

Application  
for a  
Zoning Ordinance Map Amendment

METROPOLITAN AREA  
PLANNING COMMISSION  
Jonesboro, Arkansas

Date Received: 7/17/13  
Case Number: RZ13-14

**LOCATION:**

**Site Address:** Address not assigned. Site is located at the northwest corner of the intersection of Highway 49, and Greenway Lane.

**Side of Street:** North Side of Highway 49; West side of Greenway Lane

**Quarter:** Southeast      **Section:** 2, **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-3 - L.U.O.

**Size of site** (square feet and acres): 425,541 S.F. – 9.77 Acres  
**Street Frontage** (feet): Total of 171.48 feet along Highway 49, and approximately 820 feet along Greenway Lane

**Existing Use of the Site:** The site is currently primarily under agricultural use, but also include two existing residences.

**Character and adequacy of adjoining streets:** Highway 49 is an existing five lane road currently accommodating the traffic needs of the area. It should be adequate to accommodate proposed commercial development in this area. Greenway Lane is a paved residential street with no curb and gutter. It would be adequate to serve as a secondary access point in the event of a catastrophe.

**Does public water serve the site?** Yes. Existing 8" water line on the south side of Highway 49 and an existing 6" water line on the west side of Greenway Lane.

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

**Does public sanitary sewer serve the site?** No.

**If not, how would sewer service be provided?** There are existing sanitary sewer lines north and east of the property. Extension of the sanitary sewer main will be necessary for service to this site. Further evaluation and consultation with City Water and Light will be an integral part of the decision for the best routing.

**Use of adjoining properties:**

|                   |                                     |
|-------------------|-------------------------------------|
| <b>North:</b>     | Vacant / Wooded – R-1               |
| <b>South:</b>     | Vacant – Grassy / Pasture – C-3 LUO |
| <b>East:</b>      | Five Single Family Residences – R-1 |
| <b>West:</b>      | Vacant – Primarily Grassy – R-1     |
| <b>Southwest:</b> | Vacant Lot (C-3 LUO)                |

**Physical Characteristics of the site:**

The site is primarily grass covered with some vegetation in the vicinity of the boundaries, and around the existing homes. Topographically, the site has a gently rolling terrain with a local high point approximately two thirds of the way from front to back.

**Characteristics of the neighborhood:**

To the west is an open grassy area with two or three homes that front on Highway 49. To the east are five single family residences, one of which front on Highway 49. Less than a quarter of a mile to the east is an existing Dollar General store, and just east of that is a branch bank for Bancorp South. To the west, less than three quarters of a mile is the new traffic signal in front of the new hospital.

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**REZONING INFORMATION:**

The applicant is responsible for explaining and justifying the proposed rezoning. *Please prepare an attachment to the application answering each of the following questions in detail:*

- (1) **How was the property zoned when the current owner purchased it?**  
The property is currently zoned R-1.
- (2) **What is the purpose of the proposed rezoning? Why is the rezoning necessary?**  
With the recent commercial growth in this area, this tract is a premier location for commercial development. There are samples of various development in the area ranging from industrial directly across the street, to single-family to the west, to agricultural to the east. This parcel will be developed in a manner very consistent with the increasing needs for the area. The rezoning becomes necessary following study of the site and the current trends in the area.
- (3) **If rezoned, how would the property be developed and used?**  
The applicant has intentions of developing the parcel for commercial uses. Since this is proposed to be a C-3 LUO, the proposed prohibited uses are listed later in the application.
- (4) **What would be the density of development (e.g. number of residential units; square footage of commercial, institutional, or industrial buildings)?**  
The site planning is not complete at the time of the application. The proposed density will be in compliance with the current standards of the City of Jonesboro.
- (5) **Is the proposed rezoning consistent with the *Jonesboro Comprehensive Plan* and the *Future Land Use Plan*?**  
The *Jonesboro Comprehensive Plan* and the *Future Land Use Plan* (1996) call for this specific area to be Medium Density Residential. However, the City has experienced substantial modifications in the direction of development. The *Jonesboro Comprehensive Plan* and the *Future Land Use Plan* also call for the site of the newest hospital (under construction) to be Medium Density Residential. Therefore, a development of this nature emerges as an appropriate request.
- (6) **How would the proposed rezoning be the public interest and benefit the community?**  
The proposed development involves further development of an existing, ongoing commercial corridor, thereby providing jobs for the area, as well as future economic benefits.

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

As mentioned, the newest hospital in Jonesboro (under construction) is the leading force in the immediate area. As the hospital development progresses, more commercial development in the area will occur. Therefore, the proposed use would be very compatible with the additional development anticipated in the near future.

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

Though the property could be developed in accordance with the existing zoning, the proximity to the main thoroughfare is not conducive to successful single family residential sales. With the changes in the development trends that have occurred within the past sixteen years, reconsideration of the intent of the *Jonesboro Comprehensive Plan* and the *Future Land Use Plan* should be included in evaluation of this request.

**(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 proposed development should have no detrimental impact on any of the following aspects of the immediate area.

- A) Property Values
- B) Traffic
- C) Drainage
- D) Visual Appearance
- E) Odor
- F) Noise
- G) Light
- H) Vibration
- J) Hours
- K) Restrictions: The proposed use does not restrict any other existing surrounding uses.

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

The property has never been developed.

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

A newly developed site should have no detrimental impact on any of the following aspects.

- A) Utilities
- B) Streets
- C) Drainage
- D) Parks
- E) Open Space
- F) Fire
- G) Police
- H) Emergency Medical Services

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

The proposed development would most-likely begin as soon as the formal plans could be prepared, reviewed, and approved, following approval of this request.

**(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 meeting has been held with the adjacent owners.

**(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 intended to be a Limited Use Overlay (LUO). The applicant requests a zoning classification of C-3 L.U.O., with the proposed prohibited uses being listed below:

- 1) Animal care, general, 2) Animal care, limited, 3) Cemetery, 4) Construction sales and service, 5) Day care, limited (family home), 6) Day care, general, 7) Funeral Home, 8) Nursing Home, 9) Pawn Shop, 10) Golf Course, 11) Recreational Vehicle Park.

**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:**

We certify that we are 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:

The owners of the property are:

Mr. William D. <sup>RUPARD DL</sup> Rupert  
Will D

Mr. James R. <sup>Rupard JRR</sup> Rupert  
James R Rupard

Mr. James M. <sup>RUPARD JMR</sup> Rupert  
James M Rupard

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