



City of Jonesboro Metropolitan Area Planning Commission
Staff Report – RZ 15-02: 5441 & 5443 Southwest Drive. Rezoning
 Municipal Center - 300 S. Church St.
For Consideration by the Commission on February 10, 2015

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

PURPOSE: A request to consider recommendation to Council for a rezoning from R-1(rear) and C-4(front) to proposed zoning C-3.

**APPLICANTS/
OWNER:** **David and Deborah Hartshorn**, 4607 South Culberhouse, Jonesboro AR

LOCATION: 5441 and 5443 Southwest Drive, Jonesboro, AR

**SITE
DESCRIPTION:** **Tract Size:** 154,898 Sq Ft-3.56 Ac
Street Frontage: 209.99’ (Southwest Drive) and 60’ (Jaybee Drive)
Topography: Slopes downward to the southeast from Elev. 387 to El. 377.
Existing Development: Vacant

SURROUNDING	<u>ZONE</u>	<u>LAND USE</u>
CONDITIONS:	North: R-1	Single family Res./Vacant
	South: C-4	Office/Residential Vacant
	East: C-4	Single family/Commercial
	West: R-1	Single family Res.

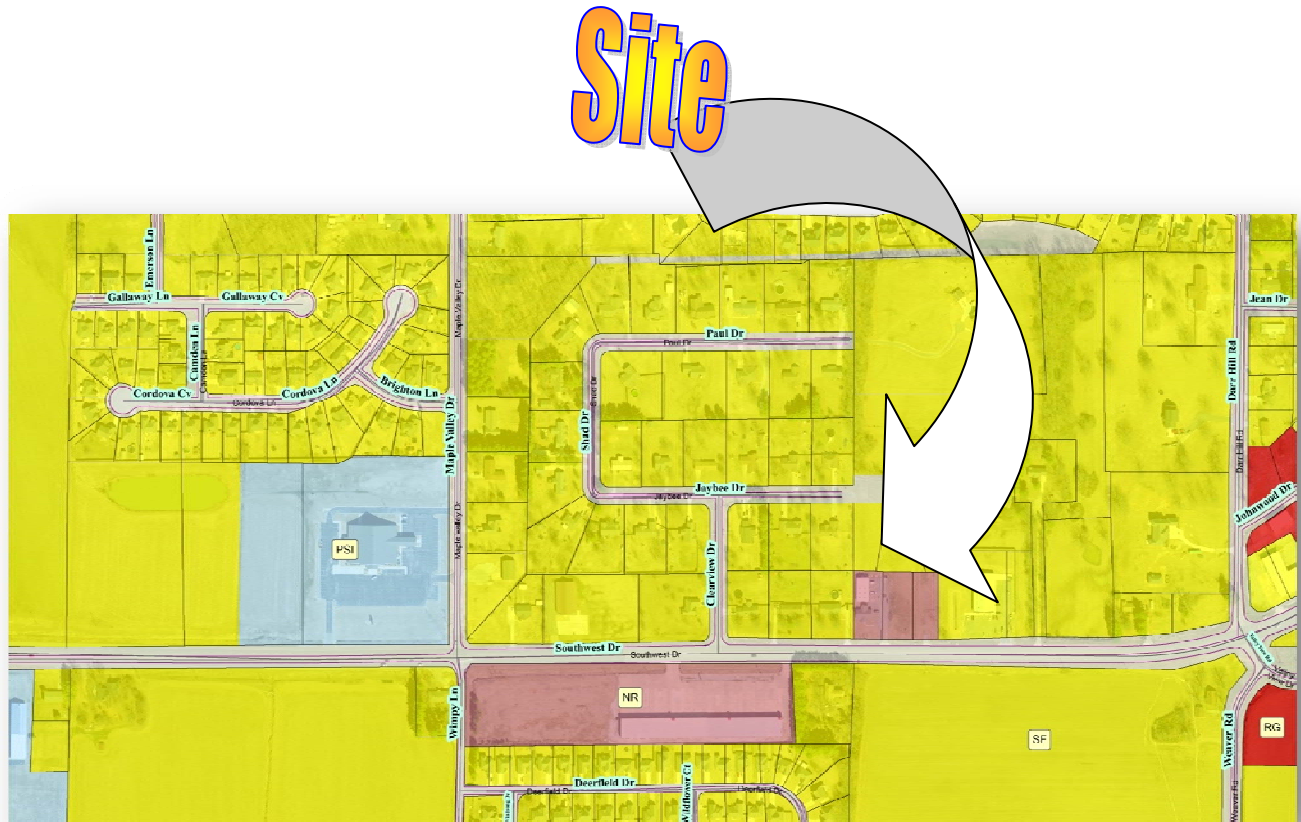
HISTORY: Lot 2 and Lot 5 of Clearview Estates were rezoned by Council in 1989 and 1991 to C-4 Neighborhood Commercial.

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 both Single Family and partially Neighborhood Retail Commercial. The proposed rezoning is not consistent in the rear portion of the site which is highlighted as single family; however the south half along Highway 49 is consistent with the adopted Land Use Plan.











Adopted Future Land Use Map

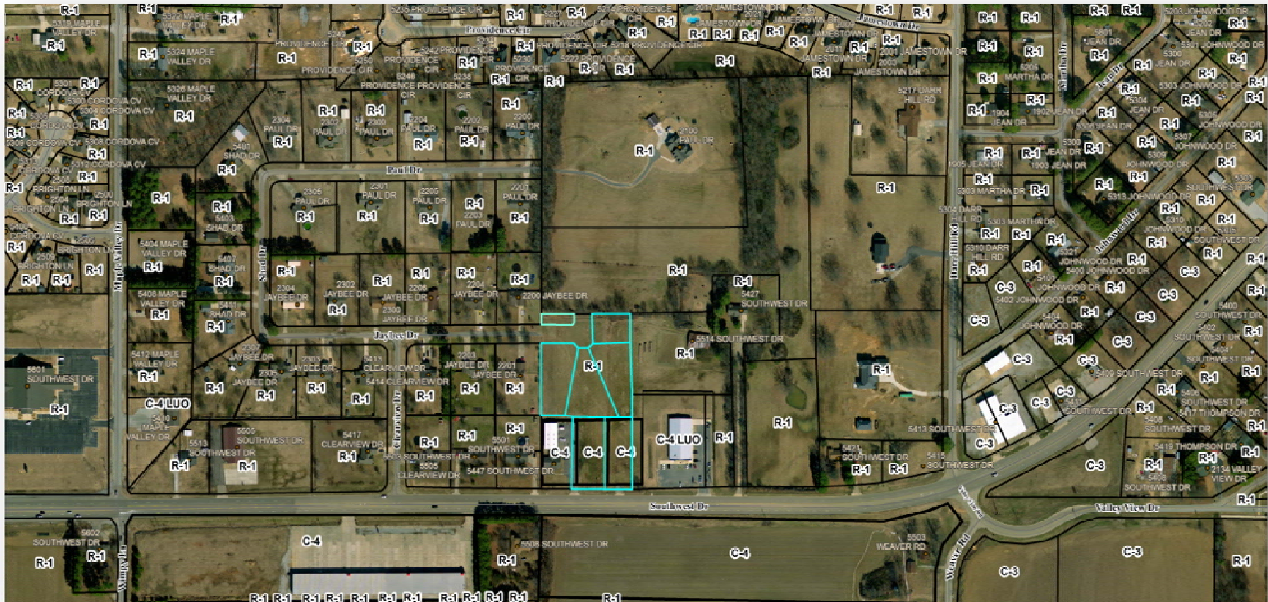
Master Street Plan/Transportation

The subject property is served by Highway 49, Southwest Drive on the Master Street plan, which is classified as a Principle Arterial, requiring a 120 ft. right-of-way (60 ft. to centerline). The property also fronts on the terminus Jaybee Drive to the west, which is a local street having a required right of way of 60 ft. of right of way. Jaybee Drive is a narrow residential street without curb and gutter. Proper termination of the right of way improvements with this development is essential. Partial right of way abandonment may be necessary.

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 not consistent with the Future Land Use Plan, which was categorized as Single Family Residential. The property is designated as neighborhood retail on the highway frontage.	 
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The property is consistent along Hwy. 49/Southwest Dr.; The rear of the property is part of a platted subdivision.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	Compatibility is achieved. Property fronts on major highway access road.	
(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 along the highway frontage.	
(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. At time of transition or reuse, little or no traffic will be noticed by surrounding residential if the residential scale and character of the neighborhood is maintained.	
(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 vacant within the R-1 zoning district.	
(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-4, L.U. Overlay.	



Vicinity/Zoning Map

Staff Findings:

Applicant’s Purpose:

After researching the general vicinity, it appears that other properties associated with Clearview Estates Subdivision Phase II have been considered for rezoning petitions; some of which have been requested for C-3, but later determined that they were better suited as C-4, Neighborhood Commercial. In this application, it is apparent that the applicant intends for this property to be developed as some type of “small” commercial to blend with the surrounding uses. On that note, Staff would agree that the scale of whatever commercial is placed as this location should be small and residentially compatible. The MAPC should consider leaving the C-4 zoning as-is and offering a compromise by allowing the adjoining rear acreage to be recommended for approval from R-1 to C-4 Neighborhood Commercial.

Other surrounding residential uses which will remain for years should be protected against any type of adverse impacts by the commercial uses to be marketed for the subject site.

Moreover, any uses that may cause detriment to the residential neighborhood to remain, should be discouraged. If the property should ever be redeveloped under the requested C-3 or the suggested C-4 District, the following uses should be prohibited because of their incompatibility with residential:

- Gas Fueling Station
- Billboard Advertisement
- Automotive Repair/ Collision Repair
- Animal Care
- Adult Entertainment
- Hospital
- Auditorium/Stadium
- Freight Terminal

Chapter 117 Zoning Ordinance: *C-4, Neighborhood Commercial District provides for limited retail trade and services designed to serve adjacent residential neighborhoods, usually of a high or medium density*

character. Such districts should generally be limited to collector or arterial street locations, or other carefully selected areas. Buildings are to be of residential character regarding outward appearance.

In considering the adjacency of this site to a pre-existing residential subdivision, staff supports the Commercial section of the Zoning Code which offers the C-4, which we feel is a better option.

The City of Jonesboro Zoning Resolution includes a list of permitted uses within C-3 developments as follows (Note the highlighted uses in yellow are suggested to be prohibited due to adverse impacts on residential):

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		

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 reported to date.	
Streets/Sanitation	No issues reported to date.	
Police	No issues reported to date.	
Fire Department	No issues reported to date.	
MPO	No issues reported to date.	
Jets	No issues reported to date.	
Utility Companies	No issues reported to date.	

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 15-02, a request to rezone property from “R-1” Single Family to “C-3”, should be revised as a C-4 L.U.O. 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.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC, prior to any redevelopment of the property.
3. The applicant/successors agree to comply with the Master Street Plan recommendation for Southwest Drive and Jaybee Drive upon any future redevelopment of the site.
4. The property shall be redeveloped under the C-4 Commercial District standards, without the following prohibit uses:
 - Gas Fueling Station
 - Billboard Advertisement
 - Automotive Repair/ Collision Repair
 - Animal Care
 - Adult Entertainment
 - Hospital
 - Auditorium/Stadium
 - Freight Terminal

Respectfully Submitted for Commission Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Sample Motion:

I move that we place Case: RZ-15-02 on the floor for consideration of recommendation by MAPC to the City Council with the noted conditions, and we, the MAPC find that changing the zoning of this property from “R-1” Single Family to C-4, L.U.O., will be compatible and suitable with the zoning, uses, and character of the surrounding area, subject to the 4 conditions.

Site Photographs



View looking East on Southwest Drive



View looking West on Southwest Drive



View looking at site towards Northwest



Business directly at property to the West



View from Jaybee Drive looking East at adjacent residential property



House on Jaybee Drive looking South



View looking West on Jaybee Drive



View looking North on Jaybee Drive