



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Council Agenda City Council

Tuesday, July 7, 2009

6:30 PM

Huntington Building

PUBLIC WORKS COMMITTEE MEETING AT 5:30 P.M.

City Council Chambers, Huntington Building

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

2. Pledge of Allegiance and Invocation

3. Roll Call by the City Clerk

4. Special Presentations

5. Consent Agenda

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

[MIN-09:068](#) Minutes for the City Council meeting on June 16, 2009.

Attachments: [Minutes](#)

[MIN-09:069](#) Minutes for the special called City Council meeting on June 30, 2009.

Attachments: [Minutes](#)

6. New Business

7. Unfinished Business

Ordinances on Third Reading

[ORD-09:020](#) AN ORDINANCE TO AMEND TITLE 14, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM RESIDENTIAL R-2 TO RESIDENTIAL RM-16 LIMITED USE FOR PROPERTY LOCATED AT 921 WARNER AS REQUESTED BY MAX DACUS JR.

Attachments: [Plat](#)

[MAPC Report](#)

Legislative History

4/7/09	City Council	Held at one reading
4/21/09	City Council	Held at second reading
5/5/09	City Council	Postponed Temporarily

Ordinances on Second Reading

ORD-09:035 AN ORDINANCE AMENDING TITLE 14 THE ZONING ORDINANCE, TO REZONE FROM AG-1 TO RS-6, CERTAIN PROPERTY ON FLEMON ROAD AS REQUESTED BY CHAD, JENNIFER AND DUSTIN KING

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

Legislative History

6/16/09	City Council	Held at one reading
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ORD-09:039 AN ORDINANCE TO AMEND TITLE 14, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-3 LIMITED USE OVERLY FOR PROPERTY LOCATED AT 4008 SOUTHWEST DRIVE AS REQUESTED BY FIRE PROTECTION SERVICE OF ARKANSAS

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

Legislative History

6/16/09	City Council	Held at one reading
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8. Mayor's Reports

9. City Council Reports

10. Public Comment

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

11. Adjournment.



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, June 16, 2009

6:30 PM

Huntington Building

SPECIAL CALLED FINANCE COMMITTEE MEETING AT 4:00 P.M.

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

PUBLIC HEARING AT 6:15 P.M.

Regarding the abandonment of an existing drainage and utility easement located north of Pinnacle Pointe as requested by Pete and Sarah Murphy

No opposition was voiced.

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

2. Pledge of Allegiance and Invocation

3. Roll Call by the City Clerk

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

4. Special Presentations

5. Consent Agenda

Approval of the Consent Agenda

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

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

MIN-09:058

Minutes for the City Council meeting on June 2, 2009.

Attachments: [Minutes](#)

This item was PASSED on the consent agenda.

RES-09:056 A RESOLUTION FOR THE SUGGESTED RENAMING OF A STREET IN HONOR OF THE DR. MARTIN LUTHER KING JR.

Sponsors: Mayor's Office

This item was PASSED on the consent agenda.

Enactment No: R-EN-057-2009

RES-09:081 A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF JONESBORO TO UTILIZE FEDERAL AID MONEYS TO CONSTRUCT SECTION FIVE OF PHASE I OF THE TURTLE CREEK GREENWAY

Sponsors: Mayor's Office and Parks & Recreation

Attachments: [2009 Rec Trails Overview Form](#)
[2009 RecTrails Application](#)
[2009 Property Ownership](#)
[2009 Rec Trails Area Maps](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-058-2009

RES-09:085 A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ENTER INTO A CONTRACT WITH CAMERON CONSTRUCTION CO., INC. FOR THE RECONSTRUCTION AND REALIGNMENT OF THE INTERSECTION OF AGGIE ROAD AND OLD PARAGOULD HIGHWAY

Sponsors: Engineering

Attachments: [Bid Tab](#)
[Contract - Cameron](#)

Mayor Perrin informed the Council he will be bringing before them a resolution and memorandum of understanding to use the Associated Engineering GIS Specialist to help the City's new GIS Specialist get caught up. He explained Associated Engineering will donate their GIS Specialists' time up to 490 hours and after that the City will have to pay for services.

This item was PASSED on the consent agenda.

Enactment No: R-EN-059-2009

RES-09:087 A RESOLUTION TO THE CITY OF JONESBORO APPROVING AND ADOPTING THE STORMWATER MANAGEMENT PLAN

Sponsors: Engineering

Attachments: [Storm Water Management Plan](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-060-2009

RES-09:093 A RESOLUTION TO AMEND THE CITY OF JONESBORO EMPLOYEE HANDBOOK

Sponsors: Mayor's Office

Attachments: [Computer Use Policy](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-061-2009

RES-09:094

A RESOLUTION AUTHORIZING ACCEPTANCE OF AN AIRPORT IMPROVEMENT PROGRAM (AIP) GRANT FROM THE FEDERAL AVIATION ADMINISTRATION (FAA)

Sponsors: Municipal Airport Commission

Attachments: [2009 AIP Grants Overview Form](#)
[Airport Improvement Program Grant No. 3-05-0033-016-2009](#)
[Letter handed out at the Finance Meeting](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-062-2009

6. New Business

Ordinances on First Reading

ORD-09:035

AN ORDINANCE AMENDING TITLE 14 THE ZONING ORDINANCE, TO REZONE FROM AG-1 TO RS-6, CERTAIN PROPERTY ON FLEMON ROAD AS REQUESTED BY CHAD, JENNIFER AND DUSTIN KING

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

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

This Ordinance was Held at one reading.

ORD-09:037

AN ORDINANCE TO VACATE AND ABANDON A 5' PORTION OF AN EXISTING 10' DRAINAGE & UTILITY EASEMENT. SAID PORTION BEING THE SOUTH 5' OF THE NORTH 10' OF LOT 58 OF TOWER PARK ESTATES, PHASE FIVE TO THE CITY OF JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, LYING EAST OF AN EXISTING 10' DRAINAGE & UTILITY EASEMENT.

Attachments: [Plat](#)
[Petition](#)
[Utility Letters](#)
[City of Jonesboro Letter](#)

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

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

Councilman Vance motioned, seconded by Councilman Johnson, to adopt the emergency clause. All voted aye.

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

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

Enactment No: O-EN-031-2009

ORD-09:039 AN ORDINANCE TO AMEND TITLE 14, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-3 LIMITED USE OVERLY FOR PROPERTY LOCATED AT 4008 SOUTHWEST DRIVE AS REQUESTED BY FIRE PROTECTION SERVICE OF ARKANSAS

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

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

This Ordinance was Held at one reading.

7. Unfinished Business

8. Mayor's Reports

Mayor Perrin stated 31 out of the 33 sirens are up. He explained they are working closely with City Water and Light to hook up the sirens and hope to have them ready to go in four to six weeks. He added the sirens have silent tests, but they will continue to test the sirens every Thursday at noon so the public knows the sirens are working.

Mayor Perrin informed the Council they are taking bids for cell phones and data lines for the City. He stated they are also going to look into the City employees who have cell phones and decide if there are any that don't need City cell phones.

Mayor Perrin stated the department head retreat will be this Saturday, June 20, until 3 p.m. He then thanked the Street and Sanitation Departments for their work during the recent City auction. He added the City collected \$235,000 from the auction with the funds going back to the City.

9. City Council Reports

Councilman McCall asked the Mayor to look into the drainage situation at Country Woods Subdivision on Aggie and Airport. He stated he has received numerous calls from residents in the area. Mayor Perrin explained they have been out there and plan to look at the area.

Councilwoman Williams explained the Finance Committee has decided to have Wertz and Associates look at increasing the City non-uniform pension plan multiplier to 2. She added they are also going to run an RFQ concerning hiring an outside firm manage the Principal Finance Group funds instead of continuing to use Principal Financial to manage them.

Councilman Moore motioned, seconded by Councilman Gibson, to add an ordinance to the agenda. All voted aye.

ORD-09:038 AN ORDINANCE TO AMEND THE 2009 ANNUAL BUDGET AND THE CITY PAY

PLAN FOR THE CITY OF JONESBORO FOR THE POSITIONS OF CRIME ANALYST AND ADMINISTRATIVE SECRETARY FOR THE POLICE DEPARTMENT

Sponsors: Police Department and Mayor's Office

Attachments: [2009 JAG-R Award Documents](#)

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

Councilman Moore explained it is a 100% that will pay for the two positions for the City for three years with no match needed from the City. He added the ordinance is time sensitive.

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

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

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

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

Enactment No: O-EN-032-2009

Councilman Moore then discussed a recent meeting he, Mayor Perrin, Police Chief Michael Yates and County Judge Haas had concerning the City's jail bill. He noted they had sent a list of questions to the Attorney General in order to get his opinion on some matters and received the answers, which provided them with some assistance. He explained during the meeting the County agreed to present the jail bill information in a more understandable manner and they hope to be able to review April's bill in the next 10 to 20 days. He added once the newly formatted bills come in, the City could owe more or less in jail bills. Councilman McCall questioned whether any discussion had taken place during the meeting regarding the City and County portions of 911. Councilman Moore stated Chief Yates mentioned it, but the problem is there is no contract or agreement between the City and County concerning 911. He added an agreement needs to be made.

Councilman Hargis questioned the status of the new construction of the ASU overpass using City streets. Mayor Perrin stated he received calls about utilizing Matthews and Camerson Construction, who is in charge of the overpass construction, has discussed using Johnson. He added he thinks that part of the project will take a few more weeks, but was unsure of the specific time length.

Councilman Vance informed the Council they are working on a design for the new Street/Sanitation/JETS facility. He added they are on schedule for JETS and hope to start taking bids for grading starting tomorrow. He explained they only budgeted \$2 million for the project, but it could cost more than that to build it. He stated they anticipate presenting a contract for the grading at the next Council meeting.

10. Public Comment

11. Adjournment.

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

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

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

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



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, June 30, 2009

5:30 PM

Huntington Building

Special Called Meeting

1. Call to order by the Mayor at 5:30 P.M.

2. Roll Call by the City Clerk

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

Absent 1 - Chris Moore

3. New Business

ORD-09:040

AN ORDINANCE WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE MAYOR OF JONESBORO TO ENTER INTO A MOWING CONTRACT ALONG U.S. HIGHWAY 63.

Sponsors: Mayor's Office

Attachments: [mowing contract](#)
[mowing contract - PDF](#)
[Hurley Information](#)

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

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

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

A motion was made by Councilman John Street, seconded by Councilman Mitch Johnson, that this Ordinance be Passed. The motion CARRIED by a Voice Vote.

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

Absent: 1 - Chris Moore

Enactment No: O-EN-033-2009

ORD-09:041

AN ORDINANCE TO AMEND THE 2009 ANNUAL BUDGET AND THE CITY PAY PLAN FOR THE CITY OF JONESBORO FOR THE POSITION OF GRANTS ADMINISTRATOR IN THE GRANTS SECTION

Sponsors: Mayor's Office and Human Resources

Attachments: [GR06 Grants Admin](#)

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

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

Councilman Johnson motioned, seconded by Councilwoman Williams, to adopt the emergency clause. All voted aye.

A motion was made by Councilman Mitch Johnson, seconded by Councilwoman Ann Williams, that this Ordinance be Passed. The motion CARRIED by a Voice Vote.

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

Absent: 1 - Chris Moore

Enactment No: O-EN-034-2009

ORD-09:044

AN ORDINANCE AMEND THE 2009 BUDGET TO APPROPRIATE MONEY TO COVER PENSION, INSURANCE AND UNEMPLOYMENT/WORKER'S COMPENSATION INSURANCE COST FOR JETS, THAT WERE PREVIOUSLY PAID FOR WITH GENERAL FUND DOLLARS.

Sponsors: Finance and JETS

Attachments: [Memo from Finance Director regarding JETS cash flow issues](#)
[Loan History](#)
[Transfer of funds](#)

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

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

Councilwoman Williams motioned, seconded by Councilman Street, to adopt the emergency clause. All voted aye.

A motion was made by Councilwoman Ann Williams, seconded by Councilman Chris Gibson, that this Ordinance be Passed. The motion CARRIED by a Voice Vote.

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

Absent: 1 - Chris Moore

Enactment No: O-EN-035-2009

ORD-09:045

AN ORDINANCE AMEND THE 2009 BUDGET TO APPROPRIATE MONEY TO COVER COST FOR COMPUTER PURCHASES THAT WERE ORDERED IN 2008, BUT NOT PAID UNTIL 2009

Sponsors: Information Systems and Finance

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

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

Councilman Johnson motioned, seconded by Councilwoman Williams, to adopt the emergency clause. All voted aye.

A motion was made by Councilwoman Ann Williams, seconded by Councilman John Street, that this Ordinance be Passed. The motion CARRIED by a Voice Vote.

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

Absent: 1 - Chris Moore

Enactment No: O-EN-036-2009

4. Adjournment.

A motion was made by Councilman John Street, seconded by Councilman Darrel Dover, that this meeting be Adjourned. The motion CARRIED by a Voice Vote.

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

Absent: 1 - Chris Moore

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

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



City of Jonesboro

515 West Washington
Jonesboro, AR 72401

Text File

File Number: ORD-09:020

Introduced: 3/19/2009

Current Status: Third Reading

Version: 1

Matter Type: Ordinance

title

AN ORDINANCE TO AMEND TITLE 14, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES;

body

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

SECTION 1: TITLE 14, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS BE AMENDED AS RECOMMENDED BY THE METROPOLITAN AREA PLANNING COMMISSION BY THE CHANGES IN ZONING CLASSIFICATION AS FOLLOWS:

FROM Residential, R-2 TO Residential, RM-16, Limited Use,

THE FOLLOWING DESCRIBED PROPERTY:

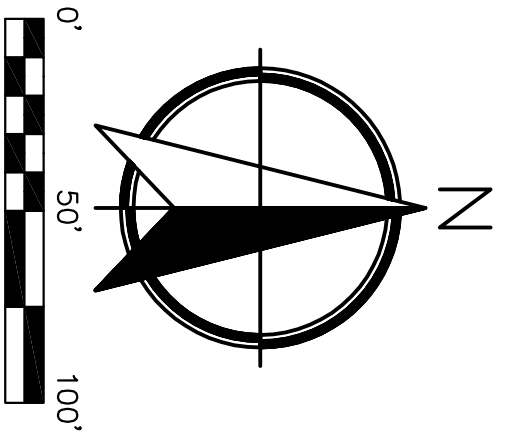
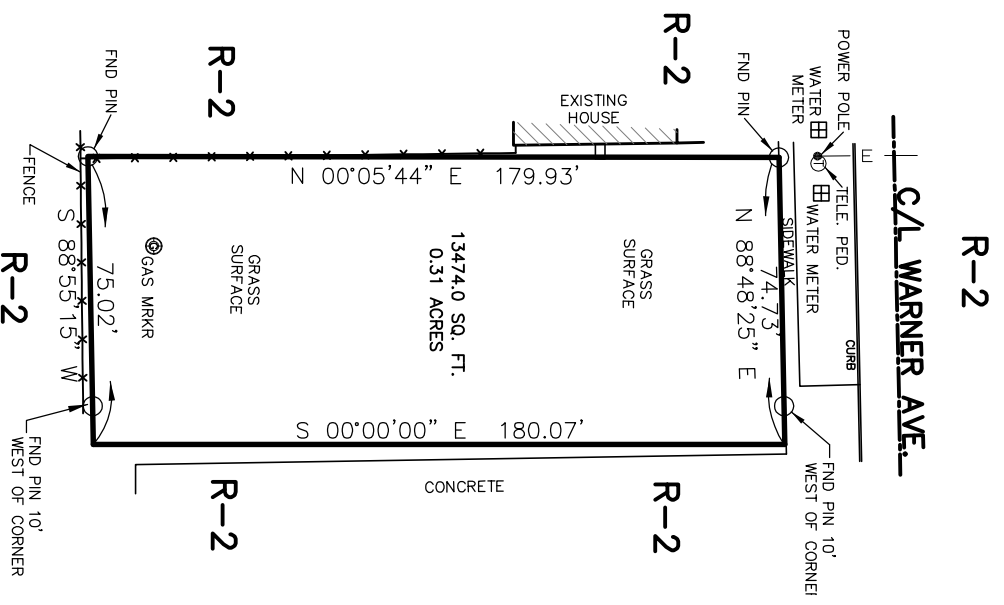
LEGAL DESCRIPTION:

Lot 4, Block 3 of Culberhouse's Third Addition, Jonesboro, AR

SECTION 2: THIS PROPERTY IS TO BE DEVELOPED IN ACCORDANCE WITH THE PERMITTED USE, AS INDICATED BELOW:

PERMITTED USE:

Residential, Multi-family, Maximum four (4) dwelling units



LEGAL DESCRIPTION:

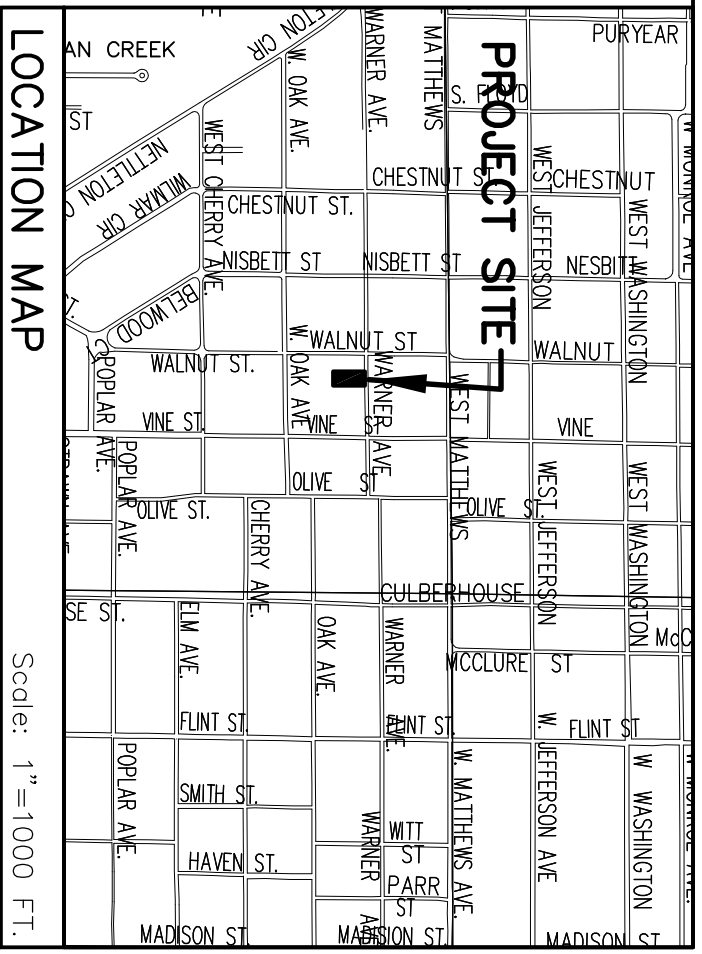
Lot 4, Block 3 of Culberhouse's Third Addition, Jonesboro, Craighead County, Arkansas.

CERTIFICATE OF SURVEY:

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

NOTES:

- 1) THIS SURVEY AND PLAT ARE THE PROPERTY OF THE SURVEYOR AND ARE INTENDED FOR THE SOLE USE AND BENEFIT OF THE SURVEYOR & CLIENT.
- 2) THIS SURVEY WAS COMPLETED USING A PENTAX PCS-2S AND HAS A CLOSURE PRECISION OF 1" IN 100,000', AND AN ANGULAR ERROR OF 00'00"00" PER ANGLE, AND WAS NOT ADJUSTED.
- 3) THE CLOSURE PRECISION OF THE PLAT IS IN EXCESS OF 1" IN 134,000'.
- 4) THE RESEARCH COMPLETED FOR THIS SURVEY INCLUDES LEGAL DESCRIPTION PROVIDED.
- 5) ALL PINS SET ARE 1/2" REBAR, UNLESS NOTED OTHERWISE.
- 6) FLOOD PLAN: THIS TRACT DOES NOT LIE WITHIN THE 100-YR FLOOD PLAN PER FLOOD INSURANCE RATE MAP OF CRAIGHEAD CO., ARK. AND INCORPORATED AREAS, COMMUNITY PANEL NO. 05031C0131 C, DATED 09/27/91. THIS TRACT DOES LIE WITHIN A ZONE "X" FLOOD PLAN, PER THE MAP REFERENCED ABOVE.



LOCATION MAP

Scale: 1" = 1000 FT.

**EXISTING R-2 ZONING
REQUESTED RM-16 L.U.
MAX. 4 UNITS**

ENGINEERS	PLANNERS	SURVEYORS	
203 Southwest Dr.-Jonesboro, AR-(870)932-7880-www.civilogic.net			
REZONING PLAT			
LOT 4, BLOCK 3, CULBERHOUSE 3rd ADDN.			
FOR MAX DACUS, JR. JONESBORO, ARKANSAS			
Date	Scale	Job No.	Street No.
02/06/09	1"=50'	108227	1 of 1
Section	Township	Range	County
19	14N	4E	CRAIGHEAD
ONLY COPIES WITH VIOLET COLORED SIGNATURE ARE VALID CIVILOGIC COPIES			
© 2009, Civilogic		Drawn By:	RE
		Index No.:	
JOB FLDR			

OWNER'S CERTIFICATION:

We hereby certify that we are the owners of the property shown and described hereon, that we adopt the plan of subdivision and dedicate perpetual use of all streets and easements as noted.

City of Jonesboro City Council
Staff Report – RZ09-03: 921 Warner Ave. Rezoning
Huntington Building - 900 W. Monroe
For Consideration by the Council on March 17, 2009

REQUEST: A recommendation by MAPC to rezone property containing 0.31 acres more or less.

PURPOSE: To rezone a tract of land from R-2 to RM-16, Limited Use, 4 units maximum

**APPLICANT/
OWNER:** Max Dacus, Jr.
3094 Hwy. 91 West, Jonesboro, AR 72404

LOCATION: The subject site is located at 921 Warner Ave., South side of Warner.

SITE DESCRIPTION: Tract Size: 0.31 acres, 13,474 S.F.
Frontage: Approx. 75 +/- ft. on Warner Ave.
Topography: Predominantly Flat
Existing Dvlpmt: Vacant (formerly single family residence)

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	R-2	Multi-Family – 12 units
South:	R-2	Multi-Family – 2 units
East:	R-2	Multi-Family – 7 units
West:	R-2	Single Family Home

HISTORY: None

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

COMPREHENSIVE PLAN FUTURE LAND USE MAP

The Comprehensive Plan shows the area of the subject property as “Medium Density Residential”. This is defined on Page 21 of the Comprehensive Plan as: Includes all existing and future residential uses that are more than are more than three and a maximum of ten units net per acre (This classification generally corresponds to the current R-2 Residential District for residential uses other than single-family).

This area is under restudy by the Land Use Advisory Committee, and updates are forthcoming for adoption in the very near future. Staff anticipates that the subject area will remain Medium Density Residential. Consistency is achieved with the development patterns of this area.

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

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

- (a) Consistency of the proposal with the Comprehensive Plan
- (b) Consistency of the proposal with the purpose of the zoning ordinance.
- (c) Compatibility of the proposal with the zoning, uses and character of the surrounding area;
- (d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;
- (e) Extent to which approval of the proposed rezoning will detrimentally affect nearby property including, but not limited to, any impact on property value, traffic, drainage, visual, odor, noise, light, vibration, hours of use/operation and any restriction to the normal and customary use of the affected property;
- (f) Length of time the subject property has remained vacant as zoned, as well as its zoning at the time of purchase by the applicant; and
- (g) Impact of the proposed development on community facilities and services, including those related to utilities, streets, drainage, parks, open space, fire, police, and emergency medical services.



Findings:

The applicant has requested that the property be rezoned to RM-16 Multi-Family to allow for a maximum of 4 units on the subject tract. The minimum requirements for the RM-16 District are as follows: Min. Lot width: 80 ft. (subject site has 75 ft. width); Front yard setback= 25 ft.; Side yard setback: 15 ft.; Rear yard setback: 20 ft., and the minimum lot area per dwelling unit is 2,722 s.f.

Although the minimum lot width does not meet the requirement by 5 ft., Staff does not oppose the request, if and only if joint and cross access easements can be obtained from the neighboring ownership to the east to connect the drive and parking areas, with a single entry curb-cut. The said lot to the east has four units built on an even smaller tract of land. The developer must satisfy minimum standards required by the Stormwater/Drainage Ordinance and Regulations as required by the City Engineering Department.

Record of Proceedings- Metropolitan Area Planning Commission:

The Metropolitan Area Planning Commission held a Public Hearing on March 10, 2009 and offers the following record of proceedings and recommendation of approval:

Mr. George Hamman, of Civilogic presented the case of 921 Warner Avenue requesting a maximum of 4 units.

There was no opposition. City Planner, Otis Spriggs stated that the property is currently zoned R-2 multi-family and will permit 4-plexes, but the lot was shy of a few square feet. In fact the existing 4-plex to the east is on a smaller lot. Staff recommends approval as RM-16 L.U.O. with a maximum of 4 units subject to cross access easements with a property to the east. A motion was made by Mr. Lonnie Roberts Jr., seconded by Mr. Joe Tomlinson, that this Rezoning be Recommended to Council for approval. The motion CARRIED by a 5 to 0 vote; Roll Call: Mr. Tomlinson- Aye, Mr. Hoelscher- Aye; Ms. Norris- Aye; Mr. Dover- Aye; Mr. Roberts- Aye; Mr. Day, Absent; Mr. Halsey-Absent; Mr. Collins- Absent.

Conclusion:

The MAPC and the Planning Staff has reviewed the request and recommends approval to the Council with the stipulation that the cross access easements be established and recorded with the adjacent tract to the east for the access drive and parking lot layouts - a rezoning of the subject property from R-2 to RM-16 Multi-Family, L.U.O. with a maximum of 4 units.

Respectfully Submitted for Council Consideration,

Otis T. Spriggs, AICP
Planning Director

Site Photographs



View Looking South toward the site



View Looking West



View Looking East



View Looking North



View looking north at the surrounding multi-family units



City of Jonesboro

515 West Washington
Jonesboro, AR 72401

Text File

File Number: ORD-09:035

Introduced: 6/10/2009

Current Status: Second Reading

Version: 1

Matter Type: Ordinance

title

AN ORDINANCE AMENDING TITLE 14 THE ZONING ORDINANCE, TO REZONE FROM AG-1 TO RS-6, CERTAIN PROPERTY ON FLEMON ROAD

body

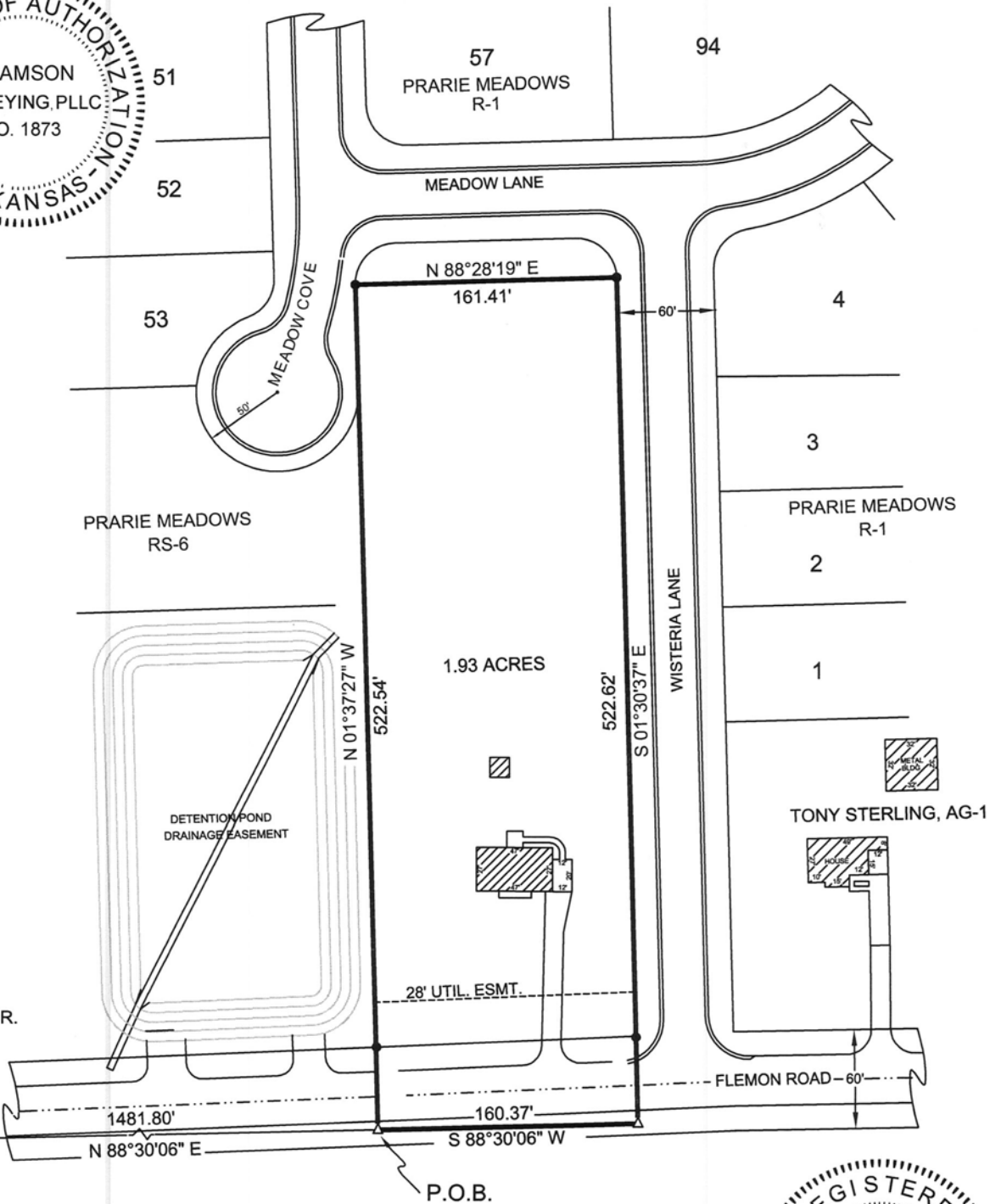
NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS

That Title 14, known as Zoning Ordinance, be and the same is hereby amended by the change in zoning district classification, from R-1 Residential to RS-6 Residential, for the following described property:

A PART OF THE SE ¼ OF THE NW ¼ OF SECTION 4, T13N-R3E, CRAIGHEAD COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCE AT THE WEST QUARTER CORNER OF SAID SECTION 4; THENCE N 88° 30' 06" E 1481.80 FEET TO THE POINT OF BEGINNING; THENCE N 01° 37' 27" W 522.54 FEET; THENCE N 88° 28' 19" E 161.41 FEET; THENCE S 01° 30' 37" E 522.62 FEET; THENCE S 88° 30' 06" W 160.37 FEET TO THE POINT OF BEGINNING, CONTAINING 1.93 ACRES, MORE OR LESS, AND SUBJECT TO STREET RIGHT-OF-WAY ACROSS THE SOUTH SIDE.

REQUEST TO REZONE AG-1 TO RS-6

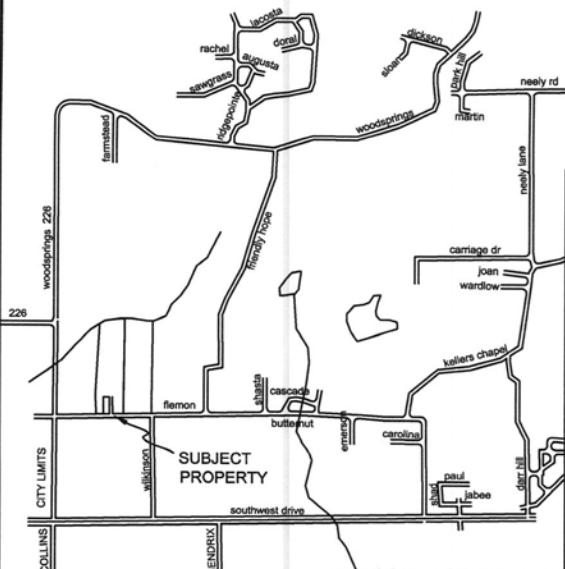
A PART OF THE SE 1/4 OF THE NW 1/4 OF SECTION 4, T13N-R3E, CRAIGHEAD COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCE AT THE WEST QUARTER CORNER OF SAID SECTION 4; THENCE N 88°30'06" E 1481.8 FEET TO THE POINT OF BEGINNING; THENCE N 01°37'27" W 522.54 FEET; THENCE N 88°28'19" E 161.41 FEET; THENCE S 01°30'37" E 522.62 FEET; THENCE S 88°30'06" W 160.37 FEET TO THE POINT OF BEGINNING, CONTAINING 1.93 ACRES, MORE OR LESS, AND SUBJECT TO A STREET RIGHT-OF-WAY ACROSS THE SOUTH SIDE.



WEST 1/4 COR. SECTION 4 T13N-R3E



VICINITY MAP



<h2>PLAT OF SURVEY</h2>		
CHAD & DUSTIN KING, 3700 FLEMON JONESBORO, ARKANSAS 72404		
ADAMSON LAND SURVEYING, 1504 BRANCHWOOD LANE, JONESBORO ARKANSAS, 72404 PH: 932-5900		PLAN SCALE: 1" = 100.00'
REVISION		
DATE:	05/01/2009	SHEET ONE OF ONE



City of Jonesboro City Council
Staff Report – RZ09-09: King Rezoning-3700 Flemon Rd.
Huntington Building - 900 W. Monroe
For Consideration by Council on June 16, 2009

REQUEST: A recommendation by MAPC to rezone property containing 1.93 acres more or less.

PURPOSE: To rezone a tract of land from AG-1 to RS-6 Single Family.

**APPLICANT/
OWNER:** Chad, Dustin & Jennifer King
3700 Flemon Rd., Jonesboro, AR 72401

LOCATION: The subject site is located at lots 1-5 including 3700 Flemon Rd.; on the West side of Flemon Rd. and Meadow Lane.

**SITE
DESCRIPTION:** Tract Size: 1.93 Acres
Frontage: Approx. 160.37 ft on Flemon Wisteria
Topography: Predominantly Flat
Existing Dvlpmt: Single Family Home/Agricultural

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	Prairie Meadow Subdivision	Residential/Timber Farming
South:	AG	Vacant Agricultural
East:	AG-1	Single Family
West:	RS-6 Detention Pond	Undeveloped/Residential

HISTORY: A previous petition for rezoning of the adjacent parcel to the north containing 27.22 acres more or less is on file (Case RZ 05-35). The requested change in Zoning from AG-1 and R-1 Single Family was approved under ORD 06:134 on May, 2, 2006 by Council.

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

COMPREHENSIVE PLAN FUTURE LAND USE MAP

The Comprehensive Plan shows the area of the subject property as “Village Residential”. This is defined on Page 21 of the Comprehensive Plan as: Includes all future single-family residential, two-family residential, multi-family residential and manufacturing housing residential uses that are four or more units net per acre and that are in specifically designated areas.

This area is under restudy by the Land Use Advisory Committee, and updates are forthcoming for adoption in the very near future. Staff anticipates that the subject area will remain single family

residential. Consistency is achieved with the development patterns of this area.

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

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

- (a) Consistency of the proposal with the Comprehensive Plan
- (b) Consistency of the proposal with the purpose of the zoning ordinance.
- (c) Compatibility of the proposal with the zoning, uses and character of the surrounding area;
- (d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;
- (e) Extent to which approval of the proposed rezoning will detrimentally affect nearby property including, but not limited to, any impact on property value, traffic, drainage, visual, odor, noise, light, vibration, hours of use/operation and any restriction to the normal and customary use of the affected property;
- (f) Length of time the subject property has remained vacant as zoned, as well as its zoning at the time of purchase by the applicant; and
- (g) Impact of the proposed development on community facilities and services, including those related to utilities, streets, drainage, parks, open space, fire, police, and emergency medical services.



MAPC RECORD OF PROCEEDINGS/RECOMMENDATION:

The MAPC held a public hearing on Tuesday, June 9, 2009 and offers the following record of proceedings and recommendation:

Applicant: Mr. Chad King stated that he is requesting a rezoning to build a house. He, his brother and wife inherited this land, and request that it be rezoned from AG-1 to RS-6. There is an existing home on the first lot. It is surrounded by Prairie Meadows Subdivision.

No Opponents were present.

Mr. Spriggs gave Staff comments about the area stating that it is developing as single family in the general project area. When Prairie Meadows came in for rezoning from AG-1, this tract along with the tract to the west was left out of the proposal, because the existing owners at that time did not sign on to that rezoning with that developer.

This area on the land use map is village residential and we anticipate that area will remain as residential and staff supports a rezoning to the R-6 single family classification. We provided you with the minimum standards for RS-6 and the plan would satisfy those standards; and it will be processed as a minor plat, by being five lots, fronting on a public street.

Mr. Tomlinson stated that it seems to be the only logical use of the property with what is adjacent to it. Is it the same density? Mr. Spriggs stated that the RS-6 requirement is 7, 260 s.f. while R-1 was 8,000 s.f. minimum. The driveway cuts will be off Wisteria Lane.

Mr. Halsey made a motion to approve the case; Mr. Roberts seconded the motion to recommend to City Council. Action: 7 to 0 vote, unanimous, all ayes.

Findings:

This particular site is requested to be rezoned to Single Family Residential Zoning to provide for consistency on the zoning mapping within in this general planning area. The subject site is directly adjacent to the Prairie Meadows Subdivision which was approved in 2006.

The minimum standards for RS-6 are as follows: Min. lot width= 65'; min. lot area= 7,260 s.f.; min. front yard se back=20 ft.; min. rear yard setback= 20ft.; min. side setback= 15' combined- 10 ft. on one side. The proposed rezoning plat shows compliance with the standards of the RS-6 regulations.

Conclusion

The MAPC and Planning Staff have reviewed the request and recommends approval to the Council - a rezoning of the subject property from AG-1 to RS-6 Single Family.

Respectfully Submitted for Council Consideration,

Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



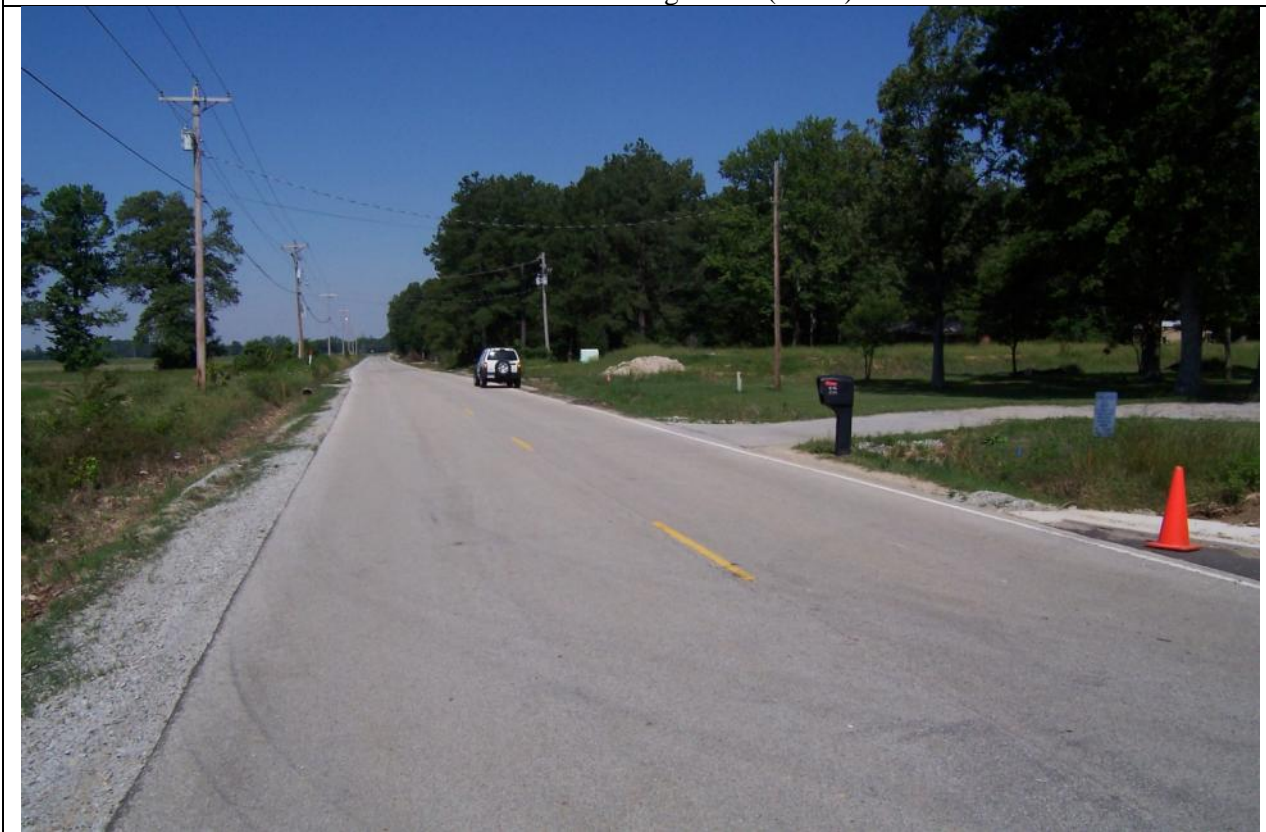
View Looking North



View looking at the lots (West)



View of street leading to lots (North)



View looking West



View looking South



View looking North



View looking East



View Looking South



View looking West



City of Jonesboro

515 West Washington
Jonesboro, AR 72401

Text File

File Number: ORD-09:039

Introduced: 6/11/2009

Current Status: Second Reading

Version: 1

Matter Type: Ordinance

title

AN ORDINANCE TO AMEND TITLE 14, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES;

body

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

SECTION 1: TITLE 14, 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, Limited Use Overlay, THE FOLLOWING DESCRIBED PROPERTY:

LEGAL DESCRIPTION:

A part of the Southeast Quarter of the Southeast Quarter of Section 35, Township 14 North, Range 3 East, being more particularly described as follows: Begin at the SE corner of aforesaid Section 35; thence North 1°40' East 798.06 feet to the point of beginning proper; thence North 69°11' West 84.88 feet to the Easterly right of way line of U.S. Hwy. #49; thence along said right of way line as follows: North 20°40' East 99.2 feet; North 20°40' East 99.2 feet; North 69°20' West 10.0 feet; North 20°40' East 27.0 feet; thence South 65°46' East 52.6 feet; thence South 1°40' West 130.35 feet to the point of beginning proper, containing 8,156 square feet, more or less.

Also,

Part of the SE¼ of the SE¼ of Section 35, Township 14 North, Range 3 East, being more particularly described as follows: Tract C: begin at the Southeast Corner of aforesaid Section 35; thence N 1°40" E 776.89' to the point of beginning proper; thence N 69°11" W 91.77' to the Easterly R/W line of U.S. Highway No. 49 thence N 20°40' E along said R/W line 20.00'; thence S 69°11" E 84.88'; thence S 1°40' W 21.17' to the point of beginning proper, containing 1766 square feet, more or less, subject to all rights of way and easements of record.

Also,

A part to the Southeast Quarter of the Southeast Quarter of Section 35, Township 14 North, Range 3 East, Craighead County, Arkansas, being more particularly described as follows: Begin at the Southeast Corner of aforesaid Section 35; thence North 01 degree 40'00" East 519.17 feet to the point of beginning proper; thence North 70 degree 26'20" West 183.21 feet to the Easterly right of way line of U.S. Highway No. 49; thence North 21 degrees 51'26" East 248.60 feet; thence South 69 degrees 19'01" East 93.66 feet; thence South 01 degree 40'00" West 259.10 feet to the point of beginning proper, Less and Except any part thereof that was deeded to Arkansas State Highway Commission, subject to all rights of way and easements of record.

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

This is a proposed Limited Use Overlay. The permitted uses are restricted to:

1. A final site plan shall be reviewed and approved by the MAPC prior to permit approval.
2. The existing structure shall be maintained in its current residential character, which is currently compatible with abutting residential home to the east.
3. Any outdoor storage yard/parking lots shall be fully screened with a privacy fence along the east boundary, to protect abutting residential.
4. Exterior lighting levels should be maintained at levels that do not spill-off to residential uses. (0-footcandles at residential property lines).
5. That off-premise advertisement signage be prohibited on the subject site.

OWNER'S CERTIFICATION:

We hereby certify that we are the owners of the property shown and described hereon, that we adopt the plan of subdivision and dedicate perpetual use of all streets and easements as noted.

LEGAL DESCRIPTIONS AS PROVIDED:

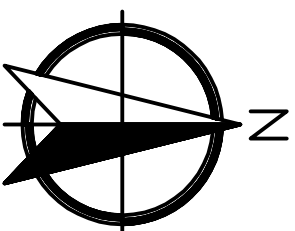
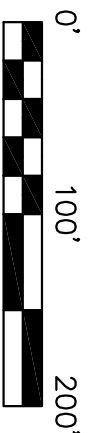
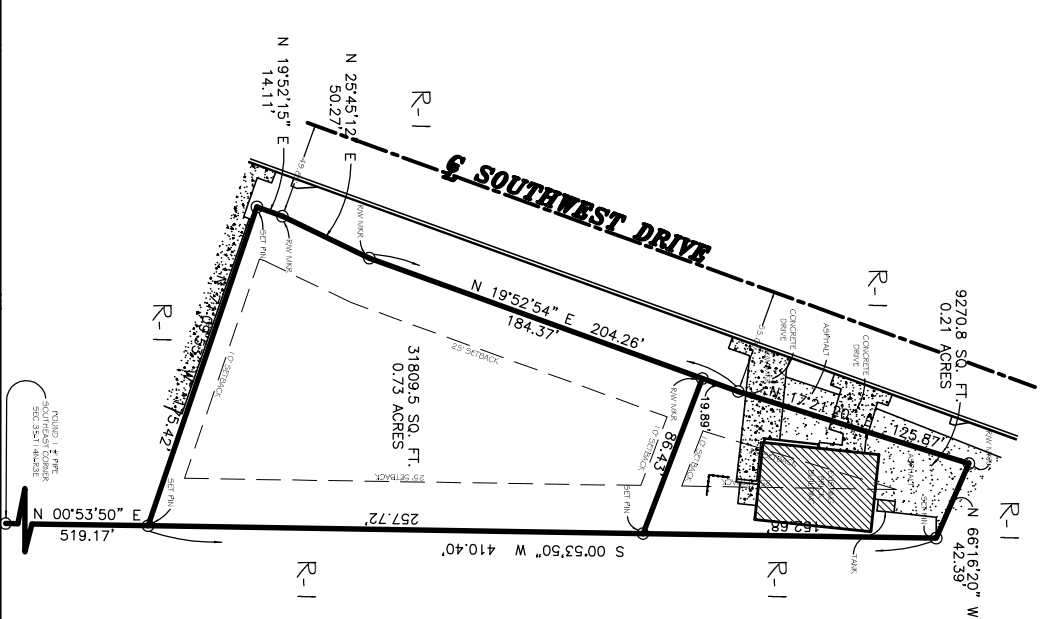
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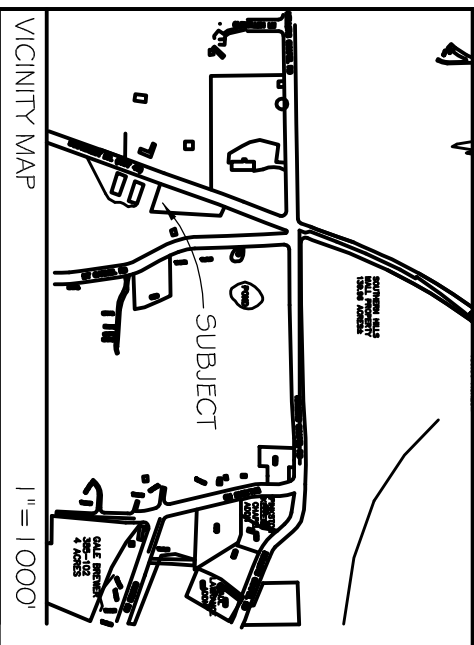
CERTIFICATE OF SURVEY:

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



NOTES

- 1) THIS SURVEY AND PLAT ARE THE PROPERTY OF THE SURVEYOR AND ARE INTENDED FOR THE SOLE USE AND BENEFIT OF THE SURVEYOR & CLIENT.
- 2) THIS SURVEY WAS COMPLETED USING A PENTAX PDS-2S AND HAS A CLOSURE PRECISION OF 1" IN 100,000" AND AN ANGULAR ERROR OF 000000" PER ANGLE, AND WAS NOT ADJUSTED.
- 3) THE CLOSURE PRECISION OF THE PLAT IS IN EXCESS OF 1" IN 200,000".
- 4) THE RESEARCH COMPLETED FOR THIS SURVEY INCLUDES LEGAL DESCRIPTION PROVIDED OUR OWN RESEARCH AT THE COURTHOUSE.
- 5) ALL PINS SET ARE ½" REBAR, UNLESS NOTED OTHERWISE.
- 6) OWNER: FIRE PROTECTION OF ARKANSAS
- 7) FLOOD PLAIN: THIS TRACT DOES NOT LIE WITHIN THE 100-YR FLOOD PLAN PER FLOOD INSURANCE RATE MAP OF CRAIGHEAD CO., ARK. AND INCORPORATED AREAS, COMMUNITY PANEL NO. 060301050 C, DATED 09/27/91. THIS TRACT DOES LIE WITHIN A ZONE X FLOOD PLAN, PER THE MAP REFERENCED ABOVE.



ENGINEERS PLANNERS SURVEYORS

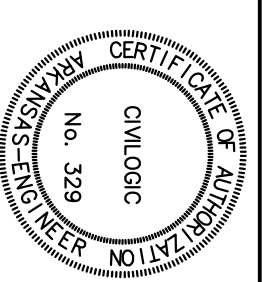
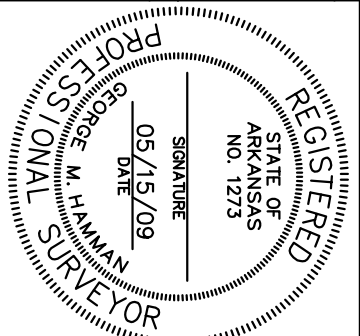


203 Southwest Dr. - Jonesboro, AR - (870)932-7880 - www.civilogic.net

REZONING REQUEST
R-1 TO C-3
FOR

FIRE PROTECTION OF ARKANSAS

Date	05-15-09	Scale	1" = 100'	Job No.	109057	Sheet No.	1 of 1
Section	35	Township	14N	Range	3E	County	CRAIGHEAD





City of Jonesboro City Council
Staff Report – RZ09-11: 4008 Southwest Drive Rezoning
Huntington Building - 900 W. Monroe
For Consideration by Council on June 16, 2009

REQUEST: A recommendation by MAPC to rezone property containing 1.04 acres more or less.

PURPOSE: To rezone a tract of land from R-1 to C-3, Limited Use Overlay District

**APPLICANT/
OWNER:** Fire Protection Service of Arkansas- C/o Rusty Bradley
4008 Southwest Drive, Jonesboro, AR

LOCATION: The subject site is located at 4008 Southwest Drive, South side of Southwest Drive.

**SITE
DESCRIPTION:** Tract Size: 1.04 acres, 45,000 S.F.
Frontage: Approx. 200' +/- ft. on Southwest Drive.
Topography: relatively leveled; sloped
Existing Dvlpmt: Vacant-undeveloped

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
	North: R-1	Existing Church
	South: R-1	Vacant Lot, Commercial
	East: R-1	Residential
	West: R-1	Former Knights of Columbus; temporary church

HISTORY: None

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

COMPREHENSIVE PLAN FUTURE LAND USE MAP

The Comprehensive Plan shows the area of the subject property as Village Residential.

This area is under restudy by the Land Use Advisory Committee, and updates are forthcoming for adoption in the very near future. Staff anticipates that the subject area will remain the same or of a residential nature.

MAPC Record of Proceedings/Recommendation:

The MAPC held a public hearing on this case and offers the following record of proceedings and recommendation:

Mr. George Hamman stated that he prepared the plat, and it is an existing brick building. It is currently zoned R-1 and we would like to rezone that parcel. Mr. Bradley owns the ¾ acre tract to the south, and would like to expand; he has the space there to do that.

Mr. Spriggs commented on the use being non-conforming and noted that he would support it being brought into compliance and into conformance to the zoning code with the C-3 Limited Use Overlay. We are recommending that the Planning Commission consider approval. The only precaution brought out in the staff report would be for the abutting residential piece, to the east of the property. Staff requested also that some care be taken to the lighting spill-off in terms of a condition and that billboards be prohibited because of proximity to residential uses. There is an existing billboard frame on the property and we are not sure if it will be utilized. Mr. Hamman stated that it will be removed.

Mr. Spriggs added that Staff has listed 5 possible conditions for approval: 1. That the final site plan would be reviewed by the planning commission prior to approval of the permits. 2. That the existing structure shall be maintained in its current residential character, which is currently compatible with the butting residential home to the east. 3. That any outdoor storage-yard, parking lots, etc. shall be fully screened with a privacy fence along the east boundary to protect the abutting residential. 4. Exterior lighting levels shall be maintained at levels that do not spill off to residential uses, which is the 0-footcandles at the residential property line, and 5. That off-premise advertising signage shall be prohibited on the subject site. These are just suggestions to be considered.

Mr. Tomlinson made the motion to recommend approval to City Council, with the five stipulations by the City planner. Ms. Norris 2nd the motion. Action: 7 to 0 vote, unanimous, all ayes.

Findings:

The applicant has requested that the property be rezoned to C-3 L.U.O. for office/storage. The current structure is currently a Non-conforming/grandfathered use within an existing R-1 Single Family Zoning District. Rezoning this tract will follow good land use principles if care and consideration for all abutting residential uses is adhered to.

The proposed use will be compatible with the existing and surrounding uses. With the limited use overlay, staff recommends that the MAPC place conditions that will protect surrounding single family uses. Lighting levels should be maintained at levels that do not spill-off to residential uses. (0-footcandles at residential property lines).

The current/subject property has a billboard sign framing on the premises that would lie within an existing R-1 Single Family District, if this property is not rezoned. Staff recommends, if at all possible that the structure be removed and that no off-premise advertisement be allowed on the premises, due to proximity to nearby residences.

Conclusion

The MAPC and the Planning Staff have reviewed the request and recommends approval of the rezoning to C-3 L.U.O., to the Council with the stipulations that:

1. A final site plan shall be reviewed and approved by the MAPC prior to permit approval.
2. The existing structure shall be maintained in its current residential character, which is currently compatible with abutting residential home to the east.
3. Any outdoor storage yard/parking lots shall be fully screened with a privacy fence along the east boundary, to protect abutting residential.
4. Exterior lighting levels should be maintained at levels that do not spill-off to residential uses. (0-footcandles at residential property lines).
5. That off-premise advertisement signage be prohibited on the subject site.

Respectfully Submitted for Council Consideration,

Otis T. Spriggs, AICP
Planning Director

Site Photographs



View looking Northeast



View looking Southwest across 49



View looking South at subject property



View looking South at subject property



View looking Northeast at subject property



View looking East at subject property



View looking East



View looking East



View looking East



View looking Southeast



View looking South



View looking North



View looking North at abutting property



View looking South at subject property



View looking South