



## Legislation Text

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**File #:** MIN-93:1646, **Version:** 1

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### METROPOLITAN AREA PLANNING COMMISSION

MARCH 9, 1993

The minutes of the 02-09-93 meeting were approved as prepared.

#1 RZ93-11 Marvin Higgins requested approval of rezoning from R-1 to I-1 for 8.87 acres located on the west side of Industrial Drive, south of Oliver Street.

It was stated that right of ways, easements, improvements, etc., would be reviewed at the time the land is platted and a site plan is proposed. A request to abandon an unimproved street will also be forthcoming.

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

#2 RZ93-12 Floyd Vuncannon requested approval of rezoning from R-1 to I-1 for 7.14 acres located on the east side of Highway 351, north of Johnson Avenue (HWY.49).

The property is currently being used for light industrial uses but is nonconforming in that the zoning is R-1. Mr. Vuncannon desires to bring existing uses into compliance and has plans for additional industrial used on the property. It was noted that the street plan calls for 41' of right-of-way from centerline on Hwy.351. Mr. Vuncannon stated that he did not have a problem with the additional right-of-way.

Mr. Patterson made a motion to approve subject to 1' additional right-of-way being granted from centerline on Hwy.351 in accordance with the master street plan. The motion was seconded by Mr. Alston. Voting was 6 in favor, 0 opposed. REQUEST APPROVED.

#3 RZ93-13 Robert Rees requested approval of rezoning from R-1 to R-3 for Lots A & B of Rees' Re-plat of part of the Ruth Ann Subdivision. The property is located on the east and west sides of Holmes Road, south of Aggie Road.

There are currently apartments located on both lots which were built in the 60's and 70's prior to being in the city limits. It was noted that a similar request was denied in 1989. When asked about the sewer situation Mr. Rees informed the Commission that city sewer had been extended to the property.

There was several in attendance in opposition to this request. Traffic flow was a major concern of the residents especially considering the two dead end streets, if more apartments are to be built. There is little to no possibility for additional accesses coming into the subdivision. It was stated they felt that once this property was rezoned that it would become easier for other lands in the subdivision to be rezoned. There was some concern expressed about property devaluation if the zoning is downgraded.

When asked if he was planning to build additional apartment units on the lots with the existing units, Mr. Rees stated that it was not his intention. Mr. Rees further stated that he failed to register his nonconforming use and

therefore was not protected by the Nonconforming Use Ordinance and this was his main reason for rezoning.

A motion to approve was made by Mr. Baker and seconded by Mr. Alston. Voting was 5 in favor, 1 opposed. REQUEST APPROVED.

#4 RZ93-14 Anita Langston Arnold requested approval of rezoning from R-1 to C-3 for 4.8 acres located on the southeast corner of Paragould Drive and Johnson Avenue (HWY. 49).

It was noted that a rezoning matter for Kent Arnold on the adjoining property has been disapproved by the MAPC was being appealed to the City Council.

With this in mind, Mr. McCracken made a motion to table the request until the City Council has had a chance to review the appealed decision and take action on it. The motion was seconded by Mr. Damron. Voting was 6 in favor, 0 opposed. REQUEST TABLED.

#5 RZ93-15 Francis Ellison and H.N. Murray requested approval of rezoning from R-1 to C-3 for 7.13 acres located on the southwest corner of Paragould Drive and Johnson Avenue (Hwy. 49).

It was noted that a rezoning matter for Kent Arnold on other lands in the immediate area has been disapproved by the MAPC was being appealed to the City Council.

With this in mind, Mr. McCracken made a motion to table the request until the City Council has had a chance to review the appealed decision and take action on it. The motion was seconded by Mr. Baker. Voting was 6 in favor, 0 opposed. REQUEST TABLED.

#6 RZ93-16 Nancy Cole Huff and Ethel Cole requested approval of rezoning from R-1 to C-3 for 3.69 acres located on the south side of Dan Avenue (Hwy. 63B), between Woody Lane and Myette Street.

This is the former site of Jonesboro Steel. The property has been used commercially since 1961. The previous structure has been dismantled and the owners are desirous to change the use. It was noted that a new building had been erected on the property without permits. Adjacent to the property are several commercial/industrial uses. It was noted that the right-of-way was deficient by 9' on Dan Avenue (Hwy. 63B).

#7 FP93-5 Larry Duke and Bob Gibson requested final 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 Road Annex.

It was noted that the stipulations made during preliminary approval has been complied with. A motion to approve the request had been complied with. A motion to approve the request was made by Mr. McCracken and seconded by Mr. Damron. Voting was 6 in favor, 0 opposed. REQUEST APPROVED.

#8 MP93-7 City Water & Light requested approval of a two lot minor plat containing 21,138 sq. ft. The property is located on the south side of Medallion Circle, east of Medallion Cove.

Mr. McCracken made a motion to approve the request subject to the right-of-way being shown no less than 30' from existing centerline of Medallion Circle. The motion was seconded by Ms. Finley. Voting was 6 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#9 RP93-10 Methodist Hospital of Jonesboro, Inc. requested approval of a replat of Lots 4, 5 & 6 of Methodist

Medical Office Subdivision. The property is located on the east side of Middlefield Drive, south of Methodist Drive.

Mr. McCracken made a motion to approve the request subject to the easements being clarified to show which is building setback and which is easement. It was further stipulated that the sewer easement be increased to 20, unless waived by CW&L. The motion was seconded by Mr. Damron. Voting was 6 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#10 SP93-7 J.A. Riggs Tractor Co. requested approval of site plans for construction of a 10,400 sq. ft. building to house their tractor sales/service business. The property is located on the south side of Parker Road, west of Willow Road.

This item approved administratively, MAPC action not required.

#11 SP93-8 Dr's. Ron Burnett and Stan McPike requested approval of site plans for an office complex containing approximately 4,700 sq. ft. The property is located on the north east corner of Race Street and Browns Lane. It was noted that there could be some conflicting traffic movements with the parking places at the entrances to the diagonal parking lot. Elimination of a couple of parking spaces would reduce the hazard. The northern most entrance to the parking lot is shown as 20' in width which is too narrow.

Mr. McCracken made a motion to approve the site plan subject to the north entrance to the parking lot being increased to 24' and subject to the elimination of one parking space on each end of the angled parking lot. The motion was seconded by Mr. Alston. Voting 6 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#12 RP93-11 Hubert Harlan requested approval of a replat of Lot D of the Mills Estate Subdivision. The property is located on the west side of Richardson Road, south of Ingels Road.

Mr. Harlan is dividing his land into three lots. The right-of-way is not in accordance with master street plan. It was noted that a street improvement agreement had already been entered into by the owner.

Mr. Patteson made a motion to approve the request subject to 41' of right-of-way being shown from centerline on Richardson Road. The motion was seconded by Mr. Alston. Voting was 6 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATION.

#13 mp93-11 Mary Susan Power requested approval of a replat of part of Tanglewood Place Revised and part of the NE ¼, SE ¼ of Section 23, T14N, and R3E. The property is located on the north side of Tanglewood Drive, east of Loberg Lane.

When Tanglewood Place, a PUD, was approved in 1987 it included Lot 5 of Block A. Though included in the plan, in reality the owner did not have any title to what is shown as Lot 5. A revised plat should have been filed long ago to clear up the record. With the filing of this minor plat, a revised plat of Lot 4 should have been filed to clarify the boundaries of it.

It was noted that Tanglewood Drive from its intersection with Dupwe Drive is a fully improved street until you reach a portion of this property. At this point it becomes a one lane road extending to Loberg Lane. The limit of the existing improvements needs to be shown on this plat. Street improvements need to be installed in front of this property where they are absent now by this owner. This will require improvement plans to be submitted.

This plat indicates the same perimeter setbacks of the PUD, but this property is not a part of the PUD, this information should be removed from the property.

Mr. McCracken made a motion to approve the request subject to revision of the plat to include Lot 4 in this plat and the appropriate signatures of the owners of both lots. Approval is also subject to a site plan being submitted and approved before the property is developed. Street improvements will be addressed at that time. The motion was seconded by Mr. Alston. Voting was 6 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#14 MP93-10 Richard and Judy White requested approval of a two lot minor plat containing 25 acres. The Property is located at the east end of Oakcrest Drive, east of Oakridge Drive.

It was noted that Mr. White had submitted in 1990 a conceptual subdivision plan for this property. That plan has now been abandoned and he is requesting to create two lots.

Mr. McCracken made a motion to approve the request subject to the owner entering into a street improvement agreement for Oakcrest Drive and Oak Vista Drive. Further subdivision may require improvements to be installed. The motion was seconded by Mr. Patteson. Voting was 6 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#15 PP93-3 Carroll Caldwell and Coy Mac Boyd requested preliminary approval of Ridgepointe Phase II containing 44 lots. The property is located east of Ridgepointe Drive, north of Woodsprings Road.

There was concern expressed about the lack of complete plans for adequate review and approval. Guy Lowes stated that he did not have enough information to provide a review of the plan. Detailed plans were not submitted. It was stated that if there are many issues or questions to be resolved at the next meeting, preliminary approval may be granted again. If there are no major discrepancies final approval could be considered. There was some discussion about the cul-de-sacs being installed at the dead end streets and the exact status of the temporary cul-de-sac. If the streets are to be extended then the cul-de-sac should be moved to the end of the extension. There are also requests for utility easements.

Mr. McCracken made a motion to grant approval of preliminary subdivision plans with the condition that when the subdivision comes up for final approval that the staff, make a recommendation to the Commission as to the quality of the plans and whether it should or should not receive final approval. Approval is also subject to the various staff comments being addressed, particularly drainage, street alignments, utility and flowage easements. It was further stipulated that the staff specifically review this plan as compared to the provisions plan that was approved to assure that the items that were addressed and seemingly resolved have in fact been addressed properly with emphasis being given to the "temporary" cul-de-sacs. It was decided that whatever was done the last time should be followed this time unless the City Engineer should come up with a better method to handle the status and installation of the cul-de-sac. The motion was seconded by Mr. Patteson. Voting was 6 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#16 PP93-4 Carroll Caldwell and Coy Mac Boyd requested preliminary approval of Ridgepointe Phase II-A containing two lots. The property is located on the north side of Ridgepointe Drive.

Mr. McCracken made a motion to grant approval of preliminary subdivision comes up for final approval that the staff make a recommendation to the commission as to whether the plans are in good shape and should or

should not receive final approval. Approval is also subject to the various staff comments being addressed, particularly drainage, street alignments, utility easements. It was further stipulated that the staff specifically review this plan as compared to the previous plan that was approved to assure that the items that were addressed and seemingly resolved have in fact been addressed properly with emphasis being given to the “temporary” cul-de-sacs. The motion was seconded by Ms. Finley. Voting was 6 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#17 FP93-6 The, Kelso Firm requested final approval of Murray Creek Subdivision, Phase III containing 15 lots on 6.05 acres. The property is located on the east side of Paragould Drive, south of Mockernut Drive.

This phase of the development will necessitate crossing Murray Creek. It was noted that these plans had been revised from the preliminary plans that were submitted in January. The original preliminary approval was granted two years ago. There are several revisions to the plans that were submitted in January that were discussed. Four additional lots have been deleted from this phase as well as portions of Murray Creek Drive and Mockernut Drive. The Kelso’s stated that these lots and streets will be included in the next phase of the subdivision and will continue to the north property line as originally proposed. This phase of the development stops some 200’ short of the northern boundary of the property.

This property adjoins the property that Kent Arnold had requested for zoning change to R-3 at the January meeting. A subdivision plan submitted by Mr. Arnold this month was pulled from the agenda when it was determined that there was no access to the subdivision. The only access proposed access into the subdivision was from Murray Creek Subdivision which has been eliminated. Mr. Arnold stated that he submitted his subdivision plan based on the preliminary plan the Kelso’s submitted in January. The Kelso’s plan is to submit the next phase of the subdivision in early 1994.

It was further noted that the curbing on Paragould Drive in the first phase of this development has not been installed completely and should be installed as soon as possible.

Mr. McCracken made a motion to grant final approval with the stipulations that the street shown as Murray Creek Drive be dedicated to the north property line as shown on the January plans with no improvements being required at this time along the new dedication, but giving the property owner the option to go ahead and improve this section as part of their overall project after the necessary drawings have been approved by the Staff and Commission. It was further commented that a revised overall drawing should be supplied to show all the many changes that have occurred when the next phase is submitted. The motion was seconded by Mr. Damron. Voting was 6 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#18 PP93-5 Kent Arnold requested preliminary approval of Stadium Place, as subdivision containing 17 lots on 29 acres. The property is located on the northeast corner of Stadium Blvd. and Colony Drive.

It was noted that the two large residential lots had not frontage on the street. There was some discussion of what street improvements were needed on Colony Drive.

Ms. Finley made a motion to approve the subdivision subject to the flood plain information being added to the plat. Approval is also subject to street improvements including curb, gutters and underground drainage, where necessary, on Colony Drive. It was further stipulated that the private drives be incorporated into the residential lots. The motion was seconded by Mr. Alston. Voting was 4 in favor, 2 opposed. REQUEST APPROVED WITH STIPULATIONS.

#19 PP93-6 David Abernathy and Venture Seven Corporation requested conceptual approval of Abernathy Lake Estates, a subdivision containing 12 lots on 11.8 acres. The property is located on the south side of Nix Lake Drive, west of Tower Park Addition.

The Commissioners review these plans, made some recommendations but took no formal action.

#20 SP93-10 Lowes Company, Inc. requested preliminary approval of site plans for new construction containing 119,000 sq. Ft. The property is located on the south side of Highland Drive, west of Fair Park Blvd.

The proposed plan indicates two entrances off Fair Park Blvd. which does not exist and for which no right-of-way has been dedicated. The proposed building is being built across a designated floodway by FEMA. Detailed plans on how this is to be handled will need to be submitted and approved before this work can begin. It was noted that a retention pond may need to be considered for handling the water runoff from this site.

There are some problems with the parking spaces and driving aisles that need to be addressed.

A motion to grant preliminary approval was made by Ms Finley and seconded by Mr. McCracken. Voting was 6 in favor, 0 opposed. MOTION CARRIED, PRELIMINARY APPROVAL GRANTED.

#21 SP93-11 Realty Associates, Inc. requested preliminary approval of street plans for Fair Park Blvd., extending southward from Highland Drive to Race Street.

It was noted that there is still no dedication in hand for Fair Park Blvd. The plans indicate a four lane street to be built extending from Highland Drive to Race Street. Street alignment with Bittle Street was also discussed. There were some details lacking on the plan related to drainage. More details are needed on the box culverts and more data on the open ditches. The proposed plans involve moving an existing floodway. Additional engineering data will have to be provided otherwise the existing ditch cannot be moved or filled.

A motion to table the request was made by Mr. McCracken and seconded by Mr. Damron. Voting was 6 in favor, 0 opposed. REQUEST TABLED.

#22 SP93-12 Wade Quinn requested approval of plans for a 2,000 sq. ft. addition to an existing 2,800 sq. ft. building in C-4 zoning. The property is located on the southeast corner of Johnson Avenue (Hwy. 49) and Jewell Drive.

Mr. Patteson made a motion to approve the request subject to an 8' wooden fence being installed on the south property line and subject to any outdoor lighting being mounted on the building. A portion of the existing structure containing 1,000 sq. ft. that was in poor shape has been demolished to make room for this new addition. It was further acknowledged that the floor space created by this addition will exceed the maximum allowed for retail space in C-4 zoning. The motion was seconded by Mr. Baker. Voting was 6 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

Other business:

At the February meeting it was asked that another public hearing be held to discuss the Storm water Management Ordinance further before taking action on the ordinance. The Commission is requested to be present at that meeting. The meeting was tentatively set for March 23, 1993.

There was considerable discussion about the number of items generally and the number of incomplete items. It was felt that a lot of the discussion that is taking place now could be handled prior to the public meeting. Technical items should be resolved prior to the meeting. It was further stated that it was unfair to those on the agenda to have to wait four and five hours to be heard. Plans that are incomplete should be refused by the Staff and not placed on the agenda. A committee was appointed consisting of Lloyd McCracken, Guy Lowes, Jim Shaw, Brian Wadley, Steve Alston to review the possibilities to help streamline items appearing before the Commission. If possible a report should be ready to present to the Commission at the April meeting containing a list of recommendations to help solve some of these problems.