



City of Jonesboro

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

Meeting Minutes - Draft Metropolitan Area Planning Commission

Tuesday, July 14, 2009

5:30 PM

900 West Monroe

1. Call to order

2. Roll Call

Present 7 - Ken Collins; Margaret Norris; Joe Tomlinson; Marvin Day; Brian Dover; Jerry Halsey Jr. and Ron Kelton

Absent 2 - Lonnie Roberts Jr. and Paul Hoelscher

3. Approval of minutes

Present 7 - Ken Collins; Margaret Norris; Joe Tomlinson; Marvin Day; Brian Dover; Jerry Halsey Jr. and Ron Kelton

Absent 2 - Lonnie Roberts Jr. and Paul Hoelscher

Minutes for June 9, 2009 MAPC Meeting

A motion was made by Vice Chair Jerry Halsey Jr., seconded by Brian Dover, that these Minutes be Approved. The motion CARRIED by the following vote:

Aye: 6 - Ken Collins; Margaret Norris; Joe Tomlinson; Brian Dover; Jerry Halsey Jr. and Ron Kelton

Absent: 2 - Lonnie Roberts Jr. and Paul Hoelscher

4. Preliminary Subdivisions

5. Final Subdivisions

5. Brookstone Subdivision Phase Three- Final
For consideration by Metropolitan Planning Commission on July 14, 2009

Michael Boggs and Terry Bare submitted Brookstone 3rd phase for Final Plan approval. This has been given preliminary approval and we are asking for final approval.

Mr. Spriggs stated that the subdivision meets the requirements for subdivision approval and had no problems and the Engineering Dept. had no problems with this subdivision as submitted.

A motion was made by Ron Kelton, seconded by Vice Chair Jerry Halsey Jr.,

that this Subdivisions be Approved. The motion CARRIED by the following vote:

Aye: 6 - Ken Collins;Margaret Norris;Joe Tomlinson;Brian Dover;Jerry Halsey Jr. and Ron Kelton

Absent: 2 - Lonnie Roberts Jr. and Paul Hoelscher

Request for MAPC consideration of a minor replat of a lot located at 3103 Flemon Rd. to be considered on July 14, 2009.

Danny Flemon 60 ft. easement we would be land locked we would appreciate if we can do something else; we gave CWL a mile of easement for sewer in the rear. We want to grant an easement so they can build their house. The banks have loaned the money. Margaret stated they would need ownership to the minimum of 10 ft. of frontage to the water main. This land has sewer within 10 ft.

Mr. Halsey stated that it has to meet CWL minimum 10 ft. requirements. To discourage multiple cut-ups along the frontage.

Mr. Tomlinson's discussion: what would prevent the people coming back for the same consideration? All this land is in the family.

Mr. Tomlinson asked if there are other alternative right of way from someone else. My main concern is we don't want to see a subdivision developed off of an easement. We have to have access for garbage trucks. Mr. Spriggs stated that they could make stipulation that future considerations meet the requirements of a subdivision.

Mr. Halsey stated that he would make a motion to send to BZA for their consideration with a minimum of 10 ft. frontage to satisfy CWL requirement.

A motion was made by Vice Chair Jerry Halsey Jr., seconded by Margaret Norris, that this Other Communications be Approved. The motion CARRIED by the following vote:

Aye: 6 - Ken Collins;Margaret Norris;Joe Tomlinson;Brian Dover;Jerry Halsey Jr. and Ron Kelton

Absent: 2 - Lonnie Roberts Jr. and Paul Hoelscher

5.

Review of NEA Baptist Memorial Healthcare, LLC.- E. Johnson Ave. @ Bridger Rd.

Applicant: A2H, Askew Hargraves Harcourt & Associates, Inc.

NEA BAPTIST/Preliminary PD-Commercial

We are asking for approval of the next step... We wanted to set it as a PD so that when the hospital and main clinic comes on line there will be other buildings to go along with that. Possibility of 3 building will be in that area. Other areas will allow multiple buildings on one lot. Right now this is a 3 year construction process. By the time this gets going there will be other things that will come on line. There will be 2 more buildings and one that may front on 49. We would have like to present that information now. We will have to come back 2 years from now to deal with it. We will have a drive during the FDP process. We need flexibility if possible to develop this in the future. We are asking under 15.05 section to be approved by the planning commission. Horizontal regime and the attorneys have been looking at that approach. Hospitals things change there is a plan to change the hospital in the frontage it could come out in the southwest. The outparcel and the lots in the rear will

come back to the MAPC as a separate FDP. We may be able to cut the size of that some. We will incorporate some green items into the plan we will reticulate rain water for irrigation with wont be LEED certified but will be green. How close will you be to LEED certified? We might get close to the lowest LEED certification. It will be hard to meet LEED with the HVAC system. We can do some things with the roof system and the site. Working on drainage for site with the engineering dept. and the pipe sizes. Will have sidewalks and walking trails on this site.

Mr. Spriggs stated that this is for preliminary site plan approval. They have submitted more detail plans with fencing and signal study and traffic concerns. This will include the traffic signal at this site. We will need approval for the zero lot line approval and the commission can give you some flexibility on this. The final on future buildings can come back to you for approval.

A motion was made by Joe Tomlinson, seconded by Vice Chair Jerry Halsey Jr., that this Subdivisions be Preliminary Approved. The motion CARRIED by the following vote:

Aye: 5 - Ken Collins;Margaret Norris;Joe Tomlinson;Jerry Halsey Jr. and Ron Kelton

Absent: 2 - Lonnie Roberts Jr. and Paul Hoelscher

Abstain: 1 - Brian Dover

6. Site Plan Approval

6.

Site Plan Approval:

Andrew Braxton (Peak Land Co.), Applicant; PH-J, LLC, Owner request approval for: Willow Creek Apartments: 180 Multi-family Units will require MAPC approval because the development exceeds the threshold of 48 units as required by the Zoning Code, Section 14.44.02, Zoning and Building Permits.

Located: S. Caraway Rd., North of Golf Course Dr., South of Fox Meadow Ln.; West of the terminus of Craighead Forest Rd. E.

George Hamman of Civilogic, represented Andrew Braxton (Applicant) stated that they will be developing 10 acres on "R-3" zoned property with 5 buildings. The Jonesboro Fire Department requested 2 entrances, and we have provided that. There will be amenities such as a club house, basketball goals, tables and grills, and in front there will be a fountain in a retention area. There will be some brick, on the facades; this will be a class A apartment complex. We are asking that the MAPC will approve the site layout, with all department and staff recommended conditions to be satisfied upon permit review.

Mr. Spriggs stated that the project team met with the various departments. They have addressed issues of the Fire Department as stated. The applicant has no plans to connect with the east terminus of Craighead Forest Road where there is frontage. Staff discussed the concerns of privacy fencing and they have agreed to place fencing along the perimeter where it abuts single family residential. Mr. Hamman confirmed there is single family on the south and the north; many homes on the south already privacy fencing. The

applicant is amenable to filling in the gaps where there is not privacy fencing. Mr. Spriggs added that the staff memo gives a break-down of the density and the number of units and the minimum requirements of R-3 which is 18 units per acres. They meet the minimum setback requirements on landscaping and lighting as well.

Mr. Day asked during the land use meetings, we discussed a corridor across this site. Mr. Spriggs stated that it was discussed during that study. He is not sure if it will carry through on the Master Street Plan. This is a recommendation on the Land Use map which extend on private land. We may not have the discretion of demanding right of way, without a policy for requiring the right of way.

Mr. Day asked if it is a dedicated road frontage that comes to that property?

Mr. Spriggs stated that it terminates at the property with 60 ft. right of way.

Mr. Lyons stated that the city would have to condemn the property and compensate the owners for the value determined by a jury after trial.

Mr. Crego, state that we have always required for connectivity on site plans.

Discussion was had on the intention of connectivity to Caraway Road. Mr.

Spriggs stated concern of Craighead Forest Road with the influx of multi-family west of this site.

Mr. Crego: if the Commission's concern is for ingress/egress for fire and police, it seems they have addressed that concern.

Mr. Tomlinson stated that as for as the Commission his main concern is ingress, and issues for fire and police. He has concerns that when we get these requests and every time you block off these right of way for ever we are defeating ourselves. It was put that for a reason. Mr. Tomlinson added that we have to option to require it to be open. This body can have that right, I disagree with the attorney. We see a problem with that.

Mr. Crego: prior to this point there is no existing right of way that runs across the subject property.

Mr. Tomlinson clarified and asked would it be a problem to cut the right of way across the northwest corner of the property and extend it to the property to the north to allow for that right of way towards Caraway Road. Mr. Hamman and the applicant evaluated Mr. Tomlinson's request and agreed with the stipulation to carry the right of way across the northwest corner of the property.

Mr. Day stated that from a long term approach the City may find it in our best interest to provide a street to carry through to Caraway. Mr. Hamman clarified that this developer will not be required to construct that but just dedicate the necessary right of way? The MAPC concurred. Mr. Lyons stated that the applicant sees no problem with modifying the plan and show the right of way continue across that area.

Mr. Tomlinson asked if the applicant will fence all around the site; because some have fencing, decent, not decent, etc. A straight fence done by a survey would be better. Applicant has no objection.

He added that the City needs to make a commitment on constructing on infrastructure on future arterials roads with developments like this; which are perfectly legal. The school out there just recently (10 years late) improved Caraway Road above this property and still it's not adequate to carry the traffic.

Mr. Spriggs stated that that point is well taken; the City is studying widening Caraway just above this area.

Motion to approve the Site Plan with Staff typical condition to satisfy the permit process requirements; the continuation of the right-of-way and the

fencing around the entire perimeter; and any future access to this future right of way be approved along after MAPC review;

A motion was made by Joe Tomlinson, seconded by Ken Collins, that this Site Plan be Read. The motion CARRIED by the following vote:

Aye: 6 - Ken Collins;Margaret Norris;Joe Tomlinson;Brian Dover;Jerry Halsey Jr. and Ron Kelton

Absent: 2 - Lonnie Roberts Jr. and Paul Hoelscher

7. Rezoning

7.

Bill Brand/BAC Rentals requests rezoning from "R-1" Single Family Residential to "RM-8", Multi-family Low Density District (For 1- Duplex). Located at 2202 Spence Circle.

Planner: Mr. Spriggs gave a summary of the Staff Report. There is a mixture of residential and low density multi-family in this area. We have entertained similar request within the Spence Circle area. This is an area which is in transition as seen within the photograph, between commercial and residential. On the land use map of 1996 it recommended regional commercial within this entire area, and on the current proposed map, we anticipate it remaining the same. Staff has no problem with the density of this request. The RM-8 standards area provided within the staff report, and the proposal will satisfy the minimum requirements as it relates to setbacks, height and bulk standards. And no future variances will be supported on this site before the Board of Zoning Adjustments.

Mr. Tomlinson asked if the replat of lot 8 will create any substandard conditions on the other lot? The applicant and staff replied no. Mr. Spriggs added that the other home will meet the minimum setbacks of the R-1 Single Family District (7.5 ft.).

Mr. Kelton asked if this area is in the floodplain? Mr. Spriggs stated no, and the plan will have to meeting all Engineering Department standards of stormwater management during the development stages.

Mr. Tomlinson asked if in the future, will the applicant be able to put more units than a duplex? Mr. Spriggs stated that with the size of the lot and the density more units will not be possible. The only way to put any conditions on the approval would be to place a limited use overlay.

A motion was made by Joe Tomlinson, seconded by Margaret Norris, that this Rezoning be Recommended to Council. The motion CARRIED by the following vote:

Aye: 6 - Ken Collins;Margaret Norris;Joe Tomlinson;Brian Dover;Jerry Halsey Jr. and Ron Kelton

Absent: 2 - Lonnie Roberts Jr. and Paul Hoelscher

7.

AZ 09-01 [Applicant has requested that this item remained tabled until the September 8, 2009 meeting] Larry Grisham request and annexation and rezoning of the following tracts:

Part 1: Annexation of 42.38 acres

1a.: RS-5 (1.96 acres)

- 1b.: Rm-12 (38.06 acres)
- 1c.: C-3 (2.35 acres)

Part 2: Rezone from R-1 to RM-12 Multi Family Residential, 1.46 acres Southwest side of West Parker Road and west of Shady Lane.

Part 3: Rezone from R-1 to RM-12 Multi Family Residential, 0.29 acres Southwest side of West Parker Road

Part 4: Rezone from C-3 to RM-12 Multi Family Residential, .07 acres Southwest side of West Parker Road

Part 5: Rezone from R-1 to C-3 General Commercial, 0.28 acres Southwest side of West Parker Road

Motion that the Case remain tabled until the September, 2009 meeting. Mr. Halsey asked if we table it and it doesn't get acted on in so many months will it be automatically approved? Mr. Spriggs stated that if tabled it will protect us.

A motion was made by Ron Kelton, seconded by Ken Collins, that this Annexations be Tabled. The motion CARRIED by the following vote:

Aye: 6 - Ken Collins; Margaret Norris; Joe Tomlinson; Brian Dover; Jerry Halsey Jr. and Ron Kelton

Absent: 2 - Lonnie Roberts Jr. and Paul Hoelscher

8. Staff Comments

8. CONSIDERATION OF MAPC BYLAWS

- The elections will occur on the January of each year (Pg. 1)
- Chair Voting: Chair will only vote to pass a measure or to break a tie.
- The language on the advertisement that did not meet City Ordinances was moved.
- The section on "Case waivers/withdrawals" was a policy adopted by Ordinances and will require a text amendment to Council and will have to be considered through a different process (Pages 6-7).
- The Thursday deadline for packets will be required of Staff (a week before was deleted).
- Time limitations for deliberation by the petitioner (top of pg. 4; number 5). We placed a time limitation of 5 minutes with a total of 15 minutes per side; and that the Chair or any commissioner could make a motion to allow additional time for testimony. The Chair recognizes opposition with the same time policy. Rebuttals can be allowed by the Chair.
- Section 5 and 6, revise to read 5 minutes ea. Person or a total of 15 minutes per side.
- Page 2 (secretary shall attend all meetings...) add: Maintain records of current membership of the Commission with the terms of office.
- Page 3b; Called to meetings: by the quorum of the... (Add: current appointed commissioners).
- Page 7, Number 9: Next appropriate hearing; Change to: regularly scheduled meeting.
- Number 11: Delete Section. Change: "shall" to "may"

Staff will make changes and provide the modified version to the MAPC. Once

verified by the MAPC and Chair, it will be signed by the Chair and the Director.

A motion was made by Ron Kelton, seconded by Margaret Norris, that this Other Communications be Approved. The motion CARRIED by the following vote:

Aye: 6 - Ken Collins; Margaret Norris; Joe Tomlinson; Brian Dover; Jerry Halsey Jr. and Ron Kelton

Absent: 2 - Lonnie Roberts Jr. and Paul Hoelscher

8. Mobile Vending Ordinance Discussion (ORD -08:005) Staff requests that MAPC re-evaluate the current ordinance which was adopted February 19, 2008 by Council which regulates mobile vending within the city limits.
- Mr. Spriggs summarized. Much work went into the development of the ordinance. We wanted to make sure that we have been fair to the local vending community.**
- Mr. Tomlinson stated this was the toughest times. I've seen trying to figure what to do what this hotdogs on the corner. In the right of way. Some look like a circus. Everyone wants snow cone business in the summer. There needs to be some specific things looked at.**
- Mr. Kelton asked about advertisements on telephone poles. Mr. Spriggs stated that the sign code covers snipe signs, garage signs. It's more of an enforcement issue. Mr. Kelton commented on written authorization from the ownership; we should require an affidavit. Mr. Spriggs stated that we can make that a recommendation to the Public Works Committee. Mr. Halsey made a motion to recommend that the Mobile Vending Ordinance not be revised except for requiring an affidavit of the owner's consent.**
8. Policy and Procedure for sidewalk requirements for all new development within the City of Jonesboro. Article/Section 14.36.07 Sidewalks requirement-Multi-family and Commercial Developments.
- Mr. Spriggs explained the agenda item, Sidewalk Policy which was initiated by our Public Works Council Committee. Our current code states that the sidewalks may be required on Commercial Developments and are required on multi-family developments.**
- We have reviewed other cities where waivers are considered under special circumstances in areas where there is no need for connectivity. Some have in-lieu of construction approaches where you may pay a certain dollar amount per linear feet, to offset the costs to place or repair sidewalks in areas that promote connectivity or near schools or areas underserved. We are asking you to consider developing a policy.**
- Pamela Alexander/Beverly Parker addressed the MAPC:**
- Beverly Parker: I represent the Center on Aging Northeast Arkansas. We are working with a number of institutions. We are planning to study walk ability of Jonesboro area. This connects in terms of livable of communities want people to walk to school and the grocery store and there are instances where that is not possible. We appreciate you looking at this. We do have suggestions of the written code.**
- Pa m Alexander: We do endorse and are happy that you are considering this; we are in favor with institutions included. We are concern with setbacks from the curbs and having them be required for safety and comfort ability when walking the sidewalks; they do not allow for safety and comfort that is needed.**

It is the standard around the country. We are concerned if cars are parked and hanging over the sidewalks. In a lot of places 6 ft. widths for sidewalks is the standard. At ASU it is the minimum standards. Where it has to be next to the curb the minimum is 10 ft. People gravitate towards the middle and we are concerned with 4 or 5 ft. widths. It only allows for one person at a time; it is not enough for 2 people.

If we want to promote walk ability; we are behind the curve to put these standards in place. Obstructions: I would ask that there be some design specifications around utility poles, fire hydrants.

We are interested in if there have been existing that any new construction connects to those sidewalks. Waivers: I am concerned about waivers; it is the developer to save their client money. I would be an advocate of the fee if a waiver is granted that funds can be used for further construction at a later date.

Beverly Parker: This group of collaborators, plan to do a walk ability study in Jonesboro, AR with the AARP on October 8th. The City is involved with this event.

Ms. Alexander: We will be looking at the Caraway Stadium Drive area and will be going north, then going to ASU; we are concerned about Phillips Drive. The hotel visitors are a concern. We will look at the corridors going West Matthews /Washington going towards downtown.

9. Adjournment