

WARD PLANNING COMMISSION

April 24, 2023

Public Hearing Minutes

Call to Order

Chairman Jerry Peters called the meeting to order.

Chairman Peters stated the reason for the public hearing to for comments on the Rezoning for Commercial Retail, AR Hwy 38 and Old 38 S. intersection that is being requested.

Attending the meeting:

Jerry Peters	Helen Huitt
Michael Kindall	Erin Mixon
Charles Gastineau	Rob Ruble
Heather Johnston	Tony Reaves
Jason McKee	Kellene Storey
Anna Walton	Stacey McMinn
Eric Sims	Marcus McNeill
Charles Chapman	Michael Krenn
Gary Meadows	Allison Astin
Casey Drooke	Courtney Ruble
Krystal Rummel	Patti Weathers
Tim Lemons	

Chairman Peters asked Mr. McNeice to approach the dais and present his request for rezoning at Hwy 38 and Old Hwy 38 S. from R-1 to C-2. Mr. McNeice stated that he is proposing a 10,640 sq. ft. retail building with an exit onto Highway 38 and a rear entrance onto Old 38 S. This retail store will be meant to serve the area around it and will benefit the neighborhoods in the immediate area. Chairman Peters asked if it would have produce and fresh food and not just a retail Dollar General. Mr. McNeice replied that most new Dollar Generals now that are built do contain fresh produce. Chairman Peters asked for questions from the board.

Helen Huitt asked if there were any surveys or studies done that determined that this was needed in the area. Mr. McNeice replied that he as the developer would not be privy to any studies that the corporation would do on the results of such. She asked if he was certain this store would definitely have produce or not. Mr. McNeice stated that he is 85% sure, but as the developer he cannot speak to the intentions of the corporation he was hired to develop the site for.

Erin Mixon asked if Mr. McNeice received a traffic study from the Corporation or if one was completed to see the impact this development would have on neighborhoods surrounding it. Mr. McNeice stated he did not know if a traffic study was done in the area.

Helen Huitt asked how many parking spots the lot would have and Mr. McNeice replied that 35 parking spots will be available with a main entrance off of Hwy 38 and a secondary entrance as well. He then presented a site plan to the Board and Hearing attendees.

The speed limit being either 45 or 55 in that location was discussed as a concern amongst the Board members. Mr. McNeice stated that the highway department has approved the driveway into the lot and saw no issues with the location of the entrance.

Chairman Peters stated that before he opened the floor to the public comments, each person will be given 2-3 minutes for their statements.

Rob Ruble, Councilman for Ward 3, stated that he has spoken to many individuals in the surrounding neighborhoods and has yet to find anyone who would like a retail operation in that location. The concerns are that it is adding to an already congested traffic area; there are 8 accidents on Ward's City record since 2019, and 5 of those 8 have been at Huntington directly over the hill from the proposed site. The added traffic in that location will just add to the accident risk of the citizens who drive through it to get to and from home daily.

Michael Krenn stated that he lived in the Huntington subdivision and the amount of congestion and risk of accidents that a retail store will add to the already congested area is a huge concern. There have been several major accidents in the past, and the traffic is then diverted into and through the neighborhood causing a safety risk to the children who live and play there, due to speeding through the neighborhood. The site plan submitted does not ease his concerns about it at all. The entrances will not help with neighborhood safety at all.

Heather Johnston stated that she also lives in the Huntington subdivision and as a victim of an accident in the area she has safety concerns about the chance of more accidents as well as traffic diversions through the subdivision. She pointed out the location of 3 other retail stores within 3-6 miles of the area that are no trouble to drive to. Her opinion as a resident who drives 38 daily is that the highway needs to be widened, turn lanes installed, and the road fixed and maintained by ARDOT as it is, much less before thinking about adding any commercial retail stores to the area.

Anna Walton stated that she agrees with everything the first 3 speakers stated and strongly objects to the request to change to commercial at that site. Living on Huntington Drive, she is fearful of turning onto and off of her street. The traffic already makes it dangerous and adding anything is not a good idea.

Kellene Storey stated that she also lived in the Huntington subdivision and agrees with what had been stated so far. She is also against the request. After being asked by Ms. Mixon, she stated the convenience of having a retail store near the neighborhood is not worth the congestion

and safety risks of added traffic. As Ms. Johnston stated, there are other retail places not too far to travel to.

Chairman Peters asked the room how easy the public hearing signs on the site were to see and determined by the responses that the signs should be more prominent in future public hearing notifications. He then asked Gary Meadows to give his input on the matter.

Gary Meadows approached the dias and stated that the developer has met all requirements according to Ward's ordinances and zoning codes. Helen Huitt asked if the certified receipts were signed or just sent. Mr. Meadows stated that our ordinance only requires proof of being sent, not the signed and returned receipts.

Ms. Mixon asked if there were any side walks in the area, and Mr. Meadows responded that the proposed site plan has a sidewalk on it but there are no sidewalks currently leading from the surrounding neighborhoods.

Mr. Kindall asked about the condition of the road there now, and Mr. Meadows replied that it is comparable to other state highways. He added that a turning lane would be beneficial to the highway there with more homes being built and more commercial sites such as a hospital clinic being added to the area.

Chairman Peters asked Mr. McNeice to approach and share if he had any indication from the state when he applied for the entrance that a turn lane or improvements were on slate for the near future. Mr. McNeice replied that he wasn't given any information on expansion plans and would not be privy to information like that from the state.

Chairman Peters, noting there was no other discussion on the matter, asked for a motion to close. Helen Huitt motioned, Michael Kindall seconded to close the hearing. Voice vote all approved (4-0).

