



# City of Jonesboro

300 South Church Street  
Jonesboro, AR 72401

## Meeting Minutes 2 Metropolitan Area Planning Commission

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Tuesday, January 8, 2013

5:30 PM

900 West Monroe

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### 1. Call to order

### 2. Roll Call

**Present** 8 - Lonnie Roberts Jr.; Joe Tomlinson; Brian Dover; Paul Hoelscher; Ron Kelton; Jim Scurlock; Beverly Nix and Kim Schrantz

**Absent** 1 - Jerry Reece

### 3. Approval of minutes

**MIN-13:005**

Approval of the MAPC Meeting minutes for December 11, 2012.

**Attachments:** [MAPCMinutes December 11 2012](#)

**A motion was made by Jim Scurlock, seconded by Joe Tomlinson, that the minutes be approved. The motion PASSED by a unanimous vote**

**Aye:** 7 - Joe Tomlinson; Brian Dover; Paul Hoelscher; Ron Kelton; Jim Scurlock; Beverly Nix and Kim Schrantz

**Absent:** 1 - Jerry Reece

### 4. Preliminary Subdivisions

### 5. Miscellaneous Items

**COM-12:088**

Sidewalk Waiver Request: Creek Place Commercial Subdivision

The owners of Creek Place Commercial Subdivision requests MAPC approval of sidewalk waivers for the commercial subdivision located at Forest Home Road and Stadium Blvd. Large Scale Subdivision was approved by MAPC March, 2008.

**Attachments:** [Creek Place Record Plat](#)

**Applicant:**

Mr. Robin Nix, along with Travis Fischer, Engineer, presented an application for waiver of the sidewalk going along Forest Home Road. The property has a ditch but there is no other sidewalk that the city can connect to. Mr. Spriggs stated he requested the applicant to be present before the MAPC to justify waiver of the sidewalk. There was no major issue with the waiver because there are no sidewalks along Forest Home Road. Staff nor the City Engineer

opposed the waiver.

Mr. Joe Tomlinson noted that the new fairgrounds were constructed without sidewalks, and MAPC is inconsistent by enforcing this one unless it will be applied to all subdivisions.

Mr. Spriggs added that the developer imposed conditions and restraints based on estimations of future commercial development of the site. The measure was not imposed by MAPC or Staff.

**Question:** Does current city zonings requirements require this sidewalk?

Mr. Spriggs replied that unfortunately, the code states the MAPC has authority to impose sidewalks on commercial and multi-family projects. Other areas state the commission may require it. It has not been enforced over the last 15-20 years other than the older parts of town. There was an attempt to adopt a sidewalk ordinance but it failed in discussion within the Public Works Committee. In major commercial areas, sidewalks are advisable.

**Question posed in regards to entire scope of work;** The applicant is requesting waiver of sidewalks for the entire stretch of Forest Home. The bank wants a waiver down the whole side.

**Waiver for approval motioned by Mr. Scurlock and seconded by Joe Tomlinson.**

**A motion was made by Jim Scurlock, seconded by Joe Tomlinson, that this matter be Approved . The motion PASSED by a unanimous vote.**

**Aye:** 7 - Joe Tomlinson; Brian Dover; Paul Hoelscher; Ron Kelton; Jim Scurlock; Beverly Nix and Kim Schrantz

**Absent:** 1 - Jerry Reece

**COM-12:089**

Conceptual Review: 2300 Thorn Street (Intersection of Clark, Vera & Thorn St.)

George Hamman, Civilogic requests MAPC's conceptual review of a proposed (7-Duplexes) development prior to pending submittal of detailed plans. Property is zoned R-2, Low density Multi-family. Please see proposed letter for project options/details.

**Sponsors:** Planning

**Attachments:** [Letter](#)  
[Zoning Map](#)

**The applicant is willing to give up the 60 ft. of right-of-way. They would like to construct 6 or 7 duplexes. The area is within the flood plain. Mr. Tomlinson stated what he remembered about the property over the years in terms of mobile homes in E. Nettleton.**

**A motion was made by Jim Scurlock, seconded by Paul Hoelscher, that this matter be approved. The motion PASSED by a unanimous vote.**

**Aye:** 7 - Joe Tomlinson; Brian Dover; Paul Hoelscher; Ron Kelton; Jim Scurlock; Beverly Nix and Kim Schrantz

**Absent:** 1 - Jerry Reece

**SP-12-14**

PUD- Planned District Final Site Plan Submission- Phase 2 - (A proposal to build the

final 12 units)

Carlos Woods on behalf of Sid Pickle requests MAPC approval of Sycamore Forest Apartments located at 4519 Forest Home Rd. for the final completion of a previously approved Planned Unit Development June, 1984.

Total units approved 58 units (46 built), 18.6 units/acre on 3.1 acres/2.38 acres open space.

**Sponsors:** Planning

**Attachments:** [Application Sycamore](#)  
[PreviousPlan](#)  
[Sycamore Forest Apts New Layout](#)

**Mr. Carlos Woods, on behalf of Sid Pickle, stated the development was submitted to MAPC and approved in 1984. They would now like to finish the build-out of the development plan, with one modification of eliminating a driveway on the southern portion of it; from the west drive to center drive in order to put in a detention area.**

**Mr. Spriggs stated Staff has the original plan and demonstrated the layout to MAPC. Staff has no issue with the request and noted the applicant will use up-to-date design standards. They are asking to complete ten units formally approved by the MAPC. Mr. Spriggs noted Engineering's request they will have to satisfy the storm water regulations in which the applicant will go through the typical permit process.**

**Mr. Woods stated the property will detain some of the existing run-off and the impoundment will be large enough to handle it. Recently in the past year, they developed a parcel of land off of King Street and developed an impoundment area that will improve the whole area.**

**A motion was made by Jim Scurlock, seconded by Joe Tomlinson, that this matter be approved. The motion PASSED by a unanimous vote.**

**Aye:** 7 - Joe Tomlinson; Brian Dover; Paul Hoelscher; Ron Kelton; Jim Scurlock; Beverly Nix and Kim Schrantz

**Absent:** 1 - Jerry Reece

## **6. Conditional Use**

### **CU-12-15**

CU 12-15 - 1612 Duncan Road: Andy and Angie Garner - owner is Etta Trosper - requests a conditional use with the intent to place a double-wide Mobile Home Residential Unit, to be used as their personal residence. This is an R-1 Residential Single Family zoned property that requires a conditional use for the placement of a Manufactured Housing Residential Design unit.

**Sponsors:** Planning

**Attachments:** [Application](#)  
[Letter](#)  
[Staff Report](#)

**A motion was made by Paul Hoelscher, seconded by Ron Kelton, that this**

**matter be approved. The motion PASSED by a unanimous vote.**

**Aye:** 7 - Joe Tomlinson; Brian Dover; Paul Hoelscher; Ron Kelton; Jim Scurlock; Beverly Nix and Kim Schrantz

**Absent:** 1 - Jerry Reece

**CU-12-16**

CU 12-16- 102 South Culberhouse: Jose R. Munoz request a conditional use for the intent to use the existing building as a rental facility that contracts the space to customers for weddings, baby showers, luncheons, etc. This property is located in an I-1- Limited Industrial District which requires a Conditional Use application.

**Sponsors:** Planning

**Attachments:** [Application](#)  
[Site Plan & Architectural Drawing](#)  
[Staff Report](#)

**Applicant: Mr. & Mrs. Munoz requested approval for a rental hall for birthday parties, baby showers, etc.**

**Mr. Spriggs gave Staff Summary Comments. The architect has submitted drawings for the permit submission. Fire Department stated concerns of whether the building has to contain a sprinkler. The architect must verify that condition. The conditions for the approval were read.**

**Mr. Spriggs commented on the parking issue, in the event overflow parking would be needed. A one year MAPC review was recommended to evaluate the parking and use impacts. One condition was noted; proposing that the entertainment be interior/inside only as suggested by Mr. Kelton.**

**A motion was made by Jim Scurlock, seconded by Kim Elmore, that this matter be approved. The motion PASSED by a unanimous vote.**

**Aye:** 7 - Joe Tomlinson; Brian Dover; Paul Hoelscher; Ron Kelton; Jim Scurlock; Beverly Nix and Kim Schrantz

**Absent:** 1 - Jerry Reece

**7. Rezoning**

**RZ-12-24**

RZ 12-24 Charles R. Watson Family Trust and Unico Bank

A request for rezoning of a parcel of land located at end of Keely and Lexee Streets with frontage on Ingels, containing 48.26 acres more or less from R-1 -Residential Single Family District to RS-7 - Single Family Residential District minimum lot 6,222 sq. ft. lots required; and RM-8 - Residential Multifamily Classification; eight units per net acre, includes all forms of units, duplexes, triplexes, quads or higher.

**Attachments:** [NEW Site Layout Preliminary Application](#)  
[Rezoning Plat](#)  
[Unico Bank Warranty Deed](#)  
[Staff Report](#)

**A motion was made that this matter be Tabled . The motion PASSED by a unanimous vote**

**Aye:** 7 - Joe Tomlinson; Brian Dover; Paul Hoelscher; Ron Kelton; Jim Scurlock; Beverly Nix and Kim Schrantz

**Absent:** 1 - Jerry Reece

**RZ-12-25**

RZ 12-25 John Kennett request a rezoning of a parcel of land located at North of East Johnson (HWY 49) and West of Clinton School Road with Frontage on East Johnson, containing 29.70 Acres more or less from R-1 Residential Single Family District to C-3 L.U.O - Commercial District Limited Use Overlay.

**Sponsors:** Planning

**Attachments:** [Application](#)  
[Rezoning Plat](#)  
[Staff Report](#)

**Applicant:**

Mr. George Hamman presented the rezoning case on behalf of the Applicant. He stated that he prepared the application and plat. He reviewed the staff report and made a few observations. Mr. Hamman agreed with the recommended right-of-way preservation widths along Highway 49N and Clinton School Road. His client is happy to give 40 ft. from centerline on Clinton School Road and agreed with the additional right-of-way needed on Highway 49, to be 60 ft. from the centerline.

Regarding the Staff comments on the two undeveloped streets: 40 ft. right-of-ways to the south from E. Johnson (Kennett and Everett St.), they agree to deal with the platted right-of-ways, though the required abandonment process through the City Council; which would accommodate the overall plan of the site.

Mr. Hamman suggested eliminating Condition No. 2, Future site development plans being required to be reviewed by the MAPC. He suggested staff review only. Concerning buffering plans for the landscaping plan, he requested fencing only.

Mr. Spriggs gave staff summary comments. Mr. Spriggs, referring to the adopted Land Use Plan noted that the proposed rezoning is not consistent with the recommended Single Family use along Highway 49 at this location. Mr. Spriggs added that when the Land Use Plan was adopted certain changes to the area had not occurred, such as the new hospital construction and the fairgrounds relocation. Such changes would make the suitability for residential along the highway to be highly unlikely. The existing topography and ditch, forms a good natural buffer of where the commercial should end, and the residential can be preserved to the north. Consideration for enhanced buffers should occur where residential is to remain.

Mr. Spriggs continued: The master street plan commitments were discussed by the applicant. The proposal is compatible with the area. The conditions for approval were read. It was requested by that applicant that the site plan not come back to the Planning Commission. Due to the nature of the C-3 uses and accessibility along Highway 49N and traffic and access management concerns, Staff recommends that a site plan is reviewed and approved by the MAPC in the future. The specific prohibited list of uses was read.

Mr. Tomlinson asked that the buffering be addressed where it abuts residential. Mr. Spriggs stated that during the site plan review we could consider the buffer implementation. Twenty-five feet buffers (25 ft.) were suggested. Mr. Tomlinson asked how many parcels would get replatted. Mr. Hamman: Noted 2 parcels.

**Public Input:**

Mr. Carlos Wood stated that Mr. Chastain has proceed with his expansion of Windsor Landing to the east which is directly above the ditch that buffers this property.

**Commission Deliberation:**

Mr. Hoelscher asked for clarification on staff's comments that the commercial uses could be limited to the extent of the northern ditch boundary. Is that noted on the Land Use Plan?

Mr. Spriggs stated that it is not covered in the Land Use Plan; however, the comments concerning Windsor Landing make this a mute issue, because the single family is being implemented to the north of this property.

Ms. Nix asked for clarification on the prohibited list of uses as opposed to what would be allowed under the C-3 General Commercial Uses.

Mr. Spriggs read the list as follows: Automated Teller Machine, Bank, Carwash, Church, College, Communication Towers by Conditional Use, Convenience Store, Adult Entertainment, Government Service, Hospital, Hotel, Motel, Library, Medical Service/Office, Office General, Parking Lots, Parks and Recreation, Post Office, Indoor/ Outdoor Entertainment, Fast Food/General Restaurant, Safety Services, General Retail Services, Schools, Service Station, Off Premise Signs, Utility Major or Minor, Vehicular Sales, Vehicle Repair Limited and General Vocational School, Mini Warehouse by Conditional Use, Farmers Market, Agricultural by Conditional Use, and Research Services by Conditional Use.

Mr. Tomlinson stated that Adult Entertainment and Off-premise signage should be prohibited.

Mr. Hoelscher: They have a lot of additional depth compared to the other uses along Highway 49N. He noted concerns on the uses that would adjoin the residential as read. Mr. Spriggs added that most of the uses that would be an issue are by conditional use.

After reviewing the aerial map, Mr. Tomlinson removed the inclusion of Billboard signs on the prohibited use list. Mr. Spriggs stated that one is directly in the vicinity; therefore it is a mute issue. Mr. Hamman concurred.

Mr. Kelton made a motion with the stipulations as noted and to place Case: RZ-12-25 on the floor for consideration and for recommendation to City Council for a rezoning from "R-1 to "C-3" General Commercial, L.U.O. District, subject to the Staff conditions. The MAPC finds that the use will be compatible and suitable with the zoning, uses and character of the surrounding area. Motion was seconded by Mr. Scurlock.

**THE REZONING OF THIS PROPERTY SHALL ADHERE TO THE FOLLOWING**

**STIPULATIONS:**

- 1) The proposed development shall satisfy all requirements of the City Engineer, including all requirements of the current Stormwater Drainage Design Manual.
- 2) Future Site Development Plans shall be submitted and reviewed by the Metropolitan Area Planning Commission.
- 3) The applicant agrees to comply with the Master Street Plan recommendations for the Clinton School Road and Johnson Avenue right-of-way (i.e. forty feet from center-line of Clinton School Road and sixty feet from center-line of Johnson Avenue).
- 4) Fencing details and landscape plan shall include fencing and a twenty-five foot buffer area between the proposed development and the residential areas to the west and north.
- 5) A lighting photo-metrics plan shall be submitted with the building permit application to assure no lighting spillage onto abutting residential properties.
  
- 6) The following uses shall be prohibited:
  - 1) Animal care, general,
  - 2) Animal care, limited,
  - 3) Cemetery,
  - 4) Construction sales and service,
  - 5) Day care, limited (family home),
  - 6) Day care, general,
  - 7) Funeral Home,
  - 8) Nursing Home,
  - 9) Pawn Shop,
  - 10) Golf Course,
  - 11) Recreational Vehicle Park,
  - 12) Adult Entertainment,
  - 13) Off premises advertising (bill boards),
  - 14) Mini-storage warehouses

**A motion was made by Ron Kelton, seconded by Jim Scurlock, that this matter be Recommended to Council . The motion PASSED by a unanimous vote**

**Aye:** 7 - Joe Tomlinson; Brian Dover; Paul Hoelscher; Ron Kelton; Jim Scurlock; Beverly Nix and Kim Schrantz

**Absent:** 1 - Jerry Reece

**8. Staff Comments**

**9. Adjournment**