



*City of Jonesboro City Council*  
**Staff Report – RZ 11-28: Curtis Rezoning, 3603 Hudson Dr.**  
**Huntington Building - 900 W. Monroe**  
*For Consideration by the Council on January 17, 2012*

- REQUEST:** To consider a rezoning of a parcel of property containing approximately 3.83 acres more or less from R-1 Single Family to C-3 L.U.O. and recommend approval to the City Council.
- PURPOSE:** A request to consider approval by the Metropolitan Area Planning Commission and recommend approval to City Council for final action.
- APPLICANT/  
OWNER:** Mr. Paul Curtis, 3603 Hudson Drive, Jonesboro, AR 72401
- LOCATION:** 3603 Hudson Drive, South Side of Hudson Drive, west of the intersection of Hudson Drive and Johnson Avenue
- SITE  
DESCRIPTION:** Tract Size: Approx. 166,654 S.F. – 3.83 Acres  
 Frontage: Approx. 160' (+/-) Hudson Drive  
 Topography: There is significant slope in the terrain  
 Existing Developmt.: The site is currently a single family residential lot, including an accessory building, and a swimming pool.
- |                                    |               |                           |
|------------------------------------|---------------|---------------------------|
| <b>SURROUNDING<br/>CONDITIONS:</b> | <u>ZONE</u>   | <u>LAND USE</u>           |
|                                    | North: R-1    | Single Family Residence   |
|                                    | South: C-3    | Vacant General Commercial |
|                                    | East: C-3 LUO | Vacant General Commercial |
|                                    | West: I-1     | Mini Storage/Cell Tower   |
- HISTORY:** None.
- ZONING ANALYSIS:** City Planning Staff has reviewed the proposed Zone Change and offers the following findings.

**Approval Criteria- Section 117-34- Amendments:**

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

- (a) Consistency of the proposal with the Comprehensive Plan

- (b) Consistency of the proposal with the purpose of the zoning ordinance.
- (c) Compatibility of the proposal with the zoning, uses and character of the surrounding area;
- (d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;
- (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;
- (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; and
- (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.

**COMPREHENSIVE PLAN FUTURE LAND USE MAP**

The Future Land Use Map adopted on January 5, 2010 shows this area to be within the Northeast Sector and to be recommended as a Commercial Node. Consistency is achieved.



**Vicinity Map/Zoning Map**

**Master Street Plan Review:**

The proposed site located away from Hwy. 49N/Johnson Ave. and fronts on a local road (Hudson Dr.), which is a local road on the most current Jonesboro Master Street Plan. The rezoning plat shows the compliance with the required right of ways along Hudson.

**Findings:**

This area of Hilltop is experiencing growth and change in relationship to Hwy. 351 and Johnson Avenue. Although the site is far removed from one of Jonesboro’s busy intersections, there will be some level of impact on traffic access.

The request for rezoning allows for a more planned opportunity as opposed to the typical piece-meal developments brought before the commission and council in the past. With proper buffering a quality commercial development can be incorporated into this planning area. The applicant has proposed a 25 ft. vegetative buffer to the north. Landscaping and lighting plans would also be required at the final submittal.

The rezoning plat does not comply with the recorded plat for the property which should show the existing 20 ft. utility easement that runs the perimeter of the property. Such easement would require abandonment if the future developer intends to have it removed.

The proposed rezoning will result in existing R-1 Single Family District requested to be zoned to C-3L.U.O. with a number of limited uses (see below).

**Proposed Uses:**

The proposed Limited Use Overlay (C-3 LUO) is including the following permitted uses:

- |                                    |  |
|------------------------------------|--|
| 1) Animal Care, General or Limited | 16) Office, General  |
| 2) Automated Teller Machine        | 17) Parking Lot – Commercial   |
| 3) Bank or Financial Institution   | 18) Parks and Recreation   |
| 4) Bed and Breakfast               | 19) Post Office  |
| 5) Church                          | 20) Recreation / entertainment (indoor)  |
| 6) College or University           | 21) Recreation / entertainment (outdoor)   |
| 7) Day Care, general or Limited    | 22) Restaurant (fast food)   |
| 8) Funeral Home                    | 23) Restaurant (general)   |
| 9) Government Service              | 24) Retail / Service   |
| 10) Hospital                       | 25) Safety Services  |
| 11) Hotel or Motel                 | 26) School (elementary / middle / high)  |
| 12) Library                        | 27) Utility, major   |
| 13) Medical Service or Office      | 28) Utility, minor   |
| 14) Museum                         | 29) Research Services  |
| 15) Nursing Home                   | 30) 25’ Vegetative Buffer to remain<br>along the northern boundary, west of<br>Hudson Drive, as shown. |

**MAPC RECORD OF PROCEEDINGS: 1/10/2012:**

George Hamman, Civilogic appeared before the Commission noting that he prepared the plat and has added a 25 ft. perimeter utility easement. The staff report had 5 stipulations and the owner agrees.

Mr. Spriggs summarized the staff report comments noting consistency is achieved on the Land Use Plan. He also noted the surrounding commercial uses. Mr. Tomlinson asked for the C-3 LUO next door and the list currently submitted. Mr. Spriggs noted that they removed vehicular repair, adult entertainment, convenience store, etc.

Ms. Nix: voiced concerns about animal care facilities and the noise/smell nuisance related uses. The applicant agreed to remove the animal control/uses. MAPC agreed to remove it.

**Public Input: NONE.**

MAPC passed the requested Zone Change submitted by Mr. Paul Curtis, Case RZ 11-28 a request to rezone property from R-1 to C-3 Limited Use Overlay, recommended to the City Council; subject to the following stipulations:

1. The owner/applicant shall be restricted with the following list of proposed uses:

- |                                  |  |
|----------------------------------|--|
| 1) Omitted (Re-number)           | 16) Office, General                      |
| 2) Automated Teller Machine      | 17) Parking Lot – Commercial             |
| 3) Bank or Financial Institution | 18) Parks and Recreation                 |
| 4) Bed and Breakfast             | 19) Post Office                          |
| 5) Church                        | 20) Recreation / entertainment (indoor)  |
| 6) College or University         | 21) Recreation / entertainment (outdoor) |
| 7) Day Care, general or Limited  | 22) Restaurant (fast food)               |
| 8) Funeral Home                  | 23) Restaurant (general)                 |
| 9) Government Service            | 24) Retail / Service                     |
| 10) Hospital                     | 25) Safety Services                      |
| 11) Hotel or Motel               | 26) School (elementary / middle / high)  |
| 12) Library                      | 27) Utility, major                       |
| 13) Medical Service or Office    | 28) Utility, minor                       |
| 14) Museum                       | 29) Research Services                    |
| 15) Nursing Home                 |  |

2. That a site plan shall be approved by the Planning Commission with safe access easement management. No new work shall commence prior to Final site Plan review and approval by the MAPC.

3. A lighting plan and landscaping plan shall be submitted to the MAPC, including a 25 ft. landscape buffer to the north.

4. That the proposed development shall satisfy all requirements of the City Engineer, satisfying all requirements of the current Stormwater Drainage Design Manual.

5. That prior to any issuance of Certificate of Occupancy of new uses, all requirements stipulated by all City, State and Local agencies shall be satisfied.

(Approved: 6-0 Vote): Motion was made by Ms. Nix, 2<sup>nd</sup> by Mr. Tomlinson. Vote: Mr. Hoelscher- Aye; Mr. White- Aye; Mr. Scurlock- Aye ; Ms. Norris- Aye; Mr. Tomlinson- Aye; Ms. Nix- Aye. Absent: Dover; Kelton.

**Conclusion:**

MAPC passed the requested Zone Change submitted by Mr. Paul Curtis, Case RZ 11-28 a request to rezone property from R-1 to C-3 Limited Use Overlay, recommended to the City Council; subject to the following stipulations including the list of uses above:

2. That a site plan shall be approved by the Planning Commission with safe access easement management. No new work shall commence prior to Final site Plan review and approval by the MAPC.
3. A lighting plan and landscaping plan shall be submitted to the MAPC, including a 25 ft. landscape buffer to the north.
4. That the proposed development shall satisfy all requirements of the City Engineer, satisfying all requirements of the current Stormwater Drainage Design Manual.
5. That prior to any issuance of Certificate of Occupancy of new uses, all requirements stipulated by all City, State and Local agencies shall be satisfied.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP  
Planning & Zoning Director

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# Site Photographs



View looking of the subject property along Hudson Dr.



View of street and frontage of subject property.



View looking south of the abutting commercial properties.



View looking south of the subject property.



View looking southwest of the side yard and abutting acreage.



View looking south of the adjacent property and the front yard.



View looking south of the frontage (abutting properties) within the neighborhood.



View looking northeast along Johnson Ave.



View Looking north along Johnson Ave (across Highway 49).