



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes - Draft Metropolitan Area Planning Commission

Tuesday, October 24, 2017

3:00 PM

Municipal Center

1. Call to order

2. Roll Call

Present 7 - Lonnie Roberts Jr.; Jim Scurlock; Kevin Bailey; Jimmy Cooper; Jim Little; Dennis Zolper and Jeb Spencer

Absent 2 - Jerry Reece and David Handwork

3. Approval of minutes

[MIN-17:123](#)

MINUTES: Meeting Minutes from October 10, 2017 MAPC Meeting.

Attachments: [MAPC Meeting minutes from October 10, 2017.pdf](#)

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 - Jim Scurlock; Kevin Bailey; Jimmy Cooper; Jim Little; Dennis Zolper and Jeb Spencer

Absent: 2 - Jerry Reece and David Handwork

4. Miscellaneous Items

COM-17:077

SIDEWALK WAVIER: 723 East Parker Road

John Easley of Associated Engineering, LLC on behalf of Phillips Construction is requesting consideration from the MAPC for a Sidewalk Wavier approval for a new small Shopping Center that has an Arby's Restaurant located at 723 East Parker Road. This is located in a C-3 General Commercial District (See Application for Details / Justification).

Attachments:

[Application.pdf](#)

[Site Plan.pdf](#)

[Home Depot Addition - PUD Record Plat.pdf](#)

[Minutes of PUD.pdf](#)

[Plans.pdf](#)

[Survey of Property for Arby.pdf](#)

[Drawings of Overview.pdf](#)

[Aerial View of Location.pdf](#)

APPLICANT: Mr. John Easley requested a Sidewalk Waiver for a new shopping center being built at 723 East Parker Road. One of the stores in this shopping center will be a new Arby's restaurant. This property is zoned C-3 General Commercial. Mr. Easley said they have contacted the State Highway Office and they will not allow them to put sidewalks in the State right-of-way. They would have to pull the sidewalks back out of the right-of-way and onto their property in order to build the sidewalks. That would require adjustments to the site with removing sections of curb and gutter and pulling everything back five feet.

STAFF: Mr. Derrel Smith presented staff comments. Mr. Smith did contact the State Highway Department in Little Rock the day before trying to get their opinion on this situation. Mr. Smith received little feedback from them. The State said they are not going to override the District Office but they would not say the State Highway Department would not require sidewalks. The MPO Director, Erica Tait, also sent an email to Mr. Smith stating they have concerns about granting a sidewalk waiver in this area.

APPLICANT: Mr. John Easley said the State Highway Department has issued a comment regarding this development. This comment was from Mr. Brad Smithee. Mr. Smithee's comments said the State Highway Department did not want the sidewalks built in their easements because of utilities that run through that area. Mr. Smithee did not want sidewalks built on top of the utilities.

COMMISSION: Mr. Kevin Bailey asked Mr. John Easley if the site plan had already been approved by the City.

APPLICANT: Mr. John Easley said the site plan had already been approved by the City and a building permit had already been issued for this development.

COMMISSION: Mr. Jim Little asked Mr. John Easley if there were utilities in the right-of-way.

APPLICANT: Mr. John Easley said there were utilities in the right-of-way: gas,

sewer, and water lines. The sidewalk would go on top of the utilities lines.

CHAIR OF COMMISSION: Mr. Lonnie Roberts wanted to know if the State could stop the developer from installing sidewalks on the property even though city staff have already approved the site plan.

APPLICANT: Mr. John Easley pointed out the State Highway Department owns that property by deed.

COMMISSION: Mr. Kevin Bailey wanted to know where the City was failing in this process. There could be failures on the design side of not knowing where the right-of-way exist and not drawing the sidewalks there in the beginning or the City could be failing in this review process of catching these issues in the commercial review process. Mr. Bailey also felt like the City needed to know if Arkansas State Highway Department was not going to allow anyone to build sidewalks in their right-of-way. Knowing the answer to that question would help the designer and city staff during the review process.

APPLICANT: Mr. John Easley said the Highway Department does not deny request every time. He used the new Burger King on Red Wolf as an example of a situation where the Highway Department allowed the developer to install sidewalks in their right-of-way.

STAFF: Mr. Derrel Smith said the way to address these types of situations in the future would be to require an additional five feet of right-of-way along roads that belong to the State Highway Department. Mr. Smith pointed out that there are currently sidewalks in Jonesboro built over utilities. There are currently roads built over utilities. Sidewalks are built over utilities all of the time.

COMMISSION: Mr. Kevin Bailey agreed with Mr. Derrel Smith.

COMMISSION: Mr. Jeb Spencer provided examples of where sidewalks have been built in State Highway right-of-way and they were built over utilities.

APPLICANT: Mr. John Easley said the State Highway Department does not always so no to sidewalks.

COMMISSION: Mr. Jeb Spencer also asked how much area was between their parking spaces and the current sidewalk location.

APPLICANT: Mr. John Easley said it would be close in some areas and there would be plenty of room to move the sidewalk in other areas on the property.

ENGINEERING: Mr. Craig Light said the State Highway Department more than likely did own this section of right-of-way. He also felt like the site plan could be modified to allow for the sidewalks to be installed just outside of the right-of-way.

COMMISSION: Mr. Kevin Bailey asked Mr. John Easley how much of the site work as done.

APPLICANT: Mr. John Easley said it was still more or less a dirt site. The curb

has already been installed.

COMMISSION: Mr. Jim Scurlock asked if this was approved several years ago.

APPLICANT: Mr. John Easley said the PUD itself was approved 14 years ago but this development was only approved a few months ago.

COMMISSION: Mr. Jeb Spencer asked to see the PUD layout.

COMMISSION: Mr. Jim Little pointed out the 20 foot utility easement was on the original PUD.

Mr. Little also suggested pressing the issue with the State Highway Department. He acknowledged the letter from the Paragould office that said no to sidewalk in the right-of-way, but he also pointed out Mr. Smith was not told no when he called the State Highway Department office in Little Rock. Mr. Little would like to send this request to the office in Little Rock and have them make a decision.

STAFF: Mr. Derrel Smith said the State Highway Department has not set a written policy in place regarding building sidewalks in their right-of-way.

COMMISSION: Mr. Jimmy Cooper asked Mr. John Easley if the sidewalk was going to be in the right-of-way or in an easement.

APPLICANT: Mr. John Easley said it was going in the right-of-way.

COMMISSION: Mr. Jeb Spencer asked where sidewalks are usually installed.

STAFF: Mr. Derrel Smith said sidewalks are usually installed in right-of-way over utilities.

COMMISSION: Mr. Kevin Bailey asked what would happen if the sidewalk waiver was denied.

STAFF: Mr. Derrel Smith said the developer would probably end up having to put it on their property in a sidewalk easement.

COMMISSION: Mr. Jeb Spencer felt like he was almost voting on the future installment of sidewalks in commercial areas. He felt like this vote would influence future decisions regarding sidewalk waiver request. He also felt like this was a very important vote for the entire city of Jonesboro.

PUBLIC: Ms. Mary Margaret Jackson was at the meeting to voice her opposition to the sidewalk waiver request. She agreed with Mr. Jeb Spencer's statements. She also felt like this issue should have been worked out ahead of time during the commercial plan review process. Ms. Jackson also called the Little Rock office and got a similar response that Mr. Derrel Smith received. The city needs to look at the greater impact these decision will have on developments in the future.

COMMISSION: Mr. Jim Little suggested moving the sidewalks into the property wherever the developer can and then ask the Highway Department to allow sidewalks in the right-of-way where the developer cannot move them.

APPLICANT: Mr. John Easley said he liked that idea but the Highway Department probably would not agree to that.

No more discussion from public.

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

Aye: 2 - Jim Scurlock and Kevin Bailey

Nay: 4 - Jimmy Cooper; Jim Little; Dennis Zolper and Jeb Spencer

Absent: 2 - Jerry Reece and David Handwork

SP-17-10

SITE / PLOT PLAN: 4220 Stadium Blvd

Terry Bare of Fisher Arnold, Inc. on behalf of Consolidated Youth Services, Inc. is requesting consideration from the MAPC for placement of a temporary portable trailer placement to be used as classrooms on the property located at 4220 Stadium Blvd within an C-3 General Commercial District.

Attachments: [Application.pdf](#)
 [Site Plan.pdf](#)
 [SP 17-02 4220 Stadium Blvd - Temp Classrooms 12.30.16 \(1\).pdf](#)
 [Aerial View of Location.pdf](#)

APPLICANT: Mr. Terry Bare requested MAPC approval of a temporary portable trailer to be placed at 4220 Stadium Blvd. The trailer will be used as classrooms on the property. The property is zoned C-3 General Commercial.

STAFF: Mr. Derrel Smith presented staff comments. He recommended approve and suggested allowing the trailer to be on the property for two years. After two years, the trailer would have to be removed. Mr. Smith said it would have to be removed two years after they received their C.O.

No opposition from public.

A motion was made to approve the request with the stipulation that the trailer be removed after two years.

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

Aye: 6 - Jim Scurlock; Kevin Bailey; Jimmy Cooper; Jim Little; Dennis Zolper and Jeb Spencer

Absent: 2 - Jerry Reece and David Handwork

5. Preliminary Subdivisions

6. Final Subdivisions

7. Conditional Use

8. Rezonings

9. Staff Comments

10. Adjournment