



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Council Agenda City Council

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Tuesday, June 3, 2014

5:30 PM

Municipal Center

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

*City Council Chambers, Municipal Center*

#### 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-14:052** Proclamation by Mayor Perrin to the Valley View High School Girls Soccer Team State Champions

**Sponsors:** Mayor's Office

**COM-14:053** Proclamation for Sam Shinault presented by Mayor Perrin

**Sponsors:** Mayor's Office

#### 5. CONSENT AGENDA

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

**MIN-14:060** Minutes for the City Council meeting on May 20, 2014

**Attachments:** [Minutes](#)

**RES-14:038** A RESOLUTION REQUESTING FREE UTILITY SERVICE FROM CITY WATER AND LIGHT FOR THE MIRACLE LEAGUE OF JONESBORO

**Sponsors:** Parks & Recreation

**Legislative History**

5/27/14	Finance & Administration	Recommended to Council
	Council Committee	

**RES-14:059** A RESOLUTION TO CONTRACT WITH THE JONESBORO JETS

**Sponsors:** Parks & Recreation

**Attachments:** [image0001](#)

**Legislative History**

5/27/14 Finance & Administration Recommended to Council  
Council Committee

**RES-14:064** RESOLUTION AUTHORIZING THE CITY OF JONESBORO GRANTS AND COMMUNITY DEVELOPMENT DEPARTMENT TO SUBMIT AN APPLICATION FOR THE 2014 DEPARTMENT OF JUSTICE JAG (JUSTICE ASSISTANCE GRANT) GRANT

**Sponsors:** Grants

**Legislative History**

5/27/14 Finance & Administration Recommended to Council  
Council Committee

**RES-14:067** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO SELL PROPERTY LOCATED AT 1201 AND 1203 W. HUNTINGTON AVE., JONESBORO, ARKANSAS TO JEREMY MOORE

**Sponsors:** Mayor's Office

**Attachments:** [Building Facilities Meeting Minutes May 15, 2014](#)

**Legislative History**

5/20/14 Public Works Council Recommended to Council  
Committee

**RES-14:068** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO SELL PROPERTY LOCATED AT 1300, 1302, 1304, 1306, 1312, 1314 OAKHURST AND 107 S. FLOYD, JONESBORO, ARKANSAS TO JEREMY MOORE

**Sponsors:** Mayor's Office

**Attachments:** [Building Facilities Meeting Minutes May 15, 2014](#)

**Legislative History**

5/20/14 Public Works Council Recommended to Council  
Committee

**RES-14:069** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO SELL PROPERTY LOCATED AT 101, 103, 105 FLOYD STREET

**Sponsors:** Mayor's Office

**Attachments:** [Building Facilities Meeting Minutes May 15, 2014](#)

**Legislative History**

5/20/14 Public Works Council Recommended to Council  
Committee

**RES-14:070** RESOLUTION AUTHORIZING THE CITY OF JONESBORO TO ENTER INTO AGREEMENT WITH THE DEPARTMENT OF PARKS AND TOURISM FOR THE FY 2013 TRAILS FOR LIFE GRANT PROGRAM

**Sponsors:** Grants

**Attachments:** [Agreement.pdf](#)

**Legislative History**

5/27/14 Finance & Administration Recommended to Council  
Council Committee

**RES-14:072** A RESOLUTION TO CONTRACT WITH EAB BROADCASTORS INC FOR RENTAL OF CRAIGHEAD FORREST PARK

**Sponsors:** Parks & Recreation

**Attachments:** [EAB agreement](#)

**Legislative History**

5/27/14 Finance & Administration Recommended to Council  
Council Committee

**RES-14:073** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO SELL PROPERTY LOCATED AT 1219 BURKE AVENUE

**Sponsors:** Mayor's Office

**Attachments:** [Building Facilities Meeting Minutes April 23, 2014](#)

[Riceland Contingent Offer May 2014](#)

**Legislative History**

5/20/14 Public Works Council Recommended to Council  
Committee

**RES-14:074** RESOLUTION AUTHORIZING THE CITY OF JONESBORO TO ENTER INTO AGREEMENT WITH THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A VISTA GRANT

**Sponsors:** Grants

**Attachments:** [Agreement.pdf](#)

**Legislative History**

5/27/14 Finance & Administration Recommended to Council  
Council Committee

**RES-14:079** A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE PROPOSAL AND ENTER INTO A CONTRACT WITH CROMWELL ARCHITECTS ENGINEERS, INC TO PROVIDE ARCHITECTURAL, DESIGN, AND ENGINEERING SERVICES FOR THE RENOVATION/CONSTRUCTION OF A MULTI-MODAL CENTRAL TRANSFER FACILITY FOR THE JONESBORO ECONOMICAL TRANSPORTATION SYSTEM (JETS)

**Sponsors:** Engineering

**Attachments:** [Proposal](#)

**Legislative History**

5/27/14 Finance & Administration Recommended to Council  
Council Committee

**6. NEW BUSINESS*****ORDINANCES ON FIRST READING***

**ORD-14:027** AN ORDINANCE TO AMEND ORDINANCE SECTION 34-28, ADOPTING THE ARKANSAS FIRE PREVENTION CODE AND DECLARING AN EMERGENCY IN ORDER TO MEET THE MOST CURRENT STATE ADOPTION

**Sponsors:** Inspections

*EMERGENCY CLAUSE*

**Legislative History**

5/20/14	Public Safety Council Committee	Recommended to Council
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**ORD-14:030** AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF THE UPGRADE AND EXPANSION OF THE COMPELLENT SAN STORAGE FROM RITTER COMMUNICATIONS

**Sponsors:** Information Systems

**Attachments:** [Quote](#)

**Legislative History**

5/27/14	Finance & Administration Council Committee	Recommended to Council
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**ORD-14:034** AN ORDINANCE TO AMEND CHAPTER 117 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM C-3 TO RM-12 LUO FOR PROPERTY LOCATED AT 401 MCADAMS STREET AS REQUESTED BY DEBRA BARBER

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

[MAPC Report](#)

## **7. UNFINISHED BUSINESS**

### *ORDINANCES ON THIRD READING*

**ORD-14:022** AN ORDINANCE AMENDING ORDINANCE 3221 AND CALLING A SPECIAL ELECTION IN THE CITY OF JONESBORO, ARKANSAS, ON THE QUESTION OF REMOVING THE RESTRICTION ON SPENDING ONE HALF (1/2) OF THE CURRENT SALES AND USE TAX, FROM CAPITAL IMPROVEMENT OF A PUBLIC NATURE AND DIRECTING IT FOR GENERAL OPERATING PURPOSES, PRESCRIBING OTHER MATTERS PERTAINING THERETO; AND DECLARING AN EMERGENCY

**Sponsors:** Mayor's Office

**Attachments:** [Presentation](#)

*EMERGENCY CLAUSE*

**Legislative History**

4/15/14	City Council	Referred to the Finance & Administration Council Committee
4/22/14	Finance & Administration Council Committee	Recommended to Council
5/6/14	City Council	Held at one reading
5/20/14	City Council	Held at second reading



**ORD-14:026** AN ORDINANCE TO AMEND SECTION 117-2, DEFINITIONS AND SECTION 117-140, OVERLAY DISTRICTS WITHIN THE CITY OF JONESBORO CODE OF ORDINANCES, BY EXPANDING THE VILLAGE RESIDENTIAL OVERLAY DISTRICT REGULATIONS (SECTION 117, D.1) TO INCLUDE A TOWN CENTER OVERLAY DISTRICT OPTION (SECTION 117, D.2) FOR LARGE SCALE DEVELOPMENTS AND TO DECLARE AN EMERGENCY TO FURTHER ADVANCE INNOVATIVE DESIGN AND GOOD LAND USE PRINCIPLES

**Sponsors:** Planning

**Attachments:** [MEMO Town Center and Village Residential Overlay Districts](#)  
[Village Residential District Markup](#)  
[Chapter 117-140 Village Residential District Existing Code](#)

**EMERGENCY CLAUSE**

**Legislative History**

5/6/14	Public Works Council Committee	Recommended to Council
5/20/14	City Council	Waived Second Reading

**ORD-14:031** AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-3 LUO FOR PROPERTY LOCATED AT 1802 COMMERCE DRIVE AS REQUESTED BY JACK ELAM

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

**Legislative History**

5/20/14	City Council	Waived Second Reading
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**ORD-14:033** AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM I-1 TO C-3 LUO FOR PROPERTY LOCATED AT 200 EAST JOHNSON AS REQUESTED BY PHILLIPS INVESTMENTS

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

**Legislative History**

5/20/14	City Council	Waived Second Reading
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**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)

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**File #:** COM-14:052    **Version:** 1    **Name:** Proclamation to the Valley View High School Girl's Soccer Team  
**Type:** Other Communications    **Status:** To Be Introduced  
**File created:** 5/28/2014    **In control:** City Council  
**On agenda:** 6/3/2014    **Final action:**  
**Title:** Proclamation by Mayor Perrin to the Valley View High School Girls Soccer Team State Champions  
**Sponsors:** Mayor's Office  
**Indexes:** Mayor's Commendations  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
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Proclamation by Mayor Perrin to the Valley View High School Girls Soccer Team State Champions



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Legislation Details (With Text)

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**File #:** COM-14:053    **Version:** 1    **Name:** Proclamation for Sam Shinault  
**Type:** Other Communications    **Status:** To Be Introduced  
**File created:** 5/29/2014    **In control:** City Council  
**On agenda:**    **Final action:**  
**Title:** Proclamation for Sam Shinault presented by Mayor Perrin  
**Sponsors:** Mayor's Office  
**Indexes:** Mayor's Commendations  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
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Proclamation for Sam Shinault presented by Mayor Perrin



# City of Jonesboro

300 S. Church Street  
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## Legislation Details (With Text)

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**File #:** MIN-14:060    **Version:** 1    **Name:**  
**Type:** Minutes    **Status:** To Be Introduced  
**File created:** 5/22/2014    **In control:** City Council  
**On agenda:**    **Final action:**  
**Title:** Minutes for the City Council meeting on May 20, 2014  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [Minutes](#)

Date	Ver.	Action By	Action	Result
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Minutes for the City Council meeting on May 20, 2014



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Meeting Minutes City Council

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Tuesday, May 20, 2014

5:30 PM

Municipal Center

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

### NOMINATING & RULES COMMITTEE SPECIAL CALLED MEETING AT 5:10 P.M.

### PUBLIC HEARING AT 5:20 P.M.

*Regarding the abandonment of a 10' utility easement located east of Commerce Drive as requested by Steve Southard*

*No one spoke in opposition to the abandonment.*

### 1. CALL TO ORDER BY MAYOR PERRIN AT 5:30 P.M.

### 2. PLEDGE OF ALLEGIANCE AND INVOCATION

### 3. ROLL CALL BY CITY CLERK DONNA JACKSON

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

### 4. SPECIAL PRESENTATIONS

**COM-14:047** Presentation by Larry Rogers of Animal Control for Miracle League

**Sponsors:** Mayor's Office

*Animal Control Supervisor Sgt. Larry Rogers presented Miracle League with a check for \$1,161 raised from a recent event named Dogs, Rods and Rock & Roll that was held at Premier Auto. Softball Coordinator Sharon Turman thanked the Mayor for his support with the Miracle League Field project. A representative from Canine Companions for Independence discussed the organization. They train dogs to be companions for adults and children with disabilities. He thanked the Council and Mayor for their work with the Miracle League Field.*

*Ms. Turman announced several fundraising events for the Miracle League project: Jordan's Quick Stop is selling window tags for \$1 each; NEA physical therapy located on Windover is sponsoring an event for whichever therapist that raises the most money will get a pie in the face; Restaurant Day will be on May 29 where almost 40 restaurants in town have pledged a percentage of their sales to be donated to the Miracle League; the 2014 Jonesboro Leadership Class will have a roadblock at Red*

*Wolf Blvd and Nettleton from 6 a.m. to 6 p.m. to raise money. She encouraged everyone to donate money at the events.*

**This item was Read.**

**COM-14:049** Miracle League Day proclamation by Mayor Perrin

**Sponsors:** Mayor's Office

*Mayor Perrin presented Ms. Turman with the proclamation. He proclaimed Thursday, May 29, 2014, as Miracle League Day and encouraged everyone to support the project. The Miracle League Field will open on September 13th. The total project cost will be \$2.8 million, but thanks to donations from companies and the community they are currently less than \$600,000 away from meeting the \$2.8 million goal.*

**This item was Read.**

## **5. CONSENT AGENDA**

### *Approval of the Consent Agenda*

**A motion was made by Councilman Chris Moore, seconded by Councilwoman Ann Williams, to Approve the Consent Agenda. The motioned PASSED**

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

**MIN-14:049** Minutes for the City Council meeting on May 6, 2014

**Attachments:** [Minutes](#)

**This item was PASSED on the consent agenda.**

**MIN-14:050** Minutes for the special called City Council meeting on May 8, 2014

**Attachments:** [Minutes](#)

**This item was PASSED on the consent agenda.**

**RES-14:047** A RESOLUTION REQUESTING FREE UTILITY SERVICE FROM CITY WATER AND LIGHT FOR FIRE STATION #5

**Sponsors:** Engineering

**This item was PASSED on the consent agenda.**

Enactment No: R-EN-047-2014

**RES-14:053** A RESOLUTION BY THE CITY OF JONESBORO TO ENTER INTO AN AGREEMENT WITH LOSE AND ASSOCIATES ON BEHALF OF THE JONESBORO METROPOLITAN PLANNING ORGANIZATION TO CONDUCT A BICYCLE-PEDESTRIAN SAFETY STUDY FOR DOWNTOWN JONESBORO

**Sponsors:** MPO

**Attachments:**     [Agreement - REVISED](#)  
[Agreement](#)

**This item was PASSED on the consent agenda.**

Enactment No: R-EN-048-2014

**RES-14:054**     A RESOLUTION BY THE CITY OF JONESBORO TO ENTER INTO AN AGREEMENT WITH LOSE AND ASSOCIATES ON BEHALF OF THE JONESBORO METROPOLITAN PLANNING ORGANIZATION TO CONDUCT A BICYCLE-PEDESTRIAN SAFETY STUDY FOR JOHNSON AVENUE

**Sponsors:**     MPO

**Attachments:**     [Agreement - REVISED](#)  
[Agreement](#)

**This item was PASSED on the consent agenda.**

Enactment No: R-EN-049-2014

**RES-14:055**     RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO ENTER INTO A CONTRACT TO PURCHASE PROPERTY LOCATED AT 1502 E. JOHNSON AVENUE FROM DOUG AND LINDA BISHOP

**Sponsors:**     Mayor's Office

**Attachments:**     [1502 Johnson Ave.](#)

**This item was PASSED on the consent agenda.**

Enactment No: R-EN-050-2014

**RES-14:056**     LOCAL GOVERNMENT RESOLUTION ENDORSING TRANSPORTATION FOR AMERICA'S PROPOSAL

**Sponsors:**     Mayor's Office

**This item was PASSED on the consent agenda.**

Enactment No: R-EN-051-2014

**RES-14:057**     RESOLUTION TO MAKE APPOINTMENTS/REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS AS RECOMMENDED BY MAYOR PERRIN

**Sponsors:**     Mayor's Office

**This item was PASSED on the consent agenda.**

Enactment No: R-EN-052-2014

**6. NEW BUSINESS**

*ORDINANCES ON FIRST READING*

**ORD-14:026**     AN ORDINANCE TO AMEND SECTION 117-2, DEFINITIONS AND SECTION



117-140, OVERLAY DISTRICTS WITHIN THE CITY OF JONESBORO CODE OF ORDINANCES, BY EXPANDING THE VILLAGE RESIDENTIAL OVERLAY DISTRICT REGULATIONS (SECTION 117, D.1) TO INCLUDE A TOWN CENTER OVERLAY DISTRICT OPTION (SECTION 117, D.2) FOR LARGE SCALE DEVELOPMENTS AND TO DECLARE AN EMERGENCY TO FURTHER ADVANCE INNOVATIVE DESIGN AND GOOD LAND USE PRINCIPLES

**Sponsors:** Planning

**Attachments:** [MEMO Town Center and Village Residential Overlay Districts](#)  
[Village Residential District Markup](#)  
[Chapter 117-140 Village Residential District Existing Code](#)

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

*Councilman Street asked for details regarding the ordinance. City Planner Otis Spriggs explained this will amend the currently existing zoning ordinance. The Planning Commission has been working on this for five months at the request of Mayor Perrin and has held several public sessions to allow for input. The ordinance allows for incentives for property owners to come into Council and request rezonings for large acres of property from 25 to 75 acres. Village Residential zoning has been in the code since the 1990s. It allows for the Council to see all public improvements involved with a layout, but no one has really taken advantage of that part of the code due to the complexities involved. Mr. Spriggs stated this ordinance was also approved by the Public Works Committee. This will not change anyone's property; rather, it is just an incentive to encourage quality development. Councilman Street clarified that this will just be an option to developers. Mr. Spriggs answered yes, that the developments will go through the same process.*

*Councilman McCall questioned what is meant by "incentive." Mr. Spriggs explained when a development of that size is brought it can be a self-contained development that doesn't put loads on neighborhoods that don't have the infrastructure to support it. This will encourage developers to put projects on the parts of sites that make sense to increase quality, but also preserve the areas for open space that are available.*

*Councilman Street asked if there was any opposition. Mr. Spriggs answered no because it won't change anyone's property.*

*Councilman Dover recommended holding the ordinance at one reading. Mr. Spriggs stated that will be fine. He stressed the ordinance isn't anything new. It's just the existing code being modified.*

**A motion was made by Councilman Gene Vance, seconded by Councilman Darrel Dover, to Waive Second Reading . The motion PASSED with the following vote.**

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

**ORD-14:031**

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-3 LUO FOR PROPERTY LOCATED AT 1802 COMMERCE DRIVE AS REQUESTED BY JACK ELAM

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

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

*Councilman Moore questioned whether there was any opposition. Mayor Perrin answered no. He added the MAPC unanimously voted to recommend the rezoning.*

**A motion was made by Councilman Chris Moore, seconded by Councilman Chris Gibson, to Waive Second Reading . The motion PASSED with the following vote.**

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

**ORD-14:032** AN ORDINANCE ABANDONING AND VACATING A UTILITY EASEMENT LOCATED IN:

A 10' UTILITY EASEMENT LOCATED IN A PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 14 NORTH RANGE 4 EAST, CRAIGHEAD COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24 AFORESAID: THENCE SOUTH 88° 06'45" EAST, 190.00 FEET: THENCE SOUTH 00'13'15" WEST, 15.00 FEET TO THE POINT OF BEGINNING: THENCE SOUTH 88°06'45" EAST, 160.00 FEET: THENCE SOUTH 00'13'15" WEST, 10.00 FEET: THENCE NORTH 88°06'45" WEST, 160.00: THENCE NORTH 00'13'15" EAST, 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING IN ALL 1,600 SQ. FT. OR 0.04 ACRES +/-.

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

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

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

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

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

Enactment No: O-EN-028-2014

**ORD-14:033** AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM I-1 TO C-3 LUO FOR PROPERTY LOCATED AT 200 EAST JOHNSON AS REQUESTED BY PHILLIPS INVESTMENTS

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

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

*Councilman Gibson abstained from discussion and voting on this matter due to potential conflict of interest.*

**A motion was made by Councilman Chris Moore, seconded by Councilman Tim McCall, to Waive Second Reading . The motion PASSED with the following vote.**

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

**Abstain:** 1 - Chris Gibson

### RESOLUTIONS TO BE INTRODUCED

**RES-14:024** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 504 S Patrick St. Owner: Rena Turnage.

**Sponsors:** Code Enforcement

**Attachments:** [CONDEMNATION CHECKLIST](#)  
[Inspection Report](#)  
[504 S Patrick](#)

*No one spoke concerning this abandonment.*

*Councilman Vance abstained from discussion and voting on this item due to possible conflict of interest.*

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

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

**Abstain:** 1 - Gene Vance

Enactment No: R-EN-053-2014

## **7. UNFINISHED BUSINESS**

### ORDINANCES ON SECOND READING

**ORD-14:022** AN ORDINANCE AMENDING ORDINANCE 3221 AND CALLING A SPECIAL ELECTION IN THE CITY OF JONESBORO, ARKANSAS, ON THE QUESTION OF REMOVING THE RESTRICTION ON SPENDING ONE HALF (1/2) OF THE CURRENT SALES AND USE TAX, FROM CAPITAL IMPROVEMENT OF A PUBLIC NATURE AND DIRECTING IT FOR GENERAL OPERATING PURPOSES, PRESCRIBING OTHER MATTERS PERTAINING THERETO; AND DECLARING AN EMERGENCY

**Sponsors:** Mayor's Office

**Attachments:**     [Presentation](#)

**This item was Held at second reading.**

## **8. MAYOR'S REPORTS**

*Mayor Perrin reported on the following items:*

*He will be attending the Executive Committee meeting of the Municipal League in Rogers tomorrow. They are getting ready for the June convention.*

*Red Wolf Boulevard at Highland, Nettleton and Stallings has new video detection equipment. Those intersections will no longer have loops. The Highway Department will start overlaying Red Wolf from Stallings to Highland on June 1st.*

*They will complete at least 150 miles of striping this year.*

*Clinton School Road is closed due to the box culvert project. They hope to have it in by Friday so asphalt can be laid.*

*The Memphis Redbirds will hold Jonesboro Evening at the Park on June 10th. They will be putting more information on the website.*

**COM-14:043**     Financial statements for Jonesboro Airport Commission for March 31, 2014

**Attachments:**     [Financial statements](#)

**This item was Read.**

**COM-14:050**     Airport financial statements for April, 2014

**Attachments:**     [Financial statement](#)

**This item was Read.**

**COM-14:051**     Update concerning work on Moratorium Committee recommendations as presented by Mayor Perrin to the City Council on May 20, 2014

**Sponsors:**     Mayor's Office

**Attachments:**     [Update](#)

*He provided the committee with a list of the Moratorium Committee recommendations that the city departments are working on. If they have any questions, let him know. Some projects will take longer than others, but they are working very hard to meet the target deadlines. He will provide the Council updates every month.*

**This item was Read.**

## **9. CITY COUNCIL REPORTS**

*Councilman Street commended Traffic Engineer Mark Nichols for coordinating the traffic signals on Main Street. It's a big improvement over what it was, as are other streets such as Red Wolf Blvd.*

*Councilman Dover motioned, seconded by Councilman Street, to suspend the rules and place RES-14:061 and RES-14:063 on the agenda. All voted aye.*

**RES-14:061** A RESOLUTION BY THE CITY OF JONESBORO TO ENTER INTO AN AGREEMENT WITH ETC INSTITUTE ON BEHALF OF THE JONESBORO METROPOLITAN PLANNING ORGANIZATION TO CONDUCT A SURVEY (OPINION POLL) OF RESIDENTS OF THE JONESBORO MPO PLANNING AREA

**Sponsors:** MPO

**Attachments:** [Agreement](#)

**A motion was made by Councilman Darrel Dover, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED with the following vote:**

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

Enactment No: R-EN-054-2014

**RES-14:063** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO PROVIDE FOR THE EXECUTION AND MAINTENANCE OF A LETTER OF CREDIT TO BE ISSUED TO THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY (ADEQ)

**Sponsors:** Finance

**Attachments:** [Post Closure Cost Estimate](#)  
[Letter of Credit](#)

**A motion was made by Councilman John Street, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED with the following vote:**

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

Enactment No: R-EN-055-2014

*Councilman Woods thanked the city and the city offices for their work on the Youth Summit Tour. The kids really enjoyed the visit and were excited to meet Mayor Perrin. He also thanked Parks Department Wixson Huffstetler and Grants Administrator Heather Clements for their presentations.*

*Councilman McCall motioned, seconded by Councilman Gibson, to suspend the rules and add RES-14:065 to the agenda. All voted aye.*

**RES-14:065** RESOLUTION TO MAKE APPOINTMENTS/REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS AS RECOMMENDED BY MAYOR PERRIN

**Sponsors:** Mayor's Office

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

Enactment No: R-EN-056-2014

*Councilman Gibson stated the Leadership Arkansas class was held in Jonesboro last week. They were very complimentary of the Mayor's presentation and the community.*

*Councilman Moore stated a few weeks ago they discussed having a presentation by City Engineer Craig Light concerning the new paving process. He asked for an update concerning the presentation. Mayor Perrin explained they are still getting information on the overlays. Councilman Moore asked that he be informed of when that presentation will be because he would like to attend.*

**10. PUBLIC COMMENTS**

*Mr. Harold Carter asked if the information presented to the Council members regarding the city's work on the Moratorium Committee recommendations will be available to the public. Mayor Perrin answered yes. He added the subcommittees are working on the recommendations at this time, but their findings will be presented to the appropriate Council committees for further forwarding to the Council.*

**11. ADJOURNMENT**

**A motion was made by Councilman Chris Gibson, seconded by Councilman Rennell Woods, that this meeting be Adjourned . The motion PASSED with the following vote.**

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

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Harold Perrin, Mayor**

**Attest:**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Donna Jackson, City Clerk**





## Legislation Details (With Text)

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**File #:** RES-14:038    **Version:** 1    **Name:** Free utilities for the Miracle League  
**Type:** Resolution    **Status:** Recommended to Council  
**File created:** 4/7/2014    **In control:** Finance & Administration Council Committee  
**On agenda:**    **Final action:**  
**Title:** A RESOLUTION REQUESTING FREE UTILITY SERVICE FROM CITY WATER AND LIGHT FOR THE MIRACLE LEAGUE OF JONESBORO  
**Sponsors:** Parks & Recreation, Parks & Recreation  
**Indexes:** Utility service from CWL  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
5/27/2014	1	Finance & Administration Council Committee		

A RESOLUTION REQUESTING FREE UTILITY SERVICE FROM CITY WATER AND LIGHT FOR THE MIRACLE LEAGUE OF JONESBORO

WHEREAS, the City of Jonesboro is requesting that City Water and Light provide free utilities for the Miracle League of Jonesboro located at 5000 South Caraway Road.

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

Section1: That City Water and Light be requested by this resolution to provide free utilities to the Miracle League of Jonesboro located at 5000 South Caraway Road.

Section 2: To permit such services to be provided without charge, the City of Jonesboro hereby affirms to City Water and Light that the ultimate use of the CWL utilities so provided is now and shall remain a use or purpose which the City is engaged in as part of its governmental or proprietary functions under authority to it by state law.





## Legislation Details (With Text)

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**File #:** RES-14:059    **Version:** 1    **Name:** Contract with Jonesboro Jets  
**Type:** Resolution    **Status:** Recommended to Council  
**File created:** 5/6/2014    **In control:** Finance & Administration Council Committee  
**On agenda:**    **Final action:**  
**Title:** A RESOLUTION TO CONTRACT WITH THE JONESBORO JETS  
**Sponsors:** Parks & Recreation  
**Indexes:** Contract  
**Code sections:**  
**Attachments:** [image0001](#)

Date	Ver.	Action By	Action	Result
5/27/2014	1	Finance & Administration Council Committee		

### A RESOLUTION TO CONTRACT WITH THE JONESBORO JETS

WHEREAS, the City of Jonesboro owns and maintains the Jonesboro City Pool Complex; and

WHEREAS, the Jonesboro Jets are a non-profit 501 (c) (3) organization created for the purpose of administering and promoting youth swimming; and

WHEREAS, the City of Jonesboro and the Jonesboro Jets desire to enter into a contract to provide organized swimming for youth at the Jonesboro City Pool Complex;

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

1. The City of Jonesboro, Arkansas shall contract with the Jonesboro Jets to provide organized youth swimming at the Jonesboro City Pool Complex.
2. The Mayor, Harold Perrin, and City Clerk, Donna Jackson, are hereby authorized by the City Council for the City of Jonesboro to execute all documents necessary to effectuate this agreement.

# EXHIBIT A

## FACILITY USAGE AGREEMENT FOR ASSOCIATION USE OF JONESBORO CITY POOL CENTER

### JONESBORO JETS

This Agreement is made by and between JONESBORO JETS, Inc., an Arkansas not for profit corporation, ("JETS") and the CITY OF JONESBORO PARKS AND RECREATION ("CITY"), on this 6<sup>th</sup> Day of May 2014 (the "Effective Date").

WHEREAS, JETS is an Arkansas not for profit organization organized to promote youth sports activities through the operation of its youth swim program; and

WHEREAS, the CITY is the owner of that certain public park amenities known as the "Jonesboro City Pool Complex", and hereafter referred to as the "Facilities"; and

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

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

#### **I. Term**

- a) The term of this Agreement is for a period of one (1) year commencing on the Effective Date.

#### **II. Use of Facilities by JETS**

- 1) During the period of May 15<sup>th</sup> 2014 to August 15<sup>th</sup> 2014 during the Term of this Agreement, JETS shall have the right to use the CITY'S pool Facilities. During the months of June, July and August, the usage will be from 7:00 a.m. until 10:00 a.m. During the month of May the usage will be from 4:00 p.m. until 6:00 p.m. This period shall be referred to as the "Primary Usage Period."
- 2) JETS shall have the right to reserve the Facilities for swim meets two (2) Saturdays within the Primary Usage Period. These meets must end by 1:00 p.m. on the designated day or an additional rental fee must be paid at the rate of \$75 per hour that the event runs over. Any portion over one hour counts as a full hour for purposes of fees. For example if the event should end at 1:00 p.m. and actually ends at 2:15 p.m. an additional fee of \$150 would be due and payable for that event overage. The Facilities will be made available at 9:00 p.m. the night before a scheduled swim meet

unless it has been rented for another event. Any reservations for swim meets or other events outside the Primary Usage Period must be approved by the Pool and/or Parks Director no later than 30 days prior to the requested reservation.

- 3) JETS understands and agrees that at times weather and/or pool conditions may result in CITY denying the use of the Facility during the Primary Use Period. JETS understands that the Pool Director for the Facilities has the authority to deny use of the Facilities, but CITY agrees that use will not be unreasonably denied.
- 4) CITY will make determinations on pool closures due to weather. Determination will be made as soon as possible and, if necessary, weather will be monitored beyond the determination times.
- 5) CITY shall at all times have the right to inspect the Facilities being used by JETS and all JETS sponsored activities related to the use of the Facilities.
- 6) CITY shall issue 2 key(s) to JETS for use of the Facilities. The keys may not be reproduced or duplicated by JETS. One key shall be issued to the Head Coach of JETS and one key to the assistant coach/board president for use during the Primary Usage Period. JETS agree to return said key to the CITY within two weeks after the conclusion of the term of the season. Upon failure to return said key a fee will be charged for the replacement of key and locks. JETS will be charged a fee of \$25 for each lock that has to be changed as a result of a key that is not returned to the CITY at the end of the season.
- 7) JETS understands and agrees that, except as provided in Article III below, no CITY maintenance equipment will be used by JETS during the Primary Usage Period or otherwise. JETS will provide the equipment necessary to administer its own activities and events, and in doing so will keep equipment in the spaces designated by the CITY, unless prior written approval is given by the Pool and/or Parks Director. JETS is solely responsible for their equipment and the CITY is not responsible for any loss or damage to JETS equipment used and/or stored at the Facilities.
- 8) If JETS should desire to use the CITY'S Facilities for additional meets, special events or programs outside the Primary Usage Period, JETS shall complete an Application for Use of Facilities. Any and all additions outside the Primary Usage Period shall not be included in this Agreement, but shall require a separate written agreement between the parties. All dates and conditions of the additional meets or special programs shall be finalized and furnished to CITY no later than thirty (30) days prior to the date of the event.
- 9) At no time shall JETS have access to or usage of the concession stand located in the Facilities. Any operation of the concession stand during the Primary Usage Period or any scheduled events will be done by the CITY.
- 10) JETS shall have at least one certified lifeguard on deck at all times during the Primary

Usage Period or any meets or special events sponsored by JETS.

- 11) JETS must enforce all pool rules for the Facilities during the Primary Usage Period or any meets or special events sponsored by JETS. A copy of said rules can be obtained from the Pool and/or Parks Director.
- 12) JETS shall maintain their own liability insurance for their program and provide a certificate or other proof of coverage to the Pool and/or Parks Director prior to the beginning of the Primary Usage Period.
- 13) JETS shall place or display no advertisements of any kind on CITY Facilities without prior written approval of the Pool and/or Parks Director. This shall include any advertisement of JETS activities or any sponsorships of any events held at the Facilities or otherwise. JETS shall be allowed to sell sponsorships for said events and display temporary signage at the approval of the Pool and/or Parks Director, which approval shall not be unreasonably withheld. JETS shall at no time advertise at the Facility for any programs that compete with CITY run programs at the Facilities.

### **III. Obligations of CITY**

CITY agrees to:

- 1) Provide the following maintenance and repairs, to the best of its ability given staff and budget, in a manner generally equal to normal CITY maintenance and repair of similar CITY recreational facilities:
  - a) Maintain pool water quality.
  - b) Maintain all fences and gates.
  - c) Provide utilities.
  - d) Provide and maintain parking lots
  - e) Provide and maintain bleachers for scheduled swim meets.
  - f) Haul off trash that has been deposited in trash receptacles as needed and de-litter the grounds as needed.
  - g) Maintain structural integrity of concession stands, restrooms and Facilities including repair or replacements of damaged roofs, doors, and windows.
  - h) Maintain restroom facilities, including cleaning and stocking with toilet tissue.
  - i) Maintain and repair parking areas.

It is understood and agreed the CITY's obligations under this Agreement will be performed as soon as, and to the extent that, budgeted funds are available for performance of its obligations. If CITY is unable to fulfill its obligation due to budget constraints, JETS may, but shall not be obligated to perform CITY's duties and shall be entitled to deduct the cost from the payments required to be made by JETS to CITY under Article IV. In no event shall CITY be obligated to JETS for any monetary damages.

### **IV. Obligations of JETS**

JETS shall:

- 1) Pay a usage fee to the CITY in the amount of \$21.00 per individual or \$42.00 per family enrolled in the JETS program. Said fees are due and payable each month that the participants are enrolled in the program. All fees are to be paid to the City of Jonesboro no later than the 10<sup>th</sup> of each month. JETS agrees to provide the CITY with a monthly roster of the names of the members enrolled in the program throughout the Primary Usage Period.
- 2) JETS shall be prohibited from performing any maintenance to the Facilities without permission from the City.
- 3) JETS shall not make any permanent additions to the Facilities without written permission from the City. This includes but is not limited to signs, structures, concrete, and seating.
- 4) Schedule and meet with CITY Pool Director prior to the season to discuss schedule, and department guidelines.
- 5) JETS is responsible for any of their items stolen or damaged, during the course of the year.
- 6) Request approval by the CITY for placement of any and all tents and trailers at the Facilities prior to placement.
- 7) Not discriminate against any person or persons because of race, color, religion, sex, disability or national origin.
- 8) Establish procedures to ensure individuals with criminal histories that include drug charges, assault charges and sexual assault charges are not permitted to coach in the JETS program.
- 9) Not engage in any business on the Facility or do anything in connection therewith which shall be in violation of any existing state or federal law or municipal ordinances, or use the same in such manner as to constitute a nuisance. CITY reserves the right to exclude any individual or group from the Facility based on conduct, which it determines in its discretion to be objectionable or contrary to City interests. JETS hereby consents to the exercise of such authority by City over its members, officials and agents.
- 10) JETS agrees to be solely responsible for any and all damages related to and arising out of JETS use of the Facilities during the term of the Agreement when the Facilities are being used by JETS, except that caused by CITY or its employees. This includes, but is not limited to, any and all persons associated with JETS who use the Facilities during the terms of the Agreement. JETS agrees to be solely responsible for all

repairs and costs of repairs to the Facilities for any and all such damages. Repair of damage to concession stand shall conform to City of Jonesboro Building Codes and require approval of the City Inspector. Nothing contained herein shall be construed to defeat or diminish JETS right to seek recourse against those persons causing the damage.

- 11) Follow rules that have been established by the CITY Parks and Recreation Board and City Staff concerning conduct at CITY Facilities. Examples of rules may include but are not limited to:
  - a. No unauthorized Vehicles may be parked at Facilities during activities including but not limited to sidewalks and grassy areas.
  - b. No tobacco use (smoking or smokeless) in the Facilities or in the bleacher areas.
  - c. Participant and spectator parking only in parking lots.
  - d. No dogs
- 12) Activity initiated by JETS Coach or director that occurs on premises that have been closed will result in a \$100.00 fee to JETS.
- 13) Prior to the commencement of the Primary Usage Period, JETS will provide to the CITY:
  - Current by-laws of JETS
  - Proof of insurance and indemnification
  - List of current officers and board members of JETS with addresses, phone numbers and e-mail (if applicable). JETS agrees to notify CITY of any changes in board members.

## **V. Default of JETS**

a) If JETS defaults in the performance of any of the covenants, terms, conditions or provisions of this Agreement, and after written notice from CITY, JETS fails to cure such default within thirty (30) days after receipt of such notice (or fails to cure with due diligence if the default is of such nature as to require more than 30 days), then CITY may, at its option (but shall not be required to do so), perform the same for the account of JETS and any amount paid or expenses incurred by the CITY in the performance thereof shall be deemed additional fees and shall be due and payable with the other fees contained herein.

b) Additionally, if JETS defaults in performance of this Agreement, and after written notice from CITY, JETS fails to cure such default within thirty (30) days after receipt of such notice (or fails to cure with due diligence if the default is of such nature as to require more than 30 days), then CITY may terminate this Agreement.

## **VI. Default of CITY**

a) If CITY defaults in the performance of any of the covenants, terms, conditions or

provisions of this Agreement, and after written notice from JETS, CITY fails to cure such default within thirty (30) days after receipt of such notice (or fails to cure with due diligence if the default is of such nature as to require more than 30 days), then JETS may, at its option (but shall not be required to do so), perform the same for the account of CITY and any amount paid or expenses incurred by the JETS in the performance thereof shall be deducted from the amounts required to be paid by JETS to CITY under Article IV.

b) Additionally, if CITY defaults in performance of this Agreement, and after written notice from JETS, CITY fails to cure such default within thirty (30) days after receipt of such notice (or fails to cure with due diligence if the default is of such nature as to require more than 30 days), then JETS may terminate this Agreement.

## **VII. Assignability and Exclusivity**

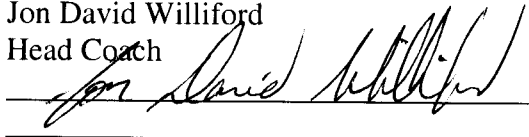
This Agreement is a privilege for the benefit of JETS only and may not be assigned in whole or in part by JETS to any other person or entity. Both parties understand that JETS use of the Facilities is nonexclusive, except during the Primary Usage Period.

## **VIII. Notices**

Unless otherwise provided herein, any notice, tender or delivery to be given hereunder by either party to the other may be effected by personal delivery with a signed receipt, in writing or by registered or e-mail, or certified mail, postage prepaid, return receipt requested. Notice shall be effective upon signing the date of the signing of the receipt.

JETS

Jon David Williford  
Head Coach



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With a copy to:

Robert S. Jones  
PO Box 1700  
Jonesboro, AR 72403

CITY:  
Wixson Huffstetler; Director  
CITY OF JONESBORO  
Parks and Recreation  
3009 Dan Avenue  
Jonesboro, AR 72401

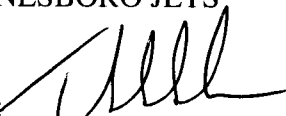
Any such notice shall be effective upon receipt if delivered in person or upon actual deposit in an official receptacle of the United States Postal Service, if mailed as aforesaid.

**IX. Miscellaneous Provisions.**

- 1) No modification of this Agreement shall be effective unless it is made in writing and is signed by the authorized representative's of the parties hereto.
- 2) This Agreement shall be construed under and in accordance with the laws of the State of Arkansas and venue for any litigation concerning this Agreement shall be in Craighead County, Jonesboro, AR.
- 3) Nothing in this Agreement shall be construed to make the CITY or its respective agents or representatives liable in situations it is otherwise immune from liability.
- 4) In case any one or more of the provisions contained in this Agreement shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.
- 5) Each party represents to the other that the individual signing this Agreement below has been duly authorized to do so by its respective governing body and that this Agreement is binding and enforceable as to each party.

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

JONESBORO JETS

By:   
Name: Todd Roscoe  
Title: Board President  
Date: 4-15-14

CITY OF JONESBORO

By: \_\_\_\_\_  
Name: Harold Perrin  
Title: MAYOR  
Date: \_\_\_\_\_

ATTEST



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Donna Jackson, City Clerk, CMC



## Legislation Details (With Text)

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<b>File #:</b>	RES-14:064	<b>Version:</b>	1	<b>Name:</b>	Authorizing application for JAG Grant
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Status:</b>	Recommended to Council
<b>File created:</b>	5/13/2014	<b>In control:</b>		<b>In control:</b>	Finance & Administration Council Committee
<b>On agenda:</b>		<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	RESOLUTION AUTHORIZING THE CITY OF JONESBORO GRANTS AND COMMUNITY DEVELOPMENT DEPARTMENT TO SUBMIT AN APPLICATION FOR THE 2014 DEPARTMENT OF JUSTICE JAG (JUSTICE ASSISTANCE GRANT) GRANT				
<b>Sponsors:</b>	Grants				
<b>Indexes:</b>	Grant				
<b>Code sections:</b>					
<b>Attachments:</b>					

Date	Ver.	Action By	Action	Result
5/27/2014	1	Finance & Administration Council Committee		

RESOLUTION AUTHORIZING THE CITY OF JONESBORO GRANTS AND COMMUNITY DEVELOPMENT DEPARTMENT TO SUBMIT AN APPLICATION FOR THE 2014 DEPARTMENT OF JUSTICE JAG (JUSTICE ASSISTANCE GRANT) GRANT

Whereas, the City of Jonesboro is designated as a disparate jurisdiction with the Bureau of Justice Assistance, and

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

Whereas, the City of Jonesboro will apply for \$30,241, and

Whereas, the City of Jonesboro will use said funds for body cameras and tasers for sworn officers; and

Whereas, the JAG program is 100% federally funded with no local match required.

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

SECTION 1: The City of Jonesboro will apply for \$30,241 from the Bureau of Justice Assistance 2014 Grant Program for body camera equipment and tasers, and

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



## Legislation Details (With Text)

**File #:** RES-14:067    **Version:** 1    **Name:** Sale of property on Huntington to Jeremy Moore  
**Type:** Resolution    **Status:** Recommended to Council  
**File created:** 5/16/2014    **In control:** Public Works Council Committee  
**On agenda:**    **Final action:**  
**Title:** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS  
AUTHORIZING THE MAYOR AND CITY CLERK TO SELL PROPERTY LOCATED AT 1201 AND  
1203 W. HUNTINGTON AVE., JONESBORO, ARKANSAS TO JEREMY MOORE  
**Sponsors:** Mayor's Office  
**Indexes:** Property sale  
**Code sections:**  
**Attachments:** [Building Facilities Meeting Minutes May 15, 2014](#)

Date	Ver.	Action By	Action	Result
5/20/2014	1	Public Works Council Committee		

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO SELL PROPERTY LOCATED AT 1201 AND 1203 W. HUNTINGTON AVE., JONESBORO, ARKANSAS TO JEREMY MOORE  
WHEREAS, the City of Jonesboro, Arkansas desire to sell and did advertise the property at 1201 and 1203 W. Huntington Ave. for sell; and

WHEREAS, Jeremy Moore desires to purchase property at 1201 and 1203 W. Huntington Ave., owned by the City of Jonesboro, Arkansas and being more described as follows, to wit:

Lots 1-2, Sach's Subdivision of Block 12 Nisbett's 2nd Addition, Jonesboro, Arkansas; also know as 1201 and 1203 W. Huntington Ave.

WHEREAS, it is in the best interest of the City of Jonesboro that said property be sold to Jeremy Moore for the sum of \$11,234.00.

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

Section 1: The Mayor and City Clerk are hereby authorized to execute the documents necessary to complete this transaction and accept the purchase price of \$11,234.00 due and payable at the time of closing by the buyer.

**BUILDING FACILITIES MEETING  
4<sup>TH</sup> FLOOR CONFERENCE ROOM  
THURSDAY MAY 15, 2014**

**Present:** Mayor Harold Perrin, LM Duncan, Terry Adams, Otis Spriggs, Craig Light, Erick Woodruff, Chief Mike Yates, Keith Sanders, Chrystal Glisson, Barry Phillips, Ben Barylske, Chief Kevin Miller, Chairman Gene Vance on speakerphone

The meeting was called to order at 3:00 p.m. Mayor Perrin reviewed the appraisals and bid with the committee regarding property on Floyd, Floyd and Oakhurst and Huntington Ave. After discussion, the motion was made to accept the bids as presented for all three properties by Chief Yates and seconded by Terry Adams; motion carried.

Meeting adjourned 3:08 p.m.



## Legislation Details (With Text)

<b>File #:</b>	RES-14:068	<b>Version:</b>	1	<b>Name:</b>	Sale of property on Oakhurst and Floyd to Jeremy Moore
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Status:</b>	Recommended to Council
<b>File created:</b>	5/16/2014	<b>In control:</b>		<b>In control:</b>	Public Works Council Committee
<b>On agenda:</b>		<b>Final action:</b>			
<b>Title:</b>	RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO SELL PROPERTY LOCATED AT 1300, 1302, 1304, 1306, 1312, 1314 OAKHURST AND 107 S. FLOYD, JONESBORO, ARKANSAS TO JEREMY MOORE				
<b>Sponsors:</b>	Mayor's Office				
<b>Indexes:</b>	Property sale				
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Building Facilities Meeting Minutes May 15, 2014</a>				

Date	Ver.	Action By	Action	Result
5/20/2014	1	Public Works Council Committee		

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO SELL PROPERTY LOCATED AT 1300, 1302, 1304, 1306, 1312, 1314 OAKHURST AND 107 S. FLOYD, JONESBORO, ARKANSAS TO JEREMY MOORE WHEREAS, the City of Jonesboro, Arkansas desires to sell and did advertise the property at 1300, 1302, 1304, 1306, 1308, 1312, 1314 Oakhurst and 107 S. Floyd for sell; and

WHEREAS, Jeremy Moore desires to purchase property at 1300, 1302, 1304, 1306, 1308, 1312, 1314 Oakhurst and 107 S. Floyd, owned by the City of Jonesboro, Arkansas and being more described as follows, to wit:

Lots 1-4 and 6-7, Blk D, Oakhurst Add and Pt Lot 4, NE NE SW Jonesboro City, Jonesboro, Arkansas; also know as 1300,1302,1304,1306,1312,1314 Oakhurst and 107 S.Floyd.

WHEREAS, it is in the best interest of the City of Jonesboro that said property be sold to Jeremy Moore for the sum of \$50,234.00.

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

Section 1: The Mayor and City Clerk are hereby authorized to execute the documents necessary to complete this transaction and accept the purchase price of \$50,234.00 due and payable at the time of closing by the buyer.

**BUILDING FACILITIES MEETING  
4<sup>TH</sup> FLOOR CONFERENCE ROOM  
THURSDAY MAY 15, 2014**

**Present:** Mayor Harold Perrin, LM Duncan, Terry Adams, Otis Spriggs, Craig Light, Erick Woodruff, Chief Mike Yates, Keith Sanders, Chrystal Glisson, Barry Phillips, Ben Barylske, Chief Kevin Miller, Chairman Gene Vance on speakerphone

The meeting was called to order at 3:00 p.m. Mayor Perrin reviewed the appraisals and bid with the committee regarding property on Floyd, Floyd and Oakhurst and Huntington Ave. After discussion, the motion was made to accept the bids as presented for all three properties by Chief Yates and seconded by Terry Adams; motion carried.

Meeting adjourned 3:08 p.m.



## Legislation Details (With Text)

<b>File #:</b>	RES-14:069	<b>Version:</b>	1	<b>Name:</b>	Sale of property on Floyd Street to Jeremy Moore
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Status:</b>	Recommended to Council
<b>File created:</b>	5/16/2014	<b>In control:</b>		<b>In control:</b>	Public Works Council Committee
<b>On agenda:</b>		<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO SELL PROPERTY LOCATED AT 101, 103, 105 FLOYD STREET				
<b>Sponsors:</b>	Mayor's Office				
<b>Indexes:</b>	Property sale				
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Building Facilities Meeting Minutes May 15, 2014</a>				

Date	Ver.	Action By	Action	Result
5/20/2014	1	Public Works Council Committee		

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO SELL PROPERTY LOCATED AT 101, 103, 105 FLOYD STREET WHEREAS, the City of Jonesboro, Arkansas desires to sell and did advertise the property at 101, 103, 105 Floyd Street for sell; and

WHEREAS, Jeremy Moore desires to purchase property at 101, 103, 105 Floyd Street, owned by the City of Jonesboro, Arkansas being more described as follows, to wit:

Cobb's Survey NE SE PT Lot 4; PT Lot 4 NE NE SW; E200' Lot 2-3 NE NE SW, Jonesboro, Arkansas; also known as 101,103,105 Floyd Street

WHEREAS, it is in the best interest of the City of Jonesboro that said property be sold to Jeremy Moore for the sum of \$8,234.00.

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

Section 1: The Mayor and City Clerk are hereby authorized to execute the documents necessary to complete this transaction and accept the purchase price of \$8,234.00 due and payable at the time of closing by the buyer.

**BUILDING FACILITIES MEETING  
4<sup>TH</sup> FLOOR CONFERENCE ROOM  
THURSDAY MAY 15, 2014**

**Present:** Mayor Harold Perrin, LM Duncan, Terry Adams, Otis Spriggs, Craig Light, Erick Woodruff, Chief Mike Yates, Keith Sanders, Chrystal Glisson, Barry Phillips, Ben Barylske, Chief Kevin Miller, Chairman Gene Vance on speakerphone

The meeting was called to order at 3:00 p.m. Mayor Perrin reviewed the appraisals and bid with the committee regarding property on Floyd, Floyd and Oakhurst and Huntington Ave. After discussion, the motion was made to accept the bids as presented for all three properties by Chief Yates and seconded by Terry Adams; motion carried.

Meeting adjourned 3:08 p.m.





## Legislation Details (With Text)

<b>File #:</b>	RES-14:070	<b>Version:</b>	1	<b>Name:</b>	Agreement with Parks & Tourism for 2013 Trails for Life Grant Program
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Status:</b>	Recommended to Council
<b>File created:</b>	5/19/2014	<b>In control:</b>		<b>In control:</b>	Finance & Administration Council Committee
<b>On agenda:</b>		<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	RESOLUTION AUTHORIZING THE CITY OF JONESBORO TO ENTER INTO AGREEMENT WITH THE DEPARTMENT OF PARKS AND TOURISM FOR THE FY 2013 TRAILS FOR LIFE GRANT PROGRAM				
<b>Sponsors:</b>	Grants				
<b>Indexes:</b>	Grant				
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Agreement.pdf</a>				

Date	Ver.	Action By	Action	Result
5/27/2014	1	Finance & Administration Council Committee		

### RESOLUTION AUTHORIZING THE CITY OF JONESBORO TO ENTER INTO AGREEMENT WITH THE DEPARTMENT OF PARKS AND TOURISM FOR THE FY 2013 TRAILS FOR LIFE GRANT PROGRAM

Whereas, the City of Jonesboro has been awarded the 2013 Trails for Life grant in the amount of \$15,751.68 that will be utilized to fund a 487 linear foot sidewalk to connect the Jonesboro Human Development Center to the Miracle League Park; and

Whereas, said grant is 100% federally funded and there is no local match required.

Therefore, be it resolved by City Council of the City of Jonesboro that:

Section 1: The City of Jonesboro will enter into agreement with the Department of Parks and Tourism for the FY 2013 Trails for Life Grant Program; and

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

# Trails for Life Grant Program Contract Agreement

State of Arkansas, Arkansas Department of Parks and Tourism

**Applicant:** City of Jonesboro and  
Jonesboro Human Development Center (JHDC)      **Project Number:** T-0085-14

**Project Title:** Custom Health and Fitness Project: Connecting walk between Jonesboro Human Development Center's track and the Miracle League Complex

**Period Covered by this Agreement:** Date of Approval through December 2014

**Project Scope:**

To Develop: 487 Linear Feet of Trail - 8 Feet Width  
Expanded metal benches

All construction must meet or exceed the specifications in the Trails for Life Grant Program Application Guide (Attached).

**Grant Amount:** \$15,751.68

**Contract Attachments:**

- 1. Statement of Agreement**
- 2. Trails for Life Program Application Guide**
- 3. Attachment #1**

# Trails for Life Grant Program Contract Agreement

## State of Arkansas, Arkansas Department of Parks and Tourism

### STATEMENT OF AGREEMENT

Project No. T-0085-14

1. The State of Arkansas, represented by the Executive Director, Arkansas Department of Parks and Tourism, hereinafter referred to as the State, and the City of Jonesboro with the Jonesboro Human Development Center, hereinafter referred to as the Grantee, mutually agree to perform this Contract Agreement, hereinafter referred to as the Agreement, in accordance with the terms, promises, conditions, plans, specifications, estimates, procedures, project proposals, the Trails for Life Grant Program Application Guide, attached hereto, made a part hereof, and incorporated by reference as if they were fully set out herein.
2. The State hereby agrees to obligate to the Grantee the amount of money referred to on the preceding page as the Grant Amount. The Grantee hereby agrees, in consideration of the grant obligations made by the State herein, to execute the project described above in accordance with the terms of this Agreement.
3. No waiver by the State or failure by it to require strict and punctual performance by the Grantee of any of the terms, conditions, provisions, or obligations of this Grant, or any forbearance, indulgence, or sufferance granted to or shown Applicant, or any practice involving such waiver, tolerance, indulgence, or sufferance, shall constitute a waiver by the State of the right at any subsequent time to demand and require strict, full, and punctual performance of Applicant's obligations hereunder. Projects must be completed within 2 calendar years of the date of the original contract regardless of time extensions. Any funds tendered to the grantee must be repaid within 30 days of the termination of this contract.
4. All expenses beyond the grant amount will be the responsibility of the Grantee. All consultant fees exceeding 12% of the grant amount will be the responsibility of the Grantee.
5. The state will notify the grantee as soon as it has determined the Grantee is in default of the contract. The Grantee will be responsible for repayment of grant funds within thirty days of contract default notification.
6. The Grantee is responsible for providing project construction supervision, a final project inspection, and certification to the State that the project was completed in accordance with the contract.
7. The Grantee is responsible for maintaining all original project records including bid documents, contracts, invoices, cancelled checks and any other records necessary for audit purposes. Grant funds must be audited at the Grantee expense, or be deposited in a general fund account and be eligible for audit by a routine legislative audit in accordance with state law.
8. Completed facilities must comply with The Americans with Disabilities Act of 1990 (43 U.S.C. 12181), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), Arkansas Architectural Barriers Act 122 of 1967 and must be open to the public at all reasonable times of the day and year and be in accordance with Title VI of the 1964 Civil Rights Act.
9. The Grantee agrees to be responsible for operation and maintenance of said trail as located and approved unless otherwise amended, for a period of fifteen (15) years. The Grantee will assume responsibility for all damages or injuries to persons and property which may result by reason of construction, operation, maintenance, repair, use, and replacement of the trail and associated facilities, and agrees and covenants to hold the State harmless from any such claim or claims.

# Trails for Life Grant Program Contract Agreement

State of Arkansas, Arkansas Department of Parks and Tourism

## STATEMENT OF AGREEMENT

Project No. T-0085-14

10. The Grantee agrees to indemnify the State for any and all liability, loss, or damage the State may suffer as a result of claims, demands, costs, or judgments arising out of the Applicant's operation hereunder. Such indemnification shall include the reimbursement to the State of any attorney fees or costs incurred by the State, in connection with the defense of any action covered by this indemnification.
11. The undersigned Grantee does hereby agree and accept the responsibility and obligations as set out in the herein described project. The undersigned Grantee further understands, agrees, and accepts that this project is not effective until this project Agreement has been duly executed by the State and the said Grantee is notified in writing. No work shall be initiated and/or undertaken by said Grantee on the herein described project until it has received notification by the State in writing.
12. The undersigned Grantee does hereby agree the trail / trail facilities will be smoke-free and the grantee will be responsible for posting and maintaining a sign provide by the grantor and enforcing this smoke-free provision for the term of this contract.

In witness whereof, the parties have executed this Agreement as of the date entered below:

**The State of Arkansas**

**Grantee**

By: \_\_\_\_\_  
Executive Director  
Arkansas Department of Parks and Tourism

By: \_\_\_\_\_  
(Signature)

Date: \_\_\_\_\_

\_\_\_\_\_  
(Name and Title)

Attested By: \_\_\_\_\_  
(Signature and Date)

By: \_\_\_\_\_  
(Joint Applicant Signature)

\_\_\_\_\_  
(Title and Name)

# Trails for Life Grant Program Contract Agreement

## State of Arkansas, Arkansas Department of Parks and Tourism

### ATTACHMENT #1

#### MINORITY BUSINESS ENTERPRISE DEVELOPMENT

The Grantee shall comply with Executive Order #12432, Minority Business Enterprise Development as follows:

It is state and national policy to place a fair share of purchases with minority business firms. The Department of Parks and Tourism is strongly committed to the objectives of this policy and encourages all recipients of its grants and cooperative agreements to take affirmative steps to ensure such fairness. In particular, recipients should:

1. Place minority business firms on bidder's mailing lists.
2. Solicit these firms whenever they are potential sources of supplies, equipment, construction, or services.
3. Where feasible, divide total requirements into smaller needs, and set delivery schedules that will encourage participation by these firms.
4. Use the assistance of the Minority Business Development Agency of the Department of Commerce and similar state and local offices, where they exist.

### ATTACHMENT #2

#### DEED OR LEASE

1. The Trail will be located on the property described in the deed or lease submitted and agreed to at the time when this contract is signed. Any alterations to the trail must be made and agreed to by both the grantor and grantee as an amendment to this Contract Agreement.



## Legislation Details (With Text)

<b>File #:</b>	RES-14:072	<b>Version:</b>	1	<b>Name:</b>	Contract EAB Broadcasters for Craighead Forest Park rental
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Status:</b>	Recommended to Council
<b>File created:</b>	5/19/2014	<b>In control:</b>		<b>In control:</b>	Finance & Administration Council Committee
<b>On agenda:</b>		<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	A RESOLUTION TO CONTRACT WITH EAB BROADCASTORS INC FOR RENTAL OF CRAIGHEAD FORREST PARK				
<b>Sponsors:</b>	Parks & Recreation				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">EAB agreement</a>				

Date	Ver.	Action By	Action	Result
5/27/2014	1	Finance & Administration Council Committee		

A RESOLUTION TO CONTRACT WITH EAB BROADCASTORS INC FOR RENTAL OF CRAIGHEAD FORREST PARK

WHEREAS, the City of Jonesboro owns and maintains Craighead Forrest Park located at 4910 South Culberhouse;

WHEREAS, EAB Broadcastors Inc is seeking rental for Fourth in the Forrest fireworks at Craighead Forrest Park; and

WHEREAS, EAB Broadcastors Inc is renting the complex for the sum of \$1,500.00;

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

SECTION 1: That the City of Jonesboro, Arkansas shall contract with EAB Broadcastors Inc for the rental of Southside Softball Complex. A copy of said contract is attached as Exhibit A.

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

## RENTAL AGREEMENT

**THIS AGREEMENT** made this 1st day of June, 2014 is between CITY OF JONESBORO, hereinafter called Lessor and EAB Broadcastors, Inc. hereinafter called Lessee.

Lessor leases to Lessee, property in Jonesboro, Arkansas commonly known as the Craighead Forrest Park under the following conditions:

1. **TERM:** The term of this lease shall be for three (3) days, beginning on July 3, 2014, and ending at midnight on July 5, 2014.
2. **RENT:** Rent is payable in advance, no later than June 27, 2014 and shall be made in a single payment of one thousand and five hundred dollars (\$1,500.00). Said payment shall be delivered to the Lessor at 300 South Church Street, Jonesboro, Arkansas 72401.
3. **USE:** Lessee agrees to use said premises for the purpose of a July 4<sup>th</sup> Event, and for no other purpose.
4. **SUBLET:** Lessee may not sublet the property or assign this lease without written consent of lessor.
5. **USE:** The property shall be used for a July 4<sup>th</sup> Event. Lessee shall be responsible for the following:
  - a. Supplying and removing portable toilets to be placed on the premises for the use of the public during the activities on the property.
  - b. Cleaning up the property following the event, to include trash pick up and repair of any damages caused by the public or the Lessee to the property during their use. Property must be left in the same condition as it was in prior to the event hosted by the Lessee.
  - c. Lessee is responsible for providing for the smooth flow of traffic into and out of the event. In addition, Lessee will provide traffic control to ensure that no persons are parking in areas on the property which are restricted and not designated

for parking of vehicles.

d. Lessee will barricade restricted access areas to prevent the public from entering.

e. Lessee will coordinate with fire and police and follow all safety requirements determined by them.

f. Lessee will ensure that all food and/or drink vendors have all required licenses and permits.

g. Lessee will ensure that all vendors providing entertainment services to the public have all required license, permits and liability insurance policies.

**6. RISK OF LOSS:** Lessee shall be solely responsible for losses including but not limited to any losses caused by fire on the premises during the rental period. In addition, Lessee shall be responsible for any damages caused by the public to the premises during the rental period. Lessee shall be required to maintain insurance to cover any losses caused by fire, damage, or otherwise to existing structures or to the premises as a whole.

**7. INDEMNIFICATION:** Lessee releases lessor from liability for and agrees to indemnify lessor against all losses incurred by lessor as a result of:

(a) Lessee's failure to fulfill any condition of this agreement;

(b) Any damage or injury happening in or about the house or premises to lessee's invitees or licensees or such person's property; and

(c) Lessee's failure to comply with any requirements imposed by any governmental authority.

**8. FAILURE OF LESSOR TO ACT:** Failure of lessor to insist upon strict compliance with the terms of this agreement shall not constitute a waiver of lessor's right to act on any violation.

**9. REMEDIES CUMULATIVE:** All remedies under this agreement or by law or equity shall be cumulative. If a suit for any breach of this agreement establishes a breach by lessee, lessee shall pay to lessor all expenses incurred in connection therewith.

**10. NOTICES:** Any notices required by this agreement shall be in writing and shall be deemed to be given if delivered personally or mailed by registered or certified mail.



11. **COMPLIANCE WITH LAWS:** Lessee agrees not to violate any law, ordinance, rule or regulation of any governmental authority having jurisdiction of the leased premises. There shall be no alcoholic beverages allowed on the premises.

12. **SEVERABILITY:** Each paragraph of this lease agreement is severable from all other paragraphs. In the event any court of competent jurisdiction determines that any paragraph or subparagraph is invalid or unenforceable for any reason, all remaining paragraphs and subparagraphs will remain in full force and effect.

13. **ENTIRE AGREEMENT:** This agreement and any attached addendum constitute the entire agreement between the parties and no oral statements shall be binding.

14. **INTERPRETATION:** This lease agreement shall be interpreted according to and enforced under the laws of the State of Arkansas.

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

CITY OF JONESBORO

\_\_\_\_\_  
LESSOR, HAROLD PERRIN, MAYOR

  
\_\_\_\_\_  
LESSEE, EAB Broadcastors, Inc.

ATTEST:

\_\_\_\_\_  
DONNA JACKSON,  
CITY CLERK



## Legislation Details (With Text)

<b>File #:</b>	RES-14:073	<b>Version:</b>	1	<b>Name:</b>	Sale of property at 1219 Burke to Riceland
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Status:</b>	Recommended to Council
<b>File created:</b>	5/19/2014	<b>In control:</b>		<b>In control:</b>	Public Works Council Committee
<b>On agenda:</b>		<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO SELL PROPERTY LOCATED AT 1219 BURKE AVENUE				
<b>Sponsors:</b>	Mayor's Office				
<b>Indexes:</b>	Property sale				
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Building Facilities Meeting Minutes April 23, 2014</a> <a href="#">Riceland Contingent Offer May 2014</a>				

Date	Ver.	Action By	Action	Result
5/20/2014	1	Public Works Council Committee		

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO SELL PROPERTY LOCATED AT 1219 BURKE AVENUE WHEREAS, the City of Jonesboro desires to sell and did advertise the property at 1219 Burke Avenue for sell and;

WHEREAS, Riceland Foods desires to purchase the property at 1219 Burke Avenue, owned by the City of Jonesboro, Arkansas being more described as follows, to wit:

Lots 3,6,11-12, & N130' of lots 4-5 of E.E. Nisbitt's Sub, Blk 15 of Nisbett's 2nd Add, Jonesboro, Arkansas; also know as 1219 Burke Avenue

WHEREAS, it is in the best interest of the City of Jonesboro that said property be sold to Riceland Foods for the sum of \$35,200.00; contingent upon the Board of Directors approving this purchase at their July 18, 2014 board meeting.

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

Section 1: The Mayor and City Clerk are hereby authorized to execute the documents necessary to complete this transaction and accept the purchase price of \$35,200.00 due and payable at the time of closing by the buyer.

Section 2: This purchase is contingent upon the Riceland Board of Directors approval at their July 18, 2014 meeting.

**BUILDING FACILITIES COMMITTEE MEETING  
WEDNESDAY, APRIL 23, 2014 3:00 p.m.  
MAYOR'S 4<sup>TH</sup> FLOOR CONFERENCE ROOM**

Present: Erick Woodruff, Terry Adams, Otis Spriggs, Craig Light, Mayor Perrin, Barry Phillips, Ben Barylske, Keith Sanders, Chief Yates, Gene Vance, Chief Miller, Chrystal Glisson.

The meeting was called to order at 3:00 p.m. by Gene Vance, Chair. The updated City Property Books were distributed and reviewed.

The appraisals for Floyd, Oakhurst, Huntington and Johnson were discussed. Craig stated Riceland is interested in these properties, all but Huntington, and might like to make a trade for a 4.5 acre piece of property they have. After discussion, a motion was made by Craig to put these pieces of property up for sale and bring back to the committee the proposal or trade with Riceland; second by Chief Yates; motion carried. An amended motion was made to include the property located on Burke to also be included in the sale by Chief Yates; seconded by Barry Phillips and motion carried.

Discussed the 4.14 acres available on Johnson Ave. behind the city owned property on Johnson (future police station); zoned C-3 limited overlay now and the 4.14 acres is R-2. Asking price is \$89,000.00; the committee declined to do anything with the available property.

Patrick Street widening was discussed and the house will be taken down the week of May 12<sup>th</sup>. The sale price for the property to be widened was \$24,679.45.

The Mayor gave an update on the Wolverine property; will be contacting David Lachana next week to close no later than May 15<sup>th</sup> or end of May. There is \$28,000.00 plus due in taxes. EPA in DC is receptive to using Brownfield money and MTech to remove asbestos.

The HVC has been installed at Earl Bell and will be finishing the floor afterwards. The pump house and bath house have been torn down. There has been requests for a dog park in the city; has been researched and should be fairly easy to install at Earl Bell. There is a \$25,000.00 grant from Pet Smart that would help; fencing, sod, and signage would have to also be installed and would take 60-90 days to complete. Gene Vance would like to double check all this for anything else to be put in its place before dog park being used.

Discussion regarding Johnson Ave. lot/Scott Street. Asking price is \$29,500.00. This would increase the value of the land adjacent to it owned by the city. Motion made by Barry Phillips to authorize the Mayor to make offer up to \$29,500.00 and bring back to committee. Second by Keith Sanders; motion carried.

Craig brought up discussion on the Casey Springs property joining to Strawfloor; stated the appraisal value was \$35,000.00 and Mr. Tribble was asking \$60,000.00. Motion made by Erick Woodruff to allow Mayor to negotiate and bring to committee with asking price of \$40,000.00. Seconded by Barry Phillips; motion carried.

An ad will be put into the Jonesboro Sun for bids on the following properties:  
101, 103, 105 Floyd St.  
1300, 1302, 1304, 1306, 1308, 1312, 1314 Oakhurst and 107 S. Floyd St.  
1201, 1203 W. Huntington Ave.  
1219 Burke Ave.

There being no further business the meeting was adjourned at 3:45 p.m.

**From:** [Rick Rorex](#)  
**To:** [LM Duncan](#)  
**Cc:** [Andrew Dallas](#); [Ken Wixson](#); [Terry Richardson](#)  
**Subject:** Re: Bids  
**Date:** Wednesday, May 14, 2014 4:34:47 PM

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We are interested in the 2 Ac Tract of property @ 1219 Burke St that the City of Jonesboro desires to sell. The appraised value, to best of our understanding, is \$44,000. Riceland would like to make a contingent offer of 80 percent of the appraised value, or \$35,200, for this 2 Ac Tract. The offer is contingent on the Riceland board of directors approving this purchase at their July 18, 2014 board meeting. Please confirm your acceptance of this contingent offer."

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>>> LM Duncan <LMDuncan@jonesboro.org> 5/13/2014 4:45 PM >>>  
Please see attached.

L.M. Duncan  
Chief Operations Officer  
300 South Church Street  
Jonesboro, AR 72401  
Phone: 870-932-1052  
Fax: 870-933-4619  
lmduncan@jonesboro.org

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## Legislation Details (With Text)

**File #:** RES-14:074    **Version:** 1    **Name:** Agreement with National and Community Service for a Vista grant  
**Type:** Resolution    **Status:** Recommended to Council  
**File created:** 5/20/2014    **In control:** Finance & Administration Council Committee  
**On agenda:**    **Final action:**  
**Title:** RESOLUTION AUTHORIZING THE CITY OF JONESBORO TO ENTER INTO AGREEMENT WITH THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A VISTA GRANT  
**Sponsors:** Grants  
**Indexes:**  
**Code sections:**  
**Attachments:** [Agreement.pdf](#)

Date	Ver.	Action By	Action	Result
5/27/2014	1	Finance & Administration Council Committee		

RESOLUTION AUTHORIZING THE CITY OF JONESBORO TO ENTER INTO AGREEMENT WITH THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A VISTA GRANT

Whereas, the City of Jonesboro has been awarded a grant from the Corporation for National and Community Service for a VISTA grant; and

Whereas, said grant is 100% federally funded and there is no local match required; and

Whereas, all funds will be disbursed directly by the State of Arkansas to the VISTA member; and

Whereas, the City of Jonesboro budget will not be affected.

Therefore, be it resolved by City Council of the City of Jonesboro that:

Section 1: The City of Jonesboro will enter into agreement with the Corporation for National and Community Service for a FY 2014 VISTA grant; and

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

**CORPORATION FOR NATIONAL AND COMMUNITY SERVICE  
AmeriCorps VISTA  
MEMORANDUM OF AGREEMENT**



Between

City of Jonesboro  
PO Box 1845  
515 W Washington Avenue  
Jonesboro, AR 72403-1845  
EIN: 716013749  
and

Corporation for National and Community Service  
Arkansas State Office  
700 West Capitol St  
Federal Bldg, Rm 2506  
Little Rock, AR 72201-3204

*Pursuant to Title I, Pub.L. 93-113, the Domestic Volunteer Service Act of 1973, as amended, 87 Stat. 394 hereinafter, "the Act"*

This Memorandum of Agreement, hereinafter referred to as "the Agreement", between the two above-captioned parties: 1) Corporation for National and Community Service, hereinafter referred to as "CNCS"; and 2) City of Jonesboro, hereinafter referred to as the "Sponsor", sets forth the parties' understanding concerning the establishment and operation of a local project under the AmeriCorps VISTA program, pursuant to Title I, Part A of the Domestic Volunteer Service Act, as amended, (42 U.S.C. §§ 4950 et seq.), hereinafter may be referred to as "the Act". The primary purpose of this agreement is for CNCS to provide the Sponsor with up to four(4) AmeriCorps VISTA members to perform volunteer service to strengthen and supplement efforts to eliminate poverty and poverty-related human, social, and environmental problems as specified in the Project Application. The Project Application is incorporated in this Agreement by reference.

The Agreement provides for the assignment of up to four (4) AmeriCorps VISTA members(s) and up to zero (0) Summer Associates supported by the CNCS. The final number of AmeriCorps VISTA members and/or Summer Associates placed may be less than the number listed above due to considerations, such as those related to the management, resources, and budget of the VISTA program.

## **I. GENERAL PROVISIONS**

### **1. Duration of This Agreement**

This Agreement is for one year, and shall become effective on the date of 06/01/2014 execution of this Agreement. The date of execution of this agreement is the date that the final signatory for either party signs and dates this Agreement. This Agreement is subject to performance of the terms as set forth in this Agreement, below in Part II. Activity on the project shall be deemed to have begun on 06/01/2014 and shall end thereafter on 06/13/2015, unless terminated sooner by either or both of the parties.

## **2. Status of VISTA Members During Service**

AmeriCorps VISTA members are eligible for all benefits and coverage provided to them under the Domestic Volunteer Service Act of 1973 (the Act), including the "income disregard" provisions as set forth at 42 U.S.C. § 5044 of the Act; the Federal Employees Compensation Act (FECA); and the Federal Tort Claims Act (FTCA).

AmeriCorps VISTA members shall not be considered employees of the Sponsor. AmeriCorps VISTA members are deemed employees of the federal government only for those limited purposes identified at 42 U.S.C. § 5055 of the Act.

## **II. RESPONSIBILITIES OF THE PARTIES**

### **1. CNCS Responsibilities.** CNCS will:

- a. Select individuals to serve as AmeriCorps VISTA members at Sponsors, and enroll individuals as AmeriCorps VISTA members in the AmeriCorps VISTA program.
- b. Assign AmeriCorps VISTA members to the Sponsor. All member assignments are at the discretion of CNCS and subject to availability of funds.
- c. Provide technical assistance to the Sponsor in planning, development, and implementation of the project.
- d. Process and select member applications submitted by Sponsor.
- e. Provide AmeriCorps VISTA candidate in-processing and pre-service orientation at AmeriCorps VISTA program expense.
- f. Provide AmeriCorps VISTA members with any benefits to which each is eligible, as prescribed by statute and VISTA program policy. Depending on the eligibility and circumstances of each VISTA member, benefits may include living allowance, relocation assistance, end of service awards, health coverage, life insurance coverage, and/or child care coverage.
- g. Subject to the availability of funds, conduct training for the Sponsor's AmeriCorps VISTA supervisors(s).
- h. Periodically review and assist the Sponsor's use of AmeriCorps VISTA members to achieve the objectives and perform the task(s) specified in the Project Narrative part of the Project Application.
- i. Promptly respond to written requests by the Sponsor to remove any AmeriCorps VISTA member from the project in accordance with CNCS's policies and procedures.



j. Provide the Sponsor timely information concerning applicable CNCS and AmeriCorps VISTA regulations, policies and procedures.

k. Provide to AmeriCorps VISTA candidate and members information regarding volunteer discrimination complaint procedures, and grievance procedures, as provided in federal law, applicable regulations, and the AmeriCorps VISTA Member Handbook.

l. Effect removals of AmeriCorps VISTA members from Sponsors, and effect early terminations from the AmeriCorps VISTA program of AmeriCorps VISTA members.

**2. Sponsor Obligations.** The Sponsor will:

a. To the maximum extent practicable, consult with and use the people of the community to be served by AmeriCorps VISTA members in planning, developing, and implementing the project.

b. Operate the project in accordance with the provisions of the Act, applicable program policies and regulations, and other Federal laws, regulations, and policies which are, or become, applicable to the program.

c. Operate the project in accordance with the approved Project Application.

d. Prepare and have approved by the appropriate CNCS State Office a Volunteer Assignment Description (VAD) for each VISTA member assigned to the Sponsor.

e. Engage in best efforts to accomplish the goals set out for the AmeriCorps VISTA members in the Project Application, and comply with the Assurances included within the Project Application.

f. Arrange and be responsible for providing in-depth on-site orientation and training for all incoming AmeriCorps VISTA members at the beginning of their service.

g. Assist in the provision of pre-service, and in-service training (online or face-to-face), as specified in the Project Narrative.

h. Supervise all assigned AmeriCorps VISTA members on a day-to-day basis, and as described in the Project Narrative.

i. Provide on-the-job transportation, administrative resources and other project support needed to successfully conduct the project.

j. Provide all AmeriCorps VISTA members grievance rights and procedures in accordance with federal law,

applicable regulations, and the AmeriCorps VISTA Member Handbook.

k. Maintain such records and accounts, including the tracking of leave taken by assigned AmeriCorps VISTA members, and make such reports and investigations concerning matters involving AmeriCorps VISTA members and the project, as CNCS may require. The Sponsor agrees to retain such records as CNCS may require for a period of three years after completion or termination of the project, or longer if required for administrative proceedings and/or litigation purposes, and to provide access to such records to CNCS for the purpose of litigation, audit or examination.

l. If circumstances require, the Sponsor will advance up to \$500.00 to any AmeriCorps VISTA member in case of any emergency (e.g., critical illness or death in the immediate family) to be reimbursed by CNCS when the Sponsor and AmeriCorps VISTA member have completed and submitted an AmeriCorps VISTA Payment Voucher. CNCS will not be responsible for the reimbursement of these funds unless the AmeriCorps VISTA Payment Voucher form is submitted to the State Program Director.

m. Report to the appropriate CNCS State Office, within 24 hours, the unscheduled departure of all assigned AmeriCorps VISTA members, and otherwise keep CNCS timely informed of unscheduled changes of status and conditions of AmeriCorps VISTA members, such as arrests, medical emergencies, hospitalization, and absence without leave.

n. Submit Project Progress Reports within the required time frame.

o. Submit on-site orientation training plans to the appropriate CNCS State Office at least thirty (30) days in advance of the proposed starting date of such training. On-site orientation training must occur and be completed within the first two to four weeks of an AmeriCorps VISTA member's assignment to the Sponsor.

p. Ensure that the Sponsor's AmeriCorps VISTA Supervisor(s) participate(s) in AmeriCorps VISTA supervisory orientation provided by CNCS, and ensure training of subrecipient supervisors.

q. Make every reasonable effort to ensure that the health and safety of all assigned AmeriCorps VISTA members are protected during the performance of their assigned duties. The Sponsor shall not assign or require AmeriCorps VISTA members to perform duties which would jeopardize their safety or cause them to sustain injuries.

r. By the effective date of this Agreement, the Sponsor must certify that it has conducted a self-evaluation of its compliance with Section 504 of the Rehabilitation Act of 1973, including that it has taken all reasonable measures to ensure that its facilities and all participating project sites (i.e., subrecipients) are accessible to qualified persons with disabilities, promotes their equal participation, and does not otherwise discriminate against such persons based on disability.

s. On a biweekly basis, return the Sponsor Verification Form to the CNCS State Office within three (3) workdays of receipt. The Sponsor must indicate actual departure date(s) of AmeriCorps VISTA member(s) who leaves prior to completion of service date(s). The Sponsor must certify the Form even if no AmeriCorps VISTA members left/leave during the pay period covered by the form.

t. Should activities be organized in the communities where the AmeriCorps VISTA members are assigned for service, allow assigned AmeriCorps VISTA members to participate in Days of Service, e.g., Martin Luther King, Jr. Holiday, National Volunteer Week.

u. VISTA resources include the time and activities of the VISTA member CNCS assigns to the VISTA Sponsor and supports through VISTA member benefits. The Sponsor is required to ensure that all VISTA resources are properly used at all times. If CNCS determines that the Sponsor, and/or, if applicable, any subrecipient of the Sponsor (as described below in Section II.3. of this Agreement), has misused VISTA resources in violation of Federal law, Federal regulation, or the terms or conditions of this Memorandum of Agreement, the Sponsor and/or the subrecipient may be held financially responsible to reimburse CNCS for VISTA living allowances, and, if applicable, end of service awards and other CNCS funds provided in support of a VISTA member. Whether the Sponsor and/or the subrecipient is held financially responsible to reimburse CNCS is within CNCS's complete discretion.

### **3. Obligations of the Sponsor and any subrecipient of the Sponsor**

a. The Sponsor may carry out a VISTA project through, in part, one or more subrecipients. The Sponsor must enter into a subrecipient agreement with each subrecipient. A subrecipient agreement must have at least the following elements:

- (1) A project plan to be implemented by the subrecipient;
- (2) Records to be kept and reports to be submitted;
- (3) Responsibilities of the parties and other program requirements;
- (4) Suspension and termination policies and procedures.
- (5) Written understanding and agreement that: (i) the subrecipient is required to properly ensure that all VISTA resources are used to carry out the VISTA project in conformity with all applicable CNCS laws, regulations, policies, procedures and program guidance; and (ii) the subrecipient must provide information to the Sponsor on the use of all VISTA resources; and
- (6) Written understanding and agreement that while the Sponsor maintains responsibility for the subrecipient's proper use of VISTA members, the subrecipient may be held financially responsible to CNCS for the inappropriate use of all such VISTA resources by the subrecipient.

b. The Sponsor retains the responsibility for compliance with this Memorandum of Agreement; any agreements that it has with subrecipient(s); all applicable regulations; and all applicable policies, procedures, and program

guidance issued by CNCS regarding the VISTA program. The Sponsor shall not request or receive any compensation from a subrecipient for services performed by a VISTA member of Summer Associate.

c. The Sponsor shall not receive payment from, or on behalf of, the subrecipient for costs associated with VISTA program assistance, except for reasonable and actual costs incurred by the Sponsor directly related to the subrecipient's participation in a VISTA project

#### **4. Affiliation with the Corporation for National and Community Service and AmeriCorps VISTA**

a. The Sponsor must identify the project as an AmeriCorps VISTA project and assigned members as AmeriCorps VISTA members. In cases where the Sponsor has one or more subrecipient(s) as described above in Section II.3., all subrecipient agreements related to the AmeriCorps VISTA project must explicitly state that the project is an AmeriCorps VISTA project and assigned AmeriCorps VISTA members are the resource being provided.

b. AmeriCorps VISTA is a registered service mark of the Corporation for National and Community Service. If a Sponsor uses a CNCS or AmeriCorps VISTA service mark or name, AmeriCorps VISTA must be identified as a Federal assistance provider. Sponsors and subrecipients must use the AmeriCorps VISTA name and logo in accordance with CNCS requirements. The Sponsor may not use or display the AmeriCorps VISTA name or logo in connection with any prohibited activity referenced in Sections 8-11 of Part II of this Agreement.

#### **5. Joint Responsibilities**

The Sponsor will identify and interview AmeriCorps VISTA applicants with support from CNCS.

The Sponsor and CNCS will cooperate together in all pre-service and in-service trainings (online or face-to-face), in accordance with all applicable CNCS policies.

#### **6. Prohibition on Nepotism**

To avoid actual or apparent favoritism in the operation of an AmeriCorps VISTA project, CNCS's AmeriCorps VISTA program prohibits certain placement and assignment arrangements, as follows:

##### **a. VISTA Members**

An AmeriCorps VISTA member cannot be placed or assigned to an AmeriCorps VISTA project site if s/he:

is in the immediate family (e.g., spouse, domestic partner, parent or guardian whether by blood or adoption, child whether by blood or adoption) of a project site staff member or a CNCS staff person in the applicable State Office or who manages the project, either at the Sponsor or a subrecipient;

is a close relative, whether by blood or adoption, (e.g., grandparent, grandchild, aunt, uncle, niece, nephew, first

cousin) of a project site staff member or a CNCS staff person in the applicable State Office or who manages the project, either at the Sponsor or a subrecipient;

is in the immediate family (e.g., spouse, domestic partner, parent or guardian whether by blood or adoption, child whether by blood or adoption) of a member of the board of directors of the specific AmeriCorps VISTA project site where the VISTA member reports for service; or

is a close relative, whether by blood or adoption, (e.g., grandparent, grandchild, aunt, uncle, niece, nephew, first cousin) of a member of the board of directors of the specific AmeriCorps VISTA project site where the VISTA member reports for service.

#### **b. VISTA Project Supervisory Employees**

A project site employee is prohibited from holding a VISTA project supervisory position if s/he:

is in the immediate family (e.g., spouse, domestic partner, parent or guardian whether by blood or adoption, child whether by blood or adoption) of any CNCS official responsible for the AmeriCorps VISTA project;

is a close relative, whether by blood or adoption, (e.g., grandparent, grandchild, aunt, uncle, niece, nephew, first cousin) of any CNCS official responsible for the AmeriCorps VISTA project;

is in the immediate family (e.g., spouse, domestic partner, parent or guardian whether by blood or adoption, child whether by blood or adoption) of any project site employee who holds supervisory authority over him/her; or

is a close relative, whether by blood or adoption, (e.g., grandparent, grandchild, aunt, uncle, niece, nephew, first cousin) of any project site employee who holds supervisory authority over him/her.

#### **7. Nondiscrimination**

No person with responsibilities in the operation of the project shall discriminate against any AmeriCorps VISTA member, or member of the staff of, or beneficiary of the project, with respect to any aspect of the project on the basis of race, religion, color, national origin, sex, sexual orientation, age, disability, political affiliation, marital or parental status, or military service.

#### **8. Sexual Harassment**

Sexual harassment is a form of discrimination based on sex, which is prohibited as addressed directly above. As the recipient of federal financial assistance from CNCS, the Sponsor is responsible for violations of the prohibition against sexual harassment and for taking corrective action and/or disciplinary action if violations occur. Such sexual harassment violations include:

Acts of "quid pro quo" sexual harassment where a supervisor demands sexual favors for service benefits, regardless of whether the Sponsor, its agents or supervisory employees should have known of the acts;

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of sexual nature which have the purpose or effect of creating an intimidating, hostile or offensive service environment.

Acts of sexual harassment toward fellow AmeriCorps VISTA members or non-employees, where the Sponsor, its agent or its supervisory employees knew or should have known of the conduct, unless it took immediate and appropriate corrective action.

### **9. Delegation and Subcontracting**

The Sponsor is prohibited from delegating or assigning any of its obligations or duties contained in this Agreement, with the exception of delegation or assignment to approved subrecipients. AmeriCorps VISTA members may be assigned by the Sponsor to perform duties with other public or private non-profit agencies or organizations ("project sites") as described in the Project Narrative and in accordance with written subrecipient agreements.

### **10. Supplemental Payments Prohibited**

Monetary subsistence (living) allowances provided to AmeriCorps VISTA members are designed to permit AmeriCorps VISTA members to live at or below the economic level of the persons served, as required by law. Neither the Sponsor nor its subrecipients may supplement these allowances in a manner that would interfere with the member's experience of living at or below the poverty level. Sponsors and subrecipients are strictly prohibited from providing VISTA members or Summer Associates with cash.

### **11. Prohibitions of Use of CNCS Assistance By Sponsor**

The Sponsor agrees that no AmeriCorps VISTA member assigned to the Sponsor, and no other federal financial assistance provided by CNCS, under this Agreement, shall be used to assist, provide or participate in:

- a. Partisan and non-partisan political activities associated with a political candidate, including voter registration;
- b. Direct or indirect attempts to influence passage or defeat of legislation or proposals by initiative petition;
- c. Labor or anti-labor organization or related activities; or
- d. Religious instruction, worship services, proselytization, or any other religious activity as an official part of their duties.

### **12. Whistleblower Rights and Remedies for Employees of the Sponsors**

A. The Sponsor is required to notify all of its employees in writing of employee whistleblower rights and protections under 41 U.S.C. § 4712, as described at <http://www.cncsoig.gov/contractor-whistleblower-protection-0#node-1001> . As such, Sponsor is required to notify all of its employees that they may not be

discharged, demoted, or otherwise discriminated against for disclosing information that an employee reasonably believes is evidence of:

1. Gross mismanagement or waste of a Federal contract or grant;
2. An abuse of authority relating to a Federal contract or grant (an arbitrary and capricious exercise of authority that is inconsistent with the mission of CNCS or the successful performance of a contract or grant of CNCS);
3. A substantial and specific danger to public health or safety, or
4. A violation of law, rule, or regulation related to a Federal contract or grant.

B. The Sponsor is required to notify all of its employees that an employee may disclose suspected wrongdoing described above in Section 12.A. to any of the following:

1. The CNCS Office of Inspector General;
2. A CNCS employee responsible for contract or grant oversight or management;
3. A management official or other employee of the Sponsor who has the responsibility to investigate, discover, or address misconduct, or;
4. An authorized official of the U.S. Department of Justice or other law enforcement agency, a Member of Congress, or a representative of a committee of Congress, or the Government Accountability Office (GAO).

C. The Sponsor is required to notify all of its employees in writing that if an employee believes that he or she has been subjected to reprisal for disclosed wrongdoing described above in Section 12.A., the employee may submit a complaint to the CNCS OIG within three (3) years of the date on which the alleged reprisal took place.

**13. The Sponsor further agrees not to:**

- a. Carry out projects resulting in the identification of such projects with partisan or non-partisan political activities, including voter registration activities, or providing voter transportation to the polls.
- b. Assign AmeriCorps VISTA members to activities that would supplant the hiring of or result in the displacement of employed workers, or impair existing contracts for service.
- c. Accept or permit the acceptance of compensation from AmeriCorps VISTA members or from beneficiaries for the services of AmeriCorps VISTA members.

d. Request, charge or accept participation or application fees from VISTA members, VISTA candidates, and potential AmeriCorps VISTA candidates.

e. Require or accept application fees from potential subrecipients, or require participation fees above and beyond the actual cost of support provided by the primary Sponsor.

#### **14. Amendments**

This Memorandum of Agreement may be amended at any time, in writing, executed by authorized representatives of the Sponsor, and the appropriate CNCS State Director, and, if appropriate, the appropriate CNCS Executive Officer. In addition all parties agree to amend this Agreement as required by paragraph 19 of Part II, "Increases in AmeriCorps VISTA Members Allowances During This Agreement."

#### **15. Severability**

If any provision of this Agreement is construed as illegal or invalid, this will not affect the legality or validity of any of the other provisions contained in this Agreement. The illegal or invalid provision will be deemed stricken and deleted from the Agreement to the same extent and affect as if it never existed, but all other provisions will continue in effect.

#### **16. Notices**

All notices and communications required to be given to CNCS by the Sponsor, except as specifically provided in paragraph 17 of Part II, shall be directed to the CNCS State Program Director or Specialist at the State Program Office Address provided below. All notices to be given to the Sponsor by CNCS shall be directed to Heather Clements at PO Box 1845  
515 W Washington Avenue  
Jonesboro, AR 72403-1845.

In the event that any of the parties or addresses named in the above paragraph change, written notice to all other parties must be provided immediately. Such written notice should include the Project number and Sponsor EIN.

#### **17. Termination or Suspension**

Sponsor: Right to Terminate with Notice. The Sponsor may terminate this Agreement at any time by giving at least thirty (30) days' notice in writing to CNCS of its intent.

CNCS: Right to Terminate or Suspend. CNCS may terminate or suspend this Agreement in accordance with applicable terms and procedures set forth in applicable Federal regulations and 42 U.S.C. § 5052. . Sponsor understands and agrees that CNCS may take action to terminate or suspend this Agreement, or deny renewal of this Agreement or VISTA resources, for failure to comply with the applicable terms and conditions of this Agreement.



**18. Order of Precedence**

In the event of inconsistencies or conflicts between the Project Narrative and the Agreement, this Agreement shall govern.

**19. Increases in AmeriCorps VISTA Payment Amounts During This Agreement**

The parties to this Agreement are cognizant of the likelihood of future area-based "cost-of-living" increases to subsistence allowances, to which AmeriCorps VISTA members would be entitled, in the course of their service at the Sponsor. The parties specifically intend that their respective obligations to pay, or reimburse amounts paid to, AmeriCorps VISTA members shall reflect and be adjusted to account for such general increases, in accordance with the Act and CNCS's regulations and procedures.

**OFFICIAL SIGNATURE SHEET**

In witness whereof, the parties whose signatures appear below attest to having the authority to enter into this Agreement and agree that this Agreement will become effective on the aforementioned date.

**Sponsor**

**Corporation for National and Community Service**

By: \_\_\_\_\_  
(Sponsor Signature)

By: \_\_\_\_\_  
(State Director Signature)

Name: Hctqrf "Rgttkp

Name: Opal Sims

Title: "\*\*\*\*\*"Oc{qt

Title: State Program Director

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Attested by: \_\_\_\_\_

Address: City of Jonesboro  
PO Box 1845  
515 W Washington Avenue  
Jonesboro, AR 72403-1845

Address: Arkansas State Office  
700 West Capitol St  
Federal Bldg, Rm 2506  
Little Rock, AR 72201-3204

Phone: (870) 336-7229

Phone: 501-324-5234



Legislation Details (With Text)

<b>File #:</b>	RES-14:079	<b>Version:</b>	1	<b>Name:</b>	Contract with Cromwell Architects for Jets transfer facility services
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Status:</b>	Recommended to Council
<b>File created:</b>	5/27/2014	<b>In control:</b>		<b>In control:</b>	Finance & Administration Council Committee
<b>On agenda:</b>		<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE PROPOSAL AND ENTER INTO A CONTRACT WITH CROMWELL ARCHITECTS ENGINEERS, INC TO PROVIDE ARCHITECTURAL, DESIGN, AND ENGINEERING SERVICES FOR THE RENOVATION/CONSTRUCTION OF A MULTI-MODAL CENTRAL TRANSFER FACILITY FOR THE JONESBORO ECONOMICAL TRANSPORTATION SYSTEM (JETS)				
<b>Sponsors:</b>	Engineering				
<b>Indexes:</b>	Contract				
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Proposal</a>				

Date	Ver.	Action By	Action	Result
5/27/2014	1	Finance & Administration Council Committee		

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE PROPOSAL AND ENTER INTO A CONTRACT WITH CROMWELL ARCHITECTS ENGINEERS, INC TO PROVIDE ARCHITECTURAL, DESIGN, AND ENGINEERING SERVICES FOR THE RENOVATION/CONSTRUCTION OF A MULTI-MODAL CENTRAL TRANSFER FACILITY FOR THE JONESBORO ECONOMICAL TRANSPORTATION SYSTEM (JETS)

WHEREAS, the City of Jonesboro has desires to accept the proposal and enter into a contract to provide architectural, design, and engineering services for the renovation/construction of a Multi-Modal Central Transfer Facility for the Jonesboro Economical Transportation Systems (JETS);

WHEREAS, the Selection Committee has determined that Cromwell Architects Engineers, Inc. is the most qualified firm for the project;

WHEREAS, the firm selected for the Multi-Modal Central Transfer Facility for the Jonesboro Economical Transportation System (JETS) project is Cromwell Architects Engineers, Inc.;

WHEREAS, Cromwell Architects Engineers, Inc. has submitted a lump sum price of \$78,076.57 plus reimbursable expenses to provide architectural, design, and engineering services for the Multi-Modal Central Transfer Facility for the Jonesboro Economical Transportation System (JETS) project is Cromwell Architects Engineers, Inc.;

WHEREAS, the funding for the execution of the contract shall come from the FTA FY 2013 Apportionments JETS Regional Multi-Modal Central Transfer Station budget and compensation shall be paid in accordance with the contract documents.

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

Section 1: That the City of Jonesboro shall accept the proposal and enter into a contract with Cromwell Architects Engineers, Inc. for \$78,076.57 plus reimbursable expenses to provide architectural, design, and engineering services for the Multi-Modal Central Transfer Facility for the Jonesboro Economical Transportation System (JETS) project.

Section 2. The funding for the execution of the contract shall come from the FTA FY 2013 Apportionments JETS Regional Multi-Modal Central Transfer Station budget and compensation shall be paid in accordance with the contract documents.

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 the agreement.



Background-

Our Team will provide architectural, design, and engineering services for the renovation/ construction of a Multi-Modal Central Transfer Facility for the Jonesboro Economical Transportation System (JETS). The building will be located at 713 South Caraway Road. The facility, when complete will serve JETS in the transfer of public transit riders in its system as well as perform as a facility to promote regional public transportation by allowing operations such as Greyhound and/or rural public transit systems to board/de-board passengers. This facility will have a small passenger waiting room, restroom facilities, a small driver break room, and covered outside areas where passengers can load and unload public transit buses.

The scope of services for the team are identified in the RFP for the project (attached hereto) and further described below. Note that we are proposing to omit the 60% submittal due to the nature of the project and team.

Task 1 & 2 will be provided by MG/ HDG. The scope for those services is contained within an attached document.

Task 3: 30% Complete Design Package

To develop the design for the Multi-Modal Central Transfer Facility and site elements of the project to a level of sufficient detail such that it will serve as a guide for preparing detailed construction documents for the project. This first set of schematic level drawings will begin to define the size, facility's structure, Site Design & landscaping, materials, finishes, Interior Design, fixtures, and other elements of the building. The Team will provide a preliminary cost estimate for construction. The Team will submit a site plan layout at this time to the City of Jonesboro through their "Pre-Application" process to obtain preliminary site related comments from various building officials.

A. Site Design:

1. Refine the basic site geometric layout design incorporating all major elements.
2. Supplement topographical survey with information pertinent to construction of improvements such as flow line elevations of storm sewer and any property line changes.
3. Determine Utility relocation requirements
4. Assess existing utility locations and capacities
5. Determine ultimate project utility requirements.
6. Define site grading / drainage concepts.
7. Review the need for retaining walls and determine the extent & height.
8. Prepare Landscaping Concept Plans.
9. Develop stormwater management system and water infiltration concepts.
10. Prepare preliminary design solutions for streetscape coordination.
11. Refine and Develop geometric layout of driveway entrances

B. Architectural Design:

1. Conduct Code Analysis
2. Develop building floor plans
3. Incorporate equipment planning into architectural designs.
4. Prepare sketches, drawings, studies, or computer models of alternate architectural concepts.
5. Coordinate equipment space needs.
6. Prepare architectural building elevations
7. Develop conceptual building sections.

C. Interior Design

1. Develop two alternate preliminary color/material schemes for interior finishes.

D. Structural Design:

1. Study alternative structural systems.
2. Collaborate to select structural system
3. Prepare schematic drawings illustrating the structural system.

E. Mechanical, Electrical & Plumbing Systems Design:

1. Study alternative HVAC systems
2. Collaborate to select mechanical systems.
3. Define building electrical system requirements
4. Define building plumbing system requirements.
5. Determine site security systems.
6. Define communication and data requirements.
7. Develop site lighting concepts.

F. Equipment Design & Branding:

1. Identification and functional layout for ticket vending, kiosks, and wayfinding.
2. Develop conceptual wayfinding and graphic concepts.
3. Prepare design narrative of specialty equipment design.

G. Presentation:

1. Conduct a 1 day work session/presentation to review and obtain feedback on the 30% Design Package. The Team shall submit the design documents to the Owner, advise the Owner of adjustments to the estimate of the Cost of the Work, and request the Owner's approval.

H. Deliverables:

1. 30% Complete Design Package
  - a) Schematic Design Drawings
  - b) Schematic Design Cost Opinions.

#### Task 4: 100% Final Construction Documents

To provide final Construction Document package for bidding, permitting, and construction of all civil, structural, architectural, mechanical, electrical and plumbing elements for the entire project.

- A. Based on the Owner's approval of the 30% Documents, and on the Owner's authorization of any adjustments in the Project requirements and the budget for the Cost of the Work, the Team shall prepare Construction Documents for the Owner's approval. The Construction Documents shall illustrate and describe the further development of the approved 30% Documents and shall consist of Drawings and Specifications setting forth in detail the quality levels of materials and systems and other requirements for the construction of the Work. The Owner and Team acknowledge that in order to construct the Work the Contractor will provide additional information, including Shop Drawings, Product Data, Samples and other similar submittals, which the Team shall review.
- B. The Team shall incorporate into the Construction Documents the design requirements of governmental authorities having jurisdiction over the Project.
- C. During the development of the Construction Documents, the Team shall assist the Owner in the development and preparation of (1) bidding and procurement information that describes the time, place and conditions of bidding, including bidding or proposal forms; (2) the form of agreement between the Owner and Contractor; and (3) the Conditions of the Contract for Construction (General, Supplementary and other Conditions). The Team shall also compile a project manual that includes the Conditions of the Contract for Construction and Specifications and may include bidding requirements and sample forms.
- D. The Team shall update the estimate for the Cost of the Work.
- E. Deliverables:
  - 1. Three copy sets of sealed construction documents & specifications to the Owner.
  - 2. One digital set on CD of sealed construction documents & specifications to the Owner.
  - 3. Approximately twenty copy sets of sealed construction documents & specifications for Bidding & Construction.
  - 4. One digital upload of documents & specifications for City of Jonesboro. Note: All city application fees, plan review & permitting fees are excluded.
  - 5. Eight copy sets of sealed construction documents & specifications for individual design team members.
  - 6. Final Cost Opinion.

#### Task 5: Bidding, Permitting & GC Negotiation

Assist the owner in obtaining qualified general contractor bids for construction and obtaining necessary building permits for construction. The Team shall assist the Owner in establishing a list of prospective contractors. Following the Owner's approval of the Construction Documents, the Team shall assist the Owner in (1) obtaining competitive bids (2) confirming responsiveness of bids or proposals; (3) determining the successful bid or proposal, if any; and, (4) awarding and preparing contracts for construction.

- A. The Team shall assist the owner in bidding the project by:
  - 1. Procuring the reproduction of Bidding Documents for owner's distribution to prospective bidders.
  - 2. Attending a pre-bid conference for prospective bidders.
  - 3. Preparing responses to questions from prospective bidders and providing clarifications and interpretations of the Bidding Documents to all prospective bidders in the form of addenda and/or supplemental instructions.
  - 4. Owner Provided Services during bidding: advertising for competitive bids; administration of the bidding process; organizing and conducting the opening of bids, preparing construction contracts; and executing construction contracts.
- B. The Team shall consider requests for substitutions, if the Proposal Documents permit substitutions, and shall prepare and distribute addenda identifying approved substitutions to all prospective contractors.
- C. The Team shall assemble and submit all necessary documents to governing authorities and jurisdictions for plan review and permitting. In response to any plan review comments, the Team will prepare formal responses in the form of addenda and/or supplemental instructions.
- D. DELIVERABLES
  - 1. Not Applicable

## Task 6: Construction Administration

To represent the owner during construction to observe that the construction follows the requirements set forth in the construction documents and specifications.

### A. GENERAL:

1. The Team shall provide administration of the Contract between the Owner and the Contractor as set forth below. Owner modifications shall not affect the Team's services under this Agreement unless the Owner and the Team amend this Agreement.
2. The Team shall advise and consult with the Owner during the Construction Phase Services. The Team shall have authority to act on behalf of the Owner only to the extent provided in this Agreement. The Team shall not have control over, charge of, or responsibility for the construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the Work, nor shall the Team be responsible for the Contractor's failure to perform the Work in accordance with the requirements of the Contract Documents. The Team shall be responsible for the Team's negligent acts or omissions, but shall not have control over or charge of, and shall not be responsible for, acts or omissions of the Contractor or of any other persons or entities performing portions of the Work.
3. The Team's responsibility to provide Construction Phase Services commences with the award of the Contract for Construction and terminates on the date the Team issues the final Certificate for Payment.
4. The Team will coordinate a post-construction meeting to review the project eleven months after substantial completion to visit any issues prior to the expiration of the one-year contractor's warranty period.

### B. EVALUATIONS OF THE WORK

1. The Team shall visit the site at intervals appropriate to the stage of construction to become generally familiar with the progress and quality of the portion of the Work completed, and to determine, in general, if the Work observed is being performed in a manner indicating that the Work, when fully completed, will be in accordance with the Contract Documents. However, the Team shall not be required to make exhaustive or continuous on-site inspections to check the quality or quantity of the Work. Site visits shall occur, on average, every two weeks, and bi-weekly observation reports shall be prepared and submitted accordingly. On the basis of the site visits, the Team shall keep the Owner reasonably informed about the progress and quality of the portion of the Work completed, and report to the Owner (1) known deviations from the Contract Documents and from the most recent construction schedule submitted by the Contractor, and (2) defects and deficiencies observed in the Work.
2. The Team has the authority to reject Work that does not conform to the Contract Documents. Whenever the Team considers it necessary or advisable, the Team shall have the authority to require inspection or testing of the Work in accordance with the provisions of the Contract Documents, whether or not such Work is fabricated, installed or completed. However, neither this authority of the Team nor a decision made in good faith either to exercise or not to exercise such authority shall give rise to a duty or responsibility of the Team to the Contractor, Subcontractors, material and equipment suppliers, their agents or employees or other persons or entities performing portions of the Work.



3. The Team shall interpret and decide matters concerning performance under, and requirements of, the Contract Documents on written request of either the Owner or Contractor. The Team's response to such requests shall be made in writing within any time limits agreed upon or otherwise with reasonable promptness.
4. Interpretations and decisions of the Team shall be consistent with the intent of and reasonably inferable from the Contract Documents and shall be in writing or in the form of drawings. When making such interpretations and decisions, the Team shall endeavor to secure faithful performance by both Owner and Contractor, shall not show partiality to either, and shall not be liable for results of interpretations or decisions rendered in good faith. The Team's decisions on matters relating to aesthetic effect shall be final if consistent with the intent expressed in the Contract Documents.
5. Unless the Owner will designate an on-site project engineer to serve as an Initial Decision Maker, Steve Ewart, in consultation with the Team, shall render initial decisions on Claims between the Owner and Contractor as provided in the Contract Documents.

#### C. SUBMITTALS

1. The Team shall review the Contractor's submittal schedule and shall not unreasonably delay or withhold approval. The Team's action in reviewing submittals shall be taken in accordance with the approved submittal schedule or, in the absence of an approved submittal schedule, with reasonable promptness while allowing sufficient time in the Team's professional judgment to permit adequate review.
2. In accordance with the Team-approved submittal schedule, the Team shall review and approve or take other appropriate action upon the Contractor's submittals such as Shop Drawings, Product Data and Samples, but only for the limited purpose of checking for conformance with information given and the design concept expressed in the Contract Documents. Review of such submittals is not for the purpose of determining the accuracy and completeness of other information such as dimensions, quantities, and installation or performance of equipment or systems, which are the Contractor's responsibility. The Team's review shall not constitute approval of safety precautions or, unless otherwise specifically stated by the Team, of any construction means, methods, techniques, sequences or procedures. The Team's approval of a specific item shall not indicate approval of an assembly of which the item is a component.
3. If the Contract Documents specifically require the Contractor to provide professional design services or certifications by a design professional related to systems, materials or equipment, the Team shall specify the appropriate performance and design criteria that such services must satisfy. The Team shall review Shop Drawings and other submittals related to the Work designed or certified by the design professional retained by the Contractor that bear such professional's seal and signature when submitted to the Team. The Team shall be entitled to rely upon the adequacy, accuracy and completeness of the services, certifications and approvals performed or provided by such design professionals.
4. The Team shall review and respond to requests for information about the Contract Documents. The Team shall set forth in the Contract Documents the requirements for requests for information. Requests for information shall include, at a minimum, a detailed written statement that indicates the specific Drawings or Specifications in need of clarification and the nature of the clarification requested. The Team's response to

such requests shall be made in writing within any time limits agreed upon, or otherwise with reasonable promptness. If appropriate, the Team shall prepare and issue supplemental Drawings and Specifications in response to requests for information.

5. The Team shall maintain a record of submittals and copies of submittals supplied by the Contractor in accordance with the requirements of the Contract Documents.

#### D. CHANGES TO THE WORK

1. The Team or Steve Ewart, the owner's authorized decision maker, may authorize minor changes in the Work on site that are consistent with the intent of the Contract Documents and do not rise to the need for a request for information, or involve an adjustment in the Contract Sum or an extension of the Contract Time. The Team shall prepare Change Orders and Construction Change Directives for the Owner's approval and execution in accordance with the Contract Documents.
2. The Team shall maintain records relative to changes in the Work.

#### E. PROJECT COMPLETION

1. The Team shall conduct inspections to determine the date or dates of Substantial Completion and the date of final completion; issue Certificates of Substantial Completion; receive from the Contractor and forward to the Owner, for the Owner's review and records, written warranties and related documents required by the Contract Documents and assembled by the Contractor; and issue a final Certificate for Payment based upon a final inspection indicating the Work complies with the requirements of the Contract Documents.
2. The Team's inspections shall be conducted with the Owner to check conformance of the Work with the requirements of the Contract Documents and to verify the accuracy and completeness of the list submitted by the Contractor of Work to be completed or corrected.
3. When the Work is found to be substantially complete, the Team shall inform the Owner about the balance of the Contract Sum remaining to be paid the Contractor, including the amount to be retained from the Contract Sum, if any, for final completion or correction of the Work.
4. The Team shall forward to the Owner the following information received from the Contractor: (1) consent of surety or sureties, if any, to reduction in or partial release of retainage or the making of final payment; (2) affidavits, receipts, releases and waivers of liens or bonds indemnifying the Owner against liens; and (3) any other documentation required of the Contractor under the Contract Documents.
5. Record Drawings: The team shall collect Contractor record as-builts of all significant changes on the work which deviates from that as shown on the drawings.

#### F. DELIVERABLES

1. Bi-Weekly Site Observation Reports, Minutes, and Records.
2. Punchlists
3. Letter of Substantial Completion
4. Record Drawings

End of Scope of Work



## Scope of Basic Services

# Multi-Modal Central Transfer Facility for JETS

### Task 1: Programming & Data Collection

The objective of the Programming & Data Collection phase is to review and evaluate both current and future functional requirements as input into the design process which will ensure a facility that responds to JETS needs both today and in the future. To complete the programming and Data Collection,

- A. Consultant will conduct orientation/kick-off meeting for all key JETS staff in an agreed upon location in Jonesboro, Arkansas. At the orientation / kick-off meeting, Consultant will distribute programming questionnaires, discuss the programming process, and address issues to solicit the most effective participation by key staff.
- B. Consultant will complete collection of data including:
  1. Touring existing facilities in order to gain an understanding of current operating philosophies and conditions.
  2. Conducting programming interviews with key JETS staff to stimulate dialogue relating to staffing, storage space requirements, as well as general operating practices required for the facility.
  3. Discuss vehicles that will be used at the new transit site.
  4. Discuss and review other transit center designs and discuss bus flow, pedestrian flow, berth design, canopy options and passenger information systems and other technologies.
  5. Discuss and evaluate any requirements for storage areas, offices, restrooms, ticket vending and any other support facility requirements.
  6. Discuss and evaluate options for building/ covered area requirements for equipment (ticket vending, food/beverage vending) or materials.
  7. Discuss and evaluate options for site and building security requirements.
- C. Consultant will examine space programming, including:



1. Addressing functional areas to be located at the facility.
  2. Developing space program requirements for the facility based on information and projections developed as part of the data collection effort.
  3. Determining parking requirements for employee, visitor, and delivery vehicles.
  4. Identifying clearance requirements throughout the project.
- D. Consultant will prepare and deliver documentation gathered during the interview and data collection process.
- E. Consultant will prepare and deliver a preliminary Space Needs Program document.

**Task 2: Conceptual Design Development- Charrette**

In this task the Project Team utilizes the unique, dynamic, and very successful "charrette" approach to developing a conceptual design. The Project Team will conduct a multi day on-site design session or charrette to develop site and facility layout alternatives. The Team will "set up shop" in a location that is easily accessible by the staff, perhaps in a large conference room or other large room. The design sessions will begin with simple site circulation diagrams and facility massing studies and will progress through a series of team work sessions and review workshops to a final conceptual design. The success factor depends on user involvement in daily design review workshops. These one- to two-hour presentations allow the Team to present multiple site and facility layout alternatives for review and comment. After recording the comments and issues, the Team then begins refining the alternatives and concepts in preparation for the next day's review workshop. The refinements are developed by incorporating ideas and comments into the next round of alternatives. By the end of the final review workshop, a consensus site and facility conceptual design has been developed. The end users of the project are always invited into the project and given the opportunity to affect



the design as it develops. In this way, the client and users "buy in" to the design process, given that a part of the production is actually theirs.

A. On Site Interactive Design Charrette.

1. Conduct an orientation / kick-off meeting for all key JETS staff.
2. Review and confirm the Program Information collected from Task #1.
3. Develop alternate design concepts and refine during charrette.

B. Deliverables:

1. Conceptual Design Package Report
  - a) Executive Summary
  - b) Space Needs Program
  - c) Masterplan Concepts
  - d) Preliminary Cost Estimate
  - e) Engineering Considerations.

**Multi-Modal Central Transfer Facility for JETS  
Jonesboro Economical Transit System  
Jonesboro, AR**

Work Effort/Fee Proposal Worksheet  
Environmental Design Group  
May 14, 2014

**WORK EFFORT**

Work Element	PLA	LA	LD
Task 1: Programming & Data Collection	0	0	0
Orientation/kick-off meeting			
<b>Subtotal Labor Hours</b>	<b>0</b>	<b>0</b>	<b>0</b>
Task 2: Conceptual Design Development- Charrette	4	4	4
Site Master Plan Charrette			
Conceptual Design Charrette			
<b>Subtotal Labor Hours</b>	<b>8</b>	<b>0</b>	<b>0</b>
Task 3: Construction Drawings and CA	0	0	0
Provide Construction Drawings			
Provide Construction Administration			
<b>Subtotal Labor Hours</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL LABOR HOURS</b>	<b>8</b>	<b>-</b>	<b>-</b>

**LABOR**

Project Staff	Hours	Rate	Total
Task 1: Programming & Data Collection	0	\$ 110.00	\$ -
Principal Landscape Architect	0	\$ 95.00	\$ -
Landscape Architect	0	\$ 75.00	\$ -
Landscape Designer	0	\$ -	\$ -
<b>Labor Subtotal</b>	<b>0</b>	<b>\$ -</b>	<b>\$ -</b>
Task 2: Conceptual Design Development- Charrette	8	\$ 110.00	\$ 880.00
Principal Landscape Architect	0	\$ 95.00	\$ -
Landscape Architect	0	\$ 75.00	\$ -
Landscape Designer	0	\$ -	\$ -
<b>Labor Subtotal</b>	<b>8</b>	<b>\$ 110.00</b>	<b>\$ 880.00</b>
Task 3: Construction Documents and CA	0	\$ -	\$ -
Principal Landscape Architect	0	\$ -	\$ -
Landscape Architect	0	\$ -	\$ -
Landscape Designer	0	\$ -	\$ -
<b>Labor Subtotal</b>	<b>0</b>	<b>\$ -</b>	<b>\$ -</b>
<b>TOTAL LABOR</b>	<b>8</b>	<b>\$ 110.00</b>	<b>\$ 880.00</b>

**EXPENSES**

Task 1: Item	Qty.	Unit	Cost	Total
Mileage	0	mile	\$ 0.565	\$ -
<b>Expenses Subtotal</b>	<b>0</b>	<b>-</b>	<b>\$ -</b>	<b>\$ -</b>
Task 2: Item <th>Qty.</th> <th>Unit</th> <th>Cost</th> <th>Total</th>	Qty.	Unit	Cost	Total
Mileage	70	mile	\$ 0.565	\$ 39.55
<b>Expenses Subtotal</b>	<b>70</b>	<b>mile</b>	<b>\$ 0.565</b>	<b>\$ 39.55</b>
Task 3: Item <th>Qty.</th> <th>Unit</th> <th>Cost</th> <th>Total</th>	Qty.	Unit	Cost	Total
Mileage	0	mile	\$ 0.565	\$ -
<b>Expenses Subtotal</b>	<b>0</b>	<b>-</b>	<b>\$ -</b>	<b>\$ -</b>
<b>TOTAL EXPENSES</b>	<b>70</b>	<b>mile</b>	<b>\$ 0.565</b>	<b>\$ 39.55</b>

Work Element	PLA	LA	LD
Task 2: Conceptual Design Development- Charrette	8	0	0
Subtotal Labor Hours	8	0	0
Task 3: Construction Documents and CA	0	0	0
Provide Construction Drawings	0	0	0
Provide Construction Administration	0	0	0
<b>Subtotal Labor Hours</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL LABOR HOURS</b>	<b>8</b>	<b>-</b>	<b>-</b>

**LABOR**

Project Staff	Hours	Rate	Total
Task 2: Conceptual Design Development- Charrette	8	\$ 110.00	\$ 880.00
Principal Landscape Architect	0	\$ 95.00	\$ -
Landscape Architect	0	\$ 75.00	\$ -
Landscape Designer	0	\$ -	\$ -
<b>Labor Subtotal</b>	<b>8</b>	<b>\$ 110.00</b>	<b>\$ 880.00</b>
Task 3: Construction Documents and CA	0	\$ -	\$ -
Principal Landscape Architect	0	\$ -	\$ -
Landscape Architect	0	\$ -	\$ -
Landscape Designer	0	\$ -	\$ -
<b>Labor Subtotal</b>	<b>0</b>	<b>\$ -</b>	<b>\$ -</b>
<b>TOTAL LABOR</b>	<b>8</b>	<b>\$ 110.00</b>	<b>\$ 880.00</b>

**EXPENSES**

Task 2: Item	Qty.	Unit	Cost	Total
Mileage	70	mile	\$ 0.565	\$ 39.55
<b>Expenses Subtotal</b>	<b>70</b>	<b>mile</b>	<b>\$ 0.565</b>	<b>\$ 39.55</b>
Task 3: Item <th>Qty.</th> <th>Unit</th> <th>Cost</th> <th>Total</th>	Qty.	Unit	Cost	Total
Mileage	0	mile	\$ 0.565	\$ -
<b>Expenses Subtotal</b>	<b>0</b>	<b>-</b>	<b>\$ -</b>	<b>\$ -</b>
<b>TOTAL EXPENSES</b>	<b>70</b>	<b>mile</b>	<b>\$ 0.565</b>	<b>\$ 39.55</b>

Project Fee Estimate				
Summary	Labor	Expenses	Total	
Programming & Data Collection	\$ -	\$ -	\$ -	-
Conceptual Design Development- Charrette	\$ 880.00	\$ 40.00	\$ 920.00	920.00
Construction Documents and CA	\$ -	\$ -	\$ -	-
<b>Totals</b>	<b>\$ 880.00</b>	<b>\$ 40.00</b>	<b>\$ 920.00</b>	<b>920.00</b>

**GRAND TOTAL - LABOR AND EXPENSES** \$ 919.55

\*Numbers are Rounded in the Summary Table



**Multi-Modal Central Transfer Facility for JETS  
Jonesboro Economical Transit System  
Jonesboro, AR**

Work Effort/Fee Proposal Worksheet  
Maintenance Design Group  
May 14, 2014

**WORK EFFORT**

**Task 1: Programming & Data Collection**  
Work Element  
Orientation/kick-off meeting  
Data Collection/Interviews  
Programming Documentation  
Preliminary Space Needs Program

FDP	SFDM	FDM	SFD	FD	T	WP
0	16	0	0	0	0	2
<b>Subtotal Labor Hours</b>						

Project Staff	Hours	Rate	Total
Facility Design Principal	0	\$ 235.00	\$ -
Senior Facility Design Manager	16	\$ 215.00	\$ 3,440.00
Facility Design Manager	0	\$ 160.00	\$ -
Senior Facility Designer	0	\$ 115.00	\$ -
Facility Designer	0	\$ 88.00	\$ -
Project Assistant	0	\$ 80.00	\$ -
Administrative	2	\$ 68.00	\$ 136.00
<b>Task 1: Labor Subtotal</b>			
			<b>18</b>
			<b>\$ 3,576.00</b>

**Task 1: Programming & Data Collection**  
Item  
Mileage  
Airfare  
Hotel  
Meals  
Car rental  
Phone/postage/printing/parking/fares  
Handling

Qty.	Unit	Cost	Total
100	mile	\$ 0.565	\$ 56.50
1	roundtrip(s) at	\$ 600	\$ 600.00
1	days at	\$ 175	\$ 175.00
2	days at	\$ 75	\$ 150.00
2	days at	\$ 65	\$ 130.00
-			\$ -
-			\$ 111.15
<b>Task 1: Expenses Subtotal</b>			<b>\$ 1,222.65</b>

**EXPENSES**

**Task 2: Conceptual Design Development- Charrette**  
Work Element  
Site Master Plan Charrette  
Conceptual Design Charrette

FDP	SFDM	FDM	SFD	FD	T	WP
0	16	0	0	0	0	2
<b>Subtotal Labor Hours</b>						

Project Staff	Hours	Rate	Total
Facility Design Principal	0	\$ 235.00	\$ -
Senior Facility Design Manager	16	\$ 215.00	\$ 3,440.00
Facility Design Manager	0	\$ 160.00	\$ -
Senior Facility Designer	0	\$ 115.00	\$ -
Facility Designer	0	\$ 88.00	\$ -
Project Assistant	0	\$ 80.00	\$ -
Administrative	0	\$ 68.00	\$ -
<b>Task 2: Labor Subtotal</b>			
			<b>16</b>
			<b>\$ 3,440.00</b>

**Task 2: Conceptual Design Development- Charrette**  
Item  
Mileage  
Airfare  
Hotel  
Meals  
Car rental  
Phone/postage/printing/parking/fares  
Handling

Qty.	Unit	Cost	Total
100	mile	\$ 0.565	\$ 56.50
1	roundtrip(s) at	\$ 600	\$ 600.00
1	days at	\$ 175	\$ 175.00
2	days at	\$ 75	\$ 150.00
2	days at	\$ 65	\$ 130.00
-			\$ -
-			\$ 111.15
<b>Task 2: Expenses Subtotal</b>			<b>\$ 1,222.65</b>

**EXPENSES**

**Subtotal Labor Hours**

0	16	0	0	0	0	0
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**Task 3: Design Review**

Work Element  
Review Design for Functional Compliance

FDP	SFDM	FDM	SFD	FD	T	WP
0	16	0	0	0	0	0
<b>Subtotal Labor Hours</b>						

Project Staff	Hours	Rate	Total
Facility Design Principal	0	\$ 235.00	\$ -
Senior Facility Design Manager	0	\$ 215.00	\$ -
Facility Design Manager	0	\$ 160.00	\$ -
Senior Facility Designer	0	\$ 115.00	\$ -
Facility Designer	0	\$ 88.00	\$ -
Project Assistant	0	\$ 80.00	\$ -
Administrative	0	\$ 68.00	\$ -
<b>Task 3: Labor Subtotal</b>			
			<b>0</b>
			<b>\$ 7,016.00</b>

**Task 3: Design Review**  
Item  
Mileage  
Airfare  
Hotel  
Meals  
Car rental  
Phone/postage/printing/parking/fares  
Handling

Qty.	Unit	Cost	Total
0	mile	\$ 0.565	\$ -
0	roundtrip(s) at	\$ 600	\$ -
0	days at	\$ 175	\$ -
0	days at	\$ 75	\$ -
0	days at	\$ 65	\$ -
-			\$ -
-			\$ -
<b>Task 3: Expenses Subtotal</b>			<b>\$ -</b>

**EXPENSES**

**TOTAL LABOR HOURS**

0	16	0	0	0	0	2
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Project Fee Estimate			
Summary	Labor	Expenses	Total
Programming & Data Collection	\$ 3,580.00	\$ 1,230.00	\$ 4,810.00
Conceptual Design Development- Charrette	\$ 3,440.00	\$ 1,230.00	\$ 4,670.00
Design Review	\$ -	\$ -	\$ -
<b>Totals</b>	<b>\$ 7,020.00</b>	<b>\$ 2,460.00</b>	<b>\$ 9,480.00</b>

**GRAND TOTAL - LABOR AND EXPENSES**

	\$	\$	\$
			<b>9,461.30</b>

\*Numbers are Rounded in the Summary Table

**Multi-Modal Central Transfer Facility for JETS  
Jonesboro Economical Transit System  
Jonesboro, AR**

Work Effort/Fee Proposal Worksheet  
H Design Group  
May 14, 2014

**WORK EFFORT**

Work Element	PA	PM	A	AI	SCT	D	A
Orientation/kick-off meeting	4						
Data Collection/interviews	6						
Programming Documentation	2						2
Preliminary Space Needs Program	4						
Drive Time	6						

Subtotal Labor Hours

22 0 0 0 0 0 0 2

**Task 2: Conceptual Design Development- Charrette**

Work Element	PA	PM	A	AI	SCT	D	A
Site Master Plan Charrette	8						
Conceptual Design Charrette	8						
Drive Time	6						

Subtotal Labor Hours

22 0 0 0 0 0 0 0

**Task 3: Design Review**

Work Element	PA	PM	A	AI	SCT	D	A
Review Design for Overall QA/QC	0						

Subtotal Labor Hours

0 0 0 0 0 0 0 0

TOTAL LABOR HOURS

44 - - - - - 2

**LABOR**

Task 1: Programming & Data Collection	Project Staff	Hours	Rate	Total
	Principal Architect	22	\$ 140.00	\$ 3,080.00
	Project Manager	0	\$ 120.00	\$ -
	Architect	0	\$ 100.00	\$ -
	Architectural Intern	0	\$ 90.00	\$ -
	Senior CAD Technician	0	\$ 85.00	\$ -
	Drafter	0	\$ 80.00	\$ -
	Administrative	2	\$ 60.00	\$ 120.00

Task 1: Labor Subtotal

24

**Task 2: Conceptual Design Development- Charrette**

Project Staff	Hours	Rate	Total
Principal Architect	22	\$ 140.00	\$ 3,080.00
Project Manager	0	\$ 120.00	\$ -
Architect	0	\$ 100.00	\$ -
Architectural Intern	0	\$ 90.00	\$ -
Senior CAD Technician	0	\$ 85.00	\$ -
Drafter	0	\$ 80.00	\$ -
Administrative	0	\$ 60.00	\$ -

Task 2: Labor Subtotal

22

**Task 3: Design Review**

Project Staff	Hours	Rate	Total
Principal Architect	0	\$ 140.00	\$ -
Project Manager	0	\$ 120.00	\$ -
Architect	0	\$ 100.00	\$ -
Architectural Intern	0	\$ 90.00	\$ -
Senior CAD Technician	0	\$ 85.00	\$ -
Drafter	0	\$ 80.00	\$ -
Administrative	0	\$ 60.00	\$ -

Task 3: Labor Subtotal

0

TOTAL LABOR

46

**EXPENSES**

Task 1: Programming & Data Collection	Item	Qty.	Unit	Cost	Total
	Mileage	430	mile	\$ 0.565	\$ 242.95
	Airfare	0	roundtrip(s) at	\$ 600	\$ -
	Hotel	1	days at	\$ 175	\$ 175.00
	Meals	2	days at	\$ 75	\$ 150.00
	Car rental	0	days at	\$ 65	\$ -
	Phone/postage/printing/parking/fares	10%		\$ -	\$ 56.80
	Handling			\$ -	\$ -

Task 1: Expenses Subtotal

\$ 624.75

**Task 2: Conceptual Design Development- Charret**

Item	Qty.	Unit	Cost	Total
Mileage	430	mile	\$ 0.565	\$ 242.95
Airfare	0	roundtrip(s) at	\$ 600	\$ -
Hotel	1	days at	\$ 175	\$ 175.00
Meals	2	days at	\$ 75	\$ 150.00
Car rental	0	days at	\$ 65	\$ -
Phone/postage/printing/parking/fares	10%		\$ -	\$ 56.80
Handling			\$ -	\$ -

Task 2: Expenses Subtotal

\$ 624.75

Project Fee Estimate			
Summary	Labor	Expenses	Total
Programming & Data Collection	\$ 3,200.00	\$ 630.00	\$ 3,830.00
Conceptual Design Development- Charrette	\$ 3,080.00	\$ 630.00	\$ 3,710.00
Design Review	\$ -	\$ -	\$ -
<b>Totals</b>	<b>\$ 6,280.00</b>	<b>\$ 1,260.00</b>	<b>\$ 7,540.00</b>

GRAND TOTAL - LABOR AND EXPENSES

\$

7,529.49

\*Numbers are Rounded in the Summary Table



# Haywood, Kenward, Bare & Associates, Inc.

Civil Engineering - Surveying - Planning

## Estimate for Professional Engineering, Surveying, and Planning Services

**Client: Cromwell**

**Project: City of Jonesboro's JETS - Multi-**

**Scope of Work:**

Itemized Tasks	PE	Prin.	PS	SI	2PS	3PS	PL	CAD	DT
Topographic & Boundary Survey									
Construction Stake-Out									
Site Demolition Plan									
Public Input Meetings	8								
Schematic Drawing Review	4								
SWPPP	5							4	
Civil Site Plan	16							18	
Civil Grading & Drainage Plan	24							22	
Coordination with MEP Engineers	4							2	
Site Utility Service Plan	8							7	
Construction Details	4							4	
Specifications	8								
Drainage Report	12							3	
Construction Admin.	30								
<b>Total</b>	<b>123</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>60</b>	<b>0</b>

Personnel	Fee/hr	Hrs	Cost
Professional Engineer	\$125.00	123	<b>\$15,375.00</b>
Principle	\$150.00	0	<b>\$0.00</b>
Professional Surveyor	\$95.00	0	<b>\$0.00</b>
2 Party Survey Crew	\$115.00	0	<b>\$0.00</b>
C.A.D. Technician	\$65.00	60	<b>\$3,900.00</b>

<b>Grand Total</b>	<b>\$19,275.00</b>
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Anticipated Project Budget							
Cost of Construction							
EDG	Landscape Arch	Fee	\$ 880.00	\$ 919.55	\$ 884,546.00	% of Cost of Const	
		Reimb	\$ 39.55		\$ 799,357.09		1.03%
HDG	Site Consultant	Fee	\$ 6,280.00	\$ 7,529.49		0.79%	7.37%
		Reimb	\$ 1,249.49				
MDG	Site Consultant	Fee	\$ 7,020.00	\$ 9,465.30		0.88%	8.24%
		Reimb	\$ 2,445.30				
HKB	Civil	Fee	\$ 19,275.00	\$ 20,475.00		2.41%	22.63%
		Survey	\$ 1,200.00				
Cromwell	AE	Fee	\$ 40,921.57	\$ 44,299.57		5.12%	48.04%
		Reimb	\$ 3,378.00				
Anderson Engineering	Geotech		\$ 2,500.00	\$ 2,500.00			
Total Fee			\$ 2,500.00	\$ 2,500.00	\$ 85,188.91	10.66%	

COST ESTIMATE FOR A-E DESIGN SERVICES - CROMWELL ARCHITECTS				
<i>Title I Services</i>				
LOCATION: Jonesboro, AR		DATE:	May 22, 2014	
CONTRACT NO:		DESCRIPTION:		
		New Multi-Modal Facility- JETS		
Item	Unit	Quantity	Unit Cost	Total Cost
<b>1. DIRECT COSTS:</b>				
<b>A. SALARIES</b>				
PRINCIPALS	HOUR	0	51.37	\$0.00
PROJECT MANAGER	HOUR	70	37.79	\$2,645.30
SENIOR ARCHITECT	HOUR	0	33.67	\$0.00
ARCHITECT	HOUR	96	28.34	\$2,720.64
JUNIOR ARCHITECT	HOUR	40	25.06	\$1,002.40
SENIOR CIVIL ENGINEER	HOUR	0	45.20	\$0.00
CIVIL ENGINEER	HOUR	0	33.30	\$0.00
JUNIOR CIVIL ENGINEER	HOUR	0	31.25	\$0.00
SENIOR STRUCTURAL ENGINEER	HOUR	0	43.27	\$0.00
STRUCTURAL ENGINEER	HOUR	0	39.67	\$0.00
JUNIOR STRUCTURAL ENGINEER	HOUR	0	29.68	\$0.00
SENIOR MECHANICAL ENGINEER	HOUR	15	43.27	\$649.05
MECHANICAL ENGINEER	HOUR	44	36.42	\$1,602.48
JUNIOR MECHANICAL ENGINEER	HOUR	0	28.66	\$0.00
SR FIRE PROTECTION ENGINEER	HOUR	13	42.07	\$546.91
JR FIRE PROTECTION ENGINEER	HOUR	5	39.19	\$195.95
SENIOR ELECTRICAL ENGINEER	HOUR	15	38.11	\$571.65
ELECTRICAL ENGINEERS	HOUR	44	34.84	\$1,532.96
JUNIOR ELECTRICAL ENGINEER	HOUR	0	26.37	\$0.00
LANDSCAPE ARCHITECT	HOUR	0	37.38	\$0.00
INTERIOR DESIGNER	HOUR	20	23.20	\$464.00
SPECIFICATION WRITER	HOUR	24	26.95	\$646.80
ESTIMATOR	HOUR	0	41.31	\$0.00
TYPIST	HOUR	0	\$17.67	\$0.00
SENIOR DRAFTSMEN	HOUR	0	21.16	\$0.00
DRAFTSMEN/CADD OPERATOR	HOUR	0	19.48	\$0.00
JUNIOR DRAFTSMAN	HOUR	0	15.88	\$0.00
INSPECTOR	HOUR	48	29.32	\$1,407.36
<b>B. SUB-TOTAL SALARIES</b>				\$13,985.50
<b>C. DIRECT &amp; ADMIN OVERHEAD ON ITEM B</b>	%	166	\$13,985.50	\$23,215.93
<b>D. SUB-TOTAL ITEMS B AND C</b>				\$37,201.43
<b>E. FIXED FEE ON ITEM D</b>				\$3,720.14
<b>F. SUB-TOTAL</b>				\$40,921.57
<b>G. TRAVEL REIMBURSEMENT:</b>				
PRINCIPALS				
KEY MEMBERS	DAY	0	\$147.00	\$0.00
ARCHITECTS	DAY	0	\$147.00	\$0.00
CIVIL ENGINEER	DAY	0	\$147.00	\$0.00
STRUCTURAL ENGINEER	DAY	0	\$147.00	\$0.00
MECHANICAL ENGINEER	DAY	0	\$147.00	\$0.00
ELECTRICAL ENGINEER	DAY	0	\$147.00	\$0.00
ESTIMATOR	DAY	0	\$147.00	\$0.00
SPECIFICATION WRITER	DAY	0	\$147.00	\$0.00
INTERIOR DESIGNER	DAY	0	\$147.00	\$0.00
<b>1ST PAGE Sub-Total</b>				\$40,921.57

Item	Unit	Quantity	Unit Cost	Total Cost
<b>H. TRANSPORTATION</b>				
AIRFARE	RT	0	\$500.00	\$0.00
RENT CAR, GAS, TOLLS	Miles	3,000	\$0.55	\$1,650.00
Sub-Total				\$1,650.00
<b>I. SERVICES:</b>				
LONG DISTANCE TELEPHONE CALLS	EACH	0	\$16.00	\$0.00
TELEGRAPH AND CABLE EXPENSE (FAX)	LS	0	\$0.00	\$0.00
EXPRESS/DELIVERY CHARGES	EACH	0	\$60.00	\$0.00
OTHER TECHNICAL SERVICES[add as required]				
MDG - SITE DESIGN CONSULTANT	Cost Plus Fixed Fee	1	\$9,465.30	\$9,465.30
HDG - SITE DESIGN CONSULTANT	Cost Plus Fixed Fee	1	\$7,529.49	\$7,529.49
EDG - LANDSCAPE DESIGN CONSULTANT	Cost Plus Fixed Fee	1	\$919.55	\$919.55
HKB - CIVIL ENGINEER	Cost Plus Fixed Fee	1	\$19,275.00	\$19,275.00
Sub-Total				\$37,189.34
Sub-Total				<b>\$37,189.34</b>
<b>J. REPRODUCTION:</b>				
BLACK AND WHITE PRINTS-Full Size	EACH	0	\$1.05	\$0.00
BLACK AND WHITE PRINTS-Half Size	EACH	1,800	\$0.81	\$1,458.00
CAD PLOTS	EACH	0	\$1.05	\$0.00
SCAN MANUAL SHEETS	EACH	0	\$0.08	\$0.00
PHOTOGRAPHS (4 X 6)	EACH	0	\$0.60	\$0.00
REPORT OF SURVEY AND STUDY	PAGE	0	\$0.08	\$0.00
SPECIFICATIONS	PAGE	3,200	\$0.08	\$256.00
COST ESTIMATE	PAGE	0	\$0.08	\$0.00
MEMORANDUMS, REVIEW COMMENTS, ETC.	LS	0	\$0.08	\$0.00
HALF-SIZE MYLARS	EACH	0	\$8.75	\$0.00
DESIGN ANALYSIS	PAGE	0	\$0.08	\$0.00
PERSPECTIVE RENDERING	LS	0	\$0.00	\$0.00
CADD TAPES/DISKS/CD-ROM	EACH	4	\$3.50	\$14.00
NOTEBOOKS	EACH	0	\$6.80	\$0.00
Sub-Total				\$1,728.00
<b>K. SITE EXPLORATION</b>				
Soils Testing	Cost Plus Fixed Fee	1	\$2,500.00	\$2,500.00
Survey	Cost Plus Fixed Fee	1	\$1,200.00	\$1,200.00
Sub-Total				\$3,700.00
1ST PAGE Sub-Total				\$40,921.57
2. TOTAL COST Title I Services:				<b>\$85,188.91</b>

Man-Hours	Kickoff Meeting		30% Design Submittal				100% Documents				Construction Phase				Totals
	Programming/ Kick-off Mee	Design Conference	Drawings	Design Narr/ Specs	Review Conference	Drawings	Design Narr/ Specs	Review Conference	Pre-construction Conferen	Site Visits	b. Request for Inforamtion	e. Review Shop Drawings			
PRINCIPALS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
PROJECT MANAGER	16	16	5	3	4	8	8	4	2	4	0	0	0	70	
SENIOR ARCHITECT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
ARCHITECT	0	0	12	4	0	34	20	0	2	4	4	16	96	0	
JUNIOR ARCHITECT	0	0	10	0	0	30	0	0	0	0	0	0	40	0	
SENIOR CIVIL ENGINEER	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
CIVIL ENGINEER	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
JUNIOR CIVIL ENGINEER	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
SENIOR STRUCTURAL ENGINEER	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
STRUCTURAL ENGINEER	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
JUNIOR STRUCTURAL ENGINEER	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
SENIOR MECHANICAL ENGINEER	0	0	3	2	2	3	3	2	0	0	0	0	15	0	
MECHANICAL ENGINEER	0	0	10	0	0	10	6	0	2	4	4	8	44	0	
JUNIOR MECHANICAL ENGINEER	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
SR FIRE PROTECTION ENGINEER	0	0	3	4	0	2	4	0	0	0	0	0	13	0	
JR FIRE PROTECTION ENGINEER	0	0	0	0	0	5	0	0	0	0	0	0	5	0	
SENIOR ELECTRICAL ENGINEER	0	0	0	0	0	3	3	2	0	0	0	0	15	0	
ELECTRICAL ENGINEERS	0	0	10	0	0	10	6	0	2	4	4	8	44	0	
JUNIOR ELECTRICAL ENGINEER	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
LANDSCAPE ARCHITECT	0	0	0	0	0	0	0	0	2	0	0	0	0	0	
INTERIOR DESIGNER	0	0	0	4	2	4	4	2	0	0	2	0	20	0	
SPECIFICATION WRITER	0	0	0	8	0	16	0	0	0	0	0	0	24	0	
ESTIMATOR	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
TYPEST	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
SENIOR DRAFTSMAN	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
DRAFTSMEN/CADD OPERATOR	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
JUNIOR DRAFTSMAN	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
INSPECTOR	0	0	0	0	0	0	0	0	0	32	8	8	48	0	
Subtotals	16	16	56	27	10	109	70	10	10	48	22	40	434	0	





## Legislation Details (With Text)

<b>File #:</b>	ORD-14:027	<b>Version:</b>	1	<b>Name:</b>	Amend Section 34-28 regarding the Fire Prevention Code
<b>Type:</b>	Ordinance	<b>Status:</b>		<b>Status:</b>	First Reading
<b>File created:</b>	4/24/2014	<b>In control:</b>		<b>In control:</b>	Public Safety Council Committee
<b>On agenda:</b>		<b>Final action:</b>			
<b>Title:</b>	AN ORDINANCE TO AMEND ORDINANCE SECTION 34-28, ADOPTING THE ARKANSAS FIRE PREVENTION CODE AND DECLARING AN EMERGENCY IN ORDER TO MEET THE MOST CURRENT STATE ADOPTION				
<b>Sponsors:</b>	Inspections, Inspections				
<b>Indexes:</b>	Code of Ordinances amendment				
<b>Code sections:</b>	Chapter 34 - Fire Prevention				
<b>Attachments:</b>					

Date	Ver.	Action By	Action	Result
5/20/2014	1	Public Safety Council Committee		

AN ORDINANCE TO AMEND ORDINANCE SECTION 34-28, ADOPTING THE ARKANSAS FIRE PREVENTION CODE AND DECLARING AN EMERGENCY IN ORDER TO MEET THE MOST CURRENT STATE ADOPTION

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

WHEREAS, the City Council of the City of Jonesboro, Arkansas desires to ensure that the City is operating under the most current and accurate law regarding the Arkansas Fire Prevention Code, and

WHEREAS, Ordinance 34-28 contains language which is obsolete and needs to be amended.

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

SECTION ONE: That the language of the Ordinance shall be amended to read as follows: "For the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, there is hereby adopted by the city council of the City the codes known as the 2012 Arkansas Fire Prevention Code, Volumes I, II, and III, specifically including each and every Appendix adopted by the State of Arkansas, and including any and all future editions, are hereby adopted and incorporated as fully as if set out at length herein and from the date on which the ordinance from which this section is derived shall take effect, the provisions thereof shall be controlling within the municipal boundaries of the City."

SECTION TWO: That sections (1) and (2) of the Ordinance be deleted in their entirety.

SECTION THREE: It is found and declared by the City Council that an emergency exists to meet the most current State of Arkansas adoption, and this Ordinance, being necessary for the preservation of public peace, health and safety, shall take effect from and after its passage and approval.



## Legislation Details (With Text)

<b>File #:</b>	ORD-14:030	<b>Version:</b>	1	<b>Name:</b>	Purchase of storage from Ritter
<b>Type:</b>	Ordinance	<b>Status:</b>		<b>Status:</b>	First Reading
<b>File created:</b>	5/13/2014	<b>In control:</b>		<b>In control:</b>	Finance & Administration Council Committee
<b>On agenda:</b>		<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF THE UPGRADE AND EXPANSION OF THE COMPELLANT SAN STORAGE FROM RITTER COMMUNICATIONS				
<b>Sponsors:</b>	Information Systems				
<b>Indexes:</b>	Property purchase - other, Waive competitive bidding				
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Quote</a>				

Date	Ver.	Action By	Action	Result
5/27/2014	1	Finance & Administration Council Committee		

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF THE UPGRADE AND EXPANSION OF THE COMPELLANT SAN STORAGE FROM RITTER COMMUNICATIONS

WHEREAS, the City of Jonesboro purchased software and equipment known as Compellant SAN storage, Cisco MDA Fabric Data Switches, and VMware VCenter Site Recovery Manager Five software from Ritter Communications in 2012 through Ordinance 12:026;

WHEREAS, the City of Jonesboro needs to upgrade and expand the Compellant SAN storage due to the technical growth of the system;

WHEREAS, the cost of this upgrade is \$77,746.32 plus tax of \$6,997.17 for a total of \$84,743.49. That said sum shall be paid from the Information Systems Budget.

WHEREAS, Ritter Communications is the sole source provider of this software.

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

SECTION 1: That the City of Jonesboro shall purchase the upgrade and expansion of the Compellant SAN storage from Ritter Communications for the sum of \$77,746.32 plus tax of \$6,997.17 for a total of \$84,743.49. That said sum shall be paid from the Information Systems budget.

SECTION 2: That the City Council in accordance with the terms of A.C.A. Section 14-58-302 hereby waives the requirement of competitive bidding and directs the purchasing agent to issue a purchase order for the above described for the price set forth in Section 1 above.

## Quotation to City of Jonesboro, AR

Ritter Communications Holdings  
2400 Ritter Drive  
Jonesboro, AR 72401  
Phone: 870-336-3443  
Fax: 870-336-9443

Quote Date: 5/2/2014  
Quotation #: RIT00390  
Valid Until: 6/1/2014  
Prepared By: Scott Roberson  
Id: 6278637  
Type: Upgrade  
For System: 5881 / 5882 - Jonesboro, AR

**Customer:**  
City of Jonesboro, AR  
300 South Church Street  
Jonesboro, AR 72401  
Phone: 870-336-7249

Description	Model Number	Dell SKU	Quantity	Amount	Subtotal
<b>Hardware &amp; Drives</b>					
SC8000, 16GB Memory	CT-SC8000-16GB		2		
Compellent SC8000 Controller (Upgrade from existing SC20, SC30 or SC40)	CT-SC8000-UPG		2		
4TB, SAS, 6Gb, 7K HDD	DS-SAS6-35-4000X7K-D		7		
Enclosure Blank, SAS, 6 Gb, Drive Bay Blank, 3.5"	EN-BLNK-SAS6-35-D		5		
Compellent SC200 Enclosure, 3.5" 12-Bay	EN-SC200-1235		1		
IO, 8Gb FC, 4Port, PCI-E, full-height	IO-F8X4S-E-D		2		
IO card, 6Gb SAS, 4-port, PCI-E, low-profile (4X2M mini-SAS HD to mini-SAS cable)	IO-SAS6X4S-E2-LP-D		4		
6Gb Mini-SAS to Mini-SAS Cable, 0.6M, Qty 2	PA-CBL-SAS-6M-D		2		
C13-C14, PDU, 12AMP, 6.5 FT (2m), Power Cord, Qty2	PA-PC-2M-D		3		
Ready Rails II Static Rails for 4-post Racks	PA-RK-RR2-D		1		
<b>Software</b>					
Storage Center SW Bundle, Expansion License	SW-CORE-EXP		1		
SW, Data Progression Expansion License	SW-DAPR-EXP		1		
SW, FastTrack Expansion License	SW-FAST-EXP		1		
SW, Live Volume + RIRA Expansion License	SW-LVRR-EXP		1		
<b>Professional Services</b>					
Certified Business Partner Installation	PS-1003-C		1		
<b>Cold Spares</b>					
Low-profile bracket for QLogic QLE 4062C low-profile, 2port, 1Gb iSCSI	IO-QLE4062C-BR-DSP		1		
<b>Totals</b>					
Power (Watts): 1,250.00				Hardware Total	\$36,843.95
Heat (BTUs): 7,318.00				Software Total	\$2,059.20
Rack Units: 6				VA Software Total	\$4,232.80
Weight (Lbs): 157				Copilot Support Total	\$4,405.05
FC (Raw TB): 0				Software Support Total	\$1,082.76
SATA (Raw TB): 0				Professional Services Total	\$2,000.00
SSD (Raw TB): 0				<b>Subtotal</b>	<b>\$50,623.76</b>
SAS (Raw TB): 28				Freight	\$284.00
Total (Raw TB): 28				<b>*Grand Total</b>	<b>\$50,907.76</b>

24x7 Support Center w/ Priority On-Site (4 hour)

\*Plus applicable taxes

\*\*\*Copilot Support Term: Co-terminus 11/30/2014 (6 months)

Customer Signature

Date

  
Ritter Communications Signature

5-5-14  
Date



## Quotation to City of Jonesboro, AR

Ritter Communications Holdings  
2400 Ritter Drive  
Jonesboro, AR 72401  
Phone: 870-336-3443  
Fax: 870-336-9443

Quote Date: 5/2/2014  
Quotation #: RIT00392  
Valid Until: 6/1/2014  
Prepared By: Scott V. Roberson  
SFDC Deal Id: ADDITIONAL UPGRADE  
Type: Upgrade  
For System: 19478 / 19479 - Jonesboro, AR

**Customer**  
City of Jonesboro, AR  
300 South Church Street  
Jonesboro, AR 72401  
Phone: 870-336-7249

Description	Model Number	Dell SKU	Quantity	Amount	Subtotal
<b>Hardware &amp; Drives</b>					
4TB, SAS, 6Gb, 7K HDD	DS-SAS6-35-4000X7K-D		7		
Enclosure Blank, SAS, 6 Gb, Drive Bay Blank, 3.5"	EN-BLNK-SAS6-35-D		5		
Compellent SC200 Enclosure, 3.5" 12-Bay	EN-SC200-1235		1		
6Gb Mini-SAS to Mini-SAS Cable, 0.6M, Qty 2	PA-CBL-SAS-6M-D		1		
6Gb SAS Cable, 1M	PA-CBL-SAS-1M		2		
C13-C14, PDU, 12AMP, 6.5 FT (2m), Power Cord, Qty2	PA-PC-2M-D		1		
Ready Rails II Static Rails for 4-post Racks	PA-RK-RR2-D		1		
<b>Software</b>					
Storage Center SW Bundle, Expansion License	SW-CORE-EXP		1		
SW, Data Progression Expansion License	SW-DAPR-EXP		1		
SW, FastTrack Expansion License	SW-FAST-EXP		1		
SW, Live Volume + RIRA Expansion License	SW-LVRR-EXP		1		
<b>Professional Services</b>					
Certified Business Partner Installation	PS-1003-C		1		
<b>Cold Spares</b>					
IO, SAS, 6Gb, 4 Wide-ports, PCI-E	IO-SAS6X4S-E2-SP		2		
<b>Totals</b>					
Power (Watts): 450				Hardware Total	\$15,165.15
Heat (BTUs): 1,536.00				Software Total	\$2,059.20
Rack Units: 2				VA Software Total	\$4,232.80
Weight (Lbs): 72				Copilot Support Total	\$1,692.99
FC (Raw TB): 0				Software Support Total	\$2,526.42
SATA (Raw TB): 0				Professional Services Total	\$1,000.00
SSD (Raw TB): 0				<b>Subtotal</b>	<b>\$26,676.56</b>
SAS (Raw TB): 28				Freight	\$162.00
Total (Raw TB): 28				<b>*Grand Total</b>	<b>\$26,838.56</b>

24x7 Support Center w/ Next Business Day On-Site

\*Plus applicable taxes

\*\*\*Copilot Support Term: Co-terminus 07/31/2015 (14 months)

Customer Signature

Date



Ritter Communications Signature

5-5-14

Date



## Legislation Details (With Text)

<b>File #:</b>	ORD-14:034	<b>Version:</b>	1	<b>Name:</b>	Rezoning at 401 McAdams Street
<b>Type:</b>	Ordinance	<b>Status:</b>		<b>Status:</b>	First Reading
<b>File created:</b>	5/29/2014	<b>In control:</b>		<b>In control:</b>	City Council
<b>On agenda:</b>		<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	AN ORDINANCE TO AMEND CHAPTER 117 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM C-3 TO RM-12 LUO FOR PROPERTY LOCATED AT 401 MCADAMS STREET AS REQUESTED BY DEBRA BARBER				
<b>Sponsors:</b>					
<b>Indexes:</b>	Rezoning				
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Plat</a> <a href="#">MAPC Report</a>				

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 THE CITY OF JONESBORO, ARKANSAS

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

FROM C-3 GENERAL COMMERCIAL TO RM-12 L.U.O., LOW DENSITY MULTI-FAMILY FOR A DUPLEX, FOR THE FOLLOWING DESCRIBED PROPERTY:

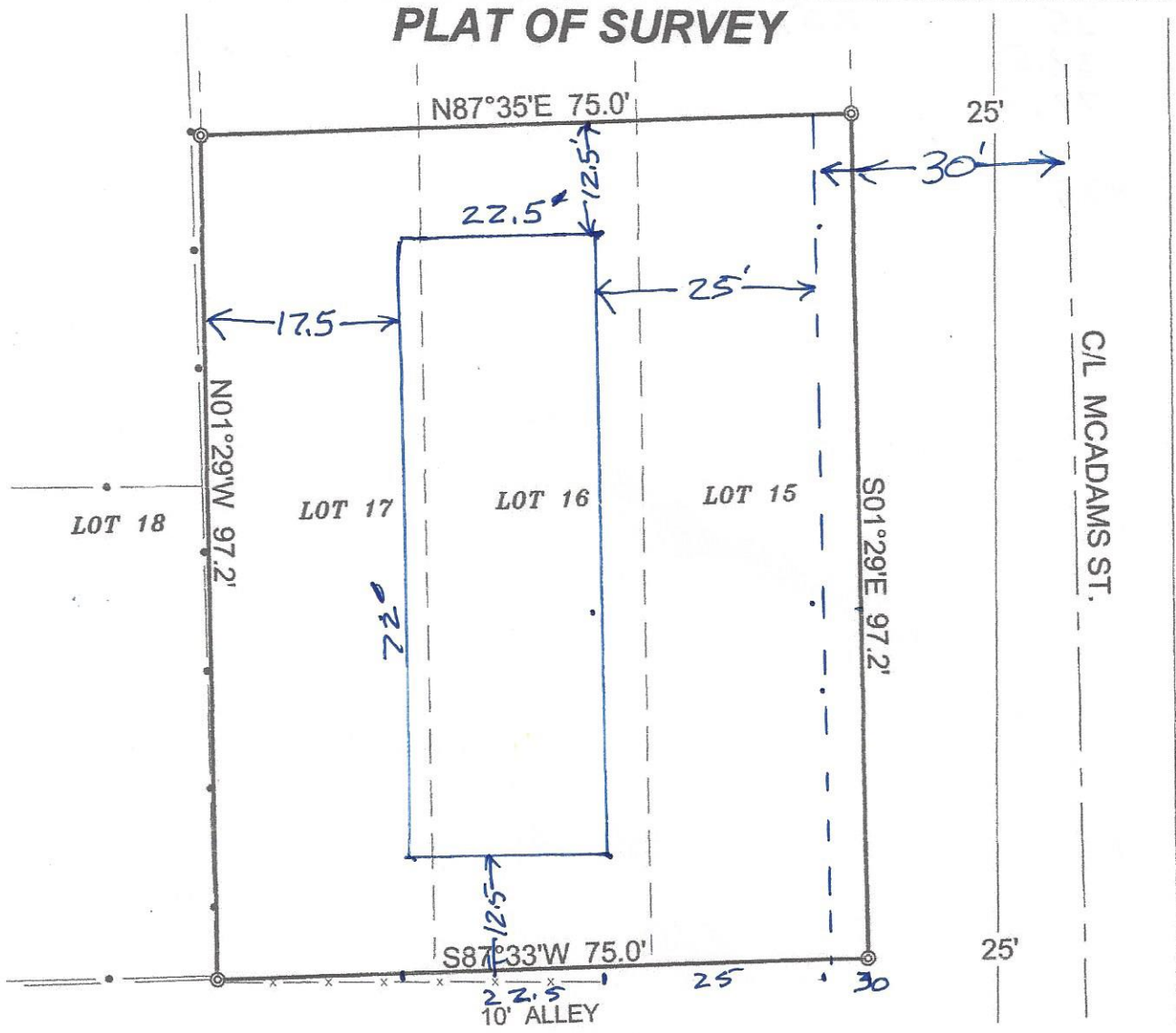
### LEGAL DESCRIPTION:

The South 97.2 feet of Lots 15, 16, and 17 in Block 2 of East Washington Subdivision of Blocks 15, 16, 17, 23, and 24 of Patrick Third Addition to the City of Jonesboro, Arkansas, the same being a part of the Southwest Quarter of Section 17, Township 14 North, Range 4 East, Containing 0.167 acres, more or less.

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

1. That the proposed development shall continue to satisfy all requirements of the City Engineer and all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC prior to any redevelopment of the property.
3. The applicant agrees to comply with the Master Street Plan recommendation for "Sec. 117-328 - Residential Compatibility Standards".

# PLAT OF SURVEY



## LEGEND

- ⊙ FOUND IRON PIPE
- CHAIN LINK FENCE
- x— WIRE FENCE

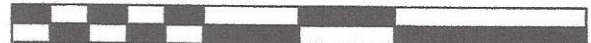
## DESCRIPTION:

The South 97.2 feet of Lots 15, 16, and 17 in Block 2 of East Washington Subdivision of Blocks 15, 16, 17, 23, and 24 of Patrick Third Addition to the City of Jonesboro, Arkansas, the same being a part of the Southwest Quarter of Section 17, Township 14 North, Range 4 East.



BEARINGS ARE ASSUMED.

0' 20' 40' 60'



## M<sup>2</sup> Surveying

Doug Moore, Licensed Surveyor

741 Greene Co. Rd. 710  
Paragould, Ar. 72450

Office: 870-236-7701 Cell: 870-240-3589 VAL Cell: 870-450-5053

CLIENT:

CROWLEY RIDGE RENTALS

REV.	DATE	REVISION	BY

SCALE: 1" = 100'	DRAWN: VMM	CHECKED: TDM	DATE: 3-8-2013
JOB#: 13039	CRD#: 13039	DWG#: 13039-1	REV.#

*City of Jonesboro City Council*  
**Staff Report – RZ 14-08 401 McAdams Rezoning**  
Municipal Center - 300 S. Church St.  
*For Consideration by the Council on June 3, 2014*

**REQUEST:** To consider a rezoning of 1 parcel of land containing 0.167 acres more or less.

**PURPOSE:** A request to consider recommendation to Council for a rezoning from “C-3” General Commercial District to “RM-12”, L.U.O., Duplex.

**APPLICANTS/**

**OWNER:** Ms. Debra Barber, 293 CR 754, Jonesboro AR

**Location:** 401 McAdams St. (West side of Street), South of Hope Ave.

**SITE**

**DESCRIPTION:** Tract Size: Approx. +/- 0.167 acres (7,275 s.f.)

**Street Frontage (feet):** 75 ft. along McAdams St.

**Topography:** Flat

**Existing Development:** Vacant Lot

**SURROUNDING  
CONDITIONS:**

	<u>ZONE</u>	<u>LAND USE</u>
North:	C-3 General Commercial	Single Family Res.
South:	R-2 Low Dens. Multi-Fam.	Singe Family Res. / Vacant
East:	R-2 Low Dens. Multi-Fam.	Vacant Commercial
West:	C-3 General Commercial	Single Family Res.

**HISTORY:** The site has no case history and has been Zoned C-3 since the adoption of Zoning. A similar rezoning occurred immediately east to R-2 from C-3 in 2003.

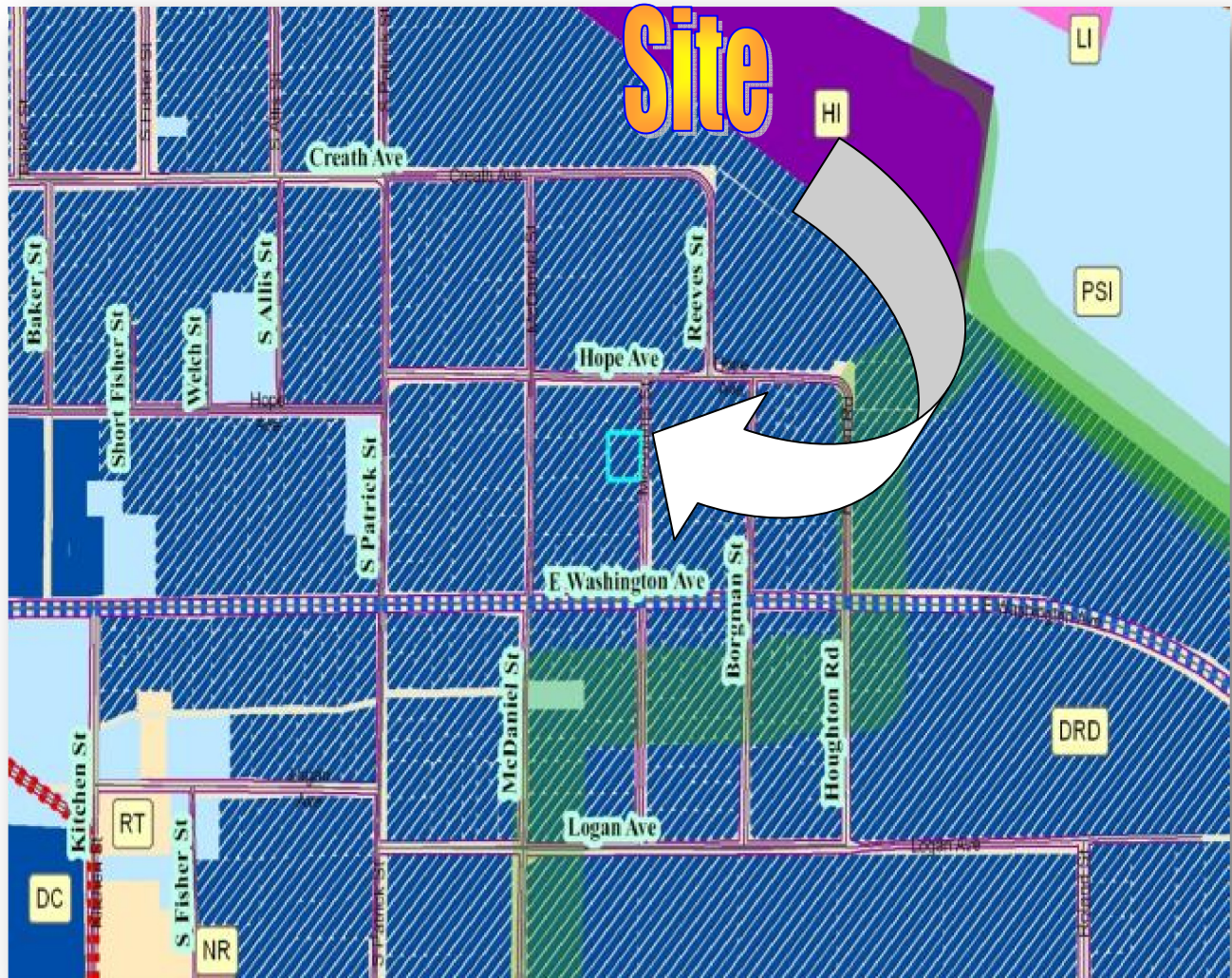
**ZONING ANALYSIS**

*City Planning Staff has reviewed the proposed Zone Change and offers the following findings:*

**COMPREHENSIVE PLAN FUTURE LAND USE MAP**

The Current/Future Land Use Map recommends this location as a Downtown Redevelopment District. The proposed rezoning is consistent and in compliance with the adopted Land Use Plan.












**Current Land Use /Master Street Plan**

**Master Street Plan/Transportation**

The subject property is served by McAdams St., which is classified as a local street, which requires a 60 ft. right-of-way/ 30 ft. from the road centerline. The rezoning plat illustrates an existing right of way of 25 ft. as far as staff can ascertain.

**Approval Criteria- Chapter 117 - Amendments:**

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

Criteria	Explanations and Findings	Comply Y/N
(a) Consistency of the proposal with the Comprehensive Plan/Land Use Map	The proposed RM District rezoning is consistent with the Future Land Use Plan.	
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal will achieve consistency with the purpose of Chapter 117, as a Limited Use Overlay.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	Compatibility is achieved. The area has aging housing stock that is part of an area highlighted on the current land use plan as “Downtown Redevelopment District”.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	This land as zoned today is unsuitable under the current C-3 for commercial; rezoning is highly recommended.	
(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 C3, R-2 and I-1 to the north. This site and use should not be a detriment to the area.	
(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 C-3 zoning. It has consistently been used as residential since adoption of 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 if rezoned to RM-12, Limited Use Overlay.	





*Vicinity/Zoning Map*

**Staff Findings:**

**Applicant’s Purpose/ Zoning compliance/ Other Zoning Code Analysis:**

The applicant has requested a rezoning from a “C-3”, General Commercial District to an “RM-12” L.U.O., Duplex District. The following bulk dimension requirements for RM-12 are copied below. McAdams street is a local street whereas 30 ft. of right of way is requested by the Master Street Plan, which may cause some hardship due to the existing minimal depth of the subject lot.

The Planning Staff agrees with the previous City Planner in that this area is not conducive for C-3 General Commercial. It has retained its residential neighborhood character since early years.

The applicant has proposed a RM-12 Limited Use Overlay District rezoning with the intent of developing one duplex structure on the property. The minimum lot regulations are as follows per the Zoning Ordinance, Chapter 117:

<i>Zoning Classification</i>	<i>Minimum Lot Width (in feet)</i>	<i>Minimum Lot Area</i>	<i>Front Setback (in feet)</i>	<i>Rear Setback (in feet)</i>	<i>Side Setback (in feet)</i>
RM-12	80	3,630 s.f. per dwelling unit	25	20	15.0

The existing lot satisfies the minimum lot area requirement per unit with the existing gross area being 7,275 sq/ ft. The lot is reportedly 75 ft. wide which is 5 feet less the requirement. All building setback requirements must be met by the applicant.

**Departmental/Agency Reviews:**

The following departments and agencies were contacted for review and comments. Note that this table will be updated at the hearing due to reporting information that will be updated in the coming days.

<b>Department/Agency</b>	<b>Reports/ Comments</b>	<b>Status</b>
<b>Engineering</b>	No issues reported to date.	Commented on the right of way-Pre/Post Approval
<b>Streets/Sanitation</b>	No issues reported to date.	
<b>Police</b>	No Objections	
<b>Fire Department</b>	No issues reported to date.	
<b>MPO</b>	Development would have very little traffic impact.	Area lacks sidewalks
<b>Jets</b>	No issues reported to date.	
<b>Utility Companies</b>	No issues reported to date.	

***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 are supplemental to 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.



## **MAPC Record of Proceedings: Public Hearing Held on May 27, 2014**

**Applicant:** Ms. Debra Barber appeared before the Commission stating that she and her husband are seeking to rezone the lot which has been zoned C-3 to RM-12 for one duplex.

Ms. Barber noted that they own about four (4) duplexes in town. The buildings are roughly 1,600 sq. ft. in area. The proposed building will be all-brick with amenities such as concrete stained floors having 2 bedrooms/ 1 bathroom each.

**Staff:** Mr. Spriggs gave a summary of the Staff Report findings noting that the area was originally zoned as C-3 General Commercial surrounded by R-2 Multi-family; but has developed primarily as Single Family Residential, adjacent to I-1 Industrial along the rail road areas. The area is not conducive for C-3 General Commercial. The Land Use Plan recommends the area as Downtown Redevelopment District and this proposal will be consistent with the Land Use Map. Mr. Spriggs referred to the 2003 similar rezoning to R-2, just across the street from the site.

Comments were made concerning the right of way requirement of 60 ft. for McAdams which is a Local Street on the Master Street Plan. The existing street is narrow; therefore the applicant's surveyor needs to verify the right of way to accommodate any possible future improvements.

Mr. Spriggs noted that there were no objections from the other departments and agencies, from a traffic or enforcement stand point. The Engineering Department commented on the right of way preservation. The recommended conditions were read.

**Public Input:** None.

### **Commission Deliberation:**

Mr. Scurlock asked about the rezoning plat and asked does it include one large square area with 3 lot divisions? Ms. Barber explained that it includes Lots 15, 16 & 17.

Mr. Kelton asked would it be better to have a variance granted for the rear yard setback to be reduced, and make available space to accommodate the right of way dedication? Mr. Michael Morris- Engineering and Mr. Spriggs concurred, *if they can accommodate the parking area*. Mr. Spriggs stated that a condition can be made that the site plan be subject to MAPC approval, and should reflect a design that accommodates a reduced rear yard that will allow for a 30 ft. right of way along McAdams, if at all possible. Ms. Barber stated that her contractor will take care of that.

Mr. Hoelscher asked should the Commission request that the 30 ft. be required, and send her to the BZA for a variance? Mr. Spriggs stated that the Code does not give the authority to the BZA to waive the right of way requirements, nor any land use density or use requirements. It would have to be approved by the MAPC.

### **Commission Action:**

Mr. Scurlock made a motion to place Case: RZ-14-08 on the floor for consideration by the MAPC to the City Council with the noted conditions, and the MAPC finds that changing the zoning of this property from C-3 General Commercial to RM-12, L.U.O. for a Duplex, will be compatible and suitable with the zoning, uses, and character of the surrounding, subject to the noted stipulations. Motion was seconded by Mr. Hoelscher.

**Roll Call Vote:** (8-0) Vote Approval

Mr. Scullock- Aye; Mr. Hoelscher- Aye; Ms. Nix- Aye; Mr. Perkins- Aye; Mr. Reece- Aye; Mr. Bailey- Aye; Mrs. Schrantz- Aye; Mr. Kelton- Aye. Mr. Roberts chaired the meeting.

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**Conclusion:**

The MAPC and the Planning Department Staff find that the requested Zone Change submitted for subject parcel, is hereby recommended to the Council for approval of Case RZ 14-08, a request to rezone property from “C-3” General Commercial to “RM-12” L.U.O. Duplex subject to the following stipulations:

1. That the proposed development shall continue satisfy all requirements of the City Engineer and all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC, prior to any redevelopment of the property.
3. The applicant agrees to comply with the Master Street Plan recommendation for McAdams as a local street.
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 West



View looking northwest from subject property





View looking West



View looking southeast from site





View looking east towards McAdams from site



View looking West from site





View looking East across McAdams from Site



View looking North along McAdams towards Hope Ave.



View looking North along McAdams towards Hope Ave.



View looking Northeast towards Hope Ave.





View looking North on Commerce Dr., north of site entrance



View looking North on Commerce Dr., north of site entrance





## Legislation Details (With Text)

**File #:** ORD-14:022    **Version:** 1    **Name:** Amend Ordinance 3221 calling a special election concerning the current sales and use tax  
**Type:** Ordinance    **Status:** Third Reading  
**File created:** 4/10/2014    **In control:** Finance & Administration Council Committee  
**On agenda:**    **Final action:**

**Title:** AN ORDINANCE AMENDING ORDINANCE 3221 AND CALLING A SPECIAL ELECTION IN THE CITY OF JONESBORO, ARKANSAS, ON THE QUESTION OF REMOVING THE RESTRICTION ON SPENDING ONE HALF (1/2) OF THE CURRENT SALES AND USE TAX, FROM CAPITAL IMPROVEMENT OF A PUBLIC NATURE AND DIRECTING IT FOR GENERAL OPERATING PURPOSES, PRESCRIBING OTHER MATTERS PERTAINING THERETO; AND DECLARING AN EMERGENCY

**Sponsors:** Mayor's Office

**Indexes:**

**Code sections:**

**Attachments:** [Presentation](#)

Date	Ver.	Action By	Action	Result
5/20/2014	1	City Council		
5/6/2014	1	City Council	Held at one reading	
4/22/2014	1	Finance & Administration Council Committee	Recommended to Council	Pass
4/15/2014	1	City Council	Referred	Pass

AN ORDINANCE AMENDING ORDINANCE 3221 AND CALLING A SPECIAL ELECTION IN THE CITY OF JONESBORO, ARKANSAS, ON THE QUESTION OF REMOVING THE RESTRICTION ON SPENDING ONE HALF (1/2) OF THE CURRENT SALES AND USE TAX, FROM CAPITAL IMPROVEMENT OF A PUBLIC NATURE AND DIRECTING IT FOR GENERAL OPERATING PURPOSES, PRESCRIBING OTHER MATTERS PERTAINING THERETO; AND DECLARING AN EMERGENCY

WHEREAS, the City Council of the City of Jonesboro, Arkansas (the City) passed on May 15, 2000, Ordinance No. 3221 providing for the levy of one percent (1%) Sales and Use Tax within the City (the Sales and Use Tax); and,

WHEREAS, the Sales and Use Tax levied restricted spending of one half (1/2) of one percent (1%) to capital improvements of a public nature; and,

WHEREAS, the purpose of this Ordinance is to amend Ordinance 3221 and to call a special election on the question of removing the restriction of one half (1/2) of the Sales and Use Tax, and to direct it to be used for general operating purposes,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL for the City of Jonesboro, Arkansas, that:

SECTION 1. That there be, and there is hereby called, a special election to be held on August 12, 2014, at

which election there shall be submitted to the electors of the City the question of the removal of the restriction on spending of the one half (1/2) of one percent (1%) of the current Sales and Use Tax from Capital Improvements of a public nature, and allowing it to be used as a general operating purposes.

SECTION 2. That the question of removing the restriction on the one half (1/2) of one percent (1%) Sales and Use Tax shall be placed on the ballot for election in substantially the following form:

Vote on measure by placing an X in the square opposite the measure either for or against:

FOR removing the restriction requiring one half (1/2) of one percent (1%) of the local Sales and Use Tax for the City of Jonesboro, Arkansas, to be used for financing capital improvements of a public nature and directing all proceeds derived from the Sales and Use Tax to be used for general operation purposes, which may include capital improvements of a public nature. . . . . [ ]

AGAINST removing the restriction requiring one half (1/2) of the one percent (1%) of the local Sales and Tax Use for the City of Jonesboro, Arkansas, be used for financing capital improvements of a public nature and directing all proceeds derived from the Sales and Use Tax be used for general operation purposes, which may include capital improvements of a public nature. . . . . [ ]

SECTION 3. That the election shall be held and conducted and the vote canvassed and the results declared under the law and in the manner now provided for municipal elections. The results of the election shall be proclaimed by the Mayor, and the Proclamation shall be published one time in a newspaper having a general circulation in the City, which Proclamation shall advise that the results as proclaimed shall be conclusive unless attacked in the courts within thirty days after the date of publication.

SECTION 4. A copy of this Ordinance shall be filed with the Craighead County Clerk at least 70 days prior to the date of the special election. A copy of this Ordinance shall be given to the Craighead County Board of Election Commissioners so that the necessary election officials and supplies may be provided. A certified copy of this Ordinance shall also be provided to the Commissioner of Revenues of the State of Arkansas as soon as practical.

SECTION 5. The Mayor and City Clerk, for and on behalf of the City , are hereby authorized and directed to do any and all things necessary to call and hold the special election as herein provided and to perform all acts of whatever nature necessary to carry out the authority conferred by this Ordinance.

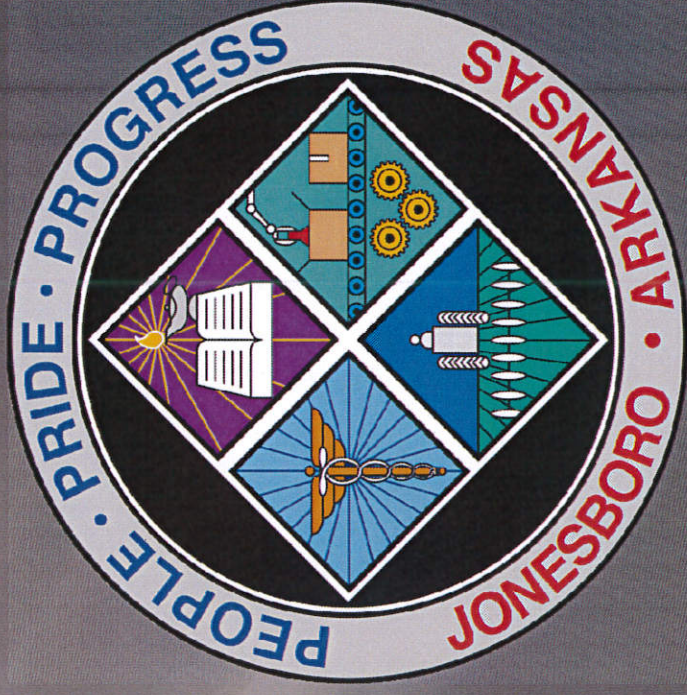
SECTION 6. That all ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7. It is hereby ascertained and declared that there is a great need to establish a stable source of revenue for general purposes that are vital municipal services in order to promote and protect the health, safety and welfare of the City and its inhabitants. It is, therefore, declared that an emergency exists and this Ordinance being necessary for the immediate preservation of public peace, health and safety shall be in force and take effect immediately from and after its passage.



# City of Jonesboro Arkansas Tax Rates

- 6.5% State
- 1.0% County
- 1.0% City- Permanent
- 0.5% City- Temporary





# Arkansas City Tax Rates

Cities	City Tax Rate	County Tax Rate	Total Tax Rate
Little Rock	1.5%	1.0%	2.5%
Fort Smith	2.0%	1.25%	3.25%
Fayetteville	2.0%	1.25%	3.25%
Rogers	2.0%	1.0%	3.0%
Springdale	2.0%	1.25%	3.25%
Pine Bluff	1.625%	1.625%	3.25%
West Memphis	1.5%	1.75%	3.25%
<b>Jonesboro</b>	<b>1.5%</b>	<b>1.0%</b>	<b>2.5%</b>



# City of Jonesboro Sales Tax

## 1.0% PERMANENT

- Passed in 2000
- \$15 million annually
- 50% Restricted for Capital Improvements
- 50% Unrestricted for General Fund Operations

## .5% TEMPORARY

- Public Safety Tax
- Passed in 2010
- General Fund Operations of Police and Fire related expenses
- \$7.5 million annually
- Expires December 2014



# Temporary .5% Sales Tax

Without the Temporary Tax:

2011 - \$1,278,287

2012 - (\$1,097,101)

2013 - (\$2,302,055)

2014 - (\$3,080,334)

Illustrating that without the temporary tax we would be in deficit spending 3 of the 4 years.

Remember temporary tax generates \$7.5 million annually.



# Temporary .5% Sales Tax



Temporary tax funds 38% of police and fire department expenses.



## Permanent 1% Sales Tax

- ½ tax General Fund Operations for all Departments.
- ½ tax Capital Improvements of a Public Nature
  - Fire Stations, Animal Control Facility, Municipal Center, Police Station, Bridges, Drainage Projects, Road Overlays, Parks, and Economic Development
  - \$7.5 million annually (restricted for Capital Improvements)
  - Immediate building needs will be met in 2014



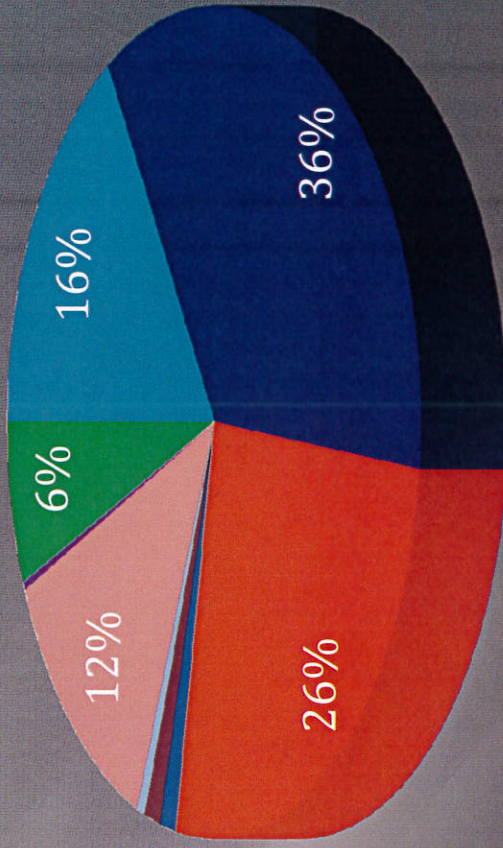
# General Fund Revenues & Expenses

## 2013 General Fund Revenues



- State Aid
- Property Taxes
- Franchise Fees
- County Tax
- Permanent Tax
- Temporary Tax
- Fines
- Water Tax
- Interest

## 2013 General Fund Expenses



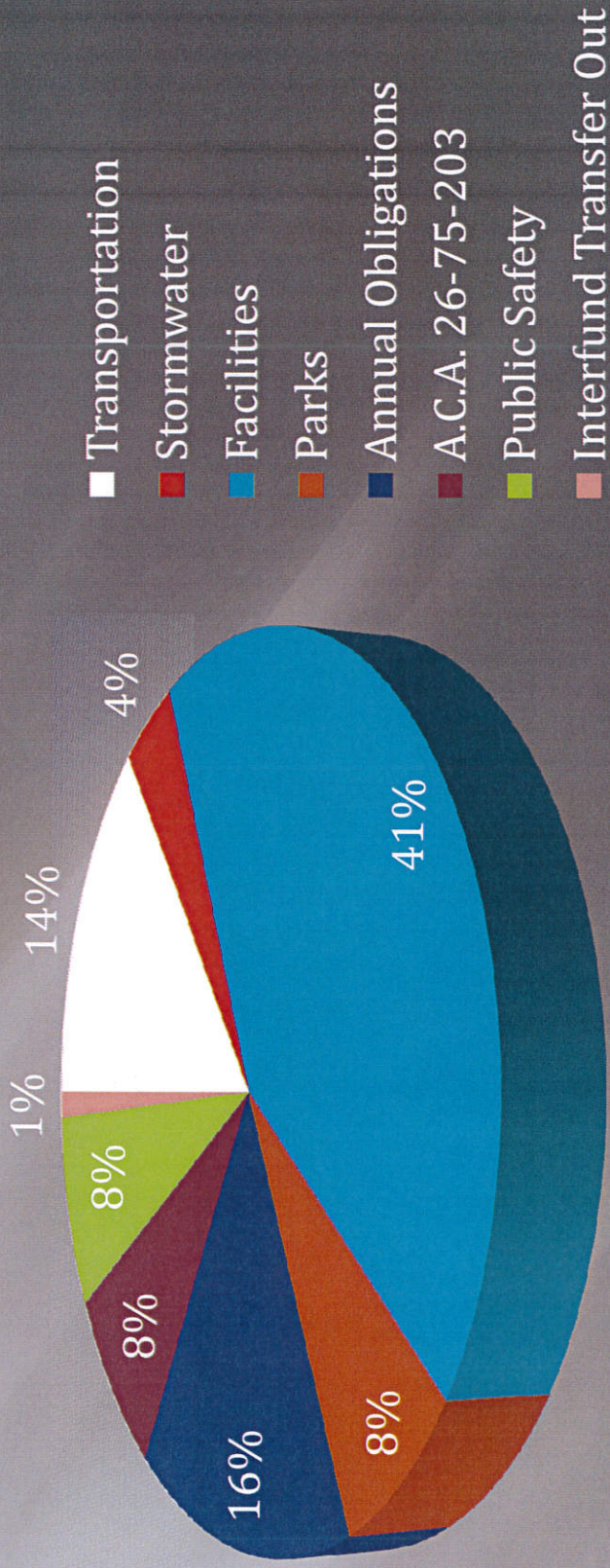
- General Government
- Fire
- Parking
- Code Enforcement
- Fire Act 833
- Police
- SRO's
- Mosquito Control
- Sanitation
- Parks



# Permanent 1% Sales Tax

½ Restricted for Capital Improvements

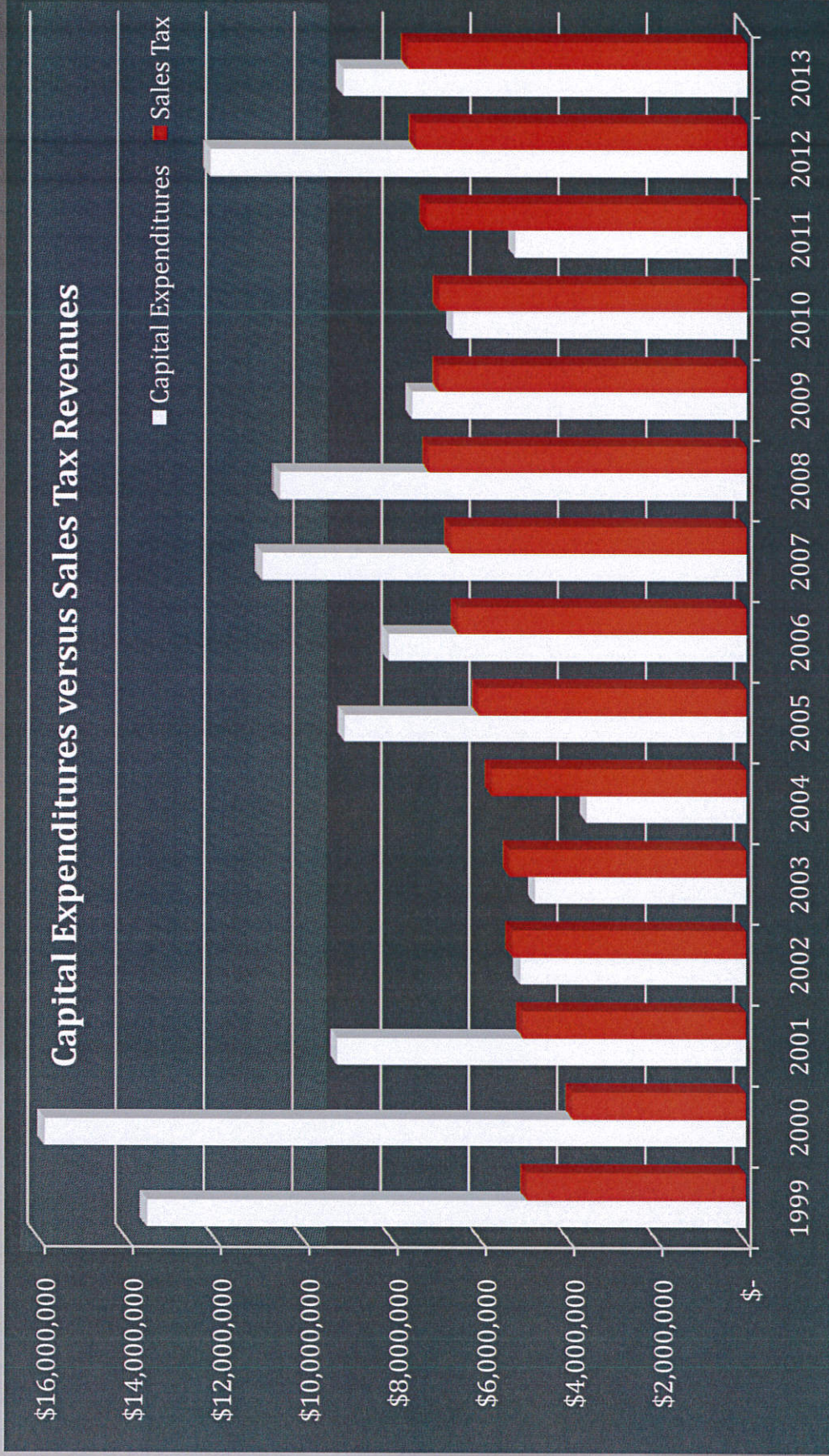
## 3 Year Average Expenditures





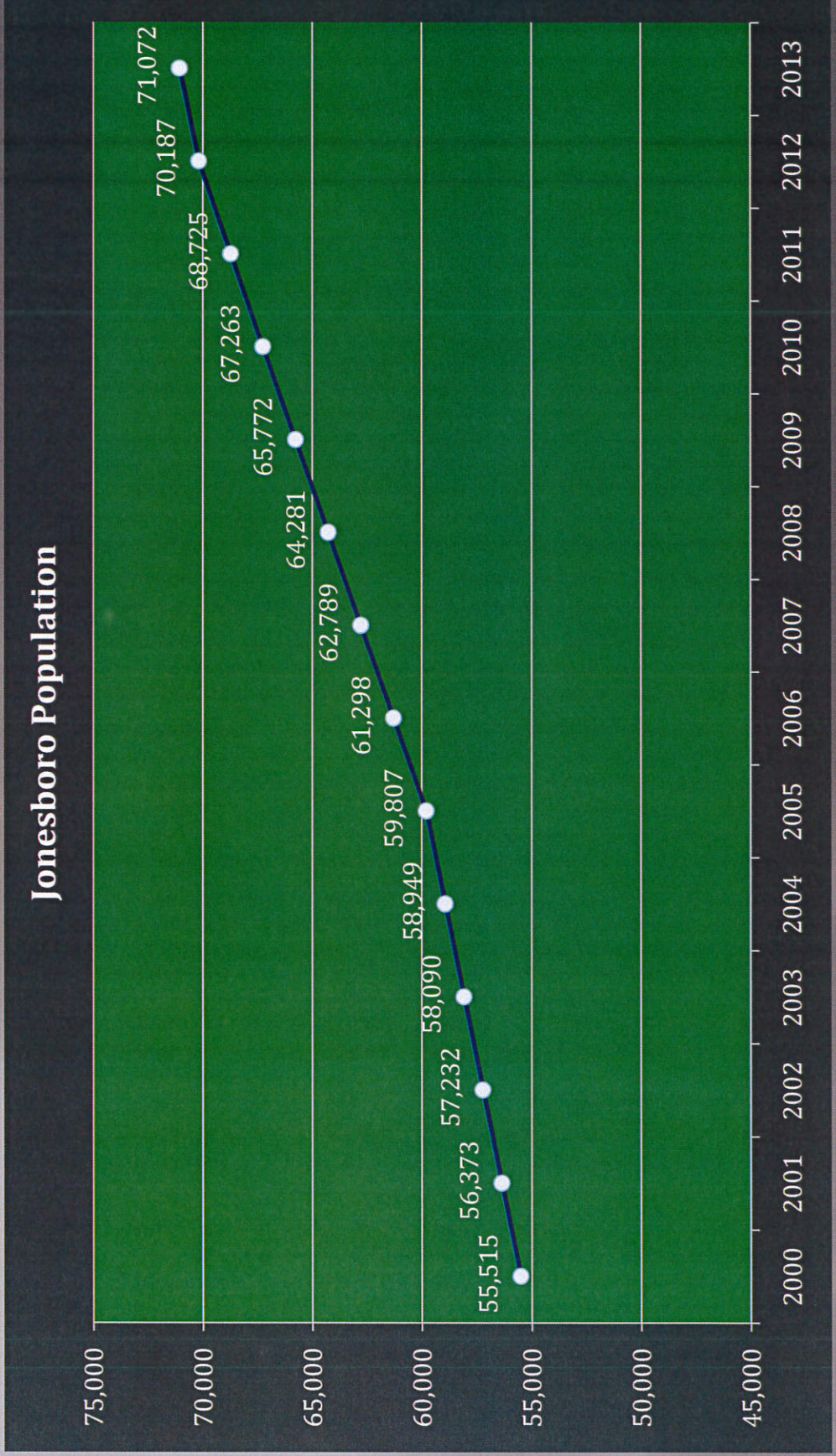
# Permanent 1% Sales Tax

½ Restricted for Capital Improvements





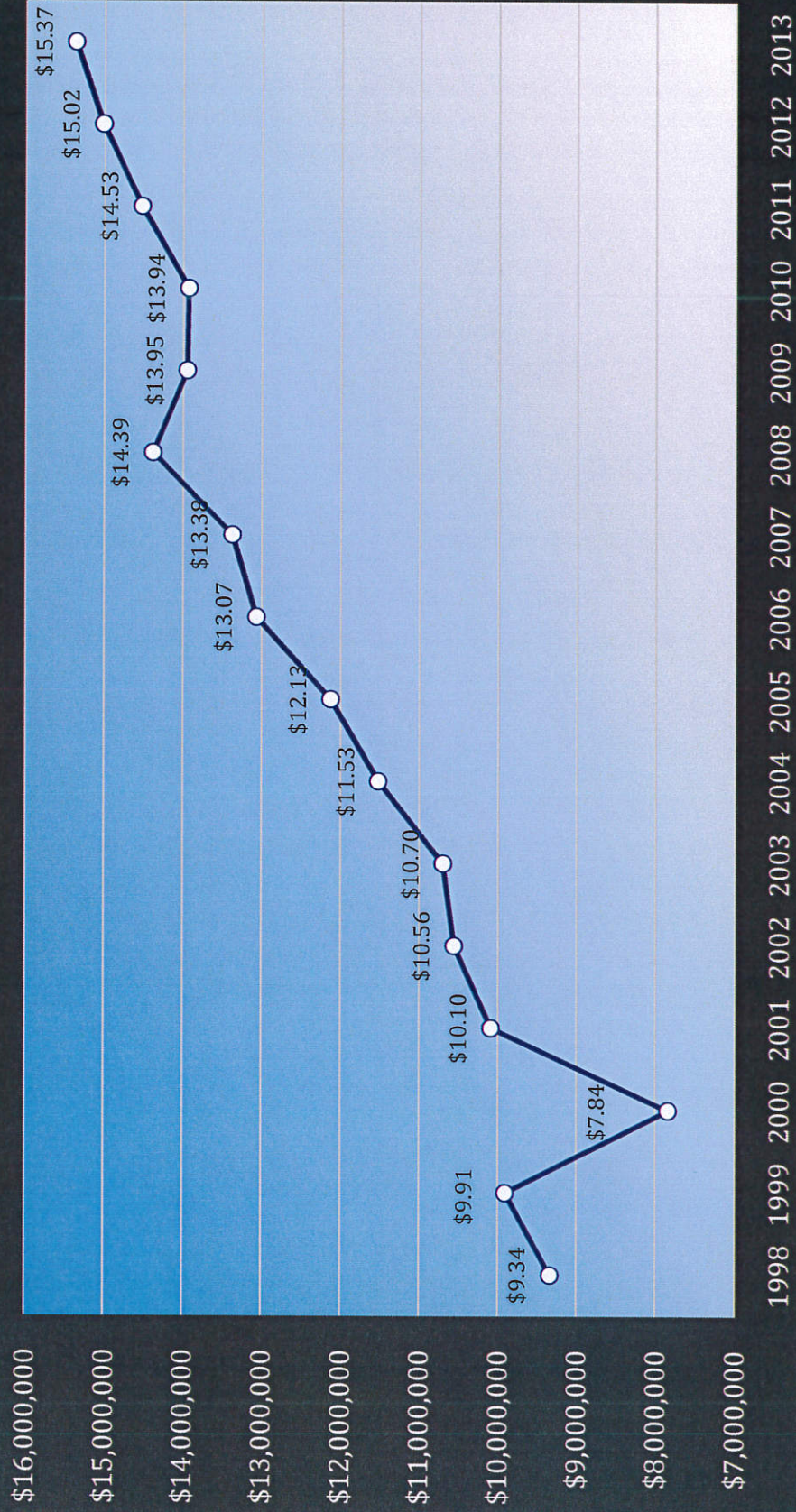
# Population Growth





# Permanent 1% Sales Tax

## Permanent 1% Sales Tax History





## Capital Improvements Restriction

- We would like to allow the Temporary Public Safety Tax to expire and remove the restrictions on the .5% Permanent Capital Improvements tax.
- Under the current projections we would have \$4.5 million to be used for Capital Improvements and the remaining \$3 million will go to balance the general operations of the City.





## Legislation Details (With Text)

<b>File #:</b>	ORD-14:026	<b>Version:</b>	1	<b>Name:</b>	Amend section 117-2 concerning overlay districts
<b>Type:</b>	Ordinance	<b>Status:</b>		<b>Status:</b>	Third Reading
<b>File created:</b>	4/23/2014	<b>In control:</b>		<b>In control:</b>	Public Works Council Committee
<b>On agenda:</b>		<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	AN ORDINANCE TO AMEND SECTION 117-2, DEFINITIONS AND SECTION 117-140, OVERLAY DISTRICTS WITHIN THE CITY OF JONESBORO CODE OF ORDINANCES, BY EXPANDING THE VILLAGE RESIDENTIAL OVERLAY DISTRICT REGULATIONS (SECTION 117, D.1) TO INCLUDE A TOWN CENTER OVERLAY DISTRICT OPTION (SECTION 117, D.2) FOR LARGE SCALE DEVELOPMENTS AND TO DECLARE AN EMERGENCY TO FURTHER ADVANCE INNOVATIVE DESIGN AND GOOD LAND USE PRINCIPLES				
<b>Sponsors:</b>	Planning				
<b>Indexes:</b>	Code of Ordinances amendment				
<b>Code sections:</b>	Chapter 117 - Zoning				
<b>Attachments:</b>	<a href="#">MEMO Town Center and Village Residential Overlay Districts</a> <a href="#">Village Residential District Markup</a> <a href="#">Chapter 117-140 Village Residential District Existing Code</a>				

Date	Ver.	Action By	Action	Result
5/20/2014	1	City Council		
5/6/2014	1	Public Works Council Committee		

AN ORDINANCE TO AMEND SECTION 117-2, DEFINITIONS AND SECTION 117-140, OVERLAY DISTRICTS WITHIN THE CITY OF JONESBORO CODE OF ORDINANCES, BY EXPANDING THE VILLAGE RESIDENTIAL OVERLAY DISTRICT REGULATIONS (SECTION 117, D.1) TO INCLUDE A TOWN CENTER OVERLAY DISTRICT OPTION (SECTION 117, D.2) FOR LARGE SCALE DEVELOPMENTS AND TO DECLARE AN EMERGENCY TO FURTHER ADVANCE INNOVATIVE DESIGN AND GOOD LAND USE PRINCIPLES

WHEREAS, the City of Jonesboro recognizes the potential for growth and population diversification that will continue to transform the entire community; and

WHEREAS, the Land Use Plan provides for a combination of office, retail, housing or compatible uses developed with a consistent theme and containing architectural, landscape, streetscape and signage standards are an emerging trend among growing communities, and present a unique opportunity for large scale investment and controlled growth.; and

WHEREAS, the Metropolitan Area Planning Commission held a public hearing and unanimously voted to recommend approval to City Council of said text amendment revisions to Section 117-140 on April 8, 2014, after studying this matter for three (3) months.

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF JONESBORO THAT:

SECTION 1: That Section 117-02. Definitions of Terms and Uses be modified to add the following definitions:

**Build-to Line:** The build-to-line on a block is the surveyed line of a uniform distance away from the front property line, up to which front building facades are required to be built. Porches, eaves, and awnings may encroach across the build-to-line. The build-to-line shall be established and platted based upon the applicable standards of the Town Center and Village Residential Overlay Districts in order to create an even building façade line along the street.

**Façade Articulation:** The interruption of the building façade through the use of awnings, arches, display windows or other elements which presents pedestrian scale.

**Landscape Amenities:** Living or non-living materials used to augment the beauty or usability of a landscape area. Amenities may include, but are not limited to: additional vegetation, flower gardens, tables, sculptures, monuments, benches, gardens, banners, enhanced pavement, pedestrian plaza areas, fountains and planters.

**Mixed-Use:** A single building containing two or more types of land uses; or a single development of more than one building and use, where the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas.

**Neo-Traditional:** Developments that favor the return of pre-World-War II patterns of development with such traditional design elements as grid-street patterns, reduced setbacks, prominent front porches, multi-use buildings and housing clustered near commercial service areas.

**Overlay District:** Districts which are placed "over" the base zoning to modify the development guidelines and to achieve a specific purpose for that area. The regulations of the underlying district and all other regulations, remain in effect. If any regulations conflict with the underlying zoning district, the Overlay standards prevail.

**Parapet:** A low, solid, protective screening or decorative wall; often used around a balcony, or along the edge of a roof to screen roof equipment.

**Pedestrian Scale:** The establishment of appropriate proportions for building mass and features in relation to pedestrians and the surrounding context.

**Place-Making:** Distinct features, such as parks, plazas, or civic areas which connect residents with a community and promote positive user interaction.

**Usable Open Space:** Areas which serve the need for leisure, recreation or pedestrian interaction. Spaces may include, but are not limited to, plaza areas, open lawn areas, trails, recreation facilities, gardens, pedestrian walkways and waterways.

**Vehicle Use Area:** The area of a development subject to vehicle traffic, including access ways, loading and service areas, areas used for parking or storage of vehicles, and all land which vehicles cross over as a function of the primary use.

SECTION 2: That the City of Jonesboro Code Section 117-140, is hereby modified to read as follows:

Sec. 117-140. Overlay and Special Purpose Districts.

(a) Purpose. The purpose of overlay and special purpose districts is to provide for enhanced



standards to protect and enhance the unique characteristics of specific areas and/or corridors, such as natural scenic beauty or manmade features, while providing for development opportunities. Examples of such purposes include:

- (1) Promoting the safe and efficient use of specific roadways by controlling access and other traffic measures;
- (2) Providing for the creation and expansion of employment opportunities for City citizens through promotion of business development;
- (3) Reducing sprawl and segregation of land use and encouraging more efficient use of land and public services by promoting compact mixed-use development patterns;
- (4) Encouraging the redevelopment of an area consistent with a particular design theme;
- (5) Giving special attention to landscaping, buffering, signage, lighting and building setbacks in those districts identified as needing special attention; and
- (6) Creating an attractive built environment with consistently high design quality and harmonious relationships through sound land use planning and design standards;

(b) Adoption. The city council, upon recommendation from the planning commission, may adopt overlay and special purpose districts as the needs are identified in order to implement specific purposes, intents, and design standards generally consistent with comprehensive plan provisions for the area being regulated, which shall be applied as additional standards to other city regulations. The development standards for the Town Center Overlay District shall control over the underlying zoning classification(s) that may exist on the property prior to adoption of the overlay district. Such overlay districts shall be adopted and made a part of the zoning ordinance through the standard amendment procedures; and upon adoption, the boundaries of such overlay districts shall be delineated on the official zoning map.

(c) LU-O-limited use overlay district.

(1) Purpose. By providing for flexible use of property development standards tailored to individual projects or specific properties, the LU-O district is intended to:

- a. Ensure compatibility among incompatible or potentially incompatible land uses;
- b. Ease the transition from one zoning district to another;
- c. Address sites or land uses with special requirements; and
- d. Guide development in unusual situations or unique circumstances.

(2) Application. The LU-O district may be applied in combination with any base zoning district. The designation may be requested by an applicant or proposed by the planning commission or city council during their consideration of a rezoning request.

(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.

(4) 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.

(5) Effect of LU-O designation. Restrictions imposed through an LU-O district are considered part of this chapter. All property included in an LU-O district shall be delineated on the official zoning map by adding the letters LU to the abbreviation for the base zoning district. The rezoning ordinance and record plat for the property must list all of the modifications and restrictions imposed pursuant to the LU-O designation. The restrictions imposed will be considered part of the text of this chapter, and a violation of the restrictions shall be considered a violation of the zoning chapter.

#### (d.1) TC-O - Town Center Overlay District.

(1) General Purpose. The purpose of the TC-O, Town Center Overlay District, is to promote the development of a pedestrian oriented, mixed use district in which a variety of complementary retail, commercial, office, civic, and residential uses are permitted. The intent of the TC-O regulations are to:

- (a) Preserve, enhance, or create many forms of publicly accessible open space, such as parks, plazas, water features, tree-lined streets and community gathering areas.
- (b) Create a compact concentration of land uses within each development through multiple uses in a single building, or in the same general area.
- (c) Encourage a sense of place through street level activity by allowing the imaginative and efficient utilization of land and to develop a sense of community by promoting year-round pedestrian and outdoor activities at the street level.
- (d) Reduce the dependence upon and dominance of the automobile through street design, shared parking, pedestrian scaled buildings and pedestrian pathways and spaces.
- (e) Achieve a unique aesthetic design through high quality architecture and construction with attention to placement, relationship and orientation of structures to provide a greater compatibility with surrounding land uses.

(2) Applicability. The TC-O is an overlay district applied to an underlying base zoning district. The TC-O district may be applied to a parcel or contiguous group of parcels where the underlying zoning classification(s) supports a mix of permitted land uses or conforms to the City's Land Use Map and Comprehensive Plan. The provisions of the TC-O shall control over the underlying base zoning district (s).

(3) Method of Adoption. The TC-O district shall be established according to the standard procedures for rezoning.

(4) Town Center Approval Procedure. A proposed Town Center Development shall require review and approval according to the Planned Unit Development review procedures.

(5) Phasing of Development. At the time of preliminary plan approval, the applicant may request approval of, and the Planning Commission may approve, a phasing plan for the development, in which

case the following standards shall apply. Each phase shall be related to surrounding areas and available public facilities including utilities in such a manner that failure to proceed to subsequent phases will not adversely affect those areas or facilities. Each completed phase shall comply with all applicable standards. The infrastructure as installed shall be sufficient to accommodate each phase of the development.

(6) Town Center Development Standards.

(a) The minimum contiguous land area included in a single Town Center Development shall be forty (40) acres. For purposes of this provision, land shall be deemed to be contiguous if all parts are under unified control of the applicant and all parts abut or are separated by only a road, easement or right-of-way.

(b) Permitted Uses. The following uses are permitted subject to site plan requirements and applicable density and design provisions:

- 1) Residential (all types including single family attached and detached and carriage homes)
- 2) Multifamily Residential (including units above non-residential use)
- 3) Senior Living and Retirement Homes
- 4) Convenience Stores (including fuel dispensing)
- 5) Pharmacies
- 6) Grocery Stores
- 7) Theaters
- 8) Hotels and motels
- 9) Conference Center
- 10) Financial Institutions
- 11) Medical Services and Outpatient Services Facilities
- 12) Schools and Vocational Instruction Facilities
- 13) Day Care and Extended Care Facilities
- 14) Sports & Fitness
- 15) Mixed-Use developments where residential dwelling units are integrated into buildings with non-residential uses
- 16) Business or Professional Offices
- 17) Research and Development Facilities
- 18) Retail Sales and Services
- 19) Single tenant stores up to 100,000 square feet gross floor area
- 20) Self-Storage (mini-storage) and associated offices
- 21) Personal Services
- 22) Restaurants and Cafés
- 23) Indoor Recreational Facilities
- 24) Outdoor seating associated with restaurants or cafés subject to applicable licensing requirements
- 25) Live/Work
- 26) Home Occupations
- 27) Places of Worship
- 28) College or University
- 29) Utility, Major and Minor
- 30) Communication Tower
- 31) Accessory Structures to Primary Permitted Land Use

(c) Height, Bulk and Area Requirements - Residential Uses. Height, bulk, area and buffer requirements shall be as follows:

1) Single-family detached dwellings and two-family detached dwellings:

- a) Minimum rear yard: 25 feet
- b) Minimum side yard: 10 feet wide
- c) Minimum front yard: 25 feet
- d) Minimum Lot Area: 4,000 square feet per dwelling unit
- e) Maximum Lot Coverage: 60%
- f) Maximum Height: 3 stories

2) Single-family attached (excluding multi-family):

- a) Minimum rear yard: 25 feet
- b) Minimum side yard: 10 feet
- c) Minimum front yard: 25 feet
- d) Minimum Lot Area: 4,000 square feet per dwelling unit
- e) Maximum Lot Coverage: 60%
- f) Maximum Height: 3 stories

3) Multi-family dwellings:

- a) Minimum rear yard: 25 feet
- b) Minimum side yard: each 15 feet wide
- c) Minimum front yard: 25 feet
- d) Minimum Lot Area: 1,500 square feet per dwelling unit
- e) Maximum Lot Coverage: 60%
- f) Maximum Height: 4 stories

(d) Height, Bulk and Area Requirements - Non-Residential and Mixed Uses

1) Non-Residential and Mixed Uses

- a) The maximum allowable height for non-residential and mixed use buildings shall be seven (7) stories.
- b) Setback Requirements for Parcels fronting upon Arterials and Collectors and Parcels located along perimeter boundary of the Town Center
  - (1) Minimum rear yard: 20 feet
  - (2) Minimum side yard: 10 feet
  - (3) Minimum front yard: 25 feet
- c) Setback Requirements for Parcels fronting upon Local Streets within the Town Center
  - (1) Minimum rear yard: 10 feet
  - (2) Minimum side yard: 0 feet
  - (3) Minimum front yard: 5 feet (build-to line shall be 5 feet unless a lesser front yard is approved with corresponding build-to line)
- d) Minimum Lot Area: N/A
- e) Maximum Lot Coverage: 90%
- f) Maximum Building Coverage: 70%

(e) Land Area and Density Requirements. It is the intent of the TC-O to create a mixed-use environment that includes a combination of residential and non-residential uses. To ensure an

appropriate mix of permitted land uses, the TC-O shall adhere to the following:

- 1) Non-residential and mixed uses (that combine residential and non-residential uses in a vertical building configuration) shall occupy a range of 50 to 70 percent of the total land area of the Town Center including rights-of-way and open space.
- 2) Residential land uses shall occupy a range of 30 to 50 percent of the total land area of the Town Center including rights-of-way and open space.
- 3) In order to provide a mix of residential types, a range of 50 to 70 percent of the total land area devoted to residential use within the Town Center shall be developed as single-family detached and attached (excluding multi-family). Multi-family (excluding single-family attached) may occupy a range of 30 to 50 percent of the total land area devoted to residential uses. In the case of residential uses such as lofts above ground floor retail/office located within the non-residential or mixed-use land area of the Town Center, there shall be no prescribed minimum or maximum acreage or units.

(f) **Big Box/Large Retail Establishment Requirements.** It is the intent of the TC-O to create a unique pedestrian-oriented environment through mixed uses and pedestrian scaled design. Each large retail establishment containing more than 50,000 gross square feet is required to provide pedestrian scaled design through the incorporation of several of the following recommended design elements:

- Arcades
- Arches or recessed Archways
- Architectural detailing
- Awnings, canopies or porticos
- Changes in massing
- Changes in material
- Multiple customer entries
- Display windows
- Dormers
- Peaked roof forms
- Outdoor gathering spaces
- Raised cornice parapets over entries
- Separate shops (or the appearance of separate shops) with separate entrances placed in front of the larger building
- Varying plate heights

(g) **Open Space Requirements.** The intent of the TC-O is to allow for the creative design of plazas, green spaces, and focal elements for retail, office, residential, or mixed use land uses.

- 1) All Town Center developments shall provide usable open space, or spaces which allow for the interaction among pedestrians and with the surrounding environment.
- 2) A minimum of ten percent (10%) of the gross land area of a Town Center Development shall be designated and preserved as common open space or private open space. Landscape amenities, recreation facilities or structures and accessory uses in common areas shall be considered as open space if the total impervious surfaces such as paving and roofs constitute no more than fifteen percent (15%) of the total open space. A property owners' association shall be responsible for continued maintenance of common open space areas.
- 3) Usable open spaces should provide as many seating opportunities as possible through the placement of moveable chairs, sidewalk cafes and planter walls.
- 4) Activities- such as street vendors, open air markets, kiosks, and festivals are encouraged to

promote pedestrian usage.

5) Usable outdoor space shall be privately owned and maintained by the developer or property owners' association. However, if the determination has been made by the City Council that a particular usable open space serves not only the patrons of the development but the greater community as a whole, the City may provide assistance to aid in the development and maintenance of the public space.

6) When possible, the integration of storm drainage and detention should be designed to enhance the public space and improve water quality.

7) Usable space should be designed to create outdoor rooms, by limiting the interaction with moving vehicles and partially surrounding the space with buildings, landscaping elements, and architectural features.

(h) Traffic Impact Study. A Traffic Impact Study will be prepared and submitted to the City of Jonesboro addressing traffic impacts associated with the development of the Town Center. The Traffic Impact Study will also address access management relative to placement and configuration of street intersections and entrances to the Town Center.

(i) Architectural Guidelines. Building façades should be varied and articulated to provide visual interest to pedestrians. Buildings should be proportioned and defined by clear façade elements such as a base, middle, and top. Building architecture shall adhere to the following architectural guidelines:

1) Buildings are encouraged to have a pedestrian scaled design by achieving the following:

- Using heavier building materials at the bottom of the building
- Using roof details such as cornice, caps or parapets at the top of the building
- Alternating roof styles, heights, and elements
- Dormers
- Varying window heights and styles
- Mix of architectural materials and styles

2) Buildings on corner lots shall be considered significant structures since they have two street-facing facades. All such facades shall have appropriate scale and massing. Additional stories or prominent roof design and architectural elements are encouraged to emphasize the location.

3) Buildings located at "gateways" into and out of the Town Center Development should be designed with additional height or architectural elements to reinforce their prominence. Pedestrian elements such as plazas, fountains, and special landscaping treatments are also encouraged.

4) Focal points of visual termination should generally be occupied by prominent buildings and structures that employ enhanced height, massing, distinctive architectural elements, ornamental site elements or other distinguishing features.

5) Fenestration (door and window openings) shall be sized to the scale of the building and detailed based upon building architecture including an appropriate amount of fenestration on first floor façades facing public streets. Fenestration design shall properly address maximum sill height and minimum window head height based upon the height of the first floor measured from finished grade. Use of repeating window patterns and details are encouraged to unify design.

6) Entrances into buildings should be easily identified through the use of building design and detailing. Projected or recessed entryways, higher rooflines, awnings, or changes in building material are examples that can create this effect.

7) No building shall have long expanses of uniform or flat walls. Reasonable articulation of

building facades shall be provided by using offsets, recesses and/or projections, changes in plane, changes in height, windows, awnings, arcades and/or colonnades. Use of awnings shall be limited to above windows and entrances.

8) No buildings shall have long expanses of uniform roof planes. Reasonable articulation of roof lines shall be provided by using a pitched roof, partial roof, or parapet walls of varying heights, dormers, overhangs, arches, stepped roofs, gables, or other similar design. All flat roofs shall be screened with parapets on all sides of the building. If no roof top equipment exists, the parapet shall be a minimum of 18 inches high. All parapets shall feature cornice treatments and shall provide a cap to demonstrate that the upper edge is the top of the building.

9) Ground mounted mechanical equipment shall be screened from view with wing walls consisting of comparable design and building materials as the main building structure, landscaping, or a combination of both.

10) Loading areas (shipping and receiving docks) shall be located and/or screened in such a manner that the loading area is not visible to passing motorists along a public street and/or highway serving the Town Center Development.

11) Buildings should provide a unifying theme while maintaining each building's individual character.

12) Materials should change with the change in building planes; however, all material should keep within the chosen theme.

13) Reflective glass or mirrored glass is strongly discouraged. Efforts should be made to use clear glass on storefronts, windows and doors to promote the connection of the interior and exterior of buildings.

14) All sides of all buildings open to public view should be treated with the same level of architectural style.

15) Trim and structural elements such as posts or columns shall be sized to the scale of the building and detailed appropriately to the theme. When used, masonry materials shall have the appearance of 3-dimensional elements.

16) Corporate franchise design where the building functions as a trademark shall be permissible only if it incorporates architectural elements which are compatible with the overall theme and uniqueness of the development.

17) No outdoor storage shall be permitted unless such storage is visually screened from view to passing motorists along a public street and/or highway serving the Town Center Development by the use of landscaping and/or a suitable solid fence constructed of masonry or wood at least 6 feet in height or a combination thereof. No storage materials may be visible above the screening measure. Screening shall be well maintained.

(j) **Building Materials.** Any exterior building wall facing a street or highway located within the Town Center Development, shall be constructed of one or a combination of the following materials:

1) Clay or masonry brick.

2) Customized concrete masonry with striated, scored or broken faced brick type units (sealed) with color consistent with design theme.

3) Poured in place and tilt-up walls shall have a finish of stone, a texture or a coating.

4) Poured in place, tilt-up or pre-cast concrete,

5) Natural stone.

6) At a minimum, industrial buildings shall be constructed having the lower one-third (1/3) of the structure being of architectural masonry, architectural composite aluminum or steel panels, glass, or a combination of these materials on all sides not facing a public street. The front façade of an industrial building shall be one of or a combination of the materials enumerated in Items 1 through 5 of this subsection.



- 7) All roof drains of a structure must be integral to the design and non-apparent.
- 8) Accessory structures including refuse enclosures shall be of comparable design and building materials as the principal structure.

(k) Signs.

- 1) The following signs are permitted in accordance with the Zoning Ordinance:

- a) Principal or Monument Ground Signs
- b) Integrated Shopping Center Signs
- c) Wall Signs
- d) Menu Board (limited to one sign per business)
- e) Suspended Signs
- f) Construction Signs
- g) Directory Signs (ground and wall mounted)
- h) Special Event Signs
- i) Real Estate Signs
- j) Window Signs
- k) Gasoline Trade Signs
- l) Sandwich Signs (associated with Restaurant or Café)

- 2) The following signs are not permitted:

- a) Changeable copy signs (including LED/message signage)
- b) Flags
- c) Internally illuminated signs
- d) Pole signs
- e) Tag signs
- f) Open channel letter signs
- g) Flashing or animated signs
- h) Off-premise signs
- i) Roof signs

- 3) Signs shall comply with the following guidelines:

- a) All ground-mounted signs shall include landscaping around the entire base of the sign structure. Landscaping shall consist of multiple rows of evergreen and deciduous plant materials and seasonal varieties that add visual interest to the sign. All landscaping shall be irrigated and properly maintained.
- b) Signs shall not create a traffic hazard. All entrance and freestanding signs located near corners of a street intersection shall be located outside of the clear sight triangle based upon the design speed of the intersecting streets upon which the sign will be located.
- c) No principal or monument ground sign shall exceed twelve (12) feet in height, fifteen (15) in length and three (3) feet in width.
- d) No integrated shopping center sign shall exceed a total of 200 square feet on one side for any one integrated shopping center sign. If a shopping center fronts upon more than one public street, no more than two (2) integrated shopping center signs shall be permitted for a shopping center.
- e) One (1) Menu Board sign per business shall be allowed provided the menu board shall not exceed a total of 25 square feet of display surface. A microphone shall be permitted to be integrated into the design of the menu board sign structure to communicate with patrons.

- f) Sign structures shall be of comparable design and building materials as the main building structure.
  - g) The area of a wall sign shall not exceed, in square feet, 2 times the lineal front footage of the business or office.
  - h) Window signs shall not exceed 15% of the total window surface of the first floor or street level of the building.
  - i) Signs are required to be internally illuminated block letters mounted on a raceway. Backlit letters and indirectly illuminated signs are acceptable. Three colors maximum are allowed for signs with up to two font styles. Ground mounted building identification signs shall have fully enclosed solid bases of either brick or stone, mounted at the ground plane. No supporting structural members are to be exposed.
- (l) Vehicle Use Area Design Guidelines. The intent of the TC-O is to create small, shared, aesthetically landscaped and screened parking lots which are designed to function not only in the interest of accommodating automobiles, but in the interest of the pedestrian.
- 1) Parking areas should consist of separated parking fields that are aesthetically pleasing, landscaped to screen the public views and located so as not to be the dominant feature along any street or intersection.
  - 2) Parking structures and lots should be designed to contribute to an attractive appearance of the streetscape and not deter from the pedestrian orientation of the district.
  - 3) Parking requirements will be in accordance with Section 117-324 Off-Street Parking and Loading Requirements. Parking requirements may be reduced if the applicant can provide data that substantiates potential parking demand that is less than the minimum prescribed parking standard. The applicant may use shared parking, on-street parking, off-street parking, and other considerations including mass transit to reduce the number of required parking spaces.
  - 4) Parking should be located to utilize natural landscape and topography.
  - 5) To promote a higher level of pedestrian awareness, the use of alternate paving materials to designate pedestrian traffic areas from vehicular use areas and travel lanes is encouraged.
  - 6) The design of all streets (public and private) and parking lots shall permit the travel of the Fire Department's vehicle access requirements.
  - 7) On-street parking may be permitted on public street classified as Local Street or less on the most current Master Street Plan.
  - 8) Pedestrian travel ways should be separated from vehicular traffic with landscaping, on-street parking, bollards, special paving, or any other feature which identifies the pedestrian space.
  - 9) Parking lots of contiguous developments within the Town Center should, where possible, interconnect among the different developments to encourage continuous movement of traffic to reduce traffic flow on public streets and to minimize the need for excessive curb cuts.
- (m) Sidewalks. Sidewalks shall be provided on both sides of all local (public and private) and collector streets within a Town Center Development.
- (n) Streets. The Planning Commission may allow reduced street right-of-way and pavement widths within Town Center Developments provided the Planning Commission determines that pedestrian amenities or transit improvements will be made to reduce dependency on the automobile.
- 1) The Planning Commission may allow both public and private streets including alleys within a Town Center. The Planning Commission may allow private streets to vary from public street design standards where such deviations demonstrate safe design that supports pedestrian-

friendly streetscapes and street hierarchies within the Town Center.

(o) **Underground Utilities.** All service facilities must be placed underground except those that by their nature must be on or above ground, such as streets, fire hydrants, and open storm water courses. The applicant is responsible for making the necessary arrangements with utility providers and other appropriate entities when installing utilities and service facilities.

(p) **Site Lighting.**

2) A uniform lighting plan shall be established for the Town Center Development. Lighting shall be provided along public and private streets, pedestrian ways, and in off-street parking and loading areas. Outdoor lighting shall be located and shielded to prevent spillover lighting in residential areas. The lighting source should not be directly visible from adjoining properties. Floodlights, unshielded wall pack units, other types of unshielded lights, and lights where the lens is visible outside of the light fixture shall be prohibited. The design and style of light fixtures shall provide for a common design theme throughout the entire Town Center to reinforce a sense of place. Sidewalks and parking areas shall be properly lit to facilitate safe movement of pedestrians and vehicles and provide a secure environment. In parking areas, the light intensity shall average a minimum of 1.0 foot candle, measured five (5) feet above the surface. In pedestrian areas, the light intensity shall average a minimum of 2.0 foot candles, measured five (5) feet above the surface. Maximum average light intensity shall be ten (10) foot candles.

3) Light poles are to be neutral, preferably dark in color and not made of wood. All parking and security lights are to be cutoff luminaries. The height of light fixtures should be in proportion to the building mass, preferably no taller than the building height. Lighting for pedestrian areas should be 12-15 feet in height. Ground-oriented pedestrian scale lighting should be considered as an alternative to polemounted fixtures along pedestrian walkways at three to four feet in height.

p) **Mechanical Equipment.** All air conditioning units, HVAC systems, exhaust pipes or stacks, elevator housing and satellite dishes and other telecommunications receiving devices shall be thoroughly screened from view from the public right-of-way and from adjacent properties, using walls, fences, roof elements, penthouse-type screening devices or landscaping.

(7) **Paths and trails.** Bicycle paths and pedestrian trails are strongly encouraged to link residential areas with commercial and mixed-use nodes, schools and other activity areas inside and outside the Town Center Development. The requirement for sidewalks may be waived by the planning commission if paths or trails are provided.

(8) **Parks and recreation areas.** A Town Center Development should include usable open space that provides passive and/or active gathering places and activity and special event spaces.

(d.2) **VR-O-Village Residential Overlay District.**

(1) **General Purpose.** The purpose of the VR-O, village residential overlay district, is to promote greater integration of use and design and more potential for physical and social interaction within the city's newly developing neighborhoods.

The VR-O regulations are intended to encourage the creation of neighborhoods with the following characteristics:

- a. Pedestrian scale;
- b. A mix of uses, i.e., all types of housing and supporting retail and service uses;
- c. Unified planning, design and appearance; and
- d. Inclusion of amenities and pedestrian connections to such amenities (e.g., parks, open space, schools, cultural facilities, etc.).

(2) **Applicability.** The City Council, upon recommendation from the Planning Commission, may adopt overlay and special purpose districts as the needs are identified in order to implement specific purposes, intents, and design standards generally consistent with comprehensive plan provisions for the area being regulated, which shall be applied as additional standards to other city regulations. The development standards for the Village Residential Overlay District shall control over the underlying zoning classification(s) that may exist on the property prior to adoption of the overlay district. Such overlay districts shall be adopted and made a part of the zoning ordinance through the standard amendment procedures; and upon adoption, the boundaries of such overlay districts shall be delineated on the official zoning map.

(3) **Method of adoption.** The VR-O district shall be established according to the standard procedures for rezoning.

(4) **Effect of VR-O classification.** The VR-O is an overlay district applied to an underlying base zoning district. The VR-O district may be applied to a parcel or contiguous group of parcels where the underlying zoning classification(s) supports a mix of permitted land uses or conforms to the City's Land Use Map and Comprehensive Plan. The provisions of the VR-O shall control over the underlying base zoning district(s).

(5) **Village residential approval procedure.** A proposed village residential development shall require review and approval according to the planned unit development review procedures.

(6) **Phasing of development.** At the time of preliminary plan approval, the developer may request approval of, and the planning commission may approve, a phasing plan for the development, in which case the following standards shall apply. Each phase shall be related to surrounding areas and available public facilities in such a manner that failure to proceed to subsequent phases will not adversely affect those areas or facilities. Each completed phase shall comply with all applicable standards. The infrastructure as installed shall be sufficient to accommodate each phase of the development.

(7) **Village residential development standards.**

a. **Minimum site area.** The minimum contiguous land area included in a single village residential development shall be 25 acres. For the purpose of this provision, land shall be deemed to be contiguous if all parts are under unified control of the applicant and all parts abut or are separated by only a road, easement or right-of-way.

b. **Uses.**

1. **Residential.** Any type of residential use may be allowed in the VR-O district, subject to required approval procedures, and the following limitations:

(i) **Single-family.** A minimum of 51 percent of the total number of dwelling units within a village residential development shall be single-family.

(ii) **Other residential.** No more than 49 percent of the total number of dwelling units within a village residential development may be other than single-family, e.g., duplex, multifamily, manufactured housing.

2. **Nonresidential.** The following nonresidential uses shall be allowed within the VR-O district, if approved according to the PD approval procedures:



(i) Uses allowed in RS.

Any nonresidential use permitted in the RS district shall also be a permitted use in the VR-O district.

(ii) Bank or financial institution. Banks and financial institutions are permitted uses in the VR-O district.

(iii) Convenience store.

Convenience stores, including those that sell gasoline, are permitted uses in the VR-O district.

(iv) Day care, limited. Daycare family homes are permitted in this district.

(v) Medical service. Medical services are permitted in the VR-O district.

(vi) Restaurants. Restaurants are permitted uses in the VR-O district, provided they do not exceed a 100 person seating capacity.

(vii) Retail sales/service.

Retail sales and service uses are permitted in the VR-O district, provided that no individual retail sales or service use may exceed 4,000 square feet of gross floor area.

(8) Residential property development standards.

a. Maximum density. The maximum single-family residential density within a village residential development shall not exceed 5.5 units per acre.

b. Minimum lot size. The minimum lot size for single-family residential uses shall be 6,000 square feet.

c. Setbacks. The setback standards of the underlying base zoning district shall apply unless the planning commission approves an alternative setback plan for the village residential development. In general, reduced building setbacks from streets are appropriate in a village residential development.

d. Maximum height. Residential uses shall not exceed 35 feet in height, measured from the highest land elevation to the eaves.

e. Maximum building coverage. Residential uses shall not exceed 50 percent lot coverage.

f. Commercial floor area limit.

No more than 10,000 square feet gross floor area of commercial floor space shall be allowed per 100 dwelling units within a village residential development.

g. Setbacks. The setback standards of the underlying base zoning district shall apply unless the planning commission approves an alternative setback plan for the village residential development.

h. Lot coverage. The maximum ground coverage of any nonresidential use within a village residential development, which includes building and other site improvements, shall not exceed 70 percent of the lot.

i. Maximum height. The maximum height of any nonresidential use in the VR-O district shall be 30 feet, measured from the highest land elevation to the eaves.

(9) Design guidelines and standards.

In reviewing plans for a village residential development, and, as a condition of any density bonus and any permitting of commercial uses, the planning commission shall evaluate the proposal in light of the policies and guidelines in the comprehensive plan, and in light of the following standards and guidelines:

a. Sidewalks. Sidewalks shall be provided on both sides of all local and collector streets within a village residential development.

b. Streets. The planning commission may allow reduced street right-of-way and pavement widths within village residential developments if the planning commission determines that pedestrian amenities or transit improvements will be made to reduce dependency on the automobile.

c. Open space. A minimum of 20 percent of the gross area of a village residential development shall be designated and preserved as common open space or private open space. Recreation facilities or structures and accessory uses in common

areas shall be considered as open space if the total impervious surfaces such as paving and roofs constitute no more than ten percent of the total open space area. A property owners association shall be responsible for continued maintenance of common open space areas.

d. Landscaping and buffering.

Trees, shrubs and other plant materials should be installed within open space areas of a village residential development. Shade trees shall be installed to shade sidewalks and parking lots. Landscape buffers consisting of trees, shrubs, earth berms and other landscape features shall be provided to screen incompatible uses from one another. Low density residential areas should, for example, be screened from high density residential uses and from nonresidential uses.

e. Outdoor lighting. A uniform

lighting plan should be established for the village residential development. Lighting should be provided along streets and sidewalks, and in off-street parking areas. Outdoor lighting shall be located and shielded to prevent spillover lighting in residential areas.

f. Underground utilities. All service facilities must be placed underground except those that by their nature must be on or above ground, such as streets, fire hydrants and open water-courses. The developer is responsible for making the necessary arrangements with utility companies and other appropriate entities when installing utilities and service facilities.

g. Housing design. Pedestrian-oriented design features are strongly encouraged within the VR-O district. To that end, front porches, reduced street setbacks, rear alleys, garage placement to the side or rear of houses, and other design features that emphasize the pedestrian over the automobile are encouraged within village residential developments.

h. Architectural compatibility. At the time of plan review, the developer of a village residential development shall be required to present plans for insuring architectural compatibility within the development. In addition to the general design of buildings, such plans shall address uniform signage and landscaping.

i. Paths and trails. Bicycle paths and pedestrian trails are strongly encouraged to link residential areas with commercial nodes, schools and other activity areas inside and outside the development. The requirement for sidewalks may be waived by the planning commission if paths or trails are provided.

j. Parks and recreation areas. A village residential development should include recreation facilities and amenities, such as swimming pools, playfields and other areas. The planning commission may require the provision of private recreational amenities within a village residential development if the planning commission determines that adequate park and recreation facilities do not exist within a one-mile radius of the village residential development.

SECTION 3: It is found and declared by the City Council that an emergency exists to provide incentives that will further advance innovative design and good land use planning principles for large scale developments; and, this Ordinance, being necessary for the preservation of public peace, health and safety, shall take effect from and after its passage and approval.

SECTION 4: Conflict - If any part of this Section is found to be in conflict with any other Section of the Zoning Ordinance or with any other Ordinance, the most restrictive or highest standard shall prevail. If any part of this Section is explicitly prohibited by Federal law or state statute that part shall not be enforced.



# Memo

To: The Jonesboro City Council  
Cc: City Attorney Phillip Crego, Carol Duncan, Mayor Harold Perrin, L.M. Duncan, Tracy McGaha  
From: Otis T. Spriggs, Director of Planning  
Date: April 23, 2014  
Re.: **Text Amendment: City of Jonesboro: Chapter 117-140 d1. &117-140 d.2): Town Center and Village Residential Overlay Districts**

## Dear Aldermen:

When the Village Residential Overlay District was initially established, the purpose envisioned was to provide for enhanced standards to protect the unique characteristics of small-scale areas and/or corridors around Jonesboro. Specifically, the overlay district was incorporated into the Zoning Ordinance to promote safe streets while giving special attention to landscaping, signage, lighting, yard and bulk, and architectural elements in order to create cohesive development patterns. To achieve the desired development pattern set forth in the Village Residential Overlay District, development plans must contain certain design characteristics including 1) pedestrian scale, 2) a mix of uses (commercial, office, and residential), 3) unified planning, design and appearance, and 4) the inclusion of amenities and pedestrian connectivity.

The City of Jonesboro recognizes the potential for growth and population diversification that will continue to transform the entire community. Planned Mixed-Use Areas (PMUA) that contain a combination of office, retail, housing or compatible uses developed with a consistent theme and containing architectural, landscape, streetscape and signage standards are an emerging trend among growing communities, and present a unique opportunity for large scale investment and controlled growth. Mixed-use developments encourage innovative design that promotes a live, work, shop, play, and worship environment, pedestrian in scale, and conducive to transit use, all in a compact urban form.

Mixed use development discourages the development of businesses that contribute to traffic congestion and instead encourages shared parking, multi-modal traffic patterns, and the creation of places oriented toward pedestrians. The intent of PMUAs as provided in the Vision 2030 Plan is to promote a mix of land uses including innovative residential neighborhood patterns that provide a variety of housing typologies and to discourage single use while balancing such development with planned open spaces and pedestrian-friendly streetscapes. The benefit of a mixed use development for the City of Jonesboro is minimizing traffic congestion and relative infrastructure costs while also minimizing environmental degradation in order to improve quality of life and promotion of a healthy community.

In order to support the anticipated growth and development trends emerging in the City of Jonesboro, the City's Planning & Zoning Department has identified the need to expand the current Village Residential Overlay District to provide a regulatory framework for the development of larger scale, mixed-use development that aspires to similar design principles and the mixing of land uses envisioned in a village-scale development scenario while also providing attractive, pedestrian-friendly streetscapes and cohesive design elements. In March, the Planning & Zoning Department will be presenting for consideration to the Metropolitan Area Planning Commission and the City Council an amendment to the current Village Residential Overlay District to include a "Town Center" element that builds upon the design tenants of the smaller-scale village regulatory provisions initially envisioned for

this zoning overlay classification. The amended zoning provision will create an expanded zoning classification titled “Town Center and Village Residential Overlay Districts”.

The intent of the recommended *Town Center (TC) Overlay District* is:

- *Public Space* – to preserve, enhance or create forms of publicly accessible open space
- *Compact Mixed Use* – to create a compact concentration of land uses within each development through multiple uses in a single building, or in the same general area
- *Street Activity* – to encourage a sense of place through street level activity by allowing the imaginative and efficient utilization of land and to develop a sense of community by promoting year-round pedestrian and outdoor activities at the street level
- *Pedestrian Oriented* - to reduce the dependence upon and dominance of the automobile through street design, shared parking, pedestrian scaled buildings and pedestrian pathways and spaces
- *Design* – to achieve a unique aesthetic design through high quality architecture with attention to placement, relationship and orientation of structures to provide greater compatibility with surrounding land uses

The Town Center (TC) Overlay District will be a mapped zoning district that imposes a set of development regulations in addition or in place of the underlying zoning district. The framework for the Town Center provisions to be incorporated into the Village Residential Overlay District will follow much the same organizational content as the current Village Residential Overlay zoning provisions including:

- Purpose
- Applicability
- Method of Adoption
- Effect of Town Center (TC) Overlay District Classification
- Town Center Approval Procedure
- Phasing of Development

**The Town Center zoning standards will also address:**

- Definitions
- Minimum site area
- Permitted Land Uses
- Permitted Conditional Uses
- Commercial, Office, and Residential Mixed-Use Development Standards (Building Placement, Site Layout, Street Hierarchy, Parking, Open Space, etc.)
- Design Guidelines and Standards (Landscaping, Architecture, Lighting, Signage, etc.)

## Town Center Streetscape Examples:



Thank you.



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**Section 117-2. Definitions**

**City of Jonesboro: Chapter 117-140 d.d1. &117-140 d.2): Town Center and Village Residential Overlay Districts**

AN ORDINANCE TO AMEND SECTION 117-2, DEFINITIONS AND SECTION 117-140, OVERLAY DISTRICTS OF THE CITY OF JONESBORO CODE OF ORDINANCES BY EXPANDING THE VILLAGE RESIDENTIAL OVERLAY DISTRICT REGULATIONS (SECTION 117, D.1) TO INCLUDE A TOWN CENTER OVERLAY DISTRICT OPTION (SECTION 117, D.2) FOR LARGE SCALE DEVELOPMENTS AND TO DECLARE AN EMERGENCY TO FURTHER ADVANCE INNOVATIVE DESIGN AND GOOD LAND USE PRINCIPLES

..Body

WHEREAS, the City of Jonesboro recognizes the potential for growth and population diversification that will continue to transform the entire community; and

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WHEREAS, the Land Use Plan provides for a combination of office, retail, housing or compatible uses developed with a consistent theme and containing architectural, landscape, streetscape and signage standards are an emerging trend among growing communities, and present a unique opportunity for large scale investment and controlled growth.; and

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WHEREAS, the Metropolitan Area Planning Commission held a public hearing and unanimously voted to recommend approval to City Council of said text amendment revisions to Section 117-140 on April 8, 2014.

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF JONESBORO THAT:

SECTION 1: That **Section 117-02. Definitions of Terms and Uses** be modified to add the following definitions:

*Build-to Line:* The build-to-line on a block is the surveyed line of a uniform distance away from the front property line, up to which front building facades are required to be built. Porches, eaves, and awnings may encroach across the build-to-line. The build-to-line shall be established and platted based upon the applicable standards of the Town Center and Village Residential Overlay Districts in order to create an even building façade line along the street.

*Façade Articulation:* The interruption of the building façade through the use of awnings, arches, display windows or other elements which presents pedestrian scale.

*Landscape Amenities:* Living or non-living materials used to augment the beauty or usability of a landscape area. Amenities may include, but are not limited to: additional

vegetation, flower gardens, tables, sculptures, monuments, benches, gardens, banners, enhanced pavement, pedestrian plaza areas, fountains and planters.

Mixed-Use: A single building containing two or more types of land uses; or a single development of more than one building and use, where the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas.

Neo-Traditional: Developments that favor the return of pre-World-War II patterns of development with such traditional design elements as grid-street patterns, reduced setbacks, prominent front porches, multi-use buildings and housing clustered near commercial service areas.

Overlay District: Districts which are placed “over” the base zoning to modify the development guidelines and to achieve a specific purpose for that area. The regulations of the underlying district and all other regulations, remain in effect. If any regulations conflict with the underlying zoning district, the Overlay standards prevail.

Parapet: A low, solid, protective screening or decorative wall; often used around a balcony, or along the edge of a roof to screen roof equipment.

Pedestrian Scale: The establishment of appropriate proportions for building mass and features in relation to pedestrians and the surrounding context.

Place-Making: Distinct features, such as parks, plazas, or civic areas which connect residents with a community and promote positive user interaction.

Usable Open Space: Areas which serve the need for leisure, recreation or pedestrian interaction. Spaces may include, but are not limited to, plaza areas, open lawn areas, trails, recreation facilities, gardens, pedestrian walkways and waterways.

Vehicle Use Area: The area of a development subject to vehicle traffic, including access ways, loading and service areas, areas used for parking or storage of vehicles, and all land which vehicles cross over as a function of the primary use.

SECTION 2: That the City of Jonesboro Code Section 117-140, is hereby modified to read as follows:

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**Sec. 117-140. Overlay and Special Purpose Districts.**

- (a) *Purpose.* The purpose of overlay and special purpose districts is to provide for enhanced standards to protect and enhance the unique characteristics of specific areas and/or corridors, such as natural scenic beauty or manmade features, while providing for development opportunities. Examples of such purposes include:

~~(1)~~ ~~(4)~~ Promoting the safe and efficient use of specific roadways by controlling access and other traffic measures;

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~~(2)~~ Provideing for the creation and expansion of employment opportunities for City citizens through promotion of business development;

~~(4)~~~~(3)~~ Reduceing sprawl and segregation of land use and encourageing more efficient use of land and public services by promoting compact mixed-use development patterns;

~~(4)~~~~(2)~~ Encouraging the redevelopment of an area consistent with a particular design theme;

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~~(5)~~~~(3)~~ Giving special attention to landscaping, buffering, signage, lighting and building setbacks in those districts identified as needing special attention; and

~~(6)~~~~(4)~~ Giving special attention to the existing architectural style or to the style which is planned, so as to create an easily identifiable area in those areas identified as architecturally or historically significant. Createing an attractive built environment with consistently high design quality and harmonious relationships through sound land use planning and design standards;

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Comment [CE1]: Marsha: The wording of this sentence is awkward. I have tried composing several alternatives, but don't have one I like better yet. . . Craig L. questions this phrase as well.

Comment [LEA2]: Additional language has been added to clarify the Overlay District shall control over any base zoning that may have been in place prior to adoption of the overlay district.

(b) *Adoption.* The city council, upon recommendation from the planning commission, may adopt overlay and special purpose districts as the needs are identified in order to implement specific purposes, intents, and design standards generally consistent with comprehensive plan provisions for the area being regulated, which shall be applied as additional standards to other city regulations. The development criteria for each district shall be those standards as set out in each respective district that is adopted. The development standards for the Town Center Overlay District shall control over the underlying zoning classification(s) that may exist on the property prior to adoption of the overlay district. Such overlay districts shall be adopted and made a part of the zoning ordinance through the standard amendment procedures; and upon adoption, the boundaries of such overlay districts shall be delineated on the official zoning map.

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*(c) LU-O—limited use overlay district.*

(1) Purpose. By providing for flexible use of property development standards tailored to individual projects or specific properties, the LU-O district is intended to:

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a. Ensure compatibility among incompatible or potentially incompatible land uses;

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b. Ease the transition from one zoning district to another;

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c. Address sites or land uses with special requirements; and

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d. Guide development in unusual situations or unique circumstances.

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(2) Application. The LU-O district may be applied in combination with any base zoning district. The designation may be requested by an applicant or proposed by the planning commission or city council during their consideration of a rezoning request.

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(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.

(4) 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.

(5) Effect of LU-O designation. Restrictions imposed through an LU-O district are considered part of this chapter. All property included in an LU-O district shall be delineated on the official zoning map by adding the letters LU to the abbreviation for the base zoning district. The rezoning ordinance and record plat for the property must list all of the modifications and restrictions imposed pursuant to the LU-O designation. The restrictions imposed will be considered part of the text of this chapter, and a violation of the restrictions shall be considered a violation of the zoning chapter.

(d.1) TC-O – Town Center Overlay District.

(1) General Purpose. The purpose of the TC-O, Town Center Overlay District, is to promote the development of a pedestrian oriented, mixed use district in which a variety of complementary retail, commercial, office, civic, and residential uses are permitted. The intent of the TC-O regulations are to:

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- (a) ~~Public Space—to p~~Preserve, enhance, or create many forms of publicly accessible open space, such as parks, plazas, water features, tree-lined streets and community gathering areas.
- (b) ~~Compact Mixed Use—to e~~Create a compact concentration of land uses within each development through multiple uses in a single building, or in the same general area.
- (c) ~~Street Activity—to e~~Encourage a sense of place through street level activity by allowing the imaginative and efficient utilization of land and to develop a sense of community by promoting year-round pedestrian and outdoor activities at the street level.
- (d) ~~Pedestrian Oriented—to r~~Reduce the dependence upon and dominance of the automobile through street design, shared parking, pedestrian scaled buildings and pedestrian pathways and spaces.
- (e) ~~Design—to a~~Achieve a unique aesthetic design through high quality architecture and construction with attention to placement, relationship and orientation of structures to provide a greater compatibility with surrounding land uses.

(2) Applicability. The TC-O is an overlay district applied to an underlying base zoning district. The TC-O district may be applied to a parcel or contiguous group of parcels where the underlying zoning classification(s) supports a mix of permitted land uses or conforms to the City's Land Use Map and Comprehensive Plan. The provisions of the TC-O shall control over the underlying base zoning district(s).

(3) Method of Adoption. The TC-O district shall be established according to the standard procedures for rezoning.



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(4) Town Center Approval Procedure. A proposed Town Center Development shall require review and approval according to the Planned Unit Development review procedures.

(5) Phasing of Development. At the time of preliminary plan approval, the applicant may request approval of, and the Planning Commission may approve, a phasing plan for the development, in which case the following standards shall apply. Each phase shall be related to surrounding areas and available public facilities including utilities in such a manner that failure to proceed to subsequent phases will not adversely affect those areas or facilities. Each completed phase shall comply with all applicable standards. The infrastructure as installed shall be sufficient to accommodate each phase of the development.

(6) Town Center Development Standards.

- (a) The minimum contiguous land area included in a single Town Center Development shall be forty (40) acres. For purposes of this provision, land shall be deemed to be



contiguous if all parts are under unified control of the applicant and all parts abut or are separated by only a road, easement or right-of-way.

(b) Permitted Uses. The following uses are permitted subject to site plan requirements and applicable density and design provisions:

- 1) Residential (all types including single family attached and detached and carriage homes)
- 2) Multifamily Residential (including units above non-residential use)
- 3) Senior Living and Retirement Homes
- 4) Convenience Stores (including fuel dispensing)
- 5) Pharmacies
- 6) Grocery Stores
- 7) Theaters
- 8) Hotels and motels
- 9) Conference Center
- 10) Financial Institutions
- 11) Medical Services and Outpatient Services Facilities
- 12) Schools and Vocational Instruction Facilities
- 13) Day Care and Extended Care Facilities
- 14) Sports & Fitness
- 15) Mixed-Use developments where residential dwelling units are integrated into buildings with non-residential uses
- 16) Business or Professional Offices
- 17) Research and Development Facilities
- 18) Retail Sales and Services
- 19) Single tenant stores up to 100,000 square feet gross floor area
- 20) Self-Storage (mini-storage) and associated offices
- 21) Personal Services
- 22) Restaurants and Cafés
- 23) Indoor Recreational Facilities
- 24) Outdoor seating associated with restaurants or cafés subject to applicable licensing requirements
- 25) Live/Work
- 26) Home Occupations
- 27) Places of Worship
- 28) College or University
- 29) Utility, Major and Minor
- 30) Communication Tower
- 31) Accessory Structures to Primary Permitted Land Use

(c) Height, Bulk and Area Requirements – Residential Uses. Height, bulk, area and buffer requirements shall be as follows:

1) Single-family detached dwellings and two-family detached dwellings:

- a) Minimum rear yard: 25 feet
- b) Minimum side yard: 10 feet wide
- c) Minimum front yard: 25 feet
- d) Minimum Lot Area: 4,000 square feet per dwelling unit
- e) Maximum Lot Coverage: 60%
- f) Maximum Height: 3 stories

2) Single-family attached (excluding multi-family):

- a) Minimum rear yard: 25 feet
- b) Minimum side yard: 10 feet
- c) Minimum front yard: 25 feet
- d) Minimum Lot Area: 4,000 square feet per dwelling unit
- e) Maximum Lot Coverage: 60%
- f) Maximum Height: 3 stories

3) Multi-family dwellings:

- a) Minimum rear yard: 25 feet
- b) Minimum side yard: each 15 feet wide
- c) Minimum front yard: 25 feet
- d) Minimum Lot Area: 1,500 square feet per dwelling unit
- e) Maximum Lot Coverage: 60%
- f) Maximum Height: 4 stories

(d) Height, Bulk and Area Requirements – Non-Residential and Mixed Uses

1) Non-Residential and Mixed Uses

- a) The maximum allowable height for non-residential and mixed use buildings shall be seven (7) stories.
- b) Setback Requirements for Parcels fronting upon Arterials and Collectors and Parcels located along perimeter boundary of the Town Center
  - (1) Minimum rear yard: 20 feet
  - (2) Minimum side yard: 10 feet
  - (3) Minimum front yard: 25 feet
- c) Setback Requirements for Parcels fronting upon Local Streets within the Town Center
  - (1) Minimum rear yard: 10 feet
  - (2) Minimum side yard: 0 feet
  - (3) Minimum front yard: 5 feet (build-to line shall be 5 feet unless a lesser front yard is approved with corresponding build-to line)
- d) Minimum Lot Area: N/A
- e) Maximum Lot Coverage: 90%
- f) Maximum Building Coverage: 70%

(e) Land Area and Density Requirements. It is the intent of the TC-O to create a mixed-use environment that includes a combination of residential and non-residential uses.

To ensure an appropriate mix of permitted land uses, the TC-O shall adhere to the following:

- 1) Non-residential and mixed uses (that combine residential and non-residential uses in a vertical building configuration) shall occupy a range of 50 to 70 percent of the total land area of the Town Center including rights-of-way and open space.
- 2) Residential land uses shall occupy a range of 30 to 50 percent of the total land area of the Town Center including rights-of-way and open space.
- 3) In order to provide a mix of residential types, a range of 50 to 70 percent of the total land area devoted to residential use within the Town Center shall be developed as single-family detached and attached (excluding multi-family). Multi-family (excluding single-family attached) may occupy a range of 30 to 50 percent of the total land area devoted to residential uses. In the case of residential uses such as lofts above ground floor retail/office located within the non-residential or mixed-use land area of the Town Center, there shall be no prescribed minimum or maximum acreage or units.

(f) Big Box/Large Retail Establishment Requirements. It is the intent of the TC-O to create a unique pedestrian-oriented environment through mixed uses and pedestrian scaled design. Each large retail establishment containing more than 50,000 gross square feet is required to provide pedestrian scaled design through the incorporation of several of the following recommended design elements:

- Arcades
- Arches or recessed Archways
- Architectural detailing
- Awnings, canopies or porticos
- Changes in massing
- Changes in material
- Multiple customer entries
- Display windows
- Dormers
- Peaked roof forms
- Outdoor gathering spaces
- Raised cornice parapets over entries
- Separate shops (or the appearance of separate shops) with separate entrances placed in front of the larger building
- Varying plate heights

(g) Open Space Requirements. The intent of the TC-O is to allow for the creative design of plazas, green spaces, and focal elements for retail, office, residential, or mixed use land uses.

- 1) All Town Center developments shall provide usable open space, or spaces which allow for the interaction among pedestrians and with the surrounding environment.
- 2) A minimum of ten percent (10%) of the gross land area of a Town Center Development shall be designated and preserved as common open space or private open space. Landscape amenities, recreation facilities or structures and accessory uses in common areas shall be considered as open space if the total impervious surfaces such as paving and roofs constitute no more than fifteen percent (15%) of

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the total open space. A property owners' association shall be responsible for continued maintenance of common open space areas.

- 3) Usable open spaces should provide as many seating opportunities as possible through the placement of moveable chairs, sidewalk cafes and planter walls.
- 4) Activities— such as street vendors, open air markets, kiosks, and festivals are encouraged to promote pedestrian usage.
- 5) Usable outdoor space shall be privately owned and maintained by the developer or property owners' association. However, if the determination has been made by the City Council that a particular usable open space serves not only the patrons of the development but the greater community as a whole, the City may provide assistance to aid in the development and maintenance of the public space.
- 6) When possible, the integration of storm drainage and detention should be designed to enhance the public space and improve water quality.
- 7) Usable space should be designed to create outdoor rooms, by limiting the interaction with moving vehicles and partially surrounding the space with buildings, landscaping elements, and architectural features.

(h) *Traffic Impact Study.* A Traffic Impact Study will be prepared and submitted to the City of Jonesboro addressing traffic impacts associated with the development of the Town Center. The Traffic Impact Study will also address access management relative to placement and configuration of street intersections and entrances to the Town Center.

(i) *Architectural Guidelines.* Building façades should be varied and articulated to provide visual interest to pedestrians. Buildings should be proportioned and defined by clear façade elements such as a base, middle, and top. Building architecture shall adhere to the following architectural guidelines:

1) Buildings are encouraged to have a pedestrian scaled design by achieving the following:

- Using heavier building materials at the bottom of the building
- Using roof details such as cornice, caps or parapets at the top of the building
- Alternating roof styles, heights, and elements
- Dormers
- Varying window heights and styles
- Mix of architectural materials and styles

2) Buildings on corner lots shall be considered significant structures since they have two street-facing facades. All such facades shall have appropriate scale and massing. Additional stories or prominent roof design and architectural elements are encouraged to emphasize the location.

3) Buildings located at “gateways” into and out of the Town Center Development should be designed with additional height or architectural elements to reinforce their prominence. Pedestrian elements such as plazas, fountains, and special landscaping treatments are also encouraged.

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**Comment [CE3]:** Marsha: As we discussed, this provision may be problematic since we don't have a design review committee. Ditto some of the other elements below. I think keeping it vague is a good strategy, but I would feel better about this if we did have a Design Review Committee.

**Comment [LEA4]:** There are a multitude of great examples of Design Review Commissions if there is interest in establishing such an appointed body. However, for the purposes of this amendment would recommend such an initiative be undertaken outside of this amendment but, City staff could certainly use the overlay districts (VR-O and TC-O) as examples for why a DRC would be beneficial for the City to establish.

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- 4) Focal points of visual termination should generally be occupied by prominent buildings and structures that employ enhanced height, massing, distinctive architectural elements, ornamental site elements or other distinguishing features.
- 5) Fenestration (door and window openings) shall be sized to the scale of the building and detailed based upon building architecture including an appropriate amount of fenestration on first floor façades facing public streets. Fenestration design shall properly address maximum sill height and minimum window head height based upon the height of the first floor measured from finished grade, appropriately to the pedestrian theme. Use of repeating window patterns and details are encouraged to unify design.
- 6) Entrances into buildings should be easily identified through the use of building design and detailing. Projected or recessed entryways, higher rooflines, awnings, or changes in building material are examples that can create this effect.
- 7) No building shall have long expanses of uniform or flat walls. Reasonable articulation of building facades shall be provided by using offsets, recesses and/or projections, changes in plane, changes in height, windows, awnings, arcades and/or colonnades. Use of awnings shall be limited to above windows and entrances.
- 8) No buildings shall have long expanses of uniform roof planes. Reasonable articulation of roof lines shall be provided by using a pitched roof, partial roof, or parapet walls of varying heights, dormers, overhangs, arches, stepped roofs, gables, or other similar design. All flat roofs shall be screened with parapets on all sides of the building. If no roof top equipment exists, the parapet shall be a minimum of 18 inches high. All parapets shall feature cornice treatments and shall provide a cap to demonstrate that the upper edge is the top of the building.
- 9) Ground mounted mechanical equipment shall be screened from view with wing walls consisting of comparable design and building materials as the main building structure, landscaping, or a combination of both.
- 10) Loading areas (shipping and receiving docks) shall be located and/or screened in such as manner that the loading area is not visible to passing motorists along a public street and/or highway serving the Town Center Development.
- 11) Buildings should provide a unifying theme while maintaining each building's individual character.
- 12) Materials should change with the change in building planes; however, all material should keep within the chosen theme.
- 13) Reflective glass or mirrored glass is strongly discouraged. Efforts should be made to use clear glass on storefronts, windows and doors to promote the connection of the interior and exterior of buildings.
- 14) All sides of all buildings open to public view should be treated with the same level of architectural style.
- 15) Trim and structural elements such as posts or columns shall be sized to the scale of the building and detailed appropriately to the theme. When used, masonry materials shall have the appearance of 3-dimensional elements.
- 16) Corporate franchise design where the building functions as a trademark shall be permissible only if it incorporates architectural elements which are compatible with the overall theme and uniqueness of the development.

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Comment [LEA5]: Additional language was provided to further clarify appropriate design of fenestration based upon building architect considerations.

Comment [CE6]: Craig L. questioned phrasing.

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17) No outdoor storage shall be permitted unless such storage is visually screened from view to passing motorists along a public street and/or highway serving the Town Center Development by the use of landscaping and/or a suitable solid fence constructed of masonry or wood at least 6 feet in height or a combination thereof. No storage materials may be visible above the screening measure. Screening shall be well maintained.

(j) *Building Materials.* Any exterior building wall facing a street or highway located within the Town Center Development, shall be constructed of one or a combination of the following materials:

- 1) Clay or masonry brick.
- 2) Customized concrete masonry with striated, scored or broken faced brick type units (sealed) with color consistent with design theme.
- 3) Poured in place and tilt-up walls shall have a finish of stone, a texture or a coating.
- 4) Poured in place, tilt-up or pre-cast concrete.
- 5) Natural stone.
- 6) At a minimum, industrial buildings shall be constructed having the lower one-third (1/3) of the structure being of architectural masonry, architectural composite aluminum or steel panels, glass, or a combination of these materials on all sides not facing a public street. The front façade of an industrial building shall be one or a combination of the materials enumerated in Items 1 through 5 of this subsection.
- 7) All roof drains of a structure must be integral to the design and non-apparent.
- 8) Accessory structures including refuse enclosures shall be of comparable design and building materials as the principal structure.

(k) *Signs.*

1) The following signs are permitted in accordance with the Zoning Ordinance:

- a) Principal or Monument Ground Signs
- b) Integrated Shopping Center Signs
- c) Wall Signs
- d) Menu Board (limited to one sign per business)
- e) Suspended Signs
- f) Construction Signs
- g) Directory Signs (ground and wall mounted)
- h) Special Event Signs
- i) Real Estate Signs
- j) Window Signs
- k) Gasoline Trade Signs
- l) Sandwich Signs (associated with Restaurant or Café)

2) The following signs are not permitted:

- a) Changeable copy signs (including LED/message signage)

- b) Flags
- c) Internally illuminated signs
- d) Pole signs
- e) Tag signs
- f) Open channel letter signs
- g) Flashing or animated signs
- h) Off-premise signs
- i) Roof signs

3) Signs shall comply with the following guidelines:

- a) All ground-mounted signs shall include landscaping around the entire base of the sign structure. Landscaping shall consist of multiple rows of evergreen and deciduous plant materials and seasonal varieties that add visual interest to the sign. All landscaping shall be irrigated and properly maintained.
- b) Signs shall not create a traffic hazard. All entrance and freestanding signs located near corners of a street intersection shall be located outside of the clear sight triangle based upon the design speed of the intersecting streets upon which the sign will be located. Such a triangle shall be measured at a distance of 35 feet running parallel along each street and connecting them to form a triangle.
- c) No principal or monument ground sign shall exceed twelve (12) feet in height, fifteen (15) in length and three (3) feet in width.
- d) No integrated shopping center sign shall exceed a total of 200 square feet on one side for any one integrated shopping center sign. If a shopping center fronts upon more than one public street, no more than two (2) integrated shopping center signs shall be permitted for a shopping center.
- e) One (1) Menu Board sign per business shall be allowed provided the menu board shall not exceed a total of 25 square feet of display surface. A microphone shall be permitted to be integrated into the design of the menu board sign structure to communicate with patrons.
- f) Sign structures shall be of comparable design and building materials as the main building structure.
- g) The area of a wall sign shall not exceed, in square feet, 2 times the lineal front footage of the business or office.
- h) Window signs shall not exceed 15% of the total window surface of the first floor or street level of the building.
- i) Signs are required to be internally illuminated block letters mounted on a raceway. Backlit letters and indirectly illuminated signs are acceptable. Three colors maximum are allowed for signs with up to two font styles. Ground mounted building identification signs shall have fully enclosed solid bases of either brick or stone, mounted at the ground plane. No supporting structural members are to be exposed.

(l) Vehicle Use Area Design Guidelines. The intent of the TC-O is to create small, shared, aesthetically landscaped and screened parking lots which are designed to

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Comment [CE7]: Craig L. questioned this reference. Typically this is based on speed limit. Check current code triangle as well.

Comment [LEA8]: Agree. Language has been revised to reference design speed of intersecting streets.

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Comment [LEA9]: See Item H above for additional language introduced requiring as part of Traffic Impact Study that access management be addressed including street intersections and entrances to the Town Center.

Comment [CE10]: Marsha: I think Mark's idea of having a sentence or two relating to access management is a good idea, given that we don't have good standards elsewhere.

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function not only in the interest of accommodating automobiles, but in the interest of the pedestrian.

- 1) Parking areas should consist of separated parking fields that are aesthetically pleasing, landscaped to screen the public views and located so as not to be the dominant feature along any street or intersection.
- 2) Parking structures and lots should be designed to contribute to an attractive appearance of the streetscape and not deter from the pedestrian orientation of the district.
- 3) Parking requirements will be in accordance with ~~Section 14.36.01117-324~~ *Off-Street Parking and Loading Requirements*. Parking requirements may be reduced if the applicant can provide data that substantiates potential parking demand that is less than the minimum prescribed parking standard. The applicant may use shared parking, on-street parking, off-street parking, and other considerations including mass transit to reduce the number of required parking spaces.
- 4) Parking should be located to utilize natural landscape and topography.
- 5) To promote a higher level of pedestrian awareness, the use of alternate paving materials to designate pedestrian traffic areas from vehicular use areas and travel lanes is encouraged.
- 6) The design of all streets (public and private) and parking lots shall permit the travel of the Fire Department's vehicle access requirements.
- 7) On-street parking ~~shall~~ may be permitted on public ~~and private~~ streets classified as *Local Street*, or less on the most current Master Street Plan.
- 8) Pedestrian travel ways should be separated from vehicular traffic with landscaping, on-street parking, bollards, special paving, or any other feature which identifies the pedestrian space.
- 9) Parking lots of contiguous developments within the Town Center should, where possible, interconnect among the different developments to encourage continuous movement of traffic to reduce traffic flow on public streets and to minimize the need for excessive curb cuts.

(m) Sidewalks. Sidewalks shall be provided on both sides of all local (public and private) and collector streets within a Town Center Development.

(n) Streets. The Planning Commission may allow reduced street right-of-way and pavement widths within Town Center Developments provided the Planning Commission determines that pedestrian amenities or transit improvements will be made to reduce dependency on the automobile.

- 1) The Planning Commission may allow both public and private streets including alleys within a Town Center. The Planning Commission may allow private streets to vary from public street design standards where such deviations demonstrate safe design that supports pedestrian-friendly streetscapes and street hierarchies within the Town Center.

(o) Underground Utilities. All service facilities must be placed underground except those that by their nature must be on or above ground, such as streets, fire hydrants,

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and open storm water courses. The applicant is responsible for making the necessary arrangements with utility providers and other appropriate entities when installing utilities and service facilities.

(p) Site Lighting.

—A uniform lighting plan shall be established for the Town Center Development. Lighting shall be provided along public and private streets, pedestrian ways, and in off-street parking and loading areas. Outdoor lighting shall be located and shielded to prevent spillover lighting in residential areas. The lighting source should not be directly visible from adjoining properties. Floodlights, unshielded wall pack units, other types of unshielded lights, and lights where the lens is visible outside of the light fixture shall be prohibited. The design and style of light fixtures shall provide for a common design theme throughout the entire Town Center to reinforce a sense of place. Traditional style lighting fixtures may be used if such fixtures are similar in appearance to existing traditional style fixtures in downtown Jonesboro.

- 2) Sidewalks and parking areas shall be properly lit to facilitate safe movement of pedestrians and vehicles and provide a secure environment. In parking areas, the light intensity shall average a minimum of 1.0 foot candle, measured five (5) feet above the surface. In pedestrian areas, the light intensity shall average a minimum of 2.0 foot candles, measured five (5) feet above the surface. Maximum average light intensity shall be ten (10) foot candles.
- 3) Light poles are to be neutral, preferably dark in color and not made of wood. All parking and security lights are to be cutoff luminaries. The height of light fixtures should be in proportion to the building mass, preferably no taller than the building height. Lighting for pedestrian areas should be 12-15 feet in height. Ground-oriented pedestrian scale lighting should be considered as an alternative to polemounted fixtures along pedestrian walkways at three to four feet in height.

p) Mechanical Equipment. All air conditioning units, HVAC systems, exhaust pipes or stacks, elevator housing and satellite dishes and other telecommunications receiving devices shall be thoroughly screened from view from the public right-of-way and from adjacent properties, using walls, fences, roof elements, penthouse-type screening devices or landscaping.

(7) Paths and trails. Bicycle paths and pedestrian trails are strongly encouraged to link residential areas with commercial and mixed-use nodes, schools and other activity areas inside and outside the Town Center Development. The requirement for sidewalks may be waived by the planning commission if paths or trails are provided.

(8) Parks and recreation areas. A Town Center Development should include usable open space that provides passive and/or active gathering places and activity and special event spaces.

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Comment [CE11]: Craig L. questioned why would we use the current downtown lighting fixtures as a template.

Comment [LEA12]: Good point. The provision has been revised to provide a requirement that lighting design/style shall have a common theme throughout the Town Center for continuity and uniformity to reinforce sense of place unique to Town Center.

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(d.2) VR-O—Village Residential Overlay District.

(1) *General Purpose.* The purpose of the VR-O, village residential overlay district, is to promote greater integration of use and design and more potential for physical and social interaction within the city's newly developing neighborhoods.

The VR-O regulations are intended to carry out the village residential policies of the comprehensive plan, and to encourage the creation of neighborhoods with the following characteristics:

- a. Pedestrian scale;
- b. A mix of uses, i.e., all types of housing and supporting retail and service uses;
- c. Unified planning, design and appearance; and
- d. Inclusion of amenities and pedestrian connections to such amenities (e.g., parks, open space, schools, cultural facilities, etc.).

(2) *Applicability.* The City Council, upon recommendation from the Planning Commission, may adopt overlay and special purpose districts as the needs are identified in order to implement specific purposes, intents, and design standards generally consistent with comprehensive plan provisions for the area being regulated, which shall be applied as additional standards to other city regulations. The development standards for the Village Residential Overlay District shall control over the underlying zoning classification(s) that may exist on the property prior to adoption of the overlay district. Such overlay districts shall be adopted and made a part of the zoning ordinance through the standard amendment procedures; and upon adoption, the boundaries of such overlay districts shall be delineated on the official zoning map.

The VR-O is an overlay district applied in combination with an underlying base zoning district. The VR-O district may be applied in combination with the AG, RR, and RS zoning districts. If the regulations of the VR-O conflict with the underlying base zoning district, the regulations of the VR-O shall control. If no special VR-O standards are specified, the regulations of the underlying base zoning district shall control.

(3) *Method of adoption.* The VR-O district shall be established according to the standard procedures for rezoning.

(4) *Effect of VR-O classification.* The VR-O is an overlay district applied to an underlying base zoning district. The VR-O district may be applied to a parcel or contiguous group of parcels where the underlying zoning classification(s) supports a mix of permitted land uses or conforms to the City's Land Use Map and Comprehensive Plan. The provisions of the VR-O shall control over the underlying base zoning district(s). Land classified in the VR-O district may be developed according to the underlying base district classification or according to the village residential development standards of this section.

(5) *Village residential approval procedure.* A proposed village residential development shall require review and approval according to the planned unit development review procedures.

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Comment [LEA13]: No further revisions provided. Agree with refinement staff provided.

Comment [CE14]: Marsha: The VR-O language was a companion piece to the 1996 Comprehensive Plan, which encouraged such. Since that time, some of the basic ideas have been carried through, but we don't really talk about Village Residential, as such, anymore.

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Comment [LEA15]: Additional language has been added to clarify the Overlay District shall control over any base zoning that may have been in place prior to adoption of the overlay district.

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Comment [LEA16]: The same provision as provided for the TC-O has been inserted in place of previous provision.

Comment [CE17]: Marsha: However we do this section in the TC-O, we should probably mirror here.

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Comment [CE18]: Marsha: Ditto above comment

Comment [LEA19]: The same provision as provided for the TC-O has been inserted in place of previous provision.



(6) *Phasing of development.* At the time of preliminary plan approval, the developer may request approval of, and the planning commission may approve, a phasing plan for the development, in which case the following standards shall apply. Each phase shall be related to surrounding areas and available public facilities in such a manner that failure to proceed to subsequent phases will not adversely affect those areas or facilities. Each completed phase shall comply with all applicable standards. The infrastructure as installed shall be sufficient to accommodate each phase of the development.

(7) *Village residential development standards.*

a. *Minimum site area.* The minimum contiguous land area included in a single village residential development shall be ~~2575~~ acres. For the purpose of this provision, land shall be deemed to be contiguous if all parts are under unified control of the applicant and all parts abut or are separated by only a road, easement or right-of-way.

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b. *Uses.*

1. *Residential.* Any type of residential use may be allowed in the VR-O district, subject to required approval procedures, and the following limitations:

(i) *Single-family.* A minimum of 51 percent of the total number of dwelling units within a village residential development shall be single-family.

(ii) *Other residential.* No more than 49 percent of the total number of dwelling units within a village residential development may be other than single-family, e.g., duplex, multifamily, manufactured housing.

2. *Nonresidential.* The following nonresidential uses shall be allowed within the VR-O district, if approved

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according to the PD approval procedures:

(i) *Uses allowed in RS.*

Any nonresidential use permitted in the RS district shall also be a permitted use in the VR-O district.

(ii) *Bank or financial institution.* Banks and financial institutions are permitted uses in the VR-O district.

(iii) *Convenience store.*

Convenience stores, including those that sell gasoline, are permitted uses in the VR-O district.

(iv) *Day care, limited.* Daycare family homes are permitted in this district.

(v) *Medical service.* Medical services are permitted in the VR-O district.

(vi) *Restaurants.* Restaurants are permitted uses in the VR-O district, provided they do not exceed a 100 person seating capacity.

(vii) *Retail sales/service.*

Retail sales and service uses are permitted in the VR-O district, provided that no individual retail sales or service use may exceed 4,000 square feet of gross floor area.

(8) *Residential property development standards.*

a. *Maximum density.* The maximum single-family residential density within a village residential development shall not exceed 5.5 units per acre.

b. *Minimum lot size.* The minimum lot size for single-family residential uses shall be 6,000 square feet.

c. *Setbacks.* The setback standards of the underlying base zoning district shall apply unless the planning commission approves an alternative setback plan for the village residential development. In general, reduced building setbacks from streets are appropriate in a village residential development.

d. *Maximum height.* Residential uses shall not exceed 35 feet in height, measured from the highest land elevation to the eaves.

e. *Maximum building coverage.* Residential uses shall not exceed 50 percent lot coverage.

f. *Commercial floor area limit.*

No more than 10,000 square feet gross floor area of commercial floor space shall be allowed per 100 dwelling units within a village residential development.

g. *Setbacks.* The setback standards of the underlying base zoning district shall apply unless the planning commission approves an alternative setback plan for the village residential development.

h. *Lot coverage.* The maximum ground coverage of any nonresidential use within a village residential development, which includes building and other site improvements, shall not exceed 70 percent of the lot.

i. *Maximum height.* The maximum height of any nonresidential use in the VR-O district shall be 30 feet, measured from the highest land elevation to the eaves.

(9) *Design guidelines and standards.*

In reviewing plans for a village residential development, and, as a condition of any density bonus and any permitting of commercial uses, the planning commission shall evaluate the proposal in light of the policies and guidelines in the comprehensive plan, and in light of the following standards and guidelines:

a. *Sidewalks.* Sidewalks shall be provided on both sides of all local and collector streets within a village residential development.

b. *Streets.* The planning commission may allow reduced street right-of-way and pavement widths within village residential developments if the planning commission determines that pedestrian amenities or transit improvements will be made to reduce dependency on the automobile.

c. *Open space.* A minimum of 20 percent of the gross area of a village residential development shall be designated and preserved as common open space or private open space. Recreation facilities or structures and accessory uses in common areas shall be considered as open space if the total impervious surfaces such as paving and roofs constitute no more than ten percent of the total open space area. A property owners association shall be responsible for continued maintenance of common open space areas.

d. *Landscaping and buffering.*

Trees, shrubs and other plant materials should be installed within open space areas of a village residential development. Shade trees shall be installed to shade sidewalks and parking lots. Landscape buffers consisting of trees, shrubs, earth berms and other landscape features shall be provided to screen incompatible uses from one another. Low density residential areas should, for example, be screened from high density residential uses and from nonresidential uses.

e. *Outdoor lighting.* A uniform

**Comment [LEA20]:** While this is enforceable as a zoning provision, the practicality based upon the research performed for the Town Center is that such prescriptive practices, especially in the context of form-based codes, is not a recommended practice. A more generalized and flexible approach similar to that provided in the Town Center is recommended. Further modifications may be in order as prescribed by City staff to address this concern with the existing provisions.

**Comment [CE21]:** Craig L. questioned the enforceability of the % total of tract in relationship to residential.

lighting plan should be established for the village residential development. Lighting should be provided along streets and sidewalks, and in off-street parking areas. Outdoor lighting shall be located and shielded to prevent spillover lighting in residential areas.

f. *Underground utilities.* All service facilities must be placed underground except those that by their nature must be on or above ground, such as streets, fire hydrants and open water-courses. The developer is responsible for making the necessary arrangements with utility companies and other appropriate entities when installing utilities and service facilities.

g. *Housing design.* Pedestrian-oriented design features are strongly encouraged within the VR-O district. To that end, front porches, reduced street setbacks, rear alleys, garage placement to the side or rear of houses, and other design features that emphasize the pedestrian over the automobile are encouraged within village residential developments.

h. *Architectural compatibility.* At the time of plan review, the developer of a village residential development shall be required to present plans for insuring architectural compatibility within the development. In addition to the general design of buildings, such plans shall address uniform signage and landscaping.

i. *Paths and trails.* Bicycle paths and pedestrian trails are strongly encouraged to link residential areas with commercial nodes, schools and other activity areas inside and outside the development. The requirement for sidewalks may be waived by the planning commission if paths or trails are provided.

j. *Parks and recreation areas.* A village residential development should include recreation facilities and amenities, such as swimming pools, playfields and other areas. The planning commission may require the provision of private recreational amenities within a village residential development if the planning commission determines that adequate park and recreation facilities do not exist within a one-mile radius of the village residential development.

**Additional Recommended Amendments**

**Section 14.08.02, Definitions of Terms and Uses (add the following definitions)**

*Build to Line:* The build to line on a block is the surveyed line of a uniform distance away from the front property line, up to which front building facades are required to be built. Porches, eaves, and awnings may encroach across the build to line. The build to line shall be established and platted based upon the applicable standards of the Town Center and Village Residential Overlay Districts in order to create an even building façade line along the street.

*Façade Articulation:* The interruption of the building façade through the use of awnings, arches, display windows or other elements which presents pedestrian scale.

*Landscape Amenities:* Living or non-living materials used to augment the beauty or usability of a landscape area. Amenities may include, but are not limited to: additional vegetation, flower gardens, tables, sculptures, monuments, benches, gardens, banners, enhanced pavement, pedestrian plaza areas, fountains and planters.

*Mixed Use:* A single building containing two or more types of land uses; or a single development of more than one building and use, where the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas.

*Neo-Traditional:* Developments that favor the return of pre-World War II patterns of development with such traditional design elements as grid-street patterns, reduced setbacks, prominent front porches, multi-use buildings and housing clustered near commercial service areas.

*Overlay District:* Districts which are placed “over” the base zoning to modify the development guidelines and to achieve a specific purpose for that area. The regulations of the underlying district and all other regulations, remain in effect. If any regulations conflict with the underlying zoning district, the Overlay standards prevail.

*Parapet:* A low, solid, protective screening or decorative wall; often used around a balcony, or along the edge of a roof to screen roof equipment.

*Pedestrian Scale:* The establishment of appropriate proportions for building mass and features in relation to pedestrians and the surrounding context.

*Place-Making:* Distinct features, such as parks, plazas, or civic areas which connect residents with a community and promote positive user interaction.

*Usable Open Space:* Areas which serve the need for leisure, recreation or pedestrian interaction. Spaces may include, but are not limited to, plaza areas, open lawn areas, trails, recreation facilities, gardens, pedestrian walkways and waterways.

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Vehicle Use Area: The area of a development subject to vehicle traffic, including access ways, loading and service areas, areas used for parking or storage of vehicles, and all land which vehicles cross over as a function of the primary use.SECTION 3: It is found and declared by the City Council that an emergency exists to provide incentives that will further advance innovative design and good land use planning principles for large scale developments; and, this Ordinance, being necessary for the preservation of public peace, health and safety, shall take effect from and after its passage and approval.

SECTION 4: Conflict - If any part of this Section is found to be in conflict with any other Section of the Zoning Ordinance or with any other Ordinance, the most restrictive or highest standard shall prevail. If any part of this Section is explicitly prohibited by Federal law or state statute that part shall not be enforced.

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## City of Jonesboro: Chapter 117-140d.: Village Residential District

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

(a) *Purpose.* The purpose of overlay and special purpose districts is to provide for enhanced standards to protect and enhance the unique characteristics of specific areas and/or corridors, such as natural scenic beauty or manmade features, while providing for development opportunities. Examples of such purposes include:

- (1) Promoting the safe and efficient use of specific roadways by controlling access and other traffic measures;
- (2) Encouraging the redevelopment of an area consistent with a particular design theme;
- (3) Giving special attention to landscaping, buffering, signage, lighting and building setbacks in those districts identified as needing special attention;
- (4) Giving special attention to the existing architectural style or to the style which is planned, so as to create an easily identifiable area in those areas identified as architecturally or historically significant.

(b) *Adoption.* The city council, upon recommendation from the planning commission, may adopt overlay and special purpose districts as the needs are identified in order to implement specific purposes, intents, and design standards generally consistent with comprehensive plan provisions for the area being regulated, which shall be applied as additional standards to other city regulations. The development criteria for each district shall be those standards as set out in each respective district that is adopted. Such districts shall be made a part of the zoning ordinance through the standard amendment procedures; and upon adoption, the boundaries of such districts shall be delineated on the official zoning map.

#### **(d) VR-O—village residential overlay district.**

(1) *General purpose.* The purpose of the VR-O, village residential overlay district, is to promote greater integration of use and design and more potential for physical and social interaction within the city's newly developing neighborhoods.

The VR-O regulations are intended to carry out the village residential policies of the comprehensive plan, and to encourage the creation of neighborhoods with the following characteristics:

- a. Pedestrian scale;
- b. A mix of uses, i.e., all types of housing and supporting retail and service uses;
- c. Unified planning, design and appearance; and
- d. Inclusion of amenities and pedestrian connections to such amenities (e.g., parks, open space, schools, cultural facilities, etc.).

(2) *Applicability.* The VR-O is an overlay district applied in combination with an underlying base zoning district. The VR-O district may be applied in combination with

the AG, RR, and RS zoning districts. If the regulations of the VR-O conflict with the underlying base zoning district, the regulations of the VR-O shall control. If no special VR-O standards are specified, the regulations of the underlying base zoning district shall control.

(3) *Method of adoption.* The VR-O district shall be established according to the standard procedures for rezoning.

(4) *Effect of VR-O classification.* Land classified in the VR-O district may be developed according to the underlying base district classification or according to the village residential development standards of this section.

(5) *Village residential approval procedure.* A proposed village residential development shall require review and approval according to the planned unit development review procedures.

(6) *Phasing of development.* At the time of preliminary plan approval, the developer may request approval of, and the planning commission may approve, a phasing plan for the development, in which case the following standards shall apply. Each phase shall be related to surrounding areas and available public facilities in such a manner that failure to proceed to subsequent phases will not adversely affect those areas or facilities. Each completed phase shall comply with all applicable standards. The infrastructure as installed shall be sufficient to accommodate each phase of the development.

(7) *Village residential development standards.*

a. *Minimum site area.* The minimum contiguous land area included in a single village residential development shall be 75 acres. For the purpose of this provision, land shall be deemed to be contiguous if all parts are under unified control of the applicant and all parts abut or are separated by only a road, easement or right-of-way.

b. *Uses.*

1. *Residential.* Any type of residential use may be allowed in the VR-O district, subject to required approval procedures, and the following limitations:

(i) *Single-family.* A minimum of 51 percent of the total number of dwelling units within a village residential development shall be single-family.

(ii) *Other residential.* No more than 49 percent of the total number of dwelling units within a village residential development may be other than single-family, e.g., duplex, multifamily, manufactured housing.

2. *Nonresidential.* The following nonresidential uses shall be allowed within the VR-O district, if approved according to the PD approval procedures:

(i) *Uses allowed in RS.*

Any nonresidential use permitted in the RS district shall also be a permitted use in the VR-O district.

(ii) *Bank or financial institution.* Banks and financial institutions are permitted uses in the VR-O district.

(iii) *Convenience store.*

Convenience stores, including those that sell gasoline, are permitted uses in the VR-O district.

(iv) *Day care, limited.* Daycare family homes are permitted in this district.

(v) *Medical service.* Medical services are permitted in the VR-O district.

(vi) *Restaurants.* Restaurants are permitted uses in the VR-O district, provided they do not exceed a 100 person seating capacity.

(vii) *Retail sales/service.*

Retail sales and service uses are permitted in the VR-O district, provided that no individual retail sales or service use may exceed 4,000 square feet of gross floor area.

(8) *Residential property development standards.*

a. *Maximum density.* The maximum single-family residential density within a village residential development shall not exceed 5.5 units per acre.

b. *Minimum lot size.* The minimum lot size for single-family residential uses shall be 6,000 square feet.

c. *Setbacks.* The setback standards of the underlying base zoning district shall apply unless the planning commission approves an alternative setback plan for the village residential development. In general, reduced building setbacks from streets are appropriate in a village residential development.

d. *Maximum height.* Residential uses shall not exceed 35 feet in height, measured from the highest land elevation to the eaves.

e. *Maximum building coverage.* Residential uses shall not exceed 50 percent lot coverage.

f. *Commercial floor area limit.*

No more than 10,000 square feet gross floor area of commercial floor space shall be allowed per 100 dwelling units within a village residential development.

g. *Setbacks.* The setback standards of the underlying base zoning district shall apply unless the planning commission approves an alternative setback plan for the village residential development.

h. *Lot coverage.* The maximum ground coverage of any nonresidential use within a village residential development, which includes building and other site improvements, shall not exceed 70 percent of the lot.

i. *Maximum height.* The maximum height of any nonresidential use in the VR-O district shall be 30 feet, measured from the highest land elevation to the eaves.

(9) *Design guidelines and standards.*

In reviewing plans for a village residential development, and, as a condition of any density bonus and any permitting of commercial uses, the planning commission shall evaluate the proposal in light of the policies and guidelines in the comprehensive plan, and in light of the following standards and guidelines:

a. *Sidewalks.* Sidewalks shall be provided on both sides of all local and collector streets within a village residential development.

b. *Streets.* The planning commission may allow reduced street right-of-way and pavement widths within village residential developments if the planning commission determines that pedestrian amenities or transit improvements will be made to reduce dependency on the automobile.

c. *Open space.* A minimum of 20 percent of the gross area of a village residential development shall be designated and preserved as common open space or private open space. Recreation facilities or structures and accessory uses in common areas shall be considered as open space if the total impervious surfaces such as paving and roofs constitute no more than ten percent of the total open space area. A property owners association shall be responsible for continued maintenance of common open space areas.

d. *Landscaping and buffering.*

Trees, shrubs and other plant materials should be installed within open space areas of a village residential development. Shade trees shall be installed to shade sidewalks and parking lots. Landscape buffers consisting of trees, shrubs, earth berms and other landscape features shall be provided to screen incompatible uses from one another. Low density residential areas should, for example, be screened from high density residential uses and from nonresidential uses.

e. *Outdoor lighting.* A uniform

lighting plan should be established for the village residential development. Lighting should be provided along streets and sidewalks, and in off-street parking areas. Outdoor lighting shall be located and shielded to prevent spillover lighting in residential areas.

f. *Underground utilities.* All service facilities must be placed underground except those that by their nature must be on or above ground, such as streets, fire hydrants and open water-courses. The developer is responsible for making the necessary arrangements with utility companies and other appropriate entities when installing utilities and service facilities.

g. *Housing design.* Pedestrian-oriented design features are strongly encouraged within the VR-O district. To that end, front porches, reduced street setbacks, rear alleys, garage placement to the side or rear of houses, and other design features that emphasize the pedestrian over the automobile are encouraged within village residential developments.

h. *Architectural compatibility.* At the time of plan review, the developer of a village residential development shall be required to present plans for insuring architectural compatibility within the development. In addition to the general design of buildings, such plans shall address uniform signage and landscaping.

i. *Paths and trails.* Bicycle paths and pedestrian trails are strongly encouraged to link residential areas with commercial nodes, schools and other activity areas inside and outside the development. The requirement for sidewalks may be waived by the planning commission if paths or trails are provided.

j. *Parks and recreation areas.* A village residential development should include recreation facilities and amenities, such as swimming pools, playfields and other areas. The planning commission may require the provision of private recreational amenities within a village residential development if the planning commission determines that adequate park and recreation facilities do not exist within a one-mile radius of the village residential development.



## Legislation Details (With Text)

**File #:** ORD-14:031    **Version:** 1    **Name:** Rezoning at 1802 Commerce  
**Type:** Ordinance    **Status:** Third Reading  
**File created:** 5/14/2014    **In control:** City Council  
**On agenda:**    **Final action:**

**Title:** AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-3 LUO FOR PROPERTY LOCATED AT 1802 COMMERCE DRIVE AS REQUESTED BY JACK ELAM

**Sponsors:**

**Indexes:** Rezoning

**Code sections:**

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

Date	Ver.	Action By	Action	Result
5/20/2014	1	City Council		

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

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

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

THE FOLLOWING DESCRIBED PROPERTY:

LEGAL DESCRIPTION:

Part of the Southwest Quarter of the Southwest Quarter of Section 24, Township 14 North, Range 4 East, more particularly described as follows:

Commencing at the Northwest corner of the SW<sup>1</sup>/<sub>4</sub> of the SW<sup>1</sup>/<sub>4</sub> of said Section 24;  
Thence N 89°10' E, a distance of 25.00 feet to a point, said point being the POINT OF BEGINNING;  
thence N 89°10' E, a distance of 250.00 feet to a point;  
thence S 00°00' E, a distance of 350.00 feet to a point;  
thence S 89°10' W, a distance of 250.00 feet to a point;  
thence N 00°00' E, a distance of 350.00 feet to a point; said point being the POINT OF BEGINNING; said tract containing 2.0 acres, more or less.

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

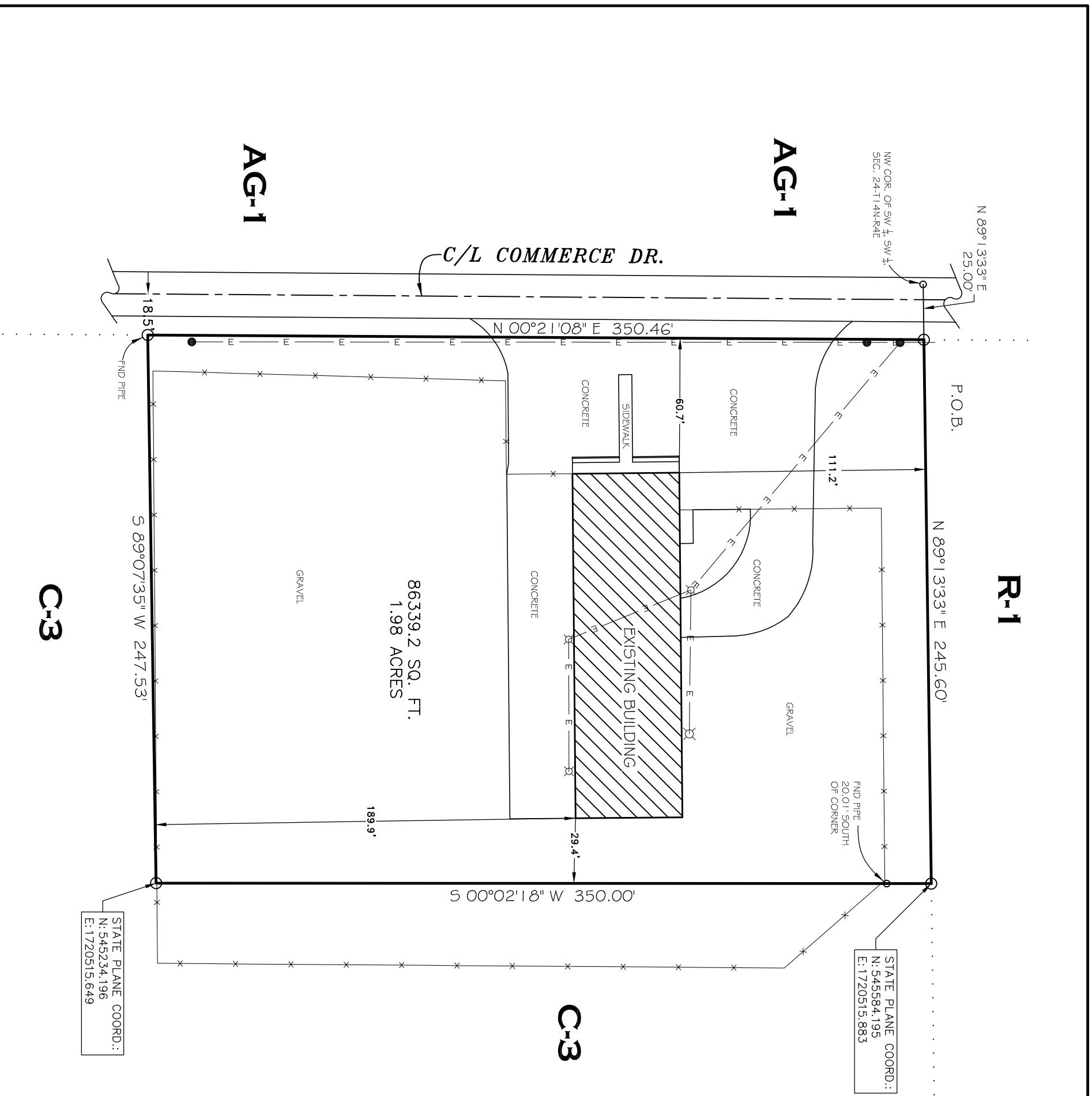
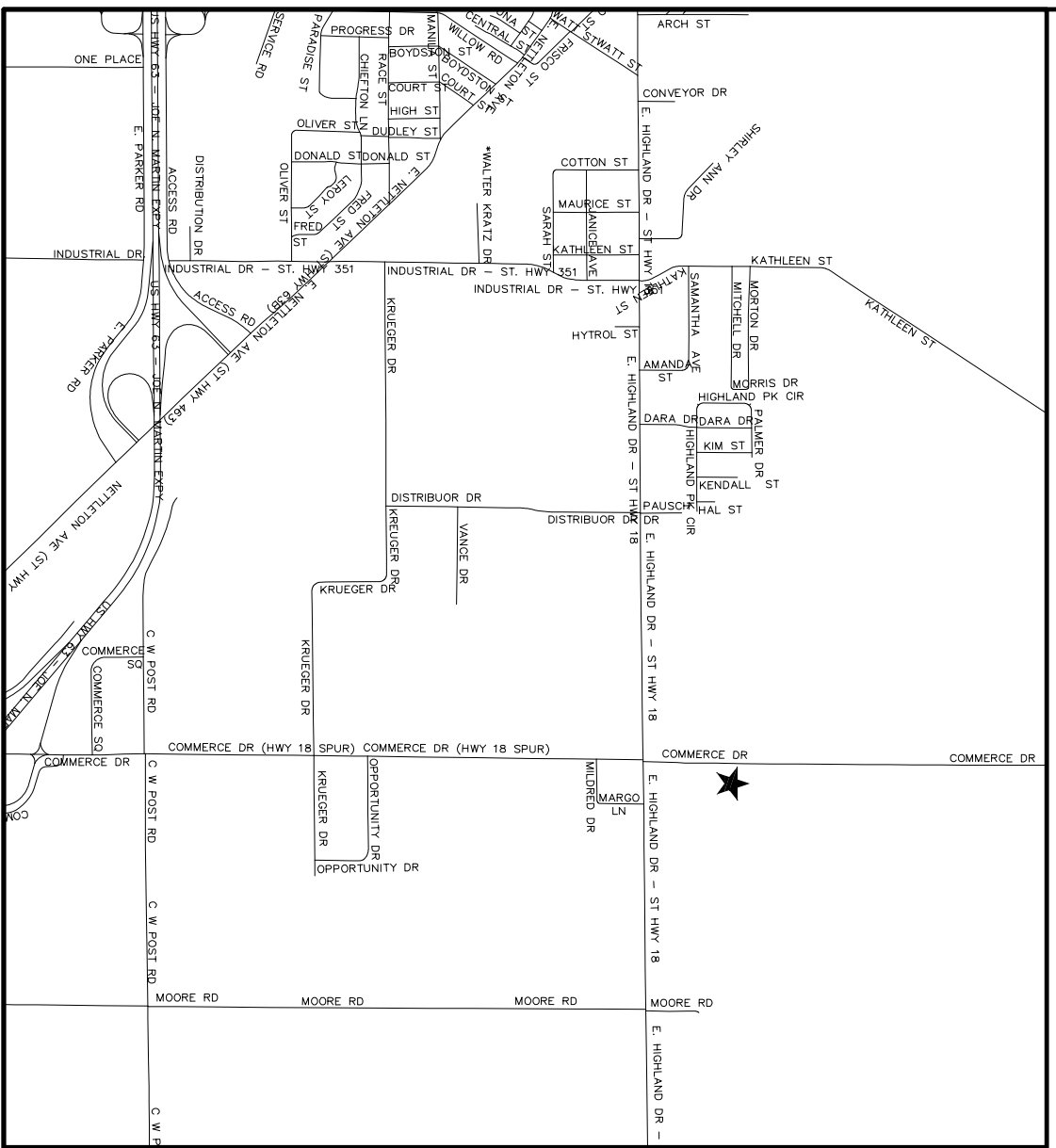
1. That the proposed development shall continue satisfy all requirements of the City Engineer



- and all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC, prior to any redevelopment of the property.
  3. The applicant agrees to comply with the Master Street Plan recommendation for Commerce Drive as a Principal Arterial, and dedicate required right of way at the time the property is redeveloped in the future, or if and when the City moves forward with the widening of Commerce Drive.
  4. The setback, building height, screening, and site design standards are required per “Sec. 117-328. - Residential Compatibility Standards”.

SECTION 3: THE REZONING OF THIS PROPERTY SHALL ALSO ADHERE TO THE FOLLOWING PROHIBITED USES:

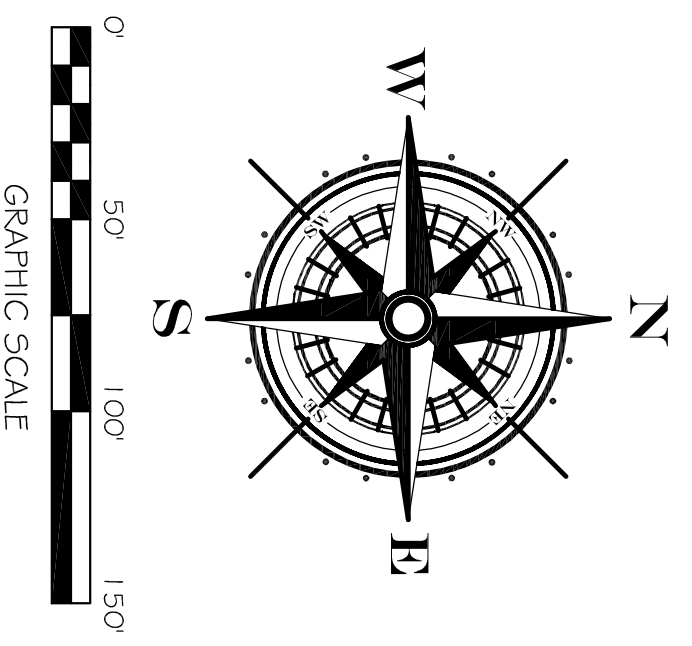
Animal Care, General  
Adult Entertainment  
Off-Premises Sign



**LEGEND**

These standard symbols will be found in the drawing.

- ⊗ LIGHT POLE
- x—x— CHAIN-LINK FENCE
- E—E— OVERHEAD ELECTRIC LINE
- POWER POLE



**EXISTING R-2 ZONING  
REQUESTED C-3 L.U.O. ZONING**

**LEGAL DESCRIPTION: (AS FURNISHED)**

Part of the Southwest Quarter of the Southwest Quarter of Section 24, Township 14 North, Range 4 East, more particularly described as follows: Commencing at the Northwest corner of the Southwest Quarter of Section 24 aforesaid; thence North 89 degrees 10 minutes East 25.0 feet to the point of beginning proper; thence North 89 degrees 10 minutes East 250.0 feet; thence South 350.0 feet; thence South 89 degrees 10 minutes West 250.0 feet; thence North 350.0 feet to the point of beginning proper, and containing in all 2.0 acres, more or less.

**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) ALL BEARINGS ARE BASED ON ARKANSAS NORTH STATE PLANE COORDINATE SYSTEM.
- 2) THE CLOSURE PRECISION OF THE PLAT IS IN EXCESS OF 1" IN 298,000'.
- 3) THE RESEARCH COMPLETED FOR THIS SURVEY INCLUDES OUR OWN RESEARCH AT THE COURTHOUSE AND PREVIOUS SURVEYS.
- 4) ALL CORNER MONUMENTS SET ARE 3/8" REBAR, UNLESS OTHERWISE NOTED ON THE PLAT.
- 5) FLOOD PLAN: THIS TRACT DOES LIE WITHIN THE 100-YR FLOOD PLAIN PER FLOOD INSURANCE RATE MAP OF CRAIGHHEAD CO., AR, AND INCORPORATED AREAS, COMMUNITY PLAN NO. 0503100151 C, DATED 09/27/91.

<p><b>REGISTERED PROFESSIONAL LAND SURVEYOR</b></p> <p>STATE OF ARKANSAS NO. 1990 DATE: 04-03-14</p>	<p><b>CERTIFICATE OF AUTHORITY</b></p> <p>CIVILOGIC No. 329 ARKANSAS ENGINEER NO. 11717</p>	<p><b>REZONING PLAT</b></p> <p>1802 COMMERCE DR. JONESBORO, ARKANSAS FOR JACK ELAM</p>	ENGINEERS	PLANNERS	SURVEYORS	Drawn By: RE	Checked by: GH	
			Civilogic		Date 04-03-14	Scale 1"=50'	Job No. 114049	Sheet No.
			Section 24	Township 14N	Range 04E	County CRAIGHEAD	1 of 1	
			ONLY COPIES WITH VIOLET COLORED SIGNATURE ARE ORIGINAL CIVILOGIC COPIES					
203 Southwest Dr., Jonesboro, AR--(870)932-7880--www.civilogic.net								



*City of Jonesboro City Council*  
**Staff Report – RZ 14-06 1802 Commerce Dr. Rezoning**  
Municipal Center - 300 S. Church St.  
*For Consideration by the Council on May 20, 2014*

**REQUEST:** To consider a rezoning of 1 parcel of land containing 1.98 acres more or less.

**PURPOSE:** A request to consider a recommendation to Council for a rezoning from “R-2” Low Density Multi-Family to District to “C-3”, L.U.O., General Commercial District.

**APPLICANTS/  
OWNER:** Mr. Jack Elam, Elam Enterprises, Inc., 5934 E. Highland Dr., Jonesboro AR

**SITE  
DESCRIPTION:** Tract Size: Approx. +/- 1.98 acres (86,339 s.f.)  
Street Frontage (feet): 350.46 ft. along Commerce Dr.  
Topography: Flat  
Existing Development: Silver Moon Trailer Sales

<b>SURROUNDING CONDITIONS:</b>	<u>ZONE</u>	<u>LAND USE</u>
North:	R-1	Vacant Single Family Res.
South:	C-3	Commercial
East:	C-3	Vacant Commercial
West:	AG-1	Vacant Agriculture

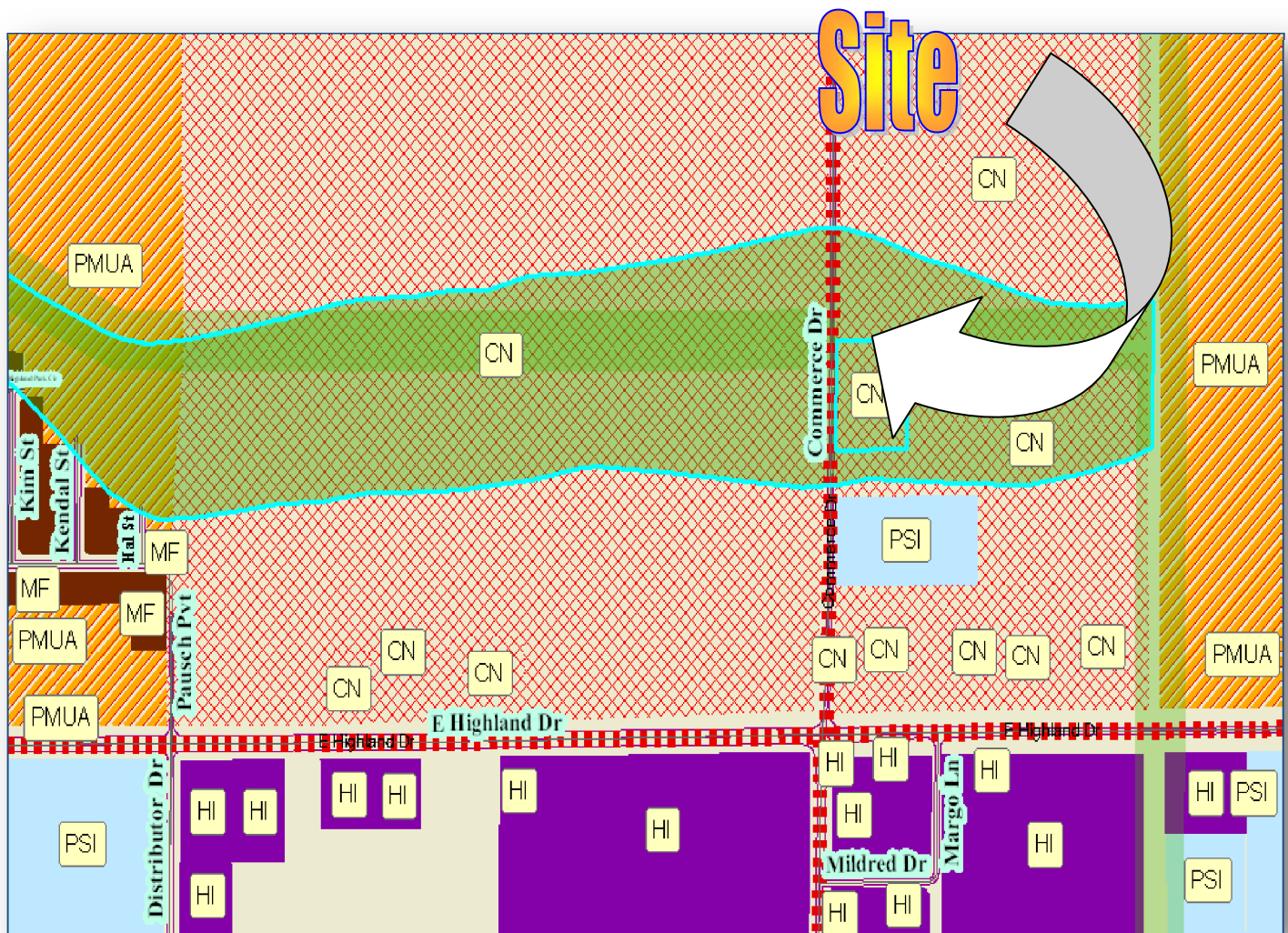
**HISTORY:** Annexed previously under ORD 2059/Legistar ORD-87-1423 adopted on 12/7/1987 as R-2 Low Density Multi-Family.

**ZONING ANALYSIS**

*City Planning Staff has reviewed the proposed Zone Change and offers the following findings:*

**COMPREHENSIVE PLAN FUTURE LAND USE MAP**

The Current/Future Land Use Map recommends this location as a Commercial Node. The proposed rezoning is consistent and in compliance with the adopted Land Use Plan.










**Master Street Plan/Transportation**

The subject property is served by Commerce Drive. On the Master Street plan, Commerce Dr. is classified as a principal arterial, which requires a 60 ft. right-of-way to road centerline (120 ft. total right-of-way) the rezoning plat illustrates an existing right of way of 18.5 ft. from the road centerline.

Rezoning plat shows current setback conditions of the building being setback only 79.2 ft. This may propose an issue if right of way is to comply with the Master Street Plan at 60 ft. from centerline; thus leaving a setback of approximately 19.2 +/- ft.

**Approval Criteria- Chapter 117 - Amendments:**

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

Criteria	Explanations and Findings	Comply Y/N
(a) Consistency of the proposal with the Comprehensive Plan/Land Use Map	The proposed C-3 District rezoning is consistent with the Future Land Use Plan.	
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal will achieve consistency with the purpose of Chapter 117, as a Limited Use Overlay. This rezoning will cause a Non-conforming use caused by an annexation to be made compliant with the Zoning Resolution.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	Compatibility is achieved. This will bring an existing use into compliance.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	This land as used today is unsuitable under the current R-2; rezoning is highly recommended.	
(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 C3, R-1 and AG-1. This site and use should not be a detriment to the area.	
(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-2 zoning. It has consistently been used as commercial since annexation.	
(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 if rezoned to C-3 Limited Use Overlay.	





*Vicinity/Zoning Map*

**Staff Findings:**

**Applicant’s Purpose:**

The applicant is hoping to rezone the subject property to make it conform to the required Zoning Classification or district for the pre-existing 5,400 s.f. building, which houses Silver Moon Trailers (in existence for over 10 years). The site is occupied by an existing office/shop building, and is served by a concrete driveway and a gravel parking area that is enclosed by fence. The owner states that the site will continue to be used in the same manner.

The applicant is requesting a change to a “C-3”, L.U. Overlay for General Commercial. The applicant also stated that with recent commercial growth in this area, this tract is an attractive location for continued commercial development. There are various types of development in the immediate area, including some sparse residential and commercial, and some industrial (on Commerce Drive to the west).

**Zoning compliance/ Other Zoning Code Analysis:**

The applicant has requested a rezoning to a “C-3”, L.U.O., General Commercial District with conditions, limitations, and a list of uses to be discouraged. The following are the bulk dimensions for C-3 General Commercial. If the right of way distance is brought into compliance with the Master Street Plan as noted, Staff would support a reduction requirement from the required front setback of 25 ft.

Dimension Requirements Commercial and Industrial Districts

<i>Dimension</i>	<i>CR-1</i>	<i>C-4</i>	<b><i>C-3</i></b>	<i>C-2</i>	<i>C-1</i>	<i>I-1</i>	<i>I-1</i>
<i>Minimum lot size</i>							
Single-family (sq. ft.)	6,500	NP	NP	6,000	NS	NP	NP
Duplex (sq. ft.)	7,200	NP	NP	7,200	NS	NP	NP
Multifamily (area/family)	NP	NP	NP	3,600	NS	NP	NP
Nonresidential uses (sq. ft.)	6,500	6,500	6,500	6,500	NS	6,500	10,000
Minimum lot width (all uses)	50'	50'	50'	50'	25'	50'	100'
Minimum lot depth (all uses)	100'	100'	<b>100'</b>	100'	NS	100'	100'
<i>Street setback</i>							
Residential uses	25'	NP	NP	25'	NS	25'	NP
Nonresidential uses	25'	25'	25'	25'	NS	25'	100'
<i>Interior side setback</i>							
Residential uses	7.5'	10'	NP	10'	NS	10'	NP
Nonresidential uses	10'	10'	10'	10'	NS	10'	25'
<i>Rear setback</i>							
Residential uses	20'	20'	NP	20'	NS	20'	NP
Nonresidential uses	20'	20'	20'	20'	NS	20'	25'
Maximum lot coverage (all uses)	50%	50%	60%	50%	100%	60%	60%
Percent of total lot area (building floor area)	20	20	NS	20	NS	NS	NS

Note.

NP = Not permitted.

NS = No standard.

**Departmental/Agency Reviews:**

The following departments and agencies were contacted for review and comments. Note that this table will be updated at the hearing due to reporting information that will be updated in the coming days.

<b>Department/Agency</b>	<b>Reports/ Comments</b>	<b>Status</b>
<b>Engineering</b>	No issues reported to date.	Discussed in Pre-Dev. Meeting
<b>Streets/Sanitation</b>	Reported no issues.	Discussed in Pre-Dev. Meeting
<b>Police</b>	No issues reported to date.	Discussed in Pre-Dev. Meeting
<b>Fire Department</b>	No issues reported to date.	Discussed in Pre-Dev. Meeting
<b>MPO</b>	No issues reported to date.	Discussed in Pre-Dev. Meeting
<b>Jets</b>	No issues reported to date.	Discussed in Pre-Dev. Meeting
<b>Utility Companies</b>	Has reviewed and has no issues.	Discussed in Pre-Dev. Meeting

***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 are supplemental to 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 rezoning of this property shall also adhere to the following considerations for the uses:**

- 1.) The following uses should be prohibited as a part of the Limited Use:
  - A) Animal Care, General
  - B) Adult Entertainment
  - C) Off-Premises Sign

The applicant has proposed a C-3 Limited Use Overlay District rezoning with a narrowed-down list of uses permitted except the following highlighted uses in yellow. (Note that some uses are permitted within the C-3 District; however others must request a Conditional Use Approval by the MAPC):

List of Commercial Uses		C-3 General Commercial	List of Commercial Uses		C-3 General Commercial
<i>Civic and commercial uses</i>			<i>Civic and commercial uses</i>		
	Animal care, general	Permitted		Nursing home	Permitted
	Animal care, limited	Permitted		Office, general	Permitted
	Auditorium or stadium	Conditional		Parking lot, commercial	Permitted
	Automated teller machine	Permitted		Parks and recreation	Permitted
	Bank or financial institution	Permitted		Pawn shops	Permitted
	Bed and breakfast	Permitted		Post office	Permitted
	Carwash	Permitted		Recreation/entertainment, indoor	Permitted
	Cemetery	Permitted		Recreation/entertainment, outdoor	Permitted
	Church	Permitted		Recreational vehicle park	Permitted
	College or university	Permitted		Restaurant, fast-food	Permitted
	Communication tower	Conditional		Restaurant, general	Permitted
				Retail/service	Permitted
	Convenience store	Permitted		Safety services	Permitted
	Day care, limited (family home)	Permitted		School, elementary, middle and high	Permitted
	Day care, general	Permitted		Service station	Permitted
	Entertainment, adult	Conditional		Sign, off-premises*	Permitted
	Funeral home	Permitted		Utility, major	Conditional
	Golf course	Permitted		Utility, minor	Permitted
	Government service	Permitted		Vehicle and equipment sales	Permitted
	Hospital	Permitted		Vehicle repair, general	Permitted
	Hotel or motel	Permitted		Vehicle repair, limited	Permitted
	Library	Permitted		Vocational school	Permitted
	Medical service/office	Permitted		Warehouse, residential (mini) storage	Conditional
	Museum	Permitted	<i>Industrial, manufacturing and extractive uses</i>		
<i>Agricultural uses</i>				Freight terminal	Conditional
	Agriculture, animal	Conditional		Research services	Conditional
	Agriculture, farmers market	Permitted			

## **Record of Proceedings: MAPC Public Hearing Held on May 13, 2014:**

**Applicant:** Mr. George Hamman, Civilogic, appeared before the Commission stating that he prepared the plat and application on behalf of the owner Mr. Elam. Mr. Hamman added that he has reviewed the staff report and has no issues with the Staff findings. He will include the conditions in the Ordinance before City Council.

**Staff:** Mr. Spriggs gave a summary of the Staff Report, noting that the request complies with the Land Use Plan which recommends this area as a Commercial Node. He also reported that the petition complies with the listed criterion for rezonings as noted.

Mr. Spriggs also referred to the permitted and discouraged uses in which the applicant agrees.

No issues were reported by the various departments or agencies.

Mr. Spriggs stated that Staff has revised Condition No. 3 to deal with the dedication of right of way:

3. The applicant agrees to comply with the Master Street Plan recommendation for Commerce Drive as a Principal Arterial, and dedicate required right of way at the time the property is redeveloped in the future, or if and when the City moves forward with the widening of Commerce Drive.

Mr. Hoelscher asked if this condition will run with the land, if the property were to be sold? Mr. Spriggs stated that it can be handled by the condition; also it can be revised to state “owner” or “successor” of the property.

Mr. Hoelscher asked if the right of way were dedicated, would it meet the setbacks for the existing building. Mr. Spriggs: This may propose an issue if right of way is to comply with the Master Street Plan at 60 ft. from centerline; thus leaving a setback of approximately 19.2 +/- ft. This is typical when the City or State takes right of way from an existing use. The hardship is created on the property owner.

Mr. Hoelscher asked that if the building were burned or destroyed by natural causes would he be exempt from it being dedicated as a redevelopment. Mr. Spriggs noted that he would be protected under the Non-conforming clause and could build it on the same slab and foundation, administratively; unless he was changing the site layout.

**Public Input/Opposition:** None present.

### **Commission Action:**

Motion was made by Mr. Kevin Bailey to adopt the rezoning and place Case: RZ-14-06 on the floor for recommendation by MAPC to the City Council with the noted conditions; Motion was seconded by Mr. Scurlock.

**Roll Call Vote:** Mr. Scurlock- Aye; Mr. Hoelscher- Aye; Mr. Reece- Aye; Mr. Bailey- Aye; Mrs. Shrantz- Aye; Mr. Kelton- Aye; Ms. Nix was absent. Mr. Lonnie Roberts Chaired the meeting. Case approved with a **6-0 Vote for the measure.**



**Conclusion:**

The MAPC and Planning Department Staff find that the requested Zone Change submitted for subject parcel, should be approved based on the above observations and criteria, of Case RZ 14-06, a request to rezone property from “R-2” to “C-3” L.U.O. General Commercial.

\*\*\*\*\*

**The MAPC recommends approval of** Case: RZ-14-06 on the floor for recommendation to the City Council with the noted conditions, and we find that changing the zoning of this property from R-2 Low Density Multi-Family District to the proposed C-3 Limited Use Overlay District and that the rezoning will be compatible and suitable with the zoning, uses, and character of the surrounding, subject to the following stipulations:

1. That the proposed development shall continue satisfy all requirements of the City Engineer and all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC, prior to any redevelopment of the property.
3. The owner or successor agrees to comply with the Master Street Plan recommendation for Commerce Drive as a Principal Arterial, and dedicate required right of way at the time the property is redeveloped in the future, or if and when the City moves forward with the widening of Commerce Drive.
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 northeast from Commerce Drive, Site to the Right



View looking east toward subject property



View looking southeast, site to the left



View looking south on Commerce Dr., Site is to the left





View looking south on Commerce Dr., Site is to the left



View looking southeast at City Water & Light Plant



View looking north on Commerce Dr., Site is to the right



View looking East (toward North property line), Site is to the right





View looking south on Commerce Dr. toward Site



View looking Northeast on Commerce Dr., Apartments to the North of site



View looking North on Commerce Dr., north of site entrance



## Legislation Details (With Text)

<b>File #:</b>	ORD-14:033	<b>Version:</b>	1	<b>Name:</b>	Rezoning at 200 E. Johnson
<b>Type:</b>	Ordinance	<b>Status:</b>		<b>Status:</b>	Third Reading
<b>File created:</b>	5/15/2014	<b>In control:</b>		<b>In control:</b>	City Council
<b>On agenda:</b>		<b>Final action:</b>			
<b>Title:</b>	AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM I-1 TO C-3 LUO FOR PROPERTY LOCATED AT 200 EAST JOHNSON AS REQUESTED BY PHILLIPS INVESTMENTS				
<b>Sponsors:</b>					
<b>Indexes:</b>	Rezoning				
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Plat</a> <a href="#">MAPC Report</a>				

Date	Ver.	Action By	Action	Result
5/20/2014	1	City Council		

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

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

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

From Industrial District, I-1, To Commercial District, C-3 L.U.O., THE FOLLOWING DESCRIBED PROPERTY:

LEGAL DESCRIPTION:

LOT 1 OF A REPLAT OF LATOURETTES FIRST ADDITION TO THE CITY OF JONESBORO, ARKANSAS AS SHOWN BY PLAT IN PLAT CABINET "C" AT PAGE 246 IN THE OFFICE CIRCUIT CLERK AND EX-OFFICIO RECORDERS OFFICE, CRAIGHEAD COUNTY, ARKANSAS.

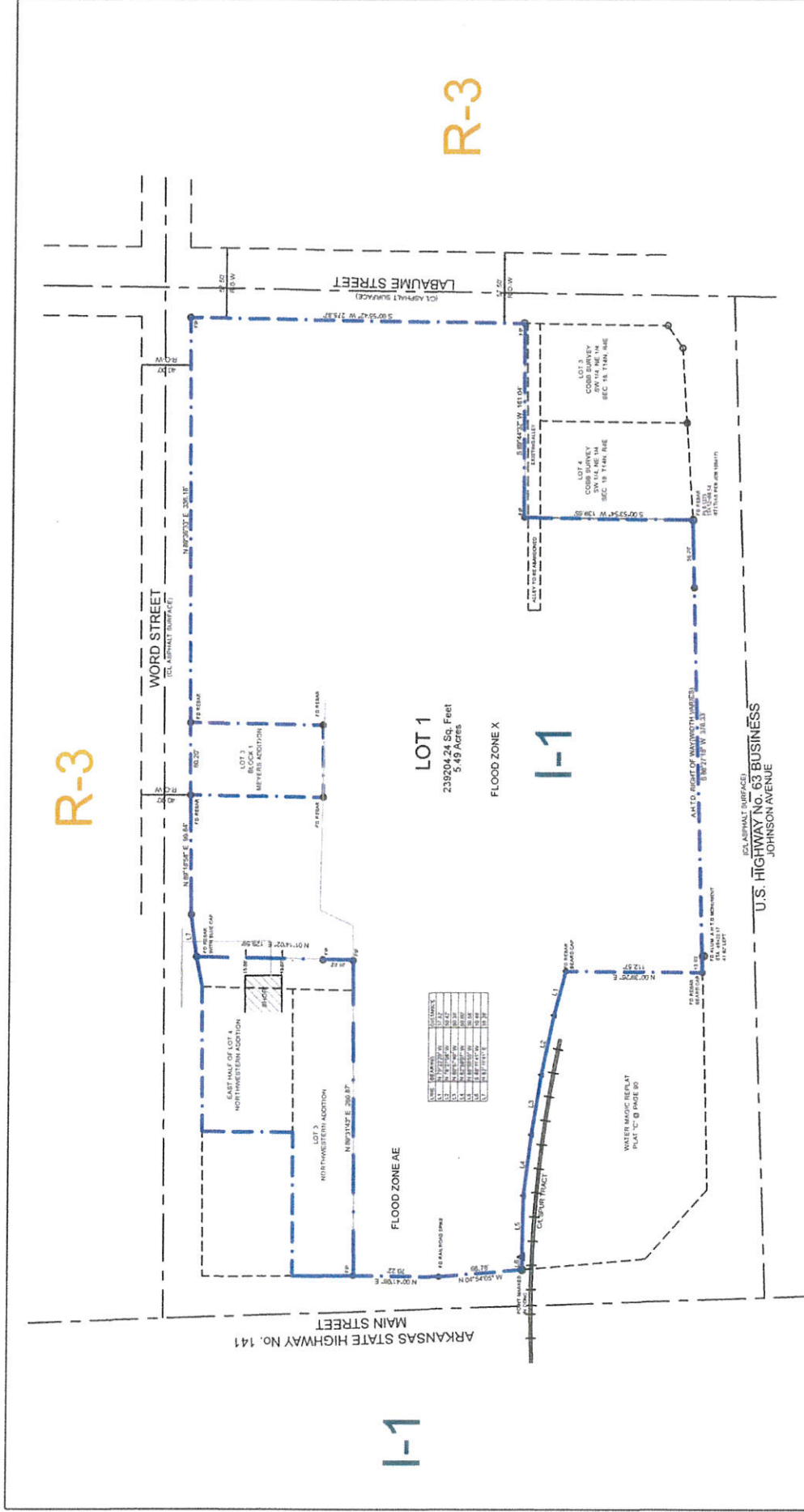
AND LOT 3 IN BLOCK 1 OF MEYERS ADDITION TO THE CITY OF JONESBORO, ARKANSAS AS SHOWN BY PLAT IN BOOK 48 AT PAGE 116 IN THE OFFICE OF CIRCUIT CLERK AND EX-OFFICIO RECORDER, CRAIGHEAD COUNTY, ARKANSAS.

AND ALL OF LOT 3 AND THE EAST HALF OF LOT 4 OF NORTHWESTERN ADDITION TO THE CITY OF JONESBORO, ARKANSAS AS SHOWN BY BOOK 20 AT PAGE 390 IN THE OFFICE OF CIRCUIT CLERK AND EX-OFFICIO RECORDER, CRAIGHEAD COUNTY, ARKANSAS.

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

- 1) That the proposed development shall continue to satisfy all requirements of the City Engineer and all requirements of the current Storm Water Drainage Design Manual.
- 2) A final Site Plan subject to all ordinance requirements shall be required to be submitted, reviewed and approved by the MAPC, prior to any redevelopment of the property.
- 3) The final Site Plan should include a final landscape and lighting plan to address any buffering considerations regarding the residential to remain.
- 4) The setback, building height, screening, and site design standards are required per “Sec. 117-328 - Residential Compatibility Standards”.





**DESCRIPTION:**

A REPLAT OF LATOURETTES FIRST ADDITION TO THE CITY OF JONESBORO, ARKANSAS AS SHOWN BY PLAT IN PLAT CABINET "C" AT PAGE 246 IN THE OFFICE CIRCUIT CLERK AND EX-OFFICIO RECORDERS OFFICE, CRAIGHEAD COUNTY, ARKANSAS.

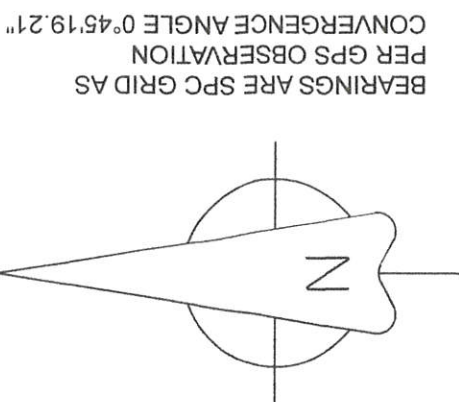
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AND ALL OF LOT 3 AND THE EAST HALF OF LOT 4 OF NORTHWESTERN ADDITION TO THE CITY OF JONESBORO, ARKANSAS AS SHOWN BY BOOK 20 AT PAGE 390 IN THE OFFICE OF CIRCUIT CLERK AND EX-OFFICIO RECORDER, CRAIGHEAD COUNTY, ARKANSAS.

**OWNER CERTIFICATION:**

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

*[Handwritten signatures]*

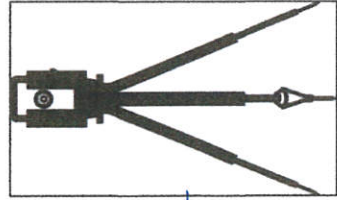
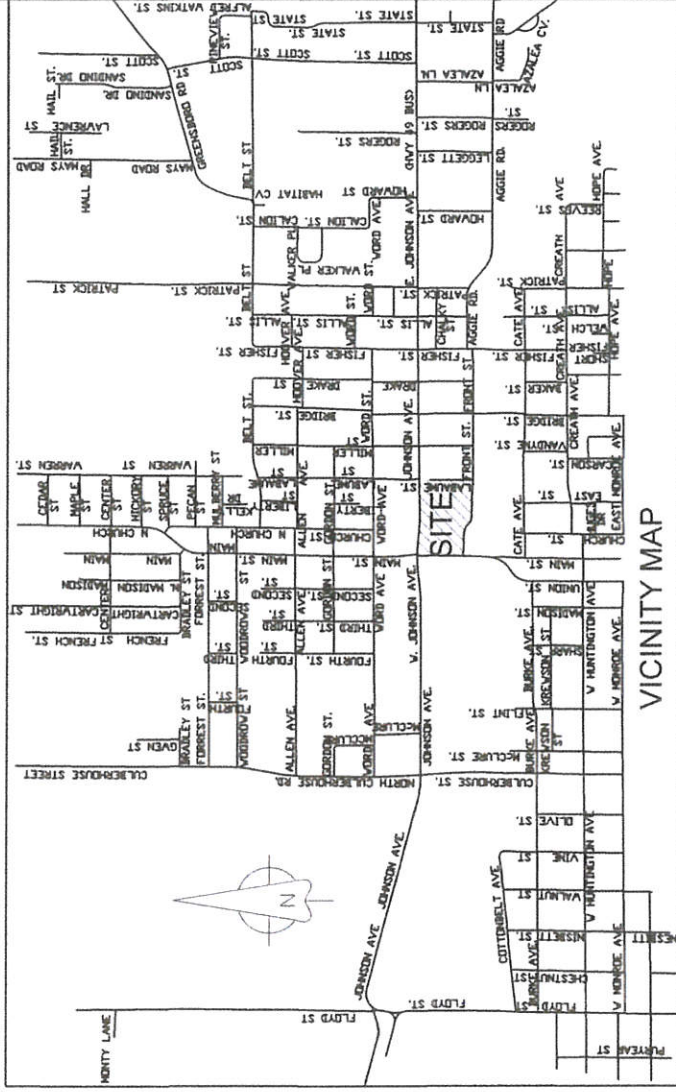


BEARINGS ARE SPC GRID AS  
PER GPS OBSERVATION  
CONVERGENCE ANGLE 0°45'19.21"



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

H&S HIME PROFESSIONAL SURVEYING SERVICES  
2619 CARAWAY RD. STE. "D"  
JONESBORO, ARKANSAS 72401



**H&S HIME PROFESSIONAL SURVEYING SERVICES**  
2619 CARAWAY RD - STE. "D"  
JONESBORO, ARKANSAS 72401

PHONE: 870-972-1288  
FAX: 870-972-1011  
E-MAIL: hshime\_butch@yahoo.com

<b>REZONING PLAT</b>	
drawn: H. HIME	I-1 ZONING EXISTING C-3 REQUESTED
date: 4-08-2014	client: PHILLIPS CONSTRUCTION
scale: 1"= 125'	



*City of Jonesboro City Council*  
**Staff Report – RZ 14-07 200 E. Johnson Ave. Rezoning**  
 Municipal Center - 300 S. Church St.  
*For Consideration by the Council on May 20, 2014*

**REQUEST:** To consider a rezoning of 6.04 acres more or less from I-1 Industrial to C-3 General Commercial.

**PURPOSE:** A request to consider recommendation to Council for a rezoning from “I-1” Industrial District to “C-3”, General Commercial District, L.U.O.

**LOCATION:** 200 E. Johnson Ave./US 63 Business; Site bound by Main Street, Johnson Ave., Labaume St., E. Word Street.

**APPLICANTS/  
OWNER:** Phillips Investment & Constr., P.O. Box 19298, Jonesboro AR

**SITE  
DESCRIPTION:** Tract Size: Approx. +/- 6.04 acres (263,066 s.f.)  
**Street Frontage (feet):** 378 ft. on Johnson; 189’+/- along Main St.  
**Topography:** Flat terrain  
**Existing Development:** Majority vacant commercial land.

<b>SURROUNDING CONDITIONS:</b>	<u>ZONE</u>	<u>LAND USE</u>
North:	I-1, R-3	Auto Sales, Church, Residential
South:	I-1	Commercial, Church, Warehousing
East:	I-1, R-3	Commercial, Residential
West:	I-1	Various Commercial Uses

**HISTORY:** Property abandoned: Part of an undeveloped 10' alley lying north of Lot 7 and a part of Lot 6 of Gambill's Addition; Requested by: Don Latourette; Abandonment was adopted by ORD-14:008 on March 18, 2014

**ZONING ANALYSIS**

*City Planning Staff has reviewed the proposed Zone Change and offers the following findings:*

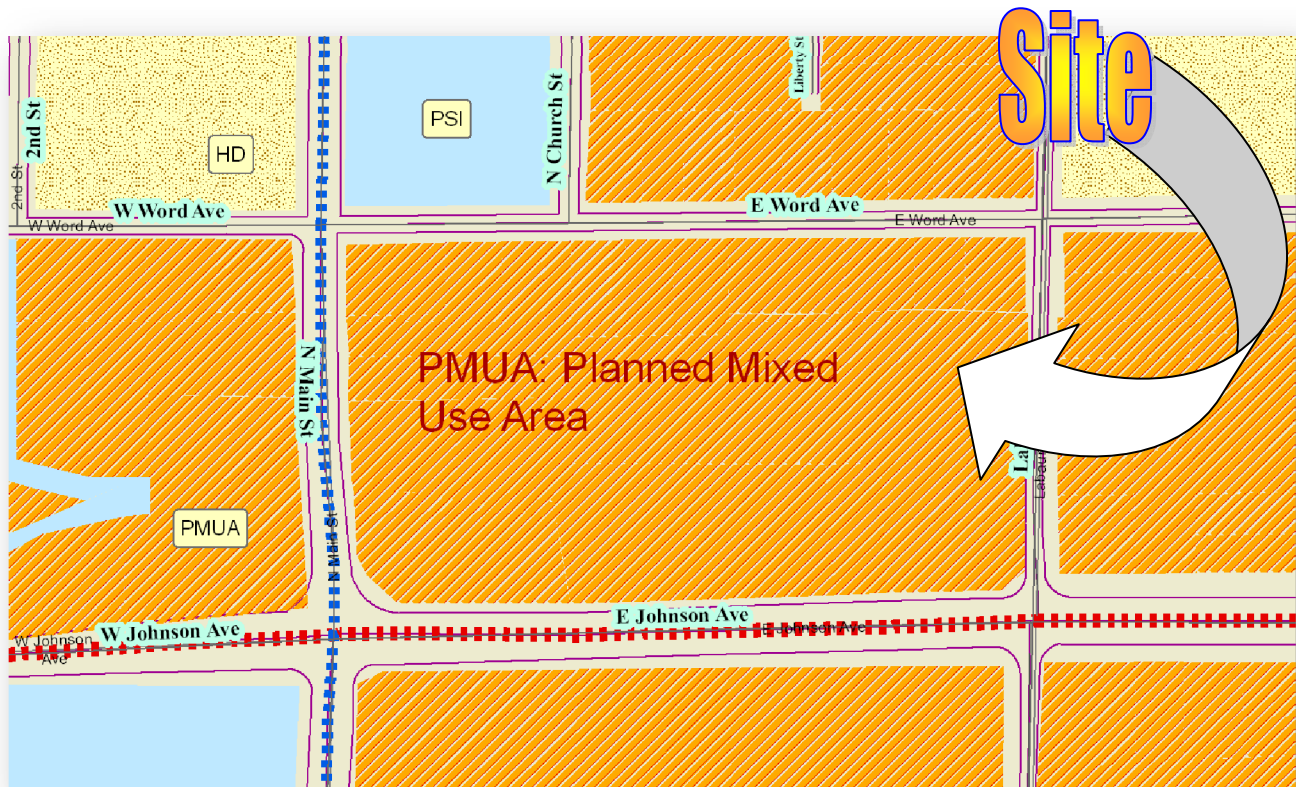
**COMPREHENSIVE FUTURE LAND USE MAP REVIEW:**

The Current/Future Land Use Map recommends this location as a Planned Mixed Use Area (PMUA). **The proposed rezoning is consistent and in compliance with the adopted Land Use Plan.**

Planned Mixed Use Developments typically contain a combination of office, retail, housing, and light industrial or compatible uses developed with a consistent theme and containing architectural, landscape, streetscape, and signage standards.

Typically, PMUA is a campus-style planned development with multiple uses that are created in separate buildings or within single buildings, sharing a common image and circulation system. The Planned Mixed Use Area is typically located on major arterial streets where infrastructure is pre-existing or is planned as part of a proposed development. Access management shall be a major priority; consolidated curb-cuts shall be promoted.

**Components:** The intent of the PMUA is to promote a mix of uses and to discourage single use, and the composition shall be reviewed on a case by case basis by the Metropolitan Planning Commission.



### **Master Street Plan/Transportation**








The subject property is served by North Main Street (West), a *Minor Arterial* and E. Johnson Ave. (South), a *Principle Arterial*. Additionally, the property is served by two local roads on the North ( E. Word Ave.); and on the South (Labaume St.). The MAPC waived additional right of way dedications on all street frontages on January 14, 2014.

### **Right-of-Way requirements of the Master Street Plan that were waived are as follows:**

- Main St the existing R/W is 30' from center, MSP is 50'
- Johnson Ave existing R/W is 40' from center, MSP is 60'
- Labaume St existing R/W is 27.5 from center, MSP is 30'
- Word Ave existing R/W is 20' from center, MSP is 30'

**Approval Criteria- Chapter 117 - Amendments:**

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

Criteria	Explanations and Findings	Comply Y/N
(a) Consistency of the proposal with the Comprehensive Plan/Land Use Map	The proposed C-3 District rezoning is consistent with the Future Land Use Plan which recommends Planned Mixed Use Area.	
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal will achieve consistency with the purpose of Chapter 117; A Limited Use Overlay is recommended by staff.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	Compatibility is achieved. This will bring an existing uses into compliance of what is promoted on the Land Use Plan. This area is not industrial in nature.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	This land as used today is unsuitable under the current I-1; Most of which former industrial uses have been demolished; rezoning is highly recommended.	
(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 detriments. Will promoted needed support retail and re-investment for the area.	
(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 mostly vacant within the current I-1 zoning. It had previously been used as commercial since several years.	
(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 if rezoned to C-3 Limited Use Overlay.	





*Vicinity/Zoning Map*

**Staff Findings:**

**Applicant’s Purpose:**

The applicant is hoping to rezone the subject property to the “C-3” General Commercial Zoning Classification. The site is currently vacant, with a number of original lots that have been consolidated into the larger Tract 1.

The applicant originally requested a change to a Limited Use Overlay (L.U.O) for General Commercial. Therefore, there is no required list of possible uses for the site due to this fact. However uses such as a medical clinic, food market and retail which were listed on the application will be consistent with the Land Use Plan.

On the pages to follow, Staff alerts the Commission and Council of uses that may be a detriment to the residential just directly north and east of the subject property. Consideration of a Limited Use Overlay was suggested for this reason (Applicant later agreed). This will also afford the Planning Commission some assurance regarding screening and buffering of parking areas, which is to be addressed by the developer during site plan review. This can be achieved by good landscape design.

**Justification for Rezoning:**

There are a number of reasons why the existing zoning classification as- “I-1”, *limited industrial district*, is not suitable for this location. One justification for a change in zoning is that the historical nature of the site

has not attracted reinvestment in the area under the current zoning. The “I-1” District is to accommodate freight terminals, warehousing, wholesaling, packaging, storage, fabrication, display and such limited manufacturing as does not create a nuisance for residential and commercial neighbors. Certain commercial uses are also permitted, but only through a special district or conditional use application. Suitable transportation facilities are a necessity to this district. Rezoning the property will act as a catalyst for reinvestment into the North Jonesboro area, as promoted by the recent long range planning efforts, as well as the North Jonesboro Neighborhood Initiative.

**Zoning compliance/ Other Zoning Code Analysis:**

The applicant originally requested a rezoning to a “C-3”, General Commercial District with no list of uses conditioned. The following are the bulk dimension requirements for “C-3” General Commercial.

<i>Dimension</i>	<i>CR-1</i>	<i>C-4</i>	<b>C-3</b>	<i>C-2</i>	<i>C-1</i>	<i>I-1</i>	<i>I-1</i>
<i>Minimum lot size</i>							
Single-family (sq. ft.)	6,500	NP	NP	6,000	NS	NP	NP
Duplex (sq. ft.)	7,200	NP	NP	7,200	NS	NP	NP
Multifamily (area/family)	NP	NP	NP	3,600	NS	NP	NP
Nonresidential uses (sq. ft.)	6,500	6,500	6,500	6,500	NS	6,500	10,000
Minimum lot width (all uses)	50'	50'	50'	50'	25'	50'	100'
Minimum lot depth (all uses)	100'	100'	<b>100'</b>	100'	NS	100'	100'
<i>Street setback</i>							
Residential uses	25'	NP	NP	25'	NS	25'	NP
Nonresidential uses	25'	25'	25'	25'	NS	25'	100'
<i>Interior side setback</i>							
Residential uses	7.5'	10'	NP	10'	NS	10'	NP
Nonresidential uses	10'	10'	10'	10'	NS	10'	25'
<i>Rear setback</i>							
Residential uses	20'	20'	NP	20'	NS	20'	NP
Nonresidential uses	20'	20'	20'	20'	NS	20'	25'
Maximum lot coverage (all uses)	50%	50%	60%	50%	100%	60%	60%
Percent of total lot area (building floor area)	20	20	NS	20	NS	NS	NS

Note.

NP = Not permitted.

NS = No standard.



**Departmental/Agency Reviews:**

The following departments and agencies were contacted for review and comments. Note that this table will be updated at the hearing due to reporting information that will be updated in the coming days.

<b>Department/Agency</b>	<b>Reports/ Comments</b>	<b>Status</b>
<b>Engineering</b>	No issues reported to date.	Discussion in Pre-Dev. Meeting
<b>Streets/Sanitation</b>	Reported no issues.	Discussion in Pre-Dev. Meeting
<b>Police</b>	No issues reported to date.	Discussion in Pre-Dev. Meeting
<b>Fire Department</b>	No issues reported to date.	Discussion in Pre-Dev. Meeting
<b>MPO</b>	No issues reported to date.	Discussion in Pre-Dev. Meeting
<b>Jets</b>	No issues reported to date.	Discussion in Pre-Dev. Meeting
<b>Utility Companies</b>	No issues reported to date.	Discussion in Pre-Dev. Meeting

***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 are supplemental to 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.

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**The rezoning of this property should not include following permitted uses:**

- 1.) The following uses should be prohibited as a part of the Limited Use:
  - A) Animal Care, General
  - B) Adult Entertainment
  - C) Off-Premises Sign

Under the current policies, unless a limited use overlay or planned district development is petitioned, no conditions or discussion of proposed uses is advised. The applicant was asked by the MAPC to consider a “C-3” **Limited Use Overlay District** rezoning with a narrowed-down list of uses permitted except the

following highlighted uses in yellow. (Note that some uses are permitted within the “C-3” District; however others must request a Conditional Use Approval by the MAPC):

List of Commercial Uses		C-3 General Commercial	List of Commercial Uses		C-3 General Commercial
<i>Civic and commercial uses</i>			<i>Civic and commercial uses</i>		
	Animal care, general	Permitted		Nursing home	Permitted
	Animal care, limited	Permitted		Office, general	Permitted
	Auditorium or stadium	Conditional		Parking lot, commercial	Permitted
	Automated teller machine	Permitted		Parks and recreation	Permitted
	Bank or financial institution	Permitted		Pawn shops	Permitted
	Bed and breakfast	Permitted		Post office	Permitted
	Carwash	Permitted		Recreation/entertainment, indoor	Permitted
	Cemetery	Permitted		Recreation/entertainment, outdoor	Permitted
	Church	Permitted		Recreational vehicle park	Permitted
	College or university	Permitted		Restaurant, fast-food	Permitted
	Communication tower	Conditional		Restaurant, general	Permitted
				Retail/service	Permitted
	Convenience store	Permitted		Safety services	Permitted
	Day care, limited (family home)	Permitted		School, elementary, middle and high	Permitted
	Day care, general	Permitted		Service station	Permitted
	Entertainment, adult	Conditional		Sign, off-premises*	Permitted
	Funeral home	Permitted		Utility, major	Conditional
	Golf course	Permitted		Utility, minor	Permitted
	Government service	Permitted		Vehicle and equipment sales	Permitted
	Hospital	Permitted		Vehicle repair, general	Permitted
	Hotel or motel	Permitted		Vehicle repair, limited	Permitted
	Library	Permitted		Vocational school	Permitted
	Medical service/office	Permitted		Warehouse, residential (mini) storage	Conditional
	Museum	Permitted	<i>Industrial, manufacturing and extractive uses</i>		
<i>Agricultural uses</i>				Freight terminal	Conditional
	Agriculture, animal	Conditional		Research services	Conditional
	Agriculture, farmers market	Permitted			

## **Record of Proceedings: MAPC Public Hearing Held on May 13, 2014:**

**Applicant:** Carlos Wood, Engineer representing the owner, Phillips Investments, appeared before the Commission stated that they are asking to rezone the property as described.

**Staff:** Mr. Spriggs gave a summary of the Staff Report, noting that the request complies with the Land Use Plan which recommends this area as a Planned Mixed Use Area. He also reported that the petition complies with the listed criterion for rezonings as noted. The applicant is requesting a C-3 General Commercial District. The discouraged list of uses were discussed and Mr. Spriggs asked Mr. Wood if he had considered the findings of the report.

Mr. Carlos Wood asked for clarification of the Animal Care Limited Use. He and his client would like to have the availability of a veterinarian office for interior use, without the dog runs. They may want to sell or retail the pets or supplies. Mr. Spriggs stated that the way it is conditioned, it will accommodate his client's needs. Mr. Wood agreed to the Limited Use Overlay on behalf of the owner.

Mr. Spriggs: The Commission in the last meeting voted unanimously to waive right of way dedications on each of the road frontages.

Mr. Spriggs also referred to the permitted and discouraged uses in which the applicant agrees. Mr. Spriggs noted that approval will definitely serve as an economic development catalyst for the area and provide fresh produce and quality groceries to those in need.

No issues were reported by the various departments or agencies. The conditions were read.

**Public Input/Opposition:** None present.

### **Commission Action:**

Motion was made by Mr. Schrantz to adopt the rezoning and place Case: RZ-14-06 on the floor for recommendation by MAPC to the City Council with the noted conditions; Motion was seconded by Mr. Hoelscher.

**Roll Call Vote:** Mr. Scurlock- Aye; Mr. Hoelscher- Aye; Mr. Reece- Aye; Mr. Bailey- Aye; Mrs. Shrantz- Aye; Mr. Kelton- Aye; Ms. Nix was absent. Mr. Lonnie Roberts Chaired the meeting. Case approved with a **6-0 Vote for the measure.**

### **Conclusion:**

The MAPC and the Planning Department Staff find that the requested Zone Change submitted for subject parcel, should be approved based on the above observations and criteria, of Case RZ 14-07, a request to rezone property from "I-1" Industrial to "C-3" L.U.O., General Commercial.

The MAPC found that changing the zoning of this property from "I-1" Industrial District to the proposed "C-3" Limited Use Overlay District (as agreed by the applicant) and that the rezoning will be compatible and suitable with the zoning, uses, and character of the surrounding, subject to the following stipulations:

1. That the proposed development shall continue 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 redevelopment of the property.
3. The setback, building height, screening, and site design standards are required per “Sec. 117-328. - Residential Compatibility Standards”. Final site plan should include a final landscape and lighting plan to address any buffering considerations regarding the residential to remain.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP  
Planning & Zoning Director

# Site Photographs



View looking northeast from the southwest portion of the subject properties.



View looking southwest from the northeast portion of the subject properties.





View looking northwest from the southeast portion of the subject properties.



View looking southeast from the northwest portion of the subject properties.



View of abutting property located at the southeast portion of the subject properties.



View of abutting property located at the southwest portion of the subject properties.



View of abutting property located at the northwest portion of the subject properties.



View looking east from N. Main St./E. Word Ave. intersection toward properties located north of subject properties.





View looking south from N. Main St./E. Word Ave. intersection toward properties located west of subject properties.



View looking north from N. Main St./E. Johnson Ave. intersection toward properties located west of subject properties.



View looking east from N. Main St./E. Johnson Ave. intersection toward properties located south of subject properties.



View looking west from E. Johnson Ave./Labaume St. intersection toward properties located south of subject properties.





View looking north from E. Johnson Ave./Labaume St. intersection toward properties located east of subject properties.



View looking south from E. Word Ave ./Labaume St. intersection toward properties located east of subject properties.



View looking west from E. Word Ave ./Labaume St. intersection toward properties located north of subject properties.