



## Legislation Text

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METROPOLITAN AREA PLANNING COMMISSION

FEBRUARY 9, 1993

MEMBERS PRESENT: Coleman, Finley, Damron, Alston, Baker, Little, McCracken

MEMBERS ABSENT: Blalock, Patteson

Chairman Coleman introduced new appointee, Steve Alston, to the Planning Commission. Mr. Alston is filling the unexpired term of Gene Vance.

The minutes of the 01-12-92 meeting were approved as prepared.

#1 Discussion of an ordinance to enact Storm Water Management Regulations. The purpose of this ordinance is to lessen or avoid hazards to persons and property caused by uncontrolled storm water runoff or by obstructions to drainage and to lessen the degradation of the quality of surface runoff.

This ordinance has been prepared per request of the City Council concerning stormwater management. Guy Lowes, City Engineer, Stated that the MAPC had a work session to review the ordinance some time back and that a hearing was held with the local developers, engineers surveyors, architects, etc. in January. At that time there were several questions about the proposed ordinance but no suggested changes from the 30 or so persons in attendance.

Mr. Lowes stated that the ordinance basically follows the guidelines of the Soil Conservation Service pertaining to water retention based on the 25 year storm. The intent of the ordinance is to require drainage structures that would retain the water and have a slow release of stormwater so that property development upstream does not cause damage to properties that are downstream. The water runoff should come at the same volume level that it was prior to development. Enforcement of the ordinance would start at the Inspection Office with the request for a building permit.

There are no rigid design requirements. The ordinance allows for creativity to be used in preparing the design. There are many design types that would accomplish the same thing. In some areas adjoining landowners could go together and have a common drainage retention area.

Mr. Lowes pointed out that one of the problems that would be addressed by the ordinance would be areas of the city that were once the site of homes and grass lawns but have since been replaced by structures and paved parking. This has caused flooding downstream. In many cases where there are older homes, the residents are not equipped financially or physically to handle the water problem created by upstream development.

Mr. Lowes stated that the most challenging part of the ordinance would be long term maintenance.

There was some opposition to the proposal, most relating to increased costs to developers for engineering work and actual construction. Jim Lyons, representing Herbert Parker, questioned the need for this type of ordinance

in the city right now. Mr. Lyons stated that the substantial increase in development cost would cause substantial increases in the cost of real estate. Mr. Lyons asked the Commission to carefully consider this ordinance before making a recommendation to the City Council and further asked that another public meeting be held to review this ordinance.

Ending the discussion was a motion by Mr. McCracken to have the City Engineer set a day and time for another meeting to review and discuss the ordinance in detail and possibly have a recommendation for the next meeting. The motion was seconded by Ms. Finley. Voting was 6 in favor, 0 opposed. MOTION CARRIED.

#2 RP93-5 Michael Camp requested approval of Lot 1, a replat of Lot 2 of Shae Village Subdivision and part of the SW ¼, NW ¼ of Section 26, T14N and R3E. The property is located on the west side of Casey Springs Road, north of Woodsprings Road.

It was noted that with the replat there would be a utility easement now crossing the middle of the property that would remain until the utilities should release the easement. There was a request by CW&L for a 20' utility easement, for an existing overhead electric line.

Mr. McCracken made a motion to approve the request subject to the 20' utility easement being added to the plat and subject to the owner entering into a street improvement agreement for Casey Springs Road. The motion was seconded by Mr. Alston. Voting was 6 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATION.

#3 MP93-4 Ben Fry requested approval of a two lot minor plat containing 1.14 acres. The property is located on the southwest corner of Caraway Road and Harrisburg Road.

Mr. McCracken made a motion to approve the request subject to the plat being revised to show 41' of right-of-way from centerline on Caraway Road and subject to the owner entering into a street improvement agreement for Caraway Road. The motion was seconded by Mr. Baker. Voting was 6 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATION.

#4 RZ93-6 Randall Wheeler, Wheeler Brick Company, requested approval of rezoning from R-1 to I-1 for 12.76 acres located on the south side of Dan Avenue, ¼ mile east of Royal Drive.

It was noted that platting of the property will be required prior to expansion or new development on the property. Several properties along Dan Avenue have been rezoned to I-1 zoning.

A motion to approve the request was made by Mr. Little and seconded by Mr. Damron. Voting was 6 in favor, 0 opposed. REQUEST APPROVED.

#5 RZ93-8 Craighead Electric Cooperative requested approval of rezoning from R-1 to C-3 for 21.18 acres located on the east side of Stadium Blvd., north of Fox Meadow Lane.

This property is currently used by Craighead Electric for storage of utility poles and will be the future site of their main office.

A motion to approve was made by Ms. Finley and seconded by Mr. Little. Voting was 6 in favor, 0 opposed. REQUEST APPROVED.

#6 RP93-7 Max Dacus, Jr. requested approval of Lot B2, a replat of part of Max Dacus, Jr. replat of part of the College Place Subdivision. The property is located on the north side of Johnson Avenue, east of Melrose Street.

It was noted that easements from a previous plat had been omitted from this plat and needs to be added to the plat. The remainder of Lot B1 is not dimensioned on this plat as well. Mr. Dacus is in the process of vacating the 15'6" alley on the west side of the property.

Mr. McCracken made a motion to approve the request subject to the plat being revised to show the utility easements as noted along with the remainder of Lot B1. This approval is also subject to the City Council closing the alley along the west line of the property. The motion was seconded by Ms. Finley. Voting was 6 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#7 SP93-5 Tommy Davis requested approval of site plans for two additional mini-warehouse buildings to be built for a total of 13 buildings. The property is located on the west side of Cain Street, north of Highland Drive.

A motion to approve the request was made by Ms. Finley and seconded by Mr. Damron. Voting was 6 in favor, 0 opposed. REQUEST APPROVED.

#8 FP93-3 Robert Chastain requested final approval of Countrywood Addition, Phase III, containing 46 lots on 14.89 acres. The property is located on the southeast corner of Aggie Road and Airport Road.

The preliminary plan of this subdivision was approved in 1990. There were several questions that needed to be addressed concerning drainage within this phase of the subdivision as well as Phase II. Other questions were asked related to street construction and curb placement. The City Engineer stated that the questions and problems that had been discussed could be worked out with the project engineer and the developer.

Ms. Finley made a motion to grant final approval with the following stipulations:

1. That the developer of the subdivision and his engineer get with the City Engineer to work out the drainage and street details in both Phases I & II. The City Engineer can approve the revised plan or may refer it back to the Planning Commission for final decision.
2. Granting a 20' utility easement along Lots 6 & 8, Block F and along Lots 8 & 9, Block.

The motion was seconded by Mr. Damron. Voting was 5 in favor, 1 opposed. REQUEST APPROVED WITH STIPULATIONS.

#9 RP93-4 Larry Duke and Bob Gibson requested approval of a replat of Lots 3 & 4 of Hunter Properties. The property is located on the south side of Parker Road, west of Parker Road Annex.

A motion to approve was made by Mr. McCracken subject to a 20' utility easement being granted along the west line of Lot 3. The motion was seconded by Mr. Little. REQUEST APPROVED WITH STIPULATIONS.

#10 RZ93-7 Larry Duke and Bob Gibson requested approval of rezoning from C-3 to R-1 for Lot 4 of the replat of Lots 3 & 4 of Hunter Properties. The property is located on the south side of Parker Road, west of Parker Annex.

The property is now zoned C-3 to a depth of about 700'. This was done in 1989. This rezoning affects only the 400' of the southernmost part of the 700'. The adjoining properties on the west side are zoned R-1 and the

property on the east is zoned R-1, some R-2 and some I-1. Some concern was expressed over the strip commercial zoning that would be the result of this rezoning.

A motion to approve the request was made by Mr. Little and seconded by Mr. Baker. Voting was 6 in favor, 0 opposed. REQUEST APPROVED.

#11 PP93-3 Larry Duke and Bob Gibson requested preliminary approval of Greenmeadow Subdivision containing 29 lots on 11.86 acres. The property is located on the south side of Parker Road, west of Parker Annex.

Mr. McCracken made a motion to grant preliminary approval of the subdivision subject to a 20' utility easement being granted along lots 13 & 14. The motion was seconded by Mr. Alston. Voting was 6 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#12 FP93-4 Mitchell Caldwell & Shelby Phillips requested final approval of Colony Park Third Addition. The property is located on the south side of Colony Drive. West of Colony Park Drive.

It was noted that requested utility easements had been granted with the exception of one between Lots 5 & 6. This easement would coincide with a drainage easement.

Mr. Little made a motion to grant final approval subject to the utility easement being worked out with CW&L. The motion was seconded by Mr. Baker. Voting was 6 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#13 MP93-5 Ed and Wanda Vaughn requested approval of a three lot minor plat containing .73 acres. The property is located on the south side of Craighead Road, east of Wood Street.

It was noted there is a strip of land between the street right-of-way and this property that this owner does not presently own. The owners need to pursue quiet title or a quitclaim deed to the land before approval can be considered.

A motion to table was made by Mr. Little and seconded by Mr. Baker. Voting was 6 in favor, 0 opposed. REQUEST TABLED.

#14 RP93-9 Robert Rees requested approval of Lot 1, a replat of Lots 9 & 10, Block A of Stuck and Stuck Subdivision. The property is located on the south side of Johnson Avenue, east of Howard Street.

A motion to approve the request was made by Mr. Baker and second by Mr. Little. REQUEST APPROVED.

#15 SP93-3 Michael Fisher requested approval of site plans for an apartment complex containing 24 units on Lot 1 and 24 units on Lot 2 of Fisher First Addition to Jonesboro, The property is located between Melrose Street and State Street, south of Cedar Heights Drive.

It was noted there was still some clarification needed on the street right-of-ways and the way the legal descriptions were prepared. This clarification needs to be reflected on the plat of the property as well as this site plan. The City Engineer stated that his concerns about drainage from the site had been addressed on the revised plan that was presented at the meeting. The Fire Department concerns related to access between the lots had been addressed somewhat with the drives continuing from one lot to the other; however, no legal documents

were submitted to insure that the access could never be blocked between the lots. CW&L is requesting a 7.5' utility easement along the south side of Lot 1.

Mr. McCracken made a motion to approve the request subject to the right-of-way being clarified on both State Street and Melrose Street and shown as is, but not less 30' from centerline. Approval is also subject to a 7.5' utility easement being granted on the south side of Lot 1. It was further stipulated that legal documents be prepared and submitted insuring permanent easement for access between Lots 1 & 2. The motion was seconded by Ms. Finley. Voting was 5 in favor, 1 opposed. REQUEST APPROVED WITH STIPULATIONS.

#16 RP93-6 Dennis and Kay Noell requested approval of Lot 1-A, a replat of part of Fowler Parker Road Addition. The property is located on the south side of Parker Road, west of Browns Lane. It was noted that the remainder of this property after this plat does not have street frontage as required by Code. As indicated on the plat, there is a private easement along the west side of this property. There was also some question as to the placement of the flood plain on this property. Mr. McCracken made a motion to approve the request subject to the 30' easement on the west side of the property being changed to 30' of street right-of-way and an improvement agreement entered into for future improvements to the street. It was further stipulated that a statement be added to the plat concerning the flood plain status. The owners of the property will also need to sign the plat. The motion was seconded by Mr. Damron. Voting was 5 in favor, 1 abstaining. REQUEST APPROVED WITH STIPULATIONS.

#17 RZ93-9 Gary Carter requested approval of rezoning from R-1 to R-3 Lot 1 of Z-W Corner, containing 4.491 acres. The property is located on the east side of Darr Hill Road, south of Kellers Chapel Road.

There was a considerable amount of discussion about the land arrangements and how much land should or could be changed. It was noted that all the surrounding properties were zoned R-1 presently even though there are some mining pits and a salvage yard nearby.

A motion to deny the request was made by Mr. Baker and seconded by Mr. Little. Prior to voting the property owners requested to withdraw the request for further study and possible submitting a new request. REQUEST WITHDRAWN.

#18 RZ93-10 McDaniel Investments, Inc. requested approval of rezoning from R-1 to R-3 for 1.70 acres located on the east side of Paragould Drive, north of Prospect Road.

There were several in attendance opposed to the rezoning of the property and its future development as multifamily dwellings. All of the adjoining and surrounding properties are zoned R-1 including the McDaniel Construction Company which is a legal, non-conforming use.

Prior to voting on a motion to deny by Ms. Finley and second by Mr. Damron, Mr. McDaniel asked to withdraw this request. REQUEST WITHDRAWN BY PROPERTY OWNER.

#19 MP93-6 McDaniel Investments, Inc. requested approval of a one lot minor plat containing 1.70 acres. The property is located on the east side of Paragould Drive, north of Prospect Road. REQUEST WITHDRAWN BY PROPERTY OWNER.

#20 SP93-6 McDaniel Investments, Inc. requested approval of site plans for an apartment complex containing 30 units. The property is located on the east side of Paragould Drive, north of Prospect Road. REQUEST WITHDRAWN BY PROPERTY OWNER.

#21 RP93-8 Scott Snellgrove requested approval of Fountain Square Commercial Office Park, a minor Plat. The property is located on the east side of Barnard Street, south of Highland Drive. REQUEST WITHDRAWN BY PROPERTY OWNER PRIOR TO MEETING.

#22 SP93-1 Waymon Perking requested approval of final plans for expansion of Perking Overnight RV Park. The property is located on the south of Parker Road, east of Perkins Drive.

It was noted that all stipulations made on the preliminary plan had been complied with.

A motion to approve the request was made by Mr. Baker and seconded by Mr. McCracken. Voting was 6 in favor, 0 opposed. REQUEST APPROVED.

#23 Reconsideration of a minor plat approved for Herman Willett on 11-10-92. The property is located on the north side of Arrowhead Farm Road, ½ mile west of Culberhouse Street.

Mr. Willett presented to the Planning Commission at the 11-10-92 meeting a minor plat for consideration of the north side of Arrowhead Farm Road. ½ mile west of Culberhouse. It was noted at that time that Mr. Willett's property line was some 60' south of the centerline of Arrowhead Farm Road. When Mr. Willett was told of the 41' right-of-way requirement, he stated that he would give 22' from centerline on the north side of the road for right-of-way and then 60' from centerline on the south side of the road for a total of 82'. The Commission agreed to this arrangement and a permit was issued to build a house.

Several weeks later we were made aware of the fact that the Willett's had quitclaimed the property away on the south side of the road in 1965 and therefore could not dedicate it to the City.

Ms. Finley made a motion to require 19' of additional right-of-way for a total of 41' from centerline of Arrowhead Farm Road, unless Mr. Willett is able to negotiate with the owners on the south side of the road and get them to dedicate the 60' on their side. The motion was seconded by Mr. Little. Voting was 4 in favor, 2 abstaining. MOTION CARRIED.

Other business:

The Planning commission briefly looked at but took no action on a revised site plan for Misdoubt Bank located on the southeast corner of Highland drive and Fair Park Blvd.