



City of Jonesboro

900 West Monroe,
Jonesboro, AR 72401
<http://www.jonesboro.org/>

Meeting Minutes 2 Metropolitan Area Planning Commission

Tuesday, February 12, 2013

5:30 PM

900 West Monroe

1. Call to order

2. Roll Call

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

Absent 1 - Brian Dover

3. Approval of minutes

MIN-13:013 Approval of the MAPC Meeting Minutes for January 8, 2013

Sponsors: Planning

Attachments: [Meeting Minutes January 8 2013](#)

A motion was made by Beverly Nix, seconded by Jim Scurlock, that the minutes be approved. The motion carried by the following vote.

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

Absent: 1 - Brian Dover

4. Site Plan Review

SP-13-01 Site Plan Review- CU 06-16- Dollar General, 4117 E. Highland Dr.

John Easley - Associated Engineering & Testing, LLC and Dollar General are requesting to approve a site plan as a part of 2006 Conditional Use connected to Watt Street on the East with the current alignment being revised to intersect Highland Drive at a 90 degree angle. The current site layout connects to Highland Drive on the North Side only. They are requesting current site plan layout be approved and the Watt Street re-alignment be waived.

Sponsors: Planning

Attachments: [Staff Memo](#)
[Proposed Site Plan](#)
[DollarGeneral_2006 Plan](#)

Mr. John Easley- Associated Engineering & Testing, LLC representing Sam

Ware, Applicant, stated in the year 2006, Dollar General asked for a conditional use that was approved by the MAPC. The applicant proposed to have Watts Street realigned, which would extend to Highland Dr. at a better angle. It was later sold to Sam Ware. The property owner is now asking that MAPC approve the current Dollar General site plan and leave Watts Street the way it is currently.

Mr. Spriggs reported that Staff looked back at the minutes from the original case. It was the applicant's intention to deal with Watts and not a requirement by the Commission. If there is a need to replat it, Staff asks that it comply with the Master Street Plan.

Mr. Easley asked what would be the required right-of-way for Highland Drive? Mr. Spriggs explained that Highland is a major arterial at 120 ft., the current right of way needs to be verified.

The Chairman asked if the Conditional Use expires, if it no longer is a Dollar General Store? Mr. Spriggs stated that the only reason it was a conditional use request is because it is zoned I-1, and there would have to be a condition placed at the time of approval for the use to be sunshined, or be built by a certain date. If Dollar General ceases to exist, another retailer move into the property, retrofit it and go through the proper permit process, and be allowed to locate there. The only way it could be stopped, is if we were to place a condition that the property only be used as a Dollar General, which Staff does not advise. They can control the use with the existing zoning classification; and if it is something that falls out the realm, it would go through the proper process. To disallow other developments is neither logical nor feasible.

Mr. Tomlinson commented that most of these stores have to be served by trailer trucks and they have to sit on the highway or back into the project to unload. This one has the opportunity to put access on the Watts Street side; and they can pull in off of Highland Drive and go all the way through and not have to back in.

Mr. Ware explained: For the existing stores on Gee Street and Hwy 41, the trucks come in from the highway, turn into the site in front of the store and back up towards the loading dock. The way this store is laid out, the trucks will come in from the Highland Driveway and turn to the west in front of the store, and back towards the east side of the parking lot, and proceed towards the loading docks.

Mr. Tomlinson stated it seems simpler to serve the other part of Nettleton to have a driveway because the people from the other side of Nettleton can enter the parking lot without going on Highland Drive, and then the trailer trucks can pull straight in and out. He didn't think it was feasible to back out through the parking lot.

Mr. Ware stated that the easiest way is for the trucks to back in from the Highway, and drive back out, this would add more parking spaces. They pull in from the front of the building and backs into the back door. To develop a Dollar General, they need at least 36 parking spaces and at least 36 ft out front. He added that the stores he builds have no trucks that my will back up in the street. Dollar General rules state they cannot do that. This store is a 12,434 sq. ft. store, it is a new plus store. It also has a lift that will let vendor trucks

roll the merchandise to the backdoor. Mr. Ware also stated that this is a deluxe Dollar General that will have coolers and meat in it. The trailer rig only comes one day a week. The City of Jonesboro can tell Dollar General when to have deliveries. It will be early in the morning before the store opens.

Mr. Easley stated he looked at the whole site. If you have too many entrances, the customers will run into one another.

Final comments were made: All the turn-around and maneuvering will be on-site.

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

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

Absent: 1 - Brian Dover

SP-13-02

Final Site Plan:

O'Reilly Auto Parts requests MAPC approval of a previous site plan for 4309 E. Johnson, recently rezoned to C-3 LUO by City Council. See attached Memo for conditions of approval. Staff is recommending MAPC approval subject to final Permit Approval by all other departments and applicable agencies.

Sponsors: Planning

Attachments: [O'Reilly Staff Memo](#)
[O'Reilly Site Plan](#)

Mr. Spriggs informed the Commission that this case will be handled at a Staff level in terms of permit approvals. This is a rezoning that previously came before the Commission; and the Commission wanted to see the site plan for the particular site. The application has addressed the stated concerns. The only thing pending is the actual re-plat and the Planning and Engineering Departments will review and approve that per the requirements with subdivision and the Master Street Plan. On the site plan, they denote they will donate the required right-of-way and will hold to that condition once the plat is filed. Staff asked that the Commission approves the site plan based on final permit review before all of the agencies and departments at the administrative level.

Mr. Tomlinson asked about the conditions listed. Mr. Spriggs responded the conditions that went forth regarding the right of way of 60 ft. (from center) be filed by the applicant which is placed on the site plan. Staff will assure that privacy fence is placed in the rear.

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

Absent: 1 - Brian Dover

5. Final Subdivisions

6. Conditional Use

CU-13-01 Conditional Use: 5315 Apt. Drive

Jeremy Bevill of Haywood, Kenwood, Bare & Associates on behalf of client Kevin Meredith are requesting a conditional use for an Auto Wrecker Service as allowed in I-1 Zoning. The proposed use of an auto wrecker service aligns with many permitted I-1 Zoning uses as vehicle repair, vehicle and equipment sales, and mini storages. Temporary storage of inoperable or wrecked motor vehicles will not exceed the time period allowed by City Codes (30 days).

Attachments: [Application](#)
[Letter of Intent](#)
[Site Plans](#)
[Staff Summary](#)

Mr. Skipp Mooney Sr., appeared on behalf of the applicant, **Mr. Kevin Meredith,** owner of Stadium Body Shop. **Mr. Mooney** stated that **Mr. Meredith** has entered into a contract to purchase the land, which is zoned I-1, Limited Industrial. It was industrial in year 2000 when it was rezoned by Wayne Dover. It is not occupied. On this property which is located in an area zoned I-1 Industrial, we are asking for a conditional use permit. That lies within the permits that are normally issued in an industrial area. **Mr. Mooney** also noted that telephone calls came into his office concerning the application. He recognized the large crowd who doesn't understand what is going on. Most of the callers he's had, stated that this property is R-1. It is not R-1, and it's been zoned industrial for a long time. **Mr. Mooney** introduced **Mr. Kevin Meredith** who would like to tell the Commission what he wishes to do with property.

Mr. Kevin Meredith appeared before the Commission stating that he has an impound lot on Stadium Drive; not a junk/ salvage-yard. He referred to the engineering layout, on which he will put an 8 foot cedar wood fence, with 6" by 6" posts for security; and, the site will have a good look. The cars from accidents will be placed there until the insurance company totals it or says fix it. **Mr. Meredith** stated that he understands their concerns of it being a junk or salvage yard; he would not want a junk car there himself. There will be no cars parked out-front the fencing. It will be an asset to the community.

Jeremy Bevill, engineer with Haywood Bare appeared before the Commission. He stated that the stormwater is alone the northern line. He noted that he pulled the fence back from the corner, to help with site and visibility at the intersection.

Mr. Bill Walker, Real-estate Broker who owns the property. He has been helping people over 30 years on buying and selling property; it will be an improvement. This is the highest and best use for the property. He is concerned about the surrounding neighbors. He will be installing an 8'ft. wood type privacy fence.

Staff: **Mr. Spriggs** gave staff comments and summarized the staff report. **Mr. Spriggs** read the allowable use chart items that are allowed by conditional use or permitted use in the I-1 Industrial District.

Ms. Kenicia Garner: 5404 Harrisburg Rd.- She stated that he opposes this; it will lower their property values. His mom owns the property. They have been

there 7 years on same land. If she had been informed that it would be rezoned (2000). When they look in every direction, there are commercial buildings. Jonesboro tractor is next door. And the stone mart place has been an eye sore for years. Don't think that this is fair. We were there first. It will lower our property values immensely.

Maxine Wallace: Stated that she own two lots next to the previous speaker. She has grandchildren that she has planned on them having a home for the rest of their lives. She spoke on the other unsightly commercial uses on Stadium. It's not the country setting anymore. We can't get any city utilities. We are residential in the middle of commercial.

Mr. Bob Harrison, stated that he and his partner Todd Wilcox developed Southbend Subdivision across the street. Mr. Harrison stated that he is speaking on behalf of the 51 residences of that area. Some could not be present. We have built 51 homes having fine quality brick homes in the subdivision in the \$300k price range. It will be one the finest subdivisions in Jonesboro in the \$200,000 price range. We have worked and spent thousands of dollars to keep it in top condition. It's been 6 years of hard work. Mr. Harrison: It gave me aches in my stomach wondering how it would work out; but soon as we would get one sold another home was requested. When we get one paid off, we would build another.

Mr. Harrison stated that he hates to see a wrecker service placed across the street from this fine subdivision. He asked the MAPC, if they lived there and had the chance to vote for or against it, what will you do? It is spot zoning. A business like this should not be across from any subdivision. It will cause crime.

We don't need to be fighting an uphill battle. Mr. Harrison stated that he has never seen a wrecker service that didn't have wrecked cars all around it. It will be a non-asset. Mr. Harrison added that he has been on the MAPC in times past. You have to consider what is it to the majority of the people. Our subdivision was built later than the rezoning of the property to industrial. It will be one of the best looking subdivision in Jonesboro when the other 65 homes are built. VOTE AGAINST this. Bill Lovett, owner of the property is a good friend, but I had to come speak against this tonight.

Mr. Hoelscher: Concerns is a balance of what is already permitted vs. what he is asking for. Hours of operation is a concern. We are not talking about a rezoning. Noise will be naturally created 24 hours a day as an interruption to the neighbors.

Mr. Tomlinson stated that his thoughts are similar to Mr. Hoelscher. There things that can be put in that area (I-1) that will be much more detrimental such as a freight terminal. This is not a matter of rezoning. This was rezoned I-1 long time before the subdivision was started, which is a matter of public record. The developers could have come to the Planning Office to see what the surrounding zonings were.

Mr. Kelton stated that he didn't understand where the access would it. Will it be possible to have it from the northside. Mr. Bevil stated the drive will be on the east side (Apt. Dr.); the southside access would be too close to the intersection.

Mr. Kelton: Do you plans to fence the entire perimeter. Mr. Bevil explained yes; and it will be 8 ft. tall. It will be 163 ft. from the edge of the driveway to the south property line. Will you have problems landscaping along I-63 to break up the 8 ft. fence. Mr. Bevil: We showed shrubs. We cannot landscape in the highway right of way.

Mr. Meredith: It would match what the subdivision has planted, with the exception of the brick wall. 163 from the centerline of highway.
Mr. Tomlinson inquired about the size of vehicles towed- any semi-trucks?

Mr. Meredith: They are 2 ton single axle trucks- you do not need a CDL to drive them. Will any of the vehicles exceed the height of the fencing? Mr. Meredith replied no. They will take off 6" of the grass and put in gravel, limestone 3/4 minus, and compact it, and asphalt the parking area.

Mr. Spriggs: Do you have objections to hours of operation. Mr. Meredith: We are a 24 / 7 tow service. A limitation of 8-5 pm will not work.

Mr. Kelton inquired about the lighting requirements. Mr. Spriggs stated that customarily for safety reasons parking lots that are for public use, safety is a concern. Spill of lighting will not be permitted on to abutting residential.

Mr. Hoelscher: Is this an impound lot? Mr. Meredith explained yes. Damaged vehicles are included. Any vehicle that the City calls for a tow due to an arrest, we would take it there. It will be out holding pen. We send out letters to satisfy regulated guidelines for notices from our Stadium Blvd. office.

Question was raised on security dogs? Mr. Meredith replied no dogs will be onsite. They currently run the businesss at the 4606 Stadium location the same way. We have video surveillance. The property will have 24/7 video monitoring. If any monitors or beams are broken, it will send an immediate text of the video and shows if it was a bird or person and then will dispatch to the police. There are no dogs or sirens because they want to capture them and not scare them [trespassers] off.

Mr. Spriggs noted for clarification of the questions posed earlier in regards to parking and landscaping and to be sure all of that is stated within the motion.

Mr. Scurlock noted that we need to be sure of an 8 ft. fence. Mr. Scurlock stated before his vote that if it was a rezoning, he would be against it. People should be able to develop their private property as they see fit. There are worse things that can happen without permission. And with the 2 year renewal overview conditon, it is the best thing to do for that property.

A motion was made by Jerry Reece, seconded by Ron Kelton, that this matter be Approved . The motion carried by the following vote.

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

Absent: 1 - Brian Dover

7. Rezoning

RZ-12-24

RZ 12-24 Charles R. Watson Family Trust and Unico Bank

A request for rezoning of a parcel of land located at end of Keely and Lexee Streets with frontage on Ingels, containing 48.26 acres more or less from R-1 -Residential Single Family District to RS-7 - Single Family Residential District minimum lot 6,222 sq. ft. lots required; and RM-8 - Residential Multifamily Classification; eight units per net acre, includes all forms of units, duplexes, triplexes, quads or higher.

On 2/11/2013 Applicant requested MAPC approval to have this item remain tabled until March 12, 2013 at 5:30 PM (See attached Memo).

Attachments: Mr. Don Parker_Request for Case to Remain Tabled
Application
Rezoning Plat
Unico Bank Warranty Deed
Staff Report

Motion was made by Mr. Hoelscher to untable the matter for clarification and discussion amongst the Commission only; 2nd by Mr. Kelton to untable. Motion passed unanimously.

Mr. Spriggs stated Staff received notification for the matter to be tabled until March 12th because the flood study just came in. They are trying to get buy-in on the final design and to get approval from Unico Bank. Staff did send a courtesy AD to the newspaper that the item would be placed on the agenda because it was going to be discussed at that time. Due to the confusion, we should hold the matter until next month, with the condition that no other table requests will be granted or considered by the Planning Commission. It gives opportunity for the public and for the Commission to make an informed decision. The Chair encouraged citizens who came for the Unico Bank case to come back at the designated time.

Motion made by Mr. Hoelscher to re-table to allow time to the applicants to appear at the next meeting where action will be taken. 2nd by Mr. Scurlock. Motion passes unanimously.

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

Absent: 1 - Brian Dover

RZ-13-01

RZ13-01 Sage Meadows: K& G Properties - RS-8

K and G Properties, LLC, requests MAPC approval of a recommendation to Council for a rezoning from a C-3 - General Commercial District to an "RS-8" Single Family Residential District, 8 units per acre; for 6.76 Acres, located on the South Side of Macedonia Road, East Side of Highway 351; located north of the entrance way to Sage Meadows Subdivision/Sage Meadows Boulevard.

Sponsors: Planning

Attachments: [Staff Summary](#)
 [PLAT RS8](#)
 [Application](#)
 [Sage Meadows POA-Letter of Support](#)

Applicant:

Mr. Kessinger, Member of K and G Properties, LLC, presented the case before the MAPC, noting that he purchased this property, 4 or 5 years ago. At that time he was aware that 65 condominiums had been approved by the City, but was later notified that the Planned Unit Development (PUD) had expired and he had to go back through the rezoning process. He did so but it was denied and reverted back to C-3 by the Council.

He added that he will leave the out-lot Zoned C-3 General Commercial but would like to change the other 2 sections- this case is for the RS-8 Single Family request.

Mr. Kessinger stated that he has met with the POA Board, (they are a strong group) and they sent a letter with no opposition of the petition, just as long as he agreed to a number of conditions such as where the street connects into Sage Meadows Blvd. and Macedonia Road.

Staff:

Mr. Spriggs gave staff comments and a summary of the Staff Report. Noting the history of the case: City Council, under Ordinance 08:057 reverted the property back to C-3 General Commercial.

The Current/Future Land Use Map recommends this location as Medium Density Residential. While the Land Use Plan recommends this site for future uses as single family, recent rezoning/reverting of the subject property to C-3 General Commercial prompts further amendments to the Land Use Map.

The subject site is served by Macedonia Road (Principal/major Arterial); and Sage Meadows Boulevard (Local Road) on the Master Street Plan. The proposed right-of-way is noted as 60 ft. from the center line of Sage meadows Blvd. and 44.40 ft. from Macedonia Road. Principle Arterials require a 120 ft. right of way, by which the proposed is less.

The MPO, Director reviewed the proposal and stated no opposition, but suggested an outlet on Macedonia with possible connection to Western Gales Drive, with the one connection to Sage Meadows Blvd. No other objections were submitted by other departments or agencies.
The conditions were read.

Mr. Kessinger stated that he has no access to Western Gales Drive. Mr. Spriggs concurred and noted that he verified that the previous stub street was abandoned.

Public Input:

Ms. Sue Winstead, 4949 Wingfoot. Stated that there are 400 – 500 houses in Sage Meadows. She expressed concerns about how the project will coordinate with Sage Meadow's Boulevard which does not come to two lanes

until a certain point. She expressed concerns about the access to the non-standard roundabout. She stated that it took her 30 minutes to get from her house to Highway 49N when leaving for the developer's meeting. Ms. Winstead stated that they are open to where the City thinks is the best spot to connect to Sage Meadows Blvd.

Mr. Scurlock: Asked Mr. Kessinger if the new development will be a part of the Bill of Assurances of Sage Meadows? He replied that it will and also will be subject to architectural review.

Mr. Kessinger expressed what he agreed to with the P.O.A. He agreed to have access on to Macedonia, as well onto Sage Meadows Blvd., and he is willing to work with staff on the best location of connection.

Paul Johansen: 4205 Sage Meadow's Blvd. Stated that in May of 2008, a plan was brought to this board. There was only one entrance at our round about. MAPC voted 6 to 1, in favor of the case if they were to put a road out to Macedonia and they did not agree. That roundabout is smaller than the main one. It is half the size, and was built only for looks.

Public Debate was closed.

POA Board member: Mike Cross- Added that in dealing with this issue, there seems to not be any negatives of what will be built, other than where the road will join. The P.O.A. met with the developer last Friday night for 1.5 hours. We felt like the street planners will know what's best. The developer has agreed to that. Most concerns are if it comes out at the roundabout, we are setting ourselves up for accidents. It's not designed like a roundabout for traffic. The traffic in the morning is congested and there is not a person that will let anyone come out of the proposed drive.

Mr. Scurlock asked are there any other access points to Macedonia? **Mr. Cross** stated no, and there are over 550 houses in Sage Meadows having over 1,500 people. We are a small town with one street.

Commission Action:

Motion as made by Ms. Nix, to approve the zoning request subject to Staff conditions and make recommendation to City Council for approval; Motion was seconded by Mr. Tomlinson. Motion carried with the following vote:

Mr. Scurlock- Aye; Mr. Tomlinson- Aye; Ms. Elmore- Aye; Mr. Hoelscher- Aye; Mr. Kelton- Aye; Mr. Rees- Aye; Ms. Nix- Aye. Absent: Mr. Dover. 7-0 in favor.

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

Absent: 1 - Brian Dover

RZ-13-02

RZ 13-02 K& G Properties - Planned Development District

RK and G Properties, LLC requests MAPC consideration of a recommendation to Council for a rezoning from C-3 General Commercial to a Planned Development District, " PD-R" District, for self-contained single family detached units for 3.0 acres located

on the South Side of Macedonia Road, East Side of Highway 351; located north of the entrance way to Sage Meadows Subdivision/Sage Meadows Boulevard.

Sponsors: Planning

Attachments: [Staff Summary](#)
[PLAT](#)
[Application](#)
[Sage Meadows POA-Letter of Support](#)

Applicant:

Mr. Kessinger, Member of K and G Properties, LLC, presented the case before the MAPC, noting that this request is located on the NW corner of Macedonia and Hwy. 351 on three (3) acres. The request is to rezone to a Planned District (PD-R) Residential District. This approach is what makes sense the most. You cannot build large homes on this tract. Condominiums will be located just off of Hwy. 351 with one access that will split off to the C-3 General Commercial tract.

Mr. Kessinger noted that his company builds these condominiums all over the mid-south area in Mississippi.

Staff:

Mr. Spriggs gave staff comments and a summary of the Staff Report. Noting the history of the case: City Council, under Ordinance 08:057 reverted the property back to C-3 General Commercial. He also noted that the original PUD was approved for attached condominiums originally. The applicant wants to develop the property with a private drive access and also construct stand alone/self-contained single family structures. Mr. Kessinger concurred.

The definition of Landominiums was explained as built in other parts of the country (as defined in the Staff Report).

The MPO, Director reviewed the proposal and stated no opposition, but suggested an outlet on Macedonia with possible connection to Western Gales Drive, with the one connection to Sage Meadows Blvd. No other objections were submitted by other departments are agencies. The conditions were read.

The subject site is served by Macedonia Road (Principal/major Arterial); and Hwy. 351 (Minor Arterial) on the Master Street Plan. The proposed right-of-way is noted as 60 ft. from the center line of Sage meadows Blvd. and 40 ft. from Hwy. 351. Principal Arterials require a 120 ft.; and, Minor Arterials require a 100 ft. right-of-way, by which the proposed is less in both instances.

Public Input:

No other input received. The submitted letter from the P.O.A. was recognized.

Commission Action:

Motion as made by Mr. Scurlock, to approve the zoning request subject to Staff conditions and make recommendation to City Council for approval; Motion

was seconded by Mr. Kelton. Motion carried with the following vote:

**Mr. Scurlock- Aye; Mr. Tomlinson- Aye; Ms. Elmore- Aye; Mr. Hoelscher- Aye;
Mr. Kelton- Aye; Mr. Rees- Aye; Ms. Nix- Aye. Absent: Mr. Dover. 7-0 in favor.**

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

Absent: 1 - Brian Dover

8. Staff Comments

9. Adjournment