



## Legislation Text

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**File #:** MIN-04:065, **Version:** 1

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Minutes for the MAPC meeting on October 12, 2004.  
Metropolitan Area Planning Commission Minutes, October 12, 2004

MEMBERS PRESENT: Beadles, Vance, Damron, Moore, Krennerich

MEMBERS ABSENT: Gott, Harpole, Day, Johnson

OTHERS PRESENT: Carol Duncan, Assistant City Attorney; Ron Shipley, Acting City Planner; Claude Martin, City Engineer; Jeremy Beville, Civil Engineer; Brian Wadley, Planning Coordinator

The minutes of the September 14, 2004 meeting were approved as prepared on a motion by Mr. Krennerich, second by Mr. Damron, and unanimous vote.

#1 RZ04-23 Lamco requested approval of rezoning from the C-5, Neighborhood Office District to the C-3, General Commercial District for .67 acre located on a part of the NE ¼, NE ¼ of Section 28, T14N, R4E, being more particularly described as follows: Begin at the northeast corner of Section 28, T14N, R4E; thence west on the section line 420 feet; thence S1°08'W parallel with the east line of the northeast quarter of the northeast quarter of aforesaid Section 28, 210 feet; thence west parallel with the north line of aforesaid northeast quarter of the northeast quarter of Section 28, 470 feet to the point of beginning proper; thence N1°08'E parallel with the east line of aforesaid northeast quarter of the northeast quarter of Section 28, 168.3 feet to the south right of way line of Arkansas State Highway #18 thence N89°53'W on said right of way line 160.0 feet; thence continuing west 13.4 feet to the east line of Parkside Drive; thence S0°56'W on the east line of Parkside Drive 168.6 feet; thence east parallel with the north line of aforesaid northeast quarter of the northeast quarter of Section 28, 172.9 feet to the point of beginning proper. The above described tract is possibly subject to a power line along the south side and is not shown on this plat. The address of the property is 3301 E. Highland Drive and the general location of the property is on the southeast corner of Highland Drive and Parkside Drive.

A motion by Mr. Krennerich to approve the request and second by Mr. Damron was withdrawn prior to voting.

WITHDRAWN.

#2 RZ04-24 John Sloan requested approval of rezoning from the AG-1, Agricultural District to the R-1, Single Family Medium Density District for 5.33 acres located on a part of the northwest quarter of the northeast quarter of Section 28. T14N, R3E of the fifth principal meridian, Craighead County, Arkansas, being more particularly described as follows: Commencing at the northeast corner of Section 28, T14N, R3E, thence S88°34'57"W 1,311.16 feet along the north line of said Section 28 to the point of beginning, thence S00°07'18"W 522.16 feet to a point on an existing fence; thence along said fence as follows: N70°15'39"W 35.61 feet, N72°28'14"W 119.28 feet, N71°59'21"W 92.22 feet, N70°44'48"W 113.39 feet, N85°09'55"W 80.85 feet, S89°06'53"W 100.17 feet to a point, thence S69°41'53"W 8.14 feet to a point, thence N00°00'00"E 392.71 feet to a point on the north line of said Section 28, thence N88°34'57"E 531.62 feet along said north line to the point of beginning, containing some 5.33 acres, and subject to a road right of way along the north side thereof, and

subject to easements, restriction, reservations and rights of way of record. The general location of the property is on the south side of Casey Springs Road, east of Strawfloor Drive.

John Easley, Project Engineer, stated that P & J Development wished to change the zoning from agricultural to R-1 for a single family subdivision.

Ron Shipley, Acting City Planner, stated that the proposal was consistent with the future land use plan.

A motion to approve the request was made by Mr. Vance and seconded by Mr. Damron. Voting was 5 in favor, 0 opposed. Those voting aye were Vance, Krennerich, Damron, Moore, Beadles. MOTION CARRIED, REQUEST APPROVED.

#3 PP04-17 P & J Development requested preliminary approval of plans for Casey Cove, a residential subdivision containing 11 lots on 5.33 acres in the proposed R-1, Single-family Medium Density District. The general location of the property is on the south side of Casey Springs Road, east of Strawfloor Drive.

Claude Martin, City Engineer, stated that all of his comments had been addressed in these plans.

Mr. Vance made a motion to grant preliminary approval of the subdivision plans with Ms. Moore making the second. Voting was 5 in favor, 0 opposed. Those voting aye were Moore, Krennerich, Damron, Vance, Beadles. MOTION CARRIED, REQUEST APPROVED.

#4 PPO4 -15 Blue Star Land Company requested preliminary approval of plans for Ridge Lake Estates, a residential subdivision containing 46 lots on 44.47 acres in the R-1, Single-family Medium Density District. The general location of the property is approximately 1,600 feet east of Mt. Carmel Road, south of Farm Creek Estates, and approximately 1,300 feet west of Culberhouse Street, and is a continuation of Layman Drive.

Claude Martin, City Engineer, noted that there were two issues that needed to be addressed, one being compliance with the state dam safety specifications and the other being the maintenance of the lake.

Commissioner Damron questioned why they had not extended at least one of the streets all the way to the west property line.

Chad Dulaney, Project Engineer, asked if it would be okay to dedicate the right of way to the line but delay the improvements to the right of way due to the steep grades on this side. Construction of the street may cause engineering problems in the future when the land to the east is developed. A cul-de-sac could be placed further to the west but only the right of way would be dedicated to the property line.

Commissioner Vance asked Mr. Damron what ordinance he was using to base this street extension requirement on to which Mr. Damron responded that it wasn't an ordinance but that it was good planning to extend streets for future connections.

Ms. Moore made a motion to grant preliminary approval of the plans subject to compliance with the State of Arkansas' dam site specifications and construction standards, and subject to adding a note to the record plat stating that maintenance of the lake is to be provided by the property owners' association. The motion was seconded by Mr. Krennerich. Voting was 3 in favor, 1 opposed. Those voting aye were Moore, Krennerich, Vance. Those voting no were Damron. Five affirmative votes are required for passage. MOTION FAILED, REQUEST DISAPPROVED.

#5 PP04-16 Nix & Fowler Development, LLC requested preliminary approval of plans for Preston Estates, a residential subdivision containing 24 lots on 35.62 acres in the R-1, Single-family Medium Density District. The general location of the property is south of Pebble Beach Drive and will be an extension of Sea Island Drive.

WITHDRAWN PRIOR TO MEETING.

#6 PP04-18 Frank Macon requested preliminary approval of plans for Dunwoody Huntcliff Estates Phase III, a residential subdivision containing 16 lots on 13.487 acres in the R-1, Single-family Medium Density District. The general location of the property is east and south of Dunwoody Drive and a continuation of Ashford Drive.

Carlos Wood, Project Engineer, pointed out that this was the last piece of property that Mr. Macon owns in the area.

Claude Martin, City Engineer, stated that all of his comments had been addressed in these plans.

With regard to an outlet to the south, Mr. Wood explained that Mr. Macon had spoken with the lady who owns the property south of here and she does not want the exit there and she doesn't want any of their drainage going there either. The depth of the property there before you reach Craighead Forest Road is only 200' or so feet. There is a connection to Culberhouse and a connection to Kensington Estates Subdivision. Commissioner Damron said he couldn't vote his conscience without the outlet. He further stated that he felt there was a need for an additional outlet especially in the event of a tornado or other disaster.

Mr. Vance made a motion to grant preliminary approval of the plans with Mr. Krennerich making the second. Voting was 5 in favor, 0 opposed. Those voting aye were Vance, Damron, Moore, Krennerich, Beadles. MOTION CARRIED, REQUEST APPROVED.

#7 PP04-19 Frank Macon requested preliminary approval of plans for Macon's Horseshoe Addition, a residential subdivision containing 38 lots on 13.51 acres in the R-1, Single-family Medium Density District. The general location of the property is on the south side of Prospect Road, approximately ¼ mile east of Airport Road.

Claude Martin, City Engineer, stated that all of his comments had been addressed on the plans.

Brian Wadley, Planning Coordinator, noted that a new street name would need to be chosen due to a conflict with an existing street.

Carlos Wood, Project Engineer, stated that there was an apartment development already in place immediately south, individual homes are on the east side, and the land is vacant on the west. There are houses all along Aggie Road that would prevent a connection there.

A motion to grant preliminary approval was made by Mr. Vance and seconded by Mr. Krennerich. Voting was 5 in favor, 0 opposed. Those voting aye were Krennerich, Moore, Damron, Vance, Beadles. MOTION CARRIED, REQUEST APPROVED.

#8 FP04-12 Don Bridger requested final approval of plans for Bridger Place Subdivision, Phases I and II, a residential subdivision containing 103 lots on 39.781 acres in the R-1, Single-Family Medium Density District.

The general location of the property is on the west side of Old Bridger Road, south of Minga Lane.

Claude Martin, City Engineer, stated that all of the preliminary stipulations had been addressed.

Carlos Wood, Project Engineer, stated that the developer is going to install a boulevard entrance at the north entrance off Bridger Road with two lanes exiting, a left turn and right and straight through lane. The east entrance on Bridger Road will have the same thing.

Mr. Vance made a motion to grant final approval of the subdivision subject to following through with plans to install a boulevard type entrance on both entrances off Bridger Road. The motion was seconded by Ms. Moore. Voting was 5 in favor, 0 opposed. Those voting aye were Vance, Krennerich, Moore, Damron, Beadles. MOTION CARRIED, REQUEST APPROVED WITH STIPULATIONS.

#9 Union Pacific Railroad requested approval of abandonment of the unimproved right of way for Union Street lying adjacent to Lot 6, Block 13 of Flints Addition and Lots 6-10 of Moores Subdivision of Lot 1, Block 15 of Flints Addition. The general location of the property is west of Main Street and north of Burke.

Brian Wadley, Planning Coordinator, explained that the railroad is planning to build a new building and the setbacks required by the unimproved right of way is prohibitive. The right of way for Union is in the curve and on a very steep hill. They will not actually be building in the abandoned right of way but close to it. Anything that adjoins the city team property would become their property.

Mr. Vance made a motion to recommend approval of the abandonment to the City Council with the suggestion that the city council look into abandoning the right of way all the way to the AHTD right of way and/or Burke Avenue if this request doesn't do it. The motion was seconded by Mr. Krennerich. Voting was 5 in favor, 0 opposed. Those voting aye were Vance, Damron, Moore, Krennerich, Beadles. MOTION CARRIED, REQUEST APPROVED.

Mr. Vance posed a question about the subdivision that was turned down tonight, asking if the MAPC would consider doing preliminary and final approval at the next meeting if the plans are in top notch shape. There was some discussion but no action was taken.