



City of Jonesboro

300 South Church Street
Jonesboro, AR 72401

Meeting Minutes - Final Metropolitan Area Planning Commission

Tuesday, November 12, 2013

5:30 PM

300 S. Church Street

1. Call to order

2. Roll Call

Present 7 - Lonnie Roberts Jr.; Joe Tomlinson; Paul Hoelscher; Ron Kelton; Kim Schrantz; Jerry Reece and Jim Scurlock

Absent 2 - Brian Dover and Beverly Nix

3. Approval of minutes

MIN-13:099

Meeting Minutes Approval:

Approval of MAPC Meeting Minutes: August 13, 2013 (Correction of Page 4 & 5, Voting determination of Site Plan review passed due to MAPC Bylaws).

Attachments: [August 13 2013 Metropolitan Area Planning Commission Corrected Meeting Minutes](#)

A motion was made by Joe Tomlinson, seconded by Jim Scurlock, that this matter be Approved . The motion PASSED with the following vote.

Aye: 6 - Joe Tomlinson; Paul Hoelscher; Ron Kelton; Kim Schrantz; Jerry Reece and Jim Scurlock

Absent: 2 - Brian Dover and Beverly Nix

MIN-13:100

Approval of the MAPC Meeting Minutes: October 7, 2013

Attachments: [MeetingMinutes_MAPC OCT 7 2013 Draft](#)

A motion was made by Paul Hoelscher, seconded by Joe Tomlinson, that this matter be Approved . The motion PASSED with the following vote.

Aye: 6 - Joe Tomlinson; Paul Hoelscher; Ron Kelton; Kim Schrantz; Jerry Reece and Jim Scurlock

Absent: 2 - Brian Dover and Beverly Nix

4. Subdivisions: None

5. Final Site Plan Reviews

SP-13-22

SP: Final Site Plan Review: Love's Travel Stop

Steve Walters of Love's Travel Stop requests MAPC's Final approval of the required site plan for the previously approved Planned District Development (PD-C) located at 5101 E. Parker Road.

Attachments:

[Application](#)

[Civil Site Drawings](#)

[Miscellaneous Detail Drawing Set](#)

[Ordinance Love's](#)

[Plat](#)

[RZ 13-06 LOVES PREM SITE PLAN](#)

[RZ 13-06 LOVES PREM SITE PLAN page 2](#)

[Transmittal](#)

[Drainage Report](#)

Applicant: Mr. Trey Savoie, Resource Consulting presented to the MAPC. He noted that they have removed one of the drives on Hwy. 463, now have one full turn driveway south of Parker Road. We made some creek improvements for drainage.

Mr. Spriggs gave staff comments noting that there was a Pre-meeting with staff and agencies. The future development of the Hotel to the south was discussed during the previous rezoning hearings and concerns were raised in terms of connectivity. The applicant has addressed the concerns on the southeast and they have refined the truck travel and access/egrees and ingress to the property. Unfortunately there were some issues dealing with off-site improvements as noted by MPO on the concerns of potential queing problems were Parker Road intersects with Hwy. 463. Our existing codes limit us to what can be required off-site. Mr. Savoie stated that he met with Engineering staff and they do not anticipate traffic issues to the south on Hwy. 463. To help curve that issue is to add a second driveway off Parker Rd. to allow any automobile connection in case should stacking become an issue.

A motion was made by Jim Scurlock, seconded by Jerry Reece, that this matter be Approved . The motion PASSED with the following vote.

Aye: 6 - Joe Tomlinson; Paul Hoelscher; Ron Kelton; Kim Schrantz; Jerry Reece and Jim Scurlock

Absent: 2 - Brian Dover and Beverly Nix

[SP-13-23](#)

Site Plan Review: Demo's Restaurant

Brian Ford of Brian Ford Construction Co., Contractor for Demo's Restaurant located at 4115 E. Johnson Ave. is requesting MAPC approval of site improvement waivers for required screening of the property required as part of a rezoning to a C-3 L.U.O.

Attachments: [Letter](#)
 [Revised Site Plan](#)
 [Approved Site Plan](#)
 [Ordinance](#)

Mr. Carlos Wood presented before the Commission. He noted that the client/owner and contractor modified the approved plan during construction. The owner did not want the two landscaping islands in the rear, because of loading truck conflicts and he wanted to move the parking to the south.

He didn't have a convenient place to put a sign, so they removed an island and created a new island in the center. City Water and Light wanted their transformers to the rear of the building. So another island was moved to the south end. On the east side a fence was specified to be put in, and it as later rezoned to Commercial. That owner prefers not to have that fence put in for visibility. He does not wish to put the fence to the south because there are existing trees there with limited visibility.

Mr. Spriggs gave comments regarding the rezoning and previous opposition concerns. The southern boundary was stipulated with buffering due to the parking lot screening standards. Mr. Hales confirmed the huge evergreen buffer (30 ft. shrubs). There are 45 pine trees in the rear that were not removed. They are 30-40 ft. trees within. Mr. Spriggs suggested that in the future where that screen is compromised or it dies, then it can be conditioned to be replaced in that case. Mr. Spriggs referred to the letter submitted waiving the requirements of the fence from an abutting property owner. The west site when it is developed will be subjected to the requirement once that plan is submitted. Note: Dumpster enclosure requirement was not waived.

A motion was made by Jim Scurlock with the noted condition that if the existing screening/landscaping is compromised or deterioration, replacement will be required, seconded by Joe Tomlinson, that this matter be Approved . The motion PASSED with the following vote.

Aye: 6 - Joe Tomlinson;Paul Hoelscher;Ron Kelton;Kim Schrantz;Jerry Reece and Jim Scurlock

Absent: 2 - Brian Dover and Beverly Nix

SP-13-24

Site Plan Approval: 1711 Arch St. - Final

Wesley Abernathy requests MAPC approval for a Final Plan for the Planned Development located at 1711 Arch Street (Terminus of Arch St. North of Henry St., South of the Jonesboro Airport, North of Highway 18/Highland Dr.). It was rezoned as a Planned Development PD-RM District on April 19, 2011.

Attachments: [Proposed Layout](#)
 [Proposed Phasing Plan](#)
 [Original Layout Abernathy](#)
 [ORD 11 028 HenryArch](#)

Mr. George Hamman: One duplex has been built. It will be built in phases to be shown on the final plan. Stormwater regulations will be met. We are requesting Preliminary Approval. We will put together a time-line for the phases.

Mr. Spriggs explained the April, 2011 for the Planned District, PD-RM. As part of the motion there is a need to consider a continuance of the 2-year expiration. Mr. Morris stated that Arch St. needs to be terminated as a cul-de-sac. Mr. Spriggs also referred to the perimeter fencing required by the ordinance.

A motion was made by Ron Kelton as noted subject to all conditions of staff, seconded by Joe Tomlinson, that this matter be approved. The motion **PASSED** with the following vote:

Aye: 6 - Joe Tomlinson; Paul Hoelscher; Ron Kelton; Kim Schrantz; Jerry Reece and Jim Scurlock

Absent: 2 - Brian Dover and Beverly Nix

SP-13-26

Final Site Plan Review: Oak Tree Manor

George Hamman on behalf of Robert Abraham, M.D., requests MAPC approval of a Final Site Plan for property located at the terminus of Bradley Street between Gwen Street and French Street for a Planned Development District PD-RM. This property was rezoned on August 20, 2013.

Attachments: [Final Site Plan](#)
 [Planned Development Oaktree Manor](#)
 [Original Layout Abraham](#)
 [Ordinance](#)
 [Plat](#)

George Hamman presented the request.

The owner has 3 or 4 different floor plans to be driven by the market. There will be even more open space. The platting will happen in a timely manner. This will be in phases (4) to be shown on the final plans. This site is in the flood plan and we will accomodate flood management standards. The buildings will be eleveated 16-24 " above the base floor elevation.

Mr. Spriggs stated that the issues by Engineering in terms of the coordination of right of ways will need to be addressed (terminus of Bradley Street as added by Mr. Michael Morris).

A motion was made by Jim Scurlock, seconded by Kim Elmore, that this matter be approved. The motion PASSED with the following vote.

Aye: 6 - Joe Tomlinson;Paul Hoelscher;Ron Kelton;Kim Schrantz;Jerry Reece and Jim Scurlock

Absent: 2 - Brian Dover and Beverly Nix

COM-13:094

Moss Fence Company on behalf of Ted Herget requests MAPC approval of a perimeter fence along a lot located at 2506 Rosewood Dr. (Lot 4) in Rosewood Estates Subdivision, at the height of 8' ft., constructed of concrete block material.

Attachments: [Application](#)
 [Subdivision Plat](#)
 [AERIAL VIEW](#)

Mr. Herget presented the 8 ft. concrete/block fence request, to keep the noise down and match the materials of the home. Mr. Spriggs gave brief comments of the fence code requirements for perimeter fencing on subdivisions. A similar wall fence is at the gateway to the subdiivision.

A motion was made by Ron Kelton, seconded by Jim Scurlock, that this matter be approved. The motion PASSED with the following vote.

Aye: 6 - Joe Tomlinson;Paul Hoelscher;Ron Kelton;Kim Schrantz;Jerry Reece and Jim Scurlock

Absent: 2 - Brian Dover and Beverly Nix

Staff Updates: Access Management/Land Use/Master Street Plan

[COM-13:079](#)

Staff Presentations:

1. Proposed Access Management
2. Briefing on the Master Street Plan & Land Use Plan Update

Attachments: [Proposed Traffic Access/ Parking & Loading Updates](#)

Dr. Marsha Guffey presnted to the MAPC and welcomed questions and suggested that the MAPC makes a recommendation to the Council/Public Works Committee for consideration.

Mr. Hoelscher asked how was the proposed Access Management Plan received by the various groups? Ms. Guffey stated that so far there are major noted issues, so far everyone has been thoughtful. Most people recognized that most of these things are necessary.

Motion was made by Mr. Hoelscher that the MAPC supports the plan and recommends to to the Public Work's Committee for approval. Motion was seconded by Ms. Schrantz.

Mr. Scurlock: Aye; Mr. Reece- Aye; Ms. Schrantz-Aye, Mr. Tomlinson- Aye; Mr. Kelton-Aye; Mr. Hoelscher-Aye. Measure passed.

Dr. Guffey also gave an update to the Commisson of the efforts by the Committees on the Master Street Plan and the Land Use Plan. Recommendations are forthcoming for MAPC consideration. The Land Use Plan is going towards to the concept of having growth sectors.

The motion PASSED with the following vote.

Aye: 6 - Joe Tomlinson;Paul Hoelscher;Ron Kelton;Kim Schrantz;Jerry Reece and Jim Scurlock

Absent: 2 - Brian Dover and Beverly Nix

6. Conditional Use

CU-13-11

CU 13:11 (Revision)

Conditional Use Request: Address Change: Dewayne Sharp requests MAPC Approval to move facility two lots west (Change from lots 6 and 7 of Jonesboro Industrial Mini Park #2, to Lots 4 & 5 within an existing I-2 General Industrial Zoning District). Conditional Use was granted by MAPC September 10, 2013.

CU 13:11: Dewayne Sharp requests MAPC Conditional Use Approval for a Metal Recycling Facility to be located at end of Vance Drive, lots 6 and 7 of Jonesboro Industrial Mini Park #2 use within an existing I-2 General Industrial Zoning District.

Attachments: [Letter Requesting_SiteRelocation](#)
[New Site Plan](#)
[New Grading Plan](#)
[Jonesboro Mini-Park Replat Signed](#)
[CU 13 11 Application Vance Drive](#)
[VanceDriveAerial](#)
[Zoning Map](#)
[Previously Approved Site Plan](#)
[Jonesboro Recycling Site Application](#)
[JonesboroRecyclingFac_ECM SP-3](#)
[Staff Report](#)

Mr. Carlos Woods: Represented the developer. Last meeting it was approved to go on lots 6 and 7. The developer met with ASU as requested. During those meetings ASU proposed that if ASU purchased 4 & 5 and trade for lots 6 & 7, the developer would agree to move the facility two lots to the west. The lots are the same zoning (Mr. Roberts).

Mr. Spriggs gave comments on behalf of staff. The property is being changed to the lots directly to the west. This would allow ASU a contiguous expansion of their other facility. The move will be approximately 500 feet to the west. The layout was provided showing the shifted facility.

Attorney David Cahoon: Appeared before the Commission and stated that he represented 15 industries and service groups located in Industrial Park and each oppose the change. We were cut off guard in the original request. He presented a petition.

Three of the manufacturers are also wanting to speak: James Best, Best Manufacturing, Von Wisdom of Neat Pressworks, Channon Lesley of Jonesboro Tool and Dye.

James Best: We welcome Mr. Sharp to the Jonesboro Community. We are for economic development. I relocated my Manufacturing Facility on Krueger Dr. This will create a negative impact on our property values. This will be a detriment on recruiting additional industry. We need to pull together as a team and help Mr. Sharp find another location. We are working on getting the downtown facility removed as well. Prior to this move, it was out of sight and

hidden from Krueger Dr. We didn't oppose it because it was to the back.

Mr. Von Wisdom: Stated that he owns the business and the steel warehouse to the north, and that he does not know the criterion of approving the facility. What will it do the the surrounding properties is his concern.

Mr. Chandon Lendermen stated that he is not opposing what he is doing, it is just the idea of it being in that area. He brings a lot of businessmen into the city and that is the first and only part of Jonesboro some of them see. He wishes it would go somewhere out of town. For them Krueger Drive is the main street. Lot of places are looking. If that were sitting there Anchor Packaging may not have come here.

Mr. Spriggs reiterated that the existing zoning is I-2 Heavy Industrial. This type of use has no other district to be located. The issues and concerns of stack heights and screening were all dealt with during the public hearing process and conditions were placed. Mr. Reece: Did we already approve the facility? Mr. Spriggs: Yes, this request is only to move it two lots west. Mr. Spriggs noted that the notifications would have gone out to all neighbors within 200 ft. of the property. Mr. Kelton: There is no way this will resemble anything downtown and there is a stipulation of the 10 ft. fence and stacking limits. Will there be landscaping? Mr. Carlos Wood stated that additional landscaping can be shown along Krueger Dr.

Attorney Cahoon: 200 ft. notification in the Industrial Park is not sufficient. Any other individuals other than ASU would not have been notified. Mr. Spriggs stated that all notifications area available for public review and documented.

A motion was made by Jim Scurlock, seconded by Ron Kelton, that this matter be Approved . The motion PASSED with the following vote.

Aye: 6 - Joe Tomlinson;Paul Hoelscher;Ron Kelton;Kim Schrantz;Jerry Reece and Jim Scurlock

Absent: 2 - Brian Dover and Beverly Nix

CU-13-13

CU 13-13:

Conditional Use: Curtis Carter requests MAPC approval of a Conditional Use for an Indoor Entertainment Center to allow for indoor events within the I-2 Heavy Industrial Zoning District. The space is currently used as a cheerleading center, located at 3406 Willow Road.

Attachments:

[CU 13-13 APPL](#)

[CU 13-13 LETTER](#)

[CU 13-13 Notification - Property Owner Letter](#)

[Letter from Paul Bednar/Opposition Letter](#)

[Staff Summary CU 13-13 3406 Willow Road](#)

[Letter from Paul Bednar - Property owners 2](#)

Mr. Curtis Carter: Owns cheerleading business and he gets request to rent his place to college students, sweet-16 parties for kids, etc. He recognized the noise and parking complaints. Mr. Carter stated that he did not know that there was an issue because he used Jonesboro Police and security at the time. He recognized that there were people around him that have complained about noise and parking. He has worked out the optional parking solutions for shared parking with the church use.

Mr. Spriggs: Presented Staff findings. This is an expansion of the existing cheerleading training facility. There are a few uses in the area within this I-2 Industrial District such as offices and church use. There is also the Food Bank use to the east. Some of the uses do not have historical information on their original existence in the district. Because the owner is hoping to expand the use for third-party entertainment and parties, there have been issues with the public's point of view from a noise perspective and an operational level, as it relates to problems caused by individuals leaving the facility. Insufficient onsite parking concerns and other nuisances have been voiced. All of the complaints have been attached for the Commission. There are elderly residents that have been impacted in a detrimental way by the use. You will hear other testimony to that effect with the noise levels that have compromised their peace. Officer Elliott is also present to address the Commission as well. The Commission will also hear other information during public address/comments, and then we will move to how we can place restrictions on this use to assure that the continuity of the neighborhood is not compromised and that this use will remain consistent with the pre-existent use.

Public Input:

Mr. Bednar: Approached the make and stated that Mr. Reece was responsible for setting up this property out there as an Industrial Park. Mr. Tomlinson was responsible for building. Stated that he for three years has tried to quietly say something about this. These two people are more familiar with the intended use. And I beg you not to change what they set up. Stated he got his notice Friday. He tried to hunt down vulnerable people who were on vacation and not there. He read some of the statements from multiple people. Three are directly across the street from him. One has cancer, and received his notice at last minute. Mr. Bednar stated he has a tenant who is a truck driver who cannot sleep. His property is far away. This is unusual for apartment tenants to complain. (Recording unaudible, speaker not speaking in mic - see statements

submitted). One spoke of the "boom" noise, trash and parking. Another resident on Willow Road stated they are against the zoning amendment and the parking problems, she cannot attend the meeting. Mr. Bednar read a letter he submitted for the record.

Mr. Bednar spoke of the packaging plant. The facility is not planned for this. This is a quiet neighborhood. Mr. Bednar spoke of how the noise travels.

Nabholz Construction Reps. spoke and noted that they opposed and were not notified, they own the property to the south.

Lt. Elliot stated that there are concerns by the police and fire department regarding the building itself which will need some modification. Once JPD found out about the fire violation, the officers will not be providing any security. A lot of these things take place after 11:00 PM. Mr. Elliott reported that we had 7 calls dispatched to the center.

Joe Tomlinson: Have they established an occupancy load on that structure. The building is probably classed as a type of assembly area, which call for tighter fire controls. Has it had a good code review for mixed occupancy. Did we make an approval for that type of business in that area. Mr. Spriggs replied No, the city has not. The history of the cheerleading business/training gym was pre-existing. The issue of expanding that use and addressing the fire marshal concerns are what we are dealing with.

Mr. Carter: Stated the owner has already put in the sprinkler system and he has spoken to the architect. He is going through the conditional use permit first and then he would complete the code requirements. Ms. Duncan asked what is he doing about the exits to cover 1,200 people. He stated that he doesn't do this on the regular, like every month and its usually until 1:00 am. Most of the noise is because of cars driving off. There were no incidents were there was a complaint that shut the functions down. He stated that he has never been contacted by Mr. Bednar and does not know him.

Ms. Duncan: Are you telling the Commission that you will limit the number of people to less than 1,200 people which is uncommon. Mr. Carter: Yes, he knows it is a liability to have that many people. It is an open area/floor. He stated that he is wanting to host sweet 16 year parties. He has rented to other receptions as well as college parties.

Mr. Hoelscher asked about the assembly use will you be allowed to construct the building with this use under today's code. Mr. Spriggs stated no. The existing offices/ church use, food bank uses are not typically allowed. There are questions of parking that need to be addressed. The code does allow for shared parking only with agreements. Street parking is subject to the authority of the State or local police.

Mr. Bednar asked is this zoning allowing entertainment (not adult entertainment)? Mr. Spriggs asked for public debate to be ended so that questions could be answered. You are being asked to if this use can be used as an accessory to the existing cheerleading business. Unless they can deal with the parking issues and the code issues required by the fire department, then the occupancy can not be approve. There are a number of uses in that I-2 District that are not typically permitted. The example of the C-2 District, where a number of our hotels were built, does not permit hotels but they were built

there.

Mr. Spurlock: He should do anything he wants to do with his property but when they leave the property, I would be concern to about the nuisance. A motion was made by Jerry Reece, seconded by Paul Hoelscher, that this matter be Denied . The motion FAILED with the following vote.

Mr. Kelton: Asked Mr. Carter if he leases out this space for the parties, who is there representing and to supervise that occupancy limits are met and that the conduct is acceptable? **Mr. Carter:** I would rely on the officers present and himself.

Mr. Reece: Do you have cerficate of liablity insurance? **Mr. Carter, yes.** Fraternities have to bring them.

Motion: Commented on the hour debate, and that he has no influence by the comments of Mr. Bednar, he moved that we deny the request. **Mr. Spriggs** requested that Mr. Reece would consider making the motion in the affirmative to assure a clear vote. **Mr. Motion** in the affirmative was seconded by Mr. Hoelscher. **Mr. Spriggs** clarified that the cheerleading uses remains, but no third-party rentals will not be allowed such as receptions, college parties, etc. Cheerleading parties are allowed.

Nay: 6 - Joe Tomlinson;Paul Hoelscher;Ron Kelton;Kim Schrantz;Jerry Reece and Jim Scurlock

Absent: 2 - Brian Dover and Beverly Nix

CU-13-15

CU 13-15:

Conditional Use Request: Bryan Sutterfield requests MAPC's Conditional approval for a Burial Columbarium Site to be located within an R-1 Residential District located at 2109 West Mathews (Southeast corner of Loberg & W. Matthews).

Attachments: [CU 13-15 APPLICATION](#)
[CU 13-15 picture](#)
[CU 13-15 Notification](#)
[Staff Summary CU 13-15 Columbarium Park](#)

Brian Sutterfield: The Columbarium request was presented before the commission. **Mr. Spriggs** gave a summary of the staff report for the columbarium which is allowed only by conditional use within the R-1 District.

Public Input: None.

A motion was made by Jim Scurlock, seconded by Paul Hoelscher, that this matter be Approved . The motion PASSED with the following vote.

Aye: 6 - Joe Tomlinson;Paul Hoelscher;Ron Kelton;Kim Schrantz;Jerry Reece and Jim Scurlock

Absent: 2 - Brian Dover and Beverly Nix

CU-13-16

CU10-16:

Conditional Use: George Stem requests MAPC Conditional Use approval for an ambulance emergency service to be located at 3901 E. Highland Drive (Southeast corner of Bryan St.) within a R-2 Low Density Multi-family District.

Attachments:

[CU 13-16 Drawing](#)

[CU 13-16 map](#)

[CU 13-16 Notification](#)

[CU 13-16 Application](#)

[Staff Summary CU 13-16 3901 E Highland](#)

Mr. George Stem appeared before the commission for an ambulance service to be allowed in the R-2 District. Mr. Spriggs made note fo the site challenges are being worked out with staff. The right of way on Bryan Street is requested. Bryan will become a cul-de-sac street if the rail overpass bridge is constructed.

Public Input: None.

A motion was made by Jim Scurlock, seconded by Kim Elmore, that this matter be Approved . The motion PASSED with the following vote.

Aye: 6 - Joe Tomlinson;Paul Hoelscher;Ron Kelton;Kim Schrantz;Jerry Reece and Jim Scurlock

Absent: 2 - Brian Dover and Beverly Nix

7. Rezoning: None

8. Staff Comments

9. Adjournment