



**City of Jonesboro Metropolitan Area Planning Commission  
Staff Report – RZ08-20: MapleValley - Carpenter  
Huntington Building - 900 W. Monroe  
Denied by the MAPC on Tuesday, September 9, 2008  
RECORD OF PROCEEDINGS**

**APPLICANT:**

Mr. Skip Mooney appeared before the Commission representing the Carpenters. He passed out additional information (a petition).

In addition to the documents there was a document filed with the staff from people interested in this proposition. This property was formerly the Valley View Fire Station. They (Carpenter's) live in the Maple Valley Subdivision. Before they purchased this property it had deteriorated and they re-did it. Mr. Carpenter is an engineer working at Engines Inc. He does not manufacture anything but assembles components. While the building does not look like a residence, it fits in well in a residential area.

They bought the property at public auction and want to do this at this location. They have carefully lighted the property. It does not detract from the residential area; there is a privacy fence to the abutting homes. Across Maple Valley Dr. is a large church (Living Word) being constructed. The pastor submitted a letter of support. A petition signed by neighbors in the area affected by the property shoes they supported what the applicant is doing. Some had a change of mind and signed the second petition. They spent a lot of money to use this property. Maybe they did so unwisely but they did. There is not traffic, retail sales involved with it.

Mr. Wade Carpenter presented the component that he assembles to the MAPC to give an example. Stated that he works as an electrical engineer. He started it in his garage for a couple of years and after a couple of years, needed more room and then rented a facility up the road. He gave a history on how he obtained the property which was an eyesore. The business is 8-5 daytime hours. He does the picking up and taking of the boxes of components. So there are no delivery trucks or point of sale. No noise except for an air compressor which is inside that you cannot hear. There is dust to dawn lighting for parking protection. He checked with his neighbor who did not seem to have a problem with it at that time.

**OPPOSITION:**

Paul Armah, 5412 Maple Valley Drive, gave the following presentation from the opposition and presented a petition:

We, the undersigned owners of properties affected by the requested rezoning change described in the referenced case, do hereby protest against any change of the Land Development Code which will rezone the property 5416 Maple Valley Drive to any classification other than RESIDENTIAL (R-I).

We, the undersigned, realize that this Petition is in opposition to the rezoning application and our signatures cannot be removed after filing unless certain lawful actions are taken to remove the Protest Petition.

### **REASONS FOR OUR OPPOSITION**

1. Suitability of the subject property for uses to which it has been restricted: We the undersigned property owners affected by the requested rezoning believe that "assembly of small electrical components" constitute a "manufacturing, general", "manufacturing, limited" or "basic industry" use for which the Planning Commission prohibits in a residential area under C-4 districts - refer to chapter 14 of Planning Commission's manual.

2. Comparability of the C-4 rezoning proposal with uses and character of the current residential area: The purpose of the C-4 zoning provided by the Planning Commission is to enable the district to provide limited retail trade and services to serve the adjacent residential neighborhood. The proposed use "assembly of small electrical components" is not a retail trade or a provision of a service that will serve or benefit the current residential area. Furthermore, the Planning Commission indicates that for a C-4 rezoning, the buildings must be of a residential character in appearance. We believe that the current building is not of a residential character or appearance.

3. Extent to which approval of proposed rezoning will detrimentally affect nearby property: Under item (9) of the application form, the applicant indicates that "THERE WILL BE NO CHANGE" in how the proposed rezoning would affect nearby property value, traffic, visual appearance, noise, light, vibration, hours of use, etc. We the undersigned property owners in the area strongly disagree. We believe any change in the use of a residential property to "assembly of small electrical component" no matter how the components are produced will fundamentally affect the value of our property, traffic to the property, create noise, affect hours of use of the property, light intensity in the area in future. Indeed, the installation of high intensity lights on the proposed rezoning property (5416) is currently affecting the residents of 5412 property. Furthermore, as an example, we the undersigned believe that the "commercial shops" approved for "5510 Highway 49" in the area have dramatically devalued the properties in the whole residential area as the "shops" have been idle without any use. We do not want similar problems in our neighborhood.

4. How the neighbors feel about the proposed rezoning? Neighbors have had series of meetings with the applicant on the effective use of the property. In our discussions with the applicant, the neighbors have made it clear to the applicant not to rezone the property but to continue to use it as residential in the same manner as the city sold it. The neighbors also support the applicant

to use the property in a manner that will not fundamentally change the character and appearance of the area as well as detrimentally affect the values of our properties.

We, the undersigned, are owners of real property located within the statutory area related to the property for which a rezoning is sought, whereby, our signatures shall hereafter be verified by one of the signers of the Petition as true and correct signatures in order for this Petition to be valid.

**STAFF PRESENTATION:**

Mr. Spriggs gave a history on the auctioning of the property and stated that potential bidders were made aware of the existing zoning classification and the permitted or allowable uses. The rezoning process was explained and the option of a non-conforming use transfer was also explained. By seeing the product, staff felt that many of the questions could have been addressed; but a number of residents stated that they were not shown the device.

**COMMISSION DELIBERBATION & ACTION:**

Mr. Day asked what were the details of that bid? Mr. Spriggs stated that it was sold as residential. The bid documents were also made available.

Mr. Hoelscher asked how does the City police the contingencies of an L.U.O. and how would it be monitored in the future. Mr. Spriggs stated that through the restrictions as well as the certificate of occupancy process.

Mr. Hoelscher asked what were the possibilities of using this structure for that type of use; Mr. Spriggs stated that the only other instance this could have occur would have been if they resided there and did it as a home occupation which has to be a small percentage of the home and has to be tested by the 12 criteria of a home occupation.

Mr. Dover commented that his only familiar with wire harnesses is being processed in a factory and quoted one in Mississippi which employees about 200 people and it is a big box. He stated he is surprised that this can be manufactured with just two employees and a limited amount of traffic. If you do expand would you out grow this area and need to move on.

Mr. Carpenter stated yes, and he would love to be in industrial park with 200 employees.

A motion was made by Secretary Marvin Day the fact that this is an industrial use and this structure does not meet any residential character; seconded by Paul Hoelscher, that this Rezoning be Denied. The motion CARRIED with the following vote:

**Aye's:** 5 - Margaret Norris; Joe Tomlinson; Marvin Day; Brian Dover and Paul Hoelscher

**Absent:** 3 - Ken Collins; Lonnie Roberts Jr. and Jerry Halsey Jr.