



City of Jonesboro

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

Meeting Minutes - Final Metropolitan Area Planning Commission

Tuesday, January 12, 2010

5:30 PM

900 West Monroe

1. Call to order

2. Roll Call

Present 6 - Ken Collins; Margaret Norris; Lonnie Roberts Jr.; Brian Dover; Paul Hoelscher and Jerry Halsey Jr.

Absent 2 - Joe Tomlinson and Ron Kelton

Approval of Meeting Meetings for December 8, 2009.

Marvin Day was Chair.

Aye: 5 - Ken Collins; Margaret Norris; Brian Dover; Paul Hoelscher and Jerry Halsey Jr.

Absent: 3 - Lonnie Roberts Jr.; Joe Tomlinson and Ron Kelton

4. Preliminary Subdivisions

5. Site Plan Review

5. SP-10-01 Site Plan: US Armed Reserve Center , located at 6109 C.W. Post Rd.

Donald DeCurtins of W.G. Yates and Sons Construction requests a site plan approval of the US Armed Reserve Center to be located at 6109 C.W. Post Rd., Jonesboro, AR. Site Plan reviews exceeding 75,000 sq. ft. require MAPC approval.

Site Plan reviews exceeding 75,000 sq. ft. require MAPC approval.

Mr. Spriggs gave comments from staff. He stated that Planning, Fire, Building & Engineering Staff met with the applicant previously. The facility is over 75,000 sq/ ft. and it is a federal facility. The plans during permit review must meet all minimum standards required by all City Ordinances.

Applicants did not have any additional comments. No opponents.

A motion was made by Vice Chair Jerry Halsey Jr., seconded by Brian Dover, that this Site Plan be Approved. The motion CARRIED by the following vote:

Aye: 6 - Ken Collins; Margaret Norris; Lonnie Roberts Jr.; Brian Dover; Paul Hoelscher and Jerry Halsey Jr.

Absent: 2 - Joe Tomlinson and Ron Kelton

6. Conditional Use

CU 09-06: Conditional Use Application for a Family Daycare Use.

Nikki Nelson, located at 217 Huntcliff Dr., Jonesboro, AR, requests MAPC approval to care for 8 children in her home under a conditional use approval.

Mrs. Niki Nelson, 217 Huntcliff: There is a deep concern about me keeping children in my home and how it will depreciate the home and allow traffic that will affect the neighborhood. I have been keeping children in my home for 2 years. Only his year have I been taking in 5 to 8 kids. My cousin and my daughter have been assisting me.

Mrs. Nelson: The lender and my husband met and the lender stated that our home had grown in value; and it didn't depreciate. This is because I didn't place a sign in my yard stating "Welcome to Niki's In-home daycare"; I didn't have toys, nor trash laying around. These are private people/families: the Starkdale's, the Harringtons, the Smith's, the Taylor's, and the Frankenbury kids; These are respectable people and I wouldn't just allowed anybody or anything into my home. I respect my home. The respectful people/clients would not have come into my home, if I had anything coming in.

Mrs. Nelson further explained how they chose to build and move into the neighborhood and how signage and traffic posting of a business would have caused her not to live there. She added that she is not going to de-appreciate the value of the neighborhood. She stated that her request is that the zoning be lifted for 3 additional children.

Sammy Nelson 217 Huntcliff: On behalf of my wife, she started this business not considering a daycare. She was in real estate along with me. She came out of that business just to help out the community. Her service was so great that it grew and she took very good care of the kids. Very few people knew about this. We don't consider it a daycare; because you would otherwise need 3 compartment sinks; a mop sink etc. We want to be a help to the community. Our lender is Bank of America and they told us, because of refinancing that our home had appreciated by \$75,000 more.

Chair Mr. Day Noted: 10 people were present in favor of the case; 24 persons were present in opposition.

Mr. Mark Rees. 3808 Wolf Chase Ln.: I'm not offended; I'm sure she is nice, I don't know her. I'm sure the kids are nice. What this committee needs to look at is what is in this neighborhood. There is no commercial business; certainly not a daycare. If you allow or give this special permit, it is setting a precedent that does not exist.

Mr. Rees: There is a Bill of Assurance and it prohibits this type of activity. Any lot shall not be used for commercial related purposes. And there is no doubt that what Mrs. Nelson is asking is for commercial related purposes. She is asking to have people in her home and she is asking to be paid for it. It is prohibited. And the Committee should use that as a guide in determining what is acceptable. When we bought there, we reviewed the Bill of Assurance. Ms. Nelson made a choice and she implied that she would not use her property in this way. I can't see how this committee can allow it when the Bill of Assurance prohibits it. There is nothing else in the neighborhood that's commercial; I don't see how you can deny it for others to open a daycare if this is allowed to happen.

Mr. Rees: I live two houses on the same street; there are people walking and children playing around in the evening. You will have increase traffic in the neighborhood that we would rather not have. There are no property owners that say that they are for Mrs. Nelson's daycare that I know of. There are several and many more not here that oppose, and I ask you all to deny it.

Mr. Spriggs stated that MAPC was copied the Staff report which summarizes the case. Customarily, Staff looks upon this type of use as a home occupation. Under the home occupation code, there are 12 or so conditions or questions that have to be addressed by the applicant, and not be exceeded. The available uses under the home occupation standards range to anything from an office use with limited amount of traffic, and uses having up to 6 customers per day. Any products sold under a home occupation must be produced in the home itself. In reviewing this application, you are allowed a maximum of 5 children unrelated by blood without going through any approval, as traditionally babysitting is done. The Zoning Code defines daycares under two levels/definitions: 1. Family-home Daycare for 8 children and below; or 2. General Daycare Center with 8 or more children in the proper Zoning District.

Mr. Spriggs: This application falls under the Conditional Use process within the R-1 District in, and Staff has weighed in the criteria for approving the conditional uses; and, this use would satisfy all of those.

Mr. Spriggs: There were maybe 2 concerns by Staff in terms of fencing- that it be considered for play areas outside. Any concerns of circulation would have to be addressed by the applicant in terms of pick-up/drop-offs. Finally, any requirements of the State would have to be satisfied by the applicant in terms of child-care licensing. There were concerns of how the City would perceive the Bill of Assurances and the document was attached. Mr. Spriggs noted that there are 3 other business privilege licenses on file at the City as the physical address within the subdivision.

Mr. Halsey stated that the fact that we have been given a copy of the Bill of Assurance, and it states that no building shall ever be used for commercial purposes. It would look like we have done something wrong, if we were to approve this. It is pretty black and white how we would be privy to a law suit down the road.

Mr. Spriggs stated that he will let Mr. Phillip Crego give the legal response, but he noted that Staff made every attempt to notify someone from the Home Owners Association (H.O.A.). It outlines in the Bill of Assurance a process for

enforcement of the rules; the listed names in that document are no longer in ownership of the subdivision. Staff was not able to obtain any H.O.A. approval for the Commission.

City Attorney, Mr. Crego: In terms of a Bill of Assurance, that is in fact not something the City can enforce. A Bill of Assurance is a private right of action between the property owners within that neighborhood. This body is not bound by the Bill of Assurance; you have no enforcement right of that.

Mr. Halsey: But again we are going against it; or we could say we think better of it?

City Attorney, Mr. Crego: No Sir, we are just saying that: If the conditional use were to be granted that is saying the City of Jonesboro gives them permission. For example, one of the recommendations that Mr. Spriggs made was that it be licensed by the State as a daycare. Let's say that this body voted to grant a conditional use permit. That doesn't relieve them of the obligation of getting a state license in order to conduct a daycare. It is analogous to that. This body granting a conditional use doesn't mean- "ok go do what you want to do". They are still subject to the Bill of Assurance on their property. This body has no enforcement authority of the terms of the Bill of Assurance.

Mr. Dover: Even if we grant it the land owners can enforce it and negate it, and anyone can file suit to enforce the provisions of the Bill of Assurance. Mr. Crego agreed.

Mr. Dover: Is there a swimming pool in the yard, in lieu of the fencing question? Mr. Spriggs replied not on site, he is unaware of one on neighboring properties. Mr. Spriggs explained the purpose of the safety fencing.

Mr. Day asked- In the R-1 Zoning, can you keep 5 children without any condition use? She wouldn't have to talk to us at all? Mr. Spriggs agreed: The next stage is maximum 8, or 3 more than the 5.

Mr. Day: Is that what she is asking?

Mr. Spriggs asked Mrs. Nelson to clarify what she is asking for- 5 or 8? Mrs. Nelson replied 8 total.

Mr. Day: Did you make any effort or do you have an active property association; do they have meetings; do you pay dues?

Mr. Rees: In the Bill of Assurance there is technically not a Property Owners Association. The Bill of Assurance did not provide for a P.O.A. for enforceability. It doesn't mean it is not valid. We have a loose voluntary group of a few people that provide money for the up-keep of the front entrance. We don't have meetings.

Mr. Collins: Asked Mr. Rees if he is representing the opposition. Mr. Rees replied yes. Assuming the opposition, have any of the residents seen any negative impacts such as the yard cleanliness and children running around? Mr. Rees stated that there is a doctor/ couple there that opposes, because her driveway is next to this, and there is not a fence anywhere. I think that they see

it as a negative effect. There are several pools in our neighborhood that add to the danger of this request.

Mr. Rees: She has agreed not to do this, in the Bill of Assurance. They are on Wolf Chase Lane. I don't like it and none of the others like it. I don't see as a neighborhood that there is any benefit for a daycare.

Mr. Collins: In terms of the Bill of Assurance, can you tell me 100 % that there are no other business located in the neighborhood? Mr. Rees: No I cannot 100%, however if I knew about it I will see that it is enforced. Mr. Rees added that he wouldn't want to open his law office in his home with a sign out front.

Mr. Day stated we are not here to enforce the Bill of Assurance, but it is an indication of the neighborhood. We have approved several of these conditional uses, but there was no opposition in the neighborhood.

Mr. Dover: When did you buy your house?

Mr. Nelson: 2006. He added that he had never seen or agreed to a Bill of Assurance. Mr. Macon relinquished this and I don't know if anyone has adopted this other than the attorney. There are not kids running all over the place.

Mr. Day asked, have you spoken to your neighbors concerning this? Mr. Nelson replied that that the neighbors have said they do not have any problems with this. Matter of fact, some didn't know we had it.

Mr. Day asked, if Mr. Nelson had any support letters? Mr. Spriggs noted that neighbors within 200 feet were notified by either signing a letter of notification or by mail.

Sarah Herringer, 2700 Minx Lane: Stated that her daughter has been going there since 3 months old. Some things I've noticed tonight is that as Mr. Nelson stated there are no kids running around. Most didn't know there was a daycare. We chose an in-home setting. She doesn't have a fence in her backyard and never are there kids running around. There is no sign. Apparently there are also 3 other business with privilege licenses. This is going from 5 to 8 kids. There are no negative impacts, and you wouldn't know that it was an in-home daycare; and it doesn't cheapen the neighborhood.

Stacey Stockdale, 400 Huntcliff: There was a concern about pools; we had a near drowning of Grant (son) who had an incident. I had no idea that this lady existed. I can't tell you how thankful I am to have her. I am well aware of daycare situations that are unhealthy environments; Grant has recovered and is learning many things daily at Ms. Niki's; and thinking that her home has depreciated; we have not seen this.

Bryan Lutz, 208 Dunwoody: I live in the neighborhood- there are kids playing and the neighbors have seen an increase of traffic. Mrs. Herringer doesn't live in the neighborhood. We live there; we see it every day, morning and night. There are businesses in the neighborhood; they are not businesses per se'. I own a business but that is where my permit goes. We chose to live there because of the P.O.A. Where does it stop will be the question for opening commercial businesses in the neighborhood.

Tom Davis, 409 Huntcliff. If you go south and round the property there is a drainage channel. That is my house at 409, and every morning I sit there and I watch cars go in and out; yes there is traffic there and they are violating, you have to put in 3 sinks if you go to 8. I'm a real estate agent. She can go higher than that in another place.

Board Action:

A motion was made by Ken Collins, seconded by Paul Hoelscher, that this Conditional Use be Approved with Staff's stipulations. The motion FAILED by the following vote:

Aye: 2 - Ken Collins and Paul Hoelscher

Nay: 3 - Margaret Norris; Brian Dover and Jerry Halsey Jr.

Absent: 2 - Joe Tomlinson and Ron Kelton

Abstain: 1 - Lonnie Roberts Jr.

7. Rezoning

7. RZ 09-21 Prospect Missionary Baptist Church/Richard Belk requests rezoning from R-1 residential to C-3 General Commercial from 3.08 acres located at 4200 E. Johnson Avenue.

*Applicant requests reconsideration of the Cross-Access/Egress Easement Stipulation by MAPC. This is a re-opening of a previously approved matter.

Mr. Belk addressed the Commission stated that the Church has dealt with the hazards in the past. There is a place in the front of the church where there is handicap parking and a ramp. We would prefer not to have the carwash traffic come through there. I don't know if any of you have been by that there, but there is not room for a cross access easement. We surveyed that back over the years and there is approximately only 16 feet of setback. We also have a sign in front of the building. If we do want to do some more building there we won't be able to do anything with that building but tear it down.

Mr. Day commented that this is his last meeting and he is proud to have been here for 8 years. The Planning Commission does not want to hinder anything from the church. It is something that we personally like (cross easements). What is unusual is that a church wants to rezone to C-3. I know you have good reasons, but what I am concerned about in this situation is that if in a year later a developer comes to the church and offers you a crazy amount of money. They can buy and we don't get another chance at this. With the church there is minimal traffic except certain hours. We don't get an opportunity to get another chance.

Mr. Day quoted an example like where Pop-Eyes Chicken and other restaurants are located on Stadium: Where my children may want a hamburger or I might want chicken; I don't have to risk everyone's life as I go in and out into the traffic. We are not asking you to build a road to tie the carwash we are trying to establish that easement for the future. In case we don't get an opportunity to see that again. We are not trying to mess things up for you. Do you understand what I am looking for?

Mr. Belk: I understand why, but it is not our intention to sell. Part of the land if it sells it goes back to the original owners. When you go to build, you are limited in the R-1.

Mr. Day: It's odd for a church to get out of the R-1. Think of it for the church's benefit in the future; the church may want to be able to drive over there to a new development next door. You may want to think on the church benefit.

Mr. Belk: if we stay like what we are and church applies for permit to build the parking will there be asphalt there and will there be some drainage issues that will be caused? Mr. Day added that typically, churches get to do what they want.

That opportunity for resale is there as C-3 if you sell and that property is zoned C-3 we can't do a lot with it after the sale.

After realizing that the Church can expand under the current Zoning Regulations as R-1 Residential, Mr. Belk stated that he would like to withdraw the case.

A motion was made by Vice Chair Jerry Halsey Jr., seconded by Ken Collins, that the withdrawal be accepted. Case was officially Withdrawn. The motion CARRIED by the following vote:

Aye: 6 - Ken Collins; Margaret Norris; Lonnie Roberts Jr.; Brian Dover; Paul Hoelscher and Jerry Halsey Jr.

Absent: 2 - Joe Tomlinson and Ron Kelton

7.

Case RZ09-24: Links at Jonesboro

Site Located at the intersection of Harrisburg Rd. & Links Dr. : Kim Fugitt, on behalf of Links at Jonesboro requests a rezoning from "R-1" and "R-3" to PD-M Planned District Multi-family District for 25.58 acres more or less for 240 apartment units and 3 additional golf course holes.

Lindsey Company Hugh Jarratt, and Jerry Kelso, of Crafton Tull & Sparks out of Little Rock.

Kim Fugitt requests a rezoning for 240 units, and actually 4 holes of golf to the existing Links of Jonesboro. WE have 432 units right now. The Lindsey Company has over 30,000 units in 8 states we have been around for a while. We keep properties for a life time. Lindsey Company has 816 units in Jonesboro, and we have a 4% vacancy rate. That has brought us back we are looking at the remnant of the Links at Jonesboro property to continue in that process.

If we look at the existing site, this area is zoned R-3 with 15 acres. Currently at 18 units per acre we can build 270 units; under the existing R-1 Zoning, based on 8,000 sq. ft. minimum, we could put 8 lots on the 10 acres there. We prepared a plan indicating what we could build under the current Zoning.

He explained the PD layout: there are 22 additional buildings at 276 units and

single-family 32 lots indicated there. We are asking tonight that we reduce the density allowed and continue under planned development process. We will reduce the 312 units including the single family and reduce the multi-family to 240 units.

We have the existing boulevard there and we have the golf course with a lake here that will take care of the drainage issues along Harrisburg Rd., with a long golf course along the cemetery. We have agreed to provide an additional easement along Harrisburg and maintain a 50 ft. existing tree barrier in this area in the south and west. An additional lake is provided to the south, and we can't guarantee that we will save all the existing trees, but we can transplant trees in those areas based on what's required by the City. There are 12 unit buildings, similar to the existing. And we will have a little more brick than the existing on the bottom and brick columns with an additional clubhouse.

We will start with the clubhouse and it is very likely that building No. 1 will be ready for occupancy by the time that No. 10 would get started. It will take 8 to 9 months to do the entire project.

Mr. Kelso: We had Earnest Peters (Peters Engineering) to do the traffic study. Their perspective is that we have to take from it is there will be less than if we build the 300 or so units that we are allowed for. The site drains from north to south. Typical requirement of Jonesboro that we control our peak runoffs to pre development condition.

Mr. Halsey: You are designing pre and post? Mr. Kelso, Yes we will retain that in the 2 ponds. The remainder of your site has more capacity. The drainage ditch is very important to the residents to the south, and we need to do improvement on this ditch.

Mr. Fugitt: We had a meeting and we notified the adjacent neighbors. We have agreed to do privacy fencing along the south and west with ornamental fencing to the north. We have also agreed to do a traffic signal if it is warranted in the future.

Opposition: 36 persons were present.

Mr. Barry Phillips. Gave history/summary of when it was brought to the Commission (when he served on MAPC), when it was presented by Kent Arnold who wanted to do it as R3 with single family homes. He wanted smaller homes; we approved it for smaller homes. 30 days later he sold it to the Lindsey group we were looking at another deal.

Mr. Barry Phillips. The Lindsey Company bought the R-1 property on Harrisburg road. They promised the Commission that R-1 would never be built as apartments only single-family. They wanted another entrance on Harrisburg Rd. It is a scenic byway. That road will never be widened nor improved to take in that extra traffic. I wanted to give you the history. Those are single family homes. People that live out in that area would rather have single family people there rather than apartments.

Attorney Jeff Puryear , 1005 Rossland Drive: I am across from the existing site . There is a tremendous amount of development on the south of the bypass. The links has been there, Sid Pickle is developing 600 units on Craighead Forest, 65 units on Lattourette Place, and Caraway Commons. If you take the R-3 property it grows and grows.

Attorney Jeff Puryear: I have tried to look at what has been represented and what the ordinance will allow. The Planned District, Section 14.2 talks about any PD development shall be appropriate with the environment. On the Zoning Map, you can see the R-3, and everything around it is R-1 and the C3 to the N W corner. To continue it is inconsistent with the surrounding area. The existing land owned that is R-1; the plan will take that R-1 and make it for apartment use. When you go from R-1 to PD-M what you are doing is allowing for mixed planned development. This is the most liberal district available of all now we are opening it up to a potential use as industrial down the road. The application requires one to say how it will affect the surrounding properties: They say it will not affect.

Attorney Jeff Puryear : The 10 acres should take into account the surrounding uses. You will convert it to apartments or some other potential use. There is no buffer that is allowed on the R1 to the north. There are homes right there. We have the benefit that all of this is wooded and back off the highway. There is nothing allocated for a 50 ft. buffer to the north end, there will be 5 ft. fence. Mr. Puryear also commented on the application materials and the list of property owners was lacking.

Mr. Halsey: in regards to the zoning. I understand Mr. Phillips comments on what they presented a few years ago. I am sensitive to that. What you see as development and what they have proposed I understand the zoning as a PD. They would have to build exactly according to the Plan?

Mr. Spriggs: responded that is correct and the code states that you have to have a use attached to any approval of PD, with stipulated conditions.

Mr. Halsey: Do you not like the way it is designed if you were to get your buffers on the north side with the guaranteed density; would the zoning be ok?

Attorney Jeff Puryear: With all due respect, I wish it would stay how it is. If the R-1 property would remain a buffer as it is, and I can't speak for the other people; that would help take care of the concerns. You have a significant barrier and the apartment barrier and the single family.

Mr. Day: From a land use terminology, you have normally a transitional zoned from higher to a lower density. What I am hearing you say is you want to see a transitional area between the apartments and the R-1 homes if they had an existing buffer of those trees and you couldn't see the apartments anyway.

Attorney Jeff Puryear: The Links are not in the business of building homes there. If they put homes across the street, that is consistent with R-1.

Rob Shelton, 4116 Brandywine Dr., I live in Rossland Hills have been there for 12 years. We have an H.O.A. and we have a board and I am acting director. Jeff did a good job at pointing out the legal things. Our concern is the additional traffic on the street. The crime, the noise are concerns. We don't

have a problem with them building apartments in the R-3 area. We chose to live over there in front of R-1.

Jimmy Rushing 104 Rossland Dr. Reiterated the traffic problem the light at Parker Rd and Harrisburg is backed up to Central Baptist Church. It takes a long time to get out on Harrisburg Rd. There is a gated apartment complex in the middle of the curve north of this and it is a blind corner for apartments. There are more plans to do more there including Magnolia and the others on Medallion.

Mr. Spriggs gave comments from Staff who met with the applicants during the conceptual stage of the process. The R-3 Zoning has been a difficult issue with this area and others around the City lately. Recently there are no rezonings set above 16 units per acre. We have reworked our codes as it relates to multi-family and that 18 units/acre level of density is not allowed.

It was my suggestion to look at the PD District to see how we could fit into the neighborhood and the PD standard was the best option. There are 20 or so conditions listed to address concerns of access management and buffering to adjacent residential neighbors.

In the conceptual stage of the PD, we discussed the future concerns of Harrisburg Rd. Realizing this is a scenic byway. The applicant agreed to participate by donating an additional 20 ft. of width if it were improved as a minor arterial in the future.

There were concerns on the conditions by staff; the applicant submitted 2 items that had difficulty with and staff feels confident that the one concerning project build-out and phasing has been addressed by the applicant and can be accommodated administratively; and the other concerning the buffers that may be affected regarding the buffer, can be re-planted and maintained at the promised widths and the buffer to the north. Mr. Spriggs stated that the 200 ft. list for abutting property owners is now in the file. The applicant was directed by staff to use the list to notify the neighbors of the neighborhood meeting, which did occur 2 weeks or so ago.

We have all gone through the scenario of what can be developed outside of doing a rezoning. If we utilize the net density calculation absent roads and infrastructure, the applicant may average about 229 units or so, but that is just an estimate. 15 acres X 85% could result in about 229 units under the R-3 District.

Mr. Day: Mr. Phillips made mention of the previous case, do you have the minutes. Mr. Spriggs stated that we have all previous minutes. There were no enforceable conditions placed on that R-3 District. It got zoned that with no special conditions, Mr. Day added. Is this open space required to meet the density of the previous phase. Mr. Kelso stated that the original density is satisfied.

Mr. Hoelscher asked for impacts on services. Mr. Spriggs stated that Fire Marshal and City Engineering Staff has reviewed the plan and gave input to the applicant. Staff has not received Crime data on the site. The school system has been notified. Mr. Kelso updated that they met with the School system and the pick up / drop-off bus routes has been identified and the circulation for

exiting has been located.

Gary Watkins, 1108 Watkins Grove Lane. We have been in a flood zone and the City is involved with the ditch they will be working on that. We've had flooding from the apartments on the Craighead golf course and it has caused problems. We have 15 acres and 3 ditches that are involved with that Watkins Grove area and they all intersection at one point. The retention pond is backing up and causing that creek to back up and flood some of those houses on that street now. In the R-1 area we had to have an attorney out there to resolve some issues and a privacy fence was put up on part of that property; and the wall was put up and the water had no where to go, but on us. The City has been out ether 3 or 4 times. And has widen the ditches and it is carrying the water. There is a swamp area back there and it holds a lot of water and it is going to have to go somewhere and it will go to the rear of our property.

July Draper, 4002 Harrisburg Road: I harbor no ill feelings towards anyone that lives in any apartments. I object to the crime. I had Heather who is the crime analyst and pull data from January, 2006 to January 7, 2010. The Jonesboro Police was called 374 times to the Links. My husband travels a lot, There are some older neighbors. There were reported indecent exposure, battery, and rape. I am sorry enough is enough. If we don't put a curtail on apartments we will become the new apartment of the City of Jonesboro.

Mr. Day: I think what Mr. Halsey was saying that is not a lot we can say about the R-3. Is it a better opportunity for everyone involved the residents and the developer to figure out how to make it better.

Mr. Halsey: I've heard them say they want it to remain as-is.

Mr. Day: This is my opinion the residents of the apartments are the problem. The Lindsey Company does a good job; I have lived in those apartments they do a good job of doing the management and development. They are trying to development their property and do what is best for the neighborhood.

Mr. Halsey: Is there any compromise? Mr. Puryear: There were 3 or 4 people who went to the meeting, and that was not broadcasted or vetted.

Mr. Spriggs: There were 35 or so letters that went out. Mr. Jarratt reported that he sent letters to 35 people. He reiterated that they typically put the golf around the perimeter. We could dedicate the landscape buffer. Most of the time people prefer to look at the golf course as a buffer. We had a title search done we want their input and want to do something compatible. It is not a fact that we want to slip something through.

Andy Grisen, 1008 Rossland Drive. Owned for 5 years. He asked the question when I bought, whether they build apartments right behind me. I was told no. Now they want it rezoned. Mr. Spriggs stated they could build 229 apartments (estimate) on the R-3. That's an 11 unit different. There's a 10 acres between there. That would make the neighborhood property as a buffer as a golf course and wooded buffer.

Mr. Fugitt: I was not involved in the initial zoning and can't address the history. We have addressed Mr. Puryear concerns about buffers and we are

placing in the golf course. It was our intent to do the right thing for Jonesboro. With the plan presented the construction costs would be more feasible and less with 80% greenspace. He pointed out on the plan that most of the R-1 area would be mostly green space. We would be amenable to a meeting with the neighbors again if there were some value; if not then we will proceed under the current zoning and develop it in that regard.

Mr. Dover: In the top R-3 area of the plan, how many units are there? Mr. Fugitt: 84 units are in that area.

Mr. Day: It would be a good idea that the developer and property owners sit down and think that over.

Mr. John Valor, Medallion Acres: Stated that because of the traffic issue, I'm opposed to this because the traffic was lined up from Parker across to Windover.

A motion was made by Vice Chair Jerry Halsey Jr., seconded by Ken Collins, that this Rezoning be tabled. The motion CARRIED by the following vote:

Aye: 6 - Ken Collins; Margaret Norris; Lonnie Roberts Jr.; Brian Dover; Paul Hoelscher and Jerry Halsey Jr.

Absent: 2 - Joe Tomlinson and Ron Kelton

8. Staff Comments

9. Adjournment