



City of Jonesboro

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

Meeting Minutes - Final Metropolitan Area Planning Commission

Tuesday, December 13, 2011

5:30 PM

900 West Monroe

1. Call to order

2. Roll Call

Present 7 - Margaret Norris; Lonnie Roberts Jr.; Joe Tomlinson; Paul Hoelscher; Ron Kelton; Jim Scurlock and Beverly Nix

Absent 2 - Brian Dover and John White

3. Approval of minutes

MIN-11:103 Approval of MAPC Minutes for November 8, 2011

Attachments: [MAPC Meeting Minutes Nov 8 11](#)

A motion was made by Beverly Nix, seconded by Joe Tomlinson, the minutes be Approved . The motion carried by the following vote.

Aye: 6 - Margaret Norris; Joe Tomlinson; Paul Hoelscher; Ron Kelton; Jim Scurlock and Beverly Nix

Absent: 2 - Brian Dover and John White

4. Site Plans & Preliminary Subdivisions

SP-11-11

Songbird Square Commercial Development
Location: 3800 E. Johnson Ave. , Lot 1 of Hudson Drive Replat
Site Plan Review: MAPC review of a site plan subject to ORD 10:094

Attachments: [BOGAN- Civil Site Plan Drawings](#)
[Minutes MAPC 12 2010](#)
[Plat_BoganRezoning Plat](#)

Applicant: Mr. Michael Boggs, HKB represented the owners.

Mr. Spriggs noted that this is presented to the MAPC only because it was a rezoning that required MAPC site plan approval. Staff met with the agencies and all departments. Michael Morris from Engineering did not have any additional comments.

Mr. Joe Tomlinson asked what is the possibility of a single driveway cut on E. Johnson. Mr. Boggs stated that the owner would like the two and they have gained AHDT approval for the 2 driveway cuts. Mr. Tomlinson suggested that it would be more feasible to eliminate drive cuts along E. Johnson because of the traffic impact as a busy street.

A motion was made by Mr. Jim Scurlock to approve the site plan as presented seconded by Ms. Margaret Norris. The motion PASSED by the following (5-1) vote.

Aye: 5 - Margaret Norris; Paul Hoelscher; Ron Kelton; Jim Scurlock and Beverly Nix

Nay: 1 - Joe Tomlinson

Absent: 2 - Brian Dover and John White

PP-11-24 PP 11-11: Abigail Crossing Subdivision Phase I-Preliminary

Mark Morris / Engineer / Surveyor: H&S Himes Professional Surveying request MAPC approval of a Preliminary Plan approval for subdivision located on Flemon Rd. (East of Shasta Dr.); Total Acres: 11.05 acres +/- / (481,248 sq. ft.) for 7 Proposed Lots.

Attachments: [Application P P 11-11 Abigail Subdivision](#)
[Abigail Subdivision Drawings Prelim](#)
[Report Abigail Crossing Subdivision Phase I](#)

Applicant: Mr. Carlos Wood presented on behalf of the applicant, Mark Morris. There are 11 acres and we are proposing lots along Flemon Road in the first phase.

Mr. Spriggs gave Staff Comments. Fire, Engineering and Public Utilities have reviewed the plans and are in concurrence on the 7 lots/ and future phase. After the first phase is completed, the secondary access will become permanent. All Subdivision/ Zoning Regulations will be satisfied. Final Subdivision plans/details will be forthcoming.

A motion was made by Beverly Nix, seconded by Margaret Norris, that the Preliminary Subdivision Plan be approved as presented. The motion carried by the following vote.

Aye: 6 - Margaret Norris; Joe Tomlinson; Paul Hoelscher; Ron Kelton; Jim Scurlock and Beverly Nix

Absent: 2 - Brian Dover and John White

5. Final Subdivisions

PP-11-23

FP 11-11: Craighead County Fairgrounds/FloyRed Commons
Commercial Park Lot 6- Final
Craighead County Fairgrounds Association requests MAPC approval
of a Final Subdivision Plan

Attachments: [Staff Summary: Replat of Lot 6-Final](#)
 [FloyRed_Final Subdivision Dwgs](#)

Applicant: John Easley, presented on behalf of the owners.

Staff: Mr. Spriggs gave Staff comments and summarized the pre-development meeting details which have been coordinated with all utilities/departments. Concerns have been raised over the access/ingress aligning with Dayton Ave. to the East. The owners have no final decisions on the drive. We would like to see the east/west connection, however that will be worked in cooperation between the various private owners.

Mr. Tomlinson: We are not going to have an extension Dayton Street on the west? **Mr. Easley:** No, not at this time. **Mr. Spriggs:** Lot 7 has a drive off of Fairpark Blvd.

Mr. Tomlinson asked about concern on Emergency response not knowing how to access Lot 7. We won't see a site plan on Lot 7 because it is based on square footage. He noted that he would like to see how it will be served. It could be gated off from that easement drive.

Mr. Spriggs: Noted that he has seen the 30 ft. private ingress/egress easement agreement and it will have to remain. and run with the land. **Mr. Easley:** It doe allow those businesses access to Highland Drive. It cannot be blocked off, it is granted access. It is a platted easement.

Mr. Tomlinson: That answers my question.

A motion was made by Mr. Joe Tomlinson that we approve the plan as submitted contingent upon final approval by Staff and the Utility Agencies; seconded by Mr. Jim Scurlock. The motion PASSED by a unanimous vote

Aye: 6 - Margaret Norris; Joe Tomlinson; Paul Hoelscher; Ron Kelton; Jim Scurlock and Beverly Nix

Absent: 2 - Brian Dover and John White

6. Conditional Use

CU-11-07 CU 11-07: Conditional Use Request- Mobile Home in an R-1 Residential District

Location: 1509 Pratt Circle:

Arvil & Betty Simpson request MAPC approval of the placement of a 28'X52' mobile home in an R-1 Residential District. (1999 model approved by the Board of Zoning Adjustments on November 15, 2011 and referred to MAPC for as Conditional Use according to the Zoning Code requirements)

Attachments: [Application -C.U.11-07 1509 Pratt Circle](#)
[Staff Summary CU 11-07 Simpson 1509 Pratt Circle](#)

Mr. Bill James, representing his sister and her husband (Orville/Betty Simpson), who hope to place a mobile home on the property. They had a home there and the home was burned and later condemned by the City. They are retired. My brother-in-law is 66 years old will work till he is 70. Trying to assist them.

Mr. Spriggs: Gave staff comments. The case went before the BZA for a variance of the structure. The BZA referred the Conditional Use case for the Mobile home in the R-1 Residential District. Ms. Nix: Are there mobile homes in that district. Mr. Spriggs: Yes.

Mr. Tomlinson asked about the other requirements of Residential Design Unit? Mr. James stated that it does meet the requirements of the pitch/shingle roof.

There is no opposition.

A motion was made by Joe Tomlinson, seconded by Margaret Norris, that this Conditional Use be Approved as submitted. The motion PASSED by a unanimous vote

Aye: 6 - Margaret Norris; Joe Tomlinson; Paul Hoelscher; Ron Kelton; Jim Scurlock and Beverly Nix

Absent: 2 - Brian Dover and John White

CU-11-08

CU:11-08: Conditional Use Request

St. Timothy's Anglican Church, 419 W. Highland Dr., Jonesboro requests MAPC approval of a Memorial Garden/ Columbarium to be located on the church premises as required by the Jonesboro Code of Ordinances, Definitions.

Attachments: [Staff Summary St Timothy Anglican Church](#)
 [C U 11-08 Application](#)
 [Memorial Garden Rules Regulations](#)

Applicant: Father Ron Martin, Rector of St. Timothy's stated that they would like to have a memorial garden as described in the case documents that contains a columbarium.

Staff- Mr. Spriggs: The church is located within an R-1 Single Family District, referring to the Staff Summary. Under the definition section of the code, "Cemetery" includes columbarium and it requires a Conditional Use approval by the MAPC. We have copied the MAPC on the proposed Rules and Regulations as presented by the church by which there are strict access guidelines. Staff has no issues with the proposal. Many cities and states have different laws concerning these types of uses. This will be done by limitation because of the size of the columbarium. The church has proposed a garden layout with a decorative style fence, accented by landscaping which will be done by a local designer. We spoke with them concerning additional screening to provide a buffer to the surrounding neighbors.

Mr. Robert Householder, 418 W. Highland Dr. (across the street). Stated that he would like to voice his opposition to the permit, for allowing it. He noted that he has checked with some real estate agents and I have a feeling that this will devalue his property; and limit the marketing of his property. Stated that he has lived there 21 years. His wife and he are the only ones lived in this house. He quoted an example of a previous home they looked at that was larger, but there was a cemetery next to it. This is listed as a cemetery; even though it has ash remains to be stored in niches. I still chose not to live next to a cemetery. I ask you not to grant this. Consider this: would any of you live next to a cemetery? It should be a choice and this does not give me a choice.

Mr. Larry Barnett, 420 W. Highland Dr. Questioned why it is not on the other side of the property. There could have been another way of doing it. I thought it was a statue or something. I have to live there and figure it will have some effect on my life and property. This church has only made improvements since it was changed over. Why wasn't it done in the back area? How they got this far and nothing was done about it. Everything is a process here. I have a side view. I am here to say I am not happy. I am not anti- anything over there. I think I should have been told all along.

In Response: Father Ron Martin, Rector of St. Timothy's stated that there are 64 niches. We would to expand the church later, and have earmarked that part of the property for class rooms. There are detention ponds to be built in that back area.

Mr. Robert Householder, 418 W. Highland Dr. Stated that if MAPC were going to approve this, he would like for it to be fully screened from public view. A

wrought iron fence won't do that.

Mr. Hoelscher asked for the people in support to stand. How many live adjacent to the church? (15 stood) They were all parishioners.

Ms. Beth Brown, Church Member. Stated that the columbarium is just a place to store ashes. People are cremated all the time. Having ashes at the church is no different than me being your neighbor and storing the ashes of my parents right next door, and you not know it. This will be a beautifully landscaped garden area with evergreen shrubbery around the fencing and you won't even know it from the road. She added that she is a certified real estate appraiser and this will have no effect on his property value. She also stated that St. Mark's Episcopal Church also has a columbarium.

Mr. Householder stated that he visited St. Mark's and has pictures; you cannot see it and you don't know that from the road, because you can only view it on the back side of a fully enclosed 6 ft. tall brick fence.

Ms. Nix: Father Martin, I understand that you have done everything properly, and want to be a peace maker- is there any reason we could not do a fully screen wall, as these nice people are requesting?

Father Ron Martin: Responded that finances are the issue. At this stage because of where we thought we were far along in the process, so we obligated ourselves to this wrought iron fence.

Bill Pruitt, Member: We have contracted and paid half the cost of the fence with Dacus Fence. We have paid \$27,000.00 on the black granite columbarium; and we applied for the permit for a 6 ft. commercial fence, memorial garden and a columbarium; We paid the required \$100 fee and we did not take delivery of the columbarium until we had the permit in hand. We spent \$3000 for the curbing for the memorial walkway with the engraved bricks. We spent over \$30,000.00; we still owe for the fence and pavers, and landscaping. Our members have been making donations for a number of years. We do have a plan and we could put in that landscaping and take care of any site screening from the street. We could work with our neighbors.

Mr. Kelton recommended that we modify the request for the Columbarium and that the landscaping be specifically- evergreen that will reach a height of 6 ft. (Mr. Tomlinson suggested that any increase in capacity would be reviewed by the MAPC at that time).

Mr. Tomlinson asked what the size of the lot is? Mr. Larry Gossip attempted to address the property size.

Mr. Tomlinson: I would address the property values. I have been on the Planning Commission, and of all the things I would like next to me is a Church. If you had 40 or 50 apartments or a McDonalds next to you then you have an issue with property values.

Father Ron Martin: There is potential for putting up rectangular niche units that will serve as a screen, where the fence is to be put up, as the part of the fence. (the model was presented illustrating the fence niches with black granite toward the street).

Ms. Nix- Recapped: What we have here is that we have a nice structure that legally meets all the conditions that are to be met; then we have the issue of good neighbors who are concerned with what they will see when they look outside. The request that a brick wall be constructed has been made; the church has agreed to plant evergreens the height of the fence as a screen.

Robert Householder, requested that the landscaping be concealing and be large enough were it doesn't take 5 years to mature. Mr. Householder asked why did it get this far, before a permit was posted so that he could address it before this.

Mr. Spriggs stated that prior to this date; most of us did not know what a Columbarium was. When the request was first received, Staff looked on the books for any similar approvals. The only example was St. Mark's which was a church in an R-1 District as well, which is permitted. There were no conditional approvals on file for that columbarium. It is typical to have ancillary uses attributed to churches on the grounds. In this instance, Staff did not equate the structure to a cemetery. We later received the questions from the neighbor and met with the church and Mr. Householder to evaluate how we could have the columbarium properly screened. At that time the neighbor seemed to be amenable to some form of landscaped solid screen. Mr. Spriggs added that when we got to the point where it did not seem to satisfy all parties, he felt that he had to send it through the conditional use approval to address all of the items/issues.

Mr. Spriggs: Since that time, the church has agreed to implement the landscaping; it is within your provisions to consider the Conditional request weighing all of the points made. MAPC has the right to approve it or deny it.

Mr. Householder: Raised the question of procedures where the Planner has made a recommendation already. City Attorney, Ms. Duncan: Noted that Staff always makes recommendations to the Commission in these matters.

Father Ron Martin: In my profession and my personal view, I have always felt that we have lost a part of our humanity by not having cemeteries outside of churches. We go our way and we don't even whistle past graveyards anymore, because we keep them out of our sight. From just leading my Parish, it is important, I think, that they see their humanity and that they see their end, as they come to worship Almighty God. It is a good thing to understand and have a reminder of it. But as far as having a sign outside- no we don't need that. We are burying our organist tomorrow of many years. He is being cremated (don't know if his ashes will be placed there in the garden); it is important for people to recognize their mortality.

Mr. Kelton stated that with the understanding of the future development that it will be within a fence, and it looks like a black panel, he will withdraw any request that we limit it to one columbarium. He also stated that he thinks that what we can do is incorporate that it will be landscaping of a type and height of a minimum of 6 ft.

Ms. Nix made a motion to approve Conditional Use Case 11:08 as presented for a Columbarium/ Memorial Garden, as located on the subject property; and we find that the use falls within the provisions for conditional uses and

appropriate design standards have been applied. The church will landscape in a manner to screen the Columbarium Memorial Garden, with a 6-ft. high evergreen. This approval is contingent upon the satisfaction of conditions 1-4 as recommended by the Planning Staff. Motion seconded by Mr. Joe Tomlinson.

The motion **PASSED** by a unanimous vote

Aye: 6 - Margaret Norris; Joe Tomlinson; Paul Hoelscher; Ron Kelton; Jim Scurlock and Beverly Nix

Absent: 2 - Brian Dover and John White

7. Rezoning

RZ-11-27

RZ 11:27 Rezoning: Arthur Wallace Jr.

Arthur Wallace, Jr. requests MAPC approval of rezoning of 0.36 acres from C-3 General Commercial to RS-4 Single Family Residential Zoning District for property located at 5213 E. Nettleton Ave., between Court St. and Manila St.

Attachments: [Rezoning Plat](#)
[Rezoning Application](#)
[Staff Summary RZ11_27 Authur Wallace Jr.](#)

Applicant: Mr. Arthur Wallace Jr. - Appeared before the Commission, stating that he bought the lot and would like to build a home on it for his own use, to help keep the kids from running back and forth through the site.

Staff: Mr. Spriggs gave Staff comments and summarized the Staff report. The entire triangle surrounding the site is primarily a mixture of single family/multi-family uses that will most likely remain as such. The intensity will not cause any detriment to the area, by it being used only for one single family residence, which is a part of Old Nettleton. The request will be in good character with the neighborhood.

Mr. Tomlinson asked the applicant if he grew up and lives in the area. Mr. Wallace: Stated that he grew up in the area and he and his parents own property ranging from 5010 to 5112 E. Nettleton Ave. He lives at 5107 E. Nettleton Ave. He stated that he likes the neighborhood, and wants to improve the property.

Public Input: None present.

Ms. Nix made a motion to place Case: RZ-11-27 on the floor for consideration and for recommendation to City Council for a rezoning from C-3 General Commercial to RS-4 Single Family Residential. The MAPC finds that the use will be compatible and suitable with the zoning, uses and character of the surrounding area. Motion was seconded by Mr. Joe Tomlinson.

The motion carried by the following vote.

Aye: 6 - Margaret Norris; Joe Tomlinson; Paul Hoelscher; Ron Kelton; Jim Scurlock and Beverly Nix

Absent: 2 - Brian Dover and John White

8. Staff Comments

9. Adjournment

DRAFT