



## Legislation Details (With Text)

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SEPTEMBER 14, 1993

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METROPOLITAN AREA PLANNING COMMISSION  
SEPTEMBER 14, 1993

MEMBERS PRESENT: Coleman, Little, Damron, McCracken, Finley, Shaw

MEMBERS ABSENT: Alston, Baker

The minutes of the 08-10-93 meeting were approved subject to the Commission attendance being added.

#1 RZ93-41 Wilson Cox requested approval of a rezoning from R-1 to R-2 for Lots 1, 2, & 3 of J. A. Lambert Subdivision. The property is located on the northwest corner of Scott Street and Greensboro Road.

It was noted that several lots further north on Scott Street had been rezoned to R-2 in recent months. There was no opposition expressed by any in attendance. The area is developed primarily with duplexes and triplexes at this time.

A motion to approve the request was made by Ms. Shaw subject to the owner entering into a street improvement agreement for Scott Street and Greensboro Road. The motion was seconded by Mr. Little. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#2 RZ93-42 Bob Hufford, Warehouse Foods, requested approval of a rezoning from R-1 to C-3 for 7.0 acres located on the east side of Southwest Drive (HWY 49), south of Highway 63 Bypass.

This is the site of the former Warehouse Foods that has been recently demolished. It is their intent to construct a new grocery store and possibly have some outlets for future development on Hwy. 49 South and Parker Road. There are other C-3 zonings in the area.

Mr. McCracken made a motion to approve the request with the stipulation that the 40' section of right-of-way shown near the south property line be increased by 10' for a total of 50' from centerline now or dedicated later when the sub-division request is submitted. If a building permit is requested before the sub-division of the land

occurs, then the 10' of additional right-of-way will need to be dedicated at that time. The motion was seconded by Mr. Damron. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#3 SP93-24 Bob Hufford, Warehouse Foods, requested approval of site plans for construction of a new grocery store containing 40,000 sq. ft. the structure will be located on property formerly occupies by Warehouse Foods on the east side of Southwest Drive (Hwy 49), south of Highway 63 Bypass

The new site will be located a long distance from the streets to allow future development there. There was some concern about the parking arrangement shown and the turning movements for delivery trucks.

Mr. Little made a motion to approve the request subject to the parking being reconfigured so that at least one space is eliminated from near the entrance on Southwest Drive. The motion was seconded by Mr. McCracken. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#4 MP93-57 Carroll Gibson requested approval of a one lot minor plat containing 1.72 acres. The property is located on the south side of Thomas Green Road, east of Patrick Street.

Mr. Gibson purchased the property after it was annexed and eventually sold off the frontage and only retained a 30' street frontage for the property at the rear. There were problems cited with minimum lot frontage not being met on Mr. Gibson's property. The present plat shows a 30' of street frontage. Several questions were raised concerning one half of a street dedication to Mr. Gibson's property and possibly obtaining the other half from the adjoining owner who was also in attendance. Mr. Gibson's attorney, Skip Mooney, St., stated that Mr. Gibson would be willing to dedicate the right-of-way and pay for his share of future improvements if the street is developed. There was some concern expressed about the improvements to be made if the street is dedicated now. The adjoining landowner stated that he had no real interest in improving the street at this time. It was requested that the property owners affected get together and try to resolve the issue of proper street frontage and/or dedication and improvement of streets.

Mr. McCracken made a motion to table the request and give Mr. Gibson and the other persons involved an opportunity to try to work out an arrangement that is agreeable to everyone. The motion was seconded by Mr. Damron. Voting was 5 in favor, 0 opposed. REQUEST TABLED.

#5 FP93-20 Jack and Mary Poling requested final approval of sub-division plans for Outback 2<sup>nd</sup> Addition. The sub-division contains 24 lots on 39.91 acres and is a continuation of Outback Drive, ¼ mile south of Craighead Forest Road.

It was noted that the street improvement plans needed to be revised to state that all work will be done in accordance with standard details and specifications of the City of Jonesboro. Indicate on the plans that all streets are being paved with curb and gutter and underground drainage being installed. All other issues raised at the preliminary approval have been addressed.

Ms. Finley made a motion to approve the request subject to the street notations being added to the street plans and clarification of where the actual street improvements will be made being shown on the plans. The motion was seconded by Mr. McCracken. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#6 RP93-35 Carroll Caldwell and Coy Mac Boyd requested approval of a replat of Lots 1 and 2, Block F or Ridgepointe Phase I-A. The property is located on the northeast corner of Ridgepointe Drive and Lacoste Drive.

This item was withdrawn by George Hamman, project engineer for Caldwell and Boyd.

#7 RP93-36 Lee Helman requested approval of a replat of part of Lot 6 and all of Lot 7, Block 6 of Culberhouse 3<sup>rd</sup> Addition. The property is located on the northeast corner of Walnut Street and Cherry Avenue.

The site plan for this property (item #8) was considered simultaneously with the replat request. The right-of-way for both streets was noted as being insufficient. The project engineer felt that the right-of-way was in existence but was not shown on the plat and that he would provide the additional information on the right-of-way. He stated that it appeared that the street was not in the center of the right-of-way and should be accounted for on the other side of the road. With the denial of the site plan request, the property owners asked to withdraw this plat request.

#8 SP93-25 Lee Helman requested approval of site plans for a twelve (12) unit apartment complex to be built. The apartments will be contained in two separate buildings and located on the northeast corner of Cherry Avenue and Walnut Street.

This item was considered along with the replat of the property. There were many persons in the audience opposed to the proposed development. Much of the opposition was related to the density of the development, twelve units on one half acre and the number of persons and vehicles that would be utilizing the property. The group opposed to the proposal stated they felt it was too many people for a small tract of land. Comments were also made in regard to the other apartment units in nearby neighborhoods to the effect that they were not properly maintained and were a disruption to the area. It was stated that the traffic on Cherry Avenue is tremendous now and congestion would be worse adding this many units on the corner. Even though the area is zoned R-2, the majority of the area is developed with single family homes. Several of the neighbors were surprised that the area was zoned R-2. The property on the north side of Cherry is zoned R-2 and the property south of Cherry is zoned R-1. There were questions raised, concerning the interpretation of the setback requirements for multi-story structures. The literal interpretation of the code requires that one additional foot of side yard setback for every foot of building height over one story or fifteen feet. In previous years the Building Inspector has only required one foot period. The Chairman suggested that a clarification of the existing ordinance or a change to the ordinance be prepared by staff or possibly through the city council. It was also stated that the current ordinances are too open for interpretation when it states medium or high density.

Ms. Helman stated that the apartments would be high type and co-owned by she and her brother who is waiting to retire and move to Jonesboro, She further stated that their complex would be better than most in Jonesboro. Their parents originally lived in the brick house that will be demolished to facilitate this development. Another house and apartment will also be demolished that are presently on the site.

Ms. Shaw made a motion to disapprove the request with the statement the proposed project is not compatible with surrounding development and is inconsistent with the neighborhood. The number of units proposed was considered high density for such a small area of land. The motion was seconded by Mr. Little. Voting was 5 in favor, 0 opposed. REQUEST DISAPPROVED.

#9 MP93-58 Kelly Rottinghaus requested approval of a two lot minor plat containing 11.33 acres. The property is located on the northeast corner of Belt Street and Greensboro Road.

This property was rezoned in recent months to I-1. It is now being platted into two lots. Belt Street on the south side of the property is currently a gravel road. Greensboro Road on the west and north sides, is currently paved, but has no curb, gutter or underground drainage. There was a great deal of discussion regarding street

improvements in the area. It was stated that an agreement for improvements would be in order for now and then when development is planned for the remainder of the property, that street improvements would be more appropriate at that time. Development is only proposed for the small lot 2 at this time.

Mr. McCracken made a motion to approve the request subject to the property owner entering into a street improvement agreement for Greensboro Road and Belt Street with the statement that when additional development takes place on Lot 1, that street improvements would be required then. A site plan will be required prior to development on Lot 1 at which time street improvements will be addressed. The motion was seconded by Mr. Damron. REQUEST APPROVED WITH STIPULATIONS.

A second motion was made by Mr. McCracken and seconded by Mr. Damron to amend the previous motion to include a revision to the plat to show the property line at the right-of-way line instead of the center of the road. All members present voting aye. MOTION APPROVED.

#10 SP93-27 Kelly Rottinghaus requested approval of site plans for two mini-warehouses to be located on Lot 2 Rottinghaus Greensboro Road Addition. The property is located on the northeast corner of Belt Street and Greensboro Road.

There were some questions about proposed fencing and the open storage area shown on the site. All of Lot 2 will be fenced with the one access onto Belt Street. A question was proposed as to whether the chat parking was permissible. Parking in this district is based upon number of employees. There are no employees, no sewer and no water to the project. Jim Shaw, City Planner, stated that based on the ordinances this does comply.

Mr. McCracken made a motion to approve the request subject to a 6' wooden fence being installed along the line of the east easement and to be established in such a manner as to not disturb the trees. The motion was seconded by Ms. Finley. Voting was 4 in favor, 1 abstaining, and 0 opposed. REQUEST APPROVED WITH STIPULATION.

#11 FP93-21 Hillpoint Development Corporation requested final approval of plans for Southridge Sub-division, Phase IV-C. The sub-division contains six lots on 7.64 acres. The property is located at the south end of Minitre Drive and the Fernwood Drive, east of Harrisburg Road.

A motion to grant final approval was made by Mr. Little and seconded by Ms. Finley. Voting was 5 in favor, 0 opposed. REQUEST APPROVED.

#12 SP93-26 Hillpoint Development Corporation requested conceptual approval of plans for a planned unit development, cluster garden homes to be located on a portion of Martinbrook Drive, south of Windover Road.

The current proposal for the planned unit development involves a net work of private drives and abandonment of an existing, but not-improved street dedication. There is quite a lot of earth moving to be done that is reflected on this plan. There is some flood plain on adjacent properties that will be filled with this dirt and taken out of the flood plan. The City Engineer stated that the contour lines on the plan are not identified and as shown crosses the creek in such a manner that the creek would be totally filled. The floodway is not identified.

Mr. Damron made a motion to grant conceptual approval of the Planned Unit Development request and recommend abandonment of Martinbrook Street and approval of the grading plan subject to the contour lines being property identified and approved by the City Engineer. It was further stipulated that the floodway and flood plain areas are to be identified on the plans. The motion was seconded by Mr. McCracken. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#13 MP-59 William Rainwater, Conway Inn Corporation, requested approval of a minor plat containing 8.82 acres. The property is located on the southeast corner of Caraway Road and Phillips Drive.

Additional lands that have been purchased south of the existing Holiday Inn are being incorporated with the existing property. At some future date another motel will be built that will be compatible with current facilities.

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

#14 FP93-19 Phillips Investments, Inc. requested final approval of sub-division plans for Rossland Hills, Phase I. The sub-division contains 50 lots on 26.95 acres and is located south of Mardis Drive, between Forest Hill Road and Harrisburg Road.

It was noted that stipulations from the preliminary approval regarding street improvements on Elbert Drive has not been submitted nor has the clarification of 6" curb requirements been met.

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

1. Granting a 20' sanitary sewer easement along the property line of Lots 2 & 3, Block B.
2. Granting a 10' utility easement on Coral Cove and Wildberry Cove adjacent to the street right-of-way.
3. Providing the street plan and profile for Ebbert Drive to include curb, gutter and necessary drainage provisions.
4. Clarification on the standard details to show the minimum 6" curb.
5. Granting a drainage easement on Lot 11, Block A with whatever structures are appropriate there.
6. Provide details on the island proposed on Rossland Drive.

All revisions are subject to the approval of the City Engineer. If he is not comfortable with the revisions then he may refer it back to the Commission.

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

#15 MP93-60 Herb Stallings requested approval of a one lot minor plat containing 2.54 acres. The property is located on the northwest corner of Neil Drive and Matthews Avenue.

There were several questions regarding the drainage easements on the creeks on the east and south sides of the property as well as the street right-of-way on Matthews. There are flood plain and floodway designations that affect this property but are not shown on the plat. There is curb and gutter in place on the west side of the street at this time.

Mr. McCracken made a motion to approve the request subject to appropriate drainage easements being granted and approved by the City Engineer and subject to the right-of-way on Matthews Avenue being no less than 60' from the centerline. The motion was seconded by Mr. Damron. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#16 SP93-28 Herb Stallings requested approval of site plans for a mini-storage complex containing five separate buildings located on the northeast corner of Matthews Avenue and Neil Drive.

There are currently mini-storage buildings across the street from this location owned by Mr. Stallings. Neil Drive is presently improved completely on the west side.

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

1. Installation of curb and gutter and street improvements on Neil Drive in accordance with city ordinances and approved by the City Engineer.
2. Paving on the entrance to the site extending all the way to the property line.
3. Compliance with floodway and flood plain requirements and approval by the City Engineer.

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

Other business:

A. It was stated that there have been many times in the past when the density requirements for R-2 have been discussed but no action ever taken. Several ideas were offered including a maximum of two units per lot, four per lot or perhaps six per lot. It was stated that most of the R-2 property in Jonesboro is developed with single family homes presently. Properties that are being re-developed in most cases have been multifamily in nature. One possibility would be to limit a minimum sized lot to two units. In order to have four units the lot size would have to be twice what the minimum size is.

Mr. McCracken made a motion that the City Planner to prepare a draft ordinance and, if necessary, have a sub-committee help prepare this draft with a revision to R-2 zoning with the general guideline being to come up with a density requirement. It was further requested that while the R-2 is being considered that the R-3 should also have a designated density requirement. The motion was seconded by Ms. Finley, All members present voting aye. MOTION APPROVED.

It was stated that the issue concerning the building setback for multifamily structures also needs to be resolved. It has been enforced as being only one foot for a second story and a number of years which is not the literal interpretation of the code. When the R-2 zoning revision is considered it would be appropriate to clarify this issue as well. A definition of what constitutes a second story would be needed.

B. With reference to some discussion that had taken place earlier in the meeting concerning the use of grates for drainage structures, it was stated that the Commission would like to see the standard details sheets for improvements revised to include only those grates that are safe for vehicles, cyclists, etc... A revision to the present code may be necessary to require the changes. Guy Lowes, City Engineer, suggested that to help the Commission, the developers and consultants that standards for grating be formulated and adopted by the Commission and distribute them for typical curb detail, grate details, etc., where they could be included in the development plans. Presently each consultant is doing their own typical details. The City should establish their own typical details and tell them what it is. Mr. Lowes further stated that he would like to work with the Commission on getting this accomplished.

A couple of personal experiences were cited by members of the Commission and recounts of others' experiences that have been reported occurring on the Indian Mall parking lot. It was recommended that the City notify Indian Mall officials of the unsafe status of the grated inlets on the parking lot.

C. Adoption of a Master Street Plan was also discussed. It was pointed out that the City Council adopted a Master Street Plan that had been prepared by the Metropolitan Area Transportation Authority.

Mr. McCracken stated that given the fact that MATA Board and the City Council has already adopted the Master Street Plan, and given the fact that it is merely a formality at this point, that it was his motion that the Planning Commission adopt the Master Street Plan. The motion was seconded by Ms. Shaw. Jim Shaw, City Planner, stated that the plan should be used in all further plat requests to as far as requiring right-of-way. There were several points of discussion concerning the Plan. One question was that in every instance when a plat request comes before the Planning Commission will the new right-of-ways be required in all cases? It was noted that some designations, such as Main Street, would required rights-of-way through existing structures. Which type of requests would this apply to? There was a question concerning right-of-ways along section lines. In some cases where existing roads are adjacent to the section lines, additional rights-of-way would be gotten there instead of at the section line. All members present voting aye. MOTION APPROVED.

D. Jim Shaw, City Planner, informed the Commission of past and current actions in trying to secure funding for a Comprehensive Land Use Plan which would also net the city new zoning and sub-division ordinances. Funds are being requested in the 1994 budget for a Plan. Mr. Shaw encouraged all the members of the Planning Commission to contract members of the City Council either by phone or in writing to express support for the plan and urge approval of the funding.