



Legislation Text

File #: MIN-92:1633, **Version:** 1

METROPOLITAN AREA PLANNING COMMISSION

JUNE 9, 1992

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

MEMBERS ABSENT: Blalock, Vance

The minutes of the May 12, 1992 meeting were approved as prepared.

#1 RZ92-14 Hortense Cowles requested approval of rezoning from R-1 to C-3 for 7.57 acres located on a part of the SW $\frac{1}{4}$ of Section 29, T14N and R4E. The property is located on the west side of Browns Lane, north of Executive Square.

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

#2 RZ92-15 Max Dacus and Ed Watson requested approval of rezoning from R-1 to C-3 for .374 acres located on a part of the NE $\frac{1}{4}$, NW $\frac{1}{4}$ of Section 9, T13N and R4E. The property is located on the northwest side of Stadium Blvd. north of Harrisburg Road.

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

#3 MP92-21 Max Dacus and Ed Watson requested approval of a one (1) lot minor plat containing .374 acres. The property is located on the northwest side of Stadium Blvd. north of Harrisburg Road.

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

#4 RZ92-16 Frank Macon requested approval of rezoning from R-2 to C-5 for a part of Lot 4 of Cobb and Lee's Survey of the NW $\frac{1}{4}$, NW $\frac{1}{4}$ of Section 20, T14N and R4E. The property is located on the east side of Patrick Street, south of Matthews Avenue.

The proper right-of-way for Patrick Street was questioned by the Commissioners. Dennis Zolper, representing the petitioners stated that Patrick Street is not dedicated on the east side along this property, though the plat does show some right-of-way on both the east and west. Clay Kenward stated that the property deeds along Patrick extend to the centerline of existing street.

Ms. Finley made a motion to approve the rezoning request with the stipulations that a replat of the property and a site plan be submitted that would address the right-of-way deficiency should be pointed out to the City Council and also with the acknowledgment that the MATA Plan does refer to improvements that would affect this property on Patrick, East Oak and Terrace Court. The motion was seconded by Mr. Patteson. Voting was 6

in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#5 MP92-22 John Buckner requested approval of a one (1) lot minor plat containing 4.30 acres. The property is located on the north side of Philadelphia Road, west of Highway 141.

It was pointed out that Mr. Buckner had entered into a street improvement agreement for future improvements on Philadelphia Road. A motion to approve the request was made by Mr. Patterson and seconded by Mr. Damron. Voting was 6 in favor, 0 opposed. REQUEST APPROVED.

#6 MP92-23 Clay McDaniel requested approval of a one (1) lot minor plat containing 5.0 acres. The property is located on the east side of Old Bridger Road, approximately ½ mile south of Johnson Avenue.

A motion to approve this request was made by Mr. McCracken subject to the plat being revised to show the right-of-way at the property line. The motion was seconded by Ms. Finley. Voting was 6 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#7 MP92-24 Scotty Copeland requested approval of a one (1) lot minor plat containing .90 acre. The property is located on the south side of Penny Lane, west of Crowley Ridge Road.

Mr. McCracken made a motion to approve the request subject to the right-of-way being clarified on Penny Lane and shown on the plat. The motion was seconded by Ms. Finley. Voting was 6 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#8 MP92-25 Scott Arender requested approval of a one (1) lot minor plat containing 2.37 acres. The property is located on the northeast corner of Highway 141 and Arender Drive.

The need for changing the private drive adjoining this property on the south side to a public street was discussed by the Commissioners. The drive provides access for more than one property owner. Without the street being made public there would be a landlocked parcel to the east of Mr. Arender. It was mentioned that the parcel may have access to another street.

A motion was made by Mr. Little to approve the request subject to 30' of right-of-way being dedicated from the centerline of existing Arender Drive or certification that this landlocked property does have street frontage on another street. Another option given to Mr. Arender was to secure title to the landlocked parcel and include in the plat with the remainder of his property. The motion was seconded by Ms. Finley. Voting was 6 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#9 MP92-26 Julian Crist requested approval of a two (2) lot minor plat containing 1.86 acres. The property is located on the west side of Caraway Road, north of Race Street.

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.

#10 MP92-27 Wallace Fowler, Jr. requested approval of a three (3) lot minor plat containing 31.58 acres. The property is located on the west side of Culberhouse Street, south of Stinnett Drive.

Mr. Patterson made a motion subject to the maintenance on Culberhouse Street being clarified. The motion was seconded by Mr. Baker. Voting was 5 in favor, 1 abstained. REQUEST APPROVED WITH STIPULATIONS.

#11 PP92-4 Mitchell Caldwell and Shelby Phillips requested preliminary approval of Colony Park Second Addition. The subdivision contains 20 lots on 7.36 acres and is located on the southwest corner of Colony Drive and Richardson Road.

The items of discussion regarding this subdivision were a drainage easement between Lots 6 & 7 and the details on the curb in front of Lots 14 & 15 and how they will drain, revision of plan to show 50' right-of-way on street leading to cul-de-sacs, lot sizes being shown or a statement regarding lot sizes, revision of the description to state that this is a replat of Lot 5 of Caldwell-Phillips Addition.

Mr. McCracken made a motion to grant preliminary approval with the statement that the City Engineer and City Planner meet with the developers concerning the improvements on Richardson Road and the Engineer and Planner have a recommendation for the Commission of final approval in regards to improvements on Richardson, or the best course of action regarding the situation. The comments made concerning deficiencies in the plat regarding this subdivision should also be addressed on the final approval. The motion was seconded by Ms. Finley. Voting was 6 in favor, 0 opposed. REQUEST APPROVED FOR PRELIMINARY.

#12 PP92-5 Gary Bearden requested preliminary approval of Garden Place, a subdivision containing 9 lots on 2.85 acres. The subdivision is located east of Metzler Lane will be a continuation of Chickasaw Avenue southward.

Many persons in attendance voice opposition to the subdivision plan as submitted. Most comments were related to the small lot sizes as compared to the surrounding lots in adjoining subdivisions. Some concern was expressed over extending Chickasaw Street which is already a dead end street approximately 700 feet long. Possible property devaluation and existing drainage problems were also discussed. It was pointed out that three years ago a minor plat of part of this property was submitted. The property adjoined an existing 30' street dedication for Kenesaw Street. At that time the Planning Commission discussed at length the need for additional right-of-way for Kenesaw Street to become a through street. The item was tabled until further information was provided and nothing was ever done with the plat. Since then Mr. Bearden and the other property owners adjoining the 30' dedication of Kenesaw Street have been successful in getting the City Council to abandon this 30' street right-of-way. The property then became a part of the property on the north side only, part of which adjoins the 60' right-of-way that belongs to the City. The status of the land that adjoins The City's right-of-way was discussed with Pam Honeycutt. It was Pam's opinion that the 30' X 60' portion of land adjoining the street right-of-way was in fact owned by the City and was private property. She further stated that the City Council would have to take action to make the land available for use as a street or any other use as it would any other City owned property.

Concluding the discussion was a request by Mr. Bearden to withdraw his request for further study.

#13 MP92-15 Bobby Barton requested approval of a one (1) lot minor plat containing .78 acre. The property is located on the east side of Trammel Drive, north of Frog Pond Road.

This item had been tabled at the previous meeting pending the clarification of status of Trammel drive. It was found that at least one half of the right-of-way for Trammel Drive did extend to this property. It was noted that Trammel Drive at this location was not much improved.

A motion to approve this request was made by Mr. Damron subject to the east one half of the Trammel Drive being improved to city specifications for a gravel street at this time by this owner and subject to the plat being

revised to show the right-of-way at the property line. This owner is also to enter into a street improvement agreement for future improvements on Trammel Drive. The motion was seconded by Ms. Finley. Voting was 6 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#14 RP92-17 Arkansas Glass Container Corporation requested approval of Lot 1, a replat of Blocks 5, 6, 7, 8 & part of Block 9 of Barritts Addition. The property is located on the north side of Johnson Avenue, east of McClure Street.

It was noted that the street right-of-ways, railroads and existing drainage structures had been added to the plat as was stipulated at the May meeting. A motion to approve the request was made by Mr. McCracken and seconded by Mr. Patteson subject to a 15' drainage easement being added to the plat for the existing storm drain. Voting was 6 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#15 FP92-5 Jerry Craft requested final approval of subdivision plans for Highland Forest. The subdivision contains 27 lots on 19.09 acres and is located on the south side of Highland Drive, west of MacArthur Park.

There was a considerable amount of discussion concerning the way the drainage is being handled on the south side of Highland Drive from this property crossing the Hill property and then entering the inlet on the east side of Mr. Hill. Clay Kenward stated that he had contacted the Highway department concerning the lack of drainage structures on the south side but with no success.

A motion was made by Mr. McCracken that the City Engineer, on behalf of the Planning Commission, to contact the AHTD regarding the lack of drainage structures on the south side of Highland and relay to them in Commission's concern, the City Engineer's concern and this developer's concern and see if there is a better way to address this issue than has been done thus far. It was further stated that the City Engineer report back at next month's meeting on his findings. The motion was seconded by Ms. Finley. Voting was unanimous in favor of this motion. MOTION APPROVED.

A motion to grant final approval was made by Mr. McCracken subject to the two spillways shown in the cul-de-sacs being changed to drop inlets with stubbed out pipe in accordance with the City Engineer's recommendation and also subject to the City Engineer talking with the AHTD in regards to the drainage on Highland and if he can work out anything any different to these plans concerning the drainage question that would be fine. If not, the matter will be referred back to the commission to e for final disposition. The motion was seconded by Mr. Patteson. Voting was 6 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#16 RP92-22 Stan Lamb, Tom Parsons and Ray Nickel requested approval of a replat of part of Lot 4 of Martin Green Pines Addition. The property is located on the south side of Neely Road, east of Rosalee Drive.

Part of this property was platted in April of 1992 for Mr. Parsons. The plat at that time failed to show an existing private easement providing access to Mr. Lamb's property. Mr. Nickel's property is included in this plat to show the utility easement across his property that will provide utilities to Mr. Lamb. However Mr. Nickel refused to sign the plat and therefore it was decided that the description would be revised to take out the Nickel property.

A motion to approve the request was made by Ms. Finley subject to the placement of a cul-de-sac on Rosalee Drive being studied on part of Lots 4E, 4G & 4I and a recommendation by the City Engineer as to its placement and also subject to a street improvement agreement being entered into by Mr. Lamb for future improvements on

Rosalee. Mr. Parsons and Mr. Gorton have entered into an agreement at this time. It was further stipulated that the Nickel property be removed from the plat. The motion was second by Mr. McCracken. Voting was 6 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#17 RP92-23 Larry Duke requested approval of a replat of Lots 3, 4 & 5 of the replat of Lots 4, 5, & 5 of Crystal Hills Subdivision. The property is located on the south end of Patricia Cove, extending to Covey Road.

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

This item was taken by request from the floor:

Max Dacus, Jr. brought up a replat request from the floor regarding a replat that missed the filing deadline. As stated by Mac there is a need for 7' to be taken from one lot and added to the other lot to accommodate the size structure required for the project. It was further stated that the replat had to be completed prior to June 30 in order to receive the federal funding for the group housing project. There was some concern expressed by area residents in previous conversation relating to this project. They were told to watch the paper for the agenda. This item did not make the agenda. It was stated that a site plan should be seen to give the residents and the commission a chance to see the project. All that is being considered tonight is the replat of the property and no development is being approved at all.

A motion was made by Ms. Finley to approve the request on an "emergency basis" subject to the need for a drainage easement being reviewed and/or granted for the existing pipe on the property and subject to a site plan being approved by the Commission prior to development. The motion was second by Mr. Damron. Voting was 5 in favor, 1 abstained. REQUEST APPROVED WITH STIPULATIONS.

OTHER BUSINESS:

Mr. McCracken brought up a question concerning the increase in placing of many portable trailers and products being sold form them. Most of them in the parking lots around town with extension cords being strung across parking lots and with parking spaces being used. Cars are being parked every which way, crossing the lots at all angles, drivers being blocked. It doesn't seem to be the proper thing to do. Mr. McCracken stated that most locations where these trailers are at some time had site plan approval that made no provision for such and then posed the question as to what should be done about the trailers. Mr. McCracken asked that some type of review be done and come back with a report of what present procedure is and a solution or recommendation for procedural changes.

Mr. Coleman informed the commission of at least two items that asked to be heard at tonight's meeting and were denied. It was agreed by the Commission that a special meeting would be held on Thursday, June 18 to hear those two items.