

**CITY OF JACKSONVILLE, ARKANSAS
REGULAR PLANNING COMMISSION MEETING
SEPTEMBER 13, 2021
6:30 P.M. - 6:59 P.M.**

OPENING REMARKS:

The Planning Commission of the City of Jacksonville, Arkansas met in a regular session on September 13, 2021. Chairman Stroud opened the meeting at approximately 6:30 p.m. expressing appreciation to those in attendance. Chairman Stroud offered the invocation.

ROLL CALL: Commissioners Mike Dietz, William Montgomery, Billy Hall, Jeff Twitty, Greg Bollen, Chairman Mark Stroud were present and answered ROLL CALL. Chairman Stroud declared a quorum. PRESENT (6) with Chair, ABSENT (3).

CORRECTION AND/OR APPROVAL OF MINUTES:

PUBLIC HEARING(S): a. REZONING 207 Dupree Drive from C-2 to C-3

Chairman Stroud opened the public hearing at approximately 6:31 p.m.

Chairman Stroud stated that in zoning, there is commercial and residential, and that behind this property is residential while in front it is commercial. He explained that there are different densities of commercial property, such as C-1 being for light business of offices, C-2 is more dense regarding businesses that create more traffic, and C-3 is even more density, such as a car lot.

Petitioner Jaskiran Kaur related that the business will be a 40'x40' used car shop. She then requested to speak with her father to clarify.

Ms. Kaur's father assured that the building would abide by the 25-foot setback and that if the rezoning is approved, he would get the final 40'x40' building design with paperwork.

Chairman Stroud noted that the problem is that a rezoning is more permanent in nature than a conditional use, questioning allowing a C-3 heavier type of commercial in that area.

Ms. Kaur's father detailed that he does not want to do anything heavy, but just have a building for the office and customer areas.

Chairman Stroud stated that if rezoned, then later sold, a new owner could put anything allowed in a C-3 zone. He pointed out that a conditional use would revert back to its original use if the property were sold. He explained that a conditional use request would not permanently change the use of the property.

Discussion ensued about whether the property previously had a conditional C-3 use as an auto repair, but it was concluded that it was where the N & N snack bar was located next door.

CITY OF JACKSONVILLE, ARKANSAS
REGULAR PLANNING COMMISSION MEETING
SEPTEMBER 13, 2021
6:30 P.M. - 6:59 P.M.

Commissioner Bollen related that they previously approved a conditional use for auto repair next door to this property.

Chairman Stroud agreed that they do have some conditional uses in the area, but as a City, it would be dangerous for them to start allowing C-3 zones along that corridor, especially since it abuts a residential zone. He stressed that a rezoning is a more permanent decision for the Commission to make.

Commissioner Twitty reiterated that a rezone is more permanent than a conditional use.

Ms. Kaur's father questioned whether they could rezone it to C-3 in a year or two.

Chairman Stroud suggested that instead of a rezoning, he could return to the Planning Commission with a conditional use request offering his plans for the building, that is tied to him and would revert back to C-2 if sold. He explained that the Commission would make a judgement whether to approve the conditional use or not.

Commissioner Twitty agreed that the petitioner should come back and request a conditional use, noting that if he retires or moves on from the property, it would revert back instead of being a more permanent change.

Chairman Stroud closed the public hearing at approximately 6:41 p.m.

Commissioner Montgomery moved, seconded by Commissioner Twitty to deny the rezoning of 207 Dupree Drive from C-2 to C-3. MOTION CARRIED.

Chairman Stroud stated that it is not that the Commission does not want the business, but that they want to make sure that they do what is right for the City's future.

b. CONDITIONAL USE 1100 West Main Street auto repair shop in C-2 zone

Chairman Stroud opened the public hearing at approximately 6:42 p.m.

Petitioner Brian Bisbee stated that he is requesting a conditional use of 1100 West Main Street for an auto repair facility.

Commissioner Bollen explained that it has been an auto repair business since he was a kid and that he does not mind it being that again, but he wants some restrictions in place, such as how many cars are allowed, so that it does not clutter Main Street.

Commissioner Twitty recalled that is where you would get headlights adjusted before you get your safety inspections.

**CITY OF JACKSONVILLE, ARKANSAS
REGULAR PLANNING COMMISSION MEETING
SEPTEMBER 13, 2021
6:30 P.M. - 6:59 P.M.**

Chairman Stroud then noted that Commissioner Hall would recused himself for this item of business.

Commissioner Hall related that he has explained to Mr. Bisbee what the Commission expects from Main Street, explaining that Mr. Bisbee is using his storage lot behind the building to park the vehicles, so there will not be very many out in front. He pointed out that it could be a stipulation upon approval.

Mr. Bisbee admits that he cannot say that there will not be one or two vehicles left out here and there, but he does try to get everything he can to the back when they close. He shared that the back of the building is fenced and that it can hold a lot of cars, when asked by Commissioner Montgomery.

Commissioner Bollen agreed that it needs a limit since it is on Main Street and that he also does not want it to look like a salvage yard in the back area.

Mr. Bisbee noted that he and Commissioner Hall have an understanding that he only uses half of what is fenced off in the back for his area, allowing about ten to fifteen cars max.

Commissioner Hall clarified that Mr. Bisbee has three bays rented and that he would say ten vehicles max can fit in his part of the back.

Mr. Bisbee affirmed that he tries not to leave any cars in the front, but at the most, there may be three or four that would go under a carport and not actually look like they are left out.

Commissioner Twitty suggested no more than ten cars in the back and six in the front if necessary.

Discussion ensued about how many cars to limit Mr. Bisbee to in the front and back of the business. It was determined that four could be left out front and ten in the rear property.

Chairman Stroud closed the public hearing at approximately 6:47 p.m.

Commissioner Bollen moved, seconded by Commissioner Montgomery to approve the conditional use at 1100 West Main Street for an auto repair shop in a C-2 zone stipulating that it is limited to ten cars in the back and four in the front. MOTION CARRIED.

REQUEST TO APPROVE PLAT(S): a. FINAL PLAT Jaxon Terrace Phase 15

Representative Aaron Robinson with Bond Engineering stated that they are waiting on a punch list from the Water Department and explained that he has provided them with everything, including the warranty. He related that the Sewer Department has one or two manholes that have been tested and passed, but still have to be looked at and noted that asphalt will be installed tomorrow.

CITY OF JACKSONVILLE, ARKANSAS
REGULAR PLANNING COMMISSION MEETING
SEPTEMBER 13, 2021
6:30 P.M. - 6:59 P.M.

Engineering Tech Mylissa Griggs added that he covered everything other than receiving storm water application.

Council Member Dietz moved, seconded by Commissioner Montgomery to approve the final plat for Jaxon Terrace Phase 15 with stipulations as noted. MOTION CARRIED.

b. FINAL PLAT Lots 1, 2, 3, & 4 Cloverdale Subdivision

Representative Aaron Robinson with Bond Engineering stated this is a four-lot subdivision with, what he believes, are double-wide mobile homes on each one. He explained that they have been there for over fifteen years with existing utilities and streets. He noted that the petitioner is trying to clean up the metes and bounds and make it a four-lot subdivision so that he can sell the mobile homes to the current tenants.

Engineering Tech Mylissa Griggs agreed with how long the structures have been there and that utilities are existing. She added that this area existed prior to the requirement of half street improvements, other than that a \$200 plat fee is needed, the City is okay with it.

Council Member Dietz pointed out that he is very familiar with the four pieces of property and that he believes it will be a good idea. He shared that the mobile homes have been owned by many people throughout the years.

Council Member Dietz move, seconded by Commissioner Montgomery to approve the final plat for lots 1, 2, 3, & 4 of Cloverdale Subdivision. MOTION CARRIED.

Commissioner Montgomery questioned as to why this item of business had to come before the Planning Commission for approval.

Mr. Robinson explained that the final plat has to come before the Commission since the Chairman is required to sign it before it is recorded at the court house. He related that in this case, it already has houses on it, so this is cleaning it up. He then gave an example of it being like Jaxon Terrace, except everything is already built, so for instance, if he wanted to buy Lot 2, he would come to a surveyor, they would do a metes and bounds, then be recorded at the court house where things could get lost. He indicated that in this case, if he buys Lot 2 of this recorded subdivision, it is forever like that with no wrong interpretation of where the pins go. He noted that this way is more set-in stone and that in fifty years from now, you will be able to easily distinguish what Lot 2 is. He affirmed that it will not go to City Council, since there are no streets to adopt, and that it has to go to the Planning Commission to make it formal and to where the Chairman can sign off on it.

CITY OF JACKSONVILLE, ARKANSAS
REGULAR PLANNING COMMISSION MEETING
SEPTEMBER 13, 2021
6:30 P.M. - 6:59 P.M.

c. PRELIMINARY & FINAL PLAT Pleasant Oaks Subdivision

Representative Roland Csege with Holloway Engineering stated that his client owns a corner property on Cloverdale and West Valentine and wishes to plat it into four lots to build houses. He explained that they tried to put it together and meet the requirements, but they need some sewer improvements to service all four lots. He was unsure if they needed any right-of-way dedication or half street improvements.

Engineering Tech Mylissa Griggs related that they are pulling the final plat because they are going to have to run gravity to get all of the lots served with sewer, therefore, they are just looking at preliminary plat tonight. She affirmed that the water is existing and will not require water approval but reiterated that they will need sewer plan approval as a contingency. She noted that they will need to discuss half street improvements or the developer will need to make a formal request for a waiver or make a general contingency that half street improvements would be agreed upon with the Public Works Director Jim Oakley.

Mr. Csege agreed on behalf of his clients.

Commissioner Bollen asked how many square feet are the homes they are planning for the lots.

Mr. Csege stated that he has not seen the plans, adding he would speak to his client tomorrow regarding those plans, explaining that she had wanted to get the plans turned into the City as soon as possible for permits.

Discussion ensued about how big the lots are and how big other homes in the area are.

Commissioner Bollen moved, seconded by Commissioner Twitty to approve the preliminary plat of Pleasant Oaks Subdivision stipulating contingencies regarding sewer approval and half street improvements as agreed upon with Public Works Director Jim Oakley. MOTION CARRIED.

BUILDING PERMIT(S):

GENERAL:

ANNOUNCEMENT:

ADJOURNMENT: Chairman Stroud without objection, adjourned the meeting at approximately 6:59 p.m.

Respectfully submitted,

Susan L. Davitt