

City of Jonesboro City Council
Staff Report – RZ 21-10: 5441 & 5443 Southwest Drive
 Municipal Center - 300 S. Church St.
For Consideration by the City Council on July 6th, 2021

REQUEST: To consider a rezoning of one tract of land containing 3.56 acres more or less.

PURPOSE: A request to consider recommendation to Council for a rezoning from “C-4” Neighborhood Commercial District Limited Use Overlay to a “C-3” General Commercial District.

**APPLICANTS/
OWNER:** David and Deborah Hartshorn, 2801 Buckingham Drive, Jonesboro, AR 72401

LOCATION: 5441 and 5443 Southwest Drive, Jonesboro, AR 72404

**SITE
DESCRIPTION:** **Tract Size:** Approx. 3.56 Acres
Street Frontage: 210 ft. – Southwest Drive / 60 ft. Jaybee Drive
Topography: Flat Land
Existing Development: Currently Vacant

SURROUNDING CONDITIONS:

ZONE	LAND USE
North	R-1 Single Family Residential – Vacant Land
South	Commercial C-4
East	Commercial C-4 and C-4 LUO – Vacant land / House
West	R-1 Single Family Residential - Houses

HISTORY: Vacant Land

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 High Intensity Growth Sector and is in the Overlay District. A wider mix of land uses is appropriate in the **High Intensity Growth Sector**. From Multi-Family to fast food to Class A office space to outdoor display/highway oriented businesses like automotive dealerships, because they will be located in areas where sewer service is readily available and transportation facilities are equipped to handle the traffic. The proposed rezoning is consistent with the adopted Land Use Plan for the proposed zoning.

HIGH INTENSITY GROWTH SECTORS - RECOMMENDED USE TYPES INCLUDE:

- *Multi-Family*
- *Regional Shopping Centers*
- *Automotive Dealerships*
- *Outdoor Display Retail*
- *Fast Food Restaurants*
- *Service Stations*
- *Commercial and Office*
- *Call Centers*
- *Research and Development*
- *Medical*
- *Banks*
- *Big Box Commercial*
- *Hotel*

Density:

Multi-Family 8-14 Dwelling Units per Acre

Multi-Family should only be allowed on collector and above streets that have been improved or scheduled to be improved in the next construction cycle of city projects unless the developer is willing to build the roads to Master Street Plan standards that serve the development.

HEIGHT: 150 Feet

TRAFFIC: This will be located along arterial streets with high traffic volume.



Fig. 17: Example High Intense Type- Retail Service



Fig. 18: Example High Intense Type- Retail Service

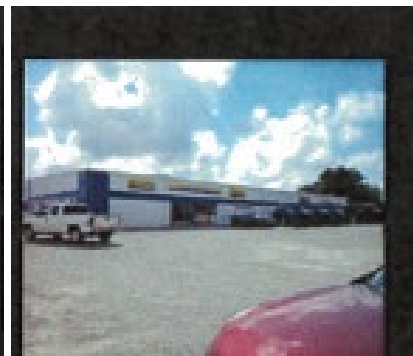


Fig. 19: Example High Intense Type- Small Lot Res.



Fig. 20: Example High Intense Type- Retail Service

Fig. 21: Moderate High Type- Retail/Office

Definition: An Overlay District is hereby established within the city consistent with the objectives of the Land Use Plan adopted by the City. The overlay corridors are the main entryways” into the City of Jonesboro. These access points define how people perceive the City of Jonesboro when coming into our city. As the main entry points these areas should show the best of what Jonesboro has to offer. The purpose of the Overlay District is to protect and enhance the scenic quality of the City’s highways and primary corridors designated below, create design stands for developments, and provide effective land use planning and facilitate traffic flow.

Overlay areas: The following streets will be defined as overlay areas into the City of Jonesboro. These overlay areas will run along the listed streets and shall be adjacent to the streets for a distance of 300 feet from the street right-of-way. If a portion of the property falls within the boundary of the overlay area, the whole property will be held to the requirements of the overlay area.

Southwest Drive (Hwy 18/49) from West City Limits to Culberhouse Road

I-555/Hwy 63 the entire length inside the city limits of Jonesboro

West Washington from I-555 to Gee Street

Stadium Drive (Hwy 1) from city limits to I-555

Red Wolf from I-555 to Johnson

Nettleton from South city limits to Red Wolf

Johnson from North city limits to Red Wolf

Dan Avenue (Hwy 91) from Hwy 63 to Gee Street

Highland (Hwy 18) East city limits to Red Wolf

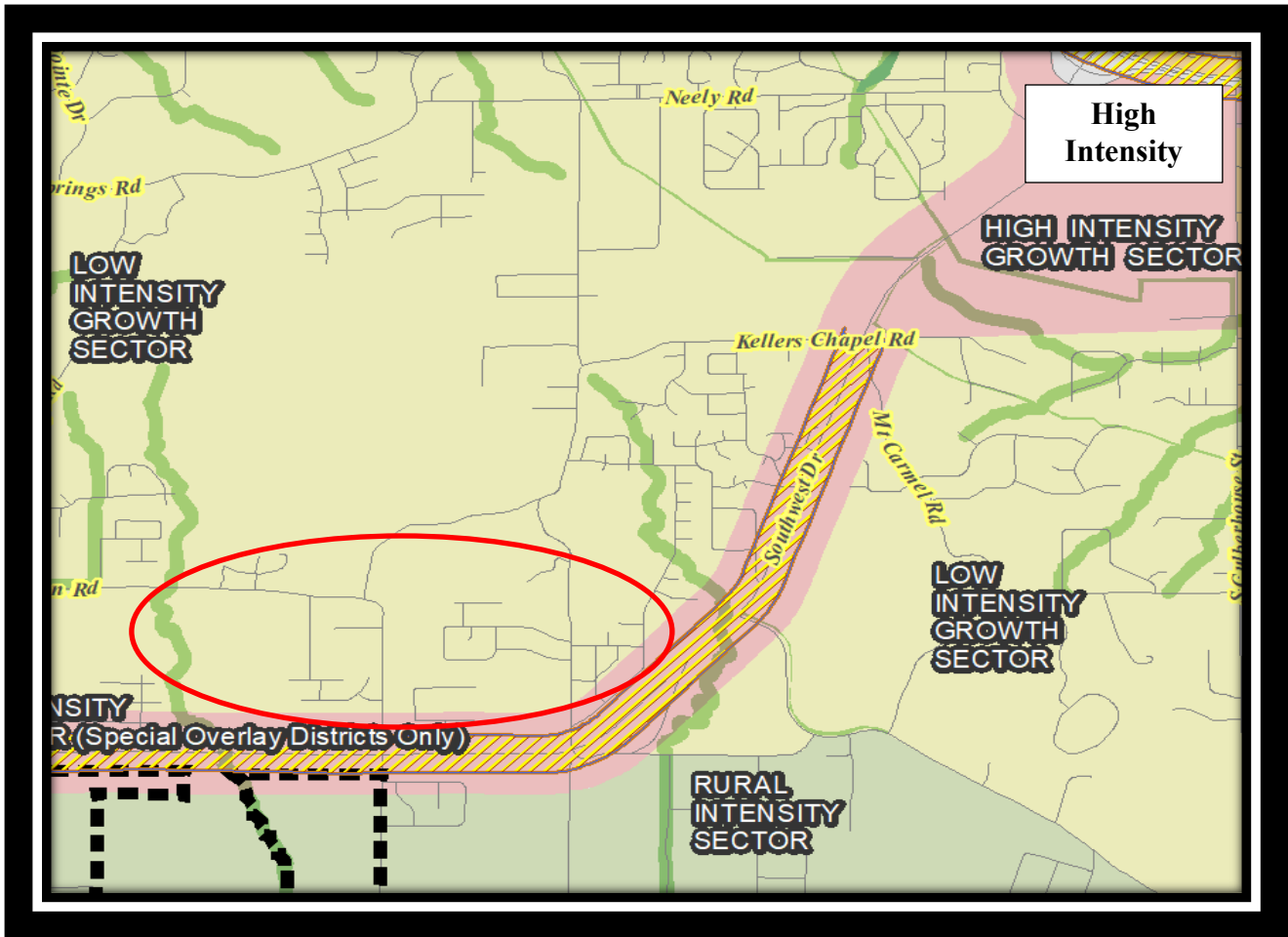
Church (Hwy 141) from North city limits to Johnson

Old Greensboro Road (Hwy 351) North city limits to Johnson (Hwy 49)

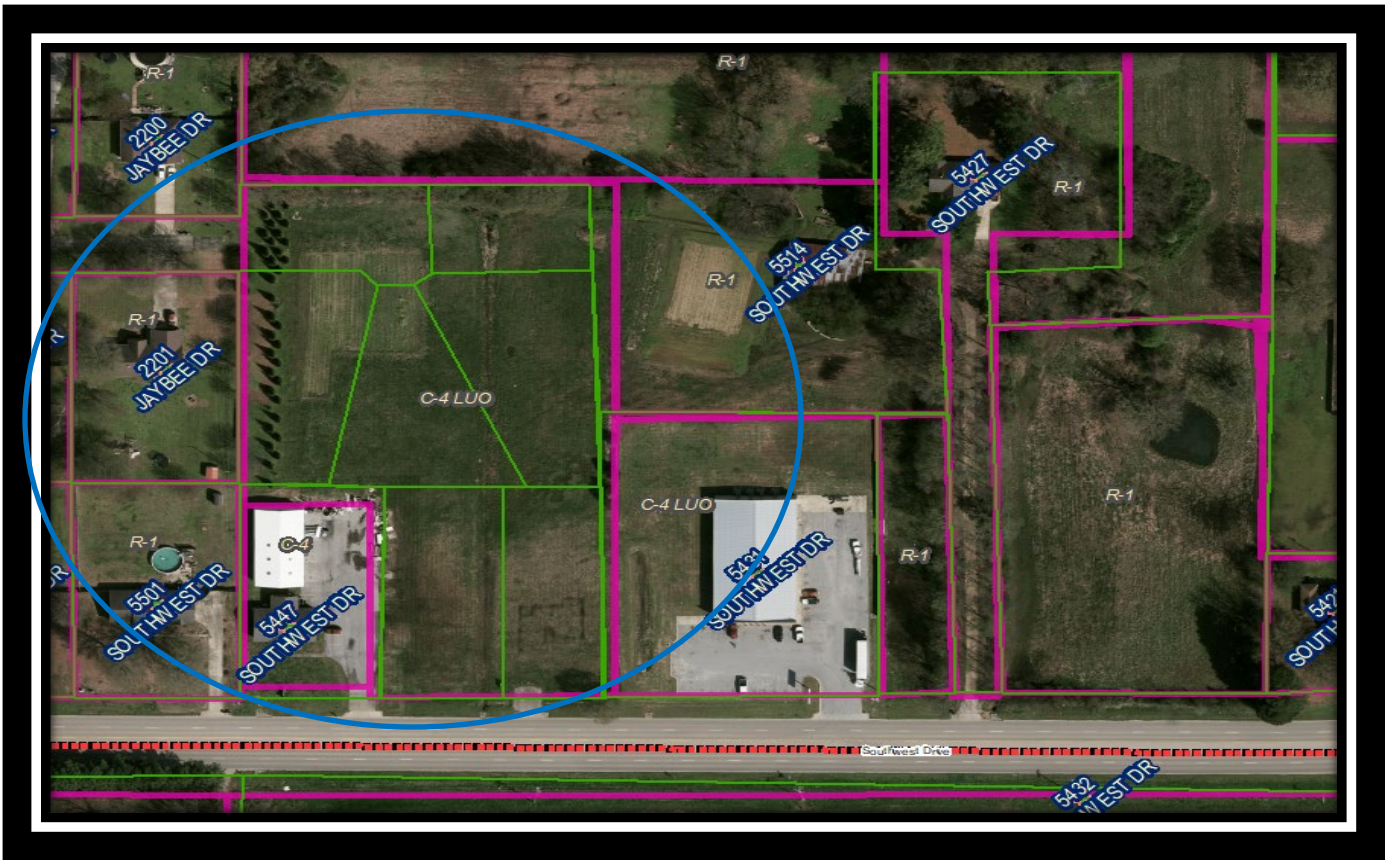
Landscape: In addition to the requirements for landscaping in the City of Jonesboro, the property inside the overlay, corridors will be required to add additional landscape. **Buffers Yards:** All area will be required to have front, rear, and side buffers yards. Front shall be 25' grass vegetative buffer. Side yards shall be 10' grass vegetative buffer, Rear yards shall be 10' grass vegetative buffer, and exterior side yards shall be 15' of vegetative buffer. In addition to the buffer areas, the front and exterior side yards shall have trees planted on 25-foot centers. Tree species to be planted within these corridors should be consist of plants that are native to the area.

Signage: Monument signs shall be the only type of signage allowed off the buildings in the Overlay District. The monument sign shall be ground mounted and match the architectural features of the building. The maximum height of the monument shall be eight feet in height for a single tenant building, and twelve feet in height for a multi-tenant building. The advertising area of the sign cannot contain over 50 percent of the sign face as changeable copy. Changeable copy can be static or LED but cannot be flashing, rotating, or distracting to "motorists" and/or "road users". Signs shall be limited to no more than one sign per lot unless the lot width is greater than 300'. If greater than 300', the lot may be allowed an additional monument sign for every 300' of frontage.

Design Requirements: All new buildings within the Overlay District shall be required to have exterior features of at least 80% brick, wood or stone. Glass, architectural metals and stucco should only be used as accent features for the building. If parking lots are located in the fronts of the buildings, they should include landscaping islands at a ratio of one island for every ten parking spaces. All parking lot lighting within the overlay district shall be limited to full cutoff fixtures with a pole height not to exceed 18 feet. There shall be no light spillage onto adjacent property within this district.



Land Use Map



Master Street Plan/Transportation







The subject property is served by Southwest Drive and Jaybee Drive. Southwest Drive on the Master Street Plan is classified a Principal Arterial. Principal Arterials provide both long distance connections through the urban areas and to major traffic generators within the community. Roadways are designated principal arterials to imply the need to focus more on moving traffic rather than providing direct access to adjacent land. Jaybee Drive is classified as a local Street. The Local Street function is to provide access to adjacent property. The movement of traffic is a secondary purpose. The use of a Local Street in a residential area by heavy trucks and buses should be minimized. The standard Local Street is to be used in all cases.



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 list on the next page.

Criteria	Explanations and Findings	Comply Y/N
(a) Consistency of the proposal with the Comprehensive Plan/Land Use Map	The proposed district rezoning is consistent with the Adopted Land Use Plan, which was categorized as a High 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, with compliance of all District standards.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	Compatibility is achieved with this rezoning considering there is a C-4 and C-3 Commercial Zoning in this area. This will have to come back to the MAPC to get a Conditional Use for the Mini Storages they are wanting to put on this location.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	Without the proposed zoning map amendment, this property will likely not develop as a Mini Storage Facility because that is not allowed in C-4 Zoning.	
(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;	No detrimental or adverse impacts are predicted, if proper planning is implemented.	
(f) 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 businesses and residential currently exist in this area.	

Staff Findings:

Applicant's Purpose

The proposed area is currently classified as a C-4 Neighborhood Commercial District Zone. The Applicant is wanting to operate a Commercial Business for mini-storage unit rentals. The applicant knows that once he get the rezoning thru Council if this should pass has to come back to the MAPC to get a Conditional Use to operate a Mini-Storage Faculty.

Rezoning this property is consistent with the *Jonesboro Comprehensive Plan* and the *Future Land Use Plan*.

Chapter 117 of the City Code of Ordinances/Zoning defines C-3 General Commercial District as follows:

Definition of 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 Street. Development of groupings 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 issues were reported	
Streets/Sanitation	No issues were reported	
Police	No issues were reported	
Fire Department	No issues were reported	
MPO	No issues were reported	
Jets	No issues were reported	
Utility Companies	No issues were reported	CWL
Code Enforcement	No issues were reported	

MAPC RECORD OF PROCEEDINGS: PUBLIC HEARING HELD ON JUNE 22, 2021

John Easley of Associated Engineering on behalf of David and Deborah Hartshorn are requesting MAPC Approval for a Rezoning from “C-4” Neighborhood Commercial District Limited Use Overlay to “C-3” General Commercial District for 3.56 +/- acres of land located at 5441 and 5443 Southwest Drive.

APPLICANT: John Easley with Associated Engineering representing David Hartshorn. In 2015, David rezoned a property to this current zoning and since then he has not been able to do anything with it due to health issues. Gary Pruett and Scott Pruett are here and would like to develop the property to put mini storages on it. I met with Derrel and discussed the process. I-2 or I-1 would be spot zoning so we agreed on the C-3 zoning providing council approves it. We would then come back and ask for a conditional use permit just for the mini storages. The drawing is just to show a general layout. We didn’t have any formal meetings but the Pruett’s did visit the neighborhood and discuss the project, made phone calls with neighbors, etc. This is also in the overlay district along Southwest Drive. We are asking for C-3 zoning.

COMMISSION: Lonnie Roberts asked for City comments.

STAFF: Ryan Robeson stated it does meet the requirements of our zoning questions that we normally ask so we would recommend approval with the following stipulations:

- 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 Planning Department, 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, outdoor storage, dumpster enclosure, sidewalks etc. shall be submitted to the Planning Department prior to any redevelopment.**
- 5. The property lies in the Overlay District and will have to meet all requirements of that District.**
- 6. Applicant will have to apply for Conditional Use thru the MAPC and get approval to place min-storages on this location.**

COMMISSION: Lonnie Roberts stated I have a letter to read from Steve Floyd. I am writing you in regards to the property on Southwest Drive, owned by Mr. David Hartshorn. I have found out recently that he is planning on re-zoning and possibly putting mini storages on this property. I, and my sister, Lisa Bowers highly oppose this re-zoning. We are the owners of the property north of him and east of him. My sister’s residence borders this property. We believe this to be spot zoning. All of our property is zoned residential. We ask that you please deny this

request. I also want to inform the board that Clearview Estates, a residential subdivision, borders this property in the northwest corner. I can be reached at 870-219-4747, if you need to contact me. Thank you for your time and consideration in this matter. One call in from Doyle Yarbrough at 5718 Weaver Road. He wanted to register that he is opposed to the rezoning.

COMMISSION: Lonnie Roberts ask for Public Comments on this Rezoning Request.

PUBLIC: Hollace Walls at 5503 Southwest Drive. I think they should approve because there are so many subdivisions down that highway almost to the overpass and I see no reason why it shouldn't go commercial.

COMMISSION: Lonnie Roberts Jr. asked for commissioner's comment.

COMMISSION ACTION:

Mr. Jim Little made a motion to approve Case: RZ: 21-10, as submitted, to the City Council with the stipulations that were read by the Planning Department:

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 Planning Department, 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, outdoor storage, dumpster enclosure, sidewalks etc. shall be submitted to the Planning Department prior to any redevelopment.
5. The property lies in the Overlay District and will have to meet all requirements of that District.
6. Applicant will have to apply for Conditional Use thru the MAPC and get approval to place min-storages on this location.

The MAPC find to rezone property "C-4" Neighborhood Commercial District Limited Use Overlay to "C-3" General Commercial District for 3.56 +/- acres of land. Motion was seconded by Mr. Jimmy Cooper.

Roll Call Vote: 7-0, Aye's: Paul Ford; Stephanie Nelson; David Handwork; Kevin Bailey; Monroe Pointer; Jimmy Cooper; Jim Little.

Nay's: 0

Absent: Dennis Zolper

Conclusion:

The Planning Department Staff finds that the requested Zone Change submitted for subject parcel, should be evaluated based on the above observations and criteria of Case RZ 21-10 a request to rezone property from “C-4” Neighborhood Commercial District Limited Use Overlay to a “C-3” General Commercial District; the following conditions are recommended:

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 Planning Department, 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, outdoor storage, dumpster enclosure, sidewalks etc. shall be submitted to the Planning Department prior to any redevelopment.
5. The property lies in the Overlay District and will have to meet all requirements of that District.
6. Applicant will have to apply for Conditional Use thru the MAPC and get approval to place min-storages on this location.

Respectfully Submitted for City Council Consideration,
The Planning and Zoning Department

Sample Motion:

I move that we place Case: RZ 21-10 on the floor for consideration of recommendation by MAPC to the City Council with the noted conditions, and we, the MAPC find that to rezone property from “C-4” Neighborhood Commercial District Limited Use Overlay to “C-3” General Commercial District will be compatible and suitable with the zoning, uses, and character of the surrounding area.

