



*Metropolitan Area Planning Commission*

**Staff Report – RZ 13-23: Rezoning –Stallings Lane Case- Reconsideration**  
**Municipal Center – 300 S. Church**  
*For Consideration by the MAPC on Tuesday, March 11, 2014*

**REQUEST:** To reconsider rezoning a parcel of property containing approximately 1.55 acres more or less.

**PURPOSE:** A request for rezoning from C-5 Neighborhood Commercial and R-1 Single Family Residential to CR-1, L.U.O, Neighborhood Commercial Residential District as modified by the Applicant to a lesser intense use.

**AGENT/ OWNER:** Sharon & Herb Stallings, 1207 Dove Rd. Jonesboro, AR 72401.  
Same.

**LOCATION:** 2904, 2906 Stallings Lane, Jonesboro AR  
**SITE DESCRIPTION:** Tract Size: Approx. 1.55 acres  
Frontage: Red Wolf Blvd. at 281.6 ft. and Stallings lane at 255.2 ft. of frontage.  
Topography: Gradually sloping  
Existing Developmt.: Residential structures and vacant land.








<b>SURROUNDING CONDITIONS:</b>	<u>ZONE</u>	<u>LAND USE</u>
North:	C-3, R-2	Daycare, Residential
South:	C-3	Commercial
East:	C-5	Commercial
West:	R-2	Residential

**HISTORY:** Approved by the Council for Rezoning to C-5 on January 3, 2006 for Neighborhood Commercial by ORD 06:165.

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

**Approval Criteria Checklist- Section 117-34- 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 list. Staff has reviewed the proposal and offers the following explanations and findings related to the approval criteria.

Criteria	Explanations and Findings	Comply Y/N
(a) Consistency of the proposal with the Comprehensive Plan/Land Use Map	The proposed CR-1, Limited Use Overlay District rezoning is consistent with the Future Land Use Plan.	
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal is consistent with the purpose of Chapter 117.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	The proposal is substantially compatible with the development trends in the area. Although, some of the surrounding property is zoned for residential use, a transition of the zoning and land use is occurring on this immediate site and property. The majority of the site was rezoned previously for neighborhood commercial.	
(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 at a major commercially developed area. Suitability for general commercial is feasible.	
(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 C-3, C-5, R-2 and R-3. 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 R-1 or C-5 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.	

**COMPREHENSIVE PLAN/ FUTURE LANDUSE MAP**

The 2010 Comprehensive Plan Future Land Use Map shows the area recommended as Neighborhood Retail (NR). This area is pending a restudy on the land use map by the Land Use Advisory Committee and will most likely maintain a Neighborhood Retail status. *Consistency is achieved with the adopted Land Use Map.*

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

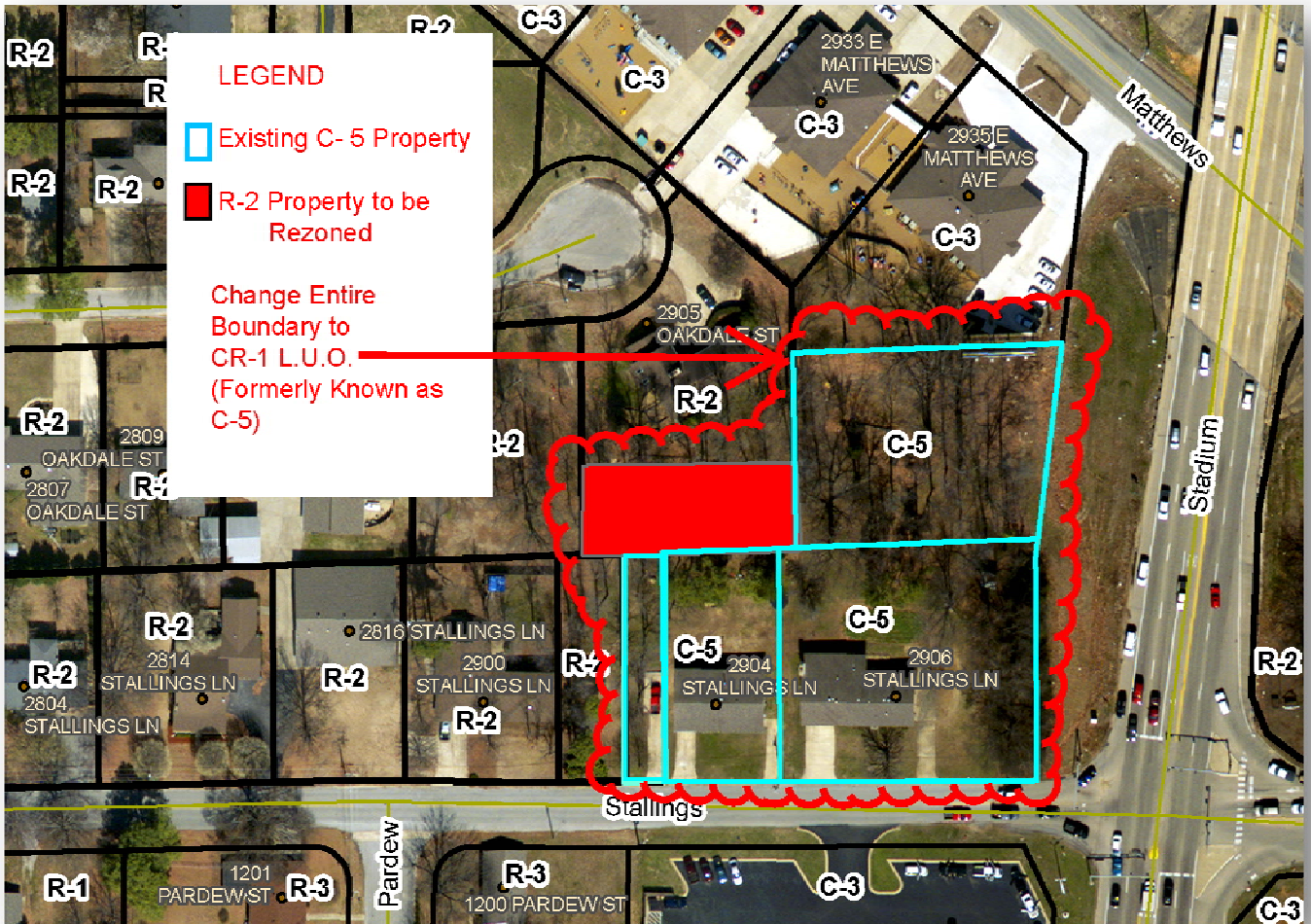


**Master Street Plan/Transportation**

The subject property is served by a City Street- Stallings Drive, and Stadium Blvd (Hwy. 1). The proposed ingress/egress is proposed off of Stallings Dr. Stallings Drive is categorized as a local street and Stadium Blvd. is a Principal Arterial. Adequate right of way dedications must the minimum requirements of the Master Street Plan.

**Other Departmental/Agency Reviews:**

Department/Agency	Reports/ Comments	Status
Engineering	Ongoing review; Traffic management plan should be submitted.	Recommended from Planning, MPO & Engineering Staff
Streets/Sanitation	No issues noted with this proposal.	
Police	Pending	
Fire Department	No issues reported.	
MPO	Ongoing review; Revisions have been made. See Notes above.	
Jets	No issues noted with the proposal.	
Utility Companies	Ongoing review; No Comments or issues.	Suddenlink was present at MAPC Hearing



## Vicinity Zoning Map

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### MAPC Record of Proceedings: Public Hearing Held – January 14, 2014

**Applicant:** Mr. Kevin McClaflin (agent), on behalf of Herb Stallings (owner) appeared before the Commission stating that the property is located on 1.5 acres located on the northwest corner of Stallings Road and Stadium Blvd. The property is currently zoned R-2 and C-5 for neighborhood commercial. We are planning to rezoned the property C-3, Limited Use Overlay (L.U.O.).

**Staff:**

Mr. Spriggs gave staff summary comments. Consistency is achieved with the proposed Land Use Plan recommendations and the Master Street Plan in terms of right-of-way width recommendations.

The various departments and reviewing agencies have had an opportunity to review the proposed layout under the Limited Use Overlay process. The M.P.O. office forwarded comments and recommends that the proposed drive be resituated more towards the west property line. Moving the drive as far away from

the intersection as possible is ideal, otherwise stacking-egress conflicts will result with site traffic. (As shown on the aerial view, even under existing traffic conditions, intersection queues extend beyond the proposed drive.)

See Staff Report analysis below for other covered comments.

**Public Input:**

**Dwayne Sims, (Opposition appeared with other residents (approx. 8). 1304 Pardew St.:** Stated that he lives down from Red Wolf Blvd. in the fourth house from the location of the land proposed. For us that live on Pardew, it is an issue of quality of life. Every since they opened Stallings Lane to Stadium, we have had a tremendous amount of traffic turning on Stallings Lane, coming on to Pardew Dr., and hitting Nettleton Ave. They are trying to avoid the Nettleton Ave. intersection, even though the City just finished the turn lane on Stadium. In the mornings and when they are coming home at about 5:20 pm, the traffic will back up to Stallings Lane from Red Wolf Blvd., just past Pardew and sometimes past Oakdale Dr. , the next street over. To put another reason for people to stop and do something will put a burden and add a large amount of traffic to deal with. This will be a quality of life issue. There are some other people that live on the upper end of the street, and we all feel that this would not be a good addition and we feel it should remain as it is, without additional commercial buildings there.

**Chair closed public debate.**

**Commission Deliberation:**

Mr. Kelton asked in relation to the intersection of Stallings Lane to Pardew St., where will the entrance be? Mr. McClafin illustrated on the layout where the drive would be and stated that the intent is to move it as far away from Stadium as possible. It may shift a little further west.

Mr. Hoelscher: Stated that his main concern beyond traffic is this particular type of establishment is typically over lit by lighting at night. As he understands by City Ordinances, we are trying to maintain lighting from spillage on to adjacent properties. Depending on hours of operation, the spillage of light will be difficult to avoid.

Mr. McClafin: Yes, to an extent, but they have light fixtures that have cut-off to where it won't go past the property line, and they can use those on this site. They will also have a 6 ft.- wood fence facing the residential and also landscaping as a screen. Mr. Hoelscher: What are the proposed hours of operation?

Mr. McClafin: Typically, they operate from 6am -11pm, 7 days a week.

Mr. Reece: Spoke on the issue of quality of life. That whole area has been owned by the Stallings family. If it were a quality of life thing, he stated he didn't feel the owners would do that. They wouldn't do anything to affect the quality of life of that property or anyone else's property. If this one doesn't come, then something else will come, and there would be some form of commercial on that corner. This situation here may slow down the traffic on Stallings Lane. The Stallings family would have as much to lose as the residents on Pardew and Oakdale Dr.

Ms. Nix: On the driveway, will there be only one into the business? Mr. McClafin: Yes. My thought is to have it away from Red Wolf as possible. Ms. Nix: As Mr. Spriggs has mentioned, are you agreeable to that?

Mr. McClafin: Stated yes. And as he has stated we will be doing a traffic study and bring it back to the MAPC. And, we have to bring our site plan back with the traffic analysis, for review by the Planning Commission. During that review process, we will be tweaking the site layout per the City's recommendation.



**Previous Commission Action:**

Motion was made by Mr. Reece to approve the request and adopt the rezoning per the staff recommendations and stipulations, with a recommendation to the City Council as stated.

Motion was 2<sup>nd</sup> by Mr. Joe Tomlinson

Mr. Scurlock- Aye; Mr. Hoelscher - Nay; Mr. Kelton- Aye; Mr. Reece- Aye; Mr. Nix- Aye; Mr. Dover-  
Nay; Ms. Schrantz- Aye. Mr. Tomlinson- Aye. Measure passed 6-2.

**Other Zoning Code Analysis:**

**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 existing subject site has two zoning districts: Zone C-5 (Neighborhood Commercial District) and R-2 (Single-Family Residential District). There are currently two single-family houses on this site, with two out-buildings. There are five residential driveways on the north side of Stallings Lane along this property frontage. There are five lots proposed to be rezoned (lot 9, 19, 20, and a part of lot 10 and a part of lot 18 of Stallings 5th Addition to the City of Jonesboro). The total site area is approximately 1.55 acres.

This application for a zoning ordinance map amendment is being resubmitted to request rezoning the site from Zone C-5 and CR-1 Neighborhood Commercial. No particular use is being presented with this petition. However, the table below outlines the possible uses permitted within the CR-1 Neighborhood Commercial Residential District.

***CR-1, commercial residence mixed use district.*** The CR-1, commercial residence mixed use district shall be classified as a transitional zoning classification for mixed-use type developments. It allows commercial development, with a residential appearance, and professional uses to be completed in areas between existing commercial more of a retail nature, and single-family residential. By definition it represents transition. Therefore, the logical conclusion would be that a transitional use, such as quadraplexes shall be permitted in this district with commercial below or coordinated to blend or relate. Site plan review shall be subject to planning commission review and administrative approval upon commission recommendation.

List of Uses		CR-1 Neighborhood Commercial	List of Uses		CR-1 Neighborhood Commercial
	Duplex, triplex, fourplex	Permitted		Office, general	Permitted
	Loft apartment	Permitted		Parks and recreation	Permitted
	Multifamily	Permitted		Post office	Conditional Use Required
	Animal care, general	Conditional Use Required		Safety services	Permitted
	Animal care, limited	Conditional Use Required		School, elementary, middle and high	Permitted
	Automated teller machine	Conditional Use Required		Recreation/entertainment, indoor	Permitted
	Bed and breakfast	Conditional Use Required		Recreation/entertainment, outdoor	Permitted
	Cemetery	Permitted		Medical service/office	Permitted
	Church	Permitted		Museum	Permitted
	College or university	Permitted		Nursing Home	Conditional Use Required
	Communication tower	Conditional Use Required		Recreational vehicle park	Permitted
	Convenience store	Conditional Use Required		Restaurant, fast-food	Permitted
	Day care, limited (family home)	Permitted		Restaurant, general	Permitted
	Day care, general	Permitted		Retail/service	Permitted
	Funeral home	Conditional Use Required		Sign, off-premises*	Permitted
	Government service	Permitted		Utility, major	Conditional Use Required
	Hospital	Permitted		Utility, minor	Permitted
	Library	Permitted			

**At this time there is no site plan under consideration. Therefore any future redevelopment shall be subject to administrative Site Plan approval by the MAPC. The zoning restrictions listed in the table below shall be applied and adhered to:**

Dimension Requirements Commercial and Industrial Districts

<i>Dimension</i>	<b>CR-1</b>	<i>C-4</i>	<i>C-3</i>	<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.)	<b>6,500</b>	NP	NP	6,000	NS	NP	NP
Duplex (sq. ft.)	<b>7,200</b>	NP	NP	7,200	NS	NP	NP
Multifamily (area/family)		NP	NP	3,600	NS	NP	NP
Nonresidential uses (sq. ft.)	<b>6,500</b>	6,500	6,500	6,500	NS	6,500	10,000
Minimum lot width (all uses)	<b>50'</b>	50'	50'	50'	25'	50'	100'
Minimum lot depth (all uses)	<b>100'</b>	100'	100'	100'	NS	100'	100'
<i>Street setback</i>							
Residential uses	<b>25'</b>	NP	NP	25'	NS	25'	NP
Nonresidential uses	<b>25'</b>	25'	25'	25'	NS	25'	100'
Interior side setback							
Residential uses	<b>7.5'</b>	10'	NP	10'	NS	10'	NP
Nonresidential uses	<b>10'</b>	10'	10'	10'	NS	10'	25'
<i>Rear setback</i>							
Residential uses	<b>20'</b>	20'	NP	20'	NS	20'	NP
Nonresidential uses	<b>20'</b>	20'	20'	20'	NS	20'	25'
Maximum lot coverage (all uses)	<b>50%</b>	50%	60%	50%	100%	60%	60%
Percent of total lot area (building floor area)	<b>20</b>	20	NS	20	NS	NS	NS

Note.

NP = Not permitted.

NS = No standard.

(Zoning Ord., § 14.20.02; Ord. No. 3434; Ord. No. 08-2007, 2-6-2007)



**Impact of Future Developments on the Traffic:**

Previously the MAPC held public hearings where the traffic issues caused at the subject property locations became a major concern. The Engineering Department has provided us with a list of development thresholds that may generate 100 peak hour trips. These type of development would most likely require a traffic study to determine what improvements may be needed for a particular project.

<b>Threshold Levels</b>		
<b>Land Use</b>	<b>100 Peak Hour Trips</b>	<b>750 Daily Trips</b>
Residential: Single Family	150 units	70 units
Apartments	245 units	120 units
Condos/Townhouses	295 units	120 units
Mobile Home Park	305 units	150 units
Shopping Center	15,500 sq. ft.	2,700 sq. ft.
Fast Food Restaurant (GFA)	5,200 sq. ft.	1,200 sq. ft.
Convenience Store w/ gas (GFA)	1,300 sq. ft. or 5 pumps	
Bank w/ Drive-In	4,400 sq. ft.	2,800 sq. ft.
Hotel/Motel	250 rooms	90 rooms
General Office	55,000 sq. ft.	45,000 sq. ft.
Medical/Dental Office	37,000 sq. ft.	26,000 sq. ft.
Research & Development	85,000 sq. ft or 4.5 acres	70,000 sq. ft or 4 acres
Light Industrial	115,000 sq. ft. or 8 acres	115,000 sq. ft. or 11.5 acres
Manufacturing	250,000 sq. ft.	195,000 sq. ft.

**Conclusion:**

The Planning Department Staff finds that the request to rezone the property from “R-1 Single Family Medium Density to a proposed CR-1 Neighborhood Commercial Residential, Limited Use Overlay District submitted for Case RZ 13-23, should be evaluated and approved based on the above observations and criteria. The following are included in the requirements that will apply:

1. That the proposed development shall satisfy all requirements of the City Engineer and all requirements of the current Stormwater Drainage Design Manual.
2. 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.
3. The setback, building height, screening, and site design standards are required per “Sec. 117-328. - Residential Compatibility Standards”.
4. That the future use of the property be limited to the list of uses above under the CR-1 District as approved by the MAPC.

Respectfully Submitted for MAPC Reconsideration,



Otis T. Spriggs, AICP - Planning & Zoning Director

# Site Photographs



View looking northeast from Stallings Lane toward subject site.



View looking northwest toward 2900 Stalling Lane located west of site.



View looking south from subject site toward property located on the southwest corner of Stadium Blvd. and Stallings Ln.



View looking southeast from subject site toward property located on the southeast corner of Stadium Blvd. and Stallings Ln.





View looking east from subject site toward property located on the northeast corner of Stadium Blvd. and Stallings Ln.



View looking north from Stallings Ln. toward the Stadium Blvd. street frontage for subject site.





View looking north toward northern portion of subject site with 2935 East Matthews in the background.



View looking northeast toward northern portion of subject site with 2905 Bernice Cir. in the background.