



Application for a Zoning Ordinance Map Amendment

METROPOLITAN AREA
PLANNING COMMISSION
Jonesboro, Arkansas

Date Received: _____
Case Number: _____

LOCATION:

Site Address: 3406 South Culberhouse, Jonesboro, AR 72404

Side of Street: East between Hunters Ridge (North) and Fox Run (South)
SW 1/4

Quarter: NW 1/2 Section: 31 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: C-4

Size of site (square feet and acres): 0.79 acres Street frontage (feet): 106 ft.

Existing Use of the Site: food warehouse and distribution for charitable food

Character and adequacy of adjoining streets: _____

Does public water serve the site? Yes _____

If not, how would water service be provided? _____

Does public sanitary sewer serve the site? Yes _____

If not, how would sewer service be provided? _____

Use of adjoining properties:

North C-4 _____

South R-1 _____

East R-1 _____

West R-1 _____

Physical characteristics of the site: 0.79 acres with 12,000 sq. ft. warehouse & dock.
Privacy fence on east and north side.

Characteristics of the neighborhood: Pool/Landscaping business to the north. Single
family housing to the south, east, & west.

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: See attachment A

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.

Applicant:

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

Executive Director, Food Bank of NEA

Name: _____

Name: Christie Jordan

Address: _____

Address: 3406 S Culberhouse

City, State: _____ ZIP _____

City, State: Jonesboro, AR ZIP 72404

Telephone: _____

Telephone: 870-932-3663

Facsimile: _____

Facsimile: 870-933-6639

Signature: _____

Signature: _____

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

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Attachment A

Rezoning Information

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

This property was purchased by Crowley's Ridge Development Council from Hays Store Company in 1993 to be used as the food bank warehouse and for various other program offices operated by CRDC. In 1998, the Food Bank of Northeast Arkansas separated from CRDC and purchased the property. While this property is zoned R-1, it has been used for commercial purposes for well over 18 years.

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

During the course of the next 2 years, the Food Bank of Northeast Arkansas will consider selling the current facility after a new food bank facility is constructed. This property has been utilized for commercial purposes for well over 18 years.

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

The property will continue to be used as a warehouse and distribution center for the Food Bank of Northeast Arkansas until a new facility can be constructed in the future.

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

There would be no changes in the development of the property at the current time.

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

According to the Future Land Use Map, this property is located in a Single Family Low Density Area of on the map. However, the property adjacent to this property is zoned C-4, but is not indicated as such on the map. Also, this property is located less than one mile from Planned Mixed Area Use property and Neighborhood Commercial Use property.

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

The Food Bank of Northeast Arkansas provides emergency food assistance for over 5,100 people each week in Northeast Arkansas. Unfortunately, as the number of people living in poverty continues to rise in the region, the organization has outgrown this property and facility. The Food Bank of Northeast Arkansas is building a new facility in the Henry P. Jones III Business Park and will need to sell the previous property. Since this property has been used for commercial purposes for over 18 years, the Food Bank is requesting the property to be zoned C-4 so that the property can be sold for similar use.

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

This building and property is located less than one mile from Parker Road where a majority of property is zoned commercial. Additionally, the property adjacent to the north border of our property is also zoned C-4.

This property is also located less than one mile from properties that are currently being used as Neighborhood Commercial and areas that are prioritized for Planned Mixed Area Use.

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

While the property is zoned R-1 it has historically been used for commercial purposes. The current zoning will affect the value of the property.

(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?

We do not anticipate any changes at this time.

(10) How long has the property remained vacant?

The property is not 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?

We do not anticipate any changes at this time.

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

We do not have plans to redevelop the property at this time.

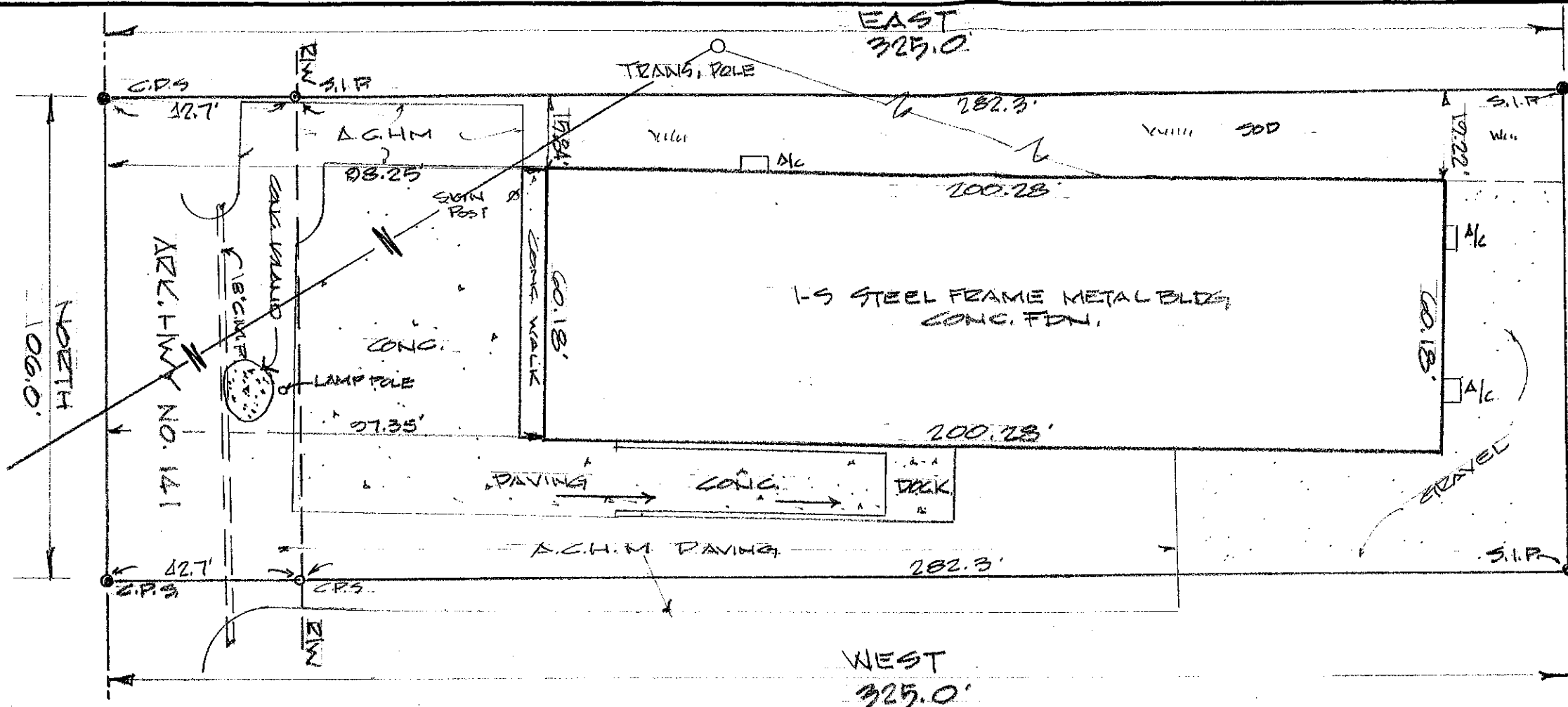
(13) How do neighbors feel about the proposed rezoning? Please attach minutes of the neighborhood meeting held to discuss the proposed rezoning or notes from individual discussions. *If the proposal has not been discussed with neighbors, please attach a statement explaining the reason. Failure to consult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

On Wednesday, April 6, 2011 the executive director of the Food Bank of Northeast Arkansas visited one-on-one with residents whose property is adjacent to the Food Bank's property. Three of the four property owners were available to discuss the rezoning issue. All three property owners were favorable to rezoning the Food Bank's property to a commercial zoning level of C-4. They stated that they hoped that the property wouldn't be converted into something like a fast food restaurant or a car wash. They all acknowledged that the warehouse facility was already a food bank when they moved into their homes and had no problem with the property remaining for commercial use.

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

Warehouse & Distribution
Neighborhood Retail Outlet
Fitness Center

Equipment Repair
Transportation Broker
Construction Office and Storage



CERTIFICATE OF SURVEY: This is to certify that Haywood, Kenward and Associates, Inc., Civil Engineers and Surveyors, Surveyed in Accordance with "Arkansas Minimum Standards For Property Boundary Surveys and Plats", a part of the SW 1/4 NW 1/4 of section 31, Township 14 North, Range 4 East, being more particularly described as follows: Begin at the Southwest Corner of The SW 1/4 NW 1/4 of section 31, Township 14 North, Range 4 East; thence North on the Range line-664.0' to the point of beginning proper; thence North 106.0' to the point of beginning proper, containing 0.79 acres, and being subject to Arkansas Highway R/W off and across the West side thereof.....

The above described property and the visible improvements and encroachments are as shown on the plat of survey hereon.....

NOTE: This parcel is NOT in the Flood Hazard zone..

" TO ALL PARTIES INTERESTED IN PREMISES SURVEYED":
 RE-CERTIFICATION OF SURVEY: THIS IS TO CERTIFY THAT ON FEBRUARY 7th, 1986, HAYWOOD, KENWARD ASSOCIATES, INC., CIVIL ENGINEERS AND SURVEYORS, MADE AN ACCURATE SURVEY ON THE GROUND OF THE PROPERTY DESCRIBED HEREON, AND ON APRIL 30th, 1991, INSPECTED THE PROPERTY DESCRIBED HEREON, AND FOUND THE VISIBLE IMPROVEMENTS AND ENCROACHMENTS TO BE AS SHOWN ON THE PLAT OF SURVEY HEREON.

SIGNED THIS 30th DAY OF APRIL, 1991 BY:

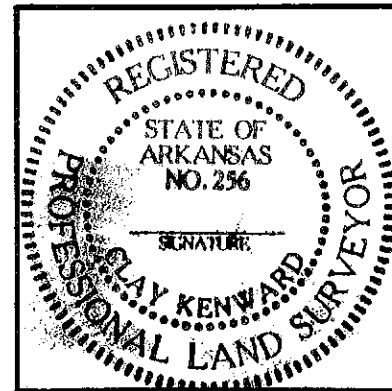
Clay Kenward
 CLAY KENWARD, P.E., P.L.S.



NORTH
 106.0'

RANGE LINE

SW COR. SW 1/4 NW 1/4
 SEC. 31-T14N-R4E



CLAY KENWARD
 REGISTERED
 LAND SURVEYOR
 STATE OF
 ARKANSAS
 NO. 256
Clay Kenward
 SIGNATURE

CLIENT:

APPROVED:
 DATE:

PLAT OF SURVEY
 FOR
 "HAYS COMPANY"
 PART S.W. N.W. SEC. 31-14-4
 Jonesboro, Craighead Co.,
 Arkansas
 HAYWOOD, KENWARD & ASSOCIATES, INC.
 CIVIL ENGINEERS — SURVEYORS
 JONESBORO, ARKANSAS 72401

REVISIONS		
DATE	BY	DESCRIPTION
4/30/91	JK	RE-CERTIFICATION MOVE ISLAND # 24. ELEC.
DRAWN: CK		
DATE: 2/7/86		
CHECKED		SHEET
DATE		OF
JOB NO.		SCALE: 1"=30'
		DWG. NO. 6-10

WARRANTY DEED CORPORATION

#21732

KNOW ALL MEN BY THESE PRESENTS:

That **MATURE LIVING OF HARRISBURG, INC.**, a corporation organized under the laws of the State of Arkansas, GRANTOR by its Executive Director, duly authorized by proper resolution of its Board of Directors, for the consideration of the sum of Ten Dollars and NO/00 (\$10.00) and other good and valuable considerations, in hand paid by **FOOD BANK OF NORTHEAST ARKANSAS, INC.**, GRANTEE(S), the receipt of which is hereby acknowledged, does grant, bargain, sell and convey unto the said GRANTEE(S), and unto their heirs (successors) and assigns forever, the following land, situated in Craighead County, Arkansas:

A part of the Southwest Quarter of the Northwest Quarter of Section 31, Township 14 North, Range 4 East, being more particularly described as follows: Begin at the Southwest Corner of the Southwest Quarter of the Northwest Quarter of Section 31, Township 14 North, Range 4 East; thence North on the Range Line 664.0 feet to the point of beginning proper; thence North 106.0 feet; thence East 325.0 feet; thence South 106.0 feet; thence West 325.0 feet to the point of beginning proper, and being subject to Arkansas Highway Right of Way off and across the West side thereof.

TO HAVE AND TO HOLD The same unto the said GRANTEE(S), **FOOD BANK OF NORTHEAST ARKANSAS, INC.** and unto their heirs(successors) and assign forever, with all appurtenances thereunto belonging. And GRANTOR hereby covenants with said GRANTEE(S) 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 Executive Director, this 20th day of November, 1998.

MATURE LIVING OF HARRISBURG, INC.

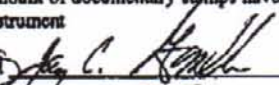

EXECUTIVE DIRECTOR



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

Grantor or Agent

Grantee's Address


34010 S. Culberhouse
Jonesboro, Ar. 72404

ACKNOWLEDGMENT

STATE OF ARKANSAS

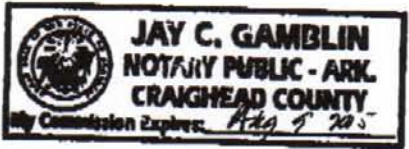
COUNTY OF CRAIGHEAD

On this day, before me personally appeared Bobby Vapp to me personally well known, who acknowledged that they were the Executive Director of MATURE LIVING OF HARRISBURG, INC. a corporation, and that he, as such officer, being authorized so to do, had executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by themselves as such officers.

WITNESS my hand and official seal this 20th day of Novembe, 1998.

My commission expires Aug 9 2005

Jay C. Gamblin
Notary Public



DEED BOOK 568 PAGE 22-23
DATE : 12-02-1998
TIME : 12:28:32 P.M.
FILED & RECORDED IN
OFFICIAL RECORDS OF
CRAIGHEAD COUNTY, AR.
ANN HUDSON
CIRCUIT CLERK

Budget Jones D.C.



KNOW ALL MEN BY THESE PRESENTS:
 THAT Hays Store Company, Inc.
 a corporation organized and existing under and by virtue of the laws of the State of Arkansas, by its
President and Secretary-Treasurer, duly authorized by proper
 resolution of its Board of Directors, for and in consideration of the sum of Ten and no/100
(\$10.00) DOLLARS
 and other good and valuable considerations to it in hand paid by
 Mature Living of Harrisburg, Inc., the receipt of which is hereby
 acknowledged
 does hereby grant, bargain, sell and convey unto the said Mature Living of Harrisburg, Inc.
Grantee and
 unto its successors assigns forever, the following described land situated in the County of Craighead, State
 of Arkansas, to-wit:

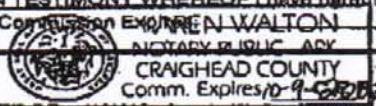
A part of the SW $\frac{1}{2}$ NW $\frac{1}{2}$ of Section 31, Township 14 North, Range
 4 East, being more particularly described as follows: Begin at
 the Southwest Corner of the SW $\frac{1}{2}$ NW $\frac{1}{2}$ of Section 31, Township 14
 North, Range 4 East; thence North on the Range line 664.0 feet
 to the point of beginning proper; thence North 106.0 feet;
 East 325.0 feet; thence South 106.0 feet; thence West 325.0
 feet to the point of beginning proper, containing 0.79 acres,
 and being subject to Arkansas Highway R/W off and across the
 West side thereof.



TO HAVE AND TO HOLD the same unto the said Grantee
 and unto its successors assigns forever, with all appurtenances thereunto belonging.
 And Hays Store Company, Inc. hereby covenants with said Grantee
 that it will forever warrant and defend the title to the said lands against all claims whatsoever.
 IN TESTIMONY WHEREOF, the name of the grantor is hereunto fixed by its President
 and its seal affixed by its Secretary-Treasurer, this 4th day of August, 1993.
 Attest: Benny R. Hays, Secretary-Treasurer
 By: Benny R. Hays, President
HAYS STORE COMPANY, INC.

CORPORATE ACKNOWLEDGMENT

STATE OF ARKANSAS)
 COUNTY OF CRAIGHEAD) SS
 BE IT REMEMBERED, that on this day came before me the undersigned, a Notary Public duly commissioned
 qualified and acting within and for said County and State, in person the within named
Benny R. Hays and Benny R. Hays
President and Secretary-Treasurer, respectively of
Hays Store Company, Inc.
 a corporation, and were duly authorized in their respective capacities to execute the foregoing instrument for and in the name
 and behalf of said corporation, and further stated and acknowledged that they had signed, executed and delivered said forego-
 ing 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 4th day of August, 1993.
 My Commission Expires 9-9-93
Baron Walton Notary Public



CERTIFICATE OF RECORD

STATE OF ARKANSAS)
 COUNTY OF CRAIGHEAD) SS
 I, Pat Fleetwood, Circuit Clerk and Ex-Officio Recorder
 for the County aforesaid, do hereby certify that the annexed and foregoing instrument of writing was filed for record in
 my office on the 5th day of August, A.D., 1993, at 3:11 o'clock P.m. and the same is
 now duly recorded, with acknowledgements and certificates thereon in Deed Record, DR 445, page 207.
 IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of said Court this 5th day
 of August, 1993.
Pat Fleetwood
 Circuit Clerk and Ex-Officio Recorder
 By: Shannon Kickers D.C.

I certify under penalty of false swearing that at least the legally correct amount of documentary stamps have been placed on this instrument.
 Buyer: CRDC - MATURE LIVING OF HARRISBURG, INC. Address: PO Box 1497 - Jonesboro, AR 72403

Attachment B

Photos



3406 South Culberhouse located on east side of street.



View looking north from parking lot of property.



Building and property adjacent to north side of Food Bank property. (3400 South Culberhouse)



Building and property adjacent to north side of Food Bank property. (3400 South Culberhouse)



Photo of privacy fence on south side of Food Bank's property.



View of neighborhood located on Fox Run to the south side of Food Bank's property. (looking east)



South view down South Culberhouse



House located on west side of South Culberhouse across the street from the Food Bank.



House and property located on west side of South Culberhouse across the street from the Food Bank.



Subdivision located on west side of South Culberhouse across the street from 3400 South Culberhouse.