to that conditional use, so this is also that. So you’re looking at two things. Because the Article II is evaluated under the conditional use criteria, it can be done simultaneously.

Chairman Threadgill: Okay, so we’re going to do them both as one item.

Director Sellman: This is one item.

Chairman Threadgill: Alright. Commissioner Clopton?

Commissioner Clopton: Mr. Chairman, as an employee of Oaklawn Jockey Club, I have to recuse myself.

Chairman Threadgill: Alright. Commissioner Clopton recuses himself. At this time, I’ll entertain a motion to approve the expansion and addition at Oaklawn Park.

Commissioner Raney: So moved.

Chairman Threadgill: I have a motion by Commissioner Raney to approve with staff recommendations?

Commissioner Raney: With staff recommendations.

Commissioner Kleinman: Second.

Chairman Threadgill: And I have a second by Commissioner Kleinman. At this time, I'll open the public discussion. Is the applicant present? Please come forward and give us your name and address, sir.

Mr. Don Beavers, B&F Engineering, 928 Airport Road, Hot Springs:

Chairman Threadgill: Alright, Don. Do I have any questions from the Commissioners to Don in regards to the expansion? Commissioner Campbell?

Commissioner Campbell: I have one. Don, on Tract 3, the parking lot across the street, what's your intentions over there?

Mr. Beavers: To leave it as it is. No improvements scheduled at all on that site.

Chairman Threadgill: If I might ask a question of staff while you're at that point, does the expansion of that parking lot add for the parking availability for the site plan?

Director Sellman: Yes, it does, and as such, improvement to the current standard for parking would be required as a condition of approval. That is one of the requirements that must be met.

Chairman Threadgill: Alright. Do you understand that that parking lot, if this is approved, that parking lot will have to be paved and striped.

Mr. Beavers: It will have to be paved and striped?

Chairman Threadgill: Yes, sir.

Mr. Beavers: There's a certain part of our City that's trying to get less paving, so we get percolation into the ground; so now you're telling me that this one is going to have to be paved.

Chairman Threadgill: Yes, sir, because it's part of the requirements for the track as far as the expansion of the deal.

Mr. Beavers: Okay. It can be done and will be done.

Chairman Threadgill: Alright. Any other questions to the Commission? Or to the applicant from the Commission?

Commissioner Campbell: The only other one I have is ...

Chairman Threadgill: Commissioner Campbell?

Commissioner Campbell: It's in Mr. Peters' traffic report concerning Barkley. Barkley is a no left turn onto Central Avenue and it shows it going in both directions. I would like to just reflect that that shouldn't be.

Mr. Beavers: You're right and there is no left turn allowed there now. The only way to change it would take a public, a City's Public Safety Committee ruling and we do not intend to ask for that. I think it would be bad policy if we did. The right turn only is the way that we think it ought to stay.

Commissioner Campbell: Okay.

Chairman Threadgill: Alright, does that need to be stricken from the plans or just leave it as such so the traffic ...

Director Sellman: There is a specific condition, Condition No. 9, which states the conditional use approval does not change the prohibited left turn movement from Barkley Place onto Central Avenue. So the plan can be amended to show that change, but it is a condition of approval that it does not change.

Chairman Threadgill: Okay. Any other questions to the applicant from the Commissioners? Commissioner Thorp?

Commissioner Thorp: Do you plan to do anything to the parking lot at the bowling alley that you're going to use for your employees' parking?

Mr. Beavers: No, ma'am. The only work that will be done at the bowling alley property, we have to run a fire line in there, an 8" water line and fiber optic cable; but nothing will be changed on the parking lot.

Chairman Threadgill: Any other questions or comments from the Commissioners? Alright, 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, sir.

Mr. Chris Dunkel, 3024 Central: I'm curious to see on the large Southern parking lot directly across from basically Arby's, Stubby's, and Sonic, is there a building proposed for that area or is it just as a parking lot?

Chairman Threadgill: Right now the only proposed building that's on before this Commission is the extension to the race track.

Mr. Dunkel: And is it a true extension? It's not a free standing building?

Chairman Threadgill: No, sir. It's an extension off the end of the building where the satellites are now. It will be extended out off that end. Actually, not very far. I don't have the footage in front of me, but it pretty much goes from the existing building to the street portion now to where it turns out; so it's not that large of an expansion, but it's a two story.

Mr. Dunkel: Okay. Thank you.

Chairman Threadgill: Uhh, huh.

Commissioner Campbell: 123'.

Chairman Threadgill: 123'. Anyone else? Please come forward and give us ...Let this gentleman behind you here, sir. He came from the back, back there. Give us your name and address.

Male Speaker: Okay. He was behind me. That's fine.

Mr. Peter Carlson, 116 Trivista Right: I moved here two and a half years ago from Santa Fe, moved my corporate headquarters here. I didn't really know about the race track; but last year, I had to build an 8' fence in my back yard because of the ...on Saturday nights and Sunday nights, the drunks that are in that parking lot – I'm sorry about this – just come through there. They urinate. They are loud. They're boisterous. They're swearing, throwing bottles and cans. It's a little annoying, especially when you're trying to have, you know, a party outside and you have guests. Is this going to be a casino that they're putting in here, the extension of a casino?

Chairman Threadgill: Gaming of skill.

Mr. Carlson: Gaming of skill? Okay. Well...

Chairman Threadgill: That's all I know.

Mr. Carlson: In New Mexico, you know we've got a lot of them. I hate to say it. I like to go to Las Vegas, but it really hurts the community. I think you are all aware of that. My real question is, if that's what's going to happen, the parking lot which is behind Trivista right now, it's a pig sty. Are they going to have more security? Are they going to have ...I mean, if they're going to have gaming and I presume it's going to run 24/7. Is that what it's going to run, 24/7?

Director Sellman: It is not proposed for 24/7. The applicant can address the hours, but it is not that.

Chairman Threadgill: I'll get the applicant to come up next.

Mr. Carlson: What are they going to do about controlling the parking lot and the people who come down through there? I mean it's really difficult for the people who back up against that. I

mean, I'm lucky. I put up a fence. Most of the people don't. There's little kids there. You know, my next door neighbor's got four little kids and you know, you see two guys out in the parking lot yelling and screaming and urinating. These little kids are there. It's awful. They should have some kind of security that is on that parking lot at the end of the ... I mean if it's going to be gaming, then it should be all the time. But if not, it should be there at least during the end of the race season ...the end of the day after the races.

Chairman Threadgill: We'll ask that question of the race track.

Mr. Carlson: Thank you.

Chairman Threadgill: Is there someone here from the track that can answer a question or two? Please come forward and give us your name and address, sir.

Mr. Eric Jackson, General Manager of Oaklawn, 319 Whispering Hills, in the City limits of Hot Springs:

Chairman Threadgill: Alright, Mr. Jackson, you heard some of the complaints. What kind of time are we going to operate this establishment?

Mr. Jackson: Our hours that we have right now, I think we go till 1:00 a.m. on Sunday, Monday, Tuesday, Wednesday. I think we go to 3:00 a.m. on Thursday, Friday, and Saturday.

Chairman Threadgill: And when the gaming room opens, what additional time frame will it be open, if any?

Mr. Jackson: We're not contemplating any additional hours at this time. We are a regulated industry and that has to be approved and some times dictated by the Arkansas Racing Commission; but there's been no discussions and no contemplation at this time.

Chairman Threadgill: Alright, sir, and then the other question was on your ...I would imagine he's talking about the North end of the track, next to Trivista. Is there going to be any added security or any measures like that for the additional pedestrian flow.

Mr. Jackson: Well a couple of issues there. One, I've not had any complaints about the North parking lot. We utilize off-duty Hot Springs police officers to help us with security inside and out; and if there are any complaints, we will certainly deal with it. Two, we really only use that parking lot on the North end during the live season. We don't use it the rest of the year. So if there's anybody in there the rest of the year, they really shouldn't be and if that is taking place, we will address it. Hopefully this addition being on the South end, that's where the parking will be and that's where the customers will be.

Chairman Threadgill: Alright, sir. Any questions to Mr. Jackson before I have him take a seat. Commissioner White?

Commissioner White: I do. It's roped off, chained off after the live season?

Mr. Jackson: The North parking lot?

Commissioner White: Yes.

Mr. Jackson: It is chained off. We do have to go in there from time to time with landscape trucks and things like that, but it is and I'll make sure that it is roped off in case there are times that it is not.

Chairman Threadgill: Alright, any other questions to Mr. Jackson?

Mr. Jackson: Having just recently paid for a lady's windshield because my gate blew open, I know there's gates up there. <laughter> I'll make sure they are all closed.

Chairman Threadgill: Alright, thank you, sir.

Mr. Jackson: Thank you, sir.

Chairman Threadgill: Alright, sir. Come on up. Give us your name and address for the record.

Mr. John Bird, 2628 Central Avenue: I have property located at 2628 Central Avenue, across from the track. I'd like to know if there are any plans currently for the expansion of Central Avenue at that point? It would affect our property lines.

Chairman Threadgill: As far as widening? There is none.

Mr. Bird: There are none.

Chairman Threadgill: Not to my knowledge. There's no ...at this time, there's no set up for widening Central Avenue.

Director Sellman: No, that's correct.

Mr. Bird: That's all.

Chairman Threadgill: Okay. Thank you.

Mr. Bird: Thank you.

Chairman Threadgill: Alright, anyone else in the audience that hasn't been up yet? Please come forward and give us your name and address, sir.

Mr. Alan Brown, 740 Park: I have witnessed urination in the parking lot in question. I have also witnessed people having disagreements, getting very loud, boisterous, and a lot of drinking in that area. I realize they do have security that goes through about once an hour. Also, here we are causing more traffic congestion in the Central Avenue area. I mean it's already bad there. What are we going to do? Add to the problem? Thank you.

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

Mr. Peter Carlson, 116 Trivista: Is the track ...

Chairman Threadgill: Please address the Commission, sir.

Mr. Carlson: Oh, I'm sorry. If the North I guess, yes ...if the North parking lot is not going to be used, only during the racing season, is that the answer that I heard?

Chairman Threadgill: That's his statement right now. But, there's no way we can bind them to not using the lot at any time. I mean it's part of the race track. They can open it at any time. We're not regulating the uses of their lots. So, he ...Mr. Jackson stated that during live meet, it is open and closed during off season...

Mr. Carlson: Right.

Chairman Threadgill: ... but that doesn't mean they can't open it.

Mr. Carlson: Okay, but that would be my concern ...

Chairman Threadgill: We're not controlling that.

Mr. Carlson: Because right now, we know what the problem is and we've got what 56 days of racing?

Chairman Threadgill: Yes, sir.

Mr. Carlson: So we can live with that. Hopefully, they'll try to put more security down there on especially Saturday and Sunday. But if that parking lot is opened during the rest of the year when they have gaming, and depending on how much they expand that, if that parking lot is full all the time until 1:00 or 2:00 in the morning, that's a real concern.

Chairman Threadgill: Yes, sir.

Mr. Carlson: I've moved both my corporations to Hot Springs from Santa Fe, New Mexico.

Chairman Threadgill: As Mr. Jackson said, the track will be ...It will be closing early in the

evening. It won't be open late night. It's not going to be an all-night establishment. There's a standard time that he has to meet with the Racing Commission and Gaming Commission, so he set the standards. As Mr. Jackson stated, if you make him aware of the problems of the people in the area, he will get them taken care of, so that's the man.

Mr. Carlson: Thank you.

Chairman Threadgill: Thank you, sir. Anyone else in the audience with anything to say for or against? Please come forward and give us your name and address, sir.

Mr. David Brown, 221 Peachwood, Hot Springs: Looking at this picture here, is the opening, the main traffic entrance going South on Central or is it staying basically where it is now?

Chairman Threadgill: Right where it's at.

Mr. Brown: So that driveway entrance won't change at all.

Chairman Threadgill: Not as far as the design that they gave us. It's going to remain that same entry.

Mr. Brown: Thank you.

Chairman Threadgill: Anyone else in the audience with anything to say for or against the item? Again, anyone else in the audience with anything to say for or against the item? Seeing none, I'll close the public portion. Do I have any questions or comments from the Commissioners? Commissioner Campbell?

Commissioner Campbell: I have one. My understanding of staff that we do not need to worry about the parking lot across the street, that it is covered as far as the paving and landscaping.

Director Sellman: If you would feel more confident calling that out as a condition, I would encourage you to do so.

Commissioner Campbell: Okay.

Chairman Threadgill: I think we need to do that.

Commissioner Campbell: I would make that amendment that the Tract 3 I believe it is, which is the parking lot across the street from the track, that it be paved and meet the Landscaping Code.

Chairman Threadgill: Before we make some amendments, let me ...I got a couple of comments if it's alright with you. Then we might ...might be something else added. I'm not sure. Okay?

Commissioner Campbell: Mmm, huh.

Chairman Threadgill: Would the engineering come back up please? Just a couple of questions for you real quick, concerns, calls I've had, people with ... One of the issues is on Central Avenue where you pull in during the day and they pull into the South parking area.

Mr. Beavers: Yes.

Chairman Threadgill: The traffic is always being detained by the gentleman at the gate taking the money. Is there any way you can move the staging area deeper into the lot and keep the traffic from backing up on Central Avenue waiting to take money? You understand where I'm coming from?

Mr. Beavers: Well the truth of the matter is, if you'll make that drawing, pull that whole drawing up please. And the South, go to the South entrance, that South driveway, right, no, on down, right there, right there. That South driveway right there, when it's opened, that's the entry for that parking lot and that's the only entry for it. If, now if you'll pan back out. Where they set their booth up is on the far end of that, at the other end of that, and they cone it off so the traffic has to go to that booth on the far end. The only time you get backed up traffic on Central is when this is almost full and in that few minutes, and it's only a few minutes during the day that that's full and they have a problem. Beyond that, there is no problem there at all.

Chairman Threadgill: Wow.

Mr. Beavers: Okay? But you do have a few minutes during that inside period. <laughter and audience noise>

Chairman Threadgill: Hold it down. I have a real question with that. I've been there at 1:00 p.m. and the traffic is backed up because the man's standing right there at the gate wanting his dollar. I mean I'm just asking.

Mr. Beavers: If that's the case, then it was just almost full. There was just only a few parking places left if that's the case.

Chairman Threadgill: You know, that's my major concern right now is that. I mean the rest of the development package looks great. From what I understand, you're going to open up an exit onto Golf Links from the back side...

Mr. Beavers: That's correct.

Chairman Threadgill: ...to relieve some of the traffic off of some Central Avenue through a back exit.

Mr. Beavers: That will help both in the exiting peak time and ...Of course, the peak time for traffic on Central is when it's exiting.

Chairman Threadgill: Yes.

Mr. Beavers: And that will help that exiting traffic. That will help that exiting traffic pretty good to put that exit out to ...an exit out to Cellebrate Street and Golf Links. Yes, it will be put in.

Chairman Threadgill: Well, again, I know it's an issue, but I'd like some major concern put into trying to relieve backup traffic on Central Avenue.

Mr. Beavers: If you notice, we are going to add a turning lane there – not a deceleration lane, a turning lane – to allow people to get over that are waiting to turn in right. We will ...that will be the full length of our property there.

Chairman Threadgill: How many cars will that handle, roughly?

Mr. Beavers: It's roughly 170' which typically will handle about eight or nine cars, okay, depending on how tight they pull together.

Chairman Threadgill: And those will be the ones pulling into the track?

Mr. Beavers: Yes, that's right.

Chairman Threadgill: Alright, that will help ...

Mr. Beavers: The only <unintelligible> over there would be the ones making a right turn and it will help that and that's the reason why that was added.

Chairman Threadgill: What are you going to do with those trees that you're taking out there?

Mr. Beavers: If we have to get back up that far, we're going to replace them immediately in this project. We will not have to replace that hedge row. We're not going to mess with it at all. Okay?

Chairman Threadgill: Alright. Any other questions to the engineer while I've got him up here from the Commissioners? None? Sir, you may have a seat. Do I have any other questions or comments from any of the Commissioners?

Commissioner Campbell: I have that one amendment on, waiting.

Chairman Threadgill: Alright. I have an amendment from Commissioner Campbell. Would you like to restate it, sir?

Commissioner Campbell: That Tract 3, which is the lot, parking lot across Central Avenue, that

it be paved, brought up to City parking lot standards, with the landscaping. Whatever is required there.

Chairman Threadgill: Alright. I have a motion to make Tract 3 parking across Central Avenue paved and striped to street specifications, or parking specifications, by the City by Commissioner Campbell. Do I have a second?

Commissioner Mory: Second.

Chairman Threadgill: I have a second by Commissioner Mory. Call the roll, please.

Ms. Minear: Harriel White – yes; James Clopton – <recused>; Lauri Ames – yes; David Campbell – yes; Louis Kleinman – yes; Wanda Thorp – yes; John Mory – yes; Larry Raney – yes; Gary Threadgill – yes.

Chairman Threadgill: Alright, with that being done, we have an amendment to the approval, so I need to call the roll. To approve is a “yes,” to deny is a “no.” Call the roll.

Commissioner Thorp: The whole project? Wait a minute.

Chairman Threadgill: Yes.

Commissioner Thorp: The whole project?

Chairman Threadgill: The entire project.

Commissioner Raney: Including the amendment.

Chairman Threadgill: With the amendment.

Commissioner Thorp: Okay.

Director Sellman: With amendment. All the amendments, including 11.

Commissioner Raney?: <unintelligible> and “yes” to approve, right?

Chairman Threadgill: Yes.

Commissioner Raney?: Okay.

Chairman Threadgill: “Yes” is still to approve.

Commissioner Raney?: I heard you opposite. <laughter>

Chairman Threadgill: Alright, everybody understand? A “yes” vote is to approve with the amendment of the parking lot. A “no” vote is to deny the whole project. Alright? Call the roll.

Ms. Minear: Harriel White – yes; James Clopton – <recused>; Lauri Ames – yes; David Campbell – yes; Louis Kleinman – yes; Wanda Thorp – yes; John Mory – yes; Larry Raney – yes; Gary Threadgill – yes.

Chairman Threadgill: Item passes and I believe that’s the last item on the agenda.

Director Sellman: It is.

Chairman Threadgill: I want to thank everybody. I appreciate your time and patience.

Director Sellman or Ms. Minear: Mr. Chairman, could we maybe take a five minute break before we <unintelligible> up?

Chairman Threadgill: We’re going to take about a five, ten minute break.

ITEMS FOR DISCUSSION AND ANNOUNCEMENT

1. PLANNING DIRECTOR’S REPORT

2. COMMENTS FROM COMMISSION

Chairman Threadgill: We’re back in order. I’ve got a little attendance record here. There were some comments made that some of the Commissioners weren’t making satisfactory meetings, but by what I have here by staff, the percentages are fine. I’m not going to complain about it. There are three on here that I would like to give a little pat on the back to. One for David Campbell, which has 100% to all the meetings. And then John Morley so far, Mory, excuse me, is at 100%, and then me. <unintelligible due to several comments being made at the same time> There were some concerns by the Directors and the Mayor that not enough Commissioners were making all the scheduled meetings, so I had staff put this together and Larry is the low man with 57%, but that was ...he had a problem in the family, so that’s, you know, that’s understandable because they haven’t been here that long. Other than that, everybody else is in good standing as far as I’m concerned. As long as I’m running the thing, I’m not going to complain about it. Somebody else takes over, they can complain.

Mr. Rick Stauder: We appreciate every one of ya’ll too for ya’lls hard work.

Director Sellman: Did everybody respond to dinner?

Commissioner Raney?: I have not.

Commissioner Mory: I have not.

Director Sellman: You better.

Commissioner Raney?: Can you turn me in? <laughter> Turn me and Betty in. I mean I'd come but I haven't called yet to respond.

Commissioner Thorp: Today was the deadline.

Commissioner Raney?: Was it? It's today?

Commissioner Thorp: <unintelligible>

Commissioner Raney?: Isn't the date tomorrow?

Commissioner Thorp: Tuesday.

Commissioner Raney?: Or is the date today?

Mr. Stauder: Tomorrow today.

Commissioner --: Tomorrow is today? <laughter>

Commissioner --: It's March 28th.

Chairman Threadgill: Whatever her name. What's her name?

Female Speaker: Bobbie.

Chairman Threadgill: Bobbie, yeah.

Commissioner -- : March 25th.

Chairman Threadgill: I don't know if she's a friend or not, but I always bring her. For some reason, she's hung around for 20 some odd years. I might as well call her a friend.

Commissioner Thorp: <unintelligible> know about that.

Commissioner Campbell: Are we in Commissioner Discussion?

Chairman Threadgill: Yeah.

Commissioner Campbell: Are you through?

Chairman Threadgill: No, it's staff's shot right now.

Commissioner Campbell: Okay.

Commissioner White?: Put me down. Yes. My wife is Shirlene. That's the 25th, right?

Commissioner Thorp: Yes.

Chairman Threadgill: Does she go by Reverend Shirlene White?

Commissioner White: Yes.

Commissioner Campbell: For those of ya'll who haven't been there, and I know there's three or four of you that haven't been, it is a great time. It's a well put on thing by the City. It's worth going.

Chairman Threadgill?: The food's good.

Commissioner Campbell: The food's good.

Chairman Threadgill: Alright, staff report. Do you have any?

Director Sellman: No. I do want to congratulate you on I think a beautifully implemented meeting. <unintelligible> We had very complicated items.

Commissioner Thorp: Are you going to have that darn roll call every time?

Director Sellman: Yes.

Commissioner Thorp: Why?

Chairman Threadgill: That's a recommendation that has been made by the City Attorney to keep everything straight.

Commissioner Clopton: And a point please? I have been in several positions similar to this in the past and in calling the roll, it has normally been rotated. Who starts it and who ends it.

Director Sellman: Good point.

Commissioner Clopton: And I object to being ...

Director Sellman: First?

Commissioner Clopton: ...set on that ...

Chairman Threadgill: You understand, don't ever go by the same name? Rotate them.

Commissioner Thorp: Don't like to be first.

Chairman Threadgill: So it's not the same person first every time. Start with the first name, second time go to the next name, third time third name, fourth time fourth name. That way nobody's called on for the first decision.

Mr. Stauder: Or the last – the deal breaker.

Chairman Threadgill: That's my job. I'm always last.

Ms. Minear?: But you're always last? Okay.

Chairman Threadgill: Yes, I am always last. Commissioner Campbell?

Commissioner Campbell: And this is what I was going to bring up and we're talking about it. I think we left one step out of the thing tonight. We need to bring it to the floor to begin with, but once we get it to the floor and we get discussion down, then the motion needs to be made for the approval or the denial.

Chairman Threadgill: We make the motion at the very start to approve or deny.

Director Sellman: Yes.

Commissioner Campbell: No, you make a motion to, you make a motion to bring it to the floor.

Director Sellman: Yes. We'll get the script.

Commissioner Clopton: So we need to make a motion to approve because otherwise ...

Commissioner Raney: When we were in a training session yesterday, <unintelligible> said never make a motion to deny. Always make your motion to approve.

Director Sellman: Right.

<Several people are talking at once.>

Commissioner Raney: What they went on to say, one question was that if that motion fails – in other words, you have a motion to approve and it fails – there is no need at that point to have a motion for denial. It just simply becomes a redundant vote.

Commissioner Mory: Right. Right.

Chairman Threadgill: That's why we rotated back on how <unintelligible> and the City Attorney and myself sat down and we tried to resolve the problem of making two or three calls in a meeting because it's getting hectic. So that's where we come from. But what Campbell, Commissioner Campbell, is talking about is when I first start off, I make a motion to open it for discussion.

Commissioner Raney: And I agree. It needs to have a motion then for the action <unintelligible>.

Chairman Threadgill: But that motion as well will be in the affirmative as the request of the applicant to approve.

Commissioner Raney: Unless you decide you don't want to bring it to the floor for discussion.

Chairman Threadgill: Yeah, if it's tabled or whatever. Right. Alright. I have no problem in changing that.

Commissioner Ames?: Yeah, I just wanted to support that because I think we need to tie the motion to approve very closely to the vote and the way we had it ... Okay.

Chairman Threadgill: Like I say, this is the first time we tried it and ...

Commissioner Ames?: It still went pretty smoothly. Yes.

Commissioner Raney: Also <unintelligible> meetings <unintelligible>.

Chairman Threadgill: It is. It is. It really is.

Commissioner Clopton: That's because there wasn't anybody here to object to it.

Commissioner Ames?: Well there's that too.

Commissioner Clopton: It's all of it. We didn't have 400 people out there wanting to come up and talk.

Commissioner Campbell: If we follow along with the same script that the City Board of Directors, we will accomplish what we've got because their first thing is just the Mayor asks for a motion to bring it to the floor and then it's just a voice "aye" or "nay". Then once we get beyond that then ...

Commissioner Ames?: Yeah, we could do that with just <unintelligible>.

Chairman Threadgill: On the final decision, call for the roll?

Commissioner Campbell: Yeah, well...

Chairman Threadgill: On the motion to get it to the floor, just a “yeah” or “nay”.

Commissioner Campbell: And when you get down to the next step, before you ...then you have to call for a motion to approve after that, once you get in ...

Chairman Threadgill: Yeah. I think we're all ...We're all on that ballpark now. But what you're saying in <unintelligible> with that is that the first one, instead of calling roll, just have for a “yeah” or “nay” on the motion for bringing it to the floor.

Director Sellman?: For consideration. Uhh, huh.

Chairman Threadgill: Alright. I can do that. No problem. What else? Come on, I'm on a roll tonight. Let's go.

Commissioner Campbell: I think it was a good meeting tonight. You know, I took my pill so I could stay awake till 10:00 p.m. tonight and here we are at 8:00 p.m. and we're going to get to go home.

Commissioner Clopton: Eric Jackson said he was planning to stay till 1:00 a.m.

Chairman Threadgill: I know.

Commissioner Clopton: He'd heard about it. He heard <unintelligible>.

Chairman Threadgill: He came up and complimented me on getting him out of here and they didn't get to go first.

Commissioner Clopton: They went last.

Chairman Threadgill: A lady came up and asked staff if they would move them to the first of the deal, but there is a saying that, you know, we said there wouldn't be any agenda changes at the meeting any more, then I denied it. We've been sticking with that. If you have anything that you want to change on the agenda, it has to be done no later than 24 hours prior to or I'm not going to even entertain a thought.

Commissioner Mory: Well I think it worked out really, really well having the complicated items at the back.

Several Commissioners: Yes.

Commissioner Thorp: I think that always we should do it that way. It's not fair that somebody's got a meeting has to sit here and listen.

Chairman Threadgill: Well, when we do the agenda meetings, the luncheons, that's when, it's this Commission's deal to set up the deal.

Commissioner Thorp: <unintelligible>

Commissioner --: That's when we did. That's what we did.

Chairman Threadgill: That's what I'm saying. So that's, you know ...

Commissioner Thorp: <unintelligible> I guess.

Chairman Threadgill: If you want them first, let's put them first. That's what the luncheon is all about. We're not there to discuss it. We're there to set the agenda and that's it and get the free food. You have to have a little extra. Anybody else? Yes? Harriel?

Commissioner White: Oh, I would just like to pay staff a compliment for the work that and other city employees for the work they've been doing on that SDI Fairgrounds Crossing project, because a lot of the questions that we had, at least they were working on some of those issues now. I thought that was pretty good.

Chairman Threadgill: That was a two year project and staff had many hours involved with sitting down and going with ...and staff as well. I don't know how many times this Commission before you folks got on it sat here with SDI and the Board of Directors and held discussions as a group to try to resolve some of the problems that we knew were going to be there. Well, you know.

Commissioner Campbell: If I may say, they had their act together a little better this time than they did then.

Chairman Threadgill: Yes, they did.

Commissioner Thorp: They sure did.

Chairman Threadgill: I should have told Mr. Peterson how much I thought he had improved, but I didn't want to give him a big head. But ...

Commissioner Campbell: And that will be part of the <unintelligible>.

Commissioner Ames: And that will be part of the minutes.

Chairman Threadgill: I have no problem. I've never held back anything I've said.

Commissioner Kleinman?: Am I the only one who would like to get the agenda in paper?

Director Sellman: We can get you the agenda in paper.

Chairman Threadgill: Just the agenda or the entire packet?

Commissioner Kleinman?: The packet. I'm sorry.

Director Sellman: The packet is a major production. If that's really important, we can do it.

Commissioner Thorp: <unintelligible> copy a section? Can't you copy off what you want?

Commissioner Kleinman?: Yeah. Okay, I can do that.

Director Sellman: Well, we can do it. If that's important to you, we can do it. I want you to be able to have it in a form where you're going to be able to access the information.

Commissioner Kleinman?: I can't look at a computer screen for a long period of time without my eyes just burning.

Chairman Threadgill: I have the same problem. My trifocals. I've got to get new glasses already.

Commissioner Clopton: Go by and get yourself a pair of glasses <unintelligible> get you a pair of glasses that are lightly tinted. They take the glare off the machine and they help a whole bunch. I've got a pair of them at home. I didn't wear them today. But I have a pair of them at home.

Female Speaker: I'm learning something very worthwhile.

Director Sellman: Yeah, I didn't know about them. They're called computer glasses?

Commissioner Clopton: You can get them. They are computer glasses. They're slightly tinted. They've got a little shade to them and it will take the reflection and the glare off the computer and it will ease your eyes a whole bunch when you're in front of the screen a lot.

Commissioner -- : I don't mind <unintelligible> to myself. I do it when I want and I just turn the ...

Commissioner Clopton: The only thing I like about the computer as opposed to these papers is I can take another one of these blueprints and they're so fine that I can't see what it is. I can use that computer and blow it up where I can see the dimensions, distances, the whole bit and you

can't do that with a piece of paper.

Chairman Threadgill: It's got something to do with losing your hair and getting old.

Commissioner Clopton: <unintelligible>

Chairman Threadgill: Before we shut down here, Jeff, would you please stand up and come over here maybe. I'd like to introduce everybody to our new staff.

Commissioner Thorp and others: We've met him.

Commissioner White: We already met him. We met him at lunch.

Chairman Threadgill: I don't care. I just want to introduce him because I wasn't at lunch.

<Several people are talking at once.>

Chairman Threadgill: This is Jeff.

Commissioner --: I'm sorry I haven't found you a house yet.

Jeff: Well I got me a rent house today, so there's not that much hurry on that any more. We can take our time and find the right one.

Commissioner --: Okay, Jeff.

Chairman Threadgill: We aren't adjourned yet. You got something sarcastic you want to say?

Commissioner Campbell: Okay. That's alright. I'll get it later.

Chairman Threadgill: Yeah, the tape's still running. If you have anything sarcastic to say, say it or hold it until I adjourn.

Commissioner Campbell: Welcome in, Jeff.

Jeff: Very pleased to be here.

Chairman Threadgill: Appreciate you. I like all the mobile homes you've been putting out there the last couple of days.

Jeff: I've been making sure that they go everywhere, all up and down Park Avenue.

Chairman Threadgill: That's good.

Mr. Stauder: I've never seen a double decker one before he got here.

Jeff: Well, we had to double stack them to get <unintelligible>.

Chairman Threadgill: Anybody else have anything to say before I close the meeting?

Commissioner Thorp: <unintelligible>

Chairman Threadgill: No, no. That was a joke.

Commissioner Thorp: Oh, okay.

Chairman Threadgill: Wanda's going to shoot me. "You better not be throwing those mobile homes out there."

<Several people are talking at once.>

Jeff: I just come here from Hope.

Mr. Stauder: Yeah, you brought the FEMA with you.

<A couple of people are talking at once.>

Chairman Threadgill: Anybody else?

Director Sellman: No.

Chairman Threadgill: Meeting adjourned.

ADJOURNMENT
