



## Legislation Text

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**File #:** MIN-89:1586, **Version:** 1

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### MAPC MINUTES

MAY 16, 1989

MEMBERS PRESENT: McCracken, Coleman, Lamberth, Sloan, Smock, Patteson, Vance, Aycock

MEMBERS ABSENT: Blalock

The minutes of the April 11 and April 17, 1989 meetings were approved as prepared.

Case #A89-1 An amendment to Chapter 14, zoning, Section 14.04.04, Zoning of Annexed Areas, and Section 14.08.02, R-1 Residential District, of the Code of Ordinances of the City of Jonesboro, Arkansas, to bring all newly annexed areas into the city as R-1 and R-1M, and to create a new zoning district to be titled R-1M, Mobile Home Residential District.

Current members of the Commission who were also service on the Commission prior to 1984 stated that before 1984 all territory annexed to the City of Jonesboro was zoned R-1 which caused many problems. The annexation process involved a trip to the MAPC solely for the annexation and then 3 readings through City Council. If a rezoning of any of the territory was desired, another trip to the MAPC was required and an additional 3 readings by the City Council. Another problem that existed then as well as now is the nonconforming use ordinance. It was stated that there needs to be a long range zoning plan put into effect that would designate certain areas as needing to be zoned differently to the surrounding areas and thus eliminate some of the problems that are currently being experienced with “spot zoning” and nonconforming uses. There was no action taken on this particular ordinance amendment.

Concluding this discussion was a motion by Mr. Vance that the Commission recommended to the City Council that all the areas brought into the city under the 188 annexation vote be zoned R-1. The motion was seconded by Mr. Smock. All members present voting aye. MOTION APPROVED.

Case #OA89-2 An amendment to Chapter 14, zoning, Section 14.08.02 (c) 4, R-1 Residential District - Prohibited Uses, of the Code of Ordinances of the City of Jonesboro, Arkansas, to better define exceptions for Home Occupations.

It is the intent of this amendment to create some specifics as to what can be allowed as a home occupation in a R-1 Residential District.

A motion was made by Mr. Vance and seconded by Mr. Smock to recommend to the City Council that they approve this amendment. All members present voting aye. MOTION APPROVED.

Case #RZ89-6 Roddy Thrasher and Gary Haag requests rezoning from R-3 to C-1 for a lot located at 717 and 719 E. Washington.

It was stated by the owner’s representative that this site was previously used as a restaurant on the lower level

and apartments on the upper level and that is the intended use at this time. However, this use has been discontinued for more than one year which no longer allows it to be a nonconforming use. The nearest commercial zoning is some 300' to the west and to rezone this site would constitute spot zoning.

A motion was made by Mr. Sloan and seconded by Mr. Smock to deny this request. Those voting aye were Mr. Sloan, Mr. Coleman, Mr. Smock, Mr. Lamberth, Mr. Aycock, and Mr. Patteson. A no vote was cast by Mr. Vance. MOTION APPROVED WITH STIPULATIONS.

Case #RZ89-8 Postponed.

Case #RZ89-9 Louis Emerson requests rezoning from C-3 to R-3 for Lot 42 of Wilson's 2<sup>nd</sup> Addition, also known as 1437 W. Huntington.

Mr. Lamberth made a motion to approve the rezoning and replat, providing that the necessary documentation for the replat is received. Mr. Aycock seconded the motion. All members present voting aye. MOTION APPROVED.

Case #RZ89-10 Delta Beverage Group of Memphis, TN requests rezoning of the north 100 feet of Lot 2 of the Replat of Lots 7-44, Block 1 of M.R. Carson's Addition, on the west side of Liggett Street, 114.5 ft. south of Johnson Avenue (U.S. Hwy 49) from I-1 to C-3, for a proposed drive-in restaurant.

Mr. Vance made a motion to approve the rezoning subject to:

1. A replat of the property being approved by the MAPC.
2. That a site development plan be presented prior to issuance of a building permit.

The motion was seconded by Mr. Coleman. All members present voting aye, MOTION APPROVED WITH STIPULATIONS.

Case #FP89-5 George Stem requests final plat approval for Hunter's Run Addition, a 7 lot subdivision of 2.10 acres. The property is located on the east side of Wood Street, between Marcom Drive and Owens Drive.

Mr. Sloan made a motion to approve this request subject to:

1. Resolving the drainage problems in either of the two following manners: a) install the drainage structures as shown on the design if an easement is granted across the adjoining property by the owners. b) That the adjoining property owners agree to participate in the cost of installing underground drainage on the existing 20' easement with the developer, property owners and the City Engineer working out a feasible plan.
2. The intersection of Hunter's Run Cove and Wood Street be redesigned to show a right angle by being offset in the right-of-way

A further statement was made that if the easement is not granted by the adjoining property owners, the subdivision can still be built with only on-site improvements being put in place, It is not the feeling of the MAPC that this is the proper way for it to be done and that hopefully the easement will be granted or that a cooperative arrangement is made to share the cost of installing underground drainage. Mr. Aycock seconded the motion. Those voting aye were Mr. Sloan, Mr. Vance, Mr. Aycock and Mr. Patteson. Those abstaining were Mr. Coleman and Mr. Smock. MOTION APPROVED WITH STIPULATIONS.

Case #FP89-6 Trinity Church of Jonesboro, Arkansas requests final plat approval of Trinity Hills, an 8 lot subdivision of 2.51 acres. The property is located on the north side of Sequoia Drive, east of Rains Street.

A motion to approve this request was made by Mr. Aycock and seconded by Mr. Vance. All members present voting aye. MOTION APPROVED.

Case #FP89-7 Conrad Company Real Estate requests final plat approval for South Oaks Addition Phase Two, a 14 lot subdivision of 4.053 acres. The property is located at the east end of South Hill Drive and will create a new street - Andrea Drive - south of and intersecting with Craighead Road.

Mr. Coleman made a motion to approve this request subject to:

1. The City Engineer and developer working out a sequence of events on the drainage improvements and street construction and building permits.
2. The entire subdivision area being seeded and the seeding shall be maintained through road construction.
3. The application keeping the mud off of the apartment parking lot during construction.
4. A note being added to the plat indicating the number of flow restrictors to be constructed.
5. The curbing shown along Andrea Drive being extended to the intersection with Craighead Road.

The motion was seconded by Mr. Vance. All members present voting aye. MOTION APPROVED WITH STIPULATIONS.

Case #RP89-5 William Craft and Malcolm Street requests approval of the Replat of Lots 4, 5 & 6 of Woodsprings Heights, to relocate lot lines for the three lots. The property is located on the east side at the end of Harrison Cove.

A motion to approve this request was made by Mr. Vance Subject to: 1) the legal description being corrected and the meets and bounds being deleted, 2) a fire hydrant being provided on lot 6. The motion was seconded by Mr. Coleman. All members present voting aye. MOTION APPROVED WITH STIPULATIONS.

Case #RP89-6 John Marcom of Guaranty Realty requests approval of the Replat of Lots 12-14, Block A and Lot 1, Block E of Quail Ridge 2<sup>nd</sup> Addition. The property is located on the east of Wingfield Road, from south of turtle Creek Road to south of Vail Drive.

Mr. Aycock made a motion to approval this request subject the legal description being corrected and a fire hydrant being provided on lot 14. The motion was seconded by Mr. Patteson. All members present voting aye. MOTION APPROVED WITH STIULATIONS.

Case #MP89-1 Douglas and Helen Bradley requests approval of Bradley's Minor Plat, a two lot subdivision of 064 acres and 39.36 acres. The property is located on the east side of Boling Lane, 650 feet north of Aggie Road.

Mr. Vance made a motion to approve this request subject to:

1. Sewer service being extended unless health department approval has been obtained otherwise.
2. Bowling Lane being improved along the length of this plat or an acceptable bond or escrow be worked out with the City fathers or that Mr. Bradley prepare such a legal document that could be tied to the sale of any or all of the balance of this property making him or the future owners of this property responsible for the improvements on the 135' now being sold on the Bradley Minor Plat.
3. That the utility easement be changed to 15' instead of 10'.

The motion was seconded by Mr. Patteson. Those voting aye were Mr. Sloan, Mr. Smock, Mr. Vance, Mr.

Aycock, and Mr. Patteson. Abstaining was Mr. Coleman. MOTION APPROVED WITH STIPULATIONS.

Eric Winter distributed a copy of a public notice that has appeared twice in the newspaper giving all owners, developers a chance to get on record the progress of each subdivision or new construction that was stated prior to the 1988 annexation. The deadline for this filing is June 11, 1989 and needs to be signed and notarized.