

MINUTES
GOSHEN PLANNING COMMISSION
November 5, 2019

1. Call to Order: The regular meeting of the Goshen Planning Commission was called to order by Loren Shackelford, Chairman, at 5:30pm on November 5, 2019 at Goshen City Hall.

2. Roll Call and Declaration of Quorum: James Gardner, Mike Hill, Levon Ogden, Loren Shackelford, Lisa Skiles and Scott Stokenbury. Jeff Hawkins from NWA was present. Tom Hennelly arrived just after the meeting started at 5:37. The City Attorney was absent.

3. Approval of Agenda – A motion was made by Lisa Skiles to approve the Agenda, 2nd by Loren Shackelford. All voted in favor and the motion carried.

4. Approval of Minutes: A motion was made by Loren Shackelford to approve the minutes from the August 6, 2019 meeting, 2nd by Mike Hill. All voted in favor and the motion carried.

5. Planning Commission Business:

A. Conditional Use Permit Update: 679 Tuttle Rd. - Greg Hiatt, Designscape, was present to answer questions. Lisa Skiles asked about tree protection fencing; Greg Hiatt said there is no plan for tree protection fencing. James Gardner said that the Ordinance states that the site triangle is 25 ft. so make sure you stay within those boundaries. Loren Shackelford stated that full cut off lights are the expectation with full shield. The Ordinance does not state a time table, however, Mr. Hiatt stated that he will work on it during the winter but it will not be done by Spring; immediate concerns by the neighbors will take priority. James Gardner wants to see phases and guidelines on the plan, without them it leaves it open-ended, typically, Conditional Uses should be satisfied before you operate out of the property. Lisa Skiles stated that Landscape Ordinance applies to those that require Certificate of Occupancy; Owner has Conditional Use Permit so this is a special circumstance. Loren Shackelford made a motion for a 6-month window to allow execution, 2nd by Levon Ogden. All voted in favor and the motion carried.

B. Conley Stone Mountain Estates: Buckley Blew with Blew and Associates presented: The property owner, Mike Conley, would like to replat existing lots into larger lots that in the future could be sold. An easement vacation plat process has been started and are awaiting State Health Dept. approval. DR for this project is complete. Jeff Hawkins provided documentation. Mr. Hawkins has the final plat for perusal.

Replat is for part of the property (lots 2-46). When the replat is complete all lots will be at least 2 acres. When individual lots are sold we can address the septic, ingress, and egress at that time. Both title companies, through their attorney, stated that Conservation Easements were never filed and do not exist.

The owner would like to get the existing 40 lots, that were previously plated, converted into 16 lots that are all 3.5 acres, along with getting existing utility easements vacated through an easement vacation. Josh Bailey, Hogue Law Firm, who was not present for the meeting, said by message that the owner has to prepare the legal documents to vacate the easement and the City Council will have to prepare an Ordinance to vacate the easements. Conley's would like to create their own POA and keep the roads private. Attorney Bailey also said the streets belong to the owner of the property and that a POA will need to be put in place. City Council will have to move on all issues being addressed.

Loren Shackelford made a Motion for recommendation to City Council to replat the Conley Stone Mountain Estates, the downsizing of the lots back to uniformity of our Ordinances, and the recommendation that they work with the applicant on the vacation of the utility easements, the roads, the right of ways, and the formation of a POA.

A recommendation will be made to the Conley's that the POA be written, easement plat executed, and Health Department finalized so we can deliver all the information to City Council. Levon Shackelford made a motion for the recommendation of the replat to the Conley Stone Mountain Estates, subject to the easement vacation for the utilities, State Health Dept. approval, conservation easement, formation of a POA, and anything else the City Attorney would like to see. Levon Ogden made a 1st, Lisa Skiles 2nd. All voted in favor and the motion passed.

C. Master Plan Discussion – Ordinance 31: Mayor Oliver request that the Planning Commission update the Master Plan since it has not been changed since 2003 and it should be updated every 10 years. Loren Shackelford suggested tabling this discussion until next meeting so that the Commissioners can review it. Lisa Skiles suggested obtaining an outside consultant to help facilitate a discussion. Jeff Hawkins stated that this was a policy document, done by Regional Planning on a model templet. He also stated that by law you need a land use plan before you can exercise zoning and they need to be updated as things change; if you do update be sure that your land use plan is the basis for zoning. Tom Hennelly asked Mr. Hawkins to explain how the land use map differs from a zoning map. Mr. Hawkins answered that the important part is the policy's that need to be followed and used in the decisions that you process. Mr. Hawkins also advised that it be characterized in the document that this is a general plan not a definitive guide. Loren suggested that the Commissioners review it and that we look at having it reviewed then scheduling a special meeting in order to get public input. Mayor Oliver stated that we are able to post surveys on our new website as a way to gather public opinion. Mayor Oliver inquired about some of the Goshen subdivisions still being RR when they should be R1; Loren advised bringing this to the city attorney.

6. Review of Building Official's Report: Information is in your packets.

7. Review of Planning Commission Report: nothing to report.

8. Administratively Approved Property Splits/ Lot Line Adjustments:

A. Sheila Evans- Property Line Adjustment – 15332 Goshen-Tuttle Rd. - Parcel #001-09972-000 & #001-09973-000

B. 380 Jay Ave. Lot Line Adjustment

Bill Little – Goshen Leisure Heights - Parcel #770-17341-000

Bethany Whitehead – Goshen Leisure Heights - Parcel #770-17341-000

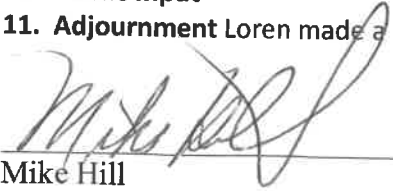
C. Lawrence Ferguson's plat lot split – 911 Tuttle Rd. – Parcel #770-17543-000

Loren requested that a copy of future lot splits and/or plats be provided in Commissioner' packets. Jeff Hawkins stated that a request has been made to undertake highway 45 corridor study from 265 east; this will include access management, spacing of the driveways, and turn lanes.

9. Comments by Planning Commissioners or City Attorney

10. Public Input

11. Adjournment Loren made a motion to adjourned, Tom Hennelly 2nd. Meeting adjourned at 6:19pm.


Mike Hill
Secretary