

City of Jonesboro Council
Staff Report – RZ 16-09: 6106 Southwest Drive
Municipal Center - 300 S. Church St.
For Consideration by the Commission on June 21, 2016

REQUEST: To consider a rezoning of one tract of land containing 13.27 acres more or less.

PURPOSE: A request to consider recommendation to Council by the MAPC a rezoning of 13.27 acres of land located at 6106 Southwest Drive, from RS-1 LUO to I-1 Industrial District.

**APPLICANTS/
OWNER:** Paulette Quinn and Robert J. Gibson, P.O. Box 1700, Jonesboro, AR

LOCATION: 6106 Southwest Drive, Jonesboro, AR 72401

**SITE
DESCRIPTION:** **Tract Size:** Approx. 13.27 Acres
Street Frontage: 248 feet along Southwest Drive
Topography: Undeveloped flat.
Existing Development: Undeveloped

SURROUNDING CONDITIONS:

ZONE	LAND USE
North	R-1 Single Family, C-3 General Commercial, and I-1 Industrial
South	Undeveloped farm land in Craighead County
East	Undeveloped farm land in Craighead County
West	Single Family Housing in Craighead County

HISTORY: Currently undeveloped.

ZONING ANALYSIS

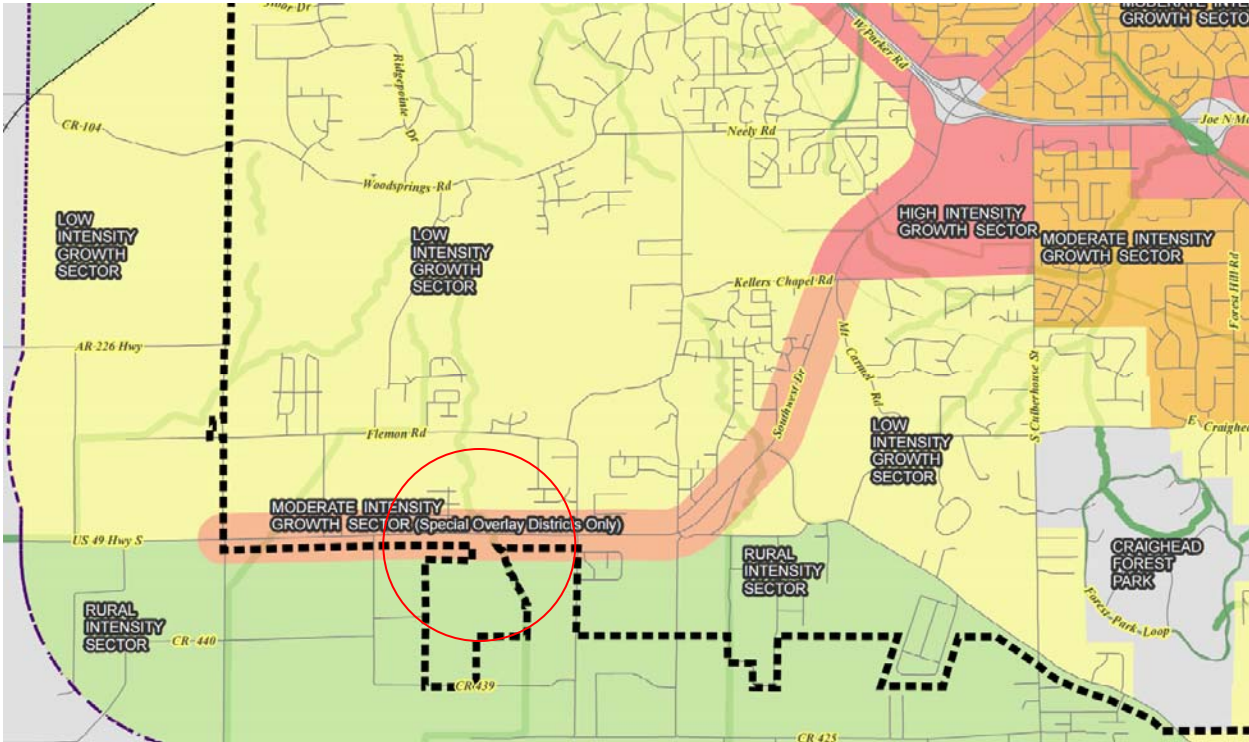
City Planning Staff has reviewed the proposed Zone Change and offers the following findings:

COMPREHENSIVE PLAN LAND USE MAP

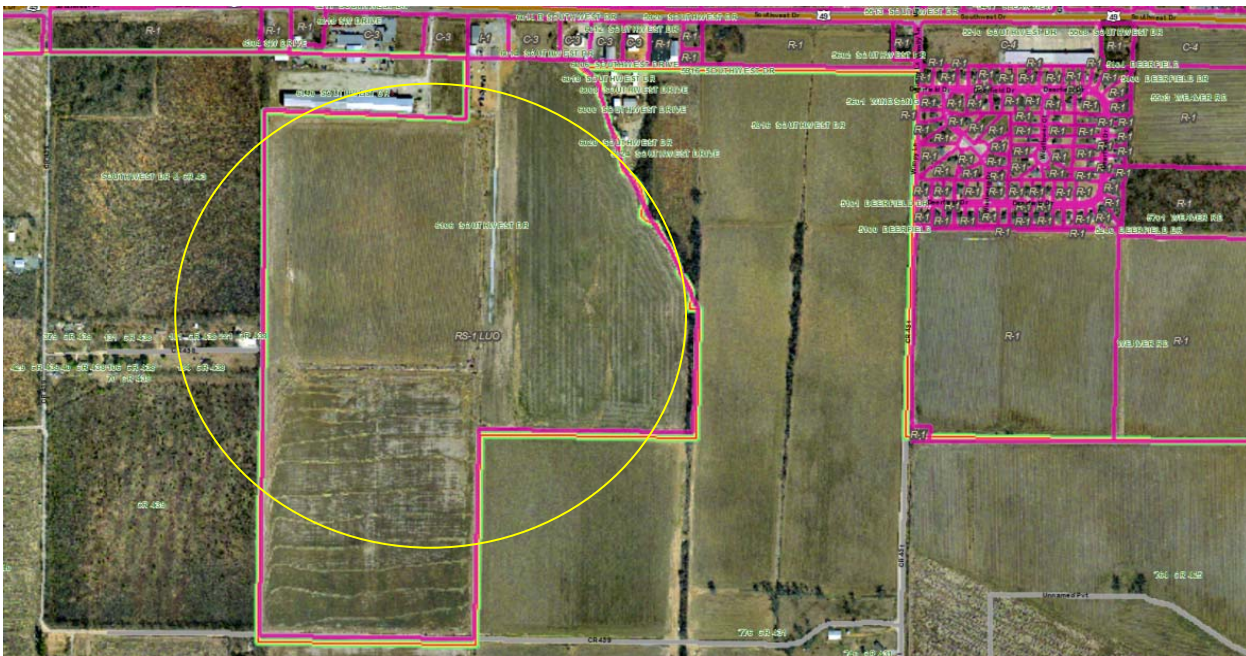
The Current/Future Land Use Map recommends this location as a Moderate Intensity Growth Sector (Special Overlay Districts Only), with a combination of rural growth section on the southern half of the site.

Master Street Plan/Transportation

The subject site is served by Hwy. 49, which on the Master Street Plan is defined as a Principal Arterial; the street right-of-ways must adhere to the Master Street Plan recommendation upon replatting and redevelopment. The recommended right-of-way is 120 feet. Any replat should satisfy the minimum requirement.










Adopted Land Use Map



Aerial/Zoning Map

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 Current/Future Land Use Map recommends this location as a Moderate Intensity Growth Sector (Special Overlay Districts Only), with a combination of rural growth section on the southern half of the site. Partial consistency is achieved. Full will occur after airstrip expires.	
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal will achieve consistency with the purpose of Chapter 117, once the single family use is implemented.	
(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 Southwest Drive. Including agricultural crop forming.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment.	Property has continued to be used as an airstrip.	
(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 of future residential and the airstrip were discounted.	
(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.	Property is not vacant.	
(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. No immediate changes are inevitable	

MAPC RECORD OF PROCEEDINGS: MAPC Meeting Held on June 14, 2016

Applicant:

Attorney Robert Gibson, Jr. appeared before the Commission explaining the basis of the case.

Public Input: None Present.

Staff:

Mr. Otis Spriggs gave Staff comments as follows:

The Current/Future Land Use Map recommends this location as a Moderate Intensity Growth Sector (Special Overlay Districts Only) and Rural Intensity Sector in the Rear. The site is partially consistent. The airport landing strip was deemed non-conforming with an expiring term. This parcel was part of a larger annexation in 2008. The purpose of the annexation was to develop residential property to the south, which would have resulted in relocation or terminator of the airstrip. Residential development has not occurred and the proper zoning for the airstrip is I-1. The property is currently zoned as RS-1 but recognizing a preexisting non-conforming use as it is defined in the chapter 117 of the Jonesboro municipal code. The airstrip is used for (agri-chemical application). The location of the business is upon adjoining property within the city of Jonesboro, Arkansas and currently zoned as I-1. Chapter 117 of the Jonesboro municipal code intends to apply to the non-conforming uses described above. The property above is due to expire August 19th, 2018 as conditioned in the ordinance ORD-08:045. In order to renew the permit to use the airstrip there should be an agreement that if the property were developed as residential, the airstrip will automatically be expired, and reverted back to residential.

Motion to approve was made by Mr. Kelton, seconded by Mr. Scurlock with the following conditions were read:

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. The owner agrees that if and when the property were developed as residential RS-1, the airstrip will automatically be expired, and the subject I-1 property will automatically be reverted back to residential RS-1.

The motion PASSED with the following (8-0) vote.

Voting Aye: 8 - Mr. Ron Kelton; Mr. Hoelscher; Mr. Jim Scurlock; Mr. Kevin Bailey; Mr. Jimmy Cooper; Mr. Reece; Mr. Perkins and Rick Stripling. Lonnie Roberts was Chair.

Staff Findings:

Applicant’s Purpose:

This parcel was part of a larger annexation in 2008. The purpose of the annexation was to develop residential property to the south, which would have resulted in relocation or terminator of the airstrip. Residential development has not occurred and the proper zoning for the airstrip is I-1.

The property is currently zoned as RS-1 but recognizing a preexisting non-conforming use as it is defined in the chapter 117 of the Jonesboro municipal code. The airstrip is used for (agri-chemical application). The location of the business is upon adjoining property within the city of Jonesboro, Arkansas and currently zoned as I-1. Chapter 117 of the Jonesboro municipal code intends to apply to the non-conforming uses described above. The property above is due to expire August 19th, 2018 as conditioned in the ordinance ORD-08:045. In order to renew the approval to use the airstrip there should be an agreement that if the property were developed as residential, the airstrip will automatically be expired, and reverted back to residential.

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

I-1, Limited Industrial District. This district is to accommodate freight terminals, warehousing, wholesaling, packaging, storage, fabrication, display and such limited manufacturing as does not create a nuisance for residential and commercial neighbors. Certain commercial uses are also permitted. Suitable transportation facilities are a necessity to this district.

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, L.U.O. General 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:

Uses	I-1	Uses	I-1
Manufactured housing unit	C	Utility, major	C
Airport or airstrip	C	Utility, minor	P
Animal care, general	C	Vehicle and equipment sales	P
Auditorium or stadium	C	Vehicle repair, general	P
Automated teller machine	P	Vehicle repair, limited	P
Bank or financial institution	P	Vocational school	P
Carwash	P	Warehouse, residential (mini) storage	P
Cemetery	P	Vehicular and equipment storage yard	P
Church	P	Asphalt or concrete plant	C
College or university	P	Auto wrecking or salvage yard	C
Communication tower	P	Basic industry	C
Construction sales and service	P	Freight terminal	P
Convenience store	C	Landfill (private)	
Day care, limited (family home)	C	Manufacturing, general	P
Day care, general	C	Manufacturing, limited	P
Entertainment, adult	C	Mining or quarrying	C
Government service	P	Oil and gas drilling	
Indoor firing range	C	Research services	P
Library	P	Solid waste incinerator	C
Medical service/office	P	Warehousing	P
Museum	C	Welding or machine shop	P
Office, general	C	Agriculture, animal	C
Parking lot, commercial	C	Agriculture, crop	C
Parks and recreation	C	Agriculture, farmers market	P
Pawn shops	C	Agriculture, product sales	C
Post office	C	Sign, off-premises*	P
Recreation/entertainment, indoor	C	Retail/service	P
Recreation/entertainment, outdoor	C	Safety services	P
Recreational vehicle park	P	School, elementary, middle and high	P
Restaurant, fast-food	P	Service station	P
Restaurant, general	P	Sign, off-premises*	P

Conclusion:

The MAPC and the Planning Department Staff find that the requested Zoning Change submitted for subject parcel, should be approved based on the above observations and criteria of Case RZ 16-09, a request to rezone property from “RS-1 LUO” to “I-1”, 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. The owner agrees that if and when the property were developed as residential RS-1, the airstrip will automatically be expired, and the subject I-1 property will automatically be reverted back to residential RS-1.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



View looking south toward property site



View looking North East



View looking at property west of the site



View looking West



View Looking west on Hwy. 49 S.



View Looking East On Hwy. 49 S.