

IN HOC, LLC

**PETITION FOR REZONING
CASE NO. RZ03-14**

**following recommendation
in favor of rezoning**

by

**METROPOLITAN AREA PLANNING
COMMISSION**

**Jim Lyons
Lyons, Emerson & Cone, PLC
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Jonesboro, AR 72403
(870) 972-5440**

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ORDINANCE NO. _____

AN ORDINANCE TO AMEND TITLE 14 KNOWN AS THE ZONING
ORDINANCE BY A CHANGE OF BOUNDARY IN A ZONING DISTRICT

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

Section 1: That Title 14 known as the Zoning Ordinance shall be amended by a
change in boundary of a Zoning District as follows:

The following described tract, which is zoned R-1 (Single Family
Medium Density) and the west 100 feet of said tract which is zoned C-3
(General Commercial District) shall all be rezoned to C-3 LU-O (General
Commercial District with a Limited Use Overlay). The tract to be
rezoned is described as follows:

A part of Lot 13 of Senter & Co.'s Addition to Jonesboro, Arkansas;
being more particularly described as follows: Beginning at a point on
the West right of way line of Wofford Street and the North right or way
line of State Highway 18 (Highland Drive); thence along said right of
way line as follows: S 88°50'19" W 275.88 feet; thence S 79°09'51" W 51.31
feet; thence S 88°31'07" W 23.89 feet; thence N 00°27'16" E 145.00 feet;
thence N 89°50'35" E 349.99 feet to the West right of way line of Wofford
Street; thence S 00°27'30" W along said right of way 130.10 feet to the
point of beginning, containing 1.08 acres (47,029.17 SF) more or less,
subject to all rights of ways and easements of record.

Section 2: That the LU-O District in Section 1 shall limit the use of the tract
(property) described in Section 1 as follows:

- (a) The ground coverage of the building is limited to a maximum of 20% of
the lot area; and
- (b) The uses of the property are limited to a retail service, professional office
space, medical office space, office general, bank or financial institution
or automated teller machine.

Section 3: The plans necessary for development of the site shall be submitted to the City Planner for approval.

PASSED and APPROVED this _____ day of _____, 2003.

Hubert Brodell, Mayor

ATTEST:

Donna Jackson, City Clerk

in.hoc.ordinance2\JL



CITY OF JONESBORO

MINUTES METROPOLITAN AREA PLANNING COMMISSION MAY 13, 2003

MEMBERS PRESENT: Beadles, Krennerich, Vance, Moore, G. Johnson, Gott, Day, Damron, M. Johnson

MEMBERS ABSENT: None

The minutes of the April 15, 2003 meeting were approved with correction of some typographical errors on a motion by Day, second by Krennerich and unanimous vote.

#1 RZ03-13 J. T. Barr requests approval of rezoning from the Residential R-1, Single-Family Medium Density District to the Residential R-2, Multi-Family Low Density District for Lot 3 of Key's Replat of Lot 6 of Pine Hills Subdivision. The address of the property is 923 & 925 E. Craighead Forest Road and the general location of the property is on the south side of E. Craighead Forest Road, approximately 1,000 feet west of Harrisburg Road.

A motion by Mr. Krennerich and second by Mr. Damron to disapprove the request was withdrawn prior to voting.

WITHDRAWN BY CARLOS WOOD, PROJECT

#2 RZ03-14 Bryan Wagner, Mike Power, Chris Barre', Jim Abel, and Mark McNabb requests approval of rezoning from the Residential R-1, Single-Family Medium Density District and the C-3, General Commercial District to the to the C-3, LU-O, Limited Use Overlay District for a part of Lot 13 of Senter & Company's Addition containing 1.08 acres. The general location of the property is on the northwest corner of Highland Drive and Wofford Street.

Bryan Wagner, representing the group, stated that they had studied the ordinances and the Jonesboro Land Use Plan in addition to visiting with several developers and planning commissioners and that the general feeling was that this property should be some type of commercial. This request is reduced in size from the previous request and includes only the property on the northwest corner of the intersection of Highland and Wofford. Commercial retail seems to be the most logical use and they are currently under contract with a retail establishment. There are in excess of 20,000 vehicles per day on Highland Drive according to AHTD records. Mr. Wagner stated that he and his partners will cooperate in every way with the city and state to make this intersection as safe as possible.

MAPC MINUTES

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Item #2 cont... The proposal will not be detrimental to the Crowley Ridge Scenic Byway designation and should not jeopardize its status. There are manufacturing plants located along the Byway now. This proposal will be an asset to Jonesboro and will allow for more orderly growth and should have a positive impact on an older area. Mr. Wagner proposed limiting the uses of the property to a retail service, professional office space, medical office space, office general, bank or financial institution, or automated teller machine.

Skip Mooney, Sr., representing several owners in the area, spoke in opposition to the request. Approximately 40 people stood in opposition to the rezoning request. Mr. Mooney contended that the property could be used for residential property, maybe not as R-1 but most certainly residential development could be done there. This location is located on one of the nicest entrances to Jonesboro with many stately homes and long time residents. Property devaluation was also noted as a concern for the residential property owners. Through several attempts the MAPC has said they would not extend the commercial property any further than it currently exists. Fear was also expressed that if this corner property were to be rezoned commercial that it would open Highland Drive up for further rezoning. It would be near impossible to stop the southwest corner of Highland and Harrisburg or any adjacent property from being rezoned. Consistency has to be established. Safety issues are very important to residents in the area and the extreme traffic problems that exist here along with additional development without some traffic improvements will only compound the problems. It will also eliminate the possibility of rerouting any of the streets through here because it would be too costly to condemn a commercial structure. There are six churches in the immediate area, and the Catholic Church is going to be building soon on Highland, and there are schools in close proximity. To put commercialization on this corner is going to create so much more of a problem for these people who have to use these roads. Noise pollution, drainage and littering go with commercialization of any property and that will also go with this property.

Dr. Ruth Hawkins, speaking on behalf of the Crowley's Ridge Scenic Byway, stated that this property is located on the byway which is a national scenic byway. While being a national scenic byway does not preclude development, it does assume that when so designated that your community will hold that byway route to a higher standard when making decisions about changes along the route. While they don't prohibit development or changes in zoning after a byway is established, the alternate consequences could be that if we made enough of those changes ultimately we could be de-designated and lose the byway status. The Jonesboro City Council has gone on record twice in support of this being a byway, once in 1987 and again in 1998 when the route was changed to divert it around some commercial areas because they did not want to interfere with development there. The economic benefits along the byway for the last four years have totaled six million in funds, of which two million was a direct benefit to Jonesboro. The impact on Jonesboro is great and the designation is important to the area and Dr. Hawkins encouraged the MAPC to maybe apply a higher standard when evaluating rezoning issues along the byway.

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Item #2 cont.. Some other area residents spoke in opposition citing traffic on the side streets as being terrible with people trying to avoid Highland Drive. Exiting one's driveway is as bad as trying to turn onto Highland Drive. Concern was expressed that there are families with children in the area and the rezoning for commercial businesses on this corner will cause serious traffic and safety issues which the residents do not believe can be well regulated even with improvements in this part of town. Objections were also raised to the closing of Wofford Street.

Richard Carvell, representing the community organization called RON (Respect Our Neighborhoods) stated they were concerned about the precedent that this would set if rezoned. Mr. Carvell asked that the MAPC respect the integrity of residential property as they consider this request. RON is opposed to this request.

Glenn Batten, City Planner, stated this was not an easy case to evaluate. There are several concerns about this site. Mr. Batten reminded the MAPC of the MATA plan to extend Harrisburg Road over to Church Street. This proposal is still on the board according to Aubrey Scott, MATA Director, but nothing has been done to obtain the right of way or build the street. Something needs to be done to address this problem intersection. Additional pressure could be applied to rezone the property on the east side of Wofford if this is approved as well as property on the south side of Highland. It is unlikely that single family residences on this property and perhaps not even duplexes or triplexes or fourplexes. It might be used for a public use or an institution. The site is too small for a church or industrial use. Practically anything that is built there is going to generate traffic. The Land Use Plan draws the line for commercial use where the existing commercial uses are now which is probably a mistake. If the line could be drawn at Wofford Street with some way of holding that line and avoiding any future extension of commercial beyond Wofford then go ahead and rezone for low intensity, very limited commercial uses on this site.

Commissioner George Krennerich stated that he felt there was no other use for this property other than small commercial. Neighborhood office or neighborhood commercial is about all that this lot could be used for. This lot will never be developed as an R-1, single family home. As far as pressure to rezone other properties to the south and east, Mr. Krennerich said the potential was there to develop both of the tracts but the size and location of this lot limits its use to something that is a small, light impact, commercial use.

Mr. Krennerich made a motion to recommend approval of the rezoning to the City Council with the following stipulations:

1. The ground coverage of the building is limited to a maximum of 20% of the lot area.
2. The uses of the property are limited to a retail service, professional office space, medical office space, office general, bank or financial institution, or automated teller machine.

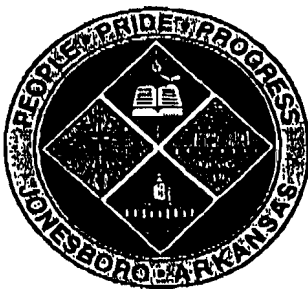
MAPC MINUTES

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Item #2 cont...

3. Submission of the site development plans to the City Planner for approval.

The motion was seconded by Mr. M. Johnson. Voting was 7 in favor, 0 opposed. Those voting aye were Vance, Damron, Gott, Moore, Krennerich, G. Johnson, Day. Those voting no were M. Johnson. **MOTION CARRIED, REQUEST APPROVED WITH STIPULATIONS.**



DEPARTMENT OF PLANNING, INSPECTION, AND CODE ENFORCEMENT

REPORT ON REZONING CASE NO. RZ03-14

(This is a revision of Case No. RZ03-09)

DATE: Friday, May 09, 2003

TO: Metropolitan Area Planning Commission

FROM: Glenn Batten, AICP
City Planner

SUBJECT: Highland Drive at Wofford Street
Property of INHOC, LLC

CASE FACTS

Hearing Date: May 13, 2003

Property Identification: Northwest corner of Highland Drive and Wofford Street
Part of Lot 13 of Senter & Company's Addition

Property Owner(s) of Record: INHOC, LLC (Bryan Wagner, Mike Power, Chris Barre', Jim Abel,
and Mark McNabb).

Applicant: INHOC, LLC

Surveyor/Engineer: Haywood, Kenward, Bare & Associates

Action Requested: Approval of rezoning from the R-1, Single-Family Medium Density
District and the C-3, General Commercial District to the C-3, LU-O,
Limited Use Overlay District

Notification of Public Hearing: Signs notifying the public of a hearing on the proposed rezoning were
properly placed when field checked on May 6, 2003. A legal notice
of the public hearing was published in *The Jonesboro Sun*.

Land Use Plan Designation: *The Future Land Use Plan*, an element of the Jonesboro
Comprehensive Plan designates the subject property for "Medium
Density Residential Use."

Land Area of Site: 1.08 acres (47,044.8 square feet).

Current Use: Vacant

Site Characteristics: Level and grass covered.

Street Characteristics: Highland Drive is a major street with 4 travel lanes and a center turn lane. Wofford Street is a narrow residential street suitable only for carrying local traffic. The Wofford and Highland is offset from the intersection of Harrisburg Rd. and Highland. awkward and potentially dangerous traffic conflict point.

Suitability of Site for Proposed Uses: The topography of Tract 1 is suitable for many commercial uses, but its overall size, particularly its 130 to 145-foot depth is a limiting factor.

Existing Utilities: The site is served by all public utilities.

Character of Adjacent Property:	Land Use	Zoning
North	Vacant lot immediately adjacent then single-family residences.	R-1
South	Single-family residence and a church	R-1
East	Single-family residence on large parcel of land	R-1
West	Office and retail commercial	C-3

FINDINGS

Based on a review and analysis of the case facts as related to the "Criteria for Rezoning Approval" set forth in Section 14.44.05 (b) 5 of the Jonesboro Zoning Ordinance (see page 105), the following findings are made.

1. The proposed rezoning is not consistent with the *Future Land Use Plan* for Jonesboro. This plan shows commercial uses terminating at Church Street with medium density residential continuing from this point eastward. In reality, commercial uses already extent eastward from Church Street to meet the vacant lot that is the subject of this rezoning petition.
2. Thought has been given to an array of alternative uses for this property. It is unlikely that the parcel is marketable for single-family residential as over two-thirds of the lot is presently zoned. It is too small to allow the construction of a viable multi-family residential development. It is too small for a church or other type of institutional use. It is too small and an inappropriate location as an industrial site. The only type of use that does seem to make sense is a lower intensity retail commercial use or office use.
3. From a land use standpoint, Wofford Street appears to be a good place to stop the eastward spread of commercial development along Highland Drive. A step-down to lower intensity retail commercial uses and offices seem appropriate on the subject parcel. A dividing line between commercial and residential uses along Highland Drive must be clearly drawn. Continuation of commercial east of Wofford (unless it is done as a very tight commercial node) will set a precedent for further commercial development along Highland. It would be virtually impossible to stop or reverse this trend. The appearance of one of the more attractive streets in Jonesboro would be destroyed.

- 4. It should be made clear that future rezoning of land east of Wofford Rezoning as proposed would set an irreversible precedent for further commercial development along Highland Drive. It would be virtually impossible to reverse the trend. One of the more attractive street sections in Jonesboro would be destroyed.
- 5. It is likely there will be pressure in the future to rezone the property on the southwest corner of Highland Drive and Harrisburg Drive (directly across Highland from the subject property) from residential to commercial
- 6. This is a Limited Use Overlay case. However, the list of permitted uses is too broad and would allow certain uses that would be detrimental and produce negative environmental impacts on the surrounding neighborhood.
- 7. Highland Drive has been recently improved to become a 5-lane arterial. However, there is no evidence to conclude that this improvement constitutes a change warranting a rezoning. St. Bernard's Village shows that a well designed and executed higher density residential development can be an attractive neighbor to single-family residences.

OPINION


In my opinion the proposed rezoning is justified only if the list of permitted uses is pared down to retail and service commercial, professional offices, and general offices.

NOTATION FOR THE RECORD


If this rezoning is approved, there are two issues to be considered in preparing a Site Development Plan:

- 1. Eliminating the traffic problem at Wofford and Highland; and,
- 2. Maintaining access to the property immediately north of the subject property.

This suggestion is not a stipulation of rezoning.



 Glenn Batten, AICP
 City Planner



 Date

SUMMARY REGARDING ACCIDENT STATISTICS

Beginning on page 13, you will find the Accident Statistics for the five year period beginning May 29, 1998 through May 29, 2003 for the intersection of Highland Drive and Highway 1 (Harrisburg Road) in Jonesboro. On the next five pages (pages 14 through 18), you will find the accident statistics for each year of the five year period for this location. Finally, on page 19, you will find the Accident Statistics for the intersection of Wofford and Highland Drive for the same five year period. As the number of accidents at the intersection of Wofford and Highland is so small (only 3 accidents), it is not reviewed in this summary.

A quick review of this information shows that during the five year period covered, there were 63 accidents at the intersection of Highland Drive and Highway 1 (Harrisburg Road) which is, obviously, an average of 1.05 accidents per month. Further, when this is reviewed in light of the traffic count (provided on page 10), it can be seen that this intersection is not a dangerous intersection. The traffic count information provided by the Arkansas Highway and Transportation Department shows that approximately 20,000 vehicles per day pass a point on Highland just west of the intersection of Highland and Highway 1. This also shows that approximately 18,000 vehicles per day pass a point on Highland just east of the intersection of Highland and Highway 1. Finally, this information shows that approximately 9,900 vehicles per day pass a point on Highway 1 south of the intersection of Highland and Highway 1. As traffic counts are normally not taken at intersections, it is impossible to determine the number of vehicles which actually pass through this intersection.

However, it can easily be seen that no fewer than 297,000 vehicles pass through this intersection per month (9,900 per day times 30 days = 297,000). Using the higher number, it could be as many as 600,000 vehicles (or more) pass through this intersection in a month (20,000 per day times 30 days = 600,000).

Certainly, with this amount of traffic and the small number of accidents, it is clear that this is not a dangerous intersection. To the contrary, it is a safe intersection. Additionally, when the information regarding the severity of the accidents is also reviewed, it is clear that this intersection is very safe.

The severity codes on page 12 and on the pages for the one year periods show that of the 63 accidents, there were 41 accidents that were property damage only. Further, there were 18 accidents where there was no visible injury, but complaints of pain. Of the remaining 4 accidents, there were no fatalities and only 1 accident where someone suffered an injury that required that they be carried from the scene. The remaining 3 accidents had some "other visible injury".

Obviously, everyone would prefer that no accidents occur. However, in light of the number of vehicles which travel on Highland and Highway 1, the number of accidents and their severity, this certainly appears to be a very safe intersection. Clearly, the claim that this intersection is a dangerous one is simply incorrect.

ACCIDENT STATISTICS
HIGHLAND -- HARRISBURG
05/29/1998 -- 05/29/2003

1

<u>SEVERITY</u>	<u>DAILY</u>	<u>MONTHLY</u>	<u>SHIFT 1</u>	<u>SHIFT 2</u>	<u>SHIFT 3</u>
SV 1 = 0	SUN = 3	JAN = 5	0700 = 4	1500 = 4	2300 = 0
SV 2 = 1	MON = 16	FEB = 4	0800 = 4	1600 = 4	0000 = 0
SV 3 = 3	TUE = 8	MAR = 8	0900 = 4	1700 = 6	0100 = 0
SV 4 = 18	WED = 6	APR = 6	1000 = 2	1800 = 1	0200 = 0
SV 5 = 41	THR = 11	MAY = 7	1100 = 6	1900 = 3	0300 = 0
	FRI = 14	JUN = 2	1200 = 7	2000 = 1	0400 = 0
	SAT = 5	JUL = 3	1300 = 6	2100 = 2	0500 = 0
	UNK = 0	AUG = 5	1400 = 5	2200 = 2	0600 = 2
		SEP = 4	Shift = 38	Shift = 23	Shift = 2
		OCT = 3			
		NOV = 6			
		DEC = 10			
			TOTAL ACCIDENTS		63
			TOTAL DAMAGE		\$265,950.00

SEVERITY CODES

- SV 1 = Fatal Injury
- SV 2 = Distorted Member or Carried From Scene
- SV 3 = Other Visible Injury
- SV 4 = No Visible Injury but, Complaints of Pain
- SV 5 = Property Damage Only

ACCIDENT STATISTICS
HIGHLAND -- HARRISBURG
05/29/2002 -- 05/29/2003

1

<u>SEVERITY</u>	<u>DAILY</u>	<u>MONTHLY</u>	<u>SHIFT 1</u>	<u>SHIFT 2</u>	<u>SHIFT 3</u>
SV 1 = 0	SUN = 0	JAN = 2	0700 = 1	1500 = 2	2300 = 0
SV 2 = 0	MON = 8	FEB = 3	0800 = 1	1600 = 3	0000 = 0
SV 3 = 1	TUE = 3	MAR = 1	0900 = 0	1700 = 1	0100 = 0
SV 4 = 6	WED = 3	APR = 2	1000 = 0	1800 = 1	0200 = 0
SV 5 = 12	THR = 3	MAY = 2	1100 = 1	1900 = 1	0300 = 0
	FRI = 1	JUN = 0	1200 = 2	2000 = 0	0400 = 0
	SAT = 1	JUL = 1	1300 = 2	2100 = 1	0500 = 0
	UNK = 0	AUG = 0	1400 = 2	2200 = 0	0600 = 1
		SEP = 1	Shift = 9	Shift = 9	Shift = 1
		OCT = 2			
		NOV = 1			
		DEC = 4			
			TOTAL ACCIDENTS		19
			TOTAL DAMAGE		\$82,500.00

SEVERITY CODES

- SV 1 = Fatal Injury
- SV 2 = Distorted Member or Carried From Scene
- SV 3 = Other Visible Injury
- SV 4 = No Visible Injury but, Complaints of Pain
- SV 5 = Property Damage Only

ACCIDENT STATISTICS
HIGHLAND -- HARRISBURG
05/29/2001 -- 05/29/2002

1

<u>SEVERITY</u>	<u>DAILY</u>	<u>MONTHLY</u>	<u>SHIFT 1</u>	<u>SHIFT 2</u>	<u>SHIFT 3</u>
SV 1 = 0	SUN = 1	JAN = 1	0700 = 0	1500 = 0	2300 = 0
SV 2 = 0	MON = 1	FEB = 0	0800 = 0	1600 = 0	0000 = 0
SV 3 = 1	TUE = 0	MAR = 1	0900 = 1	1700 = 0	0100 = 0
SV 4 = 1	WED = 1	APR = 0	1000 = 0	1800 = 0	0200 = 0
SV 5 = 5	THR = 1	MAY = 1	1100 = 1	1900 = 1	0300 = 0
	FRI = 2	JUN = 0	1200 = 0	2000 = 0	0400 = 0
	SAT = 1	JUL = 1	1300 = 1	2100 = 1	0500 = 0
	UNK = 0	AUG = 0	1400 = 0	2200 = 1	0600 = 1
		SEP = 0	Shift = 3	Shift = 3	Shift = 1
		OCT = 0			
		NOV = 2			
		DEC = 1			
			TOTAL ACCIDENTS		7
			TOTAL DAMAGE		\$27,050.00

SEVERITY CODES

- SV 1 = Fatal Injury
- SV 2 = Distorted Member or Carried From Scene
- SV 3 = Other Visible Injury
- SV 4 = No Visible Injury but, Complaints of Pain
- SV 5 = Property Damage Only

ACCIDENT STATISTICS
HIGHLAND -- HARRISBURG
05/29/2000 -- 05/29/2001

1

<u>SEVERITY</u>	<u>DAILY</u>	<u>MONTHLY</u>	<u>SHIFT 1</u>	<u>SHIFT 2</u>	<u>SHIFT 3</u>
SV 1 = 0	SUN = 1	JAN = 0	0700 = 2	1500 = 0	2300 = 0
SV 2 = 0	MON = 1	FEB = 0	0800 = 2	1600 = 0	0000 = 0
SV 3 = 0	TUE = 2	MAR = 2	0900 = 0	1700 = 3	0100 = 0
SV 4 = 4	WED = 1	APR = 1	1000 = 1	1800 = 0	0200 = 0
SV 5 = 9	THR = 4	MAY = 1	1100 = 0	1900 = 0	0300 = 0
	FRI = 2	JUN = 1	1200 = 1	2000 = 1	0400 = 0
	SAT = 2	JUL = 1	1300 = 2	2100 = 0	0500 = 0
	UNK = 0	AUG = 1	1400 = 0	2200 = 1	0600 = 0
		SEP = 2	Shift = 8	Shift = 5	Shift = 0
		OCT = 1			
		NOV = 1			
		DEC = 2			
			TOTAL ACCIDENTS		13
			TOTAL DAMAGE		\$63,850.00

SEVERITY CODES

- SV 1 = Fatal Injury
- SV 2 = Distorted Member or Carried From Scene
- SV 3 = Other Visible Injury
- SV 4 = No Visible Injury but, Complaints of Pain
- SV 5 = Property Damage Only

ACCIDENT STATISTICS
HIGHLAND -- HARRISBURG
05/29/1999 -- 05/29/2000

1

<u>SEVERITY</u>	<u>DAILY</u>	<u>MONTHLY</u>	<u>SHIFT 1</u>	<u>SHIFT 2</u>	<u>SHIFT 3</u>
SV 1 = 0	SUN = 1	JAN = 2	0700 = 1	1500 = 1	2300 = 0
SV 2 = 0	MON = 2	FEB = 0	0800 = 1	1600 = 1	0000 = 0
SV 3 = 0	TUE = 3	MAR = 4	0900 = 2	1700 = 1	0100 = 0
SV 4 = 6	WED = 1	APR = 2	1000 = 1	1800 = 0	0200 = 0
SV 5 = 9	THR = 1	MAY = 2	1100 = 3	1900 = 1	0300 = 0
	FRI = 7	JUN = 1	1200 = 2	2000 = 0	0400 = 0
	SAT = 0	JUL = 0	1300 = 0	2100 = 0	0500 = 0
	UNK = 0	AUG = 2	1400 = 1	2200 = 0	0600 = 0
		SEP = 0	Shift = 11	Shift = 4	Shift = 0
		OCT = 0			
		NOV = 2			
		DEC = 0			
			TOTAL ACCIDENTS		15
			TOTAL DAMAGE		\$46,100.00

SEVERITY CODES

- SV 1 = Fatal Injury
- SV 2 = Distorted Member or Carried From Scene
- SV 3 = Other Visible Injury
- SV 4 = No Visible Injury but, Complaints of Pain
- SV 5 = Property Damage Only

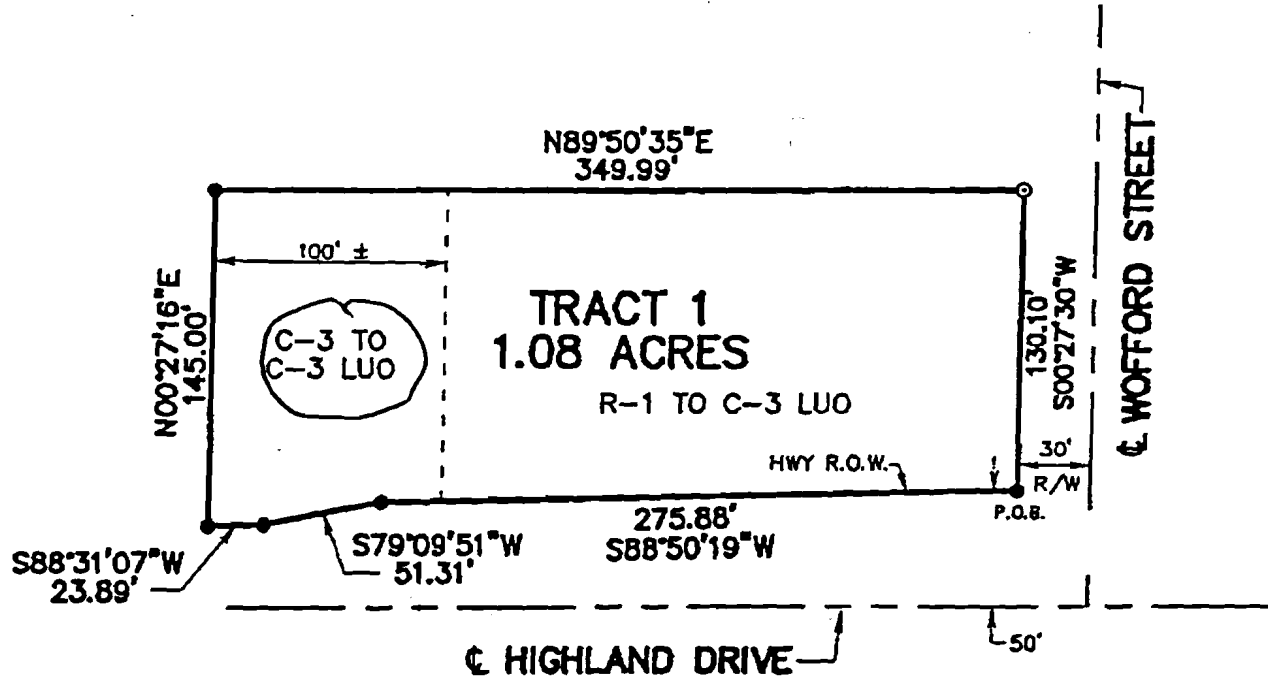
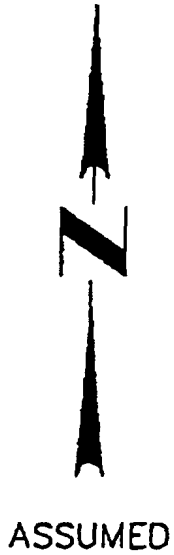
ACCIDENT STATISTICS
HIGHLAND -- HARRISBURG
05/29/1998 -- 05/29/1999

1

<u>SEVERITY</u>	<u>DAILY</u>	<u>MONTHLY</u>	<u>SHIFT 1</u>	<u>SHIFT 2</u>	<u>SHIFT 3</u>
SV 1 = 0	SUN = 0	JAN = 0	0700 = 0	1500 = 1	2300 = 0
SV 2 = 1	MON = 4	FEB = 1	0800 = 0	1600 = 0	0000 = 0
SV 3 = 1	TUE = 0	MAR = 0	0900 = 1	1700 = 1	0100 = 0
SV 4 = 1	WED = 0	APR = 1	1000 = 0	1800 = 0	0200 = 0
SV 5 = 6	THR = 2	MAY = 1	1100 = 1	1900 = 0	0300 = 0
	FRI = 2	JUN = 0	1200 = 2	2000 = 0	0400 = 0
	SAT = 1	JUL = 0	1300 = 1	2100 = 0	0500 = 0
	UNK = 0	AUG = 2	1400 = 2	2200 = 0	0600 = 0
		SEP = 1	Shift = 7	Shift = 2	Shift = 0
		OCT = 0			
		NOV = 0			
		DEC = 3			
			TOTAL ACCIDENTS		9
			TOTAL DAMAGE		\$46,450.00

SEVERITY CODES

- SV 1 = Fatal Injury
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MAJOR THOROUGHFARE SYSTEM

Operations. Jonesboro is served by a combination of federal, state and local thoroughfares that are interlinked in creating a regional and intercity system. Most northwest-southeast regional access is provided by U.S. Hwy. 63 which connects with Interstate 55 in route to Memphis and the Southeast. Most northeast-southwest regional access is provided by U.S. Hwy. 49, linking Jonesboro to Little Rock to the south via Interstate 40 and St. Louis to the north via Interstate 55.

Intercity north-south connections are provided through Stadium Blvd, Caraway Road and the combination of Church Street, Main Street and Southwest Drive. U.S. Hwy. 63 is the major east-west corridor serving the southern half of the City. Other east-west corridors are Nettleton Avenue, Matthews Avenue, Highland Drive and Washington Street. Johnson Avenue serves the northern half of the urban area on a limited basis.

Facilities Classification. Facilities are classified into five types based on capacity and access. The following is a description of each type:

Limited Access. Limited Access streets are high speed, multi-lane facilities with a high degree of access control. These facilities serve the major centers of activity of the urban area and are designed for the longest trips by being well integrated with the arterial streets serving the area. They should provide a high level of traffic service for travellers who do not have local destinations and may bypass the urban area.

Major Arterial. Major arterial streets connect controlled access highways, rural highways to the edge of the urban area and major urban activity centers within the urban area. Traffic is composed predominantly of traffic across or through the urban area. Access may be controlled by use of medians, limitation of curb cuts or by directing access for new developments in intersecting cross-streets.

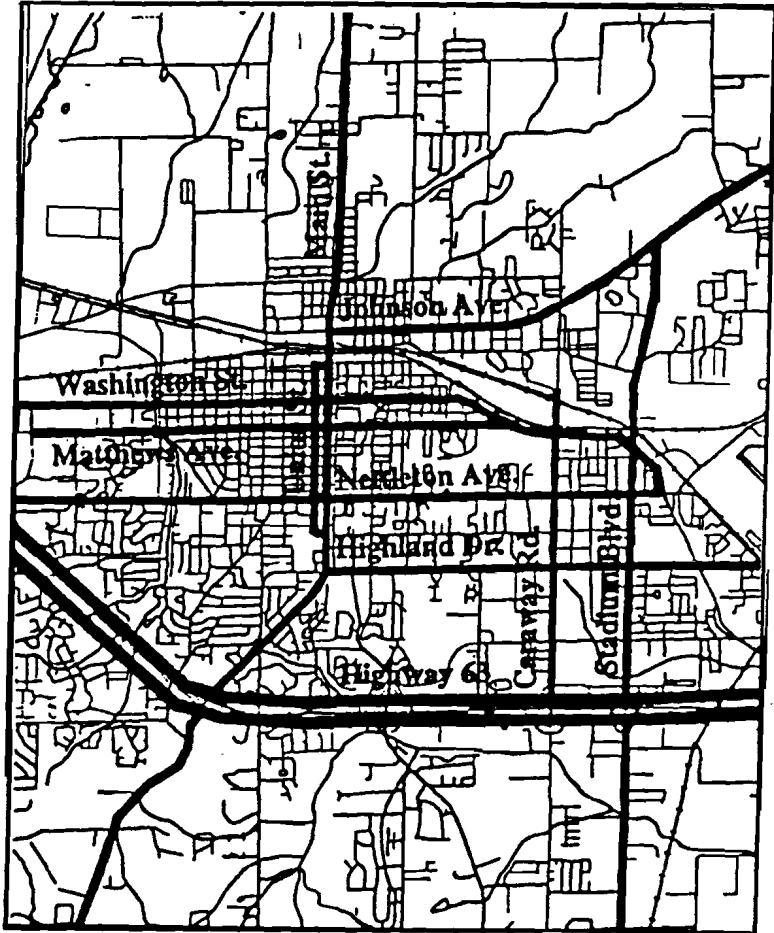


Figure 6
Existing Limited Access and Arterial
Thoroughfares Within the Urban Area

Minor Arterial. Minor arterial streets connect higher functional class facilities, activity centers, regions of the area and major county roads at the edge of the urban area. Traffic is composed predominantly of trips across and within sectors of the urban area and, ideally, does not penetrate residential areas.

Collector. Collector streets provide circulation within neighborhoods, commercial and industrial areas. They collect traffic from local streets in neighborhoods and channel it into the arterial system. Connections between arterials should be indirect or should not be allowed in order to discourage use by traffic from outside the neighborhood.

Local. Local streets provide for the lowest level of traffic flow and service. They provide access to abutting land uses and provide connections to higher order systems. Local streets are not intended to provide for through traffic movements.

Level of Service. In order to convert design criteria (volume to capacity ratios, travel speeds) to a qualitative evaluation of traffic operations as perceived by the roadway user, level of service (LOS) standards are established. These standards measure the operating efficiency of each roadway or segment thereof. LOS is designated by a letter rating system in which "A" is the most desirable and "F" is the least desirable. The description of traffic operations occurring for each LOS are identified in the following.

- Level of Service "A" describes a condition of free flow, with low volumes and high speeds. Traffic density is low, with speeds controlled by drivers' desire, speed limits and physical roadway conditions. There is little or no restriction in maneuverability due to the presence of other vehicles, and drivers can maintain their desired speeds with little or no delay. For freeway facilities, traffic volumes are less than 35 percent of the roadway capacity and speeds are unrestricted other than by law.

Table 7
EXISTING MAJOR THOROUGHFARES CLASSIFICATION
City of Jonesboro/Unincorporated Planning Area
1995

Limited Access	Highway 63 B	Flint St.
Highway 63	Johnson Ave. (63 Bus)	Friendly Hope Rd.
Major Arterial	Magnolia Rd.	Heath Ln.
Caraway Rd. N.	Marshall St.	Industrial Dr.
Church St.	Nettleton Cir.	Kathleen St.
Hasbrook Rd.	Race St.	Kellers Chapel Rd.
Highland Dr.	Richardson Dr.	Kitchen St.
Highway 49	Robinson St.	Maple Valley Dr.
Matthews Ave.	Thomas Green Rd.	Metzler Ln.
Nettleton Ave.	Windover Rd.	Moore Rd.
Southwest Dr.	Collector	Neely Ln.
Stadium Blvd.	Airport Rd.	Neely Rd.
Washington Ave.	BP Way	Old Greensboro Rd.
Minor Arterial	Bridge St.	Pacific Rd.
Aggie Rd.	Cafe Ave.	Patrick St.
Arrowhead Farm Dr.	Carriage Dr.	Paragould Dr.
APT Dr.	Carson St.	Peachtree Ave.
Caraway Rd. S	Casey Springs Rd.	Pleasant Grove Rd.
Commerce Dr.	Cook Rd	Pleasant View Rd.
CW Post Rd.	Craighead Forrest Rd.	Prospect Rd.
Dan Ave.	Creath Ave.	Rains St.
Gee St.	Culberhouse St.	Rogers Chapel Rd.
Harrisburg Rd.	Deer Lake Rd.	Strawfloor Dr.
Highway 1 B	Duncan Rd.	Willett Rd.
	Easley Ln.	Winchester Dr.
		Wood Spring Rd.
		Wood St.

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THIS INSTRUMENT PREPARED BY: J. ROBIN NIX, II, ATTORNEY AT LAW

**WARRANTY DEED
(WITH RELINQUISHMENT OF DOWER & CURTESY)**

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, JOE HEINEMANN AND MERIBETH HEINEMANN, husband and wife, and ELAINE HALLUM AND MEL HALLUM, husband and wife, for and in consideration of the sum of TEN -(\$10.00)- DOLLARS and other good and valuable considerations to us in hand paid by IN HOC, LLC, an Arkansas Limited Liability Company, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto the said IN HOC, LLC, an Arkansas Limited Liability Company, and unto its successors and assigns forever, the following described land situated in the County of Craighead, State of Arkansas, to-wit:

A part of the Southwest Quarter of the Southeast Quarter (SW ¼, SE ¼) of Section 19, Township 14 North, Range 4 East more particularly described as follows; Part of Lot 13 of Senter & Co's. Addition to the City of Jonesboro, Arkansas, more particularly described as follows; Beginning at a point on the west right of way line of Wofford Street and the North right of way line of Highway 18; thence S88 degrees 51' 46"W 276.79 feet along said right of way to a point, thence S79 degrees 06' 32"W 51.38 feet along right of way to a point, thence S 88 degrees 18' 19"W 23.88 feet to a point, thence N00 degrees 28' 00"E 144.86 feet to a point, thence N89 degrees 49' 00"E 350.00 feet to a point, thence S00 Degrees 28' 00"W 130.10 feet to the point of Beginning, containing some 1.078 acres, more or less.

TO HAVE AND TO HOLD the same unto the said Grantee and unto its successors and assigns forever, with all tenements, appurtenances and hereditaments thereunto belonging.

And we hereby covenant with said Grantee, that we will forever warrant and defend the title to the said lands against all claims whatsoever.

And we, JOE HEINEMANN AND MERIBETH HEINEMANN, husband and wife, and ELAINE HALLUM AND MEL HALLUM, husband and wife, for and in consideration of the said sum of money, do hereby release and relinquish unto the said Grantee our rights of dower, curtesy and possibility of Homestead in and to said lands.

WITNESS our hands and seals on this 1 day of June, 2001.



JOE HEINEMANN



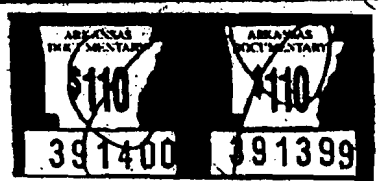
ELAINE HALLUM



MERIBETH HEINEMANN



MEL HALLUM



ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF CRAIGHEAD

BE IT REMEMBERED, that on this day came before me the undersigned, a Notary Public duly commissioned qualified and acting, within and for said County and State, in person the within named JOE HEINEMANN AND MERIBETH HEINEMANN, husband and wife, and ELAINE HALLUM AND MEL HALLUM, husband and wife, to me personally well known to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN TESTIMONY WHEREOF I have hereunto set my hand and official seal this 1 day of June 2001.

My Commission Expires :

4/27/02

Carole H. Zane

Notary Public

CAROLE H. ZANE
NOTARY PUBLIC-STATE OF ARKANSAS
CRAIGHEAD COUNTY
My Commission Expires 4-27-2002

I certify under penalty of false swearing that at least the legally correct amount of documentary stamps have been placed on this instrument.

Buyer In Hoc, LLC Address 2805 Tower Park Drive Jonesboro, AR 72404

DEED BOOK 608 PAGE 999 - 1000
DATE 07/10/2001
TIME 03:18:57 PM
RECORDED IN
OFFICIAL RECORDS OF
CRAIGHEAD COUNTY
ANN HUDSON
CIRCUIT CLERK
Shannon Vibens D.C.
RECEIPT# 67448

May 28, 2003

TO: Jim Lyons, Attorney for In Hoc, LLC

FROM: Joe Heinemann

RE: Schoenfield property on Highland and Wofford.

Jim,

Below I have outlined my personal knowledge and experience relating to the Schoenfield property that was sold to In Hoc, LLC. I am reluctant to write this letter because I will be discussing private family business. However, I feel obligated to do so in the interest of truth. Too many untrue statements, both oral and written, have been made about my aunt's desires for the property. By this letter I intend to clearup any possible misunderstanding about her desires.

Prior to my Uncle Bud Schoenfield's death in 1974, he and I had numerous conversations regarding the entire property. His desire was that as long as he and Aunt Sadie wanted to live in the house, the property should stay as is. After they no longer lived there, he felt the property was definitely commercial and should be developed as such.

I looked after Aunt Sadie's business affairs for many years and was the executor of her estate. She had many opportunities to sell the land and was inclined to do so. Because of her age, her accountant, attorney and I were against a sale. However, we did agree with Aunt Sadie's decision to donate the right-of-way for the widening of Highland Drive because it would enhance the value of the overall property for future development. Aunt Sadie always felt and told me repeatedly that the land was not suitable for single family and should be developed. She felt commercial was the most desirable. She instructed me to sell or develop all of her property after her death to the greatest possible benefit for her heirs.

Anything that has been said or written regarding her desires that is in contrast to the above is simply not true.

If you have any questions or need more information, please contact me at any time.

Sincerely,



Joe Heinemann

3709 Sawgrass

Jonesboro AR 72404

932-4401 (Home) 932-2998 (Fax) hdgco@cox-internet.com (E-Mail)

