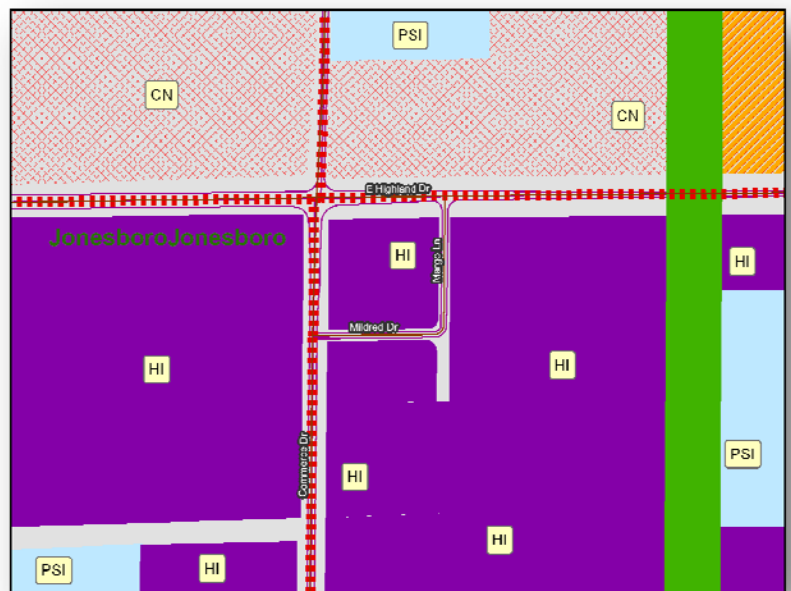


*City of Jonesboro Metropolitan Area Planning Commission*  
**Staff Report – RZ 14-01 2001 Margo Lane Rezoning**  
Municipal Center - 300 S. Church St.  
*For Consideration by the Commission on March 11, 2014*

- REQUEST:** To consider a rezoning of a parcel of land containing 0.41 acres more or less.
- PURPOSE:** A request to consider recommendation to Council for a rezoning from “AG-1” Agricultural District to “C-3” General Commercial District.
- APPLICANT OWNER:** Jack Elam, Elam Enterprises, 5934 E. Highland Dr., Jonesboro AR 72402  
Same
- LOCATION:** 2001 Margo Lane, South Side of Highland Dr., West Side of Margo Lane.
- SITE DESCRIPTION:** Tract Size: Approx. +/- .40 Acres (17,340 s.f.)  
Frontage: Approx. 209.94’ +/- along E. Highland Dr.; 81.77 ft. along Margo Lane.  
Topography: Flat  
Existing Development: Single Family Home; detached storage sheds, storm shelter.
- | <b>SURROUNDING CONDITIONS:</b> | <u>ZONE</u> | <u>LAND USE</u>    |
|--------------------------------|-------------|--------------------|
| North:                         | C-3         | Commercial         |
| South:                         | AG-1        | Single-Family Home |
| East:                          | AG-1        | Single-Family Home |
| West:                          | C-3         | Single-Family Home |
- HISTORY:** None.
- ZONING ANALYSIS:** City Planning Staff has reviewed the proposed Zone Change and offers the following findings.








**COMPREHENSIVE PLAN FUTURE LAND USE MAP**

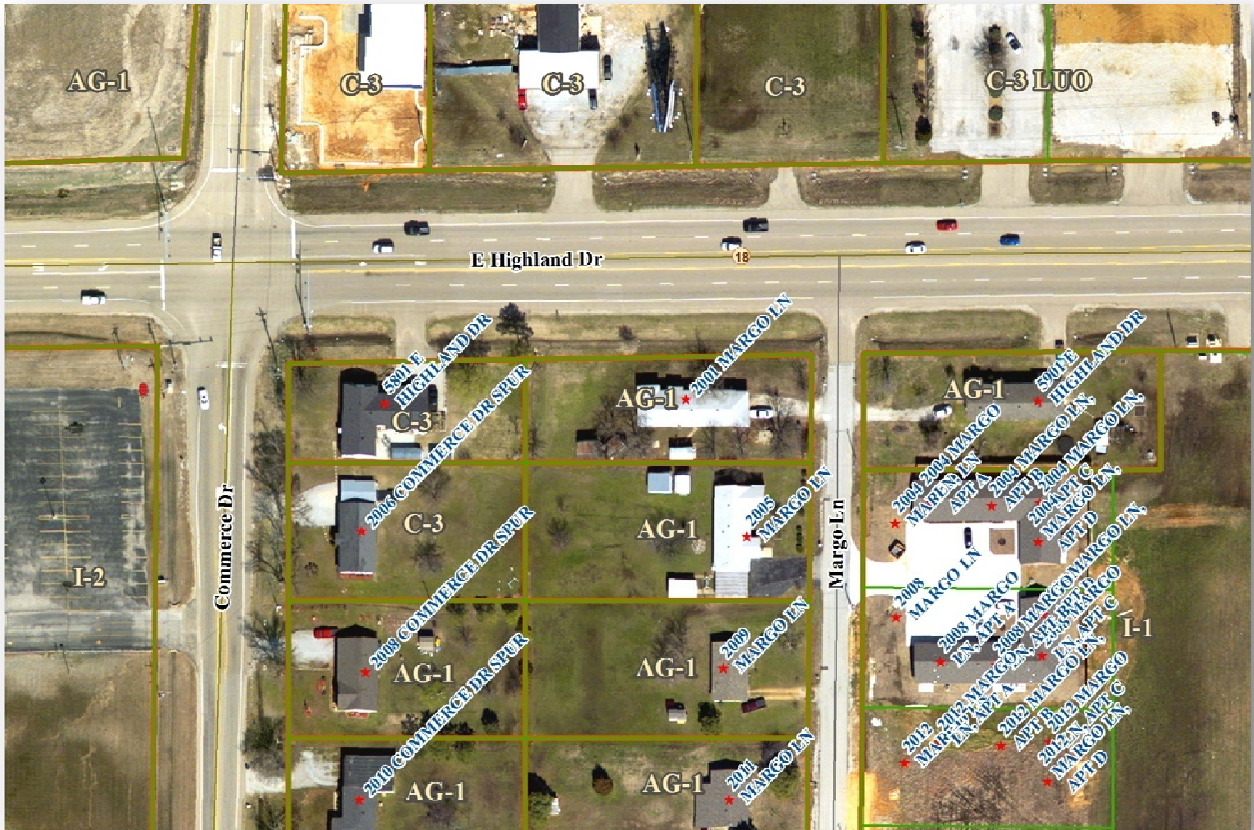
The Current/Future Land Use Map recommends this location as Heavy Industrial. The proposed rezoning is not as intense as heavy industrial/manufacturing, with the proposed rezoning being General Commercial. This site is just south of a Commercial Node intersection, therefore Staff feels that a coordinated cohesive mixed development may provide for much needed supportive commercial office and service retailing.



**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 District rezoning is consistent with the Future Land Use Plan, although the designation calls for a more heavy commercial.	
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal will not achieve consistency with the purpose of Chapter 117, if it is modified as Limited Use Overlay, and if it not combined with other adjacent properties.. This will afford the Commission and the Council shape future development and place much needed conditions to deal with existing residential and coordinated mixed development and access management. <b>See Zoning Analysis Section Below. (Inadequate Lot Depth)</b>	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	The proposed rezoning can be made compatible with the development trends in the area. Although, some of the surrounding property is zoned for agriculture while now used for residential uses, a transition of the zoning and land use is occurring on this immediate area.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	This land would be accessed near a major commercially developed area. Suitability for general commercial is feasible. The current agricultural designation is not suitable.	
(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 C3, R-1 and AG-1. With proper access management and adequate buffers to the surrounding residential, the site should not be a detriment to the area.	
(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 AG-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 if rezoned to C-3 Limited Use Overlay.	



*Vicinity/Zoning Map*

**Staff Findings:**

**Applicant’s Purpose:**

The applicant is requesting a change to a C-3 General Commercial. The applicant also stated that with recent commercial growth in this area, this tract is an attractive location for continued commercial development. There are various types of development in the immediate area, including some sparse residential and commercial, and some industrial (on Commerce Drive to the west).

This area is not conducive to single family nor agricultural due to the expanse and variation of commercial development. When re-developed, this land should be developed in a manner very consistent with the increasing needs for the area; hence, this is why the applicant feels the rezoning is necessary.

**Zoning compliance/ Other Zoning Code Analysis:**

The applicant has requested a rezoning to a C-3 General Commercial District with no conditions, limitations, or Limited Use Overlay restrictions. Staff has immediate concerns, due to the fact that this tract of land is so shallow in depth from a major highway, which may cause setback, access issues that could impact State Highway 18/ Highland Drive. Staff cannot this rezoning as presented unless some form of Limited Use Overlay is considered, that will manage the future outcome of the existing home structure, and assure that

any redevelopment of this tract of land is merged with future applications for rezoning of other abutting property that will lend for a more conducive development that will resemble good planning principles.

### Dimension Requirements Commercial and Industrial Districts

<i>Dimension</i>	<i>CR-1</i>	<i>C-1</i>	<b>C-3</b>	<i>C-2</i>	<i>C-1</i>	<i>I-1</i>	<i>I-1</i>
<i>Minimum lot size</i>							
Single-family (sq. ft.)	6,500	NP	NP	6,000	NS	NP	NP
Duplex (sq. ft.)	7,200	NP	NP	7,200	NS	NP	NP
Multifamily (area/family)	NP	NP	NP	3,600	NS	NP	NP
Nonresidential uses (sq. ft.)	6,500	6,500	6,500	6,500	NS	6,500	10,000
Minimum lot width (all uses)	50'	50'	50'	50'	25'	50'	100'
Minimum lot depth (all uses)	100'	100'	<b>100'</b>	100'	NS	100'	100'
<i>Street setback</i>							
Residential uses	25'	NP	NP	25'	NS	25'	NP
Nonresidential uses	25'	25'	25'	25'	NS	25'	100'
Interior side setback							
Residential uses	7.5'	10'	NP	10'	NS	10'	NP
Nonresidential uses	10'	10'	10'	10'	NS	10'	25'
<i>Rear setback</i>							
Residential uses	20'	20'	NP	20'	NS	20'	NP
Nonresidential uses	20'	20'	20'	20'	NS	20'	25'
Maximum lot coverage (all uses)	50%	50%	60%	50%	100%	60%	60%
Percent of total lot area (building floor area)	20	20	NS	20	NS	NS	NS

Note.

NP = Not permitted.

NS = No standard.

### **Master Street Plan/Transportation**

The subject property is served by East Highland Dr. and Margo Ln. On the master street plan, East Highland Dr. is classified as a principal arterial, which requires a 60 ft. right-of-way to road centerline (120 ft. total right-of-way) and Margo Ln. is classified as a local street, which requires a 30 ft. right-of-way to road centerline (60 ft. total right-of-way). For East Highland Dr., the rezoning plat shows a sufficient amount of dedicated right-of-way, which ranges between 72.27 ft. and 75.03 ft. to the road centerline. For Margo Ln., the rezoning plat shows a 20.25 ft. right-of-way to the road centerline which is insufficient. The Lazy Acres



subdivision, plat which this property is located shows a total dedicated street right-of-way of 50 ft. for Margo Ln. (formerly Marolyn Ln.)

**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.

<b>Department/Agency</b>	<b>Reports/ Comments</b>	<b>Status</b>
<b>Engineering</b>	No issues reported to date.	
<b>Streets/Sanitation</b>	Reported no issues.	
<b>Police</b>	No issues reported to date.	
<b>Fire Department</b>	No issues reported to date.	
<b>MPO</b>	No issues reported to date.	
<b>Jets</b>	No issues reported to date.	
<b>Utility Companies</b>	No issues reported to date.	

***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 should consider a C-3 Limited Use Overlay District rezoning with a narrowed-down list of uses permitted except the following highlighted uses in yellow. (Note that some uses are permitted within the C-3 District; however others must request a Conditional Use Approval by the MAPC):

List of Commercial Uses		C-3 General Commercial	List of Commercial Uses		C-3 General Commercial
<i>Civic and commercial uses</i>			<i>Civic and commercial uses</i>		
	Animal care, general	Permitted		Nursing home	Permitted
	Animal care, limited	Permitted		Office, general	Permitted
	Auditorium or stadium	Conditional		Parking lot, commercial	Permitted
	Automated teller machine	Permitted		Parks and recreation	Permitted
	Bank or financial institution	Permitted		Pawn shops	Permitted
	Bed and breakfast	Permitted		Post office	Permitted
	Carwash	Permitted		Recreation/entertainment, indoor	Permitted
	Cemetery	Permitted		Recreation/entertainment, outdoor	Permitted
	Church	Permitted		Recreational vehicle park	Permitted
	College or university	Permitted		Restaurant, fast-food	Permitted
	Communication tower	Conditional		Restaurant, general	Permitted
				Retail/service	Permitted
	Convenience store	Permitted		Safety services	Permitted
	Day care, limited (family home)	Permitted		School, elementary, middle and high	Permitted
	Day care, general	Permitted		Service station	Permitted
	Entertainment, adult	Conditional		Sign, off-premises*	Permitted
	Funeral home	Permitted		Utility, major	Conditional
	Golf course	Permitted		Utility, minor	Permitted
	Government service	Permitted		Vehicle and equipment sales	Permitted
	Hospital	Permitted		Vehicle repair, general	Permitted
	Hotel or motel	Permitted		Vehicle repair, limited	Permitted
	Library	Permitted		Vocational school	Permitted
	Medical service/office	Permitted		Warehouse, residential (mini) storage	Conditional
	Museum	Permitted	<i>Industrial, manufacturing and extractive uses</i>		
<i>Agricultural uses</i>				Freight terminal	Conditional
	Agriculture, animal	Conditional		Research services	Conditional
	Agriculture, farmers market	Permitted			

Provisions or stipulations should be imposed by the Planning Commission to deal with the existing single family home that would need to be *sunshined*, because it would become a *Non-conforming Use* within a new

*C-3 L.U.O. District that is not typically allowed. If the home is converted into some form of commercial use, it may not satisfy current building codes, zoning setbacks, site design, and parking requirements.*

**Conclusion:**

The Planning Department Staff finds that the requested Zone Change submitted by Jack Elam, should be evaluated based on the above observations and criteria, of Case RZ 14-01, a request to rezone property from “AG-1” to “C-3” General Commercial, and should be modified to address concerns of unreasonable commercial uses, should encourage consolidated development with other abutting neighboring tracts of land, and redevelopment of said tract should be restricted until such time other adjacent property is rezoned appropriately and consistently. It is important to staff that all the issues cited above be addressed by the applicant.

**Sample Motions:**

I move that we place Case: RZ-13-20 on the floor for recommendation by MAPC to the City Council with the noted Option: (See Options 1 & 2 below), 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 must be made compatible and suitable with the zoning, uses, and character of the surrounding area.

**Possible options:**

**Option 1:** I move to **Table** the rezoning until such time the applicant can collaborate with adjoining property owners, and more information be brought back to the MAPC. (Property lacks sufficient lot depth).

\*\*\*\*\*

**Option 2:**

I move that we place Case: RZ-13-20 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 AG-1 Agriculture District to the proposed C-3 Limited Use Overlay District and that the rezoning will be compatible and suitable with the zoning, uses, and character of the surrounding, subject to the following stipulations:

1. That the proposed development shall satisfy all requirements of the City Engineer and all requirements of the current Stormwater Drainage Design Manual.
2. That the redevelopment and change of use of the property be subject to future rezoning of adjacent property to the south that will make this tract of land more suitable for rezoning as approvable by the MAPC. Property shall remain as a single family dwelling until such time.
3. 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.
4. Coordination is required of all egress/ingress with the State Highway Dept., M.P.O., the City Engineering Dept. and the Planning Dept.
5. The setback, building height, screening, and site design standards are required per “Sec. 117-328. - Residential Compatibility Standards”.

Respectfully Submitted for Commission Consideration,



Otis T. Spriggs, AICP  
Planning & Zoning Director

# Site Photographs



View looking southwest toward subject site.



View looking southeast toward property located to the east of subject site.





View looking east toward property located to the southeast of subject site.



View looking southwest toward properties located to the south of subject site.





View looking northwest toward properties located to the north of subject site.



View looking west toward property located to the west of subject site.



View looking southwest toward property located to the southwest of subject site.