



## Legislation Text

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File #: MIN-92:1638, Version: 1

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METROPOLITAN AREA PLANNING COMMISSION

SEPTEMBER 15, 1992

MEMBERS PRESENT: Patteson, Finley, Vance, McCracken, Little, Baker

MEMBERS ABSENT: Blalock, Coleman, Damron

#1 RZ92-21 Max Dacus, Jr. requested approval of rezoning from R-2 to C-3 for Lots 130, 179 & 180 of College Place Subdivision. The property is located on the north side of Johnson Avenue, west of Russell Drive.

A motion to approve the request, subject to a site plan being submitted and approved, was made by Mr. Patteson and seconded by Mr. Baker. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATION.

#2 RP92-28 Max Dacus, Jr. requested approval of a replat of part of College Place Addition. The property is located on the north side of Johnson Avenue, west of Russell Drive.

A motion to approve the request, subject to a site plan being submitted and approved, was made by Mr. Patteson and seconded by Mr. Little. Voting was 5 in favor, 0 opposed, and 1 absent. REQUEST APPROVED WITH STIPULATION.

#3 RZ92-22 Jim Heatherly requested approval of rezoning from R-1 to I-2 for 6.25 acres located on the west side of Commerce drive, south of Krueger Drive.

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

#4 MP92-37 Jim Heatherly requested approval of a minor plat containing 5.23 acres. The property is located on the west side of Commerce Drive, south of Krueger Drive.

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

#5 SP92-17 Jim Heatherly requested approval of site plans for a 12,500 sq. ft. addition to an existing building. The property is located on the west side of Commerce Drive, South of Krueger Drive.

It was noted that the trucking company on the site was in existence at the time of annexation and is not being expanded. All drives and parking are currently gravel.

Mr. Little made a motion to approve the request subject to a minimum length of 40' being paved for the width of the drives coming off Commerce Drive into this site in addition to the requirements of the State Highway Department and subject to the plans being revised to reflect I-2 specifications with the exception of the hard

surfacing requirements. Mr. Little further stated that notification should be sent to the City Council making them aware that this site is not in accordance with I-2 zoning requirements. The motion was seconded by Mr. Baker. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#6 MP-38 Cloyce Carter requested approval of a two lot minor plat containing 5.02 acres. The property is located on the east and west sides of Prescott Lane, south of Magnolia Road.

Mr. McCracken made a motion to approve the request subjects to the owner entering into a street improvement agreement for Prescott Lane. The motion was seconded by Ms. Finley. Voting was 5 on favor, 0 opposed. REQUEST APPROVED WITH STIPULATION.

#7 SU92-5 Cloyce R. Carter requested approval of placement of a mobile home on Prescott Lane. The site is located on the west side of Prescott Lane, south of Magnolia Road.

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

#8 RP92-31 Pat and Clifford Bailey requested approval of a replat of Lots 3 & 6, Block 1 of Morrison's Subdivision of Lots 1 and 2 of Block 2 of Stephenson's Addition. The property is located on the southwest corner of Patrick Street and Word Avenue.

Ms. Finley made a motion to approve the request subject to the right-of-ways being clarified and shown as a minimum of 30' on Patrick Street and 20' on Word Avenue. The motion was seconded by Mr. McCracken. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#9 PR92-29 Andrew Gray requested approval of a replat of part of Lot 15 of Senter and Company Addition. The property is located on the north side of Highland Drive, and east of Rains Street.

Mr. Baker made a motion to approve the request subject to the plat being corrected to show the correct existing right-of-way. The motion was seconded by Mr. Little. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATION.

#10 RZ92-23 Craig Thompson requested approval of rezoning from C-3 to R-3 for Lot 2C of the replat of Lot 1C of a replat of Lot 1 of Woodfield Development. The property is located on the east side of Woodfield Street, south of Nettleton Avenue.

It was noted that the adjoining residential property is zoned R-2 which would allow Mr. Thompson to do what he wants to do which is build an apartment complex.

A motion to approve the request amending it to be an R-2 designation instead of R-3 was made by Mr. McCracken and seconded by Mr. Patteson. Voting was 5 in favor, 1 abstained and 0 opposed. REQUEST APPROVED WITH STIPULATION.

#11 RZ92-24 Jerry Marriott requested approval of rezoning from R-1 to C-3 for .19 acres is located on the west side of Highway 49 (Southwest Drive), south of Wood Street.

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

#12 MP92-38 Jerry Mariott requested approval of a one (1) lot minor plat containing .29 acre. The property is located on the west side of Highway 49 (Southwest Drive), south of Wood Street.

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

#13 RZ92-25 Mrs. E. J. Covington requested approval of rezoning from R-2 to C-3 for Lot 6 of Earl Fairs Subdivision. The property is located on the east side of Patrick Street, south of Matthews Avenue.

There were several property owners in the area objecting to the C-3 zoning request. This property adjoins existing C-5 zoned property where there are currently two doctors' offices and some vacant land. Ms. Covington stated that she had been approached about the use of this land for medical offices as well as some additional property that she owns on Patrick Street. The commissioners were opposed to the C-3 zoning designation which is a general commercial classification. It was explained that medical or professional offices is basically all that can be located in the C-5 zoning district.

A motion to approve the request was made by Mr. Patteson subject to 5' additional right-of-way being shown on Patrick Street and subject to a site plan being submitted and approved prior to development. The motion was seconded by Ms. Finley. Voting was 5 in favor, 1 opposed. REQUEST APPROVED WITH STIPULATIONS.

#14 MP92-42 Mark Osborn requested approval of a one lot minor plat containing .941 acre. The property is located on the west side of Caraway Road, south of Matthews Avenue.

A motion to approve the request was made by Mr. Patteson subject to 60' additional right-of-way being dedicated from the centerline of Caraway Road in accordance with the master Street Plan. The motion was seconded by Mr. Baker. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#15 SP92-16 Mark Osborn requested approval of site plans for a Steak 'N Shape restaurant to be constructed. The property is located on the west side of Caraway Road, south of Matthews Avenue. It was stated that the existing inlet on the corner of Matthews and Caraway is not sufficient to handle the existing water coming to it and therefore the size of the inlet should either be increased or possibly the waster form the site being piped underground or some other means of handling the water. It was further noted that the steepness of the property will require plans to be submitted for the Matthews entrance into this site and a grading plan for the adjoining property.

Mr. Patteson made a motion to approve the request subject to the drainage questions and grading plans being resolved with their engineer and the City Engineer. This should include the grading of the drive off Matthews and adjoining property. All plans and specifications should be approved by the City Engineer. The 19' area shown as easement should be changed to show right-of-way. The motion was seconded by Mr. Little. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#16 SU92-6 Jerry Caldwell requested approval of placement of a mobile home at 2116 Duncan Road. The property is located on the east side of Duncan Road, north of Winchester Road.

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

#17 MP92-40 Dave Pearson requested approval of a two lot minor plat containing 2.86 acres. The property is located on the north side of Prospect Road, east of Elizabeth Lane.

Mr. McCracken made a motion to approve the request subject to the plat being revised to show 50' from the centerline of Prospect Road and subject to the owner entering into a street improvement agreement for Prospect Road. The motion was seconded by Mr. Baker. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#18 RP92-33 Joe Foster requested approval of a replat of Lot 1 of Foster Estates. The property is located on the northwest corner of Paragould Drive and Jettyl Drive.

In June of 1991 Mr. Foster obtained a building permit to build an accessory building on Lot 1 of Foster Estates to store his lawnmower, tools, maintenance supplies, etc. for his apartments. There was no knowledge of an additional living unit to be built above this accessory building. It became apparent as the building progressed that it was indeed more than an accessory building.

It was noted that there is an existing street improvement agreement for Jettyl Drive. It was also pointed out that the building under construction does not meet the minimum setback requirements and a variance would have to be sought.

Mr. McCracken made a motion to approve the request subject to the owner entering into a street improvement agreement for both Prospect Road and Paragould Drive. It was further stated that the replat not be recorded until action has been taken by the Board of Zoning Adjustments. The motion was seconded by Ms. Finley. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#19 MP92-39 Wilburn Horner requested approval of a one lot minor plat containing .78 acre. The property is located on the south side of Horseshoe Trails, east of Harrisburg Road (Highway 163).

Mr. Baker made a motion to approve the request subject to the right-of-way being clarified on Horseshoe Trails and at least 30' from centerline and subject to the owner entering into a street improvement agreement for this street. The motion was seconded by Ms. Finley. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATION.

#20 MP92-41 Jerry Donohue requested approval of a one lot minor plat containing 2.05 acres. The property is located on the east side of Culberhouse Street, south of Pickering Drive.

A motion to approve was made by Ms. Finley subject to the right-of-way on Culberhouse being shown as 41' from centerline. The motion was seconded by Mr. McCracken. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#21 SU92-7 Don Coleman requested approval of placement of a mobile home at 807 Tulip Lane. The property is located on the south side of Tulip Lane, west of North Patrick Street.

It was noted that this is not a mobile home park. It is a recorded subdivision developed mostly with mobile homes. This lot has been the site of a mobile home in years past. The proper amount of signatures, were presented on a petition from the adjoining properties.

The mobile home that is on the lot has been determined to not be a Class "A" mobile home and is in need of

extensive repairs before it would pass inspection. In the few months prior to this mobile home being placed on this lot, it was located on another lot in the subdivision without approval by Guy Pardew. We contacted Mr. Pardew who owned the home and he is turn sold the mobile home to Mr. Coleman who then moved the trailer from the unapproved site to its present location which was also unapproved. Prior to Mr. Coleman moving this trailer onto the lot, he placed a very old, dilapidated mobile home on the lot that was later removed.

There was opposition present to the placement of this mobile home, which is intended for rental purposes. Most of the opposition was to the effect that the mobile homes currently in the subdivision are owner occupied and who also own their land.

A motion to deny the request was made by Mr. Baker and seconded by Mr. Little. Voting was 4 in favor, 1 opposed. REQUEST DENIED.

#22 FP92-5 Reconsideration of plans for Jerry Craft's Highland Forest Subdivision: The subdivision contains 27 lots on 19.09 acres and is located on the south side of Highland Drive, west of MacArthur Park.

It was noted that when final approval of this subdivision was granted in July that there was a question about the proposed drainage on south side of Highland Drive crossing Earl Hill's property, which is immediately east of this subdivision. AHTD plans presently do not include any piping in front of the Hill property. Water from the street and some of the water from this subdivision will be flowing onto the Hill property from the west side and then some 400' east, after crossing the Hill property, the water flows back to the street (Highland Drive) and is picked up by inlet and moved to the north side of the street. It was requested that the City Engineer ask the AHTD to reconsider their plans for leaving some 400' of the roadway un-piped. The City Engineer submitted a request to the AHTD who responded that they felt the drainage question had been adequately addressed in their current plans and therefore no change was being made. A further part of the July approval was that if the AHTD did not address the situation further that the subdivision should come back before the MAPC for final disposition. Clay Kenward said that he wanted some assurance that a year from now or whenever that the City would not come back and tell the developer to pipe his ditch.

Mr. McCracken made a motion to approve the subdivision as submitted with no modifications being deemed necessary in regards to drainage improvements based upon the additional information provided by the project engineer and the City Engineer. Mr. McCracken further asked that the Mayor and any other appropriate city official get together and evaluate the situation and consider making contact with the appropriate State Highway official or commissioner and point out the deficiencies in the plan as presented and see if this problem can's be rectified because it appears to the Commission that, based on what has been presented, the State improvements are very much a part of this problem and therefore should participate in fixing it. The motion was seconded by Ms. Finley. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STATEMENTS.