



City of Jonesboro

Meeting Minutes

Metropolitan Area Planning Commission

900 West Monroe,
Jonesboro, AR 72401
<http://www.jonesboro.org>
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Tuesday, January 8, 2008

5:30 PM

900 West Monroe

1. Call to order

2. Roll Call

Present 8 - Ken Beadles;Ken Collins;Margaret Norris;Lonnie Roberts Jr.;Joe Tomlinson;Jerry Halsey Jr.;Marvin Day and Gary Harpole
Absent 1 - George Krennerich

3. Approval of minutes

MIN-08:003 Metropolitan Area Planning Commission Minutes for December 11, 2007.

Sponsors: Planning

Attachments: [MAPC - Minutes - 12-11-2007](#)

A motion was made by Secretary Marvin Day, seconded by Margaret Norris, that this Minutes be Approved. The motion CARRIED by the following vote:

Aye: 7 - Ken Collins;Margaret Norris;Lonnie Roberts Jr.;Joe Tomlinson;Jerry Halsey Jr.;Marvin Day and Gary Harpole

Absent: 1 - George Krennerich

4. Preliminary Subdivisions

5. Final Subdivisions

6. Conditional Use

7. Rezoning

RZ-08-47 Applicant requests rezoning of approximately 0.67 acres from R-1 Residential to C-3 General Commercial at 4712 Stadium Drive/East of Highway 1, Between Colony Drive and Bunting Drive.

Sponsors: Planning

Attachments: [RZ-07-47 Application](#)
[RZ-07-47 Plat](#)
[Staff Summary RZ07_47- Bunting Lane](#)

A motion was made by Secretary Marvin Day, seconded by Jerry Halsey Jr., that this Rezoning be Tabled. The motion CARRIED by the following vote:

Aye: 7 - Ken Collins;Margaret Norris;Lonnie Roberts Jr.;Joe Tomlinson;Jerry Halsey Jr.;Marvin Day and Gary Harpole

Absent: 1 - George Krennerich

RZ-08-48

Applicant requests rezoning of approximately 2.0 acres from R-1 Residential to C-3 LUO located on the south side of Highway 49(Johnson Ave.) between Oriole and Old Bridger Road.

Sponsors: Planning

Attachments: [RZ-07-48 Application](#)
[Staff Summary RZ07 48- C & O Enterprises](#)
[RZ-07-48 Plat](#)

George Hamman came forward as proponent for this item.

Stated that his clients had no problem with C-4 LUO rezoning as recommended with the screening and buffering.

There were no opponents to this item.

City Planner stated that the area is now under study of the Land Use Advisory Committee, and the 1996 plan is out-dated for this site, but is recommended a medium density for this area and staff has some concerns with this area being surrounded with single family homes. Therefore it is recommended as "C-4" LUO zoning with a list of recommended uses. This is to limit the effect on the surrounding homes with a more limited list of uses so the residential character will be maintained. The list permitted and prohibited uses is provided in the staff report. This property is across the street from where the Land Use Committee projected as a commercial node in the upcoming 2008 recommended Land Use Map.

The uses are listed below:

Permitted Uses:

Automated Teller Machine
Bank or Financial Institution
Church
College or University
Construction Sales and Service
Funeral Home
Government Service
Library
Medical Service/Office
Museum
Nursing Home
Office, General
Parking Lot, Commercial
Post Office
Retail/Service
Safety Services
School/Elementary/Middle/High
Utility, Major
Utility, Minor
Vocational School
Research Services
Veterinarian Office
Agriculture, Farmers Market

Prohibited Uses:

Animal Care, General
Animal Care, Limited
Auditorium or Stadium
Bed and Breakfast
Car Wash
Prohibited Uses, Continued:
Cemetery

Communication Tower
Convenience Store
Day Care, limited (family home)
Day Care, General
Entertainment, Adult
Golf Course
Hospital
Hotel or Motel
Parks and Recreation
Pawn Shop
Recreation/Entertainment, Indoor
Recreation/Entertainment, Outdoor
Recreational Vehicle Park
Restaurant, fast-food
Restaurant, general
Service Station
Sign, Off-premise
Vehicle and Equipment Sales
Vehicle Repair, General
Vehicle Repair, Limited
Warehouse, residential (mini-storage)
Freight Terminal
Agriculture, Animal

Mr. Tomlinson commented that this is spot zoning.

A motion was made by Jerry Halsey Jr., seconded by Gary Harpole, that this Rezoning be Recommended to Council as stipulated. The motion CARRIED by the following vote:

Aye: 5 - Ken Collins;Margaret Norris;Lonnie Roberts Jr.;Jerry Halsey Jr. and Gary Harpole

Nay: 2 - Joe Tomlinson and Marvin Day

Absent: 1 - George Krennerich

RZ-08-49

Applicant requests rezoning of approximately 30.92 acres from R-1 to PD mixed use located north of Peachtree Ave.

Sponsors: Planning

Attachments: [RZ-07-49 Application](#)
[Staff Summary RZ07_49 Double Hill, LLC](#)
[Double Hill Drawings](#)

George Hamman came forward as proponent for this item. Stating he had prepared the boundary and application for this item.

Residents who came forward with concerns and questions were:

Lucinda McDaniel, Peachtree Ave. stated that she and her husband are not opponents to this but wanted some points cleared up. She stated that this property be developed exactly as the Staff has recommended that it be developed as an institutionalized retirement community as an elderly population with the conditions and the plan as presented. She lives immediately west of the parcel and stated concerns of providing a 30 ft. buffering and screening from the maintenance building (applicant agreed).

Philip Wheat, Kara Dr., commented on the type of proposed residents is not guaranteed elderly; and there is the possibility of bringing in relatives and cause increase of crime rate as an apartment complex. He works for the sheriff's office and had experience with this situation.

Mr. Halsey stated that there are strict rules such as those at St. Bernard's village, which has staff to keep this from happening.

Ron Goad, has property west on Peachtree across the creek. Stated concerns about the flooding issues; and the problems with the creek over flooding. There is no way to guarantee and control the use. Mr. Goad asked what district St. Bernards was rezoned.

City Planner, Otis Spriggs stated that it was a Planned Unit Development (PUD-MU).

George Hamman stated that he has proposed two detention ponds which will hold the water, which will be designed in great detail during the Final Development Plan process. We are planning to use both ponds to over detain more than required because he is aware of the Bridger Creek problems that lead to Windsor Landing. They won't solve the whole problem which exists today, but will aid the City by doing more.

Mr. Spriggs stated that the Engineering Department has reviewed the plans and required the easements for drainage. All of such details have to come before MAPC before anything is built.

David Blair, spoke on street issues and traffic problems of Peachtree and areas around Bridger Rd. at Peachtree and it can't make City specs.

John Ward, has concern over the use and occupancy and management.

Curtis Christenburry, Peachtree Dr. and added that he wanted to state that he bought R-1 single family and wants it to remain that.

Cindy Lewis, East on Peachtree Dr. lives at a home on an acre plus lot. Had concerns for apartments.

In response to the problem with density Commissioner Gary Harpole stated the proposed retirement community actually reduces the density compared to traditional single-family subdivisions. As for traffic, the Land Use Advisory

Committee as already designated Peachtree as an east-west corridor that would need to be widened. George Hamman stated the project owner will designate an additional 60' right of way for this purpose.

Owner Connie Hill plans to run the facility as a very controlled type elderly development. Plan to build a house and live out there and will control the tenants similar to St. Bernard Village. She was aware of the City's desire to improve the drainage problems in the area and use the property to help with that. She does not use the property as an apartment complex.

City Planner Otis Spriggs stated that the developers have presented this to City engineers and they are aware of the drainage problems in this area and have requested the drainage easement along the eastern side of this property with additional drainage easements over the project with the stipulation that no building be allowed in these areas. Also with the additional right of way of 30 feet for the street.

Mr. Spriggs gave the report from the Fire Marshal's office. Craig Davenport and Jason Wills reviewed the plans and had concerns over the east entrance medium and lane widths. Accessible routes to the rear buildings will have to meet the maximum 150ft. distance. Mr. Spriggs also commented on the 13 staff conditions and stated staff concern that a traffic impact analysis be performed by the applicant.

Mr. Tomlinson asked for more information on the definition of retirement and determining the population. Mrs. Hill stated that there is law that guides how you can prevent housing discrimination. She stated her attorney is working on a policy to screen residents that would be as strict as federal housing laws would allow. She explained which areas are available for resale. The duplexes are never for sale, they are owned by the development and leased to the individual who meet the criteria that's being developed in the management contract by the Attorney. This will be built into the bill of assurance language.

Looking at ownership, Mr. Harpole asked can the city monitor this. Mr. Spriggs that that the City could request that the bill of assurance be placed on file at the City as part of this case.

Mr. Hamman questioned the requirement of the traffic study given that fact that a lot of the questions have been addressed such as the dedicated additional right of way. He requested that this requirement of a traffic study be waved- we have a lower density, and we will improve Peachtree at our own accord.

Mr. Spriggs insisted that the analysis need to be done to deal with the site visibility issues, traffic counts and other issues. He stated that the commission has deviated from this requirement that was done in the past on a number of developments. Mr. Harpole concurred and stated that it is needed to make sure that individual projects don't add to the problem and make it worse, and when capable help reduce some of the existing burden that is already out there. We have to planned for a point when we may have to widen Peachtree. This will help the City understand how many cars coming out and what that use will be like.

Chairman Beadles stated that this is for the rezoning only and that we will be

looking at a site plan for this project at a later date. The developers will be required to present a site plan to the Metropolitan Area Planning Commission for approval. All these issues will be addressed at this time.

A motion was made by Gary Harpole, seconded by Ken Collins, that this Rezoning be Recommended to Council with the stipulation stated of adding a 30' buffer to screen the maintenance building. The motion CARRIED by the following vote:

Aye: 7 - Ken Collins;Margaret Norris;Lonnie Roberts Jr.;Joe Tomlinson;Jerry Halsey Jr.;Marvin Day and Gary Harpole

Absent: 1 - George Krennerich

RZ-08-50

An Ordinance to amend Ordinance 92:907 and Section 14, Zoning, of the Code of Ordinances of the City of Jonesboro, Arkansas, by clarifying Section 14.25 to regulate the use and location of commercial trailers and mobile vending units

Sponsors: Planning

Attachments: [AN ORDINANCE TO AMEND SECTION 14_25 MOBILE VENDING Text Amendment Memo Mobile Vending](#)

City planner came forward as proponent for this item. This ordinance would regulate the use of mobile vendors and states that if you are business selling food or commercial items then you would have to be in a permanent structure which was tied down. The only exception would be for special festivals or parades where it is a controlled environment. We have placed those exemptions into the ordinance. Temporary tents for sales have been placed within the ordinance as well.

Mr. Tomlinson asked about vegetable vendors who would sit on corners during season.

City planner stated that it could be allowed as a tent sale if they were in a correct place.

A motion was made by Joe Tomlinson, seconded by Gary Harpole, that this ordinance be Recommended to Council. The motion CARRIED by the following vote:

Aye: 7 - Ken Collins;Margaret Norris;Lonnie Roberts Jr.;Joe Tomlinson;Jerry Halsey Jr.;Marvin Day and Gary Harpole

Absent: 1 - George Krennerich

8. Staff Comments

COM-07:071

Benches, Etc. would like to describe their business operations to the MAPC.

Sponsors: Planning

Attachments: [Benches, Etc. Letter](#)

A motion was made by Secretary Marvin Day, seconded by Jerry Halsey Jr., that the MAPC stay with the current regulations as they relate to bench billboards and that this Other Communications be Approved. The motion CARRIED by the following vote:

Aye: 7 - Ken Collins;Margaret Norris;Lonnie Roberts Jr.;Joe Tomlinson;Jerry Halsey Jr.;Marvin Day and Gary Harpole

Absent: 1 - George Krennerich

9. Adjournment