



*City of Jonesboro Metropolitan Area Planning Commission*  
**Staff Report – RZ 13-19: Rezoning – 3600 Rios Lane**  
**Municipal Center – 300 S. Church**  
*For Consideration by the Commission on Tuesday, December 10, 2013*

**REQUEST:** To consider rezoning a parcel of property containing approximately 1.41 acres more or less.

**PURPOSE:** A request for rezoning from R-1 Residential to C-3, L.U.O, General Commercial District.

**AGENT/ OWNER:** James McLeod, Sr., Attorney, Jonesboro, AR  
Amy Pottinger, 2114 Camper Down Ct., San Jose, CA 95121

**LOCATION:** 3600, 3602, 3514 Rios Lane, Jonesboro AR  
**SITE DESCRIPTION:** Tract Size: Approx. 1.41 acres  
Frontage: None on Old Greensboro Rd. (Access off of Rios Lane (Private))  
Topography: Gradually sloping  
Existing Developmt.: Residential structures (Mobile homes/single family home)  
Rios Lane is a gravel road

<b>SURROUNDING CONDITIONS:</b>	<u>ZONE</u>	<u>LAND USE</u>
North:	I-1 Industrial	Warehousing
South:	C-3	Commercial
East:	C-3	Vacant Commercial
West:	C-3 L.U.O.	Commercial

**HISTORY:** Abutting property was previously rezoned along Rios Drive.  
Ordinance 08:047; Rezoned to C-3 L.U.O.

**ZONING ANALYSIS:** City Planning Staff has reviewed the proposed Zone Change and offers the following findings.

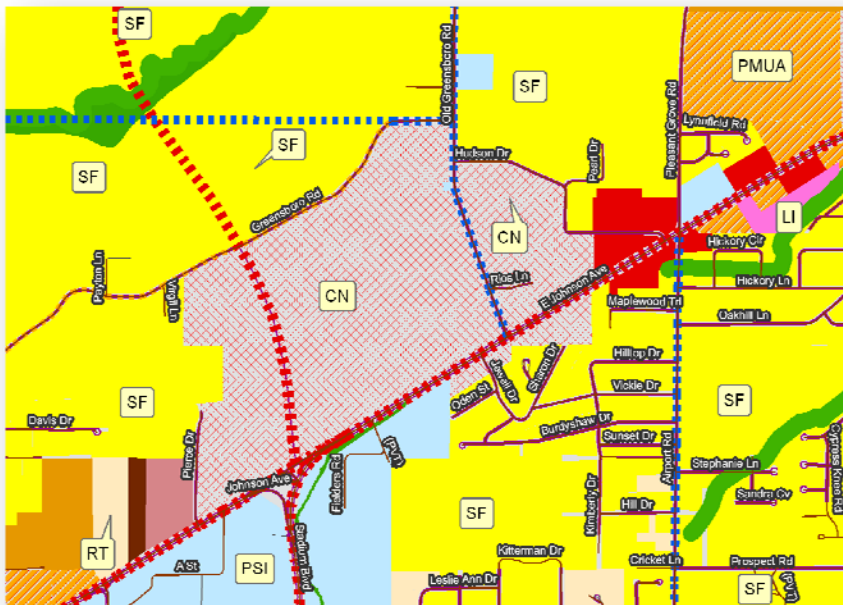
**Approval Criteria Checklist- Section 117-34- Amendments:**

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 list. Staff has reviewed the proposal and offers the following explanations and findings related to the approval criteria.

Criteria	Explanations and Findings
(a) Consistency of the proposal with the Comprehensive Plan/Land Use Map	The proposed C-3 Limited Use Overlay District rezoning is consistent with the Future Land Use Plan.
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal is consistent with the purpose of Chapter 117.
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	The proposal is substantially compatible with the development trends in the area. Although some of the surrounding property is zoned for residential use, a transition of the zoning and land use is occurring on this immediate site and property under the same ownership. This acreage is land-locked.
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	Poor suitability due to the current R-1 zoning which will greatly restrict possible commercial development on the site if not zoned. This land would be access through commercially utilized property.
(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;	The bordering properties are zoned C-3 L.U.O.
(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	Property is not vacant with the current R-1 zoning.
(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.

**COMPREHENSIVE PLAN/ FUTURE LANDUSE MAP**

The 2010 Comprehensive Plan Future Land Use Map shows the area recommended as Commercial Node and Village Residential. This area is pending a restudy on the land use map by the Land Use Advisory Committee and will most-likely maintain a commercial node status.



Pertinent Zoning Ordinance sections include Section 14.44.05(b), ‘change in District Boundary’, beginning on page 104.



**Vicinity Zoning Map**

**Master Street Plan/Transportation**

The subject property is served by a private drive named Rios Dr. which is an ingress/egress easement providing access from Hwy. 351.

**Other Departmental/Agency Reviews:**

Department/Agency	Reports/ Comments	Status
Engineering	Pending	Pending
Streets/Sanitation	Pending	Pending
Police	Pending	No comments to date
Fire Department	Pending	
MPO	Pending	Pending
Jets	Pending	
Utility Companies	Pending	Pending

**Other Zoning Code Analysis:**

**Sec. 117-140. Overlay and special purpose districts.**

(c) *LU-O—limited use overlay district.* (3) *Use and property development standards.* When accompanied by a rezoning request from the property owner, the LU-O district can be used to restrict the use and property development standards of an underlying base zoning district, as applied to specific parcels of land.

All LU-O requirements are in addition to, and supplement all other applicable standards and requirements of the underlying zoning district. Restrictions and conditions imposed by an LU-O district are limited to the following:

- a. Prohibiting otherwise permitted or conditional uses and accessory uses or making a permitted use a conditional use;
- b. Decreasing the number or density of dwelling units that may be constructed on the site;
- c. Limiting the size of nonresidential buildings that may be placed on a site;
- d. Increasing minimum lot size or lot width;
- e. Increasing minimum yard and setback requirements; and
- f. Restricting access to abutting properties and nearby roads.

*Method of adoption/amendment.* As an overlay district, the LU-O designation shall be applied for in accordance with standard rezoning procedures. Once LU-O zoning is established, any amendments shall also require review and approval in accordance with rezoning procedures.

The applicant has proposed a C-3 Limited Use Overlay District rezoning with all uses permitted as follows:

- Automated Teller Machine
- Bank & Financial Institution
- Convenience Store
- Government Service
- Hotel or Motel
- Library
- Medical Services/ Office
- Museum
- Office (General)
- Parks & Recreation
- Post Office
- Recreation/Entertainment (Indoor or Outdoor)
- Restaurant (Fast food or General)
- Retail/Service
- Service Station
- Utility (Major/Minor)
- Vehicular Repair
- No Billboards
- No Adult Entertainment (Staff Suggested)

There are no proposed lot configurations for the submitted rezoning at this time, however, final detailed final plans should be required to be reviewed and approved by the MAPC to assure compliance with all City Codes of Ordinances regarding transportation, storm water drainage design, buffering, etc.

**Conclusion:**

The Planning Department Staff finds that the request to rezone the property from “R-1 Single Family Medium Density to a proposed C-3 Limited Use Overlay District submitted for Case RZ 13-19 should be evaluated and approved based on the above observations and criteria. The following are included in the requirements that will apply:

- 1. That the proposed development shall satisfy all requirements of the City Engineer and all requirements of the current Stormwater Drainage Design Manual.
- 2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC prior to any development of the property.
- 3. Coordination is required of all egress/ingress with the State Highway Dept., City Engineering Dept. and the Planning Dept.

4. The setback, building height, screening, and site design standards are required per "Sec. 117-328. - Residential Compatibility Standards".
5. That the future use of the property be limited to the list of uses above (Limited Use Overlay) as approved by the MAPC.

Respectfully Submitted for Commission Consideration,



Otis T. Spriggs, AICP  
Planning & Zoning Director

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*Sample Motion:*

I move that we place Case: RZ-13-19 on the floor for recommendation by MAPC to the City Council with the noted conditions, and we find that changing the zoning of this property from R-1 Single Family Medium Density to the proposed C-3 Limited Use Overlay District is compatible and suitable with the zoning, uses, and character of the surrounding area.

# Site Photographs



View looking north of northern portion of subject site.



View looking south of southern portion of subject site.



View looking west from subject site toward adjacent C-3 L.U.O. property fronting Old Greensboro Rd.



View of I-1 property located north of subject site.



View toward subject site from western portion of adjacent C-3 property located to the west of subject site.



View from Johnson Ave. of C-3 property located south of subject property.