



City of Jonesboro

900 West Monroe,
Jonesboro, AR 72401
<http://www.jonesboro.org/>

Meeting Minutes - Final Metropolitan Area Planning Commission

Tuesday, January 11, 2011

5:30 PM

900 West Monroe

1. Call to order

2. Roll Call

Present 6 - Margaret Norris; Lonnie Roberts Jr.; Joe Tomlinson; Brian Dover; Paul Hoelscher and Jim Scurlock

Absent 3 - Jerry Halsey Jr.; Ron Kelton and John White

3. Approval of minutes

Approval of December 14, 2010 MAPC Minutes

A motion was made by Jim Scurlock, seconded by Margaret Norris, that this matter be Approved . The motion carried by the following vote.

Aye: 5 - Margaret Norris; Joe Tomlinson; Brian Dover; Paul Hoelscher and Jim Scurlock

Absent: 3 - Jerry Halsey Jr.; Ron Kelton and John White

4. Preliminary Subdivisions

5. Site Plans & Other Communications

VR 10-24: A recommendation by the Board of Zoning Adjustments to consider a request submitted by (Rick) Lavell L. Hendrix, Jr. to erect an 80 ft. amateur radio tower at his residence at 3207 Brentway Ln.

Mr. Lonnie Roberts explained the basis of the case and the reason that the BZA sent it to the MAPC.

Mr. Lavell Hendrix, applicant stated that he lives in Brentwood Subdivision and that he has an amateur radio operation license and that he would like to put up a tower taller than the allowed 35 ft. He has a 30 ft. push up tower currently being used. He has 2 push up pole towers. Mr. Tomlinson asked what is the height of the radio tower in that area. Mr. Hendrix stated that it is 150 ft. to 200 ft. The existing tower is to be removed. Mr. Tomlinson noted that this qualifies as a structure which will require that you get a structural engineer to verify that it meets the building code. Mr. Hendrix stated that the expense of doing that isn't worth the while.

Mr. Tomlinson stated that you may have to check into case law. Mr. Hendrix stated that the meeting he had with Terry Adams, Chief Building Inspector is that he will have to meet the 90 mile per hour wind load, and this tower will. It is a 3- sec. gust. It will provide the certification. Mr. Tomlinson : have they perfected the feed back off these towers on televisions sets? Mr. Hendrix: I'm not going to say that if someone were running an illegal radio system it won't cause problems. The CB community has amplifiers. I run a system that is licensed by the FCC. And I follow the guidelines. 100 % of everything on Cable and Direct TV is digital; this is radio frequency. Cable eliminated a lot of this. The FCC will contact me based on complaints to remedy the situation, Mr. Hendrix added.

A motion was made by Jim Scurlock, seconded by Brian Dover, that this matter be Approved . The motion carried by the following vote.

Aye: 5 - Margaret Norris; Joe Tomlinson; Brian Dover; Paul Hoelscher and Jim Scurlock

Absent: 3 - Jerry Halsey Jr.; Ron Kelton and John White

Site Plan - Jonesboro Car Wash LLC, (RZ 09-14), Ord-09:055, C-4 LUO, requires that a Site Plan be approval by MAPC prior to permit issuance; location: 726 Southwest Dr./Hwy. 49 between Haywood Dr. & Culberhouse St.

Michael Fehr , Germantown Tn., Represented the carwash request. He noted that the MAPC approved this rezoning a year ago; and, at that time the concept and layout had some problems cuing up in same area but made an 180 degree turn and went through the building and in order to exit the site. The problem is that you would before have a conflict with the ongoing vacuuming area. On the original plan, the cars made a complete U-turn; making all these U-turns won't work. With this type of system, when the customers enter, they go through a pay- point with gates and this means keeping the cars in line. Lower price carwashes are at \$8.00, \$12.00 or others paying more need to be kept in the correct sequence through the gates; we tell the computer which car is coming through; this is a very closed system. The original plan had the system too loose. An attendant aligns them up with the conveyer at the opening of the building under a canopy. This is different than others, where the attendant has to line you up. As they exit, they have the choice to leave or they can go into the vacuum area which is closed-off. There is enough space to back in and back out.

Handicap access for each space is provided at 15' x22' for accommodation of door openings at the vacuums. Each space is handicap. The car is washed then vacuumed. We maintain a balance on the site of moving cars through safely; there is a gate that keeps people from vacuuming cars for free. It opens when cars approach. It is a visual barrier. Emergency exiting was mentioned in the staff report. We have designed 30 of these in 4 states. By putting that escape lane in, you will lose control of the site and you can't make sure the \$12.00 carwash gets his or correct wash. It only takes 3 minutes to manually push the cars out and give a credit in the case of an emergency.

We added an employ parking space near the dumpster. There is a 32 ft. notch in the area near the drive on Southwest Drive; it is a drainage easement.

There is a head wall and a ditch near that hatched area on the plan that is 57 ft. from the intersection; we are taking out an exit drive and putting in a new one. The offset of 20 ft. is because of the notch in the property. With the ingress and egress to the north; we have closed-loop system. We have less hard surface than originally. We are greening the site. Mr. Craig Light was fine with the curb cut.

Mr. Tomlinson asked if this is the site plan that we should have looked at the beginning. This was based on a rezoning decision and we are changing that site plan. We are not telling City Council that we're changing the site plan, and we are not sending it back to City Council, and I have a problem with that. Mr. Spriggs explained that this is a site plan review and that the MAPC has the discretion to make minor changes, as long as they are within the spirit and intent of the original adopted ordinance.

Mr. Fehr stated that landscaping can be added on the back side. We can plant small oaks and 15' pines that we are preserving. We can add fencing and an evergreen buffer to the NW to provide security and protection for the kids in the apartments because the drive is close to the property line.

A motion was made by Jim Scurlock, seconded by Margaret Norris, that this matter be Approved . The motion carried by the following vote.

Aye: 5 - Margaret Norris; Joe Tomlinson; Brian Dover; Paul Hoelscher and Jim Scurlock

Absent: 3 - Jerry Halsey Jr.; Ron Kelton and John White

6. Conditional Use

C.U. 10-13: Family Fellowship Baptist Church requests a conditional use to place a church at 2441 Old Greensboro Rd. within R-1 zoning which requires a conditional use permit.

Rev. Mike Blackwood, Pastor appeared before the MAPC and noted that he and his wife came to Jonesboro after being in Missouri for 30 years and came back here to start a new church, on Hwy. 351. There is not a Southern Baptist church west of Airport Rd. and Green County. Mt. Zion Baptist Association has worked with us, and we began work in that area where I became pastor of University Church in 2005 with the idea of relocating a couple years later. We looked at a number of sites and this site at Peach Tree and Old Greensboro Rd. is a good site. We have four acres. One-half of the acreage has trees that we want to preserve. We are just starting that process. We know that we have to come back to you for a site plan approval. We would love to see this conditional use permit approved, so we can begin the process.

Mr. Spriggs summarized the staff report and had no objections.

A motion was made by Joe Tomlinson, seconded by Margaret Norris, that this matter be Approved . The motion carried by the following vote.

Aye: 5 - Margaret Norris; Joe Tomlinson; Brian Dover; Paul Hoelscher and Jim Scurlock

Absent: 3 - Jerry Halsey Jr.; Ron Kelton and John White

C. U. 10-14: The Jonesboro Fraternal Order of Police requests a Conditional Use for an FOP Lodge within the I-1 Light Industrial District.

Pres. Tony Zaffarano presented before the MAPC and stated that they are proposing the lodge, which has been formed since the 1970's. We have never had a permanent location for a lodge. We are not a night club; we donate out of a fundraiser that we hold annually and by sponsoring youth teams.

We are police officers, sheriff deputies, business leaders and others that which to apply. We are now operating our business out of the police department. We want to have a permanent place to take a break and relax. Police presence in the area will be great asset for the people in the area and will boost the moral. This has been a problem area. We get a lot of calls in this area.

Mr. Joe Tomlinson stated that he feels this will be a very good thing for this part of town; and your neighbors will welcome you.

A motion was made by Joe Tomlinson with staff recommendations to include the extension of time needed to pave the parking lot, seconded by Margaret Norris, that this matter be Approved. The motion carried by the following vote.

Aye: 5 - Margaret Norris; Joe Tomlinson; Brian Dover; Paul Hoelscher and Jim Scurlock

Absent: 3 - Jerry Halsey Jr.; Ron Kelton and John White

7. Rezoning

RZ 10-21 Wesley Abernathy requests a rezoning from R-2 Multi-family to PD-RM Planned Development District- Residential/Multi-family for 4.76 acres located at 1711 Arch St. Street (Terminus of Arch St. North of Henry St., South of Jonesboro Airport, North of Highway 18/Highland Dr.)

Mr. George Hamman, representing Mr. Abernathy. Civilogic prepared the application and the plat on his behalf. We have also read through the staff report and the conclusions and we are not opposed to any of the recommendations. We do have one item that that may be of interest to the Commission or any opposed. We ran into a time issue with this proposal and did not get the Rezoning Signs posted on the property on time; we were late 2 days due to the holiday, New Year's Eve. They picked the sign up on Monday.

Mr. Roberts asked if this creates a legal issue.

Carrol Duncan, City Attorney stated that it is a requirement; and if we have a challenger to come forth it may be an issue.

Mr. Spriggs stated that he would yield to the opposition present. We have on a different occasion given the opposition an opportunity to waive the notification requirement; if they feel that it should be continued until that requirement is satisfied then we would have the case cease at this point, and have the item tabled until next month.

Chair called for opposition. 19 persons stood up. Spokesperson for the group- Julie Percifull Sartain. Chair asked Ms. Sartain what is the position of the opposition with it being a holiday. She stated that she does not see it as an issue, but they asked the Planning Commission.

Mr. Hamman that the newspaper notification requirement was met on time. Mr. Dover asked if it were tabled do you have to re-publish? Mr. Spriggs responded no.

Mr. Hoelscher asked what would occur if this went to Council and someone appeared in opposition that was not present. Mr. Spriggs stated that at Council will hold 3 readings.

Ms. Julie Percifull Sartain stated personally she would not want the waive it. She agreed that they would want to come back next month.

Mr. Hamman stated that his client is willing to come back next time.

A motion was made by Joe Tomlinson, seconded by Margaret Norris, that this matter be Tabled . The motion carried by the following vote.

Aye: 5 - Margaret Norris; Joe Tomlinson; Brian Dover; Paul Hoelscher and Jim Scurlock

Absent: 3 - Jerry Halsey Jr.; Ron Kelton and John White

RZ 10-22: Compton Dunlap Properties, LLC & C3, LLC requests a rezoning from R-1/I-1 (residential/light industrial) to C-3 LUO for 2.41 acres located at 5716 & 5720 Johnson Ave.

Mr. Terry Bare, HKB, appeared before the Commission and stated that HKB prepared the application; he noted that Highway 49N is going through redevelopment because of the hospital development. His client has received a great deal of commercial interest in the property.

Most of their property is industrial with a small portion of residential. His client is coming before the Commission with a C-3 L.U.O. They have gone through the Staff analysis and are agreeable to all of the conditions. They are asking that MAPC recommends this to City Council for approval for rezoning.

Opposition: None.

Mr. Spriggs summarized staff's comments. There is a 1.5+/- I-1 tract that will remain between this site and the Windsor Landing Subdivision. This is an area that is experiencing transition due to the new hospital development.

The requested C-3 LUO is a down-classifying of the existing I-1 Industrial

district; which the industrial classification is not an ideal district for the area.

There is a list of Conditional Uses and stipulations dealing with the buffering of adjacent residential. Staff recognizes that the current code needs updating to deal with the definitions which have been unclear in the past. We will be coming forth with text amendments in the future.

A motion was made by Jim Scurlock, seconded by Margaret Norris, that this matter be Recommended to Council . The motion carried by the following vote.

Aye: 5 - Margaret Norris; Joe Tomlinson; Brian Dover; Paul Hoelscher and Jim Scurlock

Absent: 3 - Jerry Halsey Jr.; Ron Kelton and John White

RZ 10-23: W. Turner Askew requests a rezoning from R-1 residential to I-1 light Industrial for 1.47 acres located at 2800 Industrial Drive.

Mr. Kenneth Scrape, of Associate Engineering presented the case. Mr. Scrape stated that he is representing the owner Mr. Askew who has a total of 9 acres approximately at this site. He recently acquired the 1.47 acres that is being rezoned from R-1 to I-1. The property to the south is I-1; to the east is I-1; to the west is C3; and to the north is I-1. It is bordered on the east by Hwy. 463, and on the west side by Industrial Dr. He is requesting it to be rezoned to make it consistent with the entire parcel.

Mr. Tomlinson asked why the required right of way along Hwy. 63 appears closer with 20 ft. further from the intersection, and 60 ft. in other areas. He asked if we will need the 60 ft. from center line? Is it a part of the Master Street Plan? Mr. Spriggs noted that he didn't know the history of that varying R.O.W., but it appears to have been done in anticipation of intersection improvements.

Michael Morris, P.E. verified that the R.O.W. designation on the Master Street Plan for Industrial Drive is 120ft. on the current Master Street Plan.

Mr. Scrape noted that he is anticipating replatting the property , after the rezoning is complete; then he will make the right of way consistent. Mr. Spriggs noted that Staff and the City surveyor will coordinate that. We will look at City priority of projects for the future of that right of way.

Mr. Spriggs added that this request is consistent with the Land Use Plan for the area. And this will clean up the zoning map for that entire tract and remove the R-1 which is inconsistent to the planning area. Mr. Spriggs asked that this item be recommended to City Council as an I-1 Industrial District with the stipulation that a site plan be brought before the MAPC prior to permit application. The applicant concurred.

A motion was made by Joe Tomlinson with the stipulation that a site plan be brought before the MAPC prior to permit application; seconded by Brian Dover, that this matter be Recommended to Council . The motion carried by the following vote.

Aye: 5 - Margaret Norris; Joe Tomlinson; Brian Dover; Paul Hoelscher and Jim Scurlock

Absent: 3 - Jerry Halsey Jr.; Ron Kelton and John White

8. Staff Comments

9. Adjournment