



City of Jonesboro

300 South Church Street
Jonesboro, AR 72401

Meeting Minutes 2 Metropolitan Area Planning Commission

Tuesday, December 10, 2013

5:30 PM

Municipal Center

1. Call to order

2. Roll Call

Present 9 - Lonnie Roberts Jr.; Joe Tomlinson; Brian Dover; Paul Hoelscher; Ron Kelton; Beverly Nix; Kim Schrantz; Jerry Reece and Jim Scurlock

3. [MIN-13:111](#) Approval of the MAPC Minutes for November 12, 2013

Attachments: [MAPC MINUTES NOV 12 2013](#)

A motion was made by Joe Tomlinson, seconded by Jim Scurlock, that this matter be approved. The motion PASSED with the following vote.

Aye: 8 - Joe Tomlinson; Brian Dover; Paul Hoelscher; Ron Kelton; Beverly Nix; Kim Schrantz; Jerry Reece and Jim Scurlock

4. Site Plans & Miscellaneous Items

[COM-13:104](#)

Easement Waiver Request: Abigail Crossing II- Final Subdivision
Mr. Carlos Wood on behalf of Developer- Mark Morris requests MAPC approval of a waiver of a 13' Fire easement access located between Lots 15 & 16 of Phase II, and Lots 5 & Six of Phase 1. Fire, Engineering and Planning Departments all concur with the requested waiver.

Attachments: [Abigail Plat](#)

Mr. Carlos Wood stated that during the approval process, there was a requirement for an SB2 constructed drive access for emergency vehicles; since then it has been determined that may not be necessary. We are requesting a waiver.

Staff: Mr. Spriggs noted that the proposal/waiver request has been reviewed by the Fire Marshal's office as well as Planning and Engineering who have all given concurrence approval. This is not a request to vacate any easement. This is only to- not require the fire lane be built. Otherwise this would have caused a hardship on the rear and side yards of existing single family lots.

A motion was made by Ron Kelton, seconded by Joe Tomlinson, that the waiver be approved. The motion PASSED with the following vote.

Aye: 8 - Joe Tomlinson; Brian Dover; Paul Hoelscher; Ron Kelton; Beverly Nix; Kim Schrantz; Jerry Reece and Jim Scurlock

SP-13-28

Final Site Plan Review: 2600 Alexander Drive

Travis Fischer, PE CFM of Tralan Engineering, Inc., on behalf of Nix Development requests MAPC review of a Final Site Plan for property recently rezoned to C-3 L.U.O. for a 6,458 sq. ft. Office Building to be built at 2600 Alexander Drive.

Attachments: [RABO AGRI DEVELOPMENT PLANS](#)

Mr. Travis Fischer, TraLan Engineering appeared before the Commission and stated that this property was rezoned to C-3, Limited Use Overlay and his client is requesting the final site plan be approved.

Staff: Mr. Spriggs gave staff comments on behalf of Planning, Engineering, MPO who have met with the applicants in a pre-development meeting. The Utility Companies were also copied on the request. There were concerns on access drive locations and it was determined that it met the codes and ordinances. The site plan was reviewed to assure the continuity of the surrounding R-1 Single Family neighborhood as it relates to setbacks, clearing limits and buffering which would be maintained. The tree clearing limits are shown on the provided documents. It is our understanding that that area would be maintained and privacy fencing having gaps would be filled-in or maintained with heavy landscaping. Staff is recommending approval subject to the final site plan and building permit approval through all departments and agencies as required, and subject to the conditions of the adopted ordinance for the Limited Use Overlay District.

A motion was made by Jim Scurlock, seconded by Beverly Nix, that this Final Site Plan be approved. The motion PASSED with the following vote.

Aye: 8 - Joe Tomlinson; Brian Dover; Paul Hoelscher; Ron Kelton; Beverly Nix; Kim Schrantz; Jerry Reece and Jim Scurlock

SP-13-24

Site Plan Approval: 1711 Arch St. - Final

Wesley Abernathy requests MAPC approval for a Final Plan for the Planned Development located at 1711 Arch Street (Terminus of Arch St. North of Henry St., South of the Jonesboro Airport, North of Highway 18/Highland Dr.). It was rezoned as a Planned Development PD-RM District on April 19, 2011.

Attachments: [Proposed Layout](#)
[Proposed Phasing Plan](#)
[Original Layout Abernathy](#)
[ORD 11 028 HenryArch](#)

Withdrawn

SP-13-26

Final Site Plan Review: Oak Tree Manor

George Hamman on behalf of Robert Abraham, M.D., requests MAPC approval of a Final Site Plan for property located at the terminus of Bradley Street between Gwen Street and French Street for a Planned Development District PD-RM. This property was rezoned on August 20, 2013.

Attachments: [Final Site Plan](#)
[Planned Development Oaktree Manor](#)
[Original Layout Abraham](#)
[Ordinance](#)
[Plat](#)

Mr. George Hamman, Civilogic appeared on behalf of Dr. Abraham. He noted that he has shown the phase lines. The road ways and buildings will be elevated as required within the flood plain. As shown on the phasing plan, we are planning on a period of 16 months each for (4) phases. We have submitted the final landscaping and it will get reviewed before any permit is approved.

Staff: Mr. Spriggs explained the basis for the MAPC Final Site Plan review under the Planned District Standards. Since the Preliminary Approval last month, the revised plan has been submitted as attached, showing the gated access points. Mr. Hamman stated that he will be working on a hammer-head configuration at the gated entry to allow for accidental backing motions.

The phasing plan has been submitted. The noted stipulations and Ordinance compliance will be coordinated by Staff for review. Engineering: No further comments.

Mr. Tomlinson: Was the landscaping plan submitted as stipulated? Mr. Hamman, that will be submitted as part of the final permit review.

Mr. Hoelscher asked about the 64-month build-out and phasing for project completion and platting? Mr. Hamman- there will be drainage and utility easements platted. Mr. Spriggs: The MAPC typically requires some form of emergency all-weathered road for temporary access. Mr. Hamman: Stated that can be arranged and provided as a turn-around.

Mr. Hoelscher: Is this a valid document to guarantee the 64 months time limit. Mr. Spriggs stated that if no substantial activity were to occur over the course of one-year, then staff can request the applicant come before the Commission and ask for an extension. Mr. Spriggs: The MAPC can grant the 64- month time limit and may grant additional time continuance. Mr. Hamman concurred.

A motion was made by Jim Scurlock to grant the approval with the 64- month time limit as noted, seconded by Beverly Nix, that this matter be approved. The motion PASSED with the following vote.

Aye: 8 - Joe Tomlinson; Brian Dover; Paul Hoelscher; Ron Kelton; Beverly Nix; Kim Schrantz; Jerry Reece and Jim Scurlock

SP-13-29

Minor Replat- Right of Way Waiver for Phillips Drive (Collector Road- 80 Ft. R.O.W).

Michael P. McNeese, Surveyor requests MAPC approval of a 10 ft. right-of-way (R.O.W.) waiver in lieu of a Replat approval for 2402 & 2406 Phillips Drive for an existing development, for separate financing purposes only. Please note that all non-compliant setbacks resulting from this replat are subject to Board of Zoning Adjustment (BZA) variance approval at a later date.

Attachments: [Phillips Drive Plat](#)
[Phillips Drive Aerial View](#)

Mr. McNeese represented the owner of the property located on Phillips Drive. He noted that the property is currently platted as one lot with 2 different businesses: One on the East: Economy Lodge; one on West: Hot Wire Car Audio. His client wants to split the property and replat it into 2 lots, while selling the west half.

Mr. McNeese: We have to take into account the master street plan requires a collector road; and it will cause an encroachment into my client's building (Econo Lodge). We are therefore asking for a waiver.

Joe Tomlinson asked will an encroachment within Lot 2-R cause the same waiver to be required on Lot 1-R. After much deliberation the consensus of the Commission was to grant a partial waiver for Lot 2-R only, subject to final BZA approval of necessary variances as a result of the replat.

A motion was made by Joe Tomlinson, seconded by Jim Scurlock, that the waiver be approve for Lot 2-R only, subject to variance approvals by the BZA. The motion PASSED with the following vote.

Aye: 8 - Joe Tomlinson; Brian Dover; Paul Hoelscher; Ron Kelton; Beverly Nix; Kim Schrantz; Jerry Reece and Jim Scurlock

SP-13-30

Replat: Savannah Hills Planned District Development- PD-RM

Associated Engineering on behalf of Sid Pickle/Savannah Hills, LLC requests MAPC approval of a replat for Savannah Hills Planned District Development Minor Plat/Replat of Lots 4-6 & 11-13, BLK B of Craighills Third Addition Located Off Craighead Forest Rd./Bekah Dr. (15 ft. Area of Discrepancy Corrected).

Attachments: [SavannahHills ALTA](#)
[SavannahHills Minor Plat with Markup](#)
[Savannah Hills - PUD Revision](#)

Mr. John Easley, Associated Engineering: Presented on behalf of Sid Pickle, owner of Savannah Hills. He is asking for a replat and a boundary change of the existing Planned District Development. Mr. Easley noted that his office performed an alta-survey which showed the boundary of the property at the time of the rezoning. We made sum adjustments when the finance company conveyed the property and we found that there is a discrepancy and it was off by 0.13 acres. We finalize the P.D. District and the one lot line was shifted by 15 feet causing us to do a replat and put the line in question back where it was. We have also shown the existing footprints of the buildings.

Staff: Mr. Spriggs nor Mr. Morris had any issues from Staff.

A motion was made by Joe Tomlinson, seconded by Jerry Reece, that this matter be approved. The motion PASSED with the following vote.

Aye: 8 - Joe Tomlinson; Brian Dover; Paul Hoelscher; Ron Kelton; Beverly Nix; Kim Schrantz; Jerry Reece and Jim Scurlock

5. Final Subdivisions

6. Conditional Use

CU-13-17

Conditional Use: CU13-17

Sandra Washington requests MAPC's approval of a Conditional Use for an In-home Family Daycare located at 801 Arrowhead Dr. within the R-1 Single Family Residential District.

Attachments: [Application](#)
 [Notices1](#)
 [Notices2](#)
 [Staff Report](#)

Owner: Mrs. Sandra Washington, 801 Arrowhead:

Stated that she submitted an application because she has a sick husband, and is trying to create income in her home to care for small children and be able to be near him without becoming a burden on the government or society because of special assistance.

Staff: Mr. Spriggs summarized the Staff Report comments and findings:

Day care, limited (day care family home) means a home where day care services are provided to a maximum of eight children, with a maximum of two adults in attendance. The operator shall reside in the structure, and the facility must conform to all codes and regulations, both state and local, applicable thereto, with the most restrictive regulations prevailing. The babysitting of not more than four children shall not be subject to provisions of this chapter (Conditional Use/ of Chapter 117).

Conditions were read:

- 1. That upon issuance of the Conditional Use Permit Approval, all other state and local child care certifications be obtained and maintained by the applicant.**
- 2. That upon issuance of the Conditional Use Permit Approval, all other applicable building occupancy, fire inspections, and other permits be applied for and obtained by the applicant.**
- 3. That a secured fencing be installed in the rear of the home to delineate child play area.**

Public Input:

Charles Ford, 902 Fernwood Dr.: Stated that he lives directly behind the Washington's property. He has several things that he doesn't like about this idea. He added: The children will be right in his back yard, with the only thing that separates is a wood fence; there will be like 5 children or more playing in his back yard in the summer time; he has cancer which is not curable, and spends a lot of time outdoors on the back porch and doesn't want to be run off his porch with children and a lot of noise; it will increase the traffic near his house; it will devalue his property, and if there is a daycare center next door, they will not pay him damages. The Washington's are good people.

Debbie Pelly, 2209 Indian Trails: Stated concerns about the MPAC contact list not having telephone contact numbers and requested that it be put online. There would have been a lot more people here but there is ice on driveways. Mr. Ford has already stated what the concerns are of most of the residents.

Ms. Pelley asked Otis Spriggs, can you have the daycare in any residential area? Mr. Spriggs stated that this is an in-home daycare use being requested which is customarily allowed by conditional uses within R-1 Single Family District. This is not a daycare center which has a different definition. Ms. Pelley stated that she understood the code as saying babysitting. She said that it would not have any adverse impacts on properties. Everybody in the neighborhood would disagree. This is residential and should stay that way. She opposed the request.

Martha Faught, 2320 Indian Trails: She lives within 200 yards of the address. In her letter they stated they want to put in a daycare facility at the location. We could not find a daycare in a residential area and we put our kid out on Airport Road. Spoke about a neighbor having a stroke that could not be here. I found out through him that she had rented out her basement, but could not prove this.

Sunday Tyer, 904 Fernwood: Stated that she wants to sing Ms. Washington praises for wanting to take care of kids, she deserves a hand. We have been in Jonesboro since August. She mentioned why they were attracted to this neighborhood; the houses were maintained, and there was not traffic and it was quiet. We want to keep it a residential neighborhood.

Laura Thompson owns a home on Indian trail and also Fernwood Addition. The home closest to Ms. Washington is across the street from Martha Faught's house. She would like to reiterate the traffic coming down Indian Trails to Fernwood Subdivision and how it gets worse every year. She has lived 25 years in the Indian Trails neighborhood and it is used as a thoroughfare to get to the other three neighborhoods. She spoke on the traffic issues with children living there.

Mr. Hubbert Brodell, 900 Sequoia: Stated that he has sympathy with the lady and he understands. These people bought property for protection they wanted to have it the way it is as R-1 without business around it. Spoke on the elderly. It is a hard call. People paid an extra price to live in those homes. Wish you would give it consideration.

Mr. Spriggs: Clarified the definition of in-home daycares. It was stated 5 children, but it is actually 4 children under the in-home daycare which is not subject to the provisions of the Conditional Use Chapter. The State requires that more than 6 children have state licensure.

Ms. Washington: Stated that she didn't know how this got out of hand. She noted that her neighbors say: "she is a good neighbor". She added that she is not trying to open a big business. Anyone of them could have come to her. She is only trying to care for a few children. This is something private for a certain number of children. If it is going to set the score and get this argument under us, she stated she compromises to have the minimum amount. All she is trying to do is generate some income. She added that she is sure the same people are against this wouldn't want her to be on assistance. She is trying to be creative and not have to go out and depend on the government for anything. Stated she didn't want to put her husband in a nursing home. There are false allegations against her she noted. Things she has heard from her neighbors are so untrue.

Ms. Washington: She is not trying to rezone or spoil the integrity of “our” neighborhood. She is a part of that neighborhood. She invested and brought value to the neighborhood, because she remodeled her home. She is not there to tear anything down.

Mr. Dover stated that he commended her for coming before the Commission because a lot of people do it without seeking permission through the code. When you say that you would do the minimum, would you baby-sit four. She stated that she cannot handle more than four or five anyway.

Mr. Spriggs: The the (4) four would not require the Conditional Use case. Are you asking the MAPC to accept a withdrawal of the case or are you requesting a certain number of kids? **Ms. Washington:** If I can keep five that will be fine. **Mr. Spriggs** stated that this would be a revision for five kids.

Barbara Brinkley, Shoshoni Dr. questioned the ability to hire someone to help. **Mr. Spriggs:** Outside employees are not permitted under the in-home daycare.

Mr. Kelton: Questioned the 2 cars parked in front and there is a stop sign in northeast corner; Where would you put your personal vehicles? It would be nice to have that circular drive could be clear. **Ms. Washington:** The pick-up/drop-off schedule could be alternated. **Mr. Kelton:** What time period would the kids be outside? **Ms. Washington,** the outdoor activity would be 30 or 45 minutes in the rear yard.

Joe Tomlinson stated that he and his wife cared for 4 kids and it didn’t create a problem.

A motion was made by **Paul Hoelscher**, seconded by **Joe Tomlinson**, that this matter be granted with five (5) children maximum. The motion FAILED with the following vote.

Aye: 4 - Joe Tomlinson;Paul Hoelscher;Ron Kelton and Jerry Reece

Nay: 5 - Lonnie Roberts Jr.;Brian Dover;Beverly Nix;Kim Schrantz and Jim Scurlock

7. Rezoning

RZ-13-19

Rezoning Case: RZ: 13-19
James McLeod, Sr., Attorney, on behalf of Owner: Amy Pottinger, requests MAPC approval of Rezoning of 1.41 Acres, located at 3600, 3602 and 3514 Rios Lane (On the East Side of Hwy. 351) from R-1 Single Family Residential to C-3 General Commercial L.U.O.

Attachments: [Application](#)
[Rezoning Plat](#)
[Staff Summary RZ 13-19 MAPC](#)

Applicant:

Agent: James William McLeod, McLeod Law Firm, PLLC appeared before the Commission requesting approval of the Rezoning Case for land that his client purchased located off Hwy. 351. The property is currently zoned R-1 Single Family and is requested to be changed to C-3 L.U.O. to be consistent with all

the surrounding properties which are zoned C-3. The owner intends to resell the property and market it for the proposed uses. She owns several properties abutting to the left.

Staff:

Mr. Spriggs gave the staff overview of the case and summarized the Staff Report findings. He noted that the 2010 Comprehensive Plan Future Land Use Map shows the area recommended as Commercial Node and Village Residential. This area is pending a restudy on the land use map by the Land Use Advisory Committee and will most-likely maintain a commercial node status.

There were no objections from the reviewing agencies nor departments submitted to the Planning Department. Engineering, MPO and Planning Staff recommend that access management be adhered to and that cross access easements be coordinated during site plan review and approval by the MAPC. This change will cause the property which is landlocked to be consistent with the surrounding property which is commercially zoned. No residential property is affected by the petition.

The conditions and proposed uses were read:

The rezoning of this property shall adhere to the following stipulations:

1. The L.U.O. shall allow the following permitted uses:
 - a. Automated Teller Machine
 - b. Bank & Financial Institution
 - c. Convenience Store
 - d. Government Service
 - e. Hotel or Motel
 - f. Library
 - g. Medical Services/Office
 - h. Museum
 - i. Office (General)
 - j. Parks & Recreation
 - k. Post Office
 - l. Recreation/Entertainment (Indoor or Outdoor)
 - m. Restaurant (Fast Food or General)
 - n. Retail/Service
 - o. Service Station
 - p. Utility (Major/Minor)
 - q. Vehicular Repair
 - r. No billboards
 - s. No Adult Entertainment (Staff Suggested)
2. That the proposed development shall satisfy all requirements of the City Engineer and all requirements of the Stormwater Drainage Design Manual.
3. A final site plan subject to all ordinance requirements shall be submitted, reviewed and approved by the MAPC prior to any development of the property.
4. Coordination is required of all ingress/egress with the State Highway Department, City Engineering Dept., and the Planning Dept.

5. The setback, building height, screening, and site design standards are required per "Sec. 117-328. –Residential Compatibility Standards".

6. That the future use of the property be limited to the list of uses above (Limited Use Overlay) as approved by the MAPC.

Public Input: No Opposition Present

Commission Action:

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

Aye: 8 - Joe Tomlinson; Brian Dover; Paul Hoelscher; Ron Kelton; Beverly Nix; Kim Schrantz; Jerry Reece and Jim Scurlock

RZ-13-20

Rezoning Case: RZ: 13-20

Mike McNeese requests MAPC's approval of a Rezoning located approximately 1300 feet north of the East Johnson Ave. and Old Greensboro Rd. (Hwy. 351) intersection. (Hilltop Area), for approximately 3.99 acres from R-1 Single Family Residential to C-3 General Commercial, L.U.O. District

Attachments: [Application](#)
 [Rezoning Plat](#)
 [Staff Summary RZ 13-20 MAPC](#)

Applicant:

Mr. Mike McNeese appeared before the MAPC stating that he is representing the owners of the 3.99 acre property on Highway 351, north of the last applicant on Rios Drive. The property is zoned R-1, Single Family Residential. There is a lot litter and old tires on the property and we would like to have it rezoned to C-3, Limited Use Overlay

Staff:

Mr. Spriggs gave the staff overview of the case and summarized the Staff Report findings. He noted that the 2010 Comprehensive Plan Future Land Use Map shows the area recommended as Commercial Node and Village Residential. This area is pending a restudy on the land use map by the Land Use Advisory Committee and will most-likely maintain a commercial node status.

There were no objections from the reviewing agencies nor departments submitted to the Planning Department. Engineering, MPO and Planning Staff recommend that access management be adhered to and that cross access easements be coordinated during site plan review and approval by the MAPC. This property is adjacent to Industrial Mini Storage property to the south.

The conditions and proposed uses were read:

1. That the proposed development shall satisfy all requirements of the City Engineer and all requirements of the current Stormwater Drainage Design Manual.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC, prior to any development of the

property.

3. Coordination is required of all egress/ingress with the State Highway Dept., M.P.O., the City Engineering Dept. and the Planning Dept.

4. The setback, building height, screening, and site design standards are required per "Sec. 117-328. - Residential Compatibility Standards".

The applicant has proposed a C-3 Limited Use Overlay District rezoning with all uses permitted except the following:

- Adult Entertainment/Adult Retail Shops
- Tobacco/Alcohol Retail Stores
- Garage- Automotive Repair (as recommended by Mr. Tomlinson).

Public Input: No Opposition Present

Commission Action:

A motion was made by Jim Scurlock, seconded by Paul Hoelscher, that this matter be Recommended to Council. The motion PASSED with the following vote.

Aye: 8 - Joe Tomlinson; Brian Dover; Paul Hoelscher; Ron Kelton; Beverly Nix; Kim Schrantz; Jerry Reece and Jim Scurlock

RZ-13-21

Jerry Halsey, Jr., Agent & Manager requests MAPC's approval of a Rezoning of 49.26 Acres located on the North side of Johnson Ave., at the Intersection of Stadium Blvd. from R-1 Single Family Residential to C-3 General Commercial, L.U.O. District

Attachments: [RZ 13-21 APPLICATION](#)
[RZ 13-21 REZONING MAP](#)
[Staff Summary RZ 13-21 MAPC](#)
[RZ 13-21 WARRANTY DEEDS 1](#)

Applicant:

Mr. John Easley Associated Engineering appeared before the MAPC stating that he is representing the owners of the former Snellgrove Property, for a rezoning from R-1 to C-3 LUO with a list of proposed uses. This is the first request of a larger planning area that we are submitting. We are starting with this tract because it holds all of the existing infrastructure needed to start and is a logical place to start.

Staff:

Mr. Spriggs gave the staff overview of the case and summarized the Staff Report findings. He noted that the 2010 Comprehensive Plan Future Land Use Map shows the area recommended as Commercial Node and Village Residential. This area is pending a restudy on the land use map by the Land Use Advisory Committee and will most-likely maintain a commercial node status.

There were no objections from the reviewing agencies nor departments submitted to the Planning Department. Engineering, MPO and Planning Staff recommend that access management be adhered to and that cross access easements be coordinated during site plan review and approval by the MAPC. Staff has been working with the developer on access management and mixed use policies.

The conditions and proposed uses were read:

1. That the proposed development shall satisfy all requirements of the City Engineer and all requirements of the current Stormwater Drainage Design Manual.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC prior to any development of the property.
3. A final site plan showing coordination is required of all right of ways and egress/ingress with the State Highway Dept., M.P.O., City Engineering Dept. and the Planning Dept. Coordinated cross-access design details shall be submitted by the applicant for MAPC review and approval for other abutting commercial properties.
4. The setbacks, building heights, screening, and site design standards are required per "Sec. 117-328. - Residential Compatibility Standards".
5. The site shall be developed under the C-3 Limited Use Overlay District rezoning with uses permitted as follows:
 - Office, General
 - Retail/Service, General
 - Restaurant, General & Fast Food
 - Auditorium/Arena/Theater
 - Bank or Financial Institution
 - Hotel or Motel
 - Medical or Health Related Services

The applicant has proposed a C-3 Limited Use Overlay District rezoning with all uses permitted except the following:

Public Input: No Opposition Present

Commission Action:

Mr. Reece made a motion to approve the rezoning with the stipulations noted and recommend it to City Council for approval; Motion was seconded by Mr. Tomlinson. The motion PASSED with the following vote.

Aye: 8 - Joe Tomlinson; Brian Dover; Paul Hoelscher; Ron Kelton; Beverly Nix; Kim Schrantz; Jerry Reece and Jim Scurlock

[RZ-13-22](#)

Sponsors: Planning

Attachments: [RZ 13 22 Site Plan Appeal Text Amendment](#)

Mr. Spriggs presented the two options on the process for site plan appeals.

Mr. Tomlinson: Looking the growth, I take the opinion that city council has bigger issues to deal with. Mr. Kelton asked how many denials are on the track record. Mr. Spriggs stated that site plan denials are not typical.

Mr. Tomlinson: We have made it too stringent to be placed on the back of the city planner, who takes the real heat. We are supposed to be doing the planning and there are a lot things we don't see. Staff was told to move forward and submit the suggestions to Council our some of the MAPC view

points.

Mr. Bob Hester spoke as a citizen and agreed with Mr. Tomlinson that it appears that it takes the people rights away of the people that elect City Council that we won't spend lots of money on attorney fees.

8. Staff Comments

9. Adjournment