



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Council Agenda City Council

Tuesday, September 4, 2018

5:30 PM

Municipal Center

PUBLIC WORKS COMMITTEE MEETING AT 5:00 P.M.

Council Chambers, Municipal Center

PUBLIC HEARING AT 5:20 P.M.

REGARDING THE ABANDONMENT OF HAL STREET AS REQUESTED BY JOSH HURD WITH MCALISTER ENGINEERING ON BEHALF OF BOB REES

1. CALL TO ORDER BY MAYOR PERRIN AT 5:30 P.M.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

3. ROLL CALL BY CITY CLERK DONNA JACKSON

4. SPECIAL PRESENTATIONS

5. CONSENT AGENDA

MIN-18:085 MINUTES FOR THE CITY COUNCIL MEETING ON AUGUST 21, 2018

Attachments: [CC Minutes 08212018.pdf](#)

RES-18:127 RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO MAKE APPOINTMENTS TO THE STORMWATER MANAGEMENT BOARD AS RECOMMENDED BY MAYOR HAROLD PERRIN

Sponsors: Mayor's Office

Legislative History

8/21/18	Nominating and Rules Committee	Recommended to Council
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RES-18:134 A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING A SETTLEMENT ON THE CLIFTON BURCHAM ETAL VS. CITY OF JONESBORO LAWSUIT

Sponsors: City Attorney's Office and Mayor's Office

Attachments: [Resolution to approve settlement of DID lawsuit.pdf](#)

Legislative History

8/28/18 Finance & Administration Recommended to Council
 Council Committee

6. NEW BUSINESS

RESOLUTIONS TO BE INTRODUCED

RES-18:139 RESOLUTION AUTHORIZING THE CITY OF JONESBORO GRANTS AND COMMUNITY DEVELOPMENT DEPARTMENT TO APPLY FOR THE FY2018 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS (CRISI) PROGRAM.

Sponsors: Grants and Engineering

Attachments: [Alt 1](#)

[Jonesboro Ind Lead Expansion Report 2018 signed 07feb18.pdf](#)

Legislative History

8/28/18 Finance & Administration Recommended to Council
 Council Committee

RES-18:140 A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO APPROVE CHANGE ORDER NO. 1 FOR THE SOUTHSIDE CONCESSION BUILDING

Sponsors: Engineering and Parks & Recreation

Attachments: [Change Order - 1](#)

Legislative History

8/28/18 Finance & Administration Recommended to Council
 Council Committee

ORDINANCES ON FIRST READING

ORD-18:052 AN ORDINANCE REPEALING ORDINANCE 11:083 AND ADOPTING BY REFERENCE CHAPTER 66 SECTION 5 ENTITLED SPECIAL EVENT PERMIT, FOR THE REGULATION OF SPECIAL EVENTS AND STREET CLOSINGS IN THE CITY OF JONESBORO, ARKANSAS

Sponsors: Police Department

Attachments: [Special Event Permit Ordinance.pdf](#)

[Special Event Permit.pdf](#)

Legislative History

8/21/18 Public Safety Council Recommended to Council
 Committee

ORD-18:055 AN ORDINANCE TO AMEND THE USE OF THE "PARKING METER BOND FUND" AS ESTABLISHED IN ORDINANCE 59:1736 AND TO ABOLISH THE "JONESBORO PARKING AUTHORITY" ESTABLISHED IN THIS SAME ORDINANCE

Sponsors: Mayor's Office

Attachments: [Parking Authority Minutes 8 15 2018](#)

Legislative History

8/21/18

Public Safety Council
Committee

Recommended to Council

ORD-18:056 AN ORDINANCE TO AMEND CHAPTER 117, ARTICLE III, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS, PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM I-2, DOWNTOWN FRINGE COMMERCIAL DISTRICT TO C-3, DOWNTOWN CORE DISTRICT FOR PROPERTY LOCATED AT 103 GEE STREET AS REQUESTED BY JASON JACKSON

Attachments: [Application.pdf](#)
[Questions with Answers.pdf](#)
[Staff Summary.pdf](#)
[AN ORDINANCE TO AMEND CHAPTER 117.pdf](#)
[Rezoning Plat.pdf](#)

ORD-18:057 AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-2, RESIDENTIAL to PD-RM, PLANNED DEVELOPMENT FOR PROPERTY LOCATED AT 726 SOUTHWEST DRIVE AS REQUESTED BY GEORGE HAMMAN OF CIVILOGIC ON BEHALF OF K AND A INVESTMENTS, LLC;

Attachments: [RZ ORD PD-RM.pdf](#)
[rezoning plat.pdf](#)
[Application.pdf](#)
[Staff Summary.pdf](#)
[Duplex Plans.pdf](#)
[Email from Title Service.pdf](#)
[Preliminary Layout for Location.pdf](#)
[Support for Rezoning.pdf](#)
[USPS Receipts.pdf](#)

ORD-18:058 AN ORDINANCE ABANDONING THE RIGHT-OF-WAY OF HAL STREET AS REQUESTED BY BOB REES

Attachments: [Petition.pdf](#)
[Ordinance.pdf](#)
[070318 - Hal ROW Abandonment - McAlister.pdf](#)
[ATT.pdf](#)
[CenterPoint Utility.pdf](#)
[CWL.pdf](#)
[Ritter-HPC Abandonment Letter.pdf](#)
[SuddenLink.pdf](#)

ORD-18:059 AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS, PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM RESIDENTIAL, R-1 TO COMMERCIAL, C-3 FOR PROPERTY LOCATED AT 3423 HUDSON AS REQUESTED BY ROBIN CALDWELL

Attachments: [Application.pdf](#)
[Answers to Questions - Revised.pdf](#)
[Staff Summary.pdf](#)
[Survey Plat for Rezoning.pdf](#)
[Aerial View.pdf](#)
[CWL Map.pdf](#)
[Zoning Aerial Map.pdf](#)
[Letterhead - Hudson Drive 2018.pdf](#)
[Caldwell Rezoning Ordinance.pdf](#)
[Hudson Rezoning Plat-1 4151.pdf](#)

7. UNFINISHED BUSINESS

ORDINANCES ON SECOND READING

ORD-18:051 AN ORDINANCE AMENDING THE JONESBORO CODE OF ORDINANCES, SECTION 117-326, FOR THE PURPOSE OF PROVIDING MINIMUM STANDARDS FOR THE PROVISION OF LANDSCAPE, SCREENING AND TREE PRESERVATION WITHIN THE CITY OF JONESBORO, ARKANSAS, WITH THE INTENT TO PROMOTE LANDSCAPING, BUFFERING, SCREENING AND TREE PRESERVATION FOR THE GENERAL HEALTH, SAFETY AND WELFARE OF THE COMMUNITY.

Attachments: [Landscape Ordinance 5th addn.pdf](#)

Legislative History

8/7/18	Public Works Council Committee	Recommended to Council
8/21/18	City Council	Placed on second reading

ORD-18:054 AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1, SINGLE-FAMILY MEDIUM DENSITY DISTRICT TO I-2, GENERAL INDUSTRIAL DISTRICT FOR PROPERTY LOCATED AT 5205 INGLES ROAD AS REQUESTED BY CITY, WATER, & LIGHT

Attachments: [Application.pdf](#)
[Rezoning Plat.pdf](#)
[Staff Summary.pdf](#)
[CWL - COJ City Council Rezoning Ordinance.pdf](#)
[Plat 18224.pdf](#)

Legislative History

8/21/18	City Council	Placed on second reading
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ORDINANCES ON THIRD READING

ORD-18:053 AN ORDINANCE ABANDONING AND VACATING AN UNUSED 16 FOOT DRAINAGE EASEMENT AS REQUESTED BY THE JACK HILL FAMILY

Attachments: [ORDINANCE.pdf](#)
 [Survey.pdf](#)
 [NOTARIZED PETITION.pdf](#)
 [Engineering and Planning.pdf](#)
 [All Utility Letters.pdf](#)

Legislative History

8/21/18 City Council Waived Second Reading

ITEMS THAT HAVE BEEN HELD IN COUNCIL

ORD-18:026 AN ORDINANCE AMENDING SECTION 62-40 and 62-41 OF THE JONESBORO CODE OF ORDINANCES FOR THE PURPOSE OF MODIFYING THE DEFINITIONS TO INCLUDE AND LEVYING A TAX UPON RESIDENTIAL BUSINESS RENTALS

Sponsors: Finance and Mayor's Office

Attachments: [ORD 18-026 Revision.docx](#)

Legislative History

4/10/18	Finance & Administration Council Committee	Postponed Temporarily
4/24/18	Finance & Administration Council Committee	Recommended to Council
5/1/18	City Council	Held at one reading
5/15/18	City Council	Held at second reading
6/5/18	City Council	Postponed Temporarily
8/7/18	City Council	Postponed Temporarily

8. MAYOR'S REPORTS

COM-18:061 LEGISLATIVE AUDIT YEAR END DECEMBER 31, 2017.

Sponsors: Finance

Attachments: [Legislative Joint Audit 08102018.pdf](#)

9. CITY COUNCIL REPORTS

10. PUBLIC COMMENTS

11. ADJOURNMENT



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Legislation Details (With Text)

File #:	MIN-18:085	Version:	1	Name:	MINUTES FOR THE CITY COUNCIL MEETING ON AUGUST 21, 2018
Type:	Minutes	Status:		Status:	To Be Introduced
File created:	8/23/2018	In control:		In control:	City Council
On agenda:		Final action:		Final action:	
Title:	MINUTES FOR THE CITY COUNCIL MEETING ON AUGUST 21, 2018				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	CC Minutes 08212018.pdf				

Date	Ver.	Action By	Action	Result
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MINUTES FOR THE CITY COUNCIL MEETING ON AUGUST 21, 2018.



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, August 21, 2018

5:30 PM

Municipal Center

SPECIAL CALLED NOMINATING AND RULES COMMITTEE MEETING AT 4:45 P.M.

PUBLIC SAFETY COMMITTEE MEETING AT 5:00 P.M.

PUBLIC HEARING AT 5:20 P.M.

President Pro-Temp Chris Moore asked if there was anyone in the audience who wanted to speak for or against this hearing. There was no one in attendance in opposition to this Public Hearing.

1. CALL TO ORDER BY MAYOR PERRIN AT 5:30 P.M.

President Pro-Temp Chris Moore presided over the meeting in the absence of Mayor Harold Perrin.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

3. ROLL CALL BY CITY CLERK DONNA JACKSON

Present 11 - Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Charles Coleman; Bobby Long; Joe Hafner; David McClain and LJ Bryant
Absent 1 - Ann Williams

4. SPECIAL PRESENTATIONS

5. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Councilperson John Street, seconded by Councilperson Chris Gibson, to Approve the Consent Agenda. The motioned PASSED

Aye: 11 - Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Charles Coleman; Bobby Long; Joe Hafner; David McClain and LJ Bryant

Absent: 1 - Ann Williams

Attachments: [CC Minutes 08072018.pdf](#)

This item was **APPROVED** on the consent agenda.

[RES-18:119](#) A RESOLUTION TO CONTRACT WITH MEDIC ONE FOR SPONSORSHIP OF ONE BASEBALL FIELD AT THE JOE MACK CAMPBELL SPORTS COMPLEX

Attachments: [Exhibit A](#)

This item was **APPROVED** on the consent agenda.

[RES-18:121](#) A RESOLUTION TO CONTRACT WITH NEA BAPTIST FOR SPONSORSHIP OF ONE ATHLETIC FIELD AT THE JOE MACK CAMPBELL SPORTS COMPLEX

Attachments: [Exhibit A](#)

This item was **APPROVED** on the consent agenda.

[RES-18:122](#) A RESOLUTION TO CONTRACT WITH ARKANSAS STATE UNIVERSITY FOR SPONSORSHIP OF TWO BASEBALL FIELDS AT THE JOE MACK CAMPBELL SPORTS COMPLEX

Attachments: [Exhibit A](#)

This item was **APPROVED** on the consent agenda.

[RES-18:124](#) A RESOLUTION TO SUBMIT AN APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE FOR THE 2018 JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FOR THE CITY OF JONESBORO

Attachments: [MOU Judge Hill signed](#)
 [JAG 2018 Budget Narrative](#)
 [FY18 JAG local Chief Exec Cert](#)
 [FY2018JAIComplianceWith1373-1644](#)
 [FY2018JAIComplianceWithVarious](#)
 [2018 JAG SF424](#)
 [Program Narrative for Upgraded Police Equipment](#)

This item was **APPROVED** on the consent agenda.

[RES-18:125](#) A RESOLUTION AUTHORIZING THE CITY OF JONESBORO TO SUBMIT THE FY2019 OUTDOOR RECREATION MATCHING GRANT APPLICATION

Attachments: [2016 Civil Rights Assurance Form 424](#)
[Form 424D](#)
[Certifications Regarding Debarment Form DI 2010](#)
[2018 Project Fund Assurance](#)
[Environmental Assessment Earl Bell](#)
[Flood Cert. Earl Bell](#)
[Waiver of Retroactivity Craighead](#)
[2018 Recreation Priorities](#)
[Project Budget 2018](#)
[Earl Bell Site Plan](#)
[Project Narrative Outdoor Recreation-Earl Bell 2018](#)

This item was **APPROVED** on the consent agenda.

[RES-18:131](#)

A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR TO EXECUTE ALL NECESSARY FORMS TO ACCEPT THE AIRPORT IMPROVEMENT PROGRAM PROJECT GRANT

Attachments: [Original Grant Offer.pdf](#)
[Resolution to approve AIP Grant Award.pdf](#)
[AR STATE CLEARINGHOUSE LETTER.pdf](#)

This item was **APPROVED** on the consent agenda.

6. NEW BUSINESS

RESOLUTIONS TO BE INTRODUCED

[RES-18:123](#)

A RESOLUTION TO SET A PUBLIC HEARING REGARDING THE ABANDONMENT OF HAL STREET AS REQUESTED BY JOSH HURD WITH MCALISTER ENGINEERING ON BEHALF OF BOB REES

Attachments: [Engineering and Planning Letter](#)
[Resolution.pdf](#)
[Unsigned Petition.pdf](#)
[Ordinance.pdf](#)
[CWL.pdf](#)
[Ritter-HPC Abandonment Letter.pdf](#)
[CenterPoint Utility.pdf](#)
[ATT.pdf](#)
[SuddenLink.pdf](#)

President Pro-Temp Chris Moore said I believe Mayor Harold Perrin indicated the hearing was set for 5:20 p.m. on September 4, 2018.

A motion was made by Councilperson John Street, seconded by Councilperson Mitch Johnson, that this matter be Passed . The motion PASSED with the following vote.

Aye: 11 - Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

Absent: 1 - Ann Williams

[RES-18:132](#)

A RESOLUTION SCHEDULING A HEARING ON THE APPROVAL OF THE FINAL SUBDIVISION PLAT FOR TWIN OAKS PHASE 2, JONESBORO, ARKANSAS

Attachments: [Appeal Letter for CKF LLC Chris Futrell.pdf](#)
[Exhibit A.pdf](#)
[jonesboro_ea4c3686-e5dc-48d3-9cbc-a5f0df363b87.mp4](#)
[futrell.citycouncil.appeal.ltr.pdf](#)

President Pro-Temp Chris Moore said I was informed today that there is pending litigation on this. Is it City Attorney Carol Duncan's recommendation that the City Council take no action? Ms. Duncan said it is correct that there has been pending litigation. We were served, and I believe Mayor Perrin's office was served. So, I'm not comfortable with us taking action on it while there is litigation pending. President Pro-Temp Moore said okay. On the City Attorney's advice, I would entertain a motion to postpone indefinitely.

A motion was made by Councilperson Chris Gibson, seconded by Councilperson Bobby Long, that this matter be Postponed Indefinitely . The motion PASSED with the following vote.

Aye: 11 - Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

Absent: 1 - Ann Williams

ORDINANCES ON FIRST READING

[ORD-18:051](#)

AN ORDINANCE AMENDING THE JONESBORO CODE OF ORDINANCES, SECTION 117-326, FOR THE PURPOSE OF PROVIDING MINIMUM STANDARDS FOR THE PROVISION OF LANDSCAPE, SCREENING AND TREE PRESERVATION WITHIN THE CITY OF JONESBORO, ARKANSAS, WITH THE INTENT TO PROMOTE LANDSCAPING, BUFFERING, SCREENING AND TREE PRESERVATION FOR THE GENERAL HEALTH, SAFETY AND WELFARE OF THE COMMUNITY.

Attachments: [Landscape Ordinance 5th addn.pdf](#)

Councilmember John Street motioned, seconded by Councilmember Long, to suspend the rules and offer ORD-18:051 by title only. All voted aye.

Councilmember David McClain asked if he could make a statement. I just wanted to say real quickly that the goals of Ordinance-18:051 are to improve the visual appearance of the city, to maintain property values, reduce runoff, and improve air and water quality. As a city, we have to decide what type of city we want to be. I have had discussions with some who have concerns about this ordinance and other regulations that we are proposing. We are known for being one of the cheapest cities to do business. Do our citizens want cheap or do they want value? Our citizens deserve to live in a city where there is good value. We want citizens who add value, as well as to be a city that adds value to its citizens. Our most important commodity are the citizens of Jonesboro. I feel that they deserve value over cheap. We have to think

about our future and not on what is best for right now. We have to think about our kids, a cleaner environment, and we have to leave things better than we found them.

Councilmember McClain said I felt that I needed to make those statements due to some recent conversations. I am feeling that this would enhance the city. It would enhance our appearance, and I think our overall city as a whole. I think it would definitely do that, so I just wanted to make that statement.

Placed on second reading

[ORD-18:053](#)

AN ORDINANCE ABANDONING AND VACATING AN UNUSED 16 FOOT DRAINAGE EASEMENT AS REQUESTED BY THE JACK HILL FAMILY

Attachments: [ORDINANCE.pdf](#)
 [Survey.pdf](#)
 [NOTARIZED PETITION.pdf](#)
 [Engineering and Planning.pdf](#)
 [All Utility Letters.pdf](#)

Councilmember John Street motioned, seconded by Councilmember LJ Bryant, to suspend the rules and offer ORD-18:053 by title only. All voted aye.

Councilmember Gene Vance asked if Engineering Director Craig Light had anything to say about this. President Pro-Temp Chris Moore asked Mr. Light if there was anything unusual and if he would provide a brief update. Mr. Light said this easement is actually at the top of a hill. It's along three lots. They are planning to replot into a single lot and they'll manage all the drainage on their property. So, we have no issues with the abandonment.

A motion was made by Councilperson John Street, seconded by Councilperson Chris Gibson, that this matter be Waived Second Reading . The motion PASSED with the following vote.

Aye: 11 - Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

Absent: 1 - Ann Williams

[ORD-18:054](#)

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1, SINGLE-FAMILY MEDIUM DENSITY DISTRICT TO I-2, GENERAL INDUSTRIAL DISTRICT FOR PROPERTY LOCATED AT 5205 INGLES ROAD AS REQUESTED BY CITY, WATER, & LIGHT

Attachments: [Application.pdf](#)
 [Rezoning Plat.pdf](#)
 [Staff Summary.pdf](#)
 [CWL - COJ City Council Rezoning Ordinance.pdf](#)
 [Plat 18224.pdf](#)

Councilmember John Street asked to be recused from any consideration on this matter because he is a member on the Board of Directors of City, Water and Light. President Pro-Temp Chris Moore asked if Councilmember Charles Frierson would like to be recused, as well. Councilmember Frierson said yes, I would. President Pro-Temp Moore said let the record reflect Councilmember Street and Councilmember Frierson

recuse.

Councilmember Gene Vance motioned, seconded by Councilmember Chris Gibson, to suspend the rules and offer ORD-18:054 by title only. All voted aye.

President Pro-Temp Moore said I don't know of any emergency pertaining to that so, unless there's any objection, we will read that on three occasions.

Placed on second reading

7. UNFINISHED BUSINESS

ORDINANCES ON THIRD READING

[ORD-18:042](#)

AN ORDINANCE TO AMEND ORDINANCE 117-34 TO PROVIDE FOR THE PLACEMENT OF SIGNS TO PROVIDE NOTICE TO THE PUBLIC OF REQUESTED PROPERTY USE CHANGES

Attachments: [Rezoning Sign Placement.pdf](#)

A motion was made by Councilperson John Street, seconded by Councilperson Chris Gibson, that this matter be Adopted . The motion PASSED with the following vote.

Aye: 11 - Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

Absent: 1 - Ann Williams

[ORD-18:043](#)

AN ORDINANCE TO AMEND ORDINANCE SECTION 117-164 AND 117-175 TO AMEND PLANNED DEVELOPMENT DISTRICT CHANGES

Attachments: [Planned Development District.pdf](#)
 [Current Code as of 06182018_Sec 117-164.pdf](#)
 [Current Code as of 06182018_Sec 117-175.pdf](#)

A motion was made by Councilperson John Street, seconded by Councilperson Mitch Johnson, that this matter be Adopted . The motion PASSED with the following vote.

Aye: 11 - Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

Absent: 1 - Ann Williams

[ORD-18:049](#)

AN ORDINANCE FOR PRIVATE CLUB PERMIT FOR HORIZON BISTRO, INC.

Attachments: [Horizon Bistro Application Revised 07262018.pdf](#)
 [Horizon Bistro Application.pdf](#)
 [AN ORDINANCE FOR PRIVATE CLUB PERMIT.pdf](#)

Councilmember Bobby Long asked if there was anyone in the audience from Horizon Bistro, Inc. Mr. James Gray, 5931 Rees Road, said I will be the general manager of

the Courtyard Marriott. Councilmember Long asked Mr. Gray if he was familiar with the non-profit of Horizon Bistro, Inc. Mr. Gray said I am. Councilmember Long asked if the non-profit has been in existence for over one year. Mr. Gray said it has. Councilmember Long said so it has operated as a non-profit for over one year. Mr. Gray said yes, it has. Councilmember Long said as part of a non-profit, I hope that you can understand the reasons. There are certain benefits that go with being a non-profit and I just want to make sure that those who are going to reap the benefits of a non-profit are actually operating as such. Would you think that would be fair? Mr. Gray said I think it would be. Councilmember Long said okay. What charitable activity do you intend to list on your application today, if it's approved. Mr. Gray said I had considered that and my pick would be the Children's Shelter in Walnut Ridge. Councilmember Long asked Mr. Gray if that was what he was going to list on his application. Mr. Gray said yes. Councilmember Long said okay. What form of entertainment do you plan on listing? Mr. Gray said a restaurant and a lounge.

Councilmember Long said it's always sort of intrigued me that when I go to different institutions or different places that serve alcohol one of the things I see is a member log. I guess one of the reasons for that member log is so that when there's voting that needs to be done you can send out notices to your membership. How do you plan to do that because a lot of the logs I see around town have jokes written on them? It's not really a log. Mr. Gray said as far as the membership of the private club, part of my original legwork was to establish the 100 names. Is that what you're thinking of? So, then, of course, I do have all of that in an Excel file on my laptop. So, anytime I need to contact them, it will be just as simple as an e-mail. Councilmember Long said also, for the membership, before they can serve alcohol, you have to be in the presence of a member. Is that correct? Mr. Gray said that is correct. Councilmember Long asked so how do you plan on monitoring that if a waiter comes up and someone requests an alcoholic beverage that you verify that they are either a member or in the presence of one. Mr. Gray said I am a member, of course, and I'll be there, but I think an answer to your question would be that they have to sign the log, as you said. Councilmember Long asked do they become a member at that point. Mr. Gray said no. They would be my guest. Councilmember Long said they're your guest? Mr. Gray said yes sir. Councilmember Long said okay. That's all I've got.

President Pro-Temp asked if there were any questions and if anyone in the audience or anyone else on the council have any questions for this man. (Then, a motion and vote was made.)

Mr. Bob Hester said did I miss it again. President Pro-Temp Moore said Mr. Hester I asked if anybody in the council or anybody in the audience had any questions. Mr. Hester said you asked if anybody had any questions for him. President Pro-Temp Moore said well, I'm sorry Mr. Hester. I went right on passed that. I can't back it up because we've already taken a vote on that item.

A motion was made by Councilperson Mitch Johnson, seconded by Councilperson Charles Frierson, that this matter be Adopted . The motion PASSED with the following vote.

Aye: 11 - Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

Absent: 1 - Ann Williams

8. MAYOR'S REPORTS

President Pro-Temp Chris Moore asked City Attorney Carol Duncan to provide an update on the Ice House litigation. Ms. Duncan said as you know we reached a settlement on the Ice House litigation, finally, and it was one where they filed a Motion to Dismiss with Prejudice. What that means is that they are not allowed to refile that same lawsuit, so that's helpful. As you know, every time we would get what we thought was a resolution before, then they would appeal that decision. We did agree to give 90 days to her to either sell the property, transfer the property, get anything of value out of the property, scrap, or whatever she chooses to do with it for the next 90 days. She has that ability. At the end of that time period, if she hasn't taken any steps to transfer it or sell it, the city will move forward with our plans. My understanding from Code Enforcement is that they are going to go ahead and start the bidding. We bid it a while back what it would cost for the city to take it down, but that's been some time ago. Those bids are kind of old. So, we're going to start that process so that we're ready to go when the 90 days is up, should that become necessary.

President Pro-Temp Moore asked Interim Chief Operations Officer Roy Ockert if there were any other items Mayor Harold Perrin asked that he bring before the council. Mr. Ockert said no.

[COM-18:058](#)

Airport Commission Financial Statements ending July 31, 2018

Attachments: [JAC Jonesboro Airport Financials 07_18.pdf](#)

Filed

9. CITY COUNCIL REPORTS

Councilmember David McClain said the only thing I have is that there will be Coffee with a Councilman Saturday from 9 a.m. to 11 a.m. at Fat City. If anyone can make it, please do.

Councilmember Bobby Long said I just wanted to get an update on the "Get Involved" link on our website, but I guess I can wait until Mayor Perrin gets back. I think it's really important that we continue to get that done and not let that fall through the cracks. I know there was some discussion on whether or not that should be done or not in the last one, but I think anytime you can open up opportunities for people to get involved then you're going to be better off. I just wanted to make sure that that doesn't fall through the cracks and we get that done for our community as a whole. We need to make sure that when we have openings on committees or areas for volunteerism that we don't miss out on somebody who has either expertise in that, but may not be known by those who are choosing, or just for transparency and also to allow more involvement by more citizens. I think anytime you can do that, then you're better off for it. President Pro-Temp Chris Moore said thank you, Mr. Long.

Councilmember Joe Hafner said I have a couple of things I'd like to say. I'll try not to be too long. One of the things that we have talked about a lot, whether it be Mayor Perrin, the administration, the council or the public, is public/private partnerships and how we are going to have to really rely on those types of things to get things done around here, whether it be quality of life related or whatever. Here lately, I've been spending quite a bit of time in Ottawa, Kansas, because of work. Ottawa is a town of about 14,000 people, where they are fortunate to have some bike trails that come through there.

One of the questions I asked when Mr. Mark Young, with the Jonesboro Chamber of

Commerce, was here was what would it take for the city and the Chamber to do more collaborations. When Mr. Mike Downing, with the Chamber and Jonesboro Unlimited, was here he mentioned that out of Jonesboro, Little Rock, Memphis, Fayetteville, Searcy, Tupelo, and Springfield, Jonesboro was the only city where the medium income had gone down, and he mentioned 4%. He mentioned some other statistics regarding poverty and other things that we should be real concerned about. The key thing that he mentioned was that millennials, the younger people, choose where they want to live and then they get a job. We always found a job and then went and lived there. So, that's why I think it's really important to make people want to come here and live, and a lot of the ways you do that is through quality of life initiatives. One of the things that the Ottawa Chamber of Commerce has done is establish a 501(c)(3) foundation called, "Onward Ottawa", and they initiated a capital campaign to support downtown revitalization. They identified the need for downtown outdoor event space to create an area for people to gather and hold community events.

What they are building is an area called Legacy Square, where two trails come together. One trail is a rail trail that runs for 51 miles, I guess, north and south, and there's another trail that's 117 miles long that runs east and west. So, they're building it where those trails intersect. I just think it's really important to point this out because I know Jonesboro has a lot of industry, a lot of education, the hospitals, and a lot of people who should be really concerned or really interested in what it will take to bring people to our community to want to live. I always tell people that I want Jonesboro to be a great place for people to live from all ranges of income and economic means, but we have to make sure that people are going to want to continue to live here who are higher income earners, too. I just think some of our statistics are a little deceiving when we talk about all of our great growth over the last few years. If our population is growing, but our income is going down, we're going to be having to do more for more citizens with a lot less money because our sales tax revenue is not going to grow very much. I've been talking about having plans or what plan are we following. I'm really going to be pressing on the council, the administration, the Chamber, Arkansas State University, and industry to figure out what we have to do to come together and start addressing some of these areas that we've just kind of swept under the rug for 20 or 30 years. Kind of like the sidewalk thing, sidewalks work everywhere else and people said they would never work here. I mean Jonesboro was just so different. We really have to start addressing these needs in Jonesboro and not let them keep being addressed everywhere else and enjoy the fruits of those labors. I just thought it was interesting that a town of 14,000 could raise over \$4 million dollars for quality of life and economic development. Thank you.

President Pro-Temp Moore said if you will please send that information to Mayor Perrin because I think he will be interested in seeing that, and part of that is a discussion we're having right now with the committee over Wolverine is over quality of life. Councilmember Hafner said it's not rocket science. It's just everybody coming together and working towards the same goal. I don't care if it's our plan, Keith Inman's plan, the Chamber's plan, or ASU's plan. If everybody just comes together, the success is going to benefit everybody, whether you're a hospital, industry, schools, or whatever. I'll get off my soapbox for right now, but it's important.

Councilmember L.J. Bryant said I just want to say a couple of things under the same envelope. I got about four calls today from people doing a Chamber membership drive. So, I thought that was encouraging. The Chamber is trying to reach out to get more people involved. Also, it was encouraging to see the people who applied for the Neighborhood Leadership Program that Community Development Director Tiffny Calloway and her department are doing. It was encouraging to see a lot of people who

had applied and you hadn't necessarily heard of them, and that was really the goal to not get the same people who had always been involved. So, I think we really need community buy-in and, to have that, we have to have more people involved. Communications Director Bill Campbell sent the Council an e-mail this afternoon talking about branding the city and videos to promote the city. He was talking about whether to target visitors or whether to target local people. I said really I think it's about the same thing because if our local people are not ambassadors for Jonesboro, then nobody else will be. Back on the involvement piece and to Councilmember Hafner's point, we need to embrace where we are whether it be the good, the bad or the ugly, and then to have buy-in to move forward. Another thing I would say and Councilmember Dr. Charles Coleman sold himself short on his event he had with My Healthy Jonesboro. That was a great example of My Healthy Jonesboro coming together with people in North Jonesboro to teach kids bicycle safety. So, to Councilmember Hafner's point, collaboration is necessary on all fronts.

Councilmember John Street said Mayor Perrin is not here, but I'm sure he would have done this. The Northeast Arkansas Regional Transportation Planning Commission, or the MPO, was nominated and awarded, and Councilmember Hafner you can appreciate this in your effort of planning. They have received a national award for an active transportation plan. That's a big deal. It will be awarded at their annual conference in San Antonio, Texas. That is a lot of hard work by MPO Director Erica Tait and her staff, the technical advisory committee that serves on the MPO, and the policy committee in collaboration with the Arkansas Highway Transportation Department, Burlington Northern Santa Fe Railroad, Union Pacific, and every form and mode of transportation, such as JET, aviation, and bicyclists. A lot of different people here have served on that committee, but it is the fruits of a good plan and it is recognized. Ms. Tait is out on maternity leave, but I just wanted to thank her for the wonderful job her and her staff have done and the recognition they have brought to us in that aspect of planning because transportation is another big concern and it doesn't just happen. It's the result of a good plan. Councilmember Hafner said well, let's do this. Instead of it just staying a plan, let's get it into position. Councilmember Street said the only thing about the MPO is that we're one of eight in the state, but we're not like Metroplan. They're the only ones who get direct federal funding, but this still enables us to set our priorities and goals and submit to ArDOT and they pay attention to it. So, while we can't absolutely say this is what we're going to get, it does incorporate all that and it includes every stakeholder in our MPO area, including Bay, Brookland, Bono, Craighead County, and the City of Jonesboro. It does have influence and it has already paid us some dividends on some projects that we've seen come in.

[COM-18:060](#)

COUNCILMEMBER JOE HAFNER'S RESPONSE.

Attachments: [Ottawa Kansas Release](#)

Read

10. PUBLIC COMMENTS

Mr. James Hinds, 508 Ridgecrest, said what I'd like to speak about is a needed change on how the City Council does business. It is not good to walk a measure on and there's no advance notice to the public because it's only decided that day that it's going to be brought on. There is not allowance during that. The first reading is gone. Nobody was allowed to speak pro or con. You have these three meetings and even though you have somebody who had indicated that he wanted to speak, the public is not allowed to speak. The City Council is here to serve the people. President

Pro-Temp Chris Moore asked are you talking about on the alcohol ordinance, Mr. Hinds. Mr. Hinds said I'm not going there because that was discussed earlier. President Pro-Temp Moore said I apologized to Mr. Hester. I didn't see Mr. Hester's hand when I asked if anybody wished to speak. Mr. Hinds said he had indicated that and that is not good procedure when the public is not allowed to comment on what is being said, pro or con. You're the City Council and you can make the decision, but the public needs to be heard. President Pro-Temp Moore said come up here and I'll apologize to you, too, Mr. Hester. I did not see your hand go up.

Mr. Bob Hester, 7096 CR 333, asked do your rules mean anything or does your procedure mean anything because did you ask for public comments? President Pro-Temp Moore said yes, I did. The problem was when I said does anyone on the council or in the audience wish to speak on that, I didn't see your hand go up. The only person I saw was Councilmember Long indicated he wanted to speak. Mr. Hester said well, you usually do the council and then you ask if somebody else wants to speak and that's what I was thinking about, so, I missed it. President Pro-Temp Moore said I'm telling you I'm sorry for passing you over. It was not intentional. Mr. Hester said I didn't think it was intentional. President Pro-Temp Moore said that's all I can tell you. Mr. Hester said the way it was done, it just kind of went by. President Pro-Temp Moore said as a stickler for the rules, once I called for the vote and the vote was taken, I could not allow you to talk on the item after that. If I had seen you in advance, I would have let you speak on that item. Mr. Hester said okay. Thank you.

Mr. Harold Carter, 902 Tony Drive, said I don't want to talk about the permits. That's already business passed, but I do want to talk about alcohol. This Waffle House riot did attract my attention quite severely. I finally read all the newspaper articles on it and got more details, and I didn't like what I read. I could surmise that there's not been much alcohol enforcement going on in town around these alcohol joints. You can call them private clubs. I don't care about them getting permits. I figure that's a done deal by the time it gets here. I have not seen much impact with people that have had things to say on it. Mr. Hester and I talk about it occasionally, but we don't necessarily quite see the matter the same way. I just want law enforcement to supervise these joints. Just like I have some experience with, I know how it's done. I've not monitored the vicinities of these places, but I know, the Waffle House, when the places start discharging their drunken customers, they're just alcohol joints letting out the doors and I know what will happen. Some of them will probably get a ride home, stay sober and drive safely, but most of them won't.

Mr. Carter said when I see a drunken riot break out outside the Waffle House, I don't like what I'm seeing on the east side of town where I live. No, fortunately, it wasn't within several blocks of me, but nonetheless, I don't see that happening in the rest of the town. I saw how you treated Mr. Prunty when he was running a joint like that, and not very well, and I expect similar attention in my neighborhood, and I'm not seeing it. I know, according to the reports I get, the county can't put them all in jail. Let me tell you, if they're just immune or feel immune, in any case, I know what drunken scum is and what will go on with drunks. You can call it private clubs, but, obviously, these people are in the alcohol business, and the City Council and the county, but particularly, standing here, the City Council is not going to get a very good reputation if they keep issuing these permits. I don't expect to have any influence on this at all. I haven't so far and haven't tried. I consider that futile to start with, but enforcement will work. I guarantee you enforcement will work and it will stop these people, but it won't stop them if you don't have any. Don't come telling me, and nobody has told me because I haven't asked them, that we get drunks because you can read it in the paper. Yes, I do, so I know it's true, but, obviously, you don't get enough of them. You

start laying on some serious enforcement, whether they end up in jail immediately or not, or out on bail, or whatever, they're not going to like having a stack of drunken driving. Let's be clear, I'm not just talking about drunken driving. You can see these people staggering down the road heading towards Waffle House or wherever they head for. I don't care if they're going home. I don't care where they're going. That's against the law depending on their state of intoxication. We take the driving more seriously, like we should, but that's not the only violations here. When it turns in to the mess, like up here at the Waffle House, more than one of them people had guns on them. There wasn't just one out there, and they felt entitled. Entitled to start shoving the police around and bellying up to the police. That's not quite the enforcement I was talking about. That's a special situation that brought all this on. A mob like this has ice picks and knives. They don't just have guns and if you put up with that a couple minutes, pretty soon they'll have your guns. Walking around behind you and arguing with you. I don't want to see police officers get hurt. I consider them quite lucky to have exited this situation successfully, with their health and welfare and alive, but that won't keep up. These police officers are going to end up some of them getting severely hurt or knocked down themselves. Why do they have guns, pistols, and shotguns if they can't use them to control mobs? If you don't control mobs, what do you think the next mobs that form here in town, and there will be some, are going to think? They're going to think they're home free.

Mr. Carter said, eventually, 20 police officers or 10, or whatever the number it was showed up and they got the message. That's not how you control mobs by negotiating with them, particularly drunken mobs. That's just outside the pale of decent behavior in the city like this. The police controlled it through mostly some pretty good work and to a large degree, luck, but the fact that that forms up there is due to lack of enforcement. Don't tell me that people are that resistant to enforcement. If you're out there putting the cuffs on them. The police officers out there must have been in a terrible state. How many times do you have to put handcuffs on people before they slip out of them? They won't slip out of them if you put them on there tight enough, and I don't care if it's uncomfortable or not. They don't care either. I'm not claiming I would have been more effective putting on handcuffs than whoever this person was because when you get distracted to that extent, anything can happen. You won't keep on being lucky, and I don't want it happening on the east side of town all the time. Let it happen over there. I didn't care about Prunty because he wasn't on my side of town, but I did take notice of it, and I also took notice of what you did about it. Mr. Carter said all seemingly quite proper to me.

You think these private clubs are keeping out minors? I don't, any better than Prunty did. Maybe better than he did, but that would be a stretch, but, exclusively, no. What I believe is that there's no enforcement in there. They just come in there, hang around, and play like they're eating, and drink out of their partner's drink. Give me a break! All that stuff is simple-minded. I never practiced that myself. I don't have any practice at it, but I have plenty of knowledge of it and how it's done, and I know you can tell what's going on if you want to enforce that mess. It's all a mess before it's over. Yes, there are some high-class clubs that probably have to emphasize customer satisfaction a little better, but most of these are just dives. That's what they are. That's what alcohol joints are, and unless the city from the top down starts enforcing this, it isn't going to get better. When Craighead County finally turns wet, it's going to get worse. I don't mind. I don't see that there's any hope for resisting all that, but there's plenty of alternatives to not having alcohol enforcement, and you've got plenty of laws. They don't even all depend on alcohol inebriation and giving people tests and stuff. They depend on how people act when they're drunk. That's not something you all really needed to know. I think you already knew it. You're the only one around here, just like

Mr. Hinds said, that can do anything about it. I'm not going down there and eyeballing that mess. I wouldn't mind. I got plenty of time to kill, but on the other hand, that would get me in trouble.

Councilmember Charles Frierson said may I ask what happened to the clock that we used to have. City Clerk Donna Jackson said I had it right here. President Pro-Temp Moore said it was going off in my right ear.

Ms. Patti Lack, 4108 Forest Hill Road, said I want to say thank you to Councilmember Dr. Charles Coleman. I think your safety class with the bicycles was a big success. I think Mr. Bill Smith put on a real good class. There were a lot of people who asked about the class and they didn't know they could attend that class if they lived on the south side. Maybe that is something we need to do more often, especially with our kids. So, thank you very much for doing that. I thought that was really good. I also want to say thank you to Councilmember L.J. Bryant for doing the diversity ordinance. I think it's really important. It's too bad that you had to do it, but I think there are so many capable people out there that, how can I say this, that are people who want to get involved, but they don't want to get involved. I think that goes back to saying thank you to you and to Councilmember Bobby Long. I really think it's important that we advertise all the positions, whether they're on the board or the committees as much as possible, whether it's your idea with the city's Facebook page or in the newspaper. I think there's a lot of people who want to get involved, and I think an example of this is an e-mail I received, and I'll send it to all of you. It was signed, "A Millennial." It was concerning the council meeting last week and it was talking about what went on and how they'd like to get involved, but they don't know how. I think there's a lot of younger people who are watching the meetings and they are aware of what is going on, but they also want to get involved. I think a good way is to get it out as much as possible, whether it's through Councilmember Long's idea or Councilmember Bryant's idea of whether it's in the newspaper, on the city's Facebook page or all of your Facebook pages just to get more people involved. Thank you. Good job.

Mr. T.J. Thompson, 3816 S. Culberhouse, said I wasn't planning to say anything, but I couldn't help but hear some of the snickers as Councilmember Hafner was reading his statement tonight. I'm a millennial. I am and I self-identify even as a millennial. I wanted to share a few statistics with you about millennials. We make up somewhere around 80 million people in the United States population. That's about 25% of the U.S. population. We're larger than the Babyboomer generation. We're three times the size of Gen X. We're best educated, and that's just a statistic, and I'm not at all stump speaking on that. In the last five years, 87% of millennial workers took on management roles. Twenty-five percent, roughly, of the U.S. workforce right now are millennials. Here's an interesting one. Forty percent of U.S. millennials are parents and by 2026, 80% of U.S. millennials will be parents. From a community standpoint and economic standpoint, I think it is important to consider how we appeal to the millennial generation, and then Gen Y is coming right after that, which is a whole different thing. There are some millennials out there who have different values and see the world through a totally different lens than most anybody sees it in Jonesboro, Arkansas. We get a lot of different labels and stigmas, and some of them are very well earned. I admit that, but there are a lot of us who are involved in the community, who coach baseball, soccer and basketball and other things and who just want to see Jonesboro be the best that it can be, and a lot of that definition of the best that it can be involves an active lifestyle, inclusivity, and it involves a lot of things that we talked about tonight. I felt like someone needed to say that and I felt as a millennial, I could.

11. ADJOURNMENT

A motion was made by Councilperson Mitch Johnson, seconded by Councilperson LJ Bryant, that this meeting be Adjourned . The motion PASSED with the following vote.

Aye: 11 - Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

Absent: 1 - Ann Williams

_____ **Date:** _____

Harold Perrin, Mayor

Attest:

_____ **Date:** _____

Donna Jackson, City Clerk



Legislation Details (With Text)

File #:	RES-18:127	Version:	1	Name:	MAKE APPOINTMENTS TO THE STORMWATER MANAGEMENT BOARD AS RECOMMENDED BY MAYOR HAROLD PERRIN
Type:	Resolution	Status:			Recommended to Council
File created:	8/9/2018	In control:			Nominating and Rules Committee
On agenda:		Final action:			
Title:	RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO MAKE APPOINTMENTS TO THE STORMWATER MANAGEMENT BOARD AS RECOMMENDED BY MAYOR HAROLD PERRIN				
Sponsors:	Mayor's Office				
Indexes:	Board/Commission				
Code sections:					
Attachments:					

Date	Ver.	Action By	Action	Result
8/21/2018	1	Nominating and Rules Committee		

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO MAKE APPOINTMENTS TO THE STORMWATER MANAGEMENT BOARD AS RECOMMENDED BY MAYOR HAROLD PERRIN

WHEREAS, the following appointment has been recommended by Mayor Harold Perrin

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS, that the following appointment be confirmed:

STORMWATER MANAGEMENT BOARD

Appointment of Susan Merideth to replace Dewaine Beisner to fulfill the term until the termination date of May 7, 2019



Legislation Details (With Text)

File #:	RES-18:134	Version:	1	Name:	AUTHORIZING A SETTLEMENT ON THE CLIFTON BURCHAM ETAL VS. CITY OF JONESBORO LAWSUIT
Type:	Resolution	Status:	Recommended to Council		
File created:	8/17/2018	In control:	Finance & Administration Council Committee		
On agenda:	Final action:				
Title:	A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING A SETTLEMENT ON THE CLIFTON BURCHAM ETAL VS. CITY OF JONESBORO LAWSUIT				
Sponsors:	City Attorney's Office, Mayor's Office				
Indexes:	Other				
Code sections:					
Attachments:	Resolution to approve settlement of DID lawsuit.pdf				

Date	Ver.	Action By	Action	Result
8/28/2018	1	Finance & Administration Council Committee		

A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING A SETTLEMENT ON THE CLIFTON BURCHAM ETAL VS. CITY OF JONESBORO LAWSUIT

WHEREAS, the City of Jonesboro, was sued by Clifton Burcham Etal in a lawsuit alleging Plaintiffs paid fines that were illegally ordered under A.C.A. § 12-10-110; and

WHEREAS, the parties have participated in extensive review and negotiations regarding the payment of the fines to the City of Jonesboro; and

WHEREAS, the City of Jonesboro admits no wrongdoing; and

WHEREAS, a proposed settlement was reached, subject to the approval of the Jonesboro City Council.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT:

1. The City of Jonesboro shall settle the pending litigation referenced above for the total sum of \$1,747.68 to be paid by the City of Jonesboro.
2. The funds will be payed from account 0113402700, otherwise titled as Lawsuit Settlement, and no monies need to be transferred to effectuate this agreement.
3. All other terms are listed in the attached Proposed Settlement Order.
4. The Mayor, Harold Perrin and City Clerk, Donna Jackson, or legal counsel are hereby authorized by the City Council for the City of Jonesboro to execute all documents necessary to effectuate this agreement.

**A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS
AUTHORIZING A SETTLEMENT ON THE CLIFTON BURCHAM ETAL VS.
CITY OF JONESBORO LAWSUIT**

WHEREAS, the City of Jonesboro, was sued by Clifton Burcham Etal in a lawsuit alleging Plaintiffs paid fines that were illegally ordered under A.C.A. § 12-10-110; and

WHEREAS, the parties have participated in extensive review and negotiations regarding the payment of the fines to the City of Jonesboro; and

WHEREAS, the City of Jonesboro admits no wrongdoing; and

WHEREAS, a proposed settlement was reached, subject to the approval of the Jonesboro City Council.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT:

- 1. The City of Jonesboro shall settle the pending litigation referenced above for the total sum of \$1,747.68 to be paid by the City of Jonesboro.**
- 2. The funds will be payed from account 0113402700, otherwise titled as Lawsuit Settlement, and no monies need to be transferred to effectuate this agreement.**
- 3. All other terms are listed in the attached Proposed Settlement Order.**
- 4. The Mayor, Harold Perrin and City Clerk, Donna Jackson, or legal counsel are hereby authorized by the City Council for the City of Jonesboro to execute all documents necessary to effectuate this agreement.**

PASSED AND APPROVED this ____ day of _____, 2018.

HAROLD PERRIN, MAYOR

ATTEST:

DONNA JACKSON, CITY CLERK

**IN THE CIRCUIT COURT OF CRAIGHEAD COUNTY, ARKANSAS
WESTERN DISTRICT
CIVIL DIVISION**

**CLIFTON BURCHAM and all other
similar situated persons**

PLAINTIFF

V.

NO. CV-2016-401(JF)

**CRAIGHEAD COUNTY, ARKANSAS
AND CITY OF JONESBORO, ARKANSAS**

DEFENDANTS

ORDER

Now on this _____ day of August, 2018 comes before this Court the parties proposed settlement of all the issues regarding the above stated case; the Plaintiff, Clifton Burcham and all other similar situated persons is represented by Mark Rees; the Defendant, Craighead County, Arkansas is represented by Jason Owens; and the Defendant, City of Jonesboro, Arkansas is represented by Burt Newell; from the evidence presented and the agreement of the parties, the Court hereby ORDERS, ADJUDGES, and DECREES as follows:

1. This Court has jurisdiction of this matter and venue is proper.
2. That the Plaintiff and all other similar situated persons filed a lawsuit against the Defendants alleging certain fines and costs paid by Plaintiffs for allegedly violating § 12-11-110, more commonly known as the "Drunken, Insane, and Disorderly (DID) Statute" were unlawful.
3. The Plaintiffs filed their lawsuit on June 10, 2016.
4. The Defendants have denied any liability.

5. That Plaintiffs and Defendants both have motion for summary judgments pending before this Court.

6. That it is the desire of all parties to settle this lawsuit taking in consideration the uncertainty of litigation and the pending motions, the small amount of monies paid compared to continued expense in litigation, and the possibility of appeals to a higher court.

7. That the Court rules that all monies paid prior to June 10, 2013 are prohibited because of the 3 year statute of limitations.

8. That the parties agree that the Defendants will pay all "fine" monies that each entity received and retained as shown in exhibit A and B. The parties agree that the Defendants will not pay any monies that went to the State of Arkansas, such as court costs, or any other costs that are not listed in said exhibits.

9. That the Defendant, City of Jonesboro, Arkansas is ordered to pay all the monies to the individuals as listed in Exhibit A. The City of Jonesboro will issue a check for each individual for the amount listed and send to the individual at their last known address.

10. That the Defendant, Craighead County, Arkansas is ordered to pay all the monies to the individuals as listed in Exhibit B. Craighead County will issue a check for each individual for the amount listed and send to the individual at their last known address.

11. That Plaintiffs counsel is not seeking any attorney fees.

12. That each party is responsible for all their own costs.

13. That the Court hereby accepts this agreement in full, that the agreement is fair and reasonable to the Plaintiffs taking in consideration the issues of liability, uncertainty of the law in this area, the current law where the State of Arkansas cannot be sued, and the amount of money that

is to be refunded compared to the expense of litigation.

IT IS SO ORDERED.

Hon. John Fogleman

Date

Approved as to Form:

Clifton Burcham, Plaintiff

Mark Rees
Attorney for Plaintiffs

Jason Owens
Attorney for Craighead County

Burt Newell
Attorney for City of Jonesboro

***CITY OF JONESBORO
DID REFUNDS***

<u>NAME</u>	<u>REFUNDS</u>
Raymond Alphin	85.00
Melissa Benham	6.68
Katelynn Bragg	85.00
Katelynn Bragg	85.00
Justin Briggs	20.00
Roger Collier	5.00
Douglas Dodson	53.00
Peggy Edwards	85.00
Christopher Erwin	20.00
Adam Fields	50.00
Christopher Finley (Estate)	85.00
Patrick Fitzgerald	85.00
Khristian Foster	85.00
Glendola Gaines	85.00
Anna Gamber	85.00
Brett Gribble	85.00
Joe Griffin	85.00
Michelle Holcomb	10.00
Georgia Vallance Howard	10.00
Shara Howell	85.00
Mary Jackson	5.00
Robert Jones	41.00
Whitney McCoy	85.00
Taylor Medlin	16.00
Debra Morgan	15.00
Shawn Nichols	4.00
Kelly Oswald	5.00
Christopher Puckett	85.00
Logan Robertson	77.00
Christopher Slaughter	5.00
Christina Sykes	15.00
Jessie Warren	70.00
James Watson	55.00

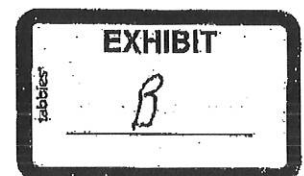
TOTAL

\$ 1,747.68



***CRAIGHEAD CRAIGHEAD
DID REFUNDS***

<u>Name</u>	<u>Refund</u>
David Beard	105.00
Brandon Blancett	5.00
Mary Bradley	105.00
Gretta Browning	163.31
Clifton Burcham	5.00
Kevin Keiter	110.00
Reginold Meadows	15.00
James Milton	115.00
Jesus Ojeda	15.00
Charles Reece	37.96
Robert Smith	75.00
Michael Summers	105.00
TOTAL	\$ 926.27





Legislation Details (With Text)

File #:	RES-18:139	Version:	1	Name:	APPLY FOR THE FY2018 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS (CRISI) PROGRAM
Type:	Resolution	Status:			Recommended to Council
File created:	8/23/2018	In control:			Finance & Administration Council Committee
On agenda:		Final action:			
Title:	RESOLUTION AUTHORIZING THE CITY OF JONESBORO GRANTS AND COMMUNITY DEVELOPMENT DEPARTMENT TO APPLY FOR THE FY2018 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS (CRISI) PROGRAM.				
Sponsors:	Grants, Engineering				
Indexes:	Grant				
Code sections:					
Attachments:	Alt 1 Jonesboro Ind Lead Expansion Report 2018 signed_07feb18.pdf				

Date	Ver.	Action By	Action	Result
8/28/2018	1	Finance & Administration Council Committee		

RESOLUTION AUTHORIZING THE CITY OF JONESBORO GRANTS AND COMMUNITY DEVELOPMENT DEPARTMENT TO APPLY FOR THE FY2018 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS (CRISI) PROGRAM.

WHEREAS, applications are now being accepted for the FY2018 Consolidated Rail Infrastructure and Safety Improvements grant funded through the Federal Railroad Administration; and

WHEREAS, eligible projects include capital or planning/environmental projects to improve short line and regional infrastructure; and

WHEREAS, the City of Jonesboro proposes to apply for funding for infrastructure upgrades at the Jonesboro Industrial Lead Rail Spur; and

WHEREAS, the CRISI Grant will provide up to 80% of Federal aid in the overall construction of the project through the Federal Railroad Administration and requires a 20% local match.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT:

SECTION 1: The Jonesboro City Council supports the submission of the FY2018 application to the Federal Railroad Administration for the 2018 Consolidated Rail Infrastructure and Safety Improvements for infrastructure upgrades.

SECTION 2: The Mayor and the City Clerk are hereby authorized by the City Council for the City of Jonesboro to execute all necessary documents to effectuate the grant application.

SECTION 3: The Grants and Community Development Department is hereby authorized by the City Council

for the City of Jonesboro to submit all necessary documents for this federal program.

Alternate No. 1 – Storage Track at Heath Road

1. Min 112# Rail, Ties, Ballast, Subballast, Subgrade & Incidentals	4,757 @ 250.	\$1,189,250.00
2. 112# Min No. 11 Turnouts	2 EA @ 75,000.	\$ 150,000.00
3. Rail Bridge	80 LF @ 3,000.	\$ 240,000.00
4. Derail	2 EA @ 10,000.	<u>\$ 20,000.00</u>
Subtotal		\$1,599,250.00
15% Engineering		<u>\$ 239,750.00</u>
Total		\$1,839,000.00



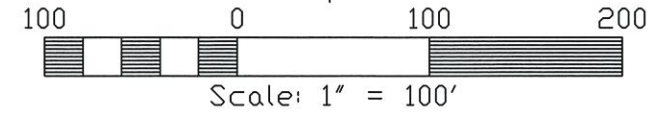
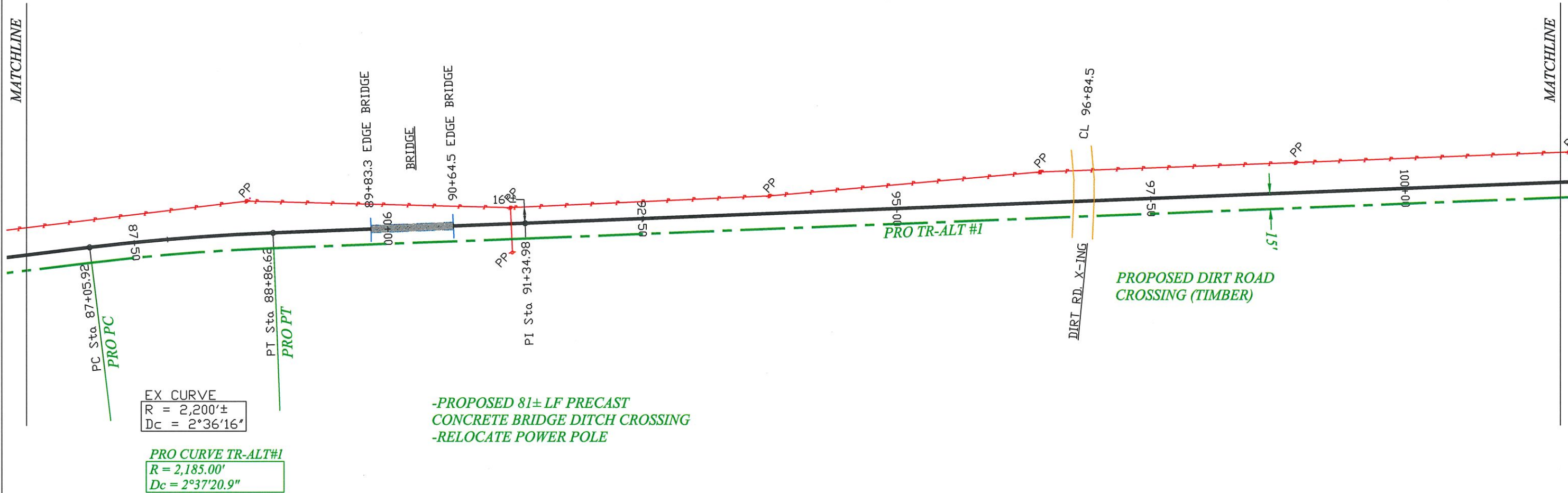
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CONSULTING ENGINEERS
LITTLE ROCK, ARKANSAS
Ph: (501)227-0078

CITY OF JONESBORO - Jonesboro, AR
Proposed Industrial Lead Rail Expansion
Preliminary Rail Layout - Proposed Siding Track ALT #1

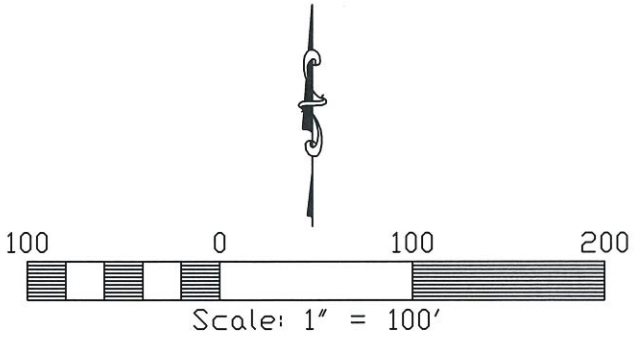
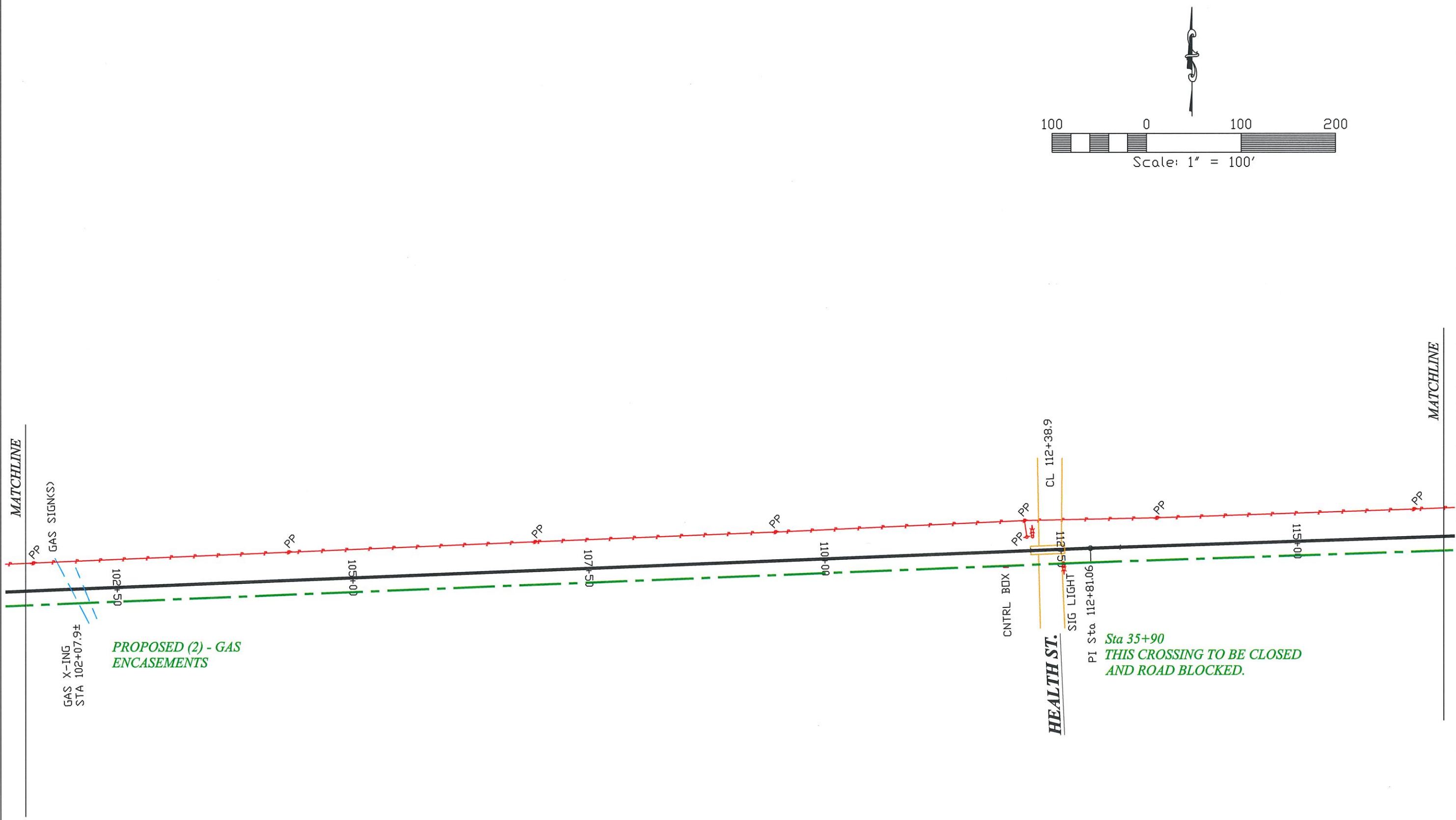
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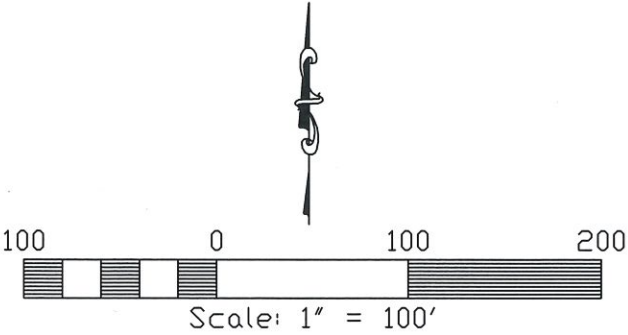
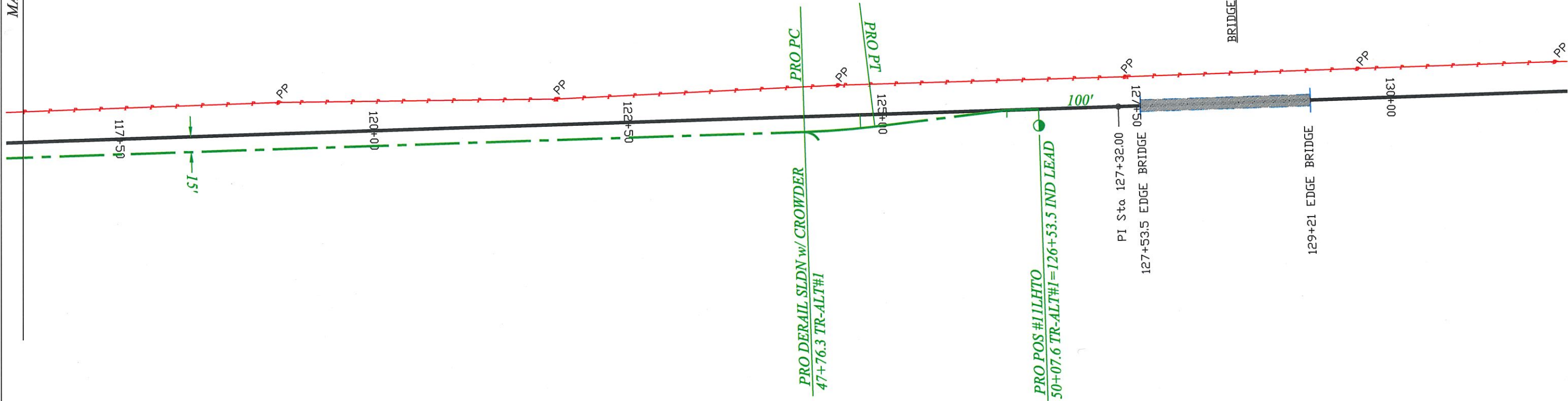
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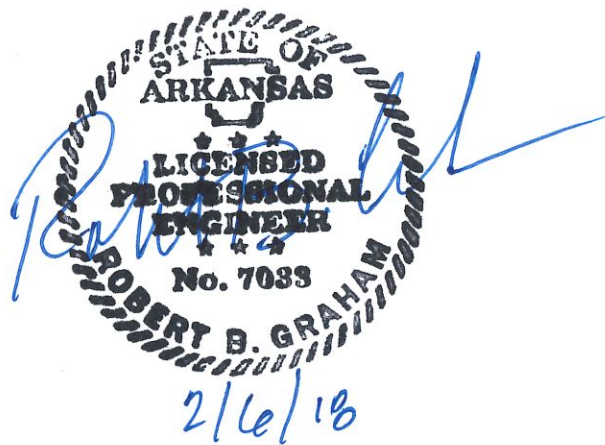
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City of Jonesboro

Industrial Lead
Capacity and Future Growth Study

February 2018



This report will be a product of the City of Jonesboro, the Chamber of Commerce, and the rail users in the park wanting to explore the needs for growth. The report will discuss the current capacities as well as future capacities. The report will explore options for Union Pacific Rail Road service in the park and lastly the report will discuss the current maintenance needs and future needs with the possible expansion.

The City first met with the rail users in September of 2017 to discuss these needs and our firm met with the rail users in December of 2017 to discuss the rail users' needs. Our firm prepared a questionnaire to send to the rail users for rail car and commodity information. Our firm was able to conclude the rail user information by the second week of January 2018 for the report.

The Jonesboro Industrial Lead Rail Spur is a spur track that was constructed in three phases and is owned and maintained by the City of Jonesboro, Arkansas. The spur is served by and connected to the Burlington Northern and Santa Fe Rail Road. The Industrial Lead currently has seven facilities that have rail spurs that come off of the City's lead track. Of the seven facilities, five are currently receiving rail cars at their locations. One of the facilities not receiving rail cars now, plans on receiving cars in the near future.

The first phase of the industrial rail spur lead was constructed for Crane Composites in 1989 and then extended to Frito Lay shortly thereafter. Frito Lay was one of the first industries to receive rail service in the park. In 2011, the third phase was constructed for the Nordex facility that is currently occupied by Trinity Rail Car. The first two phases served four industries and consisted of 23,881 feet of track and the third phase added an additional 8,040 feet of track for Nordex.

Since the third expansion, there have been two additional industries that have made connections to the Industrial Lead track. A current list of Industries in the park includes the following: Anchor Packaging, Post Foods Inc., East Side Rice, Nestle, Crane Composites, Frito Lay, and Trinity Rail Car. Crane Composites is currently not a rail user and has not participated in any of the meetings. East Side Rice is currently not receiving rail service but intends on shipping products in the near future. From the questionnaire, the Park's industries currently receive 110 rail cars per week. Once East Side Rice begins shipping, this total will be close to 150 rail cars per week.

The way that the industrial lead is built, the Burlington Northern Rail has to pull the cars south out of their yard and then shove the cars back on the industrial lead. The switches for Post Foods, Nestle, Crane Composites, and Frito Lay all face towards the Burlington Northern's Main Line. The rail road will back-in and pick-up the outbound cars and then take those cars out and place the inbound cars in. The process is time consuming and in Post Foods case, Commerce Dr. gets blocked to motorists for a significant period of time.

One of the primary reasons for the report is to discuss the current capacity and future increased capacities. The report will try to provide solutions to service problems that exist today. The capacity concerns for the Industrial Park are real and need to be addressed. When our firm sent out the questionnaires, there was a question that asked for the estimated weekly volume five years from today's date. The estimated car volumes for five years from now would be approximately 185 cars per week.

With the track configuration in the park now, the only room for capacity is what each one of the industries has in their own facilities. For example, Trinity will bring in and ship out 75 cars per week but there is about a three week turnaround on their cars. Therefore there could be

225 cars on average at the facility per day. These types of facilities are not the norm. Most facilities will either load or unload the rail cars in two to three days. If a car stays at a site for more than three days, there is a penalty assessed to the industry. This penalty is referred to as demurrage.

If the Rail Road had a long siding track with switches on the ends, the Rail Road could pull the inbound cars in and set them on one of the tracks and place the outbounds on the other track and move throughout the park to switch each facility with ease. Once all the cars have been switched out, the cars could be moved around so that the crew could pull the cars out to take back to the BNSF yard on the north side of town.

When looking at the rail layout, there is not enough room between road crossings to get a long enough side track. The only way to get a spot long enough would be to close one of the road crossings. When looking at possible roads to close, the only road available for closure that is not a major road is Heath Road. There are bridges on either side of Heath Road. The bridge between Moore Road and Heath Road is 80 feet long and the bridge between Heath Road and Nestle Way is 170 feet long. Therefore, the new siding track should go from the east side of Moore Road to the west side of the bridge for Little Bay Ditch. This siding track would be 5,007 feet long from switch to switch and could hold approximately 75-60' cars. The proposed siding will be referred to as Alternate #1.

As the volume increases in the Park, there may need to be more storage built next to the siding track in Alternate #1. How much the volume increases will obviously depend on how much the traffic increases. If the Industries' volume forecasts for five years from now are fairly accurate, the second siding could be limited to being between the two bridges west and east of

Heath Road. This would allow a track that is about 3,500 feet long and would hold at least 50-60 additional cars.

With the proposed double ended siding track, the current capacity issues would be resolved. However, the current switching that takes place at Post Foods will still be an issue of concern for motorists. Currently, when Post Foods is switched by the Rail Road, the signals on Commerce Drive activate and the crossing arms come down to stop the traffic. The inbound cars are placed on the Industrial Lead east of the Commerce Dr. crossing and the locomotives enter the facility and pick up the outbound cars on the two tracks. Then the power will pull the outbound cars out across Commerce Dr. and go pick-up the inbound cars left on the Industrial Lead. Once connected, the inbound car will be pulled back across Commerce and then shoved back onto the two tracks. Once the inbounds are set then the locomotive will pull back out across Commerce and connect to the rest of the cars. The City Engineering Department has video where this switching will block Commerce Dr. for 30 to 45 minutes any time Post Foods gets a switch.

The most feasible way to solve this issue is to switch Post Foods from the other direction. The layout that shows this concept is labeled Alternate #2. In Alternate #2, the Rail Road would enter the facility from the east. Currently, there is one track is for inbound cars and one track for outbound cars. The rail road will drop the inbound cars and pick-up the outbound cars. The personnel at Post Foods will use a rail car mover and spot the inbound cars in the receiving building and once emptied, the Post Food car mover will remove the car and place the car on the outbound spur. None of this switching will involve crossing Commerce Dr. or activating the crossing gates stopping motorists.

One of the biggest items of interest that was relayed from the rail users meeting is the possibility of Union Pacific Railroad service to the park. There were several rail users that believed that their business would greatly benefit from having the additional Union Pacific rail service. This report addresses four options for adding Union Pacific rail service and an estimated cost to provide those services. One option will require Burlington Northern trackage rights and the other three are direct connections to the Union Pacific Rail Road. Exhibit "A" is enclosed and shows the different rail roads in this area and the owners. The class one railroads refers to their different tracks as subdivisions. In the City of Jonesboro, the Union Pacific has two subdivisions and the Burlington Northern Santa Fe has one. Both Union Pacific and Burlington Northern have signalized mainlines, but the Union Pacific's Wynne Subdivision is not signalized. Track signalization makes a substantial difference when estimating a switch installation cost. The cost of getting a switch in a non signalized track verses a signalized track can be a difference of \$1,000,000.00 additional for the signalized installation. The switches used in signalized track are typically power operated switches and each one has to be designed specifically for the location to be installed.

The first Union Pacific connection option will be referred to as Alternate #3. Alternate #3 is dependent on the Union Pacific obtaining trackage rights from the Burlington Northern and also being able to bring rail cars south into the Industrial Park from the rail yards north of town. There would need to be a new connection built from the Burlington Northern Santa Fe mainline to the Industrial Lead feeding the park. The new connection would mean the train could enter the park from the north heading south. The switch for the mainline connection would be a power operated switch and would allow a train coming from the north to go straight into the Park without having to stop the train and manually throw the switch. Being able to come straight from the Union Pacific switch yard to the Park without stopping would insure the Burlington

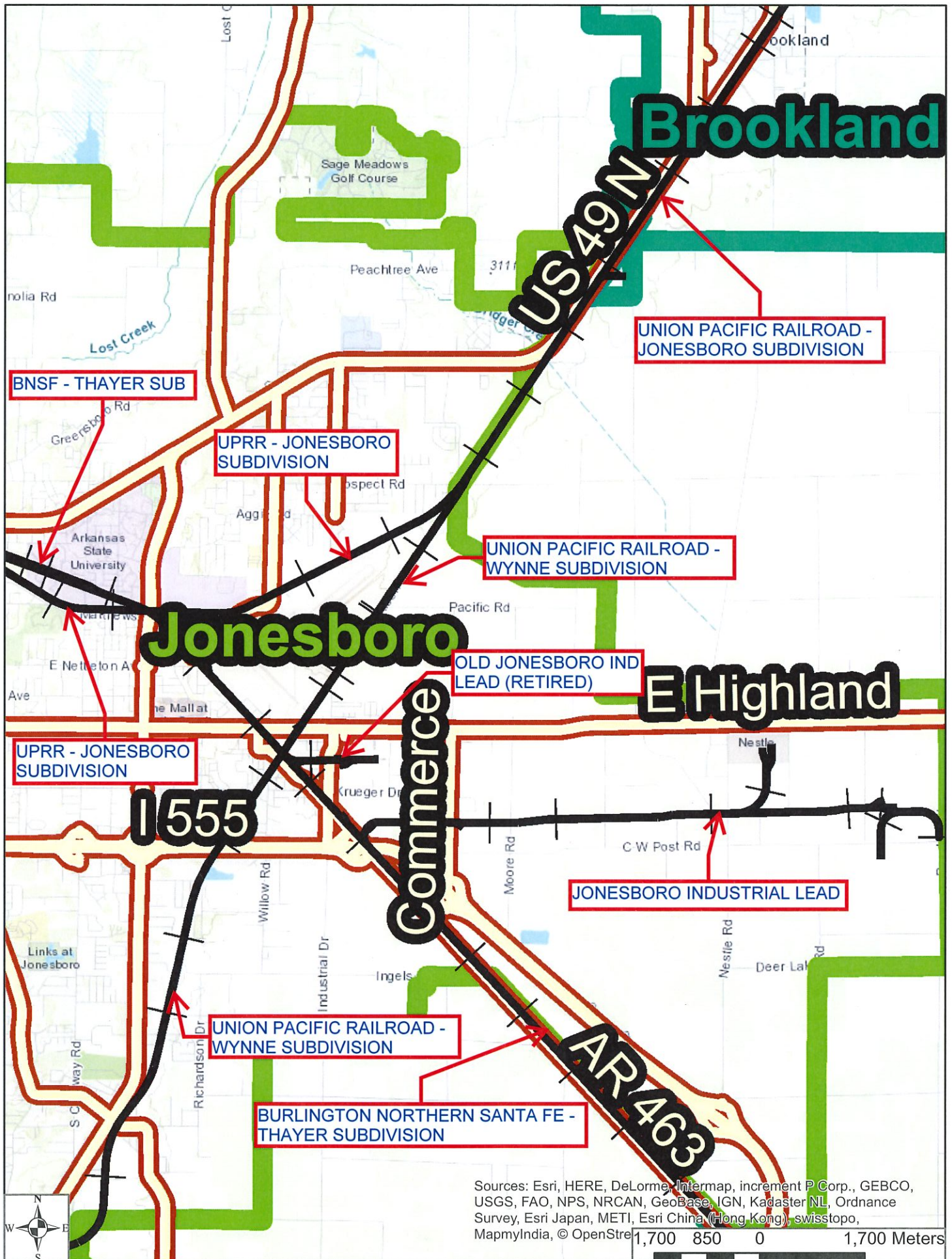


EXHIBIT "A"

Northern that the main line would not be interrupted with a parked train. The proposed siding discussed with Alternate #1 would also be required with Alternate #3 (See Alt #3 tab).

The second option for Union Pacific rail service will be referred to as Alternate #4. Alternate #4 includes a switch coming off of the Union Pacific Wynne Subdivision. The switch would be located just northeast of the Burlington Northern and Union Pacific rail crossing. The new track would curve around the west side of an existing building at 4401 Sarah Street. The new track would tie into the existing retired track that previously went to the old Industrial Park. This rail has been out of service for years and would have to be rehabilitated for use in the new connection track. The existing, retired track continues to the east across Industrial Drive but appears to stop prior to Distributor Drive. The new track would continue from that point to the east crossing Distributor Drive, Commerce Drive, and Moore Road. The track would then curve to the south and intersect with the Jonesboro Industrial Lead just west of Heath Road. The new Union Pacific track would tie into the Industrial Lead in the same area as the proposed siding (Alt#1) is located. The siding would be critical for the Union Pacific for the purpose of switching out the Industries in the Park. A few drawbacks to this alternate are that the radius of the first curve is near the minimum allowed (maintenance issues, safety) and the expansion does not open much acreage for future industry development.

The third option for Union Pacific rail service will be called Alternate #5. This option will start at the end of the existing Industrial Lead and curve to the north. The new alignment will parallel Barnhill Road on the west side and cross East Highland Drive (5-lanes). The track continues to the north before curving to the west and parallel to County Road 906. The new track will cross Little Bay Ditch and continue to the northwest while paralleling Lateral Number 1 Ditch. The new track for Alternate #5 will tie into the Wynne Subdivision near the northeast corner of the Airport property. There will be both a north and south connection to the UP

mainline. This type of connection is referred to as a “Y” connection. If Alt #5 is constructed, the Union Pacific would serve the facility pulling in locomotive first and travel to the siding (ALT #1). From the siding, the Union Pacific would switch the facilities from that point. The drawbacks for this alternate are that there will be seven road crossings (eight including the Commerce Dr extension) and four major creek crossings. However, the alternate does open up substantial additional acreage for future Industrial Park expansion.

The fourth option for Union Pacific rail service will be called Alternate #6. This alternate will start out the same as Alternate #5 and follow the same path until the route reaches County Road 906. At this point the alignment will go in a northwesterly direction. The track will continue in this direction crossing Butler Ditch and County Roads 910, 912, and 928 before crossing part of Little Bay Ditch. Alternate #6 will tie into the Union Pacific Mainline (Jonesboro Subdivision) just north of the existing Anheuser-Bush Facility. The connection will be a “Y” connection similar to Alternate #5. The “Y” connection will be located on the Jonesboro Subdivision which is a signalized track and the switch cost will be higher than standard switches. The drawback to this alternate is the power mainline switch costs. This alternate also will have five road crossings and two creek crossings. As a benefit, this alternate avoids the Commerce Drive expansion and opens up substantial acreage for possible Industrial Park expansion.

Of the four Union Pacific rail service options presented, two are somewhat more expensive than the others. However, the options for future growth with those two are substantially more. The City of Jonesboro could advertise multiple Super Sites that can be rail served by two class 1 railroads from the same track. There are currently only two Super Sites located in Arkansas that are rail served.

The last item this report covers is the track maintenance. Typically the maintenance cost has a direct correlation to the amount of cars (traffic) that travel the tracks. There are currently 110 cars per week entering into the Park. By Union Pacific standards, that would be considered heavy traffic loading. For heavy traffic facilities, the spacing for the crossties should be 19.5" center to center of each crosstie. A 7"x9"x8'6" industrial grade crosstie costs around \$50.00 per tie. Once the labor cost of replacing the crossties is included, tie replacement becomes the major cost in track maintenance programs. The current rail park contains approximately 31,700 feet of track from the Derail at the Burlington Northern Main to the end of the tracks at Trinity Rail Car. Based on 19.5" tie centers, there should be approximately 19,500 crossties in place on the City owned track portion. There are various opinions on how long a tie will remain serviceable. A quick internet search shows times ranging anywhere from 30 to 70 years. For the purpose of this report, the life cycle for wood crossties at this facility will be figured using a 50 year cycle. If 400 ties are changed per year during maintenance, then the ties would be on a 50 year cycle. The most critical part of extending a crosstie's life span is moisture control. If a wood crosstie can stay relatively dry with a good ballast rock section around the tie allowing proper drainage, then the ties will last longer. If a crosstie is submerged in mud and organics not allowing proper drainage, then the tie will not last long. The Jonesboro Lead has a good ballast rock section around the ties and overall appears to be in good shape. The existing track in the Jonesboro Lead is predominately in a straight alignment. Of the 31,700 feet of existing rail, only 5,010 feet are in a curved alignment. Rail located in curves will wear down quicker than rail located in straight track. Typically, the outside rail in a curve will wear down and need to be transposed or replaced over time. Rail wear is directly related to the amount of traffic and the sharpness of the curve radius of the track alignment.

The City is required by the Federal Railroad Administration to perform scheduled maintenance at each of the road crossings protection devices. This is currently being performed by the City on nine road crossings. If the Heath Road crossing is closed, then the crossings would be reduced to eight crossings. If any of the Union Pacific direct tie-ins are pursued, then the number of crossings under maintenance could increase significantly.

Currently, the City has about \$100,000.00 per year budgeted for the rail maintenance in the Industrial Park. Of that \$100,000.00, almost \$40,000.00 is used on inspections, lubrication of switches, and signal testing. The remaining is used on batteries for the signals, road crossing panels and general maintenance. On average the City is replacing around 200 ties per year. If the budget were increased to \$175,000.00 per year on average, then the City could replace an additional extra 450 ties per year and on occasion bring in a big tamping machine to line and tamp the existing track, which would help with the stability of the rail spur.

The City frequently has to perform additional maintenance on the first curve coming off the Burlington Northern mainline track. The existing curve has a fairly sharp radius and if the “Y” connection (Alt#4) gets installed, most of the traffic will be using the new north leg of the “Y”. If the City ever pursues one of the other Union Pacific rail connections, then the early maintenance work will have to increase. The first five to ten years should have minimal maintenance costs for crosstie and rail replacement, but after this initial period the amount of maintenance will likely increase from year to year.

In conclusion, our firm has the following recommendations. Number 1 is to have a double ended run-around track constructed in the Park. The track needs to be built so that the serving railroad is able to bring cars into the Park and run around the cars so that the cars can be switched into the existing facilities. Proposed Alternate No. 1 provides this improvement.

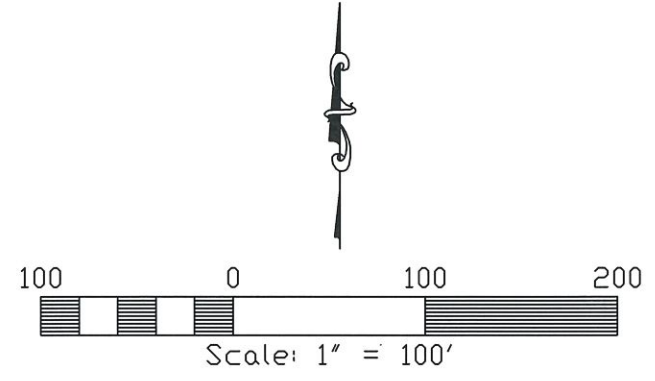
Number 2, our firm would recommend that the City meet with the personnel of Post Foods on trying to find a way to eliminate the traffic problems that occur on Commerce Drive when the railroad is serving the facility.

Number 3, our firm would suggest that the city meet with the Union Pacific to discuss the options of service in the Park. The City should ask the Union Pacific if the railroad would consider using one mainline switch for service and if the railroad would consider sharing in some of the cost. Our firm feels like the two northern connections would leave plenty of room for future expansion in the Industrial Park and that the Union Pacific might participate in the project for future growth.

Lastly, our firm would recommend that the maintenance budget be increased by \$75,000.00 per year to help keep up with the deteriorating ties. This increase would also help with periodic tamping of the rail. With the annual budget increased to \$175,000.00, the City would be spending \$5.50 per foot per year in the Industrial Park. If any of these alternates are constructed, the City needs to increase the annual budget by multiplying the new constructed footage by the \$5.50 per foot for the increase.

Alternate No. 1 – Storage Track at Heath Road

1. Min 112# Rail, Ties, Ballast, Subballast, Subgrade & Incidentals	4,757 @ 250.	\$1,189,250.00
2. 112# Min No. 11 Turnouts	2 EA @ 75,000.	\$ 150,000.00
3. Rail Bridge	80 LF @ 3,000.	\$ 240,000.00
4. Derail	2 EA @ 10,000.	<u>\$ 20,000.00</u>
Subtotal		\$1,599,250.00
15% Engineering		<u>\$ 239,750.00</u>
Total		\$1,839,000.00



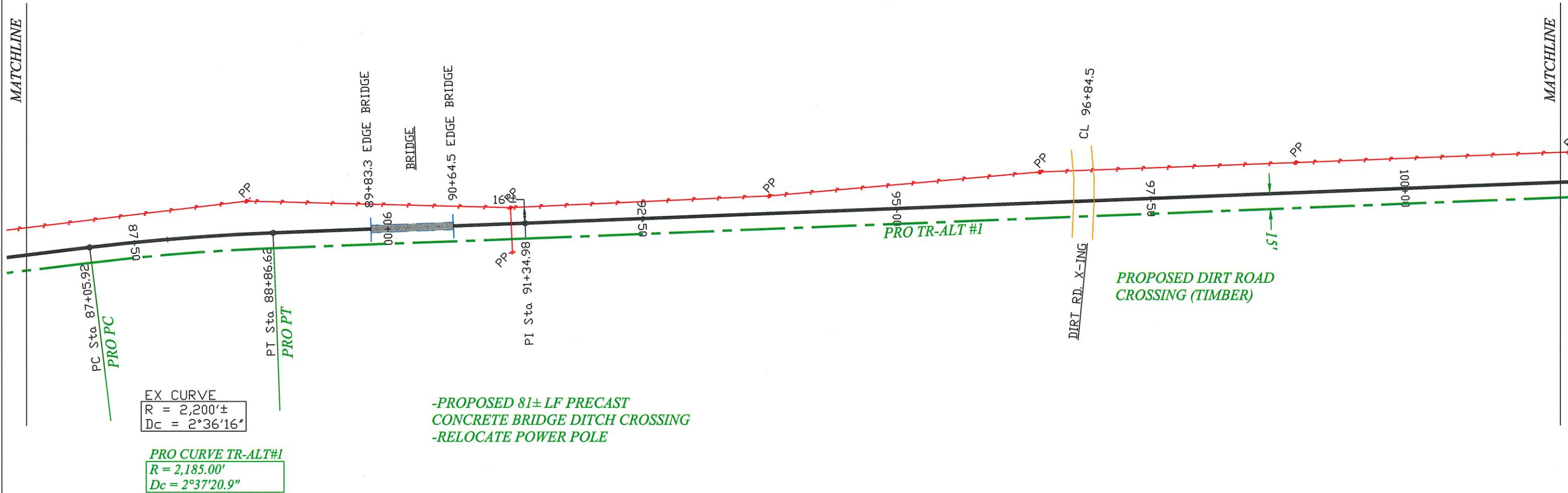
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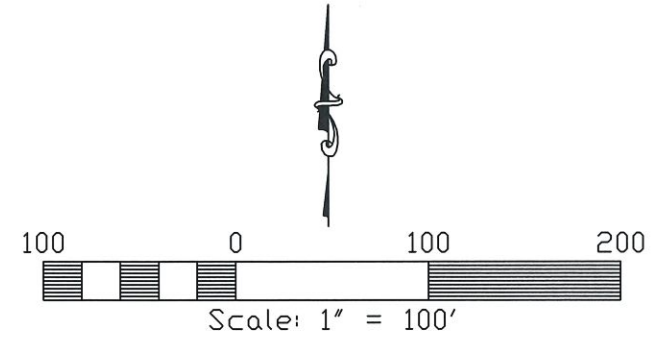
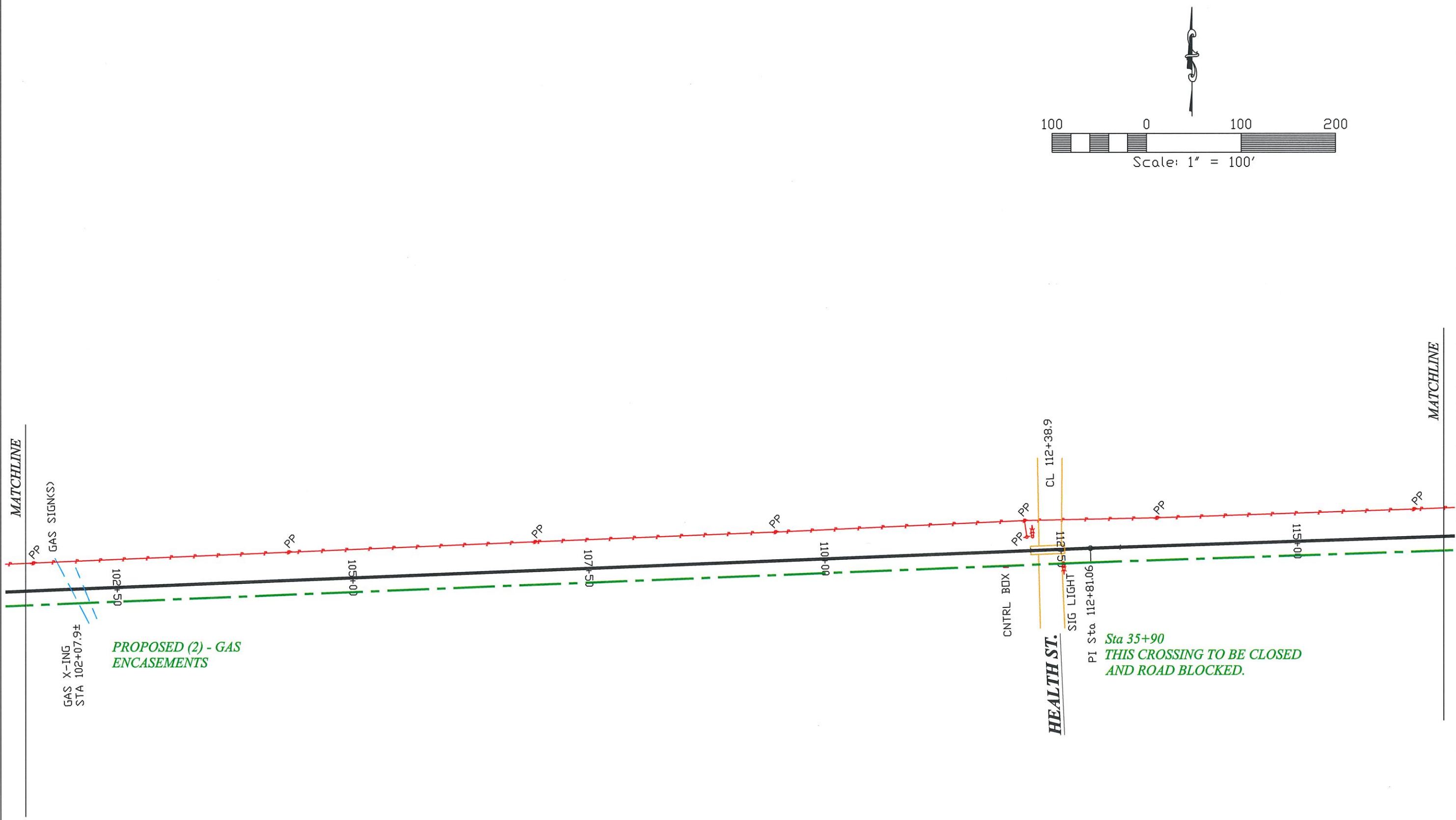
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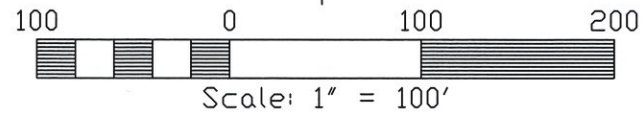
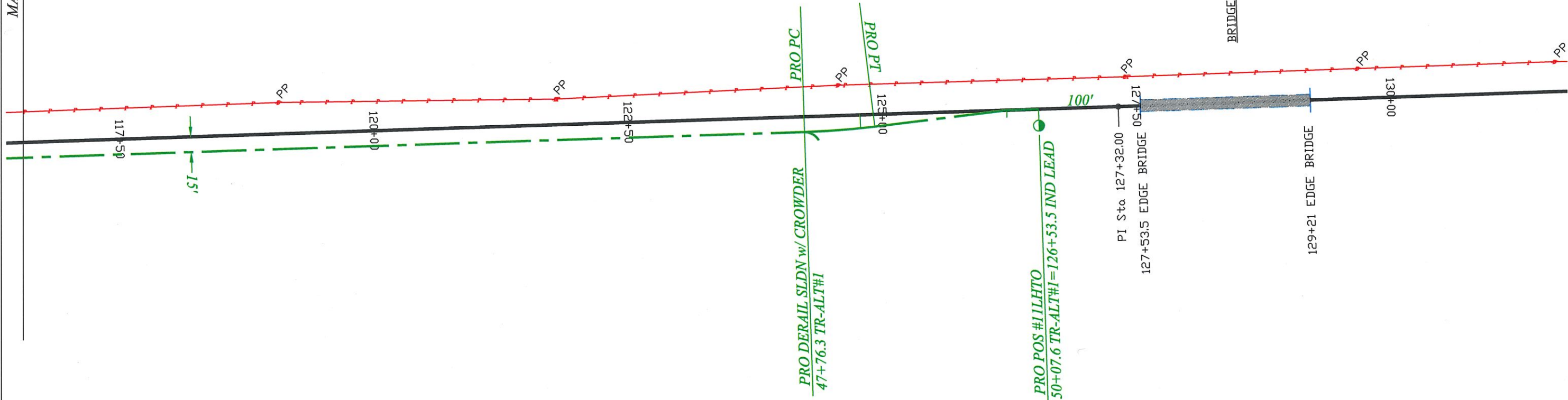


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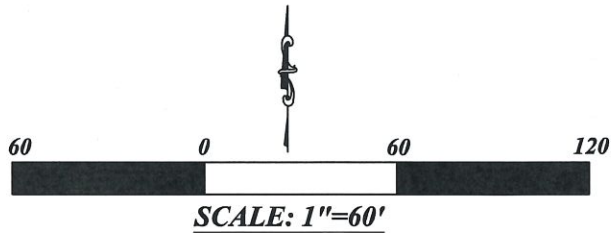
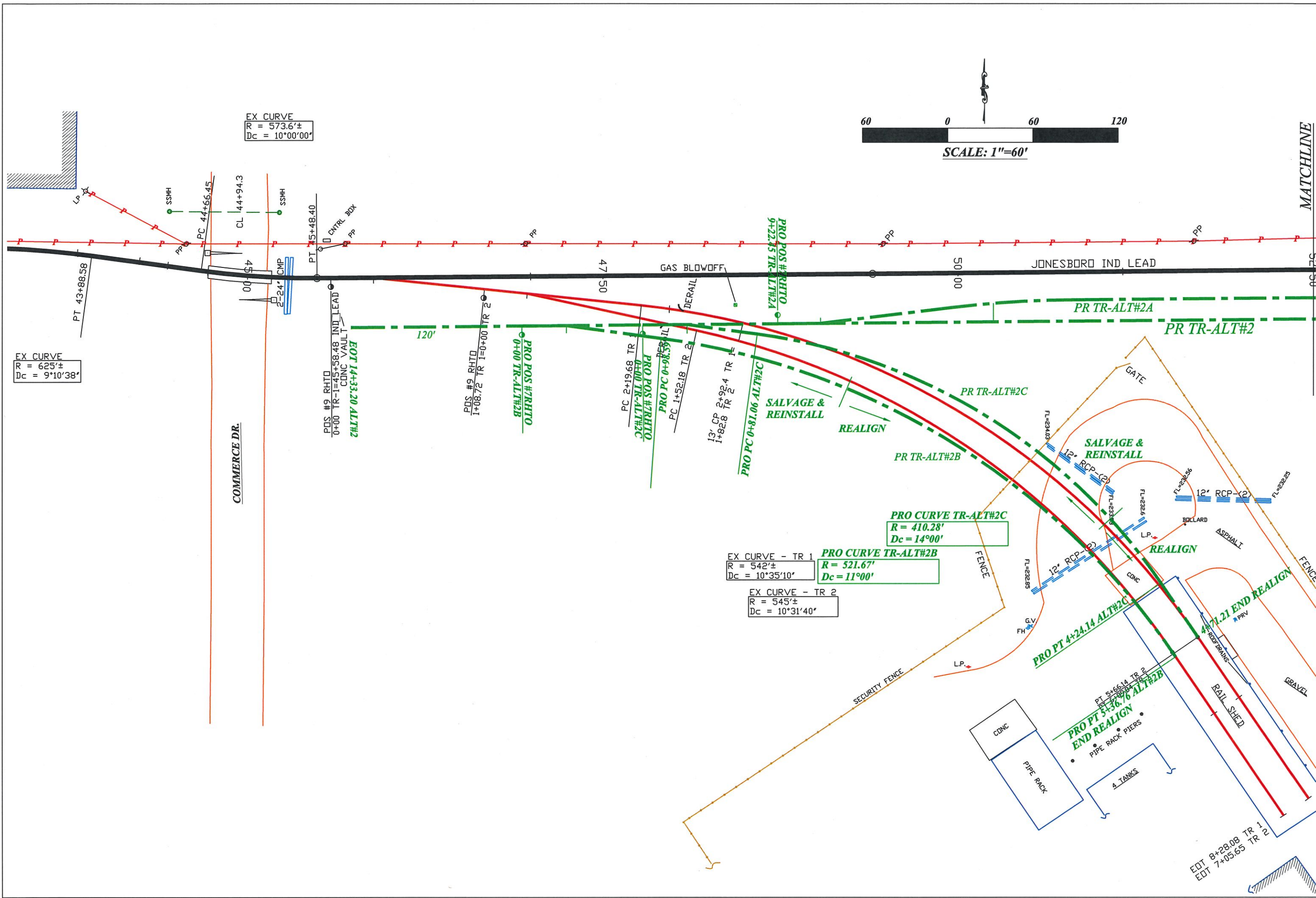
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Preliminary Rail Layout - Proposed Siding Track ALT #1

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Alternate No. 2 – East Switching for Post Foods

1. 112# Min Rail, Ties, Ballast, Subballast, Subgrade & Incidentals	1,610 @ 250.	\$402,500.00
2. Salvage & Reinstall Existing Track On New Road Bed	462 @ 150.	\$ 69,300.00
3. Realign Existing Track	400 @ 70.	\$ 28,000.00
4. Main Line Lead #11 Switch	1 @ 75,000.	\$ 75,000.00
5. #11 IG Switch	1 @ 60,000.	\$ 60,000.00
6. Salvage & Reinstall Existing No.9	1 @ 35,000.	\$ 35,000.00
7. #7 IG Switch	2 @ 45,000.	\$ 90,000.00
8. Derail	1 @ 10,000.	\$ 10,000.00
9. Dirt Bumper	1 @ 1,000.	<u>\$ 1,000.00</u>
Subtotal		\$770,800.00
15% Contingencies & Engineering		<u>\$115,600.00</u>
Total		\$886,400.00



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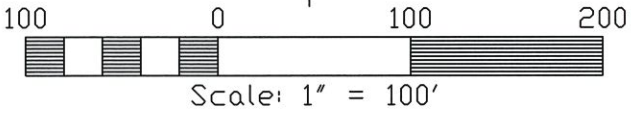
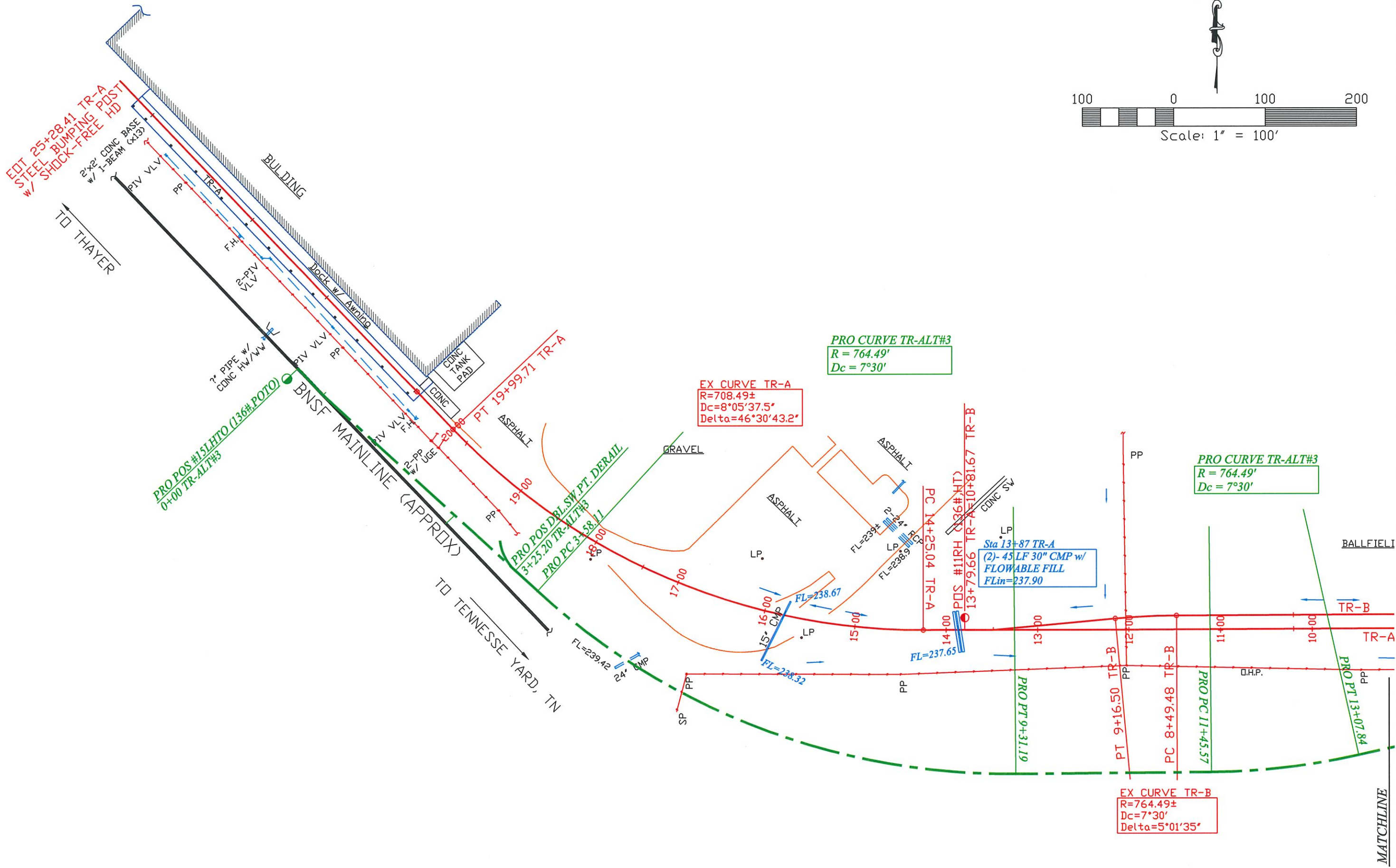
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CITY OF JONESBORO - Jonesboro, AR
Proposed Industrial Lead Rail Expansion
Preliminary Rail Layout - Proposed Track ALT #2

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Alternate No. 3 – North Leg of Y to BN Mainline

1. No. 15 Power Operated Switch and Power D-Rail (BN to build derail)	100% @ 1,200,000.	\$1,200,000.00
2. 112# Min Rail, Ties, Ballast, Subballast, Subgrade and Incidentals	1,659 @ 250.	\$ 414,750.00
3. No. 11 Main Lead Switch	1 EA @ 75,000.	<u>\$ 75,000.00</u>
Subtotal		\$1,689,750.00
15% Contingencies & Engineering		<u>\$ 253,450.00</u>
Total		<u>\$1,943,200.00</u>

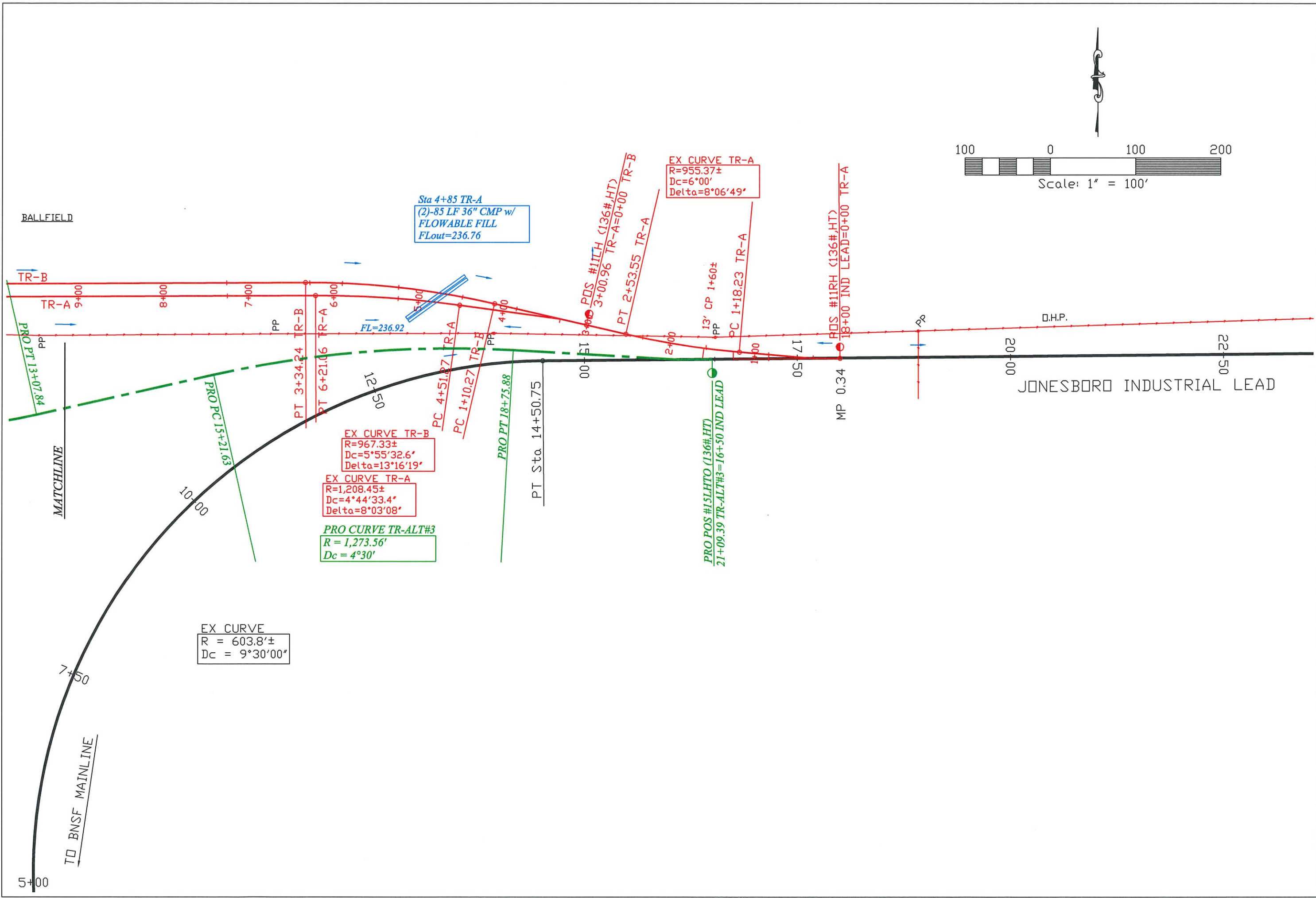


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CITY OF JONESBORO - Jonesboro, AR
 Proposed Industrial Lead Rail Expansion
 Preliminary Rail Layout - Proposed Track ALT #3

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REVISED ON:		
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CITY OF JONESBORO - Jonesboro, AR
Proposed Industrial Lead Rail Expansion
Preliminary Rail Layout - Proposed Track ALT #3

W. WILLIAM GRAHAM JR., INC.
CONSULTING ENGINEERS
LITTLE ROCK, ARKANSAS
Ph: (501)227-0078

DESIGNER	ges
CHECKER	rbg
DRAFTER	ccr
PROJECT	2018_02
SHEET	C8 8 OF 15

Alternate No. 4 – U.P. Connection Using Old Industry Track

1. No.11 Mainline Switch and Extra Panel (U.P. installed)	1 EA @ 225,000.	\$ 225,000.00
2. 112# Min Rail, Ties, Ballast, Subballast, Subgrade and Incidentals	12,969 @ 250.	\$3,242,250.00
3. Existing Rail to be Rehabilitated Including Bridge	2,800 @ 100.	\$ 280,000.00
4. No.11 Main Lead Switches	3 EA @ 75,000.	\$ 225,000.00
5. 80' Creek Crossing ±5+00 TK 4A	80 @ 3,000.	\$ 240,000.00
6. 40' Creek Crossing ±117+00 TK 4	40 @ 3,000.	\$ 120,000.00
7. Concrete Road Crossing Panels	160 LF @ 750.	\$ 120,000.00
8. Road Cross Protection		
a) Industrial Dr (gates & flashers)	100% @ 150,000.	\$ 150,000.00
b) Distributor Dr (gates & flashers)	100% @ 150,000.	\$ 150,000.00
c) Commerce Dr (gates & flashers)	100% @ 150,000.	\$ 150,000.00
d) Moore Rd (flasher only)	100% @ 120,000.	<u>\$ 120,000.00</u>
	Subtotal	\$5,022,250.00
	±12% Contingencies & Engineering	<u>\$ 602,750.00</u>
	Total	<u>\$5,625,000.00</u>



REVISED ON:
NO. DATE BY
xx XXX xx xxx

W. WILLIAM GRAHAM JR., INC.
CONSULTING ENGINEERS
LITTLE ROCK, ARKANSAS
Ph: (501)227-0078

CITY OF JONESBORO - Jonesboro, AR
Proposed Industrial Lead Rail Expansion
Preliminary Rail Layout - Proposed Track ALT #4

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PROJECT
2018_02
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9 OF 15

Alternate No. 5 – U.P. Connection on Wynne Subdivision North of E. Highland

1. 112# Min Rail, Ties, Ballast, Subballast Subgrade and Incidentals	35,946 @ 250.	\$ 8,986,500.00
2. No. 11 Mainline Switches (U.P.)	2 EA @ 225,000.	\$ 450,000.00
3. No. 11 Industrial Lead Switches	3 EA @ 75,000.	\$ 225,000.00
4. Concrete Road Crossing	520 LF @ 750.	\$ 390,000.00
5. Road Crossing Protection		
a) Kathleen St N. (flashers & gates)	1 EA @ 150,000.	\$ 150,000.00
b) Kathleen St S. (flashers & gates)	1 EA @ 150,000.	\$ 150,000.00
c) Rodger Chapel Rd (flashers & gates)	1 EA @ 150,000.	\$ 150,000.00
d) Little Bay Rd (flashers only)	1 EA @ 120,000.	\$ 120,000.00
e) Grisham Rd (flashers only)	1 EA @ 120,000.	\$ 120,000.00
f) Gulley Rd (flashers only)	1 EA @ 120,000.	\$ 120,000.00
g) East Highland (gates, flashers & cantilevers)	1 EA @ 200,000.	\$ 200,000.00
h) Frito Lay Rd (flashers & gates)	1 EA @ 150,000.	\$ 150,000.00
6. Murry Creek Ditch Cross ±17+00 ±40	40' @ 3,000.	\$ 120,000.00
7. Ditch Crossing ±121+00 ±30	30' @ 3,000.	\$ 90,000.00
8. Ditch Crossing ±124+00 ±20	20' @ 3,000.	\$ 60,000.00
9. Ditch Crossing ±206+00 ±20	20' @ 3,000.	<u>\$ 60,000.00</u>
	Subtotal	\$11,541,500.00
	±10% Contingencies & Engineering	<u>\$ 1,154,000.00</u>
	Total	\$12,695,500.00



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W. WILLIAM GRAHAM JR., INC.
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Ph: (501)227-0078

CITY OF JONESBORO - Jonesboro, AR
Proposed Industrial Lead Rail Expansion
Preliminary Rail Layout - Proposed Track ALT #5

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PROJECT 2018_02
SHEET C10 10 OF 15



REVISED ON:		
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W. WILLIAM GRAHAM JR., INC.
CONSULTING ENGINEERS
LITTLE ROCK, ARKANSAS
Ph: (501)227-0078

CITY OF JONESBORO - Jonesboro, AR
Proposed Industrial Lead Rail Expansion
Preliminary Rail Layout - Proposed Track ALT #5

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W. WILLIAM GRAHAM JR., INC.
CONSULTING ENGINEERS
LITTLE ROCK, ARKANSAS
Ph: (501)227-0078

CITY OF JONESBORO - Jonesboro, AR
Proposed Industrial Lead Rail Expansion
Preliminary Rail Layout - Proposed Track ALT #5

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PROJECT 2018_02
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12 OF 15

Alternate No. 6 – U.P. Connection on Jonesboro Subdivision North of E. Highland

1. 112# Min Rail, Ties, Ballast, Subballast, Subgrade & Incidentals	36,299 @ 250.	\$ 9,074,750.00
2. No. 15 Power Operated Switch & Drail	2 EA @ 1,200,000.	\$ 2,400,000.00
3. No. 11 Industrial Lead Switches	3 EA @ 75,000.	\$ 225,000.00
4. Concrete Road Crossings	248 @ 750.	\$ 186,000.00
5. Road Crossing Protection		
a) Brookland Lester (flashers) (County Rd 928)	1 EA @ 120,000.	\$ 120,000.00
b) Farville Rd (flashers)	1 EA @ 120,000.	\$ 120,000.00
c) Prospect Rd (flashers)	1 EA @ 120,000.	\$ 120,000.00
d) River Rd (flashers)	1 EA @ 120,000.	\$ 120,000.00
e) East Highland (flashers, gates & cantilevers)	1 EA @ 200,000.	\$ 200,000.00
f) Frito Lay Rd (flashers & gates)	1 EA @ 150,000.	\$ 150,000.00
6. Ditch Crossing ±47+00 TK 6 50'	50 @ 3,000.	\$ 150,000.00
7. Ditch Crossing ±185+00 TK 6 30'	30 @ 3,000.	<u>\$ 90,000.00</u>
	Subtotal	\$12,955,750.00
	±10% Contingencies & Engineering	<u>\$ 1,295,250.00</u>
	Total	\$14,251,000.00



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NO.	DATE	BY
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W. WILLIAM GRAHAM JR., INC.
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Ph: (501)227-0078

CITY OF JONESBORO - Jonesboro, AR
Proposed Industrial Lead Rail Expansion
Preliminary Rail Layout - Proposed Track ALT #6

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PROJECT 2018_02
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W. WILLIAM GRAHAM JR., INC.
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Ph: (501)227-0078

CITY OF JONESBORO - Jonesboro, AR
Proposed Industrial Lead Rail Expansion
Preliminary Rail Layout - Proposed Track ALT #6

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PROJECT 2018_02
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REVISED ON:
NO. DATE BY
xx XXX xx xxx

W. WILLIAM GRAHAM JR., INC.
CONSULTING ENGINEERS
LITTLE ROCK, ARKANSAS
Ph: (501)227-0078

CITY OF JONESBORO - Jonesboro, AR
Proposed Industrial Lead Rail Expansion
Preliminary Rail Layout - Proposed Track ALT #6

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15 OF 15



Legislation Details (With Text)

File #:	RES-18:140	Version:	1	Name:	TO APPROVE CHANGE ORDER NO. 1 FOR THE SOUTHSIDE CONCESSION BUILDING
Type:	Resolution	Status:			Recommended to Council
File created:	8/28/2018	In control:			Finance & Administration Council Committee
On agenda:		Final action:			
Title:	A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO APPROVE CHANGE ORDER NO. 1 FOR THE SOUTHSIDE CONCESSION BUILDING				
Sponsors:	Engineering, Parks & Recreation				
Indexes:					
Code sections:					
Attachments:	Change Order - 1				

Date	Ver.	Action By	Action	Result
8/28/2018	1	Finance & Administration Council Committee		

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO APPROVE CHANGE ORDER NO. 1 FOR THE SOUTHSIDE CONCESSION BUILDING

WHEREAS, the City of Jonesboro entered into a contract for the construction of the Southside Concession Building with Bailey Contractors, Inc.

WHEREAS, the City of Jonesboro desires to change the project with Change Order No. 1 as attached increasing the contract amount by \$129,288.02

WHEREAS, funding for the execution of the change order shall come from the Capital Improvement budget and the A & P Commission and compensation shall be paid in accordance with the contract documents.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT:

Section 1: That the City of Jonesboro hereby accepts Change Order No. 1 in the amount of \$129,288.02 from Bailey Contractors, Inc.

Section 2: Funding for the execution of the change order shall come from the Capital Improvement budget and the A & P Commission and compensation shall be paid in accordance with the contract documents.

Section 3: The Mayor and City Clerk are hereby authorized by the City Council for the City of Jonesboro to accept this Change Order and direct the Purchasing Agent to increase the Purchase Order amount.

CITY OF JONESBORO		P.O. BOX 1845 JONESBORO, AR 72403		CHANGE ORDER NO. 1				
PO NUMBER 46596		DATE PREPARED 8/28/2018		PROJECT NAME Southside Concession Building				
NAME AND ADDRESS OF CONTRACTOR Bailey Contractors, Inc. 2307 Congress cove, Jonesboro, AR 72401								
DESCRIPTION OF WORK INCLUDED IN CONTRACT A. Remove old asphalt walkway and replace with concrete walkway B. Back Stop Netting System for field C. Contract price increased D. E.								
CHANGES ORDERED AND REASON ORDERED (List Individual Changes as A, B, C, D, etc.) A. Add walkway removal and replacement B. Add Back Stop Netting System C. Increase bond to accommodate higher contract amount D. E.								
	Bid Item No.	Unit	Current Estimated Quantity	Contract Unit Price	Revised Estimated Quantity	Negotiated C.O. Unit Price	Current Estimated Cost	Revised Estimated Cost
A.	24	LS	0	\$ -	1	\$ 49,335.55	\$ -	\$ 49,335.55
B.	25	LS	0	\$ -	1	\$ 78,387.01	\$ -	\$ 78,387.01
C.	26	LS	0	\$ -	1	\$ 1,565.46	\$ -	\$ 1,565.46
D.							\$ -	\$ -
E.							\$ -	\$ -
TOTAL							\$ -	\$ 129,288.02
Original Contract Amount					\$ 578,000.00			
Previously Approved Change Orders					\$ -			
This Change Order					\$ 129,288.02			
New Contract Amount					\$ 707,288.02			
Contract time increased by					days. New contract		days.	
THIS AGREEMENT SUBJECT TO ALL ORIGINAL CONTRACT PROVISIONS								
ISSUED FOR REASONS INDICATED ABOVE								
				Signature		Title		Date
ACCEPTED BY CONTRACTOR								
				Signature		Title		Date
ACCEPTED BY OWNER								
				Signature		Title		Date

Southside CO #1 Site Improvements

Cost Code	Item Description	Item Quantity	Item Unit	Unit Mtl.	Total Mtl.	Unit Labor	Total Labor	Unit Subs	Total Subs	Division Totals	Grand Totals
	Saw cutting	850	lf	\$1.00	\$850.00	\$1.00	\$850.00				
	Asphalt Demolition	7,060	sf	\$0.00	\$0.00	\$0.75	\$5,295.00			\$25,568.25	Material
	5" Concrete Paving	7,060	sf	\$3.00	\$21,180.00	\$1.50	\$10,590.00			\$18,715.00	Labor
	Expansion Joint and Caulking	1,320	lf	\$1.00	\$1,320.00	\$1.50	\$1,980.00				
	Back Stop netting system	1	ls					Dacus Fence	\$69,988.40	\$69,988.40	Sub&Other
					Material		Labor		Subs	Totals	Totals

	\$23,350.00	\$18,715.00	\$69,988.40	\$114,271.65	\$114,271.65
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Sub-Total	\$112,053.40		
Sales Tax	<u>\$1,984.75</u>	8.50%	Tax
Sub-Total	\$114,038.00		
Overhead & Profit	<u>\$13,684.56</u>	12.00%	
Sub-Total	\$127,722.56		
Bond	\$1,565.46		
Builder's Risk	\$0.00		
OCP Insurance	<u>\$0.00</u>		
	\$129,288.02		



Legislation Details (With Text)

File #:	ORD-18:052	Version:	1	Name:	REPEALING ORDINANCE 11:083 AND ADOPTING BY REFERENCE CHAPTER 66 SECTION 5 ENTITLED SPECIAL EVENT PERMIT, FOR THE REGULATION OF SPECIAL EVENTS AND STREET CLOSINGS
Type:	Ordinance	Status:			First Reading
File created:	8/6/2018	In control:			Public Safety Council Committee
On agenda:		Final action:			
Title:	AN ORDINANCE REPEALING ORDINANCE 11:083 AND ADOPTING BY REFERENCE CHAPTER 66 SECTION 5 ENTITLED SPECIAL EVENT PERMIT, FOR THE REGULATION OF SPECIAL EVENTS AND STREET CLOSINGS IN THE CITY OF JONESBORO, ARKANSAS				
Sponsors:	Police Department				
Indexes:					
Code sections:	Chapter 66 - Traffic & Vehicles				
Attachments:	Special Event Permit Ordinance.pdf Special Event Permit.pdf				

Date	Ver.	Action By	Action	Result
8/21/2018	1	Public Safety Council Committee		

AN ORDINANCE REPEALING ORDINANCE 11:083 AND ADOPTING BY REFERENCE CHAPTER 66 SECTION 5 ENTITLED SPECIAL EVENT PERMIT, FOR THE REGULATION OF SPECIAL EVENTS AND STREET CLOSINGS IN THE CITY OF JONESBORO, ARKANSAS

WHEREAS, pursuant to ACA 14-55-207, public notice was given of the City's intent to repeal ordinance 11:083 and to adopt Chapter 66 Section 5 entitled Special Event Permit by reference, and advised that three (3) copies of the document were on file and available for public review and examination in the Office of the City Clerk; and

WHEREAS, all comments, views, suggestions and recommendations have been considered and addressed,

WHEREAS, the City of Jonesboro previously adopted Ordinance 11:083 entitled Special Event Assembly Permit on December 6, 2011,

WHEREAS, the City of Jonesboro desires to repeal said Ordinance and adopt by reference Chapter 66 Section 5 entitled Special Events Permit,

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS THAT:

1. That Ordinance 11:083 is hereby repealed.
2. That Chapter 66-5 entitled Special Event Permit, which is attached hereto, is hereby adopted by reference and shall become a part of the Jonesboro Municipal Code.
3. All other ordinances and/or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

AN ORDINANCE REPEALING ORDINANCE 11:083 AND ADOPTING BY REFERENCE CHAPTER 66 SECTION 5 ENTITLED SPECIAL EVENT PERMIT, FOR THE REGULATION OF SPECIAL EVENTS AND STREET CLOSINGS IN THE CITY OF JONESBORO, ARKANSAS

WHEREAS, pursuant to ACA 14-55-207, public notice was given of the City's intent to repeal ordinance 11:083 and to adopt Chapter 66 Section 5 entitled Special Event Permit by reference, and advised that three (3) copies of the document were on file and available for public review and examination in the Office of the City Clerk; and

WHEREAS, all comments, views, suggestions and recommendations have been considered and addressed,

WHEREAS, the City of Jonesboro previously adopted Ordinance 11:083 entitled Special Event Assembly Permit on December 6, 2011,

WHEREAS, the City of Jonesboro desires to repeal said Ordinance and adopt by reference Chapter 66 Section 5 entitled Special Events Permit,

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS THAT:

1. That Ordinance 11:083 is hereby repealed.
2. That Chapter 66-5 entitled Special Event Permit, which is attached hereto, is hereby adopted by reference and shall become a part of the Jonesboro Municipal Code.
3. All other ordinances and/or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

PASSED AND ADOPTED this __ day of _____, 2018.

SPECIAL EVENT PERMIT

Sections:

[Sec. 1 - Definitions.](#)
[Sec. 2 - Permit required.](#)
[Sec. 3 - Exceptions.](#)
[Sec. 4 - Application for permit.](#)
[Sec. 5 - Police protection.](#)
[Sec. 6 - Standards for issuance.](#)
[Sec. 7 - Nondiscrimination.](#)
[Sec. 8 - Notice of denial of application.](#)
[Sec. 9 - Alternative permit.](#)
[Sec. 10 - Appeal procedure.](#)
[Sec. 11 - Notice to city and other officials.](#)
[Sec. 12 - Contents of permit.](#)
[Sec. 13 - Duties of permittee.](#)
[Sec. 14 - Prohibitions.](#)
[Sec. 15 - Public conduct during parades or special events.](#)
[Sec. 16 - Revocation of permit.](#)

Sec. 1 - Definitions.

As used in this chapter:

"City" is the city of Jonesboro, Arkansas.

"Chief of Police" is the chief of police for the city or his or her designee.

"City Collector" is the office responsible for collecting any monies owed for barricades for special events.

"Special Event " is any march, demonstration, walk, run, bike ride/race, procession or motorcade consisting of persons, animals, or vehicles or a combination thereof upon the streets, or within the parks within the city with an intent of attracting public attention that substantially interferes with the normal flow or regulation of traffic upon the streets, and/or public parks "Special Event Permit" is a permit as required by this chapter.

The "City Collector" "Police Department" is the office or department responsible for the issuance of any and all permits required under this chapter.

"Person" is any person, firm, partnership, association, corporation, company or organization of any kind.

"Sidewalk" is any area or way set aside or open to the general public for purposes of pedestrian traffic, whether or not it is paved.

"Street" is any place or way set aside or open to the general public for purposes of vehicular traffic, including any berm or shoulder parkway, right-of-way, or median strip thereof.

Sec. 2 - Permit required.

No person shall engage in or conduct any Special Event unless a permit is issued by the city collector's office Police Department.

Sec. 3 - Exceptions.

This chapter shall not apply to the following:

- A. Funeral processions/proceeding by vehicle under the most reasonable route from the funeral home, church or residence of the deceased to the place of interment;
- B. Students going to and from school classes or participating in educational activities, provided that such conduct is under the immediate direction and supervision of the proper school authorities;
- C. A governmental agency acting within the scope of its functions;
- D. Reserved
- E. Private gatherings, affairs or activities on private property that may inadvertently interfere with the normal flow or regulation of traffic upon the public streets.
- F. Peaceful and Non-Violent Political Speeches, Gatherings, Rallies or protest conducted in a manner so as not to disturb the peace, prevent other parties from the free exercise of their free speech and/or rights to access public properties and the conduct of which does not block the streets and/or roadways in such a manner as to adversely affect the free passage and transport of others.

Sec. 4 - Application for permit.

A. A person seeking a Special Event Permit shall file an application with the ~~city collector's office~~ Police Department on forms provided by such office and the application shall be signed by the applicant under oath. The application shall be filed with the Police Department at least forty-five (45) business days and not more than one hundred eighty (180) days before the Special Event is proposed to commence.

~~B. For Special Events, an application for a permit shall be filed with the collector's office at least forty-five (45) business days and not more than one hundred eighty (180) days before the Special Event is proposed to commence.~~

B. ~~C.~~ The application for a Special Event permit shall set forth the following information:

1. The name, address, and telephone number of the person, group of persons, firm, partnership, association, company or organization seeking to conduct such Special Event;
2. The requested date of the Special Event;
3. The route to be traveled, including the starting point and the termination point;
4. The approximate number of persons who, and animals and vehicles which, will constitute such Special Event and the type of animals and description of the vehicles;
5. The hours when such Special Event will start and terminate;
6. A statement as to whether the Special Event will occupy all or only a portion of the width of the streets proposed to be traversed;
7. The approximate number of participants (spectators are by definition not participants);
8. The approximate number of spectators;
9. A designation of any public facilities or equipment to be utilized; and

Sec. 5 - Police Protection.

The Chief of Police or his designee shall determine whether and to what extent additional police protection is reasonably necessary for the Special Event for traffic control and public safety. The Chief of Police or his designee shall base this decision on the size, location, duration, time and date of the event, the number of streets and intersections blocked, and the need to detour or preempt citizen travel and use of the streets and sidewalks. If possible, without disruption of ordinary police services or compromise of public safety, regularly scheduled on-duty personnel may police the event. If additional police protection for the special event is deemed necessary by the Chief of Police or his designee, he or she shall so inform the applicant for the permit. The applicant then shall have the

duty to secure the police protection deemed necessary by the Chief of Police or his designee at the sole expense of the applicant.

Sec.6 - Standards for issuance.

A. The Chief of Police or his designee, after consultation, shall approve ~~or deny~~ a permit as provided for herein when, from a consideration of application and from such other information as may otherwise be obtained, it finds that:

1. The conduct of the Special Event will not substantially interrupt the safe and orderly movement of other pedestrian or vehicular traffic contiguous to its route or location;
2. The conduct of the Special Event will not require the diversion of so great a number of city police officers to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection of the city;
3. The concentration of persons, animals, and vehicles at public assembly points of the Special Event will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to such public assembly areas;
4. The conduct of the Special Event is not reasonably likely to cause injury to persons or property;
5. The Special Event is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route;
6. Adequate sanitation and other required health facilities are or will be made available in or adjacent to any public assembly areas;
7. There are sufficient parking places near the site of the Special Event to accommodate the number of vehicles reasonably expected;
8. The applicant has secured the police protection, if any, required under subsection (A)(6) of this section;
9. Such Special Event is not for the primary purpose of advertising any product, goods, or event that is primarily for private profit, and the parade itself is not primarily for profit. The prohibition against advertising any product, goods or event shall not apply to signs identifying organizations or sponsors furnishing or sponsoring exhibits or structures used in the parade;
10. No Special Event permit application for the same time and location is already granted or has been received and will be granted;
11. No Special Event permit application for the same time but not location is already granted or has been received and will be granted, and the police resources required for that prior Special Event are so great that in combination with the subsequent proposed application, the resulting deployment of police services would have an immediate and adverse effect upon the welfare and safety of persons and property; and
12. No event is scheduled elsewhere in the city where the police resources required for that event are so great that the deployment of police services for the proposed Special Event would have an immediate and adverse effect upon the welfare and safety of persons and property.

B. No permit shall be granted that allows for the erection or placement of any structure, whether permanent or temporary, on a city street, sidewalk or right-of-way unless advance approval for the erection or placement of the structure is obtained.

Sec.7 - Nondiscrimination.

The police department, after consultation with the Chief of Police or his designee City of Jonesboro shall uniformly consider each application upon its merits and shall not discriminate in granting or denying permits under this chapter based upon political, religious, ethnic, race, disability, sexual orientation or gender-related grounds.

Sec.8 - Notice of denial of application.

The police department shall act promptly upon a timely filed application for a Special Event permit. If the police department, after consultation with the Chief of Police or his designee, disapproves the application, it shall notify the applicant either by telephone, facsimile, personal delivery or certified mail prior to the event and state the reasons for the denial.

Sec. 9 - Alternative permit.

A. The police department, after consultation with the Chief of Police or his designee, in denying an application for a Special Event permit, may authorize the conduct of the Special Event at a date, time, location or route different from that named by the applicant. An applicant desiring to accept an alternate permit shall, within forty-eight (48) hours after notice of the changes to the permit, file a written notice of acceptance with the collector's office Police Department.

B. An alternate Special Event permit shall conform to the requirements of, and shall have the effect of, Special Event permits issued under this chapter.

Sec. 10 - Appeal procedure.

Any applicant shall have the right to appeal the denial by the Chief of Police of a Special Event permit to the Mayor and a denial by the Mayor to the Craighead County Circuit Court.

Sec.11 - Notice to city and other officials.

Immediately upon the issuance of a Special Event permit, the collector's office Police Department shall send a copy thereof to the following:

- A. The mayor;
- B. The city attorney;
- C. The chief of police;
- D. The fire chief;
- E. The JETS director;
- F. The Street Department director; and
- G. The Sanitation Department director; and
- H. Parks Director.

Sec.12 - Contents of permit.

Each Special Event Assembly permit shall state the following information:

- A. Starting and approximate ending time;
- B. The portions of the streets that may be occupied by the Special Event;
- C. The maximum length of the parade in miles or fractions thereof; and

D. Such other information as either the city collector or the Chief of Police or his designee shall find necessary to the enforcement of this chapter.

Sec.13 - Duties of permittee.

A. A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances.

1. If Street Department deems necessary or if permittee requests barricades, all barricades must be paid for through the collector's office.

B. The Special Event chairperson or other person heading such activity shall carry the Special Event permit upon his or her person during the conduct of the Special Event Assembly.

Sec.14 - Prohibitions.

The following prohibitions shall apply to all Special Events:

A. It is unlawful for any person to stage, present or conduct any Special Event without first having obtained a permit as herein provided;

B. It is unlawful for any person to participate in a Special Event for which the person knows a permit has not been granted;

C. It is unlawful for any person in charge of, or responsible for the conduct of, a duly licensed Special Event to knowingly fail to comply with any condition of the permit;

D. It is unlawful for any person to engage in any Special Event activity that would constitute a substantial hazard to the public health, safety or welfare, or that would materially interfere with or endanger the public peace or rights of residents to the quiet and peaceful enjoyment of their property;

E. It is unlawful for any person to ride, drive or cause to be ridden or driven any animal or any animal drawn vehicle upon any public street, unless specifically authorized by the permit; and

F. Violation of this chapter shall be punishable by fines and costs of no less than \$200.00 nor greater than \$500.00.

Sec. 15 - Public conduct during parades or special events.

A. No person shall unreasonably hamper, obstruct or impede, or interfere with any Special Event or with any person, vehicle or animal participating or used in a Special Event.

B. No driver of a vehicle shall drive between the vehicles or persons comprising a Special Event when such vehicles or persons are in motion and are conspicuously designated as a Special Event.

The chief of police shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a street constituting a part of the route of a Special Event. The Chief of Police or his designee shall post signs to that effect, and it is unlawful for any person to park or leave unattended any vehicle in violation thereof. No person shall be liable for parking on a street unposted in violation of this chapter.

Sec.16 - Revocation of permit.

The Chief of Police or his designee shall have the authority to revoke a Special Event permit instantly upon violation of the conditions or standards for issuance as set forth in this chapter or when a public emergency arises where the police resources required for that emergency are so great that deployment of police services for the Special Event would have an immediate and adverse effect upon the welfare and safety of persons or property.



Legislation Details (With Text)

File #:	ORD-18:055	Version:	1	Name:	AMEND THE USE OF THE "PARKING METER BOND FUND" AS ESTABLISHED IN ORDINANCE 59:1736 AND TO ABOLISH THE "JONESBORO PARKING AUTHORITY" ESTABLISHED IN THIS SAME ORDINANCE
Type:	Ordinance	Status:			First Reading
File created:	8/16/2018	In control:			Public Safety Council Committee
On agenda:		Final action:			
Title:	AN ORDINANCE TO AMEND THE USE OF THE "PARKING METER BOND FUND" AS ESTABLISHED IN ORDINANCE 59:1736 AND TO ABOLISH THE "JONESBORO PARKING AUTHORITY" ESTABLISHED IN THIS SAME ORDINANCE				
Sponsors:	Mayor's Office				
Indexes:	Board/Commission, Parking & Traffic				
Code sections:					
Attachments:	Parking Authority Minutes 8 15 2018				

Date	Ver.	Action By	Action	Result
8/21/2018	1	Public Safety Council Committee		

AN ORDINANCE TO AMEND THE USE OF THE "PARKING METER BOND FUND" AS ESTABLISHED IN ORDINANCE 59:1736 AND TO ABOLISH THE "JONESBORO PARKING AUTHORITY" ESTABLISHED IN THIS SAME ORDINANCE

WHEREAS, Ordinance 59:1736 established the "Jonesboro Parking Authority" to make studies, public presentations and present a master plan for Automobile Parking Facilities and this same Ordinance established "Parking Meter Bond Fund" to receive monies from parking meters and parking fines and leased parking to be used for enforcement of downtown parking and payment of bonds issued for the acquisition of properties and construction of parking facilities; and,

WHEREAS, the bonds for these parking facilities have long been paid and there are no more parking meters the Downtown Improvement District of the City of Jonesboro; and,

WHEREAS, there are needs for improved lighting in downtown Jonesboro.

NOW, THEREFORE, be it ordained by the City Council of the City of Jonesboro, Arkansas:

SECTION 1: Monies in the "Parking Meter Bond Fund" will be transferred to the General Fund for improvements to on-street lighting and decorative lighting in downtown Jonesboro.

SECTION 2: The "Parking Meter Bond Fund" will continue to receive revenues from downtown parking citations and leased parking.

SECTION 3: The "Jonesboro Parking Authority" as established in Ordinance 59:1736 is hereby abolished.

8/15/2018

Downtown Parking Authority Meeting Minutes

Members Present:

Ted Herget
Clay Young
Mike Ebbert

Members not in attendance:

Kevin Orr
Ben Owens

Others present (non-members)

Mayor Harold Perrin
Bill Campbell
Mark Nichols
Rick Elliot
Bill Reznicek (served as Secretary for this meeting)

Meeting called to order by Ted Herget.

Mayor Perrin outlined a proposal for lighting of downtown parking lots and Main Street decorative lighting with CWL in-kind contributions.

Bill Reznicek presented current balance in the Downtown Parking Authority fund in the amount of \$130,275.33.

Clay Young made a motion to amend the charter of the Parking Authority to include improvements to onstreet lighting and decorative lighting. Mike Ebbert second the motion, motion carried unanimously.

Ted Herget made a motion to release the current balance in the Parking Authority fund in the amount of \$130,275.33 to be used by the City of Jonesboro for the lighting project as outlined and presented by Mayor Perrin and Mark Nichols. Mike Ebbert seconded the motion, motion passed unanimously.

Ted Herget made a motion to dissolve the Downtown Parking Authority effective immediately, Clay Young seconded the motion, motion passed unanimously.

Meeting was adjourned.



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Legislation Details (With Text)

File #:	ORD-18:056	Version:	1	Name:	REZONING FROM I-2, DOWNTOWN FRINGE COMMERCIAL DISTRICT TO C-3, DOWNTOWN CORE DISTRICT FOR PROPERTY LOCATED AT 103 GEE STREET AS REQUESTED BY JASON JACKSON
Type:	Ordinance	Status:			First Reading
File created:	8/16/2018	In control:			City Council
On agenda:		Final action:			
Title:	AN ORDINANCE TO AMEND CHAPTER 117, ARTICLE III, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS, PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM I-2, DOWNTOWN FRINGE COMMERCIAL DISTRICT TO C-3, DOWNTOWN CORE DISTRICT FOR PROPERTY LOCATED AT 103 GEE STREET AS REQUESTED BY JASON JACKSON				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Application.pdf Questions with Answers.pdf Staff Summary.pdf AN ORDINANCE TO AMEND CHAPTER 117.pdf Rezoning Plat.pdf				

Date	Ver.	Action By	Action	Result
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AN ORDINANCE TO AMEND CHAPTER 117, ARTICLE III, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS, PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM I-2, DOWNTOWN FRINGE COMMERCIAL DISTRICT TO C-3, DOWNTOWN CORE DISTRICT FOR PROPERTY LOCATED AT 103 GEE STREET AS REQUESTED BY JASON JACKSON

BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas:

SECTION 1. Chapter 117, Article III, known as the Zoning Ordinance of the City of Jonesboro, Arkansas be amended as recommended by the Metropolitan Area Planning Commission by the changes in zoning classification as follows:

FROM: I-2, Downtown Fringe Commercial District

TO: C-3, Downtown Core District

For the land described as follows:

LEGAL DESCRIPTION:

A parcel of land located in the west half of section 13, township 14 north, range 3 east in Craighead County, AR being more particularly follows; commencing at the center of section 13, township 14 north, range 3 east, thence south along the north south center line of section 13, a distance of 104.48 feet to a point being, 50 feet, northerly from the center line of St. Louis Southwestern Railway Co. main track, measured at right angles there to; thence S83°22'W along the line 50 feet northerly from a parallel to the centerline of St. Louis Southwestern Railway Company's main track, a distance of 1,330.70 feet to the point of beginning proper, thence continue S83°22'W along a line 50 feet northerly from and parallel to the center line of St. Louis Southwestern Railway main track, a distance of 894.67 feet to a point; thence N46°50'E a distance 1,372.92 feet to a point; thence S00°54'W a distance of 667.95 feet to a point; thence N89°06'W a distance of 20 feet to a point; thence S00°54'W a distance of 130.5 feet to a point; N89°06'W a distance of 79.70 feet to a point thence S00°54'W a distance of 30 feet to the point of beginning proper, said parcel of land containing 9.22 acres, more or less. Subject to any easements that may affect said lands.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.



METROPOLITAN AREA
PLANNING COMMISSION
Jonesboro, Arkansas

Application for a Zoning Ordinance Map Amendment

Date Received:

7/17/18

Case Number:

RZ 18-19

LOCATION:

Site Address:

103 Gee St

Side of Street: n/a

between no side street and no side street

Quarter: sw/nw
nw/sw

Section: 13

Township: 14

Range: 03

Attach a survey plat and legal description of the property proposed for rezoning. A Registered Land Surveyor must prepare this plat.

SITE INFORMATION:

Existing Zoning:

I 2

Proposed Zoning:

C-3

Size of site (square feet and acres):

9.2 acres

Street frontage (feet):

676

Existing Use of the Site:

Vacant (old Pallet Mill)

Character and adequacy of adjoining streets:

paved street

Does public water serve the site? Yes

If not, how would water service be provided?

n/a

Does public sanitary sewer serve the site?

Yes

If not, how would sewer service be provided?

n/a

Use of adjoining properties:

North

Burnt out building

South

railroad

East

Farm land

West

lumber store

Physical characteristics of the site:

old Angelo Pallet Mill, vacant field with
6000 sq ft building on it

Characteristics of the neighborhood:

Commercial property such as rice land, lumber
store, and restoration company

REZONING INFORMATION:

The applicant is responsible for explaining and justifying the proposed rezoning. Please prepare an attachment to this application answering each of the following questions in detail:

- (1). How was the property zoned when the current owner purchased it? I 2
- (2). What is the purpose of the proposed rezoning? Why is the rezoning necessary? want to have store front
- (3). If rezoned, how would the property be developed and used? store front
- (4). What would be the density or intensity of development (e.g. number of residential units; square footage of commercial, institutional, or industrial buildings)? ?
- (5). Is the proposed rezoning consistent with the Jonesboro Comprehensive Plan and the Future Land Use Plan? Yes
- (6). How would the proposed rezoning be the public interest and benefit the community? bring money into city
- (7). How would the proposed rezoning be compatible with the zoning, uses, and character of the surrounding area?
- (8). Are there substantial reasons why the property cannot be used in accordance with existing zoning? there is existing stores on street
can not have a store front
- (9). How would the proposed rezoning affect nearby property including impact on property value, traffic, drainage, visual appearance, odor, noise, light, vibration, hours of use or operation and any restriction to the normal and customary use of the affected property. it would increase property values
- (10). How long has the property remained vacant? 8 years
- (11). What impact would the proposed rezoning and resulting development have on utilities, streets, drainage, parks, open space, fire, police, and emergency medical services? no change
- (12). If the rezoning is approved, when would development or redevelopment begin? immediate
- (13). How do neighbors feel about the proposed rezoning? Please attach minutes of the neighborhood meeting held to discuss the proposed rezoning or notes from individual discussions. If the proposal has not been discussed with neighbors, please attach a statement explaining the reason. Failure to consult with neighbors may result in delay in hearing the application.
there are no nearby neighbors, all surrounding properties are vacant or stores
- (14). If this application is for a Limited Use Overlay (LUO), the applicant must specify all uses desired to be permitted. store fronts

OWNERSHIP INFORMATION:

All parties to this application understand that the burden of proof in justifying and demonstrating the need for the proposed rezoning rests with the applicant named below.

Owner of Record:

I certify that I am the owner of the property that is the subject of this rezoning application and that I represent all owners, including spouses, of the property to be rezoned. I further certify that all information in this application is true and correct to the best of my knowledge.

Name: Jason Jackson
Address: 334 Robinhood Lane
City, State: Hardy Ark ZIP 72542
Telephone: 870-219-5562
Facsimile: _____
Signature: [Signature]

Applicant:

If you are not the Owner of Record, please describe your relationship to the rezoning proposal:

Name: _____
Address: _____
City, State: _____ ZIP _____
Telephone: _____
Facsimile: _____
Signature: _____

Deed: Please attach a copy of the deed for the subject property.

Rezoning Information 103 Gee St Jonesboro Ar 72401

Rezoning request for 103 gee st **Jonesboro** Ar 72401

Jason Jackson 870-219-5562

1. How was property zoned at time of purchase? **I-2**

2. What was the purpose of the proposed rezoning? Why is it necessary?

To allow for store front usage. To redevelop property into a usable track of land.

3. If rezoned, how would property be developed and used?

It would be used for commercial store front property.

4. What would be the density or intensity of the development.

Current project is to have a garage door company with store front.

5. Is the proposed rezoning consistent with the Jonesboro Comprehensive Plan and the Future use plan?

Yes

6. How would the proposed rezoning be to the public interest and benefit the community?

It would redevelop an old unused property into a clean attractive track of land that generates taxes.

7. How would the proposed rezoning be compatible with zoning , uses and character of surrounding area? **There is store fronts in front and sides of the property already.**

8. Are there substantial reasons why the property cannot be used in accordance with existing zoning?

Most industrial has moved to other side of town and other properties have been zoned commercial already.

9. How would the proposed rezoning affect nearby property including impact on property value, traffic, drainage, visual appearance, odor, noise, light, vibration, hours of use and any restriction to the normal and customary use of the affected property?

Rezoning to commercial would be a benefit to the community by limiting the possibility of noise, vibration, light and issues with hours of use.

10. How long has property remained vacant?

8 years

11. What impact would the proposed rezoning and resulting development have on utilities, streets, drainage, parks, fire ,police, and emergency medical services? **No change in any services.**

Rezoning Information 103 Gee St Jonesboro Ar 72401

12. If rezoning is approved, when would development begin? Within a month

13. How do neighbors feel about the proposed rezoning? Please attach minutes of the neighborhood meeting held to discuss rezoning or notes from individual discussions. **Personal calls have been made to neighbors.**

14. If this application is for limited use overlay, the applicant must specify all uses desired to be permitted. **Store front use**

Property Owner: Jason Jackson

334 Robinhood Lane

Hardy Ar 72542



City of Jonesboro City Council
Staff Report – RZ 18-19: 103 Gee Street
Municipal Center - 300 S. Church St.
For Consideration by the City Council on August 21, 2018

REQUEST: To consider a rezoning of one tract of land containing 9.22 acres more or less.

PURPOSE: A request to consider recommendation to the City Council from the MAPC for a rezoning of 9.22 acres of land located at 103 Gee Street, from “I-2” General Industrial District to “C-3” General Commercial District Classification.

**APPLICANTS/
OWNER:** Jason Jackson, 334 Robinhood Lane, Hardy, AR 72542

LOCATION: 103 Gee Street, Jonesboro, AR 72404

**SITE
DESCRIPTION:** **Tract Size:** Approx. 9.22 Acres
Street Frontage: **676 ft. of frontage on Gee Street.**
Topography: Undeveloped Flat
Existing Development: Vacant Building and Concrete Slab

SURROUNDING CONDITIONS:

ZONE	LAND USE
North	I-2 General Industrial District
South	I-2 General Industrial District
East	I-2 General Industrial District
West	I-2 General Industrial District

HISTORY: Currently undeveloped.

ZONING ANALYSIS

City Planning Staff has reviewed the proposed Zone Change and offers the following findings:

COMPREHENSIVE PLAN LAND USE MAP

The Current/Future Land Use Map recommends this location as General Industrial District / Heavy Industrial Growth Sector. These areas are located in close proximity to the major transportation corridors, and should generally be buffered from surrounding development by transitional uses or landscape areas that increase in size as development intensity increases. Heavy Industrial centers may require larger sites because activities are not confined entirely to buildings. Conveyor Belts, holding tanks, smoke stacks, or outdoor storage all may be present in a heavy industrial center. This

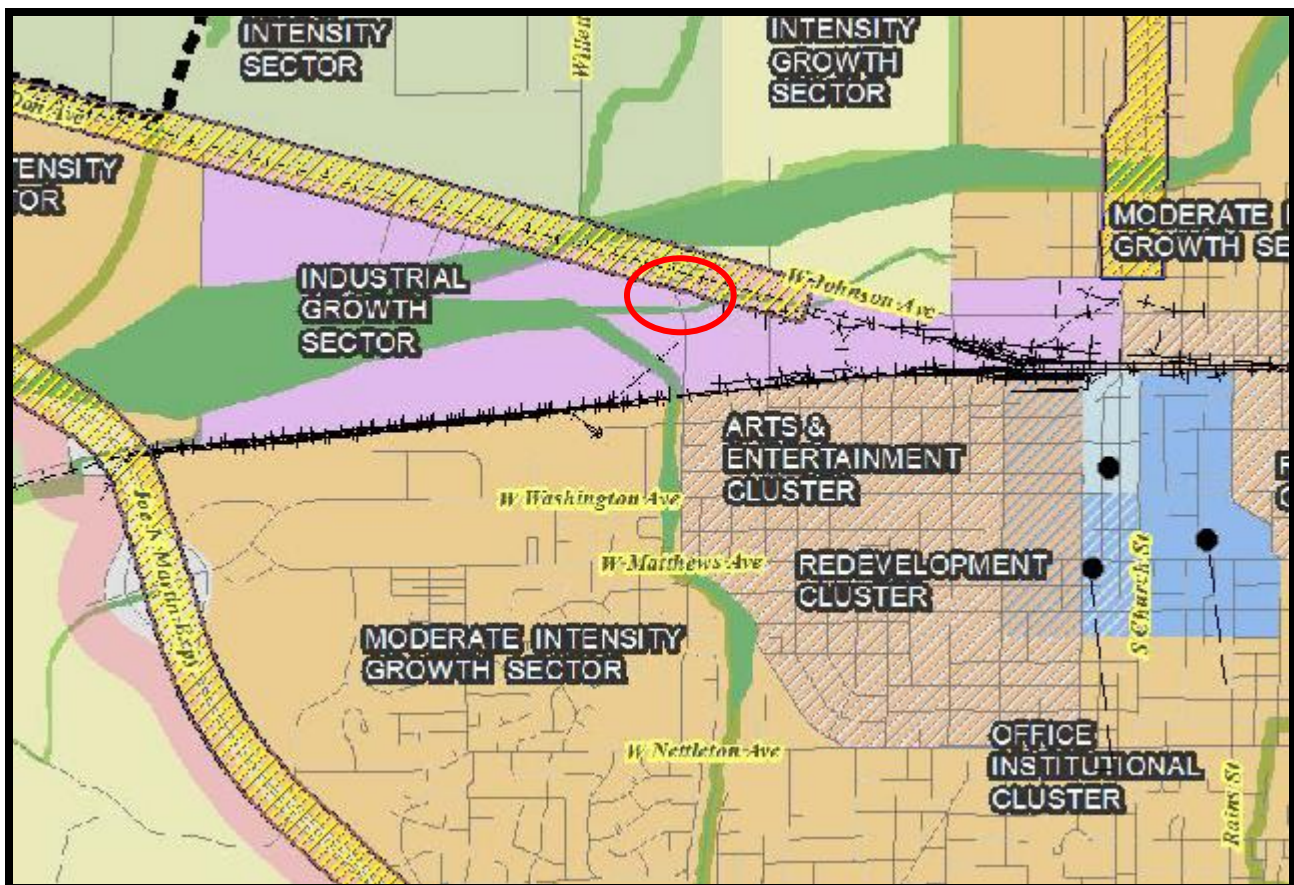
area has been recommended to be studied as redevelopment area from the Land Use Committee. Gee Street is well defined as an area for Improvement.

General Industrial District / Heavy Industrial Growth Recommended Use Types Include:

- Warehousing
- Storage
- Production Concerns
- Assembly and Processing
- Limited Manufacturing
- Research and Development
- Laboratories
- Transportation Terminals
- Wholesale Activities

Master Street Plan/Transportation

The subject site is served by Gee Street, which on the Master Street Plan is defined as a Principal Arterial Street. The Local Street is 120 feet wide in the Master Street Plan.



Adopted Land Use Map









Aerial/Zoning Map



Approval Criteria- Chapter 117 - Amendments:

The criteria for approval of a rezoning are set out below. Not all of the criteria must be given equal consideration by the MAPC or City Council in reaching a decision. The criteria to be considered shall include, but not be limited to the following:

Criteria	Explanations and Findings	Comply Y/N
(a) Consistency of the proposal with the Comprehensive Plan/Land Use Map.	The proposed C-3 rezoning is consistent with the Future Land Use Plan, which was categorized as an Industrial Growth Sector. This is an area that has been recommended as redevelopment area from the Land Use Committee.	
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal will achieve consistency with the purpose of Chapter 117.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	Compatibility is achieved. This area has been recommended as redevelopment area from the Land Use Committee.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment.	Property is suitable for Commercial Development and access management principles are implemented. This has to be rezoned because I-2 does not allow for Retail – Garage Door Company - Commercial.	
(e) Extent to which approval of the proposed rezoning will detrimentally affect nearby property including, but not limited to, any impact on property value, traffic, drainage, visual, odor, noise, light, vibration, hours of use/operation and any restriction to the normal and customary use of the affected property.	This site and use should not be a detriment to the area if controls are implemented to screen and buffer any environmentally sensitive surrounding uses.	
(f) Impact of the proposed development on community facilities and services, including those related to utilities, streets, drainage, parks, open space, fire, police, and emergency medical services.	Minimal impact if rezoned if controls are implemented to screen and buffer any environmentally sensitive surrounding uses.	

Applicant's Purpose:

[illegible]

C-3, General Commercial District. The purpose of this district is to provide appropriate locations for commercial and retail uses, which are convenient and serve the needs of the traveling public. The district also provides locations for limited amounts of merchandise, equipment and material being offered for retail sale that are more suitable for storage and display outside the confines of an enclosed structure. Appropriate locations for this district are along heavily traveled Arterial Street. Development of groupings of facilities shall be encouraged, as opposed to less desirable strip commercial.

Departmental/Agency Reviews:

The following departments and agencies were contacted for review and comments. Note that this table will be updated at the hearing due to reporting information that will be updated in the coming days:

Department/Agency	Reports/ Comments	Status
Engineering	No objections to this rezoning to date.	
Streets/Sanitation	No objections to this rezoning to date.	
Police	No objections to this rezoning to date.	
Fire Department	No objections to this rezoning to date.	
MPO	No objections to this rezoning to date.	
Jets	No objections to this rezoning to date.	
Utility Companies	No objections to this rezoning to date.	
Code Enforcement	Quality of Life requests that the concepts of CPTED be implemented in the design of all buildings, landscaping and lighting. ANSI/IES lighting standards are highly recommended. Maintenance plans to retain CPTED Landscaping should also be considered.	



MAPC RECORD OF PROCEEDINGS: PUBLIC HEARING HELD ON AUGUST 14, 2018

Jason Jackson is requesting a Rezoning from I-2 General Industrial District to C-3 General Commercial District for 9.2 acres +/- of land located at 103 Gee Street.

APPLICANT: Mr. Steve Collar said he is representing Jason Jackson for a rezoning at 103 Gee Street.

STAFF: Mr. Derrel Smith said the Planning Department has reviewed the request and recommends approval. It meets 5 of the 6 zoning criteria. We would recommend that we approve the rezoning. The following stipulations will apply:

1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the Planning Department, prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Commission approval in the future.
4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, outdoor storage, dumpster enclosure, sidewalks etc. shall be submitted to the Planning Department prior to any redevelopment.

BOARD: Mr. Lonnie Roberts asked if there are any public comments.

PUBLIC: No Opposition.

COMMISSION ACTION:

Mr. Jim Little made a motion to approve Case: RZ: 18-19, as submitted, to the City Council with the stipulations that were read by the Planning Department:

1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the Planning Department, prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Commission approval in the future.
4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, outdoor storage, dumpster enclosure, sidewalks etc. shall be submitted to the Planning Department prior to any redevelopment.

The MAPC find to rezone property from "I-2" General Industrial District to "C-3" General Commercial District. Motion was seconded by Mr. David Handwork.

Roll Call Vote: 7-0, Aye's: Jim Scurlock; Mary Margaret Jackson; David Handwork; Kevin Bailey; Jerry Reece; Jimmy Cooper; and Jim Little

Absent: Dennis Zolper

Conclusion:

The Planning Department Staff finds that the requested Zoning Change submitted for subject parcel, should be approved based on the above observations and criteria of Case RZ 18-19, a request to rezone property from “I-2” General Industrial District to “C-3” General Commercial District subject to final site plan approval by the Planning Department:

1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the Planning Department, prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Commission approval in the future.
4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, outdoor storage, dumpster enclosure, sidewalks etc. shall be submitted to the Planning Department prior to any redevelopment.

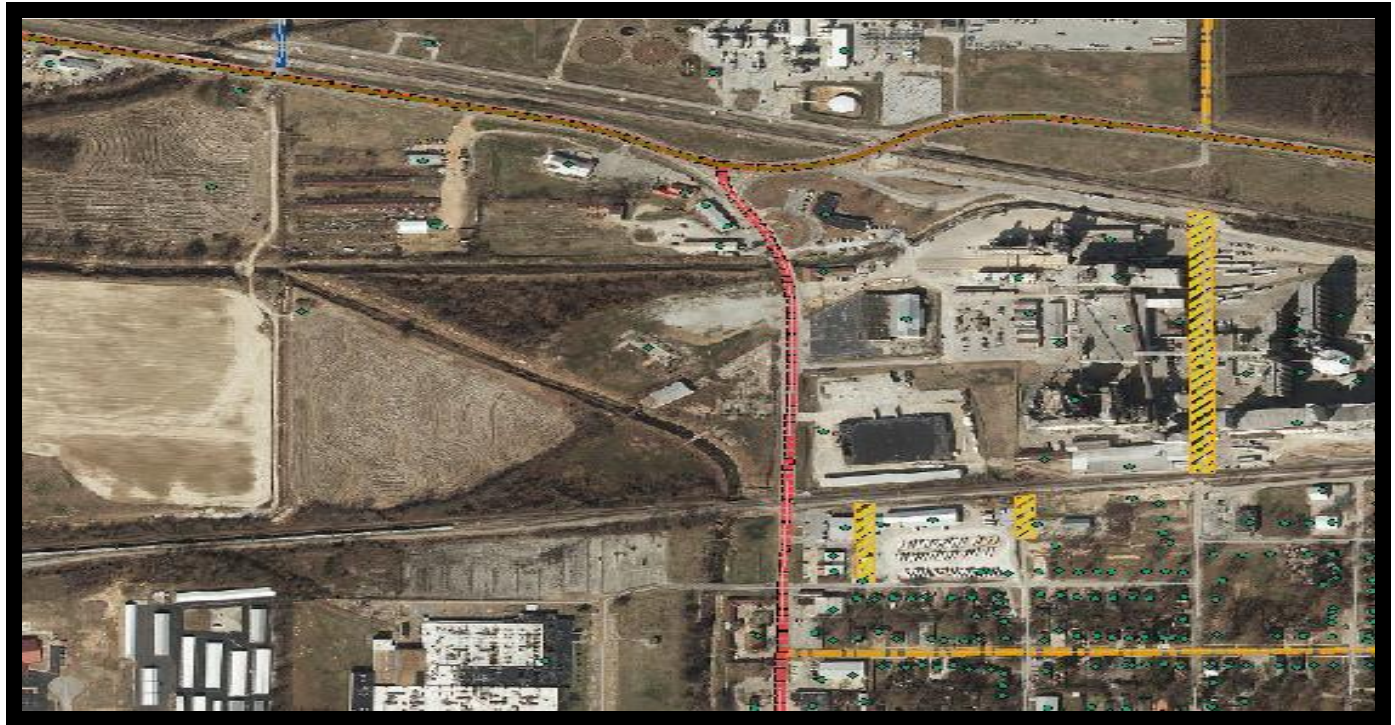
Respectfully Submitted for the City Council Consideration,

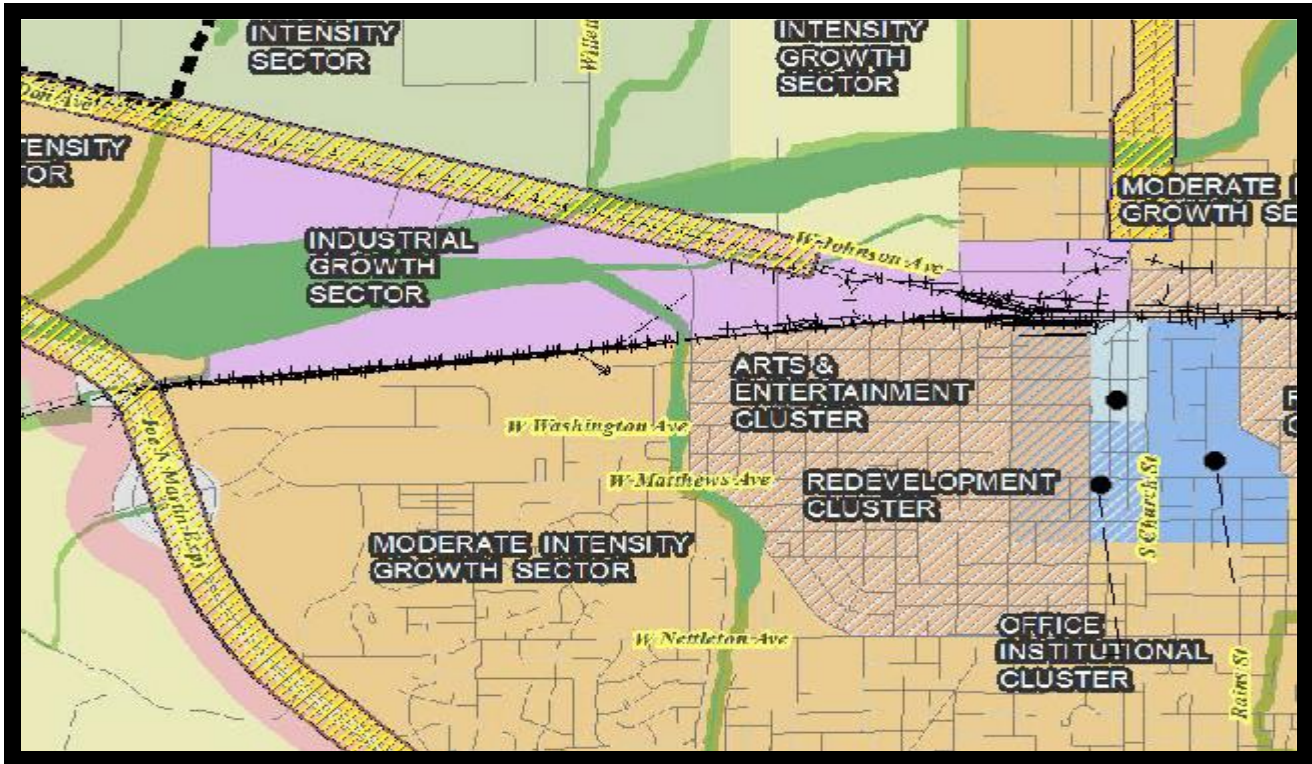
The Planning Staff

Sample Motion:

I move that we place Case: RZ 18-19 on the floor for consideration of recommendation by MAPC to the City Council with the noted conditions, and we, the MAPC find that changing the zoning of this property from “I-2” General Industrial District to the proposed “C-3”, General Commercial District, will be compatible and suitable with the zoning, uses, and character of the surrounding area, subject to the Final Site Plan review and approval by the MAPC in the future.

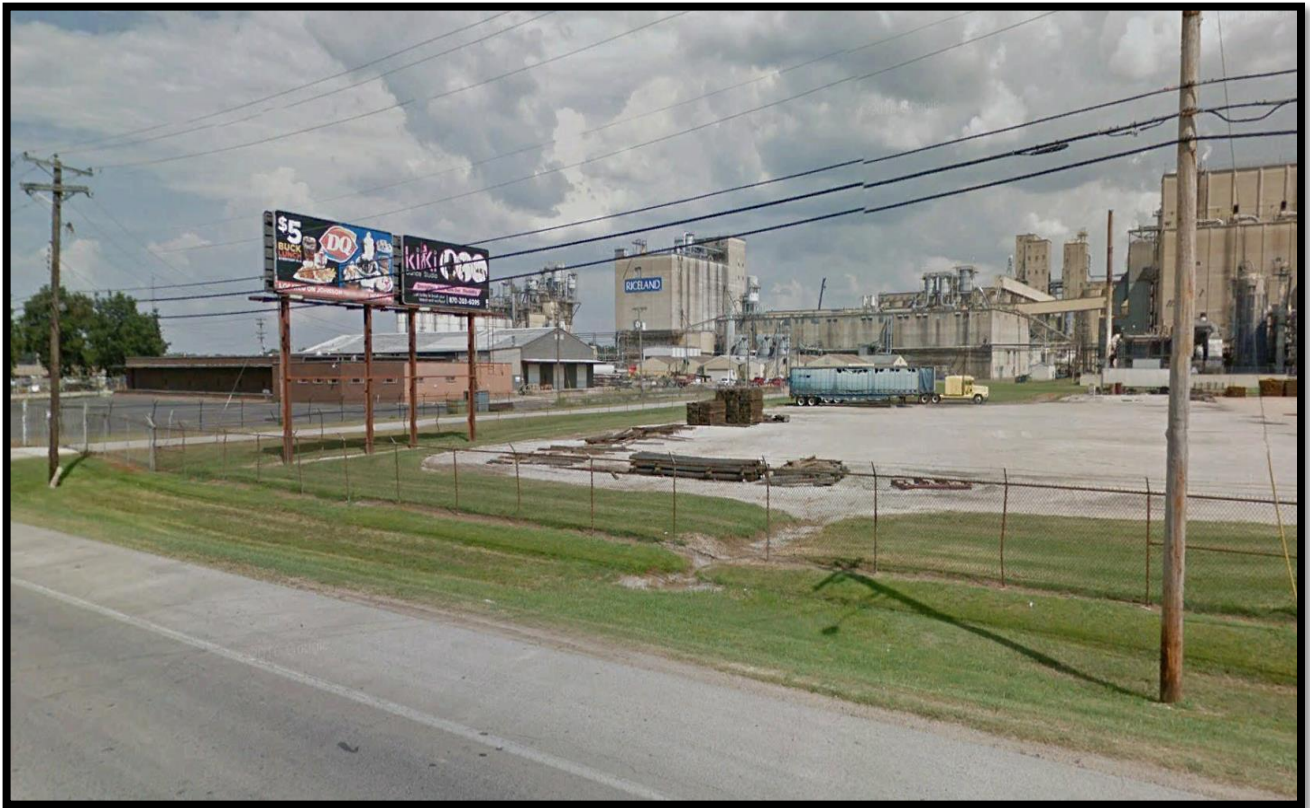
Pictures of Area

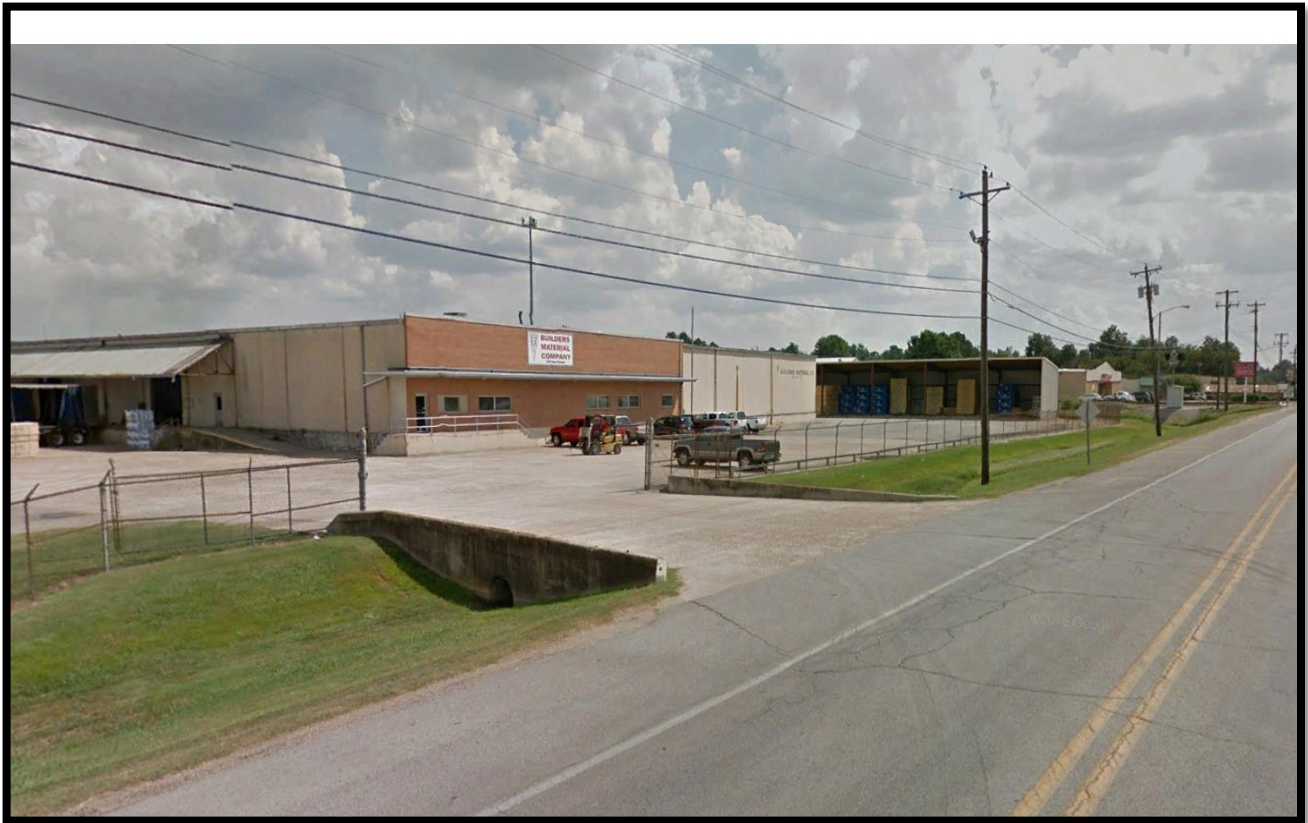














AN ORDINANCE TO AMEND CHAPTER 117, ARTICLE III, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS, PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM I-2, DOWNTOWN FRINGE COMMERCIAL DISTRICT TO C-3, DOWNTOWN CORE DISTRICT FOR PROPERTY LOCATED AT 103 Gee AS REQUESTED BY Jason Jackson

BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas: SECTION 1. Chapter 117, Article III, known as the Zoning Ordinance of the City of Jonesboro, Arkansas be amended as recommended by the Metropolitan Area Planning Commission by the changes in zoning classification as follows:

From I-2, Downtown Fringe Commercial District to C-3, Downtown Core District, that land described as follows:

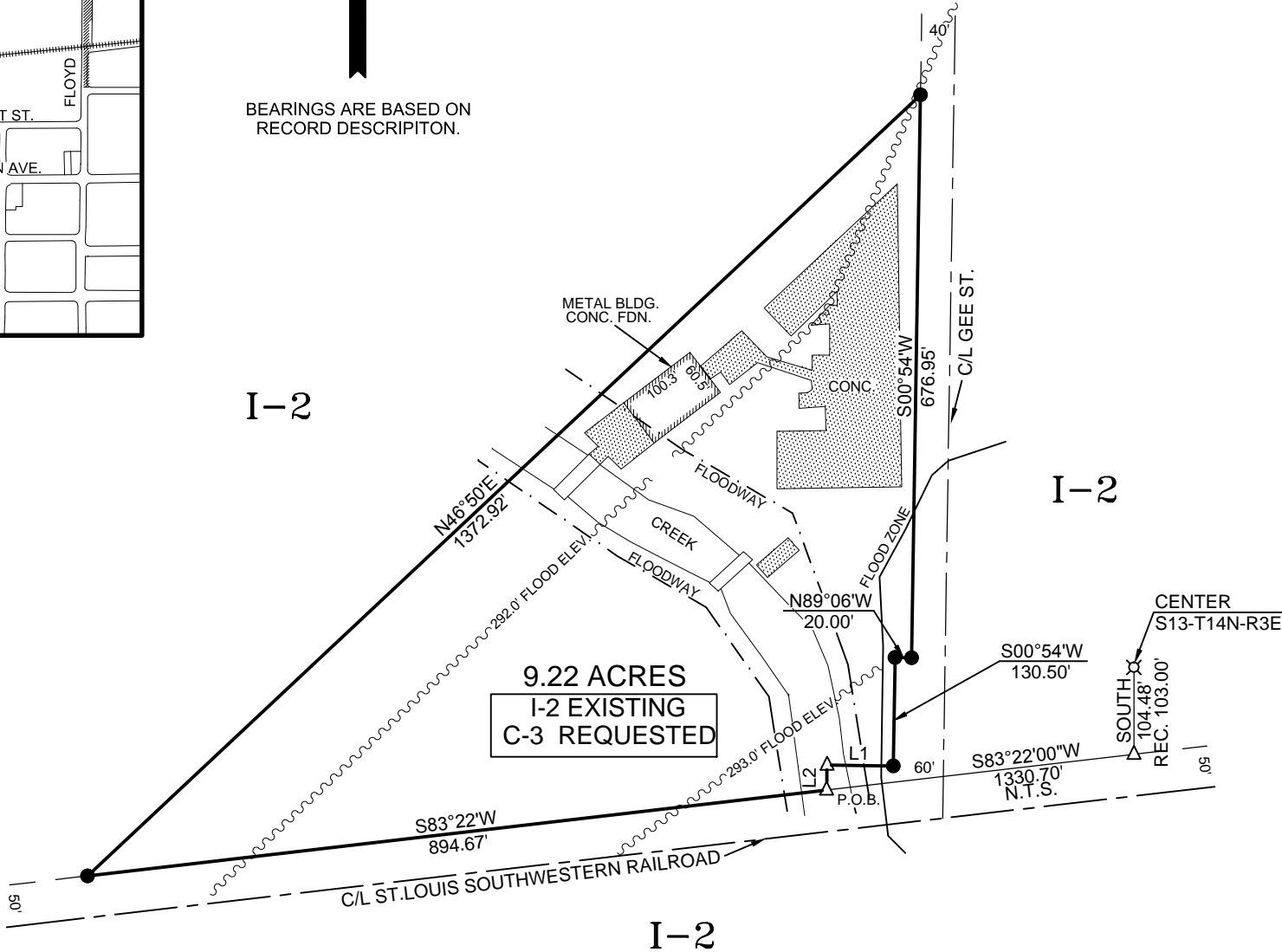
LEGAL DESCRIPTION:

A parcel of land located in the west half of section 13, township 14 north, range 3 east in Craighead County, AR being more particularly follows; commencing at the center of section 13, township 14 north, range 3 east, thence south along the north south center line of section 13, a distance of 104.48 feet to a point being, 50 feet, northerly from the center line of St. Louis Southwestern Railway Co. main track, measured at right angles there to; thence S83° 22'W along the line 50 feet northerly from a parallel to the centerline of St. Louis Southwestern Railway Company's main track, a distance of 1,330.70 feet to the point of beginning proper, thence continue S83° 22'W along a line 50 feet northerly from and parallel to the center line of St. Louis Southwestern Railway main track, a distance of 894.67 feet to a point; thence N46degrees 50E a distance 1372.92 feet to a point; thence 500°5 4'W a distance of 667.95 feet to a point; thence N89°06'W a distance of 20 feet to a point; thence S00degrees54'W a distance of 130.5 feet to a point; N89degrees 06'W a distance of 79.70 feet to a point thence S00degrees54'W a distance of 30 feet to the point of beginning proper, said parcel of land containing 9.22 acres, more or less. Subject to any easements that may affect said lands.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OFWAY OF RECORD.



BEARINGS ARE BASED ON
RECORD DESCRIPTON.



OWNER'S CERTIFICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS
OF THE PROPERTY AS DESCRIBED HEREON.

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE HEREON PLATTED AND DESCRIBED SURVEY WAS COMPLETED UNDER MY SUPERVISION ON THE 18th DAY OF JULY, 2018 AND THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN TO THE BEST OF MY KNOWLEDGE AND ABILITY.

Terrence D. Moore
TERRENCE D. MOORE PLS No. 1293

LINE	BEARING	DISTANCE
L1	N89°06'W	79.70'
L2	S00°55'W	30.00'

This Property is located in a Flood Zone according to panel 43 of 200 of the Flood Insurance Rate Map for Craighead County and Incorporated Areas.

LEGEND

- ✕ FOUND MAG NAIL
● FOUND IRON PIN
△ COMPUTED POINT
N.T.S. NOT TO SCALE
P.O.B. POINT OF BEGINNING

REV.	DATE	REVISION	BY

DESCRIPTION:

A parcel of land located in the West Half of Section 13, Township 14 North, Range 3 East in Craighead County, Arkansas, being more particularly described as follows: Commencing at the center of Section 13, Township 14 North, Range 3 East, thence South along the North South center line of Section 13, a distance of 104.48 feet to a point being, 50.00 feet northerly from the center line of St. Louis Southwestern Railway Company's main track, measured at right angles thereto; thence S83°22'W along a line 50.00 feet northerly from and parallel to the center line of the St. Louis Southwestern Railway Company's main track, a distance of 1330.70 feet to the point of beginning proper; thence continue S83°22'W along a line 50.00 feet northerly from and parallel to the center line of the St. Louis Southwestern Railway's main track, a distance of 894.67 feet to a point; thence N46°50'E a distance of 1372.92 feet to a point; thence S00°54'W a distance of 676.95 feet to a point; thence N89°06'W a distance of 20.00 feet to a point; thence S00°54'W a distance of 130.50 feet to a point; thence N89°06'W a distance of 79.70 feet to a point; thence S00°54'W a distance of 30.00 feet to the point of beginning proper, said parcel of land containing 9.22 acres, more or less. Subject to any easements that may affect said lands.



M² Surveying

Doug Moore, Licensed Surveyor
741 Greene Co. Rd. 710
Paragould, Ar. 72450

Office: 870-236-7701 Cell: 870-240-3589 VAL Cell: 870-450-5053

CLIENT: Jason Jackson			
SCALE: 1" = 200'	DRAWN: TDM	CHECKED: VMM	DATE: 7-18-2018
JOB#: 18112	CRD#: 11138	DWG#: 18112-1	REV.#



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Legislation Details (With Text)

File #: ORD-18:057 **Version:** 1 **Name:** REZONING REQUEST FROM R-2, RESIDENTIAL to PD-RM, PLANNED DEVELOPMENT FOR PROPERTY LOCATED AT 726 SOUTHWEST DRIVE AS REQUESTED BY GEORGE HAMMAN OF CIVILOGIC ON BEHALF OF K AND A INVESTMENTS, LLC

Type: Ordinance **Status:** First Reading

File created: 8/29/2018 **In control:** City Council

On agenda: **Final action:**

Title: AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-2, RESIDENTIAL to PD-RM, PLANNED DEVELOPMENT FOR PROPERTY LOCATED AT 726 SOUTHWEST DRIVE AS REQUESTED BY GEORGE HAMMAN OF CIVILOGIC ON BEHALF OF K AND A INVESTMENTS, LLC;

Sponsors:

Indexes:

Code sections:

Attachments: [RZ ORD PD-RM.pdf](#)
[rezoning plat.pdf](#)
[Application.pdf](#)
[Staff Summary.pdf](#)
[Duplex Plans.pdf](#)
[Email from Title Service.pdf](#)
[Preliminary Layout for Location.pdf](#)
[Support for Rezoning.pdf](#)
[USPS Receipts.pdf](#)

Date	Ver.	Action By	Action	Result
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AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-2, RESIDENTIAL to PD-RM, PLANNED DEVELOPMENT FOR PROPERTY LOCATED AT 726 SOUTHWEST DRIVE AS REQUESTED BY GEORGE HAMMAN OF CIVILOGIC ON BEHALF OF K AND A INVESTMENTS, LLC;
BE IT ORDAINED BY THE CITY COUNCIL OF JONESBORO, ARKANSAS:

SECTION 1: CHAPTER 117, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS BE AMENDED AS RECOMMENDED BY THE METROPOLITAN AREA PLANNING COMMISSION BY THE CHANGES IN ZONING CLASSIFICATION AS FOLLOWS:

FROM: **Residential: R-2**
TO: **Planned Development: PD-RM**

THE FOLLOWING DESCRIBED PROPERTY:

LEGAL DESCRIPTION:

The following lands located in Craighead County, Arkansas, to wit: A part of Lots 3, 5, and 6 of Melton Manor Addition, being a part of Section 25, Township 14 North, Range 3 East of the Fifth Principal Meridian, Craighead County, Arkansas, more particularly described as follows: Commencing at the Northeast Corner of Lot 3 of the aforesaid Addition, a found axle rod; thence South 00°24' 33" East 189.05 feet to a found picker spindle, said point of beginning; thence continue South 00°24' 33" East 157.65 feet to a set 1/2" rebar; thence South 46°05'32" East 221.60 feet to a set h" rebar; thence South 43°54' 28" West 45.00 feet to a set h" rebar; thence South 46°05' 32" East 30.94 feet to a set h" rebar, said rebar marking the Northerly right of way of Highway 49 (Southwest Drive); thence along said right of way line South 46°27' 43" West 147.18 feet to a set h" rebar; thence continue along said right of way line South 43°40'39" West 154.07 feet to the intersection of Highway 49 right of way and the Northerly right of way of Haywood Drive; thence along the Northerly right of way line of Haywood Drive North 46°05' 32" West 350.00 feet to a point; thence along a curve to the left said curve having a radius of 50.00 feet and a length of 261.80 feet to a point; thence South 43°58'02" West 315.26 feet to the West line of Melton Manor Lot 5; thence North 00°02'45" East 558.58 feet to a set h" rebar; thence North 88°05' 51" East 208.70 feet to a set h" rebar; thence South 46°05' East 80.00 feet to a set h" rebar; thence North 43°56' East 97.20 feet to a set h" rebar; thence North 00°14' West 3.26 feet to a found iron pipe; thence North 86°19'48" East 233.33 feet to the point of beginning, being subject to any and all easements as shown by Plat in Plat Deed Record Book 158 Page 5, restrictions and rights of way of record.

THIS CONVEYANCE IS TO INCLUDE A PREVIOUS RESERVED SIGN EASEMENT AS FOLLOWS: Commencing at the North lot corner of said Lot 6 (common Lot corners Lots 2, 3 and 6); thence South 46°05' 32" East 221.75 feet; thence South 44°09' 17" West 45.04 feet; thence South 46°11' 36" East 30.97 feet to the right of way of Southwest Drive (U.S. No. 49) as per Deed Book 554 Page 241; thence South 46°12'04" West 147.23 feet along said right of way; thence South 43°56' 53" West 151.07 feet along said right of way to the point of beginning proper; thence continue South 43°56' 53" West 3.00 feet; thence North 46°04'45" West 15.00 feet; thence North 43°56' 53" East 3.00 feet; thence South 46°04'45" East 15.00 feet to the point of beginning proper.

LESS & EXCEPT THE FOLLOWING TRACT OF LAND: A part of Lot 6 of Melton Manor Addition to the City of Jonesboro, Arkansas as shown by Plat in Plat Book 158 Page 5 in the office of the Circuit Court Clerk and Ex-Officio Recorder, Craighead County, Arkansas, and being more particularly described as follows: Beginning at the North Lot corner of said Lot 6 (Common Lot corners Lots 2, 3 and 6); thence South 46°05' 32" East 221.75 feet; thence South 44°09' 17" West 45.04 feet; thence South 46°11' 36" East 30.97 feet to the right of way of Southwest Drive (U.S. No. 49) as per Deed Book 554 Page 241; thence South 46°12'04" West 147.23 feet along said right of way; thence South 43°56' 53" West 154.07 feet along said right of way to the Northeasterly right of way line of Haywood Drive; thence North 46°04'45" West 129.62 feet along said Northeasterly right of way line; thence North 43°56' 37" East 138.83 feet; thence North 46°03'23" West 76.70 feet; thence North 43°56'37" East 60.27 feet; thence North 46°03' 23" West 54.06 feet; thence North 60°33' 14" East 153.35 feet to the point of beginning proper, subject to all public and private roads and easements. Same Property conveyed in a certain Warranty Deed filed of record in Deed Book 806 Page 985.

SECTION 2: THE REZONING OF THIS PROPERTY SHALL ADHERE TO THE FOLLOWING STIPULATIONS:

- 1) That the proposed development shall satisfy all requirements of the City Engineer and all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.
- 2) A final site plan subject to all ordinance requirements shall be submitted, reviewed and approved by the

Planning Department, prior to any development of the property.

- 3) Any change of use being subject to MAPC approval in the future.
- 4) A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, sidewalks, etc. shall be submitted to the MAPC prior to any redevelopment.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES;

BE IT ORDAINED BY THE CITY COUNCIL OF JONESBORO, ARKANSAS:

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PASSED AND ADOPTED THIS _____ DAY OF _____, 2018.

HAROLD PERRIN, MAYOR

ATTEST:

DONNA K. JACKSON, CITY CLERK

Application
for a
Zoning Ordinance Map Amendment

METROPOLITAN AREA
PLANNING COMMISSION
Jonesboro, Arkansas

Date Received:

Case Number:

8/1/18
RZ 18-20

=====

LOCATION:

Site Address: 726 Southwest Drive, Jonesboro, AR 72401

Side of Street: Northeast and northwest sides of Haywood Drive

Quarter: Part of the Northeast Quarter of the Southeast Quarter of Section 25,
Township 14 North, Range 3 East

Attach a survey plat and legal description of the property proposed for rezoning. A registered Land Surveyor must prepare this plat.

SITE INFORMATION:

Existing Zoning: R-2 **Proposed Zoning:** Planned Development
Residential (PD-R)

Size of site (square feet and acres): 205,081 S.F. – 4.17 Acres
Street Frontage (feet): 481.61 feet along Haywood Drive

Existing Use of the Site: Eight existing apartment buildings containing a total
of 42 units.

Character and adequacy of adjoining streets: Haywood Drive is a residential street serving the existing apartments. Prior to the building being raised, it also served the nursing home at that location. It also serves one commercial business, Professional Title. Southwest Drive is approximately 250 feet from the nearest existing building. The proposed density of this development does not in any way threaten the road capacity.

Does public water serve the site? There are existing water lines within the development.

If not, how would water service be provided? N/A

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Does public sanitary sewer serve the site?

There are sanitary sewer lines through the development.

If not, how would sewer service be provided?

N/A

Use of adjoining properties: **North:** One home, an electric sub-station and vacant residential lot. (R-2)

South: Commercial – Title Company / Carwash (C-4, LUO)

East: Church (R-1)

West: Undeveloped Residential (R-1)

Physical Characteristics of the site:

The site contains eight buildings, and a total of 42 units. The site has an existing drainage feature through the site, which will provide a location for storm water management. The site contains numerous trees. The site generally slopes to the east to an existing drainage ditch.

Characteristics of the neighborhood:

This site is surrounded by a variety of facilities. There is a title company and carwash to the southeast, a church to the east, one home to the north, as well as an electrical substation and vacant land to the north. To the west is one home and some undeveloped land. The land to the south was once occupied by a nursing home.

Applications will not be considered complete until all items have been supplied. Incomplete applications will not be placed on the Metropolitan Areas Planning Commission agenda and will be returned to the applicant. The deadline for submittal of an application is the 17th of each month. The Planning staff must determine that the application is complete and adequate before it will be placed on the MAPC agenda.

REZONING INFORMATION:

The applicant is responsible for explaining and justifying the proposed rezoning. *Please prepare an attachment to the application answering each of the following questions in detail:*

- (1) **How was the property zoned when the current owner purchased it?**
The property was zoned R-2 at the time of acquisition. (Rezoned to R-2 in 1973.)
- (2) **What is the purpose of the proposed rezoning? Why is the rezoning necessary?**
The owner is currently remodeling the existing apartments. When the R-2 classification is considered, it is revealed that six unit buildings are not allowed within R-2. A similar violation is that there is supposed to be only one building on any R-2 lot. Based upon the allowable density within the R-2 classification, the owner should be able to construct an additional fourteen units. Because there is ample space in accordance with the current classification, the owner would like to rezone this property to PD-R, in order to eliminate the current violations, and gain the ability to construct the additional units.
- (3) **If rezoned, how would the property be developed and used?**
The owner would like to construct an additional fourteen units.
- (4) **What would be the density of development (e.g. number of residential units; square footage of commercial, institutional, or industrial buildings)?**
The site planning to date indicates the desire to construct an additional fourteen units, which would bring the development to a total of fifty six units. That yields a density of twelve units per acre, the same that is allowed in the current R-2 classification.
- (5) **Is the proposed rezoning consistent with the Jonesboro Land Use Plan?**
The *Jonesboro Land Use Plan* indicates this area as “Moderate Intensity Growth Sector”, which is consistent with the existing and proposed development on this site.

- (6) **How would the proposed rezoning be the public interest and benefit the community?**

This rezoning would benefit the community by providing fourteen additional living units, as well as the obvious economic benefits of new construction.

- (7) **How would the proposed rezoning be compatible with the zoning, uses, and character of the surrounding area?**

This land is surrounded by a mix of developments. Since the apartments are existing, an additional fourteen units are compatible by definition.

- (8) **Are there substantial reasons why the property cannot be used in accordance with the existing zoning?**

The current classification regulations create zoning violations. Not only would the reclassification eliminate the violations, but it would allow the owner to proceed with the expansion plans.

- (9) **How would the proposed rezoning affect nearby property including impact on property value, traffic, drainage, visual appearance, odor, noise, light, vibration, hours of use or operation and any restriction to the normal and customary use of the affected property.**

This proposed development should have no detrimental impact on any of the following aspects of the immediate area.

- A) Property Values
- B) Traffic
- C) Drainage
- D) Visual Appearance
- E) Odor
- F) Noise
- G) Light
- H) Vibration
- J) Hours
- K) Restrictions

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(10) How long has the property remained vacant?

The property is not vacant. There are 42 existing apartment units.

(11) What impact would the proposed rezoning and resulting development have on utilities, streets, drainage, parks, open space, fire, police, and emergency medical services?

An expanded development of this sort should have no detrimental impact on any of the following aspects.

- A) Utilities
- B) Streets
- C) Drainage
- D) Parks
- E) Open Space
- F) Fire
- G) Police
- H) Emergency Medical Services

(12) If the rezoning is approved, when would development or redevelopment begin?

The owner is anxious to get started on the additional units, while continuing the current remodeling activity.

(13) How do neighbors feel about the proposed rezoning? Please attach minutes of the neighborhood meeting held to discuss the proposed rezoning or notes from individual discussions. *If the proposed rezoning has not been discussed with neighbors, please attach a statement explaining the reason. Failure to consult with the neighbors may result in delay in hearing the application.*

No formal meeting has been held with the adjacent owners.

(14) If this application is for a Limited Use Overlay (LUO), the applicant must specify all uses desired to be permitted.

This requested rezoning is not intended to be a Limited Use Overlay (LUO).

K & A INVESTMENTS, LLC – REZONING APPLICATION

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OWNERSHIP INFORMATION:

All parties to this application understand that the burden of proof in justifying and demonstrating the need for the proposed rezoning rests with the applicant named below.

Owner of Record:

I certify that I am an owner of the property that is the subject of this rezoning application and that I represent all owners, including spouses, of the property to be rezoned. I further certify that all information in this application is true and correct to the best of my knowledge.

Applicant:

If you are not the Owner of Record, please describe your relationship to the rezoning proposal:

The owner of the property is:

K & A Investments, LLC
2801 Neely Road
Jonesboro, AR 72404



Kevin Alpe, Member

Deed: *Please attach a copy of the deed for the subject property.*

Applications will not be considered complete until all items have been supplied.

Incomplete applications will not be placed on the Metropolitan Areas Planning Commission agenda and will be returned to the applicant. The deadline for submittal of an application is the 17th of each month. The Planning staff must determine that the application is complete and adequate before it will be placed on the MAPC agenda.



City of Jonesboro City Council
Staff Report – RZ 18-17: 3423 Hudson
Municipal Center - 300 S. Church St.
For Consideration by the City Council on September 4, 2018

REQUEST: To consider a rezoning of one tract of land containing 2.23 acres more or less.

PURPOSE: A request to consider recommendation to the City Council from the MAPC for a rezoning of 2.23 acres of land located at 3423 Hudson, from “R-1” Single Family Residential District to “C-3” General Commercial District Classification.

**APPLICANTS/
OWNER:** Robin Caldwell, 3908 Sunset, Jonesboro, AR 72401

LOCATION: 3423 Hudson, Jonesboro, AR 72404

**SITE
DESCRIPTION:** **Tract Size:** Approx. 2.23 Acres
Street Frontage: **There is none for this tract of Land.**
Topography: Undeveloped Flat
Existing Development: Vacant Land

SURROUNDING CONDITIONS:

ZONE	LAND USE
North	R-1 Undeveloped
South	C-3 LUO General Commercial District and I-1 Industrial District
East	R-1 Single Family Residential Housing
West	R-1 Single Family Residential Housing and C-3 General Commercial LUO

HISTORY: Currently undeveloped.

ZONING ANALYSIS

City Planning Staff has reviewed the proposed Zone Change and offers the following findings:

COMPREHENSIVE PLAN LAND USE MAP

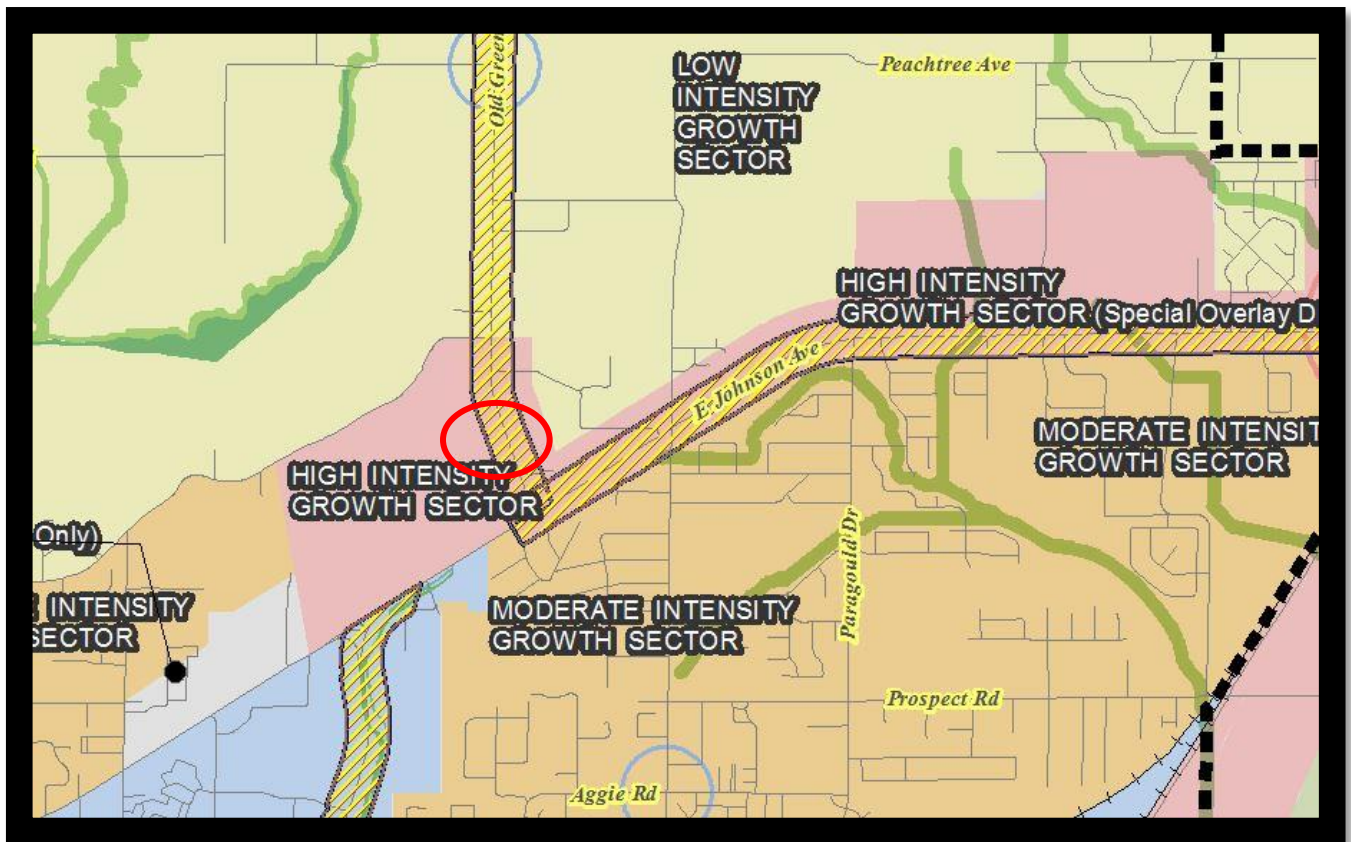
The Current/Future Land Use Map recommends this location as a High Intensity Growth Sector. A wide range of land uses is appropriate in the high intensity zone, from multi-family to fast food to Class A office space to outdoor display/highway oriented businesses such as automotive dealerships, which are located in areas where sewer service is readily available and transportation facilities are equipped to handle the traffic.

High Intensity Growth Recommended Use Types Include:

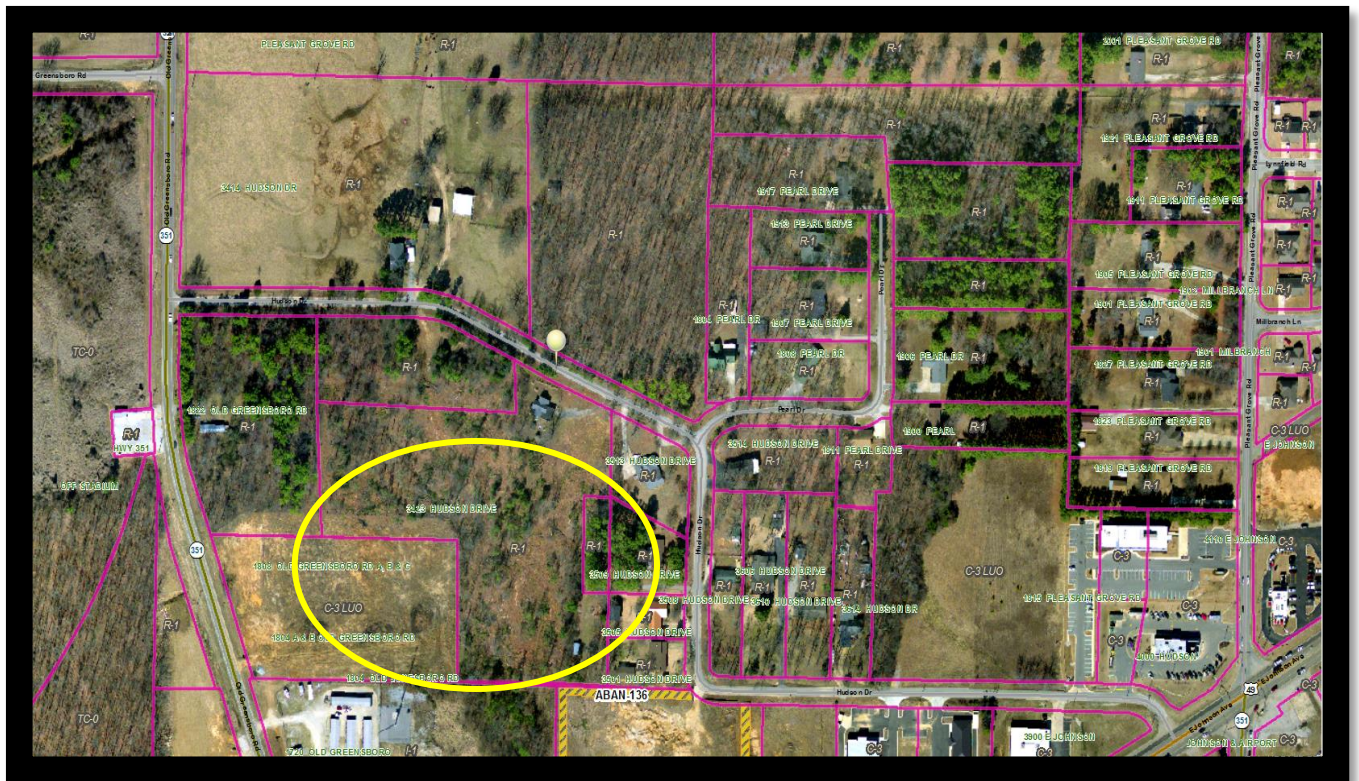
- Regional Shopping Centers
- Automotive Dealerships
- Outdoor Display Retail
- Fast Food Restaurants
- Multi-Family
- Service Stations
- Commercial and Office
- Call Centers
- Research and Development
- Medical
- Banks
- Big Box Commercial
- Hotel

Master Street Plan/Transportation

The subject site is served by Hudson Drive, which on the Master Street Plan is defined as a Local Street. The Local Street is 60 feet wide in the Master Street Plan.



Adopted Land Use Map









Aerial/Zoning Map



Approval Criteria- Chapter 117 - Amendments:

The criteria for approval of a rezoning are set out below. Not all of the criteria must be given equal consideration by the MAPC or City Council in reaching a decision. The criteria to be considered shall include, but not be limited to the following:

Criteria	Explanations and Findings	Comply Y/N
(a) Consistency of the proposal with the Comprehensive Plan/Land Use Map.	The proposed C-3 rezoning is consistent with the Future Land Use Plan, which was categorized as a High Intensity Growth Sector.	
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal will achieve consistency with the purpose of Chapter 117.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	Compatibility is achieved. This area is in redevelopment and transition. Similar use will occur on the Greensboro Village Town Center site.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment.	Property is suitable for Commercial Development and access management principles are implemented. This has to be rezoned because R-1 does not allow Commercial – mini storages.	
(e) Extent to which approval of the proposed rezoning will detrimentally affect nearby property including, but not limited to, any impact on property value, traffic, drainage, visual, odor, noise, light, vibration, hours of use/operation and any restriction to the normal and customary use of the affected property.	This site and use should not be a detriment to the area if controls are implemented to screen and buffer any environmentally sensitive surrounding uses.	
(f) Impact of the proposed development on community facilities and services, including those related to utilities, streets, drainage, parks, open space, fire, police, and emergency medical services.	Minimal impact if rezoned if controls are implemented to screen and buffer any environmentally sensitive surrounding uses.	

Staff Findings:**Applicant's Purpose:**

The applicant current intentions are for the property to be developed into a continuation of the existing storage facilities located to the West of the Property. A site plan would be presented and approved to appropriate City Departments. The applicant feels like they can develop the property while having very little impact on the surrounding area.

Chapter 117 of the City Code of Ordinances/Zoning defines Commercial District as follows:

C-3, General Commercial District. The purpose of this district is to provide appropriate locations for commercial and retail uses, which are convenient and serve the needs of the traveling public. The district also provides locations for limited amounts of merchandise, equipment and material being offered for retail sale that are more suitable for storage and display outside the confines of an enclosed structure. Appropriate locations for this district are along heavily traveled Arterial Street. Development of groupings of facilities shall be encouraged, as opposed to less desirable strip commercial.

Departmental/Agency Reviews:

The following departments and agencies were contacted for review and comments. Note that this table will be updated at the hearing due to reporting information that will be updated in the coming days:

Department/Agency	Reports/ Comments	Status
Engineering	No objections to this rezoning to date.	
Streets/Sanitation	No objections to this rezoning to date.	
Police	No objections to this rezoning to date.	
Fire Department	No objections to this rezoning to date.	
MPO	No objections to this rezoning to date.	
Jets	No objections to this rezoning to date.	
Utility Companies	No objections to this rezoning to date.	
Code Enforcement	Quality of Life requests that the concepts of CPTED be implemented in the design of all buildings, landscaping and lighting. ANSI/IES lighting standards are highly recommended. Maintenance plans to retain CPTED Landscaping should also be considered.	

MAPC RECORD OF PROCEEDINGS: PUBLIC HEARING HELD ON AUGUST 14, 2018

Robin Caldwell is requesting a Rezoning from R-1 Single Family District to C-3 General Commercial District for 2.23 acres +/- of land located at 3423 Hudson Street.

APPLICANT: Mr. Zack Baker is representing Robin Caldwell. He said the proposal is for 2.23 acres, it is currently zoned as R-1, and the applicant wants to rezone it to C-3. He said properties adjacent is zoned as Industrial or commercial.

STAFF: Mr. Derrel Smith asked the applicant on how they plan to access this parcel as it does not have frontage.

STAFF: Mr. Zack Baker said they do not have specific plans of what they want to do with the re-zoning.

BOARD: Mr. Chairman Lonnie Roberts asked if they do not intend to have an access from Hudson Drive.

APPLICANT: Mr. Zack Baker said correct.

STAFF: Mr. Derrel Smith said this rezoning meets 5 of the 6 criteria and the Planning Department would recommend approval. We would recommend that we approve the rezoning. The following stipulations will apply:

- 1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.**
- 2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC, prior to any redevelopment of the property.**
- 3. Any change of use shall be subject to Planning Commission approval in the future.**
- 4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, outdoor storage, dumpster enclosure, sidewalks etc. shall be submitted to the Planning Department prior to any redevelopment.**

BOARD: Ms. Mary Margaret Jackson asked if the adjacent property is owned by Robin Caldwell also.

APPLICANT: Mr. Zack Baker said no, the storage facility have a different owner.

STAFF: Mr. Derrel Smith said when they start to develop the property that is when the applicant will have to provide access to a public street. Mr. Smith continued that he assumes the applicant is trying to combine with the adjacent lot but are not wanting to say it.

BOARD: Mr. Lonnie Roberts asked if there are any public comments.

PUBLIC: No Opposition.

COMMISSION ACTION:

Mr. Jim Little made a motion to approve Case: RZ: 18-17, as submitted, to the City Council with the stipulations that were read by the Planning Department:

- 1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.**
- 2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC, prior to any redevelopment of the property.**
- 3. Any change of use shall be subject to Planning Commission approval in the future.**
- 4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, outdoor storage, dumpster enclosure, sidewalks etc. shall be submitted to the Planning Department prior to any redevelopment.**

The MAPC find to rezone property from “R-1” Single Family Residential District to “C-3” General Commercial District. Motion was seconded by Mr. Jimmy Cooper.

Roll Call Vote: 7-0, Aye’s: Jim Scurlock; Mary Margaret Jackson; David Handwork; Kevin Bailey; Jerry Reece; Jimmy Cooper; and Jim Little

Absent: Dennis Zolper

Conclusion:

The Planning Department Staff finds that the requested Zoning Change submitted for subject parcel, should be approved based on the above observations and criteria of Case RZ 18-17, a request to rezone property from “R-1” Single Family Residential District to “C-3” General Commercial District subject to final site plan approval by the MAPC.

1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC, prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Commission approval in the future.
4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, outdoor storage, dumpster enclosure, sidewalks etc. shall be submitted to the Planning Department prior to any redevelopment.

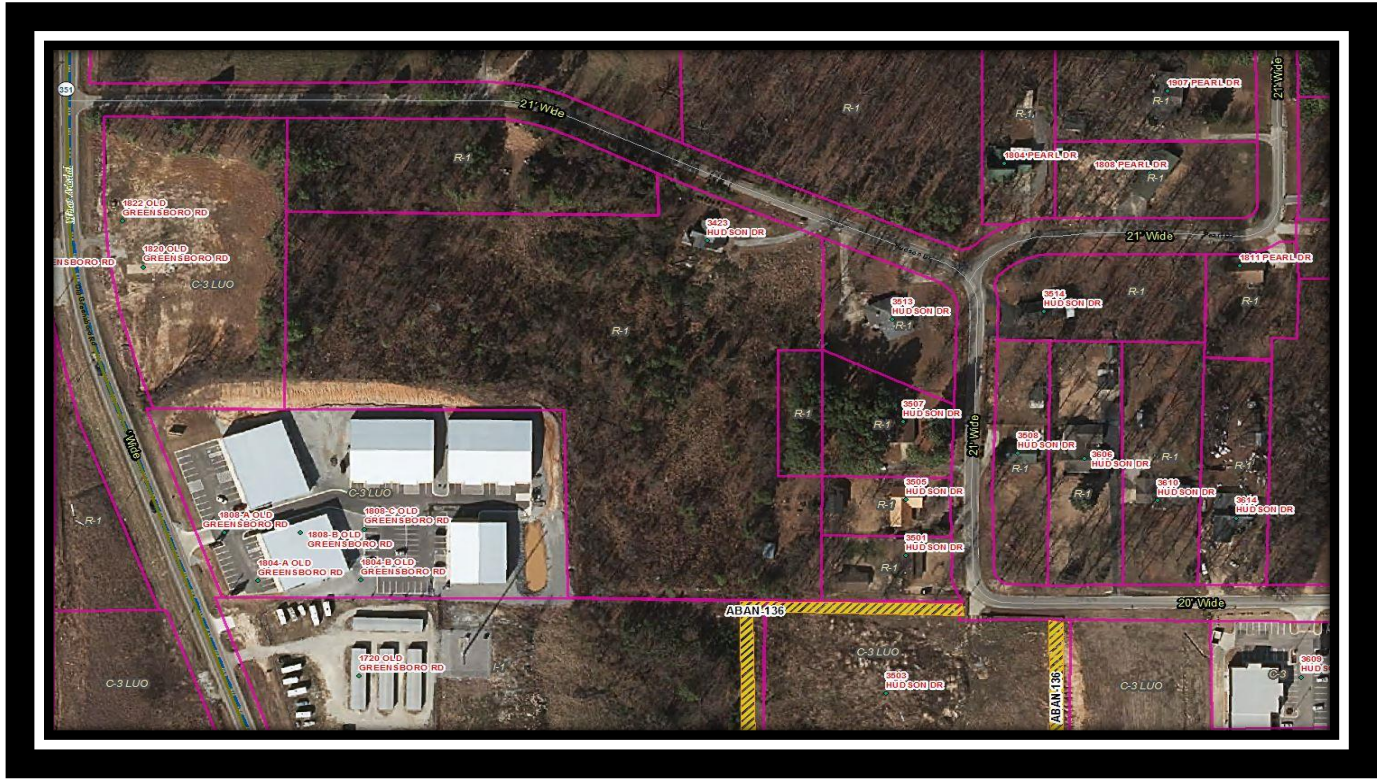
Respectfully Submitted for City Council Consideration,

The Planning Staff

Sample Motion:

I move that we place Case: RZ 18-17 on the floor for consideration of recommendation by MAPC to the City Council with the noted conditions, and we, the MAPC find that changing the zoning of this property from “R-1” Single Family Residential District to the proposed “C-3”, General Commercial District, will be compatible and suitable with the zoning, uses, and character of the surrounding area, subject to the Final Site Plan review and approval by the MAPC in the future.

Pictures of Area











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[Options/Add-ons](#)
[Modifications](#)
[Contact us](#)
 Plan# or terms...

All standard shipping is FREE! See [shipping information](#) for details.

Apartment plan J0418-11-4

2-story fourplex plan that also has a [duplex version](#).



**2 bedroom /
1.5 bath**

Living area =
3826 sq. ft.

Other = 271
sq. ft.

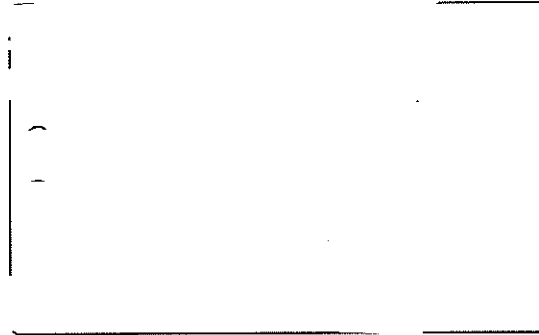
Total = 4097
sq. ft.

Living area per

unit: ~956 sq.
ft.

Width:
55'-0"
Depth: 37'-9"

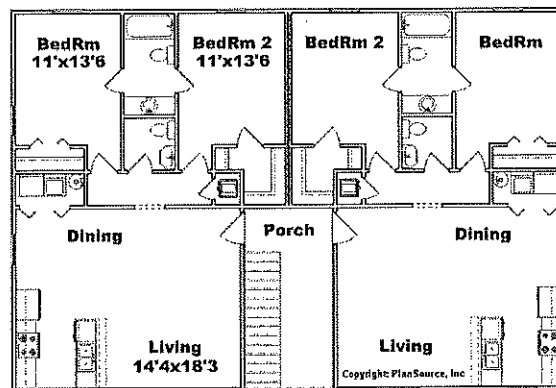
Choose plan option:



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Modify this plan

Floor plan (Both floors)



Exterior view





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[Modifications](#)
[Contact us](#)
 Plan# or terms...

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Duplex plan J0418-11d

Duplex plan that also has larger [4-plex](#) and [6-plex](#) versions available.



**2 bedroom /
1.5 bath**

Living area =
1742 sq. ft.

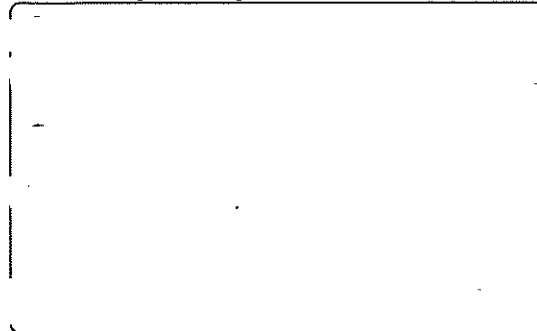
Other = 129
sq. ft.

Total = 1871
sq. ft.

Living area per
unit: 871 sq. ft.

Width:
55'-0"
Depth: 34'-0"

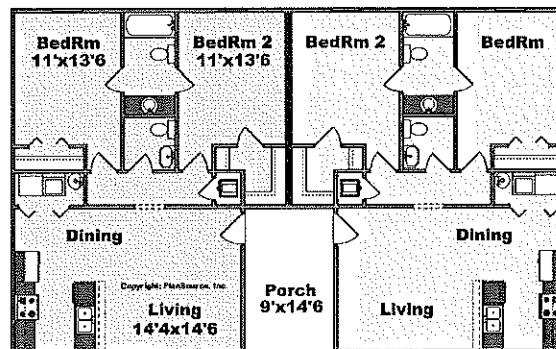
Choose plan option:



Add To Cart >

Modify this plan

Floor plan



Exterior view



Derrel Smith

From: Steve May <smay@protitle.com>
Sent: Monday, August 06, 2018 1:17 PM
To: Derrel Smith
Cc: Harold Perrin
Subject: FW: K & A Investments, LLC - Multi Family Rezoning

Derrel,

I am writing on behalf of the rezoning proposal before the Metropolitan Area Planning Commission and the City of Jonesboro initiated by K & A Investments, LLC. I know that it is not typical that you receive letters in favor of these types of rezoning efforts from neighboring property owners. But, this is not your typical property. I have been the principal owner of Professional Title Services of Arkansas for the past 3+ years and I lease our facility at 740 Southwest Drive (just east of the subject property) where a subsidiary entity I control is a part owner of the facility we lease. I denote this in hopes of establishing my rightful voice to declare my support of the rezoning effort.

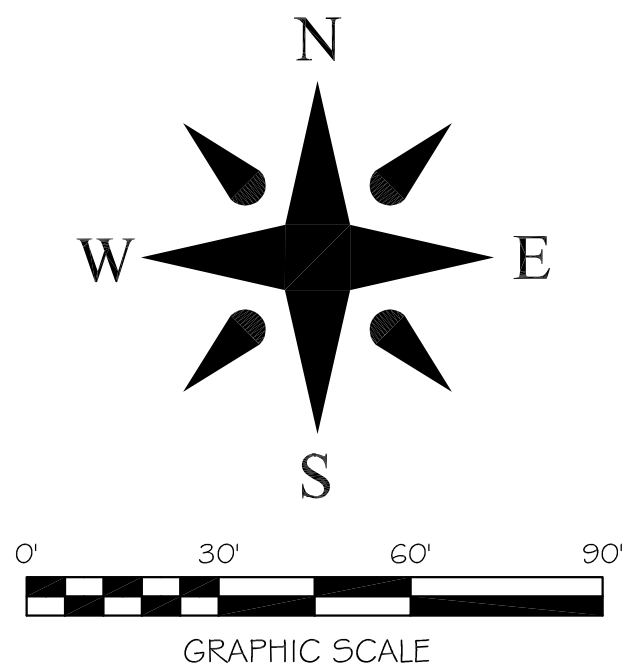
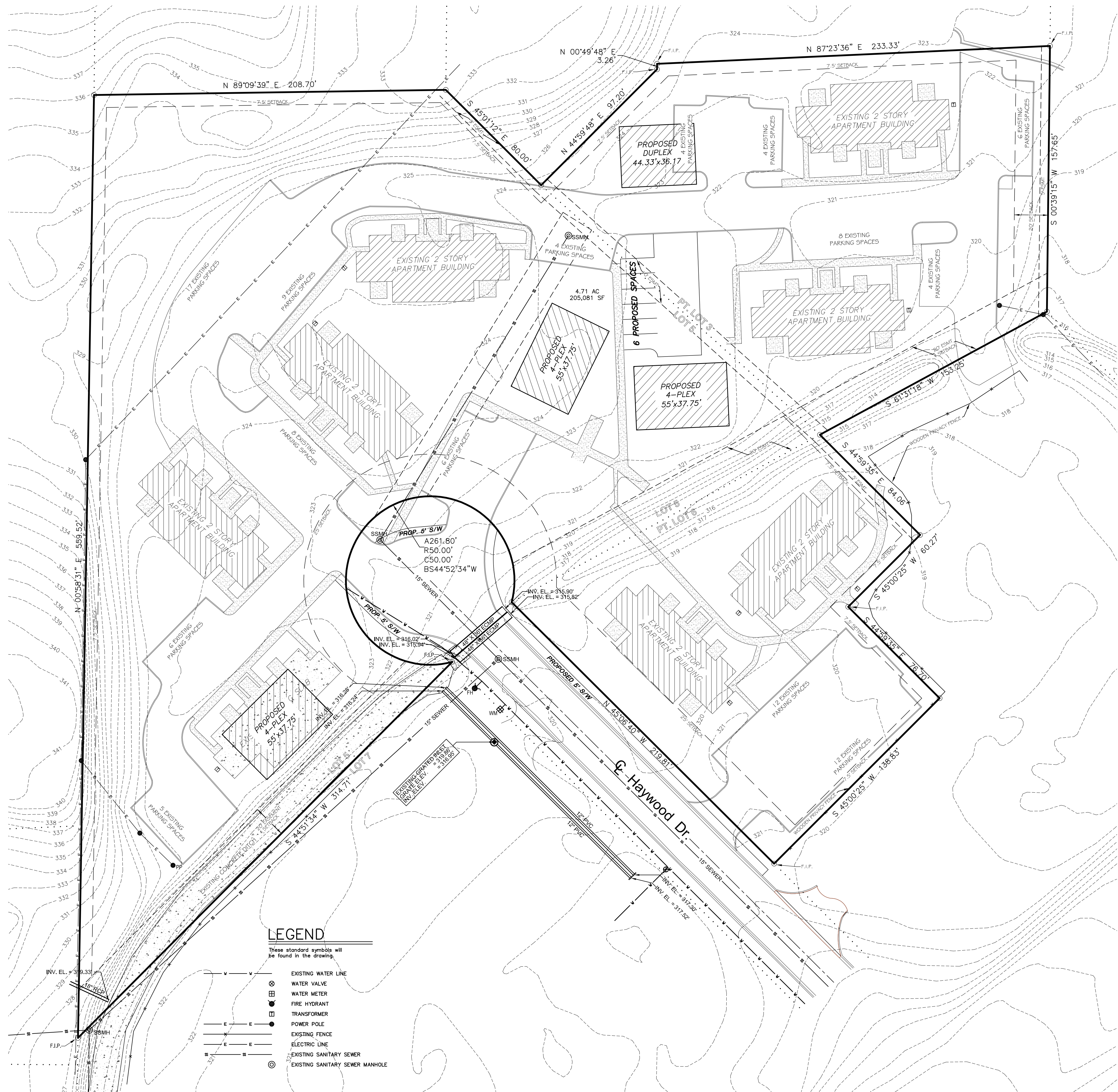
For the past 3 years the apartments to the west of our facility have been a haven for bad behavior. We have experienced domestic violence, drug related arrests and habitual loitering on our premises stemming from the apartment complex now owned by K & A Investments, LLC. The previous owner appeared to pay no mind to the deterioration of the physical facilities thus the quality of the renters has continued to deteriorate to the lowest common denominator. Crime and mischief have followed. Since K & A Investments has purchased the property, exterior upgrades have ensued which only enhances the value of all adjacent property owners. While a coat of paint and new siding alone will not solve the issues that plague this property we are encouraged that for the first time in a long time that an effort and monetary investment is being made by its owner(s) to enhance the property. Hopefully quality renters will begin to move back in as K & A Investments continues to re-invest in their property. While a multi-family Planned Development might not be the optimal neighbor for single family and commercial development, the current owner should not be faulted as these multi-family units have been in place since the early 1970's. That said, in my humble opinion the best solution for all would be for the MAPC and the City of Jonesboro to allow the current owner to continue to upgrade and develop this property in a manner that benefits all property owners surrounding K & A Investment's property.

With that said, on behalf of my staff and business partners we would encourage the MAPC to support K & A Investment, LLC's application to rezone the property thus allowing them to continue to enhance their investment which in turn benefits all property owners in the neighborhood.

Thank you for your consideration.

Steve May, President
PROFESSIONAL TITLE SERVICES OF ARKANSAS
740 Southwest Drive | Jonesboro, Arkansas 72401
870.336.2000 (Main Office) | 870.336.3750 (Direct)
870.930.4460 (Mobile) | 870.336.2001 (Fax)
smay@protitle.com | www.protitle.com





PARKING REQUIRED:

12 - 1 BR UNITS AT 1.75 SPACES/UNIT =	21
26 - 2 BR UNITS AT 2.25 SPACES/UNIT =	59
4 - 3 BR UNITS AT 3.00 SPACES/UNIT =	12
TOTAL REQUIRED:	92
EXISTING PARKING SPACES =	105

- LEGEND**
- These standard symbols will be found in the drawing.
- EXISTING WATER LINE
 - WATER VALVE
 - WATER METER
 - FIRE HYDRANT
 - TRANSFORMER
 - POWER POLE
 - EXISTING FENCE
 - ELECTRIC LINE
 - EXISTING SANITARY SEWER
 - EXISTING SANITARY SEWER MANHOLE

PRELIMINARY LAYOUT 726 SOUTHWEST DRIVE JONESBORO, ARKANSAS FOR K & A INVESTMENTS, LLC		ENGINEERS	PLANNERS	SURVEYORS	Date	Scale	Job No.	Sheet No.
		05/14/18	1"=50'	118052	1 of 1			
		Section	Township	Range	County			
		25	14N	3E	CRAIGHEAD			
Drawn By: DB					Checked by: GH	© 2018, Civilogic		
203 Southwest Dr.-Jonesboro, AR-(870)932-7880-www.civilogic.net								

----- Forwarded Message -----

From: Kevin Alpe <KAlpe@bankwithsouthern.com>

To: 'George Hamman' <george@civilogic.net>

Sent: Monday, August 20, 2018 11:36 AM

Subject: FW: Apartment rezoning

George,

I was sent this by the owner of Team Clean. Who does he need to send it too??

Kevin Alpe

From: Brad Vaden [<mailto:vadenbrad@yahoo.com>]

Sent: Monday, August 20, 2018 9:07 AM

To: Kevin Alpe <KAlpe@bankwithsouthern.com>

Subject: Apartment rezoning

To whom it may concern,

I am writing on behalf of the rezoning proposal before the Metropolitan Area Planning Commission and the Jonesboro City Council on the property at 726 Southwest Drive. **I am writing in support of the rezoning effort.** My property is the Team Clean Carwash property located on Southwest Drive in front of these apartments. The reasons for support are due to the rehabilitation of the apartments since K&A Investments LLC has purchased the property. The upgrades in exterior facilities and tenants continue to improve the neighborhood and my own property.

Thank you,
Brad Vaden
Team Clean Carwash

Sent from my iPhone

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Gregory + Magness Properties

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Hensley, AR 72065

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740 Southwest Dr., LLC c/o Steve May

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☐ Adult Signature Required

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Total Postage and Fees

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Southwest Valley, LLC

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P.O. Box 1697

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08/01/2018



Legislation Details (With Text)

File #:	ORD-18:058	Version:	1	Name:	AN ORDINANCE ABANDONING THE RIGHT-OF-WAY OF HAL STREET AS REQUESTED BY BOB REES
Type:	Ordinance	Status:			First Reading
File created:	8/29/2018	In control:			City Council
On agenda:		Final action:			
Title:	AN ORDINANCE ABANDONING THE RIGHT-OF-WAY OF HAL STREET AS REQUESTED BY BOB REES				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Petition.pdf Ordinance.pdf 070318 - Hal ROW Abandonment - McAlister.pdf ATT.pdf CenterPoint Utility.pdf CWL.pdf Ritter-HPC Abandonment Letter.pdf SuddenLink.pdf				

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

AN ORDINANCE ABANDONING THE RIGHT OF WAY OF HAL STREET LOCATED IN: ALL OF HAL STREET (APPROXIMATELY 140') FROM THE NORTHERLY RIGHT OF WAY OF HIGHLAND PARK CIRCLE TO THE END OF THE CURRENTLY PLATTED HAL STREET AS SHOWN ON PLAT FOR HIGHLAND SUBDIVISION PHASE II IN PLAT BOOK C AT PAGE 119 IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY IN JONESBORO, ARKANSAS. RIGHT OF WAY TO BE REPLACED IN ITS ENTIRETY WITH A 75' COMBINED INGRESS/EGRESS/UTILITY EASEMENT TO ACCOMMODATE EXISTING AND FUTURE UTILITIES.

WHEREAS, the City Council at its regular meeting on August 21, 2018, pursuant to Ark. Stats. Section 14-301-302 through 14-301-304 heard the request of Bob Rees to abandon the public street; and

WHEREAS, the City Council held a public hearing and heard all persons desiring to be heard in connection with this matter; and

WHEREAS, the respective utilities have consented to said abandonment; and

WHEREAS, the abandonment of said street will not adversely affect the City of Jonesboro, and would be in the best interest of all parties concerned.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas, that;

SECTION 1. The City of Jonesboro, Arkansas hereby abandons all of its rights together with the right of the

public generally, in and to Hal Street, as shown on the recorded plat of HIGHLAND SUBDIVISION PHASE II, FILED IN PLAT BOOK C AT PAGE 119 IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY IN JONESBORO, ARKANSAS.

SECTION 2. A copy of the Ordinance duly certified by the City Clerk shall be filed in the office of the Recorder of Craighead County at Jonesboro, Arkansas, and recorded in the Deed Records of Craighead County, Arkansas.

SECTION 3. The abandonment by the City of its rights and the rights of the public generally in the above described street are in the public interest and will promote the public peace and welfare.

PETITION

To: Honorable Harold Perrin, Mayor, and Members of the City Council of the City of Jonesboro, Arkansas.

PETITION TO ABANDON THE RIGHT OF WAY OF HAL STREET.

We, the undersigned, being the owner(s) of the property adjoining the following described property:

ALL OF HAL STREET (APPROXIMATELY 140') FROM THE NORTHERLY RIGHT OF WAY OF HIGHLAND PARK CIRCLE TO THE END OF THE CURRENTLY PLATTED HAL STREET AS SHOWN ON PLAT FOR HIGHLAND SUBDIVISION PHASE II IN PLAT BOOK C AT PAGE 119 IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY IN JONESBORO, ARKANSAS. RIGHT OF WAY TO BE REPLACED IN ITS ENTIRETY WITH A 75' COMBINED INGRESS / EGRESS / UTILITY EASEMENT TO ACCOMODATE EXISTING AND FUTURE UTILITIES.

Herewith file and present this petition to the City Council of the City of Jonesboro, Arkansas to have the street described above abandoned.

Dated this 7th day of Aug, 2018

PROPERTY OWNER NAME AND ADDRESS

Mr. Bob Rees
Magic Touch Corporation
P.O. Box 2516
Jonesboro, AR 72402

Robert Rees
Bob Rees

8-7-18

Date

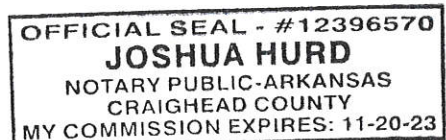
State ARKANSAS

County CRAIGHEAD

Subscribed and sworn to before me this 7th day of August, 2018.

Joshua Hurd
Notary

My Commission Expires: 11-20-23



ORDINANCE NO. _____

AN ORDINANCE ABANDONING THE RIGHT OF WAY OF HAL STREET LOCATED IN:

ALL OF HAL STREET (APPROXIMATELY 140') FROM THE NORTHERLY RIGHT OF WAY OF HIGHLAND PARK CIRCLE TO THE END OF THE CURRENTLY PLATTED HAL STREET AS SHOWN ON PLAT FOR HIGHLAND SUBDIVISION PHASE II IN PLAT BOOK C AT PAGE 119 IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY IN JONESBORO, ARKANSAS. RIGHT OF WAY TO BE REPLACED IN ITS ENTIRETY WITH A 75' COMBINED INGRESS / EGRESS / UTILITY EASEMENT TO ACCOMMODATE EXISTING AND FUTURE UTILITIES.

WHEREAS, the City Council at its regular meeting on _____, pursuant to Ark. Stats. Section 14-301-302 through 14-301-304 heard the request of Bob Rees to abandon the public street; and

WHEREAS, the City Council held a public hearing and heard all persons desiring to be heard in connection with this matter; and

WHEREAS, the respective utilities have consented to said abandonment; and

WHEREAS, the abandonment of said street will not adversely affect the City of Jonesboro, and would be in the best interest of all parties concerned.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas, that;

SECTION 1. The City of Jonesboro, Arkansas hereby abandons all of its rights together with the right of the public generally, in and to Hal Street, as shown on the recorded plat of **HIGHLAND SUBDIVISION PHASE II, FILED IN PLAT BOOK C AT PAGE 119 IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY IN JONESBORO, ARKANSAS.**

SECTION 2. A copy of the Ordinance duly certified by the City Clerk shall be filed in the office of the Recorder of Craighead County at Jonesboro, Arkansas, and recorded in the Deed Records of Craighead County, Arkansas.

SECTION 3. The abandonment by the City of its rights and the rights of the public generally in the above described street are in the public interest and will promote the public peace and welfare.

PASSED AND ADOPTED the _____ day of _____, 2018.

Harold Perrin, Mayor

Donna Jackson, City Clerk



July 3, 2018

Clarence W. "Mac" McAlister, PE, PS
McAlister Engineering, PLLC
4508 Stadium Blvd, Suite D
Jonesboro, AR 72404

Re: Hal Street Right-of-Way Abandonment
(With the stipulation that a 75' Ingress/Egress/Utility Easement shall replace it)

Dear Mr. Harlan:

The City of Jonesboro Engineering and Planning Departments concur with the abandonment of the right-of-way of Hal Street with the stipulation that a 75' ingress/egress/utility easement shall replace it as shown on the record plat for Highland Subdivision Phase II, recorded in Book C, page 119, in the Office of the Circuit Clerk for Craighead County, AR, in Jonesboro, AR.

Please call if more information is needed.

Sincerely,

Craig Light, PE, CFM
City Engineer

Derrell Smith,
City Planner

McALISTER ENGINEERING, PLLC

CIVIL ENGINEERING AND LAND SURVEYING

June 25, 2018

Engineering Department
c/o City of Jonesboro
300 S. Church Street
Jonesboro, AR 72401

RE: Request to Abandon Hal Street Right-of-Way
(With the stipulation that a 75' Ingress/Egress/Utility Easement shall replace it)

To whom it may concern:

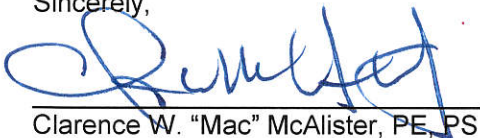
This street is shown on Highland Subdivision Phase II, recorded in Book C, page 119, in the Office of the Circuit Clerk for Craighead County, AR, in Jonesboro, AR. A copy of this plat is enclosed for your records.

A petition, resolution, and ordinance will be presented to the City Council for their decision.

State law stipulates that the proper procedure for abandonment of a right-of-way requires the passage of an ordinance by majority vote of the elected City Council. Simply recording the replat does not satisfy the legal requirements for closure of the easements. City officials need written evidence from the engineering department agreeing with the closure before passing the required ordinance.

A space has been provided below for your signature acknowledging your concurrence with this proposed action to close the right-of-way shown on the original plat of this subdivision. Please sign and return one copy of this letter.

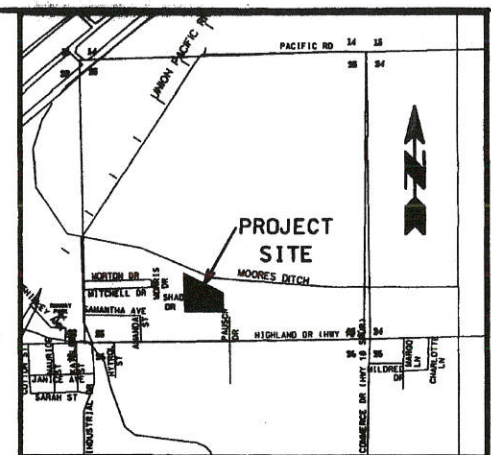
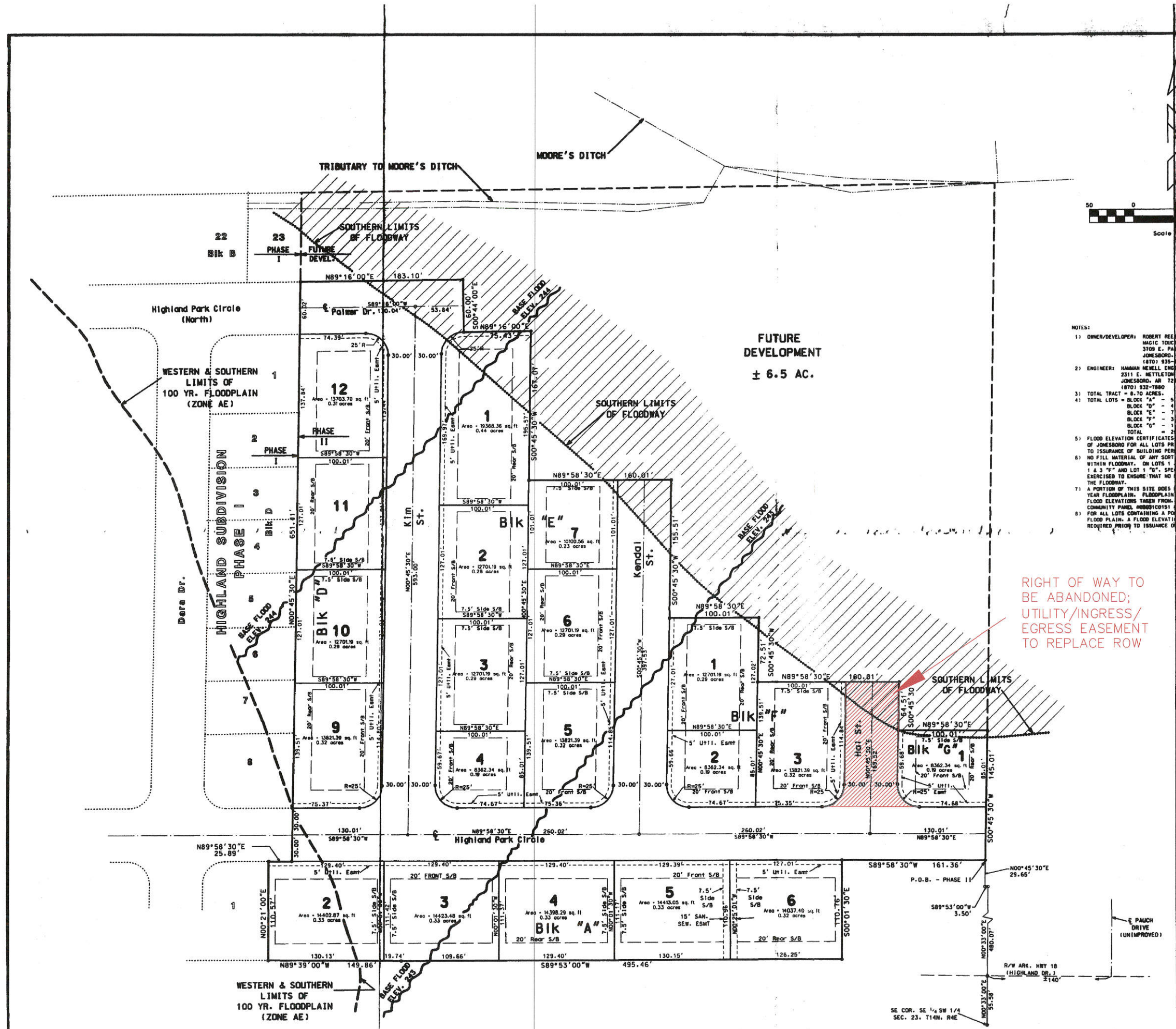
Sincerely,



Clarence W. "Mac" McAlister, PE, PS

I, _____ (print name), concur in the closure of the right-of-way as shown on Highland Subdivision Phase II and as shown on the enclosed document.

(Signature)
Craig Light PE – City Engineer



- NOTES:
- OWNER/DEVELOPER: ROBERT REES, 3709 E. PALMER RD., JONESBORO, AR 72401 (870) 932-7880
 - ENGINEER: HAMMAN NEWELL ENGINEERING, 2311 E. NETTLETON AVE., STE D, JONESBORO, AR 72401 (870) 932-7880
 - TOTAL TRACT = 8.70 ACRES.
 - TOTAL LOTS = BLOCK "A" = 5, BLOCK "D" = 4, BLOCK "E" = 7, BLOCK "F" = 3, BLOCK "G" = 1, TOTAL = 20
 - FLOOD ELEVATION CERTIFICATES TO BE PROVIDED TO CITY OF JONESBORO FOR ALL LOTS PRIOR TO ISSUANCE OF BUILDING PERMIT.
 - NO FILL MATERIAL OF ANY SORT IS ALLOWED WITHIN FLOODWAY. ON LOTS 1, 7, "E" AND LOTS 1 & 3 "F" AND LOT "D", SPECIAL CARE SHOULD BE EXERCISED TO ENSURE THAT NO FILL IS PLACED IN THE FLOODWAY.
 - A PORTION OF THIS SITE DOES LIE WITHIN THE 100 YEAR FLOODPLAIN. FLOODPLAIN, FLOODWAY & BASE FLOOD ELEVATIONS TAKEN FROM FEMA MAPS COMMUNITY PANEL 880801C0151, DTD 8/27/91.
 - FOR ALL LOTS CONTAINING A PORTION OF 100 YEAR FLOOD PLAIN, A FLOOD ELEVATION CERTIFICATE WILL BE REQUIRED PRIOR TO ISSUANCE OF A BUILDING PERMIT.

LEGAL DESCRIPTION:
A PART OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 14 NORTH, RANGE 4 EAST, CRAIGHHEAD CO., ARK. TO WIT: FROM THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, SAID SECTION 23, RUN N 00°53'00" E A DISTANCE OF 55.58 FT. TO A POINT ON THE NORTH RIGHT OF WAY LINE OF HIGHLAND DR. (ARK. HWY 18); THEN CONTINUE N 00°33'00" E A DISTANCE OF 480.07 FT. TO A POINT; THEN RUN S 89°53'00" W A DISTANCE OF 5.50 FT. TO A POINT; THEN RUN N 00°45'30" E A DISTANCE OF 29.65 FT. TO THE POINT OF BEGINNING; THEN RUN S 89°58'30" W A DISTANCE OF 161.36 FT. TO A POINT; THEN RUN S 00°01'30" E A DISTANCE OF 110.75 FT. TO A POINT; THEN RUN S 89°53'00" W A DISTANCE OF 495.46 FT. TO A POINT; THEN RUN N 89°30'00" W A DISTANCE OF 149.86 FT. TO A POINT; THEN RUN N 00°21'00" E A DISTANCE OF 110.57 FT. TO A POINT; THEN RUN N 89°58'30" E A DISTANCE OF 25.89 FT. TO A POINT; THEN RUN N 00°45'30" E A DISTANCE OF 651.41 FT. TO A POINT; THEN RUN N 89°15'00" E A DISTANCE OF 183.10 FT. TO A POINT; THEN RUN S 00°44'00" E A DISTANCE OF 60.00 FT. TO A POINT; THEN RUN N 89°16'00" E A DISTANCE OF 75.43 FT. TO A POINT; THENCE S 00°45'30" W A DISTANCE OF 167.07 FT. TO A POINT; THENCE N 89°58'30" E A DISTANCE OF 160.01 FT. TO A POINT; THENCE RUN S 00°45'30" W A DISTANCE OF 155.51 FT. TO A POINT; THENCE N 89°58'30" E A DISTANCE OF 100.01 FT. TO A POINT; THENCE S 00°45'30" W A DISTANCE OF 72.51 FT. TO A POINT; THENCE N 89°58'30" E A DISTANCE OF 160.01 FT. TO A POINT; THENCE S 00°45'30" W A DISTANCE OF 54.51 FT. TO A POINT; THENCE N 89°58'30" E A DISTANCE OF 100.01 FT. TO A POINT; THEN RUN S 00°45'30" W A DISTANCE OF 145.01 FT. TO THE POINT OF BEGINNING. CONTAINING 8.70 ACRES.

CERTIFICATE OF SURVEY:
TO ALL PARTIES INTERESTED IN TITLE TO THESE PREMISES: I HEREBY CERTIFY THAT WE HAVE PRIOR TO THIS DAY MADE A SURVEY OF THE ABOVE DESCRIBED PROPERTY AS SHOWN ON THE PLAT OF SURVEY HEREON. THE PROPERTY LINES AND CORNER MONUMENTS, TO THE BEST OF MY KNOWLEDGE AND ABILITY, ARE CORRECTLY ESTABLISHED; ENCROACHMENTS, IF ANY, AS DISCLOSED BY SURVEY, ARE SHOWN HEREON.



OWNER'S CERTIFICATION:
WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON. THAT WE ADOPT THE PLAN OF SUBDIVISION AND DEDICATE PERPETUAL USE OF ALL STREETS AND EASEMENTS NOTED.

Robert Rees

BOOK 119
DATE 12-11-01 TIME 10:27AM
CRAIGHHEAD COUNTY
CLERK

METROPOLITAN AREA PLANNING COMMISSION Jonesboro - Craighead County	
<input type="checkbox"/> PRELIMINARY APPROVAL	
<input checked="" type="checkbox"/> FINAL APPROVAL	
<input type="checkbox"/> AS NOTED	
<input type="checkbox"/> DISAPPROVED	
<input checked="" type="checkbox"/> FILED	
<i>Paula Buda</i> Chairman	
<i>John R. ...</i> Secretary	
4-14-98	Date

HIGHLAND SUBDIVISION PHASE II

HNE HAMMAN NEWELL ENGINEERING		ENGINEERS SURVEYORS PLANNERS		2311 East Nettleton Jonesboro, Arkansas 72401 Telephone (870) 932-7880	
RECORD PLAT FOR ROBERT REES JONESBORO, ARKANSAS					
Date 11-14-01	Scale 1"=50'	Job No. 98001	Sheet 1 of 1		
Section 23	Township 14 North	Range 4 East	County Craighead		
© 2001 Hamman Newell Engineering			Index to	DF3A-0210 RE	

FILED
01 DEC 11 AM 8:40
CRAIGHHEAD COUNTY
CLERK

C:\PS\801\8010801REY.DWG JUN 14 2001 11:34:46

FPR4

MCALISTER ENGINEERING, PLLC

CIVIL ENGINEERING AND LAND SURVEYING

June 25, 2018

AT&T Services Inc.
723 S. Church Street
Jonesboro, AR 72401

RE: Request to Abandon Hal Street Right-of-Way
(With the stipulation that a 75' Ingress/Egress/Utility Easement shall replace it)

To whom it may concern:

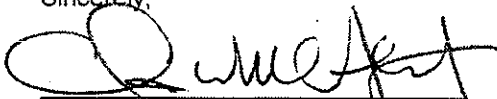
This street is shown on Highland Subdivision Phase II, recorded in Book C, page 119, in the Office of the Circuit Clerk for Craighead County, AR, in Jonesboro, AR. A copy of this plat is enclosed for your records.

A petition, resolution, and ordinance will be presented to the City Council for their decision.

State law stipulates that the proper procedure for abandonment of a right-of-way requires the passage of an ordinance by majority vote of the elected City Council. Simply recording the replat does not satisfy the legal requirements for closure of the easements. City officials need written evidence from all utility service providers agreeing with the closure before passing the required ordinance.

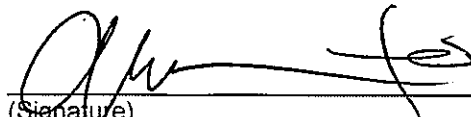
A space has been provided below for your signature acknowledging your concurrence with this proposed action to close the right-of-way shown on the original plat of this subdivision. Please sign and return one copy of this letter.

Sincerely,



Clarence W. "Mac" McAlister, PE, PS

I, ANTHONY MARTINEZ (print name), concur in the closure of the right-of-way as shown on Highland Subdivision Phase II and as shown on the enclosed document.



(Signature)
Utility Company Representative

LEAD OSP ENGINEER
(Position)



Anthony Martinez
Manager-Lead OSP Planning
& Engineering Design

AT&T - Arkansas
723 S. Church, Rm. B27
Jonesboro, AR 72401
870.972.7596 Phone
870.972.7558 Fax

August 7, 2018

Anthony Martinez
AT&T - Arkansas
723 S. Church, Rm. B27
Jonesboro, AR 72401

Dear Mr. Hurd,

Please see page 2 of this document for approval of abandonment of street right-of-way in question, Re: Hal Street Right-of-Way, Highland Subdivision Phase II, recorded in Book C, Page 119, in the Office of the Circuit Clerk for Craighead County, Arkansas in Jonesboro, AR. Please be aware that this approval will not take effect until a hard copy has been delivered to the City of Jonesboro city clerk (Donna Jackson). The delivery of the hard copy must to be completed by McAlister Engineering, PLLC or an associate of theirs.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony Martinez", with a stylized flourish at the end.

Anthony Martinez
Manager-Lead OSP Planning
& Engineering Design



Anthony Martinez
Manager-Lead OSP Planning
& Engineering Design

AT&T - Arkansas
723 S. Church, Rm. B27
Jonesboro, AR 72401
870.972.7596 Phone
870.972.7558 Fax

UTILITY RELEASE FORM

TELECOMMUNICATIONS EASEMENT ABANDONMENT REQUEST

I have been notified of the petition to vacate the following described as follows:

Re: Hal Street Right-of-Way, Highland Subdivision Phase II, recorded in Book C, Page 119, in the Office of the Circuit Clerk for Craighead County, Arkansas in Jonesboro, AR.

UTILITY COMPANY COMMENTS:

- ☒ No objections to the vacation(s) described above.
- ☐ No objections to the vacation(s) described above, provided the following described easements are retained.
- ☐ Objections to the vacation(s) described above, reason described below:

Anthony Martinez
Manager-Lead OSP Planning
& Engineering Design

Signature of Utility Company Representative:

Date:

August 8, 2018

McALISTER ENGINEERING, PLLC

CIVIL ENGINEERING AND LAND SURVEYING

June 25, 2018

CenterPoint Energy
3013 Ole Feedhouse Road
Jonesboro, AR 72404

RE: Request to Abandon Hal Street Right-of-Way
(With the stipulation that a 75' Ingress/Egress/Utility Easement shall replace it)

To whom it may concern:

This street is shown on Highland Subdivision Phase II, recorded in Book C, page 119, in the Office of the Circuit Clerk for Craighead County, AR, in Jonesboro, AR. A copy of this plat is enclosed for your records.

A petition, resolution, and ordinance will be presented to the City Council for their decision.

State law stipulates that the proper procedure for abandonment of a right-of-way requires the passage of an ordinance by majority vote of the elected City Council. Simply recording the replat does not satisfy the legal requirements for closure of the easements. City officials need written evidence from all utility service providers agreeing with the closure before passing the required ordinance.

A space has been provided below for your signature acknowledging your concurrence with this proposed action to close the right-of-way shown on the original plat of this subdivision. Please sign and return one copy of this letter.

Sincerely,



Clarence W. "Mac" McAlister, PE, PS

I, Charles Mantione (print name), concur in the closure of the right-of-way as shown on Highland Subdivision Phase II and as shown on the enclosed document.



(Signature)
Utility Company Representative

6-2-18

Engineer
(Position)



CenterPoint Energy
401 W. Capitol, Suite 600
Little Rock, AR 72201
CenterPointEnergy.com

UTILITY RELEASE FORM

General Utility Easement, Public Access Easement, Alley, Street, R.O.W.

Utility Company: CenterPoint Energy Date: 8/2/2018

Requested Abandonment: Hal Street Right-of-Way

Legal Description:

Hal Street Right-of-Way as shown on Highland Subdivision Phase II, recorded in Book C, page 119, in the office of the Circuit Clerk for Craighead County, AR, in Jonesboro, AR.

UTILITY COMPANY COMMENTS:

☒ No objections to the abandonment(s) described above.

☐ No objections to the abandonment (s) described above, provided the following easements are retained (Exhibit A).

☐ Objects to the abandonment(s) described above, reason described below.

Described
reasons for
objection or
easements to be
retained.


Signature of Utility Company Representative

8/2/18

Engineer
Title



Owned by the Citizens of Jonesboro

July 2, 2018

City of Jonesboro
P.O. Box 1845
Jonesboro, AR 72403
Attn: Donna Jackson, City Clerk

Re: Right of Way Abandonment
Hal Street, Highland Subdivision Phase II
Plat Book C, Page 119
Jonesboro, Craighead County, Arkansas

Dear Donna:

City Water and Light Plant of the City of Jonesboro (CWL) has been requested to relinquish our interest in the right-of-way on the following described property (Existing R.O.W.).

Hal Street, Highland Subdivision Phase II, as recorded in Plat Book C, Page 119 in the Office of the Circuit Clerk for Jonesboro, Craighead County, Arkansas.

CWL has no objection to the abandonment of the Existing R.O.W. subject to and conditioned upon the following language being included in the vacating ordinance:

Any and all easements, utilities and improvements maintained by City Water and Light currently located in the area to be vacated and/or abandoned by this ordinance (the "Existing R.O.W.") shall remain intact and unaffected by the passage of this Ordinance until such time the owner has complied with the following:

1. Dedication of a twenty (20) foot sewer easement, ten (10) feet either side of the sanitary sewer main as constructed running north and south along the west portion of the street to be abandoned (the "New Easement") and a twenty (20) foot water and electric easement, ten (10) feet either side of the utilities, as constructed, running north and south along the east portion of the street to be abandoned (the "New Easement").

Jake Rice III, MANAGER

CITY WATER & LIGHT • 400 East Monroe • P.O. Box 1289 • Jonesboro, Arkansas 72403-1289 • 870/935-5581

2. The New Easements may be conveyed by approved final and recorded plat and plans or by separate express, written easement. As required by Sections 113-49 and 113-50 of the Jonesboro Municipal Code, the Owner shall present any preliminary plat and final plat to CWL for its consideration and approval. In addition, as required by Sections 113-49 and 113-50 of the Jonesboro Municipal Code, any preliminary plat and final plat shall provide information on any existing and proposed utility locations.

Further, please confirm that the vacating ordinance contains provisions that preserve the Existing R.O.W. until the New Easements are properly granted.

Please feel free to contact me with any questions.

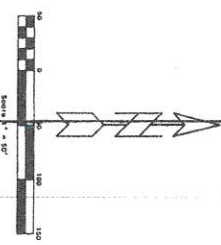
Sincerely,

A handwritten signature in blue ink, appearing to read 'Jake Rice III', with a stylized flourish extending to the right.

Jake Rice III, P.E.
Manager, City Water & Light

Enclosure

Cc: McAlister Engineering

[illegible]

A LIST OF SCIENTIFIC DATA OF SECTION 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 84

LEGAL/CLEAR OF DEFENSE
TO ALL PARTIES INTERESTED IN TITLE TO THIS PROPERTY. I HEREBY
CERTIFY THAT BE AROUND TO THIS DAY UNDER A SURVEY OF THE
LAND DESCRIBED PROPERTY AS SHOWN ON THE PLAT OF SURVEY
RECORD, THE PROPERTY LINES AND CORNER MONUMENTS, TO THE
BEST OF MY KNOWLEDGE AND BELIEF, ARE CORRECTLY EXHIBITED
ENCLOSURE-7. IF ANY, AS DISCLOSED BY SURVEY AND SHOWN
RECORD.

OWNER'S CLASSIFICATION

CASIMIRO, AS MOTO,
 [Signature]

WESTPOULTRY AREA PA

119
027744

☒ FINAL APPROVAL
☐ AS NOTED
☐ DISAPPROVED
☐ TOLUEN

4/14/00

AND SUBDIVISION
PHASE II

ENGINEERS SURVEYORS	23
------------------------	----

	SORT PLAYS PLANNERS	
RECORD PLAY FOR		

ROBERT REES	
JONESBORO, ARKAN	
Date	Sub
11-14-01	4" 20"

Section	Township	Range
23	14 North	4 East

Engineering

before or D

1000

HIGHLAND SUBDIVISION

PHASE II

ENGINEERS SURVEYORS	23
------------------------	----

TELEPHONE 24 HOURS

RECORD PLAY
FOR
ROBERT REES

JONESBORO, ARIZONA	
Date	Grade
11-14-01	4" - 8.0'

Section	Township	Range
23	14 North	4 East

McGraw-Hill Education

McALISTER ENGINEERING, PLLC

CIVIL ENGINEERING AND LAND SURVEYING

June 25, 2018

Ritter Communications Inc.
2400 Ritter Dr.
Jonesboro, AR 72404

RE: Request to Abandon Hal Street Right-of-Way
(With the stipulation that a 75' Ingress/Egress/Utility Easement shall replace it)

To whom it may concern:

This street is shown on Highland Subdivision Phase II, recorded in Book C, page 119, in the Office of the Circuit Clerk for Craighead County, AR, in Jonesboro, AR. A copy of this plat is enclosed for your records.

A petition, resolution, and ordinance will be presented to the City Council for their decision.

State law stipulates that the proper procedure for abandonment of a right-of-way requires the passage of an ordinance by majority vote of the elected City Council. Simply recording the replat does not satisfy the legal requirements for closure of the easements. City officials need written evidence from all utility service providers agreeing with the closure before passing the required ordinance.

A space has been provided below for your signature acknowledging your concurrence with this proposed action to close the right-of-way shown on the original plat of this subdivision. Please sign and return one copy of this letter.

Sincerely,



Clarence W. "Mac" McAlister, PE, PS

I, Rich Busby (print name), concur in the closure of the right-of-way as shown on Highland Subdivision Phase II and as shown on the enclosed document.



(Signature)
Utility Company Representative

OSP Manager
(Position)

MCALISTER ENGINEERING, PLLC

CIVIL ENGINEERING AND LAND SURVEYING

June 25, 2018

Suddenlink Communications Inc.
1520 S. Caraway Road
Jonesboro, AR 72401

RE: Request to Abandon Hal Street Right-of-Way
(With the stipulation that a 75' Ingress/Egress/Utility Easement shall replace it)

To whom it may concern:

This street is shown on Highland Subdivision Phase II, recorded in Book C, page 119, in the Office of the Circuit Clerk for Craighead County, AR, in Jonesboro, AR. A copy of this plat is enclosed for your records.

A petition, resolution, and ordinance will be presented to the City Council for their decision.

State law stipulates that the proper procedure for abandonment of a right-of-way requires the passage of an ordinance by majority vote of the elected City Council. Simply recording the replat does not satisfy the legal requirements for closure of the easements. City officials need written evidence from all utility service providers agreeing with the closure before passing the required ordinance.

A space has been provided below for your signature acknowledging your concurrence with this proposed action to close the right-of-way alleyway shown on the original plat of this subdivision. Please sign and return one copy of this letter.

Sincerely,



Clarence W. "Mac" McAlister, PE, PS

I, John Fain (print name), concur in the closure of the right-of-way as shown on Highland Subdivision Phase II and as shown on the enclosed document.



(Signature)
Utility Company Representative

Construction Planner
(Position)



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Legislation Details (With Text)

File #:	ORD-18:059	Version:	1	Name:	REZONING FROM RESIDENTIAL, R-1 TO COMMERCIAL, C-3 FOR PROPERTY LOCATED AT 3423 HUDSON AS REQUESTED BY ROBIN CALDWELL
Type:	Ordinance	Status:			First Reading
File created:	8/30/2018	In control:			City Council
On agenda:		Final action:			
Title:	AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS, PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM RESIDENTIAL, R-1 TO COMMERCIAL, C-3 FOR PROPERTY LOCATED AT 3423 HUDSON AS REQUESTED BY ROBIN CALDWELL				

Sponsors:

Indexes:

Code sections:

Attachments: [Application.pdf](#)
[Answers to Questions - Revised.pdf](#)
[Staff Summary.pdf](#)
[Survey Plat for Rezoning.pdf](#)
[Aerial View.pdf](#)
[CWL Map.pdf](#)
[Zoning Aerial Map.pdf](#)
[Letterhead - Hudson Drive 2018.pdf](#)
[Caldwell Rezoning Ordinance.pdf](#)
[Hudson Rezoning Plat-1_4151.pdf](#)

Date	Ver.	Action By	Action	Result
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AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS, PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM RESIDENTIAL, R-1 TO COMMERCIAL, C-3 FOR PROPERTY LOCATED AT 3423 HUDSON AS REQUESTED BY ROBIN CALDWELL

WHEREAS, the following described lands located in Jonesboro, Craighead County, Arkansas, are currently zoned R-1, residential use classification (the "Property"):

A PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 14 NORTH, RANGE 4 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 10, THENCE NORTH 89°23'11" WEST 310.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°52'03" EAST 195.79 FEET; THENCE SOUTH 89°36'44" EAST 49.40 FEET; THENCE NORTH 00°43'06" EAST 150.20 FEET; THENCE SOUTH 83°30'42" WEST 334.36 FEET; THENCE SOUTH 01°04'51" EAST 306.37 FEET; THENCE SOUTH 89°40'46" EAST 272.20 FEET TO THE POINT OF BEGINNING PROPER. HAVING AN AREA OF 96,981 SQUARE FEET, 2.23 ACRES MORE OR LESS. BEING SUBJECT TO ALL

PUBLIC AND PRIVATE ROADS AND EASEMENTS.

WHEREAS, all applicable laws, rules and regulations have been complied with in presenting this Ordinance to the City Council.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas, that:

SECTION I: Chapter 117, known as the Zoning Ordinance of the City of Jonesboro, Arkansas, is hereby amended so that the Property described herein shall be zoned as C-3.

SECTION II: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION III: The City Clerk is hereby directed to amend the official zoning district boundary map of the City of Jonesboro, Arkansas, insofar as it relates to the Property, so that the zoning classification of the Property shall be in accordance with the provisions of this Ordinance.



METROPOLITAN AREA
PLANNING COMMISSION
Jonesboro, Arkansas

Application for a Zoning Ordinance Map Amendment

Meeting Date: 7.24.18

Date Received: _____

Meeting Deadline: 7.17.18

Case Number: RZ18-17

LOCATION:

Site Address: 3423 Hudson Dr., Jonesboro, AR 72401

Side of Street: N/A between N/A and N/A

Quarter: NW Section: 10 Township: 14 Range: 04

Attach a survey plat and legal description of the property proposed for rezoning. A Registered Land Surveyor must prepare this plat.

SITE INFORMATION:

Existing Zoning: R-1 Single Family Proposed Zoning: C-3

Size of site (square feet and acres): 2.23 Acres Street frontage (feet): N/A

Existing Use of the Site: Vacant Land

Character and adequacy of adjoining streets: N/A

Does public water serve the site? Yes

If not, how would water service be provided? _____

Does public sanitary sewer serve the site? Yes

If not, how would sewer service be provided? _____

Use of adjoining properties:

North Residential

South Commercial

East Residential

West Commercial

Physical characteristics of the site: Vacant Land with Primarily Sloping Topography

Characteristics of the neighborhood: Commercial to Single Family Residential

Applications will not be considered complete until all items have been supplied. Incomplete applications will not be placed on the Metropolitan Area Planning Commission agenda and will be returned to the applicant. The deadline for submittal of an application is on the public meeting schedule. The Planning staff must determine that the application is complete and adequate before it will be placed on the MAPC agenda.

REZONING INFORMATION:

The applicant is responsible for explaining and justifying the proposed rezoning. *Please prepare an attachment to this application answering each of the following questions in detail:*

- (1). How was the property zoned when the current owner purchased it?
- (2). What is the purpose of the proposed rezoning? Why is the rezoning necessary?
- (3). If rezoned, how would the property be developed and used?
- (4). What would be the density or intensity of development (e.g. number of residential units; square footage of commercial, institutional, or industrial buildings)?
- (5). Is the proposed rezoning consistent with the *Jonesboro Comprehensive Plan* and the *Future Land Use Plan*?
- (6). How would the proposed rezoning be the public interest and benefit the community?
- (7). How would the proposed rezoning be compatible with the zoning, uses, and character of the surrounding area?
- (8). Are there substantial reasons why the property cannot be used in accordance with existing zoning?
- (9). How would the proposed rezoning affect nearby property including impact on property value, traffic, drainage, visual appearance, odor, noise, light, vibration, hours of use or operation and any restriction to the normal and customary use of the affected property.
- (10). How long has the property remained vacant?
- (11). What impact would the proposed rezoning and resulting development have on utilities, streets, drainage, parks, open space, fire, police, and emergency medical services?
- (12). If the rezoning is approved, when would development or redevelopment begin?
- (13). How do neighbors feel about the proposed rezoning? Please attach minutes of the neighborhood meeting held to discuss the proposed rezoning or notes from individual discussions. *If the proposal has not been discussed with neighbors, please attach a statement explaining the reason. Failure to consult with neighbors may result in delay in hearing the application.*
- (14). If this application is for a Limited Use Overlay (LUO), the applicant must specify all uses desired to be permitted.

OWNERSHIP INFORMATION:

All parties to this application understand that the burden of proof in justifying and demonstrating the need for the proposed rezoning rests with the applicant named below.

Owner of Record:

I certify that I am the owner of the property that is the subject of this rezoning application and that I represent all owners, including spouses, of the property to be rezoned. I further certify that all information in this application is true and correct to the best of my knowledge.

Name: Robin Caldwell
Address: 3908 Sunset
City, State: Jonesboro ZIP Ar
Telephone: 870 261-1495
Facsimile: _____
Signature: [Signature]

Applicant:

If you are not the Owner of Record, please describe your relationship to the rezoning proposal:

Name: _____
Address: _____
City, State: _____ ZIP _____
Telephone: _____
Facsimile: _____
Signature: _____

Deed: Please attach a copy of the deed for the subject property.

Applications will not be considered complete until all items have been supplied. Incomplete applications will not be placed on the Metropolitan Area Planning Commission agenda and will be returned to the applicant. The deadline for submittal of an application is on the public meeting schedule. The Planning staff must determine that the application is complete and adequate before it will be placed on the MAPC agenda.

Rezoning Information:

1. The property had no zoning designation when originally purchased, as Jonesboro had not adopted the current land use map and there was no planning and zoning commission. The property was assigned the zoning R-1 when Jonesboro adopted the land use map and established current zoning law in the city.
2. The rezoning is necessary for the future development of the property.
3. Current intentions are for it to be developed into a continuation of the existing storage facilities located to the West. A site plan would have to be presented and approved prior to construction.
4. N/A. No site plan.
5. Yes.
6. Among other things, it would make the property more likely to be developed in the immediate future, thus increase the potential for tax revenue. Also, it would potentially provide storage services to residents of the community.
7. It would be a continuation of the contiguous C-3 zonings to the South and West.
8. Yes. Existing zoning is economically incompatible with development and improvement of the property.
9. No adverse impact.
10. The property has remained vacant since 2005.
11. No adverse impact.
12. Unknown. A site plan would have to be presented and approved prior to development.
13. Surrounding landowners have been contacted. Their opinions are as follows:

Owner: Dan Pasmore
Date Contacted: 5/25/18
Opinion: Did not voice any opposition

Owner: Ray Poe

Date Contacted: 6/5/18 (phone), 6/8/18 (mail)

Opinion: Unable to reach via phone, was mailed rezoning intentions with instructions for contact, however, opinion is still unknown at the time of application submission

Owner: Terry Fowler

Date Contacted: 6/5/18

Opinion: Did not voice any opposition

Owner: Mr. & Mrs. Koster

Date Contacted: 6/5/18

Opinion: No opinion was offered

Owner: Dr. Paul Curtis

Date Contacted: 6/27/18

Opinion: Approved

Owner: David Onstead

Date Contacted: 5/15/18

Opinion: Approved

14. N/A, a LUO is not currently being sought.



City of Jonesboro City Council
Staff Report – RZ 18-17: 3423 Hudson
Municipal Center - 300 S. Church St.
For Consideration by the City Council on September 4, 2018

REQUEST: To consider a rezoning of one tract of land containing 2.23 acres more or less.

PURPOSE: A request to consider recommendation to the City Council from the MAPC for a rezoning of 2.23 acres of land located at 3423 Hudson, from “R-1” Single Family Residential District to “C-3” General Commercial District Classification.

**APPLICANTS/
OWNER:** Robin Caldwell, 3908 Sunset, Jonesboro, AR 72401

LOCATION: 3423 Hudson, Jonesboro, AR 72404

**SITE
DESCRIPTION:** **Tract Size:** Approx. 2.23 Acres
Street Frontage: There is none for this tract of Land.
Topography: Undeveloped Flat
Existing Development: Vacant Land

SURROUNDING CONDITIONS:

ZONE	LAND USE
North	R-1 Undeveloped
South	C-3 LUO General Commercial District and I-1 Industrial District
East	R-1 Single Family Residential Housing
West	R-1 Single Family Residential Housing and C-3 General Commercial LUO

HISTORY: Currently undeveloped.

ZONING ANALYSIS

City Planning Staff has reviewed the proposed Zone Change and offers the following findings:

COMPREHENSIVE PLAN LAND USE MAP

The Current/Future Land Use Map recommends this location as a High Intensity Growth Sector. A wide range of land uses is appropriate in the high intensity zone, from multi-family to fast food to Class A office space to outdoor display/highway oriented businesses such as automotive dealerships, which are located in areas where sewer service is readily available and transportation facilities are equipped to handle the traffic.

High Intensity Growth Recommended Use Types Include:

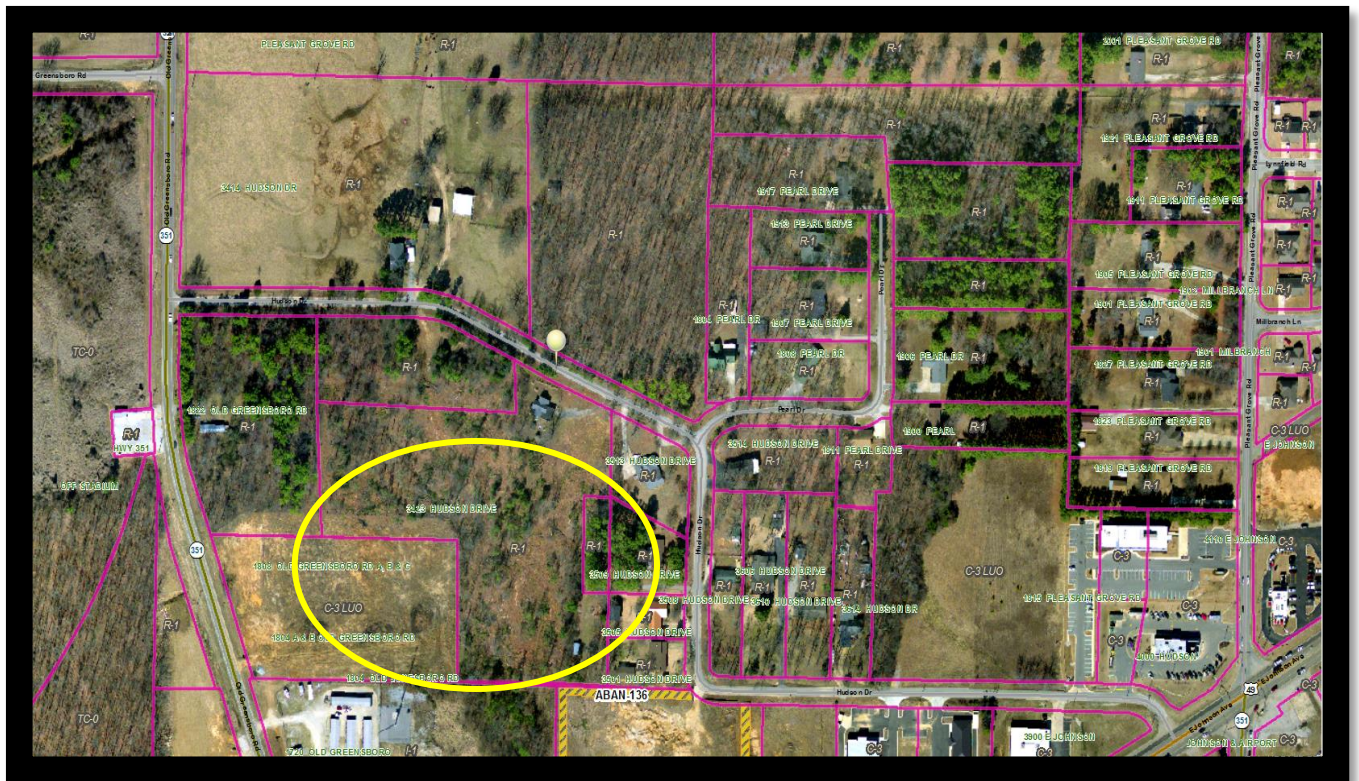
- Regional Shopping Centers
- Automotive Dealerships
- Outdoor Display Retail
- Fast Food Restaurants
- Multi-Family
- Service Stations
- Commercial and Office
- Call Centers
- Research and Development
- Medical
- Banks
- Big Box Commercial
- Hotel

Master Street Plan/Transportation

The subject site is served by Hudson Drive, which on the Master Street Plan is defined as a Local Street. The Local Street is 60 feet wide in the Master Street Plan.



Adopted Land Use Map









Aerial/Zoning Map



Approval Criteria- Chapter 117 - Amendments:

The criteria for approval of a rezoning are set out below. Not all of the criteria must be given equal consideration by the MAPC or City Council in reaching a decision. The criteria to be considered shall include, but not be limited to the following:

Criteria	Explanations and Findings	Comply Y/N
(a) Consistency of the proposal with the Comprehensive Plan/Land Use Map.	The proposed C-3 rezoning is consistent with the Future Land Use Plan, which was categorized as a High Intensity Growth Sector.	
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal will achieve consistency with the purpose of Chapter 117.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	Compatibility is achieved. This area is in redevelopment and transition. Similar use will occur on the Greensboro Village Town Center site.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment.	Property is suitable for Commercial Development and access management principles are implemented. This has to be rezoned because R-1 does not allow Commercial – mini storages.	
(e) Extent to which approval of the proposed rezoning will detrimentally affect nearby property including, but not limited to, any impact on property value, traffic, drainage, visual, odor, noise, light, vibration, hours of use/operation and any restriction to the normal and customary use of the affected property.	This site and use should not be a detriment to the area if controls are implemented to screen and buffer any environmentally sensitive surrounding uses.	
(f) Impact of the proposed development on community facilities and services, including those related to utilities, streets, drainage, parks, open space, fire, police, and emergency medical services.	Minimal impact if rezoned if controls are implemented to screen and buffer any environmentally sensitive surrounding uses.	

Staff Findings:

Applicant's Purpose:

The applicant current intentions are for the property to be developed into a continuation of the existing storage facilities located to the West of the Property. A site plan would be presented and approved to appropriate City Departments. The applicant feels like they can develop the property while having very little impact on the surrounding area.

Chapter 117 of the City Code of Ordinances/Zoning defines Commercial District as follows:

C-3, General Commercial District. The purpose of this district is to provide appropriate locations for commercial and retail uses, which are convenient and serve the needs of the traveling public. The district also provides locations for limited amounts of merchandise, equipment and material being offered for retail sale that are more suitable for storage and display outside the confines of an enclosed structure. Appropriate locations for this district are along heavily traveled Arterial Street. Development of groupings of facilities shall be encouraged, as opposed to less desirable strip commercial.

Departmental/Agency Reviews:

The following departments and agencies were contacted for review and comments. Note that this table will be updated at the hearing due to reporting information that will be updated in the coming days:

Department/Agency	Reports/ Comments	Status
Engineering	No objections to this rezoning to date.	
Streets/Sanitation	No objections to this rezoning to date.	
Police	No objections to this rezoning to date.	
Fire Department	No objections to this rezoning to date.	
MPO	No objections to this rezoning to date.	
Jets	No objections to this rezoning to date.	
Utility Companies	No objections to this rezoning to date.	
Code Enforcement	Quality of Life requests that the concepts of CPTED be implemented in the design of all buildings, landscaping and lighting. ANSI/IES lighting standards are highly recommended. Maintenance plans to retain CPTED Landscaping should also be considered.	

MAPC RECORD OF PROCEEDINGS: PUBLIC HEARING HELD ON AUGUST 14, 2018

Robin Caldwell is requesting a Rezoning from R-1 Single Family District to C-3 General Commercial District for 2.23 acres +/- of land located at 3423 Hudson Street.

APPLICANT: Mr. Zack Baker is representing Robin Caldwell. He said the proposal is for 2.23 acres, it is currently zoned as R-1, and the applicant wants to rezone it to C-3. He said properties adjacent is zoned as Industrial or commercial.

STAFF: Mr. Derrel Smith asked the applicant on how they plan to access this parcel as it does not have frontage.

STAFF: Mr. Zack Baker said they do not have specific plans of what they want to do with the re-zoning.

BOARD: Mr. Chairman Lonnie Roberts asked if they do not intend to have an access from Hudson Drive.

APPLICANT: Mr. Zack Baker said correct.

STAFF: Mr. Derrel Smith said this rezoning meets 5 of the 6 criteria and the Planning Department would recommend approval. We would recommend that we approve the rezoning. The following stipulations will apply:

- 1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.**
- 2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC, prior to any redevelopment of the property.**
- 3. Any change of use shall be subject to Planning Commission approval in the future.**
- 4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, outdoor storage, dumpster enclosure, sidewalks etc. shall be submitted to the Planning Department prior to any redevelopment.**

BOARD: Ms. Mary Margaret Jackson asked if the adjacent property is owned by Robin Caldwell also.

APPLICANT: Mr. Zack Baker said no, the storage facility have a different owner.

STAFF: Mr. Derrel Smith said when they start to develop the property that is when the applicant will have to provide access to a public street. Mr. Smith continued that he assumes the applicant is trying to combine with the adjacent lot but are not wanting to say it.

BOARD: Mr. Lonnie Roberts asked if there are any public comments.

PUBLIC: No Opposition.

COMMISSION ACTION:

Mr. Jim Little made a motion to approve Case: RZ: 18-17, as submitted, to the City Council with the stipulations that were read by the Planning Department:

- 1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.**
- 2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC, prior to any redevelopment of the property.**
- 3. Any change of use shall be subject to Planning Commission approval in the future.**
- 4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, outdoor storage, dumpster enclosure, sidewalks etc. shall be submitted to the Planning Department prior to any redevelopment.**

The MAPC find to rezone property from “R-1” Single Family Residential District to “C-3” General Commercial District. Motion was seconded by Mr. Jimmy Cooper.

Roll Call Vote: 7-0, Aye’s: Jim Scurlock; Mary Margaret Jackson; David Handwork; Kevin Bailey; Jerry Reece; Jimmy Cooper; and Jim Little

Absent: Dennis Zolper

Conclusion:

The Planning Department Staff finds that the requested Zoning Change submitted for subject parcel, should be approved based on the above observations and criteria of Case RZ 18-17, a request to rezone property from “R-1” Single Family Residential District to “C-3” General Commercial District subject to final site plan approval by the MAPC.

1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC, prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Commission approval in the future.
4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, outdoor storage, dumpster enclosure, sidewalks etc. shall be submitted to the Planning Department prior to any redevelopment.

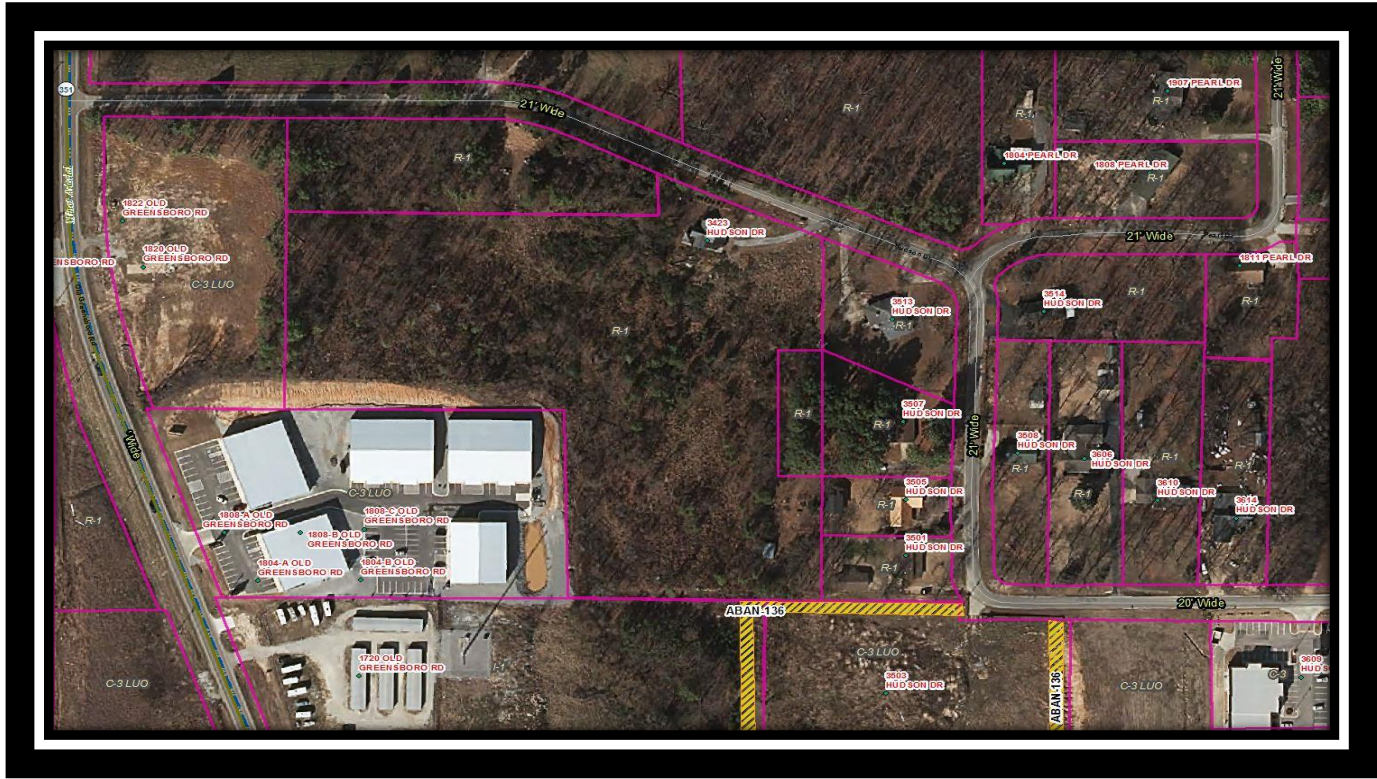
Respectfully Submitted for City Council Consideration,

The Planning Staff

Sample Motion:

I move that we place Case: RZ 18-17 on the floor for consideration of recommendation by MAPC to the City Council with the noted conditions, and we, the MAPC find that changing the zoning of this property from “R-1” Single Family Residential District to the proposed “C-3”, General Commercial District, will be compatible and suitable with the zoning, uses, and character of the surrounding area, subject to the Final Site Plan review and approval by the MAPC in the future.

Pictures of Area

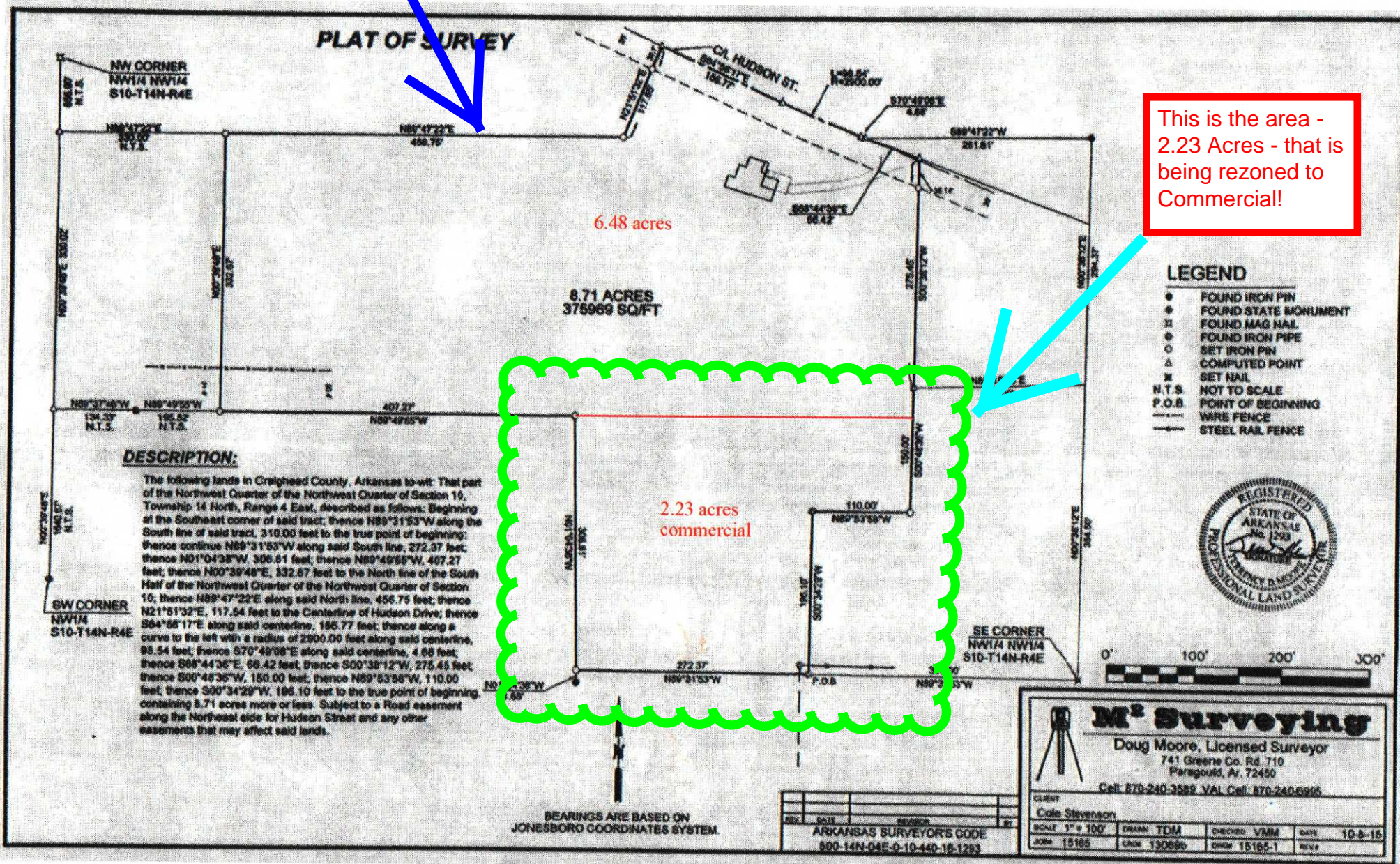




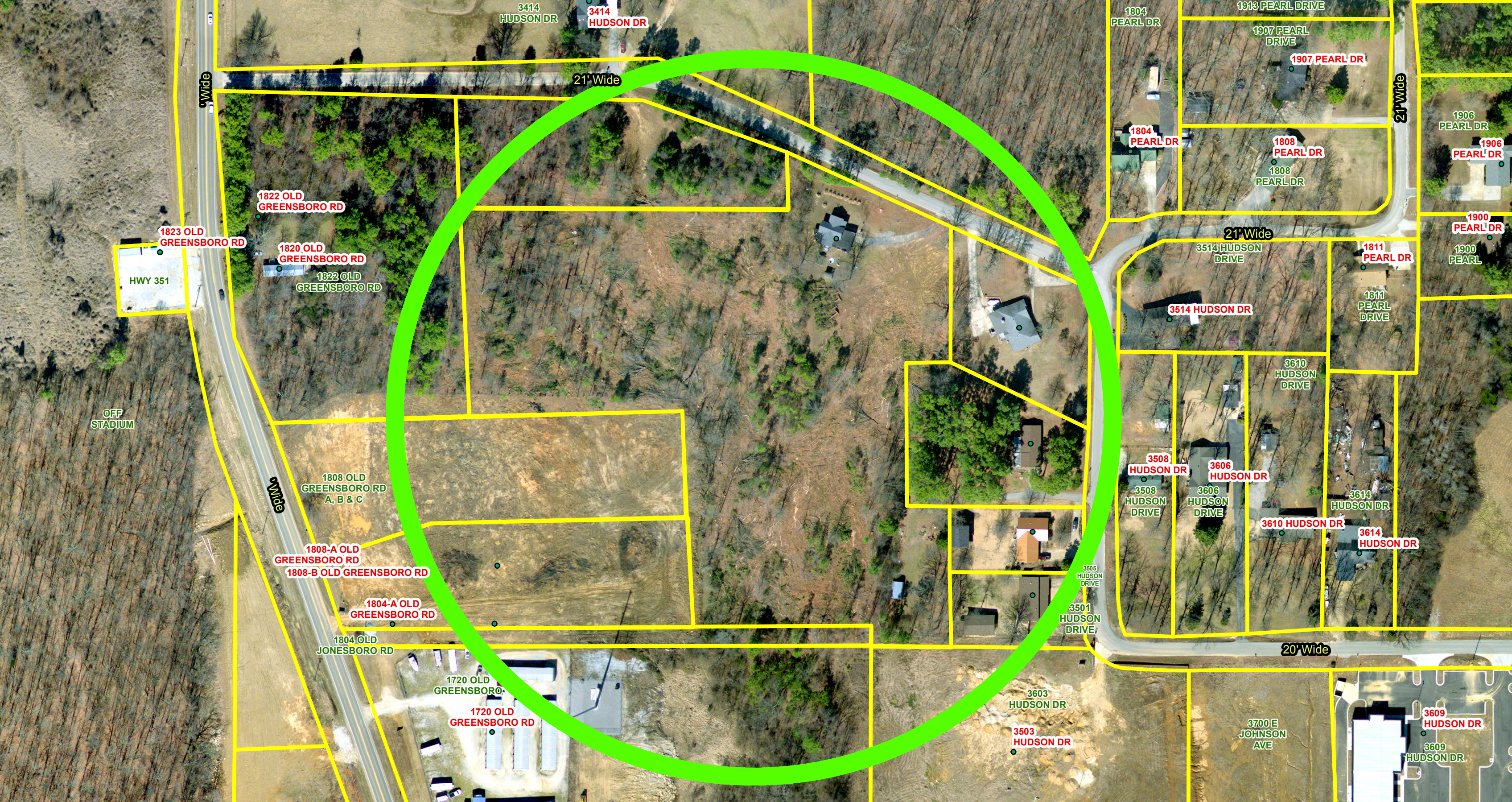




This are is staying Residential - 6.48 Acres of Land.



This is the area - 2.23 Acres - that is being rezoned to Commercial!



3414 HUDSON DR

3414 HUDSON DR

1804 PEARL DR

1913 PEARL DRIVE

1907 PEARL DRIVE

1907 PEARL DR

1906 PEARL DR

1906 PEARL DR

1900 PEARL DR

1900 PEARL

1822 OLD GREENSBORO RD

1823 OLD GREENSBORO RD

1820 OLD GREENSBORO RD

1822 OLD GREENSBORO RD

HWY 351

21' Wide

3514 HUDSON DRIVE

1811 PEARL DR

3514 HUDSON DR

1811 PEARL DRIVE

3610 HUDSON DRIVE

3508 HUDSON DR

3606 HUDSON DR

3508 HUDSON DRIVE

3606 HUDSON DRIVE

3610 HUDSON DR

3614 HUDSON DR

3610 HUDSON DR

3614 HUDSON DR

3505 HUDSON DRIVE

3501 HUDSON DRIVE

3603 HUDSON DR

3503 HUDSON DR

3700 E JOHNSON AVE

3609 HUDSON DR

3609 HUDSON DR

1720 OLD GREENSBORO

1720 OLD GREENSBORO RD

1804 OLD JONESBORO RD

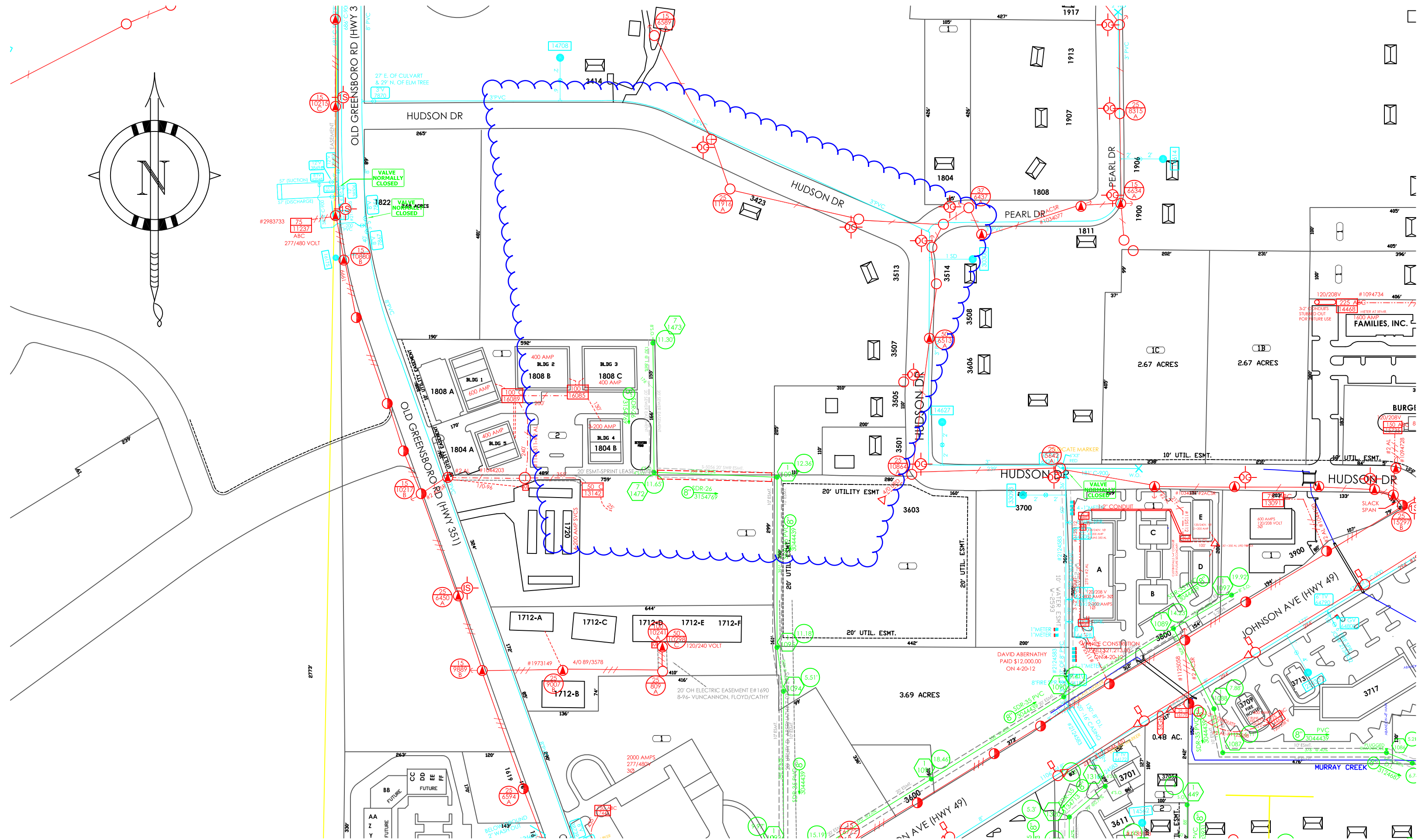
1808-A OLD GREENSBORO RD

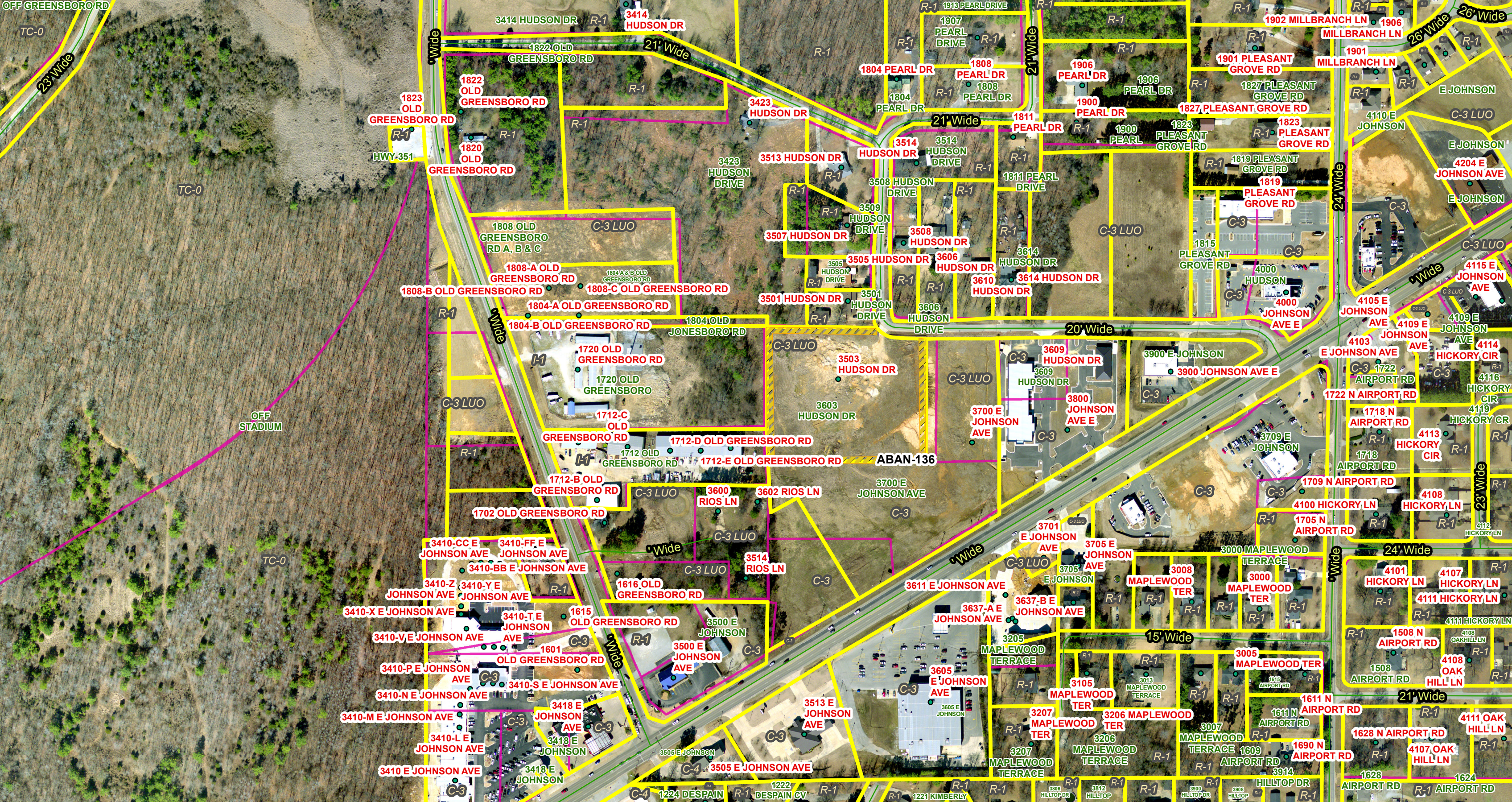
1808-B OLD GREENSBORO RD

1804-A OLD GREENSBORO RD

1808 OLD GREENSBORO RD A, B & C

OFF STADIUM







Owned by the Citizens of Jonesboro

August 9, 2018

Re: Hudson Drive Utilities

To Whom It May Concern:

City Water & Light has no objection to the proposed commercial rezoning south of Hudson Drive.

However, sewer is the only utility that is adjacent to this tract of land. Water & electric are on the right of way of Hudson Drive.

Jake Rice III, MANAGER

CITY WATER AND LIGHT • 400 East Monroe • P.O. Box 1289 • Jonesboro, Arkansas 72403-1289 • 870/935-5581

**AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS
THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS,
PROVIDING FOR CHANGES IN ZONING BOUNDARIES**

WHEREAS, the following described lands located in Jonesboro, Craighead County, Arkansas, are currently zoned R-1, residential use classification (the "Property"):

A PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 14 NORTH, RANGE 4 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 10, THENCE NORTH 89°23'11" WEST 310.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°52'03" EAST 195.79 FEET; THENCE SOUTH 89°36'44" EAST 49.40 FEET; THENCE NORTH 00°43'06" EAST 150.20 FEET; THENCE SOUTH 83°30'42" WEST 334.36 FEET; THENCE SOUTH 01°04'51" EAST 306.37 FEET; THENCE SOUTH 89°40'46" EAST 272.20 FEET TO THE POINT OF BEGINNING PROPER. HAVING AN AREA OF 96,981 SQUARE FEET, 2.23 ACRES MORE OR LESS. BEING SUBJECT TO ALL PUBLIC AND PRIVATE ROADS AND EASEMENTS.

WHEREAS, all applicable laws, rules and regulations have been complied with in presenting this Ordinance to the City Council.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas, that:

SECTION I: Chapter 117, known as the Zoning Ordinance of the City of Jonesboro, Arkansas, is hereby amended so that the Property described herein shall be zoned as C-3.

SECTION II: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

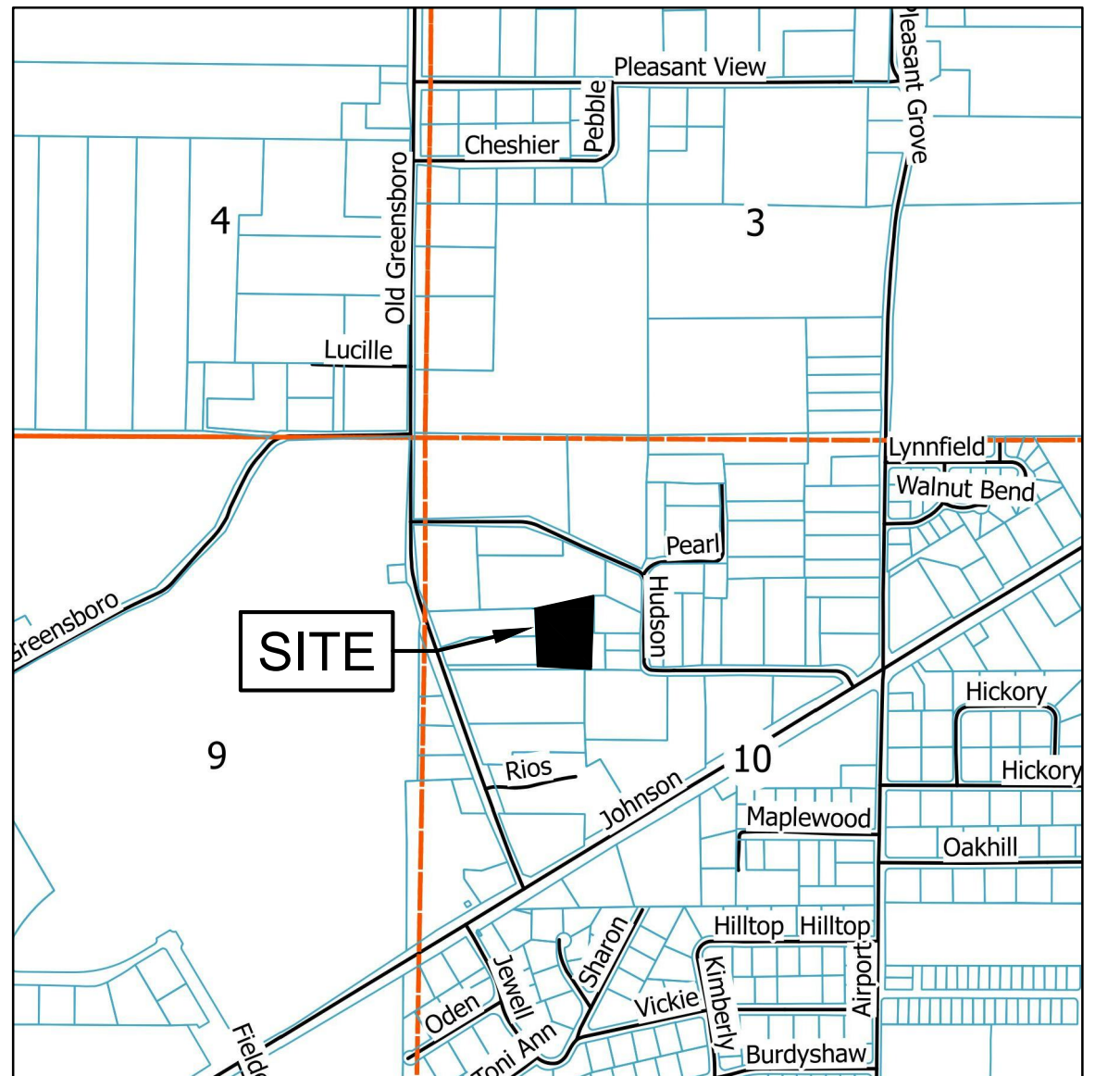
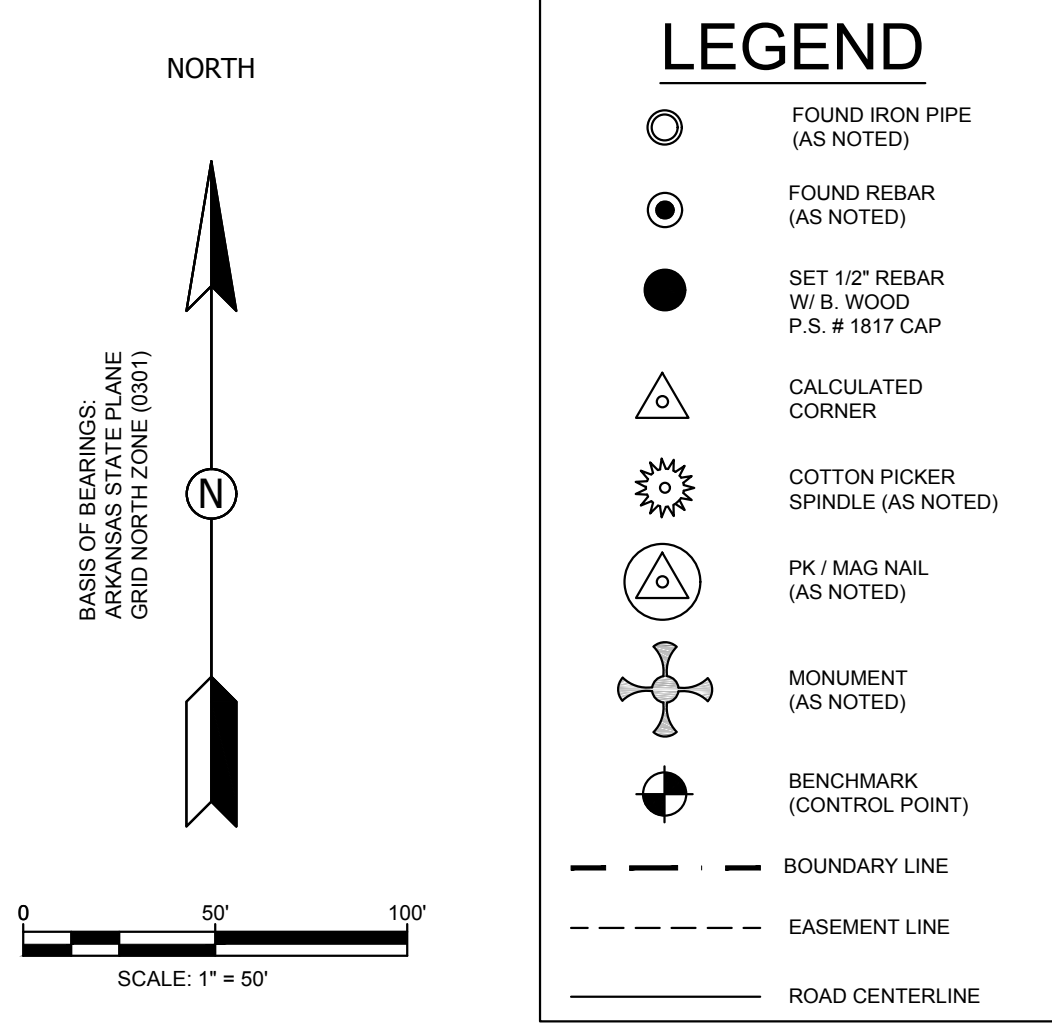
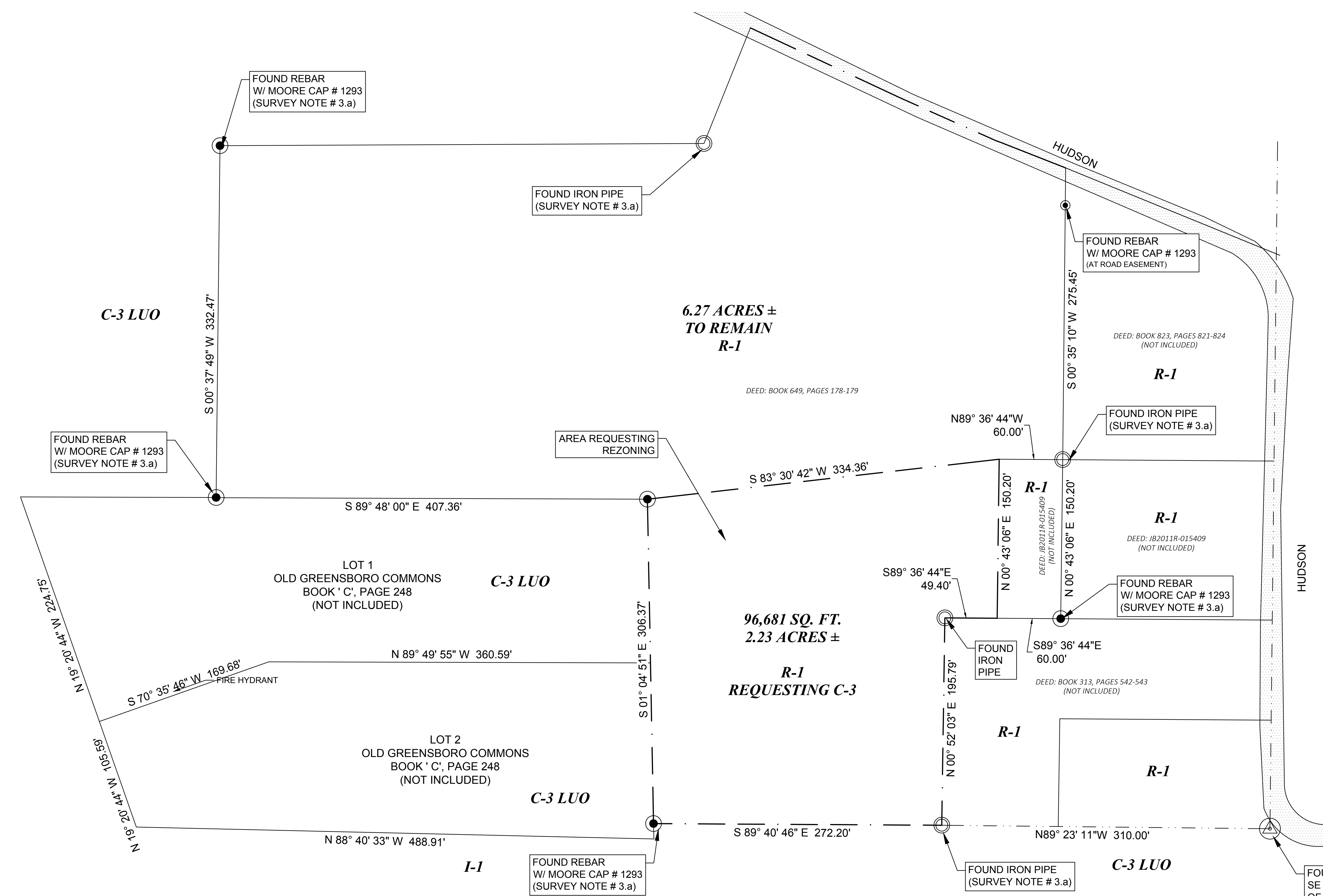
SECTION III: The City Clerk is hereby directed to amend the official zoning district boundary map of the City of Jonesboro, Arkansas, insofar as it relates to the Property, so that the zoning classification of the Property shall be in accordance with the provisions of this Ordinance.

PASSED and APPROVED this ____ day of _____, 2018.

Harold Perrin, Mayor

ATTEST:

Donna Jackson, City Clerk



DESCRIPTION:
A PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 14 NORTH, RANGE 4 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 10, THENCE NORTH 89°23'11" WEST 310.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°52'03" EAST 195.79 FEET; THENCE SOUTH 89°36'44" EAST 49.40 FEET; THENCE NORTH 00°43'06" EAST 150.20 FEET; THENCE SOUTH 83°30'42" WEST 334.36 FEET; THENCE SOUTH 01°04'51" EAST 306.37 FEET; THENCE SOUTH 89°40'46" EAST 272.20 FEET TO THE POINT OF BEGINNING PROPER.

HAVING AN AREA OF 96,981 SQUARE FEET, 2.23 ACRES MORE OR LESS. BEING SUBJECT TO ALL PUBLIC AND PRIVATE ROADS AND EASEMENTS.

SURVEYOR'S NOTES:

- SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD OR ANY OTHER FACTS THAT AN ACCURATE TITLE SEARCH MAY DISCLOSE.
- SUBJECT PROPERTY IS ZONED R-1. REQUESTING TO BE REZONED TO C-3.
- THE FOLLOWING DOCUMENTS WERE USED AS REFERENCES FOR THIS SURVEY:
 - SURVEY PLAT - COLE STEVENSON, BY D. MOORE # 1293, DATED 10/08/2015, PROVIDED BY OWNER.
 - SURVEY PLAT - OLD GREENSBORO COMMONS, BY M. MCNEESE # 1709, CRAIGHEAD COUNTY COURTHOUSE, PLAT BOOK 'C', PAGE 248, DATED 04/24/2014.
 - THE FOLLOWING DEEDS RECORDED IN THE CRAIGHEAD COUNTY COURTHOUSE WERE USED IN SUPPORT:
 - CALDWELL - BOOK 649, PAGES 178-179
 - PASMORE - JB2011R-015409
 - FOWLER - BOOK 823, PAGES 821-824
 - POE - BOOK 313, PAGES 542-543

OWNER'S CERTIFICATION

WE, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE ABOVE DESCRIBED PROPERTY AND HAVE CAUSED SAME TO BE SURVEYED AS SHOWN HEREON AND DEDICATE THE PERPETUAL USE OF ALL STREETS AND EASEMENTS AS NOTED.

PRINTED NAME: _____ PRINTED NAME: _____
SIGNATURE: _____ SIGNATURE: _____
TITLE: _____ TITLE: _____

SURVEYOR'S CERTIFICATION :

I, BRANDON G. WOOD, CERTIFY THAT THE SURVEY SHOWN HERON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF "ARKANSAS STANDARDS OF PRACTICE FOR PROPERTY BOUNDARY SURVEYS AND PLATS".
BRANDON G. WOOD, P.S. # 1817

BRANDON G. WOOD
ARKANSAS SURVEYOR
1817

REZONING PLAT
EXISTING R-1 : REQUESTING C-3
SECTION 10, TOWNSHIP 14 NORTH, RANGE 4 EAST
JONESBORO, CRAIGHEAD COUNTY, ARKANSAS

DATE: 8/26/18
REV:

DRAWN BY: BGW

BRANDON WOOD, P.E., P.S.
ENGINEERING & SURVEYING
112 CR 7625
BROOKLAND, AR 72417
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Legislation Details (With Text)

File #:	ORD-18:051	Version:	1	Name:	AN ORDINANCE AMENDING THE JONESBORO CODE OF ORDINANCES, SECTION 117-326, FOR THE PURPOSE OF PROVIDING MINIMUM STANDARDS FOR THE PROVISION OF LANDSCAPE, SCREENING AND TREE PRESERVATION WITHIN THE CITY OF JONESBORO, ARKANSAS, WITH THE INTENT TO PROMOTE LAND
Type:	Ordinance	Status:			Second Reading
File created:	7/25/2018	In control:			Public Works Council Committee
On agenda:		Final action:			
Title:	AN ORDINANCE AMENDING THE JONESBORO CODE OF ORDINANCES, SECTION 117-326, FOR THE PURPOSE OF PROVIDING MINIMUM STANDARDS FOR THE PROVISION OF LANDSCAPE, SCREENING AND TREE PRESERVATION WITHIN THE CITY OF JONESBORO, ARKANSAS, WITH THE INTENT TO PROMOTE LANDSCAPING, BUFFERING, SCREENING AND TREE PRESERVATION FOR THE GENERAL HEALTH, SAFETY AND WELFARE OF THE COMMUNITY.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Landscape Ordinance 5th addn.pdf				

Date	Ver.	Action By	Action	Result
8/21/2018	1	City Council		
8/7/2018	1	Public Works Council Committee		

AN ORDINANCE AMENDING THE JONESBORO CODE OF ORDINANCES, SECTION 117-326, FOR THE PURPOSE OF PROVIDING MINIMUM STANDARDS FOR THE PROVISION OF LANDSCAPE, SCREENING AND TREE PRESERVATION WITHIN THE CITY OF JONESBORO, ARKANSAS, WITH THE INTENT TO PROMOTE LANDSCAPING, BUFFERING, SCREENING AND TREE PRESERVATION FOR THE GENERAL HEALTH, SAFETY AND WELFARE OF THE COMMUNITY.
BE IT THEREFORE ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS THAT:

SECTION 1. THE CURRENT LANGUAGE IN SECTION 117-326 SHALL BE REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING:

Sec. 117-326. Landscaping and Screening

This section sets out the minimum landscaping and screening and tree preservation requirements for new development in the city as follows:

1. Applicability exemptions. The following shall be exempt from the standards of this section:
 - a. Residential. The AG, RR, R-O, RS-1 - RS-8, R-1, R-1A, and RU-I

districts shall be exempt from all standards of this section.

- b. Existing development. Improvements or repairs to existing development that do not result in an increase in floor area, or changes in use that do not result in an increase in floor area and do not result in an increase in intensity, shall also be exempt from all the standards of this section.

2. General Landscaping requirements. All new development and redevelopment must provide a landscape plan meeting the requirements below.

3. A percentage of the total land area currently under development will be devoted to landscaping.

- a. If the total current development area is two acres or more, the developer must provide either a minimum of 20 percent green space with at least one new tree or shrub meeting the plant criteria herein for each 2,000 square feet of the total development area; or, a minimum of 15 percent green space with one tree or shrub for every 1,000 square feet of total development area. If the developer opts to use the 15 percent green space option, tree size must be increase from two and one-half inch ball and burlap to four-inch ball and burlap.
- b. If the development is less than two acres, at least one new tree or shrub meeting the plant criteria herein must be provided for each 1,000 square feet of the total land area for developments up to two acres.

4. Criteria for plant materials:

- a. A minimum of 25% of the plant materials required under this code shall consist of trees of which 40% shall be native species.
- b. Parking lots containing ten (10) or more spaces shall be landscaped in the following manner:

1. Narrow tree lawn. A continuous landscape strip between rows of parking. The minimum width of a tree lawn shall be ten feet (10') and a minimum length of eighteen feet (18'), or an area of not less than three hundred twenty-four square feet (324 sf). If the parking area is a double bay parking area, the tree island shall be a minimum width of eighteen feet (18') and a minimum length of thirty-six feet (36'), or an area of not less than six hundred forty-eight square feet (648 sf). One tree shall be planted for every 15 parking spaces with this option, with the maximum run of 15 parking spaces permitted without a tree island.

Interior trees shall be placed on either side of points of access (entrance drives, exit drives) within tree islands. In addition, all street trees must be spaced at a minimum of forty feet (40'). All tree planted to meet these requirements shall be deciduous shade trees.

- c. New plants may be selected from the recommended plants list provided by the Planning and Zoning Department. Plants should be selected for hardiness in local zones. Plants should be arranged to facilitate growth and avoid damage by development. The following trees

shall not be used in a landscape plan:

1. Black locust (*Robinia Pseudacacia*)
2. Cottonwood (*Populus Trichocarps*)
3. Bradford pear (*Pyrus Calleryana* “Bradford”)
4. Southern live oak (*Quercus Virginiana*)
5. Mimosa (*Albizia Julibrissin*)
6. Privet (*Ligstrum Sinese*)

- d. Deciduous ornamental trees must be balled and burlapped, have at least two and one-half inch caliper, and be at least eight (8) feet tall. Deciduous shade trees must be balled and burlapped, have at least two and one-half inch caliper by at least eight (8) feet tall. Evergreen trees must be balled and burlapped and be at least ten (10) feet in height above natural grade.

No more than 25% of the total number of trees may be ornamental trees, and at least 10% of the trees shall be evergreen. Shrubs are to be five-gallon size, minimum.

- e. Perennials from the recommended plants list qualify as a plant selection to meet minimum requirements in the ratio of 20:1. Twenty perennials, six inch pot size, equal one shrub. Perennials qualify as plant selections to a maximum of 15% of the required number of plants.
- f. Credit to the plant requirement will be considered for existing trees, provided: they are of a desirable type, are healthy specimens, they contribute to the compatibility of the development, and they are not threatened by the construction or placement of the proposed development. Existing trees may not have a change in grade under the tree canopy greater than +_4. In addition, the health of existing trees must be certified by a licensed arborist. Qualification or placement of the proposed plant material must be verified with the Planning and Zoning Department.

5. Landscape buffer zones, screening fences, or walls will be required where nonresidential zones abut residential zones. Landscape buffer zones, screening fences, or screening walls may also be required where multi-family zones abut low-density residential zones. The width of the required buffer shall be verified with the Planning and Zoning Department. If plants are to be used for screening, they must be evergreen and planted to provide a solid screen within three (3) years.

6. Installation, maintenance, and replacement

- a. Installation. All landscaping shall be installed according to sound nursery practices and in a manner designed to encourage vigorous growth. All landscape material, both living and nonliving, shall be in place prior to issuance of a certificate of occupancy or a bond or letter of credit for the full amount of the landscaping.
- b. Maintenance and replacement. Trees, shrubs, fences, walls and other

landscape features, which includes screening depicted on plans approved by the city, shall be considered as elements of the project in the same manner as parking, building materials, and other details are elements of the plan. The landowner, or successors in interest, or agent, if any, shall be jointly and severally responsible for the following:

1. Regular maintenance of all landscaping, must be kept in good condition and in a way that presents a healthy, neat, and orderly appearance. All landscaping shall be maintained free from disease, pests, weeds and litter. This maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching or other maintenance, as needed and in accordance with acceptable horticultural practices;
2. The repair or replacement of required landscape structures e.g., fences and walls, to a structurally sound condition;
3. The regular maintenance, repair, or replacement, where necessary, or any landscaping required by the section; and
4. Continuous maintenance of the site.

Recommended Plant List

Large Shrubs/small trees appropriate under power lines.

Scientific Name Remarks	Common Name	Height x width	Landscape
<i>Acer Buergerianum</i> variable and rare	Trident Maple	25' x 20'	Fall color
<i>Acer Ginnala</i> color	Amur Maple	18' x 15'	Flame fall
<i>Acer Griseum</i> bark; partial sun	Paperbark Maple	20' x 10'	Exceptional
<i>Acer Palmatum</i> 'Bloodgood'/'T Rompenburg'	Japanese Maple	variable	
<i>Acer Tataricum</i> color	Tatarian Maple	20' x 20'	Variable fall
<i>Acer Truncatum</i> Yellow/orange fall color (<i>'Fire Dragon'</i>)	Shantung Maple	20' x 20'	
<i>Amelanchier Stolonifera</i>	Running Serviceberry	5' x 5'	

<i>Carpinus Caroliniana</i>	American Hornbeam	25' x 25' fall color (orange/red)	Variable
<i>Cercis Canadensis</i> fall color; flws. March/early April	Eastern Redbud	20'x20'	No
<i>Chionanthus Retusus</i> color; flws. late April	Chinese Fringetree	20' x 24'	No fall
<i>Chionanthus Virginicus</i> color; flws. late April	White Fringetree	20' x 20'	No fall
<i>Cornus Kousa</i>	Kousa Dogwood	25' x 25'	
<i>Cornus Florida</i> flowers; avoid full sun	Florida Dogwood	20' x 25'	Except
<i>Cotinus Coggygria</i> purple foliage	Smoketree	12' x 12'	Intense
<i>Hamamelis Vernalis</i>	Vernal Witchhazel	10' x 15'	
<i>Koelreuteria Pediculate</i> Attractive, flws, summer	Goldenraintree	25' x 25'	
<i>Lagerstroemia sp.</i> flowers	Crapemyrtle	8' to 40' tall	Summer
<i>Maclura Pomifera</i> color, large fruit	Osage-orange	25' x 28'	No fall
<i>Magnolia Stellate</i> white flws. March;	Star Magnolia	15' x 15'	Attractive
<i>Magnolia Kobus</i>	Kobus Magnolia	30' x 30'	
<i>Hybrids ('Jane', '.Ricki', 'Susan')</i>		15' x 15'	
<i>Magnolia x Soulangiana</i> White/pink saucer flws	Saucer Magnolia	25' x 25'	
<i>Magnolia Virginia</i> evergreen	Sweetbay Magnolia	18' x 12'	Semi-
<i>Malus sp.</i> Attractive white flws, March	Crabapple	6 to 20' tall	
<i>Morus Alba "Pendula"</i> Specimen; weeping habit	Weeping White Mulberry	15' x 15'	
<i>Prunus Serrulata "Kwanzan"</i> shaped like a martini	Yoshino cherry	20' x 25'	Crown
<i>Rhus aromatic</i>	Fragrant Sumac	8' x 8'	
<i>Rhus Glabra/R. Copalina</i> color; suckering habit	Smooth Sumac	18' x 18'	Red Fall

Flameleaf Sumac**Focal Trees (not to be used as a substitute for street trees)**

<i>Amelanchier Arborea</i>	Downy Serviceberry	30' x 30'
<i>Carpinus Caroliniana</i>	American Hornbeam	30' x 25'
<i>Hamamelis Virginiana</i>	Common Witchhazel	20' x 20'
<i>Lagerstroemia Indica</i>	Crape Myrtle	30' x 20'

Trees appropriate in urban settings as street trees.

Scientific Name Remarks	Common Name	Height x width	Landscape
<i>Acer Rubrum</i>	Red Maple	65 x 60'	Red fall color
<i>Carpinus Betulus "Fastigiata"</i> Yellowish fall color	European Hornbeam	25' x 15'	
<i>Carpinus Caroliniana</i>	American Hornbeam	30' x 25'	
<i>Ginkgo Biloba (male)</i> fall color	Ginkgo	70' x 55'	Butter yellow
<i>Gleditsia Triacanthos</i> litter	Thornless Honeylocust	45'x45'	Small leaf
<i>Gymnocladus Dioicus (male)</i>	Kentucky Coffeetree	60' x 60'	
<i>Liquidambar Styraciflua</i>	Sweetgum	55' x 35'	Fruitless only
<i>Ostrya Virginiana</i>	American Hophornbeam	40' x 25'	
<i>Pistacia Chinensis</i> variable	Chinese Pistache	25' x 25'	Fall color
<i>Taxodium Distichum</i>	Baldcypress	60' x 35'	
<i>Tilia Cordata "Greenspire"</i>	Littleleaf Linden	45' x 30'	
<i>Ulmus Americana</i> resistant variety	American Elm	65' x 50'	DED
<i>Ulmus Parvifolia</i>	Chinese/Lacebark Elm	40' x 35'	
<i>Zelkova Serrata</i>	Zelkova	35' x 35'	Vase Shaped

Narrow or columnar trees.

Scientific Name Remarks	Common Name	Height x width	Landscape
<i>Acer Sacchuram "Reba"</i>	Belle Tower Sugar Maple	35' x 10'	

<i>Carpinus Betulus "Fastigiata"</i>	European Hornbeam	25' x 15'	
<i>Ginko Biloba</i>	Ginko	55' x 15'	
<i>Liquidambar Styraciflua</i>	Sweetgum	65' x 35'	Bears fruit
<i>Quercus Robur</i>	English Oak	50' x 50"	
<i>Quercus X Crimson Spire</i>	Oak	45' x 15'	
<i>Taxodium Ascendens</i>	Pondcypress	45' x 15'	
<i>Zeldova Serrata</i>	Zelkova	75' x 55'	

Shade or lawn trees.

Scientific Name Landscape	Common Name Remarks	Height x width	
<i>Acer Rubrum</i> fall color	Red Maple	65' x 60'	Red
<i>Acer Saccharum</i> fall color	Sugar Maple	65' x 60'	Flame
<i>Acer X Freemanii</i> fast growing	Freeman Maple	60' x 50'	Very
<i>Gymnocladus Dioicus male</i>	Kentucky Cofftree	60' x 60'	
<i>Liquidambar Styraciflua</i> Fruitless varieties only	Sweetgum	55' x 45'	
<i>Liriodendron Tulipifera</i> yellow fall color	Tuliptree	80' x 50'	Soft
<i>Magnolia Grandiflora</i>	Southern Magnolia	75' x 65'	
<i>Metasequoia Glyptostrobooides</i> Cooper brown fall color	Dawn Redwood	55' x 30'	
<i>Nyssa Sylvatica</i> Red fall color	Black Tupelo	50'x50'	True
<i>Quercus Alba</i> Maroon fall color	White Oak	75' x 65'	
<i>Quercus Michauxii</i> Fall color not significant	Swamp Oak	70' x 70'	
<i>Quercus Coccinea</i> Maroon fall color	Scarlet Oak	70' x 70'	
<i>Quercus Falcate</i> color not significant	S. Red Oak	75' x 75'	Fall

<i>Quercus Imbricaria</i> Yellow-brown fall color	Shingle Oak	60' x 60'	
<i>Quercus Muehlenbergii</i> color not significant	Chinkapin Oak	50' x 50'	Fall
<i>Quercus Nigra</i> fall color	Water Oak	75' x 75'	No
<i>Quercus Palustris</i> Maroon fall color	Pin Oak	65' x 50'	
<i>Quercus Phellos</i> Muted orange fall color	Willow Oak	60' x 40'	
<i>Quercus Rubra</i> Maroon fall color	N. Red Oak	70' x 70'	
<i>Quercus Shumardii</i> Orange red fall color	Shumard Oak	70' x 70'	
<i>Taxodium Distichum</i> Cooper brown fall color	Bald Cypress	60' x 35'	
<i>Tilia Cordata</i> Fragrant flowers in June	Littleleaf Linden	45' x 30'	
<i>Ulmus Americana</i> Select DED resistant variety	American Elm	70' x 55'	
<i>Ulmus Parvifolia</i>	Chinese/Lacebark Elm	40' x 30'	
<i>Zelkova Serrata</i> shaped	Zelkova	35' x 35'	Vase

Shrubs

Scientific Name	Common Name	Size
Remarks		
<i>Ilex Glabra</i> Evergreen	Inkberry	Large
<i>Aesculus Parviflora</i> Deciduous	Bottlebrush Buckeye	Large
<i>Euonymus Americanus</i> Deciduous	Strawberrybush	Large
<i>Fothergilla Major</i> Deciduous	Fothergilla	Large
<i>Hydrangea Quercifolia</i> Deciduous	Oakleaf Hydrangea	Large

<i>Lindera Benzoin</i> Deciduous	Spicebush	Large
<i>Styrax Americana</i> Deciduous	American Snowbell	Large
<i>Viburnum Dentatum</i> Deciduous	Arrowwood	Large
<i>Leucothoe Axillaris</i> Deciduous	Leucothoe	Medium
<i>Hydrangea Arborescens</i> Deciduous	Wild Hydrangea	Medium
<i>Itea Virginica</i> Deciduous	Virginia Sweetspire	Medium
<i>Forsythia x Intermedia</i> Deciduous	Forsythia	Med/Large
<i>Rhododendron Catawbiense</i> Deciduous	Catawba Rhododendron	Medium
<i>Rhododendron x Gable</i> Deciduous	Stewartstonian Azalea	Medium
“Stewartstonian”		
<i>Rhododendron “Gibraltar”</i> Deciduous	Gibraltar Azalea	Medium
<i>Rhododendron “Golden Oriole”</i> Deciduous	Golden Oriole Azalea	Medium
<i>Kalmia Latifolia</i> Deciduous	Mountain Laurels	Medium
<i>Hibiscus Syriacus</i> Deciduous	Rose of Sharon	Med/Large
<i>Spiraea Japonica</i> Deciduous	Goldenflame	Small
<i>Viburnum Dentatum</i> Deciduous	Arrowwood Viburnum	Small
<i>Hamamelis x Intermedia</i> Deciduous	Witch Hazel	Large
<i>Viburnum Prunifolium</i> Deciduous	Korean Spice Viburnum	Small/Medium
<i>Aronia Melanocarpa</i> Deciduous	Viking Black Chokeberry	Medium
<i>Ilex Crenata</i>	Sky Pencil Holly	Medium

Deciduous

Ilex Verticillata

Winterberry Holly

Medium

Deciduous

Corylus Avellana

Harry Lauder's Walking Stick

Deciduous

Aronia Arbutifolia

Red Chokeberry

Medium

Deciduous

Amelanchier Stolonifera

Running Serviceberry

Small

Deciduous

Calycanthus Occidentalis

Spice Bush

Small

Deciduous

Lex Vomitoria

Yaupon Holly

Medium/Large

Evergreen

Perennials

Common Name

Rose Sensation False Hydrangea Vine

Prairie Glow Black Eyed Susan

Forever Pink Phlox

Josephine Clematis Vine

Pillow Talk Sedum

Border Music Reblooming Daylily

Allium Millenium

Mariachi Sombrero Helenium

Allium Summer Beauty

Gracillimus Miscanthus Grass

All Gold Japanese Forest Grass

Vera English Lavender

Balmy Beebop Bee Balm

Tuff Stuff Red Reblooming Hydrangea

Sapphire Blue Oat Grass

Black Sea Coral Bells

Green Twister Echinacea

Invicibelle Wee White Hydrangea

Snowflake Creeping Phlox
Lavance Deep Purple English Lavender
Big Blue Liriope Grass
Hot Lips Sage
Goldfinch Shasta Daisy
Pumila Dwarf Pampas Grass
Arizona Apricot Gaillardia
Luna Rose Hibiscus
Home Fires Creeping Phlox
EverColor Everillo Sedge Grass
Showtime Ruffles Helleborus
Little Goldstar Black Eyed Susan
Junior Walker Nepeta
Harvest Moon Sedum
Champagne Coral Bells
Giles Van Hees Veronica
Let's Dance Rave Reblooming Hydrangea
Amazing Grace Creeping Phlox
Pastor's Pride English Lavender
Bronze Beauty Ajuga
Tiny Tuff Stuff Reblooming Hydrangea
Black Mondo Grass
Rainbow Marcella Echinacea
Korean Feather Reed Grass
Wedding Party Helleborus Mix
Double Scoop Orangeberry Echinacea
Mary Reed Daylily
PowWow White Echinacea
Blue Moon Woodland Phlox
Blue Paradise Phlox
Monch Frikart's Aster

Silvery Sunproof Liriope Grass

Emerald Pink creeping Phlox

Aureola Japanese Forest Grass

Matrona Desum

Mayflower

Raspberry Ruffles Daylily

Siloam Double Classic Daylily

Stella'd Oro Daylily

Little Blue Stem Grass

Dwarf fountain Grass

Purple Coneflower

Goldstem Blackeyed Susan

Variegated Liriope

Native Perennials:

Common Name

Butterfly Weed

Dense Blazing Star

Wild Bergamot

Rose Mallow

Swamp Coneflower

Swamp Milkweed

Gray Headed Coneflower

Purple Coneflower

Rattlesnake Master

Soft Rush

Carex Spp.

Native Grasses:

Common Name

Little Bluestem

Indian Grass

Switch Grass

Prairie Dropseed

Gulf Muhly Grass

Blue Lovegrass

Sand Lovegrass

Sec 117-??? Tree preservation removal permit

Any person proposing to engage in clearing, filling, cutting, quarrying, construction, or similar activities that would result in a disturbed area of one acre or larger shall apply to the Planning Department for a tree removal permit as specified in this article. A site development plan shall be submitted to the City before removal of more than seven significant trees from a site within a twelve (12) month period without first obtaining a permit. The City official may exempt the need for the permit on a limited case-by-case basis. No land shall be cleared to the extent regulated in this article, unless approved by a permit.

If more than seven significant trees are to be removed by the owner/developer he or she must submit a tree protection or replacement plan to the Planning and Zoning Department. This plan must show all significant trees on site. This list shall include size and species of the trees. The plan shall show all roads, utilities, building footprints, driveways, and areas to be disturbed. If significant trees are in the disturbed area they are to be replaced at a rate of one to five (one tree to be planted for every five trees removed). If the drip line of the significant tree is adjacent to a construction area, measures must be made to protect the tree with fencing and other protective measures.

If a significant tree is removed from a nonconstruction area it must be replaced at a replacement rate of five to one.

Replacement trees shall be replanted with trees that meet the following specifications:

- (1) Deciduous: At least two and a half inches in diameter and at least eight feet in height above natural grade;
- (2) Evergreen: At least ten feet in height above natural grade; and
- (3) Ornamental: At least two and a half inches in diameter and at least eight feet in height above natural grade.

A tree is significant, if it is a tree and it is:

- (a) At least eighteen inches in diameter at the height of four and a half feet above natural grade;
 - (b) Growing with multiple stems and at least one of the stems measured at a point six inches from the point where the stems digress from the main trunk is at least six inches in diameter;
 - (c) An ornamental tree with a diameter in excess of three inches at the height eight inches above natural grade;
- or
- (d) Planted to meet the requirements of the current landscape ordinance.

A tree is not significant if it is less than eighteen (18) inches in diameter at four and a half feet above natural grade, unhealthy, or dead, or those included on the following list, regardless of size:

- (a) Black locust (*Robinia Pseudacacia*);
 - (b) Cottonwood (*Populus Trichocarpa*);
- and
- (c) Bradford pear (*Pyrus Calleryana* "Bradford");

Groups of trees and individual trees that are not to be removed and required undisturbed buffer areas shall be

protected during construction by protective fencing and shall not be used for material storage or for any other purpose. Tree protection barriers shall be a minimum of four feet high, constructed of chain link, or polyethylene laminar safety fencing or similar material, subject to approval by the Planning and Zoning Department. "Tree Protection Area" signs shall be posted visibly on all sides of the fenced areas. On large or multiple project sites, the Planning and Zoning Department may also require that signs requesting subcontractor cooperation and compliance with tree protection standards be posted at site entrances. The tree protection barrier must be placed at the outside edge of the drip line of the existing trees.

Fees

A fee for each tree removal permit shall be paid to the City as currently established or as hereafter adopted by resolution of the City Council.

Fines

Any person or persons who violates the provisions of this ordinance shall be fined a minimum of two hundred and fifty (\$250) dollars per day and up to a maximum of five hundred (\$500) dollars per day with each day being a separate offence.

Sec. 117-326. Landscaping and Screening

This section sets out the minimum landscaping and screening and tree preservation requirements for new development in the city as follows:

1. Applicability exemptions. The following shall be exempt from the standards of this section:
 - a. Residential. The AG, RR, R-O, RS-1 – RS-8, R-1, R-1A, and RU-I districts shall be exempt from all standards of this section.
 - b. Existing development. Improvements or repairs to existing development that do not result in an increase in floor area, or changes in use that do not result in an increase in floor area and do not result in an increase in intensity, shall also be exempt from all the standards of this section.
2. General Landscaping requirements. All new development and redevelopment must provide a landscape plan meeting the requirements below.
3. A percentage of the total land area currently under development will be devoted to landscaping.
 - a. If the total current development area is two acres or more, the developer must provide either a minimum of 20 percent green space with at least one new tree or shrub meeting the plant criteria herein for each 2,000 square feet of the total development area; or, a minimum of 15 percent green space with one tree or shrub for every 1,000 square feet of total development area. If the developer opts to use the 15 percent green space option, tree size must be increase from two and one-half inch ball and burlap to four-inch ball and burlap.
 - b. If the development is less than two acres, at least one new tree or shrub meeting the plant criteria herein must be provided for each 1,000 square feet of the total land area for developments up to two acres.
4. Criteria for plant materials:
 - a. A minimum of 25% of the plant materials required under this code shall consist of trees of which 40% shall be native species.
 - b. Parking lots containing ten (10) or more spaces shall be landscaped in the following manner:

1. Narrow tree lawn. A continuous landscape strip between rows of parking. The minimum width of a tree lawn shall be ten feet (10') and a minimum length of eighteen feet (18'), or an area of not less than three hundred twenty-four square feet (324 sf). If the parking area is a double bay parking area, the tree island shall be a minimum width of eighteen feet (18') and a minimum length of thirty-six feet (36'), or an area of not less than six hundred forty-eight square feet (648 sf). One tree shall be planted for every 15 parking spaces with this option, with the maximum run of 15 parking spaces permitted without a tree island.

Interior trees shall be placed on either side of points of access (entrance drives, exit drives) within tree islands. In addition, all street trees must be spaced at a minimum of forty feet (40'). All tree planted to meet these requirements shall be deciduous shade trees.

- c. New plants may be selected from the recommended plants list provided by the Planning and Zoning Department. Plants should be selected for hardiness in local zones. Plants should be arranged to facilitate growth and avoid damage by development. The following trees shall not be used in a landscape plan:
 - 1. Black locust (Robinia Pseudoacacia)
 - 2. Cottonwood (Populus Trichocarpa)
 - 3. Bradford pear (Pyrus Calleryana "Bradford")
 - 4. Southern live oak (Quercus Virginiana)
 - 5. Mimosa (Albizia Julibrissin)
 - 6. Privet (Ligustrum Sinese)

- d. Deciduous ornamental trees must be balled and burlapped, have at least two and one-half inch caliper, and be at least eight (8) feet tall. Deciduous shade trees must be balled and burlapped, have at least two and one-half inch caliper by at least eight (8) feet tall. Evergreen trees

must be balled and burlapped and be at least ten (10) feet in height above natural grade.

No more than 25% of the total number of trees may be ornamental trees, and at least 10% of the trees shall be evergreen. Shrubs are to be five-gallon size, minimum.

- e. Perennials from the recommended plants list qualify as a plant selection to meet minimum requirements in the ratio of 20:1. Twenty perennials, six inch pot size, equal one shrub. Perennials qualify as plant selections to a maximum of 15% of the required number of plants.
- f. Credit to the plant requirement will be considered for existing trees, provided: they are of a desirable type, are healthy specimens, they contribute to the compatibility of the development, and they are not threatened by the construction or placement of the proposed development. Existing trees may not have a change in grade under the tree canopy greater than +_4. In addition, the health of existing trees must be certified by a licensed arborist. Qualification or placement of the proposed plant material must be verified with the Planning and Zoning Department.

5. Landscape buffer zones, screening fences, or walls will be required where nonresidential zones abut residential zones. Landscape buffer zones, screening fences, or screening walls may also be required where multi-family zones abut low-density residential zones. The width of the required buffer shall be verified with the Planning and Zoning Department. If plants are to be used for screening, they must be evergreen and planted to provide a solid screen within three (3) years.

6. Installation, maintenance, and replacement

- a. Installation. All landscaping shall be installed according to sound nursery practices and in a manner designed to encourage vigorous growth. All landscape material, both living and nonliving, shall be in place prior to issuance of a certificate of occupancy or a bond or letter of credit for the full amount of the landscaping.
- b. Maintenance and replacement. Trees, shrubs, fences, walls and other landscape features, which includes screening depicted on plans approved by the city, shall be considered as elements of the

project in the same manner as parking, building materials, and other details are elements of the plan. The landowner, or successors in interest, or agent, if any, shall be jointly and severally responsible for the following:

1. Regular maintenance of all landscaping, must be kept in good condition and in a way that presents a healthy, neat, and orderly appearance. All landscaping shall be maintained free from disease, pests, weeds and litter. This maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching or other maintenance, as needed and in accordance with acceptable horticultural practices;
2. The repair or replacement of required landscape structures e.g., fences and walls, to a structurally sound condition;
3. The regular maintenance, repair, or replacement, where necessary, or any landscaping required by the section; and
4. Continuous maintenance of the site.

Recommended Plant List

Large Shrubs/small trees appropriate under power lines.

Scientific Name	Common Name	Landscape Size: height x width	Remarks
<i>Acer Buergerianum</i>	Trident Maple	25' x 20'	Fall color variable and rare
<i>Acer Ginnala</i>	Amur Maple	18' x 15'	Flame fall color
<i>Acer Griseum</i>	Paperbark Maple	20' x 10'	Exceptional bark; partial sun
<i>Acer Palmatum</i> 'Bloodgood'/'T Rompenburg'	Japanese Maple	variable	
<i>Acer Tataricum</i>	Tatarian Maple	20' x 20'	Variable fall color
<i>Acer Truncatum</i> (<i>'Fire Dragon'</i>)	Shantung Maple	20' x 20'	Yellow/orange fall color
<i>Amelanchier Stolonifera</i>	Running Serviceberry	5' x 5'	

<i>Carpinus Caroliniana</i>	American Hornbeam	25' x 25'	Variable fall color (orange/red)
<i>Cercis Canadensis</i>	Eastern Redbud	20' x 20'	No fall color; showy March/early April
<i>Chionanthus Retusus</i>	Chinese Fringetree	20' x 24'	No fall color; flws. late April
<i>Chionanthus Virginicus</i>	White Fringetree	20' x 20'	No fall color; flws. late April
<i>Cornus Kousa</i>	Kousa Dogwood	25' x 25'	
<i>Cornus Florida</i>	Florida Dogwood	20' x 25'	Excpt flowers; avoid full sun
<i>Cotinus Coggygria</i>	Smoketree	12' x 12'	Intense purple foliage
<i>Hamamelis Vernalis</i>	Vernal Witchhazel	10' x 15'	
<i>Koelreuteria Pediculate</i>	Goldenraintree	25' x 25'	Attractive, flws, summer
<i>Lagerstroemia sp.</i>	Crapemyrtle	8' to 40' tall	Summer flowers
<i>Maclura Pomifera</i>	Osage-orange	25' x 28'	No fall color, large fruit
<i>Magnolia Stellate</i>	Star Magnolia	15' x 15'	Attractive white flws. March;
<i>Magnolia Kobus</i>	Kobus Magnolia	30' x 30'	
<i>Hybrids ('Jane', 'Ricki', 'Susan')</i>		15' x 15'	
<i>Magnolia x Soulangeana</i>	Saucer Magnolia	25' x 25'	White/pink saucer flws
<i>Magnolia Virginia</i>	Sweetbay Magnolia	18' x 12'	Semi-evergreen
<i>Malus sp.</i>	Crabapple	6 to 20' tall	Attractive white flws, March
<i>Morus Alba "Pendula"</i>	Weeping White Mulberry	15' x 15'	Specimen; weeping habit
<i>Prunus Serrulata "Kwanzan"</i>	Yoshino cherry	20' x 25'	Crown shaped like a martini
<i>Rhus aromatic</i>	Fragrant Sumac	8' x 8'	
<i>Rhus Glabra/R. Copalina</i>	Smooth Sumac/	18' x 18'	Red Fall color; suckering habit
	Flameleaf Sumac		

Focal Trees (not to be used as a substitute for street trees)

<i>Amelanchier Arborea</i>	Downy Serviceberry	30' x 30'
<i>Carpinus Caroliniana</i>	American Hornbeam	30' x 25'
<i>Hamamelis Virginiana</i>	Common Witchhazel	20' x 20'
<i>Lagerstroemia Indica</i>	Crape Myrtle	30' x 20'

Trees appropriate in urban settings as street trees.

Scientific Name	Common Name	Landscape Size: H x W	Remarks
<i>Acer Rubrum</i>	Red Maple	65' x 60'	Red fall color
<i>Carpinus Betulus "Fastigiata"</i>	European Hornbeam	25' x 15'	Yellowish fall color
<i>Carpinus Caroliniana</i>	American Hornbeam	30' x 25'	
<i>Ginkgo Biloba (male)</i>	Ginkgo	70' x 55'	Butter yellow fall color
<i>Gleditsia Triacanthos</i>	Thornless Honeylocust	45' x 45'	Small leaf litter
<i>Gymnocladus Dioicus (male)</i>	Kentucky Coffeetree	60' x 60'	
<i>Liquidambar Styraciflua</i>	Sweetgum	55' x 35'	Fruitless only
<i>Ostrya Virginiana</i>	American Hophornbeam	40' x 25'	
<i>Pistacia Chinensis</i>	Chinese Pistache	25' x 25'	Fall color variable
<i>Taxodium Distichum</i>	Baldcypress	60' x 35'	
<i>Tilia Cordata "Greenspire"</i>	Littleleaf Linden	45' x 30'	
<i>Ulmus Americana</i>	American Elm	65' x 50'	DED resistant variety
<i>Ulmus Parvifolia</i>	Chinese/Lacebark Elm	40' x 35'	
<i>Zelkova Serrata</i>	Zelkova	35' x 35'	Vase Shaped

Narrow or columnar trees.

Scientific Name	Common Name	Landscape Height x width	Remarks
<i>Acer Sacchuram "Reba"</i>	Belle Tower Sugar Maple	35' x 10'	
<i>Carpinus Betulus "Fastigiata"</i>	European Hornbeam	25' x 15'	
<i>Ginkgo Biloba</i>	Ginkgo	55' x 15'	
<i>Liquidambar Styraciflua</i>	Sweetgum	65' x 35'	Bears fruit
<i>Quercus Robur</i>	English Oak	50' x 50"	
<i>Quercus X Crimson Spire</i>	Oak	45' x 15'	
<i>Taxodium Ascendens</i>	Pondcypress	45' x 15'	
<i>Zeldova Serrata</i>	Zelkova	75' x 55'	

Shade or lawn trees.

Scientific Name	Common Name	Landscape	Remarks
		Height x width	
<i>Acer Rubrum</i>	Red Maple	65' x 60'	Red fall color
<i>Acer Saccharum</i>	Sugar Maple	65' x 60'	Flame fall color
<i>Acer X Freemanii</i>	Freeman Maple	60' x 50'	Very fast growing
<i>Gymnocladus Dioicus male</i>	Kentucky Cofftree	60' x 60'	
<i>Liquidambar Styraciflua</i>	Sweetgum	55' x 45'	Fruitless varieties only
<i>Liriodendron Tulipifera</i>	Tuliptree	80' x 50'	Soft yellow fall color
<i>Magnolia Grandiflora</i>	Southern Magnolia	75' x 65'	
<i>Metasequoia Glyptostroboides</i>	Dawn Redwood	55' x 30'	Cooper brown fall color
<i>Nyssa Sylvatica</i>	Black Tupelo	50' x 50'	True Red fall color
<i>Quercus Alba</i>	White Oak	75' x 65'	Maroon fall color
<i>Quercus Michauxii</i>	Swamp Oak	70' x 70'	Fall color not significant
<i>Quercus Coccinea</i>	Scarlet Oak	70' x 70'	Maroon fall color
<i>Quercus Falcate</i>	S. Red Oak	75' x 75'	Fall color not significant
<i>Quercus Imbricaria</i>	Shingle Oak	60' x 60'	Yellow-brown fall color
<i>Quercus Muehlenbergii</i>	Chinkapin Oak	50' x 50'	Fall color not significant
<i>Quercus Nigra</i>	Water Oak	75' x 75'	No fall color
<i>Quercus Palustris</i>	Pin Oak	65' x 50'	Maroon fall color
<i>Quercus Phellos</i>	Willow Oak	60' x 40'	Muted orange fall color
<i>Quercus Rubra</i>	N. Red Oak	70' x 70'	Maroon fall color
<i>Quercus Shumardii</i>	Shumard Oak	70' x 70'	Orange red fall color
<i>Taxodium Distichum</i>	Bald Cypress	60' x 35'	Cooper brown fall color
<i>Tilia Cordata</i>	Littleleaf Linden	45' x 30'	Fragrant flowers in June
<i>Ulmus Americana</i>	American Elm	70' x 55'	Select DED resistant variety
<i>Ulmus Parvifolia</i>	Chinese/Lacebark Elm	40' x 30'	
<i>Zelkova Serrata</i>	Zelkova	35' x 35'	Vase shaped

Shrubs

Scientific Name	Common Name	Size	Remarks
<i>Ilex Glabra</i>	Inkberry	Large	Evergreen
<i>Aesculus Parviflora</i>	Bottlebrush Buckeye	Large	Deciduous
<i>Euonymus Americanus</i>	Strawberrybush	Large	Deciduous
<i>Fothergilla Major</i>	Fothergilla	Large	Deciduous
<i>Hydrangea Quercifolia</i>	Oakleaf Hydrangea	Large	Deciduous
<i>Lindera Benzoin</i>	Spicebush	Large	Deciduous
<i>Styrax Americana</i>	American Snowbell	Large	Deciduous
<i>Viburnum Dentatum</i>	Arrowwood	Large	Deciduous
<i>Leucothoe Axillaris</i>	Leucothoe	Medium	Deciduous
<i>Hydrangea Arborescens</i>	Wild Hydrangea	Medium	Deciduous
<i>Itea Virginica</i>	Virginia Sweetspire	Medium	Deciduous
<i>Forsythia x Intermedia</i>	Forsythia	Med/Large	Deciduous
<i>Rhododendron Catawbiense</i>	Catawba Rhododendron	Med	Deciduous
<i>Rhododendron x Gable</i> "Stewartstonian"	Stewartstonian Azalea	Medium	Deciduous
<i>Rhododendron "Gibraltar"</i>	Gibraltar Azalea	Medium	Deciduous
<i>Rhododendron "Golden Oriole"</i>	Golden Oriole Azalea	Medium	Deciduous
<i>Kalmia Latifolia</i>	Mountain Laurels	Medium	Deciduous
<i>Hibiscus Syriacus</i>	Rose of Sharon	Med/Large	Deciduous
<i>Spiraea Japonica</i>	Goldenflame	Small	Deciduous
<i>Viburnum Dentatum</i>	Arrowwood Viburnum	Small	Deciduous
<i>Hamamelis x Intermedia</i>	Witch Hazel	Large	Deciduous
<i>Viburnum Prunifolium</i>	Korean Spice Viburnum	Small/Medium	Deciduous
<i>Aronia Melanocarpa</i>	Viking Black Chokeberry	Medium	Deciduous
<i>Ilex Crenata</i>	Sky Pencil Holly	Medium	Deciduous
<i>Ilex Verticillata</i>	Winterberry Holly	Medium	Deciduous
<i>Corylus Avellana</i>	Harry Lauder's Walking Stick		Deciduous
<i>Aronia Arbutifolia</i>	Red Chokeberry	Medium	Deciduous

<i>Amelanchier Stolonifera</i>	Running Serviceberry	Small	Deciduous
<i>Calycanthus Occidentalis</i>	Spice Bush	Small	Deciduous
<i>Lex Vomitoria</i>	Yaupon Holly	Medium/Large	Evergreen

Perennials

Common Name

Rose Sensation False Hydrangea Vine

Prairie Glow Black Eyed Susan

Forever Pink Phlox

Josephine Clematis Vine

Pillow Talk Sedum

Border Music Reblooming Daylily

Allium Millenium

Mariachi Sombrero Helenium

Allium Summer Beauty

Gracillimus Miscanthus Grass

All Gold Japanese Forest Grass

Vera English Lavender

Balmy Beebop Bee Balm

Tuff Stuff Red Reblooming Hydrangea

Sapphire Blue Oat Grass

Black Sea Coral Bells

Green Twister Echinacea

Invicibelle Wee White Hydrangea

Snowflake Creeping Phlox

Lavance Deep Purple English Lavender

Big Blue Liriope Grass

Hot Lips Sage

Goldfinch Shasta Daisy

Pumila Dwarf Pampas Grass

Arizona Apricot Gaillardia
Luna Rose Hibiscus
Home Fires Creeping Phlox
EverColor Everillo Sedge Grass
Showtime Ruffles Helleborus
Little Goldstar Black Eyed Susan
Junior Walker Nepeta
Harvest Moon Sedum
Champagne Coral Bells
Giles Van Hees Veronica
Let's Dance Rave Reblooming Hydrangea
Amazing Grace Creeping Phlox
Pastor's Pride English Lavender
Bronze Beauty Ajuga
Tiny Tuff Stuff Reblooming Hydrangea
Black Mondo Grass
Rainbow Marcella Echinacea
Korean Feather Reed Grass
Wedding Party Helleborus Mix
Double Scoop Orangeberry Echinacea
Mary Reed Daylily
PowWow White Echinacea
Blue Moon Woodland Phlox
Blue Paradise Phlox
Monch Frikart's Aster
Silvery Sunproof Liriope Grass
Emerald Pink creeping Phlox
Aureola Japanese Forest Grass
Matrona Desum

Mayflower

Raspberry Ruffles Daylily

Siloam Double Classic Daylily

Stella'd Oro Daylily

Little Blue Stem Grass

Dwarf fountain Grass

Purple Coneflower

Goldstem Blackeyed Susan

Variegated Liriope

Native Perennials:

Common Name

Butterfly Weed

Dense Blazing Star

Wild Bergamot

Rose Mallow

Swamp Coneflower

Swamp Milkweed

Gray Headed Coneflower

Purple Coneflower

Rattlesnake Master

Soft Rush

Carex Spp.

Native Grasses:

Common Name

Little Bluestem

Indian Grass

Switch Grass

Prairie Dropseed

Gulf Muhly Grass

Blue Lovegrass

Sand Lovegrass

Sec 117-??? Tree preservation removal permit

Any person proposing to engage in clearing, filling, cutting, quarrying, construction, or similar activities that would result in a disturbed area of one acre or larger shall apply to the Planning Department for a tree removal permit as specified in this article. A site development plan shall be submitted to the City before removal of more than seven significant trees from a site within a twelve (12) month period without first obtaining a permit. The City official may exempt the need for the permit on a limited case-by-case basis. No land shall be cleared to the extent regulated in this article, unless approved by a permit.

If more than seven significant trees are to be removed by the owner/developer he or she must submit a tree protection or replacement plan to the Planning and Zoning Department. This plan must show all significant trees on site. This list shall include size and species of the trees. The plan shall show all roads, utilities, building footprints, driveways, and areas to be disturbed. If significant trees are in the disturbed area they are to be replaced at a rate of one to five (one tree to be planted for every five trees removed). If the drip line of the significant tree is adjacent to a construction area, measures must be made to protect the tree with fencing and other protective measures.

If a significant tree is removed from a nonconstruction area it must be replaced at a replacement rate of five to one.

Replacement trees shall be replanted with trees that meet the following specifications:

- (1) Deciduous: At least two and a half inches in diameter and at least eight feet in height above natural grade;
- (2) Evergreen: At least ten feet in height above natural grade; and
- (3) Ornamental: At least two and a half inches in diameter and at least eight feet in height above natural grade.

A tree is significant, if it is a tree and it is:

- (a) At least eighteen inches in diameter at the height of four and a half feet above natural grade;
- (b) Growing with multiple stems and at least one of the stems measured at a point six inches from the point where the stems digress from the main trunk is at least six inches in diameter;
- (c) An ornamental tree with a diameter in excess of three inches at the height eight inches above natural grade; or
- (d) Planted to meet the requirements of the current landscape ordinance.

A tree is not significant if it is less than eighteen (18) inches in diameter at four and a half feet above natural grade, unhealthy, or dead, or those included on the following list, regardless of size:

- (a) Black locust (*Robinia Pseudacacia*);
- (b) Cottonwood (*Populus Trichocarpa*);
- and
- (c) Bradford pear (*Pyrus Calleryana* "Bradford");

Groups of trees and individual trees that are not to be removed and required undisturbed buffer areas shall be protected during construction by protective fencing and shall not be used for material storage or for any other purpose. Tree protection barriers shall be a minimum of four feet high, constructed of chain link, or polyethylene laminar safety fencing or similar material, subject to approval by the Planning and Zoning Department. "Tree Protection Area" signs shall be posted visibly on all sides of the fenced areas. On large or multiple project sites, the Planning and Zoning Department may also require that signs requesting subcontractor cooperation and compliance with tree protection standards be posted at site entrances. The tree protection barrier must be placed at the outside edge of the drip line of the existing trees.

Fees

A fee for each tree removal permit shall be paid to the City as currently established or as hereafter adopted by resolution of the City Council.

Fines

Any person or persons who violates the provisions of this ordinance shall be fined a minimum of two hundred and fifty (\$250) dollars per day and up to a maximum of five hundred (\$500) dollars per day with each day being a separate offence.



Legislation Details (With Text)

File #:	ORD-18:054	Version:	1	Name:	REZONING REQUEST FROM R-1, SINGLE-FAMILY MEDIUM DENSITY DISTRICT TO I-2, GENERAL INDUSTRIAL DISTRICT FOR PROPERTY LOCATED AT 5205 INGLES ROAD
Type:	Ordinance	Status:			Second Reading
File created:	8/16/2018	In control:			City Council
On agenda:		Final action:			
Title:	AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1, SINGLE-FAMILY MEDIUM DENSITY DISTRICT TO I-2, GENERAL INDUSTRIAL DISTRICT FOR PROPERTY LOCATED AT 5205 INGLES ROAD AS REQUESTED BY CITY, WATER, & LIGHT				
Sponsors:					
Indexes:	Rezoning				
Code sections:					
Attachments:	Application.pdf Rezoning Plat.pdf Staff Summary.pdf CWL - COJ City Council Rezoning Ordinance.pdf Plat 18224.pdf				

Date	Ver.	Action By	Action	Result
8/21/2018	1	City Council		

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1, SINGLE-FAMILY MEDIUM DENSITY DISTRICT TO I-2, GENERAL INDUSTRIAL DISTRICT FOR PROPERTY LOCATED AT 5205 INGLES ROAD AS REQUESTED BY CITY, WATER, & LIGHT
BE IT ORDAINED BY THE CITY COUNCIL OF JONESBORO, ARKANSAS:

SECTION 1: CHAPTER 117, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS BE AMENDED AS RECOMMENDED BY THE METROPOLITAN AREA PLANNING COMMISSION BY THE CHANGES IN ZONING CLASSIFICATION AS FOLLOWS:

FROM: (R-1) SINGLE-FAMILY MEDIUM DENSITY DISTRICT
TO: (I-2) GENERAL INDUSTRIAL DISTRICT

FOR THE FOLLOWING DESCRIBED PROPERTY:

LEGAL DESCRIPTION:

PART OF THE NORTHEAST QUARTER OF SECTION 02, TOWNSHIP 13 NORTH, RANGE 04 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTH QUARTER CORNER OF SECTION 02, TOWNSHIP 13 NORTH, RANGE

04 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS; THENCE SOUTH 00°12'25" EAST, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 02, 60.55 FEET TO THE POINT OF BEGINNING PROPER, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY OF INGELS ROAD; THENCE NORTH 89°48'57" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 684.47 FEET TO THE CENTERLINE OF WHITEMAN'S CREEK; THENCE SOUTH 37°29'39" EAST, ALONG SAID CENTERLINE, 1067.54 FEET; THENCE SOUTH 89°47'35" WEST, LEAVING SAID CENTERLINE, 548.32 FEET; THENCE SOUTH 00°12'25" EAST, 582.45 FEET; THENCE SOUTH 89°47'35" WEST, 782.87 FEET TO THE WEST LINE OF SAID SECTION 02; THENCE NORTH 00°12'25" WEST, ALONG SAID WEST LINE, 1432.06 FEET TO THE POINT OF BEGINNING PROPER, CONTAINING 30.12 ACRES (1,312,066 SQ. FT.), MORE OR LESS, SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

SECTION 2: ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED.

SECTION 3: THE CITY CLERK IS HEREBY DIRECTED TO AMEND THE OFFICIAL ZONING DISTRICT BOUNDARY MAP OF THE CITY OF JONESBORO, ARKANSAS, INsofar AS IT RELATES TO THE LANDS DESCRIBED HEREINABOVE SO THAT THE ZONING CLASSIFICATION OF SAID LANDS SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THIS ORDINANCE.



METROPOLITAN AREA
PLANNING COMMISSION
Jonesboro, Arkansas

Application for a Zoning Ordinance Map Amendment

Date Received: 7.12.18
Case Number: 27-18-18

LOCATION:

Site Address: 5205 INGELS ROAD

Side of Street: South between COMMERCE DRIVE and INDUSTRIAL DRIVE

Quarter: NE Section: 02 Township: 13 NORTH Range: 04 EAST

Attach a survey plat and legal description of the property proposed for rezoning. A Registered Land Surveyor must prepare this plat.

SITE INFORMATION:

Existing Zoning: R-1 Proposed Zoning: I-2

Size of site (square feet and acres): 30.12 ACRES± Street frontage (feet): 684 ±

Existing Use of the Site: EXISTING WASTE WATER TREATMENT PLANT

Character and adequacy of adjoining streets: ASPHALT SURFACE, GOOD CONDITION, ADEQUATE FOR TRAFFIC FLOW.

Does public water serve the site? YES

If not, how would water service be provided? N/A

Does public sanitary sewer serve the site? YES

If not, how would sewer service be provided? N/A

Use of adjoining properties:

North ZONED R-1 – AGRICULTURAL

South ZONED R-1 – AGRICULTURAL

East ZONED R-1 – AGRICULTURAL

West ZONED R-1 – AGRICULTURAL

Physical characteristics of the site: SUBJECT PROPERTY IS CURRENTLY A WASTE WATER TREATMENT PLANT.

Characteristics of the neighborhood: NEIGHBORHOOD IS CURRENTLY UNDEVELOPED FARM LAND.

Applications will not be considered complete until all items have been supplied. Incomplete applications will not be placed on the Metropolitan Area Planning Commission agenda and will be returned to the applicant. The deadline for submittal of an application is the 17th of each month. The Planning staff must determine that the application is complete and adequate before it will be placed on the MAPC agenda.

REZONING INFORMATION:

The applicant is responsible for explaining and justifying the proposed rezoning. *Please prepare an attachment to this application answering each of the following questions in detail:*

- (1). How was the property zoned when the current owner purchased it? R-1
- (2). What is the purpose of the proposed rezoning? Why is the rezoning necessary? WASTE WATER TREATMENT PLANT CURRENTLY SITS ON PROPERTY. ZONING NEEDS TO BE CHANGED TO BE COMPATIBLE WITH CURRENT USE.
- (3). If rezoned, how would the property be developed and used? WITHIN THE RESTRICTIONS OF THE PROPOSED ZONING.
- (4). What would be the density or intensity of development (e.g. number of residential units; square footage of commercial, institutional, or industrial buildings)? N/A
- (5). Is the proposed rezoning consistent with the *Jonesboro Comprehensive Plan* and the *Future Land Use Plan*? YES.
- (6). How would the proposed rezoning be the public interest and benefit the community? BY PROVIDING THE CORRECT ZONING FOR THE CURRENT USE OF THE PROPERTY.
- (7). How would the proposed rezoning be compatible with the zoning, uses, and character of the surrounding area? IT WOULD BE COMPATIBLE WITH ONGOING DEVELOPMENT IN THE AREA.
- (8). Are there substantial reasons why the property cannot be used in accordance with existing zoning? THE PROPERTY IS CURRENTLY ZONED R-1. IT IS BEING USED AS A WASTE WATER TREATMENT PLANT.
- (9). How would the proposed rezoning affect nearby property including impact on property value, traffic, drainage, visual appearance, odor, noise, light, vibration, hours of use or operation and any restriction to the normal and customary use of the affected property. POSITIVE IMPACT.
- (10). How long has the property remained vacant? PROPERTY HAS BEEN A WASTE WATER TREATMENT PLANT FOR OVER 20 YEARS.
- (11). What impact would the proposed rezoning and resulting development have on utilities, streets, drainage, parks, open space, fire, police, and emergency medical services? N/A
- (12). If the rezoning is approved, when would development or redevelopment begin? NOT DETERMINED AT THIS TIME.
- (13). How do neighbors feel about the proposed rezoning? Please attach minutes of the neighborhood meeting held to discuss the proposed rezoning or notes from individual discussions. *If the proposal has not been discussed with neighbors, please attach a statement explaining the reason. Failure to consult with neighbors may result in delay in hearing the application.* THE PUBLIC IS AWARE OF THE CURRENT USE OF THE PROPERTY AND THE REZONING IS TO MEET THE NEED OF THE SURROUNDING AREA. NO MEETING HAS BEEN HELD. OWNER OF SUBJECT PROPERTY ALSO OWNS ALL ADJOINING PROPERTY.
- (14). If this application is for a Limited Use Overlay (LUO), the applicant must specify all uses desired to be permitted. N/A

Applications will not be considered complete until all items have been supplied. Incomplete applications will not be placed on the Metropolitan Area Planning Commission agenda and will be returned to the applicant. The deadline for submittal of an application is the 17th of each month. The Planning staff must determine that the application is complete and adequate before it will be placed on the MAPC agenda.

OWNERSHIP INFORMATION:

All parties to this application understand that the burden of proof in justifying and demonstrating the need for the proposed rezoning rests with the applicant named below.

Owner of Record:

I certify that I am the owner of the property that is the subject of this rezoning application and that I represent all owners, including spouses, of the property to be rezoned. I further certify that all information in this application is true and correct to the best of my knowledge.

Name:

City Water & Light by Keweenaw

Address:

P.O. Box 1289, 400 E. Marine

City, State:

Jonesboro AR

ZIP

72403

Telephone:

870-935-5581

Facsimile:

870-930-3333

Signature:

Keweenaw**Applicant:**

If you are not the Owner of Record, please describe your relationship to the rezoning proposal:

Land Surveyor

Name:

JASON BEARD

Address:

311 S. Church Suite H

City, State:

Jonesboro AR

ZIP

72401

Telephone:

870-203-9940

Facsimile:

Signature:

Jason Beard

Deed: Please attach a copy of the deed for the subject property.

Applications will not be considered complete until all items have been supplied. Incomplete applications will not be placed on the Metropolitan Area Planning Commission agenda and will be returned to the applicant. The deadline for submittal of an application is the 17th of each month. The Planning staff must determine that the application is complete and adequate before it will be placed on the MAPC agenda.



Planning Charge Sheet

Residential Approvals – Planning Review (select all that apply) **01-0731:**

- | | | |
|---|--|--|
| <input type="checkbox"/> Single Family Dwelling | <input type="checkbox"/> Multiple Family Dwelling | <input type="checkbox"/> Detached/Accessory Bldg |
| <input type="checkbox"/> Single Family Additions | <input type="checkbox"/> Single Family Alterations | <input type="checkbox"/> Swimming Pools |
| <input type="checkbox"/> Walls, Fences, Decks Etc | <input type="checkbox"/> Multi Family Additions | <input type="checkbox"/> Multi Family Accessory Bldg |

Commercial Approvals – Planning Review (select all that apply) **01-0732:**

- | | | |
|--|---|--|
| <input type="checkbox"/> Building _____ Sqft. | <input type="checkbox"/> Interior Alterations/Repairs | <input type="checkbox"/> Awnings/Canopies |
| <input type="checkbox"/> Accessory Bldgs, etc. | <input type="checkbox"/> Parking Lots | <input type="checkbox"/> Landfill and Extraction |
| <input type="checkbox"/> Gravel Mining | <input type="checkbox"/> Change of Use | <input type="checkbox"/> Storage Tanks |
| <input type="checkbox"/> Temp Tents, Trailers & Structures | | |

Residential Zoning Districts : (Zoning Map Amendments) **01-0516:**

- | |
|--|
| <input type="checkbox"/> Single Family Districts _____ Acres |
| <input type="checkbox"/> Multi Family Districts _____ Acres |

Non-Residential Zoning Districts : (Zoning Map Amendments) **01-0516:**

- ☒ Zoning Map Amendments 30.12 Acres $\times 100 = 3012.00$
500.00 Base fee

Special District Applications **01-0516:**

- | | |
|---|--|
| <input type="checkbox"/> Village Residential Overlay | <input type="checkbox"/> JMA-O, Jonesboro Municipal Overlay District |
| <input type="checkbox"/> Planned Development District _____ | phase (preliminary, final, modification) |

Board of Zoning Appeals Fee **01-0516:**

- | | | | |
|--------------------------------------|-------------------------------------|--|--|
| <input type="checkbox"/> Residential | <input type="checkbox"/> Commercial | <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Compatible Non-Conforming Use |
|--------------------------------------|-------------------------------------|--|--|

Subdivision Planning Fees **01-0733:**

- | | |
|--|--|
| <input type="checkbox"/> Minor Plats & Replats | <input type="checkbox"/> Reviews MAPC Approval: _____ Lots _____ Acres |
|--|--|

On/Off-Premise Signage Permits – Planning Review **01-0734:**

- | | | |
|--|---|--|
| <input type="checkbox"/> Billboards | <input type="checkbox"/> High Rise Interstate _____ faces | <input type="checkbox"/> Bulletin Board _____ Sqft |
| <input type="checkbox"/> Construction Sign | <input type="checkbox"/> Ground Sign _____ Sqft | <input type="checkbox"/> Wall & Awning _____ Sqft |
| <input type="checkbox"/> Directional Sign _____ Sqft | <input type="checkbox"/> Pole Sign _____ Sqft | <input type="checkbox"/> Marquee Sign _____ Sqft |
| <input type="checkbox"/> Promo Event | <input type="checkbox"/> Special Event Sign | <input type="checkbox"/> Grand Opening Sign |
| <input type="checkbox"/> Corner or Interior Parcel Sign _____ Sqft Faces _____ | | |

Zoning Sign Deposit **01-0155:** ☒ 3 Number of Signs $\times 200 = 600.00$

Mapping and Duplicating Services Per Page **01-0735:**

- | | | | |
|---|---|--|--|
| <input type="checkbox"/> 8 1/2" x 11" BW Copies | <input type="checkbox"/> 8 1/2" x 11" Color Map | <input type="checkbox"/> Over Size Page | <input type="checkbox"/> Zoning Resolution |
| <input type="checkbox"/> Zoning Map 36"x50" | <input type="checkbox"/> Land Use (36"x44") | <input type="checkbox"/> 11"x17" Map | |
| <input type="checkbox"/> Property Owner Search/Plat Map | | <input type="checkbox"/> Zoning Certification Letter | |

Third Submittal Reviews:

- | | |
|---|---|
| <input type="checkbox"/> Multi-Family Dwelling Review 01-0731 | <input type="checkbox"/> Commercial / Industrial Review 01-0732 |
|---|---|

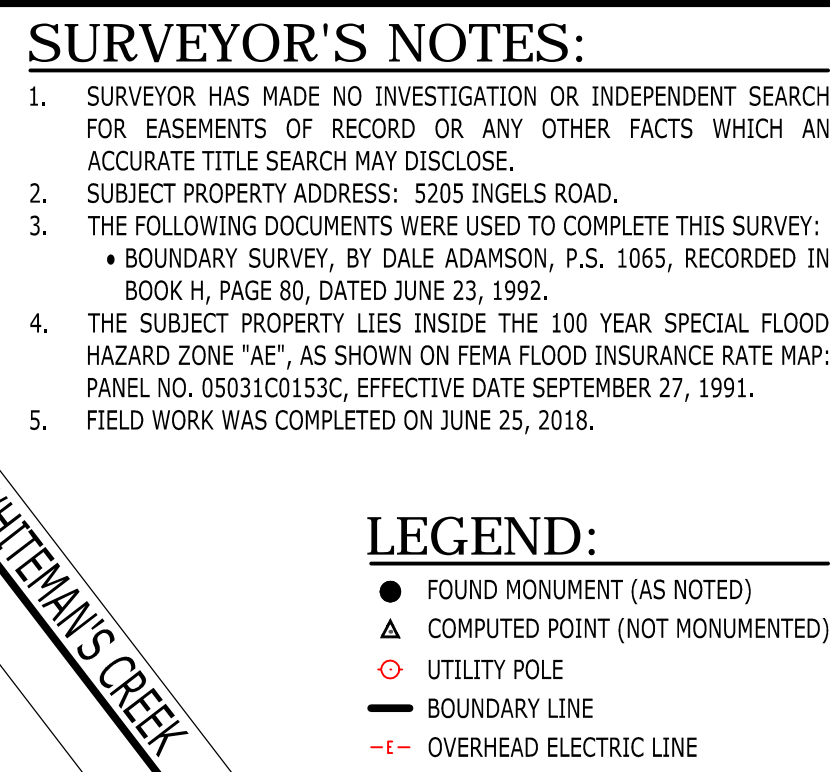
Description: Rezoning Total Amount Due: 4112.00

Site: Address: 5205 Ingels Rd Tracking No.: RZ 18-18

CWL
Customer Customer #

2m
City Official

7.2.18
Date

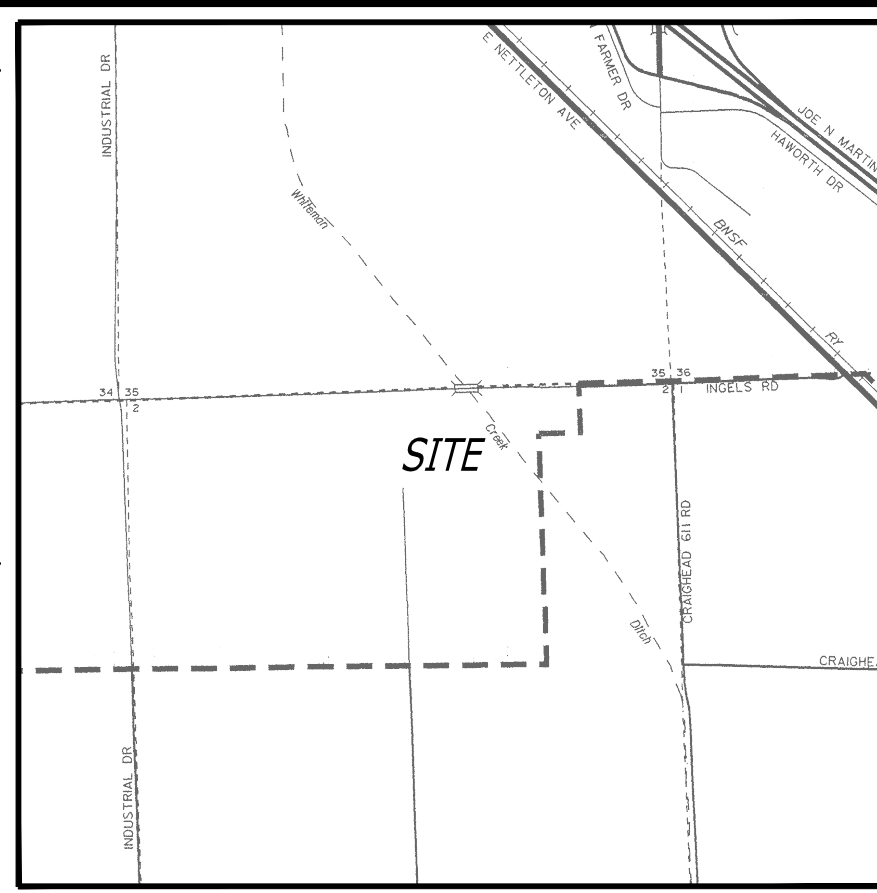


SURVEYOR'S NOTES:

1. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD OR ANY OTHER FACTS WHICH AN ACCURATE TITLE SEARCH MAY DISCLOSE.
2. SUBJECT PROPERTY ADDRESS: 5205 INGLE ROAD.
3. THE FOLLOWING DOCUMENTS WERE USED TO COMPLETE THIS SURVEY:
 - BOUNDARY SURVEY, BY DALE ADAMSON, P.S. 1065, RECORDED IN BOOK H, PAGE 80, DATED JUNE 23, 1992.
4. THE SUBJECT PROPERTY LIES INSIDE THE 100 YEAR SPECIAL FLOOD HAZARD ZONE "AE", AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP: PANEL NO. 05031C0153C, EFFECTIVE DATE SEPTEMBER 27, 1991.
5. FIELD WORK WAS COMPLETED ON JUNE 25, 2018.

LEGEND:

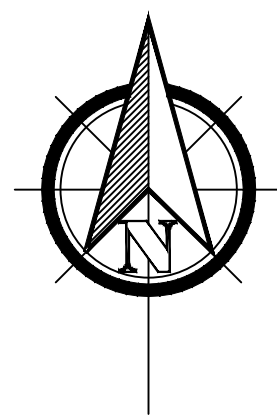
- FOUND MONUMENT (AS NOTED)
- △ COMPUTED POINT (NOT MONUMENTED)
- UTILITY POLE
- BOUNDARY LINE
- t- OVERHEAD ELECTRIC LINE



VICINITY MAP
(N.T.S)

ZONING NOTES:

1. EXISTING ZONING R-1, SINGLE-FAMILY
MEDIUM DENSITY DISTRICT.
2. R-1 ZONING RESTRICTIONS:
STREET SETBACK - 25'
SIDE SETBACK - 7.5'
REAR SETBACK - 25'
MAXIMUM HEIGHT LIMITATION - 35'
MAXIMUM LOT COVERAGE - 35%
3. PROPOSED ZONING I-2, GENERAL
INDUSTRIAL DISTRICT
4. I-2 ZONING RESTRICTIONS:
STREET SETBACK - 100'
SIDE SETBACK - 25'
REAR SETBACK - 25'
MAXIMUM HEIGHT LIMITATION - 75'
MAXIMUM LOT COVERAGE - 60%



BEARINGS BASED ON ARKANSAS STATE
PLANE GRID NORTH ZONE (0301)

REZONING PLAT

CLIENT: CITY WATER AND LIGHT
PLANT OF JONESBORO
PART OF THE NORTHEAST QUARTER OF SECTION 02,
TOWNSHIP 13 NORTH, RANGE 04 EAST,
JONESBORO, CRAIGHEAD COUNTY, ARKANSAS

**RIDGE SURVEYING
& CONSULTING PLLC**

311 S. Church St., Suite H
Jonesboro, AR 72401
870-203-9940
www.ridgesurveying.net

DRAWING INFO			REV'SIONS	
DRAWN BY:	JUN	DATE	BY	DESCRIPTION
DATE:	06 / 29 / 2018			
SCALE:	1" = 100'			
JOB NO.:	18224			



RIDGE SURVEYING & CONSULTING, PLLC.
ARKANSAS - 2946



JASON D. BEARD - SURVEYOR
ARKANSAS - 1691

500-13N-04E-0-03-100-16-1691

LEGAL DESCRIPTION (AS SURVEYED):

PART OF THE NORTHEAST QUARTER OF SECTION 02, TOWNSHIP 13 NORTH, RANGE 04 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SECTION 02, TOWNSHIP 13 NORTH, RANGE 04 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS; THENCE SOUTH 00°12'25" EAST, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 02, 60.55 FEET TO THE POINT OF BEGINNING PROPER, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY OF INGELS ROAD; THENCE NORTH 89°48'57" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 684.47 FEET TO THE CENTERLINE OF WHITEMAN'S CREEK; THENCE SOUTH 37°29'39" EAST, ALONG SAID CENTERLINE, 1067.54 FEET; THENCE SOUTH 89°47'35" WEST, LEAVING SAID CENTERLINE, 548.32 FEET; THENCE SOUTH 00°12'25" EAST, 582.45 FEET; THENCE SOUTH 89°47'35" WEST, 782.87 FEET TO THE WEST LINE OF SAID SECTION 02; THENCE NORTH 00°12'25" WEST, ALONG SAID WEST LINE, 1432.06 FEET TO THE POINT OF BEGINNING PROPER, CONTAINING 30.12 ACRES (1,312,066 SQ. FT.), MORE OR LESS, SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

SURVEYOR'S CERTIFICATION:

I, JASON D. BEARD, CERTIFY THAT THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF "ARKANSAS STANDARDS OF PRACTICE FOR PROPERTY BOUNDARY SURVEYS AND PLATS"; AND THAT THE ABOVE DESCRIBED TRACT WAS SURVEYED UNDER MY DIRECT SUPERVISION.

OWNERS CERTIFICATION:

I, HEREBY CERTIFY THAT I AM THE OWNER OF THE ABOVE DESCRIBED PROPERTY AND I HEREBY REQUEST A REZONING FROM:
(R-1) SINGLE-FAMILY MEDIUM DENSITY DISTRICT TO (I-2) GENERAL INDUSTRIAL DISTRICT

SIGNED THIS _____ DAY OF _____, 2018.

SIGNATURE: _____

City of Jonesboro City Council
Staff Report – RZ 18-18: 5205 Ingels Road
Municipal Center - 300 S. Church St.
For Consideration by the City Council on August 21, 2018

REQUEST: To consider a rezoning of one tract of land containing 30.12 acres more or less.

PURPOSE: A request to consider recommendation to the City Council from the MAPC for a rezoning from “R-1” Single Family Residential District to “I-2” General Industrial District.

APPLICANTS/ OWNER: Jason Beard, Land Surveyor, 311 S. Church, Suite H, Jonesboro, AR 72401
CWL, 400 E. Monroe, Jonesboro, AR 72401

LOCATION: **5205 Ingels Road**, Jonesboro, AR 72401

SITE DESCRIPTION: **Tract Size:** Approx.: **30.12 Acres**
Street Frontage: **684 +/- Ingels Road**
Topography: Predominately Flat
Existing Development: CWL Plant

SURROUNDING CONDITIONS:

ZONE	LAND USE
North	R-1 Single Family Residential
South	R-1 Single Family Residential
East	R-1 Single Family Residential
West	R-1 Single Family Residential

HISTORY: CWL Plant

ZONING ANALYSIS

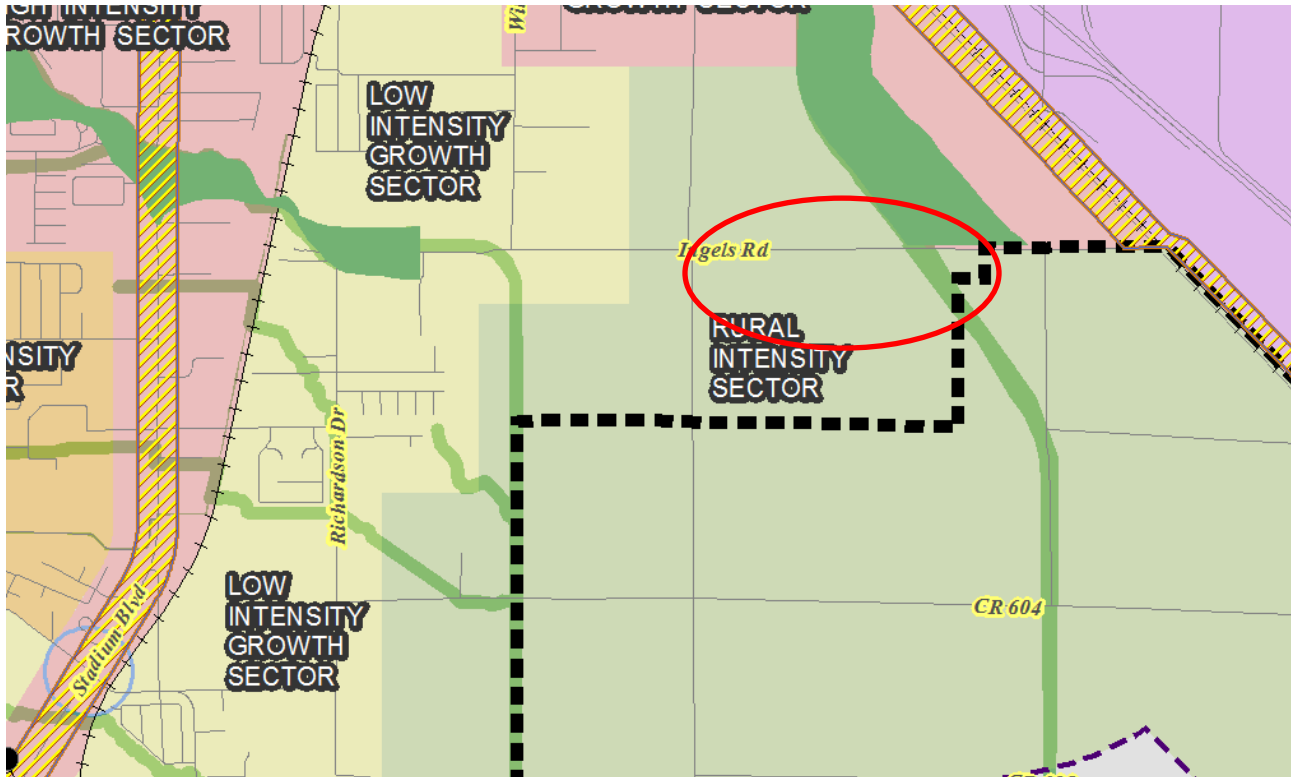
City Planning Staff has reviewed the proposed Zone Change and offers the following findings:

COMPREHENSIVE PLAN LAND USE MAP:

The Current/Future Land Use Map recommends this location as Rural Intensity Sector. Rural land uses are extremely low intensity uses that happen in areas that have traditionally been devoted to agriculture. These areas typically do not have sewer. In much of the area

designated rural, flooding is a distinct possibility. Even though individual properties can be brought into conformation with flood-prevention standards to allow construction, limited development is still advisable.

At some of the rural crossroads, very small-scale businesses such as convenience stores may be allowed to serve the needs of the surrounding residents. Additionally, commercial businesses serving agricultural needs may be allowed at the crossroads. The intent is to prevent highway-oriented strip development even in these rural areas.

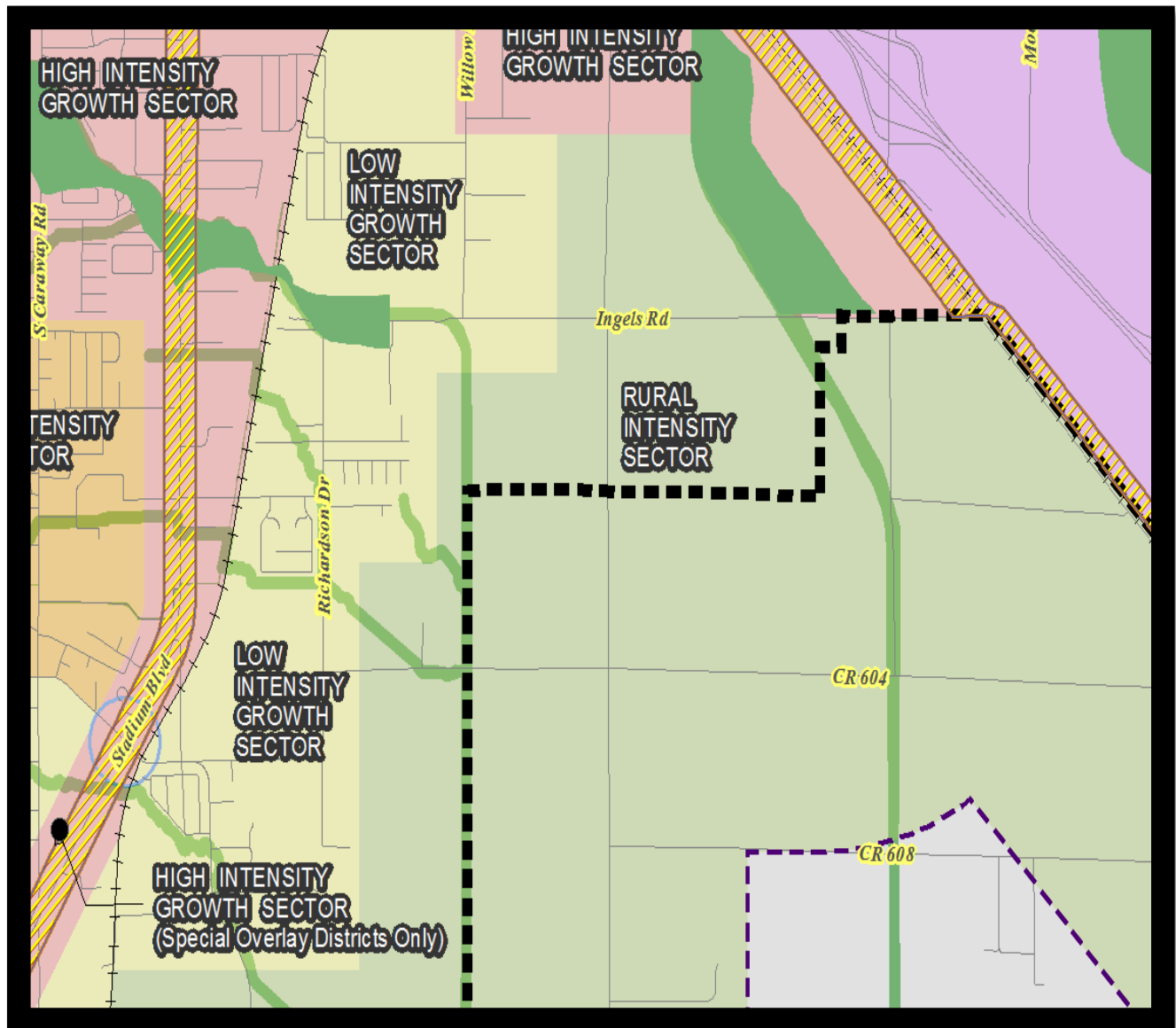


RURAL INTENSITY RECOMMENDED USE TYPES INCLUDE:

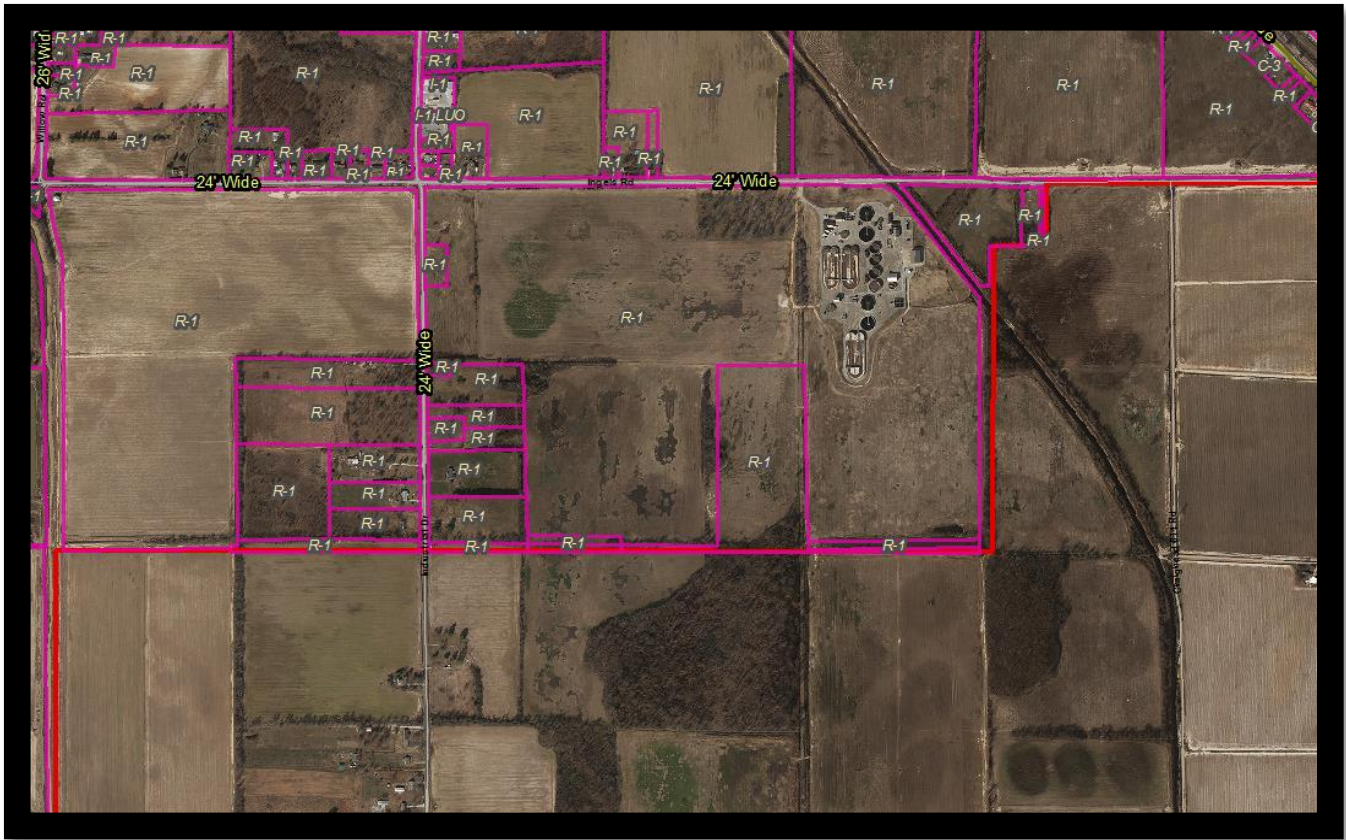
- Large Lot Single Family Residential
- Commercial Businesses serving Agricultural Needs
- Small Retail to meet Needs of Local Residents
- Convenience Store / Gas Station
- Neighborhood Markets
- Open Space
- Agricultural – Crop / Animal
- Stable or Kennel
- Churches
- Institutional

MASTER STREET PLAN/TRANSPORTATION

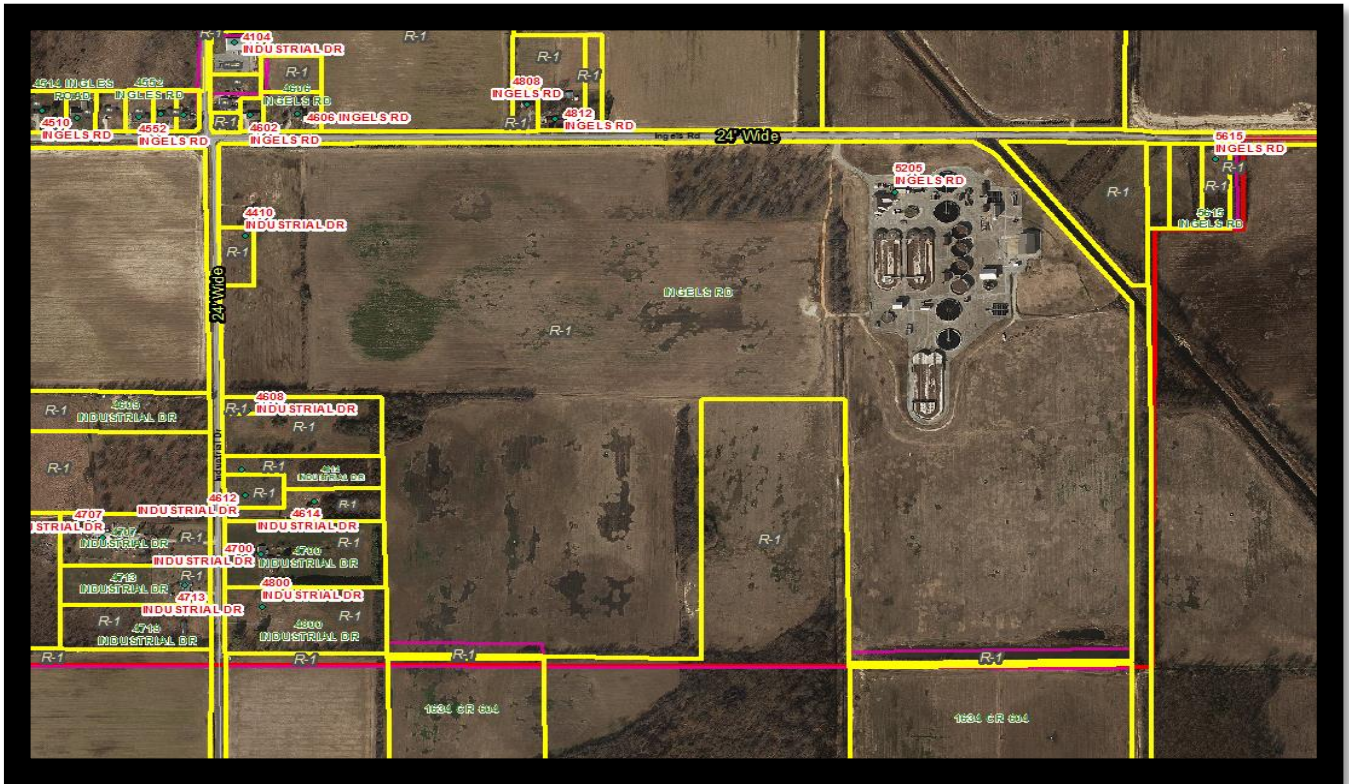
The subject site is served by Ingels Road, which on the Master Street Plan are defined as Minor Arterial. The Street is 100 feet wide.



Adopted Land Use Map



Aerial/Zoning Map



Aerial Map

APPROVAL CRITERIA- CHAPTER 117 – AMENDMENTS

The criteria for approval of a rezoning are set out below. Not all of the criteria must be given equal consideration by the MAPC or City Council in reaching a decision. The criteria to be considered shall include, but not be limited to the following:

Criteria	Explanations and Findings	Comply Y/N
(a) Consistency of the proposal with the Comprehensive Plan/Land Use Map.	The proposed I-2 Industrial District rezoning is consistent with the Future Land Use Plan. It goes with the Rural Intensity of Waste Water Treatment Plant. CWL has a Waste Water Treatment Plant that is currently on the property.	
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal will achieve consistency with the purpose of Chapter 117, with compliance of all I-1 District standards.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	Compatibility is achieved. The proposed uses would complement said district as noted.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment.	This zoning is “R-1” Single Family. This needs to be rezoned for the CWL Waste Water Treatment Facility. This is being rezoned due to some additions and updates for the Facility and bringing it into compliance. This Facility has been there for over 20 years.	
(e) Extent to which approval of the proposed rezoning will detrimentally affect nearby property including, but not limited to, any impact on property value, traffic, drainage, visual, odor, noise, light, vibration, hours of use/operation and any restriction to the normal and customary use of the affected property.	This will fit in with the surrounding development. No detrimental or adverse impacts are predicted. The elements will be taken care of thru the development site plan with the appropriate departments. This CWL Plant has been there for several years.	
(f) Impact of the proposed development on community facilities and services, including those related to utilities, streets, drainage, parks, open space, fire, police, and emergency medical services.	Minimal impact if rezoned due to the fact that businesses and residential currently exist or did as of recent. The elements will be taken care of thru the development site plan with the appropriate departments.	

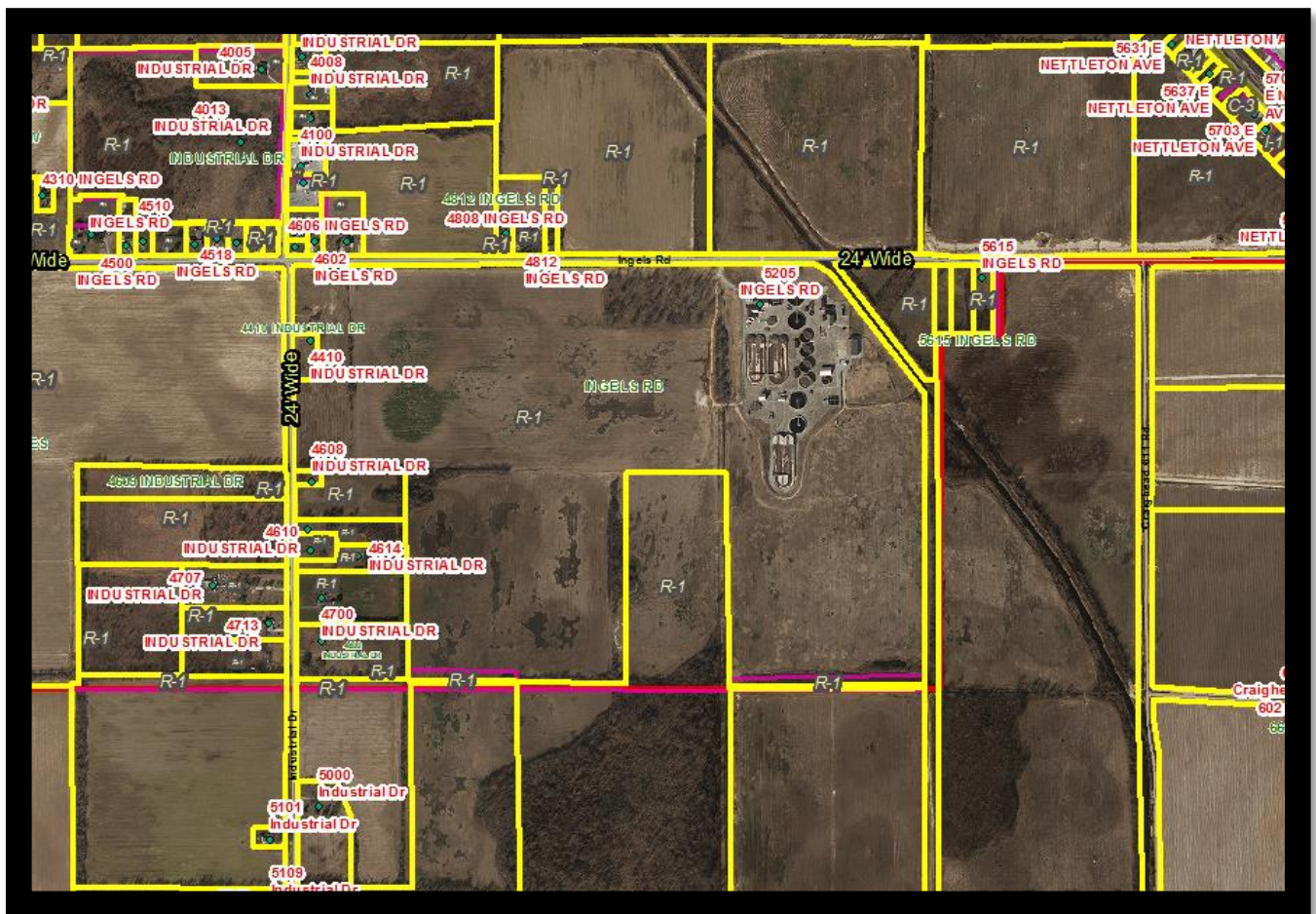
STAFF FINDINGS

Applicant's Purpose

The applicant currently has a wastewater treatment plan on this property. The Plant has been there for over 20 years. The applicant is providing the correct zoning for the current use of the property.

Chapter 117 of the City Code of Ordinances/Zoning defines I-2 / General Industrial District as follows:

Definition: I-2, General Industrial District. The Industrial Zoning districts are intended to provide for the development of light to heavy industrial uses and their related facilities. Certain commercial and other complementary uses are also permitted. Appropriate standards for this district are designed to ensure compatibility with other similar uses and to minimize any conflicts with nonindustrial uses located in close proximity to industrial uses. This district is intended for the more intensive industries and those manufacturing facilities making products from raw materials. Regulations are the minimum for mutual protection between industries. Rail service is typically necessary, as is adequate highway access.

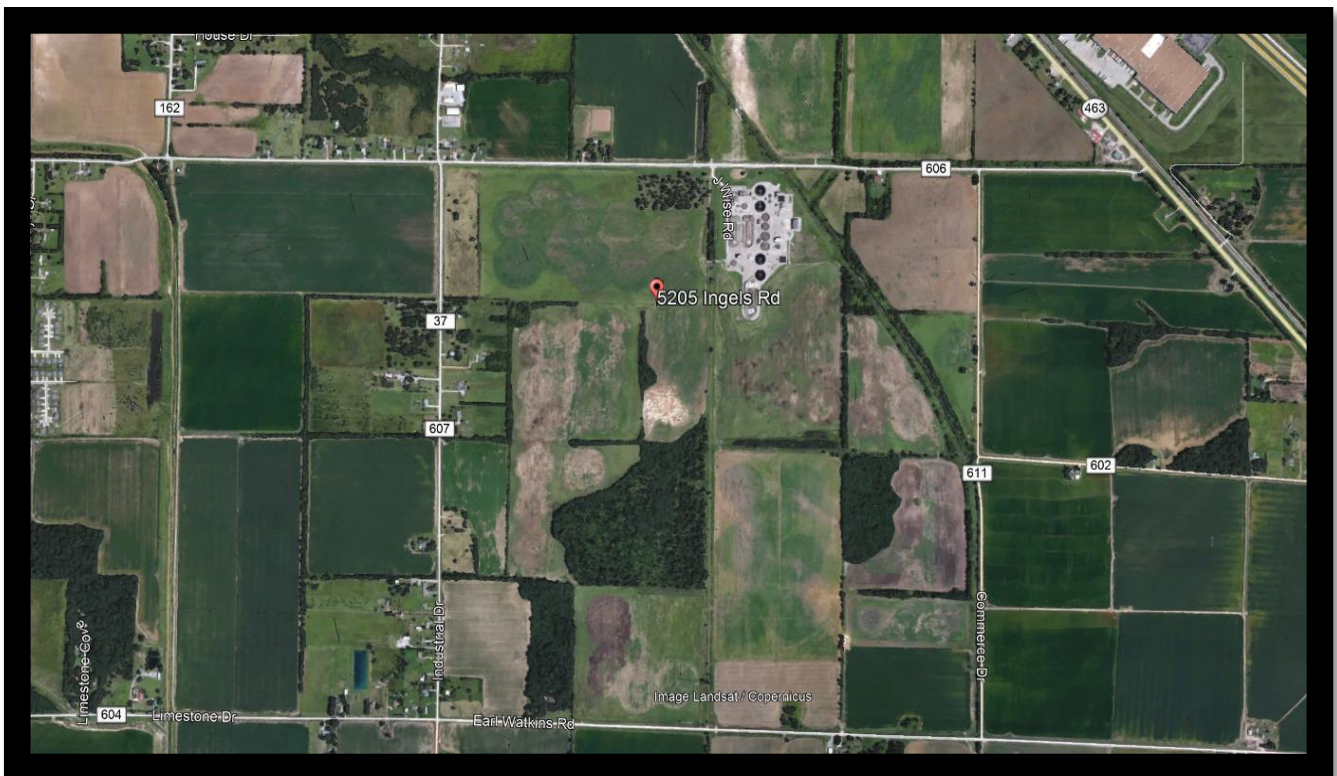


View of Larger Area Showing Current Zoning

DEPARTMENTAL/AGENCY REVIEWS:

The following departments and agencies were contacted for review and comments. Note that this table will be updated at the hearing due to reporting information that will be updated in the coming days:

Department/Agency	Reports/ Comments	Status
Engineering	No objections to this rezoning to date.	
Streets/Sanitation	No objections to this rezoning to date.	
Police	No objections to this rezoning to date.	
Fire Department	No objections to this rezoning to date.	
MPO	No objections to this rezoning to date.	
Jets	No objections to this rezoning to date.	
Utility Companies	No objections to this rezoning to date.	
Code Enforcement	Quality of Life requests that the concepts of CPTED be implemented in the design of all buildings, landscaping and lighting. ANSI/IES lighting standards are highly recommended. Maintenance plans to retain CPTED Landscaping should also be considered.	



MAPC RECORD OF PROCEEDINGS: PUBLIC HEARING HELD ON AUGUST 14, 2018

Jason Beard of Ridge Surveying on behalf of City, Water and Light is requesting a Rezoning from R-1 Single Family Residential District to I-2 General Industrial District for 30.12 acres +/- of land located at 5205 Ingels Road.

APPLICANT: Mr. Jason Beard represented CWL. He said this is the existing sewer and wastewater facility. It is known as the East Plant. They are expanding at this point and were made aware this was not zoned appropriately. Therefore, they want to rezone the property to the correct zoning.

STAFF: Mr. Derrel Smith said this site meets all the six requirements that are on the zoning checklist. We would recommend that we approve the rezoning. The following stipulations will apply:

1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the Planning Department, prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Commission approval in the future.
4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, outdoor storage, dumpster enclosure, sidewalks etc. shall be submitted to the Planning Department prior to any redevelopment.

BOARD: Mr. Lonnie Roberts asked if there are any public comments.

PUBLIC: No Opposition.

COMMISSION ACTION:

Mr. Jimmy Cooper made a motion to approve Case: RZ: 18-18, as submitted, to the City Council with the stipulations that were read by the Planning Department:

1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the Planning Department, prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Commission approval in the future.
4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, outdoor storage, dumpster enclosure, sidewalks etc. shall be submitted to the Planning Department prior to any redevelopment.

The MAPC find to rezone property from “R-1” Single Family Residential District to “I-2” General Industrial District. Motion was seconded by Mr. Jim Little.

Roll Call Vote: 7-0, Aye’s: Jim Scurlock; Mary Margaret Jackson; David Handwork; Kevin Bailey; Jerry Reece; Jimmy Cooper; and Jim Little

Absent: Dennis Zolper

CONCLUSION:

The Planning Department Staff finds that the requested Zoning Change submitted for subject parcel, should be approved based on the above observations and criteria of Case RZ 18-18, a request to rezone property from “R-1” Single Family Residential District to “I-2” General Industrial District, subject to final site plan approval by the Planning Department subject to the following:

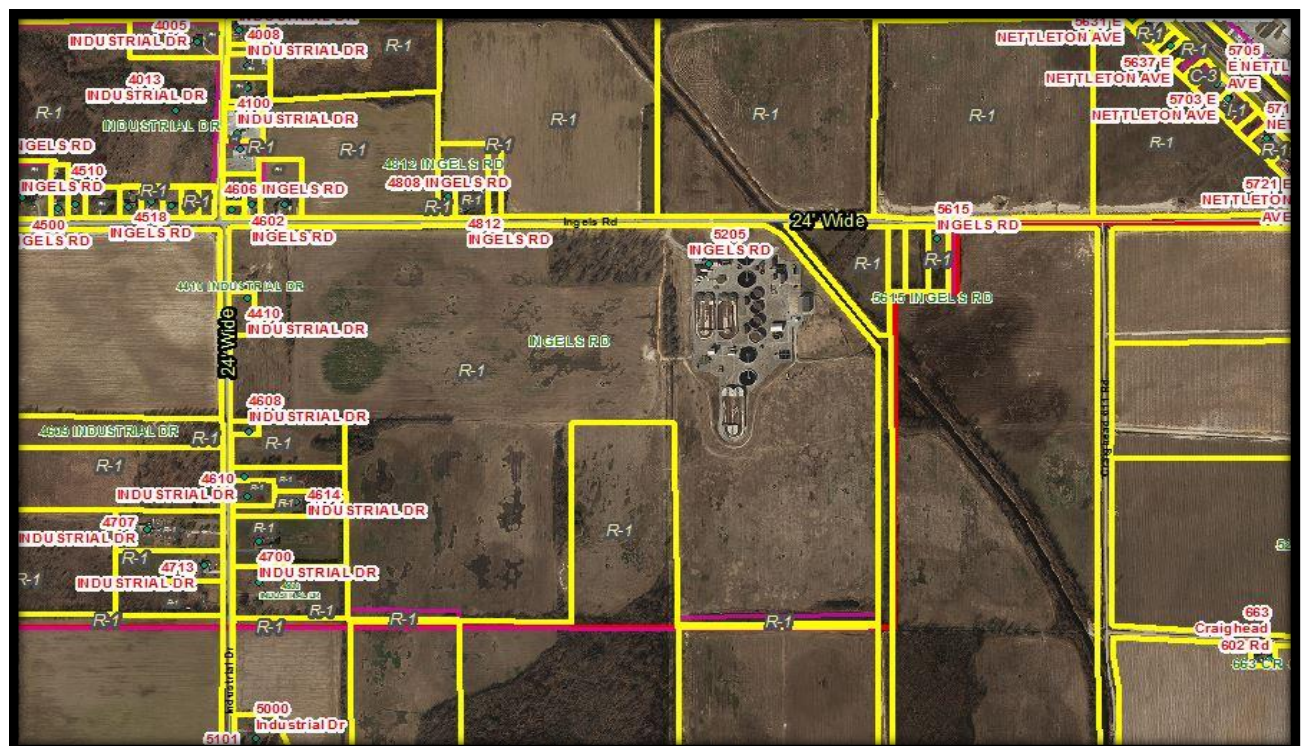
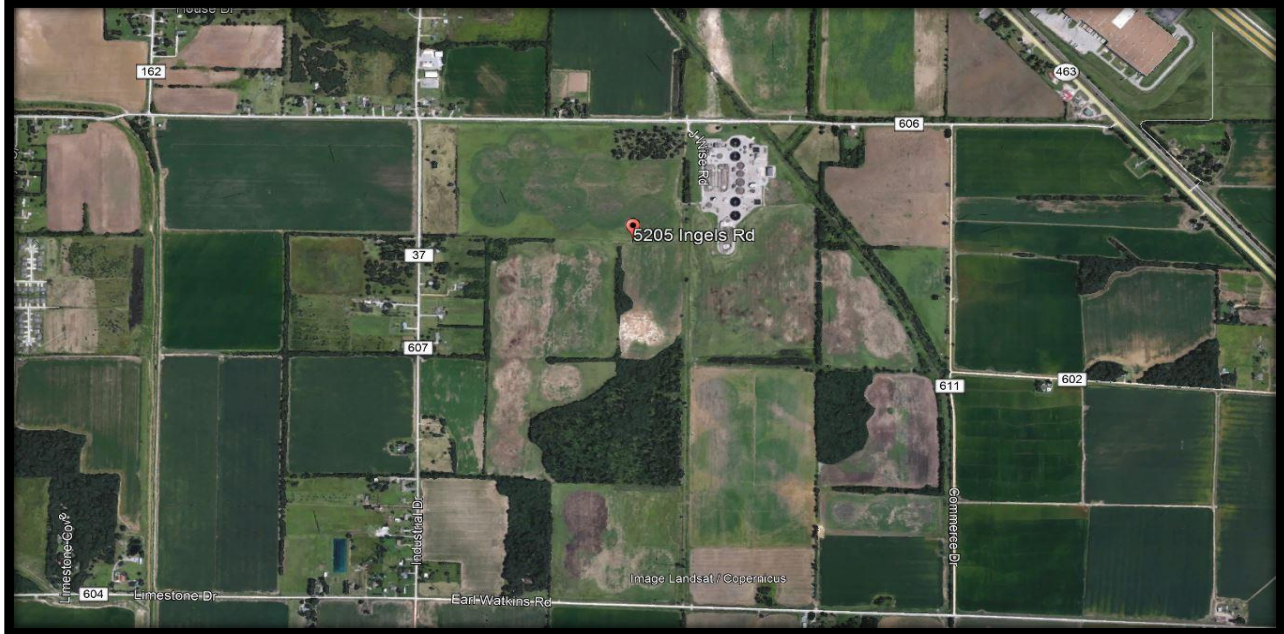
5. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.
6. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the Planning Department, prior to any redevelopment of the property.
7. Any change of use shall be subject to Planning Commission approval in the future.
8. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, outdoor storage, dumpster enclosure, sidewalks etc. shall be submitted to the Planning Department prior to any redevelopment.

Respectfully Submitted for MAPC Consideration,
The Planning Staff

Sample Motion:

I move that we place Case: RZ-18-18 on the floor for consideration of recommendation by the MAPC to the City Council with the noted conditions, and we, the MAPC find that to rezone property from “R-1” Single Family Residential District to “I-2” General Industrial District, will be compatible and suitable with the zoning, uses, and character of the surrounding area, subject to the Final Site Plan review and approval by the Planning Staff in the future.

Pictures of Area













ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES;

BE IT ORDAINED BY THE CITY COUNCIL OF JONESBORO, ARKANSAS:

SECTION 1: CHAPTER 117, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS BE AMENDED AS RECOMMENDED BY THE METROPOLITAN AREA PLANNING COMMISSION BY THE CHANGES IN ZONING CLASSIFICATION AS FOLLOWS:

FROM: **(R-1) SINGLE-FAMILY MEDIUM DENSITY DISTRICT**
TO: **(I-2) GENERAL INDUSTRIAL DISTRICT**

FOR THE FOLLOWING DESCRIBED PROPERTY:

LEGAL DESCRIPTION:

PART OF THE NORTHEAST QUARTER OF SECTION 02, TOWNSHIP 13 NORTH, RANGE 04 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SECTION 02, TOWNSHIP 13 NORTH, RANGE 04 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS; THENCE SOUTH 00°12'25" EAST, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 02, 60.55 FEET TO THE POINT OF BEGINNING PROPER, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY OF INGELS ROAD; THENCE NORTH 89°48'57" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 684.47 FEET TO THE CENTERLINE OF WHITEMAN'S CREEK; THENCE SOUTH 37°29'39" EAST, ALONG SAID CENTERLINE, 1067.54 FEET; THENCE SOUTH 89°47'35" WEST, LEAVING SAID CENTERLINE, 548.32 FEET; THENCE SOUTH 00°12'25" EAST, 582.45 FEET; THENCE SOUTH 89°47'35" WEST, 782.87 FEET TO THE WEST LINE OF SAID SECTION 02; THENCE NORTH 00°12'25" WEST, ALONG SAID WEST LINE, 1432.06 FEET TO THE POINT OF BEGINNING PROPER, CONTAINING 30.12 ACRES (1,312,066 SQ. FT.), MORE OR LESS, SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

SECTION 2: ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED.

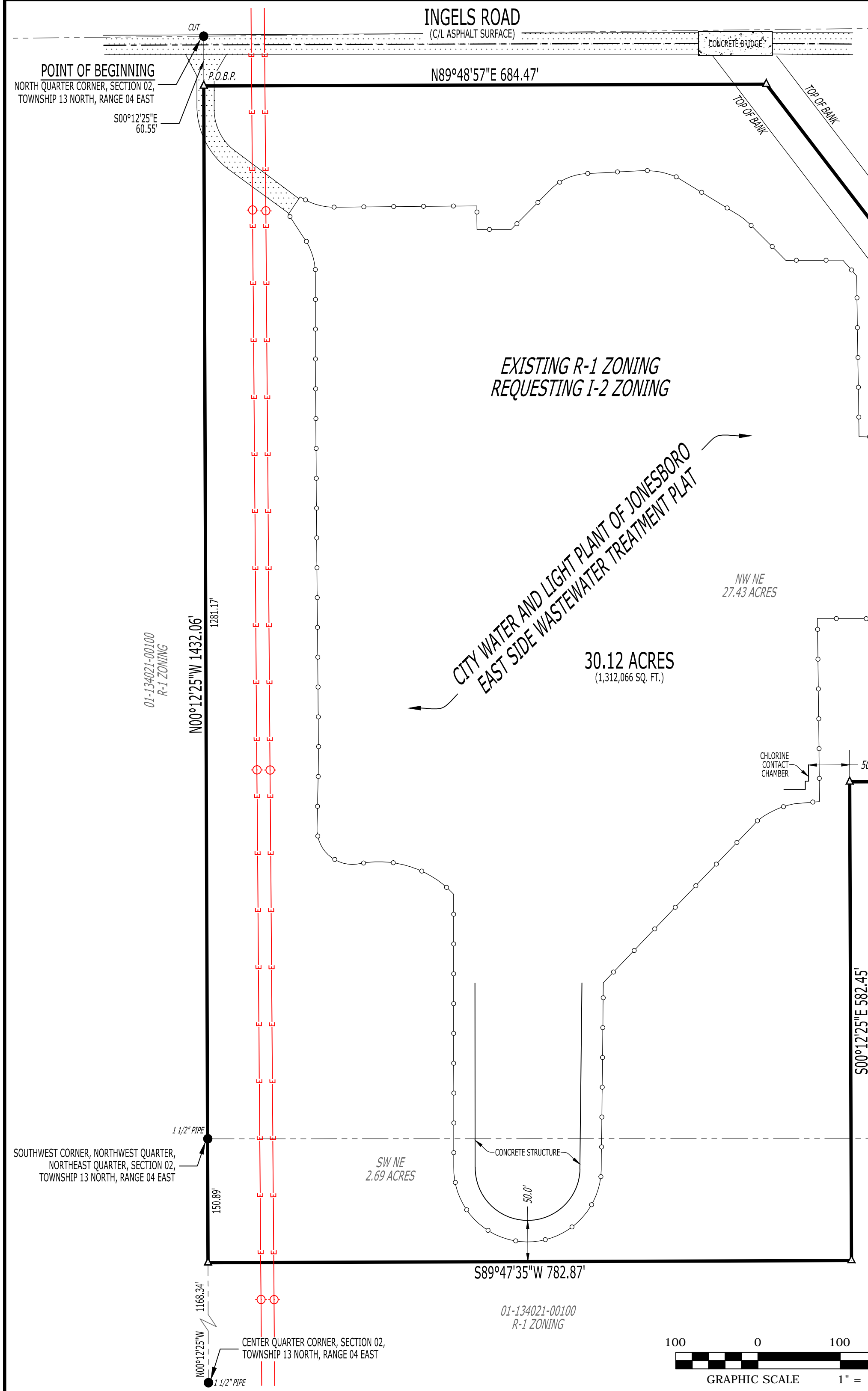
SECTION 3: THE CITY CLERK IS HEREBY DIRECTED TO AMEND THE OFFICIAL ZONING DISTRICT BOUNDARY MAP OF THE CITY OF JONESBORO, ARKANSAS, INsofar AS IT RELATES TO THE LANDS DESCRIBED HEREINABOVE SO THAT THE ZONING CLASSIFICATION OF SAID LANDS SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THIS ORDINANCE.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2018.

HAROLD PERRIN, MAYOR

ATTEST:

DONNA K. JACKSON, CITY CLERK

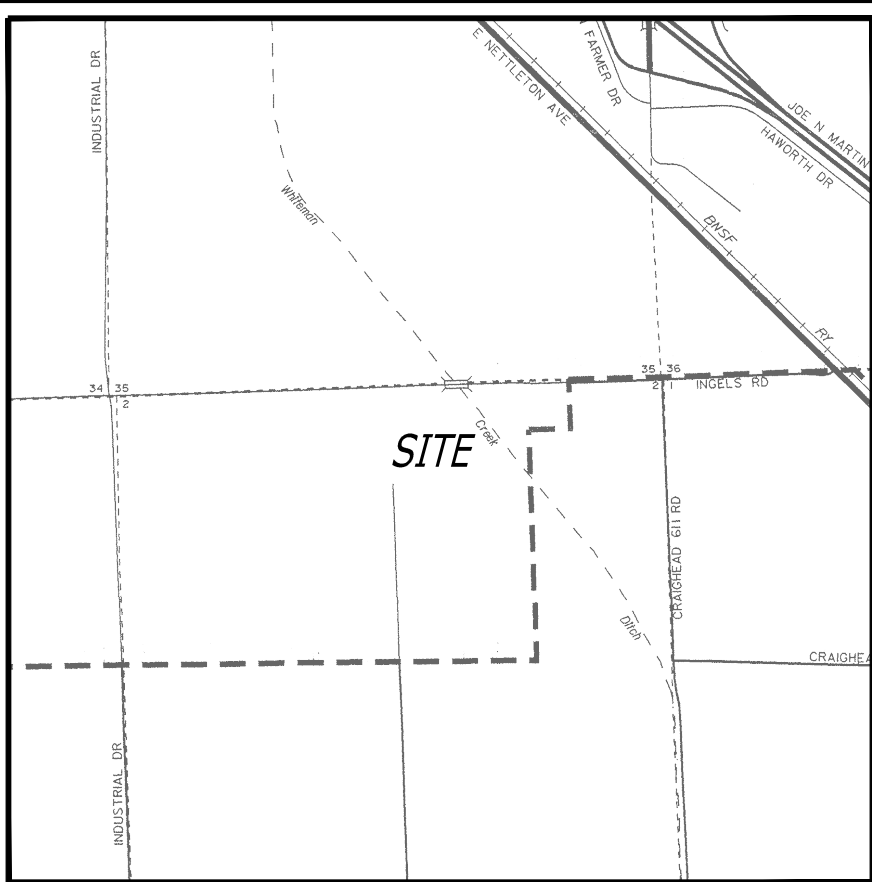


SURVEYOR'S NOTES:

1. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD OR ANY OTHER FACTS WHICH AN ACCURATE TITLE SEARCH MAY DISCLOSE.
2. SUBJECT PROPERTY ADDRESS: 5205 INGELS ROAD.
3. THE FOLLOWING DOCUMENTS WERE USED TO COMPLETE THIS SURVEY:
 - BOUNDARY SURVEY, BY DALE ADAMSON, P.S. 1065, RECORDED IN BOOK H, PAGE 80, DATED JUNE 23, 1992.
4. THE SUBJECT PROPERTY LIES INSIDE THE 100 YEAR SPECIAL FLOOD HAZARD ZONE "AE", AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP: PANEL NO. 05031C0153C, EFFECTIVE DATE SEPTEMBER 27, 1991.
5. FIELD WORK WAS COMPLETED ON JUNE 25, 2018.

LEGEND:

- FOUND MONUMENT (AS NOTED)
- ▲ COMPUTED POINT (NOT MONUMENTED)
- UTILITY POLE
- BOUNDARY LINE
- t- OVERHEAD ELECTRIC LINE



VICINITY MAP
(N.T.S.)

ZONING NOTES:

1. EXISTING ZONING R-1, SINGLE-FAMILY MEDIUM DENSITY DISTRICT.
2. R-1 ZONING RESTRICTIONS:
 - STREET SETBACK - 25'
 - SIDE SETBACK - 7.5'
 - REAR SETBACK - 25'
 - MAXIMUM HEIGHT LIMITATION - 35'
 - MAXIMUM LOT COVERAGE - 35%
3. PROPOSED ZONING I-2, GENERAL INDUSTRIAL DISTRICT
4. I-2 ZONING RESTRICTIONS:
 - STREET SETBACK - 100'
 - SIDE SETBACK - 25'
 - REAR SETBACK - 25'
 - MAXIMUM HEIGHT LIMITATION - 75'
 - MAXIMUM LOT COVERAGE - 60%

LEGAL DESCRIPTION (AS SURVEYED):

PART OF THE NORTHEAST QUARTER OF SECTION 02, TOWNSHIP 13 NORTH, RANGE 04 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SECTION 02, TOWNSHIP 13 NORTH, RANGE 04 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS; THENCE SOUTH 00°12'25" EAST, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 02, 60.55 FEET TO THE POINT OF BEGINNING PROPER, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY OF INGELS ROAD; THENCE NORTH 89°48'57" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 684.47 FEET TO THE CENTERLINE OF WHITEMAN'S CREEK; THENCE SOUTH 37°29'39" EAST, ALONG SAID CENTERLINE, 1067.54 FEET; THENCE SOUTH 89°47'35" WEST, LEAVING SAID CENTERLINE, 548.32 FEET; THENCE SOUTH 00°12'25" EAST, 582.45 FEET; THENCE SOUTH 89°47'35" WEST, 782.87 FEET TO THE WEST LINE OF SAID SECTION 02; THENCE NORTH 00°12'25" WEST, ALONG SAID WEST LINE, 1432.06 FEET TO THE POINT OF BEGINNING PROPER, CONTAINING 30.12 ACRES (1,312,066 SQ. FT.), MORE OR LESS, SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

SURVEYOR'S CERTIFICATION:

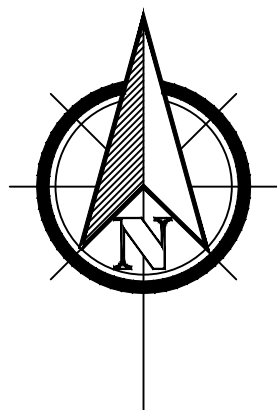
I, JASON D. BEARD, CERTIFY THAT THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF "ARKANSAS STANDARDS OF PRACTICE FOR PROPERTY BOUNDARY SURVEYS AND PLATS"; AND THAT THE ABOVE DESCRIBED TRACT WAS SURVEYED UNDER MY DIRECT SUPERVISION.

OWNERS CERTIFICATION:

I, HEREBY CERTIFY THAT I AM THE OWNER OF THE ABOVE DESCRIBED PROPERTY AND I HEREBY REQUEST A REZONING FROM:
(R-1) SINGLE-FAMILY MEDIUM DENSITY DISTRICT TO (I-2) GENERAL INDUSTRIAL DISTRICT

SIGNED THIS _____ DAY OF _____, 2018.

SIGNATURE: _____



BEARINGS BASED ON ARKANSAS STATE
PLANE GRID NORTH ZONE (0301)

REZONING PLAT
CLIENT: CITY WATER AND LIGHT
PLANT OF JONESBORO
PART OF THE NORTHEAST QUARTER OF SECTION 02,
TOWNSHIP 13 NORTH, RANGE 04 EAST,
JONESBORO, CRAIGHEAD COUNTY, ARKANSAS

**RIDGE SURVEYING
& CONSULTING PLLC**

311 S. Church St., Suite H
Jonesboro, AR 72401

870-203-9940
www.ridgesurveying.net

DRAWING INFO		REVISIONS	
DRAWN BY:	JUN	DATE	DESCRIPTION
DATE:	06/28/2018		
SCALE:	1" = 100'		
JOB NO:	18224		



RIDGE SURVEYING & CONSULTING, PLLC.
ARKANSAS - 2946



JASON D. BEARD - SURVEYOR
ARKANSAS - 1691

500-13N-04E-0-03-100-16-1691



Legislation Details (With Text)

File #: ORD-18:053 **Version:** 1 **Name:** ABANDONING AND VACATING AN UNUSED 16 FOOT DRAINAGE EASEMENT AS REQUESTED BY THE JACK HILL FAMILY

Type: Ordinance **Status:** Third Reading

File created: 8/2/2018 **In control:** City Council

On agenda: **Final action:**

Title: AN ORDINANCE ABANDONING AND VACATING AN UNUSED 16 FOOT DRAINAGE EASEMENT AS REQUESTED BY THE JACK HILL FAMILY

Sponsors:

Indexes:

Code sections:

Attachments: [ORDINANCE.pdf](#)
[Survey.pdf](#)
[NOTARIZED PETITION.pdf](#)
[Engineering and Planning.pdf](#)
[All Utility Letters.pdf](#)

Date	Ver.	Action By	Action	Result
8/21/2018	1	City Council		

AN ORDINANCE ABANDONING AND VACATING AN UNUSED 16 FOOT DRAINAGE EASEMENT LOCATED IN: A 16 foot Drainage Easement being the South 8 feet of Lot 5 of Hill Park Addition, Phase 3 and the North 8 feet of Lot 14 of Hill Park Addition, Phase 1 and 2, as Recorded in Book “C” at Page “244” and Book “C” at Page “294”, Jonesboro, AR, Craighead County, AR.

WHEREAS, the City Council at its regular meeting on August 21, 2018, pursuant to Ark. Stats. Section 14-301-302 through 14-301-304 heard the requests of Pain Treatment Centers of America to abandon an unused Drainage Easement; and

WHEREAS, the City Council held a public hearing and heard all persons desiring to be heard in connection with this matter; and

WHEREAS, the abandonment of said Drainage Easement will not adversely affect the City of Jonesboro, and would be in the best interest of all parties concerned.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas, that;

SECTION 1. The City of Jonesboro, Arkansas hereby vacates and abandons all of its rights together with the public generally, in and to the Drainage Easement, as shown on the recorded plat of Lot 5 of Hill Park Addition, Phase 3 and the North 8 feet of Lot 14 of Hill Park Addition, Phase 1 and 2, as Recorded in Book “C” at Page “244” and Book “C” at Page “294”, Jonesboro, AR, Craighead County, AR., recorded in the office of the Circuit Clerk for Craighead County in Jonesboro, Arkansas.

Section 2. A copy of the Ordinance duly certified by the Circuit Clerk shall be filed in the office of the Recorder of Craighead County at Jonesboro, Arkansas, and recorded in the Deed Records of Craighead County, Arkansas.

Section 3. The closing, vacating, and abandonment by the City of its rights and the rights of the public generally in the above described right of way are in the public interest and will promote the public peace and welfare.

ORDINANCE NO. _____

AN ORDINANCE ABANDONING AND VACATING AN UNUSED 16 FOOT DRAINAGE EASEMENT LOCATED IN:

A 16 foot Drainage Easement being the South 8 feet of Lot 5 of Hill Park Addition, Phase 3 and the North 8 feet of Lot 14 of Hill Park Addition, Phase 1 and 2, as Recorded in Book "C" at Page "244" and Book "C" at Page "294", Jonesboro, AR, Craighead County, AR.

WHEREAS, the City Council at its regular meeting on _____, pursuant to Ark. Stats. Section 14-301-302 through 14-301-304 heard the requests of Pain Treatment Centers of America to abandon an unused Drainage Easement; and

WHEREAS, the City Council held a public hearing and heard all persons desiring to be heard in connection with this matter; and

WHEREAS, the abandonment of said Drainage Easement will not adversely affect the City of Jonesboro, and would be in the best interest of all parties concerned.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas, that;

SECTION 1. The City of Jonesboro, Arkansas hereby vacates and abandons all of its rights together with the public generally, in and to the Drainage Easement, as shown on the recorded plat **of Lot 5 of Hill Park Addition, Phase 3 and the North 8 feet of Lot 14 of Hill Park Addition, Phase 1 and 2, as Recorded in Book "C" at Page "244" and Book "C" at Page "294", Jonesboro, AR, Craighead County, AR.**, recorded in the office of the Circuit Clerk for Craighead County in Jonesboro, Arkansas.

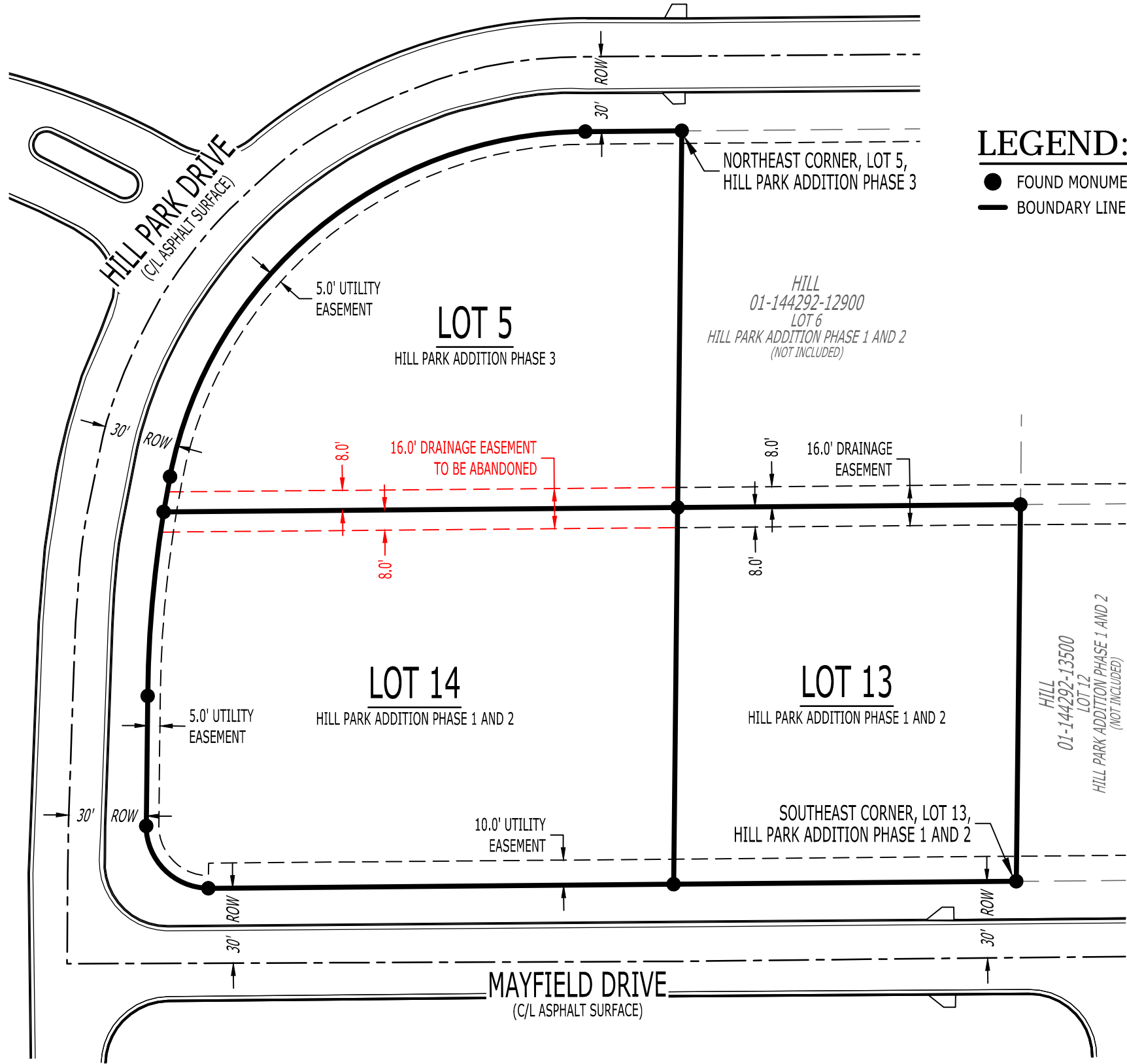
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Section 3. The closing, vacating, and abandonment by the City of its rights and the rights of the public generally in the above described right of way are in the public interest and will promote the public peace and welfare.

PASSED AND ADOPTED this _____ day of _____, 2018.

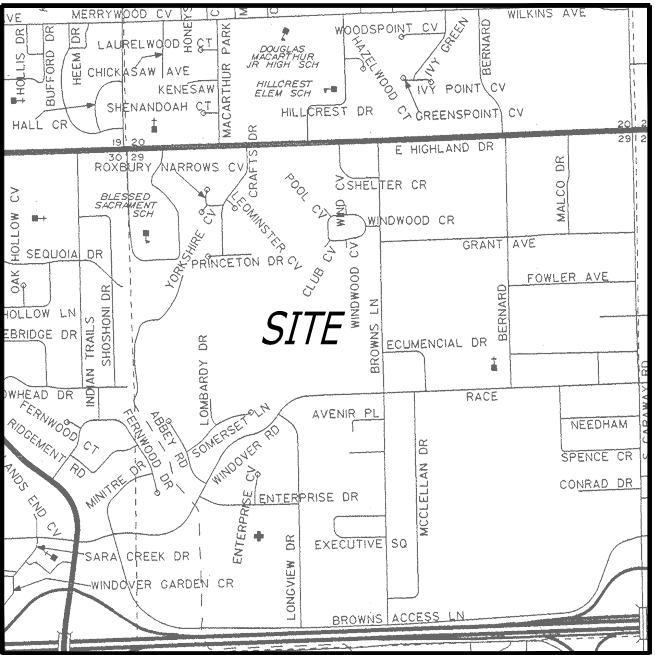
Harold Perrin, Mayor

Donna Jackson, City Clerk



LEGEND:

- FOUND MONUMENT
- BOUNDARY LINE



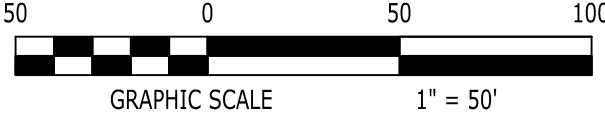
VICINITY MAP
(N.T.S)

UTILITY PROVIDERS:

- | | |
|--|---|
| <p>ELECTRIC, WATER & SEWER:
CITY WATER & LIGHT
400 EAST MONROE
JONESBORO, AR 72401
(870)-935-5581</p> | <p>TELECOMMUNICATIONS:
AT&T ARKANSAS
723 SOUTH CHURCH
JONESBORO, AR 72401
1-800-464-7928</p> |
| <p>NATURAL GAS:
CENTERPOINT ENERGY
3013 OLD FEED HOUSE ROAD
JONESBORO, AR 72404
(870)-972-6682</p> | <p>SUDDENLINK COMMUNICATIONS
1520 SOUTH CARAWAY ROAD
JONESBORO, AR 72401
(870)-935-3615</p> <p>RITTER COMMUNICATIONS
2400 RITTER DRIVE
(870)-336-3434</p> |

LEGAL DESCRIPTION:

16 FOOT DRAINAGE EASEMENT TO BE ABANDONED:
THE SOUTH 8 FEET OF LOT 5 OF HILL PARK ADDITION PHASE 3 AND THE NORTH 8 FEET OF LOT 14 OF HILL PARK ADDITION PHASE 1 AND 2, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS.



RIDGE SURVEYING & CONSULTING, PLLC.

311 South Church St., Suite H
Jonesboro, AR 72401
870-203-9940
www.ridgesurveying.net

EASEMENT DEPICTION
CLIENT: PAIN TREATMENT CENTERS OF AMERICA
PART OF LOT 5 OF HILL PARK ADDITION PHASE 3 AND
PART OF LOT 14 OF HILL PARK ADDITION PHASE 1 AND 2
JONESBORO, CRAIGHEAD COUNTY, ARKANSAS

***EASEMENT DEPICTION,
NOT A BOUNDARY
SURVEY***

DRAWING INFO

DRAWN BY: JJN	SCALE: 1" = 50'
DATE: 07 / 12 / 2018	JOB NO: 18239-01

REVISIONS

PETITION

To: Honorable Harold Perrin, Mayor, and Members of the City Council of Jonesboro, AR

PETITION TO VACATE A DRAINAGE EASEMENT

We, the undersigned, being the owner (s) of the following described property:

A 16 foot Drainage Easement being the South 8 feet of Lot 5 of Hill Park Addition, Phase 3 and the North 8 feet of Lot 14 of Hill Park Addition, Phase 1 and 2, as Recorded in Book "C" at Page "244" and Book "C" at Page "294", Jonesboro, AR, Craighead County, AR.

Herewith file and present this petition to the City Council of the City of Jonesboro, Arkansas to have the Drainage Easement described above closed and abandoned.

Dated this 16th day of July, 2018.

PROPERTY OWNER, NAME AND ADDRESS

Jack Hill Family Trust

706 Sequoia Drive

Jonesboro, AR 72401

Quincy M. Hill

Signature

7/16/18

Date

Subscribed and sworn to before me this 16th day of July, 2018.

Andrea A. Panneck

Notary



Expiration Date



August 1, 2018

Mike McNeese
Ridge Surveying and Consulting, PLLC.
311 S. Church, Suite H
Jonesboro, AR 72401

Re: Drainage Easement Abandonment – Lot 5 and Lot 14 – Hill Park Addition

Dear Mr. McNeese:

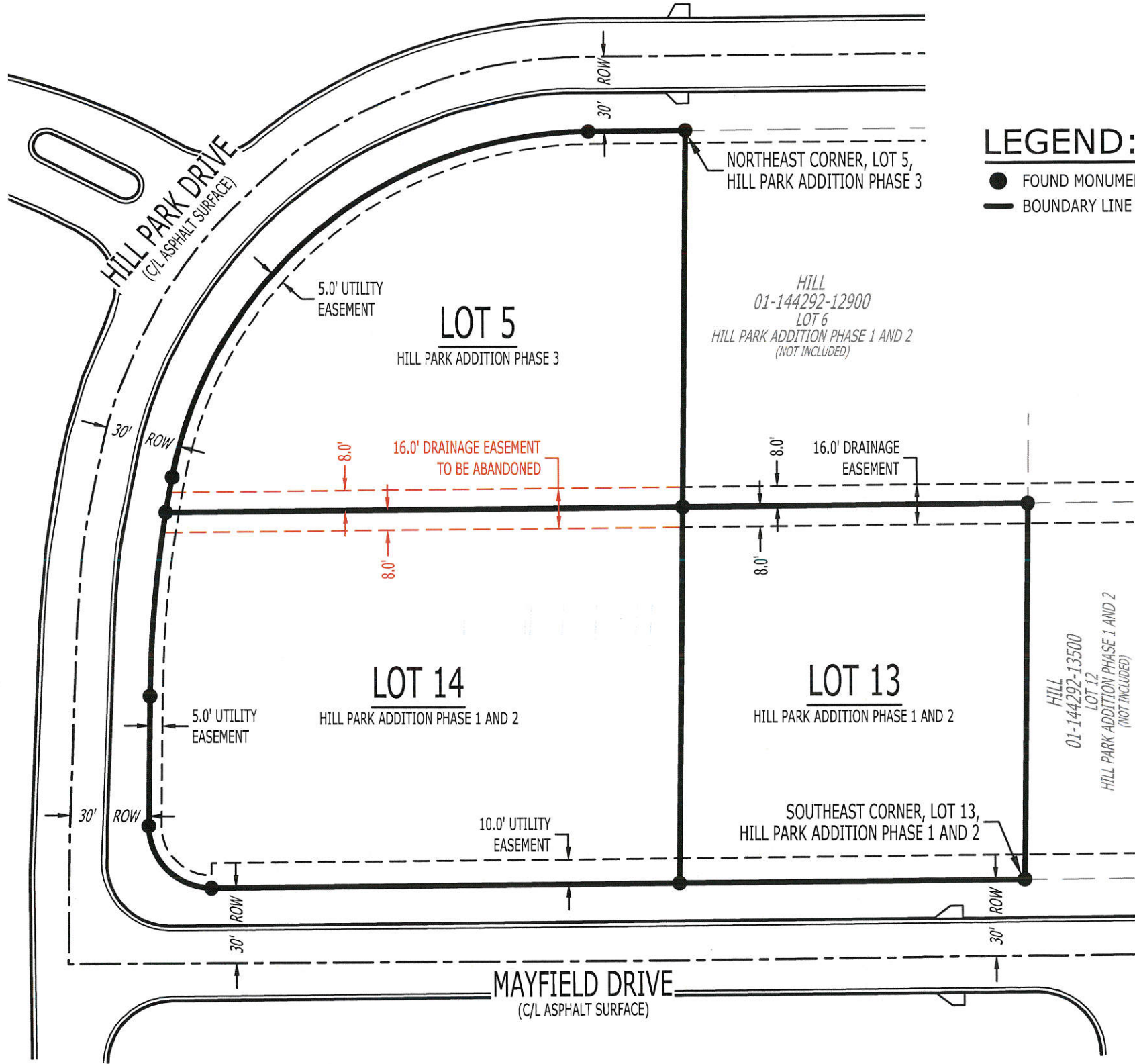
The City of Jonesboro Engineering and Planning Departments concur with the abandonment of a 16 foot drainage easement being the south 8 feet of Lot 5 of Hill Park Addition, Phase 3 and the north 8 feet of Lot 14 of Hill Park Addition, Phase 1 and 2, as recorded in Book "C", Page "244" and Book "C", Page 294, Jonesboro, AR, Craighead County, AR.

Please call if more information is needed.

Sincerely,

Craig Light, PE, CFM
City Engineer

Derrel Smith,
City Planner



LEGEND:
● FOUND MONUMENT
— BOUNDARY LINE



VICINITY MAP
(N.T.S)

UTILITY PROVIDERS:

- ELECTRIC, WATER & SEWER:**
CITY WATER & LIGHT
400 EAST MONROE
JONESBORO, AR 72401
(870)-935-5581

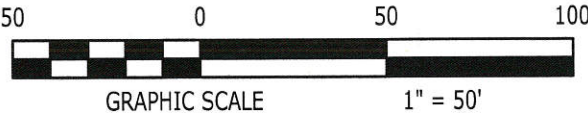
NATURAL GAS:
CENTERPOINT ENERGY
3013 OLD FEED HOUSE ROAD
JONESBORO, AR 72404
(870)-972-6682
- TELECOMMUNICATIONS:**
AT&T ARKANSAS
723 SOUTH CHURCH
JONESBORO, AR 72401
1-800-464-7928

SUDDENLINK COMMUNICATIONS
1520 SOUTH CARAWAY ROAD
JONESBORO, AR 72401
(870)-935-3615

RITTER COMMUNICATIONS
2400 RITTER DRIVE
(870)-336-3434

LEGAL DESCRIPTION:

16 FOOT DRAINAGE EASEMENT TO BE ABANDONED:
THE SOUTH 8 FEET OF LOT 5 OF HILL PARK ADDITION PHASE 3 AND THE NORTH 8 FEET OF LOT 14 OF HILL PARK ADDITION PHASE 1 AND 2, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS.



RIDGE SURVEYING & CONSULTING, PLLC.
311 South Church St., Suite H
Jonesboro, AR 72401
870-203-9940
www.ridgesurveying.net

EASEMENT DEPICTION
CLIENT: PAIN TREATMENT CENTERS OF AMERICA
PART OF LOT 5 OF HILL PARK ADDITION PHASE 3 AND
PART OF LOT 14 OF HILL PARK ADDITION PHASE 1 AND 2
JONESBORO, CRAIGHEAD COUNTY, ARKANSAS

*EASEMENT DEPICTION,
NOT A BOUNDARY
SURVEY*

DRAWING INFO	
DRAWN BY: JJN	SCALE: 1" = 50'
DATE: 07 / 12 / 2018	JOB NO: 18239-01
REVISIONS	



Owned by the Citizens of Jonesboro

July 17, 2018

City of Jonesboro
P.O. Box 1845
Jonesboro, AR 72403
Attn: Donna Jackson

Re: Drainage Easement Abandonment
Lot 5, Hill Park Addition Phase 3
Lot 14, Hill Park Addition Phase 1 & 2
City of Jonesboro
Craighead County, Arkansas

Dear Donna:

City Water and Light has no objection with the abandonment of the eight (8) foot drainage easement, parallel to the south property line, of Lot 5 of Hill Park Addition Phase 3, as recorded in the Circuit Clerk's office of Craighead County, Book "C" Page 294 in the Craighead County Courthouse located in Jonesboro, Arkansas.

CWL also has no objection with the abandonment of the eight (8) foot drainage easement, parallel to the north property line, of Lot 14 of Hill Park Addition Phase 1 & 2, as recorded in the Circuit Clerk's office of Craighead County, Book "C" Page 244 in the Craighead County Courthouse located in Jonesboro, Arkansas.

Please call if more information is needed.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jake Rice, III", with a stylized flourish at the end.

Jake Rice, III, P.E.
Manager, City Water & Light

Enclosure

Cc: Mike McNeese



CenterPoint Energy
401 W. Capitol, Suite 600
Little Rock, AR 72201
CenterPointEnergy.com

UTILITY RELEASE FORM

General Utility Easement, Public Access Easement, Alley, Street, R.O.W.

Utility Company: CenterPoint Energy Date: 7/16/2018

Requested Abandonment: Drainage easement a part of Lots 5 & 14 in Hill Park Addition.

Legal Description:

A 16 foot Drainage Easement being the South 8 feet of Lot 5 of Hill Park Addition, Phase 3 and the North 8 feet of Lot 14 of Hill Park Addition, Phase 1 and 2.

UTILITY COMPANY COMMENTS:

☒ No objections to the abandonment(s) described above.

☐ No objections to the abandonment (s) described above, provided the following easements are retained (Exhibit A).

☐ Objects to the abandonment(s) described above, reason described below.

Described
reasons for
objection or
easements to be
retained.


Signature of Utility Company Representative

 7/16/18
Engineer II
Title



Anthony Martinez
Manager-Lead OSP Planning
& Engineering Design

AT&T - Arkansas
723 S. Church, Rm. B27
Jonesboro, AR 72401
870.972.7596 Phone
870.972.7558 Fax

July 16, 2018

Anthony Martinez
AT&T - Arkansas
723 S. Church, Rm. B27
Jonesboro, AR 72401

Dear Mr. McNeese,

Please see page 2 of this document for approval of abandonment of the existing 16' drainage easement in question, Re: 16 Foot drainage easement to be abandoned on the South 8 Feet of Lot 5 of Hill Park Addition Phase 1 and 2, Jonesboro, Craighead County, Arkansas. Please be aware that this approval will not take effect until a hard copy has been delivered to the City of Jonesboro city clerk (Donna Jackson). The delivery of the hard copy must to be completed by Ridge Surveying & Consulting, PLLC or an associate of theirs.

Sincerely,

A handwritten signature in black ink, appearing to be "Anthony Martinez", followed by a long horizontal line that ends in a stylized flourish.

Anthony Martinez
Manager-Lead OSP Planning
& Engineering Design



Anthony Martinez
Manager-Lead OSP Planning
& Engineering Design

AT&T - Arkansas
723 S. Church, Rm. B27
Jonesboro, AR 72401
870.972.7596 Phone
870.972.7558 Fax

UTILITY RELEASE FORM

TELECOMMUNICATIONS EASEMENT ABANDONMENT REQUEST

I have been notified of the petition to vacate the following described as follows:

Re: 16 Foot drainage easement to be abandoned on the South 8 Feet of Lot 5 of Hill Park
Addition Phase 1 and 2, Jonesboro, Craighead County, Arkansas.

UTILITY COMPANY COMMENTS:



No objections to the vacation(s) described above.



No objections to the vacation(s) described above, provided the following
described easements are retained.



Objections to the vacation(s) described above, reason described below:

Anthony Martinez
Manager-Lead OSP Planning
& Engineering Design

Signature of Utility Company Representative:

Date:

July 16, 2018

Ritter Communications Inc
2400 Ritter Dr
Jonesboro, AR 72401

UTILITY RELEASE FORM

I have been notified of the petition to vacate the following described as follows:

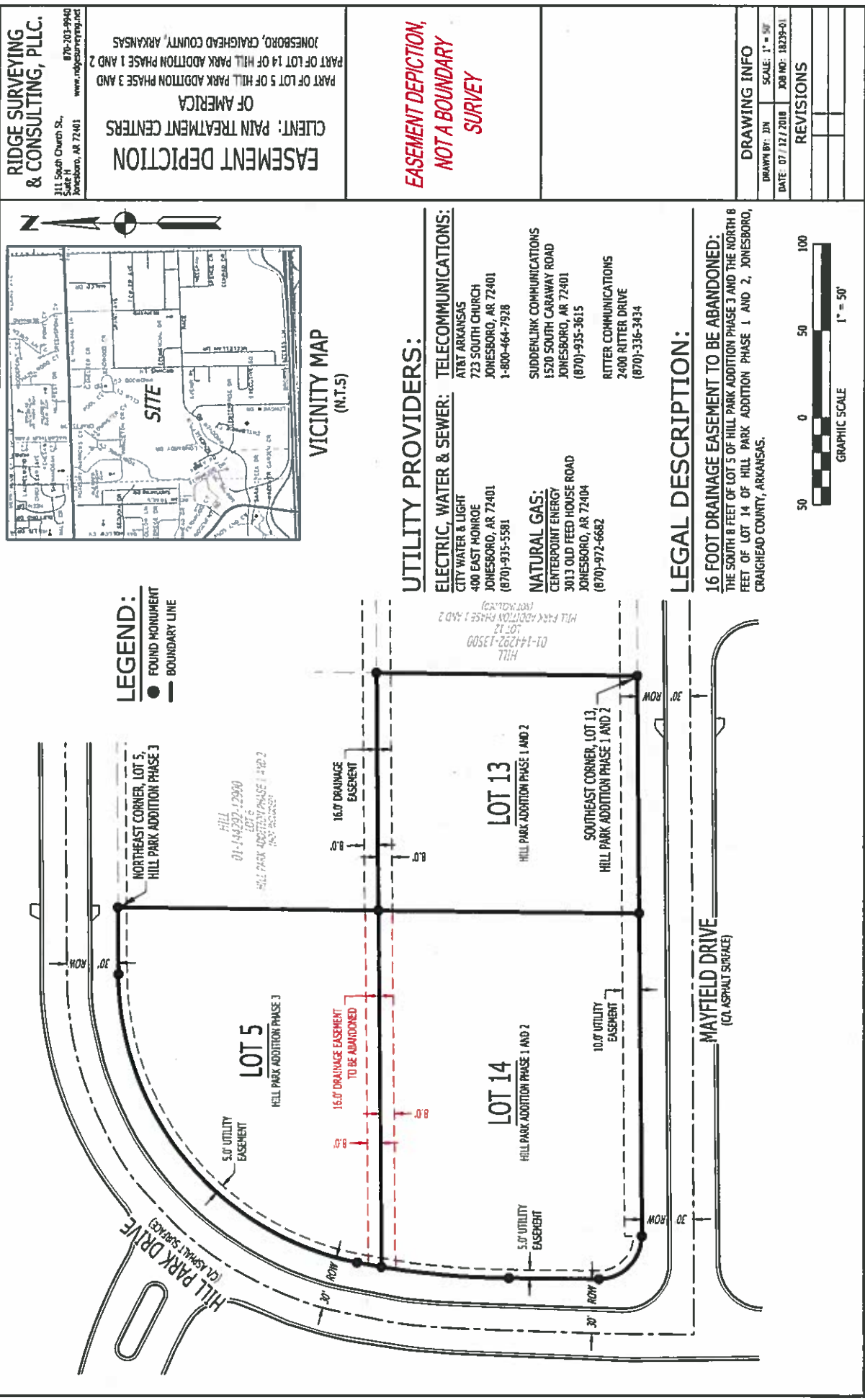
A 16 foot Drainage Easement being the South 8 feet of Lot 5 of Hill Park Addition, Phase 3 and the North 8 feet of Lot 14 of Hill Park Addition, Phase 1 and 2.

UTILITY COMPANY COMMENTS:

- ☒ No objections to the vacation(s) described above.
- ☐ No objections to the vacation(s) described above, provided the following described easements are retained.
- ☐ Objects to the vacation(s) described above, reason described below:

Alice Martin

Alice Martin Engineering Supervisor
Ritter Communications Inc
alice.martin@rittercommunications.com
870-243-5681 Cell



RIDGE SURVEYING & CONSULTING, PLLC.
311 South Church St., Suite 100
Jonesboro, AR 72401
870-703-9940
www.ridgesurveying.net

EASEMENT DEPICTION
CLIENT: PAIN TREATMENT CENTERS OF AMERICA
PART OF LOT 5 OF HILL PARK ADDITION PHASE 3 AND PART OF LOT 14 OF HILL PARK ADDITION PHASE 1 AND 2
JONESBORO, CRAIGHEAD COUNTY, ARKANSAS

EASEMENT DEPICTION, NOT A BOUNDARY SURVEY

APPROX. LOCATION

NOT A Legal Survey

Mayfield Dr

Ritter Dr





Mr. Mike McNeese
Ridge Surveying & Consulting, PLLC.
311 South Church Suite H
Jonesboro, AR 72401

RE: Easement Abandonment – Jonesboro, AR


Legal Description: "A 16 foot Drainage Easement being the South 8 feet of Lot 5 of Hill Park Addition, Phase 3 and the North 8 feet of Lot 14 of Hill Park Addition, Phase 1 and 2."

Dear Mr. McNeese:

After reviewing your request of the Easement Abandonment in Jonesboro, AR, Altice USA d/b/a Suddenlink Communications has verified there is not active CATV facilities in this easement.

Given the verification stated above, Altice USA has no objection with the requested Easement Abandonment.

Yours truly,


PAUL CORONA
VP, CONSTRUCTION



Legislation Details (With Text)

File #:	ORD-18:026	Version:	2	Name:	AMENDING SECTION 62-40 and 62-41 OF THE JONESBORO CODE OF ORDINANCES FOR THE PURPOSE OF MODIFYING THE DEFINITIONS TO INCLUDE AND LEVYING A TAX UPON RESIDENTIAL BUSINESS RENTALS AND RENTAL SPACES OR FACILITIES
Type:	Ordinance	Status:			Held in Council
File created:	4/4/2018	In control:			Finance & Administration Council Committee
On agenda:		Final action:			
Title:	AN ORDINANCE AMENDING SECTION 62-40 and 62-41 OF THE JONESBORO CODE OF ORDINANCES FOR THE PURPOSE OF MODIFYING THE DEFINITIONS TO INCLUDE AND LEVYING A TAX UPON RESIDENTIAL BUSINESS RENTALS				
Sponsors:	Finance, Mayor's Office				
Indexes:	Board/Commission, Taxes				
Code sections:	Chapter 62 - Taxation				
Attachments:	ORD 18-026 Revision.pdf				

Date	Ver.	Action By	Action	Result
8/7/2018	2	City Council	Postponed Temporarily	Pass
6/5/2018	2	City Council	Postponed Temporarily	Pass
5/15/2018	2	City Council	Held at second reading	
5/1/2018	2	City Council	Held at one reading	
4/24/2018	1	Finance & Administration Council Committee	Recommended to Council	Pass
4/10/2018	1	Finance & Administration Council Committee	Postponed Temporarily	

AN ORDINANCE AMENDING SECTION 62-40 and 62-41 OF THE JONESBORO CODE OF ORDINANCES FOR THE PURPOSE OF MODIFYING THE DEFINITIONS TO INCLUDE AND LEVYING A TAX UPON RESIDENTIAL BUSINESS RENTALS

WHEREAS, the Advertising and Promotion Commission voted unanimously to request the City Council to consider modifying the definitions in the Hotel-Motel tax code to include new business types; and

WHEREAS, it is the desire of the Council to make those changes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas that:

Section 1. City Ordinance 62-40 be deleted and replaced with the following language:

Gross receipt tax means a tax of three percent upon the gross proceeds from renting, leasing, or otherwise furnishing of motel or hotel accommodations or residential business rentals in the city.

Hotel or motel accommodations means the renting, leasing or otherwise furnishing of accommodations in hotels or motels upon a day-to-day basis or a week-to-week basis. Provided, however, that this shall not include the renting, leasing or furnishing of accommodations upon month-to-month tenancies or tenancies of a longer

duration.

Residential business rentals means the renting, leasing or otherwise furnishing of accommodations in residential properties, utilizing online web sites or agents such as Airbnb, newspaper ads, direct marketing methods, Craigslist, word of mouth and all other methods of searching rental engagements, upon a day-to-day basis or a week-to-week basis. Provided, however, that this shall not include the renting, leasing, or furnishing of accommodations upon a month-to-month tenancies or tenancies of a longer duration. Residential business rentals is further defined as any property requiring the owner to obtain commercial business insurance and/or file a Schedule E tax form reporting rental income and expense.

Section 2. Ordinance 62-41 shall be deleted and replaced with the following language:

From and after the passage and approval of this section, a tax in the sum of three percent (3%) shall be levied upon the gross proceeds upon the renting, leasing, or otherwise furnishing of hotel and motel accommodations or residential business rentals for profit within the corporate limits of the city of Jonesboro, Arkansas. The tax herein levied shall be paid by the persons, firms, or corporations liable therefore, and shall be collected by the City Advertising and Promotion Commission in the same manner and at the same time as the gross receipts tax levied by Act 386 of 1941 as amended. All the provisions of Act 386 of 1941 as amended, and the rules, regulations and forms promulgated and prescribed by the commissioner of revenues pursuant to said Act shall, so far as practicable, be applied with respect to the enforcement and collection of the tax levied pursuant to this section.

..Title

AN ORDINANCE AMENDING SECTION 62-40 and 62-41 OF THE JONESBORO CODE OF ORDINANCES FOR THE PURPOSE OF MODIFYING THE DEFINITIONS TO INCLUDE AND LEVYING A TAX UPON RESIDENTIAL BUSINESS RENTALS

..Body

WHEREAS, the Advertising and Promotion Commission voted unanimously to request the City Council to consider modifying the definitions in the Hotel-Motel tax code to include new business types; and

WHEREAS, it is the desire of the Council to make those changes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas that:

Section 1. City Ordinance 62-40 be deleted and replaced with the following language:

Gross receipt tax means a tax of three percent upon the gross proceeds from renting, leasing, or otherwise furnishing of motel or hotel accommodations or residential business rentals in the city.

Hotel or motel accommodations means the renting, leasing or otherwise furnishing of accommodations in hotels or motels upon a day-to-day basis or a week-to-week basis. Provided, however, that this shall not include the renting, leasing or furnishing of accommodations upon month-to-month tenancies or tenancies of a longer duration.

Residential business rentals means the renting, leasing or otherwise furnishing of accommodations in residential properties, utilizing online web sites or agents such as Airbnb, newspaper ads, direct marketing methods, Craigslist, word of mouth and all other methods of searching rental engagements, upon a day-to-day basis or a week-to-week basis. Provided, however, that this shall not include the renting, leasing, or furnishing of accommodations upon a month-to-month tenancies or tenancies of a longer duration. Residential business rentals is further defined as any property requiring the owner to obtain commercial business insurance and/or file a Schedule E tax form reporting rental income and expense.

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City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Legislation Details (With Text)

File #:	COM-18:061	Version:	1	Name:	LEGISLATIVE AUDIT YEAR END DECEMBER 31, 2017
Type:	Other Communications	Status:		Status:	To Be Introduced
File created:	8/30/2018	In control:		In control:	City Council
On agenda:		Final action:		Final action:	
Title:	LEGISLATIVE AUDIT YEAR END DECEMBER 31, 2017				
Sponsors:	Finance				
Indexes:					
Code sections:					
Attachments:	Legislative Joint Audit 08102018.pdf				

Date	Ver.	Action By	Action	Result
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LEGISLATIVE AUDIT YEAR END DECEMBER 31, 2017.

Sen. Jimmy Hickey, Jr.
Senate Chair
Sen. Lance Eads
Senate Vice Chair



Rep. Richard Womack
House Chair
Rep. Mary Bentley
House Vice Chair

Roger A. Norman, JD, CPA, CFE, CFF
Legislative Auditor

LEGISLATIVE JOINT AUDITING COMMITTEE ARKANSAS LEGISLATIVE AUDIT

August 10, 2018

The Honorable Mayor and Council Members
City of Jonesboro, Arkansas

We have audited the regulatory basis financial statements of the general fund, street fund, and other funds in the aggregate of the City of Jonesboro, Arkansas, as of and for the year ended December 31, 2017, and have issued our report thereon dated July 18, 2018. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards and *Government Auditing Standards* as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated March 27, 2018. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during the year. We noted no transactions entered into by the governmental unit during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management.

Management has corrected all such misstatements.

In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to each opinion unit's financial statements taken as a whole.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated July 18, 2018.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year. These discussions occurred in the normal course of our professional relationship.

Other Matters

With respect to the supplementary information accompanying the financial statements, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with the regulatory basis of accounting, which differs from accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

With respect to the other information accompanying the financial statements, we did not audit or perform other procedures on this other information and we do not express an opinion or provide any assurance on it.

Ark. Code Ann. § 10-4-418 requires this report to be reviewed by the governing body. This law also requires the governing body to take appropriate action relating to each finding and recommendation contained in the report.

Restrictions on Use

This information is intended solely for the use of the Mayor and Council members and management of the City and is not intended to be, and should not be, used by anyone other than these specified parties.

ARKANSAS LEGISLATIVE AUDIT



Roger A. Norman, JD, CPA, CFE, CFF
Legislative Auditor