

**CITY OF JACKSONVILLE, ARKANSAS
REGULAR PLANNING COMMISSION MEETING
MARCH 13, 2023
6:30 P.M. - 7:18 P.M.**

OPENING REMARKS:

The Planning Commission of the City of Jacksonville, Arkansas met in a regular session on March 13, 2023. Chairman Moore opened the meeting at approximately 6:30 p.m. expressing appreciation to those in attendance.

ROLL CALL: Commissioners Mike Dietz, William Montgomery, Billy Hall, Vivian Brittenum, Dan Brown, Greg Bollen, and Chairman Jim Moore were present and answered ROLL CALL. Chairman Moore declared a quorum. PRESENT (7) with chair, ABSENT (2).

CORRECTION AND/OR APPROVAL OF MINUTES: Council Member Dietz moved, seconded by Commissioner Brittenum to approve the minutes of February 13, 2023 as presented. MOTION CARRIED.

PUBLIC HEARING(S):

REQUEST TO APPROVE PLAT(S): a. PRELIMINARY PLAT H&S Estates

Aaron Robinson with Bond Engineering stated this was originally brought to the Planning Commission last year as a one lot subdivision for duplexes and triplexes, but the developer has now decided he wants to do it in lots. He confirmed it will still be duplexes and triplexes, similar to Greenhill Estates; that way individual owners can buy a lot, build a duplex, invest in it, or sell it. He explained by going this route they reduced the number of doors from the original plan by eight or ten.

City Engineer Adam Whitlow noted the applicant is requesting a waiver of the 25' building line along Boomerang Street on Lots 25, 32, 33, and 40. He confirmed Staff does not have any issues with this as long as the plat states the direction of the lots face the other direction, making it a dedicated side setback.

Mr. Robinson confirmed they have done it before with Jaxon Terrace, where they put on the final plat that the houses have to face a certain road and the driveways have to come to that road; that way when they come into the City for their preliminary plot plans, they have it on the plat which way the driveways have to face. He understands it has to do with making sure you have enough cars off the road so you are not blocking it.

Engineer Whitlow detailed additional contingencies as needing Water approval, the owner/developer is responsible to provide plan for mail delivery service since USPS requires cluster mailboxes for certain densities, the City prefers Tract "A" to be maintained by an established Property Owners Association (POA) due to development consisting of duplex and triplex structures, the City would prefer not to maintain the detention pond on Tract "A", driveway permit required by Arkansas Department of Transportation, Stormwater Pollution Prevention Plan as required by Arkansas Department of Environmental Quality (ADEQ), and concurrence from the Fire Marshall to allow a

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single access for more than 30 lots or 100 residential units. He pointed out that a single entrance was allowed on the original preliminary plat since the Fire Marshall asked for a wider entrance, and they complied, so he surmises the same consideration would be given to this updated plat.

When Chairman Moore inquired, Mr. Robinson replied that the Sewer Commission met Friday, and as far as he knows, it got approved, but has not received confirmation. He told how he is expecting marked up plans from the Water Department on what he needs to fix and it will go before the Water Commission in two weeks. When Commissioner Montgomery inquired, he replied that there will be sidewalks and the owner/developer is Mike Sullivan. When Commissioner Brittenum mentioned the one entrance/exit, he responded it was approved last time, detailing they went 36' wide on the drive coming in, so he does not see why it would be an issue. He mentioned Stanphil Road being at the top of a hill and if they put another driveway closer to it, then your sight distance is really reduced, making for a dangerous intersection, therefore they put the driveway all of the way to the West so you can see oncoming traffic. He confirmed a second road is possible, but it becomes very dangerous. When Commissioner Brittenum inquired about it being a gated community on the original plat, he replied now that it is not a one lot subdivision, and since there can be multiple owners, gating is not what the owner/developer is looking at, at this time. He surmised if they do set up a POA, they may end up gating it, but in doing a public street/right-of-way, they would want the City to take care of the streets and utilities; like a regular subdivision.

When Commissioner Brown brought up there being quite a bit of contingencies, Engineer Whitlow clarified the true contingencies that are yet to be resolved are the maintenance of the detention pond and the concurrence with the Fire Marshall. He presumes they will be given the same consideration as on the original plat, but have not gotten the letter from the Fire Marshall yet. He noted the main difference between the original version and this version is that the infrastructure is now public and the lots can be sold fee simple. He confirmed they can maintain ownership of it if they want, or they can sell off an individual triplex.

Council Member Dietz related since they made it into lots, they can sell individual duplexes, and if it was not done that way, they could not finance with FHA or VA, adding that a veteran can own a duplex if he lives in one side.

Engineer Whitlow confirmed this way the City accepts responsibility for the infrastructure, but they still have to build it to City standards, whereas before, the developer had more flexibility within the private complex.

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Council Member Dietz stated the City will now have some say on how they do it, which makes a lot better sense than them doing their own thing, because properties get run down fast if there is not someone watching over them.

Mr. Robinson pointed out that the lots still have to meet minimum lot width and depth. He explained when they had it as one lot, they were able to place them a lot closer, so this gives it more separation and regulation.

Engineer Whitlow mentioned they were technically approved for construction with the original plat, but by changing it and doing it this way, they have to put the infrastructure in first and then come back for the individual building permits; making it a lengthier process and giving the City more control. He noted that the owner also gets more finance options doing it this way. When Chairman Moore inquired, he confirmed that they recommend having a POA, but the City does not have any legislation that requires it. He brought up there being a gray area where a detention pond is required, surmising the developer would like to hand maintenance off to the City, but his Staff prefers it to stay in the hands of a POA. He recalled that before, when it was a single complex, all of the ownership was common, so there was not any question, but now they have to discuss it and work out the logistics. He shared that the City does not necessarily have an absolute requirement for stormwater detention, but if the engineer says it needs it to minimize downstream impact, then the City certainly wants it. He stated when they final plat it, they can make sure the City has an easement over and across Tract "A" so if they do have to end up with the maintenance on the pond, they can.

Council Member Dietz moved, seconded by Commissioner Montgomery to approve the preliminary plat for H&S Estates as presented with contingencies of statement on plat saying structures must be located as close to interior side lot line as possible with driveway as far from intersection as possible and no structures to face Boomerang Street on Lots 25, 32, 33, and 40, Water approval, Sewer approval, owner/developer to provide plan for mail delivery service, the City prefers Tract "A" that contains detention pond to be maintained by an established Property Owners Association (POA), driveway permit required by Arkansas Department of Transportation, Stormwater Pollution Prevention Plan as required by Arkansas Department of Environmental Quality (ADEQ), and concurrence from the Fire Marshall to allow a single access. MOTION CARRIED.

b. FINAL PLAT MW Commercial Sub.

Aaron Robinson with Bond Engineering recalled they brought forth the preliminary plat on this last October, adding that it is located on Redmond Road and General Samuels Road where they have torn down all of the trees. He described how there are three lots, there is some sewer that has to be put in, and how they have asked the Water Commission to remove the water line easement that goes through one of the lots. He

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confirmed these are commercial lots, so as each one of them develop, the infrastructure will be put in when the Planning Commission reviews it at the site plan stage. He clarified that this is just creating the three lots so they can sell them off for site plans.

City Engineer Adam Whitlow stated the majority of the infrastructure is already there for these and accessed off of General Samuels Road and Redmond Road. He brought up that one of the lots has access to sewer, but has to be extended to serve another. He shared that they plan on having storage units on the third lot and should not need sewer for those. He assured they do not have a problem with administrative approval of the final plat with the understanding that there is a lot of infrastructure, such as ½ street improvements, that will need to be evaluated at the site plan phase, depending on what goes there. He explained these are very large lots that will probably have their own internal water extensions, etc. so Staff is comfortable deferring that evaluation to the site plan phase. Staff is okay with the administrative approval of the final plat, but they are going to hold it until the sewer extension gets done so they do not have a bonding issue. He listed contingencies as: Staff supports deferment of ½ street improvements and sidewalks to site plan phase of each lot, waterline easement is currently in the process of being abandoned by City Council and must be complete prior to recording of final plat, future utility needs to be determined at site plan phase for each lot, and stormwater as-builts to be required prior to issuance of any Certificate of Occupancies as each lot develops. When Chairman Moore inquired, he confirmed that Staff would not be opposed to having the access for Lot 1 coming from Redmond or General Samuels Road.

Council Member Dietz moved, seconded by Commissioner Bollen to approve the final plat for WM Commercial Subdivision as presented with contingencies as deferment of ½ street improvements and sidewalks to site plan phase of each lot, waterline easement abandonment by City Council must be complete prior to recording of final plat, future utility needs to be determined at site plan phase for each lot, and stormwater as-builts to be required prior to issuance of any Certificate of Occupancies as each lot develops. MOTION CARRIED.

c. REPLAT Lot 1 & 2, Garry Estates, being a replat of part of Lots 55 & 56 Henry Estates

City Engineer Adam Whitlow stated this is a single tract split into two lots. He explained that typically these are Staff-level items, but they could not find any dedicated rights-of-way to Casey Street, so since it has to have a formal dedication, it is going to go to City Council for approval.

Commissioner Montgomery moved, seconded by Council Member Dietz to approve the replat of Lot 1 & 2, Garry Estates, being a replat of part of Lots 55 & 56 Henry Estates as requested. MOTION CARRIED.

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BUILDING PERMIT(S): SITE PLAN New Murrell Taylor Elementary School

Aaron Robinson with Bond Engineering stated this is for a new Murrell Taylor Elementary School to be located next to the current one. He explained that once it is built, the existing school will be torn down. He mentioned that the School District had to purchase this piece of property located next to them so they would have enough room to build it while keeping all the kids at the original Murrell Taylor. He pointed out there is a dedicated bus lane and car lane, noting that the playground area is in the back of the school. He brought up that if you go to the new elementary school off of Madden Road, the playground is in the front, which is why they leave the gates closed, causing cars to stack up on Linda Lane. He confirmed they should not have that problem here because there is no fencing in the front of the building. He related that once the original school is demolished, they are going to connect the bus lane that comes off of Loop Road to go behind Murrell Taylor using an easement that was obtained by First Electric. He believes they have addressed all of Staff's concerns as of right now, but the architect is meeting with the Fire Marshall tomorrow.

City Engineer Adam Whitlow stated they did a pretty extensive review of this after Baldwin & Shell submitted the full-level construction set for a building permit. He confirmed they have addressed all of the comments they can at this point, but listed contingencies as stormwater as-builts required prior to issuance of CO, Stormwater Pollution Prevention Plan as required by ADEQ, Water approvals, pre-construction meeting conducted prior to issuance of final building permit, and concurrence is required from Fire Marshall as pertaining to access to rear of building. He confirmed even if there are amendments to it, there can be minor ones done at Staff level, but all of the big items that the Planning Commission considers have been addressed. He mentioned another contingency is a conditional use permit that will be addressed next month, noting they have allowed them to start doing some minor clearing of trees and grading.

When Commissioner Hall inquired, it was confirmed the car entrance will still be off of Murrell Taylor Drive and the buses will still come off of Loop Road.

Mr. Robinson brought up a funding window where Baldwin & Shell have to meet certain milestones of construction, so delaying it might cause a potential issue with the State if it is not done and ready for the children to use.

Engineer Whitlow suggested that the School Board check their documentation to make sure they are comfortable with their legal access of the roads used for ingress and egress. He confirmed if they did not have rights, they do now, because of usage and time. He recommended a true boundary survey, but assured it is not required.

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Commissioner Montgomery moved, seconded by Commissioner Hall to approve the site plan for the new Murrell Taylor Elementary School as presented with contingencies of stormwater as-builts required prior to issuance of Certificate of Occupancy, Stormwater Pollution Prevention Plan as required by ADEQ, Water approvals, pre-construction meeting conducted prior to issuance of final building permit, and concurrence from Fire Marshall as pertaining to access to rear of building. MOTION CARRIED.

GENERAL:
ANNOUNCEMENT(S):

ADJOURNMENT: Chairman Moore without objection, adjourned the meeting at approximately 7:18 p.m.

Respectfully submitted,

Susan L. Davitt