



Legislation Details (With Text)

File #: MIN-03:052 **Version:** 1 **Name:**
Type: Minutes **Status:** Passed
File created: 8/12/2003 **In control:** Metropolitan Area Planning Commission
On agenda: **Final action:** 9/9/2003
Title: Minutes for the MAPC meeting on August 12, 2003.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
9/9/2003	1	Metropolitan Area Planning Commission	Passed	Pass

Minutes for the MAPC meeting on August 12, 2003.

Metropolitan Area Planning Commission Minutes, August 12, 2003

MEMBERS PRESENT: Beadles, Vance, Damron, Moore, Krennerich, G. Johnson, Day, M. Johnson

MEMBERS ABSENT: Gott

The minutes of the July 8, 2003 meeting were approved as prepared on a motion by Day, second by Damron and unanimous vote.

#1 RZ03-20 David and Gail Oesterblad requested approval of rezoning from the R-2, Multi-Family Medium Density District to the C-2, Downtown Fringe Commercial District, for Lot 6, Block I of Nisbett's First Addition. The address of the property is 837 W. Huntington Avenue and the general location of the property is on the southeast corner of W. Huntington Avenue and Vine Street.

George Hamman, Project Surveyor, stated his clients had no problem with changing the zoning to a C-5 designation and for only the corner house that is being used for their offices. A replat will be prepared dividing the property to reflect the change.

Glenn Batten, City Planner, stated that the real purpose for the rezoning is to bring the existing use of the property into conformity. The house at the northwest corner was converted to office use without consideration of zoning. C-5 is a neighborhood office use and is recommended for approval.

Mr. Vance made a motion to recommend approval of the request to the City Council as revised for a C-5 zoning and for only the corner house. The motion was seconded by Ms. Moore. Voting was 7 in favor, 0 opposed. Those voting aye were Vance, Damron, Moore, Krennerich, Day, G. Johnson, M. Johnson. MOTION CARRIED, REQUEST APPROVED WITH STIPULATIONS.

#2 RZ03-21 Warren Lamberth and Nina Hedger requested approval of rezoning from the R-1, Single Family

Medium Density District to the R-3, Multi-Family High Density District for 17.42 acres located on a part of the North Half of the NW ¼, SW ¼ of Section 9, T14N, R4E. The general location of the property is on the south side of Greensboro Road, east of N. Caraway Road.

George Hamman, Project Surveyor, stated that if rezoned the property would be sold and he introduced the potential buyers of the property. Mr. Hamman stated that the site characteristics will require some drainage work and the owners will be mindful of some trees on the property when doing their grading. Water is available to the site and there are two potential ways to get sewer to the site. He said they are working very closely with CW & L to determine the best possible route. Easements will have to be obtained for one route and the other route will require a lift station.

The potential buyers presented to the MAPC a plan for 144 apartment units. Several amenities will be provided for the tenants. They are building several complexes across the state at this time but none have been completed at this time. They build to own not to sell and are very much a hands on owner. A management firm out of Little Rock will manage their units along with 3,500 other units. This will be their largest development to date at \$14,000,000.

Glenn Batten, City Planner, explained that the property around and adjoining the site is single family residential. There is a nonconforming salvage yard on one side of the property. The topography of the site is considerably below both Caraway and Greensboro. The property across the street to the north is even higher. Some study will be required to determine just exactly how the sewer will be handled. The proposal to rezone to a high density residential zone is not consistent with the comprehensive plan nor the future land use plan which calls for the area to be village residential with a density of about four to six units per acre. The benefit to the community also has to be considered. The proposal is not consistent nor compatible with the surrounding single family neighborhood. It would inject new investment into the area and might stimulate other neighborhood improvements. The site is near ASU and Johnson Avenue. An important thing to note is that history shows that the apartment complexes north of Johnson Avenue quickly deteriorate both physically and socially and require an inordinate amount of police and code enforcement attention. This has to be considered when you look at impact on the community. Another thing to consider is the adequacy of the streets. There are two potential entries into the site one off each street. The traffic generation is projected to be between 1,800 and 2,700 trips per day. Street improvements would be necessary and would have to be made by the developer to handle the traffic generated by the complex. The city has no plans to improve either street so it would be the developer's responsibility to create additional turn lanes and additional facilities on both streets. Due to the size of the project the MAPC would be responsible for approving the site plan. The question regarding sewer would have to be resolved by then.

Mr. Krennerich made a motion to disapprove the request stating that the proposal is not consistent nor compatible with the surrounding zoning and land uses. The motion was seconded by Mr. Day. Voting was two in favor, 4 opposed, 1 abstained. Those voting aye were Krennerich and Day. Those voting no were Vance, Moore, G. Johnson, M. Johnson. Those abstaining were Damron. MOTION FAILED.

A second motion was made by Ms. Moore to recommend approval of the request to the City Council. The motion was seconded by Mr. G. Johnson. Voting was 4 in favor, 2 opposed, 1 abstaining. Those voting aye were Moore, Vance, G. Johnson, M. Johnson. Those voting no were Krennerich and Day. Those abstaining were Damron. MOTION FAILED.

#3 MP03-10 Warren Lamberth and Nina Hedger requested approval of a one lot minor plat containing 17.42 acres and located on a part of the North Half of the NW ¼, SW ¼ of Section 9, T14N, R4E. The general location of the property is on the south side of Greensboro Road, east of N. Caraway Road.

Mr. Vance made a motion to approve the replat with the stipulations that the plat not be recorded until the City Council has acted on the rezoning and the right of ways and easements are shown on the plat. Mr. Vance further stated that the plat should be held until the owner(s) requested the recording. The motion was seconded by Day. Voting was 7 in favor, 0 opposed. MOTION CARRIED, REQUEST APPROVED WITH STIPULATIONS.

#4 CU03-12 Danny Walker requested approval of a conditional use for placement of a manufactured home, residential style, in the Residential R-1, Single Family Medium Density District. The address of the property is 7230 Ely Walker Road.

City Planner, Glenn Batten, pointed out that there is a technical consideration in that the property is zoned I-2 which does not permit residential uses. The second consideration is that in 1998 Mr. Walker's father had a verbal agreement with Mayor Brodell, regarding the annexation of the property, that he would be allowed to have a home on the property for each of his children regardless of the zoning. This is a family compound and all of the residents on Ely Walker Road are related. Mr. Batten recommended honoring the agreement considering that the placement will not harm the area in any way. All other requirements are met.

A motion to approve the request was made by Mr. Damron and seconded by Mr. Krennerich. Voting was 7 in favor, 0 opposed. Those voting aye were M. Johnson, Vance, Krennerich, G. Johnson, Moore, Damron, Day. MOTION CARRIED, REQUEST APPROVED.

#5 FP03-8 Tim Meredith requested final approval of subdivision plans for Meredith Meadows Phases I, II & III containing 32 lots on 8.84 acres. The general location of the property is on the northeast corner of Warren Street and Daybreak Drive.

When questioned, George Hamman, Project Engineer, stated that all of the preliminary stipulations had been met but other issues have arisen over drainage on and off site.

Claude Martin, City Engineer, stated that the size of some of the ditches will require more than the standard right of way and further information is needed.

Glenn Batten, City Planner, read a list of five items that need to be addressed in addition to any others that may come up. Those items are: 1) to show the right of way width on Daybreak Drive all the way to Patrick Street; 2) the size of the drainage ditches needs to be resolved with the City Engineer along with confirmation by the City Engineer that the drainage plan is designed to handle all three phases of the project and not damage adjacent properties; 3) dedication of drainage easements; 4) all of the drainage will need to be installed prior to starting any of the phases; 5) adding the language to the record plat stating that, "prior to the sale of any lot or lots within the subdivision, all improvements must either be completed or have a bond posted with the City of Jonesboro to cover the cost of the improvements as estimated by a registered civil engineer".

Mr. Vance made a motion to approve the request with the five items listed above as stipulations of approval. The motion was seconded by Ms. Moore. Voting was 7 in favor, 0 opposed. Those voting aye were M. Johnson, Day, Damron, G. Johnson, Moore, Krennerich, Vance. MOTION CARRIED, REQUEST APPROVED WITH STIPULATIONS.

#6 Bryan Wagner, Jim Abel, Mike Power and Chris Barre', dba INHOC, LLC. presented two proposed development plans and seek public comment for property located on the northeast corner of Highland Drive and Wofford Street.

Terry Bare, representing the owners, presented two conceptual plans showing building placement, parking, proposed entrances and exits to the site. Input was sought with regard to Wofford Street and what should be done there. The first concept is that basically without any expense to the city, an additional arm would be installed at the stop light at Harrisburg Road to control the traffic entering and exiting the parking lot. The second concept is to close Wofford Street where it would no longer intersect with Highland and install a cul-de-sac. Under this scenario the stop light would still be added at Harrisburg. Under both scenarios there would be no through traffic on Wofford Street.

Marcia Patton, speaking on behalf of several area residents, stated they favored the closing of Wofford Street with the cul-de-sac and the parking lot not even touching Wofford. Ms. Patton asked if a sidewalk would be installed continuous along Highland Drive so that this side of the street is handicapped accessible.

Terry Bare, project engineer, stated that approximately 160 to 170 feet of pavement on Wofford would be removed and replaced with grass and a sidewalk installed adjacent to Highland Drive.

The question was raised about how the street would be physically closed. It was explained that a turnaround will be provided so that fire trucks and such would be able to turn around. Another question raised was what happens to the right of way for Wofford if it is abandoned to the property owners, would the developers be able to utilize that property with their development? Glenn Batten, City Planner, explained that the right of way if abandoned is would be split between the east and west side property owners. The abandoned right of way would be zoned R-1 and could not be utilized for commercial purposes.

After consulting with City Attorney, Phillip Crego, Mr. Batten stated that Mr. Crego needed additional time to research the zoning issue with respect to the zoning of the abandoned right of way and would be providing information on that.

Jim Abel, Developer, stated that the sale of this property as written in the contract by description does not include any of the abandoned right of way. The property under contract just touches the west right of way line for Wofford Street.

Dr. Beadles thanked everyone for their comments and requested that the developers and their engineer take all these things into consideration when preparing the site development plan. A complete site development plan with will be forthcoming for approval by the City Planner who could possibly refer it to the MAPC for approval.