



Application for a Zoning Ordinance Map Amendment

METROPOLITAN AREA
PLANNING COMMISSION
Jonesboro, Arkansas

Date Received: 10/23/14
Case Number: RZ 14-21

LOCATION:

Site Address: 2920 McClellan Drive

Side of Street: East between Browns Lane Access and Race Street

Quarter: SE Section: 29 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-1 Proposed Zoning: C-3

Size of site (square feet and acres): 1,829,127 SQ. FT.
41.99 ACRES Street frontage (feet): 1,293 feet

Existing Use of the Site: Vacant (Arkansas Services building has been demolished.)

Character and adequacy of adjoining streets: McClellan - 4 lane asphalt street

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 Vacant R-1 Zoning (Arkansas State University)

South U.S. Highway 63

East Vacant R-1 Zoning (Arkansas State University)

West Commercial businesses (C-3 Zoning)

Physical characteristics of the site: Currently vacant. Site was formerly the Arkansas Services Center which has now been demolished.

Characteristics of the neighborhood: Commercial businesses (dental, insurance, etc.) west of the property with the Arkansas State Police Headquarters at the southeast corner of the property.

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:*

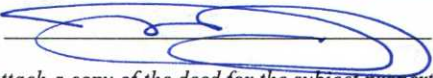
- (1). How was the property zoned when the current owner purchased it?
- (2). What is the purpose of the proposed rezoning? Why is the rezoning necessary?
- (3). If rezoned, how would the property be developed and used?
- (4). What would be the density or intensity of development (e.g. number of residential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

Centerline, LLC
 Name: Jerry Halsey Jr., Member Manager
 Address: 4200 South Caraway Road
 City, State: Jonesboro AR ZIP 72404
 Telephone: 870-972-9191
 Facsimile: 870-972-9220
 Signature: 

Applicant:

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

 Name: _____
 Address: _____
 City, State: _____ ZIP _____
 Telephone: _____
 Facsimile: _____
 Signature: _____

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

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.

Centerline, LLC

REZONING INFORMATION:

- (1) The property was zoned R-1 when the current owner purchased it.
- (2) The purpose of the proposed rezoning is to allow for commercial development growth in Jonesboro.
- (3) The property would be developed as commercial retail to further the commercial opportunities in the area.
- (4) The development density is not known at this time.
- (5) The Future Land Use Plan has this property, as well as the property immediately to the north and east, listed as PSI (Public / Semi-Public) due to the fact that it was all owned by the State of Arkansas with the subject property being used as the Arkansas Services Center at the time of the plan approval. Since then the State has moved the Services Center and a commercial use better fits with the existing uses of the surrounding area.
- (6) The proposed rezoning would be in the public interest and benefit of the community by providing new service/shopping options and job opportunities.
- (7) Property across the street along Browns Lane and McClellan Drive, west of the subject property, is zoned C-3 and already developed which would keep this rezoning in character with the surrounding area. Also, several properties to the east along Caraway Road are zoned C-3 and I-1 which would keep this rezoning in character as well.
- (8) There are no substantial reasons, however the surrounding community would have a greater benefit with a commercial use.
- (9) With nearby properties already being zoned C-3 and I-1, the impact on property values should be minimal. There is already traffic for existing businesses. Any additional traffic generated by the development should have no more effect on overall traffic than when the site was used as the Arkansas Services Center. The increase in impervious surface area due to the addition of buildings and parking may increase drainage and will be addressed during planning.
- (10) The property has been vacant since the Arkansas Services Center moved its location several years ago.
- (11) The property was previously used as the Arkansas Services Center and therefore further development should have minimal effect on utilities, streets, parks and emergency services. The increase in impervious surface area due to the addition of buildings and parking may increase drainage and will be addressed during planning.
- (12) If rezoning is approved, the development process would begin within six (6) to twelve (12) months.
- (13) The rezoning has been mentioned to individuals associated with Arkansas State University, but no feedback has been received at this time.
- (14) This application is not for a Limited Use Overlay (LUO).

Type of Instrument: Warranty Deed
Grantor: Arkansas State University
Grantee: Centerline, LLC

This Instrument Prepared By:
Parker Hurst & Burnett, PLC
Attorneys at Law
3000 Browns Lane
Jonesboro, Arkansas 72401

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

Transfer Tax Exempt per A.C.A. § 26-60-102(1)

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That **Arkansas State University, Grantor**, by and through its Vice Chancellor for Finance and Administration, and authorized by proper resolution of its Board of Directors, for the consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid by **Centerline, LLC, 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, all of Grantor's right, title and interest in and to the following described real property situated in Craighead County, Arkansas, to wit:

See attached Exhibit A.

TO HAVE AND TO HOLD said property unto the said **Grantee**, and unto its successors and assigns forever, with all tenements, appurtenances and hereditaments 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 whatsoever.

IN TESTIMONY WHEREOF, the name of the **Grantor** is hereunto affixed by its duly authorized representative this 29 day of September, 2014.

ARKANSAS STATE UNIVERSITY

By: Len Frey
Dr. Len Frey, Vice Chancellor
for Finance and Administration

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF CRAIGHEAD

On this date personally appeared before me, a notary public for the state and county aforesaid, **Dr. Len Frey**, to me well known as the person who signed the above instrument, and stated that he was the **Vice Chancellor for Finance and Administration for Arkansas State University**, and was fully authorized in his capacity to execute the foregoing instrument for and in the name and behalf of the institution, and 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 29 day of September, 2014.

Amy L. Johnson
Notary Public

My Commission Expires:

10/10/20

AMOUNT OF TAX \$ -0-
I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument

Carroll Caldwell
Member of Grantee or Grantee's Agent

Grantee's Address:
4200 South Caraway Road
Jonesboro, AR 72404

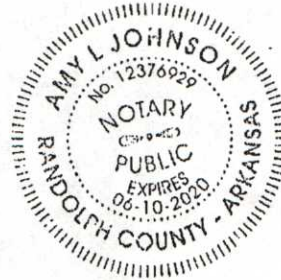


Exhibit A

A PART OF THE SOUTHEAST QUARTER OF SECTION 29, 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 SECTION 29, TOWNSHIP 14 NORTH, RANGE 4 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, THENCE NORTH 89°27'02" EAST, 363.27 FEET; THENCE NORTH 00°39'51" EAST, 280.37 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF U. S. HIGHWAY NO. 63, THE POINT OF BEGINNING PROPER, THENCE CONTINUE NORTH 00°39'51" EAST, 133.46 FEET, THENCE NORTH 89°20'41" EAST, 1132.85 FEET; THENCE SOUTH 00°27'06" WEST, 91.99 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF U. S. HIGHWAY NO. 63; THENCE SOUTH 87°15'06" WEST ALONG THE NORTHERLY RIGHT OF WAY LINE, 1134.90 FEET TO THE POINT OF BEGINNING PROPER, CONTAINING 2.93 ACRES, MORE OR LESS, SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

Grantor hereby retains and reserves an undivided one-half (½) interest in and to all oil, gas and other minerals contained in and on the above described real property.

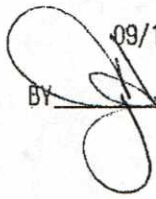


Documentary Tax Exempt per **JB2014R-014813 5**
JB2014R-014813(3)

ANN HUDSON
CRAIGHEAD COUNTY

RECORDED ON:

09/15/2014 03:19PM

BY  _____ D. C.



Type of Instrument: Correction Warranty Deed
Grantors: Board of Trustees of Arkansas State College
n/k/a Arkansas State University, Arkansas Department
of Community Education, and the Arkansas
Department of Human Services
Grantee: Centerline, LLC

This Instrument Prepared By:
Parker Hurst & Burnett PLC
Attorneys at Law
3000 Browns Lane
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
740 Southwest Drive
Jonesboro, Arkansas 72401

CORRECTION WARRANTY DEED

THIS CORRECTION WARRANTY DEED IS EXECUTED AND RECORDED TO CORRECT A SCRIVENER'S ERROR IN THE LEGAL DESCRIPTION CONTAINED IN THAT CERTAIN WARRANTY DEED FROM THE GRANTORS HEREIN TO THE GRANTEE HEREIN EXECUTED ON OCTOBER 31, 2013, FILED ON NOVEMBER 1, 2013, AND RECORDED AS DOCUMENT JB2013R-019922, AT JONESBORO, CRAIGHEAD COUNTY, ARKANSAS. THE CORRECT LEGAL DESCRIPTION IS SET FORTH BELOW.

KNOW ALL MEN BY THESE PRESENTS:

That the **Board of Trustees of Arkansas State College n/k/a Arkansas State University**, pursuant to the powers vested in said Trustees, **Arkansas Department of Community Education, and Arkansas Department of Human Services, Grantors**, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, in hand paid by **Centerline, LLC, Grantee**, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto the said **Grantee**, and unto its successors and assigns forever, all of our right, title and interest in and to the following described land situated in Craighead County, Arkansas:


See Exhibit A.

TO HAVE AND TO HOLD the same unto the said **Grantee**, and unto its successors and assigns forever, with all appurtenances thereunto belonging.

And **Grantors** hereby covenant with the said **Grantee** that **Grantors** will forever warrant and defend the title to said lands against all claims whatsoever.

WITNESS the name of the Grantors are hereunto affixed by its authorized representative to be effective as of the 31st day of October, 2013.

ARKANSAS STATE UNIVERSITY


By:  _____
Dr. Len Frey, Vice Chancellor
for Finance and Administration
acting for the Trustees of Arkansas
State College n/k/a Arkansas State University

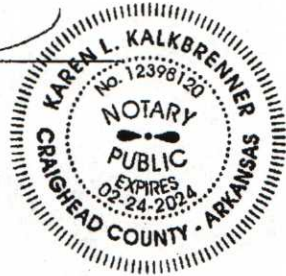
ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF CRAIGHEAD

On this date personally appeared before me, a notary public for the state and county aforesaid, **Dr. Len Frey**, to me well known as the person who signed the above instrument, and stated that he was the **Vice Chancellor for Finance and Administration acting for the Trustees of Arkansas State College n/k/a Arkansas State University**, and was fully authorized in his capacity to execute the foregoing instrument for and in the name and behalf of the institution, and 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 03 day of July, 2014.


Notary Public



My Commission Expires: 02/24/2024

ARKANSAS DEPARTMENT OF COMMUNITY EDUCATION

By: _____
Robert P. Trevino, Assistant Commissioner
for Arkansas Rehabilitation Services
acting for Arkansas Department
of Community Education

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF CRAIGHEAD

On this date personally appeared before me, a notary public for the state and county aforesaid, **Robert P. Trevino**, to me well known as the person who signed the above instrument, and stated that he was the **Assistant Commissioner for Arkansas Rehabilitation Services acting for the Arkansas Department of Community Education**, and was fully authorized in his capacity to execute the foregoing instrument for and in the name and behalf of the institution, and 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 ___ day of _____, 2014.

Notary Public

My Commission Expires:

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF CRAIGHEAD

On this date personally appeared before me, a notary public for the state and county aforesaid, **Dr. Len Frey**, to me well known as the person who signed the above instrument, and stated that he was the **Vice Chancellor for Finance and Administration acting for the Trustees of Arkansas State College n/k/a Arkansas State University**, and was fully authorized in his capacity to execute the foregoing instrument for and in the name and behalf of the institution, and 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 _____ day of _____, 2014.

Notary Public

My Commission Expires: _____

ARKANSAS DEPARTMENT OF CAREER EDUCATION

By: Robert P. Trevino
Robert P. Trevino, Deputy Commissioner
for Arkansas Rehabilitation Services
acting for Arkansas Department
of Career Education

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF Faulkner

On this date personally appeared before me, a notary public for the state and county aforesaid, **Robert P. Trevino**, to me well known as the person who signed the above instrument, and stated that he was the **Deputy Commissioner for Arkansas Rehabilitation Services acting for the Arkansas Department of Career Education**, and was fully authorized in his capacity to execute the foregoing instrument for and in the name and behalf of the institution, and 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 16th day of July, 2014.

Kristina M. Lefort
Notary Public

My Commission Expires:
6/15/2018



ARKANSAS DEPARTMENT OF HUMAN SERVICES

By: John Selig
John Selig

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF Pulaski

On this date personally appeared before me, a notary public for the state and county aforesaid, **John Selig**, to me well known as the person who signed the above instrument, and stated that he was the Director for the **Arkansas Department of Human Services** and was fully authorized in his capacity to execute the foregoing instrument for and in the name and behalf of the institution, and 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 23 day of July, 2014.

Lori Ann McDonald
Notary Public

My Commission Expires:

11/12/2018

**OFFICIAL SEAL
LORI ANN MCDONALD
NOTARY PUBLIC-ARKANSAS
GRANT COUNTY
COMMISSION # 12363830
MY COMMISSION EXPIRES 01/12/2018**

AMOUNT OF TAX \$ -0-
I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument

[Signature]
Grantee or Grantee's Agent

Grantee's Address:
4200 South Caraway Road
Jonesboro, AR 72404

Exhibit A

A PART OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 14 NORTH, RANGE 04 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 29, TOWNSHIP 14 NORTH, RANGE 04 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS; THENCE EAST ALONG THE SECTION LINE 363.10 FEET; THENCE NORTH 00°11'30" EAST, 413.88 FEET, TO THE POINT OF BEGINNING PROPER; THENCE CONTINUE NORTH 00°11'30" EAST, 1330.00 FEET; THENCE NORTH 88°53'00" EAST, 1300.00 FEET; THENCE SOUTH 00°11'30" WEST, 1165.90 FEET, TO THE NORTH LINE OF A PARCEL OF LAND CONVEYED TO THE ARKANSAS STATE POLICE BY LEGISLATIVE ACT 613-1991; THENCE SOUTH 86°47'24" WEST, ALONG SAID NORTH LINE, 167.59 FEET, TO THE WEST LINE OF SAID CONVEYED PARCEL; THENCE SOUTH 00°01'32" EAST, ALONG SAID WEST LINE, 157.96 FEET; THENCE SOUTH 88°53'00" WEST, DEPARTING SAID WEST LINE, 1133.26 FEET, TO THE POINT OF BEGINNING PROPER; CONTAINING 39.07 ACRES, MORE OR LESS; BEING SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

Grantors hereby retain and reserve an undivided one-half (½) interest in and to all oil, gas and other mineral contained in and on the above described real property.