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## **Record of Proceedings: Public Hearing Held on December 11, 2012 by the MAPC**

Applicant: Mr. Don Parker, Attorney presented on behalf of his client, Unico Bank, whose headquarters are in Paragould, AR. Barry Lafarlick, Senior VP, from the bank is here and he is a resident of Jonesboro.

There are two tracts totaling 48 acres. Unico acquired one of the tracts through foreclosure and the other 36 acres were formerly developed as Caldwell Acres. An adjacent tract with frontage on Ingels Road is owned by the Charles Watson family trust and is under contract, who is joint applicant to the rezoning. We propose to provide access to this property (Watson property) on the back side over to Ingels Road, providing access to Willow Road to the bypass.

Both tracts are currently zoned R-1. The rezoning request for RS-7 (9 acres) will act as a buffer between the existing single family homes in Caldwell Acres and the proposed multifamily rezoning to RM-8 (39 acres). The entire project if redeveloped will contain approximately 277 units of mixed use development: 61 single family units and 216 units of multi-family units are proposed.

The RS-7 property next to Caldwell Acres will connect to both Lexee and Keely Drives to improve the safety in terms of access and improve health and safety issue. Unico Bank is open to a prohibited extension of those two streets into the Multi-family.

Adequate utilities are available for connection. Ingels Road is designated as an arterial road where it front. It is one mile from the bypass. This property touches the County and is on the edge of the City limit.

Willow is sparsely populated. This is the proposed access point for the RM-8 multi-family.

The property to the west is zoned R-3 LUO and provides for the same density as the RS-7: The property to the north is zoned R-1, with the same as the east and to the south being used also as agriculture. Again, access to the proposed Multifamily is from Ingels Road with no connectivity to Lexee and Keely Dr.

The proposed RS-7 zoning is consistent with existing single family development, and the proposed RM-8 Multifamily will be less dense than the existing single family residential in both. Unico Bank retained Associated Engineering who is working on a study on Higgonbottom ditch to address all flood control issues to satisfy FEMA regulations. Unico Bank has no issues with limiting the density of the RM-8 to 5.5 units per acre. The RS-7 will have a density of 7 units per acre.

Unico Bank has no objection to the 120 ft. right of way recommended in the Staff Report for Ingels Road, and no access will be allowed to Caldwell acres.

Unico bank will agree to provide public transportation and bus drop off area to be set aside. Unico Bank has expressed an interest and is open to future park area to be incorporated into the buffer we have learned that City is unable to accept to offer for green space buffer because of budgetary constraints, through City officials. We are open to it.

Given the RM-8 rezoning requests, it is anticipated that this will be developed as duplexes, triplexes and fourplexes over a three year period.

**Staff:**

Mr. Spriggs gave a summary of the Staff Report. Consistency is achieved for the single family, except where Multi-family is proposed consistency is not achieved with the adopted land use plan. Access management and traffic may be a concern, but cannot be addressed outside a layout or traffic impact study.

The FEMA floodplain issue was discussed. A flood study may conclude that the density proposed may not be as planned.

The Master Street Plan recommendations were discussed, listing Ingels as a minor arterial. A collector road extension is listed for Willow Road in proximity of the ditch running north/south.

Current density, if the property were to remain R-1 Single Family would yield 260 homes at 5.4 units per acres. Mr. Parker has discussed the scenario of the mixed use 277 units.

The conditions of approval were read. Buffering and screening was discussed as well. A proposal and some form of maintenance agreement by an association would have to be discussed regarding any dedication of open space.

**Public Input:**

25 people stood in opposition.

Michael Easton, 5112 Richardson, 5200 Richardson and owns property on Limestone. Mr. Easton mentioned a recent rezoning denied on Colony Drive for apartments. The area is sparsely populated and it has high traffic volumes and flood problems. They have done some work on the drainage. He commented on the flood plain. Stated that this will set a precedent, and stated concerns about crime and land value affects. Child safety is a concern, as well as the rail crossing on Colony Dr. and the conditions of Willow Road. This whole quadrant of the area does not have apartments of this magnitude.

Terry Easton, Commented on the entrance to be on Willow near the dangerous bridge. If you were to go down Willow Road, you are dumping the traffic on Nettleton School (dumping it to 30 mile speed zone in the school area).

Mark Baker, 4008 Keely Dr., at the edge of street. This will have an affect on property values. It is under a bill fo assurance for no apartments. They are going to throw that on us, when the housing market has hit hard over the last two years.

Cassie Price, 3809 Lexee St., Stated that she bought her home 2 1/ 2 years ago. She stated that her family was told that they won't put in apartments. Commented on child safety and that there is no place for kids to play. Other concerns noted included traffic and safety concerns.

Geneva Burch, 3513 Lexee St., Stated that she lives on the opposite end of Lexee Dr. Her concern is traffic coming off Stadium and Colony. She added that crime and safety of the children is also an issue. She stated that this will create havoc and traffic problems for the whole area. She added that this will down their property values. She commented on the flooding in the area. She has spent a lot of money to keep water out of her yard. It would be nice to have something beautiful built and not just apartment buildings.

Scott Ralston 3612 Keely Dr., Stated that his concern is crime. Stated that he takes care of 85 apartment units around town and he knows about the crime and the property values they affect. Apartments are nice to start off with, then you see them in the newspaper. He stated concerns about the safety of the kids on Richardson waiting on the school bus.

Jeremiah Schearer, 3808 Keely Dr., Commented that he moved there 3 years ago. The builders said they would finish the subdivision and would not build apartments. He added that this is a family atmosphere with a lot of kids. We need a family environment in that area and not places in and out.

Mr. Jim Scurlock stated that he had an issue on what definition of Multi- family.

Mr. Spriggs explained that in the last meeting we had a discussion of the definition of duplexes as opposed to multifamily. The code defines multifamily as three or more units attached.

Mr. Don Parker gave rebuttal comments. Noted that the comments have a similar theme as typically attached where multifamily is requested. Unico Bank is prudent in designing this request in such away to have a buffer of single family between what is the existing single family and the proposed multifamily.

Mr. Parker added that looking at that property unless someone is going south on Hwy. 1 all the traffic will be on Ingels and Willow Road. People will take the shortest route. He added that they wanted to fashion this request with the single family zone with no connectivity to the multifamily on Lexee and Keely Dr.

Mr. Parker went on to say that the apartment density in the RM-8 is less than the single family in that area. The flood issue when it is addressed will improve the area in which there are current issues going on in Caldwell Estates.

Mr. Parker stated that Staff recommended the reduction to 5.5 units per acre on the multifamily. Mr. Spriggs later clarified that the density was not derived by staff, but was noted in the application submitted. Mr. Parker noted that the number is anticipated due to the flood plain impact.

Geneva Burch, 3513 Lexee St. asked if you start this how long will the project to finish. Mr. Parker: We anticipate it should take 5 - 10 years of completion.

Michael Easton, 5112 Richardson. Stated that they are for single family and not multifamily. He added that they have a buffer of the train tracks on the west, and its been the opinion of City Council that said the same thing. They want to keep the single family to the west of the tracks; it's not fair for ones that spent their lives and that are trying to build their lives. We are there for the long haul.

Mr. Parker, There has never been presented to this Commission, any evidence of an adverse affect on multi-family on property values. This property is located as far out as you can get it; it is on the edge of the city limits. Looking at the Land Use Plan, those areas are usually in mostly populated areas.

Chad Easton, 1500 Richardson, Commented on the train tracks and the traffic with deadly accidents occurring at the crossings. Rook Road doesn't have a rail crossing only a stop sign, and a kid got hit there.

Mr. Tomlinson asked if this is consistent with the Land Use Plan. Mr. Spriggs referred to the map nothing that the single family proposed is consistent, however the multifamily is not.

Mr. Kelton stated that the Commission is not here to look at a site plan but rezoning. If they are successful in selling this property they would come right back to the Planning Commission. We are talking about almost 50 acres of land that back up to Higginbottom Creek; the corner of this property is at city limits touching the County, and it is isolated. Mr. Kelton stated that he is not without sympathy of the property owners present, but we will have to put some thought in this.

Mr. Kelton added: If there were a deep enough barrier of single family homes between the multifamily and the existing single family; and if Lexee and Keely Street were cul-de-sac and avoided a connection of the other property- could we find a happy medium with everyone? This is a large tract of land and it has a lot of value. We may need to try to work this out.

Mr. Tomlinson asked for clarification on the density. Mr. Spriggs reiterated the potential homes that could be built. Mr. Tomlinson recognized that there is a lot of unknowns absent the study of the flood plain with the incomplete engineering. He noted that he has watched that area grow over the years and it has done well with R-1. He can't get it in his mind that area has to go apartments. He noted he supports the RS- 7 single family.

Mr. Kelton asked for clarification on the Flood Plain designation which appears to be unknown.

Mr. Michael Morris, Engineering, The floodway study is not completed.

Mr. Hoelscher asked for a larger view of the zoning map. Staff displayed the surrounding zonings showing other multi-family in the South Jonesboro area.

Commission discussion moved towards defining the area of single family buffering.

Mr. Parker and the representatives from Unico bank reviewed the buffering area and noted that they area doubling the buffer from 9 to 18 acres, while keeping the same density as a compromise. The line of the single family was extended easterly to a point that measured approximately 600 ft. from the boundary of Caldwell Acres. This would leave the balance of the 17 acres for RM-8, at a density of 5.5 units per acre for the multifamily.

Mr. Reece asked if we are looking at taking a tract of land that is not adjacent to apartment complexes and put it in the middle of a single family area, affecting people that have lived there for 30 to 40 years? If we start it there will be no end to it.

Mr. Dover stated that he thinks the counter- point is this problem was created by no one in this room; the economy has put us in this position. Continuing to let the land lay there is not the answer; how long can it sit? He added that he is not for against it at this point, but he would like to find a compromise.

Mr. Parker stated that this R-1 is not what the existing neighborhood is; It is R-3/R-2. .

Discussion moved towards the floodway and work performed in the ditch by the Corp of Engineers in 1996 or 1997; dredging was done.

Mr. John Easley, referring to the FEMA floodplain map, stated that he will define the floodway will provide a FEMA study and submit a map revision (LOMR) to reduce the floodway. Work has been previously been done along the ditch from Caraway to Stadium down near the carwash and Elite Auto. Other work has been recently done on Richardson in the Colony Road area. Mr. Easley stated that he could not answer flooding questions to the west near Colony Drive.

Motion was made to table the case pending the floodplain study completion until the January 8, 2013 meeting by Mr. Paul Hoelscher; Motion was seconded by Mr. Ron Kelton. The motion carried by the following vote.

**Ayes:** Joe Tomlinson; Brian Dover; Paul Hoelscher; Ron Kelton; Jim Scurlock; Beverly Nix; Kim Elmore and Jerry Reece