



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes 2 - Draft Metropolitan Area Planning Commission

Tuesday, April 14, 2015

5:30 PM

Municipal Center

1. Call to order

2. Roll Call

Present 8 - Lonnie Roberts Jr.; Paul Hoelscher; Ron Kelton; Jerry Reece; Jim Scurlock; Kevin Bailey; Brant Perkins and Jimmy Cooper

Absent 1 - Kim Schrantz

3. Approval of minutes

MIN-15:034

Approval of March 10, 2015 MAPC Meeting Minutes

Attachments: [Meeting Minutes March 10, 2015](#)

A motion was made by Kevin Bailey, seconded by Jerry Reece, that this matter be Approved . The motion PASSED with the following vote.

Aye: 7 - Paul Hoelscher; Ron Kelton; Jerry Reece; Jim Scurlock; Kevin Bailey; Brant Perkins and Jimmy Cooper

Absent: 1 - Kim Schrantz

4. Site Plans & Subdivisions

COM-15:024

Concept Review for 5400 South Caraway Road

On behalf of David Thompson owner of Doric of Northeast Arkansas - Jonesboro Memorial Services, Inc. who is requesting approval of a Concrete Bin on the North side of the property, Staff is requesting an interpretation of the Zoning Code, which typically requires a Conditional Use approval for Concrete Plans within the I-1 Industrial District. The concrete mixing and processing equipment is an accessory to the Vault Business and the majority of the mixer components are in the interior. On the exterior is a proposed 21 ft silo with material bins. MAPC is requested to waive the requirements of the Conditional Use application.

Attachments: [Concrete Bin Layout](#)
[Aerial View with Dimensions](#)
[Doric Photos](#)
[Doric - Interior Photo](#)
[Front of Property](#)

Mr. Spriggs: Asking Commission for thier blessing on the zoning resolution as it relates to cement or concrete manufactures. This is a unique request, this is an existing business; they are asking for the ability to process concrete with proposed units. They are a vault making company and they would like to have a silo on the exterior. Most of process will be done in interior process mainly in interior process minor permit application administratively with the information that will be presenting tonight.

David Thompson: We have always bought ready mix but it is getting more difficult so now we would like to mix our own concrete. We would like to have a cement silo on the outside of the building.

Mr. Spriggs: To clarify, they do not sale to outside individuals, this is solely for fault making purposes.

Mr. Bailey: Where does this fall with ADQ regulations?

Mr. Otis: It is their responsibility to adhere to those regulations; however this does follow ADQ standards.

David Thompson: Does follow ADQ standards and this does have an internal dust collector site.

Mr. Hoelscher: Are we waiving the requirement to have a conditional use permit?

Mr. Spriggs: Correct, you are waiving the requirement that the condition use permit is not necessary.

A motion was made by Jimmy Cooper, seconded by Jim Scurlock, that this matter be Approved . The motion PASSED with the following vote.

Aye: 7 - Paul Hoelscher;Ron Kelton;Jerry Reece;Jim Scurlock;Kevin Bailey;Brant Perkins and Jimmy Cooper

Absent: 1 - Kim Schrantz

PP-15-06

Preliminary Subdivision: Mallard Pointe Subdivision Phase I

McAlister Engineering request MAPC approval for Mallard Pointe Subdivision Phase I located off of Carriage Hills Road within a R-1 Single Family Residential District. Applicant is proposing 32 lots on 14.03 acres.

Attachments: [Application](#)
[Staff Report](#)
[Aerial View](#)
[Mallard Pointe Phase I Subdivision Plans](#)
[Memo from Fire Marshall Report](#)

Todd Wilcox: Came before the Commission to request approval for Mallard Pointe Subdivision Phase 1.

Spriggs: Held a pre-meeting and had conversation with CWL and other Departments in terms on the reporting of this subdivision. They were

proposing 32 lots on this subdivision.

Todd Wilcox: Prior to this meeting, we adjusted the lot sizes from 32 to 29 lots. There may be some issues with the number of houses with the fire code, but we are willing to make the needed adjustments. Keeping the overall layout the same but adjusting the number of lots.

Mr. Spriggs: The subdivision is under the single family R-1 district, this subdivision does meet those requirements. There are some alignments on the Master Street Plan to take Carriage Drive as an East/West collector road; the applicant has complied with those plans. Also running North/South would be a minor arterial road which would eventually connect to Wood Springs road, so for future planning they have complied with both of those plans. In previous application once you reach the threshold of 30 homes or more you have to either sprinkle those homes or provide a secondary access. We recently received interpretation of that code from the State and Local Fire Marshals.

Todd Wilcox: Also we are adjusting this plat to include the entire easement to include the dedicated right-of-way. Mr. Morris pointed out that we couldn't build a road without the easement being platted so that will also be changed on the next plat.

Mr. Scurlock: Accept with stipulations.

Mr. Spriggs: Really has a lot to do with coordination of future right of ways in the Master Street Plan, we had some comments for the Director of MPO stating concerns with connectivity which would allow for a one-way access point. Their concerns are more from a Regional standpoint how this would affect patterns that would connect Keller's Chapel to Highway 49, to the South. Those are some of things we need to keep in mind, as we do future planning of this subdivision that also ties to a future subdivision that will lead to Wood Springs Road. So you will be seeing a lot of connectivity in this area.

A motion was made by Jim Scurlock, seconded by Jerry Reece, that this matter be Approved . The motion PASSED with the following vote.

Aye: 7 - Paul Hoelscher;Ron Kelton;Jerry Reece;Jim Scurlock;Kevin Bailey;Brant Perkins and Jimmy Cooper

Absent: 1 - Kim Schrantz

PP-15-07

Preliminary Subdivision: Prospect Farms Phase III

Associated Engineering request MAPC approval for Prospect Farms Phase III located off of Aggie Road and Old Paragould Hwy within a R-1 Single Family Residential District. Applicant is proposing 22 lots on 6.73 acres.

Attachments: [Application](#)
[Aerial View](#)
[Staff Report](#)
[Prospect Farms Phase III Preliminary Plat](#)
[Prospect Farms Phase III - General Notes](#)
[Prospect Farms Phase III - Preliminary Topo](#)
[Memo from Fire Marshall Report](#)

Mr. Easley: Came before the Commission to request approval for Prospect Farms Phase III. Two lots a little over 5 acres; this is a continuation of Prospect Farms road to the east major entry off of Aggie Road.

Mr. Spriggs: This particular subdivision is zoned R-1 and it does meet all of the requirements; however there are some future phases that the developers were asked to look at. In terms of how it would satisfy the Fire code, as it grows there are some stub outs to the east that you would be asked to connect to, like Wildwood Subdivision. The concern is you might be asked to construct some type of all weather road that would allow for future access in case of a disaster that would block that one entry way into the subdivision. From the MPO Department, the comment about having one access point in terms of potential development of future collectors and connectivity will be echoed tonight. That issue would have to be addressed to meet the requirements of the Fire code. This is an existing subdivision that is under the old codes but as it progresses we will have to address that problem, in terms of the additional access out.

Mr. Morris: Are they going to construct the detention pond that was originally on the plan or change it up?

Mr. Easley: It will be on the southwest corner, it won't be the big one on the east.

Mr. Morris: That needs to shown on the final plat.

A motion was made by Kevin Bailey, seconded by Jim Scurlock, that this matter be Approved . The motion PASSED with the following vote.

Aye: 7 - Paul Hoelscher;Ron Kelton;Jerry Reece;Jim Scurlock;Kevin Bailey;Brant Perkins and Jimmy Cooper

Absent: 1 - Kim Schrantz

PP-15-08

Final Subdivision: Jude's Crossing Phase II

Morris-Kidd, LLC requests MAPC review of a Final Subdivision, Jude's Crossing Phase II, located on the east side of Darr Hill Road, South of Keller's Chapel Road, South of Stoneridge Estates, situated withing the R-1 Single Family Residential District. Applicant is proposing 45 lots on 11.72 acres.

Attachments: [Application](#)
[Aerial View](#)
[Staff Report](#)
[Judes Crossing Phase II Preliminary Plat](#)
[Judes Crossing Phase II Overall Map](#)
[Judes Crossing Phase II Topography & Drainage Plan](#)
[Memo from Fire Marshall Report](#)

Carl Wood: Engineer, came before the Commission representing the owner, asking for MAPC review of the Final subdivision Jude's Crossing Phase II. I handed out some drawings prior the meeting. Please turn to the second page, last meeting we were asked to look at reducing the cove lengths. We revised the overall layout cove lengths they are now that 400 ft. length. We have some different intersections, the developer wanted to develop everything on the east side, instead of having two streets. We made that change, then Michael Morris called about the 30 lot issue so decided to resubmit as a final the exact layout of last meeting; the only change is we added one lot on the east side.

Mr. Spriggs: With those noted changes the lots will meet the minimum requirements of the R-1 district. Michael do you have any comments or issues?

Mr. Morris: No, they have satisfied all of the requirements.

Mr. Bailey: Did we shorten the length of the streets or no?

Mr. Wood: Not on this plat, but on the overall plat we did shorten the length of the coves and we were asked to demonstrate that this meeting.

A motion was made by Jerry Reece, seconded by Jim Scurlock, that this matter be Approved . The motion PASSED with the following vote.

Aye: 7 - Paul Hoelscher;Ron Kelton;Jerry Reece;Jim Scurlock;Kevin Bailey;Brant Perkins and Jimmy Cooper

Absent: 1 - Kim Schrantz

6. Conditional Use

6. [CU-15-02](#) CU 15-02 1620 N. Patrick Street

Mildred Cunningham request MAPC approval for a Conditional Use to install a Residential Design Mobile Home Unit within an "R-1" Single Family District located at 1620 N. Patrick Street.

Staff reports are forthcoming. Please look for the staff report to be posted on Thursday, April 9, 2015.

Attachments: [Application](#)
[Staff Summary CU 15-02 1622 N Patrick Report](#)
[Residential Application for Mobile Home](#)
[Adjoining Property Owner Notification](#)
[Adjoining Property Owner Notification 1](#)
[Aerial View of lot](#)

Mildred Cunningham: I live at 1622 N. Patrick St. I would like to place a new double wide on 1620 Patrick St.

Mr. Spriggs: We have given you a staff report; this is brought to you as a requirement of the R-1 district. Anytime a request is made to place a mobile home in an R-1 district they have to meet certain Residential Design Unit requirements. That includes certain square footage up to 1150 sf. must have a pitched roof, and a foundation which is inspected the Inspections Department meeting all of the housing standards. These units are meant to resemble a single family home for the most part, this being a new unit it should meet all of those requirements. All neighbors have been notified (within 200 ft. of the property) and she has done that and she has met all of the codes, we saw no issues as to why it should not be approved being that there was a mobile home on the property some years ago. She will move the accessory building to make room for the mobile home it will be an improvement to the area. We have received phone calls that confirm the request; they did not have any issues with the request. We have listed standard conditions that will be met in terms of permit process being satisfied with one year, and prior any occupancy of the unit you will be required to submit the detailed documents from the manufacturer for the permit to the planning department. You have sample motion here for the conditional use after public comment.

Mr. Perkins: Can you give us a little history, why were the previous mobile homes moved?

Mrs. Cunningham: The other mobile homes were moved because they were old and I am going to move out of my house because it is getting old and move into this new mobile home.

A motion was made by Jim Scurlock, seconded by Brant Perkins, that this matter be Approved . The motion PASSED with the following vote.

Aye: 7 - Paul Hoelscher;Ron Kelton;Jerry Reece;Jim Scurlock;Kevin Bailey;Brant Perkins and Jimmy Cooper

Absent: 1 - Kim Schrantz

7. Rezoning

RZ-15-05

RZ 15-05 3905 Hill Drive

Eric Burch is requesting MAPC Approval of a Rezoning from "R-1" Single Family Medium Density District to "RM-8" Residential Multifamily Classification, which consist of eight units per net acre, includes all forms of units such as duplexes, triplexes, quads, and higher for 1.55 acres of land located at 3905 Hill Drive. Staff reports are forthcoming. Please look for the staff report to be posted on Thursday, April 9, 2015.

Attachments: [Application](#)
[Staff Report](#)
[Rezoning Map](#)

Applicant: Mr. Michael Boggs, Tralan Engineering, appeared on behalf of the applicant/owner Eric Burch, stating the purpose for the request (RM-8), and

noting that previously there were 11 mobile homes that were condemned on this property, and also one house on it. They have been removed and we are looking to redevelop this property.

Staff: Mr. Otis Spriggs gave staff comments. The 2011 resolution by council, condemning the mobile home park and dilapidated structures on the property was referenced. He added that photographs are included in the report, illustrating Code Enforcement's coverage of the appearance at that time. The former mobile home park was under a non-conforming use status (R-1 Zoning), of which one year to rebuild/replace was granted; however, they elected not to replace with new mobile homes, and would like the property rezoned to the RM-8 rezoning for low density 12 apartment units/doors maximum (six duplexes or 4 triplexes, for example).

Mr. Spriggs reference the Land Use Plan which recommends single family for the property under the 2010 adopted Land Use Map. Although not consistent with the Land Use Plan, staff points out that the former use of the property and the current adjacency of other apartment units (R-2) to the west, deems the request comparable.

He added that the Master Street Plan recommends Hill Dr. to be a local street, requiring 60' right of way which is depicted on the proposed rezoning plat. If approved the applicant will be held to the requirements of the RM-8 District, once a final site plan is submitted. Staff is recommending that perimeter buffering be implemented where single family residential is to remain.

Mr. Spriggs: The various departments reported no major impacts on the general surrounding area, being that the proposed use will not be any more intense than what was previously there, and it would be an improvement to the general area on Hill Drive. The five (5) conditions were read, and Mr. Spriggs noted that CWL reported in the pre-development meeting that the rezoning plat does not reflect utility easements currently existing on site. He suggested adding the condition that: Prior to any redevelopment, the applicant agrees to file a final plat reflecting existing CWL utilities easements on the subject site.

Public Comments/Opposition: None Present.

Mr. Reece: Noted that he is in total agreement with the situation, but asked what did higher density mean on the Agenda heading. Staff pointed out that the phrase reflects the definition of "RM-8" zoning, and typically this district allows only 8 units per acre, which is considered low intense, having four-plex units or lower.

Commission Action:

Motion was made by Mr. Reece to recommend approval of this rezoning, based on the fact that it is an improvement to the area, with the noted 6 conditions, Motion seconded by Mr. Cooper.

Roll Call Vote- 8-0 Approval: Mr. Scurlock- Aye; Mr. Bailey- Aye; Mr. Hoelscher- Aye, Mr. Kelton- Aye; Mr. Perkins- Aye; Mr. Reece- Aye; Mr. Cooper- Aye. Absent was Mrs. Shrantz; Mr. Roberts was Chair.

A motion was made by Jerry Reece, seconded by Jimmy Cooper, that this

matter be Recommended to Council. The motion PASSED with the following vote.

Aye: 7 - Paul Hoelscher; Ron Kelton; Jerry Reece; Jim Scurlock; Kevin Bailey; Brant Perkins and Jimmy Cooper

Absent: 1 - Kim Schrantz

RZ-15-04

RZ 15-04 3289 Colony Drive

Mr. Duyen Tran requests MAPC consideration of a rezoning from "R-1" Single Family Residential District to "RM-6" Residential Multi-family Zoning District for property located at 3298 Colony Drive on 7.26 Acres of land.

Attachments: [Application](#)
 [Staff Summary for RZ 15-04 3289 Colony Drive](#)
 [Rezoning Plat](#)
 [Site Plan Layout - Dustin Place Apartments](#)
 [Neighborhood Meeting Minutes](#)
 [Rezoning Letter](#)
 [Warranty Deed](#)
 [Colony Floodplain Map \(cont\)](#)
 [Presentation1](#)

Applicant: Attorney Don Parker, Jr., on behalf of the owner Mr. Duyen Tran.

Mr. Parker stated that his client is a Jonesboro resident and a U.S. Citizen. He is a Vietnamese American, who immigrated to this country in 1991. He is requesting a rezoning of a tract of land located off of Colony Drive, totaling 7.26 acres. Some on north side is in the flood zone as depicted on survey plat. This tract of land is located on north side, immediately east of the railroad tracks. Currently zoned R-1 Single Family, and given the location of the property to railroad tracks, is not conducive to single family development, and attempts to market the property as single family have failed. The highest and best use of this property is to be used as multi-family, commercial, or industrial. Due to proximity to single family, Mr. Tran believes his property is best suited for multi-family, not industrial or commercial. This request is for RM-6 which would allow up to 43 units on this tract. He intends to limit the development to total of 40 single-level units, consisting of 10 buildings, having 4 units in each building. All buildings will have single-level units. There is also a conceptual drawing submitted that shows a layout of the 10 buildings on the property. The proposed density would be 5.5 units per acre, and the development would be located approximately 140 ft. off of Colony Dr. which will provide a visual buffer from the street. The site will be gated with cameras and fenced entirely around the perimeter. Fence height will be 6-8 ft. or as determined by the Commission. Development will be accessed from Colony Drive as depicted and will be landscaped with a large green space common area for residents. And fitness center which will be located in office. Most importantly, Mr. Tran will live on site and will manage this gated department development. The approximate size will be 750 square feet for a 2-bedroom/ 2-bath. Approximately 1,100 square feet for a 3-bed room 2-bath, rent will be \$750.00 for a 2-bedroom unit and \$950 for a 3-bedroom unit. As noted in app the adjacent property and you can tell from the survey plat. To the west is the railroad track and on the other side is commercial tract, and multi-family zoned

R-3 property. To the North is undeveloped, there is a creek that lies North of the property. And one single family house located further North. To the East is high density residential which is RS-7 and other side is a tract of commercial property, C-3, South of property is a church. Six (6) homes are adjacent south of property front Colony Dr.. Mr. Tran owns two of those homes, the two homes to the West depicted on the survey as lots 1 and 5. Concerning traffic this property is served by Colony Drive, designated as a local street on the master street plan, Mr. Spriggs noted that in his report. It is important that the commission understands that the density of the proposed development will not be denser than a single family high density development under R-7 which would allow 57 single homes sites on this property. The developments under current R-1 zoning would allow 5.45 units per acre, which is same as what Mr. Tran proposes under RM-6 at 5.5 units per acre. Staff report confirms this on page 3. In a previous rezoning request that I was involved in, Mark Nichols, the City Traffic Operation Engineer, confirmed that studies have shown that Multi-Family developments generate fewer trips per unit versus single family unit residents by as much as 30%. I have given you all an email, that Mr. Nichols that had copied Mr. Spriggs on that we optioned in a previous rezoning case. Thus if you approve and city council approves request, the development of this property would generate less traffic on Colony Drive then if the property were developed even as R-1 or other zonings consistent with single family high density RS-7, was which is to the East of the property. Concerning drainage, this Commission is well aware, it must be a handled in conformance with all regulations and requirements. A property owner can not develop his property in any manner that will cause adverse impact on any other property, upstream or downstream. This is a standard recommendation that an allowance has been made for a detention pond located in northeast corner of the property. The general topography of this property flows to the east to northeast, hence the location of detention pond. The exact size of the detention pond will be determined in the site plan phase by the Civil Engineer working in conjunction with the Engineering Department. At the pre-meeting yesterday, it was mentioned that there is a possibility of enlarging the detention pond. Which elevation could be lowered to provide addition storage this could in fact help alleviate that this is revered to as an overbank structure. This could in fact help alleviate some of the existing flooding that occurs downstream and other property issues along Richardson Road. Mr. Tran desires to be a good neighbor, and is willing to allow a portion of his property to be used as a. Mr. Tran has no objections whatsoever, to all the conditions recommended by staff suggestions, including the limited use overlay, requiring him to develop property consistent with the conceptual layout presented. Mr. Parker ended asking for consideration of recommendation of approval to Council.

Staff: Mr. Otis Spriggs gave a summary of the Staff findings, referring to the Staff report conclusions regarding the Adopted Land Use Plan. The proposed RM-6 District rezoning is not consistent with the Adopted Land Use Plan; the Land Use Map recommends this location as High Density Family Residential (RS-1 – RS-7). The proposed rezoning, while not consistent in terms of single units, can be construed as consistent from a density and intensity perspective.

Mr. Spriggs: Initial rezoning request was denied on June 10, 2011 by the MAPC. Request was appealed and heard by City Council on June 21, 2011, denied by August 3, 2011 vote. Various traffic and drainage concerns were voiced at that time. Existing conditions at that time showed area stormwater

issues. Some improvements have been made. The Engineering Department will report on that issue.

Mr. Spriggs: The subject property is served by Colony Dr. on the Master Street plan. Colony Drive is classified as a local street, requiring a 60 ft. right-of-way; however, the property is situated approximately 140ft. from the pavement of Colony Drive, having frontage on a future unnamed/proposed local (Dustin) street. Agency review comments were requested. Traffic impact will be reported on by the Engineering Dept.

Mr. Spriggs: The RM-6 District allowances were given. The applicant is holding to 5.5 units per acre. The R-1 District would have allowed 5.45 units per acre, resulting approximately 39 single family homes, if all subdivision standards. If it were zoned high density residential, RS-7 it could result in approximately 57 homes.

Mr. Spriggs: The Predevelopment meeting was held, no problems were reported by CWL/Utilities. Future connections to the north were mentioned; however, a feasibility study would need to be done. Privacy fencing as a screening was illustrated on the conceptual layout. The height should be evaluated by the MAPC in terms of the ideal height. The gated entry would have to be approved by the Fire Department which will require that a Knox-box rapid entry system be installed. The general parameters of open space is noted on the conceptual plan subject to final site plan approval.

Mr. Spriggs: Review coordination with the Police Crime Analysis Department resulted in a reporting of approximately 2 accidents reported over the course of about 3 years within a 1 mile radius of the site. The MPO department reported no issues from a regional perspective. The director deferred detail coordination of traffic impacts to the Traffic Engineer. Streets/Sanitation reported no issues. Fire Chief is available at this hearing, if there are Fire Department related questions.

Mr. Spriggs read the proposed conditions for consideration.

1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC, prior to any redevelopment of the property.
3. The applicant/successors agree to comply with the Master Street Plan recommendation for Colony Dr. upon any future redevelopment of the site.
4. The applicant agrees that screening and buffering shall be provided along the south property lines of the property that abuts single family homes.
5. The property shall be redeveloped under the "RM-6" standards and guidelines with a maximum of 40 Apartment units/doors.
6. The proposed private drive must meet the requirements of the MAPC in terms of access management. A feasibility study should be conducted and presented to the MAPC in terms of

allowing for Dustin Drive to extend a stub-out to Leatherwood fronting properties to the north, during the Final Site Plan review and approval.

Public Input: Approximately 26 residents appeared and stood in opposition to the Case.

Doug Ward, 3407 Colony Dr.; Presented a hand-out. Gave a historical count of Colony Drive. He has lived there since 1992. This is the fourth attempt to rezone to multi-family property in this area. It has ultimately been rejected every time. Mr. Ward stated that he still has the 171 signatures that opposed the rezoning in 2011. There were also some filed with the City Clerk. Reading from his handout Mr. Ward described maps and noted that on Page 1 and 2, in 2011, it was rejected on 3 grounds, due to proximity to the flood plain and flooding issues. They claimed that housing does not fit. Mr. Ward noted also that City Council read all 3 readings in one meeting to deny the appeal. Mr. Ward stated that in the past 18 months, Mr. Tran has built 2 new houses, which prohibits or prevents them from moving further east with a possible drive entrance. Nettleton Schools runs 8 buses, 4 in the morning and 4 in the evening. Mr. Ward asked what will happen when someone is waiting near the rail road for someone to turn left on Colony into this development. It may be a school bus. It was mentioned that a property to the North, which is the King's property in which they state it is not for sale. Referring to Page 4 and 5, Mr. Ward expressed safety issues as planning for the future. We have to consider traffic as a broader since. Colony Dr. may be considered a local street on a map, but it is a main feeder, and it will only increase as the City develops. He referred to the labeling on the map illustrating No. 4 as the Colony Drive rail crossing, No. 3, as the Rook Road crossing, and No. 2 as the crossing at the bypass. You would have to come up to the area where old NEA Baptist Hospital. Mr. Ward reported that there were fatal train accidents occurring over the last 30 years. Page 5 shows vacant land yet to be developed. There are currently 272 homes in these 2 subdivisions. Mr. Ward noted water issues on Colony Drive, where it intersects with Richardson Dr. There has been major flooding on Keely Dr. and residents have had water up to their garage doors. The ditch north of Colony Dr. has trees, and it has not been cleaned.

Mr. Ward: All South Jonesboro railroads will be prohibited from the possibility of an overpass. This footprint will be ruled out. Mr. Ward noted how Dustin place is in close proximity to the rail road tracks. Mr. Ward asked, Who is going to rent the units, and with what kind of rent, being that close to the rail line?

Mr. Ward: The rest of the vacant area is useless besides the church across the street which meetings only on occasion. The flood line shown overlaps a proposed fence which is an issue. The water is going somewhere. Mr. Ward described the commercial uses to the west and other grandfathered uses to the west. In 2011, Mr. Tran was asking for RM-4 and now RM-6. On Page 5 (handout) shows all this land to the south and east, and what you do with this property will set the standard for what you are requested to do in the future. Nothing has changed since 2011. Mr. Ward stated that we should consider the community as a whole. JPD has reported in its Crime Analysis that Nettleton School District has 51% of all apartments, and 59% elsewhere. There are over 7,000 units in Nettleton District ready to be built.

Mr. Neil King, 4515 Richardson Dr.; I own property pond is behind his house. What's that detention pond behind that. That pond is right behind my son's house. There is a street that I gave right of way to the city. Water comes into a 6 ft. wide ditch that runs behind my house and another ditch adjoins it. Now we have two ditches, this won't take care of the water. My daughter's house will be under water if you add this development. The water runs over our driveways right now. That vacant land looks like can't see him laying the ground out like that. How large is that detention pond.

Mr. Larry King, 3305 Leatherwood; He owns property directly north of the detention pond. He spent 21 years in Marine Core; I paid cash for my dream house. Now I'm going to get ate up by mosquitoes. This pond is right behind my house, every dollar I've ever made.

Mr. Jim Essman, 4604 Lilly Cove; Stated that he doesn't want industrial or commercial business there, his main concern is property values. If these apartments come, they will decrease everyone's property values.

Mr. Hoeslcher: Based on what we heard in earlier cases if this was developed as R-1 subdivision with a single entry point would it not be limited to the 30 units?

Mr. Spriggs: Yes, the only waiver would be if they sprinkle the homes or have an all weather road.

Mr. Reece: What's the difference are in this application then the one that got turned down. The minutes are identical.

Mr. Spriggs: To my knowledge the acreage was different, and he had a different layout.

Rebuttal was given Mr. Parker; the prior request came in 2011 when there were some very significant flooding issues in that area, since that time there has been a lot work done to address those issues. The bulk of the questioning dealt with draining issues.

Mr. Spriggs: Also during that time he requested duplexes I believe.

Mr. Reece: I have a copy of minutes from meeting in 2001, seems to me that we are addressing the same issues.

Mr. Spriggs: If there are some particular questions you have, they can be answered by Planning and Engineering Departments. There were some concerns raised, possible traffic issues. They even entertained possible signal lights at Colony. Most of the movements are right turns out, onto Stadium Blvd. There were concerns on the impact on school transportation, and the drainage as noted. There were other statics quoted earlier, which I cannot confirm 7,000 units currently zoned and available/waiting to be built in the Nettleton school district. We did an inventory for the Moratorium Committee, we looked at City wide zoning and available property and our thresholds for who could come in at that time and apply for a permit. We found it was somewhere in the 3,000 range, City wide, with majority within the Nettleton School District and some in the Brooklyn School District. There is an influx of apartments in Nettleton School District.

Mr. Reece: I see the same issues in this application that got turned down before, and I'm looking for something better than before.

Mr. Michael Morris (Engineering Dept.): (See file attachment entitled- "Presentation"). The floodplain extends through the areas of Colony Park; the flooding now is limited to the streets- Richardson and Limestone. The proposed floodplain map was shown. They are even proposing to do more work further to the South. As far as the traffic issue, the current traffic count for Colony Dr. is about 2,400 vehicles today, if you look at the development he is proposing (based on trip generation models) according to this data, it is 6.5 trips generated for an apartment unit, this development would be somewhere around 266 trips with the proposed 40 apartments. If developed as an R-1 (with 33 homes), but some of the acreage would be left for infrastructure, it would result in about 314 trips. I do have the traffic report, and there were two accidents one in June 1992 and another in July 1993, and both were fatal. At that time they did not have lights or gates at the railroad crossing. As far as drainage, no matter the development they have to address their runoff, but not the global drainage system.

Mr. Scurlock: Regarding the mosquito issue voiced, Is most of the proposed drainage dry, and will it hold water?

Mr. Morris: Yes, it depends if he does retention or detention.

Rebuttal was given by Mr. Parker; Mr. Tran plans to do detention, which would not hold water all the time. As we stated earlier, there is a possibility to develop the greenspace area for additional storm water drainage. This would help alleviate other issues downstream. Mr. King on Leatherwood Dr. was curious about the use of the greenspace; however, it could be used for additional detention and handle some of the downstream flooding.

Mr. Bailey: We have to consider the statistics, but if you go out on that street at 7:30 in the morning, traffic backs up all the way to Richardson Dr. If you are turning left on Stadium it is a problem. To add more traffic will make it worse.

Mr. Reece: We need to consider as commission, there is a reason that developers are going that way in the Nettleton area, and it's because of lower land costs. If we approve this one there, the people will come in for more requests. I am assuming this gentleman recognizes that fact. This was basically a rural area that came in as amass annexation, and it doesn't comply with the Land Use Plan.

Mr. Parker (Rebuttal) With respect to other developments, it's my understanding the law is that this Commission reviews each application on its own merit. I know it is a concern, and I appreciate the concern of those residents who fear that the "floodgates will open". Fact is- this is a relative small development. Mr. Ward use the term- "Spread the Love". One of the things that I learned while serving on the moratorium committee (with Mr. Kelton and Mr. Roberts), is that from a planning perspective, it's a good idea to spread the multi-family out. And I think that we see this happening in the City, with the crime analysis statistics we have seen. When you have a higher concentration, such as "apartment city" in North Jonesboro near the University, there tends to be higher crime. Personally, I am involved with two

gated communities (knock on wood) we've had no crime in those gated communities. There are only 4-5 of them in the City. There were a number of drainage issues which have been addressed by offering a remedy to further solve the issues within the greater area. Referring to traffic issues, limiting to 40 units will result in less density and less traffic, than it will if it were developed as R-1 Single Family.

Mr. Jerry Reece: Stated that he looks at the Commission's job as protecting the interests of the developer and the existing residents as well, and I commend your client for his design and development plan, but I just don't feel that its the place for it.

Ernest Ray Wolf, 3104 Colony Drive; Referring to Mr. Ward' handout, Page 5, the area going to southeast, stated that his concern is fire projection and because they moved a fire station from the area. Every time a fires truck comes through, it goes down Colony Dr., and they have talked about putting another fire station to the southeast. Adding more apartments will add to the number of children, will my mileage go up?

Mr. Owen Duncan, 3405 Geraldine Cove; He made reference to an incident where after arriving home, he noticed his front door was busted-in. We live in a good community and it happens. That is a big concern, if you bring in apartment complexes.

Mr. Kelton stated concerns about the long cul-de-sac exceeding 400 ft.. Will this meet turn-around for fire truck? Mr. Morris replied there are provisions in the fire code to address this. During the site plan we will assure compliance.

Commission's Action:

Mr. Scurlock stated this is people's lives and people's fortune, and we cannot ask people to not build here, and they can't go elsewhere and take the land with them. He has gated his community and that is as good as it gets. He will live there and take care of his things. I've lived across the street from the apartments next to the cemetery and there have been no problems with the security pad entry. Everything that he has done has gone beyond and he is doing a good deed. Traffic will be a problem. I've lived in D.C. where commuting took 1 1/2 hours.

Motion was made by Mr. Scurlock to place Rezoning Case RZ 15-04 on the table for consideration, as presented for a rezoning from "R-1" Single Family Residential District to "RM-6" Residential Multifamily/ Four-plex Apartments, with the noted conditions, and make recommendation to City Council for approval.

Motion was made by 2nd by Mr. Kelton:

Role Call Vote (2- Ayes; 5- Nays). (see other commentary below): Mr. Scurlock- Aye; Mr. Hoelscher- Nay; Mr. Perkins- Nay; Mr. Cooper- Nay; Mr. Reece- Nay; Mr. Kelton- Aye; Mr. Bailey- Nay. Case Denied.

Absent was Ms. Shrantz; Mr. Roberts Jr. was chair.

Mr. Hoelscher: We need to look at this property and not the entire area, but

look at the effect that it has on the area. My assumption that if it were developed as an R-1 development, single family subdivision, other than the allowance noted by Mr. Spriggs, 30 is the most units that will likely be developed there. For the difference in the proposed 40 and the 30 possible, I have to vote no.

Mr. Perkins: This is a difficult decision because you have two different parties here, and it's hard to tell someone that you cannot develop your property the way you feel it needs to be. You also have residents that deeply care about their neighborhood. When I look at the development, I like it and the layout and the fact it is gated and you want have a drug dealer in a gated community. I am not as concern with the traffic because when you have development you will have traffic. I am not as concerned about the flooding, because there is potential for upsizing on this one. For future development, I have no clue as to what will go out there. But I do have two things that really bother me. The consistency with the development out there is one. If you look to the map to the east, you do see multi-family to the west. But when you look to the east, there are all single family residential homes with the exception of the on one commercial use that was grandfathered. But it is not consistent with the overall neighborhood. Also, you see the residents along Lonoke Ln., those on the west and homes in this area, are pretty close to the rail road track. Part of that property can be single family. I have concerns about our schools and the historical locating of all the apartments in the Nettleton School District and they need to be spread, so I have to vote no.

A motion was made by Jim Scurlock, seconded by Ron Kelton, that this matter be placed on the table for consideration. The approval FAILED with the following vote.

Aye: 2 - Ron Kelton and Jim Scurlock

Nay: 5 - Paul Hoelscher; Jerry Reece; Kevin Bailey; Brant Perkins and Jimmy Cooper

Absent: 1 - Kim Schrantz

8. Staff Comments

9. Adjournment