

City of Jonesboro City Council
Staff Report – RZ 17-03: 2319 Congress Cove
Municipal Center - 300 S. Church St.
For Consideration by the City Council on February 21, 2017

REQUEST: To consider a rezoning of one tract of land containing 4.15 acres more or less.

PURPOSE: A request to consider recommendation by the MAPC to Council for a rezoning of 4.15 acres of land located at 2319 Congress Cove from R-1 Single Family Residential to C-3 General Commercial District.

**APPLICANTS/
OWNER:** Green Grass Investments, LLC 2500 West Washington Jonesboro, AR 72401

LOCATION: 2319 Congress Cove, Jonesboro, AR 72401

**SITE
DESCRIPTION:** **Tract Size:** Approx. 4.15 Acres
Street Frontage: **This lot has no street frontage**
Topography: Flat
Existing Development: **Undeveloped and Vacant**

SURROUNDING CONDITIONS:

ZONE	LAND USE
North	R-1 (North of Rail Road)
South	C-3
East	C-3
West	C-3

HISTORY: This land has been undeveloped and vacant.

ZONING ANALYSIS

City Planning Staff has reviewed the proposed Zone Change and offers the following findings:

COMPREHENSIVE PLAN LAND USE MAP

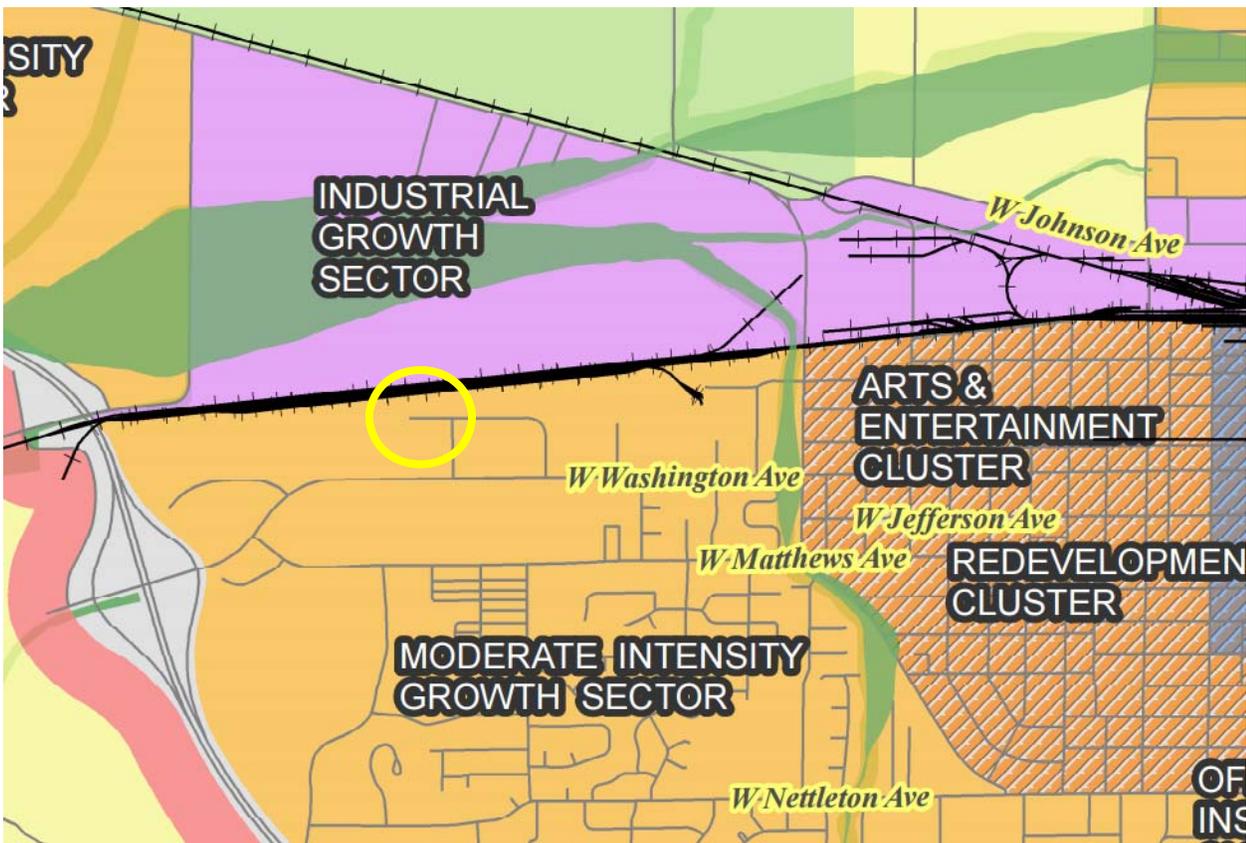
The Current/Future Land Use Map recommends this location as a Moderate Intensity Growth Sector. A wide range of uses is appropriate in the moderate intensity sectors. Control of traffic is probably the most important consideration in this sector. Additionally, good building design, use of quality construction materials, and more abundant landscaping are important considerations in what is approved, more so than the particular use. Limits on hours of operation, lighting standards, screening from residential uses, etc. may be appropriate. Consideration should be given to appropriate locations of transit stops.

High Intensity Growth Sector Recommended Use Types Include:

- Single Family Residential
- Attached Single Family, duplexes, triplexes, and fourplexes
- Neighborhood retail, neighborhood services
- Office parks
- Smaller medical offices
- Libraries, schools, other public facilities
- Senior living centers/nursing homes, etc.
- Community-serving retail
- Small supermarket
- Convenience store
- Bank
- Barber/beauty shop
- Farmer’s Market
- Pocket Park

Master Street Plan/Transportation

The subject site does not have street frontage. When they do get street frontage they will have to adhere to the Master Street Plan.



Adopted Land Use Map



Aerial/Zoning Map



Aerial View

Approval Criteria- Chapter 117 - Amendments:

The criteria for approval of a rezoning are set out below. Not all of the criteria must be given equal consideration by the MAPC or City Council in reaching a decision. The criteria to be considered shall include, but not be limited to the following:

Criteria	Explanations and Findings	Comply Y/N
(a) Consistency of the proposal with the Comprehensive Plan/Land Use Map.	The proposed C-3 rezoning is consistent with the Future Land Use Plan, which was categorized as a Moderate Intensity Growth Sector.	
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal will achieve consistency with the purpose of Chapter 117.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	Compatibility is achieved. This area already has several commercial developments along Congress Cove, Congress Circle and Washington.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment.	Property has been undeveloped as Residential. A Commercial zoning would help this property develop.	
(e) Extent to which approval of the proposed rezoning will detrimentally affect nearby property including, but not limited to, any impact on property value, traffic, drainage, visual, odor, noise, light, vibration, hours of use/operation and any restriction to the normal and customary use of the affected property.	This site and use should not be a detriment to the area if controls are implemented to screen and buffer any environmentally sensitive surrounding uses.	
(f) Length of time the subject property has remained vacant as zoned, as well as its zoning at the time of purchase by the applicant.	The property been empty for a while.	
(g) Impact of the proposed development on community facilities and services, including those related to utilities, streets, drainage, parks, open space, fire, police, and emergency medical services.	Minimal impact if rezoned due to the fact that business currently exist with only minor upgrades.	

Staff Findings:

Applicant's Purpose:

The applicant wants to rezone this property because it is land locked by C-3 property south of the rail road right of way.

Chapter 117 of the City Code of Ordinances/Zoning defines Commercial District as follows:

C-3, General Commercial District. The purpose of this district is to provide appropriate locations for commercial and retail uses which are convenient and serve the needs of the traveling public. The district also provides locations for limited amounts of merchandise, equipment and material being offered for retail sale that are more suitable for storage and display outside the confines of an enclosed structure. Appropriate locations for this district are along heavily traveled arterial streets. Development of groups of facilities shall be encouraged, as opposed to less desirable strip commercial.

Departmental/Agency Reviews:

The following departments and agencies were contacted for review and comments. Note that this table will be updated at the hearing due to reporting information that will be updated in the coming days:

Department/Agency	Reports/ Comments	Status
Engineering	No objections to this rezoning to date.	
Streets/Sanitation	No objections to this rezoning to date.	
Police	No objections to this rezoning to date.	
Fire Department	No objections to this rezoning to date.	
MPO	No objections to this rezoning to date.	
Jets	No objections to this rezoning to date.	
Utility Companies	No objections to this rezoning to date.	

Zoning Code Allowable Uses:

Below is the Table of Permitted Uses regarding the requested C-3, General Commercial District. Certain commercial uses are permitted as of right - “P”, while others require a Conditional Use - “C” approval by the MAPC, or not permitted where blank:

List of Commercial Uses		C-3 General Commercial	List of Commercial Uses		C-3 General Commercial
<i>Civic and commercial uses</i>			<i>Civic and commercial uses</i>		
Animal care, general	Permitted		Nursing home	Permitted	
Animal care, limited	Permitted		Office, general	Permitted	
Auditorium or stadium	Conditional		Parking lot, commercial	Permitted	
Automated teller machine	Permitted		Parks and recreation	Permitted	
Bank or financial institution	Permitted		Pawn shops	Permitted	
Bed and breakfast	Permitted		Post office	Permitted	
Carwash	Permitted		Recreation/entertainment, indoor	Permitted	
Cemetery	Permitted		Recreation/entertainment, outdoor	Permitted	
Church	Permitted		Recreational vehicle park	Permitted	
College or university	Permitted		Restaurant, fast-food	Permitted	
Communication tower	Conditional		Restaurant, general	Permitted	
Warehouse, residential (mini) storage	Conditional		Retail/service	Permitted	
Convenience store	Permitted		Safety services	Permitted	
Day care, limited (family home)	Permitted		School, elementary, middle and high	Permitted	
Day care, general	Permitted		Service station	Permitted	
Entertainment, adult	Conditional		Sign, off-premises*	Permitted	
Funeral home	Permitted		Utility, major	Conditional	
Golf course	Permitted		Utility, minor	Permitted	
Government service	Permitted		Vehicle and equipment sales	Permitted	
Hospital	Permitted		Vehicle repair, general	Permitted	
Hotel or motel	Permitted		Vehicle repair, limited	Permitted	
Library	Permitted		Vocational school	Permitted	
Medical service/office	Permitted				
Museum	Permitted	<i>Industrial, manufacturing and extractive uses</i>			
<i>Agricultural uses</i>			Freight terminal	Conditional	
Agriculture, animal	Conditional		Research services	Conditional	
Agriculture, farmers market	Permitted				

MAPC RECORD OF PROCEEDINGS: Public Hearing Held on February 14, 2017

Mr. Michael Boggs requested MAPC approval of a rezoning at 2319 Congress Cove. They would like to rezone this property from R-1 Single Family Residential District to C-3 General Commercial District.

Mr. Derrel Smith presented staff comments. He recommended approval with the following conditions:

1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC, prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Commission approval in the future.
4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering etc. shall be submitted to the MAPC prior to any redevelopment. New screening outdoor storage and dumpster enclosure requirements shall be implemented if stipulated by the MAPC.

Mr. Kevin Bailey asked that a condition be attached that prevents the applicant from doing any composting on the property.

The following conditions were attached to this rezoning request:

1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC, prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Commission approval in the future.
4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering etc. shall be submitted to the MAPC prior to any redevelopment. New screening outdoor storage and dumpster enclosure requirements shall be implemented if stipulated by the MAPC.
5. No Composting allowed on the property.

Commission Action:

Mr. Jimmy Cooper made a motion to approve Case: RZ: 17-03, as submitted, to the City Council with the noted conditions, and the MAPC find that to rezone property from “R-1” Single Family to “C-3” General Commercial District. Motion was seconded by Mr. Ron Kelton.

Roll Call Vote: 7-0, Aye’s: Paul Hoelscher; Ron Kelton; Jim Scurlock; Kevin Bailey; Brant Perkins; Jerry Reece and Jimmy Cooper

Absent: Dr. Rick Stripling

Conclusion:

The MAPC finds that the requested Zoning Change submitted for subject parcel, should be approved based on the above observations and criteria of Case RZ 17-03, a request to rezone property from R-1 Single Family Residential District to “C-3” General Commercial District, subject to final site plan approval by the MAPC and the following conditions:

1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC, prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Commission approval in the future.
4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering etc. shall be submitted to the MAPC prior to any redevelopment. New screening outdoor storage and dumpster enclosure requirements shall be implemented if stipulated by the MAPC.
5. No Composting allowed on the property.

Respectfully Submitted for Planning Commission Consideration,
The Planning Department

Sample Motion:

I move that we place Case: RZ 17-03 on the floor for consideration of recommendation by MAPC to the City Council with the noted conditions, and we, the City Council finds that changing the zoning of this property from R-1 Single Family Residential to the proposed “C-3” General Commercial District, will be compatible and suitable with the zoning, uses, and character of the surrounding area, subject to the Final Site Plan review and approval by the MAPC in the future.



View looking North



View looking South



View looking East



View looking West