



**City of Jonesboro City Council**  
**Staff Report – RZ08-16: Gambill and Meeker**  
**Huntington Building - 900 W. Monroe**  
**For Consideration by the Council on Tuesday, June 17, 2008**

**REQUEST:** To consider rezoning a parcel of property containing approximately .35 acres more or less.

**PURPOSE:** A request for rezoning from R-3 Residential to C-3 General Commercial District LUO

**APPLICANT/ OWNER:** Paul Gambill, Gary Meeker, Jonesboro, AR

**LOCATION:** 2312 Stadium, 3000 Fairview Dr.

**SITE DESCRIPTION:** Tract Size: Approx. .35 acres  
 Frontage: Approx. 110' along Fairview, 141' along Stadium  
 Topography: Flat  
 Existing Dvlpmt: 2 Single family homes

<b>SURROUNDING CONDITIONS:</b>	<u>ZONE</u>	<u>LAND USE</u>
North:	R-3	Single Family/Multi-Fam.
South:	R-3, C-3	Single Family Residential/ Commercial
East:	R-1	Single Family Residential
West:	C-3, R-1	Fair Grounds/ Church

**HISTORY:** None.

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

**COMPREHENSIVE PLAN/ FUTURE LANDUSE MAP**

The 1996 Comprehensive Plan Future Land Use Map (page 24) shows the area recommended as Medium Density Residential next to Regional Commercial. This area is pending a restudy on the land use map by the Land Use Advisory Committee.

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

**Approval Criteria- Section 14.44.05, (5a-g)- 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.



**Findings:**

With the new mall development to the north, this area abuts a changing commercial corridor which includes other new retail development just north of the subject property. With proper buffering, a quality commercial development can be incorporated into this planning area. In retrospect, with the current R-3 Multi-family Zoning Classification, the proposed site has the potential for an apartment complex. This area will prove conducive for commercial uses along Stadium Drive north and south of the mall given the traffic volume. However, Staff cautioned the Commission that any permitted use listed under C-3 can be allowed and a limited use overlay would have to be recommended if additional restrictions are advised. Billboards should be discouraged for this piece of property as well as any high volume retail. Staff suggests a limited use overlay modification to the request, with a condition that the plan be revisited, reviewed by the Planning Commission prior to any permit issuance or construction. MAPC concurred as stated below in the record of proceedings.

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**MAPC RECORD OF PROCEEDINGS:**

*The Metropolitan Area Planning Commission held a public hearing on June 10, 2008 and offers the following record:*

Patrick Lemley presented the case on behalf of the owners.

Staff had no opposition to the request and referred to the recommended conditions in the staff report be considered.

Mr. Day commented that he his concerned about how small the lot is and think we are pushing the envelope on tract size. He referred to the previous case where we demanded consolidated lots and combined access drives.

Mr. Day stated that he would hate for us to piece-meal our way through from highland going south to *third of an acre* developments without opportunity for connectivity. Cross access needs to be provided with buffering on the rear. Mr. Lemley pointed out a 3-phase electric line that would prohibit smaller developments going further east. Mr. Halsey commented that you have a lot of access off stadium. Shy of getting all of the homes rezoned at the same time, how do you plan or regulate for that? Can you regulate cross access easements? Mr. Roberts stated that it is hardly deep enough. Mr. Dover asked what is the minimum requirement for commercial? Mr. Spriggs stated that the smallest requirement is 6,500 s.f. minimum, with a 60 % maximum lot coverage under the current code.

Mr. Halsey stated that we have conditioned cross access on the Caraway Rd. case. Mr. Spriggs suggested a limited use with a condition of cross easements and that the lots be developed simultaneously. Mr. Lemley stated that his client would not object to staff's recommendations. Mr. Day asked Mr. Spriggs what was his opinion on the cross access? Mr. Spriggs stated that this is a last opportunity for the Planning Commission to restrict single access cuts for commercial uses; this is issued by the State inspector. Mr. Hoelscher asked what is the minimum easement? Mr. Spriggs stated that the code requirement would be 24 ft. minimum.

A motion was made by Lonnie Roberts Jr., seconded by Secretary Marvin Day, that this Rezoning be recommended to Council with the condition that there be a minimum 24 ft. cross access easement provided and the 3 conditions by staff. The motion CARRIED by a (6 to 0) vote. Mr. Halsey abstained.

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**Conclusion:**

The MAPC and the Planning Department staff find that the requested Zone Change submitted by Richard Gambill and Gary Meeker should be reviewed based on the observations above. In the Case of RZ-08-16, a request to rezone property from R-3 is recommended to the Jonesboro City Council as a C-3 Limited Use with the conditions that:

The limited use overlay imposed should be restricted as follows:

1. Building permits shall not be issued in the zoned area for any new commercial uses until such proposals have been submitted, reviewed and approved by the Planning Commission.
2. Billboards, high-volume retail uses such as convenience store, car wash, pawn shop, restaurant - fast food, vehicle repair - limited, vehicle repair - general, agriculture farmers' market, and service station shall not be permitted.

3. A landscape/buffer screen shall be implemented to protect any residential to abut any future commercial uses.
4. That there be a minimum 24 ft. cross access easement provided.

Respectfully Submitted for Council Consideration,

Otis T. Spriggs, AICP  
Planning & Zoning Director

# Site Photographs



View looking South on Stadium Dr.



View looking North along Stadium Dr.



View looking East at the project site



View looking North toward the site