



City of Jonesboro

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

Meeting Minutes - Final Metropolitan Area Planning Commission

Tuesday, December 8, 2009

5:30 PM

900 West Monroe

1. Call to order

2. Roll Call

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

Absent 2 - Marvin Day and Paul Hoelscher

3. Approval of minutes

Approval of MAPC Minutes- November 10, 2009

Approved

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

Absent: 2 - Marvin Day and Paul Hoelscher

4. Subdivisions- Minor Replats

5. Ridgepointe Country Club VI & Ross and Stem Replats (6- Lots) on the northside of Rivera Dr., west of Ridgepointe Dr., requesting the addition of acreage to the north of each parcel of land south of Strawfloor Rd. This is a minor replat requiring MAPC approval.

John Easley was proponent for the replat in Ridgepointe, he stated same as what Mr. Spriggs just said to add this undeveloped land to already platted lots.

Mr. Tomlinson asks about any driveways to Strawfloor. Mr. Easley stated driveways are prevented from being built. Houses face Rivera... Mr. Collins asked once this is done is there any potential for replatting these lots? Mr. Easley stated no.

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

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

Absent: 2 - Marvin Day and Paul Hoelscher

6. Minor Replat submitted by Dale Adamson on behalf of Ray Osment to shift one lot line and split two other tracts creating lots 1-5, in Sage Meadows, Phase II-B, located at the cul-de-sac of Lochmoor Cove. (Requires MAPC approval).

Ray Osment – Sage Meadows Minor Plat. Ray Osment came forward as proponent for this item, state that basically they are adding 2 additional lots to bring them in line with the size of the lots in this area will develop single family housing in about 3 to 6 months. No was no opposition.

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

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

Absent: 2 - Marvin Day and Paul Hoelscher

6. Dogwood Acres Phase II: Scott Throgmartin of S&L Construction, Inc. requests a 1- year extension to improve the previously approved subdivision.

The regulations limit Final Subdivisions to a 1-year expiration, with the allowance for extensions if granted by MAPC.

Final Subdivision FP 08-03, Dogwood Acres Phase II/Scott Throgmartin - 14 lots on 3.77 acres located on Nathan Drive, north of Prospect Drive, FP approved on August 12, 2008 by MAPC.

Action is required by MAPC.

Dogwood Acres was approved by the MAPC in August of 2008, developers elected not to develop at that time and wants to ask for an extension to develop this spring and summer. This means 1 year from tonight will be the extension stated Joe Tomlinson.

A motion was made by Lonnie Roberts Jr., seconded by Ken Collins, that this Subdivision be Approved. The motion CARRIED by the following vote:

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

Absent: 2 - Marvin Day and Paul Hoelscher

6. Sage Meadows, Phase II-C- Minor Replat

John Easley, Associated Engineering on behalf of David Onstead requests MAPC approval of a Preliminary Minor Plat for Sage Meadows, Phase II-C, adding Lots 51,52,53,54,and 55 (5) to Aberdeen Drive.

Sage Meadows II-C. John Easley came forward as proponent for C & O Development. This subdivision Came to the Planning commission 2 years ago

and was approved but the owners have not developed during this time. They would like to add 5 lots to this approved but yet unrecorded subdivision. This is preliminary approve and will be brought back to MAPC for Final. There was no opposition.

A motion was made by Ron Kelton, seconded by Joe Tomlinson, that this Subdivision be Approved. The motion CARRIED by the following vote:

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

Absent: 2 - Marvin Day and Paul Hoelscher

7. Rezoning

7. RZ 09-22: Windle Family Trust, 1840 & 1846 E. Highland Dr.- Requesting a rezoning from R-1 Single Family Residential to C-3 General Commercial for 1.27 acres, located on the north side of E. Highland between Browns Ln. and Bernard St.

RZ 09-22 Windle Family Trust, Mr. George Hamman represented the applicant. He stated that the Rezoning area is surrounded by C-3 Commercial with the exception to the rear. It has been difficult in managing this property; it was inherited. The first priority is to sell the property. The homes need repair and both are served by one little improved driveway. They do not want to invest a lot of money in terms of remodeling these homes. This property is not fit and conducive for residential development. We desire to rezone to C3 to be consistent with the area, and if he is unable to sell, it will be redeveloped with some commercial that will blend with the existing buildings on either side.

Mr. Kelton asked about the buffer between this and the residential properties? Mr. Hamman responded that they would not object to put an undisturbed visual barrier. That area in the rear would be conducive for parking anyway, because of the setback from the frontage. The commercial plans will come back to the MAPC and the provision for lighting spillage would be in the ordinance also, Mr. Hamman added.

Opponents:

John Shannon, lives in the house on Ivy Green, and the house that goes from Ivy Green to Bernard (has 2 acres). We put an 8 ft. privacy fence up on an acre and half. Our concern is the buffer. It is great to have the property developed as commercial. The house was very un-kept and the lot in the rear, and with the trash back there. When Henry Turner built we provide the landscape to block him out. We have gone through the extent to not see commercial from that area. There are other houses on Bernard that back on that. We are opposed to building that close to the rear. The buffer is the concern.

Mr. Hamman stated that he does not see difficulty in doing that; he will consult with his client before making it an ordinance. A 20- ft. buffer of undisturbed space can be met. Mr. Halsey stated that a site plan will be submitted to allow us to look at the details. Mr. Spriggs stated that Condition #2 from Staff can be edited to put in place the 20 ft. buffer condition.

Shirley Miller, 1814 Wilkins; She has had repeated flooding issues. Anything that is close to her is a concern. She has no problem what the zoning. She has talked and met with the Mayor, City Engineering, and the Street Superintendent. She has taken pictures. She spoke about the water that is flooding her property that is coming from the north, across Nettleton. It had not flooded till August of this year. Water comes down Wilkins from the west. The water fills that ditch and comes down the street from Nettleton from the north side. Those ditches fill up and it comes from the south. Her porch is a foot from the ground and the water runs across it. She has a garage of furniture. Anything that you do, concerns her property, she added.

Mr. Halsey stated that when they redevelop they will have to do storm water detention. Ms. Miller added that the MAPC deals with different people. She has no problem with development. She is afraid to go to bed at night. The drainage is the biggest issue. She spoke on the pavement added since she has been here 30 years, in the area of the Chamber of Commerce and the funeral home on Nettleton. There is no need in expanding the City. It affects every time you pave that over.

A motion was made by Lonnie Roberts Jr., seconded by Ken Collins, that this Rezoning be Recommended to Council. The motion CARRIED by the following vote:

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

Absent: 2 - Marvin Day and Paul Hoelscher

7.

RZ 09-23: Elam Enterprises, 5930 & 5934 E. Highland Dr., north side of Highway 18, East of Commerce Drive. Elam Enterprises/Jack Elam , Yates Living Trust/David Yates request rezone property containing 3.93 acres from R-1 Single Family to C-3 General Commercial.

RZ 09-23 Elam/Yates - George Hamman, Civilogic represented Elam Enterprises/David Yates, the parcel is surrounded by 3 different tracts Zoned C-3 on 2 sides, with Industrial/agriculture to the south. The parcel due east is zoned R-1 Single Family, but is a freight terminal that has been out of operation for a year or two now. Elam Enterprises did not rezone after being annexed into the city and would like to bring the buildings into compliance. Mr. Elam was told that they would be brought in at the proper Zoning.

No Opponents were present.

Mr. Kelton asked if the C-3 Commercial was the minimum district allowing this use? Are we giving them the ability to expand the uses? Mr. Spriggs stated that they are not proposing any expanded uses. Mr. George Hamman concurred. Mr. Spriggs added that it was stated in the staff report that there is a park and sell lot to the west that is not in compliance.

Staff is recommending a change to C-3 L.U.O. General Commercial; requiring the lot to the west be paved and brought into compliance with Zoning. Any type of future construction would need to be reviewed and approved by the MAPC in the future, as a site plan review.

Mr. Tomlinson asked what could be placed on the property under the Limited

Use Overlay. Mr. Spriggs stated that all of the uses under the C-3 General Commercial will be allowed; subject to MAPC approval.

Mr. Kelton asked if the prosthetics office building currently could go in a C-4 Commercial District. Mr. Spriggs stated that if Elam Enterprises has other storage and equipment contractor's enterprise components under the current business, it would be more of a C-3 or I-1 Industrial use. Mr. Hamman stated that Jack has a couple of storage buildings in the rear; he uses that for restoration.

Mr. Kelton added that in 1995/1996 we advertised for those that were annexed in 1987 to come in and sign up for Non-conforming use within a certain time period. Mr. Kelton added that the real issue was that the person would be allowed to come in, as a minimum zoning classification necessary to meet the pre-existing use of the property. He is familiar with the area and don't have an issue with this. Someone that follows these folks would want the same treatment.

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; Lonnie Roberts Jr.; Joe Tomlinson; Brian Dover and Ron Kelton

Absent: 2 - Marvin Day and Paul Hoelscher

8. Staff Matters

8. Links at Jonesboro, PH II- Located at 1424 Links Cir. & Dr. at Harrisburg Rd. (Hwy. 1B), north of Fox Meadows Lane.

William Kim Fugitt, AIA, on behalf of The Links at Jonesboro, PH II, is requesting a Conceptual Plan review for an expansion of the Links At Jonesboro. This is a potential future application for a Planned District (PD) Development Application. No formal action required; for initial discussion purposes only.

Mr. Kim Fugit, Lindsey Company in Fayetteville, AR. Presented the concept. Requesting an extension of the Links at Jonesboro Phase II. We have currently a 4% vacancy and would like to extend the Links project to add 240 units. We have 29,000 apartments in 8 states. He showed 432 units and the 9hole golf course photographs.

The property is in part zoned R-3 and land along Harrisburg Rd. remains R1 and we will be requesting that some of the R-1 be combined with the existing R-3 under the Planned District Code.

There is R1 property to the west and the south and we propose a 50-ft buffer to preserve the existing tree canopy. The existing zoning is already zoned R3 and in this triangle we would like to combine it in this PD proposal. The existing 19 acres will allow us to do 340 units without going through a rezoning process. We are reconfiguring this to put the buildings in one area and leave

this as R-1 and green space but we are asking for 102 units less than what we can build now. We are offering 70 % green space; 8.6 units per acre density under the PD.

Three new golf holes with a lake. We realize that this will be a 12-holes of golf; the management has ideas of deleting some of the smaller par 3 holes or combining them and allowing certain holes to be played on certain days. The buildings will be similar to the existing with the exception; we have revised the design to allow more brick with brick columns; building code requires sprinkled buildings now. Same size buildings will be constructed.

Mr. Hugh Jerrit of the Lindsay Company along with Mr. Jerry Kelso of Crafton Tull Sparks are present also. We have met with staff and are prepare to do traffic study to indicate the impact of the units on the infrastructures there.

Mr. Kelton asked how far back from the cemetery will the buildings be? Mr. Fugitt responded that there will be a 150' minimum setback; we are probably 200 + feet from the cemetery to the buildings. This gulf hole that is a par 5 is widest area at 200 + feet and narrows down to 150 ft. to the end of the parking and will be a maintained greens-space; The existing property owner will maintain the greenspace/tree area.

Mr. Tomlinson stated that even before a traffic study that place is pretty well socked- in already don't know what a plan will show you to handle the traffic and widening the road. Mr. Halsey asked about a turn-lane. Mr. Spriggs stated that in the previous rezoning there was a condition placed that if required by AHDT, a turn lane was to be installed.

Mr. Tomlinson added that we are extending from the links to the north and the access road is a major issue; that will get worse. Mr. Halsey stated asked if they had contacted Nettleton School District. Have you visit with the school administration: They've had issue with getting school buses out. If there were a place the bus could pull up and get in and get out while picking up the kids. If you can get to Caraway and turn right at the school; it is not that far.

Mr. Tomlinson stated general appearance of these trees along Harrisburg Road and ditches look pretty bad. Hope there will be some improvement in that area. Mr. Fugitt replied that we have another golf hole along Harrisburg, and we have indicated a lake there where the low area is and we will leave as many trees there as we can. That will be a maintained area and we can remove the trash. Mr. Collins asked what the right-of-way is? Mr. Spriggs stated that previous plan indicated a right of way of 40 ft. and it tapers in different area. Mr. Halsey asked how much is needed. Staff referred to the Master Street plan and noted that we would need up to 20 ft. maximum in addition.

Mr. Lonnie Roberts pointed out that they are building 100 less units and it is less than what they can currently construct under the current zoning. I see that as a concession on their side. Most of the property is R-3 Multi-family. Mr. Collins asked where the developer stood on the dedication of right of way. We don't see a problem with that and would agree to it. We would like to cooperate on that.

Mr. Spriggs noted that this was a concept review and the application will be considered in the next MAPC meeting.

8. AN ORDINANCE AMENDING THE JONESBORO CODE OF ORDINANCES, AND ADOPTING THE CITY OF JONESBORO MASTER STREET PLAN; PROVIDING FOR AMENDMENTS OF CHAPTERS 101, ARTICLE III, AND CHAPTER 113, ARTICLES III & IV, OF SUCH TECHNICAL CODE, AND ADOPTING SUCH AMENDMENTS AND MASTER STREET PLAN BY REFERENCE

MAPC is requested to review the Proposed Master Street and make a recommendation to City Council.

Mr. Spriggs introduced the Master Street Plan/Study, which was contracted out to Associated Engineering and has been completed. The MAPC is asked to review the plan for adoption to City Council. Engineering and Planning Staff are asking for your recommendation to forward to Council next month. Council will make the final approval. All of the documents are in Legistar along with typical right of way section details along with function classification. Your comments will be forwarded to City Council. Other attachments included those changes that need to be updated to the City Code. Those were redlined by staff. Public input is welcomed.

A brief summary of the various major arterials and southern, eastern and northern bypass were described as well as major and minor arterials to handle some of the traffic issues surrounding the area between Stadium, Johnson, Commerce, and I-63.

Mr. Tomlinson asked about the 4 ft. buffer strip between the sidewalk and the curb. He had heard that it should be a minimum of 6 ft. This was shown on the local street sections types. Mr. Spriggs stated that the 4 ft. would compromise the safety zone and it could be modified.

Craig Light stated that the dimensions were offered by the M.P.O. office as acceptable design criteria. Currently the City has no requirements for sidewalks to be constructed; therefore it is an arbitrary dimension at this time. The only streets that a developer would be concerned with are the local streets, they are not building the collector or principal streets.

Mr. Light stated that the primary purpose of the Master Street Plan is to determine what right-of-ways need to be protected so that we can construct these roads in the future. That's the reason we have cross sections on the arterials and the collector streets so that we can look at them as minimum dimensions but they may be larger based on the terrain; for the cut/fill slopes- The developers will be building those, so if you want to change that dimension, we can make that change immediately.

Mr. Kelton asked about the amendments to the ordinances, Section 113-84 (variances, second sentence) which does not seem to make sense. Mr. Spriggs stated that these regulations are from the existing ordinances and changes are being recommended for amendment. Engineering and Planning are looking at the composition of the Street Committee (appointed by City Council). The change was noted that "a member of the City Council" will be modified.

Mr. Halsey asked if there is any way that the Plan could go to the Public Works

Committee and then back to MAPC. Mr. Spriggs noted that the Plan has been advertised already for the Public Works Committee and Council. The recommended changes can be made instantly.

Public Input:

Mr. Bill Hall wanted to echo the 4 ft. minimum on the cross section; the 6 ft. minimum would be a better option. The other thing to consider is the idea that on the typical sections to include additional information. We have missing, some recommendations or schematic information with the option to plant street trees. When you plant them and where they should go in relationship to utilities without interfering with traffic. It will be idea that the typical section allows for that to show as an option.

Mr. Spriggs stated that can be accommodated. Typical cross sections do sometimes show street plans in medians. Much of this greater detail will be made in the Comprehensive Plan process. There are so many regulations that need to be looked at such as transportation, subdivision design standards, landscape code. The master street plan is a general plan in which purpose is to preserve right of ways. There are so many codes that conflict with this that need to be addressed such as right of way obstructions and regulations restriction certain plantings within the right of way.

Mr. Bill Hall, as working as a design consultant- anytime you can provide more information it is better. If you pull out the information from other places and do not include it and mention, there is potential to miss some coordination. I hope that in the future as we grow and continue to attract more businesses and industries, we will add street trees.

Mr. Spriggs suggested that Mr. Hall meets with the Planning and Engineering prior to the January 5, 2010 meeting with the Public Works Committee and work out some of those details.

Pam Alexander stated that she would echo everything Bill said. Bill is a wonderful resource as the only certified landscape architect in our part of the state. He is the head of the state association. He is a great mind to pick on things on this. We need to take advantage of his knowledge and expertise. My concern is that in trying to educate myself on walkability and urban forestry, I have looked at a lot of good plans out there available for viewing. I am concerned about ours. This is the only plan that doesn't have a narrative (to my knowledge). I am concerned that we are not defining things: what is a buffer. There was one drawing of with an 8ft. buffer; my question is- Will it protect the pedestrian from vehicular traffic, or is that an as we grow we will have extra land available. It doesn't include drawings for slip lanes- lanes for turning to the right or cross traffic; intersection of the different modes of transport like bicycles. We need to have a clear understanding of how those modes will cross paths with one another; curb extensions, we don't have them- they are the best practice. We need to make more use of those in our town. Same for medians, which leads to a concern about acceptable versus preferable. If we adopted the two standards all we will get is what we will put up with. We need to set a standard and to make the acceptations to the rule be something that people have to really justify. It has to be really explained. This week was the first time I've seen these cross section drawings. There are a lot of people out there that haven't seen these. In the land use plan these were not part of our dialogue. I hate to be critical; I hope we could have more

opportunity to discuss these going down the road. Having talked to the bicycle advocates today, they were not aware of this. Their representative could not be here. They do have some concerns. What decision we make here we have to live with for a while.

Mr. Halsey asked if there will be a public hearing on this. Mr. Spriggs explained that there will be 4 other opportunities for public input. You are asked to make recommendation. Mr. Halsey stated that he feels it should go before the public before coming to MAPC. Mr. Spriggs explained that the Master Street Plan was a part of a contract through the consultant. There were a series of public work sessions that occurred on a number occasions that allowed for public participation. The plan was completed and forwarded to the City in the form of the map, cross sections and narrative. As part of the public hearing process, this allows another window of public input. It has to go to Public Works Committee prior to Council, and then on the Council by Ordinance.

Mr. Kelton asked who is responsible for making the changes to the Ordinance. Mr. Spriggs stated that they have been made by Staff and placed in the form of an Ordinance and they have to be adopted by Council.

Mr. Halsey stressed his concerns of what the MAPC is being asked to do, the process and whether the MAPC findings will actually be presented before Council. Mr. Spriggs asserted that all MAPC record of proceedings are forwarded to Council for any recommendations, giving the details of the meetings including public comments, special conditions, and all conclusions and votes of the MAPC. Mr. Roberts stated that just as Otis as said this is a living and changing document that will be added to as the City does progress and we see the reality of the sidewalks and the need for street trees.

Ms. Norma McElroy, 1005 Commerce Dr.: She wanted to make sure the people here realize that there are homes on Commerce Dr.; if this road goes there it will wipe us out. We have been there 10 years and our neighbors the Grimes have been there 40 years. We had planned on living in our home the rest of our lives. It will take the porches off some of those houses. My concern is my home. We will lose our home.

Craig Light: Clarified again that this is a right of way preservation plan. As developers come in and make requests to develop a large acre tract, this plan will be used to preserve right of way for future roads (not that they have to build it). On commerce, we see that being a major arterial; will it go through her front yard, or will it go the east or west of her house? We do not know. This is not a design document; the details are used to determine what right of way that is needed. He gave a scenario using the minimum of 120 ft. for major arterials, where actually 160 ft. minimum may be needed because of the terrain. This is not our standard of preserving the right of way. These are not our standards for putting in trees. We are going to classify all of our streets as Expressways, Major Principal or Minor Arterials, Collector Roads, Local Roads, etc. Mr. Light urged the MAPC that they were reading too much into this is. He added that he would love to see plans to have streetscape, but this is not the proper phase of this document or process for it.

Mr. Kelton asked Mr. Light was he responsible for putting the text changes to the ordinance together, and are they his recommendations? Mr. Light stated

that he sat down with Otis Spriggs and looked at the existing ordinance and got rid of those things that conflict with what we have now. There were two sections that had the functional classifications listed but were in conflict with one another. Staff decided to remove them for clarity and have them as part of the Map and section details. The Commission concurred that now that it's clarified everything is fine.

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

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

Absent: 2 - Marvin Day and Paul Hoelscher

8.

Richard Belk of Prospect Missionary Baptist Church seeks MAPC consideration to reopen a previous matter- Case RZ 09-21, Rezoning from R-1 to C-3 L.U.O. (3.08 acres located at 4200 E. Johnson) Applicant seeks relief of having the cross access/egress easement stipulation lifted from the approval due to undo hardship.

MAPC Bylaws state:

Except for cause and with the unanimous consent of all members present at a meeting, no matter on which final action has previously been taken shall be reopened for further consideration or action. If consideration is granted by the Commission, the case will be rescheduled for the next regular meeting, a new application will be made (new fees, legal ad, and adjacent property owners renotified so that they may have an opportunity to hear any new evidence and to be heard).

Mr. Belk stated that he would like to request a reconsideration of the Rezoning of Prospect Missionary Baptist Church at 2800 E. Johnson Ave.

He added that they do not want the easement through the property to the east; this would be a hardship. We don't want cross access through the church parking of the carwash traffic. If there is a concern about us having a way to get out, we have a driveway to Pleasant Grove Road. We can go to the red light.

Mr. Tomlinson stated that its hard to make an exception when you think about it in future planning the church may out-grow that property or the carwash might not exist. The desire is to prevent a driveway on every lot all along Johnson. He added that he has been for the cross access easments; if you cut this one out you leave a gap in that area. I think it's hard to cut out one gap and to stop the continuation.

Mr. Belk responded that he thinks it's a matter of a safety issue. When you walk from the front steps, you step into cross traffic, it is a safety issue.

It is usually light traffic stated Mr. Kelton. He asked about the hours of service for the carwash. Do you have a daycare? No, there is no daycare Mr. Belk responded.

Motion made to reconsider at next meeting by Joe Tomlinson, seconded by Ron Kelton, that this Communication be Approved. The motion CARRIED by the following vote:

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

Absent: 2 - Marvin Day and Paul Hoelscher

9. Adjournment- Note: MAPC Worksessions will be held on the Thursday prior to the Monthly Scheduled MAPC Meeting (Jan. 7, 2010)