

MINUTES
Goshen Planning Commission Special Session
June 10, 2024 at 5:30PM
Goshen Community Building, 244 Clark Street

Call to Order: Tom Hennelly called the meeting to order at 5:30PM.

Roll Call: Tom Hennelly, James Gardner, Liz Mashie, Loren Shackelford, Liza Skiles, Scott Stokenbury were present. Michael Thompson was absent.

Approval of Agenda: Loren Shackelford motion to approved the agenda s written. Seconded by Lisa Skiles. All in favor? Yay (6). Opposed? (0). The motion carried.

Planning Commission Business:

A. Niles-Allen Preliminary Subdivision Review Parcel #001-14038-000: Niles Allen, Alan Reid & Associates presented. Tom Hennelly read staff report. Applicant requests to divide parcel into eight parcels, ranging from 3 acres to 5.48 acres. All proposed lots have road frontage and have adequate soil test. For Septic each lot except for lot six will be on well water. Madison County water has agreed to empty water to the lot since the spigot is already there. Per the developer, ARDOT has made preliminary decisions that driveways from four to eight lots should be good to go for driveways off Highway 45. One lot already has an established driveway. Per the developer, Washington County has been made aware that there will be a driveway access off Edgewood Drive, the lot, to the three lots with proposed frontage to that county road. Applicant has been made aware of subdivision regulations. And then there's a quote from the subdivision regulations on there. City staff recommends Commissions review of the subdivision for preliminary approval with conditions before final approval is requested. Developer installs all driveway accesses to ensure adequate spacing. Developer ensures that all driveway aprons are paved off Highway 45 to ARDOT standards, ARDOT engineer approval. Letter based on the rules for access driveways to state highways from the Arkansas State Highway Commission. Inspection letter is to be submitted to perform final plan is approved. Driveways off Edgewood Drive do not have to be paved because Edgewood Drive, Washington County Road 344, is not paved. Developer submits a letter from Washington County Street Department to ensure driveways off Edgewood Road, Washington County 344, are up to county standards. Inspection letter is to be submitted before final plan is approved. Developer ensures that the fire district also reviews our ARDOT engineer inspection letter and Washington County inspection letter and issues a written approval from the fire district chief before final approval. And number five, developer gets utility approval letters. One last thing, fire district recommended changes before the preliminary plat is approved. A new preliminary plat is submitted showing that driveway entrances to ensure the distance between the driveways is a minimum of 100 feet apart. Is there anything in addition to that that you've come up with? Lacie: No. Tom: Is the applicant present? My name is Niles Allen, I want to start with I really do appreciate you guys putting this together on special time. As far as, trying to get moving forward here, Lacie's been working next to me to get this prepared for you guys. And I do still need utility approvals. Black Hills is the only thing I really don't have together now. I'm just waiting for correspondence with them currently. But I'll be happy to get everything kind of done when you recommend it. Move forward that way. Tom: I don't think there's a requirement for

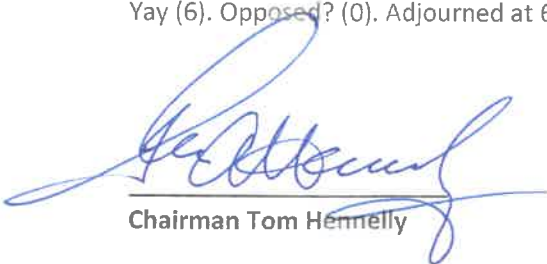
Black Hills for gas to be present on these lots. Niles: I thought it was kind of more of an easement clearance. And so, I think I may be digging for something that has been confusing to kind of run down here. Tom: Because you can do it all electric if you wanted to, if we have the easements. And then if somebody wanted gas. I guess the utility department approvals are primarily. Lacie: Typically, we have a plat that has a place for all the utilities to sign in. I haven't gotten that yet. No, I think that's appropriate to have that. Is there anything else you'd like to add? Nile: Now no. Just let me know what questions I can answer for you. Loren: Mr. Chair, question of the applicant. Have you seen the proposed conditions of approval? Do you have any issue with any of those conditions as stated? Niles: I do not. Tom: I want to make sure, just for clarity, because we've been kind of morphing this process into a preliminary plat process and then a final plat process. Nile: I understand that entirely. Tom: And so, these conditions would need to be met before you get your final plat. Before you get the final plan. Niles: Yes, sir. Tom: I just want to make sure that that was clear. Niles: The driveways, is that something I must have installed before? Loren: That was my question. Are we recommending the driveways be installed? Lacie: It was staff recommendation that the driveways would be installed before a final plat was approved. This subdivision has no infrastructure. And my biggest fear was stacking. I think that the subdivision requirements of 100 feet apart, or the driveways, requirements of 100 feet apart were adequate and ARDOT, as far as I know, had a preliminary approval. Loren: My concern is making them be installed. Two things. First, they may not want to hear construction. Second, you have five-acre lots, some of those that go onto the dirt road that, depending on where the buyer plans to put their house, might change where that driveway's located versus what its developer would do putting a driveway in beforehand. Tom: So, is there a mechanism in the building permit process where that can be monitored? James: Is this within city limits or would there even be a building permit? Niles: Arkansas, or the highway department does require a permit on the highway. I would be fine to install those, just however, for technical reasons. Loren: I can see having the apron installed, but I don't know that you should really install the entire driveway. Lacie: ARDOT does not require them to be paved. Tom: The highway department only requires their permit to the right away? Niles: That's correct. Loren: But like lot 5, 6, and particularly lots 5 and 6, based on topography, I mean, there could be, the end user may have a completely different idea of where they want the house located and the driveway to come off the property versus those developers. Tom: And it should be noted that those are the ones that are off the Washington County Road 354. So, I don't know. I think Washington County 344, or any Washington County permit, is something you can just go down and get when you want to start building your house. The highway department permits, I know, are a little bit stricter. You've got to put down a deposit, and then once the work's done, they come out and look at it, and they'll tear your checkup. Niles: I understand. Kind of a bond, if you will. Tom: Exactly. But, so, just as long as you're aware that that's going to be required by the highway department. If you're going to build a house out there and, like, there's 180 feet, 100 feet, 100 feet. Loren: Lot four would be the one that there's a significant amount of frontage and it looks like there's pretty good topography on that. Tom: So, we could just say that lot four needs to be a minimum of 100 feet away from the common line with lot three. Would that bring it into compliance? Lacey: Yes. So, I was more worried about lots one and eight on the west side. The frontage the road for lot eight is only 100 feet, and that driveway is not far off that property line. So, lot eight's driveway would have to be on the west side of that property line. And the driveway has, I want to say, ARDOT standards is 16 feet. I'm not mistaken. Don't really take my word for that, but I'm pretty sure that's what Brad had said the other day. Tom: You're limited on that. Niles: I understand those. We're kind of, as far as the highway lots, I fully expect to fill those out, and they're going to be what they are. Don't expect a change. Edgewood it would probably be nice for them to be able to pick them. I don't necessarily land them in, but if I need to, I'm willing to do it. Tom: They must be 100 feet apart. So, the

only thing I would, I think if we, you know, if you agreed to put the driveway for lot eight as far to the west as you could. To gain as, you know, because there's no sense tearing up that driveway Lorel going to the house to rebuild it somewhere else. Niles: And I think we've got the space there, if it goes off the West. And, you know, we're looking at lot two and lot three. Alan's got those located. Loren: So, they've got a lot 4 coming off the Edgewood, that makes a lot more since. I was trying to figure out where we were going to be here on 45. The lot 4 coming in off the Edgewood makes perfect sense. James: There's no access there. Tom: So, if you did access lot four, where it's shown on this plat, you'd be driving through the floodplain to get to a home that I'm assuming will be over on the western side of the lot. Which I don't think is a problem. There's plenty of sight distance. Loren: My only point is it's hard to just stick a pin in the ground and say here's where the driveway's going to be on lot four as part of the preliminary plat. Because of the topography and the size of the lot. That's my concern. But we're also talking about a requirement to have it in place before we approve the final plat. And that's going to limit the future landowner homeowner. Tom: Would it be a big stretch to say that Lot 4 needs to access off Highway 45 a minimum of 100 feet from the common line? Loren: Wouldn't you just say it has to apply with our driveway ordinance? James: In between our driveway ordinance and the highway departments, because they've got a little blurb in here on the highway department standards and what the highway department needs to do. Liz: Then you are dealing with the floodplain. Loren: You can have a driveway and a floodplain. No problem whatsoever. Tom: I think the only driveway issue I have is with Lot 8. Making sure that it's as far west as possible. Liz: How does the lot next door to their driveway? Tom: That's the existing house that Lorel had at the old gas station. Liz: I mean the parcel to the west. Tom: I don't know. Liz: It doesn't matter. There's a distance between those two driveways. Niles: It's a pretty good distance, I think. Probably 250 feet because I think there's a pole. Tom: I think it's fine. There's nothing there. Loren: I'm looking. It's way down. There are two tracts. There are two chicken houses. And he accesses the western chicken house. Liz: There is a driveway. On the east side of that more western parcel. I don't even see a driveway. Tom: The highway department is going to review the application. I think they're going to cover all this. And then everything off Edgewood. There's so much frontage on Edgewood. That's not an issue, I don't think. Lacie: Commissioners, there's no access easement from Berry Fruit Farms in that little sliver where the driveway is. So, Lot 4 driveway would need to be moved. I just talked with Niles about possibly putting the Lot 3 and Lot 4 driveway at the property line between the two and installing a shared driveway. It would save the applicant a little bit of money. It would be one driveway into both properties. It would be less stacking on Highway 45. He must check with, I guess, like deed issues is what he was saying. I don't know anything about that. You probably know more than me. What are your thoughts on that? I don't know anything about getting easements or deeds or how that would maintenance, shared maintenance. Loren: Buying a five-and-a-half-acre lot, I'm not going to want a shared driveway. I'm going to want to have more flexibility of where I put my house. If they could put the house in this nice flat area over here in the far northeast corner of the Y, and you're talking significant expense to bring a driveway from the west side of the Y to the east side of the Y, whereas if ARDOT would let them have a cut up, then that's a lot more viable building size. Alan Reid: Well, this entrance off Edgewood must go across somebody else's property. That's just an error. I'm just asking, disregarding that one. It's a lot four because it does cross into a person's property, and we haven't even negotiated with the people. But these other locations were something that worked out with Niles and the highway department already, but lot four, the house that's going to be placed on up four is going to be up where you're speaking of along the highway, on the west end of it. It'll be about halfway down, but it's going to be where the topography allows them to put the house. And the flattest spot is about right below that number, says 1056. That's probably where the driveway needs to go into that lot. That's where the topography and the contours led best for

placing the house. So, he'd probably just have to do another permit through the highway department to put another apron on that side and forget about the low side, because the low side's not really within your point anyways. If you've got other factors going on down there in that bottom, you don't want to do that. And, we'll make sure that if he puts the driveway going to lot eight along his property line there, where he's got a little black mark up there, he'll be able to keep that 100-foot separation between that driveway and Lorel's existing driveway. So, there will be, he'll be able to keep that spacing there. Lisa: Chairman, it does need a preliminary plat title on it. I didn't see that. That would need to be added. I don't think it's mandatory, but I would love to see an overlay hatch on the floodplain. We saw that in our last two subdivisions and it would make it a little clearer than the dashed line. And then a question for staff. Are hydrants not an issue with this? Lacie: As far as the subdivision? It's in the planning area. The district hasn't said anything about hydrants. James: If you're resubmitting anyways, the preliminary plat requires a 500-foot look around the property that you're looking at. So, if you can zoom out a little bit and set that on your resubmission. I also saw the preliminary plat, all existing and proposed streets, roads, wet and dry water sources, easements, existing structures, utilities, and other significant features within the tract and within 500 feet thereof. So, we just need a little bigger view of what's around it. Tom: And GIS is fine on that. Whatever you get on GIS? James Gardner motioned to approve the preliminary plat subject to the conditions the staff included in the report and a resubmission with a new title showing a preliminary plat and a bigger view showing 500 feet as part of the subdivision and hatched the flood plain. Seconded by Loren Shackelford. All those in favor? Yay (6). Opposed? (0). The motioned carried.

Public Input: Lisa Skiles: Our last subdivision that we dealt with Asher Ranch, I don't know if have any teeth, but I would like to just bring to attention that their landscaping plan is failing. More than 50% of the plant material is dead. The density probably doesn't meet it. The species probably doesn't meet it. I remember that they planned it in summer. It wasn't irrigated last year. And I do not feel that they made a proper effort to install it. And so, I'm not sure what our recourse is, but I think at minimum, the owner should receive a letter. Loren: I'm a neighbor also, and I conquer. Tom: Lacie, do we have bond requirements for the landscape? Lacie: No. Tom: Probably need to make a note and put that in there. Lacie: In subdivision regulations? How much do you want it to be? Tom: Three years. Lacie: How much do you want to bond be? Tom: Probably 50%. Lacie: Of what the landscaping would be? Tom: Yes. Lacie: So, we'll need an estimate for landscape design. Tom: Either that or they should be able to do a maintenance agreement where they've contracted with a landscape company and the landscape company takes responsibility for ensuring everything survives. If they have a landscape agreement with that company, then that ought to suffice. Loren: So, question for the attorney. Do we have the ability without a new ordinance to require bonds? Brian: No. Tom: I just wanted to write it down. Because we're going to change that subdivision ordinance. It needs some tweaking.

Adjournment: Loren Shackelford motioned to adjourn at 6:02 pm. Seconded by Scott Stokenbury. All in Favor? Yay (6). Opposed? (0). Adjourned at 6:02 pm.



Chairman Tom Hennelly