



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes 2 Metropolitan Area Planning Commission

Tuesday, January 27, 2015

3:00 PM

Municipal Center

1. Call to order

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2. Roll Call

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3. Approval of minutes

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Approval of the MAPC Meeting Minutes for January 13, 2015

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A motion was made by Jimmy Cooper, seconded by Jim Scurlock, that this matter be Approved . The motion PASSED with the following vote.

4. Preliminary Subdivisions

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Minor Subdivision Plat: Martin Minor, 4711 Morton Dr. (Withdrawn)

Terry Clark is requesting MAPC's waiver of the Master Street Plan requirement of addition right of way on Morton St., as part of a Minor Plat for property located at 4711 Morton Dr., Jonesboro, AR. Morton Dr. & Mitchell Drive are designated as Local Streets on the Master Street Plan, which requires 30 ft. from the centerline of road.

Applicant owns the preexisting home, and is doing no improvements, and hopes to only sell the property to satisfy State Law requirements for transfer of property.

This has been withdrawn by the request of Terry Clark.

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Withdrawn

Replat: Gray's Fowler Avenue Replat: 2206 Fowler Ave.

Mr. Michael McNeese requests MAPC approval of Gray's Fowler Replat of property located at 2206 Fowler Ave. for the purpose of a lot split to accommodate an existing SBA cellular tower for proposed Lots 6A & 6B. Note Lot 6A requires a waiver by the MAPC of a lot frontage reduction to 20 ft.

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Mike McNeese came before the board representing the owner, Dr. Gray. He plans is to separate the track into two different tracks. East of the track, Dr. Gray works out of his existing Dentist facility he practices out of. On the northwest quadrant of the track, there is a phone tower. He wants to give him the ability to convey title to someone who owns the phone tower and give them ownership all the way out to Fowler Drive.

Original plated lot was 98 feet, the city requires a minimum of 50 feet. He is requesting a waiver to reduce the lot line on lot A, from 50 feet down to 20 feet.

Otis Spriggs was asked if he had any comments. He said that the staff has had the opportunity to review this re-plat, he also reached out to the CWL to review the plat. Neither have any problems. Planning Commission is urged to approve re-plat, subject to the owner understanding if the tower were removed the lot may not comply with the standards to have anything else built on it and it may be subject to MAPC approval.

A motion was made by Jim Scurlock, seconded by Kevin Bailey, that this matter be Approved . The motion PASSED with the following vote.

5. Final Subdivisions

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6. Conditional Use

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7. Rezoning

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RZ 15-01 1621 N. Patrick Street

Denver Dudley, Real Estate Agent on behalf of Bonnie Goad is requesting MAPC approval of a Rezoning from R-1 Single Family Medium Density District to RS-8 Single Family Residential District with a minimum 5,445 sq ft lot required for 12.8 acres and RM-8 Residential Multifamily District with Eight Units per net acre for 12.88 acres for a total of 25.68 acres of land located at 1621 N. Patrick Street.

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Applicant: Mr. John Easley, Associated Engineering, appeared before the Commission representing the owner, Bonnie Goad. Mr. Easley stated that they

are asking for a rezoning of two tracts of land: North Tract to "RS-7", Single Family Homes (for 12.8 acres); South Tract to "RM-8" (for 12.88 acres), for single family attached homes for elderly. The single family lots will average over 8,000 S.F. in size.

Steve Perry, of KWL Properties, offered renderings to the board for review. He went on to explain the proposed project: Briarwood Estates is the single family property and Emerald Village is the elderly property. The elderly property is for elderly who are 55 years of age and older and low income (60% of area meeting income or lower). There will be an office and community room for each development and on-site staff that will manage the property.

Heather Walker-Clark, City of Jonesboro Grants and Community Director, offered to answer any questions regarding housing stock. She explained, in 2012, there was a study conducted and results of the study found that our community had 313 elderly persons that had unmet needs. They needed low-income housing and it was not available. Commissioner Kelton asked, "If all of these individuals would qualify for this type of program?" Ms. Clark replied, "Yes, they would."

Mr. Scurlock asked, "How would the owner keep control of the property and what happens when it goes to disrepair?" Mr. Perry answered by informing the Commission that if the property is not rented, he loses the tax credit. It is 15 year compliance period; his investor sees that the property is in good shape. After the 15 year compliance period the property can be rehabbed back into the program or sold out to the tenants who live there. He also said this program is different and very aggressive. They have the right to evict tenants if needed and they are very selective, which means better tenants. These residents take care of their homes and are proud of it.

Ruby McKinley, 512 Melrose, Apt. C., Chair for the Board, of the North Jonesboro Neighborhood Initiative (NJNI). Ms. McKinley expressed the goal of the NJNI which is to facilitate the involvement of low income individuals and manage the decision making process. On behalf of those 100 plus residents, many of whom could not attend the meeting, because of work or elderly conditions. We would like to express our support for Emerald Village and for Senior Citizens of Briarwood Estates. Ms. McKinley further added that the elderly of North Jonesboro do not have affordable housing readily available and Emerald Village would really be an asset. This project will provide better living conditions that most of our elderly are currently not able to afford. These attached homes will provide independent living while having the assurance that there is a neighbor in the attached home next door. We have seen the work of this neighborhood and the single family product will be an asset to our neighborhood.

Mr. Hardy Little, 3910 S. Culberhouse St., Local Architect appeared before the Commission stating that he is working with Mr. Perry. He mentioned he was on the Planning Commission a long time ago and the Commission had a Tax Credit product that concerned them, the main concern was on the product used on the exterior of the buildings (life expectancy). The materials used for this project are under the standards of the Arkansas Development Finance Authority. The materials we use are as good as what I have on my home; i.e. brick faces, fiber cement type siding, 30 year roofing, energy efficient windows, etc. He noted that he wanted to bring this concern up to assure the

Commission that is not a concern. Mr. Perkins asked, "Are the drawings/renderings shown the actual examples of what will be built or just prototypes of other places?" Mr. Little stated, They are the units he has been designed for this project and will be what whats turned in."

Staff:

Mr. Spriggs gave an overview of the case facts provided in the Staff Report. 25.68 acres are currently zoned R-1 to be rezoned to the RS-7 and RM-8. The area is surrounded by R-1 Single Family, with multifamily located to the south and west of the property on the Church Street and W. Daybreak Road area. Mr. Spriggs noted that the Land Use Plan is partially being complied with regarding the single family homes; however, the attached single family homes, although do not fall under the definition of multi-family, may not be consistent in total. They would be consistent in the level of low density. The average number of homes allowed today under the R-1 Single Family would be 5.6 homes per acre.

Mr. Spriggs continued: The applicant is requesting approval of the 25 duplexes and 40 homes. Traffic would be a concern in the general area with the lack of curbs and gutter and open ditches and narrow width of N. Patrick St. The applicant will be asked to satisfy the requirements of the Master Street Plan, and we hope that they will anticipate the widening of N. Patrick and accommodate pedestrian sidewalks along their property frontage, which are a major need for this vicinity and area. The zoning standards table was displayed which illustrates the parameters of each district requested.

Other agencies and departments were forwarded the petition for comment and no issues were reported from the M.P.O. or other departments. The Jonesboro School District was also copied on the agenda/item for comment as well. Photographs of the general vicinity and housing stock were showed. The conditions were read.

Public Input: Opposition

Carolyn Tinsley, 1005 Darlene Drive, stated comments from the Master Street Plan of the requirements for Patrick and Daybreak. Right now Patrick is a 20-24 wide street with deep ditches and a double line going down the center. N. Patrick was not paved by the City, but was paved by the County prior to annexation. Ms. Tinsley stated that we should upgrade Patrick from a county road to City specs before considering rezoning this property or any other property on N. Patrick for multi-family. The owner has agreed to the street's right-of-way, and sidewalks along the property frontage, what about the rest of N. Patrick Street. Not one new light has been added, not one inch of pavement has been added since the City annexed this road. She stated issues of the street, not having shoulders and putting people in danger because they have to walk in the middle of the street. Lets correct the drainage issues now. She presented photos (from 2005) of an accident and flooding problems. She explained this is a problem, having a busy street and school/buses that go down N. Patrick.

Mr. Garry Tate, 2808 Danlee Dr., stated that traffic is the major concern. He commented on the Ridges of Jonesboro project, that got by without sidewalks or widening the road. If the zoning is approved and they only use 6 acres of the ground, what happens in the future if they sell it and want to build even

more units? He noted that he serves on the Future Road Committee and their number one priority going to Council is to widen Patrick St., but funding is a problem. Without a tax similar to the MATA times, in order to finance a street, I do not see that happening for the next 10-12 years. Because of the multi-family and the traffic volume and the fact that they are asking for a rezoning that far over reaches what they plan to build. The streets are unsafe and not well lit, with several reported accidents.

Wayne Blake, 1406 N. Patrick St., stated that he applauds the idea of them wanting to serve the needs of low income elderly and provide affordable housing. He stated his concerns about the traffic issues. It seems to his memory that when they allowed the last project that they were not going to allow anymore similar projects, until the road and drainage is taken care of. Safety is a concern. Road improvements should be tied to the development of this property. Have no objections to the housing.

Mr. Tate: Added that Garden Manor was a tax credit project. We do not need another Garden Manor like West Memphis and Memphis.

Gary Smith, 2111 Mitzi Lane, stated traffic is a heavy concern and the fact that there are no walk ways.

Steve Gillis, 3111 Beanie Drive, stated it is not an inch wider than it was 26 years ago. About 3 years ago, during the time of another rezoning case, he spoke with the former Chief of Police and he said we do not have the infrastructure to take on another project in that area. Not just roads but Policing and Fire.

Norma Ferrel, 108 E. Warner, stated she was a home owner. She told an instance of someone that is on a 2 year waiting list before getting housing. The need for housing is in the area.

Mr. Spriggs gave notice to the attendees that the Master Street Plan and Land Use Plans will be made available to the public for review on February 2, 2015 and February 9, 2015 at 5:30 p.m., in the Municipal Center Lobby. The audience was urged to come out and see the documents, give input, and make comments.

Mr. Spriggs also addressed the comments regarding the public's concerns about the capacity for the zoning districts, in regards to the maximum build-out of the property. They are requesting particular zoning districts for both housing products, and staff is requesting a revision to the Limited Use Overlay, which will control the fact that if it were approved, they would not be able to go over the thresholds (maximum number of units/40 single family homes and 25 attached single family homes) as listed in the conditions. This means that they would not be allowed to later convey off portions of the acreage and obtain additional units in the future.

Mr. John Easley added that they are not using the entire property, they will be using the back of the property for drainage structures and irrigation; the rest of the acreage on the south will be the 25 lots. Chairman Roberts asked for explanation on the drainage as commented by the public. Mr. Easley replied that the bulk of the property drains from Patrick back to the West, and it leaves the property at about the southwest corner. In the southwest corner is a drainage facility. As far as the ditch along Patrick St., we will make

improvements along the property frontage, making what ever required improvements to the existing open ditch to make it safer.

Mr. Bailey asked about entry and egress off of N. Patrick St. Mr. Easley explained that there will be one entry off of Patrick from each tract, i.e. a road down the middle with lots on each side. The south lot will be a road down the middle with a cul-de-sac, because of the drainage structure in the rear.

Mr. Harold Tinsley, 1005 Darlene Drive, added that if you look at those pictures, the drainage ditch is larger north than it is from their property to Lost Creek Ditch. That is one reason why water backs up.

Mr. Tate reiterated comments about the lack of funding needed to improve Patrick Street and the time element to obtain that funding. Chairman Roberts closed public debate.

Mr. Bailey asked for a synopsis of North Patrick Roads improvements. Mr. Morris stated that Engineering has done some surveying on North Patrick and has determined the needs and priority of the work needed. It is on the list, but it is unknown about funding sources and timing.

Mr. Cooper asked the developer if he understands the stipulations being placed on him and does he agree to satisfy those?

Mr. Perry answer, "Yes, he understands, and he does agree". He stated that there will be sidewalks in front of the property.

Mr. Paul Hoelscher asked the developer related to the single family, does the rental policy allow rentals to two or more unrelated residents? Mr. Perry replied that all occupants have to be on the lease. He just dealt with this very same management issue, which is very serious in a development done a year ago. A full background search is done on the occupants, and if someone's moves in unknowingly, then it is a lease violation, resulting in eviction. There is a property manager that lives on the premises to monitor this. The new person is vetted by an additional background search.

Mr. Ron Kelton: Are you familiar with the Federal and State Fair Housing Laws? And, will this be in compliance with both? Mr. Perry: Yes. Mr. Kelton asked will he provide the City with his letter from H.U.D. regarding the elderly housing limitation? Mr. Perry explained that he will obtain that letter from ADFA who receives that letter from H.U.D. The I.R.S. and the Tax Credit Program is administered by the Arkansas Development Finance Authority, of which he has a Fair Housing Certification, which he had to complete that course which is required in his application including the architect, engineer, Management Company, and other key personnel.

Mr. Reese: If this acreage were developed currently under the existing R-1 Zoning, how would the traffic affected by this type of proposal in comparison?

Mr. Roberts calculated that at 5.6 units per acreage it would be 148 units approximately. Mr. Spriggs replied that with more homes, the impacts would be the same or worse because of the added households. Mr. Spriggs noted that the calculation is a gross density calculation which would be reduced by 15% to accommodate street and infrastructure improvements. With the elderly

component, this development would be a less traffic impact than what is allowed today.

Public Comment:

Julia Lansford, Bennett Addition, stated that for 30 years she lived on Scott Street, which was engulfed with apartments, low income, and all kinds of different types of living. She moved to Bennett Addition with all that space, and she is concerned with the future of the area with the space left.

Commission's Action:

A motion was made by Kevin Bailey, to place Item RZ15-01 on the floor for consideration, a change from R-1 to RS-7 and RM-8, subject to the 4 conditions as read, seconded by Jimmy Cooper that this matter be recommended to Council. The motion PASSED with the following vote.

Roll Call Vote:

Mr. Scurlock- Aye (Commented that the people should have the right to do what they want with the land as this is reasonable, but he would like the MAPC to make a resolution or comment to the City that N. Patrick need to be widened and the ditches need to be cleaned, and we need to address the issue and not kick the ball down the road); Mr. Hoelscher- Aye; Mr. Perkins- No; Mr. Cooper- Aye; Reese- Aye; Kelton- Aye (Commented that he sees this as a Fair Housing Issue; the demand for additional affordable housing for the elderly, based upon earlier statements, Government entities, or any political subdivision entities have the obligation under both the Federal and the Arkansas Fair Housing Act, to make reasonable accommodations for the needs of those who are disabled, those who are elderly, etc. He drove the road today and all of these people are right, that the road is a nightmare and needs to be a priority of the City); Mr. Bailey- Aye (agreeing with the previous comments, noting he grew up on Warren St., along Lost Creek, the City has to do something with the road. For this reason, we are limiting the use of the property and number of housing); Ms. Schrantz- Aye.

7-1 Vote: Measure Passed.

8. Staff Comments

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George Hamman of Civilogic is requesting final site plan approval for Red Wolf Blvd. & Brazos for property recently rezoned to C-3 LUO on October of 2014.

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George Hamman came before the board to request final site plan approval for Red Wolf Blvd and Brazos for a recently rezoned property. There is an additional access point that will be constructed that will enter on Brazos and the entrance on Red Wolf Blvd. will be shared with lot two.

Mr. Otis Spriggs stated that this is a final site plan, subject to a rezoning that occurred by City Council under ordinance 14-055 that was adopted in October

2014. This rezoning has been discussed with council, in regards to the lots that will remain residential. It appears Mr. George has giving attention to screening of the existing residential lots that will remain. The only details that would be forthcoming is the required site plan, as it relates to final landscaping and hopes that Mr. George will have that upon the permit review process. Mr. George said he would have it.

No issues here, happy to see cross access along Red Wolf Blvd. Held preliminary meeting and there were no additional concerns or comments from Utilities.

A motion was made by Kevin Bailey, seconded by Jim Scurlock, that this matter be Approved . The motion PASSED with the following vote.

9. Adjournment

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