

REZONING PROPOSAL

5712 C.W. Post Rd., Jonesboro, AR 72401



NOVEMBER 24, 2021

PREPARED BY THE TROUTT LAW FIRM FOR CALIARKA PETRO LLC
247 S. Main St., Jonesboro, AR 72401



Application for a Zoning Ordinance Map Amendment

METROPOLITAN AREA
PLANNING COMMISSION
Jonesboro, Arkansas

Meeting Date: _____

Date Received: 11/30/21

Meeting Deadline: _____

Case Number: 22-21-18

LOCATION:

Site Address: 5712 C.W. Post Rd., Jonesboro, AR 72401 (current)

Side of Street: N between Commerce Square and Dr. Martin Luther King Jr. Drive

Quarter: SE/SE Section: 26 Township: 14N Range: 04E

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: I-1 LUO Proposed Zoning: C-3

Size of site (square feet and acres): 27.76 ac., 1209225.6 sq. ft Street frontage (feet): 1227.7 ft. (Post), 524.14 ft. (MLK)

Existing Use of the Site: Vacant

Character and adequacy of adjoining streets: Mixed use industrial/commercial. MLK Drive is adequate for additional traffic.

Does public water serve the site? No.

If not, how would water service be provided? CWL has stated site is accessible to its water system

Does public sanitary sewer serve the site? No.

If not, how would sewer service be provided? CWL has stated site is accessible to its sewer system

Use of adjoining properties:

North Mixed commercial and industrial

South Commercial

East Industrial

West Vacant/Farmland

Physical characteristics of the site: Two (2) Flat lots. Cleared and graded for farming, with small tree groves on S and E.

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: Caliarka Petro LLC

Address: 3910 S. Caraway Rd.

City, State: Jonesboro, AR ZIP 72404

Telephone: 870-847-3039

Facsimile: _____

Signature: 
Surinder Sra (Nov 30, 2021 08:26 CST)


Name: R. Scott Troutt, attorney for owner

Address: 247 S. Main St.

City, State: Jonesboro, AR ZIP 72401

Telephone: 870-933-7100

Facsimile: 870-933-7112

Signature: 

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

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OWNER AND APPLICANT INFORMATION

Owner:

Caliarka Petro LLC
3910 S. Caraway Rd.
Jonesboro, AR 72404
Phone: 870-847-3039
Fax:

Applicant:

R. Scott Troutt, ABN 2010062

Scott@trouttlawfirm.com

Bailey Egger, ABN 2018161

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RESPONSES TO REZONING QUESTIONS

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

The property was zoned I-1.

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 a truck stop. 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 developed as a truck stop, same generally complying with the design attached hereto as Exhibit "A," and incorporated herein as though stated word-for-word.

What would be the density or intensity of development?

Commercial square footage will be the same or substantially similar to the design found in Exhibit "A."

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

Yes. Please see the excerpt from the *Comprehensive Plan* attached as Exhibit "B." The property being considered falls into a mixed-use designation.

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

A truck stop at the proposed location would allow commercial vehicles in particular to refuel at a point along their regular route of travel, ensuring that the business, and thus tax dollars, associated with necessary refueling and other services remains in the city.

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 property is not large enough to have another factory built on it, and has sat unused for quite some time. The ideal use would only be allowed with a commercial designation.

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?

Property value should not be negatively affected. Indeed, when a truck stop is built on the location, it should increase the value of the local I-1 properties by merit of having easy access to the services it would provide.

The main road frontage for the property already has substantial commercial traffic, and the inclusion of a truck stop should not significantly affect that.

The design of the property is such that the visual appearance of the area will be improved. Odor, noise, vibration, and light should not be seriously impacted, given the industry in the area.

Many of the factories in the area run around the clock, so a full-time truck stop should not affect the area. The lighting is bright and constant in the area as well.

The property is currently vacant, so it has not had a customary use for some time.

How long has the property remained vacant?

Unknown, at least several years. There were a pair of houses on the property that have long since been removed.

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.