



## Legislation Text

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Minutes for the MAPC meeting on May 11, 2004.  
Metropolitan Area Planning Commission Minutes, May 11, 2004

MEMBERS PRESENT: Beadles, Vance, Damron, Gott, Krennerich, Harpole, Johnson, Day(present for Items 4 -11)

MEMBERS ABSENT: Moore

OTHERS PRESENT: Claude Martin, City Engineer; Teddy Hooton, City Engineer; Ron Shipley, Acting City Planner; Phillip Crego, City Attorney; Brian Wadley, Planning Coordinator

The minutes of the April 13, 2004 meeting were approved on a motion by Mr. Gott, second by Mr. Damron and unanimous vote.

#1 RZ04-6 Scott Moore requested approval of rezoning from the R-1, Single Family Medium Density District to the C-3, General Commercial District for .92 acre located on a part of the SW ¼, SW ¼ of Section 14, T14N, R3E. The general location of the property is on the southeast corner of West Washington Avenue and West Matthews Avenue.

Cary Park stated that he planned to relocate his current business which is Servpro to this location.

No opposition was expressed by any one in attendance.

Approval of the rezoning was recommended by Ron Shipley, Acting City Planner.

There was some confusion about ownership and Mr. Park stated that he was the owner though the application was submitted in the name of Scott Moore.

Mr. Vance made a motion to recommend approval of the request to the City Council with Mr. Damron making the second. Voting was 6 in favor, 0 opposed. Those voting aye were Vance, Damron, Gott, Krennerich, Harpole, Johnson. MOTION CARRIED, REQUEST APPROVED.

#2 RZ04-12 Ruben Griffin requested approval of rezoning from the C-1, Downtown Core Commercial District, to the C-3, General Commercial District, for Lots 25 & 26 of Howard's Addition. The address of the property is 4935 E. Nettleton Avenue and the general location of the property is on the southwest corner of Nettleton and Central Avenue.

No opposition was expressed by any one in attendance.

Approval of the rezoning was recommended by Ron Shipley, Acting City Planner.

Mr. Harpole made a motion to recommend approval of the request to the City Council with Mr. Vance making the second. Voting was 6 in favor, 0 opposed. Those voting aye were Harpole, Krennerich, Vance, Damron, Gott, Johnson. MOTION CARRIED, REQUEST APPROVED.

#3 RZ04-13 WHB, LLC. requested approval of rezoning from the R-1, Single Family Medium Density District to the R-3, Multi-Family High Density District for 26.38 acres located on a part of the NW ¼ of the SW ¼ and a part of the SW ¼ of the SE ¼ and a part of the SW of the SW ¼ of Section 3, T13N, R4E. The general location of the property is on the east side of Richardson Road, north of Limestone Drive and west of Limestone Cove.

Approximately 30 people stood in opposition. Doug Ward spoke in opposition to this request stating that traffic congestion on Colony Drive now is terrible without the addition of any single or multi-family dwellings. There are railroad tracks also that limit traffic. There is a real problem there now that needs to be addressed. Several subdivisions in the area have put a lot of traffic on the streets. Drainage is another major issue. This proposed property is low and when the stormwater rises this is where a lot of it goes. This property will have to be built up which will cause flooding in the area. You can also expect an increase in crime with apartments. This is true all over town. Mr. Ward asked that this application be disapproved and further that the MAPC would take a hard look at the current traffic and drainage issues in the area.

Mitchell Caldwell, who is developing subdivisions in the area, reiterated that drainage is a major issue in this area. Mr. Caldwell stated that when he tried to rezone 10 acres in the area a couple of years ago that the MAPC refused because it would be spot zoning and poor planning. This rezoning falls into that same category. Mr. Caldwell stated that he had invested several hundred thousand dollars trying to build nice homes and a good neighborhood. Many people have made large investments in their homes here. Lynn Bennett, a resident of Beacon Street spoke about the proposal. He stated that he was a new resident of Jonesboro and for six months had lived in an apartment until he bought this house on Beacon. He said while in his apartment he witnessed many and various types of crime and even had a man held at gunpoint by police outside his door.

Mr. Bennett stated noise levels were intolerable often at the apartments. High speed traffic associated with apartment living is a major safety concern and the police can only prosecute those they catch which aren't very many. They moved here to get away from the apartment environment and invested all he had in this house and he cannot afford to move again.

Deborah Allen spoke in opposition spoke in regard to safety issues and road issues. A decrease in property values would result if this were developed with multi-family housing.

Ron Shipley, Acting City Planner, stated that based on the ordinances that he recommended passage.

When questioned, Troy Sheets, Project Surveyor, stated that they had not formulated any plans for the property at this time.

Commissioner Johnson noted that the property is surrounded on all sides by R-1 property now. The nearest R-3 property is located on Stadium Boulevard in the 3700 block which is approximately two miles away.

Mr. Damron made a motion to disapprove the request citing spot zoning and inconsistency with the density of the surrounding properties. The motion was seconded by Mr. Krennerich.

At the request of Mr. Sheets, the motion and second were both withdrawn by Mr. Damron and Mr. Krennerich and the request was withdrawn.

WITHDRAWN.

#4 RZ04-14 H.A.M.L. Inv., LLC, requested approval of rezoning from the C-5, Neighborhood Office District to the R-3, Multi-Family High Density District for Lot 6 of South Caraway Village and from the C-3, General Commercial District to the R-3, Multi-Family High Density District for Lot 5 of South Caraway Village. The general location of the property is on the south side of Latourette Drive, on the east and west sides of Latourette Lane.

No opposition was expressed by any one in attendance.

Approval of the request was recommended by Acting City Planner, Ron Shipley.

It was noted that two signs were posted on the property on Lakewood Drive and on Medallion Circle.

A motion to recommend approval of the request to the City Council was made by Mr. Vance and seconded by Mr. Johnson. Voting was 6 in favor, 1 opposed. Those voting aye were Gott, Vance, Krennerich, Harpole, Day, Johnson. Those voting no were Damron. MOTION CARRIED, REQUEST APPROVED.

#5 RZ04-15 Anita Arnold requested approval of rezoning from the R-1, Single Family Medium Density District to the R-3, Multi-Family High Density District for 20.03 acres located on the south one half of the NW ¼ of the SW ¼ of Section 2, T14n, R4E. The general location of the property is approximately ¼ mile north of Johnson Avenue and approximately ¼ mile west of Bridger Road.

Skip Mooney, Sr., Attorney for Ms. Arnold, stated that this property is behind some 40 acres that Paul Arnold had rezoned a few years ago. Mr. Mooney stated that there is no contract on the property and no specific development plan but that he feels that the proposal meets to criteria for rezoning to R-3. There is a trailer park on the east side of the property and a large ditch on the west side.

Commissioner Damron asked Mr. Mooney if they had considered a medium density to which Mr. Mooney stated they desired the high density R-3 zoning.

Randy Simpkins, who lives next door to this property, spoke in opposition to the proposal. Mr. Simpkins stated that while there is a trailer park on one side of the property, there are also very fine homes there as well and more are planning to be built. Some homes valued as much as \$500,000. A high density zoning would destroy the property values in the area. Some owners could not be here tonight because of graduation ceremonies at their schools. Mr. Simpkins noted that there are no plans for the property about how it will be developed or where drainage will go or where roads will be built. Dr. Beadles informed him that the owner does not have to tell the Commission what their plans are for the property. Mr. Simpkins stated that this really concerned him and that with a proposal of this type that the people ought to take the time to show what they are going to do not just ask for a blanket zoning of R-3 which is high density and that is how it would be developed with as many units as they could squeeze onto it. He stated that they were not opposed to the development of this property but the development should be in a manner consistent with the adjacent zoning and uses in the neighborhood.

Paul Wallis, who owns the property north of this property, spoke in opposition to the request. His brother is also opposed but had other commitments and could not be here. Mr. Wallis stated that he lives on Live Oak Street within a couple blocks of what is commonly known as apartment city. He stated that he has listened to the screams of the people, the loud music, the sound of gun shots, and lots of sirens. He has witnessed people

coming through the woods and trespass on properties in his subdivision. Mr. Wallis stated that more than one hundred thousand dollars was spent to purchase his property and he is about to spend over \$250,000 to construct his home there.

Mr. Wallis said that changing this property to R-3 would be a big mistake for Jonesboro. Many people have made great investments in this area and this could really hurt them. There are far too many apartments north of Johnson Avenue now. In fact there is a high vacancy rate among the apartments currently north of Johnson. Many of those are boarded up without being occupied and they experience high crime. They did not start out that way but they and many others have ended up that way.

David Blair, another property owner in the area spoke in opposition to the request. He is currently building a large home on the twenty acres that he owns there. It was appraised recently for around \$260,000. Bridger Road is a very narrow road that cannot handle the traffic currently using it and Pleasant Grove Road is the same way. Traffic comes very fast from the Farville area and the Bridger Road and Johnson Avenue intersection is very dangerous. Many people in the area travel to Hwy. 351 to get out at the stop light and it is highly congested too. A high density development in this location would create another apartment city and worsen conditions that are already bad.

It was noted that the nearest similar zoning is located a long way from this area around Aggie Road.

Ron Shipley, Acting City Planner, did not make a recommendation but stated that this request was similar to the other request on Richardson Drive.

Mr. Day made a motion to disapprove the request stating that it would be spot zoning and would be inconsistent with the surrounding zoning and land uses. The motion was seconded by Mr. Damron. Voting was 7 in favor, 0 opposed. Those voting aye were Krennerich, Harpole, Day, Johnson, Gott, Damron, Vance. MOTION CARRIED, REQUEST DISAPPROVED.

#6 CU04-6 Grace Community Church requested approval of a conditional use to construct a church in the R-1, Single Family Medium Density District. The general location of the property is on the west side of Richardson Road, south of Ingels Road.

No opposition was expressed by any one in attendance.

Approval of the request was recommended by Ron Shipley, Acting City Planner.

A motion to approve the request was made by Vance and seconded by Mr. Harpole. Voting was 7 in favor, 0 opposed. Those voting aye were Vance, Johnson, Damron, Day, Gott, Harpole, Krennerich. MOTION CARRIED, REQUEST APPROVED.

#7 FP04-7 Bob Harrison and Todd Wilcox requested final approval of Southbend, a residential subdivision containing 58 lots on 21.536 acres in the R-1, Single Family Medium Density District. The general location of the property is on the west and south sides of Harrisburg Road, east of Apt Drive.

Claude Martin, City Engineer, stated that the plans were submitted by the deadline, but he had a question about the drainage and detention but their engineer is comfortable with it and ultimately it is going to be their responsibility to be sure it works. Mr. Martin stated that they discovered on the day of the meeting that the plans had some major changes made since the preliminary plan. The grades on the streets are changed and

some of the drainage has changed. Mr. Martin stated that he is concerned about the water on Lots 14-33 and how the water will get away from that particular area. There are also concerns about drainage on Lots 14-33 and 34-48. Capacity of inlets and the elimination of some inlets are also of concern as well as needing some drainage easements.

Mac McAlister, project Engineer, stated that the reason he changed the grades on the streets to try to reduce the amount of fill to be placed on the streets. Mr. McAlister stated that he had increased the capacity on detention pond #1 by 60%. He further stated that he would be glad to sit down with the City Engineer and go over the plans in detail and explain all of the changes and justification.

No opposition was expressed by any one in attendance.

Ron Shipley, Acting City Planer, stated that once the engineering comments were satisfied he would recommend passage.

Commissioner Vance asked exactly what was allowed to be changed from preliminary to final. Mr. Martin responded that normally all they check on a final plan is to see that the preliminary stipulations have been met. Mr. Martin stated that they are not allowed to make additional stipulations on a final plan that were not made on the preliminary plans.

Mr. Krennerich made a motion to approve the request subject to approval of the City Engineer on the revised street and drainage plans. If the City Engineer is okay with the plans they do not have to come back to the Planning Commission. If he is not satisfied with the revisions then it will be sent back to the Planning Commission. The motion was seconded by Mr. Vance. Voting was 7 in favor, 0 opposed. Those voting aye were Krennerich, Harpole, Damron, Vance, Gott, Johnson, Day. MOTION CARRIED, REQUEST APPROVED WITH STIPULATIONS.

#8 FP04-8 Brent Stidman and James Crawford requested final approval of Jamestown Manor, a residential subdivision containing 29 lots on 14.551 acres in the R-1, Single Family Medium Density District. The general location of the property is on the west side of Darr Hill Road, approximately ¼ mile north of Southwest Drive.

It was noted that all the stipulations from the preliminary approval had been complied with.

A motion to approve the request was made by Mr. Day and seconded by Mr. Vance. Voting was 7 in favor, 0 opposed. Those voting aye were Harpole, Johnson, Gott, Damron, Krennerich, Day, Vance. MOTION CARRIED, REQUEST APPROVED.

#9 FP04-9 Elite Land Developers requested final approval of Madison Estate Subdivision, a residential subdivision containing 72 lots on 25.256 acres in the R-1, Single Family Medium Density District. The general location of the property is on the west side of Crowleys Ridge Road, north of Branchwood Lane.

It was noted that all the stipulations from the preliminary approval had been complied with.

Larry Adams, a nearby owner, stated that the houses on his street were on acre lots. He was concerned that these lots were too small. He also said he had enjoyed the trees and the natural state back there for 14 years. Mr. Adams also expressed concern about sewerage and the well.

Commissioner Day explained that these houses will be hooked up to city sewer and city water and there will be

no septic systems or wells. It was further noted that city sewer may be available to the houses on Branchwood Lane but there may be some costs associated with obtaining sewer.

A motion to approve the request was made by Mr. Harpole and seconded by Mr. Johnson. Voting was 7 in favor, 0 opposed. Those voting aye were Harpole, Johnson, Day, Gott, Damron, Vance, Krennerich. MOTION CARRIED, REQUEST APPROVED.

#10 FP04-10 Frank Macon requested final approval of Dunwoody Huntcliff Phase II, a residential subdivision containing 12 lots on 14.49 acres in the R-1, Single Family Medium Density District. The general location of the property is on the east side of Culberhouse Street and is a continuation of Huntcliff Drive southward.

It was noted that all the stipulations from the preliminary approval had been complied with.

A question was raised about completion of improvements in other subdivisions that Mr. Macon is involved with. It was noted that there is a bond on West Washington Business Complex but not on the Wilderness Run Subdivision but one is expected to be submitted soon. Mr. Macon is aware of his responsibility there.

A motion to approve the request was made by Mr. Harpole and seconded by Mr. Johnson. Voting was 7 in favor, 0 opposed. Those voting aye were Johnson, Krennerich, Day, Vance, Damron, Gott, Harpole. MOTION CARRIED, REQUEST APPROVED.

#11 FP04-11 Bob Gibson requested final approval of Griffin Park Subdivision Phase V, a residential subdivision containing 23 lots on 7.103 acres in the R-1, Single Family Medium Density District. The general location of the property is on the west side of Southwest Drive, north of Trailwater Drive.

It was noted that all the stipulations from the preliminary approval had been complied with.

A motion to approve the request was made by Mr. Krennerich and seconded by Mr. Day. Voting was 7 in favor, 0 opposed. Those voting aye were Krennerich, Gott, Damron, Vance, Day, Harpole, Johnson. MOTION CARRIED, REQUEST APPROVED.