



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Council Agenda City Council

Tuesday, March 5, 2013

5:30 PM

Huntington Building

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

City Council Chambers, Huntington Building

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

COM-13:019 Special presentation by Paul Phillips from Crews & Associates to Mayor Perrin for the 2012 City of Distinction Award

Sponsors: Mayor's Office

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-13:019 Minutes for the City Council meeting on February 19, 2013

Attachments: [Minutes](#)

MIN-13:020 Minutes for the special called City Council meeting on February 22, 2013

Attachments: [Minutes](#)

RES-13:008 A RESOLUTION TO CONTRACT WITH NEA BAPTIST CLINIC FOR SPONSORSHIP OF A BASEBALL FIELD AT JOE MACK CAMPBELL PARK

Sponsors: Parks & Recreation

Attachments: [Nea Baptist Clinic](#)

Legislative History

2/19/13	Public Services Council Committee	Recommended to Council
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6. NEW BUSINESS

RS-8 FOR PROPERTY LOCATED ON THE SOUTH SIDE OF MACEDONIA ROAD,
EAST SIDE OF HIGHWAY 351 AS REQUESTED BY K&G PROPERTIES

Attachments: [Plat](#)
[MAPC Report](#)
[Lot layout](#)
[Letter from Sage Meadows Association](#)
[Agreement with Sage Meadows Board](#)
[Opposition letter and plat](#)
[Newspaper article from opposition](#)
[Opposition petition and plat](#)

Legislative History

2/19/13 City Council Held at one reading

8. MAYOR'S REPORTS

9. CITY COUNCIL REPORTS

10. PUBLIC COMMENTS

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

11. ADJOURNMENT



Legislation Details (With Text)

File #: COM-13:019 **Version:** 1 **Name:** Presentation by Paul Phillips to Mayor Perrin for City of Distinction Award

Type: Other Communications **Status:** To Be Introduced

File created: 2/27/2013 **In control:** City Council

On agenda: **Final action:**

Title: Special presentation by Paul Phillips from Crews & Associates to Mayor Perrin for the 2012 City of Distinction Award

Sponsors: Mayor's Office

Indexes: Mayor's Commendations

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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title
Special presentation by Paul Phillips from Crews & Associates to Mayor Perrin for the 2012 City of Distinction Award



City of Jonesboro

515 West Washington
Jonesboro, AR 72401

Legislation Details (With Text)

File #: MIN-13:019 **Version:** 1 **Name:**
Type: Minutes **Status:** To Be Introduced
File created: 2/22/2013 **In control:** City Council
On agenda: **Final action:**
Title: Minutes for the City Council meeting on February 19, 2013
Sponsors:
Indexes:
Code sections:
Attachments: [Minutes](#)

Date	Ver.	Action By	Action	Result
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title
Minutes for the City Council meeting on February 19, 2013



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, February 19, 2013

5:30 PM

Huntington Building

SPECIAL CALLED PUBLIC SERVICES MEETING AT 4:45 P.M.

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

PUBLIC HEARING AT 5:25 P.M.

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

Present 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Rennell Woods; Mikel Fears and Charles Coleman

Absent 1 - Chris Gibson

4. SPECIAL PRESENTATIONS

COM-13:011 Proclamations by the Mayor to the Annie Camp East Lab for their contribution to the Downtown BBQ Fest

Sponsors: Mayor's Office

This item was Read.

COM-13:012 Proclamation by the Mayor to Jissel Esparza for her contribution to the Downtown BBQ Fest

Sponsors: Mayor's Office

This item was Read.

COM-13:013 Proclamation by the Mayor to Jessica Vaughn for her contribution to the Downtown BBQ Fest

Sponsors: Mayor's Office

This item was Read.

COM-13:014 Otis Spriggs, Planning Director, to do presentation of the Master Land Use Plan

Sponsors: Mayor's Office

Attachments: [Table](#)
[Handout](#)

City Planner Otis Spriggs discussed the Land Use Plan. The Land Use Plan was adopted in January, 2010. There have been 60 amendments. He provided the Council with a handout showing the 60 amendments and the details associated with those amendments. He noted there weren't many denials and most of them were not consistent with the map. Of the 60 rezonings, 35 were consistent with the Land Use Plan, which makes a 58% rate of consistency. There were concerns in the past that the City was not following the Land Use Plan, but the rate of consistency has improved since then. They are paying closer attention to whether or not they are consistent with the plan. The staff is also providing more information to the City Council concerning the rezoning proposals to ensure consistency with Council policies. The Land Use Advisory Committee will look at the plan and refine the plan in order to make it more readable and usable. For example, with the previous plan not much attention was given to Highway 49 North. But, with the development of the new commercial areas they will look at that area more. The ASU campus master plan is ready to be rolled out for approval and will take into account the boundaries around the campus. They are looking at pulling resources together to review the footprints of the campus to look at traffic and housing issues, as well as other things. They will also be looking at the housing challenges in North Jonesboro. Corridors in the City, such as the medical mile corridor, will have to be linked into the Master Street Plan. Mr. Spriggs stated the old Land Use Plan is site-specific, but they would like to look at things in a broader sense as opposed to a site-by-site basis. They plan on looking at the map on a five-year basis.

Mayor Perrin stated there are only a few inconsistencies, but there's enough to warrant looking at the plan again. He plans to call a meeting of the Land Use Advisory Board to do an overview of the old plan and updating it.

Councilman Fears noted this document is a guide, but it's not a cut and dry document as how to everything will be zoned. Mayor Perrin agreed and stated the City will have public hearings on the Land Use Plan to gain comments.

This item was Read.

5. CONSENT AGENDA

Approval of the Consent Agenda

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

Aye: 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Rennell Woods; Mikel Fears and Charles Coleman

Absent: 1 - Chris Gibson

MIN-13:014 Minutes for the City Council meeting on February 5, 2013

Attachments: [Minutes](#)

This item was PASSED on the consent agenda.

RES-12:235 RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR MHC KENWORTH, A COMMERCIAL DEVELOPMENT

Sponsors: Engineering

Attachments: [Maintenance Agreement - MHC Kenworth](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-021-2013

RES-13:010 A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR HARRISON PARKER ANNEX MINOR PLAT, A COMMERCIAL DEVELOPMENT

Sponsors: Engineering

Attachments: [Maintenance Agreement.pdf](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-022-2013

RES-13:011 A RESOLUTION REQUESTING FREE UTILITY SERVICE FROM CITY WATER AND LIGHT FOR TRAFFIC SIGNAL

Sponsors: Engineering

This item was PASSED on the consent agenda.

Enactment No: R-EN-023-2013

RES-13:015 RESOLUTION TO MAKE APPOINTMENTS/REAPPOINTMENTS TO THE LAND USE ADVISORY COMMITTEE AND THE COMMUNITY TRANSPORTATION ADVISORY BOARD

Sponsors: Mayor's Office

This item was PASSED on the consent agenda.

Enactment No: R-EN-024-2013

RES-13:028 RESOLUTION TO NAME JUDGES, CLERKS AND ALTERNATE WORKERS FOR THE 2013 CITY WATER AND LIGHT PLANT ELECTION

This item was PASSED on the consent agenda.

Enactment No: R-EN-025-2013

6. NEW BUSINESS

ORDINANCES ON FIRST READING

ORD-13:004 AN ORDINANCE TO VACATE AND ABANDON FORD AVENUE (A 15' ROAD RIGHT OF WAY), AND DECLARING AN EMERGENCY FOR THE PURPOSE OF PLAT RECORDING, PENDING CONSTRUCTION BY THE AFFECTED PROPERTY OWNER AND PENDING FINANCING AS REQUESTED BY RIVERSIDE PROPERTIES, LLC

Attachments: [Plat](#)
[Application Form](#)
[Utility Forms](#)
[Petition](#)
[Planning Letter](#)
[Engineering Letter](#)
[Deed Recording](#)
[Adjacent Owner Notifications & Plat](#)

Councilman Street offered the ordinance for first reading by title only.

Councilman Moore motioned, seconded by Councilman Street, to suspend the rules and waive the second and third readings. All voted aye.

After passage of the ordinance, Councilman Moore motioned, seconded by Councilwoman Williams, to adopt the emergency clause. All voted aye.

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

Aye: 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Rennell Woods; Mikel Fears and Charles Coleman

Absent: 1 - Chris Gibson

Enactment No: O-EN-006-2013

ORD-13:006 AN ORDINANCE TO MODIFY THE LEASE AGREEMENT WITH CONTINENTAL UTILITY SOLUTIONS, INC. AND DECLARING AN EMERGENCY TO ALLOW THE LESSEE TO MOVE FORWARD WITH THE RENOVATIONS TO THE ADDITIONAL SPACE SO THAT ALL RENOVATIONS WILL BE COMPLETED BEFORE THE CITY OCCUPIES THE BUILDING.

Sponsors: Finance

Attachments: [LEASE MODIFICATION CUSI](#)
[Original Lease](#)

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

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

Mayor Perrin explained CUSI currently has a lease in the Mercantile Center that the City took ownership of when the building was purchased. They would like to add another 2,094 square foot to their lease. They have renovated a portion of that area and would like to renovate the rest. The lease reflects CUSI will get a credit for the renovations toward the cost of the lease. The lease will expire in 2017. He does not anticipate the City needing the space in 2017. He noted they do not know how much the renovations will cost, but the credit will be for only the cost of the renovations.

Mayor Perrin stated the City will be receiving about \$90,000 per year in rental income for the offices in the Mercantile Center. Councilman Moore expressed concern that the company understands if the City needs the space in 2017 that they will be out of the building. Mayor Perrin explained they clearly informed the company of that, which is why they decided to amend the original lease as opposed to beginning a new one.

After passage of the ordinance, Councilman Street motioned, seconded by Councilman Moore, to adopt the emergency clause. All voted aye.

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

Aye: 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Rennell Woods; Mikel Fears and Charles Coleman

Absent: 1 - Chris Gibson

Enactment No: O-EN-007-2013

ORD-13:007

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

Attachments: [Plat](#)
[MAPC Report](#)
[Letter from Sage Meadows Association](#)
[Agreement with Sage Meadows Board](#)

Mayor Perrin explained this ordinance is related to ORD-13:008, which is by the same property owner for properties near Sage Meadows. Councilman Gibson, who is not in attendance tonight, asked for the ordinance to be held at first reading in order for more discussion time.

Councilman Moore offered the ordinance for first reading by title only and asked that it be held there.

City Planner Otis Spriggs discussed the rezonings. The property owner would like to build "landominiums" on the property, which are single family detached units on a smaller lot. It will be condominium-type purchases. The owner has been meeting with the homeowner's association to discuss the development and they attached an endorsement letter. The MAPC recommended the rezonings unanimously and there was no opposition. There were challenges concerning the roundabouts, but they are leaving that issue to the engineers to decide which is the best way for the development to connect with Sage Meadows Boulevard. Most of the concerns were due to the amount of traffic in the morning hours. He noted the planned development will have to go back to the MAPC twice, once as preliminary, the other as final. That will be when the recommendations from staff will come in.

Councilman Vance questioned whether this is the same landowner that owns the property to the north and east of the clubhouse. Mr. Spriggs stated he is not sure of what land he owns in that area. He added this property was purchased in either 2007 or 2008 with the intention of development. He noted the unplatted portions he believes are owned by other individuals.

Councilman McCall then questioned what the owner's name is. Mr. Spriggs answered Kevin Kessinger.

Mr. Mike Crotts, from the Sage Meadows association, informed the Council that this

landowner is not the same person who owns the property north of the clubhouse. The board is in support of what is going on, with the only concern being the ingress and egress on Sage Meadows Boulevard. They ask that the ingress/egress not be at the smaller roundabout or else that roundabout will have to be fully re-worked all the way around. He noted they have not seen any plans as to where the development will come in except at the roundabout, which causes concern. He added they agreed to go with the engineering study to determine the best intersection with Sage Meadows Boulevard. Mr. Spriggs noted Engineer George Hamman is working on the rezoning for the property owner. Mr. Hamman explained they do have a layout that they will provide to Mr. Spriggs so it can be sent out. They are willing to work with the Engineering Department to figure out the best intersection. Mayor Perrin asked for Mr. Crofts to also get a copy of the layout.

This ordinance was Held at one reading.

ORD-13:008 AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM C-3 TO RS-8 FOR PROPERTY LOCATED ON THE SOUTH SIDE OF MACEDONIA ROAD, EAST SIDE OF HIGHWAY 351 AS REQUESTED BY K&G PROPERTIES

Attachments: [Plat](#)
[MAPC Report](#)
[Lot layout](#)
[Letter from Sage Meadows Association](#)
[Agreement with Sage Meadows Board](#)

Councilman Moore offered the ordinance for first reading by title only.

This item was Held at one reading.

RESOLUTIONS TO BE INTRODUCED

RES-13:002 RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to Condemn property at 704 Vine St. Owners Michael & Veronica Baker

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST](#)
[Notice of Violatio1Michael](#)
[Notice of Violatio1](#)
[100e0583](#)
[100e0575](#)
[100e0576](#)
[100e0579](#)
[100e0578](#)

No one spoke in opposition to the condemnation.

A motion was made by Councilman Chris Moore, seconded by Councilman Darrel Dover, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Rennell Woods;Mikel Fears and Charles Coleman

Absent: 1 - Chris Gibson

Enactment No: R-EN-026-2013

RES-13:003 RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to Condemn property at 701 Cate St. Owner Charles Rosse

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST](#)

[Inspection report001](#)

[100E1565](#)

[100E1562](#)

[100E1566](#)

[100E1569](#)

No one spoke in opposition to the condemnation.

A motion was made by Councilman Mikel Fears, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Rennell Woods;Mikel Fears and Charles Coleman

Absent: 1 - Chris Gibson

Enactment No: R-EN-027-2013

7. UNFINISHED BUSINESS

8. MAYOR'S REPORTS

Mayor Perrin reported on the following items:

Last week he attended an executive committee meeting with the Municipal League. The bill requiring a licensed veterinarian to euthanize all animals in the Animal Control Department was stopped in the committee. The cable bill item that would've taken power away from cities when they received complaints from citizens concerning cable companies is being looked at. Cities will still have some control.

At the next Council meeting, he will have the names of the Master Street Committee members for approval.

The MPO Policy Committee met today and are setting up the challenges of revenue versus what the MPO is receiving from the state. They looked at financials for the last four years. It was noted the revenue stream to MPO's such as Jonesboro has decreased. Jonesboro will receive a slight increase in 2014, but it is not enough to take care of the MPO. They will be meeting tomorrow morning with the Highway Department. Councilman Street will be attending that meeting as well. They will also discuss federal funding for an overpass on Highway 18 over the railroad tracks. They will discuss the roundabouts for Airport/Aggie and another at the Wood Street intersection with four other streets. Councilman Vance expressed concern with the Wood Street roundabout proposal, saying he doesn't think there is enough traffic on that intersection when there are other intersections in town that need to be looked at.

He asked for the administration to look at that. He added a roundabout is more need at Frierson/Gee/Nettleton Circle because the traffic signal holds up traffic more than the Wood Street intersection. Councilman Johnson agreed with Councilman Vance. He also noted he has received complaints about that intersection. Mayor Perrin stated they will look at that again. He added the Gee Street intersection is also on their list.

On Thursday, February 21, 2013, they will hold an open house from 5:30 p.m. to 7 p.m. in the Public Works facility on Dan Avenue for Dr. Guffey to be introduced to everyone.

Financial statements will be emailed tomorrow.

He will be doing the State of the City Address at the second meeting in March.

The National League of Cities met with the House and Senate officials to introduce a bill concerning sales tax on remote internet sales. He will keep everyone updated on that bill. They will be in Washington DC on March 6-8 with the Chamber of Commerce.

9. CITY COUNCIL REPORTS

Councilwoman Williams motioned, seconded by Councilman Moore, to suspend the rules and place RES-13:029 on the agenda. All voted aye.

RES-13:029 A RESOLUTION TO CONTRACT WITH THE JONESBORO BASEBALL BOOSTERS

Sponsors: Parks & Recreation

Attachments: [JBB contract](#)

A motion was made by Councilwoman Ann Williams, seconded by Councilman Mitch Johnson, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Rennell Woods;Mikel Fears and Charles Coleman

Absent: 1 - Chris Gibson

Enactment No: R-EN-028-2013

10. PUBLIC COMMENTS

11. ADJOURNMENT

A motion was made by Councilman Chris Moore, seconded by Councilwoman Ann Williams, that this meeting be Adjourned . The motion PASSED by a unanimous vote

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Rennell Woods;Mikel Fears and Charles Coleman

Absent: 1 - Chris Gibson



City of Jonesboro

515 West Washington
Jonesboro, AR 72401

Legislation Details (With Text)

File #: MIN-13:020 **Version:** 1 **Name:**
Type: Minutes **Status:** To Be Introduced
File created: 2/25/2013 **In control:** City Council
On agenda: **Final action:**
Title: Minutes for the special called City Council meeting on February 22, 2013
Sponsors:
Indexes:
Code sections:
Attachments: [Minutes](#)

Date	Ver.	Action By	Action	Result
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title
Minutes for the special called City Council meeting on February 22, 2013



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Meeting Minutes City Council

Friday, February 22, 2013

12:05 PM

Huntington Building

Special Called Meeting

SPECIAL CALLED PUBLIC WORKS COMMITTEE MEETING AT 12:00 P.M.

Present 7 - Darrel Dover; Charles Frierson; John Street; Gene Vance; Rennell Woods; Mikel Fears and Charles Coleman

Absent 5 - Ann Williams; Chris Moore; Mitch Johnson; Tim McCall and Chris Gibson

1. CALL TO ORDER BY MAYOR PERRIN AT NOON

2. ROLL CALL BY CITY CLERK DONNA JACKSON

3. NEW BUSINESS

RESOLUTIONS TO BE INTRODUCED

RES-13:039

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING A CHANGE ORDER WITH OLYMPUS CONSTRUCTION FOR CONSTRUCTION OF SIDEWALKS, DRAINAGE, HANDRAILS, AND OTHER RELATED ITEMS AT THE MERCANTILE CENTER

Sponsors: Finance

Attachments: [AIA Change Order on Feb 12 2013](#)

Mayor Perrin explained this will cover all of the sidewalks around the building. They had to cut the parking lot down in the back, which affected the sidewalks around the building. The best way to fix the sidewalks and comply with ADA was to redo them. Councilman Vance questioned whether they will be getting rid of the aggregate coated sidewalk. Mayor Perrin answered yes. Councilman Vance then questioned if this will cover the brick in the front entrance. Mayor Perrin answered no, that sidewalk will be staying and will be repaired at another time. He added they will be taking the sidewalks all the way down to Church Street and take out three parking spots.

Councilman Fears asked if this needed to go out to bid. Mayor Perrin answered no since it is just a change order to the contract. City Attorney Phillip Crego agreed.

Councilman Vance asked about the parking spots on Creath. Mayor Perrin stated they will be taking out those parking spots in order to put the generators there. Discussion was then held regarding parking.

Mayor Perrin noted there may be more change orders, but he will bring the Council

any change orders over \$20,000.

A motion was made by Councilman John Street, seconded by Councilman Gene Vance, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 7 - Darrel Dover; Charles Frierson; John Street; Gene Vance; Rennell Woods; Mikel Fears and Charles Coleman

Absent: 5 - Ann Williams; Chris Moore; Mitch Johnson; Tim McCall and Chris Gibson

Enactment No: R-EN-029-2013

4. PUBLIC COMMENTS

5. ADJOURNMENT

A motion was made by Councilman Mikel Fears, seconded by Councilman Gene Vance, that this meeting be Adjourned . The motion PASSED by a unanimous vote

Aye: 7 - Darrel Dover; Charles Frierson; John Street; Gene Vance; Rennell Woods; Mikel Fears and Charles Coleman

Absent: 5 - Ann Williams; Chris Moore; Mitch Johnson; Tim McCall and Chris Gibson

_____ **Date:** _____
Harold Perrin, Mayor

Attest:

_____ **Date:** _____
Donna Jackson, City Clerk



Legislation Details (With Text)

File #:	RES-13:008	Version:	1	Name:	Contract with NEA Baptist for sponsorship of a field at Joe Mack Campbell Park
Type:	Resolution	Status:		Status:	Recommended to Council
File created:	1/14/2013	In control:		In control:	Public Services Council Committee
On agenda:		Final action:		Final action:	
Title:	A RESOLUTION TO CONTRACT WITH NEA BAPTIST CLINIC FOR SPONSORSHIP OF A BASEBALL FIELD AT JOE MACK CAMPBELL PARK				
Sponsors:	Parks & Recreation				
Indexes:	Contract				
Code sections:					
Attachments:	Nea Baptist Clinic				

Date	Ver.	Action By	Action	Result
2/19/2013	1	Public Services Council Committee		

title
A RESOLUTION TO CONTRACT WITH NEA BAPTIST CLINIC FOR SPONSORSHIP OF A BASEBALL FIELD AT JOE MACK CAMPBELL PARK

body
WHEREAS, the City of Jonesboro owns and maintains Joe Mack Campbell Park located at 3021 Dan Avenue;

WHEREAS, Nea Baptist Clinic is seeking sponsorship recognition on a baseball field at Joe Mack Campbell Park;

WHEREAS, Nea Baptist Clinic is sponsoring the field for the sum of \$12,500 for a period of 5 years;

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

SECTION 1: That the City of Jonesboro, Arkansas shall contract with Nea Baptist Clinic for the sponsorship of a field at Joe Mack Campbell Park. A copy of said contract is attached as "Exhibit A."

SECTION 2: The Mayor, Harold Perrin and City Clerk, Donna Jackson are hereby authorized by the City Council for the City of Jonesboro to execute all documents necessary to effectuate the agreement.

EXHIBIT A

SPONSORSHIP AGREEMENT FOR BASEBALL FIELD LOCATED AT JOE MACK CAMPBELL PARK

This Agreement is made by and between **NEA Baptist Clinic** (SPONSOR) and the CITY OF JONESBORO PARKS AND RECREATION DEPARTMENT ("CITY"), on this **15th** Day of **January, 2013** (the "Effective Date").

WHEREAS, the CITY is the owner of that certain public park amenities known as the "Joe Mack Campbell Park", and hereafter referred to as the "Facilities"; and

WHEREAS, SPONSOR and the CITY desire to enter this agreement for the purpose of evidencing the agreement of the parties with regard to sponsorship of the Facilities by SPONSOR and the respective obligations of the parties regarding the sponsorship and maintenance of the Facilities;

NOW, THEREFORE in consideration of the promises and the reciprocated covenants and obligations contained herein, the parties agree as follows:

I. Term

- (a) The term of this Agreement is for a period of five (**5**) years commencing on the Effective Date and ending at midnight on the fifth (**5th**) anniversary thereof.

II. Sponsorship of Facilities

- 1) It is agreed between the parties hereto, in return for the covenants and conditions set forth herein that the SPONSOR'S name shall be put on a sign to be erected on a designated athletic field at the FACILITY. The designated field, once SPONSOR enters into the Agreement, shall be known thereafter by the name to be designated by the SPONSOR and said sign and name shall remain for a period of **five years**.
- 2) It is agreed between the parties that the SPONSOR shall pay over a period of **5** years for the erected sign and sponsorship the total sum of **\$12,500**.
A sum of **\$2,500** shall be paid on **February 14, 2013**.
A sum of **\$2,500** shall be paid on **February 14, 2014**.
A sum of **\$2,500** shall be paid on **February 14, 2015**.
A sum of **\$2,500** shall be paid on **February 14, 2016**.

A sum of **\$2,500** shall be paid on **February 14, 2017.**

- 3) It is agreed between the CITY and the SPONSOR that the SPONSOR shall have an option to renew this agreement for an additional five years.
- 4) It is agreed between the CITY and the SPONSOR that this sponsorship is non-assignable without prior written approval of the CITY. It is also agreed that the CITY reserves the right to remove SPONSOR'S sign and obtain a new sponsor for designated field in the event of failure of payment on the part of the SPONSOR.
- 5) It is agreed between the parties that the CITY will furnish a 6' x 12' sign to be erected for SPONSOR'S designated field. However, it shall be the responsibility of SPONSOR to bear any expense made to said sign should changes be requested during the term of this agreement.
- 6) It is agreed by CITY and the SPONSOR that the SPONSOR shall not be responsible for the maintenance or upkeep on sponsored field and SPONSOR shall not be responsible with regards to any liability actions which may be brought against the CITY resulting from accidents which might occur on sponsored field.

III. Assign ability and Exclusivity

This Agreement is a privilege for the benefit of SPONSOR only and may not be assigned in whole or in part by SPONSOR to any other person or entity.

X. Miscellaneous Provisions.

- 1) No modification of this Agreement shall be effective unless it is made in writing and is signed by the authorized representative's of the parties hereto.
- 2) This Agreement shall be construed under and in accordance with the laws of the State of Arkansas and venue for any litigation concerning this Agreement shall be in Craighead County, Jonesboro, AR.
- 3) Nothing in this Agreement shall be construed to make the CITY or its respective agents or representatives liable in situations it is otherwise immune from liability.
- 4) In case any one or more of the provisions contained in this Agreement shall for

any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

- 5) Each party represents to the other that the individual signing this Agreement below has been duly authorized to do so by its respective governing body and that this Agreement is binding and enforceable as to each party.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year set forth below.

Deaundra B. Waddell

By: NEA Baptist Clinic
Name: Deaundra Waddell
Title: Director of Marketing
Date: 1-10-13

CITY OF JONESBORO

By: _____
Name: Harold Perrin
Title: Mayor
Date: _____

ATTEST

Donna Jackson, City Clerk, CMC



Legislation Details (With Text)

File #: ORD-13:011 **Version:** 2 **Name:** Waive bidding for radio console upgrades for AWIN
Type: Ordinance **Status:** First Reading
File created: 2/14/2013 **In control:** Public Safety Council Committee
On agenda: **Final action:**
Title: AN ORDINANCE WAIVING COMPETITIVE BIDDING AND ENTERING INTO A CONTRACT WITH MOTOROLA FOR THE INSTALLATION AND ONE YEAR MAINTENANCE SUPPORT FOR RADIO CONSOLE UPGRADES TO THE ARKANSAS WIRELESS INFORMATION SYSTEM AKA AWIN FOR THE JONESBORO E911 DEPARTMENT
Sponsors: E911
Indexes: Property purchase - other
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
2/19/2013	2	Public Safety Council Committee		

title

AN ORDINANCE WAIVING COMPETITIVE BIDDING AND ENTERING INTO A CONTRACT WITH MOTOROLA FOR THE INSTALLATION AND ONE YEAR MAINTENANCE SUPPORT FOR RADIO CONSOLE UPGRADES TO THE ARKANSAS WIRELESS INFORMATION SYSTEM AKA AWIN FOR THE JONESBORO E911 DEPARTMENT

body

WHEREAS, the Arkansas wireless system AKA(AWIN) is set up and operated on a Motorola control station, therefore making Motorola the only source provider for this upgrade. NOTE: this is the last year of support for the current gold elite system now in service at Jonesboro E911.

WHEREAS, this upgrade to the Jonesboro E911 consoles will include hardware and software for the MCC7500 dispatch System, along with NICE brand recording for all phone lines and radio channels.

Features and Benefits of the upgrade.

- Emergency calls are prioritized to connect no matter how busy the network
- Voice quality is optimized to eliminate clipped or degraded audio
- High audio quality maintained regardless of traffic loads
- Calls are set up in a fraction of a second, regardless of system size
- Voice messages are delivered quickly
- Call traffic is automatically re-routed in the event of IP-network failure, minimizing impact on the end user
- Dispatch performance is enhanced and bandwidth used most efficiently by using IP multicast technology
- True end-to-end encryption to keep all communications secure
- Centralized Configuration and Fault Management allows access to the network manager from remote locations via standard IP
- Enhanced, integrated logging with digital audio
- Agency Partitioning allows agencies to share a system while maintaining control over own

resources

- Compatible with existing ASTRO®25 Trunking Systems with forward migration to leverage your investment
- Simplified installation and lower site costs because the console operator position functions without backroom electronics
- Integrates with PremierOne™ CAD to simplify operations, improve data accuracy enhance efficiencies.

BE IT THEREFORE ORDAINED by the City Council of the City of Jonesboro, Arkansas in accordance with the terms of A.C.A. 14-58-302 hereby waives the requirement of competitive bidding and directs the Purchasing Agent to purchase the above described equipment, and authorizes the Mayor and City Clerk to execute all documents necessary for the fulfillment of the contract.

BE IT FURTHER ORDAINED, that due to the immediate need to acquire radio console upgrades to the Arkansas Wireless Information System AKA AWIN, an emergency is declared to exist and this ordinance being necessary for the preservation of the public peace, health and safety, shall take effect from and after its passage and approval.



Legislation Details (With Text)

File #:	RES-13:041	Version:	1	Name:	Request for a public hearing for an abandonment in Rossland Hills
Type:	Resolution	Status:			Recommended Under New Business
File created:	2/27/2013	In control:			City Council
On agenda:		Final action:			
Title:	RESOLUTION TO SET A PUBLIC HEARING REGARDING THE VACATION AND ABANDONMENT OF TWENTY FOOT (20') DRAINAGE EASEMENT IN LOT 9 AND 10, BLOCK 'E' IN PHASE II IN ROSSLAND HILLS SUBDIVISION AS REQUESTED BY STEVE MITCHELL				
Sponsors:					
Indexes:	Abandonment, Abandonment, Public hearing				
Code sections:					
Attachments:	Petition Plats Planning letter Engineering letter Application Adjacent owner forms				

Date	Ver.	Action By	Action	Result
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title
RESOLUTION TO SET A PUBLIC HEARING REGARDING THE VACATION AND ABANDONMENT OF TWENTY FOOT (20') DRAINAGE EASEMENT IN LOT 9 AND 10, BLOCK 'E' IN PHASE II IN ROSSLAND HILLS SUBDIVISION AS REQUESTED BY STEVE MITCHELL

body
WHEREAS, the property owners have filed a petition with the City Clerk of the City of Jonesboro, Arkansas, requesting that a 20 foot (20') drainage easement, as described follows:

DESCRIPTION: A 20 foot (20') drainage easement located between Lot 9 and 10 Block "E" Phase II, in Rossland Hills Subdivision to the City of Jonesboro, Craighead County, Arkansas, be vacated and abandoned; and

WHEREAS, the petition has been presented to the City Council of the City of Jonesboro, Arkansas; and

WHEREAS, Arkansas Code Annotated 14-301-302, requires two weeks public notice before the above easement can be vacated and abandoned;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Jonesboro, Arkansas that the City Clerk is directed to publish a notice once a week for two consecutive weeks advising the public of the request mentioned above and this matter will be heard before the City Council on _____, 2013, at _____ p.m. o'clock in the Council Chambers, 900 West Monroe, Jonesboro, Arkansas.

TO: Honorable Harold Perrin, Mayor, and members of the City Council of the City of Jonesboro, Arkansas.

PETITION TO ABANDON

We the undersigned, being the owners of described property containing a twenty foot (20') drainage easement located in the City of Jonesboro, Arkansas, the portion involved described as follows:

A twenty foot (20') drainage easement locate along the line of Lots 9 and 10 in Block "E" of Phase II, Rossland Hills Subdivision to the City of Jonesboro, Craighead County Arkansas now appearing of record in Plat Cabinet "B" Page 138, in the office of the recorder of Craighead County.

Herewith file and present this petition to the City Council of the City of Jonesboro, Arkansas to have the twenty foot (20') drainage easement described above vacated and abandoned.

DATED this ____ day of ____, 2013

PROPERTY OWNER: Steve Mitchell

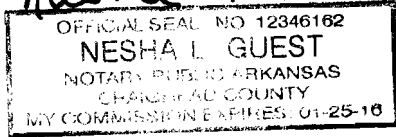
3904 Thousand Oaks Dr.

Jonesboro, Ar 72404

Steve Mitchell

Steve Mitchell

Nesha L. Guest



Marlan Phillips

3913 Towering Oaks Dr.

Jonesboro, Ar 72404

Marlan Phillips

Marlan Phillips

3901
TOWERING OAKS
WILSON JAMES CARL JR

PHILLIPS
INVESTMENTS

PHILLIPS
INVESTMENTS

3913
TOWERING OAKS

318

317

316

322

325

321

324 323

326

327

328

332

329

330

9

10

334-333

337

Abandoned - 20' - Drainage
Easement - With 10'-0" Each Lot

TOWERING OAKS DR

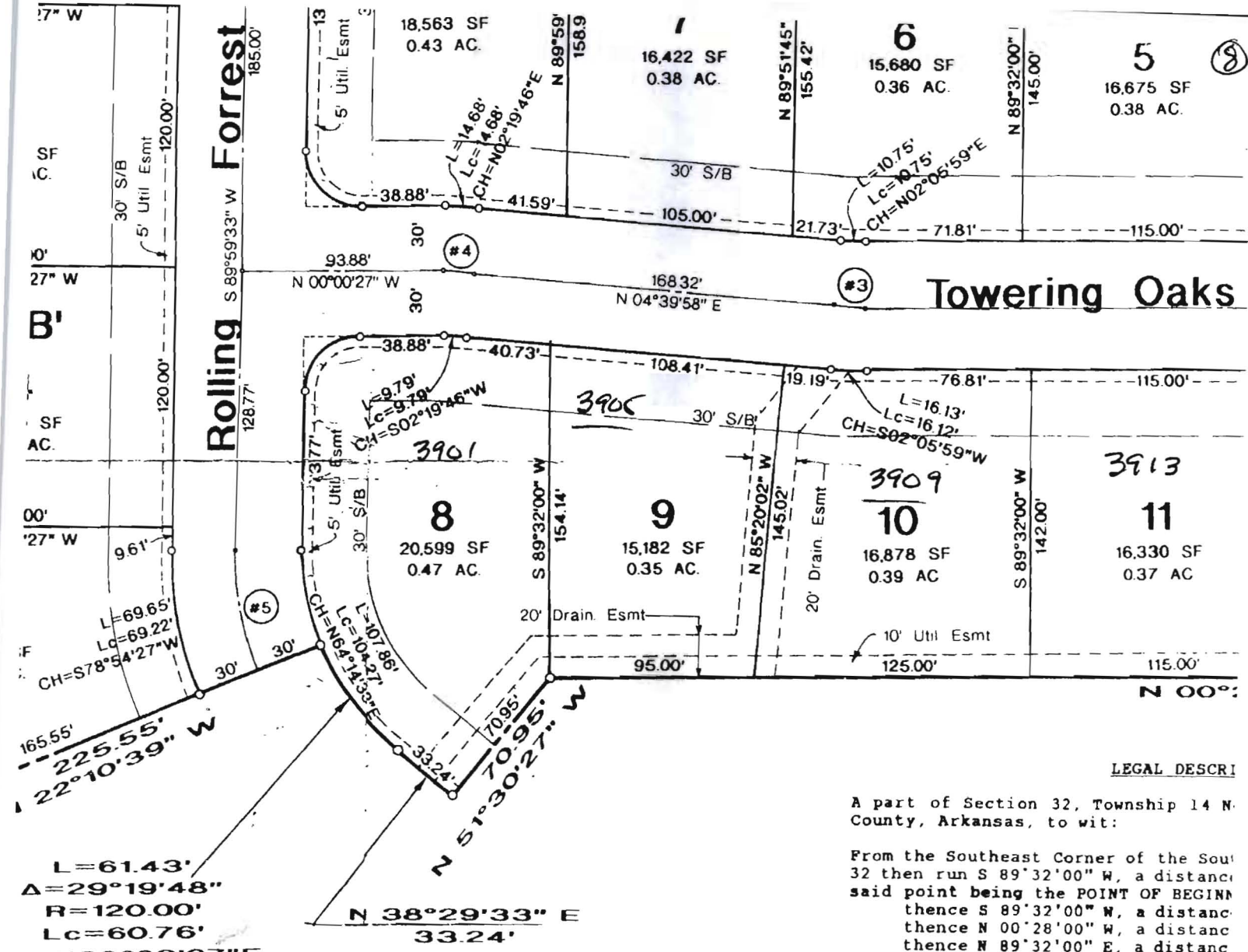
1/4" No STREET Exchange

6

PS.
ENTS

904
AND OAKS
ESTMENTS, INC

908
AND OAKS



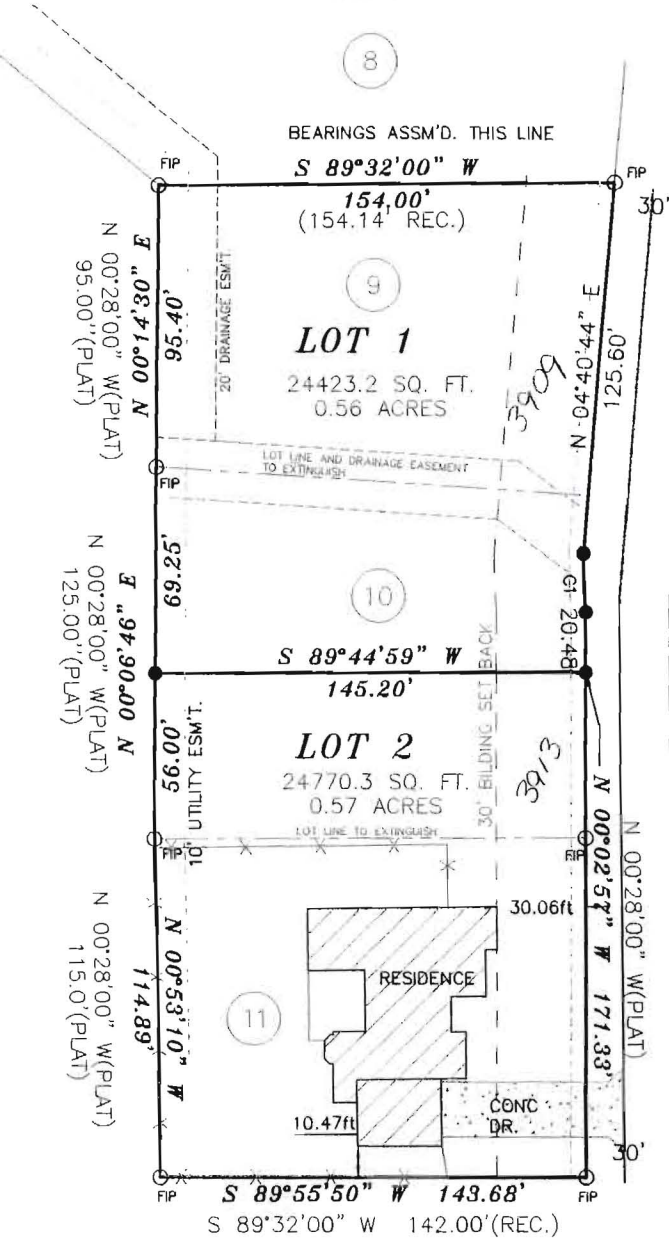
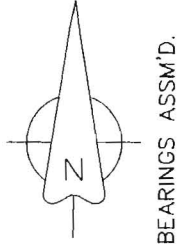
LEGAL DESCR

A part of Section 32, Township 14 N. County, Arkansas, to wit:

From the Southeast Corner of the Sou 32 then run S 89°32'00" W, a distance
 said point being the POINT OF BEGINN
 thence S 89°32'00" W, a distanc
 thence N 00°28'00" W, a distanc
 thence N 89°32'00" E, a distanc
 thence N 00°28'00" W, a distanc
 thence N 51°30'27" W, a distanc

This is The ORIGINAL drainage before Replat.

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD LENGTH	TANGENT
C1	06°15'05"	180.00'	19.64'	19.63'	9.83'



DESCRIPTION:
 A REPLAT OF LOTS 9, 10, AND 11 IN BLOCK "E" OF ROSSLAND HILLS, PHASE II TO THE CITY OF JONESBORO, ARKANSAS AS SHOWN BY PLAT IN PLAT CABINET "B" AT PAGE 138 IN THE OFFICE OF CIRCUIT COURT CLERK AND EX-OFFICIO RECORDER, CRAIGHEAD COUNTY, ARKANSAS.

- SURVEYORS NOTES:**
1. The bearings shown on this plat are assumed and are to be used to define the general direction and true angle at the intersection of property and land lines.
 2. Property is subject utility services and underground utility lines not located.

OWNER CERTIFICATION:
 WE HEREBY CERTIFY THAT WE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE ADOPT THE PLAN OF THE SUBDIVISION AND DEDICATED PERPETUAL USE OF ALL STREETS AND EASEMENTS AS NOTED AND WE FURTHER CERTIFY THAT WE HAVE READ AND ACKNOWLEDGED THE FOLLOWING STATEMENT.

Marlan Phillips
 MARLAN PHILLIPS

Steve Mitchell
 STEVE MITCHELL

DARLENE PHILLIPS

SHIRLEY MITCHELL

LEGEND

- These standard symbols will be found in the drawing.
- FOUND CORNER AS NOTED
 - SET 1/2" REBAR W/ CAP
 - FD COTTON PICKER SPINDLE
 - ▲ HIGHWAY RIGHT OF WAY MARKER
 - ⊙ FOUND REBAR
 - △ CALCULATED CORNER
 - X — FENCE LINE
 - E — ELECTRIC
 - SET PK NAIL
 - POWER POLE

City of Jonesboro ARKANSAS DATE 2/20/13 FILE # RP13-06

FINAL APPROVAL
 PRELIMINARY (NOT FOR RECORDING)

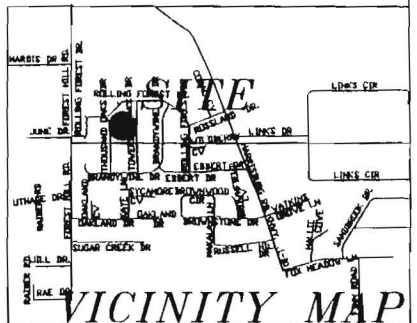
APPROVED BY: _____

PLANNING DEPT _____
 ENGINEERING DEPT _____

SURVEYOR'S CERTIFICATION:
 THIS IS TO CERTIFY I HAVE ON THIS DATE SURVEYED THE ABOVE DESCRIBED PROPERTY IN ACCORDANCE WITH MONUMENTS FOUND AND THIS PLAT CONFORMS TO THAT SURVEYED.

H & S HIME PROFESSIONAL SURVEYING SERVICES
 POB No. 353
 BROOKLAND, ARKANSAS 72417

STATE CODE: 500-14N-04E-0-32-30Q-16-1142



H & S HIME PROFESSIONAL SURVEYING SERVICES
 POB No. 353
 BROOKLAND, ARKANSAS 72417



PHONE: 870 972 1288
 FAX: 870 972 1011
 E-MAIL: hshime_butch@yahoo.com

MITCHELL - PHILLIPS TOWERING OAKS DR. REPLAT OF

drawn: HH	LOTS 9, 10, & 11 IN BLOCK "E" OF ROSSLAND HILLS, PHASE II TO THE CITY JONESBORO, ARKANSAS (PLAT "B" @ PG. 138)
date: 2-05-2013	
scale: 1"=50'	client: STEVE MITCHELL MARLAN PHILLIPS



PLANNING & ZONING DEPARTMENT



307 Vine Street
Jonesboro, AR 72401
(870) 932-0406 Voice
(870) 336-3036 Fax
www.jonesboro.org

February 26, 2013

Steve Mitchell
3904 Thousand Oaks Dr.
Jonesboro, AR 72404

Re: Abandonment of a 20 ft. Drainage Easement
Lots 9 & 10, Block "E" of Phase II, Rossland Hills Sub.

Dear Mr. Mitchell,

The City of Jonesboro Planning Department has received your request to abandon a 20 ft. Drainage Easement, as described on the petition and drawing provided by you.

The Planning Department has no objection to this abandonment request and has determined that it will not cause any noncompliance with the Zoning or Subdivision Regulations.

If you require any additional information, please advise us at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Otis T. Spriggs".

Otis T. Spriggs AICP
Planning Director, City Jonesboro, AR



February 26, 2013

Mr. Steve Mitchell
3904 Thousand Oaks Dr.
Jonesboro, AR 72404

RE: Easement Abandonment

Dear Mr. Mitchell,

The City of Jonesboro Engineering Department concurs with the abandonment a twenty foot (20') drainage easement located along the line of Lots 9 and 10 in Block "E" of Phase II, Rossland Hills Subdivision to the City of Jonesboro, Craighead County Arkansas not appearing of the record in Plat Cabinet "B" Page 138, in the office of the recorder of Craighead County.

If you have any questions or comments please feel free to contact me at the above reference number.

Sincerely,

Craig Light, PE CFM
City Engineer



Easement / Street/ Alley Abandonment

Application Form

Please fill out this form completely, supplying all necessary information and documentation to support your request. Your application will not be placed on the City Council agenda until the application is completed and required information provided.

Property Information	Address	<u>3909 Towering Oaks Dr.</u>	Project Information	Select the property type being vacated:	
	<i>Attach legal description of property to this application. May be found on warranty deed or current survey of property.</i>			<input type="checkbox"/> Alley	<input type="checkbox"/> Utility Easement
			<input type="checkbox"/> Street or R.O.W.	<input checked="" type="checkbox"/> Drainage Easement	
			<input type="checkbox"/> Cross Access Easement		

Owner	Name	<u>STEVE MITCHELL</u>	Phone	<u>870-530.0035</u>	<input checked="" type="checkbox"/> Select if this is the primary contact
	Address	<u>3904 Thousand Oaks Dr.</u>	Fax	<u>870-931-4275</u>	
	City, State, Zip	<u>Jonesboro, AR 72404</u>	E-mail	<u>Samitchell65@Suddenlink.net</u>	

Applicant / Representative	Name	<u>Same</u>	Phone		<input type="checkbox"/> Select if this is the primary contact
	Address		Fax		
	City, State, Zip		E-mail		

Applicant/Representative: I certify that the foregoing statements and answers herein made all data, information and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.

✓ Steve Mitchell

Date: 1-21-13

Property Owner/Authorized Agent: I certify that I am the owner of the property that is the subject of this application and that I have read this application and consent to its filing. (If signed by the authorized agent, a letter from the property owner must be provided indicating that the agent is authorized to act on his/her behalf).

✓ Steve Mitchell

Date: 1-21-13

Note: The samples provided in this packet only to assist proponents in preparing the required documents. Proponents should satisfy themselves as to the legal sufficiency for their specific use in accordance with Arkansas State Code, Section 14-301 which regulates the abandonment of public easements and rights of ways.

Date Application Submitted	Date Approved by City Engineer	Date Approved by City Planner
Date Accepted as Complete	Legistar File No.:	Abandonment Type:

ADJACENT PROPERTY OWNER NOTIFICATION FORM

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

Date 1-21-2013

Address of Vacation 3909 - Towering Oaks Dr.

Adjacent Property Address 3901 Towering Oaks Dr

Lot 8 Block "E" Subdivision Rossland Hills Sub

Requested Vacation:

I have been notified of the petition to vacate the following: 20' drainage Easement
described as follows:

Legal Description:

A twenty foot (20') drainage easement located along the Property line of lot 9 and a 10, Block "E" of Phase II, Rossland Hills Suddivision, Craighead County Arkansas now appearing of record in plat Cabinet "B", Page 138 In the office of the Recorder of Craighead County,

*Attach exhibit and/or vicinity map of what is being vacated.

ADJACENT PROPERTY OWNERS COMMENTS:

- I do not object to the requested vacation(s) described above.
- I do object to the requested vacation(s) described above because:

Signature of Adjacent Property Owner

(5)a

ADJACENT PROPERTY OWNER NOTIFICATION FORM

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

Date 1-21-2013

Address of Vacation 3909 - Towering Oaks Dr.

Adjacent Property Address 3904 Thousand Oaks Dr.

Lot 6+7 Block "E" Subdivision Rossland Hills Sub.

Requested Vacation:

I have been notified of the petition to vacate the following: 20' drainage Easement
described as follows:

Legal Description:

A twenty foot (20') drainage easement located along the Property line of lot 9 and a 10, Block "E" of Phase II, Rossland Hills Suddivision, Craighead County Arkansas now appearing of record in plat Cabinet "B", Page 138 In the office of the Recorder of Craighead County,

*Attach exhibit and/or vicinity map of what is being vacated.

ADJACENT PROPERTY OWNERS COMMENTS:

I do not object to the requested vacation(s) described above.

I do object to the requested vacation(s) described above because:

Steve Mitchell
Signature of Adjacent Property Owner

Note: This sample is provided only to assist proponents in preparing the required documents. Proponents should satisfy themselves as to the legal sufficiency for their specific use in accordance with Arkansas State Code, Section 14-301 which regulates the abandonment of public easements and rights of ways.

ADJACENT PROPERTY OWNER NOTIFICATION FORM

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

Date 1-21-2013

Address of Vacation 3909 Towering Oaks Dr.

Adjacent Property Address 3913 Towering Oaks Dr

Lot 11 Block "E" Subdivision Rossland Hills Sub.

Requested Vacation:

I have been notified of the petition to vacate the following: 20' drainage Easement
described as follows:

Legal Description:

A twenty foot (20') drainage easement located along the Property line of lot 9 and a 10, Block "E" of Phase II, Rossland Hills Suddivision, Craighead County Arkansas now appearing of record in plat Cabinet "B", Page 138 In the office of the Recorder of Craighead County,

*Attach exhibit and/or vicinity map of what is being vacated.

ADJACENT PROPERTY OWNERS COMMENTS:

- I do not object to the requested vacation(s) described above.
- I do object to the requested vacation(s) described above because:

Marlan Phillips
Signature of Adjacent Property Owner

Note: This sample is provided only to assist proponents in preparing the required documents. Proponents should satisfy themselves as to the legal sufficiency for their specific use in accordance with Arkansas State Code, Section 14-301 which regulates the abandonment of public easements and rights of ways.



Legislation Details (With Text)

File #:	ORD-13:007	Version:	1	Name:	Rezoning by K&G Properties
Type:	Ordinance	Status:		Status:	Second Reading
File created:	2/14/2013	In control:		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;				
Sponsors:					
Indexes:	Rezoning				
Code sections:					
Attachments:	Plat MAPC Report Letter from Sage Meadows Association Agreement with Sage Meadows Board Opposition letter and plat Newspaper article from opposition Opposition petition and plat				

Date	Ver.	Action By	Action	Result
2/19/2013	1	City Council		

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

body
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: Commercial, C-3
TO: Planned Development - Residential, PD-R

THE FOLLOWING DESCRIBED PROPERTY:

LEGAL DESCRIPTION:

A part of the Northeast Quarter of the Northwest Quarter of Section 34, Township 15 North, Range 4 East, and also being a part of the Village at Sage Meadows Phase 1-E (never developed) in Craighead County, Arkansas being more particularly described as follows:

From the Northeast corner of the Northwest Quarter of said Section 34,
Run S00°18'47"E a distance of 44.40 ft. to a point on the South right of way line of Macedonia Road;

Thence S89°10'33"W along said South right of way line a distance of 38.79 ft. to the POINT OF BEGINNING;

Thence leaving said right of way line,

Run S13°37'23"W a distance of 524.61 ft. to a point;

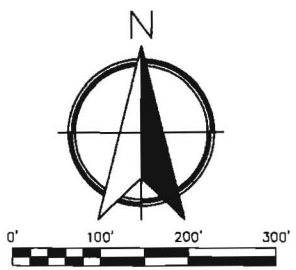
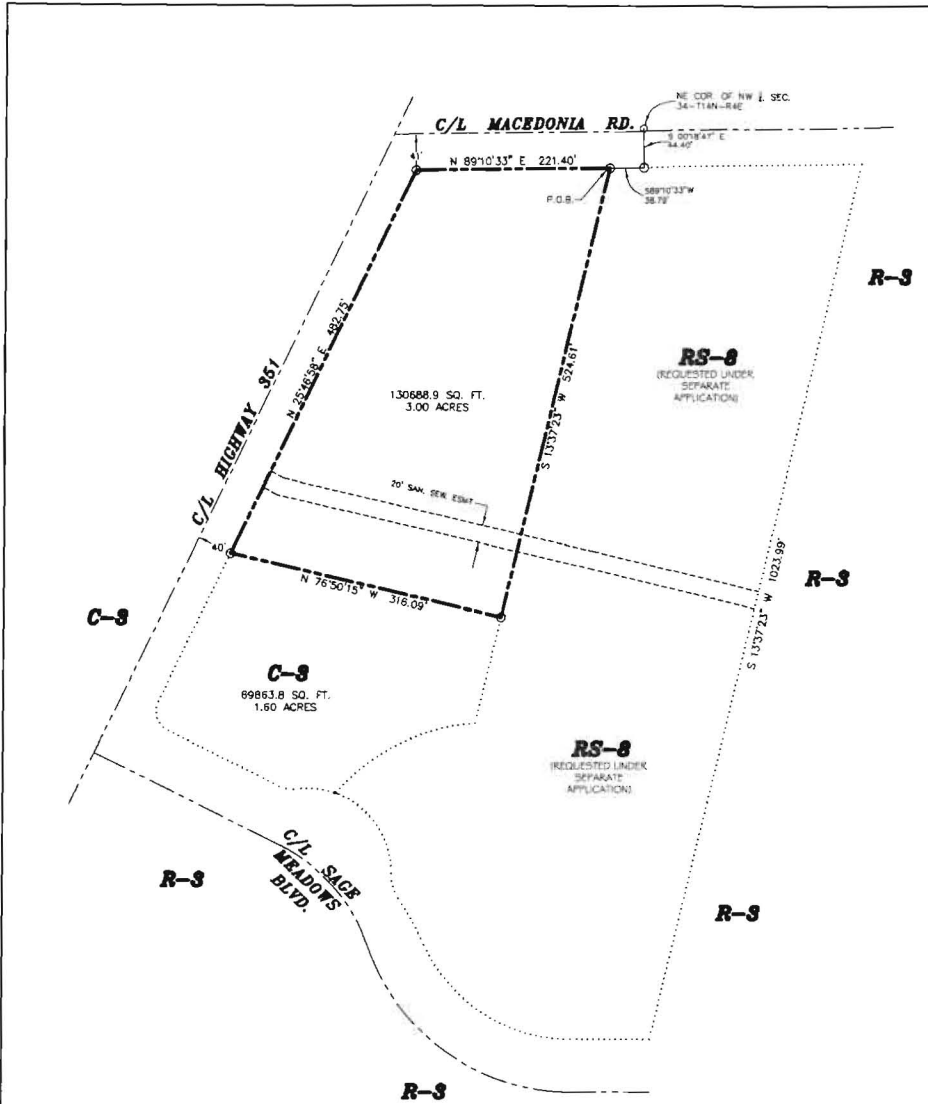
Thence N76°50'15"W a distance of 316.09 ft. to a point on the Easterly right of way line of Highway 351;

Thence N25°46'58"E along said Easterly right of way line a distance of 482.75 ft. to a point on aforesaid South right of way line of Macedonia Road;

Thence N89°10'33"E along said South right of way line a distance of 221.40 ft. to the POINT OF BEGINNING, containing 3.00 acres.

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

- 1) Proposed development shall satisfy all requirements of the City Engineer and current Stormwater Drainage Design Manual.
- 2) Preliminary and final subdivision plans shall be approved by the MAPC prior to development.
- 3) Applicant shall comply with Master Street Plan for Macedonia Road and Highway 351 rights-of-way.
- 4) The use of this district shall be limited to detached single family units.
- 5) Twenty percent of the development shall be used as common open space.



LEGAL DESCRIPTION

A part of the Northeast Quarter of the Northwest Quarter of Section 34, Township 15 North, Range 4 East, and also being a part of the Village at Sage Meadows Phase 1-4 (never developed) in Craighead County, Arkansas being more particularly described as follows:

From the Northeast corner of the Northwest Quarter of said Section 34,
 Run S00°18'47"E a distance of 44.40 ft. to a point on the South right of way line of Macedonia Road;
 Thence S89°10'33"W along said South right of way line a distance of 38.79 ft. to the
POINT OF BEGINNING;
 Thence leaving said right of way line,
 Run S13°37'23"W a distance of 524.61 ft. to a point;
 Thence N76°50'15"W a distance of 316.09 ft. to a point on the Easterly right of way line of
 Highway 551;
 Thence N25°46'58"E along said Easterly right of way line a distance of 482.75 ft. to a point
 on aforesaid South right of way line of Macedonia Road;
 Thence N89°10'33"E along said South right of way line a distance of 221.40 ft. to the **POINT
 OF BEGINNING**, containing 3.00 acres.

CERTIFICATE OF SURVEY

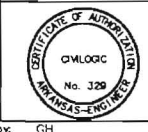
To all parties interested in Title to these premises: I hereby certify that I have prior to this day made a survey of the above described property as shown on the Plat of Survey hereon. The property lines and corner monuments, to the best of my knowledge and ability, are correctly established; the improvements are as shown on the Plat of Survey. Encroachments, if any, as disclosed by Survey, are shown hereon.

EXISTING ZONING: C-3
REQUESTED ZONING: PD-R, 16 RESIDENTIAL
UNITS PER ACRE.

- NOTES**
- 1) THIS SURVEY AND PLAT ARE THE PROPERTY OF THE SURVEYOR AND ARE INTENDED FOR THE SOLE USE AND BENEFIT OF THE SURVEYOR & CLIENT.
 - 2) BEARINGS BASED ON GPS OBSERVATION.
 - 3) THE CLOSEST PRECEDENT OF THE PLAT IS IN EXCESS OF 1" IN 150,000'
 - 4) THE RESEARCH COMPLETED FOR THIS SURVEY INCLUDES LEGAL DESCRIPTION PROVIDED AND OUR OWN RESEARCH AT THE COURTHOUSE.
 - 5) ALL PINS SET ARE "X" MARKS, UNLESS NOTED OTHERWISE.
 - 6) OWNER: K & G PROPERTIES, LLC
 - 7) FLOOD PLAIN: THIS TRACT DOES NOT LIE WITHIN THE 100-YR FLOOD PLAIN FOR FLOOD INSURANCE RATE MAP OF CRAIGHEAD CO., ARK. AND UNINCORPORATED AREAS. COMMUNITY PANEL NO. 050300042 C, DATED 08/27/97. THIS TRACT DOES LIE WITHIN A ZONE "X" FLOOD PLAIN, PER THE MAP REFERENCED ABOVE.

REVISED 2-5-13: ADDITIONAL PROPERTY ADDED.

ENGINEERS		PLANNERS		SURVEYORS	
Civilogic					
203 Southwest Dr., Jonesboro, AR (870) 932-7880 - www.civilogic.net					
REZONING PLAT FT. SAGE MEADOWS JONESBORO, ARKANSAS FOR K & G PROPERTIES, LLC					
Date	Scale	Job No.	Sheet		
01-09-13	1"=100'	112146	1 of 1		
Section	Township	Range	County		
34	15N	04E	CRAIGHEAD		
ONLY COPIES WITH HOLLY COLOURED SIGNATURE ARE VALID CIVILOGIC COPIES					
© 2013, Civilogic		Drawn By:	RE	Checked by:	GH





City of Jonesboro City Council
Staff Report – RZ 13-02: K&G Properties – Planned District
Huntington Building - 900 W. Monroe
For Consideration by the Council on February 19, 2013

REQUEST: To consider a rezoning of a parcel of land containing 3.0 acres more or less.

PURPOSE: A request to consider a recommendation to Council for a rezoning from C-3 General Commercial to a Planned Development District, “PD-R” District, for single family detached landminium units.

**APPLICANT/
OWNER:** K and G Properties, LLC, 6161 Castleton Cove, Olive Branch, MS 38654

LOCATION: South Side of Macedonia Road, East Side of Highway 351; located north of the entrance way to Sage Meadows Subdivision/Sage Meadows Boulevard.

SITE DESCRIPTION: **Tract Size:** Approx. 130,688.9 S.F. – 3.00 Acres
Frontage: Total of 221.40’ along Macedonia Road, 482.75’ along Highway 351
Topography: The site has topographic relief, and drains generally to the west, toward Highway 351. There is existing grassy vegetation on the majority of the site.
Existing Development: The site is currently vacant.

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	R-1	Sparse single family development (Outside City Limits)
South:	C-3	Industrial Use
East:	C-3	(RS-8 requested)
West:	R-1, R-3	Highway 351, and unincorporated Craighead County – currently appears to be primarily agricultural uses.

HISTORY:

On February 9, 2000, The Metropolitan Area Planning Commission ("MAPC") approved a Planned Unit Development overlay on the property (PUD 99-02).

No development of the PUD had occurred, nor have there been any building permits issued, in the eight (8) years since the final plan for the PUD was approved on or about February 9, 2000, and no extensions have been granted.

The MAPC recommended that said PUD approval be revoked and the lands revert to the original C-3 commercial use classification. JG Properties, LLC, joined in the recommendation of the MAPC and requested that the City Council repeal and revoke the previous approval of the PUD.

City Council, under Ordinance 08:057 reverted the property back to C-3 General Commercial.

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

COMPREHENSIVE PLAN FUTURE LAND USE MAP

The Current/Future Land Use Map recommends this location as Medium Density Residential. While the Land Use Plan recommends this site for future uses as single family, recent rezoning/reverting of the subject property to C-3 General Commercial prompts further study of the adopted Land Use Map.

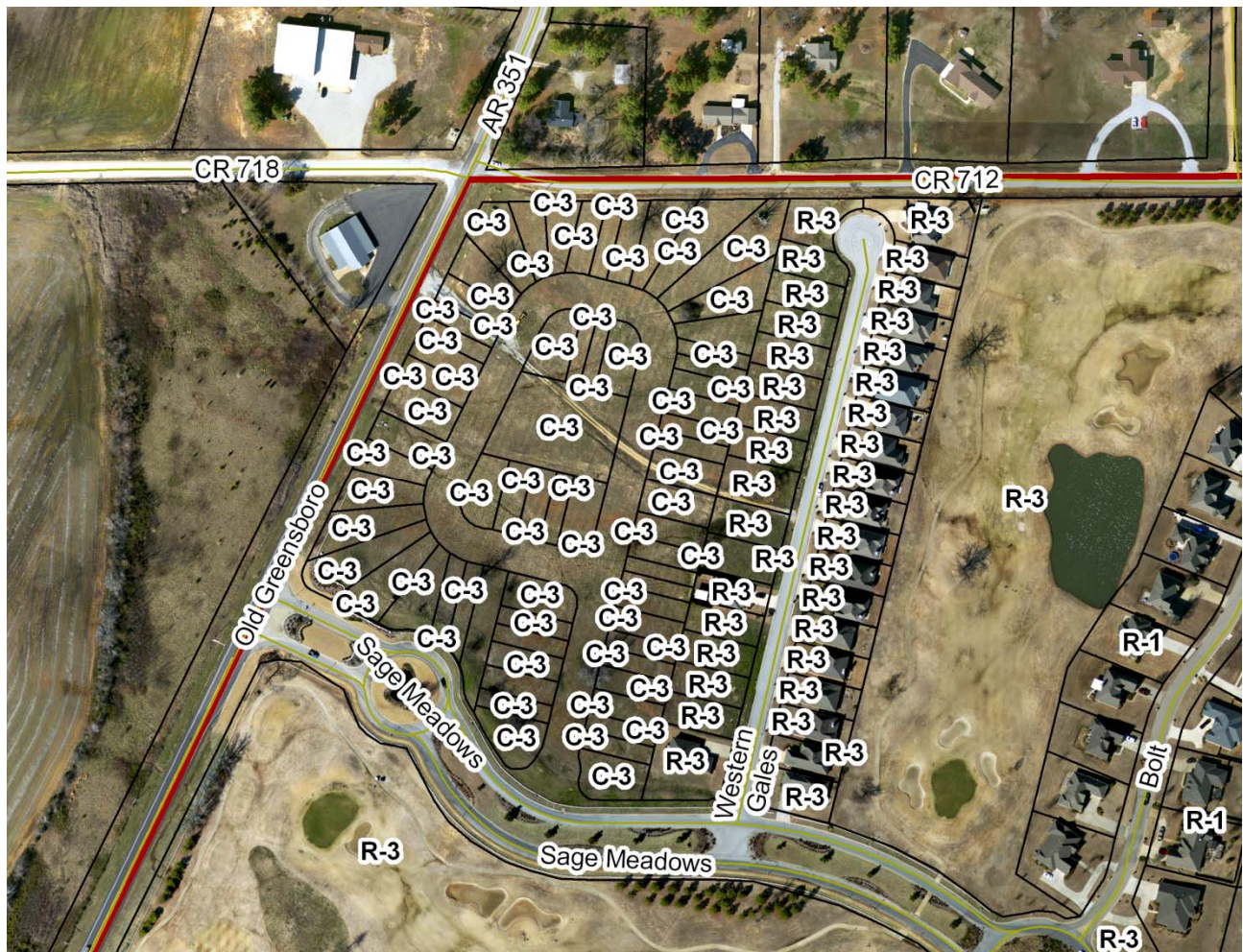
This petition for rezoning is currently consistent with the Land Use Plan.

Approval Criteria Checklist- Section 117-34- 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 list. Staff has reviewed each and offers explanations and findings as listed in the rezoning checklist below:

Criteria	Consistent (Yes or No)	Explanation
(a) Consistency of the proposal with the Comprehensive Plan	Yes- Land Use Comp. Plan Adoption Pending	See Land Use Section Above.
(b) Consistency of the proposal with the purpose of the zoning ordinance.	No plan proposed at this time. Consistent with immediate housing to the direct east (Western Gales Dr.).	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area;	No plan proposed at this time. Consistent with immediate housing to the direct east (Western Gales Dr.).	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	Yes it is suitable for single family residential.	
(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;	No detriment.	

<p>(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</p>	<p>Property has never been developed. Originally rezoned for multi-family under a PUD that expired; then later reverted back to C-3.</p>	
<p>(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.</p>	<p>Applicant states no major impacts. Access management should be coordinated.</p>	



Vicinity/Zoning Map

MAPC RECORD OF PROCEEDINGS: Public Hearing held February 12, 2013

Applicant:

Mr. Kessinger, Member of K and G Properties, LLC, presented the case before the MAPC, noting that this request is located on the NW corner of Macedonia and Hwy. 351 on three (3) acres. The request is to rezone to a Planned District (PD-R) Residential District. This approach is what makes sense the most. You cannot build large homes on this tract. Condominiums will be located just off of Hwy. 351 with one access that will split off to the C-3 General Commercial tract.

Mr. Kessinger noted that his company builds these condominiums all over the mid-south area in Mississippi.

Staff:

Mr. Spriggs gave staff comments and a summary of the Staff Report. Noting the history of the case: City Council, under Ordinance 08:057 reverted the property back to C-3 General Commercial. He also noted that the original PUD was approved for attached condominiums originally. The applicant wants to develop the property with a private drive access and also construct stand alone/self-contained single family structures. Mr. Kessinger concurred.

The definition of *Landominiums* was explained as built in other parts of the country (as defined in the Staff Report).

The MPO, Director reviewed the proposal and stated no opposition, but suggested an outlet on Macedonia with possible connection to Western Gales Drive, with the one connection to Sage Meadows Blvd. No other objections were submitted by other departments or agencies. The conditions were read.

The subject site is served by Macedonia Road (Principal/major Arterial); and Hwy. 351 (Minor Arterial) on the Master Street Plan. The proposed right-of-way is noted as 60 ft. from the center line of Sage meadows Blvd. and 40 ft. from Hwy. 351. Principal Arterials require a 120 ft.; and, Minor Arterials require a 100 ft. right-of-way, by which the proposed is less in both instances.

Public Input:

No other input received. The submitted letter from the P.O.A. was recognized.

Commission Action:

Motion as made by Mr. Scurlock, to approve the zoning request subject to Staff conditions and make recommendation to City Council for approval; Motion was seconded by Mr. Kelton. Motion carried with the following vote:

Mr. Scurlock- Aye; Mr. Tomlinson- Aye; Ms. Elmore- Aye; Mr. Hoelscher- Aye; Mr. Kelton- Aye; Mr. Rees- Aye; Ms. Nix- Aye. Absent: Mr. Dover. 7-0 in favor.

Findings:

Master Street Plan/Transportation

The subject site is served by Macedonia Road (Principal/major Arterial); and Hwy. 351 (Minor Arterial) on the Master Street Plan. The proposed right-of-way is noted as 60 ft. from the center line of Sage meadows Blvd. and 40 ft. from Hwy. 351. Principal Arterials require a 120 ft.; and, Minor Arterials require a 100 ft. right-of-way, by which the proposed is less in both instances.

Zoning Code Compliance Review:

The applicant is requesting that 16 units per acre be approved. The applicant is marketing “landominium” style detached single family units for the subject 3 acre tract of land.

Definition of “Landominium”

A type of residential property in which the owner owns both the home and the land on which the home is built. The home is a part of a community, like a condominium, where the landscaping, maintenance and other services are provided by a homeowners' association. Although the City of Jonesboro Code of Ordinances do not define the term, it is used in other parts of the country. The style of home will closely replicate the homes directly east on Western Gales Dr. of which the lots were reduced in size do to R-3 Zoning District regulations, and the setbacks being reduced to 5 ft. in the side yard. Most *Landominium* lots have zero-lot-line restrictions.

The application lacks details of a proposed layout. This is needed to verify that requirements such as the 20% common open space required for planned developments with all residential dwelling units is adhered to. Other details such as storm water detention or retention and private street layout should be demonstrated by the applicant.

Department/Agency	Reports/ Comments	Comments
Engineering	No objection	Right of Way Dedications
Streets/Sanitation	No objection	No comments to date
Police	No objection	No comments to date
Fire Department	No objection	No comments to date
MPO	No Opposition	Suggested an outlet on Macedonia with possible connection to Western Gales Drive, with the one connection to Sage Meadows Blvd.
Utility Companies	No comments	No comments to date

Conclusion:

The MAPC and the Planning Department Staff find that the requested Zone Change submitted by K and G Properties, LLC should be evaluated based on the above observations and criteria, of Case RZ 13-02 noted above, a request to rezone property from “C-3” General Commercial District to “PD-R”, 16 Units per acre. As noted in the record of proceedings, this case is recommended to Council for approval based on the following conditions:

1. That the proposed development shall satisfy all requirements of the City Engineer, satisfying all requirements of the current Stormwater Drainage Design Manual.
2. That a preliminary and final site development plan be submitted and reviewed by the MAPC prior to any future redevelopment of the proposed site as required by Planned District Developments.
3. The applicant agrees to comply with the Master Street Plan recommendations for the Macedonia Rd. & Hwy. 351 right-of-ways.
4. The use of this district shall be limited to detached single family units.
5. The applicant shall provide 20% common open space for the PD-R District.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



View looking West of Site



View looking North from Church Entrance at intersection of Macedonia & Hwy #351



View looking North from Church Entrance at intersection of Macedonia & Hwy #351 (Site on Right)



View looking south along Hwy. 351 Site on left



View looking east at site from Hwy. 351



View looking east at site from Hwy. 351



View looking west from Western Gales Dr. (Site in background)



View looking Northwest from Gales Dr. (Site in background)



View looking north on Western Gales Dr.



View looking west on Sage Meadows Blvd. towards main entrance



View looking west on Sage Meadows Blvd. towards main entrance



View looking Northeast towards Sage Meadows main entrance (Site in Background)



View looking North along HWY 351 frontage at the Sage Meadows main entrance (Site in Background)



February 10, 2013

Otis Spriggs, City Planner
City of Jonesboro
900 West Monroe
Jonesboro, AR 72403

Dear Mr. Spriggs,

The Sage Meadows POA Board of Directors has met with Mr. Kevin Kessinger with K & G Properties, LLC on multiple occasions, to discuss his future plans for development of the property located just to the north of the Sage Meadows entrance that is currently zoned commercial. Our understanding of the rezoning request and future plans are outlined below;

1. The western most approx. one half of the property is to be rezoned RS-8, which only allows for single family dwelling very close in size to the home already located along Western Gales of our subdivision. We also understand that there will be access to Sage Meadow Blvd and Macedonia Road.
2. Approx 3 acres of the remaining eastern half of the property is to be rezoned RM-16, which allows for condominiums. We understand that access to this section will be restricted to St. Hwy 351.
3. The remaining approx. 1.6 acres will remain C-3.

Based on our understanding of the rezoning request and the future plans, we do not oppose the request. We feel that allowing access to Sage Meadow Blvd by the single family homes and restricting access for the condos to St. Hwy 351, would be the best reasonable solution to traffic in the neighborhood. While we have seen a proposed plat showing the access to Sage Meadow Blvd connecting at the round-about near our entrance, we would request that the city engineers look at the traffic situation very closely and recommend the best possible place for that connection. We are open to access at the round-about or having the new street come straight out and hit Sage Meadows Blvd.

Sincerely,

Sage Meadow POA Board

AGREEMENT BETWEEN
SAGE MEADOWS PROPERTY OWNERS ASSOC. BOARD

AND

K & G PROPERTIES, LLC.

This Agreement is made and entered into this date, by and between K & G Properties, LLC and the Sage Meadows Property Owners Association Board.

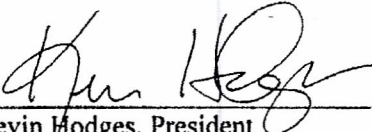
WHEREAS, the Sage Meadows Property Owners Association Board and K & G Properties, LLC wants the property described in Exhibit A & B to be a part of the Sage Meadows Development and fall under the Sage Meadows Development Covenants & Restrictions.

While the Sage Meadows Property Owners Association Board agrees to not oppose the egress/ingress to Sage Meadows Blvd, the Association Board would like for the street connection to Sage Meadows Blvd be at the spot recommended by the City of Jonesboro as the best spot possible to prevent traffic issues.

K & G Properties, LLC agrees to not remove or allow the property described in Exhibits A & B to be removed from the Sage Meadows Development, between the time the property is rezoned and the time it is platted, provided access is granted to Sage Meadows Blvd.

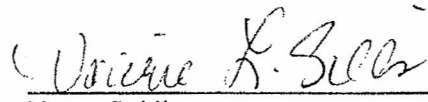
WHEREAS, The parties hereto agree that each party has reviewed and negotiated this Agreement and further agrees to be fully bound by and subject to the same. The parties further agree that performance of the obligations created under this Agreement may be enforced by a court of law by any remedy available, including but not limited to specific performance of the terms and conditions herein.

SAGE MEADOWS PROPERTY OWNERS ASSOCIATION, INC.

By: 
Kevin Hodges, President

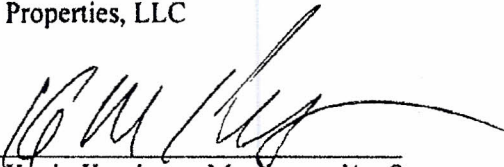
Subscribed and sworn to before me by Kevin Hodges on this 11th day of February, 2013.



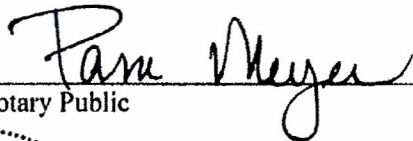

Notary Public

My Commission Expires:

K & G Properties, LLC

By: 
Kevin Kessinger, Member and/or Owner

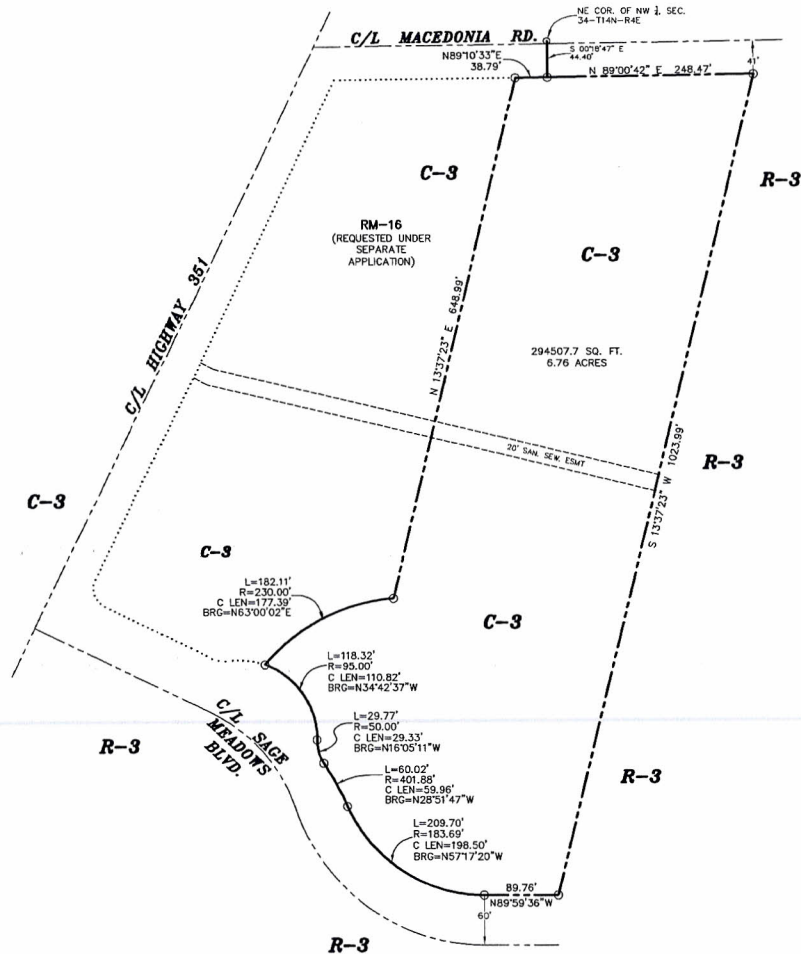
Subscribed and sworn to before me by Kevin Kessinger on this 1st day of February, 2013.


Notary Public

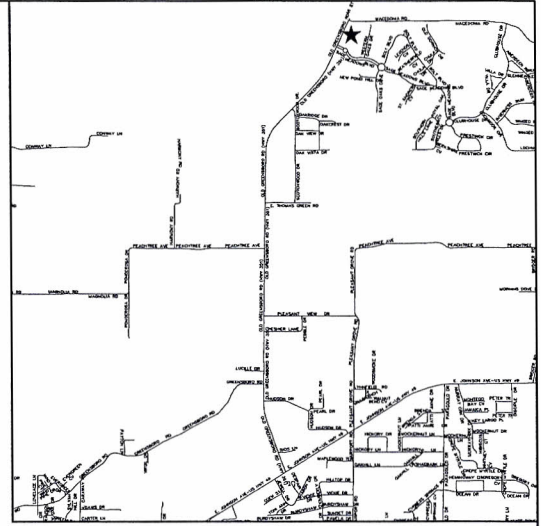
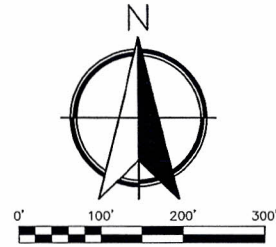
My Commission Expires:

9/8/2013





**EXISTING C-3 ZONING
REQUESTED RS-8 ZONING**



LEGAL DESCRIPTION:

A part of the North half of Section 34, Township 15 North, Range 4 East, and also being a part of the Village at Sage Meadows Phase I-E (never developed) in Craighead County, Arkansas being more particularly described as follows:
 From the Northeast corner of the Northwest Quarter of said Section 34,
 Run S00°18'47"E a distance of 44.40 ft. to a point on the South right of way line of Macedonia Road and the POINT OF BEGINNING;
 Thence N89°00'42"E along said South right of way line a distance of 248.47 ft. to a point;
 Thence leaving said right of way line,
 Run S13°37'23"W a distance of 1023.99 ft. to a point on the Northerly right of way line of Sage Meadows Boulevard;
 Thence run along said Northerly right of way line as follows:
 N89°59'36"W a distance of 89.76 ft. to a point,
 Then run along a curve to the right, said curve having a radius of 183.69 ft., an arc of 209.70 ft., a chord length of 198.50 ft. and a chord bearing of N57°1'20"W to a point,
 Then run along a curve to the left, said curve having a radius of 401.88 ft., an arc of 60.02 ft., a chord length of 59.96 ft. and a chord bearing of N28°51'47"W to a point,
 Then run along a curve to the right, said curve having a radius of 50.00 ft., an arc of 29.77 ft., a chord length of 29.33 ft. and a chord bearing of N16°05'11"W to a point,
 Then run along a curve to the left, said curve having a radius of 95.00 ft., an arc of 118.32 ft., a chord length of 110.82 ft. and a chord bearing of N34°42'37"W to a point;
 Thence leaving said Northerly right of way line of Sage Meadows Boulevard;
 Run along a curve to the right, said curve having a radius of 230.00 ft., an arc of 182.11 ft., a chord length of 177.39 ft. and a chord bearing of N63°00'02"E to a point;
 Thence N13°37'23"E a distance of 648.99 ft. to a point on aforesaid South right of way line of Macedonia Road;
 Thence N89°10'33"E along said South right of way line a distance of 38.79 ft. to the POINT OF BEGINNING, containing 6.76 acres.

CERTIFICATE OF SURVEY:

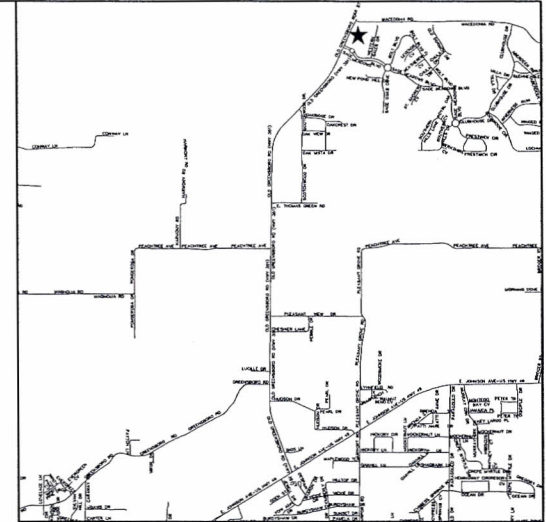
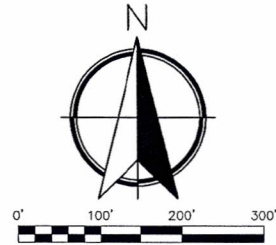
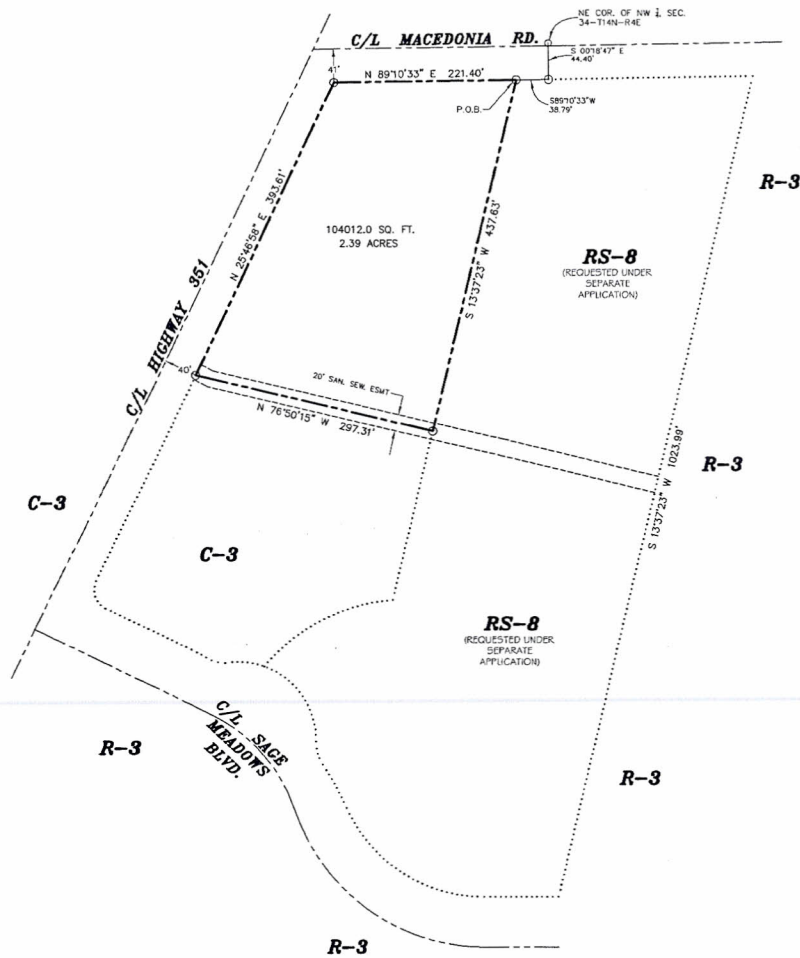
To all parties interested in Title to these premises: I hereby certify that I have prior to this day made a survey of the above described property as shown on the Plat of Survey hereon. The property lines and corner monuments, to the best of my knowledge and ability, are correctly established; the improvements are as shown on the Plat of Survey. Encroachments, if any, as disclosed by Survey, are shown hereon.

NOTES:

- 1) THIS SURVEY AND PLAT ARE THE PROPERTY OF THE SURVEYOR AND ARE INTENDED FOR THE SOLE USE AND BENEFIT OF THE SURVEYOR & CLIENT.
- 2) REARINGS BASED ON GPS OBSERVATION.
- 3) THE CLOSURE PRECISION OF THE PLAT IS IN EXCESS OF 1" IN 500,000.
- 4) THE RESEARCH COMPLETED FOR THIS SURVEY INCLUDES LEGAL DESCRIPTION PROMISES AND OUR OWN RESEARCH AT THE COURTHOUSE.
- 5) ALL PINS SET ARE 2" REBAR, UNLESS NOTED OTHERWISE.
- 6) OWNER: K & G PROPERTIES, LLC
- 7) FLOOD PLAIN: THIS TRACT DOES NOT LIE WITHIN THE 100-YR FLOOD PLAN PER FLOOD INSURANCE RATE MAP OF CRAIGHEAD CO., ARK. AND INCORPORATED AREAS. COUNTY FINDER NO. 000000000 C. DATED 06/07/04. THIS TRACT DOES LIE WITHIN A ZONE "X" FLOOD PLAN, PER THE MAP REFERENCED ABOVE.

ENGINEERS		PLANNERS		SURVEYORS	
Civilogic					
203 Southwest Dr., Jonesboro, AR--(870)932-7880--www.civilogic.net					
REZONING PLAT PT. SAGE MEADOWS JONESBORO, ARKANSAS FOR K & G PROPERTIES, LLC					
Date	Scale	Job No.	Sheet		
01-09-13	1"=100'	112146	1 of 1		
Section	Township	Range	County		
34	15N	04E	CRAIGHEAD		
ONLY COPIES WITH VIOLET COLORED SIGNATURE ARE VALID CIVILOGIC COPIES					
© 2013, Civilogic		Drawn By: RE	Checked by: GH		

Exhibit B



LEGAL DESCRIPTION:

A part of the Northeast Quarter of the Northwest Quarter of Section 34, Township 15 North, Range 4 East, and also being a part of the Village at Sage Meadows Phase 1-E (never developed) in Craighead County, Arkansas being more particularly described as follows:

From the Northeast corner of the Northwest Quarter of said Section 34,
 Run S00°18'47"E a distance of 44.40 ft. to a point on the South right of way line of Macedonia Road;
 Thence S89°10'33"W along said South right of way line a distance of 38.79 ft. to the POINT OF BEGINNING;
 Thence leaving said right of way line,
 Run S13°37'23"W a distance of 437.63 ft. to a point;
 Thence N76°50'15"W a distance of 297.31 ft. to a point on the Easterly right of way line of Highway 351;
 Thence N25°46'58"E along said Easterly right of way line a distance of 393.61 ft. to a point on aforesaid South right of way line of Macedonia Road;
 Thence N89°10'33"E along said South right of way line a distance of 221.40 ft. to the POINT OF BEGINNING, containing 2.39 acres.

CERTIFICATE OF SURVEY:

To all parties interested in Title to these premises: I hereby certify that I 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: the improvements are as shown on the Plat of Survey. Encroachments, if any, as disclosed by Survey, are shown hereon.

NOTES:

- 1) THIS SURVEY AND PLAT ARE THE PROPERTY OF THE SURVEYOR AND ARE INTENDED FOR THE SOLE USE AND BENEFIT OF THE SURVEYOR & CLIENT.
- 2) BEARINGS BASED ON GPS OBSERVATION.
- 3) THE CLOSURE PRECISION OF THE PLAT IS IN EXCESS OF 1" IN 150,000'.
- 4) THE RESEARCH COMPLETED FOR THIS SURVEY INCLUDES LEGAL DESCRIPTION PROMISES AND OUR OWN RESEARCH AT THE COURTHOUSE.
- 5) ALL PINS SET ARE 2" REBAR, UNLESS NOTED OTHERWISE.
- 6) OWNER: K & G PROPERTIES, LLC.
- 7) FLOOD PLAIN: THIS TRACT DOES NOT LIE WITHIN THE 100-YR FLOOD PLAIN PER FLOOD INSURANCE RATE MAP OF CRAIGHEAD CO., ARK. AND INCORPORATED AREAS. COUNTY PANEL NO. 050300002 C. DATED 06/27/14. THIS TRACT DOES LIE WITHIN A ZONE "X" FLOOD PLAIN, PER THE MAP REFERENCED ABOVE.

**EXISTING C-3 ZONING
 REQUESTED RM-16 ZONING**

ENGINEERS		PLANNERS		SURVEYORS	
Civilogic					
203 Southwest Dr., Jonesboro, AR - (870) 932-7880 - www.civilogic.net					
REZONING PLAT PT. SAGE MEADOWS JONESBORO, ARKANSAS FOR K & G PROPERTIES, LLC					
Date	Scale	Job No.	Sheet		
01-09-13	1"=100'	112146	No.		
Section	Township	Range	County	1 of 1	
34	15N	04E	CRAIGHEAD		
ONLY COPIES WITH VIOLET COLORED SIGNATURE ARE VALID CIVILOGIC COPIES					
© 2013, Civilogic		Drawn By:	RE	Checked by:	GH

RE: Rezoning Lot C-1 of Sage Meadows Phase 1-D

Mayor Perrin & Members of the Jonesboro City Council:

We would appreciate K&G Properties having to abide by and develop the entrance to their development as explained in the attached article in the Jonesboro Sun, May 14, 2008. There should not be an access road provided at the Circle Fountain to Sage Meadows Boulevard. We feel the entrance onto Sage Meadows Boulevard should be as shown in the plat for The Village at Sage Meadows Phase 1-E (see attached map). At the time the article was written there were several hundred homes served by that single entrance into Sage Meadows while today that community has grown to over 500 homes with Sage Meadows Boulevard serving as the only entrance.

Allowing access to Sage Meadows Boulevard from the north at the Circle Fountain with additional traffic would be a dangerous and unwelcome plan. Traffic is difficult during July 4th activities, holiday celebrations, golf tournaments, the semi-annual yard sales, and other such events causing major disruptions to our neighborhood. And on a daily basis, in particular, from 7-8:30 in the mornings the traffic seeking to enter the highway is often backed up 15-20 cars deep often all the way to the Bolt Boulevard roundabout. Allowing still more traffic access to Sage Meadows Boulevard at the Circle Fountain roughly 5 car-lengths from the highway would certainly be very dangerous and cause major headaches.

Please keep the entrance to Sage Meadows as it has always been – a circle fountain -- where people can take photos, stop to make cell calls, or to simple get assistance or directions to where they are going.

At the least, a platted development plan should be submitted before approval.

Thank you,

Concerned citizens of Sage Meadows (Please call Sue Winstead with any questions or concerns @ 870-933-6715 or Gil Fowler @ 870-935-6846)

LINE TABLE		
LINE	LENGTH	BEARING
L1	14.73	N62°12'27" W
L2	1.80	S21°12'27" E

CURVE TABLE						
CURVE	LENGTH	RADIUS	LENGTH TANGENT	CHORD	BEARING	DELTA
C0	5.27	50.00	54.72	8.15	0.00	0.00
C1	22.56	50.00	22.56	17.47	28.84	90.00
C2	22.56	50.00	22.56	17.47	28.84	90.00
C3	22.56	50.00	22.56	17.47	28.84	90.00
C4	22.56	50.00	22.56	17.47	28.84	90.00
C5	22.56	50.00	22.56	17.47	28.84	90.00
C6	22.56	50.00	22.56	17.47	28.84	90.00
C7	22.56	50.00	22.56	17.47	28.84	90.00
C8	22.56	50.00	22.56	17.47	28.84	90.00
C9	22.56	50.00	22.56	17.47	28.84	90.00
C10	22.56	50.00	22.56	17.47	28.84	90.00
C11	22.56	50.00	22.56	17.47	28.84	90.00
C12	22.56	50.00	22.56	17.47	28.84	90.00
C13	22.56	50.00	22.56	17.47	28.84	90.00
C14	22.56	50.00	22.56	17.47	28.84	90.00
C15	22.56	50.00	22.56	17.47	28.84	90.00
C16	22.56	50.00	22.56	17.47	28.84	90.00
C17	22.56	50.00	22.56	17.47	28.84	90.00
C18	22.56	50.00	22.56	17.47	28.84	90.00
C19	22.56	50.00	22.56	17.47	28.84	90.00
C20	22.56	50.00	22.56	17.47	28.84	90.00
C21	22.56	50.00	22.56	17.47	28.84	90.00
C22	22.56	50.00	22.56	17.47	28.84	90.00
C23	22.56	50.00	22.56	17.47	28.84	90.00
C24	22.56	50.00	22.56	17.47	28.84	90.00
C25	22.56	50.00	22.56	17.47	28.84	90.00
C26	22.56	50.00	22.56	17.47	28.84	90.00
C27	22.56	50.00	22.56	17.47	28.84	90.00
C28	22.56	50.00	22.56	17.47	28.84	90.00
C29	22.56	50.00	22.56	17.47	28.84	90.00
C30	22.56	50.00	22.56	17.47	28.84	90.00
C31	22.56	50.00	22.56	17.47	28.84	90.00
C32	22.56	50.00	22.56	17.47	28.84	90.00
C33	22.56	50.00	22.56	17.47	28.84	90.00
C34	22.56	50.00	22.56	17.47	28.84	90.00
C35	22.56	50.00	22.56	17.47	28.84	90.00
C36	22.56	50.00	22.56	17.47	28.84	90.00
C37	22.56	50.00	22.56	17.47	28.84	90.00
C38	22.56	50.00	22.56	17.47	28.84	90.00
C39	22.56	50.00	22.56	17.47	28.84	90.00
C40	22.56	50.00	22.56	17.47	28.84	90.00
C41	22.56	50.00	22.56	17.47	28.84	90.00
C42	22.56	50.00	22.56	17.47	28.84	90.00
C43	22.56	50.00	22.56	17.47	28.84	90.00
C44	22.56	50.00	22.56	17.47	28.84	90.00
C45	22.56	50.00	22.56	17.47	28.84	90.00

LOT AREA CHART			
LOT NO.	SF	ACRES	ADJACENT
1	1,000	0.023	1,000
2	1,000	0.023	1,000
3	1,000	0.023	1,000
4	1,000	0.023	1,000
5	1,000	0.023	1,000
6	1,000	0.023	1,000
7	1,000	0.023	1,000
8	1,000	0.023	1,000
9	1,000	0.023	1,000
10	1,000	0.023	1,000
11	1,000	0.023	1,000
12	1,000	0.023	1,000
13	1,000	0.023	1,000
14	1,000	0.023	1,000
15	1,000	0.023	1,000
16	1,000	0.023	1,000
17	1,000	0.023	1,000
18	1,000	0.023	1,000
19	1,000	0.023	1,000
20	1,000	0.023	1,000
21	1,000	0.023	1,000
22	1,000	0.023	1,000
23	1,000	0.023	1,000
24	1,000	0.023	1,000
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69	1,000	0.023	1,000
70	1,000	0.023	1,000
71	1,000	0.023	1,000
72	1,000	0.023	1,000
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80	1,000	0.023	1,000
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90	1,000	0.023	1,000
91	1,000	0.023	1,000
92	1,000	0.023	1,000
93	1,000	0.023	1,000
94	1,000	0.023	1,000
95	1,000	0.023	1,000
96	1,000	0.023	1,000
97	1,000	0.023	1,000
98	1,000	0.023	1,000
99	1,000	0.023	1,000
100	1,000	0.023	1,000

OWNER'S CERTIFICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF PROPERTY AS SHOWN ON THIS PLAN, THAT THE PLAN IS ACCURATE AND INDICATES THE PERPETUAL USE OF ALL STREETS AND EASEMENTS AS NOTED.

SAGE MEADOWS DEVELOPMENT, INC.

DATE: 10/27/99

LEGAL DESCRIPTION

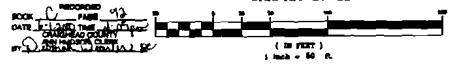
Part of the North half of Section 34, T15N, R4E, City of Jonesboro, Craighead County, Arkansas, being more particularly described as follows:

Commencing at the northeast corner of the northwest quarter of said Section 34; thence S 00° 31' 20" E, 41.00 feet to a point on the south right of way line of Macedonia Road and the point of beginning; thence N 60° 35' 46" E, 248.47 feet to a point; thence S 14° 12' 27" W, 1023.88 feet to a point on the north right of way line of Sage Meadows Boulevard; thence N 89° 25' 18" W, 89.78 feet to a point on a curve; thence northwesterly with a curve to the right having a radius of 183.85 feet and a curve length of 206.70 feet to a point on a curve; thence southwesterly with a curve to the left having a radius of 401.88 feet and a curve length of 68.88 feet to a point on a curve; thence northwesterly with a curve to the right having a radius of 50.00 feet and a curve length of 28.88 feet to a point on a curve; thence northwesterly with a curve to the left having a radius of 85.00 feet and a curve length of 158.31 feet to a point on a curve; thence northwesterly with a curve to the right having a radius of 50.00 feet and a curve length of 28.88 feet to a point on a curve; thence southwesterly with a curve to the left having a radius of 401.88 feet and a curve length of 24.14 feet to a point; thence N 63° 37' 58" W, 113.64 feet to a point on a curve; thence northwesterly with a curve to the right having a radius of 25.00 feet and a curve length of 39.27 feet to a point on the east right of way line of Highway 351; thence N 20° 22' 02" E, 873.83 feet to a point; thence N 89° 45' 44" E, 280.19 feet to the point of beginning proper and containing 11.437 acres.

APPROVED FOR FILING AND RECORDING

 Arkansas, Craighead County
 Public Administrator
 OF ARKANSAS
 UNDEPUTED

10/27/99



FILED

00 JUN - 1 2000

CRAIGHEAD COUNTY CLERK

REGISTERED

FINAL PLAT

THE VILLAGE AT SAGE MEADOWS PHASE 1-E

JONESBORO, ARKANSAS

OCTOBER, 1999

TOTAL AREA: 11.437 ACRES

TOTAL LOTS: 64

10/27/99

SAGE MEADOWS DEVELOPMENT, INC.
 2000 N. W. 10th St.
 Jonesboro, Arkansas 72403

6-1-2000

PU099-2

Planners reject subdivision near Sage Meadows

BY KEITH INMAN
SUN STAFF WRITER

JONESBORO — Plans for a proposed new subdivision adjacent to Sage Meadows were rejected Tuesday by the Metropolitan Area Planning Commission.

It was a complicated proposition in that Kevin Kessinger, owner of JG Properties, was seeking final plan review for Soleil at Sage Meadows. The 65-lot subdivision on 11.63 acres, had originally been approved as a planned unit development (PUD) known as The Village at Sage Meadows in 1999.

Nothing had been done with the property until Kessinger purchased it recently. Kessinger sought what he considered minor revisions to the original plan.

City Planner Otis Spriggs said developers normally have two years to begin construction after a PUD is approved. However, he said the commission had the option to extend that period.

Brian Umberson, a resident of Sage Meadows, said a lot has changed in the area

since 1999. When the PUD was approved, Sage Meadows had only 65 homes, Umberson said. Now there are almost 400 houses there, he said.

Traffic problems

The plan to enter Soleil from Sage Meadows Boulevard would further complicate the traffic problems Sage Meadows residents have in entering Old Greensboro Road (Arkansas 351), Umberson said.

Umberson and others also said Kessinger should have met with Sage Meadows residents before bringing the plan to the commission. Kessinger said he attempted to contact the Sage Meadows Property Owners Association but never got a reply.

Commissioners said a second entrance to Soleil was needed.

The original PUD called for a second entrance into Sage Meadows by way of Western Gales Cove. Since then, that street was abandoned, and a house was constructed on it, blocking access to the new

subdivision, Spriggs said.

Kessinger said a suggested entrance from Macedonia Road wasn't feasible because it would force him to reduce the lot sizes for the rest of the development.

Spriggs said the revised plans also don't show provisions for privacy fencing along Arkansas 351 or sidewalks, as approved in 1999.

Option to withdraw rejected

Commissioners gave Kessinger the option to withdraw his proposal in order to meet with neighboring residents, but Kessinger said he would prefer a decision be made immediately so that he would have a better understanding of his options.

Then commissioners tried to figure out their own options.

City Attorney Phillip Crego said the commission could vote to recommend that the City Council revoke the original PUD. The property would then revert to its former zoning of C-3 General Commercial. Commissioner Ken Collins said neither side

would like the potential ramifications of that decision.

Collins eventually made a motion to approve of the plans but with stipulations that Kessinger would have to meet with property owners to develop a compromise, a second entrance from Macedonia Road would have to be included, the entrance off of Sage Meadows Boulevard would have to be moved back to the original location and the developer would have to satisfy engineering concerns regarding a road inside the subdivision.

The motion was approved 6-1. Stan Clink of Memphis, Kessinger's engineer, said they would be unable to develop the property under those conditions.

Another rejection

Also rejected Tuesday was a proposal by Ted Troutman to rezone approximately 0.87 acres located at 709 North Caraway Road from R-1 Residential to RS-7 Residential.

Troutman sought the rezoning because R-1 requires a 60-foot-wide lot, while

the property is only 59 feet wide.

Several neighboring residents voiced their objections to the proposal because Troutman already has rental houses in the neighborhood that they believe are a detriment.

The commission voted 7-0 to recommend that the City Council deny rezoning. Troutman has a right to appeal the decision.

Commissioners also voted 7-0 to recommend approval of the proposed annexation of 159 acres located behind 6106 Southwest Drive.

The property, owned by Paulette Quinn, is located between Wimpy Lane and Hendrix Road.

The highway frontage is zoned industrial and is headquarters for Quinn Aviation.

Bobby Gibson, Quinn's attorney, said the family plans to relocate the airstrip farther away from the city if the property can be sold for residential development.

The commission also approved the following requests:

- Jim Abel for preliminary and final approval of plans for Brookstone Subdivision, Phase II, containing 16 lots on 3.85 acres;

- Jim Bryant for conditional use to locate a double-wide mobile home at 2017 Magnolia Road; and

- Burrow-Halsey Holdings to rezone approximately 5.96 acres located on Parker Road between Wood Street and Paula Drive from R-2 Residential to C-3 Commercial. Commissioner Jerry Halsey Jr., a principal in Burrow-Halsey Holdings, did not participate in the vote.

A request for site plan review for Jonesboro Cycle and ATV, to be located on 1.3 acres at 2206 Stadium Blvd., was withdrawn prior to the meeting.

Commissioner Marvin Day presided over the meeting in the absence of chairman Ken Beadles.

New commissioner Paul Hoelscher was attending his first meeting. Hoelscher replaced George Krennerich on the commission.



Legislation Details (With Text)

File #: ORD-13:008 **Version:** 1 **Name:** Rezoning by K&G Properties
Type: Ordinance **Status:** Second Reading
File created: 2/14/2013 **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 C-3 TO RS-8 FOR PROPERTY LOCATED ON THE SOUTH SIDE OF MACEDONIA ROAD, EAST SIDE OF HIGHWAY 351 AS REQUESTED BY K&G PROPERTIES

Sponsors:

Indexes: Rezoning

Code sections:

Attachments: [Plat](#)
[MAPC Report](#)
[Lot layout](#)
[Letter from Sage Meadows Association](#)
[Agreement with Sage Meadows Board](#)
[Opposition letter and plat](#)
[Newspaper article from opposition](#)
[Opposition petition and plat](#)

Date	Ver.	Action By	Action	Result
2/19/2013	1	City Council		

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

body
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: Commercial, C-3
TO: Residential, RS-8

THE FOLLOWING DESCRIBED PROPERTY:

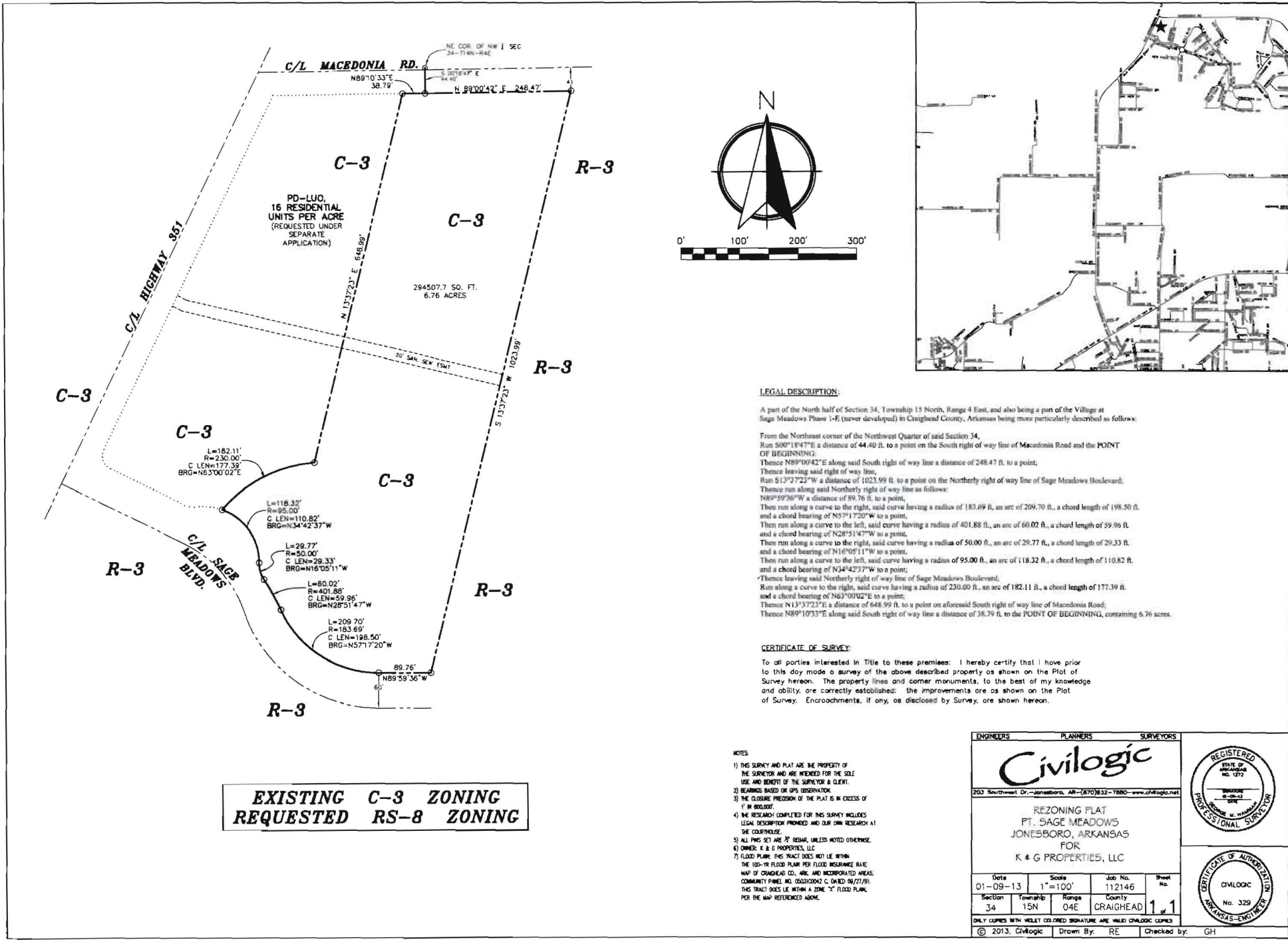
LEGAL DESCRIPTION:

A part of the North half of Section 34, Township 15 North, Range 4 East, and also being a part of the Village at Sage Meadows Phase 1-E (never developed) in Craighead County, Arkansas being more particularly described as follows:

From the Northeast corner of the Northwest Quarter of said Section 34,
Run S00°18'47"E a distance of 44.40 ft. to a point on the South right of way line of Macedonia Road and the POINT OF BEGINNING:
Thence N89°00'42"E along said South right of way line a distance of 248.47 ft. to a point;
Thence leaving said right of way line,
Run S13°37'23"W a distance of 1023.99 ft. to a point on the Northerly right of way line of Sage Meadows Boulevard;
Thence run along said Northerly right of way line as follows:
N89°59'36"W a distance of 89.76 ft. to a point,
Then run along a curve to the right, said curve having a radius of 183.69 ft., an arc of 209.70 ft., a chord length of 198.50 ft. and a chord bearing of N57°17'20"W to a point,
Then run along a curve to the left, said curve having a radius of 401.88 ft., an arc of 60.02 ft., a chord length of 59.96 ft. and a chord bearing of N28°51'47"W to a point,
Then run along a curve to the right, said curve having a radius of 50.00 ft., an arc of 29.77 ft., a chord length of 29.33 ft. and a chord bearing of N16°05'11"W to a point,
Then run along a curve to the left, said curve having a radius of 95.00 ft., an arc of 118.32 ft., a chord length of 110.82 ft. and a chord bearing of N34°42'37"W to a point;
Thence leaving said Northerly right of way line of Sage Meadows Boulevard;
Run along a curve to the right, said curve having a radius of 230.00 ft., an arc of 182.11 ft., a chord length of 177.39 ft. and a chord bearing of N63°00'02"E to a point;
Thence N13°37'23"E a distance of 648.99 ft. to a point on aforesaid South right of way line of Macedonia Road;
Thence N89°10'33"E along said South right of way line a distance of 38.79 ft. to the POINT OF BEGINNING, containing 6.76 acres.

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

- 1) Proposed development shall satisfy all requirements of the City Engineer and current Stormwater Drainage Design Manual.
- 2) Preliminary and final subdivision plans shall be approved by the MAPC prior to development.
- 3) Applicant shall comply with Master Street Plan for Macedonia Road right-of-way.



**EXISTING C-3 ZONING
REQUESTED RS-8 ZONING**

LEGAL DESCRIPTION:

A part of the North half of Section 34, Township 15 North, Range 4 East, and also being a part of the Village at Sage Meadows Phase 1-E (never developed) in Craighead County, Arkansas being more particularly described as follows:

From the Northeast corner of the Northwest Quarter of said Section 34,
 Run S00°18'47"E a distance of 44.40 ft. to a point on the South right of way line of Macedonia Road and the POINT OF BEGINNING;
 Thence N89°00'42"E along said South right of way line a distance of 248.47 ft. to a point;
 Thence leaving said right of way line,
 Run S13°27'23"W a distance of 1023.99 ft. to a point on the Northerly right of way line of Sage Meadows Boulevard;
 Thence run along said Northerly right of way line as follows:
 N89°59'26"W a distance of 89.76 ft. to a point;
 Then run along a curve to the right, said curve having a radius of 183.69 ft., an arc of 209.70 ft., a chord length of 198.50 ft. and a chord bearing of N57°17'20"W to a point;
 Then run along a curve to the left, said curve having a radius of 401.88 ft., an arc of 60.02 ft., a chord length of 59.96 ft. and a chord bearing of N28°51'47"W to a point;
 Then run along a curve to the right, said curve having a radius of 50.00 ft., an arc of 29.77 ft., a chord length of 29.33 ft. and a chord bearing of N16°05'11"W to a point;
 Then run along a curve to the left, said curve having a radius of 95.00 ft., an arc of 118.32 ft., a chord length of 110.82 ft. and a chord bearing of N34°42'37"W to a point;
 Thence leaving said Northerly right of way line of Sage Meadows Boulevard,
 Run along a curve to the right, said curve having a radius of 230.00 ft., an arc of 182.11 ft., a chord length of 177.39 ft. and a chord bearing of N43°09'02"E to a point;
 Thence N13°37'23"E a distance of 648.99 ft. to a point on aforesaid South right of way line of Macedonia Road;
 Thence N89°10'33"E along said South right of way line a distance of 38.79 ft. to the POINT OF BEGINNING, containing 6.76 acres.

CERTIFICATE OF SURVEY:

To all parties interested in Title to these premises: I hereby certify that I 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; the improvements are as shown on the Plat of Survey. Encroachments, if any, as disclosed by Survey, are shown hereon.

NOTES:

- 1) THIS SURVEY AND PLAT ARE THE PROPERTY OF THE SURVEYOR AND ARE INTENDED FOR THE SOLE USE AND BENEFIT OF THE SURVEYOR & CLIENT.
- 2) BEARINGS BASED ON GPS OBSERVATION.
- 3) THE CLOSURE PRECISION OF THE PLAT IS IN EXCESS OF 1" IN 100,000.
- 4) THE RESEARCH COMPLETED FOR THIS SURVEY INCLUDES LEGAL DESCRIPTION PROVIDED AND OUR OWN RESEARCH AT THE COURTHOUSE.
- 5) ALL THIS SET ARE "AS SHOWN" UNLESS NOTED OTHERWISE.
- 6) OWNER: K & G PROPERTIES, LLC
- 7) FLOOD PLAIN: THIS TRACT DOES NOT LIE WITHIN THE 100-YR FLOOD PLAIN PER FLOOD INSURANCE RATE MAP OF CRAIGHEAD CO., ARK. AND INCORPORATED AREAS; COMMUNITY FLOOD INS. (554332000) C. DATED 08/27/15. THIS TRACT DOES LIE WITHIN A ZONE "C" FLOOD PLAIN PER THE MAP REFERENCED ABOVE.

ENGINEERS		PLANNERS		SURVEYORS	
Civilogic					
203 South Main St., Jonesboro, AR - (870) 932-7880 - www.civilogic.net					
REZONING PLAT PT. SAGE MEADOWS JONESBORO, ARKANSAS FOR K & G PROPERTIES, LLC					
Date	Scale	Job No.	Sheet		
01-09-13	1"=100'	112146	1 of 1		
Section	Township	Range	County		
34	15N	04E	CRAIGHEAD		
ONLY COPIES WITH VIOLET COLORED SIGNATURE ARE VALID CIVILOGIC COPIES					
© 2013, Civilogic		Drawn By:	RE	Checked by:	GH



City of Jonesboro City Council
Staff Report – RZ 13-01 Sage Meadows: K& G Properties RS-8
Huntington Building - 900 W. Monroe
For Consideration by the Council on February 19, 2013

REQUEST: To consider a rezoning of a parcel of land containing 6.76 acres more or less.

PURPOSE: A request to consider a recommendation to Council for a rezoning from a C-3 – General Commercial District to an “RS-8” Single Family Residential District, 8 units per acre.

**APPLICANT/
OWNER:** K and G Properties, LLC, 6161 Castleton Cove, Olive Branch, MS 38654

LOCATION: South Side of Macedonia Road, East Side of Highway 351; located north of the entrance way to Sage Meadows Subdivision/Sage Meadows Boulevard.

SITE DESCRIPTION: **Tract Size:** Approx. 294,507 S.F. – 6.76 Acres
Frontage: Total of 248.47’ along Macedonia Road
Total of 507.67’ along Sage Meadows Boulevard
Topography: The site has topographic relief, and drains generally to the west, toward vacant land and Highway 351. There is existing grassy vegetation on the majority of the site.
Existing Development: The site is currently vacant.

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	_____	Sparse single family development (Outside City Limits)
South:	C-3	Industrial Use
East:	C-3	Storage Warehouses
West:	R-1, R-3	Single Family & Existing church

HISTORY: On February 9, 2000, The Metropolitan Area Planning Commission (“MAPC”) approved a Planned Unit Development overlay on the property (PUD 99-02).

No development of the PUD had occurred, nor have there been any building permits issued, in the eight (8) years since the final plan for the PUD was approved on or about February 9, 2000, and no extensions have been granted.

The MAPC recommended that said PUD approval be revoked and the lands revert to the original C-3 commercial use classification. JG Properties, LLC, joined in the recommendation of the MAPC and requested that the City Council repeal and revoke the previous approval of the PUD.

City Council, under Ordinance 08:057 reverted the property back to C-3 General Commercial.

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

COMPREHENSIVE PLAN FUTURE LAND USE MAP

The Current/Future Land Use Map recommends this location as Medium Density Residential. While the Land Use Plan recommends this site for future uses as single family, recent rezoning/reverting of the subject property to C-3 General Commercial prompts further amendments to the Land Use Map.

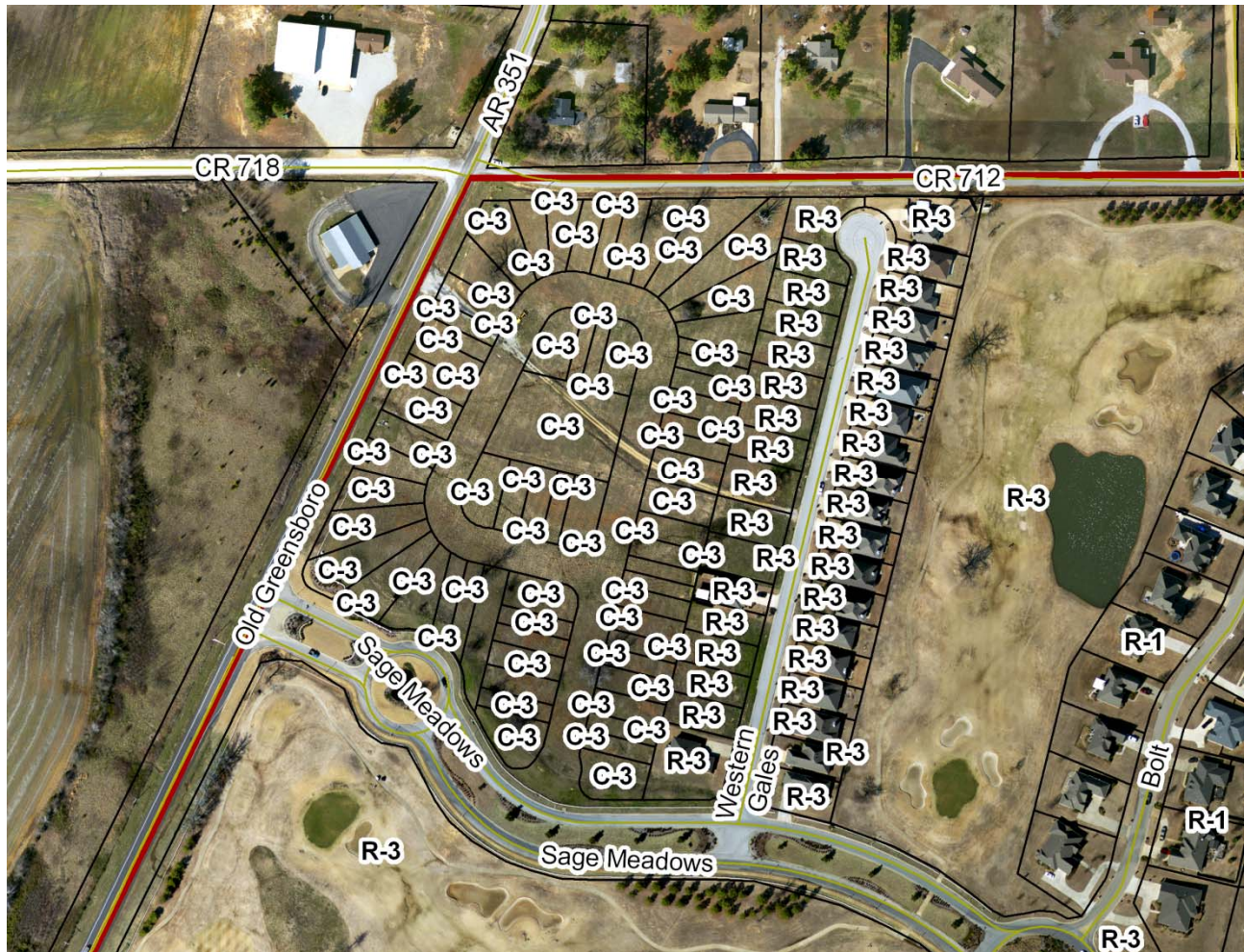
This petition for rezoning is currently consistent with the Land Use Plan.

Approval Criteria Checklist- Section 117-34- 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 list. Staff has reviewed each and offers explanations and findings as listed in the rezoning checklist below:

Criteria	Consistent (Yes or No)	Explanation
(a) Consistency of the proposal with the Comprehensive Plan	Yes- Land Use Comp. Plan Adoption Pending	See Land Use Section Above.
(b) Consistency of the proposal with the purpose of the zoning ordinance.	No plan proposed at this time. Consistent with immediate housing to the direct east (Western Gales Dr.).	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area;	No plan proposed at this time. Consistent with immediate housing to the direct east (Western Gales Dr.).	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	Yes it is suitable for single family residential.	
(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	No detriment.	

<p>property;</p> <p>(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</p>	<p>Property has never been developed. Originally rezoned for multi-family under a PUD that expired; then later reverted back to C-3.</p>	
<p>(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.</p>	<p>Applicant states no major impacts. Access management should be coordinated.</p>	



Vicinity/Zoning Map

MAPC RECORD OF PROCEEDINGS: Public Hearing held February 12, 2013

Applicant:

Mr. Kessinger, Member of K and G Properties, LLC, presented the case before the MAPC, noting that he purchased this property, 4 or 5 years ago. At that time he was aware that 65 condominiums had been approved by the City, but was later notified that the Planned Unit Development (PUD) had expired and he had to go back through the rezoning process. He did so but it was denied and reverted back to C-3 by the Council.

He added that he will leave the out-lot Zoned C-3 General Commercial but would like to change the other 2 sections- this case is for the RS-8 Single Family request.

Mr. Kessinger stated that he has met with the POA Board, (they are a strong group) and they sent a letter with no opposition of the petition, just as long as he agreed to a number of conditions such as where the street connects into Sage Meadows Blvd. and Macedonia Road.

Staff:

Mr. Spriggs gave staff comments and a summary of the Staff Report. Noting the history of the case: City Council, under Ordinance 08:057 reverted the property back to C-3 General Commercial.

The Current/Future Land Use Map recommends this location as Medium Density Residential. While the Land Use Plan recommends this site for future uses as single family, recent rezoning/reverting of the subject property to C-3 General Commercial prompts further amendments to the Land Use Map.

The subject site is served by Macedonia Road (Principal/major Arterial); and Sage Meadows Boulevard (Local Road) on the Master Street Plan. The proposed right-of-way is noted as 60 ft. from the center line of Sage meadows Blvd. and 44.40 ft. from Macedonia Road. Principle Arterials require a 120 ft. right of way, by which the proposed is less.

The MPO, Director reviewed the proposal and stated no opposition, but suggested an outlet on Macedonia with possible connection to Western Gales Drive, with the one connection to Sage Meadows Blvd. No other objections were submitted by other departments or agencies. The conditions were read.

Mr. Kessinger stated that he has no access to Western Gales Drive. Mr. Spriggs concurred and noted that he verified that the previous stub street was abandoned.

Public Input:

Ms. Sue Winstead, 4949 Wingfoot. Stated that there are 400 – 500 houses in Sage Meadows. She expressed concerns about how the project will coordinate with Sage Meadow's Boulevard which does not come to two lanes until a certain point. She expressed concerns about the access to the non-standard roundabout. She stated that it took her 30 minutes to get from her house to Highway 49N when leaving for the developer's meeting. Ms. Winstead stated that they are open to where the City thinks is the best spot to connect to Sage Meadows Blvd.

Mr. Scurlock: Asked Mr. Kessinger if the new development will be a part of the Bill of Assurances of Sage Meadows? He replied that it will and also will be subject to architectural review.

Mr. Kessinger expressed what he agreed to with the P.O.A. He agreed to have access on to Macedonia, as well onto Sage Meadows Blvd., and he is willing to work with staff on the best location of connection.

Paul Johansen: 4205 Sage Meadow's Blvd. Stated that in May of 2008, a plan was brought to this board. There was only one entrance at our round about. MAPC voted 6 to 1, in favor of the case if they were to put a road out to Macedonia and they did not agree. That roundabout is smaller than the main one. It is half the size, and was built only for looks.
Public Debate was closed.

POA Board member: Mike Cross- Added that in dealing with this issue, there seems to not be any negatives of what will be built, other than where the road will join. The P.O.A. met with the developer last Friday night for 1.5 hours. We felt like the street planners will know what's best. The developer has agreed to that. Most concerns are if it comes out at the roundabout, we are setting ourselves up for accidents. It's not designed like a roundabout for traffic. The traffic in the morning is congested and there is not a person that will let anyone come out of the proposed drive.

Mr. Scurlock asked are there any other access points to Macedonia? Mr. Cross stated no, and there are over 550 houses in Sage Meadows having over 1,500 people. We are a small town with one street.

Commission Action:

Motion as made by Ms. Nix, to approve the zoning request subject to Staff conditions and make recommendation to City Council for approval; Motion was seconded by Mr. Tomlinson. Motion carried with the following vote:

Mr. Scurlock- Aye; Mr. Tomlinson- Aye; Ms. Elmore- Aye; Mr. Hoelscher- Aye; Mr. Kelton- Aye; Mr. Rees- Aye; Ms. Nix- Aye. Absent: Mr. Dover. 7-0 in favor.

Findings:

Master Street Plan/Transportation

The subject site is served by Macedonia Road (Principal/major Arterial); and Sage Meadows Boulevard (Local Road) on the Master Street Plan. The proposed right-of-way is noted as 60 ft. from the center line of Sage meadows Blvd. and 44.40 ft. from Macedonia Road. Principle Arterials require a 120 ft. right of way, by which the proposed is less.

Zoning Code Compliance Review:

The applicant is requesting a change to an "RS-8" Single Family District. The Zoning Resolution requirements are as follows:

RS-8—Single-family Residential District

Minimum lot width: 50ft.
Minimum lot: 5,445 s.f.
Front Setback: 15 ft.
Rear Setback: 15 ft.
Side Setback: 7.5ft. each

The applicant has not proposed any subdivision layout at the present time. Preliminary and Final Subdivision submittals will be required and will be subject to MAPC approval in the future. Issues such as

access management need to be addressed before the Planning Commission concerning right of way frontages.

Department/Agency	Reports/ Comments	Comments
Engineering	No objection	Right of Way Dedications
Streets/Sanitation	No objection	No comments to date
Police	No objection	No comments to date
Fire Department	No objection	No comments to date
MPO	No Opposition	Suggested an outlet on Macedonia with possible connection to Western Gales Drive, with the one connection to Sage Meadows Blvd.
Utility Companies	No comments	No comments to date

Conclusion:

The MAPC and the Planning Department Staff find that the requested Zone Change submitted by K and G Properties, LLC should be evaluated based on the above observations and criteria, of Case RZ 13-01 noted above, a request to rezone property from “C-3” General Commercial District to “RS-8” Single Family District, 8 units per acre. As noted in the record of proceedings, this case is recommended to Council for approval based on the following conditions:

1. That the proposed development shall satisfy all requirements of the City Engineer, satisfying all requirements of the current Stormwater Drainage Design Manual.
2. That a preliminary and final subdivision development plans be submitted and reviewed by the MAPC prior to any future redevelopment of the proposed site.
3. The applicant agrees to comply with the Master Street Plan recommendations for the Macedonia Road right-of-way.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP
 Planning & Zoning Director

Site Photographs



View looking West of Site



View looking North from Church Entrance at intersection of Macedonia & Hwy #351



View looking North from Church Entrance at intersection of Macedonia & Hwy #351 (Site on Right)



View looking south along Hwy. 351 Site on left



View looking east at site from Hwy. 351



View looking east at site from Hwy. 351



View looking west from Western Gales Dr. (Site in background)



View looking Northwest from Gales Dr. (Site in background)



View looking north on Western Gales Dr.



View looking west on Sage Meadows Blvd. towards main entrance



View looking west on Sage Meadows Blvd. towards main entrance



View looking Northeast towards Sage Meadows main entrance (Site in Background)



View looking North along HWY 351 frontage at the Sage Meadows main entrance (Site in Background)

C/L MACEDONIA RD.

NE CORN. NW 1/4 SEC. 34-T18N-R4E

N 89°45'44" E 280.19'

N 89°35'46" E 248.47'

**PROPOSED
RM-16
CONDOMINIUMS**

**PROPOSED
SINGLE
FAMILY**

TO REMAIN C-3

L=39.28'
R=25.00'
C LEN=35.36'
BRG=N19°13'02"W

L=24.14'
R=401.68'
C LEN=24.14'
BRG=N62°29'46"W

L=29.89'
R=50.00'
C LEN=29.45'
BRG=N77°53'36"W

L=159.31'
R=95.00'
C LEN=141.29'
BRG=N46°58'14"W

L=29.87'
R=50.00'
C LEN=29.43'
BRG=N16°02'51"W

L=59.96'
R=401.68'
C LEN=59.91'
BRG=N28°53'25"W

L=209.70'
R=183.69'
C LEN=198.50'
BRG=N57°19'04"W

C/L HIGHWAY 367
N 25°16'58" E 872.05'

N 76°50'15" W 316.09'

S 15°57'23" W 1023.60'

C-3

C-3

C-3

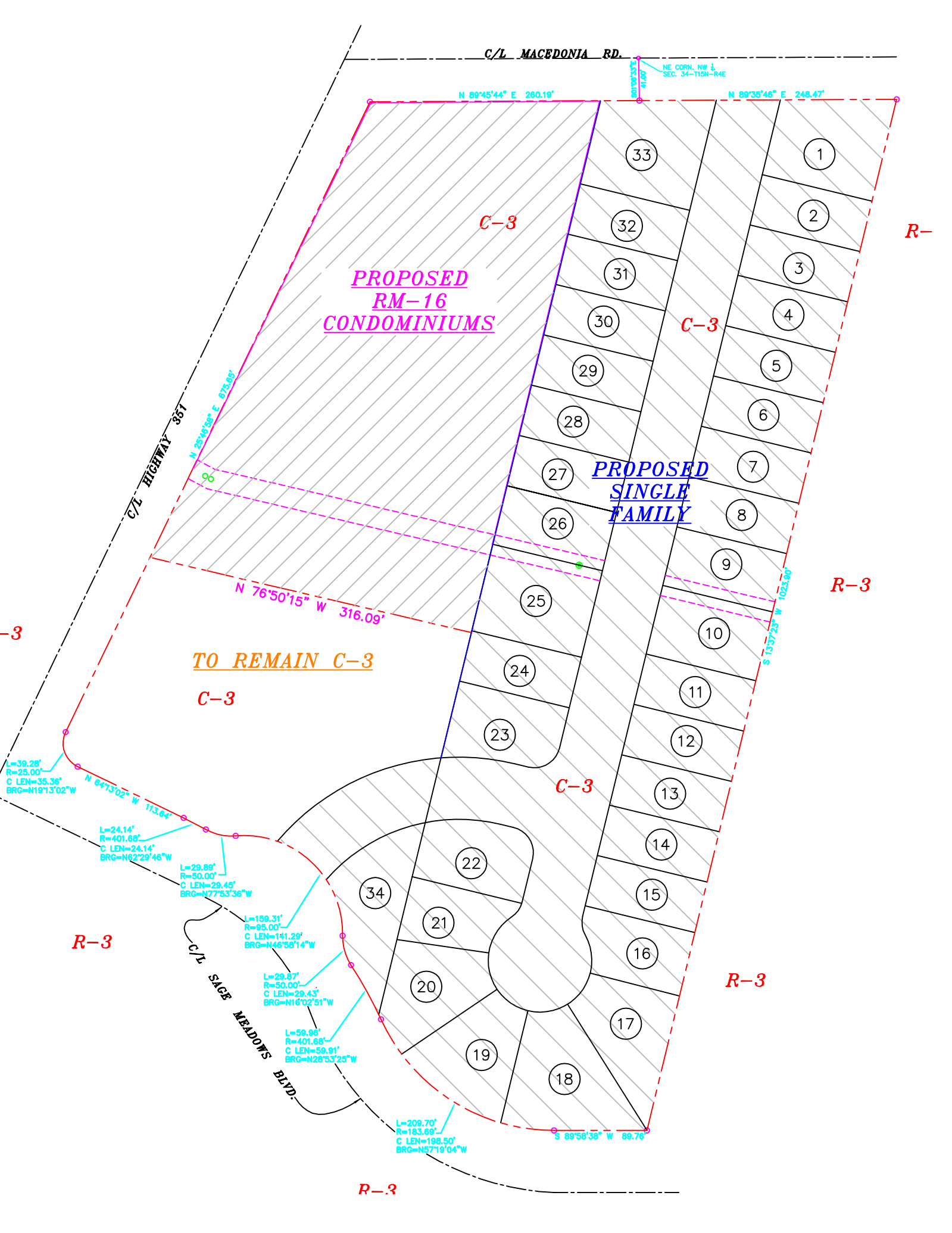
R-3

R-3

R-3

R-3

C/L SAGE MEADOWS BLVD.





February 10, 2013

Otis Spriggs, City Planner
City of Jonesboro
900 West Monroe
Jonesboro, AR 72403

Dear Mr. Spriggs,

The Sage Meadows POA Board of Directors has met with Mr. Kevin Kessinger with K & G Properties, LLC on multiple occasions, to discuss his future plans for development of the property located just to the north of the Sage Meadows entrance that is currently zoned commercial. Our understanding of the rezoning request and future plans are outlined below;

1. The western most approx. one half of the property is to be rezoned RS-8, which only allows for single family dwelling very close in size to the home already located along Western Gales of our subdivision. We also understand that there will be access to Sage Meadow Blvd and Macedonia Road.
2. Approx 3 acres of the remaining eastern half of the property is to be rezoned RM-16, which allows for condominiums. We understand that access to this section will be restricted to St. Hwy 351.
3. The remaining approx. 1.6 acres will remain C-3.

Based on our understanding of the rezoning request and the future plans, we do not oppose the request. We feel that allowing access to Sage Meadow Blvd by the single family homes and restricting access for the condos to St. Hwy 351, would be the best reasonable solution to traffic in the neighborhood. While we have seen a proposed plat showing the access to Sage Meadow Blvd connecting at the round-about near our entrance, we would request that the city engineers look at the traffic situation very closely and recommend the best possible place for that connection. We are open to access at the round-about or having the new street come straight out and hit Sage Meadows Blvd.

Sincerely,

Sage Meadow POA Board

AGREEMENT BETWEEN
SAGE MEADOWS PROPERTY OWNERS ASSOC. BOARD

AND

K & G PROPERTIES, LLC.

This Agreement is made and entered into this date, by and between K & G Properties, LLC and the Sage Meadows Property Owners Association Board.

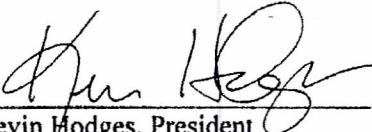
WHEREAS, the Sage Meadows Property Owners Association Board and K & G Properties, LLC wants the property described in Exhibit A & B to be a part of the Sage Meadows Development and fall under the Sage Meadows Development Covenants & Restrictions.

While the Sage Meadows Property Owners Association Board agrees to not oppose the egress/ingress to Sage Meadows Blvd, the Association Board would like for the street connection to Sage Meadows Blvd be at the spot recommended by the City of Jonesboro as the best spot possible to prevent traffic issues.

K & G Properties, LLC agrees to not remove or allow the property described in Exhibits A & B to be removed from the Sage Meadows Development, between the time the property is rezoned and the time it is platted, provided access is granted to Sage Meadows Blvd.

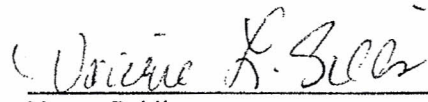
WHEREAS, The parties hereto agree that each party has reviewed and negotiated this Agreement and further agrees to be fully bound by and subject to the same. The parties further agree that performance of the obligations created under this Agreement may be enforced by a court of law by any remedy available, including but not limited to specific performance of the terms and conditions herein.

SAGE MEADOWS PROPERTY OWNERS ASSOCIATION, INC.

By: 
Kevin Hodges, President

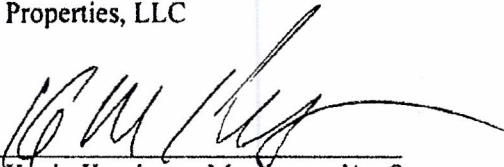
Subscribed and sworn to before me by Kevin Hodges on this 11th day of February, 2013.



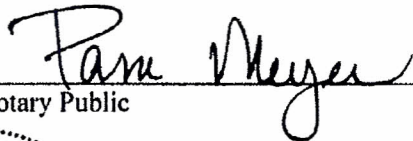

Notary Public

My Commission Expires:

K & G Properties, LLC

By: 
Kevin Kessinger, Member and/or Owner

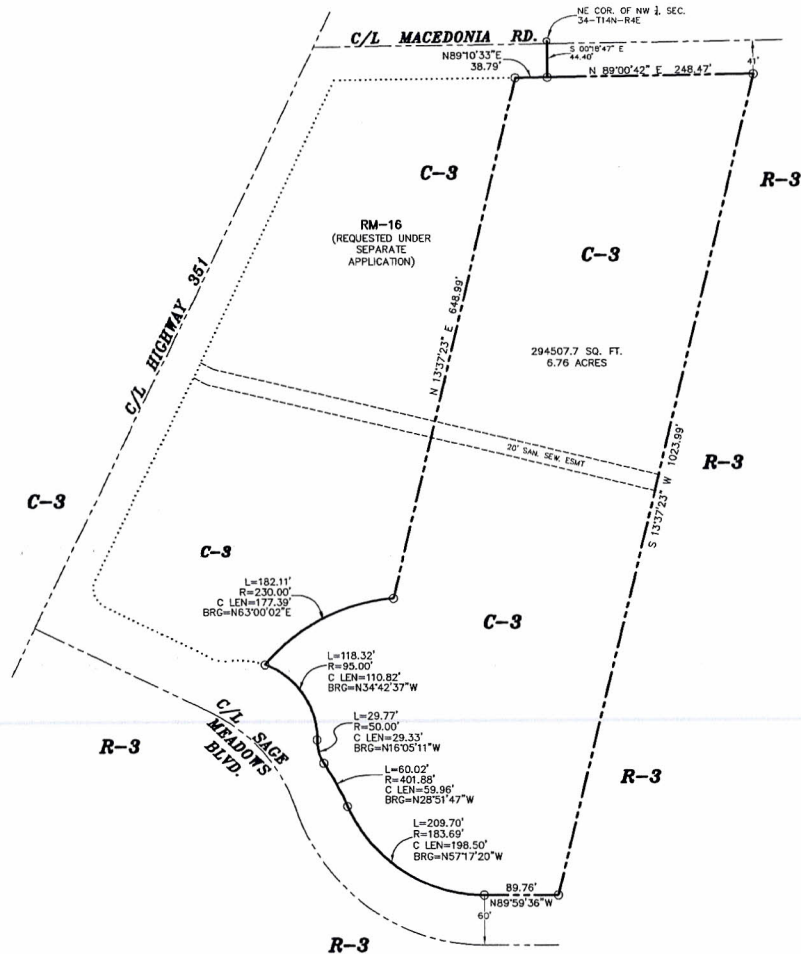
Subscribed and sworn to before me by Kevin Kessinger on this 1st day of February, 2013.


Notary Public

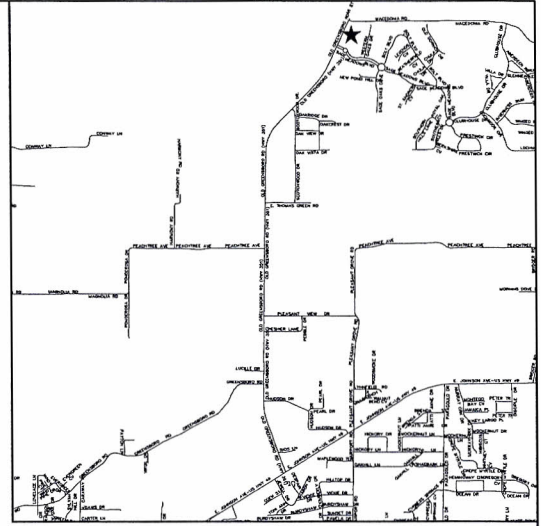
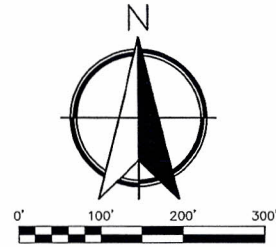
My Commission Expires:

9/8/2013





**EXISTING C-3 ZONING
REQUESTED RS-8 ZONING**



LEGAL DESCRIPTION:

A part of the North half of Section 34, Township 15 North, Range 4 East, and also being a part of the Village at Sage Meadows Phase I-E (never developed) in Craighead County, Arkansas being more particularly described as follows:

From the Northeast corner of the Northwest Quarter of said Section 34,
 Run S00°18'47"E a distance of 44.40 ft. to a point on the South right of way line of Macedonia Road and the POINT OF BEGINNING;
 Thence N89°00'42"E along said South right of way line a distance of 248.47 ft. to a point;
 Thence leaving said right of way line,
 Run S13°37'23"W a distance of 1023.99 ft. to a point on the Northerly right of way line of Sage Meadows Boulevard;
 Thence run along said Northerly right of way line as follows:
 N89°59'36"W a distance of 89.76 ft. to a point,
 Then run along a curve to the right, said curve having a radius of 183.69 ft., an arc of 209.70 ft., a chord length of 198.50 ft. and a chord bearing of N57°17'20"W to a point,
 Then run along a curve to the left, said curve having a radius of 401.88 ft., an arc of 60.02 ft., a chord length of 59.96 ft. and a chord bearing of N28°51'47"W to a point,
 Then run along a curve to the right, said curve having a radius of 50.00 ft., an arc of 29.77 ft., a chord length of 29.33 ft. and a chord bearing of N16°05'11"W to a point,
 Then run along a curve to the left, said curve having a radius of 95.00 ft., an arc of 118.32 ft., a chord length of 110.82 ft. and a chord bearing of N34°42'37"W to a point;
 Thence leaving said Northerly right of way line of Sage Meadows Boulevard;
 Run along a curve to the right, said curve having a radius of 230.00 ft., an arc of 182.11 ft., a chord length of 177.39 ft. and a chord bearing of N63°00'02"E to a point;
 Thence N13°37'23"E a distance of 648.99 ft. to a point on aforesaid South right of way line of Macedonia Road;
 Thence N89°10'33"E along said South right of way line a distance of 38.79 ft. to the POINT OF BEGINNING, containing 6.76 acres.

CERTIFICATE OF SURVEY:

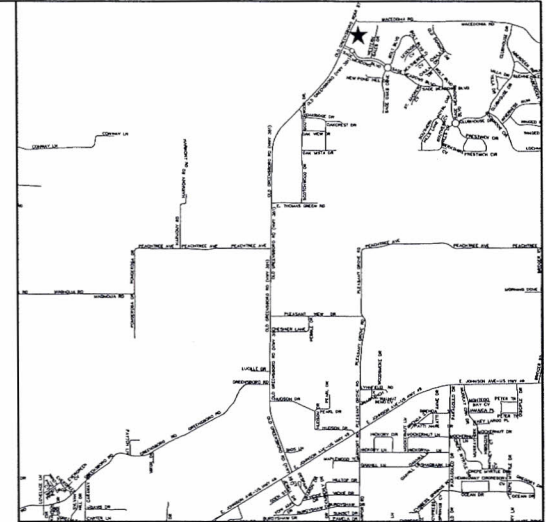
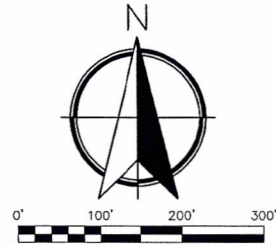
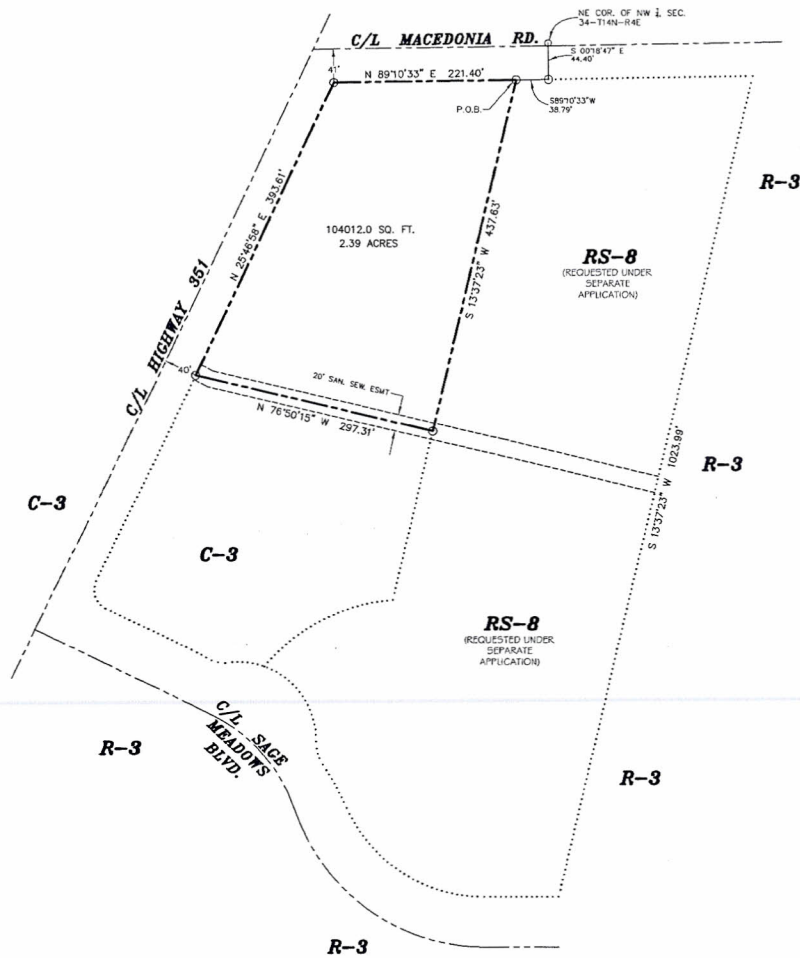
To all parties interested in Title to these premises: I hereby certify that I have prior to this day made a survey of the above described property as shown on the Plat of Survey hereon. The property lines and corner monuments, to the best of my knowledge and ability, are correctly established; the improvements are as shown on the Plat of Survey. Encroachments, if any, as disclosed by Survey, are shown hereon.

NOTES:

- 1) THIS SURVEY AND PLAT ARE THE PROPERTY OF THE SURVEYOR AND ARE INTENDED FOR THE SOLE USE AND BENEFIT OF THE SURVEYOR & CLIENT.
- 2) REBARMS BASED ON GPS OBSERVATION.
- 3) THE CLOSURE PRECISION OF THE PLAT IS IN EXCESS OF 1" IN 50,000'.
- 4) THE REBARMS COMPLETED FOR THIS SURVEY INCLUDES LEGAL DESCRIPTION PROVIDED AND OUR OWN RESEARCH AT THE COURTHOUSE.
- 5) ALL PINS SET ARE 2" REBAR, UNLESS NOTED OTHERWISE.
- 6) OWNER: K & G PROPERTIES, LLC
- 7) FLOOD PLAIN: THIS TRACT DOES NOT LIE WITHIN THE 100-YR FLOOD PLAN PER FLOOD INSURANCE RATE MAP OF CRAIGHEAD CO., ARK. AND INCORPORATED AREAS. COUNTY FINDER NO. 000000000 C. DATED 06/07/04. THIS TRACT DOES LIE WITHIN A ZONE "X" FLOOD PLAN, PER THE MAP REFERENCED ABOVE.

ENGINEERS		PLANNERS		SURVEYORS	
Civilogic					
203 Southwest Dr., Jonesboro, AR--(870)932-7880--www.civilogic.net					
REZONING PLAT PT. SAGE MEADOWS JONESBORO, ARKANSAS FOR K & G PROPERTIES, LLC					
Date	Scale	Job No.	Sheet		
01-09-13	1"=100'	112146	1 of 1		
Section	Township	Range	County		
34	15N	04E	CRAIGHEAD		
ONLY COPIES WITH VIOLET COLORED SIGNATURE ARE VALID CIVILOGIC COPIES					
© 2013, Civilogic		Drawn By: RE	Checked by: GH		

Exhibit B



LEGAL DESCRIPTION:

A part of the Northeast Quarter of the Northwest Quarter of Section 34, Township 15 North, Range 4 East, and also being a part of the Village at Sage Meadows Phase 1-E (never developed) in Craighead County, Arkansas being more particularly described as follows:

From the Northeast corner of the Northwest Quarter of said Section 34,
 Run S00°18'47"E a distance of 44.40 ft. to a point on the South right of way line of Macedonia Road;
 Thence S89°10'33"W along said South right of way line a distance of 38.79 ft. to the POINT OF BEGINNING;
 Thence leaving said right of way line,
 Run S13°37'23"W a distance of 437.63 ft. to a point;
 Thence N76°50'15"W a distance of 297.31 ft. to a point on the Easterly right of way line of Highway 351;
 Thence N25°46'58"E along said Easterly right of way line a distance of 393.61 ft. to a point on aforesaid South right of way line of Macedonia Road;
 Thence N89°10'33"E along said South right of way line a distance of 221.40 ft. to the POINT OF BEGINNING, containing 2.39 acres.

CERTIFICATE OF SURVEY:

To all parties interested in Title to these premises: I hereby certify that I 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: the improvements are as shown on the Plat of Survey. Encroachments, if any, as disclosed by Survey, are shown hereon.

NOTES:

- 1) THIS SURVEY AND PLAT ARE THE PROPERTY OF THE SURVEYOR AND ARE INTENDED FOR THE SOLE USE AND BENEFIT OF THE SURVEYOR & CLIENT.
- 2) BEARINGS BASED ON GPS OBSERVATION.
- 3) THE CLOSURE PRECISION OF THE PLAT IS IN EXCESS OF 1" IN 150,000'.
- 4) THE RESEARCH COMPLETED FOR THIS SURVEY INCLUDES LEGAL DESCRIPTION PROMISES AND OUR OWN RESEARCH AT THE COURTHOUSE.
- 5) ALL PINS SET ARE 2" REBAR, UNLESS NOTED OTHERWISE.
- 6) OWNER: K & G PROPERTIES, LLC.
- 7) FLOOD PLAIN: THIS TRACT DOES NOT LIE WITHIN THE 100-YR FLOOD PLAIN PER FLOOD INSURANCE RATE MAP OF CRAIGHEAD CO., ARK. AND INCORPORATED AREAS. COUNTY PANEL NO. 050300002 C. DATED 06/27/14. THIS TRACT DOES LIE WITHIN A ZONE "X" FLOOD PLAIN, PER THE MAP REFERENCED ABOVE.

**EXISTING C-3 ZONING
 REQUESTED RM-16 ZONING**

ENGINEERS		PLANNERS		SURVEYORS	
Civilogic					
203 Southwest Dr., Jonesboro, AR - (870) 932-7880 - www.civilogic.net					
REZONING PLAT PT. SAGE MEADOWS JONESBORO, ARKANSAS FOR K & G PROPERTIES, LLC					
Date	Scale	Job No.	Sheet		
01-09-13	1"=100'	112146	1 of 1		
Section	Township	Range	County		
34	15N	04E	CRAIGHEAD		
ONLY COPIES WITH VIOLET COLORED SIGNATURE ARE VALID CIVILOGIC COPIES					
© 2013, Civilogic		Drawn By: RE	Checked by: GH		

RE: Rezoning Lot C-1 of Sage Meadows Phase 1-D

Mayor Perrin & Members of the Jonesboro City Council:

We would appreciate K&G Properties having to abide by and develop the entrance to their development as explained in the attached article in the Jonesboro Sun, May 14, 2008. There should not be an access road provided at the Circle Fountain to Sage Meadows Boulevard. We feel the entrance onto Sage Meadows Boulevard should be as shown in the plat for The Village at Sage Meadows Phase 1-E (see attached map). At the time the article was written there were several hundred homes served by that single entrance into Sage Meadows while today that community has grown to over 500 homes with Sage Meadows Boulevard serving as the only entrance.

Allowing access to Sage Meadows Boulevard from the north at the Circle Fountain with additional traffic would be a dangerous and unwelcome plan. Traffic is difficult during July 4th activities, holiday celebrations, golf tournaments, the semi-annual yard sales, and other such events causing major disruptions to our neighborhood. And on a daily basis, in particular, from 7-8:30 in the mornings the traffic seeking to enter the highway is often backed up 15-20 cars deep often all the way to the Bolt Boulevard roundabout. Allowing still more traffic access to Sage Meadows Boulevard at the Circle Fountain roughly 5 car-lengths from the highway would certainly be very dangerous and cause major headaches.

Please keep the entrance to Sage Meadows as it has always been – a circle fountain -- where people can take photos, stop to make cell calls, or to simple get assistance or directions to where they are going.

At the least, a platted development plan should be submitted before approval.

Thank you,

Concerned citizens of Sage Meadows (Please call Sue Winstead with any questions or concerns @ 870-933-6715 or Gil Fowler @ 870-935-6846)

Planners reject subdivision near Sage Meadows

BY KEITH INMAN
SUN STAFF WRITER

JONESBORO — Plans for a proposed new subdivision adjacent to Sage Meadows were rejected Tuesday by the Metropolitan Area Planning Commission.

It was a complicated proposition in that Kevin Kessinger, owner of JG Properties, was seeking final plan review for Soleil at Sage Meadows. The 65-lot subdivision on 11.63 acres, had originally been approved as a planned unit development (PUD) known as The Village at Sage Meadows in 1999.

Nothing had been done with the property until Kessinger purchased it recently. Kessinger sought what he considered minor revisions to the original plan.

City Planner Otis Spriggs said developers normally have two years to begin construction after a PUD is approved. However, he said the commission had the option to extend that period.

Brian Umberson, a resident of Sage Meadows, said a lot has changed in the area

since 1999. When the PUD was approved, Sage Meadows had only 65 homes, Umberson said. Now there are almost 400 houses there, he said.

Traffic problems

The plan to enter Soleil from Sage Meadows Boulevard would further complicate the traffic problems Sage Meadows residents have in entering Old Greensboro Road (Arkansas 351), Umberson said.

Umberson and others also said Kessinger should have met with Sage Meadows residents before bringing the plan to the commission. Kessinger said he attempted to contact the Sage Meadows Property Owners Association but never got a reply.

Commissioners said a second entrance to Soleil was needed.

The original PUD called for a second entrance into Sage Meadows by way of Western Gales Cove. Since then, that street was abandoned, and a house was constructed on it, blocking access to the new

subdivision, Spriggs said.

Kessinger said a suggested entrance from Macedonia Road wasn't feasible because it would force him to reduce the lot sizes for the rest of the development.

Spriggs said the revised plans also don't show provisions for privacy fencing along Arkansas 351 or sidewalks, as approved in 1999.

Option to withdraw rejected

Commissioners gave Kessinger the option to withdraw his proposal in order to meet with neighboring residents, but Kessinger said he would prefer a decision be made immediately so that he would have a better understanding of his options.

Then commissioners tried to figure out their own options.

City Attorney Phillip Crego said the commission could vote to recommend that the City Council revoke the original PUD. The property would then revert to its former zoning of C-3 General Commercial. Commissioner Ken Collins said neither side

would like the potential ramifications of that decision.

Collins eventually made a motion to approve of the plans but with stipulations that Kessinger would have to meet with property owners to develop a compromise, a second entrance from Macedonia Road would have to be included, the entrance off of Sage Meadows Boulevard would have to be moved back to the original location and the developer would have to satisfy engineering concerns regarding a road inside the subdivision.

The motion was approved 6-1. Stan Clink of Memphis, Kessinger's engineer, said they would be unable to develop the property under those conditions.

Another rejection

Also rejected Tuesday was a proposal by Ted Troutman to rezone approximately 0.87 acres located at 709 North Caraway Road from R-1 Residential to RS-7 Residential.

Troutman sought the rezoning because R-1 requires a 60-foot-wide lot, while

the property is only 59 feet wide.

Several neighboring residents voiced their objections to the proposal because Troutman already has rental houses in the neighborhood that they believe are a detriment.

The commission voted 7-0 to recommend that the City Council deny rezoning. Troutman has a right to appeal the decision.

Commissioners also voted 7-0 to recommend approval of the proposed annexation of 159 acres located behind 6106 Southwest Drive.

The property, owned by Paulette Quinn, is located between Wimpy Lane and Hendrix Road.

The highway frontage is zoned industrial and is headquarters for Quinn Aviation.

Bobby Gibson, Quinn's attorney, said the family plans to relocate the airstrip farther away from the city if the property can be sold for residential development.

The commission also approved the following requests:

- Jim Abel for preliminary and final approval of plans for Brookstone Subdivision, Phase II, containing 16 lots on 3.85 acres;

- Jim Bryant for conditional use to locate a double-wide mobile home at 2017 Magnolia Road; and

- Burrow-Halsey Holdings to rezone approximately 5.96 acres located on Parker Road between Wood Street and Paula Drive from R-2 Residential to C-3 Commercial. Commissioner Jerry Halsey Jr., a principal in Burrow-Halsey Holdings, did not participate in the vote.

A request for site plan review for Jonesboro Cycle and ATV, to be located on 1.3 acres at 2206 Stadium Blvd., was withdrawn prior to the meeting.

Commissioner Marvin Day presided over the meeting in the absence of chairman Ken Beadles.

New commissioner Paul Hoelscher was attending his first meeting. Hoelscher replaced George Krennerich on the commission.

