



**City of Jonesboro City Council**  
**Staff Report – RZ08-21 4215 E. Johnson, Murphy**  
**Huntington Building - 900 W. Monroe**  
**For Consideration by the Council on Tuesday, October 21, 2008**

**REQUEST:** To consider rezoning a parcel of property containing approximately 1.62 acres more or less.

**PURPOSE:** A request for rezoning from R-1 Residential to C-3 L.U.O. General Commercial.

**OWNER:** Judy and Terry Murphy, 4215 E. Johnson , Jonesboro AR.

**LOCATION:** 4215 E. Johnson Ave.

**SITE DESCRIPTION:** Tract Size: Approx. 1.62 acres  
 Frontage: Approx. 148 ft. (Johnson Ave.)  
 Topography: Level to slightly sloping  
 Existing Dvlpmt: Residence

<b>SURROUNDING CONDITIONS:</b>	<u>ZONE</u>	<u>LAND USE</u>
North:	R-1	Church
South:	R-1	Single Family
East:	I-1	RGB Mechanical
West:	C-4	Vacant Commercial

**HISTORY:** Residential use.

**ZONING ANALYSIS:** City Planning Staff has reviewed this property

**COMPREHENSIVE PLAN/ FUTURE LANDUSE MAP**

The 1996 Comprehensive Plan Future Land Use Map (page 24) shows the area recommended as Thoroughfare Commercial. This area is pending a restudy on the land use map by the Land Use Advisory Committee and will likely maintain a commercial status.

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

**MAPC RECORD OF PROCEEDINGS: Public Hearing- October 14, 2008:**

Judy Murphy stated it was tabled last time and they had it re-surveyed. Mr. Spriggs gave the Staff summary. Gave comments about the trend towards commercial along this corridor. The property to the rear remains residential and it should be stipulated that buffering be provided in the rear to protect the abutting residential, and that any future development would come before the MAPC for final review in the future.

Mr. Tomlinson made a motion to recommend approval to City Council with the condition:

1. That adequate buffering be demonstrated on the boundary to the south to protect existing residences to remain; and,
2. That any commercial use of the existing structure(s) shall meet all city codes and standards for building, parking and site design, and
3. That the redevelopment plans be submitted in the future for MAPC review and approval.  
That cross access easements should also be required.

A motion was made by Joe Tomlinson, seconded by Ken Collins, that this Rezoning be Recommended to Council. The motion CARRIED by the following vote:

6 Ayes: Ken Collins; Margaret Norris; Lonnie Roberts Jr.; Joe Tomlinson; Paul Hoelscher and Jerry Halsey Jr.  
Absent: 2 - Marvin Day and Brian Dover

**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:**

The applicant is hoping to market the proposed site for commercial use. The zoning plat shows a number of structures abutting that are residential and the property immediately west was recently rezoned to C-4 and has not been sold for redevelopment.

Although the trend for this area has been moving towards commercial, Staff cautioned the Commission that care should be taken to prevent the existing homes from being converted to commercial in the interim, and lack compliance to every ordinance and building code. Therefore, Staff recommended and the MAPC placed a limited use overlay over the subject property, requiring a redevelopment plan be submitted to the Commission for final approval with the condition that adequate buffering be demonstrated on the boundary to the south to protect existing residences to remain. Cross access easements should also be entertained and addressed.

**Conclusion:**

MAPC and the Planning Department Staff find that the requested Zone Change submitted by Judy and Terry Murphy should be reviewed based on the observations above. In Case of RZ-08-21, the request to rezone property from R-1 to C-3 Commercial was modified by MAPC and is recommended to the Jonesboro City Council as C-3 General Commercial, Limited Use Overlay; with the condition that adequate buffering be demonstrated on the boundary to the south to protect existing residences to remain; and, that any commercial use of the existing structure(s) shall meet all city codes and standards for building, parking and site design, and that the redevelopment plans be submitted in the future for MAPC review and approval. Cross access easements should also be required.

Respectfully Submitted for Council Consideration,

Otis T. Spriggs, AICP  
Planning & Zoning Director

# Site Photographs



View looking south at site.



View looking east next door to site.





View looking north from site.



View looking northeast from site.



View looking southwest from site.



View looking south at site.