

**Jonesboro's
Northeast Quadrant
Neighborhood Opposition
to
Rezoning R1 Property
owned by
Anita Arnold**

Prepared by
Preston Williams and numerous neighbors

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The Northeast Quadrant

Jonesboro's R1 Community

Hilltop - Sage Meadows - Farrville - Prospect Road



It is the community's goal to manage growth so that it is more sustainable, predictable and assures quality of life.

Goal No. 1, page 11, Jonesboro, Arkansas Comprehensive Plan 1996



Opposition Discussion

The map at the right depicts an aerial view of the Anita Arnold property located North of Johnson Avenue. A more precise location within Jonesboro's Northeast quadrant is shown in red on page 1. The West boundary roughly parallels Murray Creek. The property is a rectangle 1332' by 1881' feet deep.

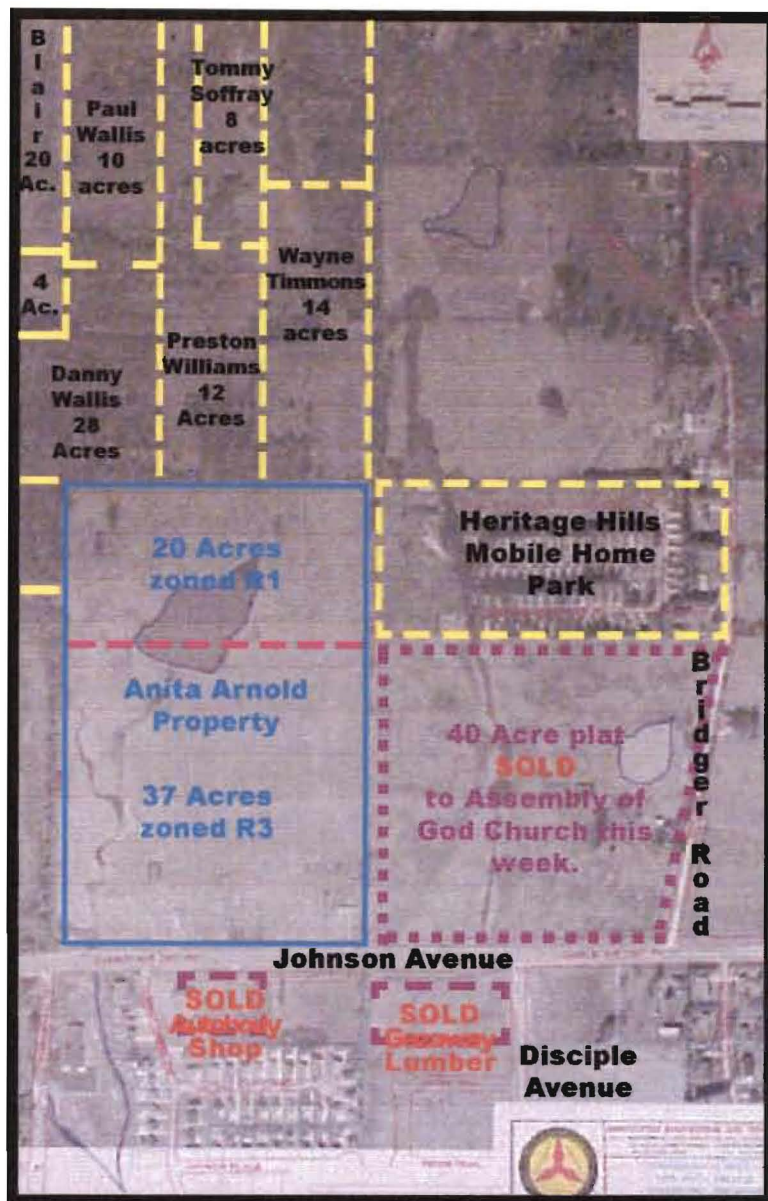
Approximately five years ago Paul Arnold purchased this property which was zoned R1. In early 2001, 37 acres was rezoned C3. The owner passed away a short time thereafter. Early in 2004, Kent Arnold entered into a business relationship with Anita Arnold to handle this property.

Arnold has since attempted to rezone the 20 acre plot to R3. His original request was denied by the MAPC and later appealed to the City Council. During the appeal process, the neighborhood discovered what Arnold was attempting to do and organized to resist his efforts.

At the request of the Mayor, Kent Arnold met with approximately 75 residents and explained his vision for a gated, senior living facility. Following this meeting and using some of the key words in his presentation, extensive Internet research revealed that the "senior living facility" was nothing more than a Hud apartment complex with a fancy title.

Realizing the overwhelming opposition to this apartment complex, Arnold's attorney, Skip Mooney, withdrew the appeal for a second time shortly before the City Council meeting, stating to various members of the audience that they would "repackage" the project.

In September, Arnold applied to the MAPC to rezone the twenty acres to C3. With only two days notice prior to the MAPC meeting, a few of us decided to tentatively endorse the zoning change, since it seemed the lesser of two evils and would rid us of the specter of apartment complexes - we thought. (We read in the zoning ordinances that C3 did not allow them) In retrospect, considering the information uncovered since that meeting, that was a huge mistake.



*Aerial view of Anita Arnold property along Johnson Avenue.
Property Boundaries shown are very general.*

Most of the principle residential property owners located to the north and west of the Arnold property purchased their land within the last five years. When Paul Arnold bought the 57 acres and asked that the front 37 acres be rezoned to commercial, he did not receive any neighborhood opposition that anyone can remember. Why? Because he intentionally left an R1 buffer between his commercial project and the adjacent residential property owners. Most of the property owners surrounding the Arnold property based our decision to purchase here on the existence of that twenty acre R1 buffer, never dreaming that C3 could reach back from the highway nearly half a mile

Opposition Discussion - continued

During the September City Council meeting, several area residents spoke in opposition to the rezoning request. Based on their strong opposition, the mayor requested that Kent Arnold again meet with neighborhood representatives to discuss his revised plans. That meeting was held in the Danny Wallis gym on Thursday evening, September 30, 2004.

During his presentation, Arnold showed a number of aerial views of the Johnson Avenue traffic corridor in relationship to the Anita Arnold property with particular emphasis on the property owners on the northern edge of the property. He also informed the group about recent real estate sales along Johnson Avenue near the Arnold property. Those sales include:

- A 40 acre tract to an **Assembly of God Church**. The tract is located north of Johnson Avenue and is bordered on the east by Bridger Road, on the north by the Heritage Hills Mobile Home Park, and on the west by the Arnold property. Kent Arnold acted as the sales agent for Burrow-Halsey Real Estate on this sale, and although he could not speak for the church, he suspected that they would build near the mobile home park, leaving the prime Johnson Avenue road frontage for later development into commercial property.
- A large tract of commercial property across from the Arnold property on the south side of Johnson Avenue to **Gazaway Lumber Company**, a Paragould based operation. Their retail operation will back up to the Robin Nix subdivision.
- A smaller tract to an **auto body shop**, which will be located to the west of Gazaway Lumber Company and near the Girl Scout Office.

The premise of Arnold's request to rezone the additional twenty acres is his desire to concentrate retail activities in this area into a one-stop center which will offer all of the essential services needed by nearby residents. He claimed that his project would prevent future development of the less desirable commercial strips which would otherwise surely develop along Johnson Avenue. We don't understand why this project would prevent other property, already zoned C3, from being developed, and besides, it would appear from the above listed sales activities that the basic underpinning of his business concept has already fallen apart.

During the Q&A session which followed Arnold's neighborhood presentation, he stressed three points.

- (1) He plans to **develop from front to rear**.
- (2) He estimates that it will take up to **ten years to completely develop** a project of this size.
- (3) There are currently **no potential lessees** under contract, nor are there any "letters of intent."

Point One:

If Kent Arnold develops and either sells or leases first the prime locations along Johnson Avenue, he is contributing to the rapid growth of a commercial strip along Johnson Avenue. It is difficult to visualize how this will help the future development of such a large commercial area beyond that strip.

Point Two:

He says it will take ten years to completely develop this property. The new Turtle Creek Mall, with a million square feet of shopping space, will be ready to begin operations in about 18 months.

The front 37 acres of the Anita Arnold property, already zoned C3, is the same acreage as the present Indian Mall, complete with its entire parking area, the Sears Auto shop, the dry cleaners, AND Blackwell-Baldwin Ford.

Why does he need an additional 20 acres?

37 acres will hold

INDIAN MALL

AND

Blackwell Baldwin Ford

Opposition Discussion - continued

Point Three:

He stated that he does not have anyone or any organization chomping at the bit to get into this place. That statement is absolutely scary, because we remember that Arnold first wanted to place apartment buildings on the rear twenty areas. It is probably still what he wants.

In summary, the three points made by Arnold in his neighborhood briefing firmly cemented opposition to his C3 rezoning request.

His comments to us were essentially "pie in the sky" concepts. The reality is that the project is too big to succeed at this location, and it is too late for this concept to work, considering the timing of the Turtle Creek Mall opening.

The Neighborhood viewpoint.

Point One

The Jonesboro Comprehensive Plan recommends that regional commercial centers be established which promote clustering instead of stripping along thoroughfares. Their purpose is to reduce trips and integrate uses. (Foreword, page iii) The future Land Use Map (page 24) places a Community Commercial Node roughly between the Fire Station and Junior Foods along Johnson Avenue. The recommended size of this node is 25 to 40 acres. The Anita Arnold property already zoned commercial is 37 acres. Coupled with the commercial strips which have already been developed and those which have been sold as commercial property to be developed within the next few years, there will be almost 100 acres of commercial property along a two-mile stretch of Johnson Avenue, more than twice as much as recommended in the Comprehensive Plan. Realistically, the city should immediately end any strip commercial development east of Bridger Road. This will prevent any future impediments to maintain a rapid and safe flow of traffic into and out of the city. This action is also consistent with the plan depicted on the Land Use map.

There is more than sufficient commercial development space already in place to support the area residents.

Point Two

The Future Land Use map (page 24) indicates that land north of Johnson Avenue in the Northeast Quadrant should be either village residential or medium-density residential. Both of these concepts have single-family residential as their base use. Although both of the original concepts included a mix of two-family, multi-family or manufactured housing, the Jonesboro City government chose to ignore this recommendation in the Comprehensive Plan and zoned all of the land within the Northeast

as R1, single family residential. This latter action is consistent with the guidance on developing a Village Residential area shown on page 26 : "It is highly desirable to make all potential occupants (residents) aware, at the outset and at all subsequent stages, of the type and magnitude of all uses and amenities to be included in the total development."

In summary, the city government made the land R1 and we came, purchased land, and established our homes because of faith in the government. Goal No. 1 of the Comprehensive Plan was that growth should be sustainable and predictable, and that it assure quality of life. In no way does this project fit any of the goal's criteria.

Point Three

Goal 4, Objective 4C, page 12: Jonesboro seeks a development process that achieves greater compatibility between new and existing development.

How many cars a day visit Indian Mall, Blackwell-Baldwin Ford Company and the Walmart Super Center? A retail operation of the magnitude Arnold proposes will easily double the number of cars along Johnson Avenue to 50,000 per day. Will the traffic infrastructure handle that load with only a single entrance off Johnson? Big retail operations normally require numerous side and rear feeder streets to support the traffic volume. The only way those streets can be built is to seize land from the R1 land owners located nearby. **What a battle royal that would be!!!**

Point Four

Rezoning R1 land to C3 is considered a down-grade in land value. A developer who finds that his commercial project did not work as planned can easily request that C3 land be rezoned to any R category or developed under

a PUD umbrella into multi-family apartments. This is exactly how Kent Arnold developed the Caraway Commons HUD apartment complex. Arnold also planned the Sage Meadows subdivision, zoning it all as R3 for “developer flexibility.” We wonder how many residents of Sage Meadows know that the development owners can place multi-family dwellings next to their expensive homes without even going back to the MAPC or the City Council for permission?

The additional twenty acres zoned C3 will be Kent Arnold’s escape hatch for a doomed commercial project. He has already said that he wants to put apartments on the property. Once he gets his foot in the door with his first HUD apartment he can develop them all the way to Johnson Avenue and the city will be virtually powerless to stop him. **Another Apartment City will have been created, totally destroying the safety, security, and peace of mind of the surrounding home owners, not to mention their property values.**

Fact: the north part of the Anita Arnold property is thirty-five feet higher than the front property. That which is built there will be plainly visible all along this portion of Jonesboro’s gateway. *Objective 3.D, page 12:* Jonesboro seeks to establish a “sense of arrival” when entering the community.

The Council’s zoning decision on this property will affect the look of the northeast gateway to Jonesboro for the next fifty years.

Point Five

During his presentation, Arnold touted his expertise in developing high value properties in odd locations. His Oakmeadow subdivision at the rear of Caraway Plaza was often cited as a wonderful place to live and a prime example of his development skills. By his own admission, he has the proven expertise to build an up-scale residential area at the rear of this 37 acre commercial complex and make it work. He knows how to use the Oakmeadow or Ivy Green model in developing the R1 property, and like the happy home owners at Oakmeadow and Ivy Green, these people would be purchasing their property **AFTER** the land around them was developed commercially. Current property owners north and west of the Arnold R1 land specifically purchased their property because of its rural, peaceful setting, and most of us bought as much land as we could afford, planning to live here for the rest of our lives. **We did not choose to be nestled against dumpsters, loading docks, and stadium lights, as others have chosen.**

The Jonesboro Zoning Ordinance in paragraph 14.44.05 Amendment (b), (5), (e) on page 106 provides the essential criteria which must be considered in approving or disapproving a rezoning request. It is reprinted for your convenience:

“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.”

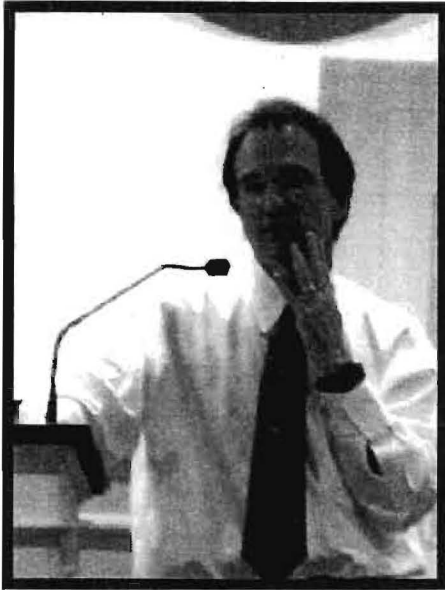
An R1 development next to our property was expected. Placing a super sized retail operation next to our homes was not expected and will negatively impact our quality of life in every category listed above.

Neighborhood Recommendation

Maintain the status quo. This would not be denying profits to the property owners who are requesting the rezoning. They already have 37 acres zoned commercial and have proven that the land behind it could be profitably developed as R1. If they say that it cannot, then they have proven our point.

Please follow the guidance of Goal No. 1 of Jonesboro’s Comprehensive Plan.

***“Manage growth
so that it is more
sustainable,
predictable,
and
assures
quality of life.”***



Hee's Baaack

Kent Arnold has returned - this time with a request to rezone twenty acres of R1 residential property to C3 commercial.

This is the same twenty acres of Anita Arnold's property that he earlier attempted to rezone R3 for a HUD Apartment complex.

The twenty acres is the northern portion of 57 acres located about 1/4 mile west of Bridger Road and just north of Johnson Avenue. The front 37 acres is already zoned C3. Arnold's rezoning request would make the entire 57 acres C3. When the rezoning request was presented at the MAPC meeting, it was largely unopposed. The neighborhood members who spoke questioned the need for such a large commercial area and expressed concerns about the type of development it would become, as well as a lingering mistrust of the true motives of this change in zoning. Unfortunately, the rezoning request was unanimously approved by MAPC.

At the City Council meeting, however, the request was met with strong opposition from several area residents, and the final reading was delayed until the next meeting of the City Council, Thursday evening of this week, at the mayor's request. Arnold presented his "development plan" to approximately 20 people who attended a neighborhood meeting

According to Kent Arnold:

- (1) *There are currently no potential lessees under contract, nor are there any "letters of intent."*
- (2) *He plans to develop from front to rear.*
- (3) *He estimates that it will take up to ten years to completely develop a project of this size. (The new Turtle Creek Mall will be complete in 18 months.)*

We oppose the rezoning for the following reasons:

(A) The basis for Arnold's rezoning request to MAPC was to establish a central commercial node for essential business services to prevent future development of a multitude of business turnoffs along a commercial strip which will most certainly develop on Johnson Avenue. However, he just sold two C3 strip locations directly across Johnson Avenue west of the NEA Clinic to *Gazaway Lumber* and an *autobody repair shop*. He also sold the 40 acre plot at the NW corner of Bridger and Johnson Avenue to the *Assembly of God Church*. The church plans to build near the mobile home park and may eventually sell off the Johnson property as C3. Arnold's plan to develop the Johnson frontage property first would simply continue the commercial stripping of the highway which his overall development plan was supposed to remedy.

(B) The front 37 acres of the Anita Arnold property, already zoned C3, is the same acreage as the present Indian Mall, complete with its entire parking area, the Sears Auto Shop, the dry cleaners, AND Blackwell-Baldwin Ford. Why does he need the additional 20 acres?

(C) According to several builders, Arnold's C3 rezoning request is one of the oldest tricks in the developer's bag of tricks to obtain apartment zoning where it is being opposed. A C3 rezoning from R1 is considered to be a downgrade of land value. The MAPC, the City Council, and most courts consider a request to change C3 zoning to R3 a positive change, according to city officials. Multifamily construction is considered to be a normal buffer between C3 and R1 developments.

(D) Kent Arnold told us this commercial project would take up to ten years to complete and will develop from front to rear. In our opinion, if he fails to develop any of the property within the next few years, he will go back to MAPC with a request to build apartments on all the remaining acreage. From all accounts, the change from C3 to R3 would be hard to refuse.

Kent Arnold has used this ploy before. Two years after rezoning a large tract of land along South Caraway to C3, he requested that a PUD be developed on a portion of the C3 acreage and Caraway Commons, a HUD apartment complex, was created. Arnold also designed Sage Meadows as an R3 subdivision instead of R1. Why? Perhaps to leave himself an escape hatch if home sales goals were not met? We wonder how many of the current homeowners in Sage Meadows realize that apartments could legally be built next door to them at any time.

The specter of apartment complexes again looms on the horizon. Please help us prevent this rezoning of R1 to C3.

Attend the City Council meeting on Monday, October 4th at 6:00 p.m. to stand up against the rezoning request.

Without your presence, this rezoning may be approved.

Peachtree Avenue

The Northern Border of Anita Arnold's Property

Since the City of Jonesboro expanded its borders in 1989, residential development within the Northeast quadrant has been steady. Approximately 800 homes have been built in this time frame. The past five years have witnessed an explosive growth cycle. Plans for an additional 250+ homes are currently approved for construction in this area.

One of the more interesting developments has taken place north of the Arnold property. Between Pleasant Grove Road and Bridger Road along Peachtree Avenue. At least twenty upscale homes of 4,000 to 10,000 SF have been built or are currently under construction. Many are sited near more modest homes, giving the area a rather natural, unplanned, decidedly rural appeal. Several of these homes are so secluded that they cannot be seen from any road. The home owners who built these homes had options for other locations, but they chose their home sites away from the hustle and bustle of crowded, planned subdivisions, intense traffic, and all of the turmoil associated with city living. The seeds have been planted in this area for the continued development of one of the finest neighborhoods in Jonesboro.



4,000 sf - 8 Acres



5,800 sf - 20 Acres
UNDER CONSTRUCTION



5,000 sf - 28 Acres



6,000 sf - 13 Acres



7,000 sf - 12 Acres
UNDER CONSTRUCTION



10,000 sf - 5 Acres
UNDER CONSTRUCTION