

MINUTES OF THE VIRTUAL REGULAR MEETING
OF THE PLANNING COMMISSION OF THE
CITY OF SILOAM SPRINGS, BENTON COUNTY, ARKANSAS
MAY 12th, 2020

The Planning Commission of the City of Siloam Springs, Benton County, Arkansas, met in regular session at the City Administration Building on May 12th, 2020.

The meeting was called to order by Chairman Colvin.

Roll Call: Song, Salley, McKinney, Smith, Driscoll, Colvin - Present. Montgomery – Absent.

Present City Staff: Permit Technician Brian Phillips and Senior City Planner, Ben Rhoads. Community Development Director Don Clark, City Engineer, Justin Bland, City Attorney Jay Williams - Present.

A copy of the March 10th, 2020, minutes had previously been given to each Commissioner. A motion was made by Smith and seconded by Driscoll to accept the minutes. A voice vote was taken on the pending motion. Motion passed 6-0 with Montgomery – Absent.

Item D1. Preliminary Plat Development Permit, PP20-01, 14800 – 14900 Block of Lawlis Road. Ben Rhoads briefed the item. Staff recommended approval with conditions. A motion was made by Smith and seconded by Song to approve the item with staff's stated conditions. Motion passed 6-0 with Montgomery – Absent.

This item will go to the Board of Directors on June 2nd, 2020.

Item D2. Rezone Development Permit, RZ20-03, 900 Block of South Washington Street. Ben Rhoads briefed the item. Staff did not recommend in favor of the rezone or preliminary plat. Agent Ron Homeyer 701 S. Mt. Olive Street; read a letter prepared by his client Mr. Chavez. Gary Scism, 830 South Washington Street; addressed the commission with various concerns including desire to keep property within the development plan, prefer that zoning stay commercial, and not in favor of a subdivision on that small of property. Following discussion by the commission, Ben Rhoads addressed concerns. A motion was made by Song to deny and no second was made. Chairman Colvin responded, request dies at commission level without action and will go to the Board of Directors on June 2nd, 2020. Colvin asked Williams if that was correct and he said it was. Colvin asked Williams how to handle the preliminary plat. Williams said you can talk about it but cannot make recommendation to approve it without making recommendation to pass the rezone, it is mute at this point. Rhoads brought a point of clarification on the project by reading a letter from Mr. Chavez dated May 5th, 2020. Colvin reminded the commission of their scope and that considering the denial, they need to provide some reasoning and guidance as both items will be going forward to the Board with no recommendations. Smith asked if the rezone could be brought back before the commission for another motion on it, or even a second. Williams said it is an unusual situation and as no action has been taken, if someone wants to make another motion and a second, the Board could still act on it. Mr. Scism, 830 S. Washington Street, addressed the commission with a concern about drainage. Photos were presented illustrating the volume of water flow after a recent rain event. Rhoads addressed comments from the Commissioners. Steve Hillhouse, 836 South Washington Street; addressed the commission about parliamentary rules of order concerning revisiting the rezone.

Williams said he would see what he could find out about this. Colvin moved on with the agenda absent any action on the rezone.

Item D3. Preliminary Plat Development Permit, PP20-02, 900 Block of South Washington Street. Williams advised, you can talk about PP20-02, but cannot make recommendations without the rezone passing. Ben briefed the item. Staff did not move forward with the item.

Item D4. Preliminary Plat Development Permit, PP20-03, 14701 North Country Club Road. Ben briefed the item. Staff recommended approval with conditions. A motion was made by Salley and seconded by Driscoll to approve the item with staff's stated conditions. Motion passed 6-0 with Montgomery – Absent. This item will go to the Board of Directors on June 2nd, 2020.

Item D5. Final Plat Development Permit, FP20-03, 3000 Block of Cheri Whitlock Drive. Ben briefed the item. Staff recommended approval. A motion was made by McKinney and seconded by Driscoll to approve the item with staff's stated conditions. Motion passed 6-0 with Montgomery – Absent. This item will go to the Board of Directors on June 2nd, 2020.

Item D6. Significant Development Permit, SD20-02, 1000 Block of South Washington Street. Ben briefed the item. Staff recommended approval with no conditions. A motion was made by Smith and seconded by McKinney to approve the item with staff's stated conditions. Motion passed 6-0 with Montgomery – Absent. This item will go to the Board of Directors on June 2nd, 2020.

Item D7. Rezoning Development Permit, RZ20-02, 4200 – 4300 block of Hwy. 412 East. Ben briefed the item. Staff recommended approval with conditions A motion was made by McKinney and seconded by Song to approve the item. Motion passed 6-0 with Montgomery – Absent. This item will go to the Board of Directors on June 2nd, 2020.


Williams addressed the Chairman and made comment on procedural questions raised earlier. Williams reviewed Roberts Rules of Order Chapter 10, 11th edition pages 336 and 337, and said rules restricting renewal of motions do not apply to motions that die to lack of a second and can be brought back up in the same meeting, and is still ripe for consideration by the commission if you choose to do so. Colvin asked, even if we have moved on through the agenda? Williams said yes, it can be brought up in the same meeting. Colvin asked the commission if anyone wished to open discussion again on the rezone and therefore the preliminary plat at 900 S. Washington Street. A motion was made by Smith to amend the agenda and seconded by McKinney. Colvin opened the floor for commissioners to comment and no comments were made. A motion to decline RZ20-03 was made by Driscoll and seconded by Salley. Motion passed 5-1 to decline with Montgomery – Absent. Colvin voted to decline based on the current Land Use Map that is in place and he is not comfortable with the big picture of development at this time. This item will go to the Board of Directors on June 2nd, 2020. A motion to deny PP20-02 was made by Driscoll and seconded by Song. Motion passed 5-1 with Montgomery – Absent. Colvin voted to deny based on volume of lots in comparison to the drainage. This item will go to the Board of Directors on June 2nd, 2020.

Item E1. Lot Line Adjustment, LA20-01, 4200 – 4300 Block of Hwy. 412 East. Rhoads briefed the staff-approved item.

Item E2. Lot Line Adjustment / Consolidation, LA20-02, 300 Block of North Country Club Road. Rhoads briefed the staff-approved item.

There being no further business, a Motion was made by Driscoll and seconded by Salley to adjourn. A Voice Vote was called. Motion passed unanimously. Meeting adjourned.

ATTEST:


Renea Ellis, City Clerk

APPROVED:


Todd Colvin, Chairman

06/09/2020



