



City of Jonesboro

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

Meeting Minutes - Draft Metropolitan Area Planning Commission

Thursday, November 13, 2008

5:30 PM

900 West Monroe

1. Call to order

2. Roll Call

Present 7 - Ken Beadles; Lonnie Roberts Jr.; Joe Tomlinson; Marvin Day; Brian Dover; Paul Hoelscher and Jerry Halsey Jr.

Absent 2 - Ken Collins and Margaret Norris

3. Approval of minutes

Minutes 10-14-2008

A motion was made by Joe Tomlinson, seconded by Secretary Marvin Day, that these Minutes be Passed. The motion CARRIED by the following vote:

Aye: 6 - Lonnie Roberts Jr.; Joe Tomlinson; Marvin Day; Brian Dover; Paul Hoelscher and Jerry Halsey Jr.

Absent: 2 - Ken Collins and Margaret Norris

4. Preliminary Subdivisions

5. Final Subdivisions

6. Conditional Use

6.

CU 08-09 Stevenson 2020 Winesap

Larry Stevenson wants to raise the birds that he brought from Lovett Texas. They are 100% free of germs and viruses. He wants to find a place in the country. The pre-existing pine trees are gone.

Mr. Spriggs gave staff comments on the conditional use process and summary of comments. There is an accessory structure which is a proposed 16X24 to keep the quail inside. There are two conditions proposed by staff.

Motion was made by Mr. Day to approve with Staff's comments; 2nd by Mr. Halsey; All Ayes.

A motion was made by Secretary Marvin Day, seconded by Jerry Halsey Jr., that this Conditional Use be Approved. The motion CARRIED by the following

vote: Tomlinson- aye; Day- aye; Roberts- aye; Hoelscher- aye; Halsey-aye; Dover-aye.

Aye: 6 - Lonnie Roberts Jr.; Joe Tomlinson; Marvin Day; Brian Dover; Paul Hoelscher and Jerry Halsey Jr.

Absent: 2 - Ken Collins and Margaret Norris

6.

CU 08-10 Kathleen and Archie Carter. 3908 Willow Road

Mr. Kathleen and Archie Carter and Mr. Phill Runker presented the case. Mr. Runker stated this is a new 2008 26'-8"X 56' manufactured home with shingled pitched roof and vinyl siding. It will be placed 150' from the roadway on .93 acres. We have photographs of the unit showing its new and attractive. It is well constructed.

Opponents:

Mr. Jerry Tibbs stated he has an acre behind this area road. The septic is already in. He has list of names (10) of opposition of the trailer. We will not get the value of the property up... We purchased 9 years ago and it will not help him at this time....

Mr. Jeff Taylor stated he lives across the road two house down lot of older homes and a few nicer (brick) houses and is concern about property values. Others are against it. He asked about the acreage minimum on the septic. Mr. Roberts stated that he thinks it depends on the perk test. Mr. Taylor stated that there is not a lot of rental property out there. This will devalue our house. This was split and sold property. Don't know if the other is a legal sewer. He commented on rental property. He presented the signatures within that area.

Mr. Spriggs presented the staff summary. The unit complies with the minimum requirements of a Residential Design Unit within the R-1 Single family district. Staff is suggesting conditions concerning permits and installation.

Mr. Tomlinson asked if it has been determine where the existing sanitary sewer is in relationship to this property. Mr. Spriggs stated that staff has received plats on the property and no lines are shown.

Mr. Tomlinson stated that it would be a mute point, that in the future if they run lines close to this area, they would have to connect. Does this meet all the conditions of a residential design? Mr. Spriggs stated yes.

Mr. Roberts asked if the photos distinguish the difference from a mobile home from a manufactured home. The photos were presented.

Mr. Day asked Mrs. Carter will this be your resident? She replied, "No sir", we are purchasing it and will let our granddaughter live there. She will be living there in the home. She stated this past year we spent \$8,000.00 on a new septic. We are in the process of putting another septic system in. Everything is legal and the health department has approved everything. We have no

problems with any kind of septic system.

Mr. Tibbs stated that the footage behind this, he walked on it in the summer and stepped in sewer run-off, that had come from the housing in that area. So he is not sure of the ground perking. Where he is located on 2 more acres in the back the old sewer plant has a line that runs into Ingles for the City sewer. Motion by Joe Tomlinson made a motion to approve as submitted with staff conditions.

1. That all building permits, health department and all applicable permits be obtained before the structure allowed for dwelling.
2. That the unit be installed within a 1- year period of this approval on a permanent foundation.

A motion was made by Joe Tomlinson, seconded by Lonnie Roberts Jr., that this Conditional Use be Approved. The motion CARRIED by the following vote: Tomlinson-aye, Day-aye; Roberts-aye; Hoelscher-aye; Halsey-aye; Dover-aye; Collins-aye.

Aye: 7 - Ken Collins; Lonnie Roberts Jr.; Joe Tomlinson; Marvin Day; Brian Dover; Paul Hoelscher and Jerry Halsey Jr.

Absent: 1 - Margaret Norris

7. Rezoning

RZ 08-17 Gambill/Willet Family 303 Daybreak

Mr. Jim Lyons, Attorney represented the Gambill/ Willet Family: The plat is incorrect in comparison to the application for RM-16, RM-8, RM-4 which is substantially less than what was reported in the Jonesboro Sun. From the website it was reported that the family is declined to dedicated additional right of way to accommodate the amount of traffic from a housing complex. The application shows otherwise they would do a dedication on Daybreak. The total number of units under the application would be 590 units not the 771 unit. (320 units, 180 units, and 90 units). In our opinion there is not a difference between 520 and 590 units. It our position that it is proper for reasoning of this property as it is shown on the application as shown on the plat.

The property to the north is bound by single family and some commercial or C-3 property. To the south its bound by R-1, R-3 apartments, to the east R-1 Single Family and to the west R-3 apartments.

We feel that this is appropriate with the family willing to dedicated for the necessary street improvements, this is a good area to be developed for apartments.

Carolyn Tinsley, stated that she and her neighbors would like to go on record as strongly opposing the rezoning from R-1 Single family residential to RM-16, RM-4, & RM-8 for 65 acres located at 303 Daybreak between North Patrick and HWY 141 N.

Tinsley added: The first and foremost objection we have to this rezoning is for the safety of people, adults and children. North Patrick Street is still a narrow street, 20' to 25' wide. There are no sidewalks. From Daybreak St. To Johnson

Ave there are 33 utility poles. There are only 10 lights on this 1.4 mile stretch of road. This street is not up to city code. With high gas prices, I expect to see a lot more pedestrian and bicycle traffic on this already congested road. These problems need to be fixed before the commission ever thinks about rezoning this property. If this property were to be rezoned you will be adding an additional 1,000 cars using North Patrick St.

In August of 2005, the City Council overwhelming voted not to rezone property in this area because of congestion and unsafe conditions with North Patrick. Since this time, not one inch of width of Street has been added, not one sidewalk has been added, and not one light has been added. This area is no safer now than in 2005. Ladies and Gentlemen, nothing has changed.

Tinsley added the second objection we have to this proposed rezoning is flooding. If this rezoning is approved, and they are allowed to do as the Ridge did, and fill in part of the deep ditch located on North Patrick, you will have flooding. There is already a problem with rain water in the area. Most of the streets in the area had water flowing over them in the spring. Magnolia St, Jonathan St., Darlene Dr., Peggy Dr., & Daybreak St. The water from this part of Jonesboro flows south down these wide ditches into the large ditch crossing North Patrick. Planning Commission why create more problems for the city of Jonesboro by approving this project before fixing the problems that already exist. Ladies and Gentlemen, this area is already saturated with apartments. We do not want more problems with crime in the area, such as what is happening at the Grove.

Joseph Roth: Lives one block away and is opposed the apartments. Talked to the chief on the time the police spends in areas where there is that many people. He has enough people running down his street like a race track. It will only get worse. There are six single family adjoining to the north and 25 or 30 more. We do not want another apartment complex 1 block down the street from our homes.

Jim Selvidge 921 Jonathan Drive. Stated he is opposed the apartments most of the houses there are larger house with larger property this will devalue the property. Jonathan Drive is a drag strip. This will be a lot worse.

Chief Mike Yates:

Stated he has concerns about this project as well as any other apartments. Was asked by some of these individuals to address it. He usually endeavors not to get into zoning issues but wanted to apply his training and experience from the public safety aspect. It is important that as we start considering rezoning and adding multi-family structures in the City that we have a plan in place to deal with the increase in infrastructure needs for such developments.

Chief Yates added there has been some discussions in different groups and City Council in trying to establish a formula per new development on demands on fire and for officers and other entities. Cant say there is not a need for certain housing. With current population and growth rate it is out-pacing our ability to provide effective police services to the City. I think it is important to consider those factors as you take into consideration as you take into consideration an issue such as this.

City Planner Otis Spriggs added staff comments. He confirmed the capacity

calculation at 591 units. As we applied the formula. We made comments from Staff concerning the infrastructure of that area. In terms of Patrick not being improved to handle redevelopment out there. Daybreak lies on a section line, which by ordinance the City has in the past required that certain right of way be considered as part of any new development through our platting process. Staff stated concerns about an east-west connection.

Spriggs added that we discussed the issue in terms of services. There are other multi-family property along this area to the west which is currently R-3. We previously spoke with the applicant and suggested that they consider some form of Planned District for this particular acreage, due to the fact that this is a lot of virgin territory that does not have the necessary improvement to handle that area.

Spriggs added that we also spoke to the applicant that they receive buy-in from the School District a letter of support. The public works director has concerns on the other services such as residential sanitation services. Staff tried to get the applicant to hold to the lowest density and that they would hold to a Planned District as opposed to just rezoning to market the property. There is no particular plan that is required. We recommend that they go that route instead due to the lack of infrastructure and facilities. With that number of units we do not feel comfortable with that number of units.

Attorney Lyons commented that Mr. Spriggs wrote in his conclusion a recommendation for the RM-8; talked about lack of streets and they addressed that in the application. The only difference in what Mr. Spriggs has recommended in writing to the City and what we have asked for is 70 units over 65 acres. There is not a great deal of difference. It is our position that there is always a safety issue. Chief Yates is well equipped to handle it. I know that there is a strain on City services. But that comes with development. It is our position that it is a proper use of this property, that the RM16, RM8, and RM 4 should be approved.

Mr. Spriggs clarified that the summary is a suggested motion. As stated previously, staff holds to the fact that this should be a planned district as mentioned in the Staff Report. We don't know if the 8, 12, 16 is what the Planning Commission will entertain. However, while looking at that please keep in mind that a planned district is something that we could monitor in terms of layout and have some commitment of how they will deal with the infrastructure issues. With what is recommended as stated by the applicant's agent is it would go on to Council with a recommendation that has no teeth in terms of commitment. Because you are not allowed to place any conditions on a straight rezoning.

John Hurn: Always a safety issue. John Hurn since the 70's has been safe neighborhood and clean it has change with the existing apts. Housing is not the smallest and we do have acreage. The City allows a lot of things that push people out of Jonesboro because of safety and property values. A lot of us have 1 acre and more have lot of family types out there, mixed races and want to keep it that way. We want to keep it single family.

Chris Gambill, 1711 N. Church. We have already had problems with the Garden Manor and other. Lived there all his life. Problems with fighting; kids can't go to Parker Park without problems. We have elderly and young kids, and don't

want to be like “apartment city”.

Mr. Tomlinson commented that as much as he likes to see Jonesboro grow, and development, he would like to take time to take a closer look at the density we are allowing. When you get a mass of people in a small area, you are inviting trouble; we have points to prove that. That area is over saturated right now with the current infrastructure in place. I wouldn't want to entertain a rezoning at this time. Motion by Mr. Tomlinson to recommend to City Council that we do not approve, 2nd by Halsey. Mr. Spriggs clarified that a “Yes” means denied, and a Nay means approved. Case denied. The motion CARRIED by the following vote: Tomlinson-aye, Collins- aye; Day-aye; Roberts-aye; Hoelscher-aye; Halsey-aye; Dover-aye.

Aye: 7 - Ken Collins; Lonnie Roberts Jr.; Joe Tomlinson; Marvin Day; Brian Dover; Paul Hoelscher and Jerry Halsey Jr.

Absent: 1 - Margaret Norris

8. Staff Comments

8.

Discussion Item # 5 Schmidt Pool House.

3880 Ridgewood Rd. Mr. Spriggs explained that this matter is brought to the Commission only for clarification. The recent code amendments for accessory structures/pool houses allows the detached structure on the RS-1 thru. RS-8 on the larger parcels and we did not deal with the R-1 District.

This is a pool home for a larger home on 3 acres, which exceed the 1500 s.f. maximum requirements. The proposed home is over 6,000 s.f. and the pool home is 2,300 s.f. Staff is requesting if the Commission want to handle this administratively or by Conditional Use submission. The other option is to send it to the BZA as a hardship.

The detached structure has a garage, bedroom and full kitchen. We wanted to assure it did not become rental property.

Mr. Stevenson stated that the client will make it one utility and will not rent. The other option will be to tie it by roof.

Mr. Roberts added that on a case by case issue the structure is ¼ of the main structure. The garage made it go over the requirement, Mr. Day added. He asked if the lots on either side are developed? Mr. Stevenson replied, no.

Mr. Tomlinson asked about the requirement for domestic servant? Mr. Spriggs stated that under the code in the AG District it would allow for that.

The Commission stated that all others the future should be submitted as a conditional use under the R-1, and this one is fine.

Aye: 7 - Ken Collins; Lonnie Roberts Jr.; Joe Tomlinson; Marvin Day; Brian Dover; Paul Hoelscher and Jerry Halsey Jr.

Absent: 1 - Margaret Norris

9. Adjournment