



METROPOLITAN AREA
PLANNING COMMISSION
Jonesboro, Arkansas

Application for a Zoning Ordinance Map Amendment

Date Received: 4/17/12
Case Number: RZ12-07

LOCATION:

Site Address: 1925 South Main, Jonesboro, AR

Side of Street: West between _____ and _____

Quarter: SW 1/4 SW Section: 19 Township: 14N Range: 4E

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-2 Proposed Zoning: C-3

Size of site (square feet and acres): 5027 SQ.F. 0.15 AC Street frontage (feet): 154 (E-W) 311 (N-S)

Existing Use of the Site: Closed service station 0 ft for requested parcel

Character and adequacy of adjoining streets: S. Main and E. Highland are both four lane roads with turn lanes

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	<u>R-2 Jonesboro School District Bus Garage</u>
South	<u>C-3</u>
East	<u>C-3</u>
West	<u>C-3</u>

Physical characteristics of the site: Corner lot at the intersection of S. Main and E. Highland. The lot is generally flat and is currently mostly covered with pavement and building

Characteristics of the neighborhood: The area at the intersection is predominantly commercial use with restaurants and stores to the east and south. JDS High School is to the north.

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 the 17th of each month. 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:

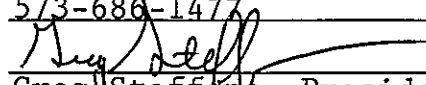
- (1). How was the property zoned when the current owner purchased it?
- (2). What is the purpose of the proposed rezoning? Why is the rezoning necessary?
- (3). If rezoned, how would the property be developed and used?
- (4). What would be the density or intensity of development (e.g. number of residential 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 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:

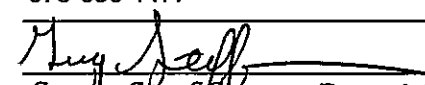
I certify that I am the owner of the property that is the subject of this rezoning application and that I represent all owners, including spouses, of the property to be rezoned. I further certify that all information in this application is true and correct to the best of my knowledge.

Name: Southern Bank
 Address: 531 Vine Street
 City, State: Poplar Bluff, MO ZIP 63901
 Telephone: 573-778-1800
 Facsimile: 573-686-1477
 Signature: 
 Greg Steffans, President

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

Applicant:

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

 Name: Southern Bank
 Address: 531 Vine Street
 City, State: Poplar Bluff, MO ZIP 63901
 Telephone: 573-778-1800
 Facsimile: 573-686-1477
 Signature: 
 Greg Steffans, President

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 the 17th of each month. The Planning staff must determine that the application is complete and adequate before it will be placed on the MAPC agenda.

REZONING INFORMATION
Supplemental Sheet
1925 S Main Street, Jonesboro, Arkansas

1. *How was the property zoned when the current owner purchased it?*
The additional parcel obtained from the Jonesboro School District and requested for rezoning is classified as R-2. The Main parcel which has an out of business service station is classified as C-3.
2. *What is the purpose of the proposed rezoning? Why is the rezoning necessary?*
The parcel requested for rezoning needs to be C-3 to accommodate the proposed drive thru operation of the banking facility. The original service station lot is zoned C-3. The requested parcel is adjacent to the original C-3 parcel.
3. *If rezoned, how would the property be developed and used?*
The parcel will be used for a banking facility with a drive thru.
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 proposed facility will be approximately 5,000 square feet. Please see the enclosed Preliminary Site Plan for orientation of the building and drive on the property.
5. *Is the proposed rezoning consistent with the Jonesboro Comprehensive Plan and the Future Land Use Plan?*
The proposed parcel to be rezoned is consistent with the planning documents. It is adjacent to a parcel that is currently zoned C-3.
6. *How would the proposed rezoning be in the public interest and benefit the community?*
The proposed rezoning will allow for construction of a new banking facility with a drive thru. The property currently has an out of business service station. The proposed project will complement the other businesses located at the intersection of S. Main and E. Highland.
7. *How would the proposed rezoning be compatible with the zoning, uses, and character of the surrounding area?*
The properties to the east, southeast, and south are all zoned C-3. This requested rezoning from R-2 to C-3 will be in character of the adjacent properties.
8. *Are there substantial reasons why the property cannot be used in accordance with existing zoning?*
The parcel requested for rezoning is needed to have sufficient area for drive thru operations of the proposed banking facility. The original parcel for the banking facility is currently zone C-3.
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 proposed rezoned parcel is adjacent to existing C-3 properties. The proposed banking facility will not impose any negative effects of the properties at the intersection. The new banking facility will replace an out of business service station.
10. *How long has the property remained vacant?*
The property has been vacant for over three years.
11. *What impact would the proposed rezoning and resulting development have on utilities, streets, drainage, parks, open space, fire, police, and emergency medical services?*
There will be no additional impact on these services. The proposed banking facility replaces a service station. The location of the building and drive thru area will not impair traffic at the intersection.

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

Removal of the existing structure will begin this spring. New construction is anticipated to start in the summer of 2012.

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.*

The Jonesboro School District has been involved with the proposed project since its inception. The parcel requested for rezoning was obtained from the District. The School Board has reviewed the proposed project at their meetings and approved the property transaction for the drive thru facility.

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

This application is not for an LUO.

Proposed Legal Description of the Combined Property

Property Description: 0.88 Acre

All of that part of the Southeast Quarter of the Southwest Quarter of Section 19, Township 14 North, Range 4 East of the Fifth Principal Meridian, City of Jonesboro, Craighead County, Arkansas, described as follows;

From the Southwest corner of the Southeast Quarter of the Southwest Quarter measure N 00°05'34" E a distance of 30.00 feet; thence, S 89°54'26" E a distance of 635.73 feet to a cotton picker spindle at the intersection of the Northerly right-of-way line of Highland Drive with the centerline of abandoned Arkansas Highway No. 39; thence, continuing S 89°54' E along the Northerly right-of-way line of Highland Drive a distance of 162.9 feet to a 5/8" rebar and the Point of Beginning; thence, S 89°54' E along said Northerly right-of-way line a distance of 154.3 feet to a magnetic nail in asphalt on the Westerly right-of-way line of South Main Street; thence, along said Westerly right-of-way line and a curve to the left having a radius of 960.26 feet, a chord length of 334.4 feet, and a chord bearing of N 09°15' E, and arc distance of 336.2 feet to a 5/8" rebar on the centerline of abandoned Arkansas Highway "39"; thence, along said abandoned centerline and a curve to the right having a radius of 587.62 feet, a chord length of 113.7 feet and a chord bearing of S 28°57' W, an arc distance of 113.9 feet to a 5/8" rebar; thence, N 89°54' W a distance of 43.7 feet to magnetic nail in asphalt; thence, S 43°40' W a distance of 139.0 feet to magnetic nail in asphalt; thence, S 06°35' W a distance of 37.5 feet to a 5/8" rebar; thence, thence, S 31°20' W a distance of 17.2 feet; thence, S 00°05' W a distance of 77.9 feet to the Point of Beginning with the foregoing described parcel containing 0.88 acre, said acreage being subject to easements and rights-of-way.



* J B 2 0 1 2 R - 0 0 5 9 2 2 4 *


JB2012R-005922

ANN HUDSON

CRAIGHEAD COUNTY

RECORDED ON:

04/11/2012 04:17PM

BY  D. C.

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That JONESBORO SPECIAL SCHOOL DISTRICT NO. 1 TO CRAIGHEAD COUNTY, ARKANSAS, a public school district in Jonesboro, Arkansas, Grantor, by and through its Superintendent, duly authorized by proper resolution of its Board of Directors, for the consideration of the sum of Ten Dollars (\$10.00) in hand paid by SOUTHERN BANK, a Missouri chartered trust company with banking powers, Grantee, the receipt of which is hereby acknowledged, does grant, bargain, sell and convey unto the said Grantee, and unto its successors and assigns forever, the following described land, situated in Jonesboro, Craighead County, Arkansas:

All of that part of the Southeast Quarter of the Southwest Quarter of Section 19, Township 14 North, Range 4 East of the Fifth Principal Meridian, City of Jonesboro, Craighead County, Arkansas, described as follows: From the Southwest corner of the Southeast Quarter of the Southwest Quarter measure N 00°05'34" E a distance of 30.00 feet; thence, S 89°54'26" E a distance of 635.73 feet to a cotton picker spindle at the intersection of the Northerly right-of-way line of Highland Drive with the centerline of abandoned Arkansas Highway No. 39; thence, along said abandoned centerline and a curve to the left having a radius of 587.62 feet, a chord length of 180.6 feet and a chord bearing of N 64°32' E, an arc distance of 181.3 feet to a 5/8" re-bar and the Point of Beginning; thence, continuing along said curve to the left with a radius of 587.62 feet, a chord length of 215.9 feet and a chord bearing of N 45°06' E, an arc distance of 217.2 feet to a 5/8" re-bar; thence, N 89°54' W a distance of 43.7 feet to magnetic nail in asphalt; thence, S 43°40' W a distance of 139.0 feet to magnetic nail in asphalt; thence, S 06°35' W a distance of 37.5 feet to a 5/8" re-bar; thence, S 31°20' W a distance of 17.2 feet to the Point of Beginning with the foregoing described parcel containing 0.15 acre, said acreage being subject to easements and rights-of-way.

This Instrument Prepared By
GARDNER LAW FIRM, P.A.
Attorney at Law
Jonesboro, Arkansas

WARRANTY DEED

Page 2

TO HAVE AND TO HOLD the same unto the said Grantee, and unto its successors and assigns forever, with all appurtenances thereunto belonging. And Grantor hereby covenants with the said Grantee that it will forever warrant and defend the title to said lands against all claims whatever.

IN TESTIMONY WHEREOF, the name of the Grantor is hereunto affixed by its Superintendent this 11 day of April, 2012.

JONESBORO SPECIAL SCHOOL DISTRICT NO. 1 TO
CRAIGHEAD COUNTY, ARKANSAS

By *Kim Wilbanks*
Dr. Kim Wilbanks, Superintendent

This Instrument Prepared By
GARDNER LAW FIRM, P.A.
Attorney at Law
Jonesboro, Arkansas

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF CRAIGHEAD

On this day before me personally appeared Dr. Kim Wilbanks, to me personally well known, who acknowledged that she was the Superintendent of JONESBORO SPECIAL SCHOOL DISTRICT NO. 1 TO CRAIGHEAD COUNTY, ARKANSAS, a public school district in Jonesboro, Arkansas, and that she, as such officer, being authorized so to do, had executed the foregoing instrument for the purposes therein contained by signing the name of the school district by herself as such officer.

WITNESS my hand and official seal this 11th day of April, 2012.

Shirley Park
Notary Public

My Commission Expires:

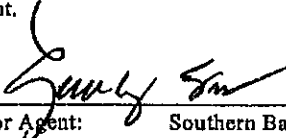
7/1/2012



WARRANTY DEED

AMOUNT OF TAX \$0.00

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



Grantee or Agent: Southern Bank

Grantee's Address: 531 Vine Street
Poplar Bluff, MO 63901



* JB2011R-017897 8 *

JB2011R-017897

ANN HUDSON

CRAIGHEAD COUNTY

RECORDED ON:

11/28/2011 02:20PM

SPECIAL WARRANTY DEED

THE STATE OF ARKANSAS §

§ KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF CRAIGHEAD §

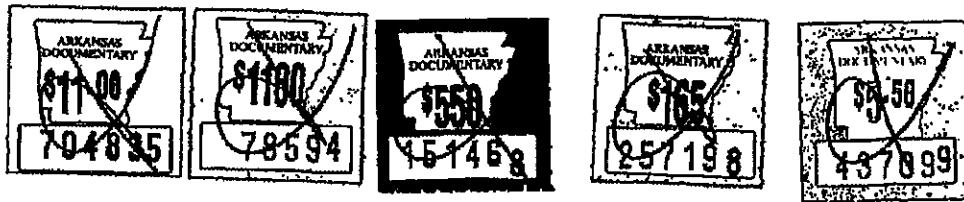
BY [Signature] D.C.

THAT, EUGENE C. CRISP LIVING TRUST dated April 24, 2000 and the DORIS C. CRISP LIVING TRUST dated April 24, 2000 (collectively, "Grantor"), for and in consideration of the sum of \$10.00 cash in hand paid by SOUTHERN BANK, a state chartered trust company ("Grantee"), whose address is 531 Vine Street, Poplar Bluff, Missouri 63901, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor, has GRANTED, BARGAINED, SOLD and CONVEYED and by these presents does GRANT, BARGAIN, SELL and CONVEY unto Grantee, one or more certain tracts of real property situated in Craighead County, Arkansas, and described in Exhibit "A" attached hereto and made a part hereof for all purposes, together with all and singular the rights, benefits, easements, privileges, hereditaments, appurtenances and interests pertaining to such real property, including any and all improvements and fixtures currently attached to and located thereon (all of the foregoing collectively, the "Property").

This conveyance is being made by Grantor and accepted by Grantee subject to all easements, restrictions, rights, reservations, encumbrances and other matters described in Exhibit "B" attached hereto and incorporated herein by reference (collectively, the "Permitted Exceptions").

For the same consideration recited above, Grantor hereby GRANTS, CONVEYS AND QUITCLAIMS, all interest, if any, of Grantor in (i) strips or gores, if any, between the Property and abutting or immediately adjacent properties, and (ii) any land lying in or under the bed of any street, alley, road or right-of-way, opened or proposed, abutting or immediately adjacent to the Property.

TO HAVE AND TO HOLD the Property to Grantee and Grantee's successors and assigns forever; and subject to the Permitted Exceptions, and Grantor does hereby bind Grantor and Grantor's successors and assigns to forever warrant and forever defend, all and singular, the Property unto the Grantee and Grantee's successors and assigns.



In testimony whereof, the name of Grantor is hereunto affirmed by its Trustee, this 23
day of November, 2011.

GRANTOR:

EUGENE C. CRISP LIVING TRUST
dated April 24, 2000, an Arkansas Trust

Date: 11/23/11

By: *Eugene C. Crisp*
Eugene C. Crisp Trust, Trustee

By: *Doris C. Crisp*
Doris C. Crisp Trust, Trustee

DORIS C. CRISP LIVING TRUST
dated April 24, 2000, an Arkansas Trust

Date: 11/23/11

By: *Doris C. Crisp*
Doris C. Crisp Trust, Trustee

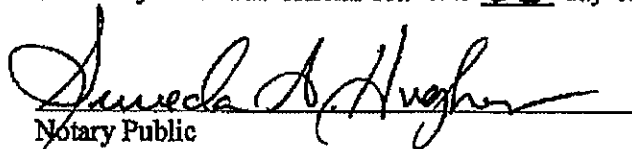
By: *Eugene C. Crisp*
Eugene C. Crisp Trust, Trustee

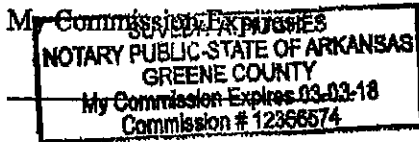
THE STATE OF ARKANSAS
COUNTY OF Craighead

§
§
§

That on this day came before me the undersigned, a Notary Public, duly commissioned, qualified and acting, within and for the said County and State, appeared in person the within named EUGENE C. CRISP and DORIS C. CRISP, to me personally well known, who stated that they were the Trustees of EUGENE C. CRISP TRUST DATED APRIL 24, 2000, an Arkansas trust, and were duly authorized in its capacity to execute the foregoing instrument for and in the name and behalf of said corporation, and further stated and acknowledged that they 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 23 day of Nov. 2011.


Notary Public

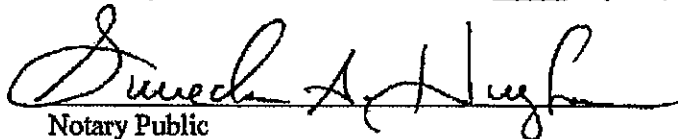


THE STATE OF ARKANSAS
COUNTY OF Craighead

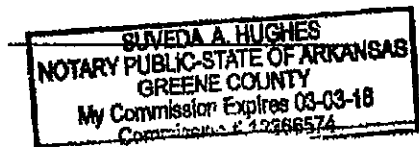
§
§
§

That on this day came before me the undersigned, a Notary Public, duly commissioned, qualified and acting, within and for the said County and State, appeared in person the within named DORIS C. CRISP and EUGENE C. CRISP, to me personally well known, who stated that they were the Trustees of DORIS C. CRISP TRUST DATED APRIL 24, 2000, an Arkansas trust, and were duly authorized in its capacity to execute the foregoing instrument for and in the name and behalf of said corporation, and further stated and acknowledged that they 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 23 day of Nov. 2011.


Notary Public

My Commission Expires:



Special Warranty Deed - Page 3
2279388v.2

Exhibit "A" to Deed
Legal Description

A part of the Southeast Quarter of the Southwest Quarter of Section 19, Township 14 North, Range 4 East, Jonesboro, Craighead County, Arkansas, being more particularly described as follows:

Beginning at the Southwest Corner of the Southeast Quarter of the Southwest Quarter of Section 19, Township 14 North, Range 4 East; thence North $00^{\circ}05'34''$ East 30.00 feet; thence South $89^{\circ}54'26''$ East, 635.73 feet to the point of beginning proper; thence Northeasterly on a curve to the left, with a central angle of $49^{\circ}57'58''$, a radius of 587.62 feet, 512.45 feet to a point which bears North $48^{\circ}23'03''$ East, 496.36 feet to a point on a curve to the right; thence Southwesterly along said curve, with a central angle of $20^{\circ}03'46''$, a radius of 960.26 feet, 336.25 feet to a point which bears South $09^{\circ}15'59''$ West, 334.53 feet from the last said point; thence North $89^{\circ}54'26''$ West, 317.22 feet to the point of beginning proper, containing 0.85 acres, subject to all right-of-way and easements of record.

Special Warranty Deed -- Exhibit A
2279388v.2

Exhibit "B" to Deed

Permitted Exceptions

1. 30' wide Drainage Easement filed October 28, 1997, and recorded in Deed Record Book 549 Page 873 in the records of the Jonesboro District of Craighead County, Arkansas.
2. Right of Way for Highland Drive along the South side of tract.
3. Right of Way for Southwest Drive along the East side of tract.

Special Warranty Deed -- Exhibit B
2279388v.1

Nonforeign Affidavit

Date: 23 day of November, 2011

Transferor: EUGENE C. CRISP LIVING TRUST dated April
24, 2000 and DORIS C. CRISP LIVING TRUST dated
April 24, 2000

Transferor's Social Security Number and Address: EUGENE C. CRISP LIVING TRUST
602 Wilkins
Jonesboro, AR 72401

Address: DORIS C. CRISP LIVING TRUST:
602 Wilkins
Jonesboro, AR 72401

Transferee: SOUTHERN BANK, a state chartered trust company

Property (including any improvements):

All that certain tract of land situated in, more particularly described on Exhibit "A" attached hereto and made a part hereof for all purposes.

Section 1445 of the Internal Revenue Code provides that a transferee of a U.S. real property interest must withhold tax if the transferor is a foreign person. To inform Transferee that withholding of tax is not required on my disposition of a U.S. real property interest, we swear on oath that the contents of this affidavit are true.

I am not a nonresident alien for purposes of U.S. income taxation.

I understand that this certification may be disclosed to the Internal Revenue Service by Transferee and that any false statement made here could be punished by fine, imprisonment, or both.

Under penalties of perjury I declare that I have examined this affidavit and to the best of my knowledge and belief it is true, correct, and complete.

EUGENE C. CRISP LIVING TRUST
dated April 24, 2000, an Arkansas Trust

Date: 11.23.11

By: Eugene C. Crisp
Eugene C. Crisp Trust, Trustee

By: Doris C. Crisp
Doris C. Crisp Trust, Trustee

DORIS C. CRISP LIVING TRUST
dated April 24, 2000, an Arkansas Trust

Date: 11.23.11

By: Doris C. Crisp
Doris C. Crisp Trust, Trustee

By: Eugene C. Crisp
Eugene C. Crisp Trust, Trustee

Exhibit "A"

Legal Description

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Nonforeign Affidavit -- Exhibit A
DALLAS 2279439v.1