



METROPOLITAN AREA
PLANNING COMMISSION
Jonesboro, Arkansas

Application for a Zoning Ordinance Map Amendment

Date Received:

10/25/14

Case Number:

RZ14-22

LOCATION:

Site Address: Approx. 1100-1200 blocks of Patrick Street, Jonesboro, AR 72401

Side of Street: West between Belt Street and Daybreak Street

Quarter: SE Quarter of the NE Quarter Section: 7 Township: 14 North Range: 4 East

Attach a survey plat and legal description of the property proposed for rezoning. A Registered Land Surveyor must prepare this plat.

SITE INFORMATION:

Existing Zoning: R-1 Proposed Zoning: RM-16

Size of site (square feet and acres): 27.34 (+/-) acres Street frontage (feet): 1316

Existing Use of the Site: Raw Undeveloped Land

Character and adequacy of adjoining streets: Patrick Street: Paved/asphalt 2-lane road

Does public water serve the site? Yes

If not, how would water service be provided? N/A

Does public sanitary sewer serve the site? Yes

If not, how would sewer service be provided? N/A

Use of adjoining properties:

North Raw Undeveloped Land

South Raw Undeveloped Land & Multifamily Apartments

East Single Story Multi-Unit Dwellings

West Multi-Unit Dwellings

Physical characteristics of the site: Raw Undeveloped Land

Characteristics of the neighborhood: The neighborhood consists of the north central portion of Jonesboro, just north of the downtown area. Residential and raw land usage is predominant in the neighborhood.

Applications will not be considered complete until all items have been supplied. Incomplete applications will not be placed on the Metropolitan Area Planning Commission agenda and will be returned to the applicant. The deadline for submittal of an application is 18 days prior to the next MAPC meeting. The Planning staff must determine that the application is complete and adequate before it will be placed on the MAPC agenda.

REZONING INFORMATION:

The applicant is responsible for explaining and justifying the proposed rezoning. *Please prepare an attachment to this application answering each of the following questions in detail:*

- (1). How was the property zoned when the current owner purchased it?
- (2). What is the purpose of the proposed rezoning? Why is the rezoning necessary?
- (3). If rezoned, how would the property be developed and used?
- (4). What would be the density or intensity of development (e.g. number of residential units; square footage of commercial, institutional, or industrial buildings)?
- (5). Is the proposed rezoning consistent with the *Jonesboro Comprehensive Plan* and the *Future Land Use Plan*?
- (6). How would the proposed rezoning be in the public interest and benefit the community?
- (7). How would the proposed rezoning be compatible with the zoning, uses, and character of the surrounding area?
- (8). Are there substantial reasons why the property cannot be used in accordance with existing zoning?
- (9). How would the proposed rezoning affect nearby property including impact on property value, traffic, drainage, visual appearance, odor, noise, light, vibration, hours of use or operation and any restriction to the normal and customary use of the affected property.
- (10). How long has the property remained vacant?
- (11). What impact would the proposed rezoning and resulting development have on utilities, streets, drainage, parks, open space, fire, police, and emergency medical services?
- (12). If the rezoning is approved, when would development or redevelopment begin?
- (13). How do neighbors feel about the proposed rezoning? Please attach minutes of the neighborhood meeting held to discuss the proposed rezoning or notes from individual discussions. *If the proposal has not been discussed with neighbors, please attach a statement explaining the reason. Failure to consult with neighbors may result in delay in hearing the application.*
- (14). If this application is for a Limited Use Overlay (LUO), the applicant must specify all uses desired to be permitted.

OWNERSHIP INFORMATION:

All parties to this application understand that the burden of proof in justifying and demonstrating the need for the proposed rezoning rests with the applicant named below.

Owner of Record:

I certify that I am the owner of the property that is the subject of this rezoning application and that I represent all owners, including spouses, of the property to be rezoned. I further certify that all information in this application is true and correct to the best of my knowledge.

Applicant:

If you are not the Owner of Record, please describe your relationship to the rezoning proposal:

N/A

Name: RichSmith Holdings, LLC

Address: 9800 Maumelle Blvd

City, State: North Little Rock ZIP 72113

Telephone: (501) 758-0050

Facsimile: (501) 758-7186

Signature: 

Name: _____

Address: _____

City, State: _____ ZIP _____

Telephone: _____

Facsimile: _____

Signature: _____

Deed: *Please attach a copy of the deed for the subject property.*

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REZONING INFORMATION:

(1). How was the property zoned when the current owner purchased it?

The property was zoned R-1 "Single Family Low Density" at the time of purchase.

(2). What is the purpose of the proposed rezoning? Why is the rezoning necessary?

The adjoining property to the south is currently being used for multifamily purposes, and we propose to extend that zoning to include this land for a proposed multifamily apartment community.

(3). If rezoned, how would the property be developed and used?

The proposed use for the land is to develop an affordable multifamily apartment community with approximately 48 units that will include special needs housing targeted toward persons with disabilities.

(4). What would be the density or intensity of development (e.g. number of residential units; square footage of commercial, institutional, or industrial buildings)?

The density is estimated to be 16 residential units per acre.

(5). Is the proposed rezoning consistent with the Jonesboro Comprehensive Plan and the Future Land Use Plan?

Yes, the goals of our development are very well aligned with those outlined in the Jonesboro Comprehensive Plan ("The Plan"). Goal 7 of The Plan is to "encourage higher quality, affordable multi-family housing." This is our exact proposed use for the land. RichSmith Companies strive to set high standards for our communities, and we assure that they will include desirable qualities and amenities and provide energy efficiency, all of which are actions encouraged by The Plan. Additionally, a multifamily development would help concentrate moderate intensity mixed use, and it would also help diversify the mix of housing types affordable to persons with diverse incomes and needs, which are both objectives mentioned in The Plan. If awarded funding, our intent is to develop a community that includes special needs housing, which is yet another goal specified by The Plan.

(6). How would the proposed rezoning be in the public interest and benefit the community?

If the rezoning is approved, the proposed affordable housing development that can then be created on this land will greatly benefit the community of Jonesboro by providing more affordable housing options for its citizens.

(7). How would the proposed rezoning be compatible with the zoning, uses, and character of the surrounding area?

To the north, the land is zoned R-1 and is raw, undeveloped land. The adjoining area to the south is currently zoned R-2A "Multi-Family Medium Density" and is comprised of raw land and an affordable apartment community. To the east are single-story duplexes and a multi-unit building. To the west are multi-unit dwellings. The proposed use of the land would complement the current character and use of the surrounding area.

(8). Are there substantial reasons why the property cannot be used in accordance with existing zoning?

The current zoning only allows for low density single family homes and will not currently allow for the proposed multifamily development.

(9). How would the proposed rezoning affect nearby property including impact on property value, traffic, drainage, visual appearance, odor, noise, light, vibration, hours of use or operation and any restriction to the normal and customary use of the affected property.

The nearby property is currently multifamily developments, and we feel there would be no negative impact. Occupancy has been consistently high at those communities, and we believe the market can handle the additional units. The impact on odor, noise, light, vibration, and hours of use would be very minimal since it is a continuation of the adjacent site's zoning. Instead of being the raw land it is today, it will be transformed into a professionally landscaped community with visually appealing building facades.

(10). How long has the property remained vacant?

The property is raw land that has never been developed.

(11). What impact would the proposed rezoning and resulting development have on utilities, streets, drainage, parks, open space, fire, police, and emergency medical services?

The current street is sufficient for the minimal traffic flow impact the development would have. Utilities are already available to the site. Any changes in drainage should be minimal and will adhere to all city, state, and local codes and regulations. Fire, police, and emergency medical services are already available in the area, so there should be no notable impact to them.

(12). If the rezoning is approved, when would development or redevelopment begin?

We anticipate construction to begin in October 2015.

(13). How do neighbors feel about the proposed rezoning? Please attach minutes of the neighborhood meeting held to discuss the proposed rezoning or notes from individual discussions. If the proposal has not been discussed with neighbors, please attach a statement explaining the reason. Failure to consult with neighbors may result in delay in hearing the application.

Due to time constraints, a neighborhood meeting has not yet been held. Prior to the MAPC meeting, we will consult the neighbors and provide the details of those discussions.

(14). If this application is for a Limited Use Overlay (LUO), the applicant must specify all uses desired to be permitted.

N/A

Type of Instrument: Warranty Deed
Grantor: Charles Richard Miles
Grantee: Richsmith Holdings, LLC

This Instrument Prepared By:
Mixon Parker & Hurst PLC
Attorneys at Law
505 Union
Jonesboro, Arkansas 72401
At the request and on behalf of
Professional Title Services of Arkansas, LLC

After Recording Return to:
Professional Title Services of Arkansas, LLC
906 A Southwest Drive
Jonesboro, Arkansas 72401

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That **Charles Richard Miles, a single person, Grantor**, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, in hand paid by **Richsmith Holdings, LLC, Grantee**, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto the said **Grantee**, and unto its successors and assigns forever, the following described real property situated in Craighead County, Arkansas, to wit:

A part of the Southeast Quarter of the Northeast Quarter of Section 7, Township 14 North, Range 4 East, of the Fifth Principal Meridian, Craighead County, Arkansas, more particularly described as follows: Commencing at the Northeast Corner of the Southeast Quarter of the Northeast Quarter; said point of beginning; thence South 00 degrees 13'30" West 1316.48 feet along the East line of the Quarter Section to the Southeast Corner of the aforesaid Quarter Section; thence South 88 degrees 54'01" West 74.93 feet; thence North 03 degrees 48'15" West 25.65 feet to the centerline of Lost Creek; thence Meandering along said centerline South 81 degrees 19'00" West 90.40 feet; thence North 74 degrees 36'35" West 122.41 feet; thence North 66 degrees 08'28" West 87.26 feet; thence North 79 degrees 27'39" West 177.37 feet; thence South 69 degrees 33'27" West 114.83 feet; thence South 53 degrees 34'03" West 82.55 feet; thence South 34 degrees 53'03" West 43.59 feet; thence departing from said Lost Creek centerline South 88 degrees 54'01" West 196.19 feet; thence North 00 degrees 29'29" West 1307.82 feet; thence North 88 degrees 23'43" East 950.04 feet along the South line of Tract 2 of J. C. Willett Survey as recorded in Survey Record Book H Page 89 within the Circuit Court Clerk of Craighead County, Arkansas, to the point of beginning, containing some (1,191,278 square feet) 27.34 acres more or less, and being subject to any and all easements, restrictions, and rights of way of record.

Subject to all matters of record or fact.

TO HAVE AND TO HOLD said property unto the said **Grantee**, and unto its successors and assigns forever, with all tenements, appurtenances and hereditaments hereunto belonging. And **Grantor** hereby covenants with the said **Grantee** that **Grantor** will forever warrant and defend the title to said lands against all claims whatsoever. And **Grantor**, for and in consideration of the said sum of money, does hereby release and relinquish unto the said **Grantee**, all my right of dower and curtesy and homestead in and to the said lands.

WITNESS my hand and seal this 4 day of June, 2008.

Charles Richard Miles
Charles Richard Miles

ACKNOWLEDGMENT



STATE OF ARKANSAS
COUNTY OF CRAIGHEAD

On this day before me, the undersigned, a Notary Public, (or before any officer within this State or without the State now qualified under existing law to take acknowledgments), duly commissioned, qualified and acting, within and for said County and State, appeared in person the within named **Charles Richard Miles**, to me personally well known, stated and acknowledged that he had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 4 day of June, 2008.

Mary Beth Hoke
Notary Public

My Commission Expires:
9-21-17

AMOUNT OF TAX \$495.00
I certify under penalty of false swearing that at least the legally correct amount of documentary stamps have been placed on this instrument.

OFFICIAL SEAL - NO. 12362551
MARY BETH HOKE
NOTARY PUBLIC-ARKANSAS
CRAIGHEAD COUNTY
MY COMMISSION EXPIRES. 09-21-17

RichSmith Holdings LLC
Grantee or Grantee's Agent

Grantee's Address:
9800 Maumelle Blvd
North Little Rock, AR
72113

DEED BK 775 PG 294 - 295
DATE 06/04/2008
TIME 02:23:59 PM
RECORDED IN
OFFICIAL RECORDS OF
CRAIGHEAD COUNTY
ANN HUDSON
CIRCUIT CLERK
Ann Hudson, D.C.
RECIPT# 176527



Planning Charge Sheet

Residential Approvals – Planning Review (select all that apply) 01-0731:

- | | | |
|---|--|--|
| <input type="checkbox"/> Single Family Dwelling | <input type="checkbox"/> Multiple Family Dwelling | <input type="checkbox"/> Detached/Accessory Bldg |
| <input type="checkbox"/> Single Family Additions | <input type="checkbox"/> Single Family Alterations | <input type="checkbox"/> Swimming Pools |
| <input type="checkbox"/> Walls, Fences, Decks Etc | <input type="checkbox"/> Multi Family Additions | <input type="checkbox"/> Multi Family Accessory Bldg |

Commercial Approvals – Planning Review (select all that apply) 01-0732:

- | | | |
|--|---|--|
| <input type="checkbox"/> Building _____ Sqft. | <input type="checkbox"/> Interior Alterations/Repairs | <input type="checkbox"/> Awnings/Canopies |
| <input type="checkbox"/> Accessory Bldgs, etc. | <input type="checkbox"/> Parking Lots | <input type="checkbox"/> Landfill and Extraction |
| <input type="checkbox"/> Gravel Mining | <input type="checkbox"/> Change of Use | <input type="checkbox"/> Storage Tanks |
| <input type="checkbox"/> Temp Tents, Trailers & Structures | | |

Residential Zoning Districts : (Zoning Map Amendments) 01-0516:

- | |
|--|
| <input type="checkbox"/> Single Family Districts _____ Acres |
| <input type="checkbox"/> Multi Family Districts _____ Acres |

Non-Residential Zoning Districts : (Zoning Map Amendments) 01-0516:

Zoning Map Amendments 27.34 Acres \$2734.00

Special District Applications 01-0516:

- | | |
|--|--|
| <input type="checkbox"/> Village Residential Overlay | <input type="checkbox"/> JMA-O, Jonesboro Municipal Overlay District |
| <input type="checkbox"/> Planned Development District _____ phase (preliminary, final, modification) | |

Board of Zoning Appeals Fee 01-0516:

- | | | | |
|--------------------------------------|-------------------------------------|--|--|
| <input type="checkbox"/> Residential | <input type="checkbox"/> Commercial | <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Compatible Non-Conforming Use |
|--------------------------------------|-------------------------------------|--|--|

Subdivision Planning Fees 01-0733:

- | | |
|--|--|
| <input type="checkbox"/> Minor Plats & Replats | <input type="checkbox"/> Reviews MAPC Approval: _____ Lots _____ Acres |
|--|--|

On/Off-Premise Signage Permits – Planning Review 01-0734:

- | | | |
|--|---|--|
| <input type="checkbox"/> Billboards | <input type="checkbox"/> High Rise Interstate _____ faces | <input type="checkbox"/> Bulletin Board _____ Sqft |
| <input type="checkbox"/> Construction Sign | <input type="checkbox"/> Ground Sign _____ Sqft | <input type="checkbox"/> Wall & Awning _____ Sqft |
| <input type="checkbox"/> Directional Sign _____ Sqft | <input type="checkbox"/> Pole Sign _____ Sqft | <input type="checkbox"/> Marquee Sign _____ Sqft |
| <input type="checkbox"/> Promo Event | <input type="checkbox"/> Special Event Sign | <input type="checkbox"/> Grand Opening Sign |
| <input type="checkbox"/> Corner or Interior Parcel Sign _____ Sqft | <input type="checkbox"/> Faces _____ | |

Zoning Sign Deposit 01-0155: 5 Number of Signs \$ 200.00 = 1000.00

Mapping and Duplicating Services Per Page 01-0735:

- | | | | |
|---|---|--|--|
| <input type="checkbox"/> 8 ½" x 11" BW Copies | <input type="checkbox"/> 8 ½" x 11" Color Map | <input type="checkbox"/> Over Size Page | <input type="checkbox"/> Zoning Resolution |
| <input type="checkbox"/> Zoning Map 36"x50" | <input type="checkbox"/> Land Use (36"x44") | <input type="checkbox"/> 11"x17" Map | |
| <input type="checkbox"/> Property Owner Search/Plat Map | | <input type="checkbox"/> Zoning Certification Letter | |

Total Pages 1

Description: Rezoning Total Amount Due: 300.00 Base fee
2734.00 Acres
1000.00 Signs
44034.00

Site: Address: N Patrick St Tracking No.: R214-22

Rich Smith Holdings, LLC
Customer Customer #

JM 20/20/14
City Official Date