



# City of Jonesboro

Municipal Center  
300 S. Church Street  
Jonesboro, AR 72401

## Meeting Minutes Board of Zoning Adjustments

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Tuesday, April 15, 2025

1:30 PM

Municipal Center, 300 S. Church

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### 1. Call to Order

### 2. Roll Call

**Present** 5 - Rick Miles; Casey Caples; Kevin Bailey; Doug Gilmore and Max Dacus Jr.

### 3. Approval of Minutes

[MIN-25:031](#)

Minutes: March 18, 2025

**Attachments:** [3.18.25 BZA Minutes](#)

A motion was made by Rick Miles, seconded by Casey Caples, that this matter be Approved . The motion PASSED with the following vote.

**Aye:** 4 - Rick Miles; Casey Caples; Kevin Bailey and Max Dacus Jr.

### 4. Appeal Cases

[VR-25-07](#)

Variance: 2809 E. Highland Drive

Stonebridge Construction, LLC is requesting a variance to waive the driveway access offset requirements and keep the existing entrance on Highland Drive. The property is zoned C-3, general commercial district.

**Attachments:** [Application](#)  
[Certified Mail Receipts](#)  
[Site](#)

Doug Gilmore (Chair): Stonebridge Construction, come on up and tell us what you want to do.

Rob Hester (Proponent): Rob Hester with Stonebridge Construction, we're representing the owners of the property. I believe, their civil engineers had a pre-development meeting with the city and there was some issue with keeping the existing drive on Highland. This is the old Ryan's buffet that was there, the new development basically changes what we're looking at from the existing building, the existing building is about 10,000 square feet. The new building would be about 6,000 square feet and would bring in to compliance the curbs and islands and so forth. Our request is to keep the existing drive on Highland, and not have our soul drive be on Parkwood private drive where Farm Bureau is. We are keeping an access to the rear on it, but our request is to keep that and that's actually in the existing location, I think that they had originally had

requested that drive be on the eastern property line and we moved it back to the center because that gave us a little separation from the existing drives.

Doug Gilmore: That drive is not owned by the city is it?

Derrel Smith (City Planner): It's a public street.

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Doug Gilmore: Since you're meeting with these people Derrel what's your thought on this?

Derrel Smith: Well, we haven't seen plans submitted yet, we haven't seen a traffic report we don't know whether this is a good location or not. This board is supposed to review plans that have been denied. These have not been denied, because they have not been submitted. So, I don't think we need to take action on this until we get a set of plans that are submitted. With all the traffic reports and all the information so we can make a fully informed decision.

Doug Gilmore: Rob, your plan is to tear that old building down?

Rob Hester: That is correct.

Doug Gilmore: And start a whole brand new one. What kind of retail is it?

Rob Hester: It was an existing restaurant and what is proposed is a restaurant as well at 6,000 square feet.

Doug Gilmore: Okay.

Board: Rob, is there a reason we haven't turned it in to the city yet?

Rob Hester: The project doesn't move forward if the entrance isn't there and based on what we've done in the past on other projects, we have had pre-development meetings to discuss any concerns and then brought them before for a variance, before it went to permitting. Otherwise we'll be stuck in permitting for months on end and then if it got denied then we're out on all the money we put forth for all that. So, we've done this in the past, and that's the first I've heard that we couldn't submit for a variance until all the plans have been completed and submitted to the city beforehand.

Doug Gilmore: Well, if we do take action here today and a traffic report comes back, all of that will still have to go into the pot to cook.

Derrel Smith: If you vote on the variance then no, you override city code. If you grant the variance and we get a traffic report back saying that, that should not be there it will interfere with the flow of traffic. That's too bad, you've already written over the city code.

Rob Hester: The current use of the building and design was a restaurant for 10,000 square feet. So, we could still occupy and utilize the building as a restaurant with existing parking lot, no curbs, no islands, no landscaping, no detention.

Doug Gilmore: Just move in?

Rob Hester: That's what's existing there currently. So, I can't imagine moving from a 10,000 square foot existing restaurant down to a 6,000 square foot restaurant that the traffic count would be increased higher than what the existing use was, and is there not precedent for traffic studies based on existing use versus proposed?

Michael Morris (City Engineer): Well, engineering is looking at it as how you're going to redevelop the entire site. Just like you want to update the electrical in a building, you're not going to use the old building code, you'll wanna use the new building code. So, the new building code would have the driveway spacing meet the requirements of the traffic policy manual that we do have. Which says that Highland is a principal, arterial, and the driveway spacing is 300 feet. So, that's the code we're trying to meet. This is a new site there is no hardship, there's just a preference of where you want it to be. But there's no hardship in my opinion.

Kevin Bailey (Board): I'm having a really hard time on both sides of the situation. I don't see how this goes against planning, how we can take a driveway, away from a development that's been there for 50 years. I have a hard time with that. But, I have a hard time with us taking action today without full development plans being reviewed by the city. I don't know how we can take away your drive, right, wrong, or indifferent. I'm struggling with that.

Michael Morris: The traffic access policy is what we're following. City Council says this is what we want, this is the policy that we're following.

Kevin Bailey: I have a hard time with that, I don't know if that matters. But, you're talking about something that's been there more than the lifespan of most of the people sitting in this room. I don't know if we should take access off of Highland, onto a side street, or a cross access. That's what's before us today, do I think it's pre-mature and in the wrong fashion? Yeah I kinda do, I think that the development, what y'all are wrestling with is if it's not approved then you're not going to redevelop the property.

Rob Hester: That's correct.

Kevin Bailey: But in the same token these guys, I see they're point in seeing site development plans being submitted, reviewed and all the information. I have a hard time taking your driveway away.

Rob Hester: I've never had an issue we've done this in the past with multiple projects and with you guys, with the BZA, and etc. We've had predevelopment meetings, this one was February third. The only things our Civil Engineer got out of the meeting was we're going to need a traffic study, the entrance was a concern, and they wanted an exit out to the east. There was no discussion of starting over and everything else would have to be in compliance, they already had the layout with most everything in compliance. That was what our Engineer brought out of the meeting with the city. So, the only concern was an entrance and before we got a permit we would have to have a traffic study. At that point if the traffic study says it doesn't work then the city still has the power to withhold a permit until you get that other alternative, but regarding the entrance on Highland that was the one question we were looking at to get an approval on, and if it's not approved like I said, the project stays like it is, and it's a 10,000 square foot building with no curbs and it has the entrance on Highland. We thought this development was the best long term solution and the only request is to keep an entrance. That was really the only thing that we got out of it for the city.

Rick Miles (Board): Okay Rob, have you asked for the traffic count?

Rob Hester: The traffic study? No we haven't engaged with a traffic study yet.

Rick Miles: Why hasn't that happened?

Rob Hester: Because that has to be done prior to permit application. And we have never personally engaged them if we had an outstanding issue until it was resolved. And in previous projects there has been things that come up through the traffic study that our engineer would have to work back and forth with the city to make sure we get everything in compliance with those changes and same thing we'd have to go back to the traffic engineer who does the plan.

Rick Miles (Board): I have to agree with Kevin this is one that is difficult to say we're going to take something away that's been there forever. But knowing the rules, we have to follow the rules. Usually we're trying to solve a hardship, and in this case I don't see a hardship.

Rob Hester: Taking away entrances isn't a hardship?

Rick Miles: I'm just saying, as it stands I don't see a hardship. I don't want to see it go away, I'll say that right up front.

Kevin Bailey: Should we table it?

Doug Gilmore: Well, let me ask a question, Rob, are you planning on going into Krispy Kreme's lot?

Rob Hester: We don't have rights to go into it, but we could get access to it in the future because that was requested by the city at the pre development meeting.

Doug Gilmore: But they don't necessarily have to agree to that? Talking about Krispy Kreme.

Rob Hester: We don't have rights to enter into their property.

Michael Morris: But if they redevelop and ask for a permit they will be asked to tie to this one.

Rob Hester: If it's redeveloped.

Michael Morris: If it's redeveloped or they wanted to do an addition, either way they'd have to have access as well.

Rob Hester: My concern with tabling this and not acting on it, is if that's the case than we need to make that precedent that you can't ask for a variance until you're already in the permit process. I have never heard that in all the years that we've dealt with the city. We've never heard that you have to have the plans completed, finished, and have applied for a permit, before you can ask for a variance.

Doug Gilmore: A lot of time, we'll grant a variance and then tell them to go ahead and get their permit. We've said that thousands of times.

Rob Hester: Because it's an item that prevents you from submitting an approval. If that's the case then we shouldn't have ever got to this point and submitted for it. If the requirement was that we had to be in permit before we could ask for a variance. All we're asking for is to be able to keep that entrance in the new development. And this is the same plan that was shown to the city in February, and the only request that they had at that time, was the entrance and to either have a variance applied for, or we had to tie on to Lark Wood. This was the only hurdle that we saw at this point because the traffic study will be issued and the city will have an opportunity to withhold permit if the traffic study show something that's not conducive to the site.

Derrel Smith: That's not correct. If this variance is granted then that code will no longer be on this site because you're granting an exception to the code. So, if the traffic study says that there should not be an entrance or I don't know. But should they say that there doesn't need to be an entrance, they are not going to be required to close it down. Because we can't, you've already granted an exception for this lot. Your vote overrides city code. The only appeal to y'all is to the circuit court.

Doug Gilmore: Every time we grant a variance it overrides the code.

Derrel Smith: That's correct. But it's unique to this site.

Michael Morris: Rob, can I ask a question? What kind of fast food is this? Is this a casual fast food?

Rob Hester: No, it's sit down.

Michael Morris: So, it would be considered a fast casual restaurant?

Rob Hester: There will be a lot less, than what was there from a buffet standpoint. I know that's irrelevant.

Michael Morris: I'm trying to figure out is traffic study. Whether the traffic study would be triggered. We look for 100 peak hour trips. So, it's either high turnover restaurant, fast casual restaurant, or fast food restaurant. Which one would you think?

Rob Hester: It's a sit down.

Michael Morris: So, it's a casual restaurant, the peak hours would be 41 per thousand. So, they would be two thousand. So, a traffic study would be required as part of the permit. I guess it'd be up to Derrel since it was an

existing restaurant, and being turned into another restaurant, would that make a difference, that's not something we've come across but we always ask for that threshold to be met. Just wanted to make sure that we were clear, that we would probably ask for a traffic study. I didn't know if it would trigger one.

Casey Caples (Board): I'll ask a question, so the traffic study comes back with a negative impact from the developer, correct? And then code states, no get rid of the entrance, you can't have it. What is the alternative for a new developer on this site? Where would an entrance go?

Michael Morris: Parkwood.

Casey Caples: Well, the Krispy Kreme didn't do access management over to the property line at the time, right? And, we can't go back now and force them to. So, they're going to have to go on that cratered up road next door? Which is owned by whom?

Michael Morris: We don't really know, because they actually reached out to us and they asked who owns that and as far as we know, it went back to the fair board and everything else was dedicated around it, and we really don't know who owns it.

Casey Caples: I'm asking a question, I think that there should be fair, in a timely manner the city's ability to do their part, right? Which it would be submitted and then you guys would have time to review.

Derrel Smith: It says that if you don't have access you can maintain an access until the adjacent property develops and then you have to close your access and combine with the adjacent property. So, they could keep that until something develops more in line with what the code requires. Then close it down and use a shared access. You wouldn't take their access but it may be required in the future. A traffic study would tell us a lot of that.

Rob Hester: I don't mean to disagree but I don't know how the traffic study would tell us about the entrance there. That we shouldn't have an entrance on Highland.

Derrel Smith: It's going to look at spacing, adjacent driveways, and then it's going to tell you if it comes into code or not. Then they're going to recommend whether that should be there or moved to a different location. We came across that on the last one. After they granted the variance the traffic study said the driveway needed to be moved, but the variance had already been granted.

Rob Hester: Or this property could stay exactly like it is and be leased out to a buffet restaurant, with no changes. I guess from a logical standpoint I understand that the code says that and that's the reason why we're here. Because it didn't take exception for existing locations, and that's a problem with the code.

Derrel Smith: No, it does talk about existing locations and it says if they change, whether through redevelopment, change of use, they have to comply with the new code. And we've dealt with these several times because of that, but City Council adopted it, that's what we're having to live by.

Rob Hester: I understand.

Kevin Bailey: So, I'm looking at maps on my phone, Krispy Kreme got redeveloped and that nice drive, whether you did the project or a contractor did the project. How in the world did Krispy Kreme get redeveloped and it be so close to the bank's drive, and then so close to this drive.

Derrel Smith: Access management wasn't approved at that time.

Michael Morris: If they came in at this time, they would have to put in access, or ask for a variance.

Rob Hester: Make it would make sense to have an access.

Michael Morris: Correct. Between Larkwood and Stadium, one drive access. That's spacing wise, and I've looked at it, it should be one access between

Larkwood and Red Wolf. The biggest traffic accidents we have in that area are when people have stopped to let others between them.

Kevin Bailey: I completely understand but I'm standing here looking, and I'm looking on the north side of Highland where Slim Chickens got developed, and all that and I know the traffic access was in then.

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Kevin Bailey: Whether this redevelops or stays the same, I am not for taking the driveway away.

Doug Gilmore if this board wants we could allow that variance and then the location could change along Highland, I'm sure Rob's bunch if you needed to move it a little bit, it wouldn't really affect you.

Michael Morris: I have one more question, have you talked to the state yet just to make sure? Since it's existing they probably won't but.

Rob Hester: No, that's been our experience in the past.

Michael Morris: Mine too, I just wanted to make sure.

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Rob Hester: They have not requested that we relocate.

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Casey Caples: I guess, the hard part is that the city hasn't really told you no, they just said that the traffic study is going to have to determine that.

Michael Morris: At the pre-meeting we said no.

Rob Hester: Michael and I had that conversation that based on the code, in order to keep that entrance we'd have to get a variance. And from our perspective the only hurdle to moving this project forward is, and I don't represent the building, I represent the land owner and he's doing a land lease with them, so there is a lot of moving parts that have to be addressed before they would commit to spending thousands of dollars on plans. So, that's why we had the pre-development meeting. Which is why there's hurdles that would have to be addressed, the only things that were brought up was they wanted to see a stub out to Krispy Kreme encase that was ever developed. They wanted a traffic study just to see how that impact was going to be, and the statement that I believe Michael, you had with them was that we didn't have to do a detention because we were reducing the impervious area by about 1400 square feet. So, the only thing that did not comply was that they needed an entrance on the front because they couldn't find out who owns that property to see if it could be improved. Nobody knows who owns Larkwood Drive and it's a horrible drive and not only that, the Farm Bureau parks directly off of it. It's not by any remote standards a street. So, telling us that, that is our only main and our entrance, I just don't see the logic in it and that's why we felt like this was a pretty easy ask.

Casey Caples: I don't think that it is a viable option to use Larkwood. It's in such bad shape and there's no way we can ask a new developer to come off of that and their access is not to the east because we didn't do access management when that new development went in, correct? One part I'm being careful with is a lot because, and Michael I wanted to ask you, is it a hard no or is it a traffic study determines whether or not that drive stays.

Michael Morris: I would like to see the traffic study for me. Because I wouldn't know.

Casey Caples: I guess the only thing I'm kind of wondering is because if it's a hard no then I understand why he came for a variance now, because it might be valuable that the drive does slide farther towards Larkwood.

Doug Gilmore: Well, if we give him a variance and give them an entrance on Highland where we don't have to tell them where it has to be, we can give them the freedom to move it.

Rob Hester: I don't know if we wouldn't be opposed to sliding the entrance down to the western part of our property. Because at some point, the only property that's left to be redeveloped is going to be the Farm Bureau site and that nasty street. Most likely that could go away and just not be a drive anymore.

Michael Morris: It's an access easement.

Rob Hester: That's something we can bring to the traffic study at that point. But we can't use that drive and come off it, it makes no sense.

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Doug Gilmore: It's an old access to the fairgrounds and it's no longer there. And someone owns it but it's like the bank building who owns the damn thing? And whoever owns it, isn't taking care of it whether it's Farm Bureau or the old fair board.

Rick Miles: At one time the fair board were the ones who owned it, I wouldn't be surprised if they don't still own it.

Rob Hester: My statement is I wouldn't be opposed to and I don't think the civil engineer or the owners would be opposed to sliding that drive, if the traffic study when it came back that it would make more sense that those drives were interconnected, for use to slide our drive to the western side and provide an access easement to that drive for them to be able to use this drive and that actually got closed off sometime in the future. But my preference would be to do that when we got the traffic study. But knowing we'll access on the front end allows us to move forward. Without that and we have to access Larkwood, it doesn't.

Michael Morris: If we do grant the variance make sure we don't specify the distances, because if they want to move it, that way they can, at least if it's 20 foot off the property line because that's not access management. Access management is the driveway spacing.

Rob Hester: I wouldn't be against that option once we get further along with it.

Michael Morris: Because it may be better to line it up with one of the driveways on the northside. That's what they're going to look for, they're going to look for conflict between the turning lanes. That's really gonna be the problem, how many people are turning into the east development on the north side and the south side. And that's gonna determine the best location for a driveway. It may be good to go east and line up with the one on the east or maybe line up at the one to west, long as it meets the 20 foot then there's not against the traffic access management policy.

Kevin Bailey: And I'm sure you guys would be willing to do a left hand turn lane, right hand into the drive, like what's across the road. So, you're not stacking traffic.

Rob Hester: Right.

Board: If we did grant the variance and tied a negative traffic impact study report to it, would that make you guys feel better? And you guys happy?

Rob Hester: With that we could actually move forward to traffic study without full C.D.'s and having plans complete. To be able to see if there is an issue, that's our issue is knowing this is a roadblock, not a hurdle, if we don't get the entrance, then their not interested in moving there. That, I don't think would be an issue. There is no issue with us providing all the information and that was intended but we wanted to address this first.

Rick Miles: Derrel, looking at the layout of this existing property, if they were willing to match what's directly across the street on the north side, would that eliminate this problem?

Derrel Smith: That's where we want the traffic engineer to do the study.

Rick Miles: I'm just saying, if we gave them a variance to match what's across

on the north side.

Michael Morris: It may very well, or may say hey, go on the west side and match the west driveway I couldn't tell you. That's why we want a traffic engineer to look at it.

Doug Gilmore: At this point there is no recommended location and if we give him one, if this board decides to do that, then as they go through the process they'll find the best way to put it, and if they need to come back to us for some reason the door is open. At least if we do have a positive action on this, at least they could move forward.

Rob Hester: All we're looking for is to not lose an existing drive. That's all we're asking for, the location doesn't have to be fixed in stone.

Michael Morris: They want access to Highland.

Rob Hester: That's correct.

Doug Gilmore: And it sounds like a bunch of you gentleman would like them to have that access no matter what happens.

Kevin Bailey: So, if we had a motion to grant the variance with a negative impact study as the-

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Derrel Smith: They're not wanting to do it, because they don't want to spend the money if they can't have the access. If the traffic report says they don't need access, they're still spending the money.

Rob Hester: My question, how many projects have, after the traffic study was done, has their been a traffic study where they said you can't have access to the main road? I'm not saying there's not, I'm just saying I'm not aware.

Michael Morris: If it wasn't for Larkwood, then you could have access.

Rob Hester: But Larkwood's not a street.

Michael Morris: Well, it's an ingress egress. If it wasn't an ingress egress for this development then it would be a moot point.

Kevin Bailey: I move that we put the variance request to keep access on Highland, on the floor for a vote. Access location to be determined by the traffic study.

A motion was made by Kevin Bailey, seconded by Casey Caples, that this matter be Approved . The motion PASSED with the following vote.

Aye: 4 - Rick Miles;Casey Caples;Kevin Bailey and Max Dacus Jr.

#### [VR-25-09](#)

Variance: 2111 Cain Street

Weston Wagner is requesting a variance for lot that does not meet the minimum lot size requirement. The property is zoned R-2, multi-family low density district.

**Attachments:**    [Application](#)  
                              [Certified Mail Receipts](#)  
                              [Plat](#)

Doug Gilmore (Chair): Okay, number two Weston Wagner.

Weston Wagner (Proponent): Good afternoon everyone, I own a property at 2111 Cain Street, I'm looking to built one single-family home, my lot is zoned R-2, I meet the front width, the depth, and the zoning requirements, the only thing I don't meet is the minimum square footage. You need 6,000 square foot, I have 5,670 and am 330 square foot short.

Kevin Bailey (Board): Can you get a house back there with the utility easement?

Weston Wagner: Yes sir.



Kevin Bailey: You can?

Weston Wagner: I have some blueprints if you wanted to look at them.

Rick Miles (Board): What's the square footage of the house your wanting to build?

Weston Wagner: Let me look, I have the blueprints right here. I can tell you. The heated and cooled is going to be 1396, and total under the roof is going to be 1894.

Rick Miles: Is it going to line up with the house on the right when you're looking at the lot?

Weston Wagner: I'd have to actually measure it to see, I got my site plan but I didn't compare my site plan to the lot next door.

A motion was made by Kevin Bailey, seconded by Casey Caples, that this matter be Approved . The motion PASSED with the following vote.

Aye: 4 - Rick Miles;Casey Caples;Kevin Bailey and Max Dacus Jr.

#### [VR-25-10](#)

Variance: 628 W. Matthews Avenue

Justin Hart is requesting a variance for a swimming pool setback. The property is in the neighborhood transitional district.

**Attachments:**     [Application](#)  
                              [Certified Mail](#)  
                              [Site Layout](#)

**Tabled Per Applicant**

#### [VR-25-11](#)

Variance: 2080 Sloan Lake Drive

Michael Tyer is requesting a variance for a reduced front setback. The property is zoned R-1, single family medium density district.

**Attachments:**     [Application](#)  
                              [Certified Mail](#)  
                              [Site Plan](#)

Doug Gilmore (Chair): Alright, Michael Tyer Construction 2080 Sloan Lake Drive. So tell us what's going on.

Michael Tyer Construction (Proponent): Mr. Tyer purchased this lot, once purchasing he realized there was a 40 foot set back, off of Casey Springs and there is a drainage easement on the south side of the property. With those setbacks, we're asking to shrink the 40 foot setback by 20 feet on Casey Springs, to give more building area and to be more compliant with the rest of the street and houses. I asked why there was a 40 foot setback but no one could give me a reason for sure.

Board: It says 45 foot setback.

Michael Morris (City Engineer): That's why I'm here, the 45 foot setback was incase Casey Springs ever widened, to a minor arterial that the structure would already be set back for 25 foot setback. Where it would be. But if that's never developed as a minor arterial, and this was done in 2002 or 2003, and nothing has been done since then. It was just done to make sure the structure wouldn't be in the way of widening the road. But that was before even my time.

Doug Gilmore: Just thinking about what's up and down Casey Springs Road, it'd be difficult to widen that street especially where it's headed to. The bridge to nowhere the one way, over by Carol Caldwell's house. Is this your home? You don't want to put it toward Casey Springs CV?

Proponent: It's not an option with the developer, it's required to face Sloan Lake Drive. Which is what caused our problem.

Kevin Bailey (Board): And the development is requiring you to face Sloan Lake is that what you said?

Unable to transcribe

Doug Gilmore: Do y'all have the letter that Mr. Householder wrote?

Unable to transcribe

Michael Morris: That house there wasn't platted with the same setbacks, different developer so they didn't have to do that. They probably have a 25 foot setback.

Unable to transcribe

Proponent: We're just trying to find a way for it to fit in and match the other houses in the subdivision.

Unable to transcribe

Kevin Bailey: Michael, how does the water run off there at Casey Springs Cove and then in 2023 is that water coming through there to Casey Springs Road?

Unable to transcribe

Michael Morris: What size pipe is that right there? 18 inch pipe in place.

Unable to transcribe.

Michael Morris: We look at how we want to develop Casey Springs, if it were ever gonna be a 4 to 5 lane road. The master street plan is what we have to go by. If they came in and wanted to plat it today, we would ask for a larger right of way, which means the house would still have to be where it'd have to be, but the lot would be configured differently.

A motion was made by Casey Caples, seconded by Kevin Bailey, that this matter be Approved . The motion PASSED with the following vote.

Aye: 4 - Rick Miles;Casey Caples;Kevin Bailey and Max Dacus Jr.

## **5. Staff Comments**

## **6. Adjournment**