



# City of Jonesboro

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

## Meeting Minutes 2 Metropolitan Area Planning Commission

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Tuesday, April 9, 2013

5:30 PM

900 West Monroe

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### 1. Call to order

### 2. Roll Call

**Present** 5 - Lonnie Roberts Jr.; Joe Tomlinson; Ron Kelton; Jim Scurlock and Kim Elmore

**Absent** 4 - Brian Dover; Paul Hoelscher; Beverly Nix and Jerry Reece

### 3. Approval of minutes

**MIN-13:034** Approval of the MAPC March 2013 Minutes

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

**Aye:** 4 - Lonnie Roberts Jr.; Ron Kelton; Jim Scurlock and Kim Elmore

**Absent:** 4 - Brian Dover; Paul Hoelscher; Beverly Nix and Jerry Reece

**Abstain:** 1 - Joe Tomlinson

### 4. Site Plan Reviews:

**SP-13-05** Site Plan Approval: 4500 E. Johnson Ave.

Carlos Wood, Engineer on behalf of Owner- Shafeeq Khimani is requesting MAPC approval of a site plan for a convenience store/gas station to be located at 4500 E. Johnson Ave. On land recently rezoned to C-3 L.U.O. in which MAPC Site Plan Approval was stipulated.

**Sponsors:** Planning

**Attachments:** [Site Plan](#)  
[ORDINANCE 12 023](#)  
[Rezoning Plat ORD 12 023](#)  
[4500EJohnson Permit Application](#)

**Mr. Carlos Wood presented the plan stated that he is representing the owner of the site, who had submitted the rezoning last fall. He noted that they showed two (2) buildings with a driveway on the east and west. The buyer for the convenience store has submitted the site plan. Changes have been made**

to the size of the building. We reduced it and added a driveway on this lot; now having 2 drives, to provide for better access for the transfer trucks. There is no longer residential to the west.

A motion was made by Jim Scurlock, seconded by Joe Tomlinson, that the site plan be approved. The motion carried by the following vote.

**Aye:** 5 - Lonnie Roberts Jr.; Joe Tomlinson; Ron Kelton; Jim Scurlock and Kim Elmore

**Absent:** 4 - Brian Dover; Paul Hoelscher; Beverly Nix and Jerry Reece

## **5. Preliminary Subdivisions**

### **Subdivisions**

**PP-13-03** PP 13-01: Preliminary Subdivision- Southbend Subdivision Phase 4

H&W Construction L.L.C. requests MAPC approval of a Preliminary Subdivision Plan which includes 14 lots on 5.93 acres of land located on Harrisburg Road/Hwy. 163 & Hollow Creek Lane/Viney Creek Lane. Property is zoned R-1 Single Family Residential.

**Sponsors:** Planning

**Attachments:** [PP 13-01 SOUTHBEND PHASE 4](#)  
[Southbend Subdivision Phase Four Final](#)

Mr. MacAlister, Engineer presented the subdivision on behalf of Mr. Todd Wilcox. This is a continuation from 2003, Phase 4, Preliminary.

Staff: Mr. Spriggs gave the summary from the report. Compliance is achieved. The Utility Agencies reported no issues. Mr. Morris, Engineering gave comments on stormwater. Mr. MacAlister stated that they modified the original detention design to take care of all of that.

A motion was made by Ron Kelton, seconded by Jim Scurlock, that this Preliminary be Approved. The motion carried by the following vote.

**Aye:** 5 - Lonnie Roberts Jr.; Joe Tomlinson; Ron Kelton; Jim Scurlock and Kim Elmore

**Absent:** 4 - Brian Dover; Paul Hoelscher; Beverly Nix and Jerry Reece

**PP-13-06** PP:13-06 Preliminary Subdivision: K&G Properties LLC - Preliminary Subdivision -

George Hamman, Civilogic on behalf of K&G Properties, LLC is requesting MAPC approval of a Preliminary Subdivision located within the Sage Meadows Subdivision, South of Macedonia Rd., North of Sage Meadows Blvd.; 6.74 Acres (36 lots): Property recently rezoned to RS-8 Single Family Residential.

**Sponsors:** Planning

**Attachments:** [K&G Properties LLC- Preliminary Subdivision](#)  
[PP 13-06 PRELIMINARY K & G PROPERTIES](#)

Mr. George Hamman presented the Preliminary Subdivision, referring to the recent rezoning. We have complied with all stipulations. And have responded

to the wishes of the existing Board on the configuration of the roads for 36 lots. Engineering has asked for coordination of the site distance. We will work with them on speed bumps. Mr. Morris concurred that Staff is asking for some form of traffic calming measures.

Mr. Spriggs noted that the plan is in compliance with the RS-8 standards. Mr. Spriggs asked for clarity on the street naming. Mr. Hamman noted that it will be changed to Village at Sage or something similar. The driveway off of Sage Meadows will be a right out/right in only.

Mr. Spriggs asked about the Bill of Assurances. Mr. Kessinger noted that it will be the same. Mr. Spriggs requested that the City be copied on the document upon filing.

A motion was made by Jim Scurlock, seconded by Kim Elmore, that the Preliminary be approved. The motion carried by the following vote.

**Aye:** 5 - Lonnie Roberts Jr.; Joe Tomlinson; Ron Kelton; Jim Scurlock and Kim Elmore

**Absent:** 4 - Brian Dover; Paul Hoelscher; Beverly Nix and Jerry Reece

## 6. Conditional Use

### CU-13-02

CU 13-02 Danny Bullock - Bullock Furniture & Home Decor request a conditional use for non conforming use in an I-1 Limited Industrial District to have a Retail Location for the sale of furniture and bedding related items on the property located at 4600 E. Highland Drive, formerly a fire station.

**Sponsors:** Planning

**Attachments:** [Application](#)  
[Staff Report](#)

Mr. Jimmy Hougue, represent Bullock Furniture and Decor presented the case.

Staff: Mr. Spriggs gave the summary of the report. He clarified that this is a conditional use and not a rezoning. Mr. Spriggs noted that the parking will be adequate. The owners will be responsible with coordinating with Terry Adams and the Building Department to assure compliance with the Codes on the use change. There are no traffic impact issues. Three conditions were read.

Public Input: None Present.

Mr. Tomlinson asked if there is any outside storage of materials. Mr. Hougue stated none will be there at this time.

A motion was made by Ron Kelton, seconded by Jim Scurlock, that this conditional use be approved subject to the conditions in the report. The motion carried by the following vote.

**Aye:** 5 - Lonnie Roberts Jr.; Joe Tomlinson; Ron Kelton; Jim Scurlock and Kim Elmore

**Absent:** 4 - Brian Dover; Paul Hoelscher; Beverly Nix and Jerry Reece

**CU-13-03** CU 13-03 Casey's Marketing Company requests a conditional use for non conforming use in a C-2 Downtown Fringe Commercial District to have a convenience store with fuel sales on the property located at 2920 S. Caraway Road.

**Sponsors:** Planning

**Attachments:** [Application](#)  
[Staff Report](#)  
[SitePlan\\_Caseys](#)

Kevin McClaflin, represented Casey's on the request.

Mr. Spriggs gave the staff summary. He explained the problem with the existing C-2 Downtown Fringe Zoning District. Most of the hotels lie within this district. Retailing in the C-2 District require a conditional use request. The departments and agencies have met with the developers and all concerns have been addressed concerns on easements, drive access, etc. They have placed sidewalks on Caraway as a courtesy. Three conditions were read.

Mr. Tomlinson asked about the old Grecian Steakhouse signage. Mr. McClaflin stated that if its onsite it will be removed. Mr. Spriggs noted that the sign will be a monument style sign. Mr. Morris stated that the drives do coordinate with the curved sidewalks currently under construction.

A motion was made by Jim Scurlock, seconded by Joe Tomlinson, that this matter be approved. The motion carried by the following vote.

**Aye:** 5 - Lonnie Roberts Jr.; Joe Tomlinson; Ron Kelton; Jim Scurlock and Kim Elmore

**Absent:** 4 - Brian Dover; Paul Hoelscher; Beverly Nix and Jerry Reece

## 7. Rezoning

**RZ-13-03** RZ 13-03 Temple Baptist Church is requesting a rezoning of a parcel of land located at 2405 Stadium Blvd, containing 4.89 acres more or less from R-1 Single Family Residential to C-3 - General Commercial District.

**Attachments:** [Rezoning Application](#)  
[REZONING PLAT](#)  
[TempleChurchAerial](#)  
[Staff Report](#)

**Applicant:** Attorney Don Parker (on behalf of the applicant- Temple Baptist Church) appeared before the Commission with the pending rezoning request, for property located at 2405 Stadium Blvd. The church owns approximately 13.21 acres that stretch from Stadium Blvd. to Fair Park Blvd. The subject site is located on a 4.89 tract, which is currently zoned R-1 Single Family. The area surrounding the property is zoned C-3 General Commercial. The rezoning for this tract, where the church building sits, is requested so that the land will

conform to the other land zoned C-3. The adjacent Fairground property to the North is still available, and site plans are not yet approved. Mr. Parker described the surrounding uses, which all are zoned C-3 General Commercial. Again, this will conform to the zoning, and will be consistent with the surrounding C-3. The land is not suitable for R-1 Single Family, and it is adjacent to a major commercial arterial.

**Staff:** Mr. Spriggs presented the findings of the Staff Report, stating that the Land Use Plan developed previously for this area listed the property and church as Semi-Public Institutional. Church uses are considered as Commercial. While it is not consistent with the Land Use Plan technically, it is consistent with the general planning area. A map revision is advised, as it relates to land uses that abut a major or minor arterial. Listed in the Staff Report are also the requirements as it relates to the Master Street Plan for Race Street frontage (Collector Road), and Stadium Blvd being a principal arterial. Mr. Spriggs added that Staff feels during the platting process, it will be brought into compliance.

**Mr. Spriggs:** With the requested district change being C-3 General Commercial, approval is still contingent upon site plan review submissions before the MAPC. There were no submitted objections or issues by the various departments or utility agencies as noted in the staff report. Staff is requesting that any future development will satisfy City Engineering storm water drainage requirements, as well as future site plan shall be submitted; and, the applicant agrees to any Master Street Plan requirements for Race Street and Stadium Blvd.

**Public Input:** None Present.

**Commission Action:**

Mr. Tomlinson made the observation that he feels this is one of the most logical thing that will benefit this entire acreage of land within the C-3 General Retail Core.

Joe Tomlinson made a motion to place Case: RZ-13-03 on the floor for consideration and for recommendation to City Council for a rezoning from "R-1 to "C-3" General Commercial District, subject to the 3 Staff conditions. 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. Kelton.

**The motion carried by the following vote.**

**Aye:** 5 - Lonnie Roberts Jr.; Joe Tomlinson; Ron Kelton; Jim Scurlock and Kim Elmore

**Absent:** 4 - Brian Dover; Paul Hoelscher; Beverly Nix and Jerry Reece

**RZ-13-04**

RZ 13-04: Text Amendment- Helipad/Heliport Ordinance: The City of Jonesboro Planning Department is presenting a Text Amendment to Chapter 117 of the Code of Ordinances to regulate the placement of off-airport helipads/heliports uses for modes of flight within the City Limits. The MAPC will be studying this issue in their next session.

This Ordinance will be studied over the next two months to allow for a complete

analysis and open public process for input. No action is needed my MAPC, until the study is complete.

**Sponsors:** Planning

**Attachments:** [Helipad heliport Draft Regulations](#)

Mr. Spriggs explained The MAPC will be studying this issue in their next session. This Ordinance will be studied over the next two months to allow for a complete analysis and open public process for input. No action is needed my MAPC, until the study is complete. The ordinance is in draft format and it has not been structured into ordinance format. Our ordinances do not address private use heilpads or heliports. There is an example in our city in which someone elected to fly a helicopter to their residence and the City does not have any zoning regulations to address safety measures for the residents. Now is the time to see how the City can enhance our zoning code to give oversight to these uses. For emergency response , they realize the necessity however there should be a process. For individuals with large tracts of land it might not be a huge issue because you are able to set buffers in regards to neighbors. We need a process that will analyze the details of the helipads, uses of helicopters among other things. This process will take more than one meeting. There are a number of examples from other cities that will guide the study effort. During this process the public will be involved along with other professionals. We are trying to prevent these issues from being a noise and nuisance problem.

Mr. Spriggs encouraged the commission to review the document.

Mr. Tomlinson asked how other cities deal with noise parameters. Mr. Spriggs stated some cities do not allow landings in city limits at all. Some cities handle this through their noise ordinance. Sometimes most of the noise actually occurs with their landing and take-off. Our suggestion is to allow for a Special Use or Conditional use permit which will require neighbor notification so they will not be caught off guard. Currently there is nothing in the code that regulates hours of operation.

Mr. Tomlinson commented he does not know much about aviation standards and there needs to be more breakdown of the information or a rewording of the document to make it more understandable.

Mr. Spriggs stated there will be diagrams that will explain the design approach. There will also be definitions included. Dealing with air rights, and from a legal standpoint, Staff will provide case history and legal finding into air rights. Staff will get with the Engineering Department.

Mr. Kelton addressed a comment concerning reapplication of a permit. Mr. Spriggs noted that we do not want an adverse impact on neighbors and the neighborhood should be given consideration to voice their concerns.

Public Comments: None.

A motion was made by Ron Kelton, seconded by Joe Tomlinson, that this matter be tabled. The motion carried by the following vote.

**Aye:** 5 - Lonnie Roberts Jr.; Joe Tomlinson; Ron Kelton; Jim Scurlock and Kim Elmore

**Absent:** 4 - Brian Dover; Paul Hoelscher; Beverly Nix and Jerry Reece

## **8. Staff Comments**

**COM-13:029** M.B. Pickering, Pick Pick, LLC is requesting MAPC to RECONSIDER a waiver of its rules and bylaws and add a Minor Replat approval for property located at the Northeast Corner of Hester and Nettleton Ave (1612 W. Nettleton). Hester Street is listed as a Collector Road on the Master Street Plan. Dedicating the required right of way would place the new right of way line within the existing building line along Hester St. Engineering Department does not have an issue with the proposal.

**Attachments:** [1612WNettleton AerialView](#)  
[Pickering Replat Revised](#)  
[Pickering Letter](#)

**Mr. Spriggs noted that this is a minor replat on the corner of Nettleton and Hester. If they had to comply with the master street plan, the existing home will fall within the new right of way. That will be an issue. Hester Road is a Collector Road, requiring an 80 ft. right of way. They currently have 30 ft. from the center. Mr. Morris stated that they could dedicate the right of way and do a variance for the encroachment in the right of way. Mr. Spriggs stated that is not advisable.**

**Mr. Tomlinson: will you have the entire 30 ft. width? Mr. Morris with sidewalks and drainage, you will need the additional right of way.**

**A motion was made by Ron Kelton, seconded by Jim Scurlock, that this matter be approved. The motion failed by the following vote, lacking the minimum of 5 votes needed.**

**Aye:** 4 - Lonnie Roberts Jr.; Ron Kelton; Jim Scurlock and Kim Elmore

**Nay:** 1 - Joe Tomlinson

**Absent:** 4 - Brian Dover; Paul Hoelscher; Beverly Nix and Jerry Reece

**COM-13:030** HKB, Inc. requests MAPC approval of the Plat for Sumo Planned Development Addition. The Preliminary Plat was approved by the MAPC on October 11, 2011. Staff is requesting that the MAPC waives its rules and bylaws and add this Record Plat to the agenda for final approval, based on consistency with the approved Preliminary Plan. Property is located at West of 2824 Race St., and South of 2629 Stadium Blvd. (Captain D's).

This Planned District PD-C was approved by City Council on October 4, 2011 for 9.7 acres by G&P Development, LLC.

**Attachments:** [Sumo Planned Development Addition](#)

**Mr. Terry Bare appeared before the Commission referring to the previous rezoning. Some of the utilities are installed, and we have a restaurant that is wanting to locate there and have the plat recorded. Mr. Morris stated that Engineering will require a drainage maintenance agreement.**

A motion was made by Jim Scurlock, seconded by Joe Tomlinson, that this matter be approved. The motion carried by the following vote.

**Aye:** 5 - Lonnie Roberts Jr.; Joe Tomlinson; Ron Kelton; Jim Scurlock and Kim Elmore

**Absent:** 4 - Brian Dover; Paul Hoelscher; Beverly Nix and Jerry Reece

**COM-13:027** Site Plan- Right-of-Way Waiver Request: Kevin Meredith- Stadium Towing

Applicant is requesting the additional requirements (to take highway frontage) be waived for Stadium Towing, 5315 Apt. Dr. (Ar. Highway 163 at Apt. Drive). Acceptable Requirement: 50 ft. from Street Centerline; Existing: 40 ft. from Street Centerline.

**Sponsors:** Planning

**Attachments:** [KevinMeredith\\_MemoRequest](#)  
[Feb 1998\\_WayneDoverMinor Plat](#)  
[Site Plan 5315 Apt Dr](#)

Mr. Terry Bare, HKB & Associations appeared before the MAPC stating that no conditions for right of way were stipulated on the Conditional Use approval and Engineering later required additional right of way as part of the Master Street Plan. They asked the owner to give an additional 20 ft. along a State Highway. The state highway department has responded that they do not want the City take right of way for their needs, when they have no plans for widening that area. And they will not accept that right of way even if the City took the right of way.

The owner does not want to give the property. He paid for it. The City is asking for right of way where our detention pond is. There is a great deal of Hwy. property available should they want to widen the Highway.

Mr. Morris stated that the Engineering Department is following the requirements. The MAPC has the right to preserve the right of way or power to waive it.

Mr. Tomlinson commented on the spirit of cooperation between the State and the City.

Chair asked for comments from Planning. Mr. Spriggs noted that Planning does not oppose what's being asked. There are no special needs for the additional right of way. This was an administrative approval in which some things were not within the discretion of staff. He reiterated the fact that when these proposals for rezonings and conditional uses come before the MAPC, Staff usually recommends compliance with the Master Street Plan. It's at that time that a recommendation is made on whether to approve or disapprove a rezoning or special approval based on coordination and load on our infrastructure as well as access management.

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



**Aye:** 5 - Lonnie Roberts Jr.; Joe Tomlinson; Ron Kelton; Jim Scurlock and Kim Elmore

**Absent:** 4 - Brian Dover; Paul Hoelscher; Beverly Nix and Jerry Reece

**9. Adjournment**