



# City of Jonesboro

300 South Church Street  
Jonesboro, AR 72401

## Meeting Minutes 2 Metropolitan Area Planning Commission

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Tuesday, March 12, 2013

6:00 PM

900 West Monroe

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### 1. Call to order

### 2. Roll Call

**Present** 7 - Lonnie Roberts Jr.; Brian Dover; Paul Hoelscher; Ron Kelton; Beverly Nix; Kim Schrantz and Jerry Reece

**Absent** 2 - Joe Tomlinson and Jim Scurlock

### 3. Approval of minutes

#### MIN-13:021

Approval of the MAPC Minutes for February 12, 2013

**Attachments:** [Meeting Minutes February 12, 2013](#)

**A motion was made by Jerry Reece, seconded by Kim Elmore, that the February minutes be approved. The motion carried by the following vote.**

**Aye:** 6 - Brian Dover; Paul Hoelscher; Ron Kelton; Beverly Nix; Kim Schrantz and Jerry Reece

**Absent:** 2 - Joe Tomlinson and Jim Scurlock

### 4. Subdivision Replat

#### PP-13-02

Minor Replat: Cook's Creekside Addition, Lot 5: 3516 Flemon Road.

Angie Collins, on behalf of the owners-John & Paula Best requests MAPC approval of a Replat of Cook's Creekside Addition, a Minor Plat previously approved with the maximum of 5 lots located at 3516 Flemon Road, as approved on August 16, 2011. MAPC approval is required to further divide Lot 5 as proposed. The property is zoned R-1 Single Family.

**Sponsors:** Planning

**Attachments:** [Proposed Replat](#)  
[Cooks Creekside Addition Original Plat2](#)

**Applicant:** Ms. Angela Collins appeared before the Commission with her father, Mr. John Best, who owns lot 5. She noted that when he purchased the property from the previous owner, he was told he could build two houses there. On the 1.24 acres, she has included the required 60 ft. of frontage. She stated she has a copy of the bill of assurance, which will have restrictions

and details on the required easements. Mr. Best would like to build a home on the NE corner of Lot 5a. The homes will have to be built in accordance to all codes.

Mr. Spriggs gave staff comments explaining the process for minor plat approvals under the Subdivision Code. Minor subdivisions are limited to five lots without MAPC approval. That threshold has been exceeded and a waiver is thus requested. Staff has no issues with this request, except for a condition that it be limited to no further dividing shall occur, absent a major subdivision plan submittal before the MAPC. Comments were received from the MPO office, requesting that the rear lot/flag lots be discouraged. Other departments reported no issues with the request. Mr. Michael Morris, Engineering Dept., commented on the ditch and drainage easement. Mr. Morris added that Staff may have to request finish floor elevations be submitted by the engineer.

Mr. Hoelscher asked if the rear portion is suitable for a subdivision. Mr. Spriggs explained the scenario where Ms. Collins has agreed to preserve adequate ingress/egress easement that could be converted to an adequate public right of way in the future, if needed for a subdivision in the rear.

Mr. Kelton made a motion to approve the Plat as submitted with the stipulation that Lot 5 not be further subdivided, except full subdivision submittal and review in the future.

A motion was made by Ron Kelton, seconded by Brian Dover, that this matter be Approved. The motion PASSED by a unanimous vote:

**Aye:** 6 - Brian Dover; Paul Hoelscher; Ron Kelton; Beverly Nix; Kim Schrantz and Jerry Reece

**Absent:** 2 - Joe Tomlinson and Jim Scurlock

## 5. Site Plan Reviews

### SP-13-03

Site Plan Review: C-3 L.U.O.

Cinema Management Group, Inc., 111 South Highland Ave., #338, P.O. Box 11091, Memphis TN 38111, requests MAPC approval of Site Plan for property located north of Highway 49, and west of Clinton School Road; Property was rezoned to C-3 L.U.O. by City Council under Ordinance 13:002.

**Sponsors:** Planning

**Attachments:** [Site Plan for Theater](#)

**Applicant:** Mr. George Hamman presented the site plan for the newly proposed theater on the western portion of the parcel. He commented that he was told of the current study of the Bridger Creek channel. They are closing-in on some answers within a week or so, of establishing the minimum finish floor elevation; he noted that their plans will be to be at least a foot higher than the base flood elevation required. He has had conversation with City Water & Light about getting sewer to the property. There may be some revisions after this conceptual approval while working through staff.

Mr. Spriggs gave a report from Staff. He noted that this is a submittal of a

required site plan review, as stipulated under Ordinance 13-002 for a C-3 L.U.O. as recommended by the MAPC and approved by City Council. Staff has reviewed the site plan in coordination with all of the other departments and agencies. Concerns were raised regarding the single drive access by the MPO and other departments. The applicant has agreed to satisfy the Master Street Plan recommendations for Johnson Ave. as a Principal Arterial. The applicant has also satisfied the stipulated buffers to the west of the property where it abuts residential properties. Privacy fencing would also be required where the parking areas would abut any residential as well. A lighting photometrics plan and detailed interior landscaping shall be submitted as part of the permit process. Mr. Spriggs added that staff would like to see coordinated cross-access easements to the neighboring properties to the east. Clinton School Road is a Collector road, and connectivity was raised as a concern during the rezoning process.

Mr. Michael Morris added that the engineers/developers are completing the study which will be finished soon, and they will develop a section through there which will help both developments. As long as they meet our requirements for Storm-water Management we will have no issues.

Mr. Reece asked about the sewer connection. Mr. George Hamman stated that to the north there is an existing sewer manhole which will extend to the east. We would have about 6 ft. of cover, which is to the bottom of Bridge Creek. This will allow 2 potential connections to the development to the area.

Mr. Hoelscher: Is there any concern of the potential for so many vehicles for the development; in terms of emergencies? Mr. stated there is a major concern by staff. He asked Mr. Hamman, does the developer wish to address the question of alternative access? Mr. Hamman stated that his client will take that into consideration and address it during the site plan process.

Mr. Kelton: Ask Mr. Hamman if he was suggesting that he could work out the cross connection to Clinton School Road. Mr. Hamman stated that they will work through the process to provide access to their east property line; and as the development towards the east progresses, cross access will be an instrumental part of that.

Mr. George Hamman: The owners to the east are not here tonight, but their representative seems to think that if the theater is ready to open before some other development takes place, that the owners to the east would be willing to assist in getting an all-weathered gravel road over to Clinton School Road to allow a secondary emergency access, albeit not paved, inspection or platted.

Mr. Spriggs asked what the seat capacity of the theater is? Mr. Hamman stated he did not know. Mr. Spriggs noted that the parking requirement formula is 1 space per ever 4 seats.

Mr. Spriggs suggested the motion could be made as such: Approval of the conceptual site plan subject to final approval by all reviewing departments and applicable agencies by the MAPC.

Mr. Hoelscher: if the approval is contingent upon the placement of a secondary access, is that do-able?

Mr. Hamman stated that he doesn't believe the Highway department will allow a secondary access onto Hwy. 49 with only 400 ft. of frontage. Cross access will be provided to the east to parcels as they develop, we would entertain that.

Mr. Hoelscher: Asked if any other department were asked to comment on the proposal. Mr. Spriggs referred to the reports from the departments. MPO Director, Marsha Guffey stated that that access to the east will be important and the customers will not enjoy the heavy parking traffic congestion.

Mr. Hoelscher stated that there is a potential to block emergency access and that is an issue with that many people and cars. Ms. Nix stated that it would be dangerous in that curve with that driveway access on Hwy. 49N.

Mr. Spriggs suggested the language that provisions for connectivity and cross access to the east towards Clinton School Road be stipulated in the motion. A plat will be required for any new development. This language can be so noted on the plat for recording.

Motion was made by Mr. Hoelscher that this request be approved with the stipulations listed in the rezoning:

- 1) The proposed development shall satisfy all requirements of the City Engineer, including all requirements of the current Stormwater Drainage Design Manual.
- 2) Approval of the conceptual site plan subject to final approval by all reviewing departments and applicable agencies by the MAPC.
- 3) The applicant agrees to comply with the Master Street Plan recommendations for the Clinton School Road and Johnson Avenue right-of-way (i.e. forty feet from center-line of Clinton School Road and sixty feet from center-line of Johnson Avenue).
- 4) Fencing details and landscape plan shall include fencing and a twenty-five foot buffer area between the proposed development and the residential areas to the west and north.
- 5) A lighting photo-metrics plan shall be submitted with the building permit application to assure no lighting spillage onto abutting residential properties.
- 6) The owner shall provide for connectivity and cross ingress/egress to the east towards Clinton School Road be stipulated in the motion. A plat will be required for any new development. This language shall be so noted on the plat for recording. An all-weathered gravel road/ non-inspected shall be provided as a secondary emergency access to the east prior to the opening-day. The developer thinks that the owner to the east will participate.

Mr. Spriggs noted that the Planning Commission will see the future plans for the remainder of the site previously rezoned C-3 L.U.O. to assure connectivity. Mr. Hoelscher reiterated his concerns over safety for the secondary access.

A motion was made by Mr. Paul Hoelscher, seconded by Ms. Beverly Nix, that this matter be approved. The motion PASSED by a unanimous vote:

**Aye:** 6 - Brian Dover; Paul Hoelscher; Ron Kelton; Beverly Nix; Kim Schrantz and Jerry Reece

**Absent:** 2 - Joe Tomlinson and Jim Scurlock

**SP-13-04**

Site Plan Review: 1500 Kathleen Street- Kathleen Apartments, 1500 Kathleen St.

Tralan Engineering, Inc., on behalf of Five Star Partners, LLC requests MAPC approval of a site plan for Phase one of the Kathleen Apartment Project for 40 units within Phase I. Property location: 1500 Kathleen Street; Rezoned by City Council under Ordinance 06:64 on November 9, 2006.

**Sponsors:** Planning

**Attachments:** [Proposed Kathleen Apartments](#)  
[ORD 06 64](#)

**Applicant:** Travis Fischer, TraLan Engineering, appeared before the MAPC requesting site plan approval for 40 unit of a Multi-Family development on Kathleen, North of Highland at 10 units per acres. It will be a gated community. Same density will be provided. We will provide future phases with access through this point and the south drive access.

**Staff:** Mr. Spriggs gave staff comments noting that the property was rezoned under Ordinance 06-64 for R-6 LUO for 10 units per acres, by City Council. This will be phase one of other phases. There will be duplexes and tri-plexes. There were comments presented by other departments. MPO has noted concerns about the driveway that is directly in the curve and may present visibility issues. The plan must comply with the Master Street Plan as a Collector Road.

**Michael Morris,** Engineer deferred comments to the Site Plan review process. Mr. Fischer stated that he is asking for a 4 acre development at 40 units. Mr. Hoelscher asked what the build out would be: Mr. Fischer: 280 units.

**Mr. Hoelscher:** Asked Mr. Spriggs that since the duplex falls under the Single Family code, how will this project be reviewed as opposed to the commercial review?

**Mr. Spriggs** noted that the project will be considered a larger development which has to be reviewed by an architect. The triplexes have to meet the commercial code. The duplexes (3 included) will be subject by a code analysis because there is more than one building. The separation requirements must be met.

**Mr. Kelton** asked what is the maximum depth of the retention pond? Mr. Fischer: It will be a water feature; based on the storage; stated he doesn't know how deep currently.

**Mr. Fischer** noted that there will be a third access point for the future phases. The overall concept plan was shown.

**Mr. Fischer:** The south entrance can be an "entrance only" drive, and exit out the north side. He added that the 10 feet is not the holding water, but just the free-board area. Final calculations have not been done.

Motion was made to approve the site plan subject to the stipulation that the stormwater regulations and management plan ordinances be complied by and that the safety features be approved by the appropriate departments by Mrs. Nix.

The motion was seconded by Mr. Jerry Reece, that this matter be approved. The motion carried by the following vote.

**Aye:** 6 - Brian Dover; Paul Hoelscher; Ron Kelton; Beverly Nix; Kim Schrantz and Jerry Reece

**Absent:** 2 - Joe Tomlinson and Jim Scurlock

## 6. Conditional Use

## 7. Rezoning

### [RZ-12-24](#)

RZ 12-24 Charles R. Watson Family Trust and Unico Bank

A request for rezoning of a parcel of land located at end of Keely and Lexee Streets with frontage on Ingels, containing 48.26 acres more or less from R-1 -Residential Single Family District to RS-7 - Single Family Residential District minimum lot 6,222 sq. ft. lots required; and RM-8 - Residential Multifamily Classification; eight units per net acre, includes all forms of units, duplexes, triplexes, quads or higher.

**Attachments:** [NEW Site Layout Preliminary Application](#)  
[Rezoning Plat](#)  
[Unico Bank Warranty Deed](#)  
[Staff Report](#)

Chairman Roberts recognized 32 residents who stood in opposition to the case.

**Applicant:** Attorney Don Parker introduced the representatives from Unico Bank- Mr. Ron Stevens, President of Unico, Bill Lafarlette, Sr. Vice President of Unico Bank, who is requesting a rezoning of 2 tracts of property totaling 48.26 acres. Unico has acquired 31 acres by foreclosure and on Watson Trust parcel is being purchased solely to provide access to the Unico Bank tract. He represents both Unico and the William Trust.

Mr. Parker continued stating that the MAPC considered this case during its December 11th meeting and at the request of the MAPC and as agreed by Unico Bank, the case was tabled until the hydrology study was completed. Unico Bank engaged Engineer Bernie Ault to determine the location of the floodway in this area, and to determine the effect of the development on the floodway. After spending over \$23,000, Mr. Ault has determined that the floodway is within the banks of Higginbottom Creek and that will not be changed with this proposed development. There will be no adverse impact to the floodway from this development.

Both existing tracts are currently zoned R-1 Single Family Residential. The rezoning is a request for a change from R-1 to RS-7 Single Family for the 8.81

acres, which will be a buffer between the existing single family homes in Caldwell Acres, zoned R-3, with the approximately 48 acres under the Planned District RM. The total project will result in approximately 177 mixed units as proposed; that being 37 single family lots; 22 single level duplexes as shown in the Planned District Development; totaling 44 units; there are 12- single level 4-plexes (48 units); and 22 town homes (additional 48 units); 140 units for duplexes and multi family in the proposed Planned District Development. The open space area was also identified (7 acres). Access to the Planned District Development will be solely through Ingles Rd. There will be no access between the Planned District Development and Caldwell Acres. Lexee Dr. and Keely will access the RS-7 area only. Given development and land costs the rents will be in the \$800-\$950 range. The density in this proposed RS-7 Single Family District will be 5.2 units per acres (same as Caldwell Acres); 5.4 units per acre in the Planned District Development (same as the single family district). This proposal also addresses the former concerns of crime and traffic raised by the opposition. Given the density, it will not result in more traffic. Crime occurs at higher densities; that is not the case with this development. The Planned District Development gives the Planning Commission extensive control over the development of this property. Future development must follow this plan as outlined and proposed. The developer must come back before the MAPC and the Council if they desire to change the planned district. Also, additional conditions and stipulations can be placed by the Commission when the Site Plan is reviewed. Ingels Rd. is designated as a minor arterial road. This property is located at the edge of the City limits and has access to adequate utilities. The development is 1-mile to the bypass overpass at Richardson Rd. and ½ mile to the Optic Fiber Park. The primary access to the property will most likely be Willow Rd. Unico Bank has no objections to any of the conditions recommended by Staff, including the granting of additional right of way along Ingles Rd.

**Staff:**

Mr. Spriggs gave additional comments from Staff; noting that this is a continuance of the issue that was table by the Commission. Public input was given in December. The MAPC had concerns of providing a buffer to protect the Single Family Subdivision. The MAPC discussed a 280 ft. buffer from the Single Family, thus situating the Multi-family near the ditch area. The applicant revised the plan to accommodate the rezoning as a Planned District Development.

Department reviews were discussed: Police Department reported concerns with the added density and load on existing infrastructure and services by Multi-family and its influence on crime. The MPO office issued concerns of connectivity of future development to the east. Connection to Willow Rd. and Colony Dr. to the West. Connectivity to the areas south towards the County was also a concern. Mr. Spriggs stated that there is a stub street that will connect towards Gladys Drive to the west. There is also a stub street to the South.

The Conditions in the report were read.

Mr. Hoelscher: Is the single family portion a part of the Planned District? Mr. Parker: It comes as two separate items. We didn't want to change our original application to greatly. If the Commission desired it to be one; then we do not oppose that. Mr. Spriggs noted that it can be done either way. Staff requests

that the RS-7 Single Family be a Limited Use Overlay so that the conditions can be duplicated. Mr. Hoelscher asked if the individual lots can be sold to individual new owners? Mr. Spriggs stated that the lots will still be subject to the subdivision rules and regulations.

Mr. Kelton asked about the perimeter fencing. Between the R-1 and the Multi-family. It will be placed between the two.

**Public Input:**

Doug Ward: 3407 Colony Dr.: Submitted a petition of 300 signatures in opposition. Noting this has been postponed a number of times. A bigger crowd would have been here in December/January; but some were confused, because the date got changed, and people were warn-down.

Mr. Ward: Presented a handout. Since 1992, this is the 4th time he has appeared before the MAPC and Council in opposition to rezoning to multi-family apartments and duplexes. Every time the City Council has voted it down. Mr. Ward spoke on the Jonesboro crime data where the circles crime coincides with multi-family and rental properties. Without high crime rate and apartments in our area, we've kept it that way for years and want to keep it that way. Mr. Ward referred to the last rezoning requested Colony Drive. Infrastructural problems were discussed. Reference was then made to the railroad tracks. Mr. Ward mentioned that the people will travel Colony Dr. Nettleton Schools run 22 school buses a day, and there has been 3 deaths. Since 1992, we have fought to preserve the Zoning in the area. The traffic will go down Colony Drive. Mr. Ward showed a map of the vacant land in this area. The issue is bigger than this proposal; we have an infrastructural problem with access, rail roads etc. What happens tonight will determine what happens to all this vacant land in the area. Eyes are watching. People with money in their eyes are watching as soon as you approve this, we will be inundated with apartments over the next year or two. People don't want apartments in their back yard. He added that the value of the starter homes will be worth less than their mortgage.

Kim Johnson, 3619 Ingles Rd.: This will be next to my house. Its right on my house. On the bridge she had 2 trucks flip in my her front yard. One time here kids were playing when it flipped and were fortunately out of the way. The only entrance will be on Ingles Rd. Are they taking into account children on Ingles Rd. it is like a big family. Ms. Johnson noted that she pays a heavy flood insurance rate for her property.

Kim Johnson: She mentioned having trouble placing small shed that was on a skid, because of the FEMA Program. What impact will this have on drainage and flood plain? She further commented on the water issues and traffic concerns, with the one entrance that is at a very dangerous bridge. She commented on the police department enforcement on the speeders. Don't destroy this part of town; build a park out there. You want a water park? Put one out there.

Phillip Cook, Stated he lives on Richardson Rd. The pavement is 22 ft wide, with no shoulders and deep ditches. There is lots of cars that come down that road that are traveling through. It is hardly wide enough for 2 cars; especially with dump trucks running down that road and school buses also. Infrastructure here is terrible. No stop lights. Everyone wants to come out one



way. Wanted to bring a copy of the constitution of the U.S. Read the language. We the people... Mr. Cook commented that he could not hear the comments from the Commission.

Beverly Riley, 3700 Lexee: She purchased her home in 2007; it is her first home. She is divorced, a single parent raising 2 kids. We love the neighborhood, and enjoy their neighbors. One of her kids in college. Ms. Riley added: The homes cost \$130k - \$150k and with the home owners there, it is not easy. You will bring in apartments and I will be upside down my mortgage, if I had to move or sell it. She commented on all the traffic to Colony Dr., from Lexee Dr., heading to Stadium over the railroad track that is always backed up. Don't do this to the new home owners. It is affordable for struggling single women and middle class families.

Douglas Homes, 3512 Limestone Drive: He has been there for 30 years. People have talked passionate so far. Infrastructure is an issue; spoke on the traffic back up from Stadium Dr. from the Bypass. On Harrisburg and Caraway you have the same situation. What do they have in common. You have the Gladiolas Apartments, Links on Caraway; apartments down by Fox Meadows School, Willow Creek Phase 1 and 2.

Spoke on the five biggest employers north of town where the people will be trying to get north of town. He spoke on the load of the traffic that will be on Willow Rd. Nettleton School and the mall traffic will be going through Willow Rd.

Kids will be accessing Stadium to drive to the campus and it will be dangerous.

Public Debate was closed.

Mr. Kelton inquired about the R-1 Residential Zoning requirements; he asked will the housing be equivalent to the RS-7; and will it be consistent with the size of the lots in Caldwell Acres. Mr. Parker replied that the lots will be either equal to or greater than the existing development. Commenting on the comments about traffic, Mr. Parker stated that the density of this propose Planned District Development is virtually the same as the RS-7 or what is in Caldwell acres. So whether this develops as a Planned District or otherwise, the growth will incur the same amount of traffic. It is not going to increase, because these or duplexes or four-plexes. It will be the same as if these were developed as single family lots. The density is the same. Mr. Parker made reference to the crime data, noting he is familiar with the reports and hot spot circles of high crime areas. Look at the high crime areas and they are high density, low rent multi-family areas associated with lower income.

Mr. Hoelscher asked if the proposal on the screen, the official proposal to be considered? Mr. Parker: replied yes with the inclusion of Preliminary and Final Subdivision submittal before the MAPC.

Michael Morris: Are the interior roads public or private? Mr. Parker: They will be public to the south and to the east, and they will conform to city street standards. The road ways, right-of-ways take up at least 5 acres themselves.

Motion was made by Mr. Kelton to place Rezoning Case RZ 12-24 on the floor

for consideration and recommended approval to City Council, as presented for a rezoning from R-1 Single Family Residential to PD-M and RS-7 Single Family; we, the MAPC find that the change in zoning follows the criteria for Zoning Changes, and follows good land use principals; Motion was seconded by Mr. Hoelscher with the following conditions:

1. That the proposed development shall satisfy all requirements of the City Engineer, satisfying all requirements of the current Stormwater Drainage Design Manual and FEMA floodplain regulations.
2. That the PD-M maximum density shall not exceed 5.9 units per acre (22-4-plex Townhomes); maximum density shall not exceed 5.6 units per acre (22-single level Duplexes); maximum density shall not exceed 4.5 units per acre (12- single level Four-plexes); and for the RS-7 Single Family District detached homes shall have a maximum density of 7-units per acre on 37 single family lots.
3. That a future site development plan be submitted and reviewed by the MAPC prior to any future redevelopment.
4. The applicant agrees to comply with the Master Street Plan recommendations for the Ingels Rd. right-of-way.
5. Fencing details depicting screening shall be implemented along the entire perimeter of the proposed site as approved by the MAPC.
6. A lighting photometrics plan shall be submitted with the building permit application to assure no lighting spillage onto abutting properties.
7. The MAPC recommends approval of the proposed Concept Plan including the 8.36 +/- acres of common/open space and the approved street layout and connectivity.

A motion was made by Ron Kelton, seconded by Paul Hoelscher, that this matter be Recommended to Council. The motion carried by the following vote.

**Aye:** 5 - Lonnie Roberts Jr.; Brian Dover; Paul Hoelscher; Ron Kelton and Kim Schrantz

**Nay:** 2 - Beverly Nix and Jerry Reece

**Absent:** 2 - Joe Tomlinson and Jim Scurlock

## **8. Staff Comments**

### **[COM-13:021](#)**

Supplemental Reading: Running Planning Commission Meetings by: Dale, Herman, & McBride

**Attachments:** [RunningPlanningCommissionMeetings](#)

## **9. Adjournment**