



METROPOLITAN AREA  
PLANNING COMMISSION  
Jonesboro, Arkansas

# Application for a Zoning Ordinance Map Amendment

Meeting Date: 12/10/19 Date Received: 11/14/19  
Meeting Deadline: 11/18/19 Case Number: RZ 19-19

## LOCATION:

Site Address: 600 E. Oak Ave. together with the land on East side of Rains St. between Gant St. and East Oak Ave.

Side of Street: East between Gant Street and East Oak Avenue

Quarter: NE Section: 19 Township: 14N Range: 4E

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-2 Proposed Zoning: C-1

Size of site (square feet and acres): 46,984 Sq. Ft. - 1.08 acres Street frontage (feet): 99.66' along E. Oak Ave.;  
313.06' along Rains St.; 150.0' along Gant St.

Existing Use of the Site: Currently one residential structure, detached carport, and vacant land

Character and adequacy of adjoining streets: E. Oak Ave. is two-lane asphalt and borders primarily residential properties. Rains St. is two-lane asphalt and borders primarily commercial properties. Gant St. is asphalt and borders primarily commercial properties. The proposed use of the site will not create significant additional traffic. The condition of the adjoining streets is adequate for the intended use.

Does public water serve the site? Yes

If not, how would water service be provided? \_\_\_\_\_

Does public sanitary sewer serve the site? Yes

If not, how would sewer service be provide \_\_\_\_\_

Use of adjoining properties:

North	<u>C-1</u>
South	<u>R-2</u>
East	<u>C-1 and R-2</u>
West	<u>C-1 and R-2</u>

Physical characteristics of the site: The site currently has a residence and detached carport. The remaining site is vacant land.

Characteristics of the neighborhood: The site is bounded on the North by C-1 properties used primarily as medical offices and clinics. The site is bounded on the East, South, and West by a mix of C-1 and R-2 properties. The property on the West is a mix of vacant land and a parking lot for medical offices. The residential units in the neighborhood are a mix of rental properties and single family residences.

*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:**

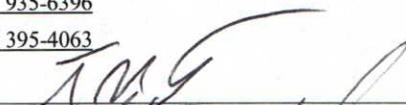
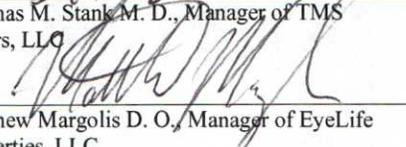
All parties to this application understand that the burden of proof in justifying and demonstrating the need for the proposed rezoning rests with the applicant named below.

**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: TMS Lasers, LLC / EyeLife Properties, LLC  
 Address: 601 East Matthews  
 City, State: Jonesboro, AR ZIP 72401  
 Telephone: (870) 935-6396  
 Facsimile: (870) 395-4063  
 Signature: By:   
 Thomas M. Stank M. D., Manager of TMS Lasers, LLC  
 Signature: By:   
 Matthew Margolis D. O., Manager of EyeLife Properties, LLC

Name: The Perkins Law Firm, P. A.  
 Address: P. O. Box 4054  
 City, State: Jonesboro, AR ZIP 72403  
 Telephone: (870) 931-5800  
 Facsimile: (870) 931-5800  
 Signature: By:   
 Adam Bodeker Bar # 2011247

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

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## APPLICATION FOR A ZONING ORDINANCE MAP AMENDMENT ATTACHMENT

**(1). How was the property zoned when the current owner purchased it?**

The property was zoned R-2 at the time of purchase.

**(2). What is the purpose of the proposed rezoning? Why is the rezoning necessary?**

The applicant is requesting rezoning from R-2 to C-1 to allow the redevelopment of the existing structure as an office.

**(3). If rezoned, how would the property be developed and used?**

If rezoned, the owner would convert and redevelop the existing residential structure into an office.

**(4). What would be the density or intensity of development (e.g. number of residential units; square footage of commercial, institutional, or industrial buildings)?**

The existing residential structure to be converted to an office has an area of 1,068 square feet.

**(5). Is the proposed rezoning consistent with the *Jonesboro Comprehensive Plan* and the *Future Land Use Plan*?**

The *Future Land Use Plan* identifies the property as being in the downtown medical center cluster. The use of the existing structure as an office would be consistent with the *Future Land Use Plan*.

**(6). How would the proposed rezoning be in the public interest and benefit the community?**

The proposed rezoning will allow for the addition of a new business that will produce economic benefit to the community.

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

The property is surrounded by a combination of C-1 and R-2 properties. The request for rezoning to C-1 would be compatible with the existing zoning, uses, and character of the surrounding area that consist of primarily medical-related offices and clinics.

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

The current R-2 zoning does not permit the intended use of the property as an office.

**(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.**

The requested rezoning will not have a significant impact on the neighborhood and will not adversely effect any of the above elements.

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

The property has remained vacant for approximately 14 months.

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

The proposed rezoning should have no significant impact on any of the above elements.

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

If the rezoning is approved, the owner intends to begin redevelopment as expeditiously as possible.

**(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.***

A meeting was not schedule due to a lack of anticipated opposition from neighbors.

**(14). If this application is for a Limited Use Overlay (LUO), the applicant must specify all uses desired to be permitted.**