

PLANNING COMMISSION
MINUTES
FOR MEETING HELD NOVEMBER 25, 2008

MEETING: Shown herein is a summary of action taken at the Pine Bluff Planning Commission Meeting held NOVEMBER 25, 2008 at 4:00 p.m. in the City Hall Chambers.

QUORUM: Those members present included: Lou Taylor, Joe Clement, Frank Hartwick, Edward Long, David Lausten and Jesse Kearny.

OTHERS

PRESENT: Others present include: Jerre George, Regional Planner, Lakishia Hill, Zoning Official, and other concerned citizens.

CALL TO

ORDER: Chairman Taylor called to order the Pine Bluff Planning Commission meeting for November 25, 2008.

**CONSIDERATION
OF MINUTES:**

NONE

OLD BUSINESS:

NONE

NEW BUSINESS:

Item 1: Alley closing request by Thomas Curry and others to close the alley running from Main Street to State Street between 2nd and 3rd Avenues.

Kirby Mouser, executor of the estate of Jean D. Curry spoke for this request.

Mr. Mouser stated that they propose to close the alley to allow them to clear the title issues with the property and provide parking adjacent to the building.

Commissioner Clement asked if one of the locations on a submitted photograph was a bookstore.

Mr. Mouser identified the location as a bookstore and concluded that all the adjacent business owners to the alley were in agreement with the alley closing request.

Commissioner Clement asked if the request was to close the alley through to State Street.

Mr. Mouser answered yes.

Commissioner Reese asked if there were underground utilities in the alley.

Mr. Mouser stated that there are utilities in the alley.

Commissioner Reese questioned how the alley could be paved with the existence of utilities.

Mr. Mouser informed him that the alley is already paved.

Regional Planner George stated that it is not unusual to pave over utilities.

Commission Chair Taylor asked if the Commissioners had any further questions of Mr. Mouser. Since there were none he asked for staff recommendation.

Regional Planner Jerre George stated that staff recommends approval subject to the City retaining the alley as a utility easement.

Commission Chair Taylor asked if there were any questions of staff. Since there were none he asked for a motion on staff recommendation.

Commissioner Lausten started the motion.
Commissioner Clement seconded the motion.

Commission Chair Taylor asked all in favor of staff recommendation to signify by saying "Aye". Then all opposed to signify with the same sign. The motion on staff recommendation was approved. The request was approved.

Item 2: Use Permit on Review request by new Home Missionary Baptist Church to construct a new church facility in an R-2 Residential Zone on property located in the 3400 block of W. 34th Avenue.

Ken Bethge with Bethge Realty Services spoke for this request.

Mr. Bethge stated that he appeared before the commission last year with a UPOR request to build a church facility and is returning to again request a UPOR for the same property and an additional property totaling 392 feet of frontage immediately west of the old Illinois Tool Facility.

Commission Chair Taylor asked if the Commissioners had any questions for Mr. Bethge. Since there were none he asked if there were any further speakers for or against the request. Since there were none he asked for staff recommendation.

Regional Planner Jerre George stated that staff recommends approval of the request subject to the Planning and Zoning Staff approval of the site and parking plans when an actual building request is made. In addition if actual plans include a church significantly larger than submitted or include significant accessory uses, the Zoning Administrator shall require the applicant to file an amendment to this UPOR permit.

Commissioner Reese asked if the Planning Commission suggested the parking lot be relocated to the back of the property when it was reviewed the first time.

Regional Planner Jerre George stated that she believed they had made that suggestion.

Mr. Bethge stated that the submitted sketch was only to show that parking requirements and application requirement can be met.

Commission Chair Taylor asked if there were any further questions. Since there were none he asked for a motion on staff recommendation.

Commissioner Long started the motion.
Commissioner Hartwick seconded the motion.

Commission Chair Taylor asked if there was any discussion of the motion. There was none.

Commission Chair Taylor asked all in favor of staff recommendation to signify by saying "Aye". Then all opposed to signify with the same sign. The motion on staff recommendation was approved. The request was approved.

Item 3: Use Permit on Review request by Church of Jesus Christ of Ladder-Day Saints to construct an addition to a church facility in a B-2 Commercial Zone on property located at 2501 Ridgeway Road.

Mr. Ken Slade, Facilities Manager spoke for this request.

Mr. Slade stated that they would like to construct an addition onto the rear of the existing church.

Commission Chair Taylor asked if there were any questions of Mr. Slade from commissioners. Since there were none he asked for more speakers for or against the request. Since there were none he asked for staff recommendation.

Regional Planner George stated that staff recommends approval of the request.

Commission Chair Taylor asked if there were any questions of staff. Since there were none he asked for a motion on staff recommendation.

Commissioner Clement started the motion.
Commissioner Lausten seconded the motion.

Commission Chair Taylor asked if there was any discussion of the motion. There was none.

Commission Chair Taylor asked all in favor of staff recommendation to signify by saying "Aye". Then all opposed to signify with the same sign. The motion on staff recommendation was approved. The request was approved.

Item 4: Use Permit on Review request by First Baptist Church (Dew Drop) to construct an addition to a church facility in an R-4 Residential Zone on property located at 1701 N. Bryant Street.

Pastor Tommy Ramsey spoke for this request.

Pastor Ramsey asked for permission to construct an addition onto the rear of the church for the purpose of installing a baptism pool and an office space.

Commission Chair Taylor asked if there were any questions of Pastor Ramsey from commissioners. Since there were none he asked for more speakers for or against the request. Since there were none he asked for staff recommendation.

Regional Planner George stated that staff recommends approval of the request.

Commission Chair Taylor asked if there were any questions of staff. Since there were none he asked for a motion on staff recommendation.

Commissioner Lausten started the motion.
Commissioner Hartwick seconded the motion.

Commission Chair Taylor asked if there was any discussion of the motion. There was none.

Commission Chair Taylor asked all in favor of staff recommendation to signify by saying "Aye". Then all opposed to signify with the same sign. The motion on staff recommendation was approved. The request was approved.

COMMITTEE REPORTS: Community Cleanup Committee

Commissioner Long read a committee report (attached) which detailed information discussed between himself, Robert Tucker and Mitzi Ruth. The report identified problems within the department such as lack of common database, outdated computers, lack of departmental funds and the need for an environmental court.

Due to the lack of funds the Committee suggests that work be prioritized by major routes that lead into, around and out of the city.

Commission Chair Taylor thanked the Committee for their service and stated that he gathers from the report that the problems come down to a lack of money and staff.

Commissioner Long added that technology is also an issue.

Regional Planner George stated that if the employees had laptops the work could be performed in the field instead of writing information and returning to the office to type and prepare forms and letters.

Commission Chair Taylor asked Zoning Official Lakishia Hill what was the procedure when a violation has been identified.

Lakishia answered that legal notice is mailed and after the return receipt has come back grass can be cut through out the year if the owner does not maintain the property. Expenditures for mailing legal notice to the property owners is placed on the property taxes and recovered if the owner pays their taxes. Notice is also mailed to property owners for housing violations and is sent to the council for condemnation if no action is taken by the property owner. Property owners usually come before the council and ask permission to repair their property themselves before the property is condemned.

Regional Planner George stated that Robert is putting together a document that explains the procedure and will get the commissioners a copy of the process.

Commissioner Lausten asked if a time limit is given for repair when the commission gives them permission to obtain a permit.

Lakishia stated that the council can give them a time frame for repairs.

Commission Chair Taylor asked if the Zoning and Inspection department have a citation power and fines.

Lakishia answered yes.

Commission Chair Taylor asked who sets the level of the fines.

Lakishia stated that the ordinance sets fines for zoning starting at \$100 and can be run through consecutive days of the offense.

Commissioner Lausten stated that he has heard of companies demolishing properties for free if they are allowed to salvage the material.

Commission Chair Taylor asked Robert why citations are not written automatically.

Robert stated that there has been a bias against citation writing. A lot of owners are absentee and in order to write a citation there has to be someone present.

Commission Chair Taylor asked if registered mail serves the same purpose.

Robert answered that registered mail shows that an attempt to contact the property owner was made. In order to condemn a house if contact was not made through the mailing process a legal ad has to be posted in the local paper in order to proceed to council for condemnation. Robert gave a packet that included a flow chart that outlines the procedure.

Commission Chair Taylor suggests that we fine tune the ticket process.

Robert stated that changes in the ticket process will have to go through a change of city ordinance.

Commission Chair Taylor suggests and increase in fine cost.

Robert suggest a per day offense rate and discussed with the commissioners a fair rate.

Commissioner Long stated that Robert has ideas to generate funding.

Commissioners and Robert discussed the return of money from liens to the general fund.

Commissioner Lausten stated that he could transfer all the documentation to an Access program.

Robert stated that neither he nor his staff was proficient in Access. He stated that he was currently looking at new software for the department.

Commission Chair Taylor thanked the committee and all others involved and suggested that the City Attorney be involved in this process and work on having funds generated returned to the department instead of the general fund. He asked about the possibility of establishing an environmental court.

Robert stated that tickets are currently handled in one of the two district courts.

Commissioners and others discussed the ticket process and warrants.

PLANNING DIRECTORS REPORT:

NONE

ADMINISTRATIVE MATTERS:

NONE

OPEN DISCUSSION:

NONE

ADJOURNMENT:

Commission Chair Taylor entertained a motion to adjourn.

The motion was made and seconded.

Commission Chair Taylor adjourned the meeting.

THESE MINUTES ARE ADOPTED THIS 25th DAY OF November 2008.

CHAIRMAN

SECRETARY