



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Council Agenda City Council

Tuesday, December 17, 2013

5:30 PM

Municipal Center

NOMINATING & RULES COMMITTEE MEETING AT 4:50 P.M.

City Council Chambers

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

City Council Chambers

FINANCE COMMITTEE MEETING AT 5:15 P.M.

City Council Chambers

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-13:105 Mayor's Citation Award, December, 2013

Sponsors: Mayor's Office

COM-13:106 Proclamation honoring the retirement of Sanitation Supervisor Royce Leonard

Sponsors: Mayor's Office

COM-13:107 Vision 2030 presentation by Otis Spriggs (To review the draft visit the City of Jonesboro website and click on the Vision 2030 link)

Sponsors: Planning

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-13:112 Minutes for the City Council meeting on December 3, 2013

Attachments: [Minutes](#)

RES-13:196 A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR LOT I-A BRYSON'S REPLAT (JB2013R-019760), A COMMERCIAL DEVELOPEMENT

Sponsors: Engineering

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

Legislative History

12/3/13	Public Works Council Committee	Recommended to Council
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RES-13:197 RESOLUTION TO APPOINT DEBORAH AGNEW TO THE JONESBORO URBAN RENEWAL AND HOUSING AUTHORITY WITH A TERM EXPIRATION DATE OF OCTOBER 31, 2018

Sponsors: Mayor's Office

Attachments: [JURHA information](#)

Legislative History

12/3/13	Nominating and Rules Committee	Recommended to Council
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RES-13:200 A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR LOT 1 OF MDR 1ST ADDITION (JB2013R-020164), A COMMERCIAL DEVELOPEMENT

Sponsors: Engineering

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

Legislative History

12/3/13	Public Works Council Committee	Recommended to Council
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RES-13:203 A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO CONTINUE A JOINT FUNDING AGREEMENT WITH THE U.S. GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR FOR THE OPERATION AND MAINTENANCE OF TWO STREAMGAGES IN JONESBORO

Sponsors: Engineering

Attachments: [Agreement.pdf](#)

Legislative History

12/3/13	Public Works Council Committee	Recommended to Council
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6. NEW BUSINESS

ORDINANCES ON FIRST READING

ORD-13:063 AN ORDINANCE TO WAIVE COMPETITIVE BIDDING FOR THE COLLECTION OF DIGITAL AERIAL PHOTOGRAPHY FOR JONESBORO AND AUTHORIZING THE EXECUTION THE PROPOSAL WITH EFS GEOTECHNOLOGIES

Sponsors: Engineering

Attachments: [Proposal.pdf](#)

Legislative History

12/3/13	Public Works Council Committee	Recommended to Council
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ORD-13:070 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 C-3 LUO FOR PROPERTY LOCATED ON THE NORTH SIDE OF THE INTERSECTION OF STADIUM BLVD AND JOHNSON AVENUE AS REQUESTED BY GREENSBORO INVESTMENTS, LLC

Attachments: [Plat](#)

[MAPC Report](#)

ORD-13:071 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 3600 RIOS LANE AS REQUESTED BY AMY POTTINGER

Attachments: [Plat](#)

[MAPC Report](#)

ORD-13:072 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 NORTH OF THE INTERSECTION OF EAST JOHNSON AND OLD GREENSBORO ROAD AS REQUESTED BY DAVID ONSTEAD

Attachments: [Plat](#)

[MAPC Report](#)

RESOLUTIONS TO BE INTRODUCED

RES-13:168 RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 2032 N Church St. Owner: Patricia Hanks

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST](#)

[Inspection Reoport](#)

[2032 N Church](#)

Legislative History

11/19/13	Public Safety Council Committee	Recommended Under New Business
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RES-13:194 RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 831 West Huntington, owner Bryan Meredith.

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST](#)
[Inspection Report119Inspection Report](#)
[831 W Huntington](#)

Legislative History

11/19/13	Public Safety Council Committee	Recommended Under New Business
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RES-13:195 RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 653 West Huntington, owner: Eric Ford.

Sponsors: Code Enforcement

Attachments: [653 W Huntington](#)
[CONDEMNATION CHECKLIST](#)
[Notice of Violation](#)

Legislative History

11/19/13	Public Safety Council Committee	Recommended Under New Business
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7. UNFINISHED BUSINESS

ITEMS THAT HAVE BEEN HELD IN COUNCIL

RES-13:185 RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO AMEND THE CITY'S SALARY & ADMINISTRATION POLICY TO ALLOW MERIT INCREASES FOR EXCEPTIONAL JOB PERFORMANCE AND/OR INCREASED JOB TRAINING OR CERTIFICATIONS

Sponsors: Finance

Attachments: [Appendix A](#)

Legislative History

10/30/13	Finance & Administration Council Committee	Recommended to Council
11/5/13	City Council	Postponed Temporarily
12/3/13	City Council	Postponed Temporarily

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-13:105 **Version:** 2 **Name:** Mayor's Citation Award
Type: Other Communications **Status:** To Be Introduced
File created: 12/10/2013 **In control:** City Council
On agenda: **Final action:**
Title: Mayor's Citation Award, December, 2013
Sponsors: Mayor's Office
Indexes: Mayor's Commendations
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Mayor's Citation Award, December, 2013



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Legislation Details (With Text)

File #: COM-13:106 **Version:** 1 **Name:** Presentation to Sanitation Supervisor Royce Leonard
Type: Other Communications **Status:** To Be Introduced
File created: 12/10/2013 **In control:** City Council
On agenda: **Final action:**
Title: Proclamation honoring the retirement of Sanitation Supervisor Royce Leonard
Sponsors: Mayor's Office
Indexes: Mayor's Commendations
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Proclamation honoring the retirement of Sanitation Supervisor Royce Leonard



Legislation Details (With Text)

File #: COM-13:107 **Version:** 1 **Name:** Vision 2030 presentation
Type: Other Communications **Status:** To Be Introduced
File created: 12/10/2013 **In control:** City Council
On agenda: **Final action:**
Title: Vision 2030 presentation by Otis Spriggs (To review the draft visit the City of Jonesboro website and click on the Vision 2030 link)
Sponsors: Planning
Indexes: Presentations
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Vision 2030 presentation by Otis Spriggs (To review the draft visit the City of Jonesboro website and click on the Vision 2030 link)



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Legislation Details (With Text)

File #: MIN-13:112 **Version:** 1 **Name:**
Type: Minutes **Status:** To Be Introduced
File created: 12/12/2013 **In control:** City Council
On agenda: **Final action:**
Title: Minutes for the City Council meeting on December 3, 2013
Sponsors:
Indexes:
Code sections:
Attachments: [Minutes](#)

Date	Ver.	Action By	Action	Result
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Minutes for the City Council meeting on December 3, 2013



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, December 3, 2013

5:30 PM

Municipal Center

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

APPEAL HEARING AT 5:15 P.M.

City Attorney Phillip Crego explained earlier today a petition was filed by The Reserve at Sage Meadows against the City of Jonesboro and City Council requesting a temporary restraining order. It stated the Council is not allowed to disturb the MAPC's site plan approval for The Reserve at Sage Meadows, LLC. He stated the City Council does not need to discuss nor take action regarding this appeal. The City has not been formally served and was not able to present anything on the City's behalf. That opportunity will be given to the City in the future. But, as of now the City Council is not able to change the decision by the MAPC. Based on that opinion, Councilman Moore motioned, seconded by Councilman Street, to end this appeal hearing. All voted aye. Councilman Fears noted the Council members were not served with the papers until they arrived at the meeting.

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 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

4. SPECIAL PRESENTATIONS

COM-13:098 Proclamation by Mayor Perrin honoring the Valley View High School state championship volleyball team

Sponsors: Mayor's Office

This item was Read.

COM-13:099 Proclamation by Mayor Perrin honoring Jonesboro High School state championship volleyball team

Sponsors: Mayor's Office

This item was Read.

5. CONSENT AGENDA

Approval of the Consent Agenda

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

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

MIN-13:105 Minutes for the City Council meeting on November 19, 2013

Attachments: [Minutes](#)

A motion was made that this Minutes be Passed . The motion PASSED BY VOICE VOTE

RES-13:198 RESOLUTION AUTHORIZING THE CITY OF JONESBORO TO ENTER INTO AGREEMENT WITH THE EAST ARKANSAS PLANNING AND DEVELOPMENT DISTRICT AND ACCEPT THE 2013 GRANT FOR MIRACLE LEAGUE

Sponsors: Grants

Attachments: [Grant Agreement EAPDD Miracle League](#)

A motion was made that this Resolution be Passed . The motion PASSED BY VOICE VOTE

Enactment No: R-EN-194-2013

RES-13:199 RESOLUTION AUTHORIZING THE CITY OF JONESBORO TO ENTER INTO AGREEMENT WITH THE EAST ARKANSAS PLANNING AND DEVELOPMENT DISTRICT AND ACCEPT THE 2013 GRANT FOR THE NETTLETON AVENUE COMMUNITY CENTER

Sponsors: Grants

Attachments: [Grant Agreement EAPDD Nettleton Avenue Community Center](#)

A motion was made that this Resolution be Passed . The motion PASSED BY VOICE VOTE

Enactment No: R-EN-195-2013

RES-13:204 A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE LOW BID AND ENTER INTO A CONTRACT WITH LAKESIDE CONTRACTORS, LLC FOR THE CROWLEY'S RIDGE PARKWAY: JONESBORO MULTI-USE TRAIL (JOB NO. 100728)

Sponsors: Parks & Recreation

Attachments: [Jonesboro Croweleys Ridge Scenic Byway Bid Documents-Lakeside](#)

A motion was made that this Resolution be Passed . The motion PASSED BY

VOICE VOTE

Enactment No: R-EN-196-2013

RES-13:205 RESOLUTION TO AUTHORIZE THE CITY OF JONESBORO TO ENTER INTO AGREEMENT WITH THE ARKANSAS ECONOMIC DEVELOPMENT COMMISSION TO RECEIVE GRANT FUNDS FOR THE CITY OF JONESBORO SEWER EXTENSION PROJECT

Sponsors: Grants

Attachments: [AEDC Grant Agreement Sewer Extension Project](#)
[AEDC Grant Reimbursement Agreement](#)

A motion was made that this Resolution be Passed . The motion PASSED BY VOICE VOTE

Enactment No: R-EN-197-2013

6. NEW BUSINESS

COM-13:097 Decision by the City Council concerning the appeal by Sage Meadows Property Owners Association regarding the approval of the site plan requested by The Reserve at Sage Meadows, LLC for apartment units located at the end of Prairie Dunes Lane in Sage Meadows

Attachments: [Injunction](#)
[Appeal letter 110513](#)
[August 13, 2013 Minutes](#)
[October, 2013, Minutes](#)

City Attorney Phillip Crego explained a restraining order has been put on the City Council prohibiting the Council from taking any action at this point in time until permission is granted by the court.

Read**RESOLUTIONS TO BE INTRODUCED**

RES-13:185 RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO AMEND THE CITY'S SALARY & ADMINISTRATION POLICY TO ALLOW MERIT INCREASES FOR EXCEPTIONAL JOB PERFORMANCE AND/OR INCREASED JOB TRAINING OR CERTIFICATIONS

Sponsors: Finance

Attachments: [Appendix A](#)

Mayor Perrin explained this resolution was postponed temporarily in order to provide more information to the Council. He presented the Council with guidelines for merit increases. He also informed the Council the Employee Representative Committee voted 13-3 to endorse the merit increase. He discussed the reasons for merit increases and noted the resolution will amend the salary plan to allow for merit increases. He does not anticipate a lot of increases, but there is a line item in the 2014 budget for merit increases. They are budgeting for \$75,000 in merit increases. He stated he doesn't anticipate using all of the funds, but they did have to put some sort of dollar amount in the line item.

Councilman Vance questioned whether the guidelines are incorporated into the resolution. Mayor Perrin answered no, the resolution itself has not changed. Councilman Vance then asked if there is a way for the guidelines to be incorporated into the resolution. Mayor Perrin asked City Attorney Crego if the resolution could be amended to include the guidelines. City Attorney Crego answered yes, the resolution could be re-written to include the guidelines. If the resolution was passed as it is currently written, it would not include the guidelines because they would be voluntary. Councilman Vance recommended postponing the resolution for two weeks in order to re-write it so the guidelines can be included in order to prevent confusion or prejudice in the future.

Councilman Dover asked if the guidelines should be more specific than what is presented at this time. Councilman Vance explained he doesn't think the guidelines need to be more specific; rather, there does need to be some sort of guidelines in the resolution. Councilman Street expressed concern that this could bring disharmony among the employees because the increases would be subjective. He explained it could do harm to the spirit of teamwork due to employees who work hard not getting increases. Discussion was held concerning the salary plan and merit increases.

A motion was made by Councilman Gene Vance, seconded by Councilman Chris Moore, that this matter be Postponed Temporarily in order to add the guidelines to the resolution. 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

RES-13:209

RESOLUTION TO SET A PUBLIC HEARING REGARDING THE ABANDONMENT OF A TWENTY FOOT WIDE DRAINAGE EASEMENT IN BLOCK D OF BRIDGER PLACE PHASE II SUBDIVISION AS REQUESTED BY PHILLIPS INVESTMENTS

Attachments: [Petition](#)
[Plat](#)

Mayor Perrin asked for the hearing to be set for December 17, 2013, at 5:15 p.m.

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: 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-198-2013

7. UNFINISHED BUSINESS**8. MAYOR'S REPORTS**

Mayor Perrin reported on the following items:

He visited with the Highway Department today to review pending projects. The Department will be signing the documentation for the Parker Road extension to Washington Avenue. That project is budgeted for in 2014.

Union Pacific Railroad will be here December 10th.

They have made contact with the attorneys for Wolverine. The changes the City has requested have been made. They have not been provided with the legal descriptions of the property the City will be purchasing, but hope to have it by the end of the year. Some of the property has back taxes, which the City will have to pay. The total is about \$26,000 to \$28,000. Once the property is acquired, the City will apply for ADEQ funding to clean the area.

They closed on the Patrick Street property for \$28,000.

City Planner Otis Spriggs is putting together a tour for the Moratorium Committee to view the multi-family facilities in town. Some of the dilapidated properties J-Quad labeled will be going up for condemnation soon.

Tomorrow they will be installing radar speed signs by Jonesboro High School due to the speeding problem.

The jail contract is expiring in December. They have negotiated it down and it is calculated in the 2014 budget proposal. The contract will be going to the Council for approval.

9. CITY COUNCIL REPORTS

Councilman Street motioned, seconded by Councilman Dover, to suspend the rules and place RES-13:208 on the agenda. All voted aye.

RES-13:208

A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR WINDSOR LANDING PHASES 5 & 6, A RESIDENTIAL SUBDIVISION

Sponsors: Engineering

Attachments: [Maintenance Agreement.pdf](#)

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: 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-199-2013

Councilman Woods discussed a recent email he received concerning the renaming of Highway 141 to Dr. Martin Luther King, Jr. Blvd. He expressed concern over some of the statements and stated the issues need to be addressed. The citizen indicated he was hesitant to speak against the renaming because he may be labeled as a racist or his comments may be labeled as being racist. Councilman Woods stated he was disturbed by that comment because any citizen should feel like they can speak, whether they are black or white, and be able to share their feelings without being judged. He explained there is a great opportunity to talk about these issues and face them. Mayor Perrin agreed, adding that he hopes that all the citizens know they can go before the Council at any time on any issue on any subject.

Councilman Fears asked for an update on the new police station. Mayor Perrin explained they have started demolition. They have weekly meetings with the contractor and architect. He added he will send the Council an email to update them on the progress. They expect to be in the building at the beginning of May.

Councilman Gibson motioned, seconded by Councilman Moore, to suspend the rules and add RES-13:211 to the agenda. All voted aye.

RES-13:211

RESOLUTION TO APPOINT CARROLL CALDWELL TO THE MULTI-FAMILY HOUSING MORATORIUM COMMITTEE

Sponsors: Mayor's Office

A motion was made by Councilman Chris Gibson, 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;Tim McCall;Gene Vance;Chris Gibson and Charles Coleman

Nay: 2 - Rennell Woods and Mikel Fears

Enactment No: R-EN-200-2013

Councilwoman Williams stated the Finance Committee regular monthly meeting will fall on Christmas Eve. The meeting was rescheduled for Tuesday, December 17th, at 5:05 p.m.

Councilman Moore discussed the new signage in the downtown area showing available parking. He stated they are nice signs and will be very helpful. He then referred to the Mayor's comments about Wolverine. He asked if that includes the property on Highway 163. Mayor Perrin answered yes, it includes all property they own within the city limits. He added there are about four parcels. Further discussion was held concerning the property.

10. PUBLIC COMMENTS

Mr. Harold Carter, 902 Tony Drive, asked what Councilman Woods was referring to during his comments under City Council Reports. Councilman Woods explained the comments were in reference to the renaming of Highway 141 to Dr. Martin Luther King, Jr. Blvd.

Mr. Pete Gambill, 1715 N. Church Street, spoke in opposition to the renaming of Highway 141 to Dr. Martin Luther King, Jr. Blvd. He stated Councilman Coleman did not ask the residents in the area if they wanted the renaming and he should have. He noted the Council has been presented with a petition with names of property owners on North Church that are in opposition to the renaming.

Mr. Gary Tate, who owns property on North Church, stated he does not think Councilman Coleman has a personal agenda and he has great respect for Dr. Martin Luther King. He noted he is against the name change and recommended naming a future street after Dr. Martin Luther King as opposed to an existing street.

Mr. Larry Jackson, chairman of the Employee Representative Committee, discussed

the proposed merit raises. He stated in the meeting it was explained that these raises would be in addition to cost of living increases. Councilman Woods asked if he was for or against the merit increase proposal. Mr. Jackson answered that he is for the increases as they are currently written.

Ms. Sherry Broadway pointed out several property owners from North Church are in attendance concerning the renaming of North Church/Highway 141 to Dr. Martin Luther King, Jr. Blvd. Mayor Perrin noted the resolution will be presented to the Public Works Committee at the meeting on the first Tuesday of January.

11. ADJOURNMENT

A motion was made by Councilman Mitch Johnson, seconded by Councilman John Street, 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-13:196 **Version:** 1 **Name:** Maintenance agreement for Lot I-A Bryson's Replat
Type: Resolution **Status:** Recommended to Council
File created: 11/4/2013 **In control:** Public Works Council Committee
On agenda: **Final action:**
Title: A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR LOT I-A BRYSON'S REPLAT (JB2013R-019760), A COMMERCIAL DEVELOPEMENT
Sponsors: Engineering
Indexes: Contract
Code sections:
Attachments: [Maintenance Agreement.pdf](#)
[Permanent Drainage Easement.pdf](#)

Date	Ver.	Action By	Action	Result
12/3/2013	1	Public Works Council Committee		

A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR LOT I-A BRYSON'S REPLAT (JB2013R-019760), A COMMERCIAL DEVELOPEMENT

WHEREAS, the Section 112-157 of the Jonesboro Municipal code requires a maintenance agreement assuring perpetual maintenance of Stormwater Management Improvements and drainage easements to be dedicated to the City be agreed upon by the City and the developer prior to final plat approval;

WHEREAS, Efren Montano has submitted a Maintenance Agreement for Stormwater Management Facilities for Lot 1-A Bryson's Replat (JB2013R-019760);

WHEREAS, the City Engineer and City Attorney have reviewed the attached Maintenance Agreement and find it to be in compliance with the Stormwater Management Regulations.

WHEREAS, the Maintenance Agreement and the final plat are to be filed concurrently with the Craighead County Circuit Clerk, upon final approval of the plat.

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

Section 1: The City of Jonesboro accepts the attached maintenance agreement with Efren Montano for Lot 1-A Bryson's Replat (JB2013R-019760) and authorizes the Mayor and City Clerk to execute all documents necessary to effectuate the agreement.

Section 2: The executed agreement is to be retained by the City Clerk until such time as the Clerk is provided with the approved final plat of the development by the Planning Department so that both documents can be filed concurrently with the Craighead County Circuit Clerk.

**MAINTENANCE AGREEMENT
FOR STORMWATER MANAGEMENT FACILITIES**

Property Identification

Project Name: Papitos Loco
Project Address: 4409 East Johnson Ave
Owner(s): Efren Montano
Owner Address: 1702 Ivy Green
City: Jonesboro State: AR Zip Code: 72401

In accordance with Section 112-157 of the Jonesboro Municipal Code, this agreement is made and entered into this ___ day of _____, 20___, by and between the City of Jonesboro, an Arkansas municipal corporation, hereinafter called the "City" and Efren Montano, hereinafter called the "Developer".

WITNESSTH, that:

WHEREAS, The Developer is proceeding to build on and develop the property in accordance with the Stormwater Management Plan (the "Plan") approved by the City and the recorded permanent drainage easement (the "Easement") labeled as document JB2013R-019760 as recorded in the records of Craighead County, Arkansas.

WHEREAS, the City and the Developer, its successors and assigns, including any property owners' association or homeowners' association, agree that the health, safety, and welfare of the residents of the City of Jonesboro, Arkansas require that on-site stormwater runoff management facilities be constructed and maintained on the property.

WHEREAS, the City requires that on-site stormwater runoff management facilities as shown on the plan be constructed and adequately maintained by the Developer, its successors and assigns, including any property owners' association or homeowners' association.

WHEREAS, adequate maintenance is defined herein as the general upkeep of the facilities, specifically the mowing and trimming of grasses or other vegetative cover and the removal of litter and other minor debris that could impact the functionality of the facility or that would otherwise be considered unsightly or a nuisance.

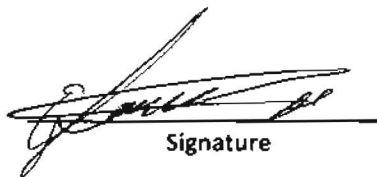
WHEREAS, the City of Jonesboro shall be responsible, after construction and final acceptance of the development, for the operation and long-term maintenance of all drainage structures and improved watercourses which are part of the City of Jonesboro Stormwater Management System, are within a dedicated public drainage easement; and, which are not constructed and maintained by or under the jurisdiction of any State or Federal agency.

WHEREAS, Long-term maintenance is defined herein as the removal of sediment deposits, re-grading or shaping of embankments, drainage channels, and detention areas, and the repair or replacement of piping networks, and other underground drainage structures.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties agree as follows:

1. The on-site stormwater runoff management facilities shall be constructed by the Developer, its successors and assigns, in accordance with the plans and specifications identified in the Plan.

2. The Developer, its successors and assigns, including any property owners' association or homeowners' association, shall adequately maintain the on-site stormwater runoff management facilities.
3. The Developer, its successors and assigns, hereby grant permission to the City, its authorized agents and employees, to enter upon the Property to inspect and perform long-term maintenance of the on-site stormwater runoff management facilities whenever the City deems necessary.
4. In the event the Developer, its successors and assigns, fails to adequately maintain the stormwater runoff management facilities, the City may enter upon the Property upon thirty (30) days written notification or earlier, if deemed an emergency, and take whatever steps necessary to correct the deficiencies and charge the costs of such corrective action to the Developer, its successors and assigns. The Developer, its successors and assigns, shall reimburse the City upon demand, within thirty (30) days of receipt thereof for all actual costs incurred by the City including all labor, equipment, supplies, materials, and the like. This provision shall not be construed to allow the City to erect any structure of permanent nature on the land of the Developer outside of the easement for the on-site stormwater runoff management facilities. It is expressly understood and agreed that the City is under no obligation to routinely maintain or repair said facilities, and in no event shall this agreement be construed to impose any such obligation on the City.
5. This agreement shall be recorded among the land records of Craighead County, Arkansas and shall constitute a covenant running with the land, and shall be binding on the Developer, its administrators, executors, assigns, heirs and any other successors in interests, including any property owners' association or homeowners' association.
6. This Agreement is binding upon and inures to the benefit of the City, and the Developer, the Developer's successors and assigns, any property owners' association or homeowners' association created which pertains to all or any part of the property and any individual lot owner who has purchased all or any part of the property referred to in this Agreement. The terms of this Agreement are enforceable on all of the above parties.
7. In the event any party to this Maintenance Agreement must employ a lawyer to enforce the terms and obligations set out in this Agreement and litigation ensue, the prevailing party, as determined under Arkansas Law, shall be entitled to recover not only court costs as defined under Arkansas Law but all costs of litigation, including a reasonable attorney's fee.
8. This Agreement is the complete agreement and understanding between the parties who have executed this Agreement. There are no other agreements, either oral or written. All prior or contemporaneous statements, representations, or guarantees are declared void. This Agreement may be amended only by a written document signed by all parties.

Owner/Agent:	<u>Eden Montan</u> Printed Name	 Signature	<u>10-16-13</u> Date
Owner/Agent:	_____ Printed Name	_____ Signature	_____ Date

STATE OF ARKANSAS
COUNTY OF CRAIGHEAD

On this day before me, the undersigned officer, personally appeared Ellen Montano, to me well known to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he had executed the same for the purposes therein stated and set forth.

WITNESS my hand and seal this 16 day of Oct., 2013.

Linda K. Wheeler
Notary Public (Printed Name)

Linda K. Wheeler
Notary Public (Signature)



My Commission Expires: 11-1-13

Accepted by:

Mayor

Date

City Clerk

Date

Return recorded document to:
CITY OF JONESBORO
300 South Church Street
JONESBORO, AR 72401



JB2013R-019760 3
JB2013R-019760
ANN HUDSON
CRAIGHEAD COUNTY
RECORDED ON:
10/30/2013 11:15AM

PERMANENT DRAINAGE EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That EFREN MONTANO, hereinafter referred to as Grantor (whether one or more), does hereby dedicate, grant and convey unto the Public, and that the CITY OF JONESBORO, a Municipal Corporation of the State of Arkansas, hereinafter referred to as Grantee, does hereby accept on behalf of the public, for use as a permanent drainage easement the following described real property in Craighead County, State of Arkansas, to-wit:

A DRAINAGE EASEMENT TWENTY IN WIDTH AND A DRAINAGE EASEMENT FIFTEEN FEET IN WIDTH MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1-A OF BRYSON'S REPLAT TO THE CITY OF JONESBORO, AR: THENCE NORTH 32°24'06" WEST, DEPARTING THE SOUTH LINE OF SAID LOT 1-A, 20.01 FEET: THENCE NORTH 58°57'07" EAST, 179.79 FEET: THENCE SOUTH 32°22'03" EAST, TO THE SOUTH LINE OF LOT 1-A AFORESAID, 20.01 FEET: THENCE SOUTH 58°57'07" WEST, ALONG THE SOUTH LINE OF SAID LOT 1-A, 179.78 FEET TO THE POINT OF BEGINNING.

CONTAINING IN ALL 3,596 SQ. FT. OR 0.08 ACRES +/-.

AND THE EAST FIFTEEN FEET OF LOT 1-A OF BRYSON'S REPLAT TO THE CITY OF JONESBORO, AR.

CONTAINING IN ALL 3,326 SQ. FT. OR 0.08 ACRES +/-

This easement and right of way is for the purpose of making drainage improvements and maintaining said improvements within the City of Jonesboro. Any other use of this area, other than by record owners, shall only be granted by record owners, but they are not precluded from using or granting other use, so long as same does not interfere unreasonably with the express purpose intended.

This grant of easement and right of way shall be binding upon the heirs, successors, administrators and assigns of the grantors.

IN WITNESS WHEREOF, the GRANTORS have executed this instrument on the 16 day of oct, 2013.

Signature

Signature _____

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF CRAIGHEAD

On this day before me, the undersigned officer, personally appeared Efren Montano
to me well known to be the person whose name is subscribed to the foregoing instrument, and
acknowledged that XXXX had executed the same for the purposes therein stated and set forth.
WITNESS my hand and seal this 12th day of October, 2013.

Notary Public (Signature) Kathy Austin

My Commission Expires: 1-11-2021

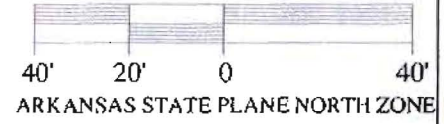
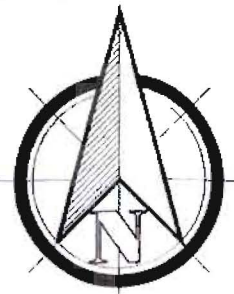


U.S. HIGHWAY 49
EAST JOHNSON AVENUE

N58°32'52"E 41.83'
F.I.P.

DELTA=02°45'53"
R=2,863.34'
ARC=138.17'

PLAT OF SURVEY
BY T. MOORE, PS 1293
BOOK 774, PAGE 365
BOOK 678, PAGE 53
34,356 SQ. FT. 0.79 ACRES +/-



15' DRAINAGE EASEMENT
N32°22'03"W 221.46'

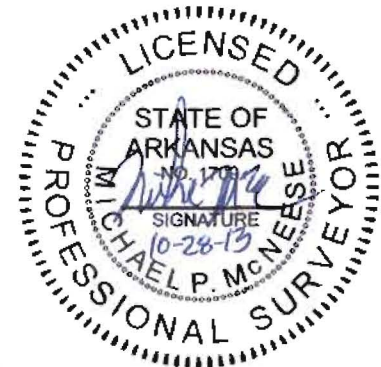
LOT 1-A
BRYSON'S REPLAT
BOOK C, PAGE 177
40,152 SQ. FT. 0.92 ACRES +/-

LOT 2-A
BRYSON'S REPLAT
BOOK C, PAGE 177
(NOT INCLUDED)

S32°24'06"E 223.53'

20' DRAINAGE EASEMENT

N58°57'07"E 179.78'



MCNEESE LAND SURVEYING
2520 ALEXANDER DR. ST. B
JONESBORO, AR 72401
mike@mcneesesurveying.com
CELL: (870) 565-6532 OFFICE: (870) 203-9940



REVISIONS	
DATE	DESCRIPTION

DRAWING INFO	
DATE	BY
10-28-2013	

LOT 1-A OF BRYSON'S
REPLAT-DRAINAGE
EASEMENT DEPICTIONS



Legislation Details (With Text)

File #:	RES-13:197	Version:	1	Name:	Appointment of Deborah Agnew to JURHA
Type:	Resolution	Status:		Status:	Recommended to Council
File created:	11/5/2013	In control:		In control:	Nominating and Rules Committee
On agenda:		Final action:		Final action:	
Title:	RESOLUTION TO APPOINT DEBORAH AGNEW TO THE JONESBORO URBAN RENEWAL AND HOUSING AUTHORITY WITH A TERM EXPIRATION DATE OF OCTOBER 31, 2018				
Sponsors:	Mayor's Office				
Indexes:	Appointment/Reappointment, Board/Commission				
Code sections:					
Attachments:	JURHA information				

Date	Ver.	Action By	Action	Result
12/3/2013	1	Nominating and Rules Committee		

RESOLUTION TO APPOINT DEBORAH AGNEW TO THE JONESBORO URBAN RENEWAL AND HOUSING AUTHORITY WITH A TERM EXPIRATION DATE OF OCTOBER 31, 2018

WHEREAS, on October 16, 1967, the City Council of Jonesboro, Arkansas, created the Jonesboro Urban Renewal and Housing Authority (JURHA) in accordance with A.C.A. 14-169-207; and

WHEREAS, Deborah Agnew was appointed to the Authority in 1976; and

WHEREAS, Ms. Agnew's appointment expired on October 31, 2013; and

WHEREAS, JURHA has recommended the appointment of Ms. Agnew to a five-year term.

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

SECTION 1: Deborah Agnew is appointed to JURHA with a term expiration date of October 31, 2018.

Jonesboro Urban Renewal and Housing Authority

Craighead County Housing Authority

PUBLIC HOUSING PROGRAM • SECTION 8 HOUSING PROGRAM • SECTION 8 / 202 PROGRAM
330 UNION STREET • JONESBORO, ARKANSAS 72401 • (870) 935-9800 • FAX: (870) 935-6872 • TTY: (870) 935-9207

Executive Director: Sharon Poe

October 24, 2013

Mayor Harold Perrin
City of Jonesboro
P. O. Box 1845
Jonesboro, AR 72401

Dear Mayor Perrin:

We ask your confirmation in the re-appointment of Ms. Deborah Agnew to the Board of Directors of the Jonesboro Urban Renewal and Housing Authority. Ms. Agnew has served on the board since 1976 and has served in the capacity in a very capable manner. Ms. Agnew's term will expire on October 31, 2018.

The Jonesboro Urban Renewal and Housing Authority Board of Directors have recommended the election of Ms. Deborah Agnew as a board member and a copy of the resolutions is attached.

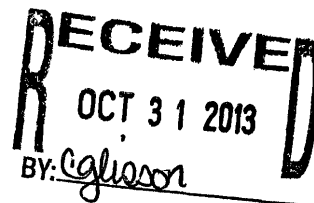
If you have any questions, please give me a call at 870-336-9614.

Sincerely,



Sharon Poe
Executive Director

Enclosures



Commissioners:

Deborah Agnew, Chairperson, JURHA, CCHA • Elizabeth Stafford, Vice-Chairperson, JURHA, CCHA • Dennis Zolper • Cherice Crawford • Dr. Ken Beadles



RESOLUTION NO. 2056

RESOLUTION RE-ELECTING DEBORAH AGNEW AS A BOARD
MEMBER OF THE JONESBORO URBAN RENEWAL AND HOUSING
AUTHORITY

WHEREAS, Deborah Agnew has been serving as Board member of the Board of Directors of the Jonesboro Urban Renewal and Housing Authority since February, 1976 and she has served in this capacity in a very capable manner; and

WHEREAS, Ms. Deborah Agnew's term expires on October 31, 2013.

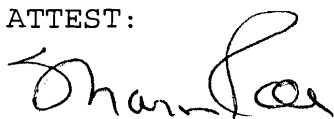
NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE JONESBORO URBAN RENEWAL AND HOUSING AUTHORITY that Deborah Agnew be re-elected as a board member of the Board of Directors of the Jonesboro Urban Renewal and Housing Authority for a five year term to expire in October 31, 2018.

APPROVED BY THE AFFIRMATIVE OF: Deborah Agnew, Dennis Zolper
Cherice Crawford and Robert Wells

at a Regular Meeting of the Board of Directors of the Jonesboro Urban Renewal and Housing Authority held on October 24, 2013.


CHAIRPERSON

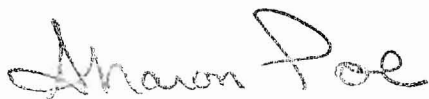
ATTEST:


Secretary

CERTIFICATE OF RECORDING OFFICER

I, Sharon Poe, the duly appointed, qualified and acting Secretary of the Jonesboro Urban Renewal and Housing Authority Housing do hereby certify that the attached extract from the minutes of the Regular meeting of the Board of Directors of the Jonesboro Urban Renewal and Housing Authority held on October 24, 2013, is a true and correct copy of the original minutes of such meeting on file and of record in so far as they relate to the matters set forth in the attached extract, and I do further certify that each Resolution appearing in such extract is a true and correct copy of a Resolution adopted at such meeting and on file and of record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of said Housing Authority this 24th day of October 2013.



SHARON POE, SECRETARY

EXTRACTS FROM MINUTES OF MEETING

Extract from minutes of a Regular meeting of the Board of Directors of the Jonesboro Urban Renewal and Housing Authority Housing held on the 24th Day Of October, 2013.

The Board of Directors of the Jonesboro Urban Renewal and Housing Authority Housing in a Regular Session at the Jonesboro Urban Renewal and Housing Authority at the place, hour, and date duly established for the holding of such meeting.

The Chairperson called the meeting to order and on roll call the following answered present:

- 1) Cherice Crawford
- 2) Deborah Agnew
- 3) Dennis Zolper
- 4) Robert Wells

and the following were Absent:

- 1) Elizabeth Stafford

The Chairperson declared a quorum present.

* * * * *

The following resolution was introduced by Deborah Agnew Chairperson read in full and considered:

RESOLUTION NO. 2056

RESOLUTION RE-ELECTING DEBORAH AGNEW AS A BOARD MEMBER OF THE JONESBORO URBAN RENEWAL AND HOUSING AUTHORITY

Mr. Zolper moved that the foregoing resolution be adopted as introduced and read, which motion was seconded by Ms. Crawford and upon roll call the Ayes and Nays were as follows:

AYES: Cherice Crawford
Deborah Agnew
Dennis Zolper
Robert Wells

NAYS: None

The Chairperson thereupon declared said motion carried and said resolution adopted.

* * * * *



Legislation Details (With Text)

File #:	RES-13:200	Version:	1	Name:	Maintenance agreement for Lot 1 of MDR 1st Addition
Type:	Resolution	Status:			Recommended to Council
File created:	11/7/2013	In control:			Public Works Council Committee
On agenda:		Final action:			
Title:	A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR LOT 1 OF MDR 1ST ADDITION (JB2013R-020164), A COMMERCIAL DEVELOPEMENT				
Sponsors:	Engineering				
Indexes:	Contract				
Code sections:					
Attachments:	Maintenance Agreement.pdf Permanent Drainage Easement.pdf				

Date	Ver.	Action By	Action	Result
12/3/2013	1	Public Works Council Committee		

A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR LOT 1 OF MDR 1ST ADDITION (JB2013R-020164), A COMMERCIAL DEVELOPEMENT

WHEREAS, the Section 112-157 of the Jonesboro Municipal code requires a maintenance agreement assuring perpetual maintenance of Stormwater Management Improvements and drainage easements to be dedicated to the City be agreed upon by the City and the developer prior to final plat approval;

WHEREAS, Holt Agribusiness has submitted a Maintenance Agreement for Stormwater Management Facilities for Lot 1 of MDR 1st Addition (JB2013R-020164);

WHEREAS, the City Engineer and City Attorney have reviewed the attached Maintenance Agreement and find it to be in compliance with the Stormwater Management Regulations.

WHEREAS, the Maintenance Agreement and the final plat are to be filed concurrently with the Craighead County Circuit Clerk, upon final approval of the plat.

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

Section 1: The City of Jonesboro accepts the attached maintenance agreement with Holt Agribusiness for Lot 1 of MDR 1st Addition (JB2013R-020164) and authorizes the Mayor and City Clerk to execute all documents necessary to effectuate the agreement.

Section 2: The executed agreement is to be retained by the City Clerk until such time as the Clerk is provided with the approved final plat of the development by the Planning Department so that both documents can be filed concurrently with the Craighead County Circuit Clerk.

**MAINTENANCE AGREEMENT
FOR STORMWATER MANAGEMENT FACILITIES**

Property Identification

Project Name: Lot 1 of MDR 1st Addition
Project Address: 5511 Stadium Blvd.
Owner(s): Holt Agribusiness
Owner Address: 1956 South W.W. White Rd.
City: San Antonio State: TX Zip Code: 78222

In accordance with Section 112-157 of the Jonesboro Municipal Code, this agreement is made and entered into this ___ day of _____, 20___, by and between the City of Jonesboro, an Arkansas municipal corporation, hereinafter called the "City" and Holt Agribusiness, hereinafter called the "Developer".

WITNESSTH, that:

WHEREAS, The Developer is proceeding to build on and develop the property in accordance with the Stormwater Management Plan (the "Plan") approved by the City and the recorded permanent drainage easement (the "Easement") labeled as document JB2013R-020164 as recorded in the records of Craighead County, Arkansas.

WHEREAS, the City and the Developer, its successors and assigns, including any property owners' association or homeowners' association, agree that the health, safety, and welfare of the residents of the City of Jonesboro, Arkansas require that on-site stormwater runoff management facilities be constructed and maintained on the property.

WHEREAS, the City requires that on-site stormwater runoff management facilities as shown on the plan be constructed and adequately maintained by the Developer, its successors and assigns, including any property owners' association or homeowners' association.

WHEREAS, adequate maintenance is defined herein as the general upkeep of the facilities, specifically the mowing and trimming of grasses or other vegetative cover and the removal of litter and other minor debris that could impact the functionality of the facility or that would otherwise be considered unsightly or a nuisance.

WHEREAS, the City of Jonesboro shall be responsible, after construction and final acceptance of the development, for the operation and long-term maintenance of all drainage structures and improved watercourses which are part of the City of Jonesboro Stormwater Management System, are within a dedicated public drainage easement; and, which are not constructed and maintained by or under the jurisdiction of any State or Federal agency.

WHEREAS, Long-term maintenance is defined herein as the removal of sediment deposits, re-grading or shaping of embankments, drainage channels, and detention areas, and the repair or replacement of piping networks, and other underground drainage structures.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties agree as follows:

1. The on-site stormwater runoff management facilities shall be constructed by the Developer, its successors and assigns, in accordance with the plans and specifications identified in the Plan.

2. The Developer, its successors and assigns, including any property owners' association or homeowners' association, shall adequately maintain the on-site stormwater runoff management facilities.
3. The Developer, its successors and assigns, hereby grant permission to the City, its authorized agents and employees, to enter upon the Property to inspect and perform long-term maintenance of the on-site stormwater runoff management facilities whenever the City deems necessary.
4. In the event the Developer, its successors and assigns, fails to adequately maintain the stormwater runoff management facilities, the City may enter upon the Property upon thirty (30) days written notification or earlier, if deemed an emergency, and take whatever steps necessary to correct the deficiencies and charge the costs of such corrective action to the Developer, its successors and assigns. The Developer, its successors and assigns, shall reimburse the City upon demand, within thirty (30) days of receipt thereof for all actual costs incurred by the City including all labor, equipment, supplies, materials, and the like. This provision shall not be construed to allow the City to erect any structure of permanent nature on the land of the Developer outside of the easement for the on-site stormwater runoff management facilities. It is expressly understood and agreed that the City is under no obligation to routinely maintain or repair said facilities, and in no event shall this agreement be construed to impose any such obligation on the City.
5. This agreement shall be recorded among the land records of Craighead County, Arkansas and shall constitute a covenant running with the land, and shall be binding on the Developer, its administrators, executors, assigns, heirs and any other successors in interests, including any property owners' association or homeowners' association.
6. This Agreement is binding upon and inures to the benefit of the City, and the Developer, the Developer's successors and assigns, any property owners' association or homeowners' association created which pertains to all or any part of the property and any individual lot owner who has purchased all or any part of the property referred to in this Agreement. The terms of this Agreement are enforceable on all of the above parties.
7. In the event any party to this Maintenance Agreement must employ a lawyer to enforce the terms and obligations set out in this Agreement and litigation ensue, the prevailing party, as determined under Arkansas Law, shall be entitled to recover not only court costs as defined under Arkansas Law but all costs of litigation, including a reasonable attorney's fee.
8. This Agreement is the complete agreement and understanding between the parties who have executed this Agreement. There are no other agreements, either oral or written. All prior or contemporaneous statements, representations, or guarantees are declared void. This Agreement may be amended only by a written document signed by all parties.

Owner/Agent: CHARLES C STRICKLAND Charles C Strickland 10/2/13
 Printed Name Signature Date

Owner/Agent: _____
 Printed Name Signature Date

STATE OF ARKANSAS TEXAS
 COUNTY OF CRAIGHEAD BERAR

On this day before me, the undersigned officer, personally appeared CITRUS C. STRICKLAND, to me well known to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he had executed the same for the purposes therein stated and set forth.

WITNESS my hand and seal this 2 day of OCT, 2013.

TAMMI MOODY
Notary Public (Printed Name)

Tammi Moody
Notary Public (Signature)



My Commission Expires: 07/27/2015

Accepted by:

Mayor

Date

City Clerk

Date



* J B 2 0 1 3 R - 0 2 0 1 6 4 2 *

JB2013R-020164

ANN HUDSON
CRAIGHEAD COUNTY
RECORDED ON:

11/06/2013 10:08AM

Kusy Jan



The above space is reserved for Craighead County recording information, D. C.

Return recorded document to:
CITY OF JONESBORO
300 South Church Street
JONESBORO, AR 72401
2013 NOV 6 AM 10:11

ANN HUDSON
CLERK OF CIRCUIT COURT

PERMANENT DRAINAGE EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That Holt Texas, Ltd., hereinafter referred to as Grantor (whether one or more), does hereby dedicate, grant and convey unto the Public, and that the CITY OF JONESBORO, a Municipal Corporation of the State of Arkansas, hereinafter referred to as Grantee, does hereby accept on behalf of the public, for use as a permanent drainage easement the following described real property in Craighead County, State of Arkansas, to-wit:

A 60 feet wide permanent drainage easement off and across Lot 1 of MDR First Addition to Jonesboro, Arkansas, the centerline, being more particularly described as follows: Beginning at the Southwest corner of Lot 1 of said MDR First Addition, said point also being the East right-of-way of Caraway Road; Thence North 00°33'37" West, along said right-of-way, 1,114.08 feet to the Point of Beginning Proper; Thence along the centerline of said 60 feet wide drainage easement the following courses and distances: South 61°35'57" East, 153.83 feet; North 86°05'00" East, 262.55 feet; South 83°27'57" East, 641.87 feet to the Point of Termination, said point also being the West right-of-way of Arkansas Highway No. 1 (A.K.A Stadium Boulevard).

This easement and right of way is for the purpose of making drainage improvements and maintaining said improvements within the City of Jonesboro. Any other use of this area, other than by record owners, shall only be granted by record owners, but they are not precluded from using or granting other use, so long as same does not interfere unreasonably with the express purpose intended.

This grant of easement and right of way shall be binding upon the heirs, successors, administrators and assigns of the grantors.

IN WITNESS WHEREOF, the GRANTORS have executed this instrument on the 14 day of Oct, 2013.

Signature 

Holt Texas, Ltd

By: Charles C. Strickland

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF BEXAR

On this day before me, the undersigned officer, personally appeared Charles C. Strickland, to me well known to be the person whose name is subscribed to the foregoing instrument, and

acknowledged that he had executed the same for the purposes therein stated and set forth.
WITNESS my hand and seal this 14th day of October, 2013.

Notary Public (Signature) Teresa L. Howard

My Commission Expires: 02/28/14





Legislation Details (With Text)

File #:	RES-13:203	Version:	1	Name:	Agreement with USGS for streamgages
Type:	Resolution	Status:		Status:	Recommended to Council
File created:	11/13/2013	In control:		In control:	Public Works Council Committee
On agenda:		Final action:		Final action:	
Title:	A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO CONTINUE A JOINT FUNDING AGREEMENT WITH THE U.S. GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR FOR THE OPERATION AND MAINTENANCE OF TWO STREAMGAGES IN JONESBORO				
Sponsors:	Engineering				
Indexes:	Contract				
Code sections:					
Attachments:	Agreement.pdf				

Date	Ver.	Action By	Action	Result
12/3/2013	1	Public Works Council Committee		

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO CONTINUE A JOINT FUNDING AGREEMENT WITH THE U.S. GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR FOR THE OPERATION AND MAINTENANCE OF TWO STREAMGAGES IN JONESBORO WHEREAS, the City of Jonesboro has desires to continue a Joint Funding Agreement (attached) with the U.S. Geological Survey, United States Department of the Interior for the operation and maintenance of two streamgages in Jonesboro;

WHEREAS, the two streamgage monitoring locations in Jonesboro are located on Lost Creek and Whiteman Creek at Access Road;

WHEREAS, the funding for the annual operation and maintenance cost shall come from the Capital Improvements budget.

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

Section 1: That the City of Jonesboro shall continue a Joint Funding Agreement with the U.S. Geological Survey, United States Department of the Interior for the operation and maintenance of two streamgages in Jonesboro

Section 2: The funding for operation and management cost shall come from the Capital Improvements budget.

Section 3: 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 agreement.

Form 9-1366
(Oct. 2005)

**U.S. DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY**

Customer #: AR046
Agreement #: 14E4AR046AR0110
Project #:
TIN #: 71-6013749
Fixed Cost Agreement YES

JOINT FUNDING AGREEMENT

FOR

Water Resources Investigations

THIS AGREEMENT is entered into as of the, 6th day of November, 2013 by the U.S. GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the CITY OF JONESBORO,, party of the second part.

1. The parties hereto agree that subject to availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation operation and maintenance of the two streamgages, Whiteman's Creek at Industrial Drive and Lost Creek at Floyd Street in Jonesboro, herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50; and 43 USC 50b.

2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) includes In-Kind Services in the amount of
 - (a) by the party of the first part during the period

Amount	Date	to	Date
\$0.00	January 1, 2014		December 31, 2014

 - (b) by the party of the second part during the period

Amount	Date	to	Date
\$27,300.00	January 1, 2014		December 31, 2014

 - (c) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.

 - (d) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties.

3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.

4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.

5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the part of the first part to insure the required standards of accuracy subject to modification by mutual agreement.

6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner either party may terminate this agreement upon 60 days written notice to the other party.

9-1366 (Continuation)

Customer #:

AR046


Agreement #:

14E4AR046AR0110

7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.
8. The maps, records, or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records, or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program and, if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at costs, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records, or reports published by either party shall contain a statement of the cooperative relations between the parties.
9. USGS will issue billings utilizing Department of the Interior Bill for Collection (form DI-1040). Billing documents are to be rendered quarterly. Payments of bills are due within 60 days after the billing date. If not paid by the due date, interest will be charged at the current Treasury rate for each 30 day period, or portion thereof, that the payment is delayed beyond the due date. (31 USC 3717; Comptroller General File B-212222, August 23, 1983).

U.S. Geological Survey		CITY OF JONESBORO	
United States			
Department of the Interior			
<u>USGS Point of Contact</u>		<u>Customer Point of Contact</u>	
Name:	David A. Freiwald, Director	Name:	The Honorable Harold Perrin, Mayor
Address:	USGS Arkansas Water Science Center 401 Hardin Road Little Rock, AR 72211	Address:	City of Jonesboro 307 Vine Street Jonesboro, AR 72403
Telephone:	(501) 228-3618	Telephone:	(870) 932-2438
Email:	freiwald@usgs.gov	Email:	

Signatures and Date

Signature: 	Date: 10/6/13	Signature: _____	Date: _____
Name: David A. Freiwald		Name: The Honorable Harold Perrin	
Title: Director, USGS Arkansas Water Science Center		Title: Mayor, City of Jonesboro	

Signature: _____	Date: _____	Signature: _____	Date: _____
Name: _____		Name: Donna Jackson	
Title: _____		Title: City Clerk	



Legislation Details (With Text)

File #:	ORD-13:063	Version:	1	Name:	Waive bidding for EFS Geotechnologies proposal
Type:	Ordinance	Status:		Status:	First Reading
File created:	10/31/2013	In control:		In control:	Public Works Council Committee
On agenda:		Final action:		Final action:	
Title:	AN ORDINANCE TO WAIVE COMPETITIVE BIDDING FOR THE COLLECTION OF DIGITAL AERIAL PHOTOGRAPHY FOR JONESBORO AND AUTHORIZING THE EXECUTION THE PROPOSAL WITH EFS GEOTECHNOLOGIES				
Sponsors:	Engineering				
Indexes:	Contract, Waive competitive bidding				
Code sections:					
Attachments:	Proposal.pdf				

Date	Ver.	Action By	Action	Result
12/3/2013	1	Public Works Council Committee		

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING FOR THE COLLECTION OF DIGITAL AERIAL PHOTOGRAPHY FOR JONESBORO AND AUTHORIZING THE EXECUTION THE PROPOSAL WITH EFS GEOTECHNOLOGIES

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

Section 1: That the City of Jonesboro Engineering Department has the need for the services of EFS GeoTechnologies for the collection of high resolution digital aerial imagery.

Section 2: EFS GeoTechnologies is the sole source provider for the collection of high resolution digital aerial imagery in the state of Arkansas.

Section 3: That EFS GeoTechnologies is providing the service to Craighead County and other connecting counties and therefore can offer the inclusion of the City of Jonesboro at a much reduced rate.

Section 4: That EFS GeoTechnologies has bid \$35,942.00 for the City of Jonesboro project.

Section 5: That the City Council in accord with the terms of A.C. A. Section 14-58-303 hereby waives the requirement for competitive bidding and directs the Purchasing Agent to purchase the above described service.

October 30, 2013

Joshua Bettis, City Surveyor
Engineering Department
P.O. Box 1845
307 Vine Street
Jonesboro, AR 72401

Dear Mr. Bettis,

By way of this document and attachments EFS GeoTechnologies would like to submit a proposal for the collection of aerial photography for Jonesboro, Arkansas during the winter of 2013-2014. We have attached a flight layout for Jonesboro showing the city and the coverage that would be provided. The specifications for the project as we understand them are as follows.

Digital Aerial Photography Proposal

- A. All aerial photography is to be collected in natural color (RGB – red, green and blue).
- B. The aerial photography is to be collected during the winter of 2013-2014 while the hardwood trees are fully defoliated. All data will be collected when the sun angle is higher than 30° above the horizon. Shadows will be long as the sun angle is low during the winter months.
- C. The ground sample distance for data collected at six inches per image pixel (GSD of 6 inches) will have a horizontal accuracy of approximately two feet (.61 meter CE 90) or better. Please see attached PDF for coverage. (If survey grade ground control points are provided within the city, horizontal accuracy can be improved to 1.0 foot accuracy or better.)
- D. All flight lines will be oriented North and South or East and West.
- E. All aerial photography collected will be stereo coverage with side lap averaging 30% and end lap averaging 60%.
- F. All aerial photography will be orthorectified and stitched together to form seamless digital mosaics. The individual mosaics will be subset to a custom tiling scheme as agree upon.

- G. All aerial photography will be projected State Plane, NAD 83, Arkansas North unless otherwise specified.
- H. All aerial photography will be delivered in Tiff format and ECW compressed format on USB hard drive. Typically aerial photography will be delivered and ready to use within six months from acquisition. More rapid turnaround times may be negotiated on a case by case basis.
- I. All aerial photography will be orthorectified using a digital elevation set generated from LiDAR which will be supplied by the city of Jonesboro.
- J. Steps will be taken to minimize the effects of haze in the data. No clouds, cloud shadows, smoke or snow will be visible in the data.
- K. The Arkansas Geographic Information Office has indicated that they will provide an independent third party quality control check of the data if the data will be available for public access. Public access means the availability and distribution of data using various means including GeoStor.

EFS GeoTechnologies proposal for the project described above is:

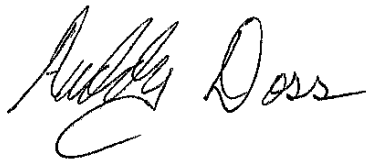
Aerial Photography

Jonesboro (With Buffer) - Six Inch Coverage:

\$35,942.00

We appreciate the opportunity to present this proposal for your consideration. If you have any questions please do not hesitate to contact us.

Best Regards,



Auddy Doss, SIS
EFS GeoTechnologies

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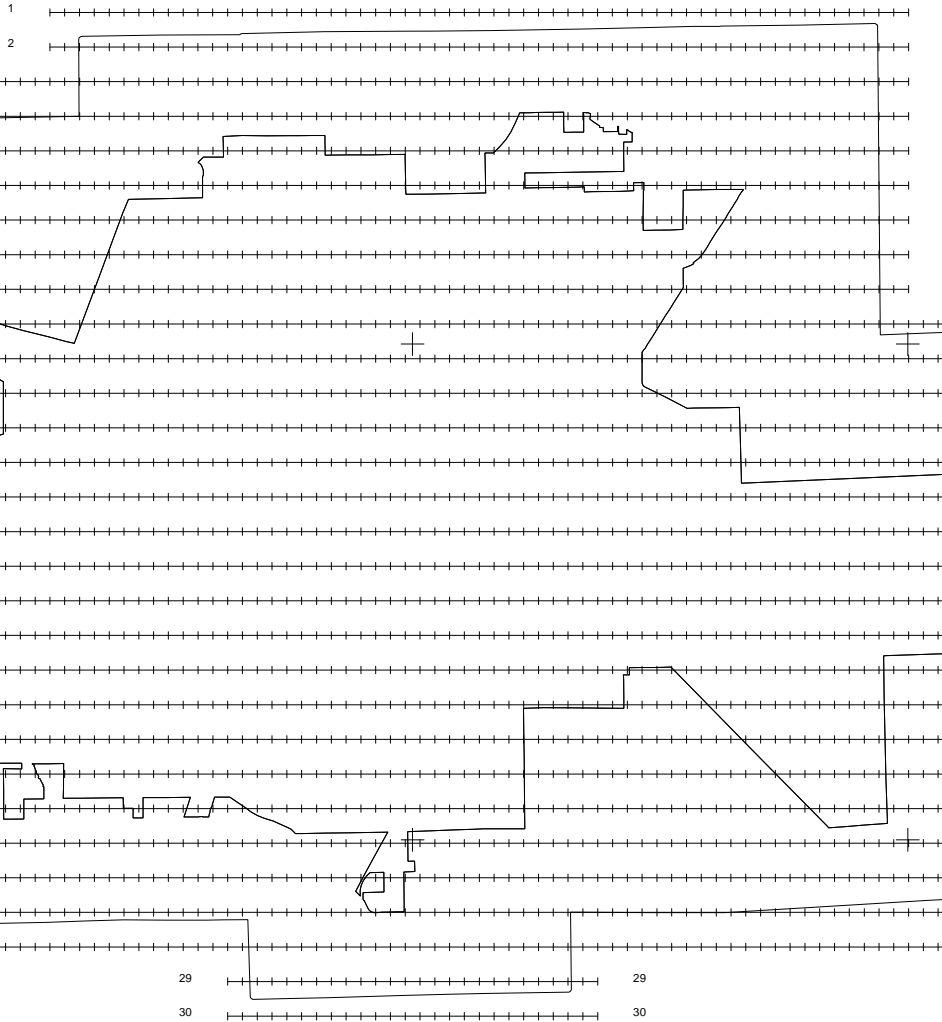
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E1604_Craighead_Co

10302013_4000_RGB_Jonesboro

Project No:	E1604	Focal Length:	60.00mm	Total length:	723km	Square Miles::	80.93
Camera type:	DSS_439_60	Filter:	RGB	Total lines:	30		
Altitude:	3999 feet	Lateral overlap:	30%	Total photos:	2449		
Lens type:	RGB	Forward overlap:	60%	Acres::	51798		



Legislation Details (With Text)

File #:	ORD-13:070	Version:	1	Name:	Rezoning by Greensboro Investment, LLC
Type:	Ordinance	Status:		Status:	First Reading
File created:	12/11/2013	In control:		In control:	City Council
On agenda:		Final action:		Final action:	
Title:	AN ORDINANCE TO AMEND CHAPTER 117, ARTICLE III, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS, PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-3 LUO FOR PROPERTY LOCATED ON THE NORTH SIDE OF THE INTERSECTION OF STADIUM BLVD AND JOHNSON AVENUE AS REQUESTED BY GREENSBORO INVESTMENTS, LLC				
Sponsors:					
Indexes:	Rezoning				
Code sections:					
Attachments:	Plat MAPC Report				

Date	Ver.	Action By	Action	Result
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AN ORDINANCE TO AMEND CHAPTER 117, ARTICLE III, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS, PROVIDING FOR CHANGES IN ZONING BOUNDARIES.

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

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

From R-1, Single-Family Medium Density District to C-3 LUO, General Commercial District with Limited Use Overlay that land described as follows:

LEGAL DESCRIPTION

PART OF THE NORTHEAST QUARTER (33.03; ACRES), PART OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER (15.54; ACRES) AND PART OF THE SOUTH HALF OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (0.69; ACRES) ALL BEING IN SECTION 9, TOWNSHIP 14 NORTH, RANGE 4 EAST, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 14 NORTH, RANGE 4 EAST, CRAIGHEAD COUNTY, ARKANSAS: THENCE NORTH 89° 59'05" WEST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 9, AFORESAID, 27.80 FEET TO THE WEST RIGHT-OF-WAY LINE OF OLD GREENSBORO ROAD (ARKANSAS STATE HIGHWAY #351): THENCE ALONG SAID WEST RIGHT-OF-WAY LINE AND DEPARTING FROM THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 9,

AFORESAID, AS FOLLOWS: SOUTH 00°04'53" EAST 638.97 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1,186.08 FEET, THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°39'11" A DISTANCE OF 75.62 FEET: THENCE SOUTH 85°31'00" WEST DEPARTING FROM SAID WESTERLY RIGHT-OF-WAY LINE 96.00 FEET: THENCE SOUTH 03°28'05" EAST 99.41 FEET: THENCE NORTH 85°02'53" EAST 79.29 FEET TO THE POINT OF BEGINNING: THENCE CONTINUE NORTH 85°02'53" EAST 21.29 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF OLD GREENSBORO ROAD (ARKANSAS STATE HIGHWAY #351), SAID POINT BEING ON THE ARC OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 1,186.08 FEET AND WHOSE RADIUS POINT BEARS NORTH 81°30'02" EAST: THENCE ALONG ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°23'11" A DISTANCE OF 49.40 FEET TO A POINT ON THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 9, AFORESAID: THENCE SOUTH 00°22'09" WEST ALONG SAID EAST LINE, 1,767.19 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 9, AFORESAID: THENCE SOUTH 00°39'12" WEST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 9, AFORESAID, 248.86 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF JOHNSON AVENUE (U.S. HIGHWAY #49): THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE AS FOLLOWS: SOUTH 58°33'51" WEST 151.77 FEET, SOUTH 67°09'19" WEST 202.49 FEET, SOUTH 52°50'25" WEST 301.40 FEET, SOUTH 58°33'40" WEST 398.04 FEET, SOUTH 63°18'38" WEST 59.84 FEET: THENCE NORTH 31°25'30" WEST, DEPARTING FROM SAID NORTHWESTERLY RIGHT-OF-WAY LINE, 1,341.71 FEET TO A POINT: THENCE NORTH 58°34'30" EAST 1,129.37 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1,500.00 FEET, THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 44°02'08" A DISTANCE OF 1,152.85 FEET TO THE POINT OF BEGINNING.

CONTAINING IN ALL 2,145,627 SQ. FT. OR 49.26 ACRES, MORE OR LESS.

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

SECTION II: The requested rezoning classification is further restricted as follows:

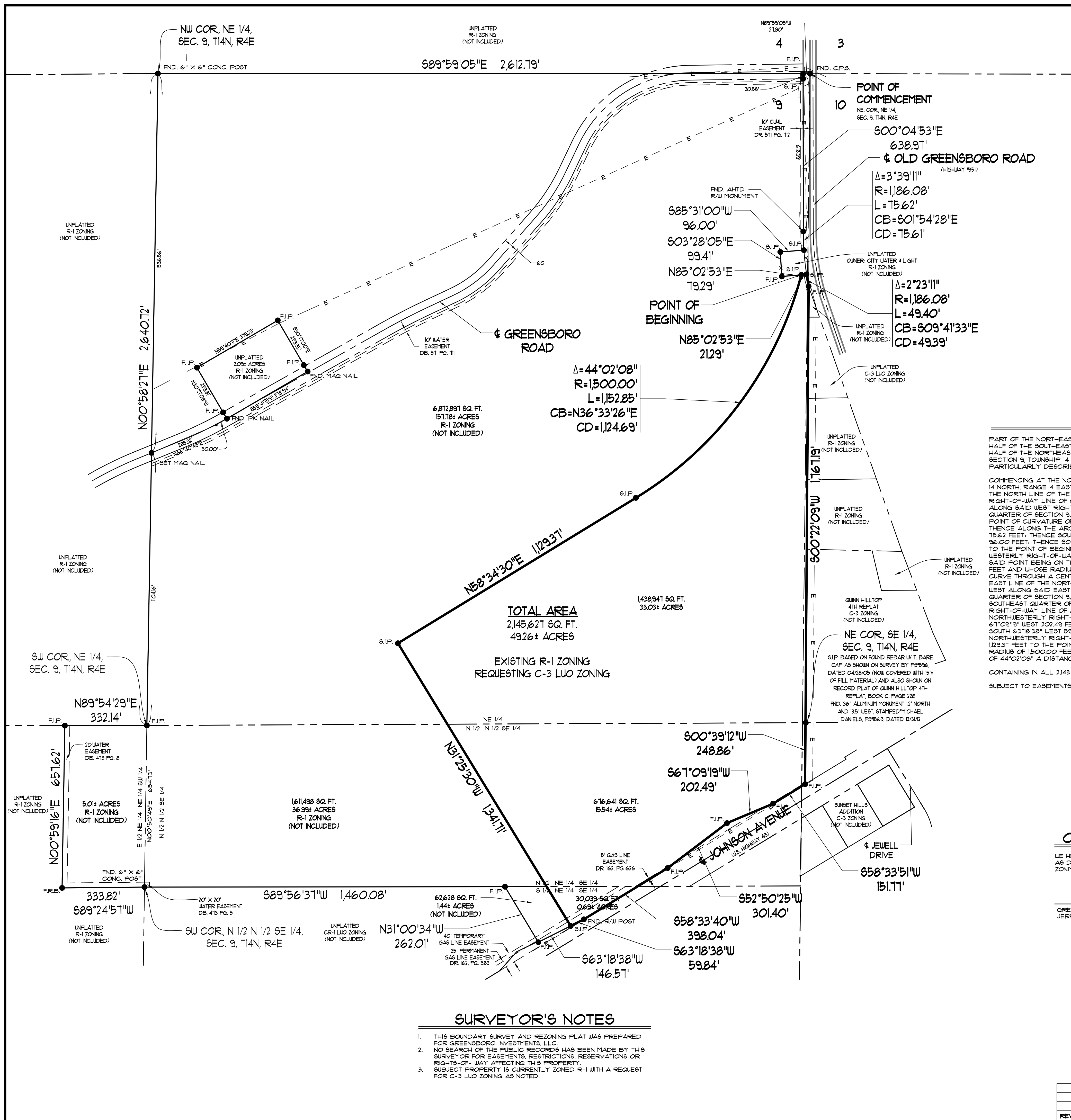
1. Any proposed development shall satisfy all requirements of the City Engineer, satisfying all requirements of the current Stormwater Drainage Design Manual.
2. A "Final Site Plan" shall be submitted and reviewed by the MAPC prior to any future development of the proposed site. Final landscaping and signage plans shall be submitted.

The following list of uses shall be permitted:

- A) OFFICE, GENERAL
- B) RETAIL/SERVICE, GENERAL
- C) RESTAURANT, GENERAL AND FAST FOOD
- D) AUDITORIUM/ARENA/THEATER
- E) BANK OR FINANCIAL INSTITUTION
- F) HOTEL OR MOTEL
- G) MEDICAL OR HEALTH RELATED SERVICES.

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

SECTION IV: The City Clerk is hereby directed to amend the official zoning district boundary map of the City of Jonesboro, Arkansas, insofar as it relates to the lands described hereinabove so that the zoning classification of said lands shall be in accordance with the provisions of this ordinance.



DESCRIPTION

PART OF THE NORTHEAST QUARTER (33.03± ACRES), PART OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER (19.54± ACRES) AND PART OF THE SOUTH HALF OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (0.69± ACRES) ALL BEING IN SECTION 9, TOWNSHIP 14 NORTH, RANGE 4 EAST, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 14 NORTH, RANGE 4 EAST, CRAIGHEAD COUNTY, ARKANSAS; THENCE NORTH 89°59'05" WEST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 9, AFORESAID, 218.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF OLD GREENSBORO ROAD (ARKANSAS STATE HIGHWAY #551); THENCE ALONG SAID WEST RIGHT-OF-WAY LINE AND DEPARTING FROM THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 9, AFORESAID, AS FOLLOWS: SOUTH 00°04'53" EAST 638.91 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1,186.08 FEET, THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°39'11" A DISTANCE OF 15.62 FEET; THENCE SOUTH 85°31'00" WEST DEPARTING FROM SAID WESTERLY RIGHT-OF-WAY LINE 96.00 FEET; THENCE SOUTH 03°28'05" EAST 99.41 FEET; THENCE NORTH 85°02'53" EAST 192.9 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 85°02'53" EAST 212.9 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF OLD GREENSBORO ROAD (ARKANSAS STATE HIGHWAY #551), SAID POINT BEING ON THE ARC OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 1,186.08 FEET AND WHOSE RADIUS POINT BEARS NORTH 81°30'02" EAST; THENCE ALONG ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°23'11" A DISTANCE OF 49.40 FEET TO A POINT ON THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 9, AFORESAID; THENCE SOUTH 00°22'09" WEST ALONG SAID EAST LINE, 1161.19 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 9, AFORESAID; THENCE SOUTH 00°39'12" WEST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 9, AFORESAID, 248.86 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF JOHNSON AVENUE (U.S. HIGHWAY #49); THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE AS FOLLOWS: SOUTH 58°33'51" WEST 151.11 FEET, SOUTH 61°09'19" WEST 202.49 FEET, SOUTH 52°50'25" WEST 301.40 FEET, SOUTH 58°33'40" WEST 398.04 FEET, SOUTH 63°18'38" WEST 59.84 FEET; THENCE NORTH 31°25'30" WEST DEPARTING FROM SAID NORTHWESTERLY RIGHT-OF-WAY LINE, 1341.71 FEET TO A POINT; THENCE NORTH 52°34'30" EAST 1129.31 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1300.00 FEET, THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 44°02'08" A DISTANCE OF 1,124.69 FEET TO THE POINT OF BEGINNING.

CONTAINING IN ALL 2,145.621 SQ. FT. OR 49.26± ACRES, MORE OR LESS.

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

OWNER'S CERTIFICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY AS DESCRIBED HEREON AND THAT WE REQUEST THE CHANGE IN ZONING AS NOTED.

GREENSBORO INVESTMENTS, LLC
JERRY HALSET JR., AGENT/MANAGER

SURVEYOR'S CERTIFICATION

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

DATE OF BOUNDARY SURVEY: 06/12/2013

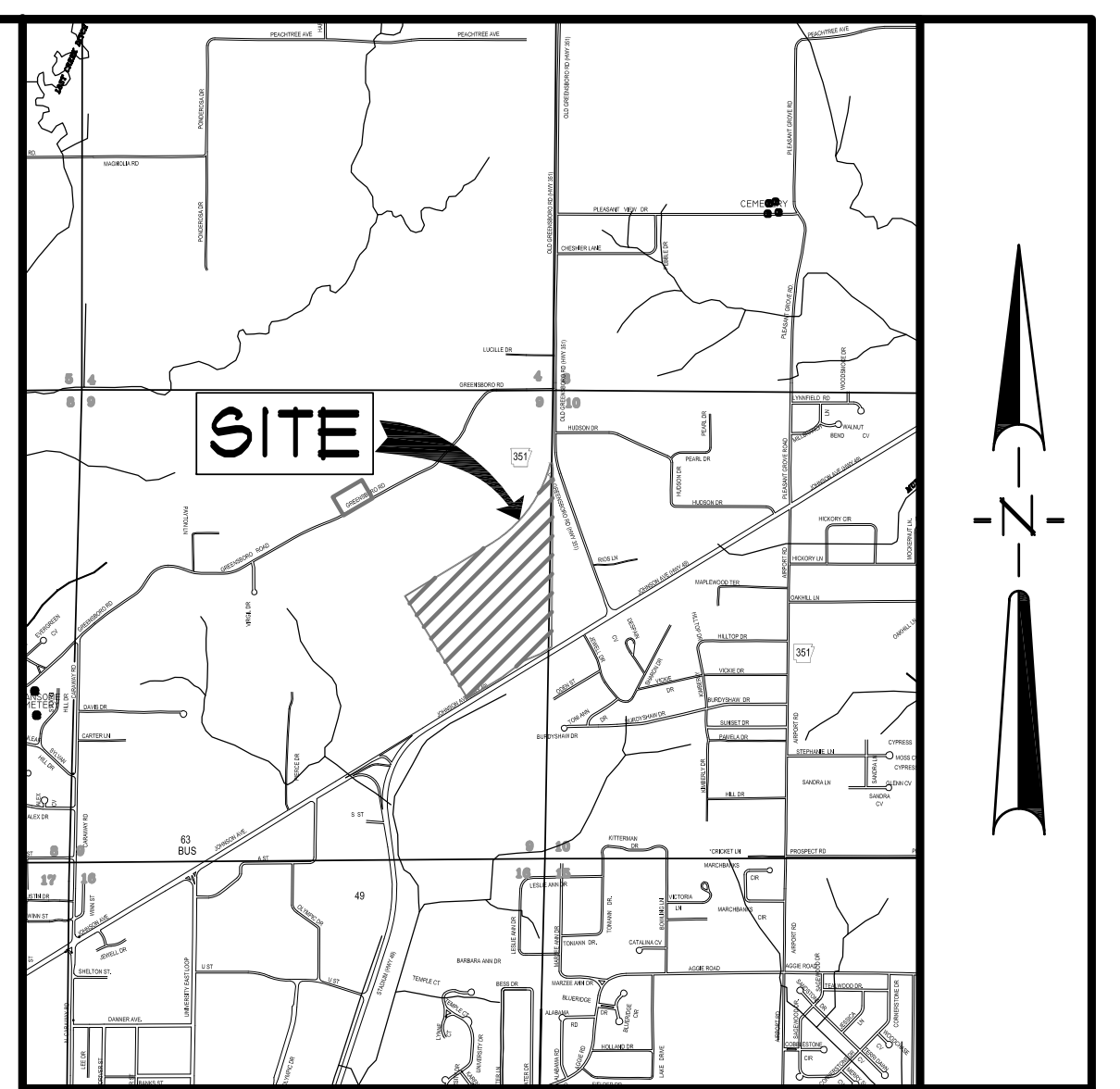
ASSOCIATED ENGINEERING & TESTING, LLC
Kenne R. U. Scraper, Surveyor
Professional Surveyor
Arkansas No. 166

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

ASSOCIATED ENGINEERING AND TESTING, LLC
CIVIL ENGINEERING, LAND SURVEYING AND MATERIALS TESTING
103 SOUTH CHURCH STREET - P.O. BOX 1462 - JONESBORO, AR 72403
PH: 810-932-3594 FAX: 810-935-1263

REZONING PLAT
FOR GREENSBORO INVESTMENTS, LLC
JOHNSON AVE. (U.S. HWY. 49) IN SEC. 9, T14N, R4E
JONESBORO, ARKANSAS

DRAWN: KLS/CCH CHECKED: KLS DATE: 11/25/13 SHEET
SCALE: 1" = 200' CADD FILE: 05106-006 DWG: 0414091.00001 1 OF 1



VICINITY SKETCH
NOT TO SCALE

LEGEND

—	BOUNDARY LINE
- - -	ADJACENT LOT LINE
- · - · -	EASEMENT LINE
- · - · -	BUILDING SETBACK LINE
○	FOUND REBAR
●	FOUND COTTON PICKER SPINDLE
○	FOUND IRON PIPE
○	SET 1-1/4" IRON PIPE W/ P8 1/66 CAP
- x - x -	FENCE LINE
- · - · -	OVERHEAD ELECTRICAL LINE

SURVEYOR'S NOTES

- THIS BOUNDARY SURVEY AND REZONING PLAT WAS PREPARED FOR GREENSBORO INVESTMENTS, LLC.
- NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS SURVEYOR FOR EASEMENTS, RESTRICTIONS, RESERVATIONS OR RIGHTS-OF-WAY AFFECTING THIS PROPERTY.
- SUBJECT PROPERTY IS CURRENTLY ZONED R-1 WITH A REQUEST FOR C-3 LUO ZONING AS NOTED.

REV	DATE	REVISIONS	DRAWN	CHKD



City of Jonesboro City Council
Staff Report – RZ 13-21: Rezoning – Johnson @ Stadium
Municipal Center – 300 S. Church
For Consideration by the Council on Tuesday, December 17, 2013

REQUEST: To consider rezoning a parcel of property containing approximately 49.26 acres more or less.

PURPOSE: A request for rezoning from R-1 Residential to C-3 General Commercial District, L.U.O.

**AGENT/
OWNER:** Jerry Halsey, Jr., Agent & Manager, 4200 S. Caraway Rd., Jonesboro, AR

LOCATION: North side of Johnson Ave., at the Intersection of Stadium Blvd.

SITE Tract Size: Approx. 49.26 acres

DESCRIPTION: Frontage: 1,113.54 ft.

Topography: Gradually sloping

Existing Development: Vacant R-1 Property

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	R-1	Single Family
South:	C-3	Commercial
East:	C-3	Commercial
West:	R-1,C-3	Residential , Commercial

HISTORY: None.

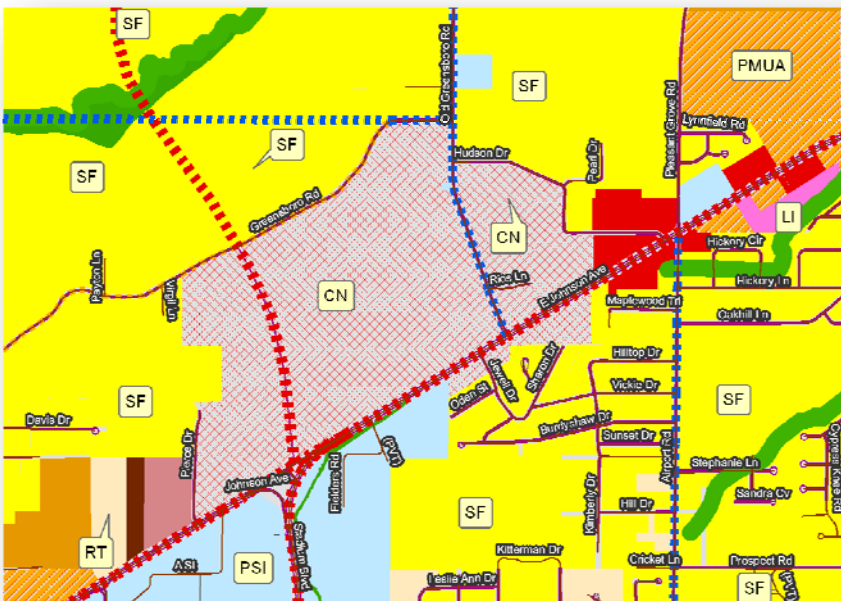
ZONING ANALYSIS: City Planning Staff has reviewed the proposed Zone Change and offers the following findings.

Pertinent Zoning Ordinance sections include Section 117:22 (2), ‘change in District Boundary’.

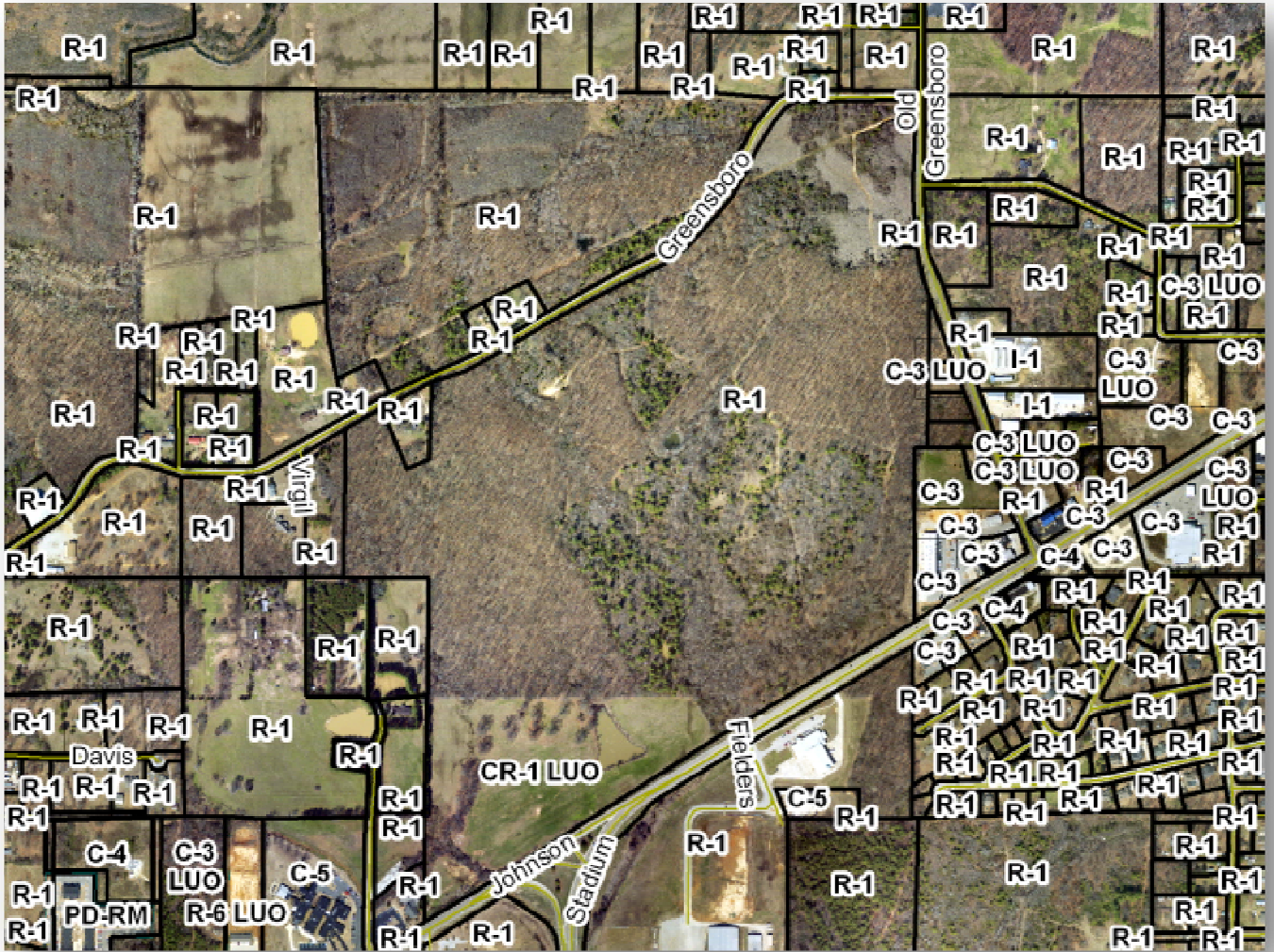
Approval Criteria Checklist- Section 117-34- Amendments:

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 Limited Use Overlay District rezoning is consistent with the Future Land Use Plan. The site is ideal for a master planned district. Focus and efforts should be placed on addressing existing and future traffic management in the existing corridor network (i.e. Hwy. 351, Stadium Blvd. and Johnson Avenue with the future site access)
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal is consistent with the purpose of Chapter 117, provisions for Limited Use Overlays.
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	The proposal is substantially compatible with the development trends in the area. Although some of the surrounding property is zoned for residential use, a transition of the zoning and land use is occurring with new hospital and the university campus.
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	Poor suitability due to the current R-1 zoning which will greatly restrict possible commercial development on the site if not zoned. This land is ideal for commercial mixed with transitional and residential uses having an efficient access management design.
(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;	The bordering properties are zoned C-3 to the east, R-2 and R-1. Traffic and noise should be limited to the areas remotely away from Greensboro Road where most of the existing housing stock and residential properties exist.
(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	Property is vacant with the current R-1 zoning.
(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, however open space amenities, mixed use, and walkability themes should be incorporated in the development.



**COMPREHENSIVE PLAN/
FUTURE LANDUSE MAP**
The 2010 Comprehensive Land Use Map shows the area recommended as Commercial Node. This area is pending a restudy on the land use map by the Land Use Advisory Committee and will most-likely maintain a commercial node status.



Vicinity Zoning Map

Master Street Plan/Transportation

The subject property is served by Hwy. 49N/East Johnson Ave., a Principal Arterial on the Master Street Plan. A right of way of 120 ft. is required. There is a minor segment of frontage also noticed on Highway 351 to the Northeast of approximately 49.4 feet. Neither right-of-way delineations reflect the current or proposed amount of right of way. This should be reflected on the plat.

The Stadium/E. Johnson Avenue was recently enhanced with double left-hand turn movements on the Johnson Ave. *Eastbound* connection. This signalized 3-point intersection will be impacted by the propose development and coordinated access management should be reviewed by the Metropolitan Area Planning Commission (MAPC) in a combined review by the Metropolitan Planning Organization (MPO).

Other Departmental/Agency Reviews:

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

Other Zoning Code Analysis:

Sec. 117-140. Overlay and special purpose districts.

(c) *LU-O—limited use overlay district.* (3) *Use and property development standards.* When accompanied by a rezoning request from the property owner, the LU-O district can be used to restrict the use and property development standards of an underlying base zoning district, as applied to specific parcels of land.

All LU-O requirements are in addition to, and supplement all other applicable standards and requirements of the underlying zoning district. Restrictions and conditions imposed by an LU-O district are limited to the following:

- a. Prohibiting otherwise permitted or conditional uses and accessory uses or making a permitted use a conditional use;
- b. Decreasing the number or density of dwelling units that may be constructed on the site;
- c. Limiting the size of nonresidential buildings that may be placed on a site;
- d. Increasing minimum lot size or lot width;
- e. Increasing minimum yard and setback requirements; and
- f. Restricting access to abutting properties and nearby roads.

Method of adoption/amendment. As an overlay district, the LU-O designation shall be applied for in accordance with standard rezoning procedures. Once LU-O zoning is established, any amendments shall also require review and approval in accordance with rezoning procedures.

The applicant has proposed a C-3 Limited Use Overlay District rezoning with uses permitted as follows:

- Office, General
- Retail/Service, General
- Restaurant, General & Fast Food
- Auditorium/Arena/Theater
- Bank or Financial Institution
- Hotel or Motel
- Medical or Health Related Services

There are no proposed lot configurations for the submitted rezoning at this time, however, final detailed final plans should be required to be reviewed and approved by the MAPC to assure compliance with all City Codes of Ordinances regarding transportation, storm water drainage design, buffering, etc. This site appears to be part of a master planned area comprising of over 200 acres of future development. Detailed design review is crucial as the development progresses in a mixed-use fashion. Such details shall be subject to MAPC review in the future.

MAPC RECORD OF PROCEEDINGS: Public Hearing held December 10, 2013

Applicant:

Mr. John Easley Associated Engineering appeared before the MAPC stating that he is representing the owners of the former Snellgrove Property, for a rezoning from R-1 to C-3 LUO with a list of proposed uses. This is the first request of a larger planning area that we are submitting. We are starting with this tract because it holds all of the existing infrastructure needed to start and is a logical place to start.

Staff:

Mr. Spriggs gave the staff overview of the case and summarized the Staff Report findings. He noted that the 2010 Comprehensive Plan Future Land Use Map shows the area recommended as Commercial Node and Village Residential. This area is pending a restudy on the land use map by the Land Use Advisory Committee and will most-likely maintain a commercial node status.

There were no objections from the reviewing agencies nor departments submitted to the Planning Department. Engineering, MPO and Planning Staff recommend that access management be adhered to and that cross access easements be coordinated during site plan review and approval by the MAPC. Staff has been working with the developer on access management and mixed use policies.

The conditions and proposed uses were read:

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 shall be submitted, reviewed, and approved by the MAPC prior to any development of the property.
3. A final site plan showing coordination is required of all right of ways and egress/ingress with the State Highway Dept., M.P.O., City Engineering Dept. and the Planning Dept. Coordinated cross-access design details shall be submitted by the applicant for MAPC review and approval for other abutting commercial properties.
4. The setbacks, building heights, screening, and site design standards are required per “Sec. 117-328. - Residential Compatibility Standards”.
5. The site shall be developed under the C-3 Limited Use Overlay District rezoning with uses permitted as follows:
 - Office, General
 - Retail/Service, General
 - Restaurant, General & Fast Food
 - Auditorium/Arena/Theater
 - Bank or Financial Institution
 - Hotel or Motel
 - Medical or Health Related Services

The applicant has proposed a C-3 Limited Use Overlay District rezoning with all uses permitted except the following:

Public Input: No Opposition Present

Commission Action:

Mr. Reece made a motion to approve the rezoning with the stipulations noted and recommend it to City Council for approval; Motion was seconded by Mr. Tomlinson.

Vote: Mr. Scurlock- Aye; Mr. Hoelscher-Aye; Mr. Kelton- Aye; Mr. Reece- Aye; Mr. Tomlinson-Aye; Ms. Nix- Aye; Ms. Shrantz- Aye; Mr. Dover- Aye; Mr. Roberts- Chairman.

Conclusion:

The MAPC and the Planning Department Staff find that the request to rezone the property from “R-1 Single Family Medium Density to a proposed C-3 Limited Use Overlay District submitted for Case RZ 13-21 should be evaluated and approved based on the above observations and criteria. The following are included in the requirements that will 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 shall be submitted, reviewed, and approved by the MAPC prior to any development of the property.
3. A final site plan showing coordination is required of all right of ways and egress/ingress with the State Highway Dept., M.P.O., City Engineering Dept. and the Planning Dept. Coordinated cross-access design details shall be submitted by the applicant for MAPC review and approval for other abutting commercial properties.
4. The setbacks, building heights, screening, and site design standards are required per “Sec. 117-328. - Residential Compatibility Standards”.
5. The site shall be developed under the C-3 Limited Use Overlay District rezoning with uses permitted as follows:
 - Office, General
 - Retail/Service, General
 - Restaurant, General & Fast Food
 - Auditorium/Arena/Theater
 - Bank or Financial Institution
 - Hotel or Motel
 - Medical or Health Related Services

Respectfully Submitted for Commission Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



View looking North from Fire Station entrance toward project site



View looking Northeast along Johnson Avenue property frontage



View looking Northwest toward site from Johnson Ave.



View looking South from site towards Fire Department location



View looking toward Commercial on South side of E. Johnson Ave.



View looking West along site frontage along Hwy. 49 N/E. Johnson



View looking North at Quinn development East of project site



View looking west toward site, on land zoned C-3 LUO East of the site



View looking Southwest on land zoned C-3 LUO East of the site (along Hwy. 351 N)



View looking east towards a CWL Power Station directly northeast of site along Hwy. 351



Legislation Details (With Text)

File #:	ORD-13:071	Version:	1	Name:	Rezoning by Amy Pottinger
Type:	Ordinance	Status:		Status:	First Reading
File created:	12/12/2013	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-3 LUO FOR PROPERTY LOCATED AT 3600 RIOS LANE AS REQUESTED BY AMY POTTINGER				
Sponsors:					
Indexes:	Rezoning				
Code sections:					
Attachments:	Plat MAPC Report				

Date	Ver.	Action By	Action	Result
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AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES
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:

Part of Lot 1, and Lot 2 thru 4 Block "C" and Part of Lot 7 and Lots 8 thru 11, Block "B" all in F.W. Caldwell's Subdivision of Part of the Southwest Quarter of the Northwest Quarter of Section 10, Township 14 North, Range 4 East, Jonesboro, Arkansas. Subject to a 30 foot easement along the South 30 feet of the North 55 feet of Lots 1, 2, and 3 and the East 30 feet of the North 55 feet of Lot 3 of Ingress Egress and any other easements that may affect said lands.

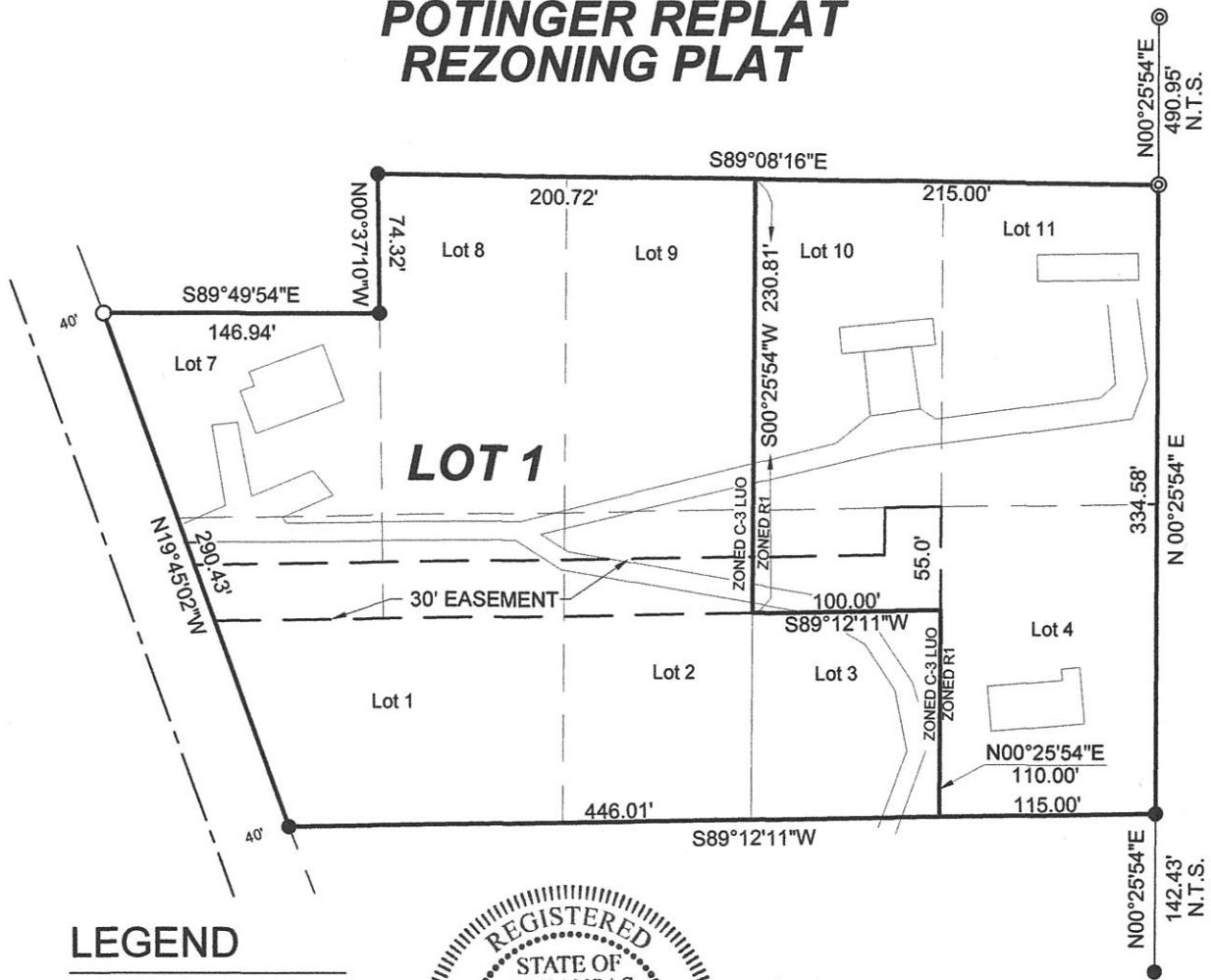
SECTION 2: The rezoning of this property shall adhere to the following stipulations:

1. The L.U.O. shall allow the following permitted uses:
 - a. Automated Teller Machine
 - b. Bank & Financial Institution
 - c. Convenience Store
 - d. Government Service

- e. Hotel or Motel
- f. Library
- g. Medical Services/Office
- h. Museum
- i. Office (General)
- j. Parks & Recreation
- k. Post Office
- l. Recreation/Entertainment (Indoor or Outdoor)
- m. Restaurant (Fast Food or General)
- n. Retail/Service
- o. Service Station
- p. Utility (Major/Minor)
- q. Vehicular Repair
- r. No billboards
- s. No Adult Entertainment (Staff Suggested)

2. That the proposed development shall satisfy all requirements of the City Engineer and all requirements of the Stormwater Drainage Design Manual.
3. A final site plan subject to all ordinance requirements shall be submitted, reviewed and approved by the MAPC prior to any development of the property.
4. Coordination is required of all ingress/egress with the State Highway Department, City Engineering Dept., and the Planning Dept.
5. The setback, building height, screening, and site design standards are required per “Sec. 117-328. - Residential Compatibility Standards”.
6. That the future use of the property be limited to the list of uses above (Limited Use Overlay) as approved by the MAPC.

POTINGER REPLAT REZONING PLAT



DESCRIPTION:

Part of Lot 1, and Lot 2 thru 4 Block "C" and Part of Lot 7 and Lots 8 thru 11, Block "B" all in F.W. Caldwell's Subdivision of a Part of the Southwest Quarter of the Northwest Quarter of Section 10, Township 14 North, Range 4 East, Jonesboro, Arkansas. Subject to a 30 foot easement along the South 30 feet of the North 55 feet of Lots 1, 2, and 3 and the East 30 feet of the North 55 feet of Lot 3 of Ingress Egress and any other easements that may affect said lands.



LEGEND

- ⊙ FOUND IRON PIPE
- FOUND IRON PIN
- SET IRON PIN
- N.T.S. NOT TO SCALE



SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE HEREON PLATTED AND DESCRIBED SURVEY WAS COMPLETED UNDER MY SUPERVISION ON THE 9 TH DAY OF AUGUST, 2013 AND THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN TO THE BEST OF MY KNOWLEDGE AND ABILITY.

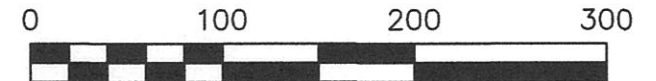
Terrence D. Moore

DOUG MOORE PLS No. 1293

REV.	DATE	REVISION	BY

BEARINGS ARE BASED ON
STATE PLANE COORDINATES.

OWNER'S CERTIFICATION
WE HEREBY CERTIFY THAT WE ARE THE OWNERS
OF THE PROPERTY AS DESCRIBED HEREON.



M² Surveying

Doug Moore, Licensed Surveyor
114 S. Rockingchair Road, Suite B
Paragould, Ar. 72450

Office: 870-236-7701 Cell: 870-240-3589 Home: 870-573-6589

CLIENT: Amelia Potinger AKA Amy Potinger			
SCALE: 1" = 100'	DRAWN: TDM	CHECKED: VMM	DATE: 11-14-13
JOB#: 13074	CRD#: 13074B	DWG#: 13074-3	REV.#



City of Jonesboro City Council
Staff Report – RZ 13-19: Rezoning – 3600 Rios Lane
Municipal Center – 300 S. Church
For Consideration by the Council on Tuesday, December 17, 2013

REQUEST: To consider rezoning a parcel of property containing approximately 1.41 acres more or less as recommended for approval by the MAPC.

PURPOSE: A request for rezoning from R-1 Residential to C-3, L.U.O, General Commercial District.

**AGENT/
 OWNER:** James McLeod, Sr., Attorney, Jonesboro, AR
 Amy Pottinger, 2114 Camper Down Ct., San Jose, CA 95121

LOCATION: 3600, 3602, 3514 Rios Lane, Jonesboro AR
SITE Tract Size: Approx. 1.41 acres
DESCRIPTION: Frontage: None on Old Greensboro Rd. (Access off of Rios Lane (Private))
 Topography: Gradually sloping
 Existing Developmt.: Residential structures (Mobile homes/single family home)
 Rios Lane is a gravel road

SURROUNDING	<u>ZONE</u>	<u>LAND USE</u>
CONDITIONS:	North: I-1 Industrial	Warehousing
	South: C-3	Commercial
	East: C-3	Vacant Commercial
	West: C-3 L.U.O.	Commercial

HISTORY: Abutting property was previously rezoned along Rios Drive.
 Ordinance 08:047; Rezoned to C-3 L.U.O.

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

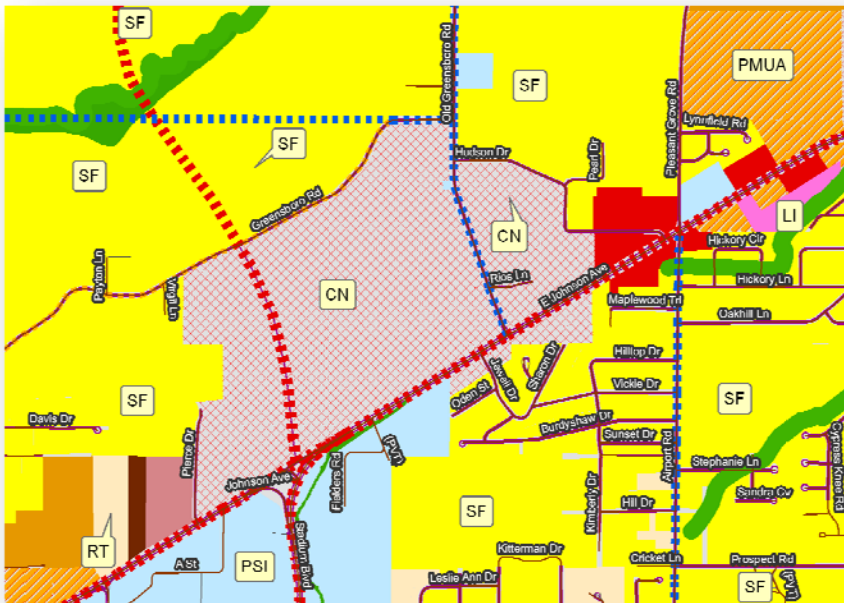
Approval Criteria Checklist- Section 117-34- Amendments:

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 Limited Use Overlay District rezoning is consistent with the Future Land Use Plan.
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal is consistent with the purpose of Chapter 117.
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	The proposal is substantially compatible with the development trends in the area. Although some of the surrounding property is zoned for residential use, a transition of the zoning and land use is occurring on this immediate site and property under the same ownership. This acreage is land-locked.
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	Poor suitability due to the current R-1 zoning which will greatly restrict possible commercial development on the site if not zoned. This land would be access through commercially utilized property.
(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;	The bordering properties are zoned C-3 L.U.O.
(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	Property is not vacant with the current R-1 zoning.
(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.

COMPREHENSIVE PLAN/ FUTURE LANDUSE MAP

The 2010 Comprehensive Plan Future Land Use Map shows the area recommended as Commercial Node and Village Residential. This area is pending a restudy on the land use map by the Land Use Advisory Committee and will most-likely maintain a commercial node status.



Pertinent Zoning Ordinance sections include Section 14.44.05(b), ‘change in District Boundary’, beginning on page 104.



Vicinity Zoning Map

Master Street Plan/Transportation

The subject property is served by a private drive named Rios Dr. which is an ingress/egress easement providing access from Hwy. 351.

Other Departmental/Agency Reviews:

Department/Agency	Reports/ Comments	Status
Engineering	Coordinate Cross Access	
Streets/Sanitation	No Objection	
Police	No Objection	
Fire Department	No Objection	
MPO	Coordinate Cross Access	
Jets	No Objection	
Utility Companies	No Objection	

Other Zoning Code Analysis:

Sec. 117-140. Overlay and special purpose districts.

(c) *LU-O—limited use overlay district.* (3) *Use and property development standards.* When accompanied by a rezoning request from the property owner, the LU-O district can be used to restrict the use and property development standards of an underlying base zoning district, as applied to specific parcels of land.

All LU-O requirements are in addition to, and supplement all other applicable standards and requirements of the underlying zoning district. Restrictions and conditions imposed by an LU-O district are limited to the following:

- a. Prohibiting otherwise permitted or conditional uses and accessory uses or making a permitted use a conditional use;
- b. Decreasing the number or density of dwelling units that may be constructed on the site;
- c. Limiting the size of nonresidential buildings that may be placed on a site;
- d. Increasing minimum lot size or lot width;
- e. Increasing minimum yard and setback requirements; and
- f. Restricting access to abutting properties and nearby roads.

Method of adoption/amendment. As an overlay district, the LU-O designation shall be applied for in accordance with standard rezoning procedures. Once LU-O zoning is established, any amendments shall also require review and approval in accordance with rezoning procedures.

The applicant has proposed a C-3 Limited Use Overlay District rezoning with all uses permitted as follows:

- Automated Teller Machine
- Bank & Financial Institution
- Convenience Store
- Government Service
- Hotel or Motel
- Library
- Medical Services/ Office
- Museum
- Office (General)
- Parks & Recreation
- Post Office
- Recreation/Entertainment (Indoor or Outdoor)
- Restaurant (Fast food or General)
- Retail/Service
- Service Station
- Utility (Major/Minor)
- Vehicular Repair
- No Billboards
- No Adult Entertainment (Staff Suggested)

There are no proposed lot configurations for the submitted rezoning at this time, however, final detailed final plans should be required to be reviewed and approved by the MAPC to assure compliance with all City Codes of Ordinances regarding transportation, storm water drainage design, buffering, etc.

MAPC RECORD OF PROCEEDINGS: Public Hearing held December 10, 2013

Applicant:

Agent: James William McLeod, McLeod Law Firm, PLLC appeared before the Commission requesting approval of the Rezoning Case for land that his client purchased located off Hwy. 351. The property is currently zoned R-1 Single Family and is requested to be changed to C-3 L.U.O. to be consistent with all the surrounding properties which are zoned C-3. The owner intends to resell the property and market it for the proposed uses. She owns several properties abutting to the left.

Staff:

Mr. Spriggs gave the staff overview of the case and summarized the Staff Report findings. He noted that the 2010 Comprehensive Plan Future Land Use Map shows the area recommended as Commercial Node and Village Residential. This area is pending a restudy on the land use map by the Land Use Advisory Committee and will most-likely maintain a commercial node status.

There were no objections from the reviewing agencies nor departments submitted to the Planning Department. Engineering, MPO and Planning Staff recommend that access management be adhered to and that cross access easements be coordinated during site plan review and approval by the MAPC. This change will cause the property which is landlocked to be consistent with the surrounding property which is commercially zoned. No residential property is affected by the petition.

The conditions and proposed uses were read:

The rezoning of this property shall adhere to the following stipulations:

1. The L.U.O. shall allow the following permitted uses:
 - a. Automated Teller Machine
 - b. Bank & Financial Institution
 - c. Convenience Store
 - d. Government Service
 - e. Hotel or Motel
 - f. Library
 - g. Medical Services/Office
 - h. Museum
 - i. Office (General)
 - j. Parks & Recreation
 - k. Post Office
 - l. Recreation/Entertainment (Indoor or Outdoor)
 - m. Restaurant (Fast Food or General)
 - n. Retail/Service
 - o. Service Station
 - p. Utility (Major/Minor)
 - q. Vehicular Repair
 - r. No billboards
 - s. No Adult Entertainment (Staff Suggested)
2. That the proposed development shall satisfy all requirements of the City Engineer and all requirements of the Stormwater Drainage Design Manual.
3. A final site plan subject to all ordinance requirements shall be submitted, reviewed and approved by the MAPC prior to any development of the property.
4. Coordination is required of all ingress/egress with the State Highway Department, City Engineering Dept., and the Planning Dept.
5. The setback, building height, screening, and site design standards are required per “Sec. 117-328. –Residential Compatibility Standards”.
6. That the future use of the property be limited to the list of uses above (Limited Use Overlay) as approved by the MAPC.

Public Input: No Opposition Present

Commission Action:

Motion was made to recommend approval of the rezoning to Council with the stipulated conditions by Ms. Nix; 2nd by Mr. Scurlock.

Vote: Mr. Scurlock- Aye; Mr. Hoelscher-Aye; Mr. Kelton- Aye; Mr. Reece- Aye; Mr. Tomlinson-Aye; Ms. Nix- Aye; Ms. Shrantz- Aye; Mr. Dover- Aye; Mr. Roberts- Chairman.

Conclusion:

The MAPC and the Planning Department Staff find that the request to rezone the property from “R-1 Single Family Medium Density to a proposed C-3 Limited Use Overlay District submitted for Case RZ 13-19 should be evaluated and approved based on the above observations and criteria. The following are included in the requirements that will 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 shall be submitted, reviewed, and approved by the MAPC prior to any development of the property.
3. Coordination is required of all egress/ingress with the State Highway Dept., City Engineering Dept. and the Planning Dept.
4. The setback, building height, screening, and site design standards are required per “Sec. 117-328. - Residential Compatibility Standards”.
5. That the future use of the property be limited to the list of uses above (Limited Use Overlay) as approved by the MAPC.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



View looking north of northern portion of subject site.



View looking south of southern portion of subject site.



View looking west from subject site toward adjacent C-3 L.U.O. property fronting Old Greensboro Rd.



View of I-1 property located north of subject site.



View toward subject site from western portion of adjacent C-3 property located to the west of subject site.



View from Johnson Ave. of C-3 property located south of subject property.



Legislation Details (With Text)

File #:	ORD-13:072	Version:	1	Name:	Rezoning by David Onstead
Type:	Ordinance	Status:		Status:	First Reading
File created:	12/12/2013	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 NORTH OF THE INTERSECTION OF EAST JOHNSON AND OLD GREENSBORO ROAD AS REQUESTED BY DAVID ONSTEAD				
Sponsors:					
Indexes:	Rezoning				
Code sections:					
Attachments:	Plat MAPC Report				

Date	Ver.	Action By	Action	Result
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AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES
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:

A PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 14 NORTH, RANGE 4 EAST, CRAIGHEAD COUNTY, ARKANSAS, AND A PART OF LOTS 1, 2, 3 AND 4 IN BLOCK "A" OF F.W. CALDWELL'S SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 14 NORTH, RANGE 4 EAST, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 10 AFORESAID: THENCE SOUTH 00° 23'14" WEST, 985.93 FEET (RECORD 986.92 FEET): THENCE SOUTH 89°17'35" EAST, 129.46 FEET, TO A POINT LYING ON THE EAST RIGHT OF WAY OF ARKANSAS STATE HIGHWAY 351, SAID POINT ALSO BEING THE POINT OF BEGINNING: THENCE SOUTH 89°49'55" EAST, 602.79 FEET, DEPARTING SAID EAST RIGHT OF WAY: THENCE SOUTH 01°04'38" EAST 321.29 FEET (RECORD 314.02 FEET), TO A POINT LYING ON THE NORTH LINE OF LOT 1 OF VUNCANNON'S REPLAT: THENCE NORTH 88°40'43" WEST, ALONG THE NORTH LINE OF SAID LOT 1, 499.60 FEET

(RECORD 499.35 FEET), TO A POINT LYING ON THE EAST RIGHT OF WAY OF ARKANSAS STATE HIGHWAY 351: THENCE NORTH 19°20'44" WEST, ALONG SAID RIGHT OF WAY. 330.11 FEET TO THE POINT OF BEGINNING.

CONTAINING IN ALL 173,967 SQ. FT. OR 3.99 ACRES +/- . SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

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/Adult Retail Shops

B) Tobacco/Alcohol Retail Stores.

C) Automobile Repairs Shops unless it is an Automobile Dealership

2) Dedication of the required 50 ft of right-of-way from the centerline of Old Greensboro Road.

3) The proposed development shall satisfy all requirements of the City Engineer and all requirements of the current Stormwater Drainage Design Manual.

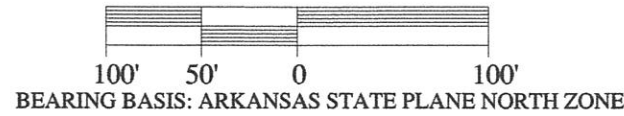
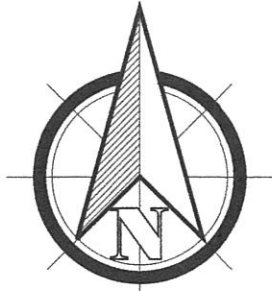
4) A final site plan subject to all ordinance requirements shall be submitted, reviewed and approved by the MAPC, prior to any development of the property.

5) Coordination is required of all egress/ingress with the Arkansas State Highway Department, M.P.O., the City of Jonesboro Engineering Department and the Planning Department.

6) The setback, building height, screening and site design standards are required per "Sec. 117-328. Residential Compatibility Standards."

LEGEND

- = BOUNDARY LINE
- = ADJACENT LOT LINE
- = R/W CENTERLINE
- F.I.P. = FOUND MONUMENT AS NOTED
- S.I.P. = SET 5/8" REBAR W/ PS # 1709 CAP



VICINITY MAP NOT-TO-SCALE

MCNEESE LAND SURVEYING
 2520 ALEXANDER DRIVE SUITE B
 JONESBORO, AR 72401
 mike@mcneesurveying.com
 OFFICE: (870) 203-9940 CELL: (870) 565-6522



REVISIONS		
DATE	BY	DESCRIPTION

DRAWING INFO	
DRAWN BY:	MPM
DATE:	11-14-2013
SCALE:	1"=100'
JOB NUMBER:	13174
CAD NUMBER:	13174-001
CLIENT:	ONSTEAD

DESCRIPTION

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

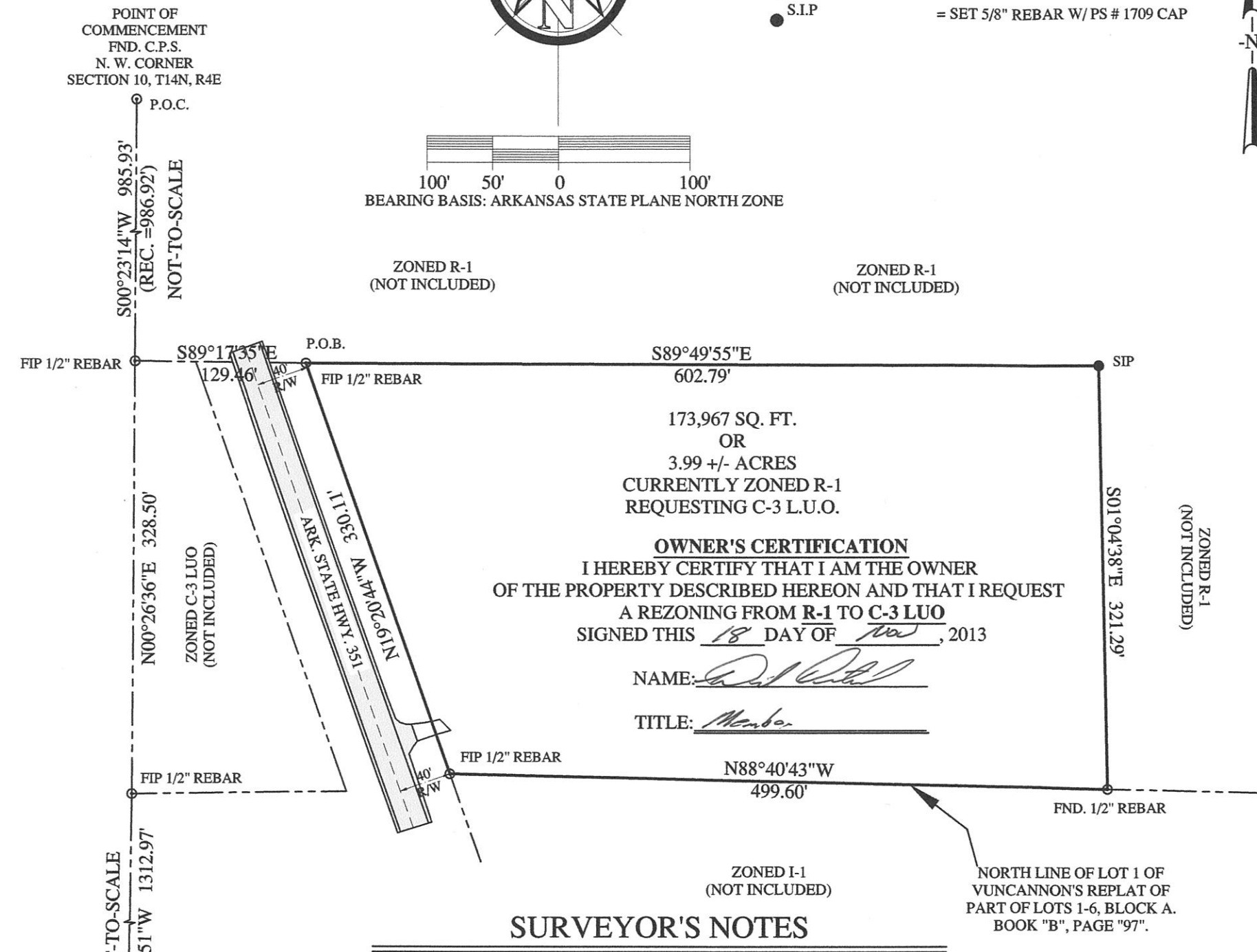
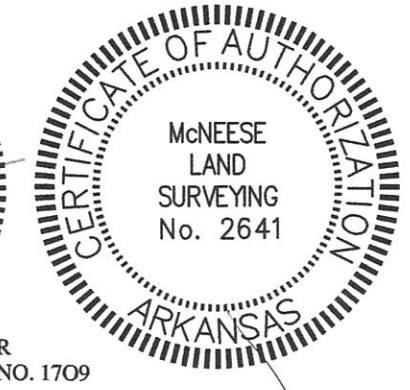
COMMENCING AT THE NORTHWEST CORNER OF SECTION 10 AFORESAID: THENCE SOUTH 00°23'14" WEST, 985.93 FEET: THENCE SOUTH 89°17'35" EAST, 129.46 FEET, TO A POINT LYING ON THE EAST RIGHT OF WAY OF ARKANSAS STATE HIGHWAY 351, SAID POINT ALSO BEING THE POINT OF BEGINNING: THENCE SOUTH 89°49'55" EAST, 602.79 FEET, DEPARTING SAID EAST RIGHT OF WAY: THENCE SOUTH 01°04'38" EAST 321.29 FEET, TO A POINT LYING ON THE NORTH LINE OF LOT 1 OF VUNCANNON'S REPLAT: THENCE NORTH 88°40'43" WEST, ALONG THE NORTH LINE OF SAID LOT 1, 499.60 FEET, TO A POINT LYING ON THE EAST RIGHT OF WAY OF ARKANSAS STATE HIGHWAY 351: THENCE NORTH 19°20'44" WEST, ALONG SAID RIGHT OF WAY. 330.11 FEET TO THE POINT OF BEGINNING.

CONTAINING IN ALL 173,967 SQ. FT. OR 3.99 ACRES +/-.
 SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT MCNEESE LAND SURVEYING HAS THIS DATE MADE A 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.

DATE OF SURVEY: NOVEMBER 14, 2013.



SURVEYOR'S NOTES

- THE FOLLOWING DOCUMENTS WERE USED TO CONDUCT THIS SURVEY:
 - PLAT OF SURVEY BY D. ADAMSON, PS #1065 AS RECORDED WITH THE ARKANSAS STATE LAND SURVEYOR AS DOC. # 200811040009.
 - EXECUTRIX'S DEED AS RECORDED IN BK. "770", PG. "616, PUBLIC RECORDS OF CRAIGHEAD COUNTY IN JONESBORO, AR.
- NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS SURVEYOR FOR EASEMENTS, RESTRICTIONS, RESERVATIONS OR RIGHTS-OF-WAY AFFECTING THIS PROPERTY WHICH A FULL TITLE SEARCH MAY DISCLOSE.

NORTH LINE OF LOT 1 OF VUNCANNON'S REPLAT OF PART OF LOTS 1-6, BLOCK A. BOOK "B", PAGE "97".

REZONING PLAT

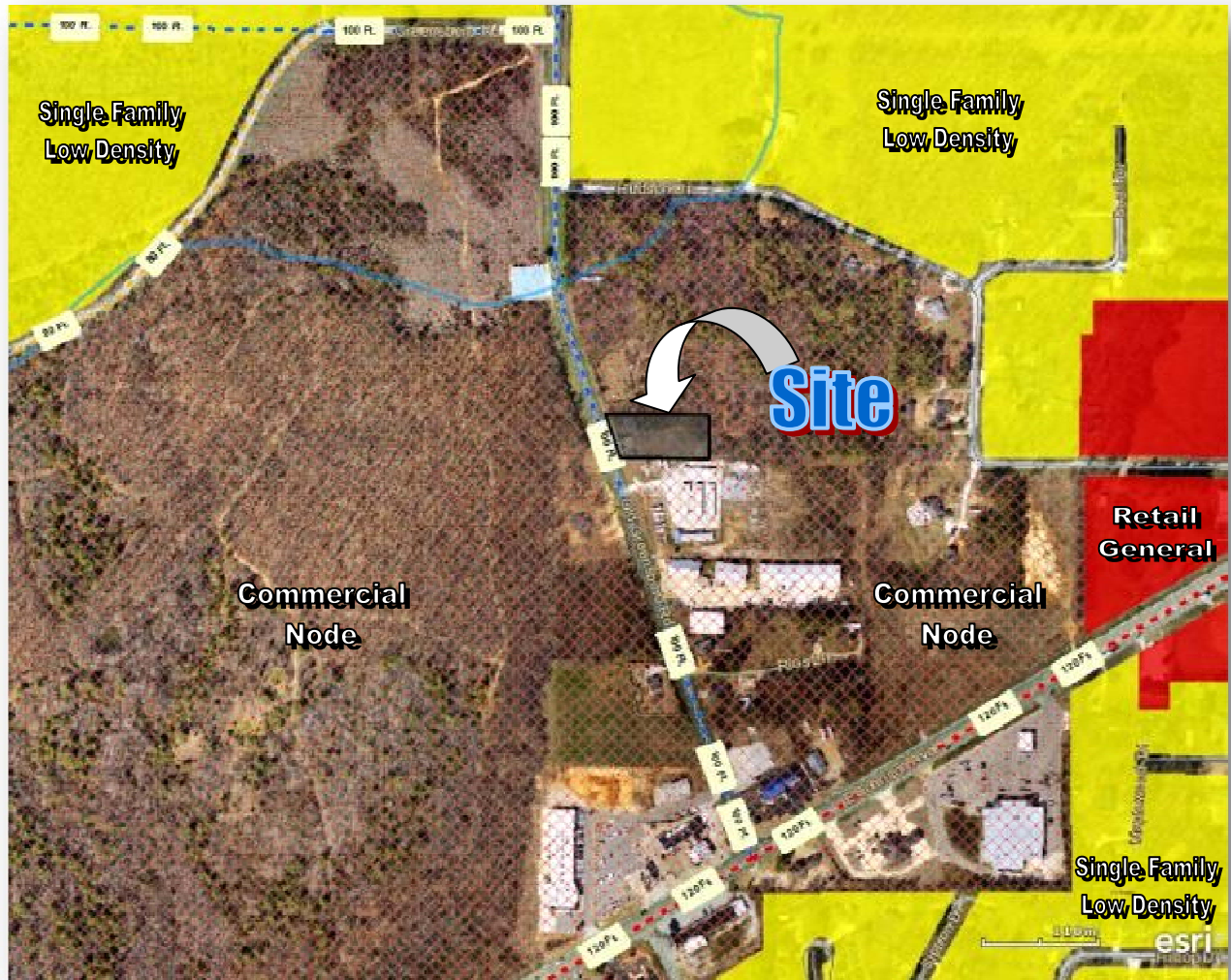


City of Jonesboro City Council
Staff Report – RZ 13-20: Rezoning – 1804 Old Greensboro Rd.
Municipal Center – 300 S. Church
For Consideration by the Council on Tuesday, December 17, 2013

- REQUEST:** Consideration of a rezoning approval for a parcel of land currently zoned R-1 Single Family Medium Density to a proposed C-3 Limited Use Overlay District as recommended by the MAPC.
- LOCATION:** Located approximately 1300 feet north of the East Johnson Ave. and Old Greensboro Rd. (Hwy. 351) intersection. (Hilltop Area).
- APPLICANT:** Mike McNeese, 3008 Newcastle Dr., Paragould, AR
OWNER: David Onstead, Jonesboro, AR
- PURPOSE:** Applicant believes the rezoning will allow the property to be used for its highest and best use.
- HISTORY:** The property has been used for residential. No zoning history applies.
- SITE DESCRIPTION:** **Tract Size:** Approximately 3.99 acres/173,967 sq. ft.
Frontage: Approximately 330 feet along Old Greensboro Rd (Hwy. 351).

IDENTIFICATION OF SURROUNDING ZONING, PRESENT LAND USE, & FUTURE LAND USE:

	<u>ZONING & PRESENT LAND USE</u>	<u>FUTURE LAND USE</u>
Subject Property:	R-1 Single Family Medium Density Vacant Single Family Residential	Commercial Node
North and East of Property:	R-1 Single Family Medium Density Large Wooded Tract/Single Family Residential	Commercial Node
West of Property:	C-3 Limited Use Overlay District Cleared Field/Undeveloped	Commercial Node
South of Property:	I-1 Limited Industrial District Self Storage Warehousing	Commercial Node



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 Limited Use Overlay District rezoning is consistent with the Future Land Use Plan.
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal is consistent with the purpose of Chapter 117.

Criteria	Explanations and Findings
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	The proposal is substantially compatible with the development trends in the area. Although some of the surrounding property is zoned for residential use, a transition of the zoning and land use is occurring in this area.
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	Poor suitability due to the current R-1 zoning which will greatly restrict possible commercial development on the site if not rezoned. Industrial use occurs to the south.
(e) Extent to which approval of the proposed rezoning will detrimentally affect nearby property including, but not limited to, any impact on property value, traffic, drainage, visual, odor, noise, light, vibration, hours of use/operation and any restriction to the normal and customary use of the affected property;	No known detrimental effects to the present land uses.
(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	Residential property that recently became vacant.
(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

COMPREHENSIVE PLAN/ FUTURE LANDUSE MAP

The 2010 Comprehensive Land Use Map shows the area recommended as Commercial Node. This area is pending a restudy on the land use map by the Land Use Advisory Committee and will most-likely maintain a commercial node status.

Master Street Plan/Transportation

The subject property is served by Old Greensboro Rd. (Hwy 351) which is classified on the master street plan as a minor arterial which requires a 100 ft. right-of-way (50 ft. to road centerline). The amount of dedicated right-of-way is currently 40 ft. from the road centerline.

Other Departmental/Agency Reviews:

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

Other Zoning Code Analysis:

Sec. 117-140. Overlay and special purpose districts.

(c) *LU-O—limited use overlay district.* (3) *Use and property development standards.* When accompanied by a rezoning request from the property owner, the LU-O district can be used to restrict the use and property development standards of an underlying base zoning district, as applied to specific parcels of land.

All LU-O requirements are in addition to, and supplement all other applicable standards and requirements of the underlying zoning district. Restrictions and conditions imposed by an LU-O district are limited to the following:

- a. Prohibiting otherwise permitted or conditional uses and accessory uses or making a permitted use a conditional use;
- b. Decreasing the number or density of dwelling units that may be constructed on the site;
- c. Limiting the size of nonresidential buildings that may be placed on a site;
- d. Increasing minimum lot size or lot width;
- e. Increasing minimum yard and setback requirements; and
- f. Restricting access to abutting properties and nearby roads.

Method of adoption/amendment. As an overlay district, the LU-O designation shall be applied for in accordance with standard rezoning procedures. Once LU-O zoning is established, any amendments shall also require review and approval in accordance with rezoning procedures.

The applicant has proposed a C-3 Limited Use Overlay District rezoning with all uses permitted except the following:

- Adult Entertainment/Adult Retail Shops
- Tobacco/Alcohol Retail Stores

MAPC RECORD OF PROCEEDINGS: Public Hearing held December 10, 2013

Applicant:

Mr. Mike McNeese appeared before the MAPC stating that he is representing the owners of the 3.99 acre property on Highway 351, north of the last applicant on Rios Drive. The property is zoned R-1, Single Family Residential. There is a lot litter and old tires on the property and we would like to have it rezoned to C-3, Limited Use Overlay

Staff:

Mr. Spriggs gave the staff overview of the case and summarized the Staff Report findings. He noted that the 2010 Comprehensive Plan Future Land Use Map shows the area recommended as Commercial Node and Village Residential. This area is pending a restudy on the land use map by the Land Use Advisory Committee and will most-likely maintain a commercial node status.

There were no objections from the reviewing agencies nor departments submitted to the Planning Department. Engineering, MPO and Planning Staff recommend that access management be adhered to and that cross access easements be coordinated during site plan review and approval by the MAPC. This property is adjacent to Industrial Mini Storage property to the south.

The conditions and proposed uses were read:

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 shall be submitted, reviewed, and approved by the MAPC, prior to any development of the property.
3. Coordination is required of all egress/ingress with the State Highway Dept., M.P.O., the City Engineering Dept. and the Planning Dept.
4. The setback, building height, screening, and site design standards are required per "Sec. 117-328. - Residential Compatibility Standards".

The applicant has proposed a C-3 Limited Use Overlay District rezoning with all uses permitted except the following:

- Adult Entertainment/Adult Retail Shops
- Tobacco/Alcohol Retail Stores
- Garage- Automotive Repair (as recommended by Mr. Tomlinson).

Public Input: No Opposition Present

Commission Action:

Mr. Scurlock made a motion to approve the rezoning with the stipulations noted and recommend it to City Council for approval; Motion was seconded by Mr. Dover.

Vote: Mr. Scurlock- Aye; Mr. Hoelscher-Aye; Mr. Kelton- Aye; Mr. Reece- Aye; Mr. Tomlinson-Aye; Ms. Nix- Aye; Ms. Shrantz- Aye; Mr. Dover- Aye; Mr. Roberts- Chairman.

Conclusion:

The MAPC and the Planning Department Staff find that the request to rezone the property from R-1 Single Family Medium Density to a proposed C-3 Limited Use Overlay District submitted for Case RZ 13-20 should be evaluated and approved based on the above observations and criteria. The following are included in the requirements that will 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 shall be submitted, reviewed, and approved by the MAPC, prior to any development of the property.
3. Coordination is required of all egress/ingress with the State Highway Dept., M.P.O., the City Engineering Dept. and the Planning Dept.
4. The setback, building height, screening, and site design standards are required per “Sec. 117-328. - Residential Compatibility Standards”.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



View looking north toward subject site.



View looking southeast from subject site toward I-1 property located to the south.



View of C-3 L.U.O. property located to the west of subject site.



View looking east from subject site toward R-1 property located to the north and east of subject site.



View of the Hudson Dr. frontage for the R-1 property located north and east of the subject site.



Legislation Details (With Text)

File #:	RES-13:168	Version:	1	Name:	Condemnation at 2032 N. Church Street
Type:	Resolution	Status:		Status:	Recommended Under New Business
File created:	9/30/2013	In control:		In control:	Public Safety Council Committee
On agenda:	12/17/2013	Final action:		Final action:	
Title:	RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 2032 N Church St. Owner: Patricia Hanks				
Sponsors:	Code Enforcement				
Indexes:	Condemnation				
Code sections:					
Attachments:	CONDEMNATION CHECKLIST Inspection Reoport 2032 N Church				

Date	Ver.	Action By	Action	Result
11/19/2013	1	Public Safety Council Committee		

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 2032 N Church St. Owner: Patricia Hanks

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 2032 N Church St.

CONDEMNATION CHECKLIST

Property Address: 2032 N Church St Phone: _____
 Property Owner: Patricia Hanks Phone: _____
 Owner's Address: 807 CR 319 Fax: _____
Jonesboro, AR 72401

	BEGINNING DATE	ENDING DATE	ACTION
<input checked="" type="checkbox"/>	<u>6/11/13</u>	<u>6/11/13</u>	1. Identify structure unfit for human habitation.
<input checked="" type="checkbox"/>	<u>6/11/13</u>	<u>6/11/13</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>6/20/13</u>	<u>6/20/13</u>	3. Determine ownership from county assessment & tax collection record.
<input type="checkbox"/>	<u>6/20/13</u>	<u>6/20/13</u>	4. Obtain legal description.
<input checked="" type="checkbox"/>	<u>6/26/13</u>	<u>6/26/13</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. 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:	6-11-2013
PROPERTY ADDRESS:	2032 N. Church
PROPERTY OWNER:	Patricia Hanks
OCCUPIED:	<input type="checkbox"/> YES xx NO

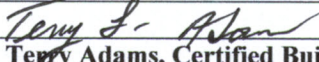
BUILDING ELEMENT	1 thru 5 CONDITION					NOTES & COMMENTS
	VERY POOR				VERY GOOD	
Foundation Type: Piers Solid Slab	1					Completely Destroyed by Fire
Front Porch Type: Wood Concrete	1					Completely Destroyed by Fire
Exterior Doors and Windows Type: Wood Vinyl Aluminum	1					Completely Destroyed by Fire
Roof Underlay Type: OSB 1x6 metal	1					Completely Destroyed by Fire
Roof Surface Type: 3-Tab Shingles Dimensional Shingles	1					Completely Destroyed by Fire
Chimney	1					Completely Destroyed by Fire
Siding Type: Wood Lap Vinyl Masonite Aluminum	1					Completely Destroyed by Fire
Fascia and Trim Type Wood Vinyl Coil	1					Completely Destroyed by Fire
Interior Doors Type: Hollow Wood Solid Wood	1					Completely Destroyed by Fire

Interior Walls Type Wood Frame Metal Frame Sheetrock Stucco	1					Completely Destroyed by Fire
Ceilings Type: Sheetrock Stucco Ceiling Tile	1					Completely Destroyed by Fire
Flooring Underlay Type: 1x6 center match OSB Plywood	1					Completely Destroyed by Fire
Flooring Surfaces Type: Carpet Linoleum Hard Wood Vinyl	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	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 structures needs to be abated immediately

EMERGENCY ACTION IS WARRANTED: YES **xx** NO

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



CE Case Details

Print

Close

CE Case CE13-1347

CE Case #: CE13-1347	Status: Obtain Title Report
eFM Case #: N/A	Date Opened: 06/26/2013
Case assigned to: Shaver, Ronnie	Follow Up Date 09/24/2013
Priority: Low	Follow Up Action submitt to public safety
Location 2032 N Church Street Jonesboro, AR 72401	Open Violations Unsafe Building
Property Type: Vacant Residential	

Location

Address	APN	Additional Information	Census Tract	Block Group	LowModPct	CDBG Eligible	Property Type
2032 N Church Street Jonesboro AR 72401						NO	Vacant Residential

Violations

Date	Violation	Submitted By	Status	Disposition	Notes	CDBG Eligible
06/26/2013	Unsafe Building	Shaver, Ronnie	Open			No

History

Date	Entered By	Action/Note/Activity
06/26/2013 01:29:21 PM	Shaver, Ronnie	Added: Unsafe Building

Contacts

Initiation: complaint

Contact Role	Name/Business	Address	Phone	Open Cases
Owner	Hanks, Patricia	807 CR 319 Jonesboro AR 72401		1

History

Entry Date	Employee	Description
06/26/2013 01:29:21 pm	Shaver, Ronnie	Hanks, Patricia

Status and Follow Up

Status	Follow Up Date	Follow Up Action
--------	----------------	------------------

Obtain Title Report 09/24/2013 submit to public safety**History**

<u>Entry Date</u>	<u>Employee</u>	<u>Description</u>
09/27/2013 07:42:14 AM	Shaver, Ronnie	Followup Action edited from: followup with grants to submit to public safety.
09/27/2013 07:41:11 AM	Shaver, Ronnie	Case Status changed to Obtain Title Report
09/03/2013 09:07:35 AM	Shaver, Ronnie	Followup Date edited from: 08/27/2013 to 09/24/2013.
09/03/2013 09:05:41 AM	Shaver, Ronnie	Followup Date edited from: 08/06/2013 to 08/27/2013.
09/03/2013 09:05:41 AM	Shaver, Ronnie	Followup Action edited from: Obtain Title Report to followup with grants.
06/26/2013 01:41:16 PM	Shaver, Ronnie	Case Status changed to Notice of Violation
06/26/2013 01:41:16 PM	Shaver, Ronnie	Followup Date edited from: 06/26/2013 to 08/06/2013.
06/26/2013 01:41:16 PM	Shaver, Ronnie	Followup Action edited from: Notice of Violation to Obtain Title Report.
06/26/2013 01:32:56 PM	Shaver, Ronnie	Case Status changed to Legal Description Obtained
06/26/2013 01:32:56 PM	Shaver, Ronnie	Followup date added: 2013-06-26 00:00:00
06/26/2013 01:32:56 PM	Shaver, Ronnie	Followup Action edited from: Legal Record Obtained to Notice of Violation.
06/26/2013 01:31:22 PM	Shaver, Ronnie	Case Status changed to Owner of Record Identified
06/26/2013 01:31:22 PM	Shaver, Ronnie	Followup Action edited from: Owner of Record Identified to Legal Record Obtained.
06/26/2013 01:30:30 PM	Shaver, Ronnie	Case Status changed to Property Inspected
06/26/2013 01:30:30 PM	Shaver, Ronnie	Followup Action edited from: Property Inspected to Owner of Record Identified.
06/26/2013 01:29:21 PM	Shaver, Ronnie	Initial Case Status Unsafe Structure

Citation**Notes**

<u>Entry Date</u>	<u>Entered By</u>	<u>Action Date</u>	<u>Note</u>
09/09/2013 09:21:45 AM	Shaver, Ronnie	09/09/2013	Aaron has received the application will let lme know the status.
09/03/2013 09:05:02 AM	Shaver, Ronnie	09/03/2013	Miss Patricia Hanks has applied for a Grant thru CDBG Office. I talked to Aaron Smith on 9/3/13.
07/16/2013 11:03:10 AM	Shaver, Ronnie	07/16/2013	Patricia Hanks was served the Notice of Violation in person on July 3, 2013, because the certified letter was not picked up at the post Office. The signature was witnessed by Michael Tyner
06/26/2013 02:07:27 PM	Shaver, Ronnie	06/26/2013	Certified mail receipt #7012 2920 0000 3282 0723
06/26/2013 01:32:50 PM	Shaver, Ronnie	06/26/2013	Mailed notice of Violation on June 26, 2013
06/26/2013 01:29:21 PM	Shaver, Ronnie	06/26/2013	Property inspected by Terry Adams Chief Building Official on June 11, 2013

History

Entry Date Employee Description

Attachments

<u>Date</u>	<u>Title</u>	<u>Description</u>	<u>Uploaded By</u>	<u>Upload Date</u>	<u>Inactive</u>
06/26/2013	100_3377.JPG		Shaver, Ronnie	06/26/2013 01:40:04 PM	
06/26/2013	100_3378.JPG		Shaver, Ronnie	06/26/2013 01:40:04 PM	
06/26/2013	100_3379.JPG		Shaver, Ronnie	06/26/2013 01:40:04 PM	
06/26/2013	100_3380.JPG		Shaver, Ronnie	06/26/2013 01:40:04 PM	
06/26/2013	100_3381.JPG		Shaver, Ronnie	06/26/2013 01:40:04 PM	
06/26/2013	100_3382.JPG		Shaver, Ronnie	06/26/2013 01:40:04 PM	
06/26/2013	100_3383.JPG		Shaver, Ronnie	06/26/2013 01:40:04 PM	
06/26/2013	100_3384.JPG		Shaver, Ronnie	06/26/2013 01:40:04 PM	
06/26/2013	100_3385.JPG		Shaver, Ronnie	06/26/2013 01:40:04 PM	
06/26/2013	100_3386.JPG		Shaver, Ronnie	06/26/2013 01:40:04 PM	
06/26/2013	County_data_2032_N_Church.xps		Shaver, Ronnie	06/26/2013 01:44:51 PM	
06/26/2013	Inspection_Reoport.pdf		Shaver, Ronnie	06/26/2013 01:54:48 PM	

Inactive photos are not included in Case Report

History

<u>Entry Date</u>	<u>Employee</u>	<u>Description</u>
06/26/2013 01:54:48 PM	Shaver, Ronnie	Case file titled " dated 2013-06-26 00:00:00 added.
06/26/2013 01:44:51 PM	Shaver, Ronnie	Case file titled " dated 2013-06-26 00:00:00 added.
06/26/2013 01:40:04 PM	Shaver, Ronnie	Case file titled '100_3377.JPG' dated 2013-06-26 00:00:00 added.
06/26/2013 01:40:04 PM	Shaver, Ronnie	Case file titled '100_3378.JPG' dated 2013-06-26 00:00:00 added.
06/26/2013 01:40:04 PM	Shaver, Ronnie	Case file titled '100_3379.JPG' dated 2013-06-26 00:00:00 added.
06/26/2013 01:40:04 PM	Shaver, Ronnie	Case file titled '100_3380.JPG' dated 2013-06-26 00:00:00 added.
06/26/2013 01:40:04 PM	Shaver, Ronnie	Case file titled '100_3381.JPG' dated 2013-06-26 00:00:00 added.
06/26/2013 01:40:04 PM	Shaver, Ronnie	Case file titled '100_3382.JPG' dated 2013-06-26 00:00:00 added.
06/26/2013 01:40:04 PM	Shaver, Ronnie	Case file titled '100_3383.JPG' dated 2013-06-26 00:00:00 added.
06/26/2013 01:40:04 PM	Shaver, Ronnie	Case file titled '100_3384.JPG' dated 2013-06-26 00:00:00 added.
06/26/2013 01:40:04 PM	Shaver, Ronnie	Case file titled '100_3385.JPG' dated 2013-06-26 00:00:00 added.
06/26/2013 01:40:04 PM	Shaver, Ronnie	Case file titled '100_3386.JPG' dated 2013-06-26 00:00:00 added.

Forms

History

<u>Name</u>	<u>Generation Date</u>	<u>Generated By</u>	<u>Link</u>
Notice of Violation(2526)	06/26/2013 13:33	Shaver, Ronnie	view

Inoperable Vehicle

Outside Contractor

Time Tracking

<i>CE Officer</i>	<i>Date</i>	<i>Rate Type</i>	<i>Hours</i>
Total			0

Images

City of Jonesboro Code Enforcement File # 2032 N Church Street



photo taken: 06/26/2013 - 100_3377.JPG



photo taken: 06/26/2013 - 100_3378.JPG



photo taken: 06/26/2013 - 100_3379.JPG



photo taken: 06/26/2013 - 100_3380.JPG



photo taken: 06/26/2013 - 100_3381.JPG



photo taken: 06/26/2013 - 100_3382.JPG

City of Jonesboro Code Enforcement File # 2032 N Church Street



photo taken: 06/26/2013 - 100_3383.JPG



photo taken: 06/26/2013 - 100_3384.JPG



photo taken: 06/26/2013 - 100_3385.JPG



photo taken: 06/26/2013 - 100_3386.JPG



Legislation Details (With Text)

File #: RES-13:194 **Version:** 1 **Name:** Condemnation at 831 W. Huntington
Type: Resolution **Status:** Recommended Under New Business
File created: 11/4/2013 **In control:** Public Safety Council Committee
On agenda: 12/17/2013 **Final action:**
Title: RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 831 West Huntington, owner Bryan Meredith.
Sponsors: Code Enforcement
Indexes: Condemnation
Code sections:
Attachments: [CONDEMNATION CHECKLIST](#)
[Inspection Report119Inspection Report](#)
[831 W Huntington](#)

Date	Ver.	Action By	Action	Result
11/19/2013	1	Public Safety Council Committee		

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 831 West Huntington, owner Bryan Meredith.

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 the 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: 831 West Huntington.

CONDEMNATION CHECKLIST

Property Address: 831 W Huntington Phone: _____
 Property Owner: Bryan Meredith Phone: _____
 Owner's Address: P.O. Box 16301. Fax: _____
Jonesboro, AR 72401

	BEGINNING DATE	ENDING DATE	ACTION
<input checked="" type="checkbox"/>	<u>4/18/13</u>	<u>4/18/13</u>	1. Identify structure unfit for human habitation.
<input checked="" type="checkbox"/>	<u>4/18/13</u>	<u>4/18/13</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>4/24/13</u>	<u>4/24/13</u>	3. Determine ownership from county assessment & tax collection record.
<input checked="" type="checkbox"/>	<u>4/24/13</u>	<u>4/24/13</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 checked="" type="checkbox"/>	<u>6/11/13</u>	<u>6/11/13</u>	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"/> 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:	4-19-2013
PROPERTY ADDRESS:	831 Huntington
PROPERTY OWNER:	Bryan Meredith
OCCUPIED:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

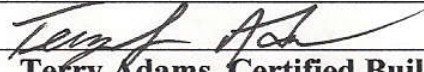
BUILDING ELEMENT	1 thru 5 CONDITION					NOTES & COMMENTS
	VERY POOR				VERY GOOD	
Foundation	1					Old turn of the century brick-collapsing
Front Porch	1					Wood rotten falling in
Exterior Doors and Windows		2				Wood windows rotten
Roof Underlay					5	New
Roof Surface					5	new
Chimney						N/A
Siding	1					Wood lap rotten falling off
Facia and Trim		2				Rotten falling off
Interior Doors	1					Non-Existing
Interior Walls					5	New framed walls

Ceilings	1				Non-Existing
Flooring Underlay		2			Shows signs of Settling
Flooring Surfaces		2			Old hard wood
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 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 condition of house at this point, needs to be completed or removed due to safety, health and welfare.

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-13:195	Version:	1	Name:	Condemnation at 652 W. Huntington
Type:	Resolution	Status:		Status:	Recommended Under New Business
File created:	11/4/2013	In control:		In control:	Public Safety Council Committee
On agenda:	12/17/2013	Final action:		Final action:	
Title:	RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 653 West Huntington, owner: Eric Ford.				
Sponsors:	Code Enforcement				
Indexes:	Condemnation				
Code sections:					
Attachments:	653 W Huntington CONDEMNATION CHECKLIST Notice of Violation				

Date	Ver.	Action By	Action	Result
11/19/2013	1	Public Safety Council Committee		

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 653 West Huntington, owner: Eric Ford.

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 the 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: 653 West Huntington.



CE Case Details

[Print](#)

[Close](#)

CE Case CE13-652

CE Case #: CE13-652	Status: Submitted to Public Safety
eFM Case #: N/A	Date Opened: 05/13/2013
Case assigned to: Tyner, Michael	Follow Up Date 07/16/2013
Priority: Low	Follow Up Action
Location 653 W Huntington Jonesboro, AR 72401	Open Violations Unsafe Building

Location

Address	APN	Additional Information	Census Tract	Block Group	LowModPct	CDBG Eligible	Property Type
653 W Huntington Jonesboro AR 72401						NO	

Violations

Date	Violation	Submitted By	Status	Disposition	Notes	CDBG Eligible
05/31/2013	Overgrown Grass, Weeds, Vines, or Low hanging Limbs	Tyner, Michael	Closed	Compliance		No
05/13/2013	Unsafe Building	Tyner, Michael	Open			No

History

Date	Entered By	Action/Note/Activity
10/21/2013 09:12:46 AM	Tyner, Michael	Violation Unsafe Building Re-Opened
08/05/2013 09:26:10 AM	Tyner, Michael	Change violation status from: Open to: Closed
06/18/2013 12:53:56 PM	Tyner, Michael	Changed violation disposition to Compliance
06/18/2013 12:53:56 PM	Tyner, Michael	Status changed: Violation Overgrown Grass, Weeds, Vines, or Low hanging Limbs Closed with disposition Compliance
05/31/2013 03:25:18 PM	Tyner, Michael	Added: Overgrown Grass, Weeds, Vines, or Low hanging Limbs
05/13/2013 09:16:06 AM	Tyner, Michael	Added: Unsafe Building

Contacts

Initiation: self-initiated

<i>Contact Role</i>	<i>Name/Business</i>	<i>Address</i>	<i>Phone</i>	<i>Open Cases</i>
Owner	Cruz, Juan	Jonesboro AR 72401	Cell: 870-316-3042	1
Owner	Ford, Eric	2409 Princeton Drive Austin TX 78741	Home: 512-789-0316	2

History

<i>Entry Date</i>	<i>Employee</i>	<i>Description</i>
05/13/2013 09:16:06 am	Tyner, Michael	Cruz, Juan
05/13/2013 09:16:06 am	Tyner, Michael	Ford, Eric

Status and Follow Up

<i>Status</i>	<i>Follow Up Date</i>	<i>Follow Up Action</i>
Submitted to Public Safety	07/16/2013	

History

<i>Entry Date</i>	<i>Employee</i>	<i>Description</i>
10/21/2013 09:13:21 AM	Tyner, Michael	Case Status changed to Submitted to Public Safety
08/05/2013 09:26:10 AM	Tyner, Michael	Case Status changed to Abated By Owner
08/05/2013 09:26:10 AM	Tyner, Michael	Followup Action edited from: Send to public safety to _.
08/05/2013 09:26:10 AM	Tyner, Michael	Closing all violations for closed case
07/12/2013 08:42:34 AM	Tyner, Michael	Case Status changed to Obtain Title Report
07/12/2013 08:42:34 AM	Tyner, Michael	Followup Date edited from: 06/24/2013 to 07/16/2013.
07/12/2013 08:42:34 AM	Tyner, Michael	Followup action added: Send to public safety
05/13/2013 10:04:16 AM	Tyner, Michael	Followup date added: 2013-06-24 00:00:00
05/13/2013 09:47:07 AM	Tyner, Michael	Case Status changed to Notice of Violation
05/13/2013 09:16:06 AM	Tyner, Michael	Initial Case Status Complaint Submitted

Citation**Notes**

<i>Entry Date</i>	<i>Entered By</i>	<i>Action Date</i>	<i>Note</i>
11/04/2013 01:27:04 PM	Tyner, Michael	11/04/2013	Sale of property fell through. Submitted to legistar to go to public safety.
08/05/2013 09:25:56	Tyner, Michael	08/05/2013	Juan pulled rehab permits

AM			
07/30/2013 10:30:26 AM	Tyner, Michael	07/30/2013	Juan Cruz buying on land contract
07/12/2013 08:38:07 AM	Tyner, Michael	07/12/2013	Mr. Ford has failed to pick up any certified mail form our office.
07/12/2013 08:37:12 AM	Tyner, Michael	07/12/2013	Notice of Violation unclaimed, made phone contact with Eric Ford on 6/10/13.

History

Entry Date Employee Description

Attachments

<u>Date</u>	<u>Title</u>	<u>Description</u>	<u>Uploaded By</u>	<u>Upload Date</u>	<u>Inactive</u>
06/19/2013	06/19/2013	Returned notice of violation	Tyner, Michael	06/19/2013 01:39:50 PM	
06/03/2013	CCI06032013_0000.jpg	certified, grass	Tyner, Michael	06/03/2013 11:43:01 AM	
05/14/2013	Notice of violation mailed		Tyner, Michael	05/14/2013 01:18:28 PM	
05/13/2013	Inspection Report		Tyner, Michael	05/13/2013 09:35:45 AM	
05/13/2013	County Data		Tyner, Michael	05/13/2013 09:39:25 AM	
05/13/2013	003.JPG		Tyner, Michael	05/13/2013 09:47:07 AM	
05/13/2013	004.JPG		Tyner, Michael	05/13/2013 09:47:07 AM	
05/13/2013	005.JPG		Tyner, Michael	05/13/2013 09:47:07 AM	
05/13/2013	006.JPG		Tyner, Michael	05/13/2013 09:47:07 AM	
05/13/2013	007.JPG		Tyner, Michael	05/13/2013 09:47:07 AM	
05/13/2013	008.JPG		Tyner, Michael	05/13/2013 09:47:07 AM	
05/13/2013	009.JPG		Tyner, Michael	05/13/2013 09:47:07 AM	
05/13/2013	010.JPG		Tyner, Michael	05/13/2013 09:47:07 AM	

Inactive photos are not included in Case Report

History

<u>Entry Date</u>	<u>Employee</u>	<u>Description</u>
06/19/2013 01:39:50 PM	Tyner, Michael	Case file titled '06/19/2013' dated 2013-06-19 00:00:00 added.
06/19/2013 01:36:11 PM	Tyner, Michael	Attachment ccTmpG180M16062T1368555438 edited: Title changed from CCI05142013_0000.jpg to Notice of violation mailed

06/03/2013 11:43:01 AM	Tyner, Michael	Case file titled 'CCI06032013_0000.jpg' dated 2013-06-03 00:00:00 added.
05/14/2013 01:18:28 PM	Tyner, Michael	Case file titled 'CCI05142013_0000.jpg' dated 2013-05-14 00:00:00 added.
05/13/2013 09:47:07 AM	Tyner, Michael	Case file titled '003.JPG' dated 2013-05-13 00:00:00 added.
05/13/2013 09:47:07 AM	Tyner, Michael	Case file titled '004.JPG' dated 2013-05-13 00:00:00 added.
05/13/2013 09:47:07 AM	Tyner, Michael	Case file titled '005.JPG' dated 2013-05-13 00:00:00 added.
05/13/2013 09:47:07 AM	Tyner, Michael	Case file titled '006.JPG' dated 2013-05-13 00:00:00 added.
05/13/2013 09:47:07 AM	Tyner, Michael	Case file titled '007.JPG' dated 2013-05-13 00:00:00 added.
05/13/2013 09:47:07 AM	Tyner, Michael	Case file titled '008.JPG' dated 2013-05-13 00:00:00 added.
05/13/2013 09:47:07 AM	Tyner, Michael	Case file titled '009.JPG' dated 2013-05-13 00:00:00 added.
05/13/2013 09:47:07 AM	Tyner, Michael	Case file titled '010.JPG' dated 2013-05-13 00:00:00 added.
05/13/2013 09:39:25 AM	Tyner, Michael	Case file titled 'County Data' dated 2013-05-13 00:00:00 added.
05/13/2013 09:35:45 AM	Tyner, Michael	Case file titled 'Inspection Report' dated 2013-05-13 00:00:00 added.

Forms

History

<u>Name</u>	<u>Generation Date</u>	<u>Generated By</u>	<u>Link</u>
Order of Action letter(1960)	05/31/2013 15:31	Tyner, Michael	view
Notice of Violation(1480)	05/13/2013 07:18	Tyner, Michael	view

Inoperable Vehicle

Outside Contractor

Time Tracking

<u>CE Officer</u>	<u>Date</u>	<u>Rate</u>	<u>Type</u>	<u>Hours</u>
Total				0

Images

City of Jonesboro Code Enforcement File # 653 W Huntington



photo taken: 05/13/2013 - 003.JPG



photo taken: 05/13/2013 - 004.JPG



photo taken: 05/13/2013 - 005.JPG



photo taken: 05/13/2013 - 006.JPG



photo taken: 05/13/2013 - 007.JPG



photo taken: 05/13/2013 - 008.JPG

City of Jonesboro Code Enforcement File # 653 W Huntington



photo taken: 05/13/2013 - 009.JPG



photo taken: 05/13/2013 - 010.JPG



photo taken: 05/14/2013 - Notice of violation mailed



photo taken: 06/03/2013 - CCI06032013_0000.jpg certified, grass



photo taken: 06/19/2013 - 06/19/2013
Returned notice of violation

CONDEMNATION CHECKLIST

Property Address: 653 W Huntington Phone: _____
 Property Owner: Eric Ford Phone: _____
 Owner's Address: 2409 Princeton Dr Fax: _____
Austin, TX 78741

BEGINNING DATE	ENDING DATE	ACTION
<input checked="" type="checkbox"/> <u>5/10/13</u>	<u>5/10/13</u>	1. Identify structure unfit for human habitation.
<input checked="" type="checkbox"/> <u>5/10/13</u>	<u>5/10/13</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>5/13/13</u>	<u>5/13/13</u>	3. Determine ownership from county assessment & tax collection record.
<input checked="" type="checkbox"/> <u>5/13/13</u>	<u>5/13/13</u>	4. Obtain legal description.
<input checked="" type="checkbox"/> <u>5/13/13</u>	<u>5/13/13</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 checked="" type="checkbox"/> <u>7/16/13</u>	<u>7/16/13</u>	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.



**JONESBORO POLICE DEPARTMENT
CODE ENFORCEMENT**

Notice of Violation

Date: 05/13/2013

Owner
Eric Ford
2409 Princeton Drive
Austin, TX 78741
Home: 512-789-0316

**SUBJECT: 653 W Huntington,
Jonesboro, AR 72401**

According to County records you are the owner of the subject property. Please be advised that the structure on this property has been inspected by the City Building and Code Enforcement inspectors and, has been found to be unfit for human habitation by virtue of its dilapidated and unsanitary condition. This property poses a hazard to the public and is a nuisance against public health.

Within (ten) calendar days from the date of this letter you are required to respond to this notice in writing, indicating you intention to either repair, re-inhabit, or raze and remove this structure. Should you choose to repair or rehab the structure, you will have to obtain a building permit and start work within 40 calendar days from the date of this notice. The building permit will be issued for a total of 45 calendar days at which time the repair or rehab work must be complete and able to pass all building, electrical, plumbing, and mechanical inspections.

If you decide to raze and remove this structure, removal and clean-up activities must be completed within 40 days of this notice.

If you decide not to repair or remove this structure, it will be necessary for the City Council to consider condemning the structure to ensure the repair, rehab, securing, and/or razing and removal of this nuisance. All costs involved in the condemnation process would be charged to you. Collection would be actively pursued.

We look forward to your cooperation in this matter. If you have any questions, call Ron Shaver at (870)933-4658.

Sincerely,

Tyner, Michael
Code Enforcement Officer

Sign if served in person

Code Enforcement Officer Signature, if
delivered in person

Property Owner/Interested Party Signature,
if delivered in person

<https://clients.comcate.com/localadmin/HTMLFormLogPrint.php?mod=2&logIds=1480>

5/13/2013



Legislation Details (With Text)

File #: RES-13:185 **Version:** 1 **Name:** Amend salary plan for merit increases
Type: Resolution **Status:** Held in Council
File created: 10/25/2013 **In control:** Finance & Administration Council Committee
On agenda: **Final action:**

Title: RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO AMEND THE CITY'S SALARY & ADMINISTRATION POLICY TO ALLOW MERIT INCREASES FOR EXCEPTIONAL JOB PERFORMANCE AND/OR INCREASED JOB TRAINING OR CERTIFICATIONS

Sponsors: Finance

Indexes: Employee benefits

Code sections:

Attachments: [Appendix A](#)

Date	Ver.	Action By	Action	Result
12/3/2013	1	City Council		
11/5/2013	1	City Council	Postponed Temporarily	Pass
10/30/2013	1	Finance & Administration Council Committee	Recommended to Council	Pass

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO AMEND THE CITY'S SALARY & ADMINISTRATION POLICY TO ALLOW MERIT INCREASES FOR EXCEPTIONAL JOB PERFORMANCE AND/OR INCREASED JOB TRAINING OR CERTIFICATIONS WHEREAS, Resolution Number 09:201 adopted the City Salary & Administration Plan; and

WHEREAS, a need has been identified to modify the City of Jonesboro's current Salary Administration Plan to insure an optimum performance and effectiveness level for all employees;

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Jonesboro, Arkansas that the following sentence, "Merit increases for exceptional job performance and/or increased job related training or certifications may be given at any time throughout the year, at the Mayor's discretion" be added at the beginning of the second paragraph under section "Salary Increases" on page 3.

BE IT FURTHER RESOLVED that the guidelines for merit increases are established as detailed in Appendix A (attached).

Appendix A

Guidelines for Merit Increase

It is my responsibility as mayor to carefully look at the City's salary structure, and, if possible financially, find ways to keep up with the financial pressures being experienced by our employees. I believe our citizens and taxpayers would want us to encourage and support their employment.

I think it is possible, within our budget constraints, to put in place a plan to reward some number of the best performers, including employees and department heads, during the year. It would call for allocating a relatively small amount of funds devoted to exceptional performance awards. From time to time I would, with recommendations from department heads, award performance salary increases to deserving employees.

Our current salary plan places a job salary within three categories: minimum, midpoint, and maximum. The increase for exceptional job performance, and/or job related training or certifications would never be used to exceed the maximum for a particular job.

This plan would help the City retain our best performers, and maybe encourage others to improve performance. I do not anticipate that it would involve more than a small number of awards during the year, with no compulsion to spend the entire allocated amount.

Job related training must have prior approval from the department head. The course or certificate must be directly related to the employee's job.

At any time through-out the year any department head may submit documentation to include a performance evaluation, and/or proof of certification, and a written statement outlining the reason in support of an employee's merit increase for the Mayor's review. Upon approval by the Mayor, the Finance and Human Resource departments will be notified in writing by a payroll change form.

Merit increases will not exceed 25 percent of the employee's or department head's current base salary.

The City Council reserves the right to amend, discontinue, or modify the terms of this merit increase incentive plan.

The Merit Increase is not in lieu of any Cost of Living Adjustment (COLA).