



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes Metropolitan Area Planning Commission

Tuesday, July 26, 2022

5:30 PM

Municipal Center, 300 S. Church

1. Call to order

2. Roll Call

Present 7 - Lonnie Roberts Jr.; Jimmy Cooper; Jim Little; Dennis Zolper; Kevin Bailey; Monroe Pointer and Jeff Steiling

Absent 1 - Stephanie Nelson

3. Approval of minutes

[MIN-22:060](#) MAPC MINUTES: June 28, 2022

Attachments: [MAPC Minutes - June 28th 2022](#)

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

Aye: 6 - Jimmy Cooper; Jim Little; Dennis Zolper; Kevin Bailey; Monroe Pointer and Jeff Steiling

Absent: 1 - Stephanie Nelson

4. Miscellaneous Items

[SP-22-01](#) SITE PLAN REVIEW: The Reedmont

John Mixon of Cooper Mixon Architects is requesting an extension to the 2-year time limit required for final development plan submissions for planned developments. The extension request is for site plan review and approval for The Reedmont located off of Browns Lane Access Road in the PD-M, Planned Development, Mixed Use District. This development exceeds 75,000 square feet and requires MAPC Site Plan Approval.

Attachments: [FINAL DEVELOPMENT PLAN - REEDMONT](#)
[WCJ Letter](#)
[Application](#)
[Birds Eye View](#)
[Conceptual Site Plan](#)
[Reedmont Site Plan](#)
[Renderings](#)
[Letters of Opposition](#)

COMMISSION: Chair Lonnie Roberts asked for motions to UN-TABLE the item (site plan) that was tabled at the last meeting. Jimmy Cooper asked of Chair that the item presented today is not the site plan, but the item today is the extension. Chair Roberts agreed. Commissioners agreed the item at hand is not the site plan, but the requested extension. Chair Roberts read, in part, to give commissioners history on The Reedmont – it was tabled and read the description of the extension request.

APPLICANT: Kurt Hawkins, with Waddell, Cole & Jones (Law Firm)

COMMISSION: Mr. Cooper interjected that the title on the agenda is incorrect as it is not a site plan review. Chair agreed and clarified that the board is to not review the site plan, but to only consider whether or not to extend the time limit.

APPLICANT: We are requesting tonight that the board only consider the extension. It became clear to all parties after the last meeting, that the submission in June was actually past the deadline, which fell in February of this year. At that time, we realized we had two distinct matters – 1, the potential un-tabling of the plan at a later date, and 2, the extension request. We don't want those matters confused. We wanted it to be clear that any ruling you make today is solely on the extension, and no reflection on any of the merits of the plan. As a clarifying point, what we intend to do, if the extension is granted, is immediately withdraw the plan that you viewed back in June, and resubmit our updated plan. I know it's been assimilated out to several of the commissioners or all of the commissioners. It was in the agenda packet originally. That updated plan is in line with and an update of the original pre-submission of the earlier plan we submitted in 2020. With regard to the reason we missed the February deadline, general slowdown for planning, building, development matters meant that we weren't prepared to even submit a final plan until June. Ideally, and I think it's an oversight that we didn't prior to that submission, or at least concurrently with it, request an extension. The fact of the matter is, with delays and concerns, it simply didn't occur to Mr. Mixon that it was an issue or that these matters weren't already pushed back or wouldn't be considered by the commission if it was a problem. Since we didn't hear anything about it in June, that interpretation stood for us. We didn't know it was going to be an issue and it wasn't until afterwards that it became clear to all parties that it was something we needed to address. So we are doing that at the earliest possible time from discovering that now. Again, we view it as an oversight. It wasn't a willful or deliberate oversight, and we don't think granting the extension is going to prejudice the commission's ability to review that plan moving forward.

COMMISSION: Chair Roberts asked for questions. Mr. Cooper said his understanding is the granting or not-granting of the extension does not change the zoning.

STAFF: Planning Director Derrel Smith said that is correct.

APPLICANT: That is our understanding as well.

COMMISSION: Chair said along that note, asked if there was anything commissioners wanted to bring up that was discussed in the pre-meeting yesterday, possibly for some of the commissioners who weren't present. We covered a lot of things – confirming it does go back to the original zoning, it does not go back to square one, it does not go back before City Council for consideration – it would just simply be, everything taking place in-house at MAPC. Monroe Pointer asked if we extend it, are we extending it for an additional two years or how long is the extension? Chair Roberts said that is a good question.

STAFF: Derrel Smith said they can put a time limit on the extension. If it is extended, he thinks they are prepared to move forward quickly but if the commission wants to put a time limit on it, it can't be more than two years, but they can set a limit within two years.

APPLICANT: To address that, the plan is to immediately resubmit and then hopefully, have an un-tabling entertained at the next meeting. The actual deadline would be for submission of the final plans. At the time that we submit, we would have met whatever deadline you might set so frankly, in terms of a long period of time, I don't see us needing that.

COMMISSION: Dennis Zolper said to Chair, with that in mind, he suggests they agree to a six month extension.

APPLICANT: It's perfectly fine by us.

COMMISSION: Chair Roberts said one person has requested to give public comments. He asked if there was any other questions or comments from commissioners based on discussions in the pre-meeting, prior to public comments and entertaining any motions. Paul Ford had questions. His first question which might also be beneficial to the public, whether MAPC grants an extension or doesn't, there is not a mechanism under the ordinances for this project to be reevaluated on the City Council level – is that correct?

STAFF: Planner Derrel Smith said if they come back with something of greater intensity than what was originally submitted, it would be required to go back to City Council. But if it's the same or less, it would only be reviewed at MAPC. – referring to the density level.

COMMISSION: Mr. Ford said so in the absence of what MAPC may deed a major change as opposed to a minor change, there is no mechanism for this to revert to City Council for review, is that correct?

STAFF: Mr. Smith said that is correct.

COMMISSION: Mr. Ford addressed Mr. Hawkins – My question to you - is it the applicant's belief that there was a site plan approved in 2020, that would have allowed for over 500+ units?

APPLICANT: The site plan and the zoning that was approved at that time, we understood to allow us to present the plan that was presented in June, yes.

COMMISSION: Mr. Ford said. . . which was seeking in excess of - close to – I want to say 586 but I can't swear to that being the correct number. Is it somewhere around that number?

APPLICANT: Correct, although again, we do intend to withdraw that plan and submit something with quite a bit less density from both that plan and our original plan from 2020.

COMMISSION: Mr. Ford said it was indicated that we could make a time limit on the extension. Can we also place a limit on the number of units in a condition based on the extension, or would that somehow run afoul with the process?

STAFF: Derrel Smith said I think what you're doing right now is just looking at the extension. If you grant the extension, and they come back, then you can

place restrictions at that time. They'll submit the plan, you can review that plan, and either approve it or make recommendations or changes to it at that time.

COMMISSION: Chair Roberts said they are virtually starting over with MAPC with a new plan. Mr. Ford said he understood that's what they're saying but his question is that if a preliminary site plan was approved for 586 units, and if the extension is granted, and they come back in two weeks and they ask for 586 units, there would be no major change at that point, correct?

STAFF: Derrel Smith said that is correct.

COMMISSION: Mr. Ford: So if they come back in two weeks, or three weeks, or less than six months, and present a final site plan that seeks 586 units – as MAPC, we have no reason to decline or to approve that because it's within the zoning qualifications, and it was not a major change from what was approved in 2020. Is that correct?

STAFF: Mr. Smith said right, that's as low as approved in 2020.

COMMISSION: Mr. Cooper said from what he understood yesterday, if we do not approve the extension, they could still come back in and present the same plan if they wanted to? Yes. Mr. Ford said, am I correct, if we denied the extension, and they came back then we could approve or not approve a new final site plan or would it go back to preliminary site plan?

STAFF: Mr. Smith said if you don't allow the extension, it will go back to a preliminary site plan.

COMMISSION: Mr. Ford: And a preliminary site plan – does that allow public comment at MAPC level? Chair said we don't generally ask for them at a site plan approval, however - he asked of City Attorney Carol Duncan, if she could hear the conversation.

CITY ATTORNEY: (Inaudible) She didn't hear the final question.

COMMISSION: Mr. Ford said – if we did not grant the extension and they came back seeking a preliminary site plan of whatever number of units that might be allowed in the density of the PDM code sections, would there be the opportunity for public comment?

CITY ATTORNEY: Yes. There would be ample opportunity for public comment. There could also be opportunity to comment on the final site plan, if the extension is granted.

COMMISSION: Mr. Pointer asked – whenever you do offer an opportunity for public comment, how much does that public comment weigh in after it's gotten so far? Chair said he guesses that's up to each individual commissioner.

STAFF: Mr. Smith said yes, that would be up to you as commissioners.

COMMISSION: Chair said that is the purpose of the public comments. So with no other discussion, Chair asked for public comments.

PUBLIC: Ms. Anna Williams of 604 Mardis Drive said she attended yesterday's pre-meeting and thanked all the commissioners for their service. She said this issue is just so confusing. There are so many changes and so much stuff that's been talked about. Our great city has good rules so let's follow them, please, and don't extend this past two years. There's been plenty of time to get this ironed out before then. She thanked the board again for their service.

COMMISSION: Chair thanked her for her comments.

PUBLIC: Ms. Patty Lack of 4108 Forest Hill Road said she also attended the meeting yesterday. She looked at the attachments and saw the letter that was written by Mr. Hawkins, and she saw that there is, in Section 117 in the Code of Ordinances, that MAPC may authorize an extension on time limits when a good cause is shown for any delay of the final development of planned subdivision. She said Mr. Cooper had said yesterday, that the MAPC has

granted some extensions. I don't know if any of you can tell me what some of the circumstances were if you know, but you said some had been granted and could be. I started thinking about the time frame. This was 2020 and here we are on July 26, 2022. I looked back at the City Council and the MAPC, when we had the Covid rules, and I think looking at the letter, it says most of it (the extensions) was because of the Covid (pandemic) situation that we had. I want to let you guys know – this was approved back on February 11, 2020 by the City Council. There was limited seating for the City Council meetings in April 6, 2021. You guys were opened back up without Covid restrictions on June 15, 2021. The City of Jonesboro did some business all this time with the Covid and then we got rid of the Covid restrictions. I would imagine that most businesses were kind of getting used to getting rid of the Covid restrictions and they were back in business, too. When I started thinking about the timeframe, sometimes time goes by really fast, is that I remember because I had a Christmas party back in 2021. So we haven't had the Covid restrictions for a long, long time, and this is one of the main reasons why they're asking for this extension – because of Covid restrictions. I look at the players that are involved in this development and I have to think, were they doing business in 2021? They probably were. I look at some of the players and this is not the third string or the fourth string on the football team. These are top developers and contractors here in Jonesboro, so they knew what the rules were. When you go back to your Code of Ordinances where it says, you can authorize the extension of time limits with a good cause – if you look at the time limit, they had enough time and there were no restrictions that they could not have gotten this to submit to you guys in time. So I hope that you don't grant the extension, just because someone messed up. It shouldn't be granted. Thank you.

COMMISSION: Chair thanked her for her comments. He asked if there were any more questions after the public comments. Mr. Ford asked – if we do not grant the extension, and they come back in two weeks with a preliminary site plan – is there a time frame of limits between the preliminary site plan and a final site plan?

STAFF: Mr. Smith asked for clarification. If they submit the preliminary, say in August, if they come back in September with a final - is it too soon, or too long that you're asking about?

COMMISSION: Mr. Ford: My question is, if they present a preliminary site plan and it is approved – two weeks later, can they ask for a final site plan to be approved?

STAFF: Mr. Smith said yes, they could.

COMMISSION: Mr. Ford: So they could do it as quickly as the next meeting?

STAFF: Yes

A motion was made by Dennis Zolper to extend the time for filing the site plan for six months, seconded by Jim Little, that this matter be Approved . The motion PASSED with the following vote.

Aye: 6 - Jimmy Cooper; Jim Little; Dennis Zolper; Kevin Bailey; Monroe Pointer and Jeff Steiling

Absent: 1 - Stephanie Nelson

5. Preliminary Subdivisions

McAlister Engineering is requesting MAPC Preliminary Subdivision Approval for Harrison Hills Phase 2 for 11 lots on 3.73 +/- acres. This property is located at Serenity Hills Drive and Rolling Hills Drive and is zoned R-1, Single-Family Medium Density District.

Attachments: Application
Phase 2 - REVISED
Staff Report - Updated

Applicant opted to stay tabled.

6. Final Subdivisions

7. Conditional Use

8. Rezonings

9. Staff Comments

Planning Director Derrel Smith said we did short-list two consulting firms for the comprehensive growth plan. We will be getting proposals from them next week and hopefully make a decision on whether to go forward with that or not.

10. Adjournment