



# City of Jonesboro

900 West Monroe  
Jonesboro, AR 72401

## Council Agenda - Final City Council

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Tuesday, August 4, 2009

6:30 PM

Huntington Building

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### Public Works Committee Meeting at 5:30 p.m.

*City Council Chambers - Huntington Building*

### Nominating & Rules Committee Meeting at 6:20 p.m.

*City Council Chambers - Huntington Building*

#### 1. Call to order by the Mayor at 6:30 P.M.

#### 2. Pledge of Allegiance and Invocation

#### 3. Roll Call by the City Clerk

#### 4. Special Presentations

#### 5. Consent Agenda

*All items listed below will be voted on in one motion unless a council member requests a separate action on one or more items.*

[MIN-09:074](#) Minutes for the City Council meeting on July 21, 2009.

**Attachments:** [Minutes](#)

#### 6. New Business

*Ordinances on First Reading*

[ORD-09:046](#) AN ORDINANCE TO AMEND ORD-09:044

**Sponsors:** Finance and JETS

#### 7. Unfinished Business

*Ordinances on Second Reading*

**ORD-09:049** AN ORDINANCE TO AMEND TITLE 14 OF THE JONESBORO MUNICIPAL CODE KNOWN AS THE ZONING ORDINANCE PROVIDING FOR A CHANGE IN ZONE DISTRICT BOUNDARIES FROM R-1 TO RM-8 FOR PROPERTY LOCATED AT 2202 SPENCE CIRCLE AS REQUESTED BY BILL BRAND

**Attachments:** [Plat](#)  
[MAPC Report](#)

**Legislative History**

7/21/09      City Council      Held at one reading

**8. Mayor's Reports**

**9. City Council Reports**

**10. Public Comment**

*Public Comments are limited to 5 minutes per person for a total of 15 minutes.*

**11. Adjournment.**



# City of Jonesboro

515 West Washington  
Jonesboro, AR 72401

## Legislation Details (With Text)

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**File #:** MIN-09:074    **Version:** 1    **Name:**  
**Type:** Minutes    **Status:** Passed  
**File created:** 7/27/2009    **In control:** City Council  
**On agenda:**    **Final action:** 8/4/2009  
**Title:** Minutes for the City Council meeting on July 21, 2009.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [Minutes](#)

Date	Ver.	Action By	Action	Result
8/4/2009	1	City Council	Passed	Pass

title

Minutes for the City Council meeting on July 21, 2009.



# City of Jonesboro

900 West Monroe  
Jonesboro, AR 72401

## Meeting Minutes City Council

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Tuesday, July 21, 2009

6:30 PM

Huntington Building

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### PUBLIC SAFETY COMMITTEE MEETING AT 5:15 P.M.

#### 1. Call to order by the Mayor at 6:30 P.M.

#### 2. Pledge of Allegiance and Invocation

#### 3. Roll Call by the City Clerk

**Present** 10 - Darrel Dover; Ann Williams; Charles Frierson; Jim Hargis; Chris Moore; John Street; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

**Absent** 2 - Mitch Johnson and Tim McCall

#### 4. Special Presentations

##### Presentation by Ginger Fears

*Ms. Ginger Fears, chair of the Heritage Day Committee, discussed a children's book Sister Henrietta Hockle wrote to celebrate Heritage Day. The book is entitled "How Jonesboro Got Its Name." Ms. Fears stated the book will be read at Stories in the Forest on October 3rd with copies of the book being given to the children who attend. She presented several pages of the book to the Council. Mayor Perrin thanked Sister Henrietta for her work making the book.*

#### 5. Consent Agenda

##### *Approval of the Consent Agenda*

**A motion was made by Councilman Chris Moore, seconded by Councilman Mikel Fears, to Approve the Consent Agenda. A motion was made that these files be approved by consent voice vote**

**Aye:** 10 - Darrel Dover; Ann Williams; Charles Frierson; Jim Hargis; Chris Moore; John Street; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

**Absent:** 2 - Mitch Johnson and Tim McCall

**MIN-09:072**

Minutes for the City Council meeting on July 7, 2009.

Attachments: [Minutes](#)

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

**RES-09:092** A RESOLUTION AUTHORIZING THE ENTRY INTO AN AGREEMENT TO ISSUE BONDS FOR THE PURPOSE OF ASSISTING IN THE FINANCING OF INDUSTRIAL FACILITIES WITHIN OR NEAR THE CITY OF JONESBORO, ARKANSAS, TO BE LEASED TO NORDEX USA, INC., PURSUANT TO THE AUTHORITY OF THE LAWS OF THE STATE OF ARKANSAS, INCLUDING PARTICULARLY AMENDMENT 65 TO THE ARKANSAS CONSTITUTION AND THE MUNICIPALITIES AND COUNTIES INDUSTRIAL DEVELOPMENT REVENUE BOND LAW.

**Attachments:** [PILOT Agreement - Nordex](#)

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

Enactment No: R-EN-067-2009

**RES-09:096** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS RENAMING COOK ROAD TO NORDEX DRIVE REQUESTED BY CARTER JUSTICE ON BEHALF OF NORDEX USA, INC.

**Sponsors:** Planning

**Attachments:** [Resolution 05-402](#)  
[Cook Road Vicinity Map](#)

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

Enactment No: R-EN-068-2009

**RES-09:097** A RESOLUTION TO ESTABLISH THE MASTER BICYCLE ROUTE PLAN IN THE CITY OF JONESBORO

**Sponsors:** Parks & Recreation

**Attachments:** [greenways 42x38 june 23](#)

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

Enactment No: R-EN-069-2009

**RES-09:099** RESOLUTION TO ADOPT A REVISED SUBSTANCE ABUSE TESTING PROGRAM POLICY FOR JETS

**Sponsors:** JETS

**Attachments:** [Substance Abuse Testing Program Policy 2009](#)

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

Enactment No: R-EN-070-2009

**RES-09:101** A RESOLUTION TO RENEW THE CONTRACT WITH THE RED CROSS TO USE COMMUNITY CENTERS AS SHELTERS

**Sponsors:** Parks & Recreation

**Attachments:** [Red Cross Shelter Agreement 2009-2010](#)

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

Enactment No: R-EN-071-2009

**RES-09:102** A RESOLUTION TO ACCEPT BIDS FOR INSTALLATION OF PLAYGROUND EQUIPMENT AT OPTIMIST PARK

**Sponsors:** Parks & Recreation

**Attachments:** [Bid 2009-29 Optimist Park Playground](#)  
[Final 3-D PDF Format](#)  
[Contract to Install Playground Equipment](#)

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

Enactment No: R-EN-072-2009

**RES-09:108** A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO SUPPORT THE PRELIMINARY BUDGET FOR THE DESIGN AND CONSTRUCTION OF A NEW CITY STREET, SANITATION, JETS, AND FLEET MAINTENANCE FACILITY

**Sponsors:** Engineering

**Attachments:** [Preliminary Budget](#)

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

Enactment No: R-EN-073-2009

**RES-09:109** A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO EXECUTE THE RELEASE FOR JAMESTOWN MANOR SUBDIVISION PHASE II

**Sponsors:** Engineering

**Attachments:** [19-01EmployersMutualCasualtySCSDevelopment\\_sht](#)

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

Enactment No: R-EN-074-2009

## **6. New Business**

### *Ordinances on First Reading*

**ORD-09:048** AN ORDINANCE TO AMEND THE 2009 ANNUAL BUDGET AND THE PAY PLAN FOR THE CITY OF JONESBORO TO ADD THE POSITION OF ADMINISTRATIVE ASSISTANT TO THE COMMUNITY DEVELOPMENT DEPARTMENT

**Sponsors:** Community Development

**Attachments:** [Admin Asst GR07 CDBG](#)

*Councilwoman Williams offered the ordinance for first reading by title only.*

*Councilwoman Williams motioned, seconded by Councilman Gibson, to suspend the rules and waive second and third readings. All voted aye.*

*Councilman Frierson motioned, seconded by Councilman Moore, to adopt the emergency clause. All voted aye.*

**A motion was made by Councilwoman Ann Williams, seconded by Councilman Chris Gibson, that this matter be Passed . The motion PASSED by an unanimous vote**

**Aye:** 10 - Darrel Dover;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;John Street;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

**Absent:** 2 - Mitch Johnson and Tim McCall

Enactment No: O-EN-039-2009

**ORD-09:049** AN ORDINANCE TO AMEND TITLE 14 OF THE JONESBORO MUNICIPAL CODE KNOWN AS THE ZONING ORDINANCE PROVIDING FOR A CHANGE IN ZONE DISTRICT BOUNDARIES FROM R-1 TO RM-8 FOR PROPERTY LOCATED AT 2202 SPENCE CIRCLE AS REQUESTED BY BILL BRAND

**Attachments:** [Plat](#)  
[MAPC Report](#)

*Councilman Moore offered the ordinance for first reading.*

**This Ordinance was Held at one reading.**

#### *Resolutions To Be Introduced*

**RES-09:032** A RESOLUTION TO Condemn property at 1014 S. Madison

**Sponsors:** Code Enforcement

**Attachments:** [1014 S. Madison Building Inspection Report](#)  
[1014 S. Madison Building Inspection Report - PDF](#)  
[CONDEMNATION CHECKLIST](#)  
[CONDEMNATION CHECKLIST - PDF](#)  
[100 3135](#)  
[100 3136](#)  
[100 3138](#)  
[100 3137](#)

**A motion was made by Councilman John Street, seconded by Councilman Chris Moore, that this matter be Passed . The motion PASSED by an unanimous vote**

**Aye:** 10 - Darrel Dover;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;John Street;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

**Absent:** 2 - Mitch Johnson and Tim McCall

Enactment No: R-EN-075-2009

## **7. Unfinished Business**



**8. Mayor's Reports**

**COM-09:090** Financial reports as presented by Finance Director Jim Barksdale at the City Council meeting on July 21, 2009.

**Attachments:** [Bank Reconciliations Completed](#)  
[Financial Summary Memo](#)

*Mr. Barksdale discussed the financial reports to the City Council. He noted they have fixed some problems concerning the bank reconciliations, but are still working on others.*

**This item was Read.**

**COM-09:091** Presentation concerning the Parks Department as given by Parks Director Jason Wilkie to the City Council on July 21, 2009.

**Attachments:** [City Council Presentation](#)

*Parks Director Jason Wilkie discussed the Parks Department. Councilman Hargis questioned whether they were looking at a bike lane down Culberhouse to Craighead Forest. Mr. Wilkie explained due to recent neighborhood improvements by Jim Abel, bikers can ride through the neighborhoods and connect to Craighead Forest. He added South Culberhouse is now on the bicycle route plan, so when the Highway Department upgrades South Culberhouse they will have to add a bike lane.*

**This item was Read.**

*Mayor Perrin explained they are looking at a composte facility at Legacy Landfill. He further explained they have also spoken with a private firm that submitted a proposal. He stated they are going to come back with a recommendation at the next meeting. He noted ADEQ has given the City a timeline to work on a composte facility.*

*He added he met with the Corps of Engineers concerning the ditches. He stated Senators Lincoln and Pryor, as well as Congressman Berry, have sent letters to the Corps asking them to help Jonesboro.*

*Mayor Perrin stated the Highway Department will be working on making a double turn lane on Windover at a cost of \$600 to the City. He further stated work on Raines and Highland will cost \$100 and work on Stadium and Highway 1 will be \$200. He noted they still have seven pending letters to the Highway Department asking for help at several other locations in the City.*

*He announced a ribbon cutting ceremony at Fire Station 6 on Thursday, July 23, at 1:30 p.m. He added they have sent off paperwork to apply for a \$5.3 million grant for another station. He noted the grant will be at no cost to the City.*

*Mayor Perrin explained all of the tornado sirens will be ready on Friday. He further explained next week's regular Thursday test will be with the new sirens.*

*He stated City Planner Otis Spriggs is finishing up work on the Master Land Use Plan. He announced public hearings regarding the Land Use Plan: August 24 at the Huntington Building, August 25 at Fire Station #3 and August 27 at Parker Park. He*

*added they hope to finalize the Master Street Plan next week in order to integrate it with the Land Use Plan.*

## **9. City Council Reports**

*Councilman Street motioned, seconded by Councilman Moore, to suspend the rules and add RES-09:113 and RES-09:115 to the agenda. All voted aye.*

**RES-09:113**

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE MAYOR AND CITY CLERK TO GRANT A PERMANENT EASEMENT TO ROBERT A. SHUMPERT AND SHELIA G. SHUMPERT

**Sponsors:** Engineering

**Attachments:** [Shumpert Easement](#)

**A motion was made by Councilman John Street, seconded by Councilman Chris Moore, that this Resolution be Passed. The motion CARRIED by a Voice Vote.**

**Aye:** 10 - Darrel Dover; Ann Williams; Charles Frierson; Jim Hargis; Chris Moore; John Street; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

**Absent:** 2 - Mitch Johnson and Tim McCall

Enactment No: R-EN-076-2009

**RES-09:115**

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE LOW BID AND ENTER INTO A CONTRACT WITH CAMERON CONSTRUCTION CO., INC. FOR THE NETTLETON AVENUE DRAINAGE IMPROVEMENTS PROJECT

**Sponsors:** Engineering

**Attachments:** [Nettleton Ave Drainage Specifications](#)  
[Bid Tab](#)

*City Engineer Craig Light explained the Nettleton Avenue project is one of the hot spot projects that was identified. He further explained they will be building three stormwater detention ponds to alleviate flooding issues in that area. Councilman Vance questioned how long the project will take. Mr. Light stated after the contracts are signed they will be able to give the notice to proceed in ten days and it is a 90-day project. He stated this is not the ultimate fix, but will give relief to the property owners in the area and alleviate the problems they have seen in that area this year.*

**A motion was made by Councilman John Street, seconded by Councilman Chris Moore, that this Resolution be Passed. The motion CARRIED by a Voice Vote.**

**Aye:** 10 - Darrel Dover; Ann Williams; Charles Frierson; Jim Hargis; Chris Moore; John Street; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

**Absent:** 2 - Mitch Johnson and Tim McCall

Enactment No: R-EN-079-2009

*Councilman Fears motioned, seconded by Councilman Moore, to suspend the rules and add RES-09:116 to the agenda. All voted aye.*

**RES-09:116** A RESOLUTION TO APPROVE A CONTRACT WITH CITY, WATER AND LIGHT OF THE CITY OF JONESBORO, ARKANSAS ("CWL") AND THE CITY OF JONESBORO ARKANSAS ("CITY")

**Sponsors:** Fire Department

**Attachments:** [Fire Hydrant Maint. FINAL \(2\)](#)

*Councilman Frierson abstained from discussion and voting due to being the attorney for City Water and Light. Councilman Street also abstained from discussion and voting because he serves on the City Water and Light Board of Directors.*

**A motion was made by Councilman Chris Moore, seconded by Councilman Mikel Fears, that this Resolution be Passed. The motion CARRIED by a Voice Vote.**

**Aye:** 8 - Darrel Dover; Ann Williams; Jim Hargis; Chris Moore; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

**Absent:** 2 - Mitch Johnson and Tim McCall

**Abstain:** 2 - Charles Frierson and John Street

Enactment No: R-EN-077-2009

*Councilman Gibson motioned, seconded by Councilman Moore, to suspend the rules and place RES-09:114 on the agenda. All voted aye.*

**RES-09:114** A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO EXPRESS A DESIRE TO KEEP UNITED STATES POSTAL SERVICES IN THE DOWNTOWN BUSINESS DISTRICT.

**Sponsors:** Mayor's Office

**A motion was made by Councilman Chris Moore, seconded by Councilman Chris Gibson, that this Resolution be Passed. The motion CARRIED by a Voice Vote.**

**Aye:** 10 - Darrel Dover; Ann Williams; Charles Frierson; Jim Hargis; Chris Moore; John Street; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

**Absent:** 2 - Mitch Johnson and Tim McCall

Enactment No: R-EN-078-2009

*Councilwoman Williams noted the Finance Committee will be holding a special meeting on Thursday, July 23, at 4:00 p.m. in order to discuss the due diligence concerning the proposals for the non-uniform pension management.*

*Councilman Moore stated he, Mayor Perrin and Police Chief Michael Yates are working on the jail bill and anticipate having some more information within 30 to 60 days.*

**10. Public Comment**

*Mr. Roger Banter, 4315 South Caraway Road, expressed concern about the City not having more right-hand turn lanes on major streets, such as Stadium Boulevard. He noted the City recently made improvements at the intersection of Fair Park and Race Street, but did not add a right-hand turn lane. He recommended the City look at opportunities in the future to add right-hand lanes. Mayor Perrin explained they are working to add right-hand turn lanes at some intersections, but have to work with the Highway Department to do so since some of the roads are state highways.*

**11. Adjournment.**

**A motion was made by Councilman Chris Moore, seconded by Councilman Rennell Woods, that this meeting be Adjourned. The motion CARRIED by a Voice Vote.**

**Aye:** 10 - Darrel Dover; Ann Williams; Charles Frierson; Jim Hargis; Chris Moore; John Street; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

**Absent:** 2 - Mitch Johnson and Tim McCall

\_\_\_\_\_ **Date:** \_\_\_\_\_  
**Harold Perrin, Mayor**

\_\_\_\_\_ **Date:** \_\_\_\_\_  
**Donna Jackson, City Clerk**



# City of Jonesboro

515 West Washington  
Jonesboro, AR 72401

## Legislation Details (With Text)

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**File #:** ORD-09:046    **Version:** 3    **Name:**  
**Type:** Ordinance    **Status:** Passed  
**File created:** 7/7/2009    **In control:** City Council  
**On agenda:**    **Final action:** 8/4/2009  
**Title:** AN ORDINANCE TO AMEND ORD-09:044  
**Sponsors:** Finance, JETS

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
8/4/2009	3	City Council	Passed	Pass

title

AN ORDINANCE TO AMEND ORD-09:044

body

WHEREAS, the City of Jonesboro previously approved ORD-09:044 approving expenditure of sixty nine thousand two hundred sixty one dollars and fifteen cents (\$69,261.15) and

WHEREAS, the incorrect amount of \$69,258.15 should have been \$69,261.15.

THEREFORE BE IT ORDAINED THAT:

SECTION 1: The City of Jonesboro will amend Section 2 of ORD-09:044 from \$69,258.15 to \$69,261.15 to be paid from undesignated General Fund Balance.

SECTION 2: This Ordinance being necessary for the financial continuity of the City of Jonesboro, there is hereby declared to be an emergency and this Ordinance shall take effect from and after its passage and approval.

PASSED AND APPROVED this 4<sup>th</sup> day of August, 2009.



# City of Jonesboro

515 West Washington  
Jonesboro, AR 72401

## Legislation Details (With Text)

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**File #:** ORD-09:049    **Version:** 1    **Name:**  
**Type:** Ordinance    **Status:** Passed  
**File created:** 7/15/2009    **In control:** City Council  
**On agenda:**    **Final action:** 8/18/2009  
**Title:** AN ORDINANCE TO AMEND TITLE 14 OF THE JONESBORO MUNICIPAL CODE KNOWN AS THE ZONING ORDINANCE PROVIDING FOR A CHANGE IN ZONE DISTRICT BOUNDARIES FROM R-1 TO RM-8 FOR PROPERTY LOCATED AT 2202 SPENCE CIRCLE AS REQUESTED BY BILL BRAND

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [Plat](#)  
[MAPC Report](#)

Date	Ver.	Action By	Action	Result
8/18/2009	1	City Council	Passed	Pass
8/4/2009	1	City Council	Held at second reading	
7/21/2009	1	City Council	Held at one reading	

title

AN ORDINANCE TO AMEND TITLE 14 OF THE JONESBORO MUNICIPAL CODE KNOWN AS THE ZONING ORDINANCE PROVIDING FOR A CHANGE IN ZONE DISTRICT BOUNDARIES

body

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

SECTION 1. That Title 14 of the Jonesboro Municipal Code known as the Zoning Ordinance of the City of Jonesboro, Arkansas, 00 be amended by the change in zone district boundaries as follows:

From R-1, Single Family Residential to RM-8, Multi-Family Low Density District (For 1-Duplex)

LEGAL DESCRIPTION

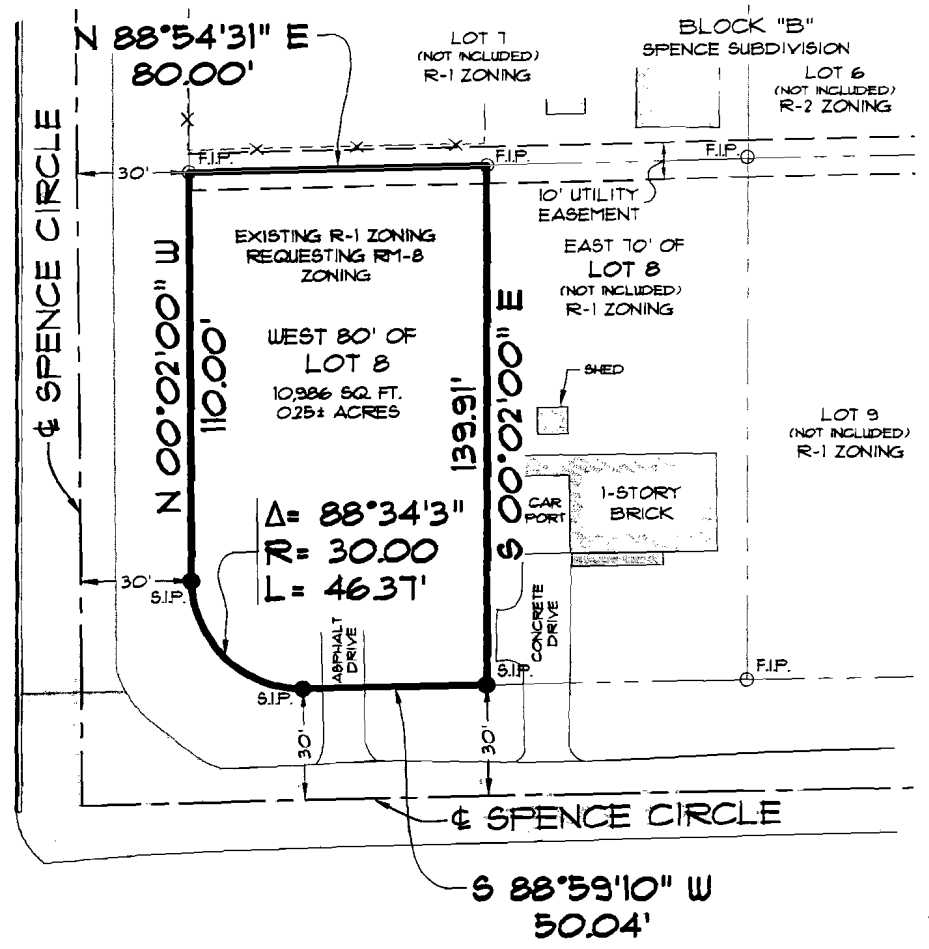
THE WEST 80 FEET OF LOT 8, BLOCK "B", SPENCE SUBDIVISION, JONESBORO, ARKANSAS, AS RECORDED IN BOOK 123 PAGE 232 IN THE OFFICE OF THE CIRCUIT COURT CLERK AND EX-OFFICIO RECORDER, CRAIGHEAD COUNTY, ARKANSAS.

CONTAINING IN ALL 10,986 SQ. FT. OR 0.25 ACRES, MORE OR LESS.

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

PASSED AND ADOPTED this 18<sup>th</sup> day of August, 2009.



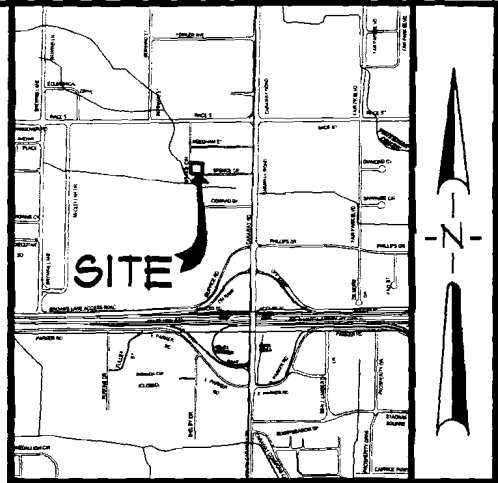


### DESCRIPTION

THE WEST 80 FEET OF LOT 8, BLOCK "B", SPENCE SUBDIVISION, JONESBORO, ARKANSAS, AS RECORDED IN BOOK 123 PAGE 232 IN THE OFFICE OF THE CIRCUIT COURT CLERK AND EX-OFFICIO RECORDER, CRAIGHEAD COUNTY, ARKANSAS.

CONTAINING IN ALL 10,986 SQ. FT. OR 0.25 ACRES, MORE OR LESS.

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



### OWNER'S CERTIFICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY AS DESCRIBED HEREON, AND THAT I REQUEST THE ZONING CHANGE AS NOTED.

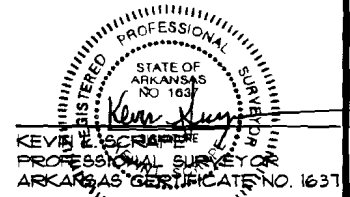
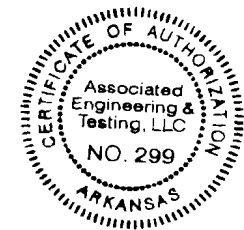
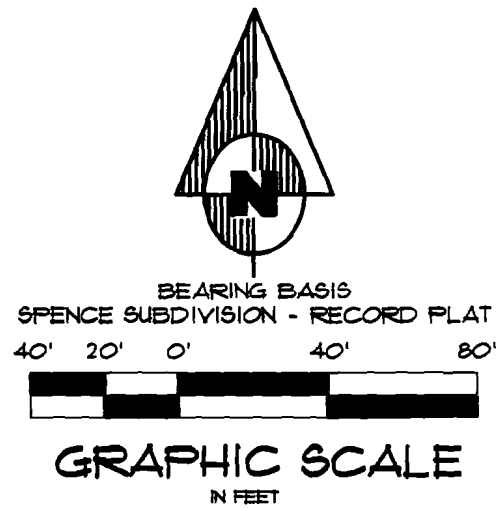
*Bill Brand*  
BILL BRAND, OWNER

### VICINITY SKETCH NOT TO SCALE

### SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT ASSOCIATED ENGINEERING AND TESTING, LLC HAS THIS DATE MADE A BOUNDARY SURVEY OF THE ABOVE DESCRIBED PROPERTY AS SHOWN HEREON AND THAT SAID SURVEY IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THERE ARE NO APPARENT ABOVE GROUND ENCROACHMENTS OTHER THAN AS SHOWN OR STATED HEREON AND THAT THIS SURVEY WAS MADE IN ACCORDANCE WITH THE "ARKANSAS MINIMUM STANDARDS FOR PROPERTY SURVEYS AND PLATS" IN EFFECT ON THIS DATE.

DATE OF BOUNDARY SURVEY: 06/29/09



NOTE: TO BE VALID, COPIES MUST HAVE ORIGINAL SURVEYOR'S SIGNATURE AND SURVEYOR'S SEAL.

### LEGEND

- BOUNDARY LINE
- ADJACENT LOT LINES
- EASEMENT LINES
- FOUND IRON PIPE
- SET 1 1/4" IRON PIPE W/ PLS #1631 CAP
- EXISTING FENCE LINE

### SURVEYOR'S NOTES

1. THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF BILL BRAND AND IS NOT ASSIGNABLE.

**ASSOCIATED ENGINEERING AND TESTING, LLC**  
 CIVIL ENGINEERING, LAND SURVEYING AND MATERIALS TESTING  
 103 SOUTH CHURCH STREET - P.O. BOX 1462 - JONESBORO, AR 72403  
 PH: 870-932-3594 FAX: 870-935-1263

**BILL BRAND**  
**REZONING PLAT**  
 WEST 80' OF LOT 8, BLK "B", SPENCE SUBDIVISION  
 JONESBORO, ARKANSAS

DRAWN: CCH	CHECKED: KLS	DATE: 06/29/09	SHEET
SCALE: 1" = 40'	CADD FILE: 09147-002	DWG#: 0414292.0023	1 OF 1

REV	DATE	REVISIONS	DRAWN	CHK'D

*City of Jonesboro City Council*  
**Staff Report – RZ09-12: 2202 Spence Circle Rezoning**  
**Huntington Building - 900 W. Monroe**  
*For Consideration by City Council on July 21, 2009*

**REQUEST:** To consider a rezoning a parcel of land containing .25 acres more or less (10,986 sq.ft.).

**PURPOSE:** A recommendation to Council for a rezoning from “R-1” Single Family Residential to “RM-8”, Multi-family Low Density District (For 1- Duplex) from the Metropolitan Area Planning Commission.

**APPLICANT:** Brad Payne, 4120 Cypress Moss Rd., Jonesboro, AR.

**OWNER:** Bill Brand, 2116 E. Lawson Rd., Jonesboro, AR

**LOCATION:** 2202 Spence Circle, Jonesboro, AR 72401

**SITE DESCRIPTION:** Tract Size: 10,986 sq. ft. ,Approx. .25 Acres  
Frontage: Approx. 206.41 linear ft. on Spence Circle (a corner lot)  
Topography: Flat  
Existing Dvlpmt: Vacant Lot

<b>SURROUNDING CONDITIONS:</b>	<u>ZONE</u>	<u>LAND USE</u>
North:	R-1,	Residential
South:	R-2	Multi-Family Residential
East:	R-1	Residential
West:	R-1, R-2	Residential & Vacant Multi-Family

**HISTORY:** None.

**ZONING ANALYSIS:** City Planning Staff has reviewed the proposed Zone Change and offers the following findings.

This area is surrounded by low intense attached apartments intermixed with single family residential. The proposed use will be comparable to the surrounding area. With apartments within the vicinity, consistency with the general area can be achieved.

Sufficient building setback beyond 30 ft. should be anticipated to achieve adequate parking layout and design to satisfy code. A full/ open curb-cut is not advised for the proposed site, because it lies on a corner lot.

**COMPREHENSIVE PLAN FUTURE LAND USE MAP**

The 1996 Comprehensive Plan Future Land Use Map which is outdated shows the area recommended as Regional Commercial. This designation typically includes major retail, large scale offices, banks, fast-foods and dine-in establishments, as well as churches and medical facilities.

**Approval Criteria- Section 14.44.05, (5a-g) - Amendments:**

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

- (a) Consistency of the proposal with the Comprehensive Plan
- (b) Consistency of the proposal with the purpose of the zoning ordinance.
- (c) Compatibility of the proposal with the zoning, uses and character of the surrounding area;
- (d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;
- (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;
- (f) Length of time the subject property has remained vacant as zoned, as well as its zoning at the time of purchase by the applicant; and
- (g) 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.

**Metropolitan Area Planning Commission Record of Proceedings:**

**Applicant:** *Kevin Scrape, Associated Engineering representing Brad Payne, presented the case before the MAPC. Requesting part of Lot 8, Spence Subdivision a rezoning to R-1 Single Family to RM-8 Multi-family Low Density.*

*No Opposition.*

**Planner:** *Mr. Spriggs gave a summary of the Staff Report. There is a mixture of residential and low density multi-family in this area. We have entertained similar requests within the Spence Circle area. This is an area which is in transition as seen within the photographs, between commercial and residential. On the Land Use Map of 1996 it recommended as regional commercial within this entire area, and on the current proposed map, we anticipate it remaining the same.*

*Staff has no problem with the density of this request. The RM-8 standards are provided within the staff report, and the proposal will satisfy the minimum requirements as it relates to setbacks, height and bulk standards. No future variances will be supported on this site before the Board of Zoning Adjustments.*

*Mr. Tomlinson asked if the replat of lot 8 will create any substandard conditions on the other lot? The applicant and staff replied no. Mr. Spriggs added that the other home will meet the minimum setbacks of the R-1 Single Family District (7.5 ft.).*

*Mr. Kelton asked if this area is in the floodplain? Mr. Spriggs stated no, and the plan will have to meet all Engineering Department standards of stormwater management during the development stages.*

(MPAC Minutes, Cont.)

*Mr. Tomlinson asked if in the future, will the applicant be able to put more units than a duplex? Mr. Spriggs stated that with the size of the lot and the density, more units will not be possible. The only way to put any conditions on the approval would be to place a limited use overlay.*

**Action:** *Mr. Tomlinson made a motion to recommend approval to Council to rezone the property from R-1 to RM-8, 2<sup>nd</sup> by Ms. Norris. Roll Call? Mr. Collins-Aye; Mr. Dover-Aye; Mr. Kelton-Aye; Mr. Halsey-Aye; Ms. Norris -Aye; and Mr. Tomlinson-Aye.*

**Findings:**

The subject area lies within a transitional area which is adjacent to a commercial core, with a combination of Single Family, “R-2” Low Density, and commercial uses. The “RM-8” District requires 5,445 s.f. per dwelling unit, with a required 25 ft. front yard setback; a 20 ft. rear yard setback and a minimum 10 ft. side yard setback. The proposed duplex must comply with the minimum standards of “RM-8” with no MAPC or staff support for any future appeals or waiver of those requirements including minimum parking standards.

**Conclusion:**

The Metropolitan Area Planning Commission and Planning Staff find that the requested Zone Change submitted by Brad Payne should be approved based on the above observations and criteria, of Case RZ09-12: a request to rezone property from R-1 to RM-8, Multi-family Low Density District to be recommended to the Jonesboro City Council.

Respectfully Submitted for Council Consideration,

Otis T. Spriggs, AICP  
Planning & Zoning Director



# Site Photographs



View of the properties to the east of Site



View Looking North Towards Site





View looking Northeast towards the site



View of the property to the west





View Looking North on Spence Circle Towards Sam's Wholesale Store



View Looking East towards Site





View looking South on to the project site



View looking East on Spence Circle Toward Caraway Rd.