

Application
for a
Zoning Ordinance Map Amendment
Page 1 of 6

METROPOLITAN AREA
PLANNING COMMISSION
Jonesboro, Arkansas

Date Received: 05-17-07
Case Number: RZ-07-30

LOCATION:

Site Address: The address of the site is 3313, and 3403 Southwest Drive.
Side of Street: This site lies on the northwest side of Highway 49 (Southwest Drive), between Wood Street and Horne Drive.
Quarter: NW¼ Section: 36 Township: 14 North Range: 3 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 (General Commercial)
Size of site: Street Frontage (feet): 677.48' Southwest Drive
227,210 SF = 5.22 Acres
Existing Use of the Site: The site contains two homes that are currently vacant.
Character and adequacy of adjoining streets:
Southwest Drive is also known as Highway 49. In this area, it is five lanes in width, and is in good condition, with curb and gutter on both sides, and underground drainage facilities.
Does public water serve the site? Yes. There is an existing 12" water line across the majority of the frontage of this site.
If not, how would water service be provided? N/A
Does public sanitary sewer serve the site? Yes. There is an existing sanitary sewer line located on the property, near the southwestern corner, along Southwest Drive.
If not, how would sewer service be provided? Main sanitary sewer lines will have to be extended across the property, but there is an available point to tie-in without the need for easements from others.

Application
for a
Zoning Ordinance Map Amendment
Page 2 of 6

Use of adjoining properties:

- North: To the north of this site, for a significant distance is residential property. None of the existing residences can be seen from this site.
- South: To the south and east of this site is the former location of Arkansas Equipment and Rentals. Behind that site is the former proposed location of Southern Hills Mall.
- East: To the east and south of this site is the former location of Arkansas Equipment and Rentals. Behind that site is the former proposed location of Southern Hills Mall.
- West: To the west, the property is zoned C-3, and is occupied by a church.

Physical Characteristics of the site:

This site is primarily open land previously used for residential purposes. There are commercial builds on the northeast side, and a C-3 classification to the southwest, which is occupied by a church.

Characteristics of the neighborhood:

On the opposite side of the street are the buildings formerly occupied by Arkansas Equipment and Rentals, and the vacant land previously thought to be the location of the Southern Hills Mall. In general, this area is commercial in nature, with sparse sites that remain residential, at this time.

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 question in detail:*

- (1) How was the property zoned when the current owner purchased it?
The property was zoned R-1 at the time of acquisition, in 2006.
- (2) What is the purpose of the proposed rezoning? Why is the rezoning necessary?
The purpose of the proposed rezoning is to change the classification of the property. The rezoning is necessary in order to develop the property in a manner consistent with the buyer's wishes, and to develop the property to its highest and best use which is consistent with the *Jonesboro Comprehensive Plan*, which indicates a commercial node in this area, as well as thoroughfare commercial.

Application
for a
Zoning Ordinance Map Amendment

Page 3 of 6

- (3) If rezoned, how would the property be developed and used?
The proposed rezoning would allow the property to be developed as a general commercial.
- (4) What would be the density of development (e.g. number of residential units; square footage of commercial, institutional, or industrial buildings)?
The proposed density of the development would be in accordance with Title 14 "The Zoning Ordinance" of Jonesboro, as well as the other Ordinances which govern development in Jonesboro.
- (5) Is the proposed rezoning consistent with the *Jonesboro Comprehensive Plan* and the *Future Land Use Plan*?
The *Jonesboro Comprehensive Plan* (adopted in 1996) indicates this area to be developed as a commercial node, and indicates extensive thoroughfare commercial on the opposite side of Southwest Drive.
- (6) How would the proposed rezoning be in the public interest and benefit the community?
This development would be in the public interest by providing additional, quality, commercial development in this area. The sparse commercial development in the vicinity contains a variety of different uses, but is lacking in traditional retail centers. This site could support a retail center, and provide services to the residents in this area very well.
- (7) How would the proposed rezoning be compatible with the zoning, uses, and character of the surrounding area?
This proposed change in zoning classification would be compatible and complementary to the existing area. Further, development under this classification would permit the area to be developed in accordance with the *Jonesboro Comprehensive Plan* and *Future Land Use Plan*.
- (8) Are there substantial reasons why the property cannot be used in accordance with the existing zoning?
This property has been zoned R-1 for a long period of time. From a marketing point of view, the sale of single family homes in this area appears to be a questionable endeavor. Home sites would front on a five-lane highway, and selling homes with that type of frontage would be a very difficult goal to attain.

**Application
for a
Zoning Ordinance Map Amendment**

Page 4 of 6

- (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.
- A) Property Value: The property is currently occupied by two vacant homes, which are quite old. Development of this area should enhance rather detract from property values.
 - B) Traffic: While an increase of traffic can be expected from any development, the street, Southwest Drive, a five-lane highway, should provide plenty of easy access to and from the site.
 - C) Drainage: The development of this site will be in accordance with the requirements of the City of Jonesboro. There should be no detrimental impact on surrounding property by virtue of drainage.
 - D) Visual Appearance: The proposed development of the site should be visually pleasing. Whether the site will be developed and listed for sale or lease, it is in the owner's best interest to construct them of materials and styling which is visually pleasing.
 - E) Odor: There are no permitted uses within the C-3 Classification that are inherently odor-causing uses.
 - F) Noise: There are no permitted uses that would be a source of excessive noise, except during normal business hours.
 - G) Light: Though interior lighting may be included as an integral part of the development, any new lighting installed will be in such a manner as not to "spill over" onto adjacent properties.
 - H) Vibration: There are no permitted uses that would be a source of excessive vibration, except during normal business hours.
 - I) Hours of Use or operation: Only a few of the permitted uses under the C-3 Classification would involve hours of operation contrary to normal business hours. If a business was proposed for this site that would imply, or make known, excessive hours of operation, that could be addressed at the time of specific plan preparation for the site. Those plans would be reviewed by both engineering and Planning Department prior to the issuance of the appropriate permits.
- (10) How long has the property remained vacant?
The current owner obtained the property recently. It appears the homes on this site have been vacant for a significant period, though the specifics of the timing are unknown.
- (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) Utilities: This development will have a positive impact on the area in regard to utilities. The gravity sewer will be extended across the site, and will provide service to a larger basin than just this development.
 - B) Streets: There should be no impact on the streets in the area. The only access to this site is from Highway 49 (Southwest Drive), which is a five-lane highway.
 - C) Drainage: Please refer to item (9) C), above.

Application
for a
Zoning Ordinance Map Amendment
Page 5 of 6

- (11) Impact (continued):
- D) Parks: Changing of the Zoning Classification of this tract should have no impact on the City of Jonesboro Park System.
 - E) Open Space: By definition, development of any nature that includes any structures of any sort reduce the quantity of open space. The proposed development will include a landscape plan. The addition of vegetation to this area will improve the appearance from the current view.
 - F) Fire: The developers want their investment to be well protected from the hazards of fire. Therefore, the necessary facility installation for that protection will be an integral part of the proposed development.
 - G) Police: The proposed rezoning and resulting development should not have an adverse impact on the police services offered by the City of Jonesboro.
 - H) Emergency Medical Services: The proposed rezoning and resulting development should not have an adverse impact on the emergency medical services offered by the various EMS companies based in the City of Jonesboro.
- (12) If the rezoning is approved, when would development or redevelopment begin?
If approved, the next step in the development process would be the formal planning of the development. The preparation of the site plans would follow closely behind, with construction beginning soon afterward. To date, no formal planning in regard to site use has been prepared. The starting date has not yet been identified.
- (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.*
The applicant owns the property to the northeast, and across the street. There is no anticipated opposition from the church next door to the southwest. therefore, no neighborhood meeting time has been established.
- (14) If this application is for a Limited Use Overlay (LUO), the applicant must specify all uses desired to be permitted.
This application is not intended to be a Limited Use Overlay (LOU). The requested zoning is C-3 (General Commercial).

Application
for a
Zoning Ordinance Map Amendment
Page 6 of 6

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.

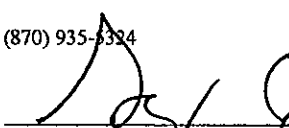
Owner of Record:

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:

The owners are the applicants.

Name: Mr. Gary Ezell
Address: Arkansas Equipment and Rentals
Address: 4905 Southwest Drive
City, State: Jonesboro, AR 72404
Telephone: (870) 935-9260
Facsimile: (870) 935-6324
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 Areas Planning Commission agenda and will be returned to the applicant. The deadline for submittal of an application is the 17th of each month. The Planning staff must determine that the application is complete and adequate before it will be placed on the MAPC agenda.