

**CITY OF JACKSONVILLE, ARKANSAS
REGULAR PLANNING COMMISSION MEETING
JULY 11, 2022
7:00 P.M. - 7:23 P.M.**

OPENING REMARKS:

The Planning Commission of the City of Jacksonville, Arkansas met in a regular session on July 11, 2022. Chairman Moore opened the meeting at approximately 7:00 p.m. expressing appreciation to those in attendance.

ROLL CALL: Commissioners Mike Dietz, William Montgomery, Billy Hall, Tanner Ruple, Vivian Brittenum, Jeff Twitty, Dan Brown, and Chairman Jim Moore were present and answered ROLL CALL. Chairman Moore declared a quorum. PRESENT (8) with Chair, ABSENT (1).

CORRECTION AND/OR APPROVAL OF MINUTES: Commissioner Ruple moved, seconded by Commissioner Montgomery to approve the minutes of April 11, 2022 and May 9, 2022 as presented. MOTION CARRIED.

PUBLIC HEARING(S):

REQUEST TO APPROVE PLAT(S): a. FINAL PLAT: Jaxon Terrace PH 16

Aaron Robinson with Bond Engineering stated this is possibly the last phase of Jaxon Terrace, noting they have asphalt down, curb and gutter, Entergy transformers are set, and sewer has been accepted, but was unsure if light poles are up yet. He related the only outstanding issue is with water, explaining that Jacksonville Water Commission has changed their specs requiring a different meter lid, and due to COVID, they are backordered. He assured the meter boxes and sets are in, and they are waiting to replace the lid covers. He shared he talked to Engineering Tech Mylissa Griggs today and has emailed Sal and Brett with the Water Department to try to get them to sign off. He affirmed he has given them the maintenance bond, warranty letter, release of lien, and the as built, so he is hoping they will go ahead and release this to be recorded at the courthouse before they have to replace the meter boxes, otherwise, they could potentially have a developer, that has spent several million dollars with about \$350,000.00 to \$400,000.00 on this last phase, forced to wait for who knows how many months.

City Engineer Adam Whitlow stated staff has agreed with Mr. Robinson, that mostly everything they can complete is completed. He explained that Public Works recommends approval subject to the contingency of Water signing off on it, adding that if the supply chain issues get them backed up to where they cannot wait any longer to hold the plat back for signatures, they can explore the necessary bonding mechanisms. He related that he would hate to do that regarding meter lids, so if there is some financial assurance that they have ordered the correct lids and are on the way, he would be in support of that meeting the contingency. He reiterated staff recommends approval. Responding to a question from Chairman Moore, he replied as far as function, they could use the current ones, but their criteria has always been that Water and Sewer act independently so the City would not try to interfere with their approval, but will always request as a contingency and acknowledge their authority to approve their part.

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In response to a question from Commissioner Brown, Mr. Robinson replied the meter sets and boxes are in and they would just have to change them out whenever they get in the new ones. He assured everything is functional and if someone came to build a house and it were occupied, they could come in and change the meter box without them ever knowing. When City Clerk Davitt asked how many meter boxes there are, he surmised there to be 12 to 14.

Chairman Moore explained how they had to do that in Stonewall because of bad meters, noting there were problems getting them.

Council Member Dietz stated that being in the development field, when you have builders that have been here forever and support Jacksonville, with it being an issue of supply and nothing they can do, he would support allowing them being able to start. He explained there are people around us that probably do not have meter boxes that need to put them, but they are going to take care of the bases knowing everything will be completed. He related it will be to the City's advantage to allow them to start, noting the need for houses in Jacksonville.

Council Member Dietz moved, seconded by Commissioner Hall to approve the final plat for Jaxon Terrace Phase 16 as presented. MOTION CARRIED.

b. FINAL PLAT: Lot 1 Christopher Homes Subdivision

Chairman Moore shared he is glad to see this because approximately three years ago he worked with their architect and Ms. Lopez.

Aaron Robinson with Bond Engineering pointed out this property is off General Samuels across from Arkansas Office Products. He was unsure if the property is transferred to Christopher Homes yet, explaining the City owns the property but there is a contract for them to purchase. He noted the Commission will see a site plan next that fits the plat, explaining it is platted to be one lot, as opposed to metes and bounds.

Chairman Moore related the development will be for senior citizens, noting no children or young adults and will consists of 5 fourplexes.

Engineer Whitlow pointed out the City has a few items on a punch list they made comments regarding the final plat. He added that he believes Mr. Robinson has addressed them, explaining they have a fairly short review window and have not physically laid eyes on the revisions. He asked that it be noted there are some outstanding comments small in nature, nothing that would prevent approval from the Planning Commission. He requests a contingency that the staff letter dated July 5th be adequately addressed.

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Mr. Robinson related the biggest issue is who is going to sign the documents because right now it is still in the City's name, so either the City would need to record it or they would have to wait until the actual purchase goes through for Christopher Homes to sign it.

Engineer Whitlow stated they will hold the plat for signature until that issue is addressed.

Council Member Dietz moved, seconded by Commissioner Twitty to approve the final plat for Lot 1 Christopher Homes Subdivision contingent on the July 5th staff letter contingencies being adequately addressed. MOTION CARRIED.

BUILDING PERMIT(S): SITE PLAN: Christopher Homes of Jacksonville

Aaron Robinson with Bond Engineering stated these are five fourplexes with a clubhouse/meeting room, noting that the architect is present to answer any building, occupancy, or load questions. He explained that the Engineering Department provided them with a punch list letter, noting they have addressed all of those, but Engineer Whitlow has not had an opportunity to review it yet. He detailed the only issue he has on the punch list is the half street improvements, pointing out this property is the industrial part of Jacksonville. He related the only place that was required to have sidewalks for Arkansas Office Products was on Commerce Drive. He shared they do not feel like it is necessary to put in curb and gutter along General Samuels for the approximate 200 feet, explaining that is the only thing they are requesting a waiver for half street improvements along General Samuels, like Arkansas Office Products.

Engineer Whitlow stated the way they interpret Code, half street improvements are required. He gave them the option to either do half street improvements, provide an in-lieu of fee, or request a waiver. He confirmed it is in their rights to do that and is within the Commission's authority to grant it should they feel the waiver is warranted, noting with any waiver or variance, it is the Commission's discretion to make sure they are not setting a precedent they do not want to and that it has adequate justification. He related if they feel it is warranted for a waiver, he could say it is warranted on the adjoining property, etc.

Chairman Moore pointed out that the old concrete factory is near there and is currently for sale. He stated that depending on what is going in there, he is unsure if they should waive anything. He requested Engineer Whitlow's input.

Engineer Whitlow explained he is still new to the City, noting he does not have a good answer. He wished he knew what streets he felt were collectors or arterials and that he felt good about saying they will never have curb and gutter on this street, but he does not. He pointed out they do have the option of an in-lieu of fee, which is always the equalizer to apply normally if they are not sure what is going to

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happen. He affirmed Mr. Robinson could come up with an estimate, he could review and approve it, and that fee could be put into a fund. He noted, if the adjacent site does develop, then the City has money to encourage continuity where the City could go in with that developer and put in a longer curb that has continuous construction. He assured that is the only thing for consideration he would give and as far as the justification to not do them, he does not have a good enough feel yet for Jacksonville to say that he supports or denies it. He cautioned the Commission about setting a precedent.

Council Member Dietz agreed they need to look at it when they get the final plot, adding it is a commercial area and the people living there will be walking within the site where they are protected. He surmised there will not be a lot of need, pointing out while they like curb and gutter and sidewalks, but he foresees not many people ever walking in that area. He reiterated that this property is right by Arkansas Office Products, noting that Sig Sauer and the old concrete place is nearby. He affirmed it is all basically commercial land and he would think it would be unsafe for people to be walking.

Engineer Whitlow stated as far as the sidewalk component to the half street improvements, he feels what they have submitted meets that criteria. He noted the components that are not there are curb and gutter and the underground drainage, adding that in the past as staff in other cities he would always encourage and recommend the in-lieu of fee so they could continue with the next developer to get more bang for their buck. He affirmed he is good with that option, reiterating they met the sidewalk obligation which is one of the components to half street improvements.

When Commissioner Ruple asked, City Clerk Davitt replied they need to determine why Arkansas Office Products did not do half street improvements on General Samuels.

Mr. Robinson confirmed they did not do improvements on General Samuels, but did on Commerce Drive, adding he did not put up an in-lieu of fee either. When Commissioner Ruple asked if he would request to do the same, he replied they are putting the sidewalk in, which is a bit above what Arkansas Office Products did. He explained on that side of the road there are two water lines and a sewer line, recalling about five years ago Jacksonville Water put a 24-inch waterline in the ditch. He pointed out that Jacksonville Water requires you to put the waterlines so deep with no varying allowed, surmising that to do anything along General Samuels with an 80-foot right-of-way, if you are going to make it a street, you are looking at a turn lane more than likely. He noted there would be numerous utilities that would have to be moved in order for anything out there to really work and that is why they are putting the sidewalk there, adding he does not even really like the sidewalk aspect of it because you have an elderly population there that really has nothing to walk to. He stated they are going to have sidewalk that ends on either end and there is a big

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ditch down the road. He assured they are trying to meet halfway to do some of it, but not try to do a section, noting it would be different if it went from the cabinet shop all the way down here where they could really make an improvement, but just a small spot would not.

Council Member Dietz shared his appreciation for Engineer Whitlow and how they are so fortunate and happy to have him with the City.

Engineer Whitlow replied that he has really enjoyed himself so far, noting he came from private industry and worked with a lot of municipal clients as well, so he has been where Mr. Robinson is.

Council Member Dietz related that back then Code was always enforced, but concrete and everything were not so expensive like it is now.

Discussion ensued as to whether or not there would be contingencies, with Chairman Moore stating they are not going to need a sidewalk because they will be senior citizens that will have enough to do inside the facility.

Council Member Dietz moved, seconded by Commissioner Twitty to approve the site plan for Christopher Homes of Jacksonville contingent on recommendations from Engineer Whitlow. MOTION CARRIED.

GENERAL:
ANNOUNCEMENT:

ADJOURNMENT: Chairman Moore without objection, adjourned the meeting at approximately 7:23 p.m.

Respectfully submitted,

Susan L. Davitt