

## Planning Commission Minutes June 26, 2023 at 6 PM

1. **ROLL CALL** – The in-person meeting was called to order by Chair Robert Mann.  
A quorum was present.

### **PRESENT**

Robert Mann, Chair  
Chad Ball  
Howard Carter  
Gerry Harris  
Judy Horne  
Keith Macedo – arrived 6:15 PM  
Norm Toering  
Bobby Wilson

### **ABSENT**

**City Employees Present:** Melissa McCarville, City Business Manager; Rick Bramall, City Building Inspector; Jay Moore, City Attorney; Bill Hellard, Fire Chief; Chris Brackett, City Engineer

2. **Approval of Minutes:** The May 22, 2023 minutes were approved as written.

### **3. Comments from Citizens:**

Matt Bates – 455 N. Yona Lane: Mr. Bates gave each of the Commissioners a map of his house in Goose Creek Subdivision (copy attached). He bought a house on Lot 25 two years ago from Riggins Construction, who were bought out last year by DR Horton. He bought the house because it was in a cul-de-sac, with no neighbors on one side and green space and drainage in the cul-de-sac. Now there is no cul-de-sac, they tore up the cul-de-sac and made a road and he was not happy about that. Chairman Robert Mann said it would be taken under advisement.

Phyllis Young- 546 Goose Creek: Ms. Young stated she was there once again because of the flooding on her land. This week she was asked why she keeps coming here, and the reason is because in the end she has faith that the truth is going to come out about this. Also she wants commissioners to take more concern, and actively do more checking before voting to let some developer drain the increased water flow from their subdivision on someone's land.

Ms. Young said she realized the Commission takes the engineers word what's going to happen, but evidentially they know what's going to happen because this one is not happening like they said it. Therefore, there are errors that can be made and maybe you could ask the people that own the land what is happening up front before anything is ever done. Instead of waiting until a flood comes and floods one side of the valley to the other and destroys the property.

Ms. Young said she would like to think Chris Brackett knows what he is doing as far as his engineering goes but she knows he's not right about this situation; he's not right in the least Ms. Young also says she knows City Attorney Jay Moore is not there tonight to tell you that you can't talk to me so I'll tell you, you're not supposed to talk to me, She mentioned that earlier, Gerry Harris was going to go look at her land in question with Building Official Rick Bramall. However, Ms Young did not know if she had been able to go see the damage. She begged Commissioners to go look at the damage for themselves, for future reference. She said City Engineer Chris Brackett has been out there twice and if he came back, he could see the damage. Public Works Manager Floyd Shelley has been there and he could see the damage. Ms. Young stated there were no rocks in the valley from one

Comments from Matt Bates – 455 N. Yona Lane  
Goose Creek Subdivision

8:21

LTE

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lots and will have to have 200 ft. of frontage per lot. Mr. Kirkendall said if it was going to be too much

of a problem they would install a shared driveway. Melissa McCarville then said they could do a tandem line and put one in the front and one in the back then you would need 60 ft. Mr. Kirkendall said they were going to split it north and south.

Judy Horne said she was still concerned about drainage, wondering why the existing pond on the east was so large, if water was not a problem there. Also she questioned the creek diversion. Mr. Kirkendall said that he does this for a living and diverts rivers, streams, creeks all the time and is not as complicated as it sounds. That area where the water will be channeled goes toward an existing man-made pond and the drainage should not be an issue. He said the pond did not belong to any resident on Blue Sky.

Request was approved 6 - 1 with Judy Horne voting No.

**4B. Rezoning – From A-1 to RE-2, Property owned by Nick Limbird. Location – 11294 N. Hwy 170, Presented by Bart Bauer**

Bart Bauer, 3804 Copper Ridge Road, Little Flock; He explained that when they developed Hillcrest on the west side of Highway 170, they were allowed 85 sewer taps but only used 82. So they plan to use the 3 remaining taps for a piece of property across the street from Hillcrest Subdivision. The stone house will remain on 1.44 acres and it and septic system will be renovated. The three remaining lots are: 1.1 acres, 1.09 acres, and 3.45 acres. Melissa McCarville reminded that acreage requirement for RE-2 is one acre.

Judy Horne asked if each one of these lots have their own driveway off Hwy 170. Mr. Bauer said yes because that way they will be able to get three additional lots on the property. Judy Horne noted that these properties' driveways will come out on Hwy 170 at one of its most dangerous parts.

Chad Ball asked about Tract 1 (parcel 0289) where it appeared the parcel was in the street, Melissa said yes some do go across the street. They have all of these parcel numbers and once they split it, there will be four legal descriptions once it is re-platted and rezoned. He asked what type of improvements, i.e. sidewalks were required; sidewalks won't be required for the lot splits.

There was no public comment.

No further comments were made and upon roll call vote, request was approved 7-0

**Adjournment:** Having no further business, Gerry Harris moved to adjourn, seconded by Norm Toering; motion was approved, and meeting was adjourned.



Judy Horne, Secretary



Robert Mann, Chair