



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes - Draft Metropolitan Area Planning Commission

Tuesday, April 23, 2019

3:00 PM

Municipal Center

1. Call to order

2. Roll Call

Present 9 - Lonnie Roberts Jr.; Jerry Reece; Jim Scurlock; Kevin Bailey; Jimmy Cooper; Jim Little; Dennis Zolper; Mary Margaret Jackson and David Handwork

3. Approval of minutes

[MIN-19:036](#)

MINUTES: April 9, 2019

THESE WILL BE ON THE NEXT MAPC MEETING.

No Minutes to vote - will be on next meeting.

4. Miscellaneous Items

[COM-19:027](#)

SIDEWALK EXEMPTION REQUEST: 1109 West Parker Road

George Hamman of Civilogic on behalf of owner Michael A Soo is requesting consideration from MAPC to be able to pay the Sidewalk "in lieu" Payment instead of installing the sidewalks for 1109 West Parker Road.

Attachments: [Letter concerning Sidewalk Exemption Request.pdf](#)
[ARDOT Email Concerning Sidewalk.pdf](#)
[Grading Plan.pdf](#)
[Aerial View of Location.pdf](#)
[2019 Capital Improvement Sidewalk Projects.pdf](#)
[Legislation Details \(With Text\) - Sidewalk.pdf](#)

APPLICANT: George Hamman of Civilogic on behalf of owner Michael A Soo stated his name and that he prepared the site plan for the expansion they're planning to do, a second building behind the primary building. It was built probably back in '07 or '08. That was before sidewalks were required along the frontage and so there is no sidewalk. The existing parking lot that got put in is only about three, three and a half feet from the state right-of-way. That doesn't allow up proper width for the installation of a sidewalk. We consulted with the highway department and they cited the topography and the drainage in that area and stated the thing that prevents the sidewalk from being put in. I think we have a total of 116' of sidewalk that would need to be installed. The owner is requesting the exemption in lieu fee instead of trying to battle the highway department and put in the sidewalk on their right-of-way.

COMMISSION: Lonnie Smith Jr. asked the city planner if he has any comments regarding this.

STAFF: Derrel Smith of the planning department stated they do meet the requirements in the ordinance for an in lieu fee. That will be you all's decision.

COMMISSION: David Handwork stated George, you produced the document that you already worked with Rick Carmack with ARDOT's office there. Yesterday, at the pre-meeting we saw some plans for the redevelopment of the intersection west of there. They showed, on their plans, a sidewalk that would run on the same side of that property. I would recommend, and it may not be part of this vote, but I think it would be worthwhile to see if they can work with the highway department if there's going to be a sidewalk eventually that is going to be to the west of there, going to be tied into that same alignment. I went out to the site and looked at it and recognized that slope in that detention area that's right there where it picks up. Even if the development with the state eventually comes through there, they'll have to rework that as well, rework those grades. Were there any discussions at all with the highway department relative to their development and eventual plans for sidewalks to the west of there, they'll be generally along the same alignment with the roadway in front of this property.

APPLICANT: George Hamman of Civilogic on behalf of owner Michael A Soo stated he has not had the opportunity to talk to Rick Carmack again about it

today since we just met yesterday afternoon. I did speak with Michael on it and given that we have the right criteria, let the client pay the in lieu of fee, then after the highway department finishes their work along there, the city could go in and use that money that had been allocated already and complete the sidewalk across the Soo's frontage at that point. That was it's not something we're trying to put in that's just going to get torn out.

COMMISSION: David Handwork stated that's me point. Instead of something that's going to get torn out, maybe work with the highway department and see if there is an alignment that would be compatible with whatever their future alignment will be along that lot.

STAFF: Michael Morris of the engineering department stated he can call Rick tomorrow or this afternoon and ask and see what could be done. I just know another project that we tried to do something, he said he wouldn't grant us a permit at all within the right-of-way. At least we could get the money and the city could apply for a permit later because we even have to apply for a permit to do a sidewalk, even after the fact. That is something we can look at.

COMMISSION: David Handwork stated if we go forward today on a vote on this, I am supportive of the plan we have if we have in lieu fees and we have the city's priorities and we know where the funds are going to go, or even if there was something that was written in that the development would pay for the sidewalk at a future date or contribute toward that, whatever is stated. I know that if we don't have those answers from the highway department until today, I'm probably going to be a negative vote based on not knowing what the state is going to say. The state may come back and say, yeah, we'll work with you and try to do an alignment. At this point we're at a no.

COMMISSION: Dennis Zolper stated he would like to say something on this issue. Last meeting we had, we made a company actually build a sidewalk to nowhere. It was from nowhere to nowhere. I just think it comes under the "that's not right" rule. You make some company spend either a whole lot of money, or maybe it's even impossible to build a sidewalk. But the in lieu contribution provision in the ordinance was there for a reason. That was to go ahead and accumulate money so we could put sidewalks where people might use them and where they might be more pertinent so to speak. In situations where it's either going to be virtually impossible or extremely expensive, we're not doing anybody any favors. In fact, I don't think there would be anybody on this committee that would like to have that happen to them. I think we need to keep an open mind on these in lieu of contributions because the money is going for what? Sidewalks. What do we want? Sidewalks. We don't want them just out in the middle of nowhere. That's my speech.

COMMISSION: Mary Margaret Jackson stated I would like to say we have to start somewhere and in the development we considered last meeting, there was a creative solution to come up with a sidewalk. I always want my decisions to be logical and defensible as I'm sure you all do. I want to be fair and consistent. That development we had last time didn't meet the requirements of an exemption in our ordinance where as this one, in terms of topography or grade, does meet some of the outlined exemptions within the ordinance. It's easier for me to vote yes because of that reason. Even if it's not a perfect ordinance, I can logically defend my vote. However, I'm not really

happy with some of the exemption requests we've received because we are taking at their word that they cannot put in a sidewalk. I would like to see some more information, like some of the things they have gone through to make that determination and not just say we can't do it. I think that would help me make a more logical and defensible decision because, like all of you here, I want to do a good job for the city. I want to be fair and consistent.

COMMISSION: Jerry Reece stated I agree with what Dennis said about the sidewalk going nowhere. Everything around that sidewalk is developed. Fifty years from now, there's going to be a sidewalk sitting there for nothing, not going anywhere. Everything's developed and you're not going to go back and connect to it. To me it's just a waste of somebody's money. A pedestrian couldn't even get to it anyway. There is absolutely nothing on either side of it.

COMMISSION: David Handwork stated what we saw in the plans yesterday is not available for you all to look at. The plans for the development of the intersection by ARDOT shows a sidewalk that is pretty close to there. At some point there will be a connection to the sidewalk to the west. There's just a short distance from this location to the west to connect to the sidewalk that ARDOT has got planned.

STAFF: Michael Morris of the engineering department stated how far along the intersection they're going, I'm not sure, but the highway department are putting some around that intersection.

COMMISSION: Dennis Zolper stated and again, Mr. Chairman, that's the reason for in lieu contributions.

COMMISSION: Lonnie Roberts Jr. stated the think we continue to see is the further complication created with the policy of the Arkansas highway department, that they don't want sidewalks on their highways. That's what I continue to see on letter after letter.

COMMISSION: Dennis Zolper stated and you're not going to make ARDOT do anything. ARDOT will do what they feel like doing.

COMMISSION: David Handwork stated I would disagree that they don't want sidewalks. They want sidewalks under certain provisions.

A motion was made by Dennis Zolper, seconded by Jimmy Cooper, that this matter be Approved. The motion PASSED with the following vote.

Aye: 6 - Jerry Reece; Jim Scurlock; Kevin Bailey; Jimmy Cooper; Dennis Zolper and Mary Margaret Jackson

Nay: 1 - David Handwork

Abstain: 1 - Jim Little

[COM-19:028](#)

SIDEWALK EXEMPTION REQUEST: 4706 E Highland Drive

Michael Boggs of Tralan Engineering on behalf of Williams Equipment and Supply Company is requesting consideration from MAPC to be able to pay the Sidewalk "in lieu" Payment instead of installing the sidewalks along Highland Drive and Kathleen Street.

Attachments: [Letter and Pictures.pdf](#)
 [Site Plan.pdf](#)
 [2019 Capital Improvement Sidewalk Projects.pdf](#)
 [Legislation Details \(With Text\) - Sidewalk.pdf](#)

APPLICANT: Michael Boggs of Tralan Engineering on behalf of Williams Equipment and Supply Company stated he is requesting a waiver for the sidewalk exemption and pay the in lieu contribution fee of around \$13,158 for sidewalks. The reason being, in this area, this is a flood zone area. The areas is low, open ditches on Highland and Kathleen. In order to put sidewalk in, we'll be filling the only area of storage for the flood zone area. There is also some existing utilities, above surface utilities, that are in the way. After the meeting yesterday I did contact the highway department. When the meeting stated, I got an email back from Rick Carmack. He said based on the open shoulder at this location as well as the amount of buried, parallel utilities, the department, unfortunately, cannot allow the proposed sidewalk to be installed within the boundaries of the state right-of-way. In that area, they don't want a sidewalk. If you place the sidewalk back on the owner's property, there the sidewalk will be in a situation where trying to extend back to the east or west, back to the east, would be unreal. It'd be back father behind the property line, trying to go across existing parking lots, existing fenced areas. If it was there it would be extended in a developed area already.

COMMISSION: Lonnie Smith Jr. asked the city planner if he has any comments regarding this.

STAFF: Derrel Smith of the planning department stated this one also meets the requirements to grant a fee in lieu of instead of building sidewalks.

COMMISSION: Lonnie Smith Jr. stated in our discussion yesterday Michael, did you tell, just to catch everybody up, that fence that you have on the existing parking lot does extend to the highway department right-of-way.

STAFF: Michael Morris of the engineering department stated that is at the property line. That is on the right-of-way line.

COMMISSION: David Handwork stated same question. Did you talk to Rick Carmack about putting curbs.

APPLICANT: Michael Boggs of Tralan Engineering on behalf of Williams Equipment and Supply Company stated he mentioned that to him. No curbs on that because of the open shoulders. The way it is right now, it's open ditches, can't curb and gutter that.

COMMISSION: David Handwork stated any discussion about curb and shoulders with a channel to go back to the open cut drainage and leave the drainage open drainage. In other words, have a flume that goes underneath the sidewalk to drain anything back to the sidewalk.

APPLICANT: Michael Boggs of Tralan Engineering on behalf of Williams Equipment and Supply Company stated there was no mention of that. Again, in that area, to install the sidewalks in that area we would be filling in that ditch in that low area that's there to get curb and gutter and a 6' sidewalk. Then you'd have to put back a four to one side slope setback per the highway department guidelines. We would be filling in quite a bit of the storage area that is there.

COMMISSION: Mary Margaret Jackson stated she has a question of the planning staff. Under what part of the ordinance do you feel that this meets the exemption requirements?

STAFF: Derrel Smith of the planning department stated under number two, under exemptions, it talks about storm water drainage ditch or similar public facility prevents installation of the sidewalk. Neither the sidewalk, nor the facility, can be reasonably relocated to accommodate both the sidewalk and the facility.

A motion was made by Dennis Zolper, seconded by Jim Little, that this matter be Approved. The motion **PASSED** with the following vote.

Aye: 7 - Jim Scurlock; Kevin Bailey; Jimmy Cooper; Jim Little; Dennis Zolper; Mary Margaret Jackson and David Handwork

Nay: 1 - Jerry Reece

5. Preliminary Subdivisions

[PP-19-07](#)

PRELIMINARY SUBDIVISION APPROVAL: Bridlewood Phase IV

Bridlewood Phase 4 Carlos Wood of Wood Engineering on behalf of B & T Land Company, LLC requests MAPC approval of a Preliminary Subivision for Bridlewood Subdivision Phase 4 being East of Phase 3, Adjacent South of Longcrest Drive and North of Saddlecrest Drive for 67 lots on 19.19 acres within the R-1 Single Family Residential Zoning District.

Attachments: [Application.pdf](#)
 [Staff Report.pdf](#)
 [Bridlewood Phase 4 Street and Drainage.pdf](#)
 [Bridlewood Phase 4 Street.pdf](#)
 [Layout.pdf](#)
 [Aerial View of Location.pdf](#)

APPLICANT: Carlos Wood of Wood Engineering on behalf of B & T Land Company, LLC stated they are here for preliminary approval of another phase of Bridlewood east of Phase 3.

COMMISSION: Lonnie Smith Jr. asked the city planner if he has any comments regarding this.

STAFF: Derrel Smith of the planning department stated this does meet the requirements of this zoning district as far as lot sizes so we would recommend approval.

A motion was made by Jimmy Cooper, seconded by Dennis Zolper, that this matter be Approved. The motion PASSED with the following vote.

Aye: 8 - Jerry Reece; Jim Scurlock; Kevin Bailey; Jimmy Cooper; Jim Little; Dennis Zolper; Mary Margaret Jackson and David Handwork

[PP-19-06](#)

PRELIMINARY SUBDIVISION APPROVAL: Brookshire Place Phase I

Mark Morris of Mark Morris Construction, LLC is requesting MAPC Preliminary Subdivision Approval Review for Brookshire Place Phase I Approval for 30 proposed lots on 5.82 +/- acres located on Kathleen Street and South of the Airport and Missouri Pacific Railroad Track within the RS-8 Single-family residential district; minimum 5,445 sq. ft. lot required.

Attachments: [Application.pdf](#)
 [Brookshire Place Phase IT.pdf](#)
 [Staff Report.pdf](#)
 [Aerial View of Location.pdf](#)

APPLICANT: Mark Morris stated he is requesting 30 lots with about three more phases after this.

COMMISSION: Lonnie Smith Jr. asked the city planner if he has any comments regarding this.

STAFF: Derrel Smith of the planning department stated we also reviewed this. It does meet our minimum lot size requirements. They do meet the sidewalk requirements and so we would recommend approval.

A motion was made by Dennis Zolper, seconded by David Handwork, that this matter be Approved. The motion PASSED with the following vote.

Aye: 8 - Jerry Reece; Jim Scurlock; Kevin Bailey; Jimmy Cooper; Jim Little; Dennis Zolper; Mary Margaret Jackson and David Handwork

6. Final Subdivisions

[PP-19-05](#)

FINAL SUBDIVISION APPROVAL: Willow Pointe Phase III

Mark Morris of Mark Morris Construction, LLC is requesting MAPC Final Subdivision Review for Willow Pointe Phase III Approval for 26 proposed lots on 7.0 +/- acres located on Airport Road and South of Countrywood Subdivision within the R-1 Single Family Residential District.

Attachments: [Final Subdivision Application.pdf](#)
 [Plat.pdf](#)
 [Approved 2019-03-27 Bond Estimate \(Willow Pointe Phase III\).pdf](#)
 [Staff Report.pdf](#)
 [Aerial View of Location.pdf](#)

APPLICANT: Mark Morris stated construction is almost complete. We had asphalt down today.

COMMISSION: Lonnie Smith Jr. asked the city planner if he has any comments regarding this.

STAFF: Derrel Smith of the planning department stated this one also meets all of our R-1 requirements and we would recommend approval.

STAFF: Michael Morris of the engineering department stated just to let the commission know, now what we're doing is we are making them go through a preliminary plat, actually build a subdivision and come back for final plat once they get to first asphalt. That's the progression we're going to. Now we have maintenance bond, maintenance agreement, everything back to us on the final plat.

A motion was made by Dennis Zolper, seconded by David Handwork, that this matter be Approved. The motion **PASSED** with the following vote.

Aye: 8 - Jerry Reece; Jim Scurlock; Kevin Bailey; Jimmy Cooper; Jim Little; Dennis Zolper; Mary Margaret Jackson and David Handwork

7. Conditional Use

8. Rezonings

9. Staff Comments

COMMISSION: Lonnie Smith Jr. opened the floor to discussion.

COMMISSION: Kevin Bailey stated can we get an opinion, we know they say we don't want sidewalk in the right-of-way, but there is projects in the town where there are sidewalks up against the back of the curb. There are other areas in district 10, if I'm not mistaken. Can we get an opinion so we don't have to hash it over every time with the state highway department about sidewalks and back of curb and curb installation at the should line.

STAFF: Michael Morris of the engineering department stated that it is not that they don't allow sidewalks. They don't allow sidewalks where there are open ditches. To do a project in the middle of a, along the street, in order to get rid of the open ditch, you have to put curb and getters in with the tapers and everything. So by the time you did just across their property, you're affecting the properties next to you to build the tapers onto it. We can still get an official answer from them. If it's existing curb and gutter, they will allow it. It's just when you have the open ditches is where the problem lies. As far as I know, we have not had any denied on a, we've had some that's been built, also they build on their property, like on Arby's I guess it is. It's on a state route, but they built it actually on their side of the right-of-way. They can do that too. Some places you can't because of topography like the one that George brought in. Once you go across their property, then it's like a two to one slope straight downhill. The parking lot is already complete. If it would have come beforehand then they could have scooted it out and possibly done that. Since the parking lot was already there, that makes it difficult. I will contact Rick and see if we can't, and I think we were talking about going down and meeting with Little Rock to find out what their opinion is too. I think there are some discretions on some areas that allow it, some areas don't. We'll find out.

COMMISSION: Dennis Zopler stated he has a question. How is the city projected to use these funds that have been accumulated since we've had the ordinance?

COMMISSION: Lonnie Smith Jr. stated this is what we asked for yesterday. I know we're going to continue to see these so we requested a priority list which Michael rapidly produced for us. So we have this priority list. If you look at it on your screen right now.

STAFF: Derrel Smith of the planning department stated what we've done is we have created a separate account just for construction of sidewalks that this money will go into. It is tied only to sidewalks, actually new construction, not repair. That's the only thing the money will be able to be used for.

COMMISSION: Dennis Zopler asked how much money do you have to have before you start doing a project?

STAFF: Derrel Smith of the planning department stated we have to get some money first.

COMMISSION: Dennis Zopler asked how much money is in there.

STAFF: Derrel Smith of the planning department stated \$300. I think there is \$300. I think Michael can spend it if we get it.

COMMISSION: David Handwork stated if you look at today and the second to last project on Washington Ave., that was a \$16,425 estimate. What was approved today in lieu fee would cover that, right?

STAFF: Michael Morris of the engineering department stated that is correct. To be honest with you, the one on Washington we had to pull because we ran out of money already. We bumped that one to next year. We still may can use that money for that one, but I think it's where you have to spend it the next year. We get it one year, we'll spend it the next year. They're not going to hold it and just keep growing because we're building sidewalks every day. You can look across the road. That was non-compliant so we ripped it all out and we're fixing those over there now.

COMMISSION: Jerry Reece asked do we have the option of requiring an easement for a sidewalk if it can't be done any other way?

STAFF: Derrel Smith of the planning department stated they can be placed in an easement. You're going to have an easement in the front anyway. Normally, if they're already dedicating an easement to their property, they'll just do a combination easement and add the sidewalks in with it.

COMMISSION: Jerry Reece asked does that include residential also?

STAFF: Derrel Smith of the planning department stated on the front end when you're doing a subdivision is when we would look at it and commercial.

STAFF: Michael Morris of the engineering department stated they may put a sidewalk easement in just to help on the liability if somebody happens to do something. Then it's public property, or public easements instead of private property.

10. Adjournment