



City of Jonesboro

300 South Church Street
Jonesboro, AR 72401

Meeting Minutes 2 Metropolitan Area Planning Commission

Tuesday, September 11, 2012

5:30 PM

900 West Monroe

1. Call to order

2. Roll Call

Present 6 - Lonnie Roberts Jr.; Paul Hoelscher; Ron Kelton; Jim Scurlock; Beverly Nix and Kim Schrantz

Absent 3 - Joe Tomlinson; Brian Dover and Jerry Reece

3. Approval of minutes

[MIN-12:072](#) MAPC approval of the August 15, 2012 meeting minutes.

Sponsors: Planning

Attachments: [MeetingMinutesAugust_15_2012](#)

A motion was made by Ron Kelton, seconded by Jim Scurlock, that the minutes be approved. The motion carried by the following vote.

Aye: 5 - Lonnie Roberts Jr.; Paul Hoelscher; Ron Kelton; Jim Scurlock and Kim Schrantz

Absent: 4 - Joe Tomlinson; Brian Dover; Beverly Nix and Jerry Reece

4. Preliminary Subdivisions

[PP-12-16](#) Bob Troutt request approval for Preliminary Subdivision Plat for Wildwood Addition Phase 3.

Attachments: [PP 12-07 Wildwood Phase 3](#)
[Wildwood Addition Phase III Staff Report](#)

Mr. Mike Morris, Engineering- raised concerns concerning Gerald Drive, and its status which would be possible means for future egress. Mr. Boggs described existing conditions and Prospect Road. The southern boundary of the property has options for connection through a stub street. Mr. Boggs added that they are trying to minimize the amount of traffic coming through this subdivision. The fire department has not made any comments about the circulation.

Mr. Spriggs gave staff summary comments and noted the following report from the Police Chief Mike Yates:

I have reviewed the proposal for the Wildwood subdivision. I have concerns as they relate to public safety. Given the number of proposed lots and the concentration of dwellings I am concerned about both population concentration and access/egress from and into the area. I do not feel that the proposal has adequate access for public safety given the number of proposed houses. Additionally, population concentrations must take into account location (where the population is concentrated) relative to staffing levels in the police department. I do not believe the police department has adequate staffing levels to continue to add subdivisions especially when the area proposed is located in an otherwise less densely populated area. If approved and completed a population concentration will require additional patrol resources which the police department does not have at this time. I cannot recommend the approval unless our staffing levels are adjusted to compensate for this increased demand for service.- Chief Yates.

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

Aye: 5 - Lonnie Roberts Jr.;Paul Hoelscher;Ron Kelton;Jim Scurlock and Kim Schrantz

Absent: 4 - Joe Tomlinson;Brian Dover;Beverly Nix and Jerry Reece

5. Final Subdivisions

PP-12-17

FP 12-07 Gregory Subdivision Phase II-B

George Hamman, Civilogic requests MAPC approval of a final subdivision plat located on Ocean Drive and Gregory Drive for 20 lots on 5.95 acres in an R-1 Single Family District.

Attachments: [Subdivision Plat](#)
[Gregory Subdivision Phase II B-Staff Report](#)

George Hamman, Civilogic presented on behalf of the applicant stated that he prepared the plat. They were before the MAPC a couple of months ago for the Preliminary approval of the 19 lots to prepare the record plat for Phase 2b.

Ms. Sue Haus appeared before the Commission about adjacent property and asked if the sewer would cross her property. Mr. Hamman stated that it will not and it will run along Ocean Dr. to the east and then to the south down Gregory Dr.

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

Aye: 5 - Lonnie Roberts Jr.;Paul Hoelscher;Ron Kelton;Jim Scurlock and Kim Schrantz

Absent: 4 - Joe Tomlinson;Brian Dover;Beverly Nix and Jerry Reece

6. Site Plan Review

SP-12-09

Mr. Ray Osment of Car Choice request approval of a site plan for property located at

2200 Stadium Blvd.

Attachments: [SP 12-208 2200 Stadium - Car Choice Application](#)
[SP12-208 2200 Stadium - Car Choice Site Plan Previous](#)
[SP 12-208 2200 Stadium - Car Choice Site Notes](#)
[AutoMax Stadium SunAve STR- Revise](#)

Mr. Carlos Wood presented on behalf of the Owners and CarLock for the C-3 -LUO Zoned property. He noted that they would like to maintain driveway for access on to Stadium. and exit out to the north. He noted that they are aware of the cross access from the property to the south, and have no problems with that access; it would provide an outlet to go to Parkwood which may one day be a signalized intersection. On the drainage issues, we have been working with Engineering; we have 2 options stipulated that we will work out. The Arkansas Hwy. Department is not opposed to the drive off Stadium; they were glad we removed the northern drive. This one is in the center of the block.

Due to the nature of the business there were concerns for the lighting spilling out to residential. Mr. Wood stated that they will provide shielding on the lamps and they will be providing the photometric contours of the lighting during the permit process.

A motion was made by Jim Scurlock, seconded by Paul Hoelscher the site plan be approved. The motion carried by the following vote.

Aye: 5 - Paul Hoelscher;Ron Kelton;Jim Scurlock;Beverly Nix and Kim Schrantz

Absent: 3 - Joe Tomlinson;Brian Dover and Jerry Reece

SP-12-10

Jeff Irvin requests a site plan review for Verizon Wireless Retail to be located at 2212 Stadium Blvd within a C-3 LUO zoning district.

Attachments: [Application Site Plan Verizon Stadium@Parkwood](#)
[Lighting Plan](#)
[Site Development Plans](#)
[Building Elevations](#)
[Landscape Plan](#)

Terry Bare, HKB stated that he is assisting the owners to complete the plans for the Verizon facility, located within the C-3 LU Overlay and they are seeking MAPC's approval of the site plan.

We are hoping for the approval of the signal at the intersection. The original plan had 2 drives in out out. The one drive is a right out only. They are limited to the one access with right out only on Stadium.

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

Aye: 5 - Paul Hoelscher;Ron Kelton;Jim Scurlock;Beverly Nix and Kim Schrantz

Absent: 3 - Joe Tomlinson;Brian Dover and Jerry Reece

7. Rezoning

RZ-12-16

Mr. Bob Harrison requests MAPC approval of a rezoning of 0.98 acres located at 3115 Parker Annex Road for a total of 10 apartment units; rezoning from R-2 LUO to RM-12 LUO.

Attachments: [APPLICATION](#)
 [REPLAT](#)
 [STAFF REPORT](#)
 [REZONING ORDINANCE June2003](#)

Applicant: Mr. Bob Harrison appeared before the Commission.

Staff: Mr. Spriggs gave staff comments noting the previous case facts/history. The property was previously rezoned by ORD-03:389 to R-2A LUO for 3-Triplexes (9 Units) by City Council in 2003. Mr. Harrison owns the abutting property to the South which is of similar character. Consistency is achieved on the Land Use Plan as Residence Transitional and Master Street plan. No comments were made by the various departments and agencies.

Ms. Nix made a motion to place Case: RZ-12-16 on the floor for consideration and for recommendation to City Council for a rezoning from "R-2A to "RM-12 L.U.O." Residential Multi-Family District subject to the 4 Staff Conditions and the allowable uses approved by the MAPC. The MAPC finds that the use will be compatible and suitable with the zoning, uses and character of the surrounding area.

Mr. Hoelscher: Will the parking requirements be met by the applicant? Mr. Harrison noted that the engineer assures him that there are no problems with the parking.

Ms Nix: is the proposal similar to what they previously were granted? Mr. Spriggs noted that he requested 12 but the 10 is consistent with what he would have otherwise been allowed under the R-2 district.

A motion was made by Beverly Nix, seconded by Jim Scurlock, that this rezoning be Recommended to Council. The motion carried by the following vote.

Aye: 5 - Paul Hoelscher;Ron Kelton;Jim Scurlock;Beverly Nix and Kim Schrantz

Absent: 3 - Joe Tomlinson;Brian Dover and Jerry Reece

RZ-12-17

Dr. Dean Tyrer requests to rezone property located at 4501 Aggie Road from R-1 Single Family to RS-8 Residential Single Family with 8 units per acre.

Attachments: [APPLICATION](#)
 [REZONING PLAT](#)
 [STAFF REPORT](#)

Applicant: Mr. George Hamman, Civilogic - presented the Case to MAPC and noted that he prepared the application on behalf of his client- Dr. Dean Tyrer. This request is for a district classification that has not been used much: RS-8. We are requesting 8 units per acre as Single Family homes.

Mr. Hamman made reference to the Staff Report and noted that Staff stated that the request is consistent with the City's Comprehensive Housing Study, which

recommends policies to encourage affordable housing. This meets some of that need. Not everyone can afford an 8,200 sq. ft. lot with a 2,600 sq. ft. house on it. This is a single family alternative to that, with public street right of ways. The MAPC will see each phase of this twice. There will be a bill of assurance of the subdivision, which means that it will be maintained by one company and done in a uniform fashion. This also provides for a transitional zone. To the west of this is a Manufactured Home Park (has been there for about 25 years); to the east is standard R-1 single family and to the south is the railroad and the airport.

Staff: Mr. Spriggs gave the Staff summary of the report. The adjacent uses were discussed as noted. The issues of compatibility and density were discussed. The applicant is requesting RS-8 in which the 8 units per acre is a gross density calculation. The applicant has proposed a layout of 160 maximum lots; which equates to 4 +/- units per acre.

The Comprehensive Land Use Plan was reviewed and consistency is achieved as single family residential, which is recommended. The Master Street Plan requires a collector road designation and the applicant has concurred with the minimum right-of-way of 41-ft. from the centerline of street. All of the average lot restrictions and setbacks are complied with in terms of the RS-8.

Public Input/Opposition:

Mr. Todd Burton - 4303 Cypress Springs Rd. Spoke in opposition. Major concern that was voiced is the apartments denied on the Gosset property. This would exceed the Gosset proposal by 10 units, if you were to put that same thing. The trailer park has been there for 25 years and we have the apartments there that we are dealing with. In our community we are at our maximum, in terms of density. We are growing fast and little has been done to improve our infrastructure. This RS-8 District hasn't been used much and we are concerned. We understand the need to want a transitional area, and maybe R-1 is not the answer to that, having a density of 8 units per acre, although it's been said to come down lower.

Mr. Burton continued: Density is a concern. A lot of people are out there (in audience) that want to develop land out there. They are waiting to see how this will turn out. We are concerned about what precedent is set. Mr. Burton spoke about increased crime in the area with the recent 5 - car break-ins on September 5th, and the Police Chief's comments about development and crime in the area. I am really glad to look at residential housing, but I and my neighbors are very concerned about that dense of a development. Question was raised: One company was mentioned to maintain the property - Will the houses be single family owned or rented out?

Mr. Hamman: The internet for the maintenance is to reduce the obligation of the owners; it mentions in the Bill of Assurance that it is not the owners that will be doing the maintenance but the property owners association.

Opposition: Attorney Joshua Roberts: Snowgrove Law Firm spoke on behalf of his client: B& J and P&G Land Co. Stated that Dr. Tyrer's desire to develop this property is admirable with Jonesboro's growth and need for affordable housing. However, in this case, P &G and P&J feels that there are three (3) factors under your staff analysis criteria and Staff Report that favor a denial Dr.

Tyrer's proposal.

No.1: The compatibility of Dr. Tyrer's request. The current and active development to the east, Prospect Farm and Wildwood Subdivisions are R-1 Single Family. But, the density of RS-8 is too dense.

Mr. Roberts: In this area, the 60 ft. width is the norm; in fact, the R-2 subdivision to the west is single family as well. The RS-8 District will be incompatible with those minimums. Dr. Tyrer is not currently prevented from developing this parcel: He still can develop his property under the R-1 District. The RS-8 allows him to build more houses on the same parcel, which means more money or profit margin than R-1 restrictions would. This request is in competition with the people in the community that purchased their homes relying on the R-1 restrictions, and this is factored in the Zoning Criteria "D" and "E" in the report of the zoning criteria. Mr. Roberts cited a case in law in Arkansas, where a rezoning based solely on the peculiar interests and justification of making a parcel its most profitable status is not enough.

Applicant: Attorney Jim Lyons, representing Dr. Tyrer spoke in favor of the rezoning, citing the existing conditions as noted the trailer park to the west and the Comprehensive Housing Study of which we are consist with. If we are going to spend money on these studies, then we need to use them in the manner in which they were intended. This area is proposed to be used precisely for which it was supposed be used for. Mr. Lyons continued describing the uses surrounding: I-2 Industrial property to the south, with a railroad, and the trailer park property to the west. To say that this is incompatible is just simply incorrect.

Mr. Lyons: There is R-2 zoning is to the west. And if you recall that on September 11th, eleven (11) years ago, we had a measure to rezone this as trailer park property, at the meeting that was postponed and delayed 2 - weeks and MAPC returned and voted to recommend approval. (The case went to court).

Mr. Lyons: We are seeking to rezone this property to RS-8, which is compatible and consistent with the Jonesboro Housing Comprehensive Study. This is also consistent with what the planners and others are saying is a proper use for this property. There has to be a transition somewhere. It is not proper to jump directly from R-1 Single Family to I-2 Industrial or to a trailer park. So it is proper to have a transition area which is exactly what we are seeking. These 37.8 acres at 5.4 units per acre could result in 204 lots under the R-1 Single Family District. Dr. Tyrer is only seeking 160 lots. Mr. Lyons: It simply is a fact of life that there is a need for this type of use. We understand that this is going to increase traffic, but traffic is occurring everywhere in Jonesboro simply by growth. That is not something that can be avoided. If everyone is going to say that we will stop growth, then we can attempt to do that. But that is not the role of the Planning Commission. And it will be improper, based on the zoning criteria and with the comments of the City Planner, to deny this request and not grant the RS-8.

Mr. Hoelscher addressed Mr. Lyons: There is a difference between the density of what is being offered and the graphic showing the lot layout- Is your client willing to live with a stipulation that would limit the number of lots? Mr. Lyons and his client concurred with the stipulation, noting that this is lower than

what the maximum could be at with R-1.

Mr. Todd Burton: If it is going to a lower number of units, then why rezone it to the higher level? When you look at the land use plan, although it does follow it because it is residential; it doesn't really follow it with density in that area. Mr. Burton also commented on the rezoning mentioned by Mr. Lyons on the trailer park, the fact that the citizens of the area filed a law suit against the City that over turned the decision to rezone by Council and MAPC.

Mr. Hamman: Clarified: the density calculation was done by taking the net acreage and dividing it by the minimums with the 160 units being in compliance. There are quite a few lots that are larger than what are required of the Rs-8. This is an odd shape property and there is a question of geometry in fitting the houses in there. There are lots in that area which are narrower as well as some that area more wide. It becomes a question of the geometry to make it work from a density standpoint.

Mr. Spriggs gave comment on property circulation in terms of emergency response and alternative ways out. If the subdivision were to go forth, are there alternative access points, in terms of emergency and connectivity and stub streets.

Mr. Hamman: Gave a response on the layout which shows stub streets to the east and west. Mr. Hamman also noted the cross hatched lot to the north that will not be built on, and will be used for future accessibility to the Meadow's Trailer Park, which will provide another outlet out to Aggie Rd. He noted that they are in agreement to any stipulations on the connectivity. There are no trailers on the south end of the park.

Mr. Kelton: On the east side shown, Prospect Farm Rd. doesn't go down that far. Mr. Hamman: They own all the land to the railroad. Mr. Kelton expressed concerns with the 15 ft. rear yard setback. These houses will back up to the rear of the homes in Prospect Farm. It is awfully close.

Mr. Hamman noted that the houses will be closer to the front setback due to the long depth of the lots (131-146). They will have larger rear yards. Mr. Kelton spoke on homeowners taking pride and doing their lawns when he visited the site. He suggested code enforcement attention to a lot that had high weeds and grass.

Mr. Kelton suggested a stipulation to assure that the homes be set back further. Mr. Hamman agreed on Lots 131 -146 that the setback will be 25 ft.

Mr. Kelton further asked about the size of the detention pond - will it be that large. Mr. Hamman noted that it will be a dry pond and will be sized perhaps smaller when the engineering is done.

Mr. Hoelscher asked for any other Staff Departmental comments. Mr. Morris noted there no engineering comments. Mr. Spriggs summarized department request for review forms, noting all reports received from Engineering, Streets, Sanitation, Jets Transportation, Fire and Police noting that there were no comments on this petition.

Commission Action:

Motion was made by Mr. Kelton that to place Case: RZ-12-17 on the floor for consideration and for recommendation to City Council for a rezoning from "R-1 to "RS-8" L.U.O., Single Family Residential District, subject to the 1 Staff Condition. The MAPC finds that the use will be compatible and suitable with the zoning, uses and character of the surrounding area.

The following conditions were read.

1. A maximum of one hundred sixty (160) lots are to be developed.
2. The proposed development shall satisfy all requirements of the City of Jonesboro, Including the Planning Department, Engineering Department, including satisfaction of all requirements of the current Stormwater Drainage Design Manual, and Building Inspection Department, and shall be submitted to the Metropolitan Area Planning Commission and the City of Jonesboro for staff review and approval, as is prescribed by the traditional subdivision development process.
3. Extensions of streets within the development are to be developed so as to provide connectivity to the undeveloped land to the east and to the west.
4. A strip of land shall be reserved along the southern line of the Meadowview Manufactured Home Park that shall serve to provide connectivity, primarily for emergency access through the park at a later date.
5. That the rear yard setback shall be 25 ft. on Lots 131-146

Motion was seconded by Jim Scurlock, that this matter be Recommended to Council. The motion carried by the following vote.

Aye: 5 - Paul Hoelscher;Ron Kelton;Jim Scurlock;Beverly Nix and Kim Schrantz

Absent: 3 - Joe Tomlinson;Brian Dover and Jerry Reece

RZ-12-18

Stephen Southard and Lindell Turner request to rezone property located on the South Side of Horseshoe Trails, East of Arkansas Highway 163 from R-1 Single Family to Planned District Single Family Residential.

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

Applicant: Mr. John Easley- Associated Engineering spoke on behalf of the two owners: Mr. Stephen Southard and Mr. Lindell Turner. They are seeking a rezoning of the properties and would like to have 16 lots with both having a common area. The houses will be 1,100 sq. ft. house with a typical model home.

Staff:

Mr. Spriggs gave staff comments:

The Current/Future Land Use Map recommends this location as Single Family Residential. The proposed rezoning is consistent with the land use map as a single family development. The subject site is served by Horseshoe Trails has a right of way totaling 60 ft. (Local Street min. 60'); The proposal is in compliance.

The applicant is requesting a change from single family R-1 to a Planned District Development (PD-R) to allow for a clustering of single family homes on the northern end of the tow subject lots, resulting detention and open space areas to the south end.

The product being market for this site is for the first-time home owner. The two subject tracts will yield 16 single family homes each, totaling 32 homes with this petition. Current R-1 density would yield 5.4 homes per acre, while this proposal would yield a density of 7 homes per acres (35 homes). Due to the irregularity of the lot configuration, the developers experience difficulty in the design layout that works better with the Planned District regulations. Lots sizes will average in the 4,200 sq. ft. range. The applicants have proposed common area open space at 24,829 sq. ft. Buildable setbacks listed and proposed are the following: 15 ft. front-yard and rear-yard setbacks; and, 7.5' side-yard setback.

Staff suggested that prototype home plans/drawings be presented to the MAPC so that compatibility can be evaluated; the applicant has presented a sample layout. This concern was raised about the proximity of the rear of each home to the abutting residential to remain. With this proposal the new homes will be limited to rear yards of 15 feet. This will not allow for any accessory structures to be built in the rear yard; which may have to be written into the Bill of Assurances for the property.

The following conditions are recommended.

1. That a final development plan with prototype house plans be submitted and reviewed by the MAPC prior to any future redevelopment of the site.
2. That a copy of the Bill of Assurances be provided showing that no accessory structures will be allowed in the rear of the property.
3. No future setback variances will be permitted in the future except through approvals of the MAPC. Staff suggests none be allowed.
4. All future improvements shall remain consistent with the residential character of the area.

Public Input/Opposition:

Mr. Rob Drissel, 3232 Horseshoe Cove. Stated that his family was the first to move in the subdivision. They wanted "Country living in the City", which was on the advertising sign. Eventually nine houses were built. We have all lived through this construction. The main street is 14 ft. wide, and now they want to more houses to add to that traffic. It is not a good thing for the safety of our children. Our neighbors to the northeast purchased the property between the 2 proposed lots, and now we are talking about putting a connection between the 2 cul-de-sacs. It is not fair to me or to my neighbors.

Mr. Tim Rook, 2001 Hardwood Dr. Stated that he is building a 2,000 sq. ft.

home in the middle of this site; it is property that he bought a year ago. The tracts were sold as 3-acre lots totaling 16 acres. Discussed concerns over the number of homes per acre. Mr. Rook presented a petition from area residents. There are 17 people living out there already; most houses have 2 cars. We will have a traffic problem. For the last 40 years it has grown with the traffic out there. Mr. Rook added that Southbend Subdivision developers had to raise their land to build. He added that his front yard was saturated with water and he wonders what the engineering plan is for that area.

Paul Harner, 3311 Horseshoe Trail. Stated that he grew up on the property next door. The street is narrow as it is. Because of the new construction in the area traffic has picked up since we added to our home. There is a 4,000 sq. ft. home down the road. Stated that his children have had incidents where vehicles have almost hit them. Expressed concerns about the setbacks. Stated that when you put this much congestion in an area you are asking for lower income people. We don't want a bunch of HUD homes.

Mr. Lynn Turner gave comments in support of the development. He addressed the traffic concerns. Stated that if you do the math it is 4.5 houses per acres. Wayne French, 5920 Harrisburg Rd. Commented that the traffic is very bad; the streets are so narrow. Cottonwood is not in the city, but it has 1 acres lots. There is no place for kids to play; it will be a disaster.

Mr. Kelton: Mr. Kelton asked was this land annexed as R-1. Mr. Spriggs replied yes. Mr. Kelton asked what are the options if it stays R-1? This rezoning would cut it in half. Mr. Easley stated that the owners wanted to have more center-oriented streets. There will be a fence down both sides of the tracts.

Mr. Hoelscher expressed concerns over the setbacks: Front-yard setbacks will be at 15 ft.; and a 17 ft. back yard. It is almost like living in an apartment. It is a fraction to what is out there now.

Rita Allen, 5710 Kings Point Lane. Spoke on concerns with the traffic exiting on Harrisburg and off of Horse Shoe Trails.

Randy Lard, 3121 Horseshoe Trail: Adjourns the lots on the east. Expressed opposition and concerns for the man that is building next door.

MAPC Action:

A motion was made by Ron Kelton, to place Case: RZ-12-18 on the floor for consideration and for recommendation to City Council for a rezoning from "R-1 to "PD-R." Planned District Residential District subject to the 4 Staff Conditions. The MAPC finds that the use will be compatible and suitable with the zoning, uses and character of the surrounding area. Motion seconded by Jim Scurlock.

The motion was denied by a 3-2 vote.

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

Nay: 2 - Paul Hoelscher and Beverly Nix

Absent: 3 - Joe Tomlinson;Brian Dover and Jerry Reece

8. Staff Comments

9. Adjournment