



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes - Draft Metropolitan Area Planning Commission

Tuesday, August 27, 2019

3:00 PM

Municipal Center

1. Call to order

2. Roll Call

Present 7 - Lonnie Roberts Jr.; Jerry Reece; Kevin Bailey; Jimmy Cooper; Jim Little; David Handwork and Jim Scurlock

Absent 2 - Dennis Zolper and Mary Margaret Jackson

3. Approval of minutes

[MIN-19:086](#)

MINUTES: Tuesday, August 13, 2019

Attachments: [Meeting minutes from August 13, 2019](#)

A motion was made by Kevin Bailey, seconded by Jim Scurlock, that this matter be Approved. The motion PASSED with the following vote:

Aye: 5 - Jerry Reece; Kevin Bailey; Jimmy Cooper; Jim Little and Jim Scurlock

Absent: 2 - Dennis Zolper and Mary Margaret Jackson

Abstain: 1 - David Handwork

4. Miscellaneous Items

5. Preliminary Subdivisions

6. Final Subdivisions

[PP-19-18](#)

FINAL SUBDIVISION: Prospect Farms Phase V

Mark Morris for Mark Morris Construction, LLC requests MAPC Final Subdivision Approval for 50 proposed lots on 12.41 acres located North East of Prospect Farm Road and SoUth of the Wildwood Subdivision. This property is zoned R-1 Single Family Residential District. The Preliminary was approved on August 28, 2018.

Attachments: [Prospect Farms Plat](#)
 [Staff Report](#)
 [Phase Map](#)
 [Aerial View](#)

Mark Morris for Mark Morris Construction, LLC requests MAPC Final Subdivision Approval for 50 proposed lots on 12.41 acres located North East of Prospect Farm Road and SoUth of the Wildwood Subdivision. This property is zoned R-1 Single Family Residential District. The Preliminary was approved on August 28, 2018.

APPLICANT: Mark Morris stated they are seeking final approval for 50 lots. The streets are complete. They have a performance bond in hand if it is not already turned in.

COMMISSION: Lonnie Roberts Jr. asked for staff comments.

STAFF: Derrel Smith stated this development does meet all the requirements for a subdivision. It has infrastructure in place and the bond is ready to be posted. The city would recommend approval.

COMMISSION: Lonnie Roberts Jr. opened it up for commissioner comments.

A motion was made by Jimmy Cooper, seconded by Jim Scurlock, that this matter be Approved. The motion PASSED with the following vote.

Aye: 5 - Jerry Reece;Kevin Bailey;Jimmy Cooper;Jim Little and Jim Scurlock

Absent: 3 - Dennis Zolper;Mary Margaret Jackson and David Handwork

7. Conditional Use

8. Rezoning

[RZ-19-12](#)

REZONING: 516 W Jefferson Avenue

Gary Harpole is requesting MAPC Approval for a rezoning from C-2 Downtown Fringe Commercial District to RI-U Residential Intermediate - Urban District for .62 acres +/- of land located at 516 W Jefferson Avenue.

Attachments:

[Application](#)

[Staff Summary](#)

[Zoning Replat](#)

[School Email](#)

[USPS Green Receipts](#)

[Mail Receipt](#)

[Adjoining Property Owners Notification](#)

[Focus Letter](#)

[Focus Letter 2](#)

Gary Harpole is requesting MAPC Approval for a rezoning from C-2 Downtown Fringe Commercial District to RI-U Residential Intermediate - Urban District for .62 acres +/- of land located at 516 W Jefferson Avenue.

APPLICANT: Gary Harpole stated the three lots are currently a parking lot. They are requesting a rezoning to RI-U in order to build three single family homes. He has put in his request that he will only build single family detached homes. There will be no duplex, triplex, fourplex, or multifamily built. There are currently 10 structures on the block. Nine are residential. He built a home next door at 512 W Washington. He believes this would be best served both in terms of density and usage to develop this residentially. They will maintain architectural control over what gets built there. They are going to continue to build homes there that look like they fit the period of the west end area. They will not all look identical, but they will be required to have a front porch and will all have to do an architectural aesthetic approval. 90% of the structures in the 500 block are residential. If you average two and half vehicles per single family home, these three lots would probably generate eight vehicles. The reason they are requesting the RI-U is so that on the 50 foot lots, they can go as wide as 40 feet in terms of the frontage width of the home. The width of his home is 43 feet. He does not rear load because the lot was wide enough to front load off the driveway. These three lots would rear load off the alley between Jefferson and West Washington. If they maintained and developed it under C-2 guidelines, they could do 8-10,000 square feet in that zoning and that would generate somewhere between 25 to 30 vehicles per day just for employee parking only, let alone customer or client traffic that would come in and out of those businesses. Permitted uses, even without a conditional use permit, are bed and breakfasts, daycare, office including medical, restaurants. They could put a heliport in C-2 zoning. He believes single family homes are going to be less intrusive in terms of density noise as well as aesthetically beneficial.

COMMISSION: Lonnie Roberts Jr. asked for any staff comments.

STAFF: Derrel Smith stated they feel this would be an appropriate location and

would recommend approval with the following conditions:

1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the Planning Department, prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Commission approval in the future.
4. A final site plan illustrating compliance with site requirements for the RU-1 Residential District shall be submitted to the Planning Department prior to any redevelopment.
5. The Limited Use Overlay for this is that no duplex or multi-family will be built on this lot.

STAFF: Lonnie Roberts Jr. asked for public comment.

PUBLIC: Vince Pearcy stated he owns the property at 530 West Jefferson, across the parking lot from Mr. Harpole. He stated he is not opposed to residential zoning. In fact, he encouraged Mr. Harpole to build his home where he did. He is opposed to the RI-U zoning designation. This zoning allows for 25' wide lot widths and 5' side setbacks. He believes a five foot setback is not very desirable and 35' wide lots really are not either. He stated his lot is 72' wide. The lot at 534 West Jefferson is 72' wide as well. On item number seven on the application, Mr. Harpole stated that three homes where this parking lot is would fit the neighborhood perfectly. Mr. Pearcy stated he disagrees with that. He stated, you can see with my photo that this lot is essentially twice the size of his lot. It is 145' wide according to the county records before it was re-platted. This parking lot was previously two lots. Each lot had a home on it. That is the history of that property. He believes it is obvious that two homes would fit here perfectly. He believes everyone in the neighborhood would support two homes. He asked to look at number 13 on the application. He stated, part one of the questions asks how the neighbors feel about the proposed rezoning. He states that all are in favor. That is just not true. Mr. Pearcy stated he is not in favor and Mr. Harpole knows that. We spoke about this two days before he submitted his application. The residents at 602 Flint and 530 W Jefferson are not in favor and they both said they have not spoken with the applicant. Mr. Pearcy asked if any notes had been submitted regarding these conversations. Part two of question 13 clearly asks that the applicant submit notes from conversations and meetings from the neighbors. Do we have those notes? When they talked the applicant told Mr. Pearcy that he wanted to build three homes because it was not economically feasible for him to build two. He also said he felt like he paid too much for the parking lot to begin with. He needed to build three in order for this to work out for him financially. Two weeks ago, one of your commissioners stated that it is not our job as commissioners to save an individual money. It is our job to help the public and to plan for the public good and not the individual. Some neighbors have said that they have not had any conversations with the applicant. The last

sentence of item 13 on the application reads, failure to consult with neighbors may result in a delay in hearing the application. He stated they are hearing the application so it is a little late for a delay. He stated he is not sure procedure has been followed and that he does think that is too much density. It would be historically consistent to go back with two lots. He asked the commission to deny this rezoning.

STAFF: Derrel Smith stated the comment about the procedure not being followed. He has done the notifications that are required by the ordinance. We have those here. He has followed the procedures for a rezoning.

PUBLIC: Susan Hall stated she lives at 1304 W Jefferson. She has no objections to the plans that Mr. Harpole has expressed. Her objection is when she looks at a rezoning, she looks at what if he sells it tomorrow. What could be put on those lots? It looks like he is rezoning a lot that is 158' wide by 170' plus or minus. The criteria for RI-U is that you want to use these very small lots where nothing can be done with them. She looked at the survey from 2017 and there is no legend that says there were pins dropped. She does not think they would have dropped pins to make 50' lots because that does not fall under the criteria of C-2.

STAFF: Derrel Smith stated it does. You can have a 50' lot in C-2.

PUBLIC: Susan Hall stated if you are going down the street and look, visually it looks like a 75' lot next to a 75' lot. It looks like it has been that way since 1960. How many houses can be put on an RU-I and can it go up six stories?

STAFF: Derrel Smith stated per lot, one structure and no, it has a height limitation.

PUBLIC: Susan Hall stated if it is divided into 25' lots which it could be, it would be six houses.

STAFF: Derrel Smith stated if they were 25'.

APPLICANT: Gary Harpole stated just as we stipulated that we would take out all duplexes and multifamily zoning, he would be happy to amend this to include that these lots will not be subdivided into anything smaller than 50' to ensure that the three lots that are platted are going to remain the three lots. Regarding comments by Mr. Percy, Mr. Harpole stated there are three lots on the Southside of Jefferson that are much closer to 50'. If you look anywhere in the downtown area, there are an abundance of 50' lots. To his point on not having conversations with all the neighbors, Mr. Harpole stated he should have updated the zoning application. He stated he made a commitment to people in the west end to help redevelop that part of town in a way that fits with the character of the west end association. With that comes some economic realities of how much money people are willing to spend to pay for a lot downtown. Having three lots with 45' houses makes it economically feasible to those. Letters were sent to all neighbors. Several calls and emails were placed to neighbors and he did not get a response.

PUBLIC: Paul Ford of 527 W Washington stated he is in favor of this with the understanding that it will be three lots and three individual homes. Mr. Percy

stated that if we put three houses in those three lots it would create a density issue. 534 and 602 already have two houses on one of those lots. There are three houses currently on two lots of the same size. The density would be identical. The question is how you slice that. It is an identical number of residences on the same square footage. Mr. Ford stated he looks out his kitchen window and see Mr. Harpole's porch. He would like to see this property developed in a similar fashion.

PUBLIC: Josh Olson of 515 W Jefferson stated he is also in favor of the rezoning. He doesn't know another case where you can be invested and live next door to the property and not allow them to do something to improve the area. He also understands the economic reasons and that people needs lots they can afford.

PUBLIC: Vince Pearcy stated on the photograph, the lot next to 530 W Jefferson. On the Westside there is a sidewalk. That is 5' from him lot. The 50' lot is going to allow a 40' structure. Where is the driveway going to be?

STAFF: Derrel Smith stated that today Mr. Harpole said they were going to be rear loaded from the alley.

PUBLIC: Vince Pearcy stated that some people may feel that is a problem. He stated those people are at work so they could not be here. Mr. Ford's comment about 602, that looks like an afterthought. He stated there are a lot of considerations here and they need to be careful. He applauds Mr. Harpole for bringing residential. He just thinks it is too much density. Maybe building three houses is a homerun in someone's eyes. Mr. Pearcy stated that in his eye, if he built two, that would be a grand slam. Mr. Pearcy asked why no notes were put on the website.

STAFF: Derrel Smith stated we were not provided with any notes. That is a suggestion, not a requirement. That is up to the applicant to provide. We have all of the replies from the property owners, but no conversation notes.

COMMISSION: Jerry Reece stated looking at Mr. Harpole's plans it appears to me that would only improve the west end neighborhood association. His permit will say that he cannot build any multifamily or duplexes. He is living right next to it. Why would he want to do anything that would be detrimental to the street or subdivision? Think about what he could put in there if he did not rezone it. That could be a nightmare.

PUBLIC: Vince Pearcy stated the widest lot is next to his house.

PUBLIC: Gary Harpole stated there is a drop off with a utility pole in that area. There might be an opportunity where they have to work off of that. I we did a normal residential zoning the setbacks would be 7.5'. It seems the issue is 2.5'. He stated he is fine with and will encourage someone to build within 5' of the property line.

COMMISSION: Jerry Reece asked Mr. Pearcy what he would like to go in there.

PUBLIC: Vince Pearcy stated he bought his property with the knowledge that was C-2.

COMMISSION: Jerry Reece asked why he would not think making those where you cannot build duplexes or multifamily homes would not benefit the north end association.

PUBLIC: Vince Percy stated he asked him to take the duplex language out and he did it to his credit. He stated he does not think it is consistent with what is on that map. He stated he talked to Mr. Harpole before he built his house and explain that he likes it down here. The businesses here lock the doors at five o'clock and they are gone. It is whisper quiet. I live on the south end of town across a fence from Home Depot. The neighbors out there were up in arms before that was built. I told them it could be worse.

COMMISSION: Jerry Reece stated it could be worse than he imagines. It is zoned commercial. He thinks it will be a win for the west end folks.

COMMISSION: David Handwork stated Mr. Harpole said he would be happy to amend it to restrict it to three lots. Is there zoning that would allow it to be subdivided more?

APPLICANT: Gary Harpole stated this zoning would allow it to come back and be cut into 25' lots. He stated that is not his intention and if his word is not good enough, the commission can add that language that it cannot be further subdivided.

COMMISSION: David Handwork stated the safety net for that would be that it has to come back in front of this body for approval.

COMMISSION: Kevin Bailey asked Derrel Smith in a four or five block area, how many 50' lots are around.

STAFF: Derrel Smith stated the older part of town was majority 50' lots back when originally platted. The have been added to and taken away from, but most are around that 50' mark.

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

Aye: 5 - Jerry Reece;Kevin Bailey;Jimmy Cooper;David Handwork and Jim Scurlock

Absent: 2 - Dennis Zolper and Mary Margaret Jackson

Abstain: 1 - Jim Little

9. Staff Comments

10. Adjournment