

PLANNING COMMISSION MEETING TRANSCRIPT

THURSDAY, MAY 8, 2008

The regular meeting of the Planning Commission was held on Thursday, May 8, 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.

Chairman Threadgill: I'd like to start off with an invocation given by Commissioner Thorp and the Pledge of Allegiance given by Commissioner Campbell. All rise please.

Invocation

Pledge of Allegiance

Chairman Threadgill: At this time, I'd like to call the May 8th Planning Commission meeting to order. Call the roll please.

Roll Call

Present: James Clopton, Lauri Ames, David Campbell, Louis Kleinman, Wanda Thorp, John Mory, Gary Threadgill, Larry Raney <arrived after roll call>

Absent: Harriel White

Approval of Minutes

Chairman Threadgill: At this time, I'll entertain a motion to approve the previous minutes.

Commissioner Campbell: So moved.

Chairman Threadgill: I have a motion by Commissioner Campbell and a second by Commissioner Thorp, all in favor? <ayes> Opposed? <none>

Approval of Agenda

Chairman Threadgill: I need a motion to consider the agenda.

Commissioner Mory: So moved.

Chairman Threadgill: I have a motion by Commissioner Mory ...

Commissioner Clopton: Second.

Chairman Threadgill: ...and a second by Commissioner Kleinman, Commissioner Clopton. All in favor? <ayes> Opposed? <none> To start off with, Item No. 1 and let me see here, pull that up here ...Make note that Commissioner Raney has arrived.

Commissioner Raney: My apologies.

Chairman Threadgill: No problem. The Item No. 1, the Lakeshore Learning Center, has been withdrawn from the agenda. Item No. 2, Price Subdivision, has been withdrawn and Item 9, Country Club Garden Homes Subdivision, has been withdrawn. So if you're here for any of those three items, they're not going to be on the agenda tonight so you're welcome to leave. So we'll start off with Item No. 3 on the agenda.

OLD BUSINESS

- 1. Home Occupation Type B (HOB-08-0062) – Joshua Learning Center – Licensed family home care – 615 Lakeshore Drive – District 4 – R-2**
- 2. Preliminary Subdivision (PS-08-0056) – Pierce Subdivision – 6 lot subdivision in the County – West Pine Road, West Pine Road and Nutmeg – County – ET**
- 3. Site Plan Approval (SPA-08-0059) – Riser Nissan – PD site plan amendment for new building addition – 4111 Central Avenue – District 5 – PD**

Director Kathy Sellman: Item No. 3 is Riser Nissan. This is a site plan approval request. It's a planned development site plan amendment for a new building addition. It's located at 4111 Central Avenue. The Comprehensive Plan Classification is linear commercial corridor. It is located in District 5 and the recommendation is for approval with conditions.

Chairman Threadgill: Is the applicant present?

Male Speaker: Yes, sir.

Chairman Threadgill: Please come forward and give us your name and address for the record.

Mr. John Rogers, B&F Engineering, 928 Airport Road, here in Hot Springs.

Chairman Threadgill: Alright, do I have any questions to the applicant from any of the Commissioners? None, you may be seated, sir. 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 the Commissioners?

Commissioner Thorp: We are going to have some sidewalks along there?

Director Sellman: Yes, there are sidewalks.

Chairman Threadgill: Any other questions? Seeing no other questions, I'll entertain a motion.

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

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

Commissioner Kleinman: Second.

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

Ms. Teresa 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: Item passes. We'll go to Item No. 4.

NEW BUSINESS

4. Re-Zoning (RZ-08-0073) – Montana Manufactured Home Overlay – Rezone application on Montana and Yancy to zone Manufactured Home Overlay – Montana and Yancy – District 2 – R4/R1

Director Sellman: Item No. 4 is the Montana Manufactured Home Overlay. This is a request to apply the manufactured home overlay to land currently zoned R-4 and R-1 and located on Montana and Yancy Streets. This is in District 2 and the recommendation is to approve.

Chairman Threadgill: I'll entertain a motion to bring it to the floor for discussion.

Commissioner Campbell: So moved.

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

Commissioner Clopton: Second.

Chairman Threadgill: I have a motion and a second. All in favor? <ayes> Is the applicant present? Please come forward and give us your name and address, sir.

Mr. John Parson, 115 Hammond Springs, 116 Hammond Springs Road, Cave City, Arkansas.

Chairman Threadgill: Alright, Mr. Parsons. Do I have any questions to the applicant from the Commissioners?

Commissioner Campbell: I know this is a rezoning. I'd just like to have a little bit of what you intend on doing there.

Mr. Parson: Well we're hoping to put a mobile home on there.

Commissioner Campbell: Just one at this time?

Mr. Parson: Just one period.

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

Commissioner Raney: I'd like to explore that a little further.

Chairman Threadgill: Commissioner Raney?

Commissioner Raney: You intend just to put a single mobile home on it. Is it going to be owner occupied by yourself or your child?

Mr. Parson: On the whole block, there'll just be one building on it.

Commissioner Raney: One building on it? Will it be occupied by the owner or will it be leased?

Mr. Parson: Yes. It will be occupied by the owner.

Commissioner Raney: By the owner.

Chairman Threadgill: Let me make one comment while we're on this. This is just a rezoning to a mobile home overlay. Anything that's done to it will have to come back to the City for the approval of setbacks and all that. All we're doing is approving a rezoning. Is there any other questions or comments from the Commissioners? Alright, sir, you may be seated.

Mr. Parson: Now we have to come back to do what on it now?

Chairman Threadgill: Well, when you get ready to set the manufactured home or do any buildings, you'll have to come get permits from the City and show them where you're going to set it and all that. Rick will be able to get with you on that when you get ready to set the trailer.

Mr. Parson: Okay.

Chairman Threadgill: If it's approved. Is there anyone else in the audience with anything to say for or against this item? Please come forward and give us your name and address for the record, sir.

Mr. Brian Fisher, 6568 Central Avenue: I'm asking you all to deny this request to be honest with you. I told you that my residence is 6568 Central, that is true. I do own a home at 710 Carver Street, which recently I purchased some 10 acres right there at that and that would total me up to some 15 acres there close to this area. I bought this as an investment. That's a home I grew up in. I realize that area's not Eastgate by any stretch of the imagination, but on the same token, it's just a ...I just really wish you all would deny this request because I just really don't want to look at it every day to be honest with you. I do go there daily.

Chairman Threadgill: Can I have your name again, sir.

Mr. Fisher: Brian Fisher.

Chairman Threadgill: Alright. Thank you. Do I have any questions to the speaker to the Commissioners? None? You may be seated, sir. Is there anyone else in the audience with anything to say for or against this item? Please come forward and give us your name and address. Anyone else?

Male Speaker: I'm not against what he said. This is something else.

Chairman Threadgill: Your name, sir?

Mr. A.M. Crawford.

Chairman Threadgill: E.M. Crawford?

Mr. Crawford: A.M.

Chairman Threadgill: A.M. Alright. That's alright sir. If that's all you needed, we'll just put that in the record that you're opposed.

Commissioner Campbell: Is it about this case?

Mr. Crawford: The man and woman here want to put a mobile home there and it's on my property. It's okay with me. I just thought you ought to know it.

Chairman Threadgill: Alright, sir. Anyone else in the audience with anything to say for or against the item? I have one entry here from a Jerry Foshee that also is in opposition of the mobile home overlay district. Any other questions or comments from the Commissioners? Again, this is just a rezoning to a mobile home overlay district. Do you have a question or comment, sir?

Male Speaker: I just have a question.

Chairman Threadgill: Please come forward and give us your name and address.

Mr. Carroll Weatherford, 103 Ironwood.

Chairman Threadgill: Yes, sir.

Mr. Weatherford: The applicant is not the owner of the property. Can he rezone the property? The applicant here is not the owner of the property that's being rezoned.

Director Sellman: With the applicant's ...The applicant with the owner consenting.

Chairman Threadgill: He just has to have a signed statement that ...yes, sir.

Mr. Weatherford: I didn't hear you say that when you started talking about it. I just ...

Chairman Threadgill: Well, it's in our packet. I mean, we have it. Yes.

Mr. Weatherford: Thank you.

Chairman Threadgill: You're welcome, sir. Okay I'll close the public portion. Any other questions or comments from the Commissioners?

Commissioner Campbell: Just as a correction.

Chairman Threadgill: Commissioner Campbell?

Commissioner Campbell: The brief states that Mr. Parsons is the owner. Isn't that the gentleman's name that ...

Mr. Rick Stauder: Can I ...?

Mr. Parson: We are the owners.

Mr. Stauder: There's a deed.

Mr. Weatherford (from the audience): He just said he was the owner.

Mr. Parson: He was the owner.

Female Speaker: He was. We bought it from him.

Chairman Threadgill: Alright. The public portion is closed. Any other questions or comments from the Commissioners?

Commissioner Campbell: I have some.

Chairman Threadgill: Commissioner Campbell?

Commissioner Campbell: I have a little bit of leerness myself of this rezoning. What we've got down there, we've got 16 lots that are non-conforming lots in the district that they're in and if we make this a manufactured home overlay, then the possibility exists down there, I think staff will agree, to put 16 manufactured homes on that property.

Chairman Threadgill: And they can also put 16 homes.

Commissioner Campbell: Yeah, you could also put 16 homes on it too. <Comments are made from the audience that are unintelligible.>

Chairman Threadgill: That's ...no comment from the ...

Commissioner Campbell: There's just the possibilities that do exist down there is what I'm

trying to bring up, you know, so ...

Chairman Threadgill: What we have is a request on a non-conforming subdivision of 16 lots, which they can build 16 homes on.

Commissioner Campbell: Right.

Chairman Threadgill: They have asked that it be transferred or changed over in zoning to a mobile home overlay. That's what we're considering. Not how many mobile homes are going to build on it or where they're going to build it, just that they wish to turn it into a mobile home overlay. By the Code states two acres or more, it's something they can ask for. So with that being said, do I have any other questions or comments from the Commissioners? Commissioner Kleinman?

Commissioner Kleinman: The only comment that I have is if it meets the Code and the zoning criteria, all we do is approve the zoning.

Chairman Threadgill: This is true. Any other questions or comments from the Commissioners? Commissioner Campbell?

Commissioner Campbell: One other question and one other comment. The comment I would make to that is, in all rezonings, you know, we have to think about what the end product can be and I think we need to think about that in this particular request.

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

Commissioner Mory: I just want to point out that I agree with what Mr. Campbell is saying over there. This is something that we need to consider what could happen.

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

Commissioner Clopton: Before I make this motion, I want to clarify one thing. We don't rezone ...

Chairman Threadgill: Commissioner Clopton?

Commissioner Clopton: We don't rezone, we recommend to the Board to rezone.

Chairman Threadgill: That's true.

Commissioner Clopton: And therefore I will make a recommendation or a motion that we send this forward to the Board of Directors to be approved.

Chairman Threadgill: Alright, I have a motion to approve or to send forward a recommendation to approve to the Board of Directors. Do I have a second?

Commissioner Ames: Second.

Chairman Threadgill: I have a motion by Commissioner Clopton and a second by Commissioner Thorp. Call the roll please.

Commissioner Ames: No. Commissioner Ames.

Chairman Threadgill: Oh, Commissioner Ames. Sorry. Call the roll please.

Ms. Minear: David Campbell – no; Louis Kleinman – yes; <Commissioner Campbell interjects: For reasons stated.>; Wanda Thorp – no; John Mory – no; Larry Raney – no; James Clopton – no; Lauri Ames – yes; Gary Threadgill – yes.

Chairman Threadgill: Alright, if I'm not mistaken, the motion fails.

Director Sellman: The motion fails by three.

Chairman Threadgill: The motion fails by three. We'll move to Item No. 5.

5. Re-Zoning (RZ-08-0074) – 566 Files Road Zone Change – Rezone request from R-2 to C-4 – 566 Files Road – District 5 – R-2

Director Sellman: Item No. 5 is a rezoning request to change zoning at 566 Files Road from R-2 residential to C-4 commercial/open display. This is Comprehensive Plan Classification low density residential. It's in District 5. The recommendation is – let me be sure here – the recommendation is for approval of an ...I'm sorry about that.

Chairman Threadgill: I can't get it to pull up. <laughter>

Director Sellman: I can't either.

Commissioner Campbell: The recommendation is to approve.

Director Sellman: With conditions? It's just for approval. Recommendation is for approval. Thank you, Commissioner Campbell.

Chairman Threadgill: A little computer glitch here.

Director Sellman: Yeah.

Chairman Threadgill: Alright, I'll entertain a motion to bring it to the floor for discussion.

Commissioner Kleinman: So moved.

Commissioner Campbell: Second.

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

Commissioner Ames, Mory, and a third unknown Commissioner: Second.

Chairman Threadgill: I have a motion and a second. All in favor? <ayes> Is the applicant present for the rezoning of Files Road? Give us your name and address for the record, please sir.

Mr. Chad McGue, 136 Wildwood Forest, Hot Springs.

Chairman Threadgill: Do I have any questions to the applicant from the Commissioners? None? Alright, sir, thank you. 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 the Commissioners? Commissioner Campbell?

Commissioner Campbell: I have one of staff please. On this property in front of this that we dealt with previously, we had a lot of conditions on it.

Director Sellman: Yes.

Commissioner Campbell: Do we need to put any conditions on this rear property or does the conditions on the front go with the rest?

Director Sellman: Actually the conditions on the front stay on the front. This is strictly a recommendation to rezone. If there is any intention of developing the land, particularly with multiple buildings as on the front, then an Article II site plan application would need to be submitted and approved.

Commissioner Campbell: You answered my question. Thank you.

Director Sellman: This is a rezone only.

Commissioner Campbell: Right.

Chairman Threadgill: Any other questions or comments from the Commissioners? None? Seeing no other comments, I'll entertain a motion.

Commissioner Clopton: Mr. Chairman, I recommend that, I move that we send forward a recommendation to approve.

Chairman Threadgill: Alright, I have a motion to send the rezoning forward to the Board of Directors with a recommendation to approve. Do I have a second?

Commissioner Kleinman: I second it.

Chairman Threadgill: I have a motion by Commissioner Clopton, a second by Commissioner Kleinman. Call the roll please.

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

Chairman Threadgill: Motion passes. We'll go to Item No. 6.

6. Site Plan Approval (SPA-08-0061) – ROA Properties, Inc. – Three new warehouses – 1560 East Grand Avenue – District 2 – M-1

Director Sellman: Item No. 6 is a request by ROA Properties, Incorporated, for site plan approval to develop three new warehouses at 1560 East Grand Avenue. The land is zoned M-1 industrial. The Comprehensive Plan Classification is industrial and it's located in District 2. The recommendation is for approval with conditions.

Chairman Threadgill: Alright. I need a motion to open Item No. 6 to the floor for discussion.

Commissioner Raney: So moved.

Commissioner Campbell: Second.

Chairman Threadgill: I have a motion and a second. All in favor? <ayes> Opposed? <none> Give us your name and address for the record, sir.

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

Chairman Threadgill: Do I have any questions or comments the Commission would like to present to Mr. Raabe? Commissioner Campbell?

Commissioner Campbell: I have one. In our staff report, it talks about the Highway Department might deny that sidewalk out there on the highway right-of-way. Have they?

Mr. Raabe: We haven't applied for it.

Commissioner Campbell: You haven't applied? Okay. If they do deny it, are you going to have room to build it on your own property?

Mr. Raabe: I don't see that it would serve any purpose. There's a fence on our property. You'd have to crawl over the fence when you got to the end of the sidewalk.

Commissioner Campbell: Move the fence. <laughter>

Mr. Raabe: I don't know.

Commissioner Campbell: That will be something that will come back in here if it does.

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

Commissioner Mory: I have one.

Chairman Threadgill: Commissioner Raney? Or Mory, excuse me.

Commissioner Mory: I'd like Commissioner Campbell to comment on what he just said about the sidewalk will have to come back to us anyway.

Commissioner Campbell: Well it won't come back to us.

Commissioner Mory: Oh, okay.

Commissioner Campbell: It'll come back to the City.

Commissioner Mory: Okay.

Commissioner Campbell: It'll be a good one for staff. They will have to ask for a variance if they can't put it on the highway right where they want to. I mean, the street out there requires sidewalks anyhow, doesn't it?

Director Sellman: There is a requirement for ...yes. It's an industrial project.

Commissioner Campbell: Yeah, so they'd have to ask for a variance.

Commissioner Mory: Right. Okay.

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

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

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

Commissioner Mory: Second.

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

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

Chairman Threadgill: Item No. 6 passes. Item No. 7.

7. Preliminary Subdivision (PS-08-0080) – Garland County Habitat Shaw Village – Preliminary subdivision for 16 lot Habitat for Humanity Shaw Village Subdivision – see previous PS-07-0187 – intersection of Linden and Ridge Streets – District 1 – R-3

Director Sellman: Item No. 7 is Garland County Habitat for Humanity Shaw Village. This is a preliminary subdivision request for a 16 lot subdivision. This is located at the intersection of Linden and Ridge Streets. It's zoned R-3. The Comprehensive Plan Classification is suburban residential. It's located in District 1 and the recommendation is for approval with conditions.

Chairman Threadgill: I need a motion to bring it to the floor for discussion.

Commissioner Mory: So moved.

Commissioner Kleinman: I second it.

Chairman Threadgill: I have a motion and a second. All in favor? <ayes> Opposed? <none> Will the applicant please come forward and give us your name and address for the record, please, sir?

Mr. John Rogers, B&F Engineering, 928 Airport Road, Hot Springs.

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

Commissioner Campbell: Our staff report talks about the cul-de-sac length and everything, has that been worked out or ...?

Mr. Rogers: Yes, sir. Do you want me to answer that?

Commissioner Campbell: Yes.

Mr. Rogers: I believe so. The question that Mr. Campbell is referring to is the cul-de-sac, what

we show on the plan there that's 600' within the subdivision, or is it the length all the way back to the intersection of Myrtle and Linden? I think that however you stand on that argument, I think that we've got that resolved right there at the intersection of our subdivision onto the extended city street, right there where the pointer is, we show a temporary hammerhead for an emergency vehicle to turn around. So that would be right in the middle and we'd be okay.

Chairman Threadgill: Alright. Any other questions or comments to the applicant? Thank you, 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 the Commissioners? None? Alright, I'll entertain a motion.

Commissioner Campbell: Mr. Chairman, I move that we approve the preliminary plat for Shaw Village with the recommendations of staff.

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

Commissioner Clopton: Second.

Chairman Threadgill: ...and a second by Commissioner Clopton. Call the roll please.

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

Chairman Threadgill: Item passes. We'll go to Item No. 8. You're welcome, sir.

8. Preliminary Subdivision (PS-08-0081) – Villa Escondida Subdivision – 4 lot subdivision in the County – 568 Grand Point Drive, West of Matthews Drive – County – ET

Director Sellman: Item No. 8 is Villa Escondida Subdivision. This is a preliminary subdivision request to create four lots in the County in the extraterritorial jurisdiction of the City. It's located at 568 Grand Point Drive, just West of Matthews Drive. The Comprehensive Plan Classification is suburban residential. The recommendation here – let me get to this – the recommendation is for approval with six conditions.

Chairman Threadgill: Alright. I'll need a motion to bring it to the floor for discussion.

Commissioner Campbell: So moved.

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

Commissioner Raney: Second.

Chairman Threadgill: I have a motion and a second. All in favor? <ayes> Opposed? <none>
Give us your name and address for the record, please sir.

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

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

Commissioner Clopton: I'm not <unintelligible>, when I'm looking at this map, I'm seeing only three lots. I guess I'm seeing four. You may not know.

Mr. Raabe: There's four.

Commissioner Clopton: Right. Where am I missing on here the access back to that fourth lot?

Mr. Raabe: It's off of the ...if you're looking ...I'm not sure which page you're looking at.

Chairman Threadgill: See the dotted line at the very bottom? Go back to that last picture, Rick.

Mr. Stauder: The last one?

Chairman Threadgill: Yeah.

Mr. Raabe: That one there shows the access road.

Chairman Threadgill: Alright. Well the other one showed it better, didn't it?

Mr. Raabe: Yeah.

Director Sellman: It's the stripey road parallel to the street, to Grand Point.

Commissioner Clopton: Right up against it?

Mr. Raabe: That's right.

Chairman Threadgill: Right up against the street line.

Commissioner Clopton: Right up against the street?

Mr. Raabe: Mmm, huh.

Commissioner Clopton: I see. Is that going to require a retaining wall?

Mr. Raabe: The bank there's been Gunited right now.

Chairman Threadgill: Well that's it. I have a question. Are you going to put a guard rail up there for the traffic coming down that road?

Mr. Raabe: It doesn't have one now.

Chairman Threadgill: It didn't have a drop off before either.

Mr. Raabe: Yeah, it did too. It's always been a drop off. We haven't changed anything.

Chairman Threadgill: You haven't cut that embankment out and make it drop off?

Mr. Raabe: No. No. There were three trailers there before.

Commissioner Clopton: That's right. It was that way.

Chairman Threadgill: I've never noticed that before and I've drove that road many a time.

Mr. Raabe: If you went off the bank, you went on to the top of the trailer. <laughter>

Chairman Threadgill: Well, are you going to put any kind of ...?

Mr. Raabe: If he thinks it's necessary, he probably will.

Chairman Threadgill: I would think that it would be necessary just for the safety of the ...

Mr. Raabe?: I would put a post or something up there to keep people off there.

Chairman Threadgill: I would if I was going to build a house there.

Mr. Raabe: Yeah.

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

Commissioner Raney: Clarification if you would.

Chairman Threadgill: Commissioner Raney?

Commissioner Raney: One of us asked the question. I'm not sure who. It might have been you, James. But it was about whether there was going to be a bulkhead so to speak to protect the road.

Chairman Threadgill: That's the one that I just asked.

Commissioner Raney: Well, I thought you were dealing primarily with the fact of whether you were going to have a guard rail to keep people from going off the road.

Chairman Threadgill: Yeah.

Commissioner Raney: I'm talking about like a bulkhead that supports the road to keep the road from <unintelligible>...

Chairman Threadgill interjects: A retaining wall?

Commissioner Raney: A retaining wall sometimes falls in. Isn't that where you were going, James?

Commissioner Clopton: That's what I was looking at, yes.

Commissioner Raney: Okay and you mentioned, Milton, that it had Gunitite there?

Mr. Raabe: It's been Gunitite for years.

Commissioner Raney: Has it? Okay.

Mr. Raabe: Mmm, huh. Since the early ...

Commissioner Raney: No evidence of any shifting or ...

Mr. Raabe: It's solid rock. <laughter> One of the conditions is that we have an engineer look at it to make sure that the Gunitite is still safe.

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

Commissioner Campbell: Yeah. I guess I may be looking at it wrong, but the striped portion of that drawing is showing 30' wide, but there's a 15' dedicated right-of-way in there also.

Mr. Raabe: The 30' comes off of the 15' and then there's a 20' access easement off the 30'.

Commissioner Campbell: The 20' is going to be inside the 30'?

Mr. Raabe: Right.

Commissioner Campbell: Okay. There won't be much in the front there is there? <laughter>

Chairman Threadgill: Any other questions or comments to the applicant? None? Sir, 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 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? I have one. I don't know how staff, how we can handle that, but I think there needs to be some type of emphasis put on the road coming down through there, some type of guard rail or embankment. Is there anything we can do with that as far as health, safety, and welfare of the public or ...?

Director Sellman: In terms of Grand Point?

Chairman Threadgill: Yes.

Director Sellman: There probably is. What do you have in mind?

Chairman Threadgill: Safety. I just ...I feel that if they're going to build three houses there and somebody comes down that hill and loses control, they're going to take out a house or a kid playing in the yard or anything else. Is there any way that a condition can be added that some type of barrier or guard rail be installed?

Director Sellman: Well there's a couple of ways you could go. That's probably something that the City Engineer would need to weigh in on in terms of what is there right-of-way wise, what the road structure itself can support. To make that a condition leaves that fairly open ended. You could table this and ask for a proposal to be reviewed by the City Engineer. Those are a couple of your alternatives.

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

Commissioner Mory: I agree with your thoughts on the guard rail. I would like to see one there as well. One thing we need to keep in mind and when they look at this for the Gunite, if we do a guard rail, we will be disturbing that bank to put that guard rail in place, so that will have to be considered as well.

Chairman Threadgill: Alright. Any other questions or comments from the Commissioners? Commissioner Campbell?

Commissioner Campbell: I may be overlooking it, but I'm not seeing where the Gunite is supposed to be inspected as one of the ...am I missing it in one of the conditions?

Director Sellman: It is not stated as a condition.

Mr. Stauder: It is a call-out note on the plat itself.

Director Sellman: Ahh.

Commissioner Campbell: Oh. Okay. Well I agree myself that there should be a guard rail up there. It was stated that there hasn't been one for years, and I have seen that up there when the

trailers were there that it wasn't there and wondered about it. I think with the building of new homes down there, I think the property owners are going to require the developer to do something up there myself. That's just my statement.

Chairman Threadgill: Alright. Any other questions or comments from the Commissioners? One of the statements that staff had made, we could table this until the Engineering Department looked into the guard rail or we can go ahead and approve it and hope for the best. No other questions or comments? I'll entertain a motion. Seeing none from the Commission, I'll make a motion ...

Commissioner Clopton: I'll make a motion. Just to get it started.

Chairman Threadgill: Commissioner Clopton?

Commissioner Clopton: Mr. Chairman, I move that we approve this project with staff's recommendations and an additional requirement that some sort of a guard rail and/or protection be provided along the roadway.

Chairman Threadgill: Okay, with that motion, staff's recommendations were that it be tabled for the guard rail to see if the Engineering Department could come up with any feasible way of doing. So you want to go ahead and approve?

Commissioner Clopton: Well I'll just take it with staff's recommendations.

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

Commissioner Mory: I'll second.

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

Commissioner Raney: Pardon me before we call the roll.

Chairman Threadgill: Yes. Yes.

Commissioner Raney: Clarification – I want to make sure I understand. The motion is to approve with recommendations, no consideration for guard rail.

Chairman Threadgill: Right. You vote "yes," you approve it the way it is.

Commissioner Raney: Very good. I wanted to make sure I understood.

Chairman Threadgill: You vote "no," it's denied. Alright? Call the roll, please.

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

Chairman Threadgill: Four to three?

Director Sellman: It is five to three.

Chairman Threadgill: Five to three. Okay, the item fails. Alright, we'll go to Item No. 9.

9. Preliminary Subdivision (PS-08-0079) – Country Club Garden Homes – 21 lot subdivision on Shady Grove – see also previous PS-07-0216 – 500 Shady Grove, Shady Grove and Country Club Lane – District 6 – R-3

Director Sellman: Item No. 9 has been withdrawn.

Chairman Threadgill: Oh, that's it. Yes, thank you. Item No. 9 has been withdrawn, so we'll go to Item No. 10 which is the Transportation Master Plan.

10. Miscellaneous (MISC-08-0087) – Transportation Master Plan – Recommendation on Transportation Master Plan

Director Sellman: Yes, Item No. 10 is the Transportation Master Plan. Good, Diane is here. This is the plan that's being sponsored and put together by the Hot Springs Area Metropolitan Planning Organization. It's a City and County plan to put together a transportation system and to help to provide a basis for determining future capital improvement expenditures. It establishes guidelines for public improvements and will establish new standards for street classification, by classification and also for access management. The recommendation is that the board, that you recommend to the Board of Directors that they approve the proposed 2008 Transportation Master Plan as an element of the 1997-2020 Comprehensive Plan.

Chairman Threadgill: Alright. I need a motion to bring it to the floor for discussion.

Commissioner Campbell: So moved.

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

Commissioner Kleinman and others: I second.

Chairman Threadgill: I have a motion and a second. All in favor? <ayes> Opposed? <none> Will the applicant give us your name and address for the record please?

Ms. Diane Morrison, Hot Springs Area MPO Planning Organization Study Director, 100 Broadway Terrace, Hot Springs, Arkansas, 71901: The Jolly Green Giant was here before me.

Chairman Threadgill: Now before we get any deeper into this, I'd like to make a comment. Since I sat on the MPO Policy Board, we have not voted on this to be approved yet. And as such, I don't see how the Planning Commission can approve it until the writers have approved it. So at this time, I'd like to make a motion to have it tabled until the Policy Board does vote and make a recommendation to send forward or deny.

Commissioner Mory: Second.

Chairman Threadgill: I have a motion by myself and a second by Commissioner Mory. All in favor? <ayes> Opposed? <none> Alright, the motion is tabled until the Transportation or the Metropolitan Planning Policy Board, excuse me, makes recommendation to send forward.

Ms. Morrison: And just for <unintelligible> so you guys know when that is, the meeting is May 15th and you are more than welcome to come if you want to ask any questions or learn any more about it before ya'lls next meeting.

Chairman Threadgill: Thank you, Diane. Alright. We've got a lot of people left out there. Did we miss anybody?

Male Speaker from the audience: Will you open that there Montana thing and talk to me about it? <unintelligible>

Chairman Threadgill: You'll have to go down to staff in the morning and make some requests of them. You'll have to file an appeal or something like that. As far as this Commission, we've made a vote on it and it's a done deal.

Male Speaker from the audience: It ain't going to cost another \$350 just to appeal, right?

Director Sellman: No, there is no fee to appeal.

Male Speaker from the audience: <unintelligible> still have our <unintelligible> and stuff that we <unintelligible>? Do you keep that or do we get it back?

Chairman Threadgill: Pardon me?

Male Speaker from the audience: Our pictures and all the work that we ...

Chairman Threadgill: Staff will keep those.

Male Speaker: You keep them?

Chairman Threadgill: Yes. Staff will have all those.

ITEMS FOR DISCUSSION AND ANNOUNCEMENT

1. PLANNING DIRECTOR'S REPORT

Chairman Threadgill: Alright, we have a Director's Report?

Director Sellman: We have no report.

Chairman Threadgill: No report.

2. COMMENTS FROM COMMISSION

Chairman Threadgill: Do I have any other questions or comments or beefs from the Commissioners? <laughter>

Commissioner Raney: I'd like to make a comment.

Chairman Threadgill: Commissioner Raney?

Commissioner Raney: I've been absent from a lot of meetings lately because of my mother's health, and I apologize for ...

Chairman Threadgill: And how is your mother?

Commissioner Raney: She's doing very well. Matter of fact, I was down there and drove back yesterday. We've got her into an assisted living center. I think from here on, I think we've got this thing whipped. She's supposed to move in on the 19th, and I think at this point if that goes the way it does and the doctors all seem to concur, then we're going to be tall in the saddle. But I just wanted to say I appreciate your allowing me to step away for awhile.

Chairman Threadgill: Not a problem.

Commissioner Raney: That was just too many things at one time and I really felt that I needed to spend my time with my mother.

Chairman Threadgill: It's not a problem. Family comes first let me tell you. Anybody else? Commissioner Clopton?

Commissioner Clopton: Are we going to schedule extra work sessions?

Director Sellman: I believe we have one scheduled for next week.

Chairman Threadgill: Yes.

Commissioner Clopton: Next Thursday?

Chairman Threadgill: Next Thursday at 5:00 we have one scheduled and it is on the Article II subdivisions, the re-write.

Commissioner Clopton: We're going back to that?

Chairman Threadgill: Yeah, we're going back to that and then the following Thursday hopefully staff will have everything ready for us on the one-mile zoning to carry forward with it.

Director Sellman: Mmm, huh.

Chairman Threadgill: Any other questions?

Commissioner Mory: What time was that workshop?

Chairman Threadgill: 5:00. 5:00 next Thursday and the following Thursday. Surprised? <laughter>

Director Sellman: No, I'm not surprised.

Chairman Threadgill: Further to come. Any other questions from the Commissioners?

Commissioner Campbell: I have one.

Chairman Threadgill: Commissioner Campbell?

Commissioner Campbell: If we're going to meet two Thursdays from now and the transportation thing's going to be voted on by the MPO on the 15th ...

Chairman Threadgill: That's Thursday week.

Director Sellman: No, the 14th.

Chairman Threadgill: The 15th, isn't it?

Commissioner Kleinman: Both things are on the 15th.

Commissioner Campbell: It's going to be there on the 15th, the MPO is. Okay?

Chairman Threadgill: Right. If it's approved.

Commissioner Campbell: If it's approved, would there be notification time that we could see this as a public hearing on a workshop?

Chairman Threadgill: I don't know. I'd have to think about that.

Commissioner Campbell: If there is an urgency to move it forward, there seems to be an urgency.

Chairman Threadgill: I don't see the urgency at all.

Commissioner Campbell: I don't either, but there may be. That was just a suggestion.

Director Sellman: We can, based on the wishes of the MPO and the Policy Committee, we can certainly try to accommodate that need should it exist.

Chairman Threadgill: At the meeting, I will ask them if they would like me to call a special hearing and if it's that important at the time, then I'll consider it and we'll go from there. But right now, I don't see any urgency.

Commissioner Campbell: That wasn't a request. That was just a suggestion.

Chairman Threadgill: Yeah, yeah. But right now, I don't see any urgency in it. Do you, Diane?

Ms. Morrison from the audience: <unintelligible>

Chairman Threadgill: Sir, would you like to come forward and give us your name and address? Come up to the microphone please, sir. The microphone ...the voices don't get picked up in the back.

Mr. Paul Otwell: I own a business at 995 Shady Grove Road and I was wondering did ya'll talk about the 980 Shady Grove, the rezoning of that?

Chairman Threadgill: That was the one that was pulled.

Director Sellman: Yes.

Mr. Stauder: Yeah, it was pulled a week or so ago. We got an issue with the legal. It will be on for next month.

Mr. Otwell: Okay, when's the ...

Mr. Stauder: June the 12th.

Mr. Otwell: ...the next time you'll talk about it?

Director Sellman and Mr. Stauder: June 12th.

Mr. Otwell: June 12th?

Chairman Threadgill: At 6:00.

Mr. Otwell: 6:00. Right here?

Chairman Threadgill: Right here.

Mr. Otwell: Will there be another letter sent out to the residents around there and stuff?

Chairman Threadgill: Yes, sir. Notification will be made again.

Mr. Otwell: Okay, because I had about 15 calls just saying if I was going to come tonight to this meeting so I'll know what to tell them when they call me tomorrow.

Chairman Threadgill: It was withdrawn by the applicant at the time, so ...

Mr. Otwell: Okay. Well that's all I needed to know.

Chairman Threadgill: Alright. Thank you, sir.

Mr. Otwell: Thank you.

Chairman Threadgill: Anyone else have anything in the audience? Yes, sir. Please come forward.

Male Speaker: I'd like to speak about this rezone on Montana and Yancy Street. He said that was a done deal. I know ya'll are under the impression that there's 16 lots there and every one of them is going to have a trailer on there, a manufactured home, but these people are only going to put one home there. It's just the idea that all these lots went together. See I sold all of them to them and they're just going to put one mobile home there.

Chairman Threadgill: Yes, sir, but right now the Planning Commission has denied the application so what they'll have to do if they want to appeal it, they can come down tomorrow morning and talk to Mr. Stauder or Ms. Sellman and file a request for appeal of this Commission's decision. But right now, that's the only choice you have.

Male Speaker: Okay, thank you.

Chairman Threadgill: You're welcome, sir. Anyone else in the audience who would like to say anything? Nothing? Commissioners? Meeting adjourned.

ADJOURNMENT
