



Application for a Zoning Ordinance Map Amendment

METROPOLITAN AREA
PLANNING COMMISSION
Jonesboro, Arkansas

Date Received: 7/17/15
Case Number: R2-15-12

LOCATION:
Site Address: 2506 and 2510 Johnson Avenue, Jonesboro, Arkansas

Side of Street: N between Caraway and Pierce

Quarter: SW Section: 9 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: C-3 Proposed Zoning: PD-RM

Size of site (square feet and acres): 683,705 sq. ft/15.7 ac Street frontage (feet): 361.57

Existing Use of the Site: Undeveloped primarily with a single-home site (now vacated)

Character and adequacy of adjoining streets: Johnson is a State Highway and is a major arterial 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 | <u>Vacant - Pasture, land</u> |
| South | <u>Intersection with ASU land and transformer station</u> |
| East | <u>High Density Multi-family</u> |
| West | <u>PD-RM, C-3, C-4 (mixed use), Cell tower and apartments</u> |

Physical characteristics of the site: Wooded, with one house site and shed on property; small and large trees and bushes, generally level, drains north to south

Characteristics of the neighborhood: Commercial/Multi-family residential (few remaining single family residences on this area of Johnson

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Page 1 of 2

Please see Responses attached hereto.

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:

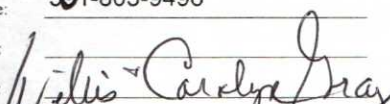
All parties to this application understand that the burden of proof in justifying and demonstrating the need for the proposed rezoning rests with the applicant named below.

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:

Name: Willis Gray and Caroline Gray
 Address: 34 Riverwood Cove
 City, State: Maumelle, AR ZIP 72113
 Telephone: 501-803-9496
 Facsimile: _____
 Signature: 

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

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

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Name: James D. Carr et al.
Address: 1806 Woodchase Glen Drive
City, State: Cordova, TN ZIP 38016
Telephone: 901-737-1471
Facsimile: _____
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: _____

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

Applicant:

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

Purchaser/Developer

Name: Zimmer Development Company, LLC
 Address: 111 Princess Street
 City, State: Wilmington, North Carolina ZIP 28401
 Telephone: 910-763-4669
 Facsimile: 910-762-1999
 Signature: 

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

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Gray/Carr/Zimmer Responses to Rezoning Information

1. R-1 (When Gray purchased and when Carr inherited property)
2. To allow the owners to complete a sale to a developer, who plans to construct upscale student housing for ASU students, given the proximity to campus (across Johnson) and consistent with surrounding multi-family and commercial development.
3. See Response to Number 2 above.
4. Not more than 16 units per acre in a planned development (PD-RM).
5. Yes. High Density. Consistent with newly adopted Land Use Plan.
6. The proposed development will address and provide unmet needs for student housing adjacent to the ASU campus.
7. Provide for appropriate zoning consistent with the uses of the adjacent properties on the north side of Johnson and consistent with the Land Use Plan on a major corridor.
8. Since the property was rezoned to C-3 LUO six years ago, efforts to develop the property as a commercial node have been unsuccessful. With the multi-family development on both sides of the subject tract, and the desire for a developer to purchase the property for an upscale student housing development, the proposed rezoning is consistent with the highest and best use of the property.
9. Being located on a major arterial 5 lane state highway (Johnson), across the street from ASU and surrounded by existing multi-family developments to the east and west, there will be no adverse impact on property values, odor, noise, light or hours of use and the developer will comply with all state, federal and local drainage requirements.
10. Gray property - house has been vacant for 9 years. Carr property has been vacant approximately 20 years.
11. The potential impact of the requested rezoning would:
 - Increase and stabilize property value
 - Traffic was addressed in the 2003 AHTD improvements
 - Storm Water Drainage was addressed in the 2003 AHTD improvements but there would be some additional work required to meet Storm Water Requirements. Associated Engineering and Testing will handle civil engineering for storm water retention.
 - Visual appearance will be enhanced

There will be no odor

We do not perceive that noise level will be increased

There will be improvements to lighting

No activity will be allowed that causes vibrations

Hours of use and operation will be those normal to development

The only restrictions would be those required by the City of Jonesboro

12. Within 6 months.
13. A neighborhood meeting was held on June 11, 2015, and the minutes from that meeting are attached.
14. N/A.

DESCRIPTION

PART OF LOTS 5, 6 AND 7 OF HANNAH WEBB SUBDIVISION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 14 NORTH, RANGE 4 EAST, CRAIGHEAD COUNTY, ARKANSAS; AND A PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 14 NORTH, RANGE 4 EAST, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 6 OF HANNAH WEBB SUBDIVISION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 14 NORTH, RANGE 4 EAST, CRAIGHEAD COUNTY, ARKANSAS; THENCE SOUTH 89°50'34" EAST ALONG THE NORTH LINE OF LOTS 6 AND 7 OF HANNAH WEBB SUBDIVISION, AFORESAID, 404.45 FEET; THENCE SOUTH 00°48'58" WEST DEPARTING SAID NORTH LINE, 1224.24 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF ARKANSAS HIGHWAY #49; THENCE ALONG SAID RIGHT OF WAY LINE AS FOLLOWS: SOUTH 58°32'48" WEST 89.59 FEET, NORTH 31°21'12" WEST 40.00 FEET, SOUTH 58°32'48" WEST 156.68 FEET TO A POINT ON THE SOUTH LINE OF LOT 6 HANNAH WEBB SUBDIVISION, AFORESAID; THENCE CONTINUE ALONG SAID HIGHWAY #49 RIGHT OF WAY LINE AS FOLLOWS: SOUTH 58°32'48" WEST, 16.32 FEET; THENCE SOUTH 31°21'12" EAST, 60.00 FEET; THENCE SOUTH 58°32'48" WEST, 15.30 FEET; THENCE NORTH 21°44'48" WEST, DEPARTING SAID RIGHT OF WAY LINE 111.2 FEET TO THE SOUTH LINE OF LOT 5 OF HANNAH WEBB SUBDIVISION, AFORESAID; THENCE SOUTH 89°59'21" WEST ALONG THE SOUTH LINE OF SAID LOT 5, 103.92 FEET; THENCE NORTH 00°51'16" EAST, DEPARTING FROM SAID SOUTH LINE, 658.44 FEET; THENCE SOUTH 89°54'31" EAST, 220.02 FEET TO THE WEST LINE OF LOT 6 OF HANNAH WEBB SUBDIVISION, AFORESAID; THENCE NORTH 00°51'16" EAST ALONG THE WEST LINE OF LOT 6 OF HANNAH WEBB SUBDIVISION, AFORESAID, 660.48 FEET TO THE POINT OF BEGINNING.

CONTAINING IN ALL 683,105 SQ. FT. OR 15.70 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.




OWNER'S CERTIFICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF PROPERTY AS DESCRIBED HEREON AND THAT WE REQUEST THE REZONING OF SAID PROPERTY AS NOTED.

JAMES CARR, OWNER

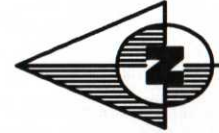
WILLIS GRAY, OWNER

LEGEND

-  BOUNDARY LINE
-  ADJACENT LOT LINES
-  EASEMENT LINES
-  FOUND IRON PIPE

SURVEYOR'S NOTES

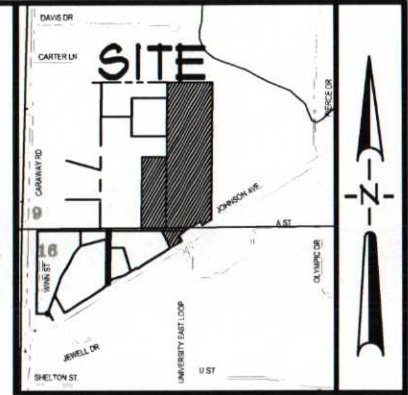
1. THIS REZONING PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF JAMES CARR AND WILLIS GRAY AND IS NOT ASSIGNABLE.
2. THE FOLLOWING DOCUMENT WAS USED TO CONDUCT THIS SURVEY:
 - A. A BOUNDARY SURVEY BY ASSOCIATED ENGINEERING AND TESTING, LLC FOR JAMES CARR DATED 09/26/07.
 - B. A WARRANTY DEED AS RECORDED IN THE PUBLIC RECORDS IN DEED RECORD BOOK 479, PAGES 275-276.



BEARING BASIS
ARKANSAS STATE PLANE GRID COORDINATES
NORTH ZONE



GRAPHIC SCALE
IN FEET



VICINITY SKETCH
NOT TO SCALE

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT ASSOCIATED ENGINEERING AND TESTING, LLC HAS THIS DATE MADE A BOUNDARY SURVEY OF THE ABOVE DESCRIBED PROPERTY AS SHOWN HEREON AND THAT SAID SURVEY IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THERE ARE NO APPARENT ABOVE GROUND ENCROACHMENTS OTHER THAN AS SHOWN OR STATED HEREON AND THAT THIS SURVEY WAS MADE IN ACCORDANCE WITH THE "ARKANSAS MINIMUM STANDARDS FOR PROPERTY SURVEYS AND PLATS" IN EFFECT ON THIS DATE.

DATE OF BOUNDARY SURVEY: 07/13/2009

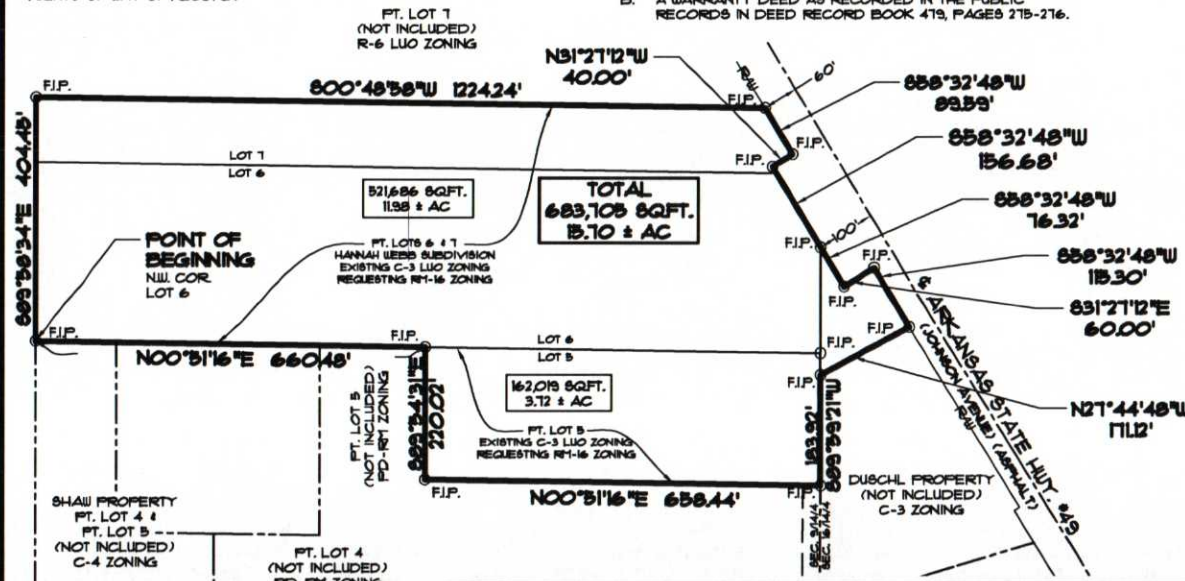


NOTE: TO BE VALID, COPIES MUST HAVE ORIGINAL SURVEYOR'S SIGNATURE AND SURVEYOR'S SEAL.

ASSOCIATED ENGINEERING AND TESTING, LLC
CIVIL ENGINEERING AND LAND SURVEYING SERVICES
103 SOUTH CHURCH STREET - P.O. BOX 1462 - JONESBORO, AR 72403
PH: 870-932-3594 FAX: 870-935-1263

REZONING PLAT
JAMES CARR AND WILLIS GRAY
JONESBORO, ARKANSAS

| | | | |
|------------------|----------------------|--------------------|--------|
| DRAWN: CCH | CHECKED: KLS | DATE: 04/16/15 | SHEET |
| SCALE: 1" = 200' | CADD FILE: 07293-010 | DWG#: 0414093.0011 | 1 OF 1 |



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| REV | DATE | REVISIONS | DRAWN | CHK'D |
|-----|------|-----------|-------|-------|
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