

**CITY OF JACKSONVILLE, ARKANSAS
REGULAR PLANNING COMMISSION MEETING
MAY 9, 2022
6:31 P.M. - 7:13 P.M.**

OPENING REMARKS:

The Planning Commission of the City of Jacksonville, Arkansas met in a regular session on May 9, 2022. Chairman Moore opened the meeting at approximately 6:31 p.m. expressing appreciation to those in attendance.

ROLL CALL: Commissioners William Montgomery, Billy Hall, Vivian Brittenum, Jeff Twitty, 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: Commissioner Brittenum moved, seconded by Commissioner Montgomery to approve the minutes of January 10, 2022 and March 14, 2022 as presented. MOTION CARRIED.

PUBLIC HEARING(S): CONDITIONAL USE 1200 South James Street, Lot 6 Blk 0 Metropolitan Commercial Estates C-3 use (car lot) in a C-4 zone.

Chairman Moore opened the public hearing at approximately 6:34 p.m.

Representative Tommy Bond with Bond Engineering stated that this is a parcel of land that has been sitting vacant since the beginning of the Metropolitan Commercial Estates Subdivision in the 1960's or 1970's. He explained that the owner would like to have a used car lot and they are asking for a waiver to allow that to occur. He pointed out that the Commission has a site plan that shows a small office and an area to park cars.

Commissioner Twitty pointed out that there are similar businesses in the area, noting a body shop and others down the Street.

Discussion ensued between Commissioners and it was determined that there is no building on the lot yet.

Responding to a question from Commissioner Brown, the petitioner Steven Glenn answered that they have only scraped some of the grass off where water was sitting.

Chairman Moore closed the public hearing at approximately 6:37 p.m.

Commissioner Bollen moved, seconded by Commissioner Twitty to approve the conditional use at 1200 South James Street as requested. MOTION CARRIED.

REQUEST TO APPROVE PLAT(S): a. PRELIMINARY PLAT: MW Commercial Subdivision

Representative Tommy Bond with Bond Engineering stated this property is located on the corner of General Samuels and North Redmond Road where the trees have been cleared. He explained that it will be three lots and the back lot and a portion of the middle lot will be a mini storage facility. He shared that there has been no discussion about what might occur on the remaining lot, but this property is zone M-2.

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He related that they will ask for a waiver because M-2 zoning requires a seventy-five-foot rear yard setback, but the rear yard will be the storage facility and a fence, where it does not make sense to have a seventy-five-foot setback.

Engineering Tech Mylissa Griggs related there is water existing on the property along both rights-of-way, and sewer is also existing, however, there is a force main on the front, then gravity coming to the southeast corner. She noted that they would like to see sewer approval of which way they would want that to go. She related that the only other comment is that it appears that the rear would be on the southern line, and without seeing how it is going to be developed, the City would not want to give a blanket variance without knowing what is going to be there. She stated that they will deal with the variance next month since it has to be advertised and posted.

Chairman Moore clarified that the recommendation of the City Engineering Department is that a plan for each lot needs to be submitted in order to allow for a full review of needs for said variance when, and if, said variance is requested.

Engineering Tech Mylissa Griggs added that approval should be contingent on sewer approval.

Responding to a question from Commissioner Brown, Mr. Bond replied that there are no buildings there yet, only a power line that crosses and a one-hundred-foot right-of-way that goes through it, but there is a house immediately west of this property. He clarified that a variance is just an option because seventy-five feet is a lot of space to not utilize. He shared that he envisions that there only be one lot that will probably be developed, being the lot that faces Redmond Road. He explained that the others will probably evolve into a full mini storage complex. He pointed out that on the drawing you can see the waterline easement that goes diagonally across the property that was the original waterline that went to the Arkansas Ordinance water plant that was shut down in the 1970's. He related that the line has been abandoned everywhere else and they plan to petition the City to vacate that easement. He noted that there is a pipe out there, but it is not used for anything, and has been abandoned in other areas already. He explained that the pipeline ran all of the way to Bayou Meto to the old Ordinance Plant well field.

Commissioner Brown brought up standing water and drainage issues.

Engineering Tech Mylissa Griggs stated that the drainage design would be submitted when each lot site plan is submitted, so we have not seen the plans yet.

Mr. Bond explained that it does have a sewer force main that comes from the North Pulaski High School and the Bobby Lester School that tie into the manhole in the southeast corner, right next to the moving

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business. He affirmed they do not have any problems with the force main coming from the Bobby Lester School because it comes down the road right-of-way along General Samuels and Redmond.

Commissioner Montgomery moved, seconded by Commissioner Brown to approve the preliminary plat for MW Commercial Subdivision contingent on sewer approval. MOTION CARRIED.

b. FINAL PLAT: Notting Hill Subdivision PH 1

Petitioner Greg Heslep stated that he is asking for final plat approval of Phase 1 of Notting Hill Subdivision so they can proceed to try to sell lots. When asked by Commissioner Twitty, he replied that there will be a total of 90 lots in three phases, having 36 in this Phase 1, and they will be 70-75 feet by 120-180 feet. Responding to a question from Commissioner Montgomery, he replied that there is sewer, water, curb & gutter, streets, storm drainage, and conduit already done, but they are waiting on First Electric to come pull the wires and set the transformers.

Chairman Moore then shared that one condition set forth from the City Engineering Department is to provide water and sewer approvals. He then read a letter from First Electric Cooperative Corporation stating that "Installation of electrical facilities for the above referenced development should be complete within three weeks. The developer has paid all fees required by First Electric including the cost for the installation of streetlights. Construction has delayed due to a shortage of underground electrical contractors. This project is released to construction and will be scheduled as contractors become available. Signed Randy Jones Field Engineer." He added that we need drainage approval from the Public Works Director and noted that the old name of the subdivision, "Sam's Settlement," is mentioned in the body of the Bill of Assurance. He reiterated that those are the stipulations that Engineering has put on Notting Hill Subdivision Phase 1.

Engineering Tech Mylissa Griggs brought up that there was a portion of the drainage that Public Works Director Jim Oakley had a question on.

Director Oakley stated that there is some drainage that he would like to check that is a little different from the design that he is familiar with reviewing, so he would like to have a condition of it working correctly. He then listed another item that they usually look at is having a bond put back for sidewalks and confirmed that it is a condition he wishes to include.

When asked, City Clerk Davitt listed the conditions for approval as: to provide water and sewer approvals, they do have a letter from First Electric that ensures that their job will be completed in the next

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three weeks, a drainage plan acceptable to the City will be worked out with the Public Works Director, and a modification of their Bill of Assurance to change "Sam's Settlement" to "Notting Hill Subdivision."

Mr. Bond added that water and sewer have been submitted to both facilities and the water people are on vacation this week, but they did get markups that they have already fixed. He does not anticipate any problems, but the Water and Sewer Commission's formal acceptance will not take place until the end of the month at their normal meeting.

It was agreed that these are standard practices because they always meet after the Planning Commission meets.

It was agreed for City Clerk Davitt to add the contingency that sidewalks will not be built until after the driveways are in, to avoid damage to them.

Commissioner Hall moved, seconded by Commissioner Twitty to approve the final plat for Notting Hill Subdivision Phase 1 contingent on water and sewer approvals provided, electrical completed, drainage approval by Public Works Director, modify the Bill of Assurance to state "Notting Hill Subdivision," and that sidewalks not be built until after the driveways are complete. MOTION CARRIED.

c. PRELIMINARY PLAT: H&S Estates

Representative Tommy Bond with Bond Engineering stated that this is a duplex/triplex subdivision that will have six to eight triplexes and about twenty-five to thirty duplexes. He explained that this parcel used to be a popular dirt track in the 1960's that made a lot of noise in the area and it is currently surrounded by the Chapel Ridge apartment complex. He noted that the land across the street of Military Road is all vacant cow pastures and there will be a loop street with a possible second connection for Fire equipment. He added that there will be a loop connection on the waterline. Responding to a question from Commissioner Bollen, he replied that they have it set up to be a two car stack off of Military Road where you will have enough room to get two cars in front of the gate.

Chairman Moore pointed out that they saw this sketch plat previously and shared the Commission's concerns about moving the gate back, amongst other things.

Mr. Bond believes that they covered all of that.

Commissioner Bollen moved, seconded by Commissioner Brown to approve the preliminary plat for H&S Estates as presented. MOTION CARRIED.

BUILDING PERMIT(S): a. SITE PLAN: H&S Estates

Engineering Tech Mylissa Griggs stated that they have reviewed the preliminary plat and site plan and only had a few housekeeping

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measures listed as: correction in the legal description, an ingress/egress easement throughout the property on the private roads, and since the only lighting that is planned is on the structures, they would like to discuss with the developer and their engineer about adding some interior lighting that the City would take over payment of the monthly bill. She shared that due to the fencing along Highway 294 (Military Road), they are going to request that the sidewalk be in the right-of-way of the highway, but if the Highway Department denies that, they are going to request a waiver. She surmised that one way they could address that is to, instead of building it right away, put up a payment in-lieu of a sidewalk, which has been granted in the past. She explained that there was some confusion when the City asked for a landscape plan for this residential area, but by Code, it is required for R-3 zones. She understands that they are going to do landscaping around the structures, but they need a plan demonstrating it. She added that they have received the drainage plan and the calculations, and currently reviewing it.

Mr. Bond assured that they will provide a landscape plan and they will work out the streetlights.

Chairman Moore reiterated that the gate will be set in two car lengths so that there will not be any problems coming in from Military Road.

Commissioner Montgomery moved, seconded by Commissioner Hall to approve the site plan for H&S Estates contingent on the correction of legal description, ingress/egress easements along private roads, interior lighting discussed, sidewalks or payment in-lieu, drainage approval, and landscape plan provided. MOTION CARRIED.

b. SITE PLAN/WAIVER REQUESTS: Lot 6 Blk 0 Metropolitan Commercial Estates

Representative Tommy Bond with Bond Engineering stated that he believes they requested a sidewalk waiver because there is a sliver of land between this lot and the street along South Redmond Road, but the petitioner, Steven Glenn, does not own all of the way to the street. He recalled that the Metropolitan Commercial Estates was done in the 1960's or 1970's, and subsequently, the State came in and built the highway, which did not match the plat of the lots and left a triangular piece of ground along South Redmond that does not belong to this current owner. He noted that Mr. Glenn owns a specific lot in the subdivision and when the Highway Department built the road, their right-of-way did not follow the lotlines, so on that side of the property, he does not own anything that adjoins the street right-of-way. He reiterated that it is triangular shaped and is where the road turns to the right, gets wider on the far end, and gets down to almost nothing at the corner.

When Commissioner Brown asked who will maintain that piece of land, Mr. Glenn agreed that he would mow it, even though he does not own it.

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When Chairman Moore asked if the State owned it, Mr. Bond surmised that the City did since it was a dedicated right-of-way.

Engineering Tech Mylissa Griggs disagreed and related that Aaron Robinson with Bond Engineering mentioned that they are still researching it on the surveyor's side of it. She explained that we have a City ordinance that the property owner has to mow up to the back of curb, so that takes care of the maintenance of it, as far as maintaining the grass. She reiterated that Bond Engineering is still looking into what happened with that sliver. She related that they are asking for a waiver on the sidewalks and on the landscaping. She pointed out that the sidewalk on Redmond Road is existing, so they are requesting a waiver for the sidewalk down James Street. She shared that the reason is that there is a railroad track running from the north side of his lot and the south part of his lot has a large drainage ditch, so it would be very costly for Mr. Glenn to connect that side. She noted that there is a sidewalk on the opposite side of James Street, but City Code requires that classification of street to have sidewalks on both sides. She shared that the Planning Commission has the power to grant waivers in certain instances and that is the petitioner's reasoning on this, because of the boundary of the railroad track.

Discussion ensued about needing permission from the railroad company to move across and it was determined that the City owns it, but they would still need permission from the railroad.

Chairman Moore then read a contingency listed by the Engineering Department as: "It is understood that no fencing is planned, however, if any outdoor storage exists, please note that said storage must be fenced, as required by City Code."

Engineering Tech Mylissa Griggs clarified that the Code that was referred to is if there are any inoperable vehicles, they would have to have opaque screening to where it is not viewable from the street.

When Commissioner Bollen asked, the Mr. Glenn responded that it would be strictly car sales and no repairs.

When Chairman Moore brought up fencing around dumpsters, Engineering Tech Mylissa Griggs related they are planning on using City services, so they will not have a dumpster for their small office, since it fits under the square foot requirement for sanitation.

When Commissioner Montgomery asked, Mr. Glenn replied that in the back, he plans to rinse cars off, do small maintenance, and maybe have a portable carport to pull cars underneath. He assured that most of the cars that he will bring to his lot, he plans on selling as soon as

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possible. When concerns were brought up about maintenance, he affirmed that it would only be small maintenance, such as cleaning, batteries, and tires; no major mechanical work. He noted that there is a transmission shop next door and another mechanic nearby that he would utilize, if needed.

Chairman Moore mentioned that tires need to be disposed of properly and pointed out that the City will not pick them up; they have to be taken to the Recycle Center on Marshall Road.

Engineering Tech Mylissa Griggs clarified that the Recycle Center is for residential.

Mr. Glenn affirmed that he usually takes his to K & G Tires.

Responding to a question from Commissioner Brown, Engineering Tech Mylissa Griggs responded that the waiver he is requesting is for sidewalk that is required per City Code, however the Planning Commission can grant the waiver. She added that they are also requesting a waiver on the landscaping along Redmond Road; currently showing landscape on James Street, but with the curve and the triangle lot that he does not own, the line would look funny.

Mr. Bond pointed out that part of it is sight distance, because shrubs or bushes could hinder someone seeing people coming down the very busy highway.

Commissioner Hall moved, seconded by Commissioner Brittenum to approve the site plan/waiver requests for Lot 6 Block 0 Metropolitan Commercial Estates. MOTION CARRIED.

GENERAL:

ANNOUNCEMENT:

ADJOURNMENT: Chairman Moore without objection, adjourned the meeting at approximately 7:13 p.m.

Respectfully submitted,

Susan L. Davitt