



REZONING PROPOSAL

C.W. Post Rd., Jonesboro, AR 72401



MARCH 17, 2024

PREPARED BY THE TROUTT LAW FIRM FOR KARMA HOLDINGS, LLC



Application for a Zoning Ordinance Map Amendment

METROPOLITAN AREA
PLANNING COMMISSION
Jonesboro, Arkansas

Meeting Date: _____ Date Received: _____
Meeting Deadline: _____ Case Number: _____

LOCATION:

Site Address: C.W. Post Rd., Jonesboro, AR 72401

Side of Street: N between Engines, Inc. and Dr. Martin Luther King Jr. Drive

Quarter: SW/SE Section: 26 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): 33.47 Acres Street frontage (feet): Approx. 1239.59 ft.

Existing Use of the Site: None/Vacant

Character and adequacy of adjoining streets: Mixed commercial and industrial. CW post road and connections to MLK Drive are adequate for proposed usage.

Does public water serve the site? No

If not, how would water service be provided? Site accessible to CWL services.

Does public sanitary sewer serve the site? No.

If not, how would sewer service be provided? Site accessible to CWL services.

Use of adjoining properties:

North Mixed commercial and industrial

South Commercial

East Commercial

West Industrial

Physical characteristics of the site: Flat lot, graded at some point for agriculture, with a treeline along eastern boundary.

Characteristics of the neighborhood: Mixed Industrial and Commercial

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 on the public meeting schedule. 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:

Name: Katsina Holdings, LLC

Address: 11 Katsina Cir.

City, State: Cherokee Village, AR ZIP 72529

Telephone: 870-847-3039

Facsimile: _____

Signature: 
Dr. Surinder Sra (Mar 18, 2024 16:24 CDT)

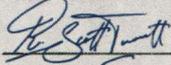
Name: R. Scott Troutt, Attorney for Owner

Address: 247 S Main St

City, State: Jonesboro, AR ZIP 72401

Telephone: 870-933-7100

Facsimile: 870-219-7112

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 on the public meeting schedule. The Planning staff must determine that the application is complete and adequate before it will be placed on the MAPC agenda.

TABLE OF CONTENTS

Owner and Applicant Information.....	2
RESPONSES TO REZONING QUESTIONS	3
How was the property zoned when the current owner purchased it?.....	3
What is the purpose of the proposed rezoning? Why is rezoning necessary?	3
If rezoned, how would the property be developed and used?	3
What would be the density or intensity of development?.....	3
Is the proposed rezoning consistent with the <i>Jonesboro Comprehensive Plan</i> and the <i>Future Land Use Plan</i> ?.....	3
How would the proposed rezoning be the public interest and benefit the community?	3
How would the proposed rezoning be compatible with the zoning, uses, and character of the surrounding area?	4
Are there substantial reasons why the property cannot be used in accordance with existing zoning?	4
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?	4
How long has the property remained vacant?	5
What impact would the proposed rezoning and resulting development have on utilities, streets, drainage, parks, open space, fire, police, and emergency medical services?.....	5
How do neighbors feel about the proposed rezoning?.....	5

OWNER AND APPLICANT INFORMATION

Owner:

KARMA HOLDINGS, LLC
11 Katsina Cir.
Cherokee Village, AR 72525
Phone: 870-847-3039

Applicant:

RESPECTFULLY SUBMITTED,



R. Scott Troutt, ABN 2010062

Scott@TrouttLawFirm.com

Attorney for Owners



247 S. Main St | Jonesboro, AR
P.O. Box 1409 | 72403-1409
P:870-933-7100 | F:870-933-7112
www.TrouttLawFirm.com

RESPONSES TO REZONING QUESTIONS

How was the property zoned when the current owner purchased it?

The property was zoned R-1, Single-Family, Low Density

What is the purpose of the proposed rezoning? Why is rezoning necessary?

The purpose of rezoning this property is to allow for the construction of public-facing retail commercial units and a premium-branded hotel. This will require that the property be zoned as C-3.

If rezoned, how would the property be developed and used?

The property will be divided into lots of not less than 3.9 acres, with a 60' road providing access to each lot as shown on Exhibit "A." Owners will retain a portion of the development for their own construction of retail units and a premium-branded hotel. The remaining lots will be offered for development to third-party retail space developers.

What would be the density or intensity of development?

Per the 2017 *Land Use Plan*, this would be considered "high intensity" commercial development.

Is the proposed rezoning consistent with the *Jonesboro Comprehensive Plan* and the *Future Land Use Plan*?

No. The property is currently designated for heavy industrial development.

How would the proposed rezoning be the public interest and benefit the community?

The land is currently an urban prairie, with the only use apparent from satellite imagery dating back to 1994 being agricultural. See Exhibit "B" for publicly available historical satellite imagery of the property and adjacent areas. Industry has developed in all directions of the property except to the South. Counsel drafting this *supplement* is unaware of the last time the property was actively farmed.

Urban prairies are vacant or underused lands that have reverted to a natural state, often due to deindustrialization, depopulation, or neglect. Urban prairies can cause environmental, social, and economic problems, such as increased fire risk, reduced property values, decreased tax revenues, loss of infrastructure, crime, and blight. Justin B. Hollander & Jeremy Németh, *The Bounds of Smart Decline: A Foundational Theory for Planning Shrinking Cities*, *Housing Policy Debate*, 21:3, 349-367 (2011). By rezoning the property for commercial development, we can

prevent the spread of urban prairies and stimulate the area with new businesses, jobs, and amenities.

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

The surrounding area already has mixed commercial and industrial use. There are several factories, as well as retail commercial space, adjacent to and across the road from the property.

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

The R-1 moderate intensity development zone is intended for low-density residential uses, such as single-family detached dwellings and duplexes. This zone is incompatible with the industrial sector, where land uses that require intensive operations, such as heavy manufacturing, warehouses, and storage facilities, are prevalent. The rezoning to C-3 would enable a more suitable and harmonious development that would provide services and amenities to the industrial businesses and their clientele. The R-1 zone would also create undue constraints on the use and operation of the property, such as minimum lot size, setback requirements, and height limitations, that are not appropriate for a commercial or industrial use.

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 rezoning proposal would have a negligible impact on the nearby property, as it is situated in an industrial sector with comparable land uses and features. The C-3 zone would permit a range of commercial uses, such as retail, office, or hotel, that would supplement the existing industrial businesses and offer services and amenities to their customers. The visual appearance of the property would be enhanced by the demolition of the deteriorated residential structures and the installation of new landscaping and signage. The drainage of the property would also be improved by the adoption of stormwater management practices and erosion control measures.

The hours of use or operation of the new commercial development would not be limited by the C-3 zone, as it allows for 24-hour operations. However, the potential noise, light, and vibration impacts of the commercial uses would be attenuated by the distance and buffering from the nearest residential properties. The traffic generated by the new commercial development would be compatible with the existing arterial road and would not create significant congestion or safety issues.

How long has the property remained vacant?

Unknown, at least several years.

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

The development would remove a portion of the open space, but same would not affect the public. The utilities will not be negatively affected. The impact on fire, police, and emergency medical services would be typical of a development of this sort.

How do neighbors feel about the proposed rezoning?

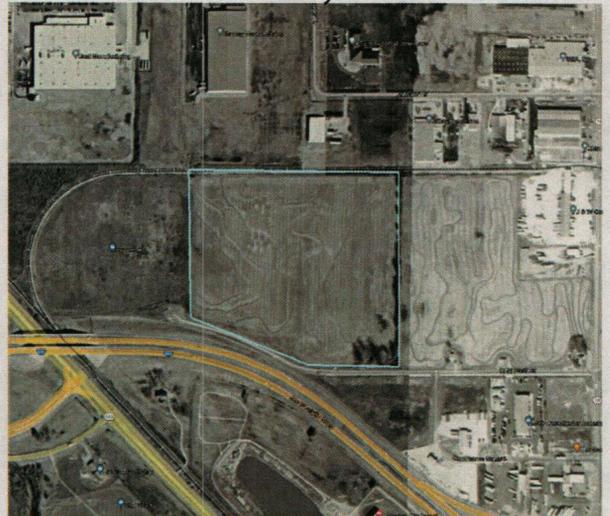
Neighbors are all factories aside from the small commercial development immediately adjacent. Undersigned attorney is in the process of obtaining their input, though the property on the southeastern boundary of this property is owned by the same investors.

Exhibit "B"

February 1994



January 2001



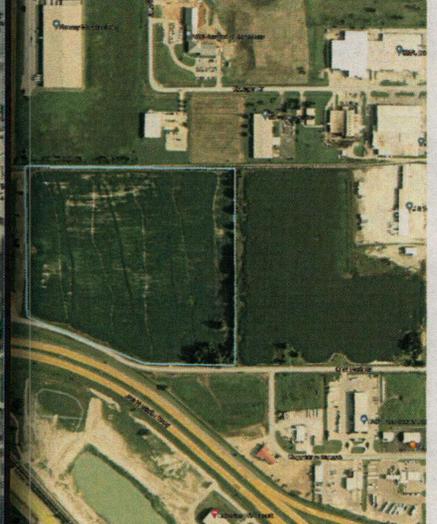
June 2023



January 2006



September 2009



July 2015



April 2019



Rezoning proposal

Final Audit Report

2024-03-18

Created:	2024-03-18
By:	scott troutt (scott@trouttlawfirm.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAABguvjO85k6Db2Alq00pA-Eazh1i_4f9v

"Rezoning proposal" History

-  Document created by scott troutt (scott@trouttlawfirm.com)
2024-03-18 - 8:52:09 PM GMT- IP address: 64.233.129.184
-  Document emailed to Dr. Surinder Sra (drssra@hotmail.com) for signature
2024-03-18 - 8:52:25 PM GMT
-  Email viewed by Dr. Surinder Sra (drssra@hotmail.com)
2024-03-18 - 9:21:46 PM GMT- IP address: 104.47.73.126
-  Document e-signed by Dr. Surinder Sra (drssra@hotmail.com)
Signature Date: 2024-03-18 - 9:24:36 PM GMT - Time Source: server- IP address: 65.115.204.122
-  Agreement completed.
2024-03-18 - 9:24:36 PM GMT