



City of Jonesboro

300 South Church Street
Jonesboro, AR 72401

Meeting Minutes 2 Metropolitan Area Planning Commission

Tuesday, October 11, 2011

5:30 PM

900 West Monroe

1. Call to order

2. Roll Call

Present 6 - Margaret Norris; Joe Tomlinson; Brian Dover; Ron Kelton; John White and Beverly Nix

Absent 3 - Lonnie Roberts Jr.; Paul Hoelscher and Jim Scurlock

3. Approval of minutes

[MIN-11:086](#)

Approval of September 13, 2011 MAPC Minutes

Sponsors: Planning

Attachments: [MAPCMeetingMinutes Sept 13 11](#)

A motion was made by Ron Kelton, seconded by Joe Tomlinson, that this matter be Approved . The motion PASSED by a unanimous vote

Aye: 5 - Margaret Norris; Joe Tomlinson; Brian Dover; Ron Kelton and Beverly Nix

Absent: 3 - Lonnie Roberts Jr.; Paul Hoelscher and Jim Scurlock

4. Subdivisions Plat

[PP-11-20](#)

Mike Ebbert requests MAPC approval of a request for a waiver of the minimum right of way width requirement of 60 ft. along Church St. for an existing building setback on the corner of Highland Dr. (NE). for Lot 1 of Ebbert Highland Drive Minor Plat, to accommodate the new construction of Andy's .

Sponsors: Planning

Attachments: [Ebbert Property Plat - Highland](#)

Staff: Mr. Spriggs gave the facts of the case. Noting that this is a situation where the MAPC in your previous meeting approved a plat for the Andy's Frozen Custard at this location on Highland Dr. That use is on the same lot of this request. The lot fronts on Church Street as well; and there is a 60 ft. right of way required. The applicant is expressing a hardship of the subdivision requirement of Church St. (a local street) to have a wider right of way which would take out his necessary parking. There is a 50 ft. current right of way

existing. The MAPC has the authority to waive the requirement.

Applicant: Mr. Mike Ebbert noted that he was caught blind-sided with this requirement. If we give the right of way we would take the necessary parking from the west side of the building. He noted the recent improvements at the Church St. interesection. We are simply asking for the 5- ft. variance.

Mr. White asked if the plat had been previously approved. Mr. Spriggs explained that the plat previously approved was for the horizontal regime approval of Andy's (for financing purposes- Land Lease). This building wasn't a part of that.

Mr. Kelton: Questioned staff if we agree with the waiver can we make a contingency that if any improvements/rebuilding are made to the Cafe' Boeno structure, that we can ask that the right of way be dedicated and full setback requirements? Mr. Spriggs responded yes. The City currently has no real priority to upgrade Church St. at this point.

Mr. Tomlinson: Noted that he didnt think Church is on its death row. It could be critical at some future point. The city will not interfere with you using that for parking spaces as long as it is not utilized for street improvements.

Mr. Ebbert: The building has been there in its current state since 1972 as far as the parking spaces. Mr. Tomlinson stated that he is reluctant at such a busy spot to decrease that right fo way by 5 feet. We are trying to recapture some of the mistakes we've made in the past.

Mr. White: Has the City Engineering looked at this?

Mr. Morris: Yes. We concur with Mr. Kelton that if any future improvements are requested on the building, the parcel would have to comply with the requirements. Currently there are no plans to widen Church St., but if the City later has plans to improve the right of way, then that could be a condition or contingency.

A motion was made by Ron Kelton, seconded by Margaret Norris, that this matter be Approved subject to the stipulation that any redevelopment or new development on the West side of the property would satisfy the right of way requirements. The motion PASSED by a unanimous vote.

Aye: 5 - Margaret Norris;Joe Tomlinson;Brian Dover;Ron Kelton and Beverly Nix

Absent: 3 - Lonnie Roberts Jr.;Paul Hoelscher and Jim Scurlock

5. Preliminary Development Plan Reviews

SP-11-10

PD 11-10: G&P Development, LLC request MAPC approval of a Preliminary Development Plan for a Planned District approved by City Council on October 4, 2011 for 9.7 acres located on Stadium Dr. North of Phillips Dr., rezoned to PD-C Planned District Commercial

Sponsors: Planning

Attachments: [Preliminary Site Development Plan G&P](#)

Staff: Mr. Spriggs noted that subject the rezoning approval, there were some issues regarding to the right of way access that the applicant needed to speak with the owner to get consent on the north driveway cut location as suggested by Engineering Staff. Mr. Spriggs also commented on the pedestrian walk path shown on the conceptual plan. Mr. Jeremy Bevill, Engineer with HKB: noted that the side walk will run from Race Street and tie into Stadium adjacent to the utility corridor and run along the drive.

Engineering: Mr. Morris showed illustrations of the current and proposed layouts showing the driveway locations. He noted that if it is developed according to the plan, the traffic will use this as a cut through route. Some traffic calming measures need to be considered. The alignment of the drives with the church and bank to the north could be a conflicting issue.

Mr. Bevill: the driveway location issue was discussed in the previous meeting, and the owners and developers feel that this is the safest and best location of the driveway for this development.

Mr. Kelton: I see the point of the City Engineering. One would be tempted to avoid the Race/Stadium intersection congestion and make a cut-through. The logical thing to do would be to require a traffic stop to prevent a cut-through raceway.

Mr. Bevill noted that the plans are almost 100% complete and we are planning to present the final next month.

Mr. White: Are there alternatives to the traffic question such as driveway adjustments, speed bumps or signage to address yours and Mr. Kelton's concerns?

Mr. Morris: Signage such as speed limits/ bumps/stop signs could be an option. A physical stop would be better.

Ms. Nix: Could we not put a stop sign right there. Mr. Spriggs suggested perhaps 3-way stop signs. Perhaps when the bank comes in we can have them redirect their driveway. Staff would handle that review.

Michael Daniels, HKB: As it is layed out right now, the plan meets all of the City requirements on all the drives on Race Street. It would not be a logical decision to cut through and avoid that intersection. We don't know where the bank driveway will be. It meets City code. We can place stop signs or speed bumps. This design has been looked at for several months. We are placing a walk down the east side of that drive and do not want a raceway along there.

Mr. Dover: What was the other concern besides the safety issue in not wanting to relocate the drive?

Mr. Daniels: If we go to the west side on Race, it will not perfectly align with the church drive. It is the correct distance from the church on the west, the bank and tractor supply on the east. With the new bank drive, you could end up with 3 drives in that same area.

Mr. White: Reiterated that the applicant complied with all of the requirements and is willing to put in traffic calming. Mr. Daniels concurred. We will put in a

cross walk and stop signs with 2 lanes coming in. What is so compelling in this from the City's perspective?

Mr. Morris commented on the importance on the driveway spacing and alignments at conflicting points. If someone pulled out of the church parking lot, they can coordinate with opposing traffic. Mr. Spriggs noted that we do not have a formal application for the bank's future site plan.

Ms. Nix: This plan meets everything within the rules, law and all of the code requirements. We have a traffic issue concern. We need to word this motion in such a way, that we approve what they are proposing, in a manner that safety is held to the utmost and they will work with us.

A motion was made by Beverly Nix, that the proposed Preliminary Plan is approved contingent upon the condition that safety and traffic flow are considered, and stop signs are placed appropriately; seconded by Ron Kelton. The motion **PASSED** by a unanimous vote

Aye: 6 - Margaret Norris; Joe Tomlinson; Brian Dover; Ron Kelton; John White and Beverly Nix

Absent: 3 - Lonnie Roberts Jr.; Paul Hoelscher and Jim Scurlock

6. Conditional Use

CU-11-06

CU 11-06 Conditional Use: 900 Burke Ave.

Stone Partners, LLC requests MAPC approval of a conditional use within an I-1 Industrial District for a general merchandise auction use

Sponsors: Planning

Attachments: [Conditional Use Application](#)
[Staff Report](#)

Caroll Caldwell represented the owner (Roger Moore) who is out of town. This is an abandoned building. He has gone in and cleaned up the building. There is not much anyone can do with this. It will be weekend auctions. It will probably help the neighborhood. Ms. Nix asked what type of auctions? Mr. Caldwell noted a similar auction. They draw crowds. Would there be night time auctions? Mr. Spriggs noted that the timing was discussed with Mr. Moore and they staff recommended hours met his needs.

Ms. Nix asked if he met with the neighbors. Mr. Spriggs noted that he was required to send out notices to everyone within 200 ft. of the property. We received some calls and explained the nature of the request and they were fine with it.

Mr. Tomlinson asked what will the outside be used for? Mr. Caldwell stated that most of the auctioning will be inside. Mr. Spriggs stated that the outside would be used for staging. All areas where cars will be parked will have to be paved. Mr. Tomlinson noted concerns of crowds or potential traffic problems.

Staff: Mr. Spriggs noted that any concern for storage of equipment or outside storage can be handled as a condition. The property is I-1 Industrial. The items will be rotated and not stored permanently. Mr. Tomlinson stated that he hopes

they do well and manage their parking lot. Mr. Spriggs stated that the MAPC can condition any approval that it be reevaluated after 2 years for compliance. Mr. Tomlinson concurred.

A motion was made by Ms. Beverly Nix, to consider approval of Case CU 11-06, subject to the certification by the Planning Director that subject to the following staff conditions:

1. That all future additions or alterations to the structure shall be subject to MAPC approval in the future.
2. That hours of operation of the auctioning facility shall be limited to the hours between 9:00 AM – 10:00 PM.
3. That after 2 years the applicant must request a continuation.

Motion was seconded by Ms. Margaret Norris, that this matter be Approved . The motion PASSED by a unanimous vote.

Aye: 5 - Margaret Norris; Joe Tomlinson; Brian Dover; Ron Kelton and Beverly Nix

Absent: 3 - Lonnie Roberts Jr.; Paul Hoelscher and Jim Scurlock

7. Rezoning

RZ-11-19

RZ 11-19: John Drum requests a rezoning of 1.17 Acres of land located at 1206 S. Main St. at Elm Street, West side of Church Street to be changed from R-2 Low Density Multi-Family Residential to C-4 L.U.O.

(This Case was withdrawn by the applicant- Case to be un-tabled and dispensed of by MAPC- No further action will be taken)

Sponsors: Planning

Attachments: [RZ APPLICATION SPOTTS](#)
[Rezoning Plat Spotts](#)
[Color Rendering](#)
[Staff Summary RZ11-19 1206SMain](#)
[Email Memo - Withdrawal Request](#)

A motion was made by Beverly Nix that Case RZ 11-19 previously tabled item be untabled and dispensed due to withdrawal request by the applicant.

Seconded by Mr. Tomlinson; the motion PASSED by a unanimous vote. Ms. Nix left the meeting at this point.

Aye: 6 - Margaret Norris; Joe Tomlinson; Brian Dover; Ron Kelton; John White and Beverly Nix

Absent: 3 - Lonnie Roberts Jr.; Paul Hoelscher and Jim Scurlock

RZ-11-21

Case RZ: 11-21: Sanda Greene on behalf of Jerry Whitlow requests a rezoning of Approx. 1.61 +/- Acres from "R-1" Single-Family to "RM-12", located at 2700/2703 Wakefield Dr., off of South Stadium Dr. to Harrisburg Rd. (Hwy. 1 B).

Sponsors: Planning

Attachments: [Rezoning Application](#)
 [Rezoning Plat](#)
 [Staff Report](#)
 [Layout #1-A](#)
 [Layout #2-A](#)

Mr. George Hamman, Civilogic, appeared before the Commission on behalf of Ms. Sanda Greene. Mr. Jerry Whitlow was the owner, but since application submittal, Ms. Greene has closed on the property and is now the owner. The site does have proper right of way on Wakefield Dr. as noted in the report, and we can comply.

Mr. Hamman: The maximum density allowed in the RM-12 is actually 19, but we have provided a couple of layouts and we feel comfortable with having only 17 units total.

Public Input: None.

Staff: Mr. Spriggs presented the findings of the staff report; noting that the subject property belonged to an opposing previous owner that held out on the abutting rezoning. All of the lots in the circle have been developed consistently under the R-2 Zoning as duplexes, fourplexes and apartments. Staff feels that the petition is consistent with the Land Use Plan and the surrounding densities. Staff concurs that the rezoning is appropriate.

Commission Action:

Motion was made by Mr. Kelton to approve the rezoning subject to the Staff recommended conditions; that this matter be Recommended to Council. Motion was 2nd by Mr. Tomlinson. (Chair Voted to pass the measure).

Aye: 5 - Margaret Norris; Joe Tomlinson; Brian Dover; Ron Kelton and John White

Absent: 4 - Lonnie Roberts Jr.; Paul Hoelscher; Jim Scurlock and Beverly Nix

RZ-11-22

Case RZ 11-22: First United Methodist Church request a rezoning from C-2 Downtown Fringe to C-1 Downtown Core to C-1 Downtown Core and consolidate lots with replat submittal following approval and make recommendation to City Council, for approx. 0.90 +/- acres located at 901 S. Main St.

Sponsors: Planning

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

Mr. John Easley, Associated Engineering, appeared before the commission explaining that the request is to rezone the property and make it consistent with the abutting C-1 Downtown Core District. The existing church, First Christian Church is completing their new construction on Woodsprings Road and the applicants will be expanding to the south.

Public Input: None.

Staff: Mr. Spriggs presented the findings of the staff report; noting that the

subject property is being petitioned for rezoning to correct the previously abandoned right of way of Warner Ave., with the inclusion of the church property to the south. Staff feels that the petition is consistent with the Land Use Plan and the surrounding area. Staff concurs that the rezoning is appropriate.

Commission Action: Motion was made by Mr. Kelton to approve the rezoning subject to the Staff recommended conditions; that this matter be Recommended to Council. Motion was 2nd by Ms. Norris.

A motion was made by Ron Kelton, seconded by Margaret Norris; (Chair Voted to pass the measure). The motion PASSED by a unanimous vote

Aye: 5 - Margaret Norris; Joe Tomlinson; Brian Dover; Ron Kelton and John White

Absent: 4 - Lonnie Roberts Jr.; Paul Hoelscher; Jim Scurlock and Beverly Nix

8. Staff Comments

9. Adjournment