



Legislation Details (With Text)

File #: MIN-92:1640 **Version:** 1 **Name:**
Type: Minutes **Status:** Passed
File created: 10/13/1992 **In control:** Metropolitan Area Planning Commission
On agenda: **Final action:** 11/10/1992
Title: METROPOLITAN AREA PLANNING COMMISSION
OCTOBER 13, 1992.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
11/10/1992	1	Metropolitan Area Planning Commission	Passed	Pass

METROPOLITAN AREA PLANNING COMMISSION
OCTOBER 13, 1992.

MEMBERS PRESENT: Coleman, Patteson, McCracken, Damron, Little, Baker

MEMBERS ABSENT: Finley, Blalock

The minutes of the 8-11-92, 8-27-92, 9-15-92 and 9-22-92 meetings were approved as prepared.

#1 RZ92-26 Gene Dowty requested approval of rezoning from R-1 to C-3 for the replat of Lots 1 & 2 of Gene Dowty Subdivision. The property is located on the east side of Stadium Blvd. intersection.

A motion to approve the request was made by Mr. Baker and seconded by Mr. Patteson. Voting was 5 in favor, 0 opposed. REQUEST APPROVED.

#2 RP92-26 Gene Dowty requested approval of Lot 1A, a replat of Lots 1 & 2 of Gene Dowty Subdivision. The property is located on the east side of Stadium Blvd., approximately ¼ mile north of Caraway Road.

A motion to approve the request was made by Mr. Patteson and seconded by Mr. McCracken. Voting was 4 in favor, 0 opposed, and 1 absent. REQUEST APPROVED.

#3 RZ92-27 Don and Betty West requested approval of rezoning from R-1 to R-2 for Lot 6, Block B of the Hollywood Addition. The property is located on the southeast corner of Nettleton Avenue and Angelus Street.

There were many in attendance from this area opposed to the rezoning of this property. A petition containing many signatures of those opposed to the request was also submitted. It was stated that the property is surrounded by R-1 zoning, and for quite a distance in some directions and with the exception of a very old duplex is developed solely with single family homes. The duplex across the street was built prior to adoption of the zoning laws. Mr. West stated that he desired to convert the garage to an apartment use. It was noted that the lot is very small and that the only parking for the existing house is the garage. If the garage were eliminated

there would be no parking on site. It was stated that a change in zoning still would not allow for conversion of the garage because of the lack of available area for parking.

Mr. Baker made a motion to deny the request with the statement that the property is totally surrounded by R-1 zoning and a zoning change would be inconsistent with the surrounding zoning. The motion was seconded by Mr. Damron. Voting was 5 in favor, 0 opposed. REQUEST DENIED.

#4 RZ92-28 Howard and Peggy Vance requested approval of rezoning from R-1 to AG-1 for 6.71 acres known as Lot 3 of Barnyard Place. The property is located on the south side of Culberhouse Street.

It was stated that the adjoining land on the east and south sides is zoned AG-1 presently. This land will be used for the same use. A street improvement agreement has been entered into for Arrowhead Farm Road.

A motion to approve the request was made by Mr. Patteson and second by Mr. McCracken. Voting was 5 in favor, 0 opposed. REQUEST APPROVED.

#5 RZ92-29 Farmer Enterprises requested approval of rezoning from I-2 to C-3 for 28.04 acres located on the southwest corner of Commerce Drive and C.W. Post Road.

It was noted that this land was rezoned from R-2 to I-2 in 1989 by the City Council even though the Planning Commission had recommended I-1 zoning. Skip Mooney, representing the Farmers, stated that they had been unable to do anything with the property with its present zoning. Mooney further stated that he felt commercial zoning was the highest and best use of the property. The intended use would be retail in nature, probably a gas station/convenience store. When asked, the petitioner stated they had no intent of placing billboards on the property.

Mr. Patterson made a motion to approve the request with the stipulation that a site plan be submitted and approved by the Planning Commission prior to development. The land will also have to be platted prior to development. The motion was seconded by Mr. Damron. Voting 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#6 RZ92-30 James Osburn requested approval of rezoning from R-1 to R-2 for Lot 2, Block A of the Loyd Subdivision. The property is located on the west side of Airport Road, south of Pamela Drive.

It was noted that there is a small metal building on this lot currently that would be used for a daycare if the zoning is changed to R-2. The building was built prior to being in the City and was not a residential use and is not what would be considered a residential type use. The structure, a metal building, is more like a shop building than a residence. The petitioners stated they have no additional plans for the balance of the two acre tract.

Mr. Patteson made a motion to grant approval of the request subject to a site plan being submitted and approved by the Commission prior to expansion or further development. It was further stated that this approval is to facilitate a daycare and is based particularly upon the background of the property and the existing, non-residential structure on the premises and not for multi-family development. The motion was seconded by Mr. Damron. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#7 MP92-46 Ron Roberts requested approval of a minor plat containing 1.2 acres. The property is located on the south side of C.W. Post Road, west of Moore Road.

Mr. McCracken made a motion to approve the request subject to a street improvement agreement for C.W. Post Road. It was noted that an agreement has already been submitted. The motion was seconded by Mr. Baker. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#8 SU92-10 Ronald Roberts requested approval of placement of a mobile home in the 7100 Block of C.W. Post Road. The property is located on the south side of C.W. Post Road, west of Moore Road.

Mr. Patteson made a motion to approve the request with the statement that the proper number of signatures has been obtained on a petition and Mr. Roberts is purchasing a new mobile home. The motion was seconded by Mr. Baker. Voting was 5 in favor, 0 opposed. REQUEST APPROVED.

#9 MP92-45 Byron Heady requested approval of a minor plat containing 1.312 acres. The property is located on the south side of Kellers Chapel Road, east of Darr Hill Road.

Mr. McCracken made a motion to approve the request with the stipulation that the plat e revised to remove the mobile home drawn on the plat and showing a minimum of 30' of right-of-way from centerline of Kellers Chapel Road. It was further stipulated that the property owners enter into a street improvement agreement for Kellers Chapel Road. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#11 MP92-47 William Clyde and Barbara Haltom requested approval of a minor plat containing 3.96 acres. The property is located on the southwest corner of Kellers Chapel Road and Darr Hill Road.

Mr. Patteson made a motion to approve the request subject to a 10' utility easement being granted on the east and north sides of the property adjacent to the street right-of-way. It was further stipulated that the right-of-way be clarified and shown as 30' from centerline of both streets. The motion was seconded by Mr. Damron. REQUEST APPROVED WITH STIPULATIONS.

#12 PP92-8 Carroll Caldwell and Coy Mac Boyd requested preliminary approval of plans for Ridgepointe Subdivision Phase I. The subdivision contains 70 lots on 121.36 acres and is located on the north side of Woodsprings Road, west of Friendly Hope Road.

It was noted that with these plans sewer will only be extended to a portion of the lots. The statement was also made that in the past they could not recall ever approving a subdivision with both septic and city sewer and don't know if ordinance will allow it. The developers stated that economically speaking it would not be feasible. It was mentioned that when the subdivision was considered two years ago, the whole subdivision was to be sewerred. Some of the Commissioners questioned the statement that this is the plan that C W & L laid out before them and the only way it will work. One Commissioner pointed out that sewer could very easily be extended to more lots than presently shown based on the provided elevations. It was pointed out that Ridgepointe Blvd. as drawn is a dead end street approximately one mile long extending to the limits of the property.

Mr. McCracken made a motion to grant preliminary approval of the subdivision with the following stipulations and recommendations:

1. The developers consider installing cul-de-sacs at the end of Ridgepointe Blvd. and Birdie Lane with the right-of-way continuing to the property line for future streets.
2. City Engineer obtaining a report from C.W. & L in regard to the question concerning sewer service and septic service to portions of this subdivision.
3. If the final approval request includes both private septic systems and sewerage, that the City Engineer, City Planner and possibly the City Attorney get together and make a recommendation as to whether the

Commission can, if it desires, waive the requirement that sewer be extended to all lots in the subdivision.

4. The City Engineer's comments, about which the developer and project engineer stated all but one had been satisfactorily addressed, need to be reflected in final plans.
5. That the lake maintenance, water spillway and dam maintenance that is currently being worked on be finalized in the final plans.
6. Utility easements added to the plat as marked.

The motion was seconded by Mr. Little. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS AND RECOMMENDATIONS.

#13 PP92-9 Carroll Caldwell and Coy Mac Boyd requested preliminary approval of plans for Ridgepointe Subdivision Phase I-A. The subdivision contains 15 lots on 24.32 acres. The property is located on the north side of Woodsprings Road, west of Friendly Hope Road.

Mr. McCracken made a motion to grant preliminary approval of the subdivision with the following stipulations and recommendations:

1. The developers consider installing cul-de-sacs at the end of Ridgepointe Blvd. and Birdie Lane with the right of way continuing to the property line for future streets.
2. City Engineer obtaining a report form C W & L in regard to the question concerning sewer service a septic service to portions on this subdivision.
3. If the final approval request includes both private septic systems and sewerage, that the City Engineer, City Planner and possibly the City Attorney get together and make a recommendation as to whether the Commission can, if it desires, waive the requirement that sewer be extended to all lots in the subdivision.
4. The City Engineer's comments, about which the developer and project engineer stated all but one had been satisfactorily addressed, need to be reflected in final plans.
5. That the lake maintenance, water spillway and dam maintenance that is currently being worked on be finalized in the final plans.
6. Utility easements added to the plat as marked.

The motion was seconded by Mr. Little. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS AND RECOMMENDATIONS.

#14 PP92-10 Shelter Insurance Company requested preliminary approval of Shelter Place, a commercial subdivision containing 4 lots on 7.62 acres. The property is located on the southwest corner of Highland Drive and Browns Lane.

It was stated that Shelter Insurance is relocating its present office to Lot 1 of this commercial subdivision and will be offering the remaining lots for sale. They are planning to start construction in the very near future. The alignment of the street in this subdivision with the entrance to Wal-Mart is an offset and was questioned as far as conflicting left and right turns. A site plan needs to be reviewed for the corner lot and possibly other lots in the subdivision.

Mr. Patteson made a motion to grant preliminary approval of the subdivision. In an effort to expedite things it was asked that a site plan be submitted for review to the City Engineer and City Planner for Lot 1. If they are satisfied with the plans then it should not be referred to the commission for approval. The motion was seconded by Mr. Damron. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#15 PP92-11 Hillpoint Development Corporation requested preliminary approval of Fernwood Place, a subdivision containing 16 lots on 7.66 acres. The subdivision will be a continuation of Fernwood Drive, south of Indian Hills Subdivision.

This is a continuation of the master plan for Southridge Subdivision that was started many years ago. It was noted that these plans include plans for both an enclosed ditch and an open ditch on the rear of the lots on the south side. It was further stated that the drainage easement is not large enough to accommodate the sewer pipe and the drainage pipe and related structures.

Several utility easements were requested on the property that was questioned by the project engineer.

Mr. Little made a motion to grant preliminary approval of the subdivision with the stipulations that the ditch on the rear of the property on the south side be either an open, improved ditch or a closed ditch, but not a combination of the two. With reference to the open ditch it was stipulated that additional rip rap be placed in the ditch especially at the curves or corners of the ditch if they go with an open ditch. In regards to the easement requests, the stipulation was made that the easements be worked out with the appropriate utility and the City Engineer. The motion was seconded by Mr. McCracken. Voting was 4 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#16 MP92-44 Wade Quinn requested approval of a minor plat containing 5.4 acres. The property is located on the northeast corner of Craighead Forest Road and Mt. Carmel Road.

Mr. McCracken made a motion to approve the request subject to a street improvement being entered into for Mt. Carmel Road and Craighead Forest Road and the plat being revised to show the right-of-way at the property line. The motion was seconded by Mr. Baker. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#17 FP92-10 J.D. Yates requested final approval of Paragould Drive Estates, a subdivision containing 4 lots on 5.561 acres. The property is located on the east side of Paragould Drive, north of Mockernut Lane.

Mr. McCracken made a motion to approve the request subject to the utility easements being changed to 20' on the back side of the property and an additional 20' easement being granted between lots 3 & 4 extending to Paragould Drive. It was further stipulated that the curb design be changed to meet City Codes. The motion was seconded by Mr. Patteson. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATION.

#18 MP92-48 The Arkansas Bank requested approval of a replat of part of Block A of Fowler Caraway Road Addition. The property is located on the north side of Fowler Avenue, west of Caraway Road.

A motion to approve the request was made by Mr. Damron and seconded by Mr. Little. Voting was 5 in favor, 0 opposed. REQUEST APPROVED.

#19 MP92-49 Jim Wallin requested approval of a minor plat containing two lots on .74 acres. The property is located on the west end of Maplewood Terrace, south of Highway 49 North.

There was a considerable amount of discussion concerning the way the plat is drawn. It appears that his lot does not have much, if any, street frontage. The surveyor for the project stated that the lot does have street frontage and he would correct the plat to show same.

Mr. McCracken made a motion to approve the request with the following stipulations:

1. Revision of the plat to show Maplewood Terrace containing at least 30' of dedicated right-of-way from centerline.
2. Revision of the plat to show that Lot 2 does comply with Code requirements and does have the required street frontage.
3. The property owner entering into a street improvement agreement for Maplewood Terrace.
4. The City Engineer review the revisions to the plat to ensure everything is shown as it should be.

The motion was seconded by Mr. Patteson. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

Other business:

Penn Athletic requests approval of expansion plans for their manufacturing plant on Industrial Drive. The property is located on the east side of Industrial Drive, south of Highland Drive.