

City of Jonesboro City Council
Staff Report – RZ 15-18: 3008 Rook Rd. Rezoning
Municipal Center - 300 S. Church St.
For Consideration by the Council on February 2, 2016

REQUEST: To consider a rezoning of one tract of land containing 3.21 acres more or less.

PURPOSE: A request to consider recommendation to Council by the MAPC for a rezoning from “R-1” Single Family Residence to “C-3 L.U.O.” General Commercial District Limited Use Overlay.

APPLICANTS/ OWNER: **Ted Rook, Patsey Rook, Larry Rook, Dickey Rook, DMDTJR,LLC, 3008 Rook Rd., Jonesboro, AR**

LOCATION: 3008 Rook Rd., Jonesboro, AR

SITE DESCRIPTION: **Tract Size: Approx. 3.21 Acres**
Street Frontage: +/-404 ft. along Stadium Blvd. & E. Parker Rd.
Topography: Flat, open, sparsely covered with trees
Existing Development: Residential Single Family w/ accessory structures.

SURROUNDING CONDITIONS:

ZONE	LAND USE
North	R1- Joe N. Martin Expressway (Hwy 63) Ar. Highway Dept.
South	C-3, Auto Sales: Fletcher Realty, LLC.
East	R-1, Residential, Elizabeth Moore Trust ETAL
West	C-3, Auto Sales, Linda Matthews ETAL

HISTORY: None.

ZONING ANALYSIS

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

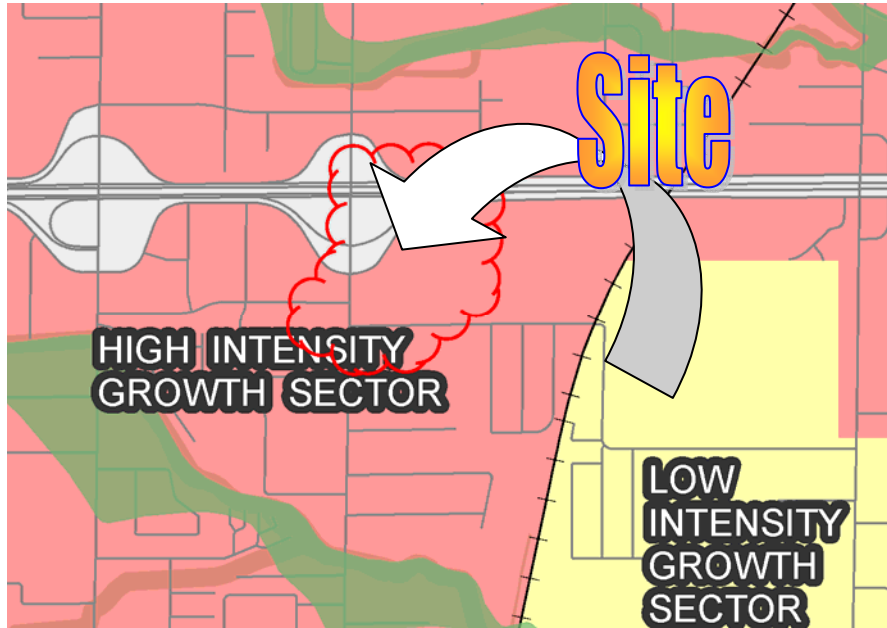
COMPREHENSIVE PLAN LAND USE MAP

The Current/Future Land Use Map recommends this location as Moderate Intensity Growth Sector. The proposed rezoning is consistent with the adopted Land Use Plan for the existing and proposed use if proper controls are implemented. Highway commercial is typical for this area.

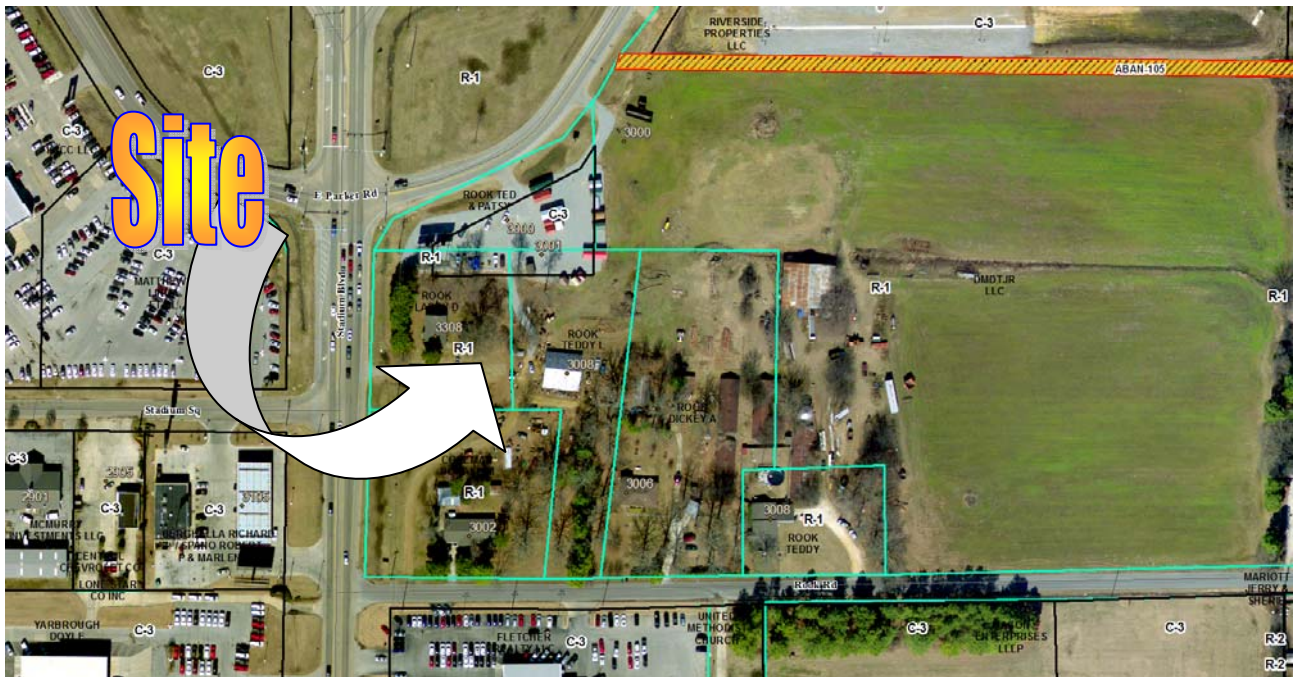
Moderate Intensity Recommended Use Types Include: Neighborhood retail, Neighborhood services, office parks, small medical offices, Libraries, schools, other public facilities, Senior living centers, nursing homes, community-serving retail, small super market, convenience store, bank, etc.

Master Street Plan/Transportation

The subject site is served by E. Parker Rd., which on the Master Street Plan is defined as a Highway/Interstate; proposed right-of-ways adhere to the Master Street Plan as State Controlled access. 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 proposed C-3 LU-O District rezoning is consistent with the Future Land Use Plan, which was categorized as 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, if good access management is implemented.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	Compatibility is achieved. This area is primarily commercial on a major arterial. High intense uses are encouraged.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment.	Property is not suitable for single family residential where fronting on major arterials.	
(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 and good site access management principles are followed.	
(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 occupied as residential for several years.	
(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 this area will continue to grow as commercial.	

RECORD OF PROCEEDINGS: MAPC Meeting held January 26, 2016

Applicant:

Mr. Terry Bare: Representing the owners of the property on Stadium Dr., stated that they are combining their property, and now a portion which is zoned Commercial -C-3 LUO.

Staff:

Mr. Spriggs gave Staff comments noting that the property fronts on a major arterial- Stadium Blvd.. The request is consistent with the Land Use Plan which recommends High Intense Growth Sector which promotes general commercial uses. The area has developed slowly in that fashion. The rezoning criteria have been reviewed and the proposal is consistent. The land is not suitable for residential due to speed of traffic. The subject property does not front on Rook Road directly. There is a proposed exclusion list of uses, as noted in the report which are usually not compatible with any abutting residential. No comments of opposition or concern were voiced by the agencies and apartments contacted. The 3 conditions were read.

Public Input: None Present

Action: 8-0 Vote recommending approval.

Motion was made by Mr. Reese, noting that this is a good use for the property and recommended it to Council with the noted Staff conditions. Motion was 2nd by Mr. Cooper.

Roll Call Vote: Mr. Reese- Aye; Mr. Cooper- Aye; Mr. Hoelscher- Aye; Mr. Scurlock- Aye; Mr. Kelton- Aye; Dr. Stripling- Aye; Mr. Bailey-Aye; Mr. Perkins- Aye. Lonnie Roberts Served as Chair.

Staff Findings

Applicant's Purpose:

The applicants are proposing to rezoning the subject property with the ability to utilize the land for C-3 General Commercial uses with the following limited uses to be excluded: Adult Entertainment, Off-premises advertisement, Communication Tower, Funeral Home, Warehouse, Residential (Mini Storage), Daycare, Limited (Family Care), and Cemetery. Please see the allowable use table on the next page which outlines which uses shall be permitted in the future if this property is rezoned.

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

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 streets. Development of grouping of facilities

shall be encouraged, as opposed to less desirable strip commercial. As noted, the proposed property fronts on property currently under the jurisdiction of the State Highway Department. The intersection of E. Parker Road and Stadium is a signalized intersection, therefore any future site plans that area reviewed should follow driveway setback and separation requirements to assure good access measures are considered.

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	C-3	Uses	C-3
Manufactured housing unit		Utility, major	C
Airport or airstrip		Utility, minor	P
Animal care, general	P	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	C
Cemetery	P	Vehicular and equipment storage yard	
Church	P	Asphalt or concrete plant	
College or university	P	Auto wrecking or salvage yard	
Communication tower	C	Basic industry	
Construction sales and service		Freight terminal	C
Convenience store	P	Landfill (private)	
Day care, limited (family home)	P	Manufacturing, general	
Day care, general	P	Manufacturing, limited	
Entertainment, adult	C	Mining or quarrying	
Government service	P	Oil and gas drilling	
Indoor firing range		Research services	C
Library	P	Solid waste incinerator	
Medical service/office	P	Warehousing	
Museum	P	Welding or machine shop	
Office, general	P	Agriculture, animal	C
Parking lot, commercial	P	Agriculture, crop	
Parks and recreation	P	Agriculture, farmers market	P
Pawn shops	P	Agriculture, product sales	
Post office	P	Sign, off-premises*	P
Recreation/entertainment, indoor	P	Retail/service	P
Recreation/entertainment, outdoor	P	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 15-18, a request to rezone property from “R-1” Single Family to “C-3”, L.U.O., General Commercial District, subject to final site plan approval by the MAPC.

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 for parking, signage, acces, landscaping, fencing, buffering etc. shall be submitted shall be submitted, reviewed, and approved by the MAPC, prior to any redevelopment of the property.
3. The Rezoning Approval limits this use to the C-3 General Commercial Uses except for the following: Adult Entertainment, Off-premises advertisement, Communication Tower, Funeral Home, Warehouse, Residential (Mini Storage), Daycare, Limited (Family Care), and Cemetery; and any substantial change of uses shall be subject to Planning Commission approval in the future.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



View Looking East on Rook Rd.



View Looking North at subject property on 3008 Rook Rd.



Looking South directly across the street from subject property



Looking South directly across the street from subject property



View Looking Northeast towards the subject property on 3008 Rook Rd.