



## Legislation Details (With Text)

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Minutes for the MAPC meeting on May 13, 2003.

Metropolitan Area Planning Commission Minutes, May 13, 2003

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

MEMBERS ABSENT: None

The minutes of the April 15, 2003 meeting were approved with correction of some typographical errors on a motion by Day, second by Krennerich and unanimous vote.

#1 RZ03-13 J. T. Barr requested approval of rezoning from the Residential R-1, Single-Family Medium Density District to the Residential R-2, Multi-Family Low Density District for Lot 3 of Key's Replat of Lot 6 of Pine Hills Subdivision. The address of the property is 923 & 925 E. Craighead Forest Road and the general location of the property is on the south side of E. Craighead Forest Road, approximately 1,000 feet west of Harrisburg Road.

A motion by Mr. Krennerich and second by Mr. Damron to disapprove the request was withdrawn prior to voting at the request of CARLOS WOOD, PROJECT

#2 RZ03-14 Bryan Wagner, Mike Power, Chris Barre', Jim Abel, and Mark McNabb requested approval of rezoning from the Residential R-1, Single-Family Medium Density District and the C-3, General Commercial District to the to the C-3, LU-O, Limited Use Overlay District for a part of Lot 13 of Senter & Company's Addition containing 1.08 acres. The general location of the property is on the northwest corner of Highland Drive and Wofford Street.

Bryan Wagner, representing the group, stated that they had studied the ordinances and the Jonesboro Land Use Plan in addition to visiting with several developers and planning commissioners and that the general feeling was that this property should be some type of commercial. This request is reduced in size from the previous request and includes only the property on the northwest corner of the intersection of Highland and Wofford.

Commercial retail seems to be the most logical use and they are currently under contract with a retail establishment. There are in excess of 20,000 vehicles per day on Highland Drive according to AHTD records. Mr. Wagner stated that he and his partners will cooperate in every way with the city and state to make this intersection as safe as possible.

The proposal will not be detrimental to the Crowley Ridge Scenic Byway designation and should not jeopardize its status. There are manufacturing plants located along the Byway now. This proposal will be an asset to Jonesboro and will allow for more orderly growth and should have a positive impact on an older area. Mr. Wagner proposed limiting the uses of the property to a retail service, professional office space, medical office space, office general, bank or financial institution, or automated teller machine.

Skip Mooney, Sr., representing several owners in the area, spoke in opposition to the request. Approximately 40 people stood in opposition to the rezoning request. Mr. Mooney contended that the property could be used for residential property, maybe not as R-1 but most certainly residential development could be done there. This location is located on one of the nicest entrances to Jonesboro with many stately homes and long time residents. Property devaluation was also noted as a concern for the residential property owners. Through several attempts the MAPC has said they would not extend the commercial property any further than it currently exists. Fear was also expressed that if this corner property were to be rezoned commercial that it would open Highland Drive up for further rezoning. It would be near impossible to stop the southwest corner of Highland and Harrisburg or any adjacent property from being rezoned. Consistency has to be established. Safety issues are very important to residents in the area and the extreme traffic problems that exist here along with additional development without some traffic improvements will only compound the problems. It will also eliminate the possibility of rerouting any of the streets through here because it would be too costly to condemn a commercial structure. There are six churches in the immediate area, and the Catholic Church is going to be building soon on Highland, and there are schools in close proximity. To put commercialization on this corner is going to create so much more of a problem for these people who have to use these roads. Noise pollution, drainage and littering go with commercialization of any property and that will also go with this property.

Dr. Ruth Hawkins, speaking on behalf of the Crowley's Ridge Scenic Byway, stated that this property is located on the byway which is a national scenic byway. While being a national scenic byway does not preclude development, it does assume that when so designated that your community will hold that byway route to a higher standard when making decisions about changes along the route. While they don't prohibit development or changes in zoning after a byway is established, the alternate consequences could be that if we made enough of those changes ultimately we could be de-designated and lose the byway status. The Jonesboro City Council has gone on record twice in support of this being a byway, once in 1997 and again in 1998 when the route was changed to divert it around some commercial areas because they did not want to interfere with development there. The economic benefits along the byway for the last four years have totaled six million in funds, of which two million was a direct benefit to Jonesboro. The impact on Jonesboro is great and the designation is important to the area and Dr. Hawkins encouraged the MAPC to maybe apply a higher standard when evaluating rezoning issues along the byway.

Some other area residents spoke in opposition citing traffic on the side streets as being terrible with people trying to avoid Highland Drive. Exiting one's driveway is as bad as trying to turn onto Highland Drive. Concern was expressed that there are families with children in the area and the rezoning for commercial businesses on this corner will cause serious traffic and safety issues which the residents do not believe can be well regulated even with improvements in this part of town. Objections were also raised to the closing of Wofford Street.

Richard Carvell, representing the community organization called RON (Respect Our Neighborhoods) stated

they were concerned about the precedent that this would set if rezoned. Mr. Carvell asked that the MAPC respect the integrity of residential property as they consider this request. RON is opposed to this request.

Glenn Batten, City Planner, stated this was not an easy case to evaluate. There are several concerns about this site. Mr. Batten reminded the MAPC of the MATA plan to extend Harrisburg Road over to Church Street. This proposal is still on the board according to Aubrey Scott, MATA Director, but nothing has been done to obtain the right of way or build the street. Something needs to be done to address this problem intersection. Additional pressure could be applied to rezone the property on the east side of Wofford if this is approved as well as property on the south side of Highland. It is unlikely that single family residences on this property and perhaps not even duplexes or triplexes or fourplexes. It might be used for a public use or an institution. The site is too small for a church or industrial use. Practically anything that is built there is going to generate traffic.

The Land Use Plan draws the line for commercial use where the existing commercial uses are now which is probably a mistake. If the line could be drawn at Wofford Street with some way of holding that line and avoiding any future extension of commercial beyond Wofford then go ahead and rezone for low intensity, very limited commercial uses on this site.

Commissioner George Krennerich stated that he felt there was no other use for this property other than small commercial. Neighborhood office or neighborhood commercial is about all that this lot could be used for. This lot will never be developed as an R-1, single family home. As far as pressure to rezone other properties to the south and east, Mr. Krennerich said the potential was there to develop both of the tracts but the size and location of this lot limits its use to something that is a small, light impact, commercial use.

Mr. Krennerich made a motion to recommend approval of the rezoning to the City Council with the following stipulations:

1. The ground coverage of the building is limited to a maximum of 20% of the lot area.
2. The uses of the property are limited to a retail service, professional office space, medical office space, office general, bank or financial institution, or automated teller machine.
3. Submission of the site development plans to the City Planner for approval.

The motion was seconded by Mr. M. Johnson. Voting was 7 in favor, 1 opposed. Those voting aye were Vance, Damron, Gott, Moore, Krennerich, G. Johnson, Day. Those voting no were M. Johnson. **MOTION CARRIED, REQUEST APPROVED WITH STIPULATIONS.**

With regard to the site development plans, Mr. Batten stated that the two things that will be looked at very closely, among other things, are eliminating the traffic problem at Wofford and Highland; and maintaining access to the property immediately north of the subject property.

#3 RZ03-15 John Bolding requested approval of rezoning from the Residential R-1, Single-Family Medium Density District to the Residential R-2, Multi-Family Low Density District for Lot 5 and the south 42' of the west 69' of Lot 6 of Charles A. Stuck's Subdivision of Lots 8 & 9, Block C of Culberhouse Addition. The general location of the property is on the north side of College Avenue, west of Madison Street.

Mr. Bolding informed the commissioners of his intent to construct a single level, fourplex apartment building on the property. He plans to occupy one unit and make the others available for rent.

Some nearby residents spoke in opposition to the request. It was stated that this is a quiet, older, established

neighborhood of single family homes, many with long time ownership. Neighbors viewed the rezoning as a threat to their property values and loss of character to the neighborhood and the city. This proposal would only open the door for other parcels in the area to be rezoned. The development of an apartment building here would create a transient location of people coming and going among all single family homes. Being able to resell a property in the area would be jeopardized if an apartment building were there.

Glenn Batten, City Planner, stated that the entire land surrounding the lot is zoned R-1 as well as St. Mark's Church. To make this kind of change would constitute spot zoning. Because of the nature of the uses permitted in this district, including apartments, this would be a sufficient increase in the intensity and use that it would constitute spot zoning and disapproval is recommended.

Mr. Krennerich stated that this is a very stable neighborhood, one of Jonesboro's oldest, and there are plenty of single family residences that are in very good condition. He further stated that the opportunity to develop this property or other properties in the area as a single family home is still a viable solution and a motion was made to disapprove the request.

The motion was seconded by Mr. Damron. Voting was 8 in favor, 0 opposed. Those voting aye were Krennerich, M. Johnson, Day, Vance, Moore, Damron, Gott, G. Johnson. MOTION CARRIED, REQUEST DISAPPROVED.

Jason Wilkie, Parks Director for the City of Jonesboro, made a presentation to the commissioners about the importance of city parks and what the guidelines are for them and where they should be located. Mr. Wilkie stated there was a need for neighborhood parks particularly in the northeast and southwest sections of the city. Information was presented from several sources showing that parks can and do enhance most developments.

Glenn Batten, City Planner, stated that he was in the process of drafting a new subdivision regulation and in the process of doing that he found a couple of gaps in the way they are administered. The current regulations were adopted in 1955. Mr. Batten presented a flow chart of how it should be. The first step would be a pre-application conference in which a preliminary site plan or sketch plan would be submitted. It would be a layout of the subdivision over topography showing locations of utilities and storm drainage. The idea would be to work out the layout and resolve issues before it gets into the engineering phase and before the developer has prepared profiles and detailed utility maps. This plan would be submitted to and approved by the MAPC. The second step would be the preliminary plan that does have the details that would be submitted to and approved by the MAPC. This is where the difference in administration comes into play. The ordinance requires that prior to the final plat submission, approval and recording, the developer shall complete all improvements or bond the cost of those improvements and submit a certificate of dedication to the MAPC. Once the improvements are completed or bonded, the developer can begin constructing the site improvements and move on to the final plan which is the record plat submittal. This would be submitted to the MAPC for approval and would more or less be an as is built set of plans. In reality the process becomes a three step approval process before the MAPC. Once approved, the final plat would be recorded and lots could be sold. A deed of dedication would then be submitted to the City Council for acceptance of the right of ways and easements. Mr. Batten recommended that they revert to the ordinance requirements that are in effect at this time. This would not affect those on the agenda tonight.

Time limits on bonding was pointed out as being a potential problem and it was discussed that maybe there should not be an expiration on the bonds.

The subdivisions on the agenda tonight can receive staff approval on the final plat without having to come back to the MAPC again. In the future, a request will be presented to the MAPC three times.

#4 FP03-5 Jim Abel requested final approval of subdivision plans for Maple Valley Subdivision, Phase II. The subdivision contains 23 lots on 7.04 acres. The general location of the property is on the west side of Maple Valley Drive, north of Cordova Lane.

Mr. Vance made a motion approve the request with the stipulation that the record plat not be recorded until the bonding for infrastructure improvements is in place and subject to compliance with the preliminary stipulations including the completion of all drainage(with or without the bonding) prior to permitting. City Staff may approve the final plat. The motion was seconded by Mr. Day. Voting was 8 in favor, 0 opposed. Those voting aye were Vance, Damron, M. Johnson, Day, Gott, G. Johnson, Moore, Krennerich. MOTION CARRIED, REQUEST APPROVED WITH STIPULATIONS.

#5 FP03-4 Rick Turman requested final approval of plans for Bridlewood, a subdivision containing 194 lots on 50.51 acres. The general location of the property is on the south side of Longcrest Drive, east of the Union Pacific Railroad, and north of Higginbottom Creek.

The commissioners were informed that there are two cul-de-sacs backing up to the railroad that exceed the 400' maximum by 100' and 130'. Carlos Wood, Project Engineer, stated that the Fire Department said they would not bring a fire truck into these cul-de-sacs, that they would fight a fire from the main street.

Mr. Krennerich made a motion to approve the request with the stipulation that the record plat not be recorded until the bonding for infrastructure improvements is in place and subject to compliance with the preliminary stipulations including the completion of all drainage(with or without bonding) prior to permitting. City Staff may approve the final plat. It was further stipulated that a letter be obtained from the Fire Department regarding the length of the cul-de-sacs. The motion was seconded by Ms. Moore. Voting was 8 in favor, 0 opposed. Those voting aye were M. Johnson, Day, Moore, G. Johnson, Krennerich, Gott, Damron, Vance. MOTION CARRIED, REQUEST APPROVED WITH STIPULATIONS.

#6 FP03-6 Rick Turman requested final approval of plans for Turmans Commercial Park, a commercial subdivision containing 21 lots on 10 acres. The general location of the property is on the east side of Stadium Boulevard, north of Ole Feed House Road.

George Hamman, Project Engineer, stated that he was having some logistical problems with adding the drainage easements on Higginbottom Creek, otherwise all stipulations have been addressed. With regard to the length of the cul-de-sac, access to the north was considered but in lieu of providing an additional outlet to adjacent lands they have shortened the length by some 300', the other solutions were not feasible.

The commissioners requested that on future plans, the engineer should include a map that includes surrounding developments, streets, etc...

Mr. Vance complimented the developer for his efforts in trying to accomplish an additional access and made a motion to approve the request with the stipulation that the record plat not be recorded until the bonding for infrastructure improvements is in place and subject to compliance with the preliminary stipulations including the completion of all drainage(with or without bonding) prior to permitting. City Staff may approve the final plat. The motion was seconded by Mr. Krennerich. Voting was 6 in favor, 2 opposed. Those voting aye were M. Johnson, Moore, G. Johnson, Krennerich, Gott, Vance. Those voting no were Day and Damron. MOTION CARRIED, REQUEST APPROVED WITH STIPULATIONS.

Glenn Batten, City Planner, informed the commissioners of some upcoming planning commissioner orientation

sessions. A list of proposed topics was distributed that includes 10 modules currently, but other issues can be added as deemed necessary by the commissioners. Mr. Batten stated that he would like to start them in June. Dr. Beadles suggested that they possibly do this after the Thursday work sessions and put a time limit of one and one-half hours for each session.