



City of Jonesboro

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

Meeting Minutes - Final Metropolitan Area Planning Commission

Tuesday, November 13, 2012

5:30 PM

900 West Monroe

2. Roll Call

Present 7 - Lonnie Roberts Jr.; Joe Tomlinson; Brian Dover; Paul Hoelscher; Ron Kelton; Kim Elmore and Jerry Reece

Absent 2 - Jim Scurlock and Beverly Nix

3. Approval of minutes

[MIN-12:085](#)

Attachments: [Meeting Minutes Oct 9 2012](#)

A motion was made by Joe Tomlinson, seconded by Kim Elmore, that the minutes be approved. The motion carried by the following vote.

Aye: 6 - Joe Tomlinson; Brian Dover; Paul Hoelscher; Ron Kelton; Kim Elmore and Jerry Reece

Absent: 2 - Jim Scurlock and Beverly Nix

4. Preliminary Subdivisions/Plats

[SP-12-12](#)

SP 12-257 3115 Parker Annex
Site Plan approval for Bob Harrison's apartments located at 3115 Parker Annex.

Attachments: [SP 12-257 3115 Parker Annex Application](#)
[SP 12-257 3115 Parker Annex Site Plan](#)

Motion was made by Mr. Tomlinson, 2nd by Mr. Kelton that the Final Site Plan be approved subject to final Staff approval during the permit process. Motion carried. Matter was approved.

Aye: 6 - Joe Tomlinson; Brian Dover; Paul Hoelscher; Ron Kelton; Kim Elmore and Jerry Reece

Absent: 2 - Jim Scurlock and Beverly Nix

SP-12-13

SP 12-261 Spirit Manufacturing located at 2940 Nestle Road is expanding and building a warehouse with total square footage of 100,800. This is the 2nd phase and they are also expanding a third phase in 2013.

Attachments: [SP 12-261 Spirit Manufacturing Expansion Application](#)
[SP 12-261 Spirit Manufacturing Expansion Site Plan](#)
[SP 12-261 1240 - Spirit Mfg. Warehouse Expansion - A101](#)
[SP 12-261 1240 - Spirit Mfg. Warehouse Expansion - A102](#)
[SP 12-261 1240 - Spirit Mfg. Warehouse Expansion - A401](#)

Mr. George Hamman presented. Mr. Spriggs gave clarification from the Fire Department on the pile storage on the racking system. There should be no issues with this once it goes through code review.

Mr. Tomlinson asked for clarity on the expansion. A motion was made by Joe Tomlinson, seconded by Jerry Reece, that this matter be Approved. The motion carried by the following vote.

Aye: 6 - Joe Tomlinson; Brian Dover; Paul Hoelscher; Ron Kelton; Kim Elmore and Jerry Reece

Absent: 2 - Jim Scurlock and Beverly Nix

[PP-12-19](#)

Approval of a Minor Plat:

Ray Osment is requesting MAPC waiver of a 5 foot right of way dedication on Sun Avenue.

Attachments: [CarChoice_MinorPlat Drawings](#)

Carlos Wood came before the Planning Commission representing the owner, Mr. Ray Osment. He stated that the site plan was approved a couple of months ago. He is requesting approval for a 50 ft. right-of-way width. It was brought to our attention that there is a 50 ft. right-of-way required. His client is asking for a waiver of 5-feet. There is a possibility that there is a utility easment on the property that needs to be located.

Mr. Spriggs gave clarity on the reason for this being brought before the MAPC, which is the only means of waiving right-of-way or platting requirements. The site plan was previously approved, but the right-of-way distances were not labeled or depicted. They are very limited on space to accommodate the 5-feet needed.

Mr. Joe Tomlinson stated that he has a problem with waiving the right-of-way requirements in a area of major redevelopment. He stated that he didn't know if there has been any waiver of right-of-ways in the old fairground redevelopment. He thinks it is a bad precedent. This can affect sidewalks in the future; if we waive this one, we should waive them all.

Mr. Wood stated he would get with the owner to see if he can reconfigure the traffic patterns.

Mr. Tomlinson asked Engineering how it would affect a proposed left turn lane or street improvements. Mr. Michael Morris stated that Sun Ave. is not a through street; Dayton or Fairview may become cut-through streets. Mr. Spriggs advised Mr. Wood to consider a possible aisle width variance request.

A motion was made by Mr. Joe Tomlinson, seconded by Mr. Ron Kelton, that this matter be considered. The motion carried by the following vote to deny.

Nay: 6 - Joe Tomlinson; Brian Dover; Paul Hoelscher; Ron Kelton; Kim Elmore and Jerry Reece

Absent: 2 - Jim Scurlock and Beverly Nix

COM-12:078

MP 12-22 R & R Real Estate Investment on Casey Springs Road Civilogic has requested on Robert Sartin's behave to subdivide approximately 7.34 acres into two equal parcels, with only a combined total of 51.30 feet of frontage along a public right-of-way (Casey Springs Road). The land is currently zoned R-1. Two owners mutually agree to share a driveway and equally divide the cost and responsibility of the maintenance of the driveway and to provide each other with ingress/egress easements as noted on the plat.

Attachments: [MP Casey Springs](#)
 [MP Casey Springs Application](#)
 [Casey Springs Road](#)

George Hamman appeared before the Commission stated that he prepared the plat. The owner purchased the land having only 50 ft. of frontage along Casey Springs and proposes one shared drive for 2 homes. We are not requesting a rezoning; we are just dividing the land for two- 3 acre lots.

Mr. Spriggs gave staff comments for the plat approval request. He asked Mr. Hamman if house plans are proposed on the lots. The requirement is a minimum of 60 ft. of frontage. Staff recommends that the MAPC place a condition that no further re-subdividing of the lots be allowed absent MAPC approval in the future.

Mr. Hamman clarified that there is other acreage that is subject to ADEQ restrictions issues, but it does not involve this tract of land. No open litigation applies to this subject property.

Mr. Kelton asked are there two (2) property owners? Mr. Hamman stated that there is an undivided interest in the property. They own it together and they are mutually agreeing so that the ownership can be separated. At this time each does not intend to build a home. So that either can sell their portion for the purposes of a home, they would be able to have a driveway approved. The buyers will be responsible for the driveway construction and maintenance.

Public Input:

Matt Colt stated his dad owns property at 2902 Casey Springs Rd.. He doesn't have a problem with the drive variance, but his problem is the inadequate slope (a 20 to 30 ft. cliff) next to his property. If they have not dealt with this over the years, why is the City letting them do more on this property?

George Hamman stated that they are actively working with ADEQ and have a signed contract to begin the reclamation on the other parcel.

Terry Sevener, 2914 Casey Springs has adjacent property. He opposes the request. Commented on the ADEQ issues on the cliff, which touches the acreage. He asked that the MAPC waits a month and not set a precedent.

Mr. Hoelscher commented on the ownership and responsibility for future driveway maintenance.

A motion was made by Mr. Jerry Reece, seconded by Mr. Joe Tomlinson, that this matter be approved subject to no further re-subdividing of the lots without

**MAPC approval in the future, and that site plan submittals will be required.
The motion carried by the following vote.**

Aye: 5 - Joe Tomlinson;Paul Hoelscher;Ron Kelton;Kim Elmore and Jerry Reece

Absent: 2 - Jim Scurlock and Beverly Nix

Abstain: 1 - Brian Dover

5. Final Subdivisions

PP-12-20

FP 12-09 Wildwood Addition, Phase III Subdivision Plan
Approval of Final Subdivision Plans for Wildwood Addition, Phase III

Attachments: [Wildwood](#)

Mr. Spriggs stated that the Plans meet the R-1 Single Family Zoning Code requirements.

Michael Morris commented from the Engineering Department recommending the through street connectivity to the south.

Mr. Terry Bare, HKB opposed the connection, and stated that for safety reasons, it was not provided as a straight through street. We are here for final approval.

A motion was made by Mr. Ron Kelton, seconded by Mr. Jerry Reece, that this matter be approved. The motion carried by the following vote.

Aye: 6 - Joe Tomlinson;Brian Dover;Paul Hoelscher;Ron Kelton;Kim Elmore and Jerry Reece

Absent: 2 - Jim Scurlock and Beverly Nix

6. Conditional Use

CU-12-12

CU 12-12 914 Sweetheart Lane

Verna K. Britton is requesting to leave a single wide manufactured home that she placed on 914 Sweetheart Lane. This is nonconforming due to the grandfather clause is no longer valid.

Attachments: [CU 12-12 914 Sweetheart Lane Application](#)
[CU 12-12 914 Sweetheart Lane Photo](#)
[CU 12-12 914 Sweetheart Lane Permit Application](#)

The applicant appeared before the Commission stating that she purchased the unit and had it moved there recently. There was a unit onsite prior, but it exceeds the Non-Conforming time limitation.

Mr. Spriggs noted that the unit is single-wide and would require BZA approval for a variance.

The Commission agreed that since it was a replacement unit, it would be referred to BZA for further approval on the variance.

A motion was made by Mr. Ron Kelton, seconded by Mr. Paul Hoelscher that this matter be approved. The motion carried by the following vote.

Aye: 6 - Joe Tomlinson; Brian Dover; Paul Hoelscher; Ron Kelton; Kim Elmore and Jerry Reece

Absent: 2 - Jim Scurlock and Beverly Nix

7. Rezoning

RZ-12-19

RZ 12-19: Rezoning Case requested for reconsideration by the MACP due to failure of the measure on 10/09/2012. Harrell G. & Jenna Z Mays request a rezoning of a parcel of land - Wimberly Subdivision - 1850 Greensboro Road, containing 6.33 acres more or less from R-1 Residential Single Family District to RM-8 Multi-Family District.

Attachments: [RezoningApplication_MaysRezoning](#)
 [MaysRezoningPlat](#)
 [Staff Report](#)
 [Letter from Citizen - Mays Case](#)

Mr. Joe Tomlinson made a motion to reconsider rezoning Case RZ 12-19: Greensboro Rd. May's Rezoning for property located on the North side of Greensboro Rd., East of May's Lane, between 1824 & 1908 Greensboro Rd. (Wimberly Subdivision). (The case was denied on October 9, 2012 with a lack of the minimum required affirmative votes). The Motion was seconded by Ms. Kim Elmore. Motion carried unanimously to reopen the matter.

Mr. Skip Mooney, Attorney for Mr. Mays thanked the Commission for the reconsideration. Mr. Mooney stated that he was at the last meeting and was surprised with the outcome. He had not been out to see the property until he was hired and looked at it. Upon visiting and examining the matter, it was clear that the highest and best use is not R-1 Single Family for a number of reasons. It is next to the old City dump of which no person will want to build next to it, because of the fear of gases. This makes this property a condemned R-1 piece of property. One of the considerations needs to be if it meets the general requirements of the City plans and codes and of the Planning Staff, then the person that owns it should be able to zone it and use it at its highest and best use. It has been sitting there vacant for years. The Street in the subdivision out there is named after the Mays and it is rental property within the subdivision.

This current R-1 Single Family Zoned property will accommodate more housing units than what we are asking.

Mr. Mooney added that the property was requested originally for RM-8 to accommodate 50 units, and Mr. Mays has agreed to reduce it to RM-4 for 24 units only. This seems reasonable. The road is curvy and narrow. He has had several people looking at the property and they do not want it, because it's zoned R-1 Single Family. Mr. Mooney requested MAPC's approval.

Public Input:

Daniel Turner, 1827 Greensboro Rd., Voiced the same concerns of his neighbors on the increased traffic and noise. Mr. Turner stated his concerns regarding the quality of the road in front of his house, which is without sidewalks. They get a lot of foot traffic from the May's Subdivision; it's not safe. Foot traffic will not be accommodated. Mr. Turner also stated concerns about property values going down.

Mr. Spriggs gave further information on the neighbors and persons that voiced opposition from the last meeting. The Commission was copied on a letter by Ms. Mary Jane Frazier who could not be in attendance as follows:

Ms. Mary Jane Frazier: I am writing this letter to voice my opposition to the rezoning of the property located on the north side of Greensboro Road, East of May's Lane, between 1824 and 1908 Greensboro Road (Wimberly Subdivision). I believe that rezoning this property to 'RM-4' from 'R-1' will result an increase of noise to this neighborhood, increased traffic, and lowering of the value of surrounding residential properties. Due to my work schedule I am not able to attend the meeting to personally voice my strong opposition to this proposal. I would greatly appreciate the attention of the MAPC to this letter.

Mr. Hoelscher asked about the process for notification of the reconsideration hearing.

Mr. Spriggs noted that courtesy letters were mailed to all parties that appeared and testified in opposition during the first public hearing. Staff also published a public notice of the reconsideration request as well.

Mr. Ron Kelton asked Mr. Turner if he was aware that this proposal will yield fewer units. Mr. Turner stated no. Mr. Kelton asked for a summary of the previous motion and the roll call vote. Mr. Spriggs read the conditions:

1. That the proposed development shall satisfy all requirements of the City Engineer, satisfying all requirements of the current Stormwater Drainage Design Manual.
2. That the gross density shall not exceed 4 units per acre with a maximum of 24 units.
3. That a future site development plan be submitted and reviewed by the MAPC prior to any future redevelopment of the 6.33 acres as RM-4 L.U.O.
4. The applicant agrees to comply with the Master Street Plan recommendations for the Greensboro Rd. right-of-way.
5. Fencing details depicting screening shall be implemented along the entire perimeter of the proposed site as approved by the MAPC.
6. A lighting photometrics plan shall be submitted with the building permit application to assure no lighting spillage onto abutting properties.

 Mr. Tomlinson voiced his apology for mistakenly voting nay, when intended to vote yes on the matter. He apologized to the Planning Commission and the Applicant, as well as the persons that spoke from the public.

The final motion was made by Mr. Kelton to reinstate the original motion to approve and recommend to City Council. Motion was seconded by Ms. Kim Elmore.

Ayes: 5 - Paul Hoelscher; Joe Tomlinson; Kim Elmore; Ron Kelton, Lonnie Roberts Jr. (Chair voted to pass the measure).

Nay:1 -; and Jerry Reece; Absent: 3 - Jim Scurlock and Beverly Nix; Brian Dover (left meeting early).

Case was approved by a 5-3 vote.

Aye: 5 - Lonnie Roberts Jr.; Joe Tomlinson; Paul Hoelscher; Ron Kelton and Kim Elmore

Nay: 1 - Jerry Reece

Absent: 3 - Brian Dover; Jim Scurlock and Beverly Nix

8. Staff Comments

9. Adjournment