



GRAMLING
LAW FIRM, PLC

April 7, 2020

The Hon. Harold Perrin and
The Jonesboro City Council

Re: Ordinance-20-011

Dear Sirs and Madams:

I represent Ditta Enterprises in this request to rezone the vacant parcel at 400 E. Highland Drive, adjacent to Farmers & Merchants Bank, from C-4 L.U.O to C-3 L.U.O. The purpose of this rezoning request is to put in a neighborhood hardware store.

This entire property (including the lot where the bank sits) was rezoned in 2007 with a unique stipulation that the lot could never be subdivided and if sold, could only be used as a bank. During the 13 years since that time, the parcel we are seeking to rezone has remained vacant.

We had a neighborhood meeting on December 19, 2019. In an effort to be fully transparent and inclusive, we notified everyone within 400 feet rather than the usual 200 feet. Many people attended, and lots of concerns were raised, specifically regarding buffering between the property to the north and access to Wofford.

The Dittas listened to those concerns and made changes. They reoriented the building on the lot, adding more green space, so that there would now be more than 200 feet between the north wall of the store and the neighbors to the north. They agreed to add additional buffering to what already exists at the property. They agreed to not have access to Wofford. And they agreed to build a covered bus stop at the end of Wofford Street near Highland.

Again in an effort to be a good neighbor and have the nearby residents involved, we had a second neighborhood meeting on January 15, 2020. The attendees were shown the revised rendering that is part of our application along with the proposed changes in buffering and the bus stop. The general consensus was that it is a good compromise. You can see the letter of support from the closest neighbors, Shirl and Jean Strauser (as well as many other letters of support) on the Legistar entry.

Based on the feedback from the neighbors, the Dittas filed this application with a limited-use overlay. As you can see from the ordinance, the overlay is extremely restrictive, and would not allow a restaurant, convenience store, or anything that would operate after normal business hours and possibly cause disturbance to the neighbors.

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The proposed store would be a small neighborhood hardware store. The renderings are part of the Legistar entry. There is an Advanced Auto Parts store due west, a bank to the east, and churches to the south. This area is a moderate intensity growth sector and neighborhood retail is appropriate for this area.

Early on some concerns regarding traffic were raised. The Dittas plan to have between 4 and 5 employees in the store at any given time. Under the Institute for Transportation Engineering's Trip Generation Manual, peak trips for Saturday at noon are 11.6 per employee, so approximately 72 trips per hour. That is still well below the threshold for a traffic study under the new ordinance which this council is considering tonight. For weekdays, the numbers are 4 or 5 trips per employee, and for morning times (when traffic is heaviest on Highland) it's a mere 1.1 per employee.

The Dittas have deep roots in Jonesboro and own several businesses here. This property is in their neighborhood, as they live down the street off Highland, less than half a mile away. They want to provide an amenity for the neighborhood that will grow our tax base, provide jobs, and utilize this land to its highest and best use while still being sensitive to the concerns of surrounding neighbors. Two more brief points: to the extent our opponents may argue it will reduce property values, the study we attached to our application (available on Legistar) shows that not to be the case. That study used data from more than 600,000 transactions and found that after a couple of years the value of homes very near retail development actually increases in value versus comparables.

The final point concerns the existing ordinance. An ordinance is not a contract with an individual property owner. It is a statement of the council's judgment as to what is best for the city at that given time. Councilman Moore has stated that he believes the purpose of the conditions at the time was to ensure that no restaurant went on this property, which we have addressed with the limited-use overlay. This request serves the neighbors by significantly limiting the use, while serving the city by increasing our tax base and creating jobs. I urge the council to approve this request. Thank you and best regards.

Sincerely,

Gramling Law Firm, PLC

By: 

James F. Gramling, Jr.

JFG:hb

cc: file