



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Council Agenda City Council

Tuesday, August 6, 2013

5:30 PM

Huntington Building

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

City Council Chambers, Huntington Building

PUBLIC HEARING AT 5:20 P.M.

Regarding the abandonment of a 10 foot drainage easement at 4628 Keely Cove as requested by Quentin Duff/Aidmore Property Group, LLC

PUBLIC HEARING AT 5:25 P.M.

Regarding a proposed ordinance to authorize the issuance of industrial development bonds in an amount of up to \$41,000,000 for Unilever

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-13:053 Capital Improvement projects presentation from Mark Nichols

Sponsors: Engineering

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-13:059 Minutes for the City Council meeting on July 16, 2013

Attachments: [Minutes](#)

MIN-13:061 Minutes for the special called City Council meeting on July 30, 2013

Attachments: [Minutes](#)

RES-13:110 RESOLUTION AUTHORIZING THE CITY OF JONESBORO GRANTS AND COMMUNITY DEVELOPMENT DEPARTMENT TO SUBMIT AN APPLICATION FOR THE 2013 JAG GRANT

Sponsors: Grants

Attachments: [Abstract](#)

[Budget Narrative](#)

[Budget Sheet](#)

[Program Narrative](#)

Legislative History

7/23/13 Finance & Administration Recommended to Council
Council Committee

RES-13:117 RESOLUTION ESTABLISHING AND APPOINTING MEMBERS TO THE COMMITTEE TO STUDY MULTI-FAMILY HOUSING ISSUES FOR THE CITY OF JONESBORO FOR A PERIOD OF 6 MONTHS

Sponsors: Mayor's Office

Legislative History

7/16/13 Nominating and Rules Recommended to Council
Committee

RES-13:118 A RESOLUTION TO MAKE APPOINTMENTS/REAPPOINTMENTS TO BOARDS AND COMMISSIONS AS RECOMMENDED BY MAYOR PERRIN

Sponsors: Mayor's Office

Legislative History

7/16/13 Nominating and Rules Recommended to Council
Committee

RES-13:120 RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING A CHANGE ORDER WITH OLYMPUS CONSTRUCTION FOR ADDING LOW MAINTENANCE VINYL TILE TO SELECTED AREAS OF THE BASEMENT FLOOR AT THE MUNICIPAL CENTER

Sponsors: Finance

Attachments: [Change order for flooring](#)

Legislative History

7/23/13 Finance & Administration Recommended to Council
Council Committee

6. NEW BUSINESS

COM-13:054 Request by Chris Burnett to set an appeal hearing regarding the denial by the MAPC to rezone property located at North Church and Thomas Green Road from R-1 to C-3

Attachments: [Appeal Letter](#)

[MAPC Report](#)

ORDINANCES ON FIRST READING

ORD-13:038 AN ORDINANCE AUTHORIZING AND DIRECTING THE ISSUANCE OF A SERIES OF INDUSTRIAL DEVELOPMENT REVENUE BONDS FOR THE PURPOSE OF PROVIDING FINANCING FOR INDUSTRIAL FACILITIES; AUTHORIZING AND

APPROVING (1) A SUPPLEMENTAL TRUST INDENTURE SECURING THE BONDS, (2) A SUPPLEMENTAL LEASE AGREEMENT BETWEEN THE CITY OF JONESBORO, ARKANSAS AND UNILEVER MANUFACTURING (US), INC. (AS SUCCESSOR TO AND ASSIGNEE OF ALBERTO-CULVER USA, INC.), AS LESSEE, (3) PRIVATE PLACEMENT MEMORANDUM, AND (4) A PRIVATE PLACEMENT AGREEMENT; AND AUTHORIZING AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.

Attachments: [Letter 6/21/2013](#)
[Letter 7/2/2013](#)

Legislative History

7/23/13 Finance & Administration Recommended to Council
Council Committee

ORD-13:039 AN ORDINANCE TO VACATE AND ABANDON A 10' DRAINAGE EASEMENT AT 4628 KEELY COVE AND DECLARING AN EMERGENCY FOR THE PURPOSE OF EXPEDITING THE SALE BY THE PROPERTY OWNER AS REQUESTED BY QUENTIN DUFF/AIDMORE PROPERTY GROUP, LLC

Attachments: [Plat](#)
[Planning/Engineering Letter](#)
[Petition](#)
[Application](#)
[Note regarding abutting property owners](#)

EMERGENCY CLAUSE

RESOLUTIONS TO BE INTRODUCED

RES-13:088 RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 214 S Fisher St, Owner Charles Rosse

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST](#)
[Inspection report](#)
[214 S Fisher St](#)
[100E2884](#)
[100E2888](#)
[100E2896](#)
[100E2903](#)

Legislative History

6/18/13 Public Safety Council Recommended Under New Business
Committee

RES-13:089 RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 404 W Forrest St, Owner Kenneth E Ento.

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST](#)
[Inspection Report089Inspection Report](#)
[404 E Forrest St](#)

Legislative History

6/18/13 Public Safety Council Recommended Under New Business
Committee

RES-13:090 RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS
to condemn property at 4309 Stonebrook Dr, Owner: Joanna Grymes.

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST](#)
[Inspection report 4309](#)
[4309 Stonebrook Dr](#)

Legislative History

6/18/13 Public Safety Council Recommended Under New Business
Committee

RES-13:091 RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS
to condemn property at: 914 Marcom Dr, Owner April Harrison.

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST](#)
[Inspection Report086Inspection Report](#)
[914 Marcom Dr](#)

Legislative History

6/18/13 Public Safety Council Recommended Under New Business
Committee

RES-13:092 RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS
to condemn property at 802 E Oak St, Owner John Davis.

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST](#)
[Inspection Report088Inspection Report](#)
[802 E Oak St](#)

Legislative History

6/18/13 Public Safety Council Recommended Under New Business
Committee

RES-13:093 RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS
to condemn property at: 700 Freeman St, Owner Tekesea L Williams.

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST](#)
[Inspection Report087Inspection Report](#)
[700 Freeman St](#)

Legislative History

6/18/13 Public Safety Council Recommended Under New Business
 Committee

7. UNFINISHED BUSINESS

ORDINANCES ON SECOND READING

ORD-13:032 AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-3 TO PD-R FOR PROPERTY LOCATED ON NORTH CULBERHOUSE AS REQUESTED BY ROBERT ABRAHAM

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

Legislative History

7/16/13 City Council Held at one reading

ORDINANCES ON THIRD READING

ORD-13:027 AN ORDINANCE TO VACATE AND ABANDON THAT PART OF THE UNDEVELOPED PORTION OF AVENIR PLACE CUL-DE-SAC, LYING AT THE WEST END OF THE PLATTED RIGHT-OF-WAY OF AVENIR PLACE, AS SHOWN ON THE PRIMARY CARE INVESTMENTS REPLAT OF JMEC ADDITION AND LOTS 1 AND 2 BROWNS LANDING ADDITION TO JONESBORO, ARKANSAS; AND RECORDED IN BOOK H, PAGE 141

Attachments: [Engineering Letter](#)
 [Utility Letters](#)
 [Plats](#)
 [Planning Letter](#)
 [Petition](#)
 [Letter regarding Centerpoint Energy](#)
 [Nearby property owners consent](#)

Legislative History

7/2/13 City Council Held at one reading
 7/16/13 City Council Held at second reading

ORD-13:031 AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-3 LUO FOR PROPERTY LOCATED AT 2600 ALEXANDER DRIVE AS REQUESTED BY NIX DEVELOPMENT

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

Legislative History

7/16/13 City Council Waive Second Reading

[ORD-13:033](#) AN ORDINANCE TO AMEND CHAPTER 117 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-4 LUO FOR PROPERTY LOCATED AT 1410 E. HIGHLAND DRIVE AS REQUESTED BY JOAN CROCKER

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

Legislative History

7/16/13 City Council Waive Second 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



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Legislation Details (With Text)

File #: COM-13:053 **Version:** 1 **Name:** Capital Improvement presentation by Mark Nichols
Type: Other Communications **Status:** To Be Introduced
File created: 7/29/2013 **In control:** City Council
On agenda: **Final action:**
Title: Capital Improvement projects presentation from Mark Nichols
Sponsors: Engineering
Indexes: Presentations
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Capital Improvement projects presentation from Mark Nichols



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Legislation Details (With Text)

File #: MIN-13:059 **Version:** 1 **Name:**
Type: Minutes **Status:** To Be Introduced
File created: 7/22/2013 **In control:** City Council
On agenda: **Final action:**
Title: Minutes for the City Council meeting on July 16, 2013
Sponsors:
Indexes:
Code sections:
Attachments: [Minutes](#)

Date	Ver.	Action By	Action	Result
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Minutes for the City Council meeting on July 16, 2013



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, July 16, 2013

5:30 PM

Huntington Building

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

NOMINATING & RULES COMMITTEE MEETING AT 5:15 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 10 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Rennell Woods and Charles Coleman

Absent 2 - Tim McCall and Mikel Fears

4. SPECIAL PRESENTATIONS

5. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Councilman Chris Moore, seconded by Councilman Chris Gibson, to Approve the Consent Agenda. The motioned PASSED

Aye: 10 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Rennell Woods and Charles Coleman

Absent: 2 - Tim McCall and Mikel Fears

MIN-13:056 Minutes for the City Council meeting on July 2, 2013

Attachments: [Minutes](#)

This item was PASSED on the consent agenda.

RES-13:086 A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE MAYOR AND CITY CLERK TO ACCEPT A PERMANENT DRAINAGE EASEMENT FROM SAGE MEADOWS - POA FOR THE PURPOSE OF MAKING

DRAINAGE IMPROVEMENTS

Sponsors: Engineering

Attachments: [Permanent Drainage Easement.pdf](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-084-2013

RES-13:094 A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE MAYOR AND CITY CLERK TO ACCEPT A PERMANENT DRAINAGE EASEMENT FROM LEE T. ROBERTS AND FAY D. ROBERTS FOR THE PURPOSE OF MAKING DRAINAGE IMPROVEMENTS

Sponsors: Engineering

Attachments: [Permanent Drainage Easement.pdf](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-085-2013

RES-13:097 RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO SELL PROPERTY LOCATED AT 508 WEST MONROE, JONESBORO, ARKANSAS TO BRYANT MARSHALL

Sponsors: Mayor's Office

Attachments: [Building Facilities Minutes May 2013](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-086-2013

RES-13:098 RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO SELL PROPERTY LOCATED AT 5300 C.W. POST ROAD, JONESBORO, ARKANSAS TO LINDA WOFFORD (ENGINES, INC.)

Sponsors: Mayor's Office

Attachments: [Building Facilities Minutes May 2013](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-087-2013

RES-13:100 A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE MAYOR AND CITY CLERK TO ACCEPT RIGHT-OF-WAY FROM FIRST SECURITY BANK TO ADD A RIGHT TURN LANE AT NORTHWEST CORNER OF STADIUM BOULEVARD AND NETTLETON AVENUE

Sponsors: Engineering

Attachments: [Dedication Deed.pdf](#)
[Right-of-Way.pdf](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-088-2013

RES-13:101 A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE MAYOR AND CITY CLERK TO ACCEPT A PERMANENT DRAINAGE EASEMENT FROM THOMAS ROUSH AND DIANA BROWN ROUSH FOR THE PURPOSE OF MAKING DRAINAGE IMPROVEMENTS

Sponsors: Engineering

Attachments: [Permanent Drainage Easement.pdf](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-089-2013

RES-13:102 A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE MAYOR AND CITY CLERK TO ACCEPT A PERMANENT DRAINAGE EASEMENT FROM BARRY E. BRYANT AND SANDRA D. BRYANT FOR THE PURPOSE OF MAKING DRAINAGE IMPROVEMENTS

Sponsors: Engineering

Attachments: [Permanent Drainage Easement.pdf](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-090-2013

RES-13:103 A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE MAYOR AND CITY CLERK TO ACCEPT A PERMANENT DRAINAGE EASEMENT FROM REBECCA COOPER FOR THE PURPOSE OF MAKING DRAINAGE IMPROVEMENTS

Sponsors: Engineering

Attachments: [Permanent Drainage Easement.pdf](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-091-2013

RES-13:104 A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE MAYOR AND CITY CLERK TO ACCEPT A PERMANENT DRAINAGE EASEMENT FROM DONALD C. MATTHEWS AND NANCY L. MATTHEWS FOR THE PURPOSE OF MAKING DRAINAGE IMPROVEMENTS

Sponsors: Engineering

Attachments: [Permanent Drainage Easement.pdf](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-092-2013

RES-13:105 A RESOLUTION APPROVING THE SUBMISSION OF THE AMENDED FY 2013

COMMUNITY DEVELOPMENT BLOCK GRANT ACTION PLAN AND PROPOSED BUDGET TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Sponsors: Grants

Attachments: [FY 2013 ACTION PLAN 6.14.13 FINAL AMENDED](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-093-2013

6. NEW BUSINESS

COM-13:048 Request by Unilever Manufacturing to set a public hearing regarding a proposed ordinance which would authorize the issuance of industrial development bonds in an amount of up to \$41,000,000

Attachments: [Letter dated June 21, 2103](#)
[Letter dated July 2, 2013](#)
[Notice](#)
[Proposed ordinance](#)

Councilman Street motioned, seconded by Councilman Dover, to set the public hearing for 5:20 p.m. on August 6, 2013. All voted aye.

ORDINANCES ON FIRST READING

ORD-13:025 AN ORDINANCE AMENDING APPENDIX 7 OF THE STORMWATER DRAINAGE DESIGN MANUAL

Sponsors: Engineering

Attachments: [Appendix 7.pdf](#)

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

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

Councilman Dover asked for a brief summary as to what the changes will be. City Engineer Craig Light explained ADEQ updated their stormwater permit requirements and this ordinance will put those requirements in the City's manual as a local code.

A motion was made by Councilman John Street, seconded by Councilman Chris Moore, that this matter be Passed . The motion PASSED with the following vote:

Aye: 10 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

Absent: 2 - Tim McCall and Mikel Fears

Enactment No: O-EN-024-2013

ORD-13:031 AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1

TO C-3 LUO FOR PROPERTY LOCATED AT 2600 ALEXANDER DRIVE AS REQUESTED BY NIX DEVELOPMENT

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

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

Councilman Street questioned whether there was any opposition to this rezoning. City Planner Otis Spriggs answered there was no opposition at the MAPC meeting.

A motion was made by Councilman John Street, seconded by Councilman Darrel Dover, to Waive Second Reading . The motion PASSED with the following vote:

Aye: 10 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

Absent: 2 - Tim McCall and Mikel Fears

ORD-13:032 AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-3 TO PD-R FOR PROPERTY LOCATED ON NORTH CULBERHOUSE AS REQUESTED BY ROBERT ABRAHAM

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

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

Mr. Spriggs stated there were residents who appeared at the MAPC meeting and he listed their comments in his staff report. They had questions concerning what was being asked for. After it was explained to them that under the current density the property owners are allowed to build over 200 units, the residents who had concerns then understood that this proposal was a better option. Councilman Street clarified that the property owners will be building 88 units, as opposed to the over 200 they could build under the current zoning. Mr. Spriggs agreed.

Councilman Moore recommended reading the ordinance over the course of three meetings due to the opposition at the MAPC meeting.

This ordinance as held at one reading.

ORD-13:033 AN ORDINANCE TO AMEND CHAPTER 117 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-4 LUO FOR PROPERTY LOCATED AT 1410 E. HIGHLAND DRIVE AS REQUESTED BY JOAN CROCKER

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

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

Attorney Skip Mooney, representing the property owner, discussed the rezoning. He noted the MAPC unanimously voted to rezone the property. There is no known opposition. No opposition was presented at the MAPC meeting and there is none that he is aware of at this meeting.

A motion was made by Councilman Chris Moore, seconded by Councilman

Charles Coleman, that this matter be Waive Second Reading . The motion PASSED with the following vote:

Aye: 10 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

Absent: 2 - Tim McCall and Mikel Fears

RESOLUTIONS TO BE INTRODUCED

RES-13:075 RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 1511 French St. Owner Jason Meredith

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIS3](#)
[Inspection Report058Inspection Report](#)
[1511 French](#)

No one spoke concerning this condemnation.

A motion was made by Councilman Chris Gibson, seconded by Councilman Chris Moore, that this matter be Passed . The motion PASSED with the following vote:

Aye: 10 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

Absent: 2 - Tim McCall and Mikel Fears

Enactment No: R-EN-094-2013

RES-13:076 RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at: 3605 Longcrest Dr. Owner Helen Wrinkles ETAL

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIS3](#)
[Inspection Report059Inspection Report](#)
[3605 Longcrest](#)

No one spoke concerning this condemnation.

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

Aye: 10 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

Absent: 2 - Tim McCall and Mikel Fears

Enactment No: R-EN-095-2013

RES-13:107 RESOLUTION TO SET A PUBLIC HEARING TO ABANDON A 10 FOOT DRAINAGE EASEMENT AT 4628 KEELY COVE AS REQUESTED BY QUENTIN DUFF AIDMORE PROPERTY GROUP, LLC.

Attachments: [Plat](#)
 [Planning letter](#)
 [Petition](#)
 [Application](#)
 [Note saying why no abutting property owner letters](#)

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

Aye: 10 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

Absent: 2 - Tim McCall and Mikel Fears

Enactment No: R-EN-096-2013

7. UNFINISHED BUSINESS

ORDINANCES ON SECOND READING

ORD-13:027 AN ORDINANCE TO VACATE AND ABANDON THAT PART OF THE UNDEVELOPED PORTION OF AVENIR PLACE CUL-DE-SAC, LYING AT THE WEST END OF THE PLATTED RIGHT-OF-WAY OF AVENIR PLACE, AS SHOWN ON THE PRIMARY CARE INVESTMENTS REPLAT OF JMEC ADDITION AND LOTS 1 AND 2 BROWNS LANDING ADDITION TO JONESBORO, ARKANSAS; AND RECORDED IN BOOK H, PAGE 141

Attachments: [Adjacent property owner consent](#)
 [Utility Letters](#)
 [Plats](#)
 [Planning Letter](#)
 [Petition](#)
 [Letter regarding Centerpoint Energy](#)

Councilman Moore asked if the City Engineer still had concerns with this abandonment. City Engineer Craig Light explained he discussed the abandonment with Terry Bare, who is representing the property owners, and found that abandoning all of the right of ways is not possible. They discussed an encroachment permit, which will allow the parking lots to be placed in the right of way. But, if at any time the City needed to do work in that area they could. The property owner was not interested in that option; rather, they would like to put the parking spaces in an area they have more permanent rights to. They are back to the original question of whether or not to allow for the right of way for the parking spaces or to keep it as a public right of way.

Mr. Bare explained the abandonment started in August, 2012, when he approached Mr. Light about the issue. One of the utility companies was slow to respond and they are just now presenting this to Council. There are three other businesses utilizing the right of way for parking. He noted his clients are just asking to take a portion of the right of way off.

Councilman Frierson questioned whether all of the adjoining property owners signed the petition. Mr. Bare stated they were all notified and no one was against it.

Councilman Frierson explained he thought all of the adjoining property owners would need to sign the petition showing their agreement with the abandonment. Councilman Dover then questioned if what the City is asking is standard for every development. Mr. Light answered yes, they have a standard right of way for developments for roadways and cul de sacs. That is what the City acquired several years ago when the land was subdivided.

Ms. Chrissy Wright, one of the property owners, explained they tried to expand the parking a year ago and the City informed them there was supposed to be a cul de sac there that was never put in. She then asked if the cul de sac could be put in and they were told the City would not build the cul de sac; that their best option is to abandon the property since they have already been maintaining the property. She explained they have been watering the grass and mowing it for twelve years. Another property owner has already done some pavement on part of the easement. She noted they are trying to follow the rules and ask for an abandonment, but don't think it's fair that they have spent the money to develop it just to be told that they have to tear it up.

Councilman Street asked if Mr. Light would have objections to abandoning the whole street. Mr. Light noted there are other properties that have frontage on the street who would lose frontage on a city street if the street is abandoned. There is a developed lot along the paved portion of the roadway. It's just the cul de sac that has not been developed. Councilman Frierson questioned whether the street was ever accepted by the City as a street. Mr. Light answered he believes so.

City Clerk Donna Jackson then questioned whether all the property owners have signed the petition. Mr. Light said he doesn't think so. Mayor Perrin agreed, saying he doesn't think all of the owners have signed the petition. Ms. Wright stated they are the only property owners that will be affected by the abandonment. Councilman Moore stated he was confused due to Mr. Bare's earlier statement that the other property owners were notified, but didn't sign the petition. Mr. Bare explained there is no abutting property because the City is the other property owner. Councilman Moore clarified there is no other other abutting owner involved in this, other than the City's interest. Mr. Bare agreed.

Councilman Frierson asked the City Attorney if they were dealing with taking half a street it would have to be done with the signing and permission of every other owner on the street. He then questioned if what is being proposed falls into the legal definition. City Attorney Phillip Crego explained he has not addressed the specific circumstance, but City ordinances do require the consent of the abutting property owners. But, according to Mr. Bare is there no property owner other than the petitioners and the City. He noted he has not seen a diagram of the abandonment.

Councilman Vance asked if the ordinance was held at second reading, if Mr. Bare could get the signatures of the other property owners showing their consent to the abandonment. It was noted there are letters from two of the property owners that are signed and show their consent. It was asked for Mr. Bare to obtain the third property owner's consent and present it at the next meeting.

This item was Held at second reading.

ORDINANCES ON THIRD READING

ORD-13:026

AN ORDINANCE AMENDING CHAPTER 117, THE ZONING ORDINANCE TO REZONE FROM R-1 RESIDENTIAL TO PD-M PLANNED MULTIUSE FOR PROPERTY LOCATED AT 4021 SOUTHWEST DRIVE AS REQUESTED BY KAGLE

& SHARON HUFF

Attachments: [Plat](#)
[Staff Summary RZ 13-07 Kagle Huff Council](#)

Councilman Street asked if there has been any opposition since the last meeting. Mr. Spriggs answered no.

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

Aye: 10 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

Absent: 2 - Tim McCall and Mikel Fears

Enactment No: O-EN-025-2013

ORD-13:028

AN ORDINANCE TO AMEND CHAPTER 117, ARTICLE III, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS, PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO PD-C FOR PROPERTY LOCATED ON THE EAST SIDE OF US 63, EXIT 40 BETWEEN WEST PARKER ROAD AND INGELS ROAD AS REQUESTED BY LOVE'S TRAVEL STOP

Attachments: [Plat](#)
[Traffic Engineer Recommendations](#)
[Staff Summary RZ 13-06Loves Rezoning COUNCIL](#)

Councilman Street asked if there has been any opposition to this rezoning. Mr. Spriggs answered no.

A motion was made by Councilman Mitch Johnson, seconded by Councilman Chris Gibson, that this matter be Passed . The motion PASSED with the following vote:

Aye: 10 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

Absent: 2 - Tim McCall and Mikel Fears

Enactment No: O-EN-026-2013

8. MAYOR'S REPORTS

Mayor Perrin reported on the following items:

The special called Public Works meeting that was for tonight has been cancelled. They were going to discuss ASU's request to change the name of Stadium Blvd to Red Wolves Blvd. Because it was a special called meeting, they decided to cancel the meeting in order to have more time to gather more data and input from the public. That item will be scheduled for August 6th at 5:00 p.m. on the Public Works agenda.

They had a 911 meeting with all of the Craighead County mayors to discuss the tower. It was a good meeting. Hopefully the Services Center tower will be down later this month and put on Strawfloor. Homeland Security was in town doing work on disaster recovery for northeast Arkansas.

Last weekend, Miracle League hosted a bike and car show at Southside. It raised

\$4,650 for the field.

They met with the Highway Department last Friday and yesterday. They toured the projects they have asked the Highway Department for funding, as well as planning participation, with those projects. They expect to hear something within the next few weeks. He would like Mark Nichols, traffic engineer, to show the Council what the projects are. With the new one cent sales tax, the City will be receiving \$1.1 million each year for ten years. They would like to ensure they are able to do as much as they can with that funding to maximize the return on those investments. The Engineering Department and MPO Director Dr. Marsha Guffey have come up with five to six major projects and estimates for those projects.

They added Todd Burton and Doug Ward to the proposed multi-family housing study committee.

9. CITY COUNCIL REPORTS

Councilman Gibson asked for an update regarding the ditch behind Country Club Terrace. Mayor Perrin explained Mississippi County will be looking at it. There is a mosquito concern, but he is also concerned about a possible drainage issue. Councilman Gibson then noted there is a sinkhole on Clubhouse Drive at Sage Meadows. It's in a vacant lot that children cut across. Mayor Perrin stated he'll get the address from Councilman Gibson so they can look at it.

Councilman Moore referred to the City's minimum dimension requirements for residential districts. The City requires 8,000 square feet for a single-family R-1 house. He stated if someone comes close, such as 7,900 square feet on the lot, it was his understanding that the Board of Zoning Adjustments could give setbacks. But, it's come to his attention that the BZA does not have that authority. So, if someone tries to get a permit for a single-family residence and only has 7,800 or 7,900 square feet then there's no one to appeal to. He spoke with Mr. Spriggs and they agreed the Planning Department should have that right if it's within 5% of the requirements. He asked if the lot is within 5% of the minimum lot requirement, that the Planning Department and their administration make the decision. Councilman Moore explained he doesn't know if an ordinance will need to be changed, but he asked if an ordinance can be prepared to that effect which will allow the Planning Director and his administration to make that determination. Mayor Perrin stated they will look at it and bring back a recommendation.

Councilman Moore also stated Mike Phillips has informed him that since the fair property has been developed he has had flood problems on his property. He asked for an update. Mr. Light explained they looked at a solution in which they would obtain property from Alec Farmer to dig a drainage ditch along the railroad tracks and going on to Bridger Creek. The property is actually in the county, so they discussed deeding it to the county as opposed the City. He is unsure who it will be deeded to. Once they get rights to it, they will dig a ditch and possibly re-grade some of the ditches along the roadway. The Highway Department will not do the work, but they will permit the City to do the work along the roadway to help alleviate problems. Councilman Moore asked for someone to contact Mr. Phillips. He noted that Mr. Phillips told him that before the fairgrounds were built they did not have a problem with water in their shop, but since the development they have had water in the shop on two or three separate occasions. Mr. Light noted the Fair Association used an engineer to develop detention facilities and he does not know of them not working. Mayor Perrin explained he thinks the remedy will be to clean out the ditch and make it bigger all the way under Highway 49. He added Mr. Farmer owns the property and has offered to give the City whatever property is needed to take care of the problem.

Councilman Vance noted a permit will be needed from the railroad since the work will be adjacent to the railroad. He further explained he has a commitment from the county to work with the City. Mayor Perrin stated they will have a recommendation at the next meeting.

Councilman Coleman asked for an update concerning the Patrick Street widening. Mr. Light explained they have discussed the project and are still determining whether it's a project they want to take on as a City. The estimated cost is \$326,000. They will not start on designing drawings until they get direction on whether or not the City will take on the project. He noted it has been surveyed and they know what property needs to be acquired. They will not design drawings or put it out for bid until they know whether or not the City wants to take it on.

10. PUBLIC COMMENTS

Mr. Harold Carter questioned whether the meetings for the multi-family housing study committee will be open to the public. Mayor Perrin answered yes. Mr. Carter then questioned when it will start. Mayor Perrin stated he will begin looking at dates and sending out emails tomorrow. Most of the meetings will be held at night because most of the members work during the day. Mr. Carter asked that he be notified of the meetings or it be released to the public when the meetings will be held. Mayor Perrin explained he will be contacting Jonesboro Sun reporter Keith Inman as well as putting it on the City's website.

Redeen Thomas, who had been in opposition to the Abraham rezoning at the MAPC meeting, spoke in favor of the rezoning. She explained the residents approved what has been proposed by Dr. Abraham. She further explained six of them met with Dr. Abraham and they are pleased with the plan.

11. ADJOURNMENT

A motion was made by Councilman Mitch Johnson, seconded by Councilman Rennell Woods, that this meeting be Adjourned . The motion PASSED with the following vote:

Aye: 10 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Rennell Woods and Charles Coleman

Absent: 2 - Tim McCall and Mikel Fears

_____ Date: _____

Harold Perrin, Mayor

Attest:

_____ Date: _____

Donna Jackson, City Clerk



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Legislation Details (With Text)

File #: MIN-13:061 **Version:** 1 **Name:**
Type: Minutes **Status:** To Be Introduced
File created: 7/31/2013 **In control:** City Council
On agenda: **Final action:**
Title: Minutes for the special called City Council meeting on July 30, 2013
Sponsors:
Indexes:
Code sections:
Attachments: [Minutes](#)

Date	Ver.	Action By	Action	Result
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Minutes for the special called City Council meeting on July 30, 2013



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, July 30, 2013

5:40 PM

Huntington Building

Special Called Meeting

1. CALL TO ORDER BY MAYOR PERRIN AT 5:40 P.M.

2. ROLL CALL BY CITY CLERK DONNA JACKSON

Present 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

3. NEW BUSINESS

RESOLUTIONS TO BE INTRODUCED

RES-13:123

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS ACCEPTING THE DEED FOR THE ARMY RESERVE CENTER

Sponsors: Mayor's Office

Attachments: [Army Reserve Quitclaim Deed](#)
[Army Reserve Comments July 2013](#)

Councilman Dover questioned when the City would be able to move into the building. Mayor Perrin stated once the deed is signed by the City it will take several weeks to get it signed by the federal government. He does not anticipate being able to get into the building for another four weeks, probably the end of August. He explained the main building is 12, 850 square feet, with an additional 2, 600 square feet in the motor pool. He added they budgeted \$1 million for renovations, but \$375,000 will have to be spent on getting new HVAC for the building.

A motion was made by Councilman John Street, seconded by Councilman Chris Moore, that this matter be Passed . The motion PASSED with the following vote:

Aye: 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

Enactment No: R-EN-097-2013

4. ADJOURNMENT

A motion was made by Councilman John Street, seconded by Councilman Chris Gibson, that this meeting be Adjourned . The motion PASSED with the following vote:

Aye: 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

_____ **Date:** _____

Harold Perrin, Mayor

Attest:

_____ **Date:** _____

Donna Jackson, City Clerk



Legislation Details (With Text)

File #:	RES-13:110	Version:	1	Name:	Application submission for 2013 JAG grant
Type:	Resolution	Status:		Status:	Recommended to Council
File created:	7/3/2013	In control:		In control:	Finance & Administration Council Committee
On agenda:		Final action:		Final action:	
Title:	RESOLUTION AUTHORIZING THE CITY OF JONESBORO GRANTS AND COMMUNITY DEVELOPMENT DEPARTMENT TO SUBMIT AN APPLICATION FOR THE 2013 JAG GRANT				
Sponsors:	Grants				
Indexes:	Grant				
Code sections:					
Attachments:	Abstract Budget Narrative Budget Sheet Program Narrative				

Date	Ver.	Action By	Action	Result
7/23/2013	1	Finance & Administration Council Committee		

RESOLUTION AUTHORIZING THE CITY OF JONESBORO GRANTS AND COMMUNITY DEVELOPMENT DEPARTMENT TO SUBMIT AN APPLICATION FOR THE 2013 JAG GRANT
Whereas, the City of Jonesboro is designated as a disparate jurisdiction with the Bureau of Justice Assistance, and

Whereas, the City of Jonesboro will enter into a Memorandum of Understanding with Craighead County, and

Whereas, the City of Jonesboro will apply for \$28,116, and

Whereas, the City of Jonesboro will use said funds for bomb suit-related equipment and K-9 vehicle cages;

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

SECTION 1: The City of Jonesboro will apply for \$28,116 from the Bureau of Justice Assistance 2013 Grant Program for bomb suit-related equipment and K-9 vehicle cages, and

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

Abstract

Name of Applicant: City of Jonesboro, AR Police Department

Project Title: Bomb Response Program and K-9 Vehicle Enhancement

Project Goals:

The goal of this project is to adequately suit a trained JPD officer with a bomb suit, a coolant suit, and a ballistics vest for safe and secure response to a possible bomb until Arkansas State Police can arrive to the scene. Further, it is to add K-9 cages to new SUVs purchased for K-9 officers.

Description of strategies to be used:

The City of Jonesboro will adhere to all appropriate policies and procedures for purchasing, including estimate and bid processes. Once the equipment is ordered, purchased and received, JPD will coordinate appropriate training, and installation. Once installed, JPD will maintain the equipment, communicating regularly on the status of the equipment to the JPD purchasing officer. The Police Department will itemize the repair and maintenance of said equipment in all future budgets.

Five Project Identifiers

1. Officer Safety
2. Vehicles - Police Cars
3. Computer software/hardware
4. Equipment -- Video/Audio Recording
5. Communications

Budget Narrative

Equipment: Bomb Suit, Coolant Suit, & Ballistics Vest

Cost:

\$18,000 = 1 bomb suit @ \$18,000, 1 coolant suit @ \$4,000, & 1 ballistics vest @ \$2,000.

Justification:

The requested funding will purchase the necessary equipment for one (1) JPD trained officer to safely and securely respond to bomb threats until the Arkansas State Police is able to respond with the bomb squad unit. JPD has already purchased a bomb dog towards this project.

Equipment: K-9 Cages for SUV

Cost:

\$4,116 = 2 cages @ \$2,058 each

Justification:

The requested funding will purchase two (2) K-9 cages for new SUV vehicles for JPD. JPD will be purchasing seven (7) new SUV vehicles for the K-9 Unit in fall 2013. Cages for these vehicles are needed. One (1) of these vehicles is for the Bomb dog.

All equipment will be purchased according to the City of Jonesboro's procurement processes along with federal guidelines to guarantee fair and open bidding. JPD will work closely with the Grants and Community Development Department in the bid process, ensuring that the provider who offers the most effective equipment, at the best rate possible is secured.

Total Amount Requested: \$28,116.00

Budget Plan to Purchase Bomb Response Equipment and K-9 Vehicle Cages			
Equipment	Unit Cost	Unit Number	JAG Costs
Bomb Suit	\$18,000.00	1	\$18,000.00
Coolant Suit	\$4,000.00	1	\$4,000.00
Ballistics Vest	\$2,000.00	1	\$2,000.00
SUV K-9 Cages	\$2,058.00	2	\$4,116.00
<i>Sub-Total</i>	<i>\$26,058.00</i>		<i>\$28,116.00</i>
Total Budget	\$26,058.00		\$28,116.00

Program Narrative: Bomb Response Program

The City of Jonesboro is requesting secured federal funding in the amount of \$28,116.00 for the purchase of a bomb suit, a coolant suit, and a ballistics vest; and two dog cages for the new SUV K-9 vehicles. Jonesboro Police Department is currently preparing to be able to adequately respond to possible bomb threats in the city, while waiting on the Arkansas State Police. The Arkansas State Police currently has the only bomb squad and is located in Little Rock, Arkansas. JPD has just purchased a bomb dog and now needs appropriate clothing for a trained officer. As JPD has been informed that the Arkansas State Police are in the process of moving a bomb squad to the Jonesboro area to facilitate faster response times, this is the only equipment that JPD will need in the area of bomb squad equipment. This equipment is necessary to ensure that the officer can function at full potential while on response to such a call involving possible bombs. The officer will receive training at no cost from the FBI, including training on how to respond to such calls, how to operate all equipment, and how to handle the newly purchased bomb dog.

The City of Jonesboro has increased in population an average of 2.5% each year, over the last 10 years, increasing from 55,000 in the 2000 census to 67,263 in the 2010 census. This increase in population has placed a larger demand for services to our residents, in addition to the 82 square miles the officers must cover. On any given day, there is an average of only 10 to 12 Patrol Officers in the field, forcing each officer to cover about 7 square miles. To be both efficient and effective in the field, while patrolling 7 or more square miles, it is absolutely pertinent that the officers be able to fully operate out of his/her vehicle. Therefore, it is absolutely necessary that the officer be fully equipped within his/her vehicle, including the bomb dog being with the

officer at all times, in case of calls. This officer will be responding to other 911 calls like all other Patrol officers, but if a bomb call comes through dispatch, this officer will be dispatched to that call, priority.

All JPD expenditures to date have had to occur over time due to a tight budget and a significant decrease in sales tax revenue for the City of Jonesboro over the last few years. The city will continue to leverage funds to continue this project until completion, and is requesting the full JAG - allocated \$28,116.00 to be utilized towards this goal.

The City of Jonesboro will collaborate with Craighead County in a Memorandum of Understanding to receive said funds. The City of Jonesboro will receive 100% of the \$28,116.00, as pursuant to the Department of Justice guidelines. All equipment funded shall be purchased using currently established purchasing procedures as set forth by the City of Jonesboro, Arkansas. The City of Jonesboro will take on all reporting responsibilities and fiscal oversight of said grant. These responsibilities will be accomplished through the successful collaboration between the City of Jonesboro Grant Administrator, the Chief of Police, Administration, and City Council. The City of Jonesboro is fully committed to the accomplishment of this project; and therefore, is prepared to provide funding for the repair and maintenance of the requested equipment. Again, this award will greatly benefit the Jonesboro Police Department and the Jonesboro community.



Legislation Details (With Text)

File #:	RES-13:117	Version:	1	Name:	Establishing and appointing members to study multi-family housing issues
Type:	Resolution	Status:		Status:	Recommended to Council
File created:	7/11/2013	In control:		In control:	Nominating and Rules Committee
On agenda:		Final action:			
Title:	RESOLUTION ESTABLISHING AND APPOINTING MEMBERS TO THE COMMITTEE TO STUDY MULTI-FAMILY HOUSING ISSUES FOR THE CITY OF JONESBORO FOR A PERIOD OF 6 MONTHS				
Sponsors:	Mayor's Office				
Indexes:	Appointment/Reappointment, Board/Commission				
Code sections:					
Attachments:					

Date	Ver.	Action By	Action	Result
7/16/2013	1	Nominating and Rules Committee		

RESOLUTION ESTABLISHING AND APPOINTING MEMBERS TO THE COMMITTEE TO STUDY MULTI-FAMILY HOUSING ISSUES FOR THE CITY OF JONESBORO FOR A PERIOD OF 6 MONTHS WHEREAS, Mayor Harold Perrin requested a committee to be formed in conjunction with a resolution passed earlier this month by the City Council placing a moratorium on future multi-family zoning inside the city limits.

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

A Committee to study Multi-family housing issues be established for a period of 6 months ending January 16, 2014 for the purpose of reviewing the multi-family housing inventory status and what recommendations may or may not need to be made moving forward in regards to multi-family zoning and development in the City of Jonesboro.

WHEREAS, the following are members of this committee:

Gary Harpole - Chairman, Gene Vance, Chris Moore, Dr. Charles Coleman, Lonnie Roberts, Ron Kelton, Dan Pasmore, James Shelton, Dan Parker, Todd Burton and Doug Ward

Terms for all the committee members shall start August 6, 2013, with an end date of January 16, 2014.



Legislation Details (With Text)

File #: RES-13:118 **Version:** 1 **Name:** Appointments/reappointments to boards and commission
Type: Resolution **Status:** Recommended to Council
File created: 7/11/2013 **In control:** Nominating and Rules Committee
On agenda: **Final action:**
Title: A RESOLUTION TO MAKE APPOINTMENTS/REAPPOINTMENTS TO BOARDS AND COMMISSIONS AS RECOMMENDED BY MAYOR PERRIN
Sponsors: Mayor's Office
Indexes: Appointment/Reappointment, Board/Commission
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
7/16/2013	1	Nominating and Rules Committee		

A RESOLUTION TO MAKE APPOINTMENTS/REAPPOINTMENTS TO BOARDS AND COMMISSIONS AS RECOMMENDED BY MAYOR PERRIN

WHEREAS, the following appointments and/or reappointments have been recommended by Mayor Harold Perrin.

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

AUDITORIUM COMMISSION

Appointment of Dr. Karen McDaniel and Laura Pickins to five-year terms expiring July 16, 2018

BOARD OF ADJUSTMENTS AND APPEALS

Appointment of Greg Baugh to fill the unexpired term of Roger Scott expiring April 30, 2014

CRAIGHEAD COUNTY SOLID WASTE DISPOSAL AUTHORITY

Reappointment of Wayne Bond, Joe Hafner, Michael Polk, Brent Provost and Garry Tate to three-year terms expiring July 16, 2016

JONESBORO PARKING AUTHORITY

Appointment of Ted Hergett to fill the unexpired term of Kent Arnold expiring April 1, 2017
Appointment of Clay Young to a five-year term expiring July 16, 2018

LAND USE COMMITTEE

Appointment of Wixson Huffstetler and Don Parker to five-year terms expiring July 16, 2018

METROPOLITAN AREA PLANNING COMMISSION (MAPC)

Appointment of Jim Scurlock to a three-year term expiring July 16, 2016



Legislation Details (With Text)

File #: RES-13:120 **Version:** 1 **Name:** Change order with Olympus for vinyl tile for Municipal Center

Type: Resolution **Status:** Recommended to Council

File created: 7/12/2013 **In control:** Finance & Administration Council Committee

On agenda: **Final action:**

Title: RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING A CHANGE ORDER WITH OLYMPUS CONSTRUCTION FOR ADDING LOW MAINTENANCE VINYL TILE TO SELECTED AREAS OF THE BASEMENT FLOOR AT THE MUNICIPAL CENTER

Sponsors: Finance

Indexes: Contract

Code sections:

Attachments: [Change order for flooring](#)

Date	Ver.	Action By	Action	Result
7/23/2013	1	Finance & Administration Council Committee		

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING A CHANGE ORDER WITH OLYMPUS CONSTRUCTION FOR ADDING LOW MAINTENANCE VINYL TILE TO SELECTED AREAS OF THE BASEMENT FLOOR AT THE MUNICIPAL CENTER

WHEREAS, The City of Jonesboro desires to enter into a change order with Olympus Construction for adding low maintenance vinyl tile to selected areas of the basement floor at the Municipal Center, and

WHEREAS, the City of Jonesboro previously entered into a contract with Olympus Construction and the contract sum prior to this requested change was \$2,734,550.48, and

WHEREAS, the change order will increase the contract by \$25,806.06 for a total contract of \$2,760,356.54.

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

SECTION 1: The City of Jonesboro shall enter into a change order with Olympus Construction for adding low maintenance vinyl tile to selected areas of the basement floor at the Municipal Center.

SECTION 2: A copy of said Change Order is attached hereto as Exhibit A.

SECTION 3: The Mayor, Harold Perrin, and the City Clerk, Donna K Jackson, are hereby authorized by the City Council for the City of Jonesboro to execute all documents necessary to effectuate this agreement.

Olympus Construction, Inc.
CONSTRUCTION
CONTRACT CHANGE ORDER PROPOSAL
RFI 41

OWNER: **City of Jonesboro**
 515 West Washington Ave
 Jonesboro, AR 72401

PROPOSAL CODE.: **MCR COP 44**
 PROJECT: Mercantile Center Renovations
 PROJECT NO.: 703

ARCH./ENGR.: **Brackett Krennerich Architects**
 100 East Huntington, Suit D
 Jonesboro, AR 72403

TODAY'S DATE: 07/10/13
 CONTRACT DATE: 12/13/12

CONTRACTOR: **Olympus Construction, Inc.**
 2506 W Washington Ave
 Jonesboro, AR 72401

ITEM NO.	ADD or MINUS	DESCRIPTION OF CHANGE TO SCOPE OF WORK	Quantity	Unit	Unit Labor	Labor Total	Unit Material	Material Total	SubContractor Total
1	ADD	Bob Robison Commercial Flooring	1	EA					\$21,853.00
2	ADD	General Conditions							
		Supervision	1	wk	\$1,500.00	\$1,500.00			
		Clean up remove Debris	3	days	\$96.00	\$288.00			
		a & b) Sub Material & Labor							\$21,853.00
		a.) Material						\$0.00	
		b) Sales tax					8.50%	\$0.00	
		c) Labor				\$1,788.00			
		d.) Insurance , General Liability			33.00%	\$590.04			
		SubTotal: a+b+c+d	\$24,231.04						
		e.) Overhead & Profit	\$1,211.55	5.00%					
		f.) Bond Premium	\$363.47	1.50%					
		Total: a+b+c+d+e+f	\$25,806.06						
NOTES									
Labor and material to change per site revisions (Note: Excludes, Mopping, and Waxing)									

Time Extension for work of this change order days 0.00
 Time Extension due to inclement weather days 0.00
 TOTAL TIME EXTENSION days 0.00

NOT VALID UNLESS SIGNED BY THE CONTRACTOR, OWNER & ARCHITECT

NOTE: This proposal does not reflect changes in the Contract Sum, Contract Time or Guaranteed Maximum Price authorized by previously approved Change Order Proposals.

CONTRACTOR
Olympus Construction, Inc.
 2506 West Washington
 Jonesboro, AR 72401

OWNER
City of Jonesboro
 515 West Washington Ave
 Jonesboro, AR 72401

ARCHITECT
Brackett Krennerich Architects
 100 East Huntington, Suit D
 Jonesboro, AR 72403

 DATE

 DATE

 DATE

BOB ROBISON COMMERCIAL FLOORING
210 Karen Court, Jonesboro, Arkansas, 72401
Office: 870- 931-8500 Fax: 870-935-7065
E-Mail: bob.robison@robisonflooring.com
Arkansas Contractors License No. 0070650713

QUOTATION

Date: July 9, 2013, 2013
To: Olympus Construction
Reference: Mercantile Center Basement Options
Fax:
Attention: Whitney Pardew

Whitney:

I had a meeting with Dwight and Kyle yesterday at Brackett & Krennerich and was asked to prepare a quote for Luxury Vinyl Tile from Mannington. Libii has these samples. I have also enclosed a spreadsheet from my computer system showing where we have figured LVT. (I went to the basement area with Larry Price yesterday and took a piece of LVT to see if we could work it under the Rubber Base so that base will not have to be replaced and that will work.

1. Luxury Vinyl Tile for these areas =	\$19,645.00
Rework existing base (working LVT under base) =	\$912.00
Tax =	\$1,296.00
Total =	\$21,853.00

If the mayor wishes to deduct any areas he can use a unit price of \$2.90 / sq. ft.

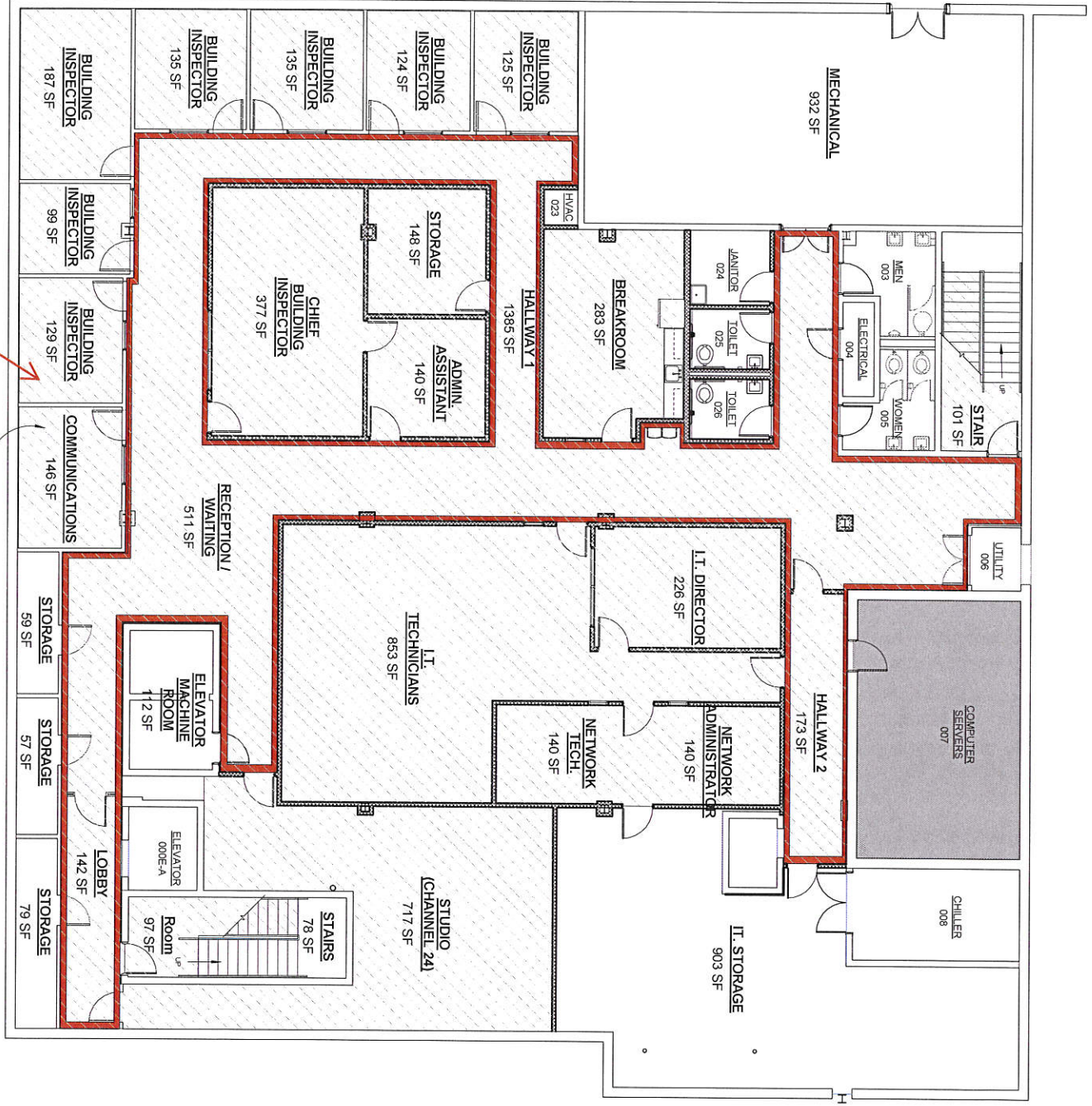
Footnote: 1. Luxury vinyl plank will require only mopping to maintain the floors; no waxing or buffing is required. 2. Since the area is now occupied I would request that the owner be responsible for moving furniture in order to keep down expenses. 3. We would need to do the majority of the work during normal working hours if possible.

Thank you,

Bob Robison

Bob Robison Commercial Flooring

LEGEND	
	12' X 24' PORCELAIN TILE
	12' X 12' VINYL TILE
	6' X 6' CERAMIC TILE
	RAISED COMPUTER FLOOR
	POLISHED CONCRETE
	EXISTING TO REMAIN
	RUBBER TILES
	BROADLOOM CARPET
	MODULAR CARPET
	PROPOSED NEW FLOOR



Armstrong "Walkway" Line Color - "Burlap" 18" SQ. LVT (shown with diagonal hatch)

basement floor finish plan

SCALE: 1/8" = 1'-0"

BRACKETT KRENNERICH architects

MERC JOI

Revision Schedule			
Tag	Rev. Description	Rev. Date	Issued by

Commission Number
12612
4004
Date: October 26, 2012



Legislation Details (With Text)

File #: COM-13:054 **Version:** 1 **Name:** Request for an appeal hearing by Chris Burnett
Type: Other Communications **Status:** To Be Introduced
File created: 7/30/2013 **In control:** City Council
On agenda: **Final action:**
Title: Request by Chris Burnett to set an appeal hearing regarding the denial by the MAPC to rezone property located at North Church and Thomas Green Road from R-1 to C-3
Sponsors:
Indexes: Appeal hearing requests
Code sections:
Attachments: [Appeal Letter](#)
[MAPC Report](#)

Date	Ver.	Action By	Action	Result
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Request by Chris Burnett to set an appeal hearing regarding the denial by the MAPC to rezone property located at North Church and Thomas Green Road from R-1 to C-3

Associated Engineering and Testing, LLC

P. O. Box 1462 – Jonesboro, AR 72403 – Phone (870) 932-3594 – Fax (870) 935-1263

July 30, 2013

Ms. Donna Jackson, City Clerk
Municipal Center
300 South Church Street
Jonesboro, Arkansas 72401

Re: MAPC Decision Appeal – Chris Burnett
Proposed Rezoning – North Church @ Thomas Green Road
MAPC RZ-13-11
Jonesboro, Arkansas

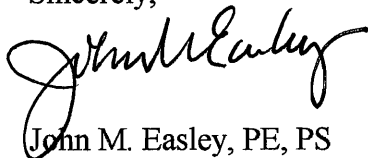
Dear Ms. Jackson;

On behalf of Mr. Chris Burnett, I would like to request that an appeal hearing be set by the Jonesboro City Council for consideration of the MAPC decision regarding the proposed rezoning request by Mr. Burnett. The rezoning request was denied by the MAPC during the July 9, 2013 meeting. The request was for a zoning of General Commercial District (C-3) for Lots 3, 4 and 5 less the east 10.00 feet of Lot 3 of the Wise Subdivision. The zoning was recommended by the Planning Department to allow Mr. Burnett to park a semi-truck at his home. Mr. Burnett is an over the road truck driver. Current city codes do not allow any vehicle over three-quarter ton to be parked in the Residential District (R-1).

During the MAPC meeting, Mr. Burnett agreed to several uses that would be prohibited under the zoning including adult entertainment, off-site advertisement and convenience stores. There were several neighbors that spoke against the rezoning, mainly regarding the appearance of Mr. Burnett's lot (grass not being mowed when needed, old vehicles on the lot, etc.). Mr. Burnett feels that the neighbor complaints were not a zoning issue, but rather a code enforcement issue. Mr. Burnett understands the neighbor's complaints and is working to improve his property by mowing the grass and removing the old vehicles and other items.

Mr. Burnett would like to someday develop the lots along Thomas Green Road into small or quiet commercial development. He would like to address the zoning and the neighbor's complaints before the City Council.

Sincerely,



John M. Easley, PE, PS
Associated Engineering and Testing, LLC



City of Jonesboro City Council
Staff Report – RZ 13-11: Burnett_Thomas Green Rd.
 Huntington Building - 900 W. Monroe
For Consideration by the Council on August 20, 2013

REQUEST: To consider a rezoning of a parcel of land containing 1.30 acres more or less.

PURPOSE: A request to consider a an appeal of a denial by MAPC to Council for a rezoning from R-1, Single Family Residential to C-3 General Commercial District, L.U.O.

**APPLICANT/
OWNER:** Chris Burnett, 2810 Church St., Jonesboro, AR 72401

LOCATION: Thomas Green Road, between Church and DanLee Drive.

**SITE
DESCRIPTION:** **Tract Size:** 1.30 acres / 56,764 sq. ft.
Frontage: Approx. 472’
Topography: Gradually Slopes
Existing Development: Residence

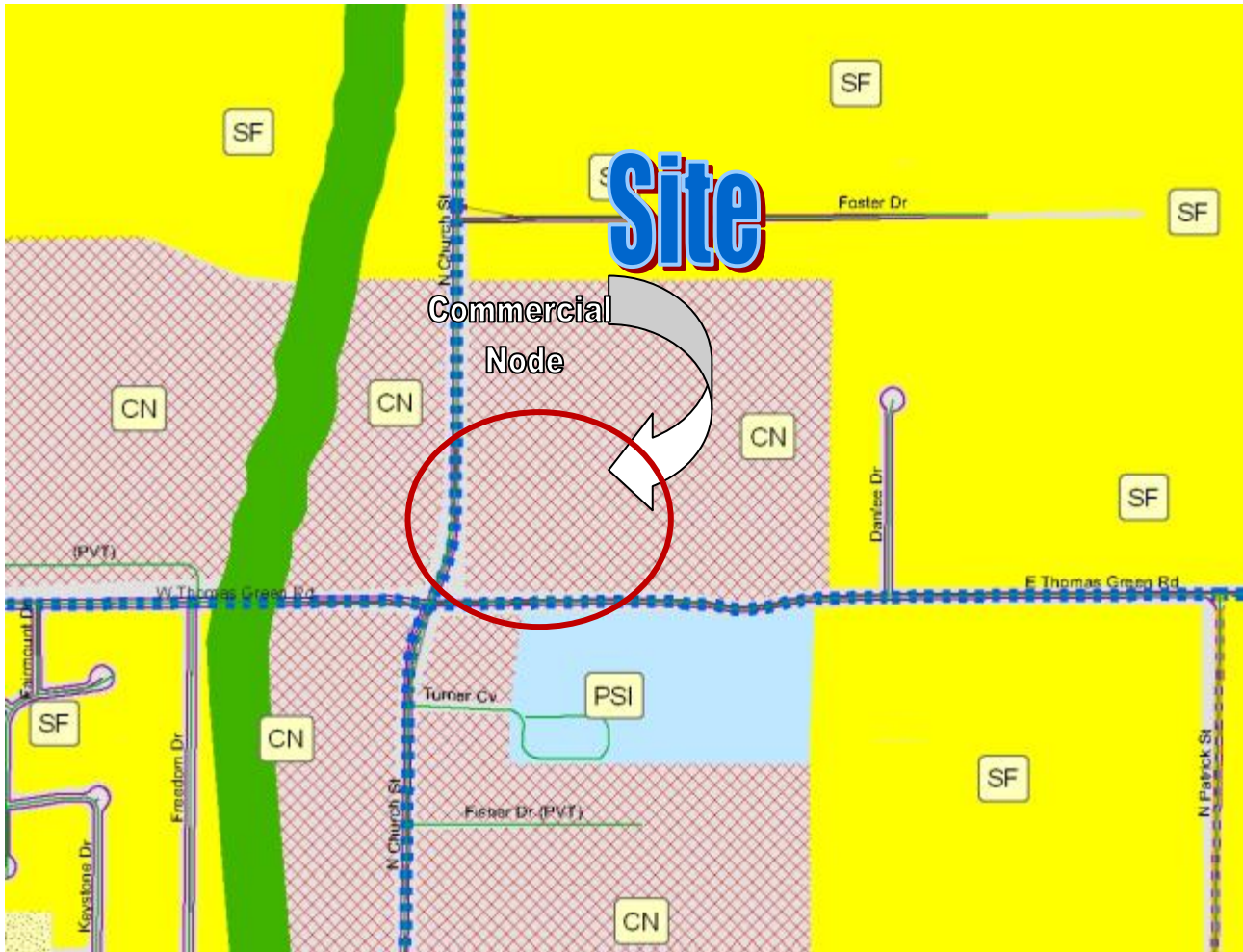
SURROUNDING CONDITIONS:	<u>ZONING</u>	<u>LAND USE</u>
North:	R-1	Residential
South:	R-1 C-3	Unimproved Office Building & Storage Warehouse
East:	R-1 C-3 LUO	Retail Store, Service Repair Garage, Office Building, & Storage Warehouse Unimproved
West:	R-1	Meadow Wood Subdivision
Northwest:	R-1	Unimproved

HISTORY: None.

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 Commercial Node. The proposed rezoning to C-3 General Commercial District is consistent with the adopted land use map.



Adopted Land Use Map

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. Plan Update is Pending.	See Land Use Section Above.
(b) Consistency of the proposal with the purpose of the zoning ordinance.	Yes.	Property is currently residential but fronts on a major arterial that has been proposed as a future Commercial Node.
(c) Compatibility of the proposal with the zoning,	Yes, as proposed.	Area is currently residential in nature with a school located just

uses and character of the surrounding area;		south of the tract.
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	Suitable.	
(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;	Minimal detrimental effects.	Property is currently Residential but highlighted as part of a commercial node on the long-range Land Use Map.
(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	Several years vacant platted property.	
(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.	With a few exceptions the associated impacts are minimal	Additional units (duplexes) would be equal impact if developed as single family and less impact on the potential by-right usage as High Density Multi-family. Common open space, sidewalks, community building, and possible picnic/gazebo area should be provided.



Vicinity/Zoning Map

Findings:

Master Street Plan/Transportation

The subject site is served by Thomas Green Road and Hwy. 141N, Church Street, which is on the Master Street Plan are defined as a Minor Arterial Street for Church St. /Hwy. 141 and a Collector Road for Thomas Green Road. The right of way from the street centerline as shown on the plat satisfies the Master Street Plan recommendations for Thomas Green Road and Hwy. 141.

Other Departmental/Agency Reviews:

Department/Agency	Reports/ Comments	Status
Engineering	Received	Shared access with commercial properties on either side should be required.
Streets/Sanitation	Received	No objection noted.
Police	Pending	No comments to date
Fire Department	Received	No objection noted.
MPO	Pending	Shared access with commercial properties on either side should be required.
Jets	Received	No objection noted.
Utility Companies	Received	No objection noted.

The applicant has proposed a C-3 General Commercial District rezoning. With the limited information there are a number of uses allowed by C-3 that would bring concern of compatibility such as:

- Adult Entertainment
- Off-Premises Advertisement

Staff has alerted the applicant that open-ended possible uses may result in community or neighborhood resistance due to the unknown of impacts. Their preference is to move forward as General Commercial, noting that the adult entertainment business would not pass approval because of the adjacent school.

THE FOLLOWING LIMITED USES ARE TYPICAL ADVISED AS REQUIRING A CONDITIONAL USE APPLICATION / APPROVAL BY THE MAPC:

- Carwash
- Cemetery
- Construction Services
- Convenience Store
- Gas Station
- General and Limited
- Vehicle Repair

The only means of addressing these uses, is contingent upon the applicant's desire to modify the request as a Limited Use Overlay, and by discouraging undesirable uses while giving attention to compatibility on others.

RECORD OF PROCEEDINGS: MAPC Public Hearing Held on July 9, 2013

Applicant: Mr. John Easley, Associated Engineering, presented on behalf of the applicant, representing Mr. Burnett. Mr. Easley stated that he intends to continue to park his truck on the site. He also noted that Thomas Green Road is a collector road as designated on the Master Street Plan.

Staff: Mr. Spriggs presented the staff findings of the Staff Report; noting that the Current/Future Land Use Map recommends this location as a Commercial Node, which would include general commercial uses. The proposed rezoning to C-3 General Commercial District is found to be consistent with the adopted land use map.

Master Street Plan: The subject site is served by Thomas Green Road and Hwy. 141N, Church Street, which is on the Master Street Plan are defined as a Minor Arterial Street for Church St. /Hwy. 141 and a Collector Road for Thomas Green Road. The right of way from the street centerline as shown on the plat satisfies the Master Street Plan recommendations for Thomas Green Road and Hwy. 141.

Departmental Reviews: No objections were made from CWL Utility, Streets, Sanitation, Fire nor the Jets departments. The MPO and Engineering Offices recommended shared access with commercial properties on either side should be required.

Mr. Spriggs stated that the applicant has proposed a straight C-3 General Commercial District rezoning. With the limited information there are a number of uses allowed by C-3 that would bring concern of compatibility such as adult entertainment and off-premises advertisement.

Staff alerted MAPC and the applicant that the open-ended possible uses may result in community or neighborhood resistance due to the unknown impacts. Other uses were read that become a potential issue adjacent to residential:

- Carwash
- Cemetery
- Construction Services
- Convenience Store
- Gas Station
- General and Limited
- Vehicle Repair
-

Mr. Spriggs reminded the Commission that the only means of addressing these uses is contingent upon the applicant's desire to modify the request as a Limited Use Overlay, and by discouraging undesirable uses while giving attention to compatibility on others.

Public Input: 16 persons stood in opposition.

Garry Tate: 2808 Dan Lee Dr.: Appeared before the MAPC noting that he previously served on the Jonesboro City Council. He added that he opposes rezoning this property because of past issues. There have been certain issues with Code Enforcement as stated by Ronnie Shavers. He referred to 500 pages of violation related information. Mr. Burnett exceeds the 1-ton capacity for commercial vehicles in residential areas. Code Enforcement has cited him before for the high grass that sometimes grows up to 2-3 ft. high. He has bush hogged it at times. He has several non-running vehicles that he recently moved inside.

Mr. Tate: We have invested several thousands of dollars of buildings since 1988, before the annexation and we got it approved and inspected by the City, before it was in the City. There are \$250k+ homes in the area. People still call him because he was a previous council member. I have talked to code enforcement concerning this and they had him to bush hog, but its right back to the same thing. It's not a place to be parking a tractor truck. We ask that you have the drainage issues resolved. We would like to see it cleaned up.

Tom Barnes, 210 E. Thomas Green Road. His property runs the entire back line of the subject property. Mr. Barnes noted that they have called to get his yard cleared up. Mr. Barnett only wants to have this property to have the tractor truck parked there. He noted that he has 42 years in the transportation industry. He voiced concerns of his property values.

Mr. Lance. His house has been up for sale a number of times. The yard has been mowed and manicured. Over 12 years, there has been 1- 2 trailers or more in that back yard with junk trailers, junk piles, or cars or old trucks parked in the yard. If the property were rezoned it will give an opportunity to park big cars and bring junk in there.

Mr. Randy Ishmael , 206 Philadelphia: appeared before the MAPC and voiced his concern of over 16 years as stated by the previous proponents. He is not aware of any enforcement that has occurred. It has not been kept up or treated like a residential area. This is clearly all residential with a few exceptions of a small area. The area is mostly owner occupied and well kept. The question of spot zoning was raised. Various surrounding uses were described: Churches, Dacus Fence, Philadelphia School, Nursing Home, etc. Parking of junk and trailers was mentioned. People have big front yards and changing the zoning will open up for everyone to rezone it for a commercial.

Mr. Tomlinson asked for clarification on the Lots 3, 4, and 5. **Mr. Easley:** Lot 1, is where he lives, and it is not for rezoning. **Mr. Tomlinson** commented on his visit to the site, and noted that he would not support a straight C-3 Rezoning, without putting any kind of constraints on the case. Some of the C-3 specified uses are objectionable. He asked if they would entertain a Limited Use

Overlay. With the Limited Overlay District, specific lists of permitted uses are required. The applicant was not in agreement at first; however after deliberation, the applicant agreed to amend his petition to a C-3 Limited Use Overlay District.

Mr. Spriggs clarified: The C-3 Limited Use Overlay shall prohibit adult entertainment uses, off site advertisement, tobacco and liquor sale establishments, carwash, cemetery, convenience store, drive-thru restaurants, and gas station.

Mr. Chris Burnett appeared before the Commission and stated that the property will not be used as a parking spot for inoperable, abandoned trucks and vehicles. He added that he only parks his leased truck there on occasion from another company. He is not home every night and he is gone 2-4 weeks at a time. The alleged vehicles belong to his son and he has obtained a business license with some of his friends to have a business elsewhere. **Mr. Burnett** told the Commission that he is taking responsibility of the property and his son's two vehicles will be gone, now that he is starting a business.

Commission Action:

Mr. Kelton made a **motion** to place Case: RZ-13-11 on the floor for consideration of the recommendation by MAPC to the City Council for the rezoning of this property from R-1, Single Family Residential to C-3 General Commercial District L.U.O. , subject to the Staff conditions. **Motion** was **seconded** by **Dover** who noted that on the basis that the neighbors have a right to appear with the concerns that were voiced, and noted that this is not a good fit for the property and area.

Roll Call Vote: Mr. Reece- Nay; Mr. Tomlinson- Nay; Ms. Schrantz- Nay; Mr. Dover- Nay; Mr. Kelton- Nay; Mr. Scurlock-Nay. Motion failed unanimously with a **6-0 vote of denial**.

Absent were Beverly Nix and Paul Hoelscher. Mr. Roberts chaired the meeting.

Conclusion:

The MAPC finds that the requested Zone Change submitted by Chris Burnett should be evaluated based on the above observations and criteria, of Case RZ 13-11 noted above, a request to rezone property from R-1, Single Family Residential to C-3 General Commercial District (Revise to Limited Use Overlay) should be denied, and forwards this recommendation of denial to the City Council.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



East Thomas Green Rd. viewing west toward southeast corner of site.



View of site from 210 East Thomas Green Rd. located east of site.



210 East Thomas Green Rd. located east of site.



Jonesboro Public Schools Math and Science located southeast of site.



Intersection of North Church Street and East Thomas Green viewing north toward site.



Vacant property located at the southeast corner of the North Church St. and East Thomas Green intersection.



Dacus Fence property located at the southwest corner of the North Church St. and East Thomas Green intersection.



Vacant property located at the northwest corner of the North Church St. and East Thomas Green intersection.



2806 North Church Street located north of site.



2810 North Church St. located north of site.



Legislation Details (With Text)

File #: ORD-13:038 **Version:** 1 **Name:** Bond issuance for Unilever
Type: Ordinance **Status:** First Reading
File created: 7/23/2013 **In control:** Finance & Administration Council Committee
On agenda: **Final action:**

Title: AN ORDINANCE AUTHORIZING AND DIRECTING THE ISSUANCE OF A SERIES OF INDUSTRIAL DEVELOPMENT REVENUE BONDS FOR THE PURPOSE OF PROVIDING FINANCING FOR INDUSTRIAL FACILITIES; AUTHORIZING AND APPROVING (1) A SUPPLEMENTAL TRUST INDENTURE SECURING THE BONDS, (2) A SUPPLEMENTAL LEASE AGREEMENT BETWEEN THE CITY OF JONESBORO, ARKANSAS AND UNILEVER MANUFACTURING (US), INC. (AS SUCCESSOR TO AND ASSIGNEE OF ALBERTO-CULVER USA, INC.), AS LESSEE, (3) PRIVATE PLACEMENT MEMORANDUM, AND (4) A PRIVATE PLACEMENT AGREEMENT; AND AUTHORIZING AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.

Sponsors:

Indexes: Bonds - revenue/development

Code sections:

Attachments: [Letter 6/21/2013](#)
[Letter 7/2/2013](#)

Date	Ver.	Action By	Action	Result
7/23/2013	1	Finance & Administration Council Committee		

AN ORDINANCE AUTHORIZING AND DIRECTING THE ISSUANCE OF A SERIES OF INDUSTRIAL DEVELOPMENT REVENUE BONDS FOR THE PURPOSE OF PROVIDING FINANCING FOR INDUSTRIAL FACILITIES; AUTHORIZING AND APPROVING (1) A SUPPLEMENTAL TRUST INDENTURE SECURING THE BONDS, (2) A SUPPLEMENTAL LEASE AGREEMENT BETWEEN THE CITY OF JONESBORO, ARKANSAS AND UNILEVER MANUFACTURING (US), INC. (AS SUCCESSOR TO AND ASSIGNEE OF ALBERTO-CULVER USA, INC.), AS LESSEE, (3) PRIVATE PLACEMENT MEMORANDUM, AND (4) A PRIVATE PLACEMENT AGREEMENT; AND AUTHORIZING AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.

WHEREAS, the City of Jonesboro, Arkansas (the "City"), is authorized' by Arkansas Code Annotated Sections 14-164-201, *et seq.* (1998 Rep!., Supp. 2011) (the "Act") to issue revenue bonds and to expend the proceeds thereof to 'finance the acquisition, construction, and equipping of lands, buildings or facilities, which can be used in securing or developing industry; and

WHEREAS, Alberto-Culver USA, Inc. ("Alberto-Culver") previously proposed that the City provide it with permanent financing through the issuance of its City of Jonesboro, Arkansas Industrial Development Revenue Bonds in one or more series not to exceed Ninety-One Million and No/100 Dollars (\$91,000,000.00), for the cost of acquiring, constructing and equipping certain industrial facilities consisting of ,improvements, machinery, equipment and facilities in the City (the "Project");

WHEREAS, the City authorized Alberto-Culver's request and provided the initial permanent financing through the issuance of 'revenue bonds under the Act (the "Series 2007 Bonds"), and the City leased the Project to Alberto-Culver pursuant to a Lease Agreement dated June 8,2007 (the "Original Lease"); and

WHEREAS, Unilever Manufacturing (US), Inc. (the "Company") is the successor of Alberto-Culver by virtue of an acquisition dated in or around 2010; and

WHEREAS, Alberto-Culver assigned its rights and obligations in the Original Lease to the Company pursuant to an Assignment and Assumption of Lease dated March 27, 2012;

WHEREAS, the Payment in Lieu of Tax Agreement dated March 12, 2007, by and among Alberto-Culver, Craighead County and the City is binding on successors and assigns of Alberto-Culver;

WHEREAS, it is proposed that the City now provide further permanent financing, through the issuance of revenue bonds under the Act, for the cost of acquiring, constructing and equipping certain industrial facilities consisting of improvements, machinery, equipment and facilities (the "Series 2013 Bonds"), and that the City lease the Project to the Company, as part of the further ongoing construction and equipping of an industrial facility to be operated by the Company (or its successors or assigns) in the City, pursuant to a First Supplemental Lease Agreement, dated as of June 1, 2013 (the "First Supplemental Lease") (together with the Original Lease, hereinafter referred to as the "Lease"); and

WHEREAS, the Series 2013 Bonds will be secured by payments made pursuant to the Lease and by a mortgage and lien upon the Project, and no revenue of the City shall be pledged to repayment of the Series 2013 Bonds; and WHEREAS, the payments pursuant to the Lease will be sufficient to pay all debt service and other fees and expenses related to the Series 2013 Bonds; and

WHEREAS, pursuant to and in accordance with the provisions of the Act, the City is now prepared to proceed with the further financing of the Project and to issue and sell up to \$41,000,000 in principal amount of its Taxable Industrial Development Revenue Bonds (Unilever Inc. Project), Series 2013, to provide such financing;

WHEREAS, the City previously issued its Taxable Industrial Development Revenue Bonds (Alberto-Culver USA, Inc. Project), Series 2007, which were issued, dated, bear interest, mature and are subject to redemption as set forth in the indenture dated as of June 8, 2007 (the "Trust Indenture"), by and between the City and Regions Bank, as trustee (the "Trustee"), and as authorized by Ordinance No. 16-2007; and

WHEREAS, the Series 2013 Bonds will be issued, dated, bear interest, mature and be subject to redemption as hereinafter set forth in the form of a First Supplemental Trust Indenture dated June 1, 2013 (the "First Supplemental Trust Indenture"), by and between the City and the Trustee, and as authorized by this Ordinance (the Trust Indenture and the First Supplemental Trust Indenture are hereinafter referred to as the "Trust Indenture"); and

WHEREAS, copies of the proposed forms of the Trust Indenture and Lease have been presented to and are before this meeting; and WHEREAS, the Series 2013 Bonds will be privately placed pursuant to a Private Placement Agreement; and

WHEREAS, for the issuance of the Series 2013 Bonds to finance the Project, the City intends to authorize the preparation, delivery and execution of the following documents (and such other documents related thereto as may be necessary or desirable):

1. The First Supplemental Lease, as defined herein;
2. The First Supplemental Trust Indenture, as defined herein;

3. Private Placement Agreement by and among the City and Alberto-Culver with respect to the Series 2013 Bonds (the "Private Placement Agreement"); and

4. Private Placement Memorandum with respect to the Series 2013 Bonds (the "Private Placement Memorandum").

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

Section 1. Approval of Assignment and Assumption of Lease. The Assignment and Assumption of Lease and Agreement dated as of March 27, 2012 by and between Alberto-Culver, USA, Inc. and Unilever Manufacturing (US), Inc. is approved by the City.

Section 2. Approval of Unilever Manufacturing (US), Inc. as Party to Payment in Lieu of Tax Agreement. The City hereby approves the substitution of Unilever Manufacturing (US), Inc. for Alberto-Culver USA, Inc. as a party to the Payment in Lieu of Tax Agreement dated March 12, 2007.

Section 3. Authorization of Issuance of Bonds. There is hereby approved and authorized the issuance by the City of an aggregate principal amount not to exceed \$41,000,000 of Series 2013 Bonds, subject to the terms and conditions set forth in the Trust Indenture.

Section 4. Sale of Bonds. The sale of the Series 2013 Bonds described in Section 1 hereof is hereby approved and authorized; provided, however, the sale of such Series 2013 Bonds shall be upon terms substantially as set forth in the Private Placement Agreement, hereinafter authorized and subject to the further conditions that all such Series 2013 Bonds mature not later than June 1, 2033, bear interest at a rate not greater than 30/0 per annum, may be issued as 'fixed rate bonds or as variable rate bonds and may be subject to remarketing at a future date or dates.

Section 5. Approval and Authorization of Documents. The First Supplemental Lease, the First Supplemental Trust Indenture, the Private Placement Memorandum, and the Private Placement Agreement, be and the same are in all respects hereby adopted, as applicable, approved, authorized, ratified and/or confirmed, and the Mayor and City Clerk are each separately and individually hereby authorized and directed to execute, seal and/or deliver, for and on behalf of the City, the First Supplemental Lease, the First Supplemental Trust Indenture, the Private Placement Memorandum and the Private Placement Agreement, in substantially the form and content presented to the City on this date, or, if not so presented, in form approved by the Mayor, consistent with such conditions as are described herein; provided, however, that the final approval of the 2013 Bonds set forth in this Ordinance is expressly conditioned upon receipt of and approval by the Mayor of the aforementioned documents. The First Supplemental Lease, the First Supplemental Trust Indenture, the Private Placement Memorandum and the Private Placement Agreement may contain such changes, modifications, additions and 'deletions therein as shall to the Mayor be necessary, desirable or appropriate, their respective execution thereof to constitute conclusive evidence of their approval of any and all changes, modifications, additions and deletions.

Section 6. Authority To Execute and Deliver Additional Documents. The Mayor and the City Clerk are hereby authorized to direct Bond Counsel to prepare any and all additional certificates, documents and other papers and to perform all other acts as they may deem necessary or appropriate to implement and carry out the purposes and intent of this Ordinance, including the preamble thereto. The Mayor and the City Clerk are hereby each authorized to execute and deliver for and on behalf of the County any and all additional certificates, documents and other papers and to perform all other acts as they may deem necessary or appropriate to

implement and carry out the purposes and intent of this Ordinance, including the preamble hereto, including, without limitation, upon entry into the Private Placement Agreement and the Private Placement Memorandum describing the 2013 Bonds authorized in Section 1 hereof.

Section 7. Public Hearing. The action of the Mayor and other officers of the City in giving notice of a public hearing with respect to the issuance of the Series 2013 Bonds and conducting such public hearing of the issuance of the Series 2013 Bonds is hereby approved and authorized and, with respect to such actions already taken, ratified and confirmed.

Section 8. Approval of Professionals. That Williams & Anderson PLC, of Little Rock, Arkansas, is hereby appointed as Bond Counsel with respect to the issuance of the 2013 Bonds, the fees and expenses of which firm shall be costs of the Project.

Section 9. Waiver of Competitive Bidding. That the City is hereby involved with the acquiring, constructing and equipping of industrial facilities, and pursuant to applicable laws of the State of Arkansas, including the Act, competitive bidding is waived.

Section 10. Documents Available for Inspection. That the City Clerk is hereby authorized and directed to file in the office of the City Clerk, as part of this Ordinance, for inspection by any interested person, a copy of the First Supplemental Trust Indenture and First Supplemental Lease, and such documents shall be on file for inspection by any interested person.

Section 11. Payment of Costs of Issuance. That the Mayor is hereby authorized to pay (if not otherwise paid) the necessary expenses incidental to the issuance of the Series 2013 Bonds including, but not limited to, fees and costs of Bond Counsel, printing and publication costs, and filing fees, but solely from proceeds of the Series 2013 Bonds available for payment of such costs of issuance.

Section 12. Supplemental Orders The City may, subject to the terms and conditions of the Ordinance and the Trust Indenture, pass and execute orders supplemental to this Ordinance which shall not be inconsistent with the terms and provisions hereof.

Section 13. Severability. If any provision of this Ordinance shall be held or deemed to be or shall, in fact, be illegal, inoperative or unenforceable, the same shall not affect any other provision or provisions herein contained or render the same invalid, inoperative or unenforceable to any extent whatsoever.

Section 14. Appeal. The time for taking any action to appeal this Ordinance is hereby fixed as thirty (30) days following the date of publication of this Order, at which time this Ordinance shall be final.

Section 15. Captions. The captions or headings in this Ordinance are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of this Ordinance.

WILLIAMS & ANDERSON PLC

TWENTY-SECOND FLOOR
111 CENTER STREET
LITTLE ROCK, ARKANSAS 72201

DAVID F. MENZ
dmenz@williamsanderson.com

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(501) 396-8416

(501) 372-0800
TELECOPIER
(501) 372-6453

June 21, 2013

The Honorable Harold Perrin
Mayor, City of Jonesboro
c/o cglisson@jonesboro.org
P. O. Box 1845
Jonesboro, AR 72403

Donna Jackson, Circuit Clerk
Craighead County Courthouse
P. O. Box 120
Jonesboro, AR 72403-0120
djackson@jonesboro.org

RE: Unilever United States, Inc.

Dear Mayor Perrin and Ms. Jackson:

As you are aware from previous correspondence, Unilever United States, Inc. ("Unilever") is preparing to invest approximately \$41,000,000 in new equipment in the plant it purchased from Alberto-Culver. In 2007, the City of Jonesboro authorized the issuance of \$91,000,000 of industrial development revenue bonds to finance the construction and equipping of the Alberto-Culver plant.

After Unilever purchased the Alberto-Culver plant, it discovered that not all of the proceeds of the \$91,000,000 bonds had been drawn down. The draw down has been completed and all requirements of the 2007 financing have been met. Therefore, it is now necessary to go forward to approve the issuance of the \$41,000,000 of industrial development revenue bonds that Unilever is requesting, which will be issued under the existing PILOT Agreement between the City and Unilever, as the assignee of Alberto-Culver USA, Inc.).

We understand that it will be necessary for the finance committee of the Jonesboro City Council to review and approve a bond ordinance prior to the full City Council meeting. Enclosed is a proposed draft of an ordinance approving the bonds. In addition, we have

WILLIAMS & ANDERSON PLC

Mayor Harold Perrin
June 21, 2013
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included Notice of Hearing which must be published at least ten days in advance of the City Council meeting, at which the bond ordinance will be considered.

Kindest regards.

Cordially yours,

WILLIAMS & ANDERSON PLC



David F. Menz

DFM:acr

Encl.

cc: Ben Barylske, Finance Director (bbarylske@jonesboro.org)
Phillip Crego, City Attorney (pcrego@jonesboro.org)

WILLIAMS & ANDERSON PLC

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July 2, 2013

Donna Jackson, Circuit Clerk
Craighead County Courthouse
P. O. Box 120
Jonesboro, AR 72403-0120
djackson@jonesboro.org
cglisson@jonesboro.org

RE: Unilever United States, Inc.

Dear Donna:

Thank you for taking the time to speak with me yesterday.

As I understand it, we have set the following schedule for accomplishing the Unilever financing. First, at the City Council meeting on Tuesday, July 16th, the City Council will approve the holding of a public hearing at the City Council meeting on August 6, 2013. The hearing will be held pursuant to Ark. Code Ann. §19-9-607, which is required for all revenue bonds. After July 16th, I will publish the Notice which must be published ten days in advance of the public hearing.

Then on Tuesday, July 23rd, I will attend the meeting of the Jonesboro City Council Finance Committee at 4:00 p.m. to go through the particulars of the financing. Assuming approval by the Finance Committee, I will then appear before the Jonesboro City Council on Tuesday, August 6th at 5:30 to attend the public hearing and have the ordinance authorizing the issuance of the bonds approved.

As soon as Unilever and The City are satisfied with all the documents, I will then come back to have you and the Mayor execute all the documents on behalf of the City.

Kindest regards.

WILLIAMS & ANDERSON PLC

July 2, 2013
Page 2

Cordially yours,

WILLIAMS & ANDERSON PLC

A handwritten signature in black ink, appearing to read "David F. Menz". The signature is written in a cursive style with a circular flourish at the beginning.

David F. Menz

DFM:acr

Encl.

cc: Ben Barylske (bbarylske@jonesboro.org)
Harold Perrin (HPerrin@jonesboro.org)
Phyllis Vaccari (PVaccari@jonesboro.org)
Nikki Nottingham (NNottingham@jonesboro.org)



Legislation Details (With Text)

File #:	ORD-13:039	Version:	1	Name:	Abandonment for Quentin Duff/Aidmore Property Group
Type:	Ordinance	Status:		Status:	First Reading
File created:	7/29/2013	In control:		In control:	City Council
On agenda:		Final action:			
Title:	AN ORDINANCE TO VACATE AND ABANDON A 10' DRAINAGE EASEMENT AT 4628 KEELY COVE AND DECLARING AN EMERGENCY FOR THE PURPOSE OF EXPEDITING THE SALE BY THE PROPERTY OWNER AS REQUESTED BY QUENTIN DUFF/AIDMORE PROPERTY GROUP, LLC				
Sponsors:					
Indexes:	Abandonment				
Code sections:					
Attachments:	Plat Planning/Engineering Letter Petition Application Note regarding abutting property owners				

Date	Ver.	Action By	Action	Result
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AN ORDINANCE TO VACATE AND ABANDON A 10' DRAINAGE EASEMENT AND DECLARING AN EMERGENCY FOR THE PURPOSE OF EXPEDITING THE SALE BY THE PROPERTY OWNER CRAIGHEAD COUNTY, JONESBORO, ARKANSAS.

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

SECTION ONE: The City of Jonesboro, Arkansas, hereby releases, vacates and abandons all of its rights, together with the rights of the public generally, in and to the 10' drainage easement designated as follows:

DESCRIPTION:

THAT PART OF LOT 8, BLOCK B OF CALDWELL ACRES, JONESBORO, ARKANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 8, RUN THENCE N89 DEGREES 49 MINUTES 41 SECONDS EAST 10.0 FEET, RUN THENCE NORTH 0 DEGREES 21 MINUTES 32 SECOND WEST 15.0 FEET TO THE TRUE POINT OF BEGINNING, RUN THENCE NORTH 0 DEGREES 21 MINUTES 32 SECONDS WEST 86.0 FEET, RUN THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 50.0 FEET A DISTANCE OF 10.5 FEET, RUN THENCE SOUTH 0 DEGREES 21 MINUTES 32 SECONDS EAST 89.2 FEET, RUN THENCE SOUTH 89 DEGREES 49 MINUTES 41 SECONDS WEST 10.0 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 875 SQUARE FEET, MORE OR LESS.

CONTAINING IN ALL 875 SQ. FT. OR 0.02 ACRES, MORE OR LESS.

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

SECTION TWO: It is further found that due to the immediate need of the property owner to complete the sale of this property, 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.

SECTION THREE: A copy of the ordinance duly certified by the City Clerk shall be filed in the office of the recorder of Craighead County, Arkansas, and shall be filed in the Deed Records of such office.

SURVEY FOR: HUD

OF: 4628 Keely Cove
Jonesboro, Arkansas

The following described lands in Craighead County, Arkansas, to-wit:

ALL of Lot 8 in Block "B" of Caldwell Acres, Jonesboro, Arkansas, as shown by a Plat of record in Plat Cabinet "B" at page 196 at Jonesboro, Arkansas, subject to easements as shown on recorded plat.

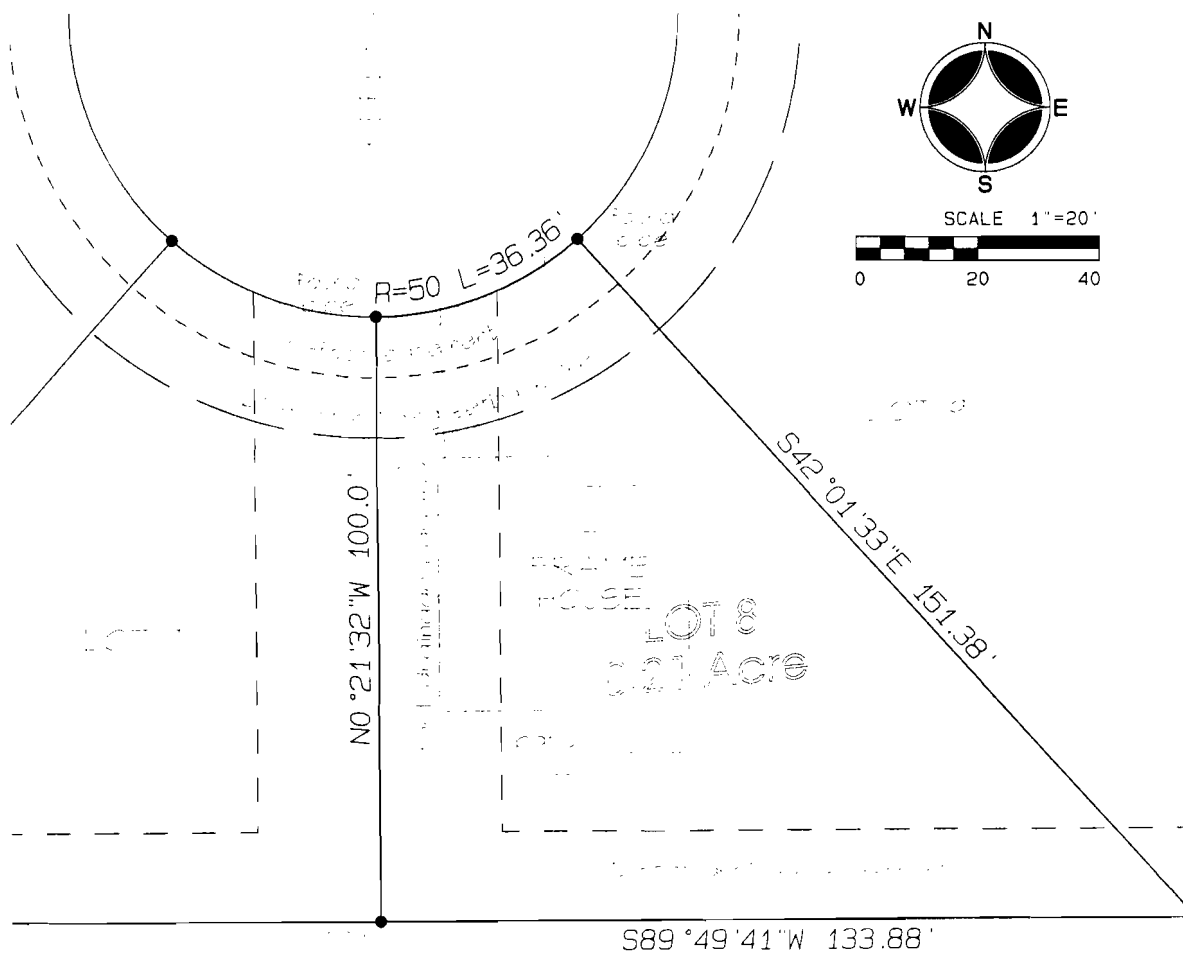
Portion of drainage easement to be abandoned:

That part of Lot 8, Block "B" of Caldwell Acres, Jonesboro, Arkansas, described as follows: Beginning at the Southwest corner of said Lot 8, run thence N89°49'41"E 10.0 feet, run thence N0°21'32"W 15.0 feet to the true point of beginning, run thence N0°21'32"W 86.0 feet, run thence Northeasterly along a curve to the left having a radius of 50.0 feet a distance of 10.5 feet, run thence S0°21'32"E 89.2 feet, run thence S89°49'41"W 10.0 feet to the true point of beginning, containing 875 square feet, more or less.

Notes:

- 1.) Bearings from record.
- 2.) Improvements are as shown.

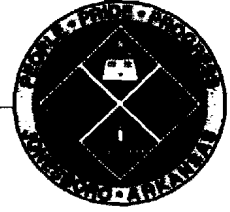
Dated: June 11, 2013



Bradley P. Hancock
Surveying & Mapping
140 North Second Street
Jonesboro, Arkansas

City of
Jonesboro
ARKANSAS

PLANNING & ZONING DEPARTMENT



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

June 25, 2013

Quentin Duff
Aidmore Property Group, LLC
P.O. Box 50
Dudley MO 63936

Re: Abandonment of a portion of a 10-ft.drainage easement

Dear Mr. Duff,

The City of Jonesboro Planning/Engineering Departments have received your request to abandon a communication easement, as described on the petition and drawings provided by you.

The Planning & Engineering Departments have no objection to this abandonment request and has determined that it will not cause any incompilance with the Zoning or Subdivision Regulations.

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

Sincerely,

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

PETITION TO VACATE AND ABANDON A 10 FOOT DRAINAGE EASEMENT AND
DECLARING AN EMERGENCY FOR THE PURPOSE OF EXPEDITING THE SALE OF
THE PROPERTY BY OWNER, QUENTIN DUFF, AIDMORE PROPERTY GROUP LLC.

CRAIGHEAD COUNTY, JONESBORO, ARKANSAS.

TO: The Honorable Harold Perrin and the Members of the Jonesboro City Council

I, Quentin Duff Aidmore Property Group LLC, the undersigned, having contacted all affected parties of the real estate of or adjacent (to) the easement to be vacated hereinafter sought to be abandoned and vacated, lying in Jonesboro, Arkansas, a municipal corporation, petition to vacate a 10ft. drainage easement, which is described as follows:

DESCRIPTION:

THAT PART OF LOT 8, BLOCK "B" OF CALDWELL ACRES, JONESBORO, ARKANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 8, RUN THENCE N89 DEGREES 49 MINUTES 41 SECONDS EAST 10.0 FEET, RUN THENCE NORTH 0 DEGREES 21 MINUTES 32 SECONDS WEST 15.0 FEET TO THE TRUE POINT OF BEGINNING, RUN THENCE NORTH 0 DEGREES 21 MINUTES 32 SECONDS WEST 86.0 FEET, RUN THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 50.0 FEET A DISTANCE OF 10.5 FEET, RUN THENCE SOUTH 0 DEGREES 21 MINUTES 32 SECONDS EAST 89.2 FEET, RUN THENCE SOUTH 89 DEGREES 49 MINUTES 41 SECONDS WEST 10.0 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 875 SQUARE FEET, MORE OR LESS.

CONTAINING IN ALL 875 SQ. FT. OR 0.02 ACRES, MORE OR LESS.

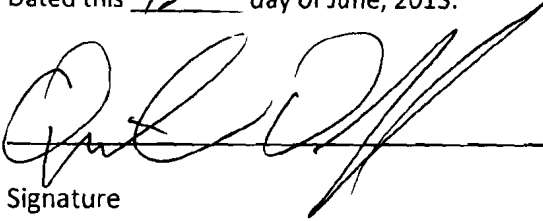
SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

That the real estate affected by said abandonment of the 10 ft. drainage easement, a sealed copy of the original plat, in the Circuit Clerk's Office for the County of Craighead, State of Arkansas, is attached hereto, and made a part hereof as though set out herein word for word.

Petitioners state that the above described real estate will not adversely affect the public interest and welfare and would also not be adversely affected by the abandonment of the above described easement. The petitioners recommend that the City of Jonesboro, Arkansas, abandon and vacate the above described easement, and that the above described real estate be used for their respective benefit and purpose as now approved by law.

WHEREFORE, the undersigned petitioners respectfully recommend that the governing body of the City of Jonesboro, Arkansas, abandon and vacate the above described 10ft. drainage easement, as to that particular land be free from the easements of the public for the use of said 10ft. drainage easement.

Dated this 13th day of June, 2013.

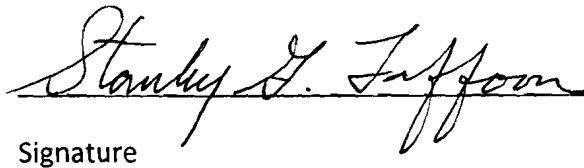

Signature

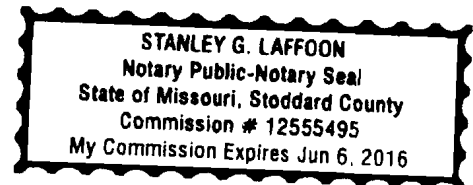
State of Missouri

County of Stoddard

On this day before me, a Notary Public, duly commissioned, qualified and acting within and for said county and state, appeared the within named Quentin Duff Aidmore Property Group LLC, and acknowledged that he/she/they had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 13th day of June, 2013.


Signature



Phillip has
ok'd. out of STATE
ownership/
NOTARY
3



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	4628 Keely Cove
	Attach legal description of property to this application. May be found on warranty deed or current survey of property.	
Project Information	Select the property type being vacated:	
	<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	Aidmore Property Group LLC Questar AR, LLC	Phone	573-776-5324	<input type="checkbox"/> Select if this is the primary contact
	Address	P.O. Box 50	Fax		
	City, State, Zip	Andover MO 63936	E-mail	gduff@msn.com	

Applicant/ Representative	Name	Rick McKenzie	Phone	870-530-0266	<input checked="" type="checkbox"/> Select if this is the primary contact
	Address	2907 S. CAMWAY	Fax	901-271-9146	
	City, State, Zip	Jonesboro AR 72401	E-mail	R.mckenzie@cape-kelke.com	

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.

✓ Rick McKenzie Date: 6-13-13

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).

✓ [Signature] Date: 6-13-13

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.

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

No affected
Neighbors
Drainage easement
stops short of
property-line.



Legislation Details (With Text)

File #:	RES-13:088	Version:	1	Name:	Condemnation at 214 S. Fisher Street
Type:	Resolution	Status:		Status:	Recommended Under New Business
File created:	6/10/2013	In control:		In control:	Public Safety Council Committee
On agenda:	8/6/2013	Final action:		Final action:	
Title:	RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 214 S Fisher St, Owner Charles Rosse				
Sponsors:	Code Enforcement				
Indexes:	Condemnation				
Code sections:					
Attachments:	CONDEMNATION CHECKLIST Inspection report 214 S Fisher St 100E2884 100E2888 100E2896 100E2903				

Date	Ver.	Action By	Action	Result
6/18/2013	1	Public Safety Council Committee	Recommended Under New Business	Pass

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 214 S Fisher St, Owner Charles Rosse

WHEREAS, the above property has been inspected and has been determined unsuited for human habitation.

WHEREAS, all the stipulations have been met in the condemnation process to proceed with condemnation of this property.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT: the city should proceed with the condemnation of the property at: 214 S Fisher St.

CONDEMNATION CHECKLIST

Property Address: 214 S Fisher Phone: 901-483-4978
 Property Owner: Charles Rosse Phone: _____
 Owner's Address: 109 N Main Apt 504 Fax: _____
Memphis, TN 38103

	BEGINNING DATE	ENDING DATE	ACTION
<input checked="" type="checkbox"/>	<u>4/23/13</u>	<u>4/23/13</u>	1. Identify structure unfit for human habitation.
<input checked="" type="checkbox"/>	<u>4/23/13</u>	<u>4/23/13</u>	2. Inspect Property. (Condemnation Officer & Building Inspector) <input checked="" type="checkbox"/> a. Prepare inspection report. <input checked="" type="checkbox"/> b. Photograph property.
<input checked="" type="checkbox"/>	<u>4/23/13</u>	<u>4/23/13</u>	3. Determine ownership from county assessment & tax collection record.
<input checked="" type="checkbox"/>	<u>4/23/13</u>	<u>4/23/13</u>	4. Obtain legal description.
<input checked="" type="checkbox"/>	<u>4/24/13</u>	<u>4/24/13</u>	5. Send Notice of Violation & copy of inspection report to property owner(s) of record. Request written response from owner with 10 days from Notice of Violation indicating action the owner intends to take within the next 30 days to correct substandard conditions.
<input type="checkbox"/>	_____	_____	6. Obtain or complete title report to verify ownership & other vested interests, such as mortgage holders, trustees, etc.
<input type="checkbox"/>	_____	_____	7. If response is not received or is not adequate, proceed as follows:
<input type="checkbox"/>	_____	_____	8. Send 20-day pre-notification letter owner(s) & others with vested interest in property advising the date the property will be presented to City Council for consideration of condemnation.
<input type="checkbox"/>	_____	_____	<input type="checkbox"/> a. Owner unknown or whereabouts not known or such owner is a nonresident of Arkansas. 1) Post affidavit in newspaper once a week for two consecutive weeks
<input type="checkbox"/>	_____	_____	2) Attorney ad litem appointed to notify defendant.
<input type="checkbox"/>	_____	_____	9. Post sign on the property advising date the City Council will consider condemnation of the structure.
<input type="checkbox"/>	_____	_____	10. Photograph posted sign.
<input type="checkbox"/>	_____	_____	11. Prepare information packet for each City Council member, plus one each for Mayor & City Attorney consisting of: <input type="checkbox"/> a. Location map <input type="checkbox"/> b. Photographs of the structure <input type="checkbox"/> c. Inspection report <input type="checkbox"/> d. Pre-condemnation notice <input type="checkbox"/> e. Condemnation resolution

BEGINNING DATE	ENDING DATE	ACTION
<input type="checkbox"/> _____	_____	12. Place condemnation action resolution & supporting documentation for placement on the City Council agenda.
<input type="checkbox"/> _____	_____	13. City Council adopts condemnation resolution.
<input type="checkbox"/> _____	_____	File certified copy of Condemnation Resolution with Circuit Clerk. 14. Clerk.
<input type="checkbox"/> _____	_____	15. Send owner(s) & other vested interests the following: <input type="checkbox"/> a. Copy of the City Council resolution. <input type="checkbox"/> b. 30-day notice to cure through repair, demolition or with inspector's approval, board & secure for stated period of time.
<input type="checkbox"/> _____	_____	16. Post 30-day notice to cure on structure.
<input type="checkbox"/> _____	_____	17. Photograph posted notice.
<input type="checkbox"/> _____	_____	18. Evaluate status of owner's action on 31 st day after Notice to Cure was issued. If no action taken by owner, proceed with demolition.
<input type="checkbox"/> _____	_____	19. Determine presence of asbestos & dangerous mold. If present, prepare a removal plan.
<input type="checkbox"/> _____	_____	20. Obtain three demolition bids.
<input type="checkbox"/> _____	_____	21. Notice of Intent with ADEQ
<input type="checkbox"/> _____	_____	22. Notify utility companies to disconnect & remove service from structure for safe demolition.
<input type="checkbox"/> _____	_____	23. Issue Notice to Proceed to demolition contractor.
<input type="checkbox"/> _____	_____	24. Prepare demolition cost statement consisting of: <input type="checkbox"/> a. Mailing fees <input type="checkbox"/> b. Publication fees <input type="checkbox"/> c. Demolition costs <input type="checkbox"/> d. Asbestos and/or dangerous mold testing fee <input type="checkbox"/> e. Asbestos and/or dangerous mold removal fee <input type="checkbox"/> f. Title search fee <input type="checkbox"/> g. Landfill tipping fees(if not included with demolition contract) <input type="checkbox"/> h. Photograph costs <input type="checkbox"/> i. Attorney fees <input type="checkbox"/> j. Filing fees for Circuit Clerk <input type="checkbox"/> k. Any documentation miscellaneous costs <input type="checkbox"/> l. Send Total to City Collector for billing to owners
TOTALS=	_____	
<input type="checkbox"/> _____	_____	25. Send a letter & cost statement to the City Attorney requesting a tax lien be placed on the property.



DEPARTMENT OF INSPECTION AND CODE ENFORCEMENT

RESIDENTIAL BUILDING INSPECTION REPORT

DATE OF INSPECTION:	3-27-2013	
PROPERTY ADDRESS:	214 S. Fisher	901-483-4978
PROPERTY OWNER:	Charles Rosse	

OCCUPIED: YES xx NO

BUILDING ELEMENT	1 thru 5 CONDITION					NOTES & COMMENTS
	VERY POOR	4	3	2	VERY GOOD	
Foundation		2				Turn of the Century brick falling out
Front Porch					5	Concrete
Exterior Doors and Windows	1					Broke and Busted
Roof Underlay			3			New ½ in. deck appears in fair condition
Roof Surface		2				3 tab shingles blowing off
Chimney						N/A
Siding	1					Old Aluminum deteriorated
Facia and Trim	1					Rotten falling off
Interior Doors		2				Broke and busted
Interior Walls	1					Busted falling off studs
Ceilings	1					Falling in
Flooring Underlay	1					Falling in
Flooring Surfaces	1					Non-Existing bare floor
Electrical	1					Not to code
Heating	1					Not to code
Plumbing	1					Not to code

In my opinion, this structure	<input type="checkbox"/>	is	xx	is not	Suitable for human habitation.
In my opinion this structure	<input type="checkbox"/>	is	xx	is not	Physically feasible for rehabilitation.
In my opinion, this structure	<input type="checkbox"/>	is	xx	is not	Economically feasible for rehabilitation.
In my opinion, this structure	xx	is	<input type="checkbox"/>	is not	A public safety hazard and should be condemned immediately.

Due to Safety, Health and welfare this structure needs to be abated

EMERGENCY ACTION IS WARRANTED: YES xx NO



Terry Adams, Certified Building Inspector

Craig Davenport, Fire Marshal

Other Signature

CITY HALL • 515 WEST WASHINGTON AVE • JONESBORO, AR 72401 • TEL 870-933-4602 • FAX 870-933-4636



03/27/2013





03/27/2013





Legislation Details (With Text)

File #: RES-13:089 **Version:** 1 **Name:** Condemnation at 404 W. Forrest Street
Type: Resolution **Status:** Recommended Under New Business
File created: 6/10/2013 **In control:** Public Safety Council Committee
On agenda: 8/6/2013 **Final action:**
Title: RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 404 W Forrest St, Owner Kenneth E Ento.
Sponsors: Code Enforcement
Indexes: Condemnation
Code sections:
Attachments: [CONDEMNATION CHECKLIST](#)
[Inspection Report089Inspection Report](#)
[404 E Forrest St](#)

Date	Ver.	Action By	Action	Result
6/18/2013	1	Public Safety Council Committee	Recommended Under New Business	Pass

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 404 W Forrest St, Owner Kenneth E Ento.

WHEREAS, the above property has been inspected and has been determined unsuited for human habitation.

WHEREAS, all the stipulation have been met in the condemnation process to proceed with condemnation of this property.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT: the city should proceed with the condemnation of the property at: 404 W Forrest St.

CONDEMNATION CHECKLIST

Property Address: 404 W Forrest Phone: _____

Property Owner: Kenneth E. Ento / Bank of America Phone: _____

Owner's Address: PO Box 105265 Fax: _____
Alanata, GA 30348

	BEGINNING DATE	ENDING DATE	ACTION
<input checked="" type="checkbox"/>	<u>4/23/13</u>	<u>4/23/13</u>	1. Identify structure unfit for human habitation.
<input checked="" type="checkbox"/>	<u>4/23/13</u>	<u>4/23/13</u>	2. Inspect Property. (Condemnation Officer & Building Inspector) <input checked="" type="checkbox"/> a. Prepare inspection report. <input checked="" type="checkbox"/> b. Photograph property.
<input checked="" type="checkbox"/>	<u>4/23/13</u>	<u>4/23/13</u>	3. Determine ownership from county assessment & tax collection record.
<input checked="" type="checkbox"/>	<u>4/26/13</u>	<u>4/26/13</u>	4. Obtain legal description.
<input checked="" type="checkbox"/>	<u>4/26/13</u>	<u>4/26/13</u>	5. Send Notice of Violation & copy of inspection report to property owner(s) of record. Request written response from owner with 10 days from Notice of Violation indicating action the owner intends to take within the next 30 days to correct substandard conditions.
<input type="checkbox"/>	_____	_____	6. Obtain or complete title report to verify ownership & other vested interests, such as mortgage holders, trustees, etc.
<input type="checkbox"/>	_____	_____	7. If response is not received or is not adequate, proceed as follows:
<input type="checkbox"/>	_____	_____	8. Send 20-day pre-notification letter owner(s) & others with vested interest in property advising the date the property will be presented to City Council for consideration of condemnation.
<input type="checkbox"/>	_____	_____	<input type="checkbox"/> a. Owner unknown or whereabouts not known or such owner is a nonresident of Arkansas. 1) Post affidavit in newspaper once a week for two consecutive weeks
<input type="checkbox"/>	_____	_____	2) Attorney ad litem appointed to notify defendant.
<input type="checkbox"/>	_____	_____	9. Post sign on the property advising date the City Council will consider condemnation of the structure.
<input type="checkbox"/>	_____	_____	10. Photograph posted sign.
<input type="checkbox"/>	_____	_____	11. Prepare information packet for each City Council member, plus one each for Mayor & City Attorney consisting of: <input type="checkbox"/> a. Location map <input type="checkbox"/> b. Photographs of the structure <input type="checkbox"/> c. Inspection report <input type="checkbox"/> d. Pre-condemnation notice <input type="checkbox"/> e. Condemnation resolution

BEGINNING DATE	ENDING DATE	ACTION
<input type="checkbox"/> _____	_____	12. Place condemnation action resolution & supporting documentation for placement on the City Council agenda.
<input type="checkbox"/> _____	_____	13. City Council adopts condemnation resolution.
<input type="checkbox"/> _____	_____	File certified copy of Condemnation Resolution with Circuit Clerk.
<input type="checkbox"/> _____	_____	14. Clerk.
<input type="checkbox"/> _____	_____	15. Send owner(s) & other vested interests the following: <input type="checkbox"/> a. Copy of the City Council resolution. <input type="checkbox"/> b. 30-day notice to cure through repair, demolition or with inspector's approval, board & secure for stated period of time.
<input type="checkbox"/> _____	_____	16. Post 30-day notice to cure on structure.
<input type="checkbox"/> _____	_____	17. Photograph posted notice.
<input type="checkbox"/> _____	_____	18. Evaluate status of owner's action on 31 st day after Notice to Cure was issued. If no action taken by owner, proceed with demolition.
<input type="checkbox"/> _____	_____	19. Determine presence of asbestos & dangerous mold. If present, prepare a removal plan.
<input type="checkbox"/> _____	_____	20. Obtain three demolition bids.
<input type="checkbox"/> _____	_____	21. Notice of Intent with ADEQ
<input type="checkbox"/> _____	_____	22. Notify utility companies to disconnect & remove service from structure for safe demolition.
<input type="checkbox"/> _____	_____	23. Issue Notice to Proceed to demolition contractor.
<input type="checkbox"/> _____	_____	24. Prepare demolition cost statement consisting of: <input type="checkbox"/> a. Mailing fees <input type="checkbox"/> b. Publication fees <input type="checkbox"/> c. Demolition costs <input type="checkbox"/> d. Asbestos and/or dangerous mold testing fee <input type="checkbox"/> e. Asbestos and/or dangerous mold removal fee <input type="checkbox"/> f. Title search fee <input type="checkbox"/> g. Landfill tipping fees(if not included with demolition contract) <input type="checkbox"/> h. Photograph costs <input type="checkbox"/> i. Attorney fees <input type="checkbox"/> j. Filing fees for Circuit Clerk <input type="checkbox"/> k. Any documentation miscellaneous costs <input type="checkbox"/> l. Send Total to City Collector for billing to owners
TOTALS=	_____	
<input type="checkbox"/> _____	_____	25. Send a letter & cost statement to the City Attorney requesting a tax lien be placed on the property.



DEPARTMENT OF INSPECTION AND CODE ENFORCEMENT
RESIDENTIAL BUILDING INSPECTION REPORT

DATE OF INSPECTION:	4-5-2013
PROPERTY ADDRESS:	404 W. Forrest
PROPERTY OWNER:	Kenneth E. Ento
OCCUPIED:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO


BUILDING ELEMENT	1 thru 5 CONDITION					NOTES & COMMENTS
	VERY POOR				VERY GOOD	
Foundation		2				Pier foundation weak-falling
Front Porch	1					Wood rotten
Exterior Doors and Windows	1					Busted and broke
Roof Underlay			3			fair
Roof Surface			3			Fairly new shingles
Chimney						N/A
Siding		2				Rotten masonite
Facia and Trim		2				Fair showing signs of deterioration
Interior Doors		2				Some non-existing
Interior Walls	1					Busted sheetrock

Ceilings		2			Falling down in areas
Flooring Underlay	1				Rotten falling in
Flooring Surfaces		2			Old dilapidated carpet
Electrical	1				Not to code
Heating	1				Not to code
Plumbing	1				Not to code

In my opinion, this structure	<input type="checkbox"/>	is	<input checked="" type="checkbox"/>	is not	Suitable for human habitation.
In my opinion this structure	<input type="checkbox"/>	is	<input checked="" type="checkbox"/>	is not	Physically feasible for rehabilitation.
In my opinion, this structure	<input type="checkbox"/>	is	<input checked="" type="checkbox"/>	is not	Economically feasible for rehabilitation.
In my opinion, this structure	<input checked="" type="checkbox"/>	is	<input type="checkbox"/>	is not	A public safety hazard and should be condemned immediately.

Due to safety, health and welfare structure needs to be abated due to hazards

EMERGENCY ACTION IS WARRANTED: YES NO

		
Terry Adams, Certified Building Inspector	Craig Davenport, Fire Marshal	Other Signature

CITY HALL • 515 WEST WASHINGTON AVE • JONESBORO, AR 72401 • TEL 870-933-4602 • FAX 870-933-4636



Legislation Details (With Text)

File #:	RES-13:090	Version:	1	Name:	Condemnation at 4309 Stonebrook Drive
Type:	Resolution	Status:		Status:	Recommended Under New Business
File created:	6/10/2013	In control:		In control:	Public Safety Council Committee
On agenda:	8/6/2013	Final action:		Final action:	
Title:	RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 4309 Stonebrook Dr, Owner: Joanna Grymes.				
Sponsors:	Code Enforcement				
Indexes:	Condemnation				
Code sections:					
Attachments:	CONDEMNATION CHECKLIST Inspection report 4309 4309 Stonebrook Dr				

Date	Ver.	Action By	Action	Result
6/18/2013	1	Public Safety Council Committee	Recommended Under New Business	Pass

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 4309 Stonebrook Dr, Owner: Joanna Grymes.

WHEREAS, the above property has been inspected and has been determined unsuited for human habitation.

WHEREAS, all the stipulations have been met in the condemnation process to proceed with condemnation of this property.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT: the city should proceed with the condemnation of the property at: 4309 Stonebrook Dr.

CONDEMNATION CHECKLIST

Property Address: 4309 Stonebrook Phone: 870-219-8909
 Property Owner: Joanna Grymes Phone: 870-680-8430
 Owner's Address: P.O. Box 310 Fax: _____
State University, AR 72467

	BEGINNING DATE	ENDING DATE	ACTION
<input checked="" type="checkbox"/>	<u>4/5/13</u>	<u>4/5/13</u>	1. Identify structure unfit for human habitation.
<input checked="" type="checkbox"/>	<u>4/5/13</u>	<u>4/5/13</u>	2. Inspect Property. (Condemnation Officer & Building Inspector) <input checked="" type="checkbox"/> a. Prepare inspection report. <input checked="" type="checkbox"/> b. Photograph property.
<input checked="" type="checkbox"/>	<u>4/23/13</u>	<u>4/23/13</u>	3. Determine ownership from county assessment & tax collection record.
<input checked="" type="checkbox"/>	<u>4/23/13</u>	<u>4/23/13</u>	4. Obtain legal description.
<input checked="" type="checkbox"/>	<u>4/23/13</u>	<u>4/23/13</u>	5. Send Notice of Violation & copy of inspection report to property owner(s) of record. Request written response from owner with 10 days from Notice of Violation indicating action the owner intends to take within the next 30 days to correct substandard conditions.
<input type="checkbox"/>	_____	_____	6. Obtain or complete title report to verify ownership & other vested interests, such as mortgage holders, trustees, etc.
<input type="checkbox"/>	_____	_____	7. If response is not received or is not adequate, proceed as follows:
<input type="checkbox"/>	_____	_____	8. Send 20-day pre-notification letter owner(s) & others with vested interest in property advising the date the property will be presented to City Council for consideration of condemnation.
<input type="checkbox"/>	_____	_____	<input type="checkbox"/> a. Owner unknown or whereabouts not known or such owner is a nonresident of Arkansas. 1) Post affidavit in newspaper once a week for two consecutive weeks
<input type="checkbox"/>	_____	_____	2) Attorney ad litem appointed to notify defendant.
<input type="checkbox"/>	_____	_____	9. Post sign on the property advising date the City Council will consider condemnation of the structure.
<input type="checkbox"/>	_____	_____	10. Photograph posted sign.
<input type="checkbox"/>	_____	_____	11. Prepare information packet for each City Council member, plus one each for Mayor & City Attorney consisting of: <input type="checkbox"/> a. Location map <input type="checkbox"/> b. Photographs of the structure <input type="checkbox"/> c. Inspection report <input type="checkbox"/> d. Pre-condemnation notice <input type="checkbox"/> e. Condemnation resolution

BEGINNING DATE	ENDING DATE	ACTION
<input type="checkbox"/> _____	_____	12. Place condemnation action resolution & supporting documentation for placement on the City Council agenda.
<input type="checkbox"/> _____	_____	13. City Council adopts condemnation resolution.
<input type="checkbox"/> _____	_____	File certified copy of Condemnation Resolution with Circuit Clerk.
<input type="checkbox"/> _____	_____	14. Clerk.
<input type="checkbox"/> _____	_____	15. Send owner(s) & other vested interests the following: <input type="checkbox"/> a. Copy of the City Council resolution. <input type="checkbox"/> b. 30-day notice to cure through repair, demolition or with inspector's approval, board & secure for stated period of time.
<input type="checkbox"/> _____	_____	16. Post 30-day notice to cure on structure.
<input type="checkbox"/> _____	_____	17. Photograph posted notice.
<input type="checkbox"/> _____	_____	18. Evaluate status of owner's action on 31 st day after Notice to Cure was issued. If no action taken by owner, proceed with demolition.
<input type="checkbox"/> _____	_____	19. Determine presence of asbestos & dangerous mold. If present, prepare a removal plan.
<input type="checkbox"/> _____	_____	20. Obtain three demolition bids.
<input type="checkbox"/> _____	_____	21. Notice of Intent with ADEQ
<input type="checkbox"/> _____	_____	22. Notify utility companies to disconnect & remove service from structure for safe demolition.
<input type="checkbox"/> _____	_____	23. Issue Notice to Proceed to demolition contractor.
<input type="checkbox"/> _____	_____	24. Prepare demolition cost statement consisting of: <input type="checkbox"/> a. Mailing fees <input type="checkbox"/> b. Publication fees <input type="checkbox"/> c. Demolition costs <input type="checkbox"/> d. Asbestos and/or dangerous mold testing fee <input type="checkbox"/> e. Asbestos and/or dangerous mold removal fee <input type="checkbox"/> f. Title search fee <input type="checkbox"/> g. Landfill tipping fees(if not included with demolition contract) <input type="checkbox"/> h. Photograph costs <input type="checkbox"/> i. Attorney fees <input type="checkbox"/> j. Filing fees for Circuit Clerk <input type="checkbox"/> k. Any documentation miscellaneous costs <input type="checkbox"/> l. Send Total to City Collector for billing to owners
	TOTALS= _____	
<input type="checkbox"/> _____	_____	25. Send a letter & cost statement to the City Attorney requesting a tax lien be placed on the property.



DEPARTMENT OF INSPECTION AND CODE ENFORCEMENT

RESIDENTIAL BUILDING INSPECTION REPORT

DATE OF INSPECTION:	4-5-2013	
PROPERTY ADDRESS:	4309 Stonebrook	H. 219-8909
PROPERTY OWNER:	JoAnna Grymes	W- 680-8430

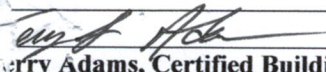
OCCUPIED: YES NO

BUILDING ELEMENT	1 thru 5 CONDITION					NOTES & COMMENTS
	VERY POOR				VERY GOOD	
Foundation					5	Slab
Front Porch						N/A
Exterior Doors and Windows	1					Windows broke/ door on front fair
Roof Underlay		2				Rotten with holes for varments going in/out
Roof Surface		2				Old 3- tab shingles approx. 11 yrs old
Chimney						N/A
Siding		2				Brick on front/ masonite rotten on rest of house
Facia and Trim		2				Rotten falling off
Interior Doors			3			fair
Interior Walls		2				Holes in sheetrock
Ceilings	1					Falling in
Flooring Underlay					5	slab
Flooring Surfaces		2				Old carpet
Electrical				4		Appears to be in code but needs to be checked
Heating				4		Appears to be in code but needs to be checked
Plumbing				4		Appears to be in code but needs to be checked

In my opinion, this structure	<input type="checkbox"/>	is	<input checked="" type="checkbox"/>	is not	Suitable for human habitation.
In my opinion this structure	<input checked="" type="checkbox"/>	is	<input type="checkbox"/>	is not	Physically feasible for rehabilitation.
In my opinion, this structure	<input checked="" type="checkbox"/>	is	<input type="checkbox"/>	is not	Economically feasible for rehabilitation.
In my opinion, this structure	<input checked="" type="checkbox"/>	is	<input type="checkbox"/>	is not	A public safety hazard and should be condemned immediately.

Due to nature of house and safety, health and welfare issues as well as fire hazards with-in structure needs to abated or repaired immediately.

EMERGENCY ACTION IS WARRANTED: YES NO

 Terry Adams, Certified Building Inspector		Craig Davenport, Fire Marshal		Other Signature
CITY HALL • 515 WEST WASHINGTON AVE • JONESBORO, AR 72401 • TEL 870-933-4602 • FAX 870-933-4636				



Legislation Details (With Text)

File #:	RES-13:091	Version:	1	Name:	Condemnation at 914 Marcom Drive
Type:	Resolution	Status:		Status:	Recommended Under New Business
File created:	6/10/2013	In control:		In control:	Public Safety Council Committee
On agenda:	8/6/2013	Final action:		Final action:	
Title:	RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at: 914 Marcom Dr, Owner April Harrison.				
Sponsors:	Code Enforcement				
Indexes:	Condemnation				
Code sections:					
Attachments:	CONDEMNATION CHECKLIST Inspection Report086Inspection Report 914 Marcom Dr				

Date	Ver.	Action By	Action	Result
6/18/2013	1	Public Safety Council Committee	Recommended Under New Business	Pass

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at: 914 Marcom Dr, Owner April Harrison.

WHEREAS, the above property has been inspected and has been determined unsuited for human habitation.

WHEREAS, all the stipulations have been met in the condemnation process to proceed with condemnation of this property.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT: the city should proceed with the condemnation of the property at: 914 Marcom Dr.

CONDEMNATION CHECKLIST

Property Address: 914 Marcom Dr Phone: 870-253-2159
 Property Owner: April Harrison Phone: _____
 Owner's Address: 9023 Fletcher Park Cir Fax: _____
Cordova, TN 38018

BEGINNING DATE	ENDING DATE	ACTION
<input checked="" type="checkbox"/> <u>3/27/13</u>	<u>3/27/13</u>	1. Identify structure unfit for human habitation.
<input checked="" type="checkbox"/> <u>3/27/13</u>	<u>3/27/13</u>	2. Inspect Property. (Condemnation Officer & Building Inspector) <input checked="" type="checkbox"/> a. Prepare inspection report. <input checked="" type="checkbox"/> b. Photograph property.
<input checked="" type="checkbox"/> <u>4/2/13</u>	<u>4/2/13</u>	3. Determine ownership from county assessment & tax collection record.
<input checked="" type="checkbox"/> <u>4/2/13</u>	<u>4/2/13</u>	4. Obtain legal description.
<input checked="" type="checkbox"/> <u>4/2/13</u>	<u>4/2/13</u>	5. Send Notice of Violation & copy of inspection report to property owner(s) of record. Request written response from owner with 10 days from Notice of Violation indicating action the owner intends to take within the next 30 days to correct substandard conditions.
<input type="checkbox"/> _____	_____	6. Obtain or complete title report to verify ownership & other vested interests, such as mortgage holders, trustees, etc.
<input type="checkbox"/> _____	_____	7. If response is not received or is not adequate, proceed as follows:
<input type="checkbox"/> _____	_____	8. Send 20-day pre-notification letter owner(s) & others with vested interest in property advising the date the property will be presented to City Council for consideration of condemnation.
<input type="checkbox"/> _____	_____	<input type="checkbox"/> a. Owner unknown or whereabouts not known or such owner is a nonresident of Arkansas. 1) Post affidavit in newspaper once a week for two consecutive weeks 2) Attorney ad litem appointed to notify defendant.
<input type="checkbox"/> _____	_____	9. Post sign on the property advising date the City Council will consider condemnation of the structure.
<input type="checkbox"/> _____	_____	10. Photograph posted sign.
<input type="checkbox"/> _____	_____	11. Prepare information packet for each City Council member, plus one each for Mayor & City Attorney consisting of: <input type="checkbox"/> a. Location map <input type="checkbox"/> b. Photographs of the structure <input type="checkbox"/> c. Inspection report <input type="checkbox"/> d. Pre-condemnation notice <input type="checkbox"/> e. Condemnation resolution

BEGINNING DATE	ENDING DATE	ACTION
<input type="checkbox"/> _____	_____	12. Place condemnation action resolution & supporting documentation for placement on the City Council agenda.
<input type="checkbox"/> _____	_____	13. City Council adopts condemnation resolution.
<input type="checkbox"/> _____	_____	File certified copy of Condemnation Resolution with Circuit Clerk. 14. Clerk.
<input type="checkbox"/> _____	_____	15. Send owner(s) & other vested interests the following: <input type="checkbox"/> a. Copy of the City Council resolution. <input type="checkbox"/> b. 30-day notice to cure through repair, demolition or with inspector's approval, board & secure for stated period of time.
<input type="checkbox"/> _____	_____	16. Post 30-day notice to cure on structure.
<input type="checkbox"/> _____	_____	17. Photograph posted notice.
<input type="checkbox"/> _____	_____	18. Evaluate status of owner's action on 31 st day after Notice to Cure was issued. If no action taken by owner, proceed with demolition.
<input type="checkbox"/> _____	_____	19. Determine presence of asbestos & dangerous mold. If present, prepare a removal plan.
<input type="checkbox"/> _____	_____	20. Obtain three demolition bids.
<input type="checkbox"/> _____	_____	21. Notice of Intent with ADEQ
<input type="checkbox"/> _____	_____	22. Notify utility companies to disconnect & remove service from structure for safe demolition.
<input type="checkbox"/> _____	_____	23. Issue Notice to Proceed to demolition contractor.
<input type="checkbox"/> _____	_____	24. Prepare demolition cost statement consisting of: <input type="checkbox"/> a. Mailing fees <input type="checkbox"/> b. Publication fees <input type="checkbox"/> c. Demolition costs <input type="checkbox"/> d. Asbestos and/or dangerous mold testing fee <input type="checkbox"/> e. Asbestos and/or dangerous mold removal fee <input type="checkbox"/> f. Title search fee <input type="checkbox"/> g. Landfill tipping fees(if not included with demolition contract) <input type="checkbox"/> h. Photograph costs <input type="checkbox"/> i. Attorney fees <input type="checkbox"/> j. Filing fees for Circuit Clerk <input type="checkbox"/> k. Any documentation miscellaneous costs <input type="checkbox"/> l. Send Total to City Collector for billing to owners
	TOTALS= _____	
<input type="checkbox"/> _____	_____	25. Send a letter & cost statement to the City Attorney requesting a tax lien be placed on the property.



DEPARTMENT OF INSPECTION AND CODE ENFORCEMENT
RESIDENTIAL BUILDING INSPECTION REPORT

DATE OF INSPECTION:	3-27-2013	
PROPERTY ADDRESS:	914 Marcom	870-253-2159
PROPERTY OWNER:	April Harrison	
OCCUPIED:	<input type="checkbox"/> YES xx NO	

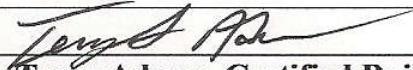
BUILDING ELEMENT	1 thru 5 CONDITION					NOTES & COMMENTS
	VERY POOR				VERY GOOD	
Foundation	1					Completely destroyed by Fire
Front Porch	1					Completely destroyed by Fire
Exterior Doors and Windows	1					Completely destroyed by Fire
Roof Underlay	1					Completely destroyed by Fire
Roof Surface	1					Completely destroyed by Fire
Chimney	1					Completely destroyed by Fire
Siding	1					Completely destroyed by Fire
Facia and Trim	1					Completely destroyed by Fire
Interior Doors	1					Completely destroyed by Fire
Interior Walls	1					Completely destroyed by Fire

Ceilings	1					Completely destroyed by Fire
Flooring Underlay	1					Completely destroyed by Fire
Flooring Surfaces	1					Completely destroyed by Fire
Electrical	1					Completely destroyed by Fire
Heating	1					Completely destroyed by Fire
Plumbing	1					Completely destroyed by Fire

In my opinion, this structure	<input type="checkbox"/>	is	<input checked="" type="checkbox"/>	is not	Suitable for human habitation.
In my opinion this structure	<input type="checkbox"/>	is	<input checked="" type="checkbox"/>	is not	Physically feasible for rehabilitation.
In my opinion, this structure	<input type="checkbox"/>	is	<input checked="" type="checkbox"/>	is not	Economically feasible for rehabilitation.
In my opinion, this structure	<input checked="" type="checkbox"/>	is	<input type="checkbox"/>	is not	A public safety hazard and should be condemned immediately.

Home destroyed by fire could be rebuilt from slab up.

EMERGENCY ACTION IS WARRANTED: YES NO

		
Terry Adams, Certified Building Inspector	Craig Davenport, Fire Marshal	Other Signature

CITY HALL • 515 WEST WASHINGTON AVE • JONESBORO, AR 72401 • TEL 870-933-4602 • FAX 870-933-4636



Legislation Details (With Text)

File #: RES-13:092 **Version:** 1 **Name:** Condemnation at 802 E. Oak Street
Type: Resolution **Status:** Recommended Under New Business
File created: 6/10/2013 **In control:** Public Safety Council Committee
On agenda: 8/6/2013 **Final action:**
Title: RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 802 E Oak St, Owner John Davis.
Sponsors: Code Enforcement
Indexes: Condemnation
Code sections:
Attachments: [CONDEMNATION CHECKLIST](#)
[Inspection Report088Inspection Report](#)
[802 E Oak St](#)

Date	Ver.	Action By	Action	Result
6/18/2013	1	Public Safety Council Committee	Recommended Under New Business	Pass

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 802 E Oak St, Owner John Davis.

WHEREAS, the above property has been inspected and has been determined unsuited for human habitation.

WHEREAS, all the stipulation have been met in the condemnation process to proceed with condemnation of this property.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT: the city should proceed with the condemnation of the property at: 802 E Oak St.

CONDEMNATION CHECKLIST

Property Address: 802 E Oak Phone: 870-935-2315
 Property Owner: John Davis Phone: _____
 Owner's Address: 1312 Nettleton Cir Fax: _____
Jonesboro, AR

BEGINNING DATE	ENDING DATE	ACTION
<input checked="" type="checkbox"/> <u>4/5/13</u>	<u>4/5/13</u>	1. Identify structure unfit for human habitation.
<input checked="" type="checkbox"/> <u>4/5/13</u>	<u>4/5/13</u>	2. Inspect Property. (Condemnation Officer & Building Inspector) <input checked="" type="checkbox"/> a. Prepare inspection report. <input checked="" type="checkbox"/> b. Photograph property.
<input checked="" type="checkbox"/> <u>4/10/13</u>	<u>4/10/13</u>	3. Determine ownership from county assessment & tax collection record.
<input checked="" type="checkbox"/> <u>4/10/13</u>	<u>4/10/13</u>	4. Obtain legal description.
<input checked="" type="checkbox"/> <u>4/12/13</u>	<u>4/12/13</u>	5. Send Notice of Violation & copy of inspection report to property owner(s) of record. Request written response from owner with 10 days from Notice of Violation indicating action the owner intends to take within the next 30 days to correct substandard conditions.
<input type="checkbox"/> _____	_____	6. Obtain or complete title report to verify ownership & other vested interests, such as mortgage holders, trustees, etc.
<input type="checkbox"/> _____	_____	7. If response is not received or is not adequate, proceed as follows:
<input type="checkbox"/> _____	_____	8. Send 20-day pre-notification letter owner(s) & others with vested interest in property advising the date the property will be presented to City Council for consideration of condemnation.
<input type="checkbox"/> _____	_____	<input type="checkbox"/> a. Owner unknown or whereabouts not known or such owner is a nonresident of Arkansas. 1) Post affidavit in newspaper once a week for two consecutive weeks 2) Attorney ad litem appointed to notify defendant.
<input type="checkbox"/> _____	_____	9. Post sign on the property advising date the City Council will consider condemnation of the structure.
<input type="checkbox"/> _____	_____	10. Photograph posted sign.
<input type="checkbox"/> _____	_____	11. Prepare information packet for each City Council member, plus one each for Mayor & City Attorney consisting of: <input type="checkbox"/> a. Location map <input type="checkbox"/> b. Photographs of the structure <input type="checkbox"/> c. Inspection report <input type="checkbox"/> d. Pre-condemnation notice <input type="checkbox"/> e. Condemnation resolution

BEGINNING DATE	ENDING DATE	ACTION
<input type="checkbox"/> _____	_____	12. Place condemnation action resolution & supporting documentation for placement on the City Council agenda.
<input type="checkbox"/> _____	_____	13. City Council adopts condemnation resolution.
<input type="checkbox"/> _____	_____	File certified copy of Condemnation Resolution with Circuit Clerk. 14. Clerk.
<input type="checkbox"/> _____	_____	15. Send owner(s) & other vested interests the following: <input type="checkbox"/> a. Copy of the City Council resolution. <input type="checkbox"/> b. 30-day notice to cure through repair, demolition or with inspector's approval, board & secure for stated period of time.
<input type="checkbox"/> _____	_____	16. Post 30-day notice to cure on structure.
<input type="checkbox"/> _____	_____	17. Photograph posted notice.
<input type="checkbox"/> _____	_____	18. Evaluate status of owner's action on 31 st day after Notice to Cure was issued. If no action taken by owner, proceed with demolition.
<input type="checkbox"/> _____	_____	19. Determine presence of asbestos & dangerous mold. If present, prepare a removal plan.
<input type="checkbox"/> _____	_____	20. Obtain three demolition bids.
<input type="checkbox"/> _____	_____	21. Notice of Intent with ADEQ
<input type="checkbox"/> _____	_____	22. Notify utility companies to disconnect & remove service from structure for safe demolition.
<input type="checkbox"/> _____	_____	23. Issue Notice to Proceed to demolition contractor.
<input type="checkbox"/> _____	_____	24. Prepare demolition cost statement consisting of: <input type="checkbox"/> a. Mailing fees <input type="checkbox"/> b. Publication fees <input type="checkbox"/> c. Demolition costs <input type="checkbox"/> d. Asbestos and/or dangerous mold testing fee <input type="checkbox"/> e. Asbestos and/or dangerous mold removal fee <input type="checkbox"/> f. Title search fee <input type="checkbox"/> g. Landfill tipping fees(if not included with demolition contract) <input type="checkbox"/> h. Photograph costs <input type="checkbox"/> i. Attorney fees <input type="checkbox"/> j. Filing fees for Circuit Clerk <input type="checkbox"/> k. Any documentation miscellaneous costs <input type="checkbox"/> l. Send Total to City Collector for billing to owners
TOTALS=	_____	
<input type="checkbox"/> _____	_____	25. Send a letter & cost statement to the City Attorney requesting a tax lien be placed on the property.



DEPARTMENT OF INSPECTION AND CODE ENFORCEMENT

RESIDENTIAL BUILDING INSPECTION REPORT

DATE OF INSPECTION:	4-5-2013
PROPERTY ADDRESS:	802 E. Oak
PROPERTY OWNER:	John Davis
OCCUPIED:	xx YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>


BUILDING ELEMENT	1 thru 5 CONDITION					NOTES & COMMENTS
	VERY POOR				VERY GOOD	
Foundation	1					Solid/ falling over causing walls to collapse
Front Porch						Concrete
Exterior Doors and Windows		2				Rotten Wood doors and windows
Roof Underlay	1					Rotten falling in leaking in-side house
Roof Surface	1					3-tab approximately 20 yrs old
Chimney						N/A
Siding	1					Wood weathered and rotten/ some masonite
Facia and Trim	1					Rotten falling off

Interior Doors		2				wood
Interior Walls	1					Cracked and separating from roof line
Ceilings	1					Falling in due to leaking from roof
Flooring Underlay	1					Rotten falling in due to water leaking into house from roof
Flooring Surfaces		2				Old rotten carpet
Electrical	1					Not to code has a lot of electrical issues
Heating						N/A
Plumbing	1					Needs major work

In my opinion, this structure	<input type="checkbox"/>	is	<input checked="" type="checkbox"/>	is not	Suitable for human habitation.
In my opinion this structure	<input type="checkbox"/>	is	<input checked="" type="checkbox"/>	is not	Physically feasible for rehabilitation.
In my opinion, this structure	<input type="checkbox"/>	is	<input checked="" type="checkbox"/>	is not	Economically feasible for rehabilitation.
In my opinion, this structure	<input checked="" type="checkbox"/>	is	<input type="checkbox"/>	is not	A public safety hazard and should be condemned immediately.

Due to safety, health and welfare issues we have advised the tenants to move.

EMERGENCY ACTION IS WARRANTED: YES NO

		
Terry Adams, Certified Building Inspector	Craig Davenport, Fire Marshal	Other Signature



Legislation Details (With Text)

File #: RES-13:093 **Version:** 1 **Name:** Condemnation at 700 Freeman
Type: Resolution **Status:** Recommended Under New Business
File created: 6/10/2013 **In control:** Public Safety Council Committee
On agenda: 8/6/2013 **Final action:**
Title: RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at: 700 Freeman St, Owner Tekesea L Williams.
Sponsors: Code Enforcement
Indexes: Condemnation
Code sections:
Attachments: [CONDEMNATION CHECKLIST](#)
[Inspection Report087Inspection Report](#)
[700 Freeman St](#)

Date	Ver.	Action By	Action	Result
6/18/2013	1	Public Safety Council Committee	Recommended Under New Business	Pass

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at: 700 Freeman St, Owner Tekesea L Williams.

WHEREAS, the above property has been inspected and has been determined unsuited for human habitation.

WHEREAS, all the stipulations hve been met in the condemnation process to proceed with condemnation of this property.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT: the city should proceed with the condemnation of the property at: 700 Freeman St.

CONDEMNATION CHECKLIST

Property Address: 700 Freeman St Phone: 870-549-0054
 Property Owner: Tekesea L Williams Phone: _____
 Owner's Address: 2121 Munos Fax: _____
Jonesboro, AR 72401

	BEGINNING DATE	ENDING DATE	ACTION
<input checked="" type="checkbox"/>	<u>4/19/13</u>	<u>4/19/13</u>	1. Identify structure unfit for human habitation.
<input checked="" type="checkbox"/>	<u>4/19/13</u>	<u>4/19/13</u>	2. Inspect Property. (Condemnation Officer & Building Inspector) <input checked="" type="checkbox"/> a. Prepare inspection report. <input checked="" type="checkbox"/> b. Photograph property.
<input type="checkbox"/>	<u>4/23/13</u>	<u>4/23/13</u>	3. Determine ownership from county assessment & tax collection record.
<input checked="" type="checkbox"/>	<u>4/23/13</u>	<u>4/23/13</u>	4. Obtain legal description.
<input checked="" type="checkbox"/>	<u>4/23/13</u>	<u>4/23/13</u>	5. Send Notice of Violation & copy of inspection report to property owner(s) of record. Request written response from owner with 10 days from Notice of Violation indicating action the owner intends to take within the next 30 days to correct substandard conditions.
<input type="checkbox"/>	_____	_____	6. Obtain or complete title report to verify ownership & other vested interests, such as mortgage holders, trustees, etc.
<input type="checkbox"/>	_____	_____	7. If response is not received or is not adequate, proceed as follows:
<input type="checkbox"/>	_____	_____	8. Send 20-day pre-notification letter owner(s) & others with vested interest in property advising the date the property will be presented to City Council for consideration of condemnation.
<input type="checkbox"/>	_____	_____	<input type="checkbox"/> a. Owner unknown or whereabouts not known or such owner is a nonresident of Arkansas. 1) Post affidavit in newspaper once a week for two consecutive weeks
<input type="checkbox"/>	_____	_____	2) Attorney ad litem appointed to notify defendant.
<input type="checkbox"/>	_____	_____	9. Post sign on the property advising date the City Council will consider condemnation of the structure.
<input type="checkbox"/>	_____	_____	10. Photograph posted sign.
<input type="checkbox"/>	_____	_____	11. Prepare information packet for each City Council member, plus one each for Mayor & City Attorney consisting of: <input type="checkbox"/> a. Location map <input type="checkbox"/> b. Photographs of the structure <input type="checkbox"/> c. Inspection report <input type="checkbox"/> d. Pre-condemnation notice <input type="checkbox"/> e. Condemnation resolution

BEGINNING DATE	ENDING DATE	ACTION
<input type="checkbox"/> _____	_____	12. Place condemnation action resolution & supporting documentation for placement on the City Council agenda.
<input type="checkbox"/> _____	_____	13. City Council adopts condemnation resolution.
<input type="checkbox"/> _____	_____	File certified copy of Condemnation Resolution with Circuit Clerk.
<input type="checkbox"/> _____	_____	14. Clerk.
<input type="checkbox"/> _____	_____	15. Send owner(s) & other vested interests the following: <input type="checkbox"/> a. Copy of the City Council resolution. <input type="checkbox"/> b. 30-day notice to cure through repair, demolition or with inspector's approval, board & secure for stated period of time.
<input type="checkbox"/> _____	_____	16. Post 30-day notice to cure on structure.
<input type="checkbox"/> _____	_____	17. Photograph posted notice.
<input type="checkbox"/> _____	_____	18. Evaluate status of owner's action on 31 st day after Notice to Cure was issued. If no action taken by owner, proceed with demolition.
<input type="checkbox"/> _____	_____	19. Determine presence of asbestos & dangerous mold. If present, prepare a removal plan.
<input type="checkbox"/> _____	_____	20. Obtain three demolition bids.
<input type="checkbox"/> _____	_____	21. Notice of Intent with ADEQ
<input type="checkbox"/> _____	_____	22. Notify utility companies to disconnect & remove service from structure for safe demolition.
<input type="checkbox"/> _____	_____	23. Issue Notice to Proceed to demolition contractor.
<input type="checkbox"/> _____	_____	24. Prepare demolition cost statement consisting of: <input type="checkbox"/> a. Mailing fees <input type="checkbox"/> b. Publication fees <input type="checkbox"/> c. Demolition costs <input type="checkbox"/> d. Asbestos and/or dangerous mold testing fee <input type="checkbox"/> e. Asbestos and/or dangerous mold removal fee <input type="checkbox"/> f. Title search fee <input type="checkbox"/> g. Landfill tipping fees(if not included with demolition contract) <input type="checkbox"/> h. Photograph costs <input type="checkbox"/> i. Attorney fees <input type="checkbox"/> j. Filing fees for Circuit Clerk <input type="checkbox"/> k. Any documentation miscellaneous costs <input type="checkbox"/> l. Send Total to City Collector for billing to owners
	TOTALS= _____	
<input type="checkbox"/> _____	_____	25. Send a letter & cost statement to the City Attorney requesting a tax lien be placed on the property.



DEPARTMENT OF INSPECTION AND CODE ENFORCEMENT
RESIDENTIAL BUILDING INSPECTION REPORT

DATE OF INSPECTION:	4-19-2013
PROPERTY ADDRESS:	700 Freeman
PROPERTY OWNER:	Tekesea L. Williams
OCCUPIED:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

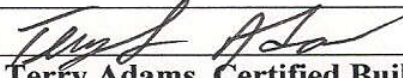

BUILDING ELEMENT	1 thru 5 CONDITION					NOTES & COMMENTS
	VERY POOR				VERY GOOD	
Foundation	1					Completely destroyed by Fire
Front Porch	1					Completely destroyed by Fire
Exterior Doors and Windows	1					Completely destroyed by Fire
Roof Underlay	1					Completely destroyed by Fire
Roof Surface	1					Completely destroyed by Fire
Chimney	1					Completely destroyed by Fire
Siding	1					Completely destroyed by Fire
Facia and Trim	1					Completely destroyed by Fire
Interior Doors	1					Completely destroyed by Fire
Interior Walls	1					Completely destroyed by Fire

Ceilings	1				Completely destroyed by Fire
Flooring Underlay	1				Completely destroyed by Fire
Flooring Surfaces	1				Completely destroyed by Fire
Electrical	1				Completely destroyed by Fire
Heating	1				Completely destroyed by Fire
Plumbing	1				Completely destroyed by Fire

In my opinion, this structure	<input type="checkbox"/>	is	<input checked="" type="checkbox"/>	is not	Suitable for human habitation.
In my opinion this structure	<input type="checkbox"/>	is	<input checked="" type="checkbox"/>	is not	Physically feasible for rehabilitation.
In my opinion, this structure	<input type="checkbox"/>	is	<input checked="" type="checkbox"/>	is not	Economically feasible for rehabilitation.
In my opinion, this structure	<input checked="" type="checkbox"/>	is	<input type="checkbox"/>	is not	A public safety hazard and should be condemned immediately.

Due to safety issues and fire damage the structure needs to be removed as soon as possible.

EMERGENCY ACTION IS WARRANTED: YES NO

 Terry Adams, Certified Building Inspector	 Craig Davenport, Fire Marshal	Other Signature

CITY HALL • 515 WEST WASHINGTON AVE • JONESBORO, AR 72401 • TEL 870-933-4602 • FAX 870-933-4636



Legislation Details (With Text)

File #:	ORD-13:032	Version:	1	Name:	Rezoning by Robert Abraham
Type:	Ordinance	Status:		Status:	Second Reading
File created:	7/11/2013	In control:		In control:	City Council
On agenda:		Final action:		Final action:	
Title:	AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-3 TO PD-R FOR PROPERTY LOCATED ON NORTH CULBERHOUSE AS REQUESTED BY ROBERT ABRAHAM				
Sponsors:					
Indexes:	Rezoning				
Code sections:					
Attachments:	Plat MAPC Report Layout				

Date	Ver.	Action By	Action	Result
7/16/2013	1	City Council		

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES
BE IT ORDAINED BY THE CITY COUNCIL OF JONESBORO, ARKANSAS:

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

FROM: Residential, R-3
TO: Planned Development - Residential, PD-R

THE FOLLOWING DESCRIBED PROPERTY:

LEGAL DESCRIPTION:

Lots 4-12, Block A, Lots 1-7, Block B, Lots 1-15, Block C, Lots 1-15, Block D, and Lots 1-7, Block E, along with the right of ways of Beth Street, Carla Street, part of 5th Street and part of Bradley Street all in Northgate Addition, Jonesboro, Arkansas.

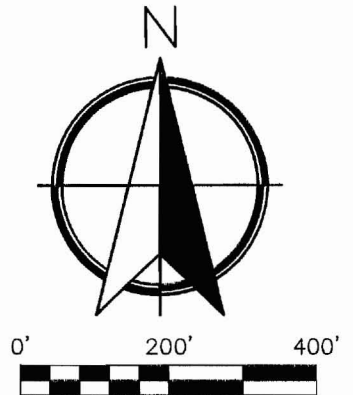
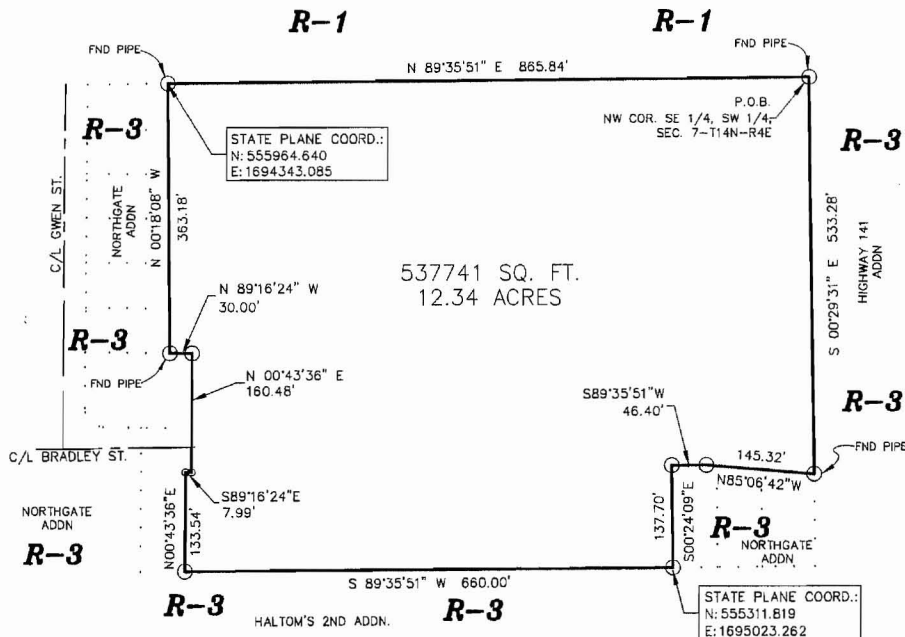
SECTION 2: THE REZONING OF THIS PROPERTY SHALL ADHERE TO THE FOLLOWING STIPULATIONS:

- 1) Proposed development shall satisfy all requirements of the City Engineer and current Stormwater Drainage Design Manual.
- 2) Final Site Plans shall be submitted. Reviewed and approved by the MAPC prior to any development of the property.
- 3) The proposed rezoning is contingent upon verification that the plat description submitted with the

application corresponds to a deed that verifies the legal description and ownership of the property.

4) Final landscaping details shall be required as part of the Final Development Plan process if the petition is granted.

5) Formal applications for the abandonment of the affected city rights-of-way shall be necessary and required in the future.



LEGAL DESCRIPTION:

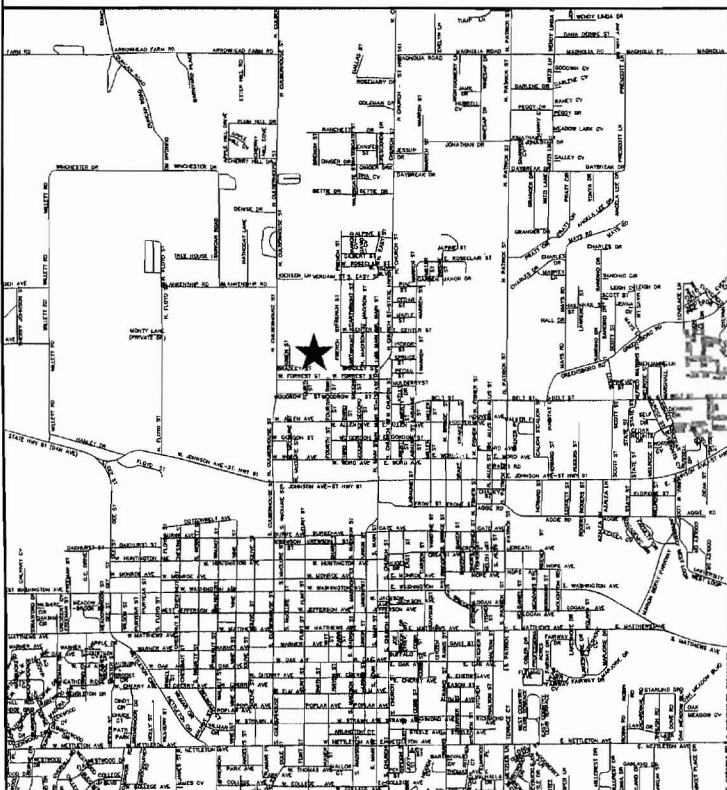
Lots 4-12, Block A, Lots 1-7, Block B, Lots 1-15, Block C, Lots 1-15, Block D, and Lots 1-7, Block E, along with the right of ways of Beth Street, Carla Street, part of 5th Street and part of Bradley Street all in Northgate Addition, Jonesboro, Arkansas.

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) BEARINGS BASED ON GPS OBSERVATION.
- 2) THE CLOSURE PRECISION OF THE PLAT IS IN EXCESS OF 1' IN 500,000'
- 3) THE RESEARCH COMPLETED FOR THIS SURVEY INCLUDES LEGAL DESCRIPTION PROVIDED.
- 4) ALL PINS SET ARE 1/2" REBAR, UNLESS NOTED OTHERWISE.
- 5) FLOOD PLAIN: THIS TRACT DOES LIE WITHIN THE 100-YR FLOOD PLAIN PER FLOOD INSURANCE RATE MAP OF CRAIGHEAD CO., ARK. AND INCORPORATED AREAS, COMMUNITY PANEL NO. 05031C0043 C, DATED 09/27/91.



**EXISTING R-3 ZONING
REQUESTED PD-R ZONING**

ENGINEERS		PLANNERS		SURVEYORS	
Civilogic					
203 Southwest Dr.-Jonesboro, AR-(870)932-7880-www.civilogic.net					
REZONING PLAT PT. NORTHGATE ADDN FOR ROBERT ABRAHAM, M.D. JONESBORO, ARKANSAS					
Date	Scale	Job No.	Sheet		
06-12-13	1"=200'	113050	No.		
Section	Township	Range	County		
7	14N	04E	CRAIGHEAD	1 of 1	
ONLY COPIES WITH VIOLET COLORED SIGNATURE ARE ORIGINAL CIVILOGIC COPIES					
© 2013, Civilogic		Drawn By: RE		Checked by: GH	



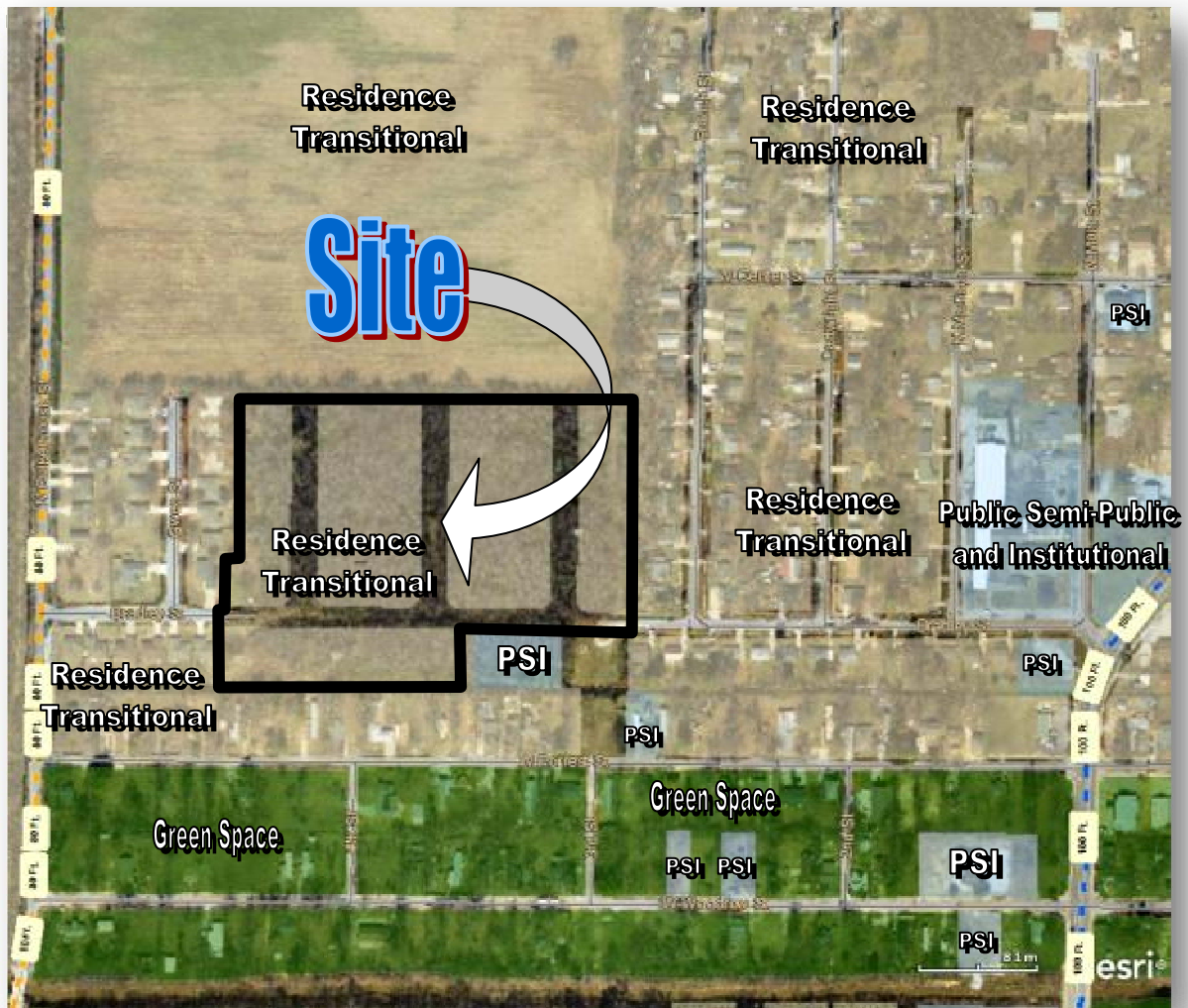
City of Jonesboro City Council
Staff Report – RZ 13-10: Robert Abraham Rezoning – Bradley Street
Huntington Building - 900 W. Monroe
For Consideration by the Council on July 16, 2013

- REQUEST:** MAPC recommended rezoning approval for a parcel of land currently zoned R-3 Multi-Family High Density District to a proposed PD-R Residential Planned Development District.
- LOCATION:** The property is located at the terminuses of Bradley Street between Gwen Street and French Street
- APPLICANT/
OWNER:** Robert Abraham, 2608 Duckswater, Jonesboro, AR
Jimmy W. Cox, 298 CR 352 Bono, AR
- PURPOSE:** Owner believes there is a market for the proposed housing development. 44 duplexes (88 dwelling units) which are proposed.
- HISTORY:** The property is an undeveloped portion of the Northgate Addition containing 52 lots which was platted in 1972 and was annexed into the city in 1986.
- SITE
DESCRIPTION:** **Tract Size:** 12.19 acres/531,109.4 sq. ft.
Frontage: N/A.
Topography: Flat.

FUTURE LAND USE PLAN AND ZONING ANALYSIS FOR SUBJECT PROPERTY

Surrounding Conditions:

	<u>ZONING/CURRENT USE</u>	<u>FUTURE LAND USE</u>
Subject Property:	R-1 Multi-Family High Density	Residence Transitional
North of Property:	R-1 Single Family Medium Density Agricultural	Residence Transitional
East of Property:	R-3 Multi-Family High Density Residential subdivision	Residence Transitional
South of Property:	R-3 Multi-Family High Density Residential subdivision	Residence Transitional
Southwest of Property	R-3 Multi-Family High Density Three undeveloped lots owned by CWL	Public Semi-Public and Institutional
West of Property:	R-3 Multi-Family High Density Residential subdivision	Residence Transitional



Adopted Future 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 the proposal and offers the following explanations and findings related to the approval criteria.

Criteria	Explanations and Findings
(a) Consistency of the proposal with the Comprehensive Plan/Land Use Map	The proposed PD-R Residential Planned Development rezoning is consistent with the Land Use Map. The property is recommended as Residence Transitional. Attached two family dwellings are recommended as a land use.
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal is mainly consistent with the purpose. A deed for the property was not submitted with the application.
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	The proposal is compatible with the surrounding area. The subject property is zoned R-3 as well as the majority of the surrounding area. R-3 zoning allows a maximum density of (18) dwelling units per acre. A much lower density of (7.2) dwelling units per acre is proposed.
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	The property as subdivided into (52) individual lots is not suitable for the proposed use with the provisions for open space.

(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;	Minimal detrimental effects. As currently subdivided, (19) of the (52) lots meet the lot size zoning requirements for duplexes. A combination of single family and duplexes would yield (71) dwelling units. (88) dwelling units are proposed.
(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	The property was platted and zoned in 1972, annexed into the city in 1986 and has remained undeveloped.
(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	Feasibility of the current conceptual site plan is contingent upon abandonment of all the currently platted easements and street right-of-way.



Vicinity Zoning Map

Master Street Plan/Transportation

The subject property is served by ingress/egress points from Bradley Drive which abut the eastern and western boundaries of the property. Bradley Drive is classified as a local street and has a 60 ft. dedicated right-of-way approaching the west side of property and 50 ft. right-of-way approaching the east side of property.

Other Departmental/Agency Reviews:

Department/Agency	Reports/ Comments	Status
Streets/Sanitation		No objection
Police	Pending	No comments to date
Fire Department		No objection
MPO & Engineering		This property as originally platted is laid out in a grid system that helps provide connections to North Church and Culberhouse. People who already live in this area have stated their preference for greater connectivity, not less. The proposed development is gated, which will kill connectivity to the east and west, for a half mile stretch. Additionally, a north/south connection should be made, along the lines currently platted. Having a gated community in this area has the potential to create a crime problem for both those inside and outside the development, and violates the Crime Prevention Through Environmental Design principles that Jonesboro Police is trying to implement across the city.
Jets	Pending	No objection
Utility Companies	Pending	No objection

Zoning Code Analysis:

The property is currently zoned R-3 High Density Multifamily and was formerly platted as Northgate Addition Subdivision where a portion of the single family homes were constructed to the west. The site lends itself to flood plain challenges which can be overcome with proper engineering of the storm water design.

The property has remained vacant over the years.

Under the existing R-3 District, the gross density could result in 219 apartments being constructed on the property if all the proper platting and right of way abandonment procedures are followed. As noted, the applicant hopes to develop only 88 units in 44 duplex homes.

As noted above, Consistency is achieved with the adopted Land Use Plan which recommends residence transitional uses for the subject area. A preliminary layout has been presented as part of the rezoning which depicts a private drive network giving access to the east as well as the west on Bradley Dr. There are proposed common areas such as garden greenspace and a common house for the residence of the planned community.

Final landscaping details shall be required as part of the Final Development Plan process if the petition is granted. Former applications for abandonment of the affected city right of ways shall be necessary and required in the future. Coordination with the affected adjacent owners such as City Water Light shall be coordinated with the applicant to assure compliance with abandonment procedures.

MAPC RECORD OF PROCEEDINGS: Meeting Held July 9, 2013

Applicant: Mr. George Hamman, Civilogic presented before Commission on behalf of the applicant: Dr. Robert Abraham requesting a rezoning from R-3 High Density Multi-family to PD-R - Planned District for 12.19 acres. Mr. Hamman stated that the applicant would like to place 44 duplexes on 12.19 acres. This is an existing platted subdivision and they would have to abandon the street right of ways. City Water Light owns the 3 lots to the southeast corner, and they have it under investigation under the work of professional title, who will have an answer so that we can make sure that legal description is correct.

Staff:

Mr. Spriggs summarized the staff findings of the report. The proposed PD-R Residential Planned Development rezoning is consistent with the Land Use Map. The property is recommended as Residence Transitional. Attached two family dwellings are recommended as a land use. The issues of right of way abandonment must be submitted for processing under the Code requirements.

Under the existing R-3 District, the gross density could result in 219 apartments being constructed on the property if all the proper platting and right of way abandonments procedures are followed. As noted, the applicant hopes to develop only 88 units in 44 duplex homes.

Public Input:

Kevin Anderson (Resident in Northgate Subdivision), stated that he is one of the younger owners, and has a family with 2 small children. He expressed concerns if this project were not to become possible. What if they don't fill the units with the elderly? This could bring hazards to their subdivision.

Resident in Northgate Subdivision asked if they are going to open Bradely St. from Culberhouse to Church Street.

Mr. Hamman stated that the owner would like to provide a gated community to cater to elderly population, instead of having open rental availability. It would have private streets with private maintenance, with gates on both ends. The resident asked what is the time frame? Mr. Hamman stated that they hope to begin in the Spring.

The residence asked if they could oppose the land development and restrict it to only single family. They noted that they have no crime on their street and don't want there are to depreciate.

Redeen Thomas, (Resident in Northgate Subdivision, 801 Bradley Street. Her main concern is if you put the elderly in there, we have children. The elderly may not be conducive to children running around. You have a lot of units already in the area. It can turn into Section 8 housing. We have had flood issues as well. Culberhouse has lots of accidents.

Mr. Hamman stated that not all the property is the flood plain. It would have to be elevated. We will not make the drainage any worse than it currently is. We will detain the storm water runoff caused by this project.

Commission Action:

Mr. Scurlock asked about the gating mechanism. Mr. Hamman explained that it will have a Knox Box and some form of remote device.

Mr. Joe Tomlinson expressed his concerns about the right of ways. He has a problem doing away with the east/west connection. We have too many cul-de-sacs and a lack of straight east and west streets.

Mr. Kelton explained to the persons that spoke that the density and crime could be worse under the current R-3; these people can build 219 apartments today. They will have less people, less units (88) and it will be gated. It will not be as bad as it could be. They are trying to develop the property with an effort to make it more in harmonious with the property values of the area.

Conclusion:

The MAPC and the Planning Department Staff find that the request to rezone property from R-3 Multi-Family High Density District to PD-R Residential Planned Development District submitted for Case RZ 13-10 should be evaluated based on the above observations and criteria. The following conditions apply:

1. That the proposed development shall satisfy all requirements of the City Engineer and all requirements of the current Stormwater Drainage Design Manual.
2. Final Site Plans shall be submitted, reviewed, and approved by the MAPC prior to any development of the property.
3. The proposed rezoning is contingent upon verification that the plat description submitted with the application corresponds to a deed that verifies the legal description and ownership of the property.
4. Final landscaping details shall be required as part of the Final Development Plan process if the petition is granted.
5. Former applications for abandonment of the affected city right of ways shall be necessary and required in the future.

Mr. Kelton made a motion to place Case: RZ-13-10 on the floor for the consideration of recommendation by MAPC to the City Council that changing the zoning of this property from R-3 Multi-Family High Density District to PD-R Residential Planned Development District is compatible and suitable with the zoning, uses, and character of the surrounding area with the noted conditions. Motion was 2nd by Mr. Scurlock.

Roll Call Vote: Mr. Scurlock- Aye; Mr. Kelton- Aye; Mr. Reece- Aye; Mr. Dover- Aye; Mr. Tomlinson- Nay; Mrs. Schrantz- Aye. **Motion passed 5-1;** Mr. Roberts - Chair.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



Bradley Street viewing west toward southeast corner of site.



CWL property located adjacent to the southeast corner of site.



Bradley Street viewing east from southeast corner of site.



French Street located east of site viewing north.



Typical housing along West Forrest Street located south of site.



Bradley Street viewing east toward southwest corner of site.



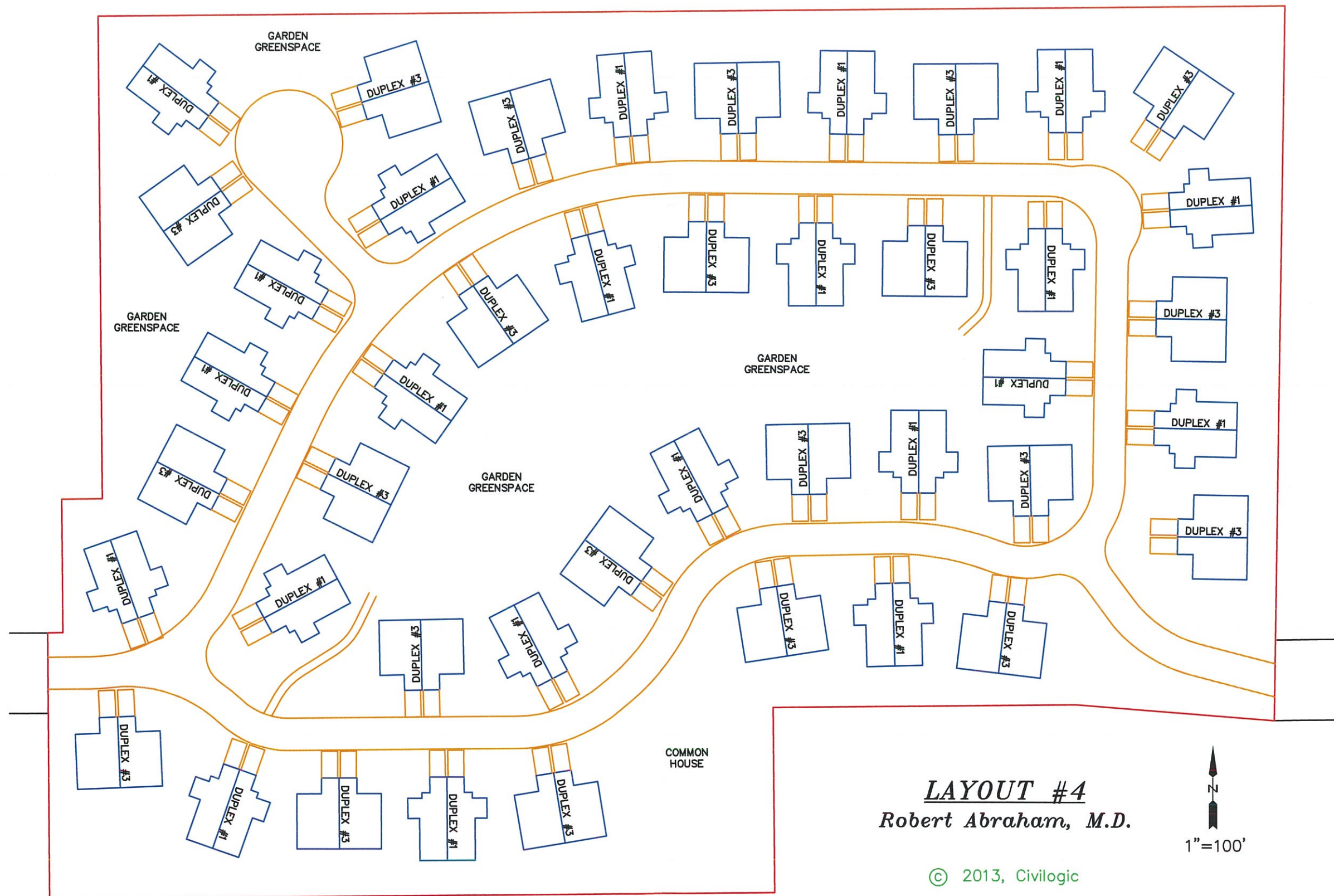
Bradley Street viewing west from southwest corner of site.



Gwen Street located west of site viewing south.



Undeveloped R-1 property located north of site. View of northern boundary of site.



LAYOUT #4
Robert Abraham, M.D.

© 2013, Civilogic





Legislation Details (With Text)

File #: ORD-13:027 **Version:** 1 **Name:** Abandonment on Avenir Place
Type: Ordinance **Status:** Third Reading
File created: 6/19/2013 **In control:** City Council
On agenda: **Final action:**

Title: AN ORDINANCE TO VACATE AND ABANDON THAT PART OF THE UNDEVELOPED PORTION OF AVENIR PLACE CUL-DE-SAC, LYING AT THE WEST END OF THE PLATTED RIGHT-OF-WAY OF AVENIR PLACE, AS SHOWN ON THE PRIMARY CARE INVESTMENTS REPLAT OF JMEC ADDITION AND LOTS 1 AND 2 BROWNS LANDING ADDITION TO JONESBORO, ARKANSAS; AND RECORDED IN BOOK H, PAGE 141

Sponsors:

Indexes: Abandonment

Code sections:

Attachments: [Engineering Letter](#)
[Utility Letters](#)
[Plats](#)
[Planning Letter](#)
[Petition](#)
[Letter regarding Centerpoint Energy](#)
[Nearby property owners consent](#)

Date	Ver.	Action By	Action	Result
7/16/2013	1	City Council		
7/2/2013	1	City Council	Held at one reading	Pass

AN ORDINANCE TO VACATE AND ABANDON THAT PART OF THE UNDEVELOPED PORTION OF AVENIR PLACE CUL-DE-SAC, LYING AT THE WEST END OF THE PLATTED RIGHT-OF-WAY OF AVENIR PLACE, AS SHOWN ON THE PRIMARY CARE INVESTMENTS REPLAT OF JMEC ADDITION AND LOTS 1 AND 2 BROWNS LANDING ADDITION TO JONESBORO, ARKANSAS; AND RECORDED IN BOOK H, PAGE 141

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

SECTION ONE: The City of Jonesboro, Arkansas, hereby releases, vacates and abandons all of its rights, together with the rights of the public generally, in and to the portion of this right of way designated as follows:

LEGAL DESCRIPTION

BEGINNING AT THE SOUTHEAST CORNER OF LOT 2 OF PRIMARY CARE INVESTMENTS REPLAT OF JMEC ADDITION AND LOTS 1 AND 2 BROWNS LANDING ADDITION TO JONESBORO, ARKANSAS; SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF AVENIR PLACE; THENCE SOUTH 88°56'56" WEST, ALONG SAID LINE, 106.10 FEET, TO THE POINT OF BEGINNING PROPER; THENCE CONTINUE SOUTH 88°56'56" WEST 80.16 FEET, TO A POINT ON A CURVE TO THE RIGHT; THENCE IN A NORTHEASTERLY DIRECTION ALONG SAID CURVE, RADIUS 50.00 FEET, A DISTANCE OF 93.00 FEET, TO THE POINT OF BEGINNING PROPER; CONTAINING 0.026

ACRES OR 1126.85 SQUARE FEET; BEING SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD

SECTION TWO: A copy of this ordinance duly certified by the City Clerk shall be filed in the office of the Recorder of Craighead County, Arkansas and shall be filed in the Deed Records of such office.



July 30, 2013

Haywood, Kenward, Bare and Associates, Inc.
1801 Latourette Dr.
Jonesboro, AR 72404

RE: Right-of-way Abandonment
Avenir Place

The City of Jonesboro Engineering Department does not concur with the abandonment of the portion of Avenir Place Right-of-way, as described on the drawings prepared by HKB dated 07/12/12. Our objections to this abandonment are:

1. §113-78(j) of the Jonesboro Code of Ordinances requires that streets designed to have one end permanently closed shall have a turnaround, at the closed end, with an outside roadway diameter of at least 80 feet and a street right-of way diameter of at least 100 feet. This proposal would abandon a portion of the right-of-way needed to construct this turnaround.
2. Lot 6 of this subdivision has no frontage on the improved portion of Avenir Place. For this lot to be developed as it is currently platted Avenir Place would need to be improved and the prescribed turnaround constructed. As such, this abandonment would restrict the ability of this lot to be developed in the future.

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



Owned by the Citizens of Jonesboro

August 8, 2012

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

Re: Right of Way Abandonment
Avenir Place Cul-de-Sac

Dear Donna:

City Water and Light has no objection with the abandonment of the Right-of-Way more particularly described as:

Beginning at the Southeast corner of Lot 2 of Primary Care Investments Replat of JMEC Addition and Lots 1 and 2 Browns Landing Addition to Jonesboro, Arkansas; said point being on the North Right-of-Way line of Avenir Place; thence South 88°56'56" West, along said line, 106.10 feet, to the point of beginning proper; thence South 88°56' 56" West 80.16 feet, to a point on a curve to the right; thence in a Northeasterly direction along said curve, radius 50.00 feet, a distance of 93.00 feet, to the point of beginning proper; containing 0.026 acres or 1126.85 square feet; being subject to all Rights-of-Way and easements of record, as shown on the attached Exhibit A.

City Water and Light would require a utility easement over the proposed abandonment. Please call if more information is needed.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald L. Bowen". The signature is fluid and cursive, with a large loop at the end.

Ronald L. Bowen
Manager, City Water & Light

Enclosure

Cc: Donna Jackson
Otis Spriggs
Haywood, Kenward, Bare & Associates



Cindy Cole
Manager-Engineering Design

AT&T - Arkansas
723 S. Church, Rm. B27
Jonesboro, AR 72401
(870) 972.7600 Phone

August 3, 2012

**RE: Right-of-Way Abandonment
Avenir Place
City of Jonesboro
Craighead County**

AT&T has no objection with the abandonment of the Right-of-Way on Avenir Place as described in the attached request.

At the current time AT&T has no facilities in this Right-of-Way.

Please contact me if you have any questions.

Sincerely,

Cindy Cole
Manager Engineer Design

UTILITY RELEASE FORM

R.O.W. (Right of Way) Abandonment Request

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

Beginning at the Southeast corner of Lot 2 of Primary Car Investments Replat of JMEC addition and Lots 1 and 2 Browns Landing Addition to Jonesboro , Arkansas; said point being on the North Right-of-Way line of Avenir Place; Thence South 88 56'56" West, along said line, 106.10 feet, to the point of beginning proper; Thence continue South 88 56'56" West 80.16 feet, on a curve to the right; Thence in a Northeasterly direction along said curve, radius 50.00 feet, a distance of 93.00 feet, to the point of beginning proper; Containing 0.026 acres or 1126.85 square feet; Being subject to all Rights-of-Way and easements of Record, As shown on the attached.

UTILITY COMPANY COMMENTS:

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

Cindy Cole
Design Engineer ATT
870-972-7600

Signature of Utility Company Representative



To: Haywood, Kenward, Bare and Associates, Inc

From: Suddenlink Communications, Inc.

Date: August 21, 2012

Re: Request for Partial Right-of-Way Abandonment

Suddenlink Communications, Inc. has no objection to the abandonment of that part of the undeveloped portion of the Avenir Place Cul-de-Sac, lying at the West end of the platted Right-of-Way of Avenir Place, as shown on the Primary Care Investments Replat of JMEC Addition and Lots 1 and 2 Browns Landing Addition, located in Jonesboro, Craighead County, Arkansas.

Respectfully,

John Fain

Construction Planner
Suddenlink Communications, Inc.

HKB

COMPILATION MAP

THAT PART OF THE UNDEVELOPED PORTION OF AVENIR PLACE (OUL-DE-SAC) LYING SOUTH OF WINDOVER ROAD AND WEST OF BROWNS LANE JONESBORO, CRAIGHHEAD COUNTY, ARKANSAS

**Haywood, Kenward, Bare
AND ASSOCIATES, INC.**
Civil Engineering, Surveying & Planning Services

1801 Leitchfield Drive, Jonesboro, AR, 72404
TEL: 870-932-2019 FAX: 870-932-1028

PRELIMINARY

JASON H. BRANCH, PS
AR - 1596

PRELIMINARY

Haywood, Kenward, Bare,
and Associates, Inc
Arkansas - 234

CLIENT:
WRIGHT

COPYRIGHT 2012, ALL RIGHTS RESERVED

REVISIONS

DATE	BY	DESCRIPTION

PROJECT NO.

WQ4Q-0001-28

DRAWN BY

JHB

CHECKED BY

1 of 1

DATE

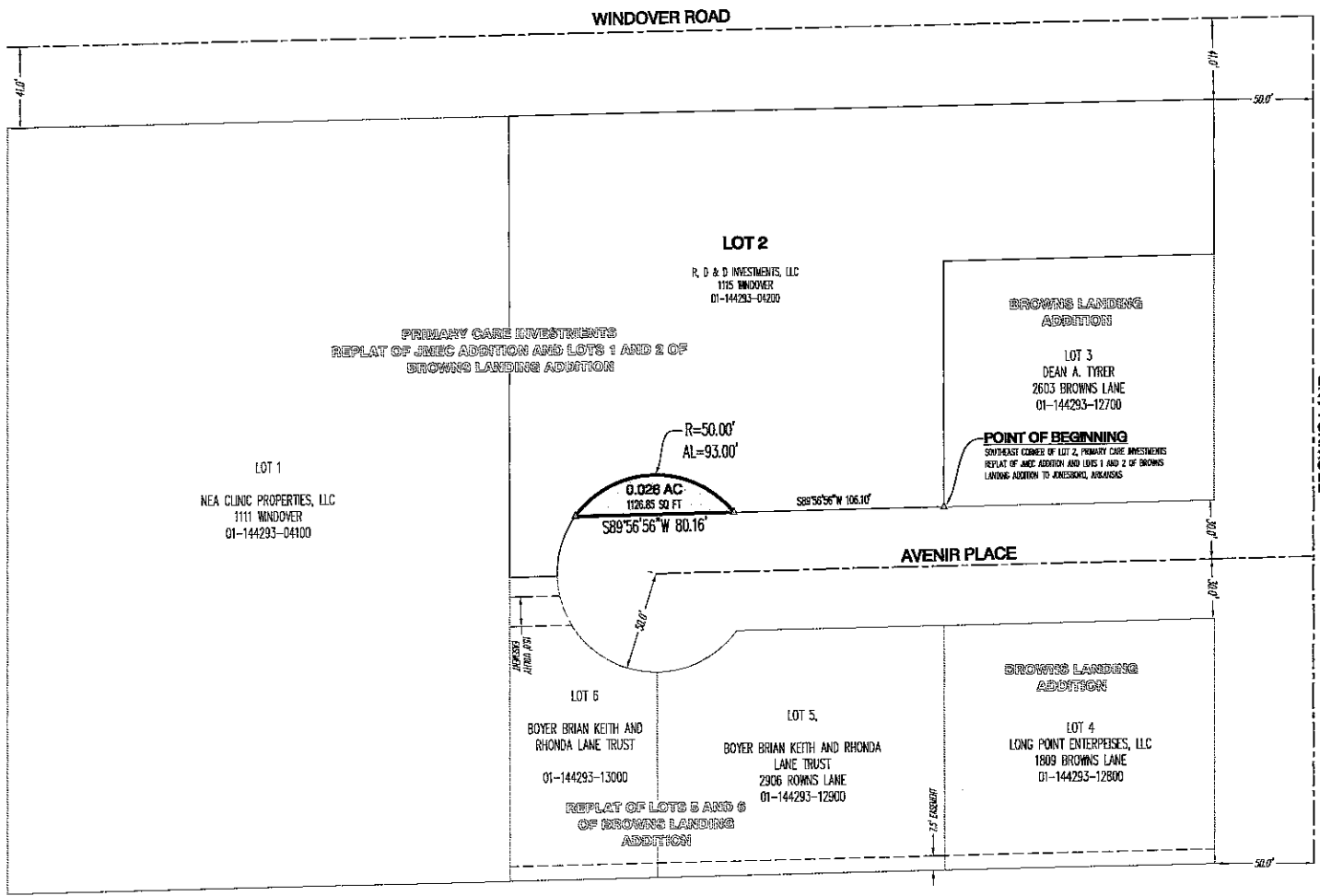
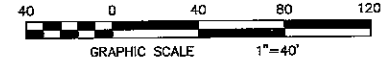
07/12/12

SCALE

1"=40'

DRAWING NO.

COMPILATION MAP



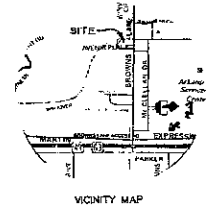
PARTIAL RIGHT-OF-WAY ABANDONMENT:

THAT PART OF THE UNDEVELOPED PORTION OF THE AVENIR PLACE (OUL-DE-SAC), LYING AT THE WEST END OF THE PLATTED BROFF-OF-WAY OF AVENIR PLACE, AS SHOWN ON THE PRIMARY CARE INVESTMENTS REPLAT OF JMEC ADDITION AND LOTS 1 AND 2 BROWNS LANDING ADDITION TO JONESBORO, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTH EAST CORNER OF LOT 2 OF PRIMARY CARE INVESTMENTS REPLAT OF JMEC ADDITION AND LOTS 1 AND 2 BROWNS LANDING ADDITION TO JONESBORO, ARKANSAS, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF AVENIR PLACE; THENCE SOUTH 88°56'56" WEST, ALONG SAID LINE, 106.10 FEET, TO THE POINT OF BEGINNING PROPER; THENCE CONTINUE SOUTH 88°56'56" WEST 80.16 FEET, TO A POINT ON A CURVE TO THE RIGHT; THENCE IN A NORTHEASTERLY DIRECTION ALONG SAID CURVE, RADIUS 50.00 FEET, A DISTANCE OF 93.00 FEET, TO THE POINT OF BEGINNING PROPER; CONTAINING 0.028 ACRES OR 1126.85 SQUARE FEET; BEING SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

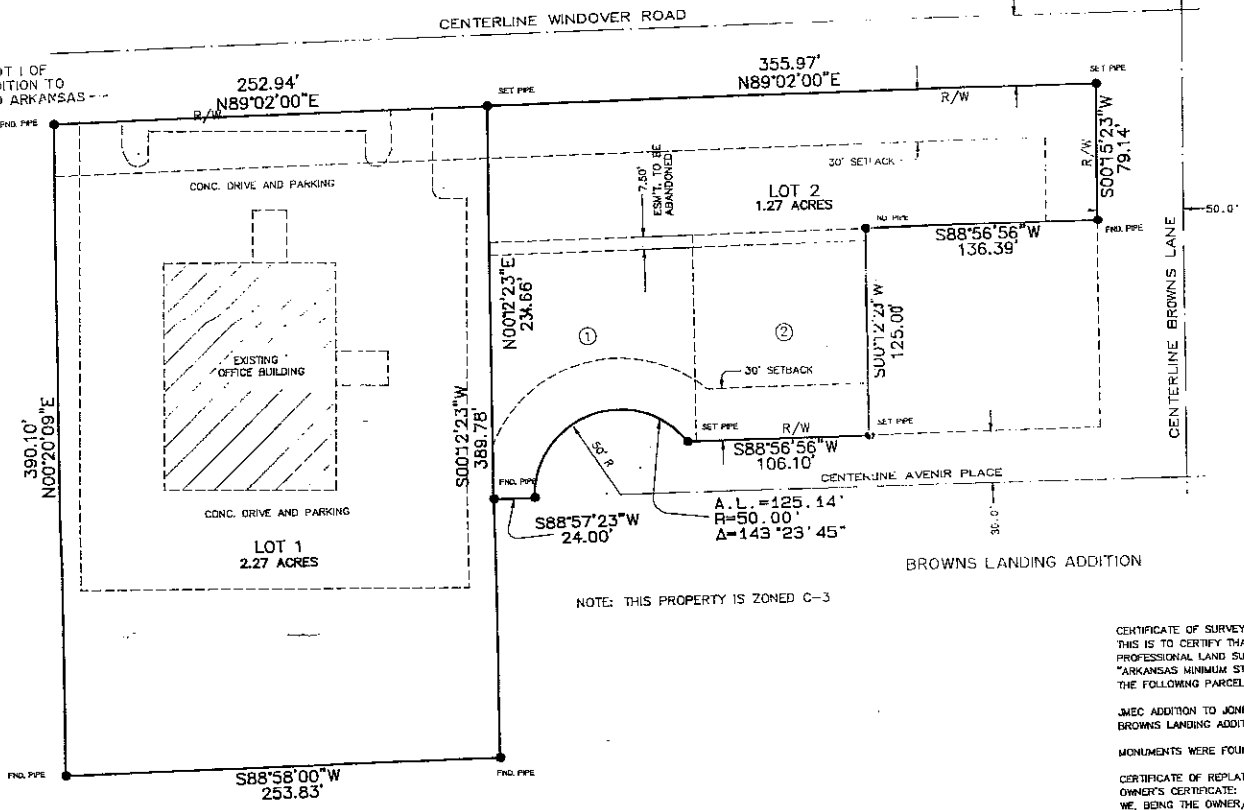


BASED UPON BEARING PRIMARY CARE INVESTMENTS REPLAT OF JMEC ADDITION AND LOTS 1 AND 2 BROWNS LANDING ADDITION TO JONESBORO, ARKANSAS BY TERRY BARE, PS 1094, FILED IN BOOK 6, PAGE 141.

FILED FOR RECORD
 This 27th day of Sept. 1995
 4238
 PAT FLEETWOOD
 Circuit & Chancery Court Clerk
 by Shirley Handley



NW COR. LOT 1 OF
 J.M.E.C. ADDITION TO
 JONESBORO ARKANSAS



NOTE: THIS PROPERTY IS ZONED C-3

CERTIFICATE OF SURVEY:
 THIS IS TO CERTIFY THAT HAYWOOD, KENWARD, BARE, AND ASSOCIATES, INC.,
 PROFESSIONAL LAND SURVEYORS, HAVE SURVEYED IN ACCORDANCE WITH
 "ARKANSAS MINIMUM STANDARDS FOR PROPERTY BOUNDARIES AND PLATS",
 THE FOLLOWING PARCEL/PARCELS OF LAND:

J.M.E.C. ADDITION TO JONESBORO, ARKANSAS AND LOTS 1 AND 2 OF
 BROWNS LANDING ADDITION TO JONESBORO, ARKANSAS

MONUMENTS WERE FOUND OR SET AS NOTED ON THE PLAT OF SURVEY HEREON.

CERTIFICATE OF REPLAT:
 OWNER'S CERTIFICATE:
 WE, BEING THE OWNER/AGENTS OF THE ABOVE DESCRIBED PARCEL/PARCELS OF
 LAND DO HEREBY ADOPT THE PLAN OF RE-PLAT AS SHOWN HEREON, AND DO
 HEREBY DEDICATE TO THE PUBLIC USE FOREVER ALL STREETS OF WIDTH,
 LENGTH, AND LOCATION AS SHOWN HEREON, AND SAID OWNER/AGENTS DO
 HEREBY DEDICATE ALL EASEMENTS FOR THE EXPRESS PURPOSE AND INTENDED
 USE DESCRIBED HEREON.

" SAID RE-PLAT SHALL HERE-IN-AFTER BE DESIGNATED AND REFERRED TO AS

PRIMARY CARE INVESTMENTS REPLAT OF J.M.E.C. ADDITION AND LOTS 1 AND 2 OF
 BROWNS LANDING ADDITION TO JONESBORO, ARKANSAS

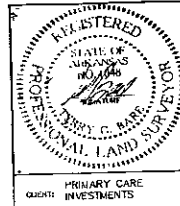
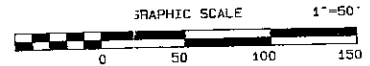
SIGNED THIS 17th DAY OF AUGUST 1995 BY:

John H. Hanning OWNER/AGENT

METROPOLITAN AREA PLANNING COMMISSION
 Jonesboro - Craighead County

- PRELIMINARY APPROVAL
- FINAL APPROVAL
- AS NOTED
- DISAPPROVED
- TABLE

John R. Calawa Chairman
John H. Hanning Secretary
 AUG 22 1995 Date

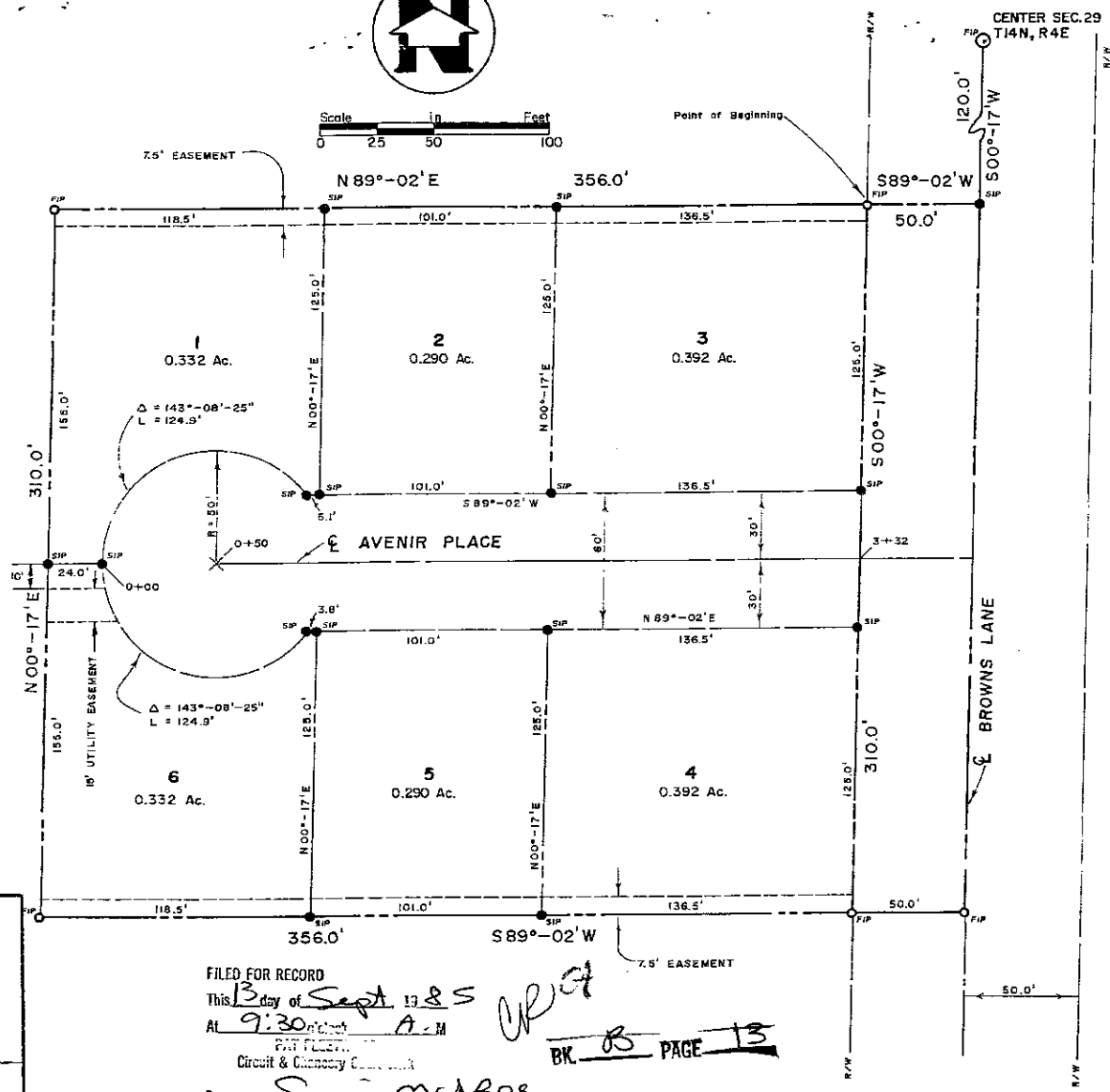


RECORD REPLAT
 PRIMARY CARE INVESTMENTS
 REPLAT OF J.M.E.C. ADDITION AND LOTS 1 AND 2
 BROWNS LANDING ADDITION TO JONESBORO, ARKANSAS
HAYWOOD, KENWARD, BARE & ASSOCIATES, INC.
 SURVEYING - PLANNING
 603 SOUTHWEST DRIVE, SUITE A
 JONESBORO, ARKANSAS 72401
 TEL 501-932-2019 FAX 501-932-1076

REVISIONS	
DATE	DESCRIPTION

DRAWN: S.P. DATE: 8/17/94	SHEET NO.
CHECKED: T.B. DATE: 8/17/94	SCALE: 1"=50'
JOB NO. 014595	DRAWING NO. 57-55

RP95-47



BOUNDARY DESCRIPTION

A part of the East Half of the Northeast Quarter of the Southwest Quarter (E 1/2, NE 1/4, SW 1/4) of Section 29, Township 14 North, Range 4 East of the 5th Principal Meridian in Craighead County, Arkansas, more particularly described as follows:

From the Northeast Corner of the NE 1/4 of the SW 1/4 of said Section 29 thence S00°17'W 120.00 feet along the east line of the NE 1/4, of the SW 1/4 of said Section 29 to a point, thence S89°02'W 50.00 feet to a point on the westerly right of way of Browns Lane, the Point of Beginning;

Thence S00°17'W 310.00 feet along said right of way to a point, thence S89°02'W 156.00 feet to a point, thence N00°17'E 310.00 feet to a point, thence N89°02'E 136.00 feet to the Point of Beginning, containing some 2.535 acres, more or less.

OWNER'S CERTIFICATION AND DEDICATION

I, Hubert Brodell, President, and I, S. J. Bailey, Secretary of Avenir, Inc., an Arkansas Corporation, do hereby certify that Avenir, Inc. is the owner of the above described property, that we have caused same to be subdivided and named Browns Landing Addition, Jonesboro, Arkansas, as shown hereon, and we do hereby dedicate the streets to the use of the general public and we do hereby dedicate the easements shown hereon for the purpose of construction and maintenance of the appropriate utilities.

Hubert Brodell Hubert Brodell, President
S. J. Bailey S. J. Bailey, Secretary
Avenir, Inc.

CERTIFICATE OF SURVEY

I hereby certify that I have this date made a complete survey of the property shown hereon and that all property lines and corner monuments are correctly established to the best of my knowledge and belief.

Dan B. Mulhollen
Dan B. Mulhollen, Land Surveyor # 646 July 31, 1985

State of Arkansas
County of Craighead
Subscribed and sworn before me this 5th day of August, 1985.
Notary Public *Dana L. Gilbert*
My commission expires 02-16-88

DAN B. MULHOLLEN
REGISTERED
LAND SURVEYOR
STATE OF
ARKANSAS
NO. 646
SIGNATURE

FILED FOR RECORD
This 13 day of Sept 1985
At 9:30 o'clock A.M.
P.M. PLANNING
Circuit & Clerks Office
By Susan Mulgee
BR. 13 PAGE 13

METROPOLITAN AREA PLANNING COMMISSION
Jonesboro - Craighead County

- PRELIMINARY APPROVAL
- FINAL APPROVAL
- AS NOTED
- DISAPPROVED
- TABLED

Thomas White Chairman
Rosalie Barber Secretary
Date

PRELIMINARY PLAT
BROWNS LANDING ADDITION
JONESBORO, ARKANSAS

MULHOLLEN & ASSOCIATES INC.
CIVIL ENGINEERING SERVICES
JONESBORO ARKANSAS



PLANNING & ZONING DEPARTMENT



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

May 16, 2013

Haywood, Kenward, Bare and Associates, Inc.
1801 Latourette Dr.
Jonesboro, AR 72404

Re: Abandonment of a portion Avenir Pl. Right of Way

Dear Mr. Bare,

The City of Jonesboro Planning Department has received your request to abandon a portion Avenir Pl. Right of Way, as described on the petition and drawings provided by you on behalf of your client.

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

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

PETITION TO ABANDON THAT PART OF THE UNDEVELOPED PORTION OF THE AVENIR PLACE CUL-DE-SAC, LYING AT THE WEST END OF THE PLATTED RIGHT-OF-WAY OF AVENIR PLACE, AS SHOWN ON THE PRIMARY CARE INVESTMENTS REPLAT OF JMEC ADDITION AND LOTS 1 AND 2 BROWNS LANDING ADDITION TO JONESBORO, ARKANSAS; AND RECORDED IN BOOK H, PAGE 141.

We / I the undersigned, being the owner/s of all property adjoining to the following described Right of way located in the City of Jonesboro, Arkansas, described as follows:

LEGAL DESCRIPTION:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 2 OF PRIMARY CARE INVESTMENTS REPLAT OF JMEC ADDITION AND LOTS 1 AND 2 BROWNS LANDING ADDITION TO JONESBORO, ARKANSAS; SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF AVENIR PLACE; THENCE SOUTH 88°56'56" WEST, ALONG SAID LINE, 106.10 FEET, TO THE POINT OF BEGINNING PROPER; THENCE CONTINUE SOUTH 88°56'56" WEST 80.16 FEET, TO A POINT ON A CURVE TO THE RIGHT; THENCE IN A NORTHEASTERLY DIRECTION ALONG SAID CURVE, RADIUS 50.00 FEET, A DISTANCE OF 93.00 FEET, TO THE POINT OF BEGINNING PROPER; CONTAINING 0.026 ACRES OR 1126.85 SQUARE FEET; BEING SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD

Herewith file and present this petition to the City Council of the City of Jonesboro, Arkansas to have all of the above described Right of way legally abandoned.

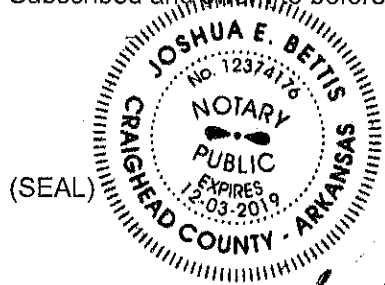
DATED this 28th day of August 2012.

PROPERTY OWNER ADDRESS

R.D.& D Investments LLC 1115 Windover Road, Jonesboro, AR 72401

[Handwritten signatures]

Subscribed and sworn to before me this 28th day of August, 2012



[Handwritten signature]
NOTARY

Expiration date: 12/03/19

Haywood, Kenward, Bare & Associates, Inc.

Civil Engineering, Surveying & Planning Services

May 10, 2013

Otis Spriggs AICP, Director of Planning & Zoning
307 Vine Street
Jonesboro, AR 72401

RE: Avenir Place

Dear Mr. Spriggs:

The Wrights have been trying to abandon a portion of Avenir Place Cul-De-Sac since 2012; they have fulfilled the requirements of the city's abandonment process as well as the utility providers request. However we have not received a confirmation from Centerpoint Energy.

The Wrights are asking that the requested street abandonment area be retained as a utility easement; this will allow the expansion of their parking lot.

Respectfully,



Terry Bare

Haywood, Kenward, Bare
AND ASSOCIATES, INC.
Civil Engineering - Surveying - Planning

July 13, 2012

Rhonda Boyer
1805 Avenir Place
Jonesboro, AR 72403-0954

RE: Request for a Partial Right-of-Way Abandonment

Dear Mrs. Boyer,

Haywood, Kenward, Bare & Associates is requesting the abandonment of that part of the undeveloped portion of the Avenir Place Cul-de-Sac, lying at the West end of the platted Right-of-Way of Avenir Place, as shown on the Primary Care Investments Replat of JMEC Addition and Lots 1 and 2 Browns Landing Addition to Jonesboro, Arkansas; Recorded in Book H, Page 141; Being more particularly described as follows:

Beginning at the Southeast corner of Lot 2 of Primary Care Investments Replat of JMEC addition and Lots 1 and 2 Browns Landing Addition to Jonesboro, Arkansas; said point being on the North Right-of-Way line of Avenir Place; Thence South 88°56'56" West, along said line, 106.10 feet, to the point of beginning proper; Thence continue South 88°56'56" West 80.16 feet, to a point on a curve to the right; Thence in a Northeasterly direction along said curve, radius 50.00 feet, a distance of 93.00 feet, to the point of beginning proper; Containing 0.026 acres or 1126.85 square feet; Being subject to all Rights-of-Way and easements of Record,

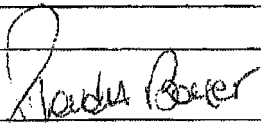
As shown on the attached Exhibit A.

If you have any questions or need additional information, please feel free to contact me at 870-932-2019.

I do not object to the requested vacation described above.

I do object to the requested vacation described above because.

Comments:

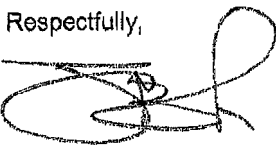


Signature of Property Owner/ Representative

8/12

Date

Respectfully,



Jason Branch, PS
Haywood, Kenward, Bare & Associates, Inc.

1801 Latourette Drive, Jonesboro, AR 72404
Bus. (870) 932-2019 Fax (870) 932-1076
E-mail: hkb@hkbinc.com

Haywood, Kenward, Bare
AND ASSOCIATES, INC.
Civil Engineering - Surveying - Planning

July 13, 2012

Dean A. Tyrer
2603 Browns Lane
Jonesboro, AR 72401

RE: Request for a Partial Right-of-Way Abandonment

Dear Mr. Tyrer,

Haywood, Kenward, Bare & Associates is requesting the abandonment of that part of the undeveloped portion of the Avenir Place Cul-de-Sac, lying at the West end of the platted Right-of-Way of Avenir Place, as shown on the Primary Care Investments Replat of JMEC Addition and Lots 1 and 2 Browns Landing Addition to Jonesboro, Arkansas; Recorded in Book H, Page 141; Being more particularly described as follows:

Beginning at the Southeast corner of Lot 2 of Primary Care Investments Replat of JMEC addition and Lots 1 and 2 Browns Landing Addition to Jonesboro, Arkansas; said point being on the North Right-of-Way line of Avenir Place; Thence South 88°56'56" West, along said line, 106.10 feet, to the point of beginning proper; Thence continue South 88°56'56" West 80.16 feet, to a point on a curve to the right; Thence in a Northeasterly direction along said curve, radius 50.00 feet, a distance of 93.00 feet, to the point of beginning proper; Containing 0.026 acres or 1128.85 square feet; Being subject to all Rights-of-Way and easements of Record,

As shown on the attached Exhibit A.

If you have any questions or need additional information, please feel free to contact me at 870-932-2019.

- I do not object to the requested vacation described above.
 I do object to the requested vacation described above because.

Comments:

Signature of Property Owner/ Representative 8/28/12
Date

Respectfully,



Jason Branch, PS
Haywood, Kenward, Bare & Associates, Inc.

Haywood, Kenward, Bare
AND ASSOCIATES, INC.
Civil Engineering - Surveying - Planning

July 26, 2013

Kolin Weaver
2605 Browns Lane
Jonesboro, AR 72401

RE: Request for a Partial Right-of-Way Abandonment

Dear Mr. Weaver,

Haywood, Kenward, Bare & Associates is requesting the abandonment of that part of the undeveloped portion of the Avenir Place Cul-de-Sac, lying at the West end of the platted Right-of-Way of Avenir Place, as shown on the Primary Care Investments Replat of JMEC Addition and Lots 1 and 2 Browns Landing Addition to Jonesboro, Arkansas; Recorded in Book H, Page 141; Being more particularly described as follows:

Beginning at the Southeast corner of Lot 2 of Primary Care Investments Replat of JMEC addition and Lots 1 and 2 Browns Landing Addition to Jonesboro, Arkansas; said point being on the North Right-of-Way line of Avenir Place; Thence South 88°56'56" West, along said line, 106.10 feet, to the point of beginning proper; Thence continue South 88°56'56" West 80.16 feet, to a point on a curve to the right; Thence in a Northeasterly direction along said curve, radius 50.00 feet, a distance of 93.00 feet, to the point of beginning proper; Containing 0.026 acres or 1126.85 square feet; Being subject to all Rights-of-Way and easements of Record,

As shown on the attached Exhibit A.

If you have any questions or need additional information, please feel free to contact me at 870-932-2019.

I do not object to the requested vacation described above.

I do object to the requested vacation described above because.

Comments:

x 

Signature of Property Owner/ Representative

7/29/13

Date

Respectfully,

Terry Bare, PS
Haywood, Kenward, Bare & Associates, Inc.

1801 Latourette Drive, Jonesboro, AR 72404
Bus. (870) 932-2019 Fax (870) 932-1076
E-mail: hkb@hkbinc.com



Legislation Details (With Text)

File #:	ORD-13:031	Version:	1	Name:	Rezoning by Nix Development
Type:	Ordinance	Status:		Status:	Third Reading
File created:	7/11/2013	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 FROM R-1 TO C-3 LUO FOR PROPERTY LOCATED AT 2600 ALEXANDER DRIVE AS REQUESTED BY NIX DEVELOPMENT				
Sponsors:					
Indexes:	Rezoning				
Code sections:					
Attachments:	Plat MAPC Report				

Date	Ver.	Action By	Action	Result
7/16/2013	1	City Council		

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES
BE IT ORDAINED BY THE CITY COUNCIL OF JONESBORO, ARKANSAS:

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

FROM: Residential, R-1
TO: Commercial, C-3, L.U.O.

THE FOLLOWING DESCRIBED PROPERTY:

LEGAL DESCRIPTION:

Lot "B" of the Christian Creek Commons Replat for Nix Development, Inc., Alexander Drive, Jonesboro, AR.

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

1) The L.U.O. shall prohibit the following uses:

- A) Adult Entertainment Facilities
- B) Gas Station
- C) Shops that sell alcohol or tobacco or both

2) Proposed development shall satisfy all requirements of the City Engineer and current Stormwater Drainage Design Manual.

3) Final Site Plans shall be subject to all ordinance requirements including "Sec. 117-328 - Residential Compatability Standards" shall be submitted, reviewed, and approved by the MAPC prior to any development of the property.

FILED
2013 JUN 18 PM 3:32 SMC
CLERK OF CIRCUIT COURT

OWNER'S CERTIFICATION

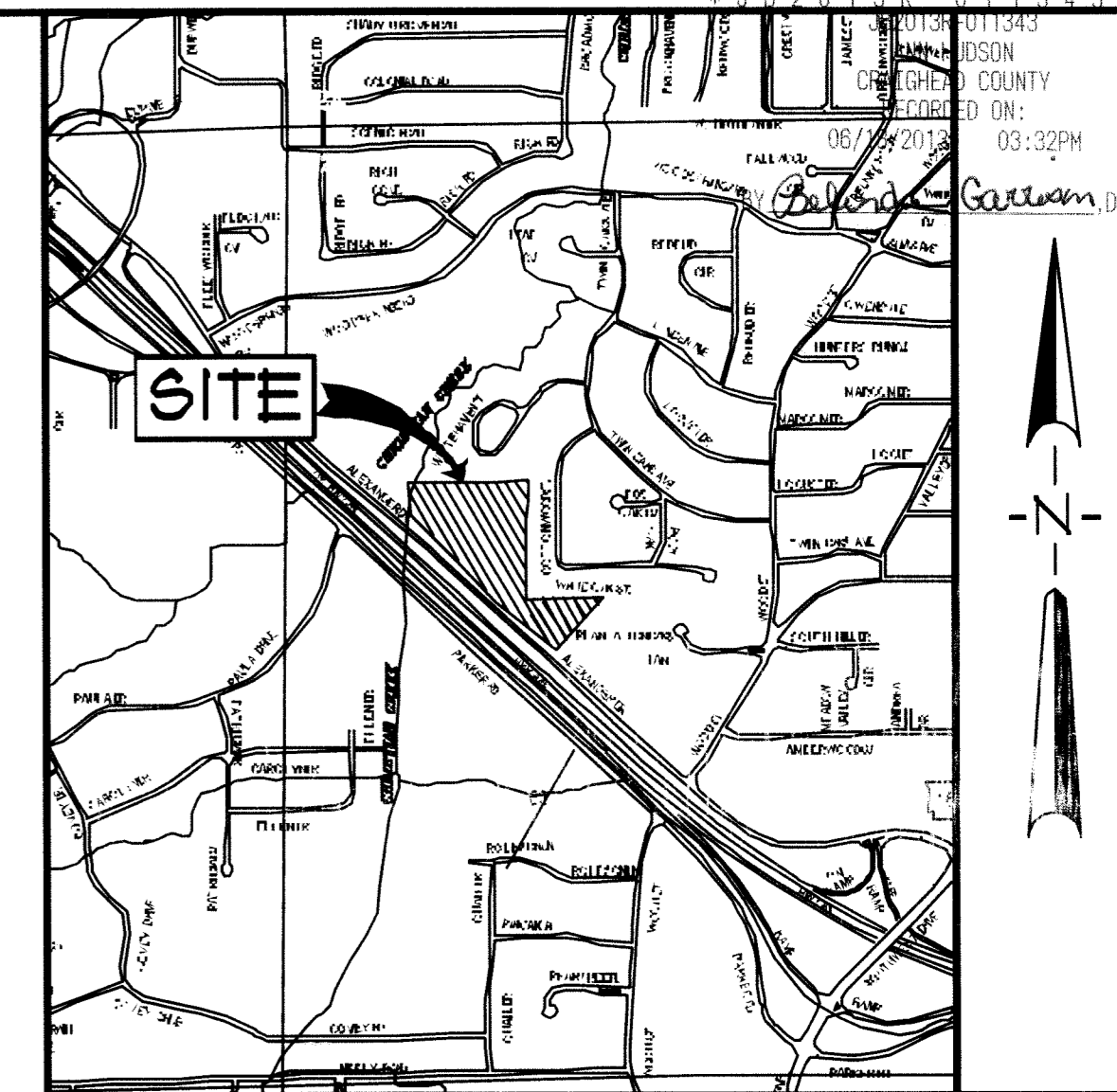
WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF PROPERTY AS DESCRIBED HEREON, THAT WE ADOPT THE PLAN OF SUBDIVISION AND DEDICATE THE PERPETUAL USE OF ALL STREETS AND EASEMENTS AS NOTED.

Jud Nix

JUD NIX, OWNER
NIX DEVELOPMENT, INC.

LEGEND

- BOUNDARY LINE
- - - ADJACENT LOT LINES
- - - EASEMENT LINE
- - - BUILDING SETBACK LINE
- - - EXISTING OVERHEAD ELECTRIC LINE
- FOUND IRON PIPE
- SET IRON PIPE W/ 1/2" CAP
- FOUND REBAR W/ 1/2" CAP



VICINITY SKETCH
NOT TO SCALE

DESCRIPTION

NIX'S ALEXANDER DRIVE MINOR PLAT AS RECORDED IN BOOK 101 AT PAGE 96, PUBLIC RECORDS OF CRAIGHEAD COUNTY, AT JONESBORO, ARKANSAS AND A PART OF THE NORTHEAST QUARTER OF THE SOUTH-EAST QUARTER OF SECTION 28, TOWNSHIP 13 NORTH, RANGE 3 EAST, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTH-EAST QUARTER OF SECTION 28, TOWNSHIP 13 NORTH, RANGE 3 EAST, CRAIGHEAD COUNTY, ARKANSAS; THENCE NORTH 89°02'29" EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTH-EAST QUARTER OF SECTION 28, AFORESAID, 150 FEET TO THE SOUTHWEST CORNER OF PARKER WOODLAND HILLS SUBDIVISION 6TH ADDITION; THENCE CONTINUE NORTH 89°02'29" EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTH-EAST QUARTER OF SECTION 28, AFORESAID AND ALONG THE SOUTH LINE OF PARKER WOODLAND HILLS SUBDIVISION 6TH ADDITION, 437.98 FEET; THENCE SOUTH 42°55'50" WEST DEPARTING FROM SAID NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTH-EAST QUARTER OF SECTION 28, AFORESAID AND THE SOUTH LINE OF PARKER WOODLAND HILLS SUBDIVISION 6TH ADDITION, 384.56 FEET; THENCE SOUTH 88°48'43" EAST ALONG SAID SOUTH LINE, 226.80 FEET; THENCE NORTH 89°03'49" EAST, ALONG SAID SOUTH LINE, 164.94 FEET; THENCE NORTH 87°49'26" EAST, CONTINUING ALONG SAID SOUTH LINE, 176.63 FEET TO THE WEST LINE OF PARKER WOODLAND HILLS SUBDIVISION 6TH ADDITION; THENCE ALONG SAID WEST LINE AS FOLLOWS: SOUTH 01°07'19" WEST 6.34 FEET, SOUTH 00°49'29" WEST 106.00 FEET, SOUTH 00°36'29" WEST 106.00 FEET, SOUTH 00°33'29" WEST 105.00 FEET, SOUTH 00°35'29" WEST 105.00 FEET, SOUTH 00°33'29" WEST 105.00 FEET, SOUTH 00°35'29" WEST 105.00 FEET, SOUTH 00°59'29" WEST 105.00 FEET, SOUTH 01°07'29" WEST 6.34 FEET TO THE POINT OF BEGINNING.

CONTAINING IN ALL 340,951 SQ. FT. OR 8.86 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS-OF-WAY OF RECORD.

City of Jonesboro DATE 6/18/13
Jonesboro FILE # RP13-34
 FINAL APPROVAL
 PRELIMINARY (NOT FOR RECORDING)
 PLANNING DEPT. *[Signature]*
 7/1/13

SURVEYOR'S CERTIFICATION

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

DATE OF BOUNDARY SURVEY: 06/10/13

BOOK 240 PAGE 3
 DATE 6/18/13 TIME 3:32 P.M.
 BY Kevin L. Scrafe

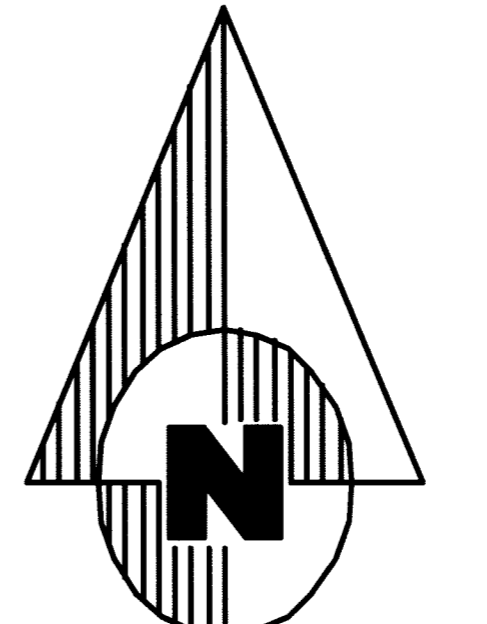


NOTE: TO BE VALID, COPIES MUST HAVE ORIGINAL SURVEYOR'S SIGNATURE AND SURVEYOR'S SEAL.

KEVIN L. SCRAFE, P.S.
 PROFESSIONAL SURVEYOR
 3301 MARDISWOOD COVE - JONESBORO, ARKANSAS
 PH: 870-243-1887

NIX'S ALEXANDER DRIVE REPLAT
NIX DEVELOPMENT, INC.
JONESBORO, ARKANSAS

DRAWN	KLS	CHECKED	KLS	DATE	06/17/13	SHEET	1 OF 1
SCALE:	1" = 60'	CADD FILE:	1301	DWG#	REPLAT-RI		



BEARING 83.615
 (STATE PLANE COORDINATES - ARKANSAS NORTH ZONE)
 60° 30' 0" 60' 120'



GRAPHIC SCALE
IN FEET

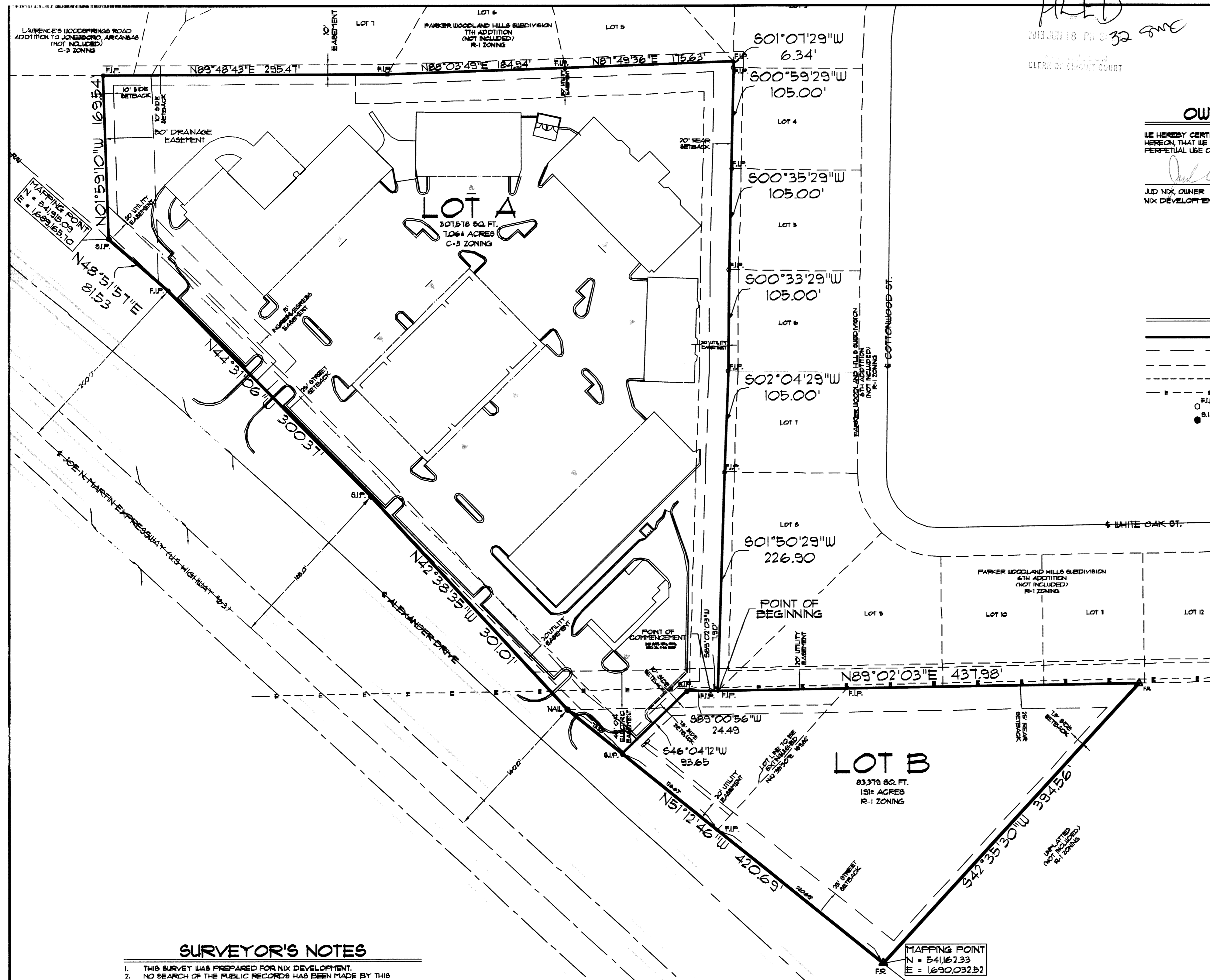
SURVEYOR'S NOTES

- THIS SURVEY WAS PREPARED FOR NIX DEVELOPMENT. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS SURVEYOR FOR EASEMENTS, RESTRICTIONS, RESERVATIONS OR RIGHTS-OF-WAY AFFECTING THIS PROJECT.
- THE FOLLOWING DOCUMENTS WERE USED TO CONDUCT THIS SURVEY:
 - SURVEY BY ASSOCIATED ENGINEERS & TESTING, LLC, DATED 02/28/06, FILED FOR RECORD 02/28/06 AND RECORDED IN THE PUBLIC RECORDS IN JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, IN RECORD BOOK C, PAGE 196.
 - RIGHT-OF-WAY MAP FOR U.S. HIGHWAY 63, A.S.T.D. JOB #000B-SEC. 2.
 - SURVEY BY CIVILOGIC DATED 05/09/10, JOB #10061.
 - RECORD PLAT OF PARKER WOODLAND HILLS SUBDIVISION 6TH ADDITION FILED FOR RECORD IN THE PUBLIC RECORDS IN JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, IN PLAT DEED RECORD 196, PAGE 30.
 - RECORD PLAT OF PARKER WOODLAND HILLS SUBDIVISION 6TH ADDITION FILED FOR RECORD IN THE PUBLIC RECORDS IN JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, IN RECORD BOOK A, PAGE 196.
- EASEMENTS ARE AS SHOWN.
- SUBJECT PROPERTY IS CURRENTLY ZONED C-3 & R-1. C-3 ZONING IS DEFINED AS GENERAL COMMERCIAL DISTRICT & R-1 ZONING IS DEFINED AS SINGLE-FAMILY THROUGH DENSITY DISTRICT. THE SURROUNDING PROPERTY IS ZONED C-3 & R-1. THE BUILDING SETBACKS ARE:

FRONT = 25'	FRONT = 25'
REAR = 20'	REAR = 25'
G-3 SIDE = 10'	R-1 SIDE = 15'
- SUBJECT PROPERTY IS LOCATED WITHIN ONE A-1 AREAS DETERMINED TO BE WITHIN THE 100 YR FLOOD EVENT, AS DESIGNATED BY FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR THE CITY OF JONESBORO, COMMUNITY PANEL 02030303C (PANEL 13) OF 2001, EFFECTIVE DATE - SEPTEMBER 21, 1991. REVISION DATE - MAY 25, 2009.
- EFFECTIVE DATE - SEPTEMBER 21, 1991 REVISION DATE - JUNE 25, 2007.
 TOTAL AREA = 340,951.78 SQ. FT. OR 8.86 ACRES
 LOT A AREA = 301,916.62 SQ. FT. OR 1.071 ACRES
 LOT B AREA = 83,379.67 SQ. FT. OR 1.91 ACRES

LOT B

MAPPING POINT
 N = 541167.33
 E = 1690032.52





City of Jonesboro City Council
Staff Report – RZ 13-12: Nix’s Alexander Dr. Rezoning – 2600 Alexander Dr.
Huntington Building - 900 W. Monroe
For Consideration by the Council on July 16, 2013

- REQUEST:** MAPC rezoning approval for a parcel of land currently zoned R-1 Single Family Residential to a proposed C-3 General Commercial District.
- LOCATION:** The property is located at the address 2600 Alexander Drive (Northern access road for Hwy. 63) between Wood Street and Woodsprings Road
- APPLICANT/
OWNER:** Applicant Kevin Scrape on behalf of owner Nix Development, Inc.
- PURPOSE:** To expand a current commercial development known as Christian Creek Commons.
- HISTORY:** Property has been remained undeveloped for many decades.
- SITE
DESCRIPTION:** **Tract Size:** 1.91 acres/83,379 sq. ft.
Frontage: Approximately 350 ft. on Alexander Drive
Topography: Approximately 5% slope (20:1).
Existing Development: Undeveloped.

FUTURE LAND USE PLAN AND ZONING ANALYSIS FOR SUBJECT PROPERTY

SURROUNDING CONDITIONS:

	<u>ZONING</u>	<u>FUTURE LAND USE</u>
Subject Property:	R-1 Single Family Medium Density	Single Family Low Density
North of Property:	R-1 Single Family Medium Density	Single Family Low Density
East of Property:	R-1 Single Family Medium Density	Single Family Low Density
South of Property:	C-3 General Commercial	Retail General
West of Property:	C-3 General Commercial	Retail General



Adopted Future 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 the proposal and offers the following explanations and findings related to the approval criteria.

Criteria	Explanations and Findings
(a) Consistency of the proposal with the Comprehensive Plan/Land Use Map	The proposed C-3 rezoning is not consistent with the Land Use Map. The property is recommended as Single Family-Low Density.
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal is consistent with the purpose.
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	The proposal is substantially compatible. Currently, a considerable amount of C-3 property is located in the surrounding area that borders single family residential property.
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	The proposed 1.91 acre parcel replat is a portion of an R-1 parcel that is approximately 3.5 acres. R-1 property in this location has limited marketability as evident by the length of time that the property has remained undeveloped.

(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;	Some detrimental effects. Mainly, there would be a substantial transition in land use restrictions and intensities between the bordering R-1 properties and the proposed C-3 rezoning.
(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	Length of time the property has remained vacant as zoned is unknown. Property zoned R-1 when purchased by the current owner.
(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	Minimal impact.



Vicinity Zoning Map

Master Street Plan/Transportation

The subject property is served by Alexander Drive which is classified on the master street plan as a local street which requires a 60 ft. right-of-way (30 ft. to road centerline). Alexander Drive is a service road for Joe N. Martin Expressway (Hwy 63) which dictates the dedicated right-of-way. Due to the right-of-way dedicated for the expressway; the current Alexander Drive right-of-way exceeds the requirement for a local street.

Other Departmental/Agency Reviews:

Department/Agency	Reports/ Comments	Status
Engineering	Received	No objections noted.
Streets/Sanitation	Received	No objections noted.
Police	Pending	
Fire Department	Received	Noted no objection
MPO	Received	Noted no objection
Jets	Received	Noted no objection
Utility Companies	Received	Noted no objection

MAPC RECORD OF PROCEEDINGS: Meeting Held July 9, 2013

Applicant: Mr. Travis Fischer, TraLan Engineering presented the case on behalf of Nix Development stating that his client hopes to rezone the property from R-1 to C-3 General Commercial. All access will be off Alexander Drive with none from the R-1 District. Mr. Dover asked if we could restrict gas stations from the development. Mr. Fischer concurred.

Staff: Mr. Spriggs gave staff summary noting that the issue of use cannot be discussed unless the Applicant would like to modify the request as a limited use overlay. Mr. Fischer stated that he would like to amend the application as a C-3 L.U.O., Limited Use Overlay agreeing to the conditions:

1. That the proposed development shall satisfy all requirements of the City Engineer and all requirements of the current Stormwater Drainage Design Manual.
2. A final site plan subject to all ordinance requirements including “Sec. 117-328. - Residential Compatibility Standards” shall be submitted, reviewed, and approved by the MAPC prior to any development of the property.
3. The following list of uses shall be excluded: sexually explicit businesses, shops that specialize in tobacco and/or liquor sales.

Mr. Spriggs also noted that the proposed C-3LUO rezoning is not consistent with the Land Use Map. The property is recommended as Single Family-Low Density on the adopted Land Use Plan. The property fronts on the access road which is not conducive or suitable for residential uses. Proper and adequate buffering must be preserved where the tract abuts residential uses. No objections were submitted by the various departments or agencies.

Public Input: None Present.

Commission Action: Mr. Scurlock made a motion to place Case: RZ-13-12 on the floor for the consideration of recommendation by MAPC to the City Council that changing the zoning of this property from “R-1 Single Family Residential to C-3 – General Commercial District, L.U.O. ”, with the Staff Conditions. Motion was 2nd by Mr. Dover.

Roll Call Vote: Mr. Scurlock- Aye; Mr. Kelton- Aye; Mr. Reece- Aye; Mr. Dover- Aye; Mr. Tomlinson- Aye; Mrs. Schrantz- Aye. **Motion passed 6-0;** Mr. Roberts as Chair.

Conclusion:

The MAPC and the Planning Department Staff find that the request to rezone property from “R-1 Single Family Residential to C-3 – General Commercial District, L.U.O. ” submitted for Case RZ 13-12 should be evaluated based on the above observations and criteria. The following conditions apply:

1. That the proposed development shall satisfy all requirements of the City Engineer and all requirements of the current Stormwater Drainage Design Manual.

2. A final site plan subject to all ordinance requirements including “Sec. 117-328. - Residential Compatibility Standards” shall be submitted, reviewed, and approved by the MAPC prior to any development of the property.
3. The following list of uses shall be excluded: sexually explicit businesses, shops that specialize in tobacco and/or liquor sales.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



Southwest corner of site viewing southeast along Alexander Drive.



Northern property boundary of site viewing east.



Southeast corner of site viewing northwest along Alexander Drive.



Legislation Details (With Text)

File #:	ORD-13:033	Version:	1	Name:	Rezoning by Joan Crocker
Type:	Ordinance	Status:		Status:	Third Reading
File created:	7/11/2013	In control:		In control:	City Council
On agenda:		Final action:		Final action:	
Title:	AN ORDINANCE TO AMEND CHAPTER 117 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-4 LUO FOR PROPERTY LOCATED AT 1410 E. HIGHLAND DRIVE AS REQUESTED BY JOAN CROCKER				
Sponsors:					
Indexes:	Rezoning				
Code sections:					
Attachments:	Plat MAPC Report				

Date	Ver.	Action By	Action	Result
7/16/2013	1	City Council		

AN ORDINANCE TO AMEND CHAPTER 117 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY 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 CLASSIFICATIONS AS FOLLOWS:

From Residential, R-1 to C-4 L.U.O., the following described property:

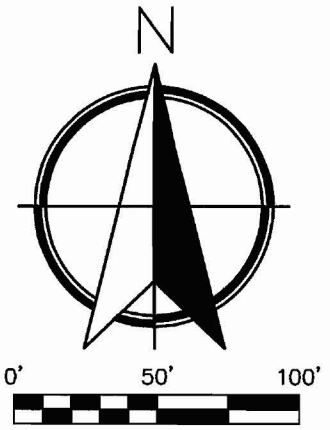
Property located at 1410 East Highland Drive at Hillcrest Drive intersection. 1.84 acres/80,005 sq. ft. Approximately 239 ft. along Highland Dr. and 324 ft. along Hillcrest Dr. Approximately 1.79 acres.

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

1. That the proposed development shall satisfy all requirements of the City Engineer, satisfying all requirements of the current Stormwater Drainage Design Manual.
2. A final site plan subject to all ordinance requirements including "Sec. 117-328. Residential Compatibility Standard's" shall be submitted, reviewed and approved by the MAPC prior to any development of the property.
3. A replat shall be required and must comply with the master street plan.
4. Uses shall be limited to automated teller machine, bank or financial institution, medical service or office, office/general, retail and retail/service.

R-1

JONESBORO PUBLIC SCHOOL



STATE PLANE COORD.:
N: 544544.701
E: 1700653.197

R-1

37474.3 SQ. FT.
0.86 ACRES

C-4

LOT 1 LANGFORD 2nd ADDITION

N 00°35'56" E 324.78'

156.81' 25' SETBACK

REBAR

7.5' SETBACK

N 89°48'00" E 239.00'

REBAR

7.5' SETBACK

30'

156.81' 25' SETBACK

REBAR

7.5' SETBACK

5 89°48'00" W 239.00'

REBAR

7.5' SETBACK

324.78'

REBAR

7.5' SETBACK

30'

156.81' 25' SETBACK

REBAR

7.5' SETBACK

5 00°35'56" W 324.78'

REBAR

7.5' SETBACK

30'

156.81' 25' SETBACK

REBAR

7.5' SETBACK

30'

156.81' 25' SETBACK

REBAR

7.5' SETBACK

30'

156.81' 25' SETBACK

REBAR

7.5' SETBACK

30'

156.81' 25' SETBACK

REBAR

7.5' SETBACK

30'

156.81' 25' SETBACK

REBAR

R-1

Lot 1
14276 SQ. FT.
0.33 ACRES

Lot 2
25865 SQ. FT.
0.59 ACRES

STATE PLANE COORD.:
N: 544219.937
E: 1700649.802

REBAR

60'

NEW RAW LINE

85.00'

25' SETBACK

7.5' SETBACK

N 00°35'56" E 167.97'

7.5' SETBACK

167.97'

7.5' SETBACK

5 89°48'00" W 239.00'

REBAR

7.5' SETBACK

DEED LINE

85.00'

25' SETBACK

154.00'

25' SETBACK

30'

60'

REBAR

7.5' SETBACK

30'

154.00'

25' SETBACK

30'

60'

REBAR

7.5' SETBACK

30'

154.00'

25' SETBACK

30'

60'

REBAR

7.5' SETBACK

30'

154.00'

25' SETBACK

30'

60'

REBAR

7.5' SETBACK

30'

S 89°48'00" W 239.00'

HIGHLAND DRIVE

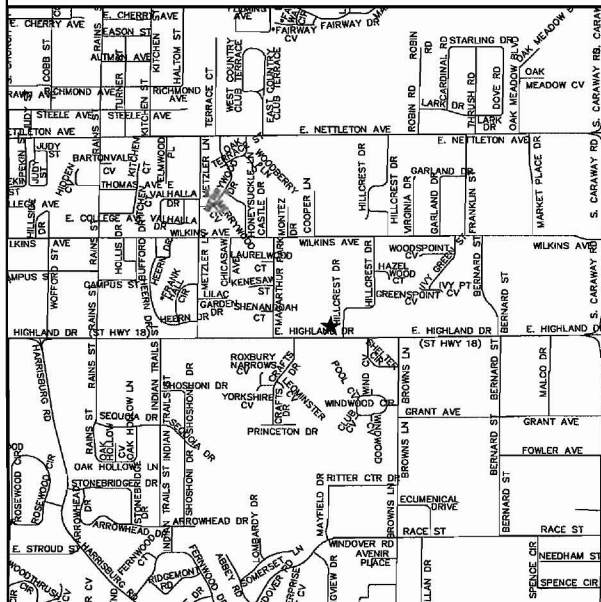
C-4 LUO

LEGAL DESCRIPTION:

Lots One and Two of Lansford Addition to the City of Jonesboro, Craighead County, Arkansas, and a part of Section 20, Township 14 North, Range 4 East, Craighead County, Arkansas, being more particularly described as follows: begin at the Northeast Corner of aforesaid mentioned Lot 2 of Lansford Addition; thence run S89°48'00"W a distance of 239.00 ft. to a point; thence run N00°35'56"E a distance of 156.81 ft. to a point; thence run N89°48'00"E a distance of 239.00 ft. to a point; thence run S00°35'56"W a distance of 156.81 ft. to the point of beginning, containing 0.86 acres, and being subject to any easements of record.

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 R-1 ZONING
REQUESTED C-4-L.U.O. ZONING

ENGINEERS PLANNERS SURVEYORS

Civilogic

203 Southwest Dr. - Jonesboro, AR - (670)932-7880 - www.civilogic.net

REZONING PLAT FOR JOAN CROCKER JONESBORO, ARKANSAS

Date: 6/11/13 Scale: 1"=50' Job No.: 112159 Sheet No.: 1 of 1

Section: 20 Township: 14N Range: 4E County: CRAIGHEAD

ONLY COPIES WITH VIOLET COLORED SIGNATURE ARE ORIGINAL CIVILOGIC COPIES

© 2013, Civilogic Drawn By: DB Checked by: GH

REGISTERED STATE OF ARKANSAS AND 1500 DANNY R. BURNETT PROFESSIONAL SURVEYOR

CERTIFICATE OF AUTHORITY No. 329 ARKANSAS-ENGINEER



City of Jonesboro City Council
Staff Report – RZ 13-09: Joan Crocker Rezoning – 1410 East Highland Dr.
Huntington Building - 900 W. Monroe
For Consideration by the Council on July 16, 2013

- REQUEST:** MAPC recommended rezoning approval for a parcel of land currently zoned R-1 Single Family Residential to a proposed C-4 Limited Use Overlay District.
- LOCATION:** The property is located at the 1410 East Highland Drive at the Hillcrest Drive intersection.
- APPLICANT/
OWNER:** Joan Crocker, 1406 E. Highland Drive, Jonesboro, AR 72401
- PURPOSE:** To allow neighborhood commercial development of the property with uses limited to automated teller machine, bank or financial institution, medical service or office, office/general, and retail/service.
- HISTORY:** A 0.63 acre portion of the property located at the corner of Highland and Hillcrest Drives was formerly used as a Non-Conforming Use Gas Station/Convenience Store. The remaining acreage has never been developed.
- SITE
DESCRIPTION:** **Tract Size:** 1.84 acres/80,005 sq. ft.
Frontage: Approximately 239 ft. along Highland Dr. and 334 ft. along Hillcrest Dr.
Topography: Approximately 4.5 % slope (22:1).

FUTURE LAND USE PLAN AND ZONING ANALYSIS FOR SUBJECT PROPERTY

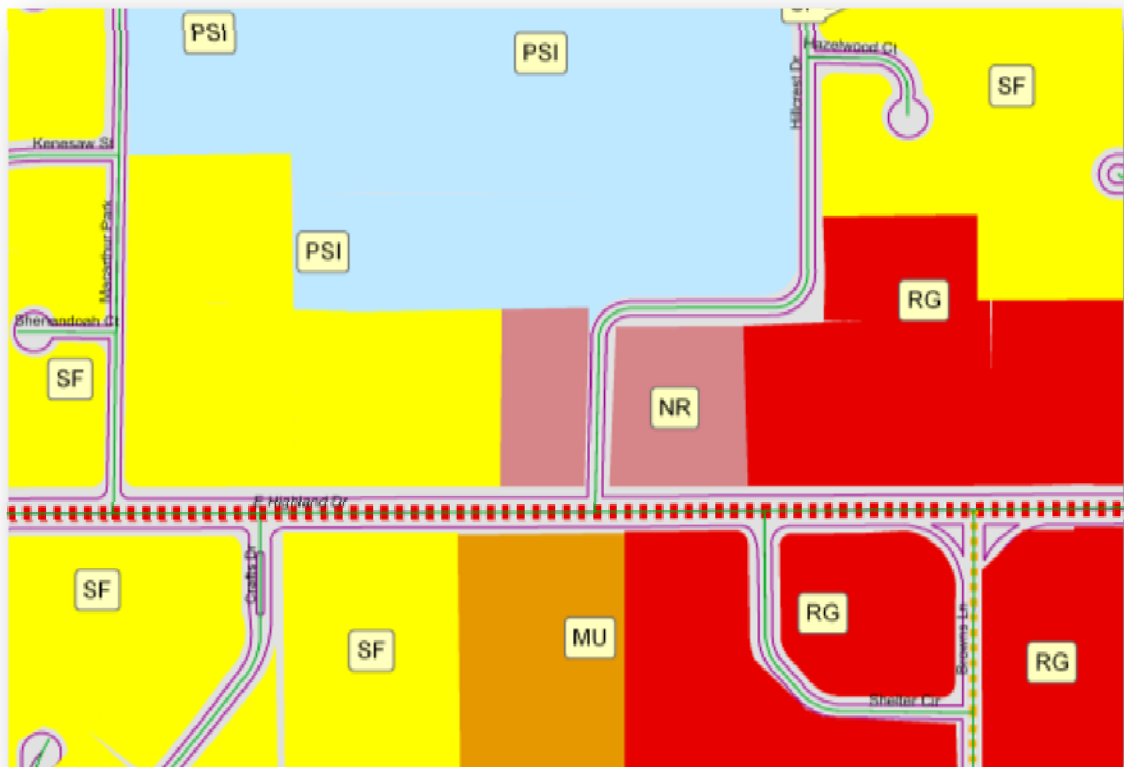
The eastern portion of subject property (approx. 1.18 acres) is recommended as Neighborhood Commercial and western portion (approx. 0.66 acres) is recommended as Single Family Low Density on the most current Adopted Land Use Map. Therefore the proposal is partially consistent and partially inconsistent.

Surrounding Conditions:

	<u>ZONING/CURRENT USE</u>	<u>FUTURE LAND USE</u>
Subject Property:	R-1 Single Family Medium Density Former Gas Station/Non-conforming	Retail - Neighborhood & Single Family Low Density #
North of Property:	R-1 Single Family Medium Density Hillcrest Visual and Performing Arts School	Public Semi-Public and Institutional
East of Property:	C-4 Neighborhood Commercial District Planters and Stockman Bank	Retail – Neighborhood
South of Property:	C-4 Limited Use Overlay Undeveloped/Pasture	Mixed Use Transitional
West of Property:	C-3 General Commercial	Retail General



Zoning & Vicinity Map



**Adopted
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 the proposal and offers the following explanations and findings related to the approval criteria.

Criteria	Explanations and Findings
(a) Consistency of the proposal with the Comprehensive Plan/Land Use Map	The proposed C-4 Limited Use Overlay rezoning is substantially consistent with the Land Use Map. C-4 is Neighborhood Commercial. The property is recommended as Retail – Neighborhood on the Land Use Map.
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal is consistent with the purpose.
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	The proposal is substantially compatible.
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	The location has minimal suitability for uses allowed in R-1 Single Family Medium Density zoning.
(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;	Minimal detrimental effects. An R-1 property borders the subject property on the western side; however, this property is the residence for the applicant.
(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	A portion of the property was developed as a convenience store and fuel station. The remaining portion of the property has never been developed. Property zoned R-1 when purchased by the current owner.
(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	Minimal impact.

Master Street Plan/Transportation

The subject property is served by East Highland Drive which is classified on the master street plan as a principal arterial street which requires a 120 ft. right-of-way (60 ft. to road centerline) and Hillcrest Drive which is classified as a local street which requires a 60 ft. right-of-way (30 ft. to road centerline). The rezoning plat for the subject property has dedicated a 50 ft. R/W to the Highland Drive centerline and a 30 ft. R/W to the Hillcrest Drive centerline.

Other Departmental/Agency Reviews:

Department/Agency	Reports/ Comments	Status
Engineering	No objection	
Streets/Sanitation	No objection	
Police	Pending	
Fire Department	No objection	
MPO	No objection	
Jets	No objection	
Utility Companies	No objection	

As noted in the application, the owner proposes a neighborhood commercial development of the property with uses limited to automated teller machine, bank or financial institution, medical service or office, office/general and retail/service.

No specific layout has been proposed for the subject property. Staff asks that consideration for access management and child safety be considered in the future redevelopment of this property, given the surrounding neighborhood characteristics.

Sec. 117-325. Driveways and access; multifamily and non-residential.

(2) *Driveway spacing.*

a. *Arterial streets.* Direct access to any arterial street shall be limited to the following restrictions:

1. *Spacing from signalized intersections.* All driveways providing access to arterial streets shall be constructed so that the point of tangency of the curb return radius closest to a signalized or stop sign- controlled intersection is at least 120 feet from the perpendicular curb face of the intersecting street. In the event that this standard cannot be met because of an unusually narrow or shallow lot size, the city engineer may approve a reduction in spacing as long as the reduction does not result in an unsafe traffic condition.

MAPC RECORD OF PROCEEDINGS: Meeting Held July 9, 2013

Applicant: Mr. George Hamman, Civilogic Engineering, presented the case on behalf of Ms. Joan Crocker stating that his client hopes to rezone the property from R-1 to C-4 L.U.O. He stated that the owner is rezoning a small portion of the residential lot to the west. The owner will still reside in the single family home to the immediate west.

Staff: Mr. Spriggs gave staff summary noting that the proposed C-4 Limited Use Overlay rezoning is substantially consistent with the Land Use Map. C-4 is Neighborhood Commercial. The property was formerly a grand-fathered/ non-conforming use as a gas station and convenience store.

Land Use Plan: The eastern portion of subject property (approx. 1.18 acres) is recommended as Neighborhood Commercial and western portion (approx. 0.66 acres) is recommended as Single Family Low Density on the most current Adopted Land Use Map. Therefore the proposal is partially consistent and partially inconsistent. Compliance is achieved with the Master Street Plan. No objections were voiced by the various departments or agencies.

Public Input: None Present

Commission Action: Mr. Reece made a motion to place Case: RZ-13-09 on the floor for the consideration of recommendation by MAPC to the City Council that changing the zoning of this property from R-1 Single Family Residential to C-4 Limited Use Overlay District is compatible and suitable with the zoning, uses, and character of the surrounding area, with the Staff Conditions. Motion was 2nd by Mr. Scurlock.

1. That the proposed development shall satisfy all requirements of the City Engineer, satisfying all requirements of the current Stormwater Drainage Design Manual.
2. A final site plan subject to all ordinance requirements including “Sec. 117-328. Residential Compatibility Standards” shall be submitted, reviewed, and approved by the MAPC prior to any development of the property.
3. A replat shall be required and must comply with the master street plan.

4. Uses shall be limited to automated teller machine, bank or financial institution, medical service or office, office/general, retail and retail/service.

Roll Call Vote: Mr. Scurlock- Aye; Mr. Kelton- Aye; Mr. Reece- Aye; Mr. Dover- Aye; Mr. Tomlinson- Aye; Mrs. Schrantz- Aye. **Motion passed 6-0;** Mr. Roberts as Chair.

Conclusion:

The MAPC and the Planning Department Staff find that the request to rezone property from R-1 Single Family Residential to C-4 Limited Use Overlay District submitted for Case RZ 13-09 should be evaluated based on the above observations and criteria with the noted conditions.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



View Looking Northeast at Intersection of Highland & Hillcrest



View Looking North at Intersection of Highland & Hillcrest



View Looking South from Site



View looking at Site, looking Northwest



View looking Northeast towards site



View of Single Family Home west of site area



View looking East towards site



View on Highland looking East toward Site