



METROPOLITAN AREA  
PLANNING COMMISSION  
Jonesboro, Arkansas

# Application for a Zoning Ordinance Map Amendment

Date Received: 10/17/14

Case Number: R214-20

## LOCATION:

Site Address: 5455 East Nettleton Avenue

Side of Street: West between Parker Road and Ingles Road

Quarter: NW, NE Section: 35 Township: 14 Range: 04

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: I-1

Size of site (square feet and acres): 14067.60 Sq. Ft. Street frontage (feet): 166.98'

Existing Use of the Site: Vacant

Character and adequacy of adjoining streets: East Nettleton (HWY 463) changes from 4-2 lane paved highway @ site

Does public water serve the site? Soon Per CW&L in the next couple of weeks water access will be available on the site

If not, how would water service be provided? Not required for this use

Does public sanitary sewer serve the site? Yes access is available per CW&L

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

Use of adjoining properties:

North Future Love's gas station location

South Farmland

East Farmland

West Farmland

Physical characteristics of the site: flat, undeveloped

Characteristics of the neighborhood: North R1 & C-3, West PD-C, South I-1, East C-3 & I-1

*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 17<sup>th</sup> 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.

**Applicant:**

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

Executrix

Name: Herbert Blalock Trust

Name: Clara Blalock

Address: 800 Sequoia

Address: 800 Sequoia

City, State: Jonesboro, AR ZIP 72401

City, State: Jonesboro, AR ZIP 72401

Telephone: 870-395-0104

Telephone: 870-935-0104

Facsimile: \_\_\_\_\_

Facsimile: \_\_\_\_\_

Signature: Clara Blalock

Signature: Clara Blalock

**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 contains the same classification as it did at the time of purchase, R-1. The property is vacant.

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

This request is being made in order to have consistent zoning on the entire 2.7 acre tract and to be consistent with future land use in the area. Previously part of the tract had been zoned I-1 and this request will make the entire lot the same classification.

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

Plans are in negotiation to lease the property and potentially use part of this tract to erect a communications tower.

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

Use would be consistent with I-1 zoning classification- Communication Tower.

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

Yes

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

The proposed request would bring consistency to the zoning in the area. Additionally a communications tower in the area would benefit people in and traveling through the surrounding area.

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

The surrounding area is becoming more industrial and commercial, especially with the planned Love's development. There still remains a great deal of farmland in the area. R-1 does not seem an appropriate use for this small tract of land any longer.

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

The proposed request would bring the classification into compliance with the proposed use of the property, would make the entire 2.7 acres of land zoned the same, and would be consistent with the zoning classifications of surrounding land and with the planned Love's 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.

This rezoning request should not have any impact on property value, traffic, drainage, odor, noise, light vibration, hours of use or operation, or any additional restrictions. If the lease and communications tower moves ahead, there could be a visual impact, but it would be negligible.

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

The property has always been vacant. The remainder of the 2.7 acre tract has been leased by Ferrell Gas for a number of years and is already zoned I-1 but that lease has ended.

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

This request should not have any negative impact on utilities, streets, drainage, parks, open space, fire, police and emergency medical services. The plan is to use this property for a communications tower which will improve service in the area.

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

The proposed development time-frame would <sup>be</sup> dependent upon potential lessee's needs and contract agreement, but my understanding is it should be within the next few months.

- (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 proposed rezoning has not been discussed with neighbors, please attach a statement explaining the reason. Failure to consult with the neighbors may result in delay in hearing the application.

No meetings have been held with the neighbors.

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

This requested rezoning is not intended to be a LUO.



\* J B 2 0 1 1 R - 0 0 7 3 6 3 1 1 \*

JB2011R-007363

ANN HUDSON

CRAIGHEAD COUNTY

RECORDED ON:

05/11/2011 11:25AM

BY  D. C.


**EXECUTRIX'S DEED**


***KNOW ALL MEN BY THESE PRESENTS:***


THAT I, Clara Elizabeth Blalock, Executrix of the Estate of Herbert H. Blalock, deceased, GRANTOR, in order to carry out the Last Will and Testament of Herbert H. Blalock, and in accordance with the Order Authorizing Final Distribution entered in the Circuit Court of Craighead County, Arkansas, Western District, Probate Division, in the case styled: **IN THE MATTER OF THE ESTATE OF HERBERT H. BLALOCK, DECEASED, NO. PR-2008-265**, said Order entered on May 11, 2011, do hereby grant, bargain, sell and convey unto the Herbert H. Blalock Trust, GRANTEE, and unto its successors and assigns forever, all of the said decedent's right, title, and interest in and to the following described real estate situated in Craighead County, Arkansas, Western District, to-wit:

All that part of the Northwest Quarter of the Northeast Quarter of Section 35, Township 14 North, Range 4 East, lying South and West of St. Louis, San Francisco Railway right-of-way, and lying South and West of right-of-way of Highway No. 63, being more particularly described as follows:

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 **TRACT "A":** A fractional part of the Northwest Quarter of the Northeast Quarter (NW¼ NE¼), Section 35, Township 14 North of the base line, Range 4 East of the Fifth Principal Meridian, and being more particularly described as follows: Commencing at the Southwest corner of the Northwest Quarter of the Northeast Quarter of Section 35, Township 14 North, Range 4 East aforesaid, said point being a 1½ inch pipe; thence North 89°34' East along the South line of the Northwest Quarter Northeast Quarter a distance of 420.0 feet to an iron pipe; thence North 44°47' West along the Southwesterly right-of-way line of proposed Highway 63 By-Pass a distance of 389.30 feet to an iron pipe; thence South 46°26' West a distance of 196.45 feet to an iron pipe; thence South 01°26' West along the West line of the Northwest Quarter Northeast Quarter a distance of 144.10 feet to the point of beginning proper and containing in all 1.57 acres, more or less;

 **TRACT "B":** A fractional part of the Northwest Quarter of the Northeast Quarter (NW¼ NE¼), Section 35, Township 14 North of the base line, Range 4 East of the Fifth Principal Meridian, and being more particularly described as follows: Commencing at an iron pipe in the West line of the Northwest Quarter Northeast Quarter, said pipe being North 01°26' East a distance of 144.10 feet from the Southwest corner of the Northwest Quarter of the Northeast Quarter; thence North 01°26' East along the West line of the Northwest Quarter of the Northeast Quarter a distance of 356.38 feet to an iron pipe, said point being in the Southwesterly right-of-way line of the existing Highway 63; thence South 43°34' East along the Southwesterly right-of-way line of the existing Highway 63 a distance of 251.95 feet to an iron pipe; thence South 46°26' West a distance of 251.95 feet to the point of beginning proper and containing in all 0.72 acres, more or less; and


 **TRACT "C":** A fractional part of the Northwest Quarter of the Northeast Quarter (NW¼ NE¼), Section 35, Township 14 North of the base line, Range 4 East of the Fifth Principal Meridian, and being more particularly described as follows: Commencing at an iron pipe in the South line of the Northwest Quarter Northeast Quarter, said pipe being North 89°34' East a distance of 420.0 feet from the Southwest corner of the Northwest Quarter Northeast Quarter; thence

North 44°47' West along the Southwesterly line of proposed right-of-way of Highway 63 By-Pass a distance of 389.30 feet; thence North 46°26' East a distance of 55.50 feet to an iron pipe in the Southwesterly right-of-way line of existing Highway 63; thence South 43°34' East along the Southwesterly right-of-way line of the existing Highway 63 a distance of 433.50 feet to a 1/2-inch iron pin; thence South 89°34' West along the South line of the Northwest Quarter Northeast Quarter a distance of 64.80 feet to place of beginning proper and containing in all 0.48 acres, more or less.



TO HAVE AND TO HOLD unto the said GRANTEE, the Herbert H. Blalock Trust, and unto its successors and assigns forever, with all appurtenances thereunto belonging, in accordance with the Order Authorizing Final Distribution entered in the Circuit Court of Craighead County, Arkansas, Western District, Probate Division, on May 11, 2011.

WITNESS MY HAND and seal as Executrix of the Estate of Herbert H. Blalock, deceased, on this 11<sup>th</sup> day of May, 2011.

  
Clara Elizabeth Blalock  
Clara Elizabeth Blalock  
Executrix of the Estate of  
Herbert H. Blalock, deceased

I CERTIFY UNDER PENALTY OF FALSE  
SWEARING THAT AT LEAST THE LEGALLY  
CORRECT AMOUNT OF DOCUMENTARY STAMPS  
HAVE BEEN PLACED ON THIS INSTRUMENT.

GRANTEE:

**HERBERT H. BLALOCK TRUST**

By: Clara Elizabeth Blalock  
Clara Elizabeth Blalock, Trustee

Address: 800 Sequoia Drive  
Jonesboro, AR 72401

**ACKNOWLEDGMENT**

STATE OF ARKANSAS /  
/   
COUNTY OF POINSETT /

ON THIS DAY personally appeared before me **Clara Elizabeth Blalock**, to me personally well known, who acknowledged that she was the Executrix of the Estate of Herbert H. Blalock, deceased, and that she, being authorized so to do, had executed the foregoing Executrix's Deed for the consideration, uses and purposes therein contained.

WITNESS my hand and official seal this 11 day of May, 2011.

Wanda B. Scott  
NOTARY PUBLIC

My Commission Expires:

9-20-2020



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## Tracy McGaha

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**From:** Joan McGill [joanpmcgill@yahoo.com]  
**Sent:** Friday, October 17, 2014 1:53 PM  
**To:** Tracy McGaha; Planning E-Mail  
**Cc:** James Blalock  
**Subject:** Blalock Rezoning Application - 5455 East Nettleton Avenue  
**Attachments:** Blalock Re-Zoning Application.pdf; Blalock Deed.pdf

Please find attached a PDF copy of the rezoning application being made by Clara Blalock and the Herbert Blalock Trust to rezone to I-1 the section of 5455 East Nettleton Avenue Tract that is currently zoned as R-1.

Also attached is a PDF copy of the deed.

These two items should accompany the 4 paper copies of the application and the survey that you received this afternoon.

If you see any errors or need any additional information, please contact me.

I can most easily be reached at 501-804-0488 or via email [joanpmcgill@yahoo.com](mailto:joanpmcgill@yahoo.com).

Thank you for all your help.

Joan Blalock McGill