



City of Jonesboro City of Jonesboro City Council
Staff Report – RZ08-25 301 & 303 E. Cherry – Steed
Huntington Building - 900 W. Monroe
For Consideration by the Council on Tuesday, September 16, 2008

REQUEST: To consider rezoning a parcel of property containing approximately .21 acres more or less.

PURPOSE: A request for rezoning from R-2 Multi-family to C-4 Neighborhood Commercial.

OWNER: Joanne Steed 3005 Pinewood Cir., Jonesboro, AR. 72401

LOCATION: 301 & 303 E. Cherry Ave. (Duplex)

SITE DESCRIPTION: Tract Size: Approx. .21 acres
 Frontage: Approx. (66.5 ft. Cherry Ave.)
 Topography: Flat
 Existing Dvlpmt: Duplex

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	C-1	Hair Salon
South:	R-2	Apartments
East:	R-2	Apartments
West:	C-5	Therapy Clinic

HISTORY None

MAPC RECORD OF

PROCEEDINGS: On September 9, 2008, the Metropolitan Area Planning Commission held a public hearing to consider Case RZ08-25 offers the following Record of Proceedings and motion or recommendation:

Joanne Steed came before the Commission on the request to rezoning for the expansion of her business (Children’s Therapy Services of N.E. Arkansas). She stated that they plan to use the building for file storage additional office space and for 6-8 pediatric social skills groups per week.

Mr. Spriggs explained the staff comments related to the setbacks which are now nonconforming in the front (15.9 ft.) and side (10 ft.).

Mr. Day asked was the applicant using the same house? Yes it’s been renovated for multi-family, Mrs. Steed responded. Mr. Tomlinson asked if it can be a L.U. Overlay?

Mr. Spriggs explained that the Commission can place an L.U.O. and make recommendation to Council with conditions.

A motion was made by Joe Tomlinson that the property be rezoned to C-4 L.U. Overlay, with the stipulation that the subject property shall be screened from any abutting residential and that the existing structure shall be made to comply with all fire and building code requirements; seconded by Margaret Norris, that this Rezoning be recommended to Council. The motion CARRIED by the following Vote:

Ayes: 5- Margaret Norris; Joe Tomlinson; Marvin Day; Brian Dover and Paul Hoelscher

Absent: 3 - Ken Collins; Lonnie Roberts Jr. and Jerry Halsey Jr.

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

COMPREHENSIVE PLAN/ FUTURE LANDUSE MAP

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

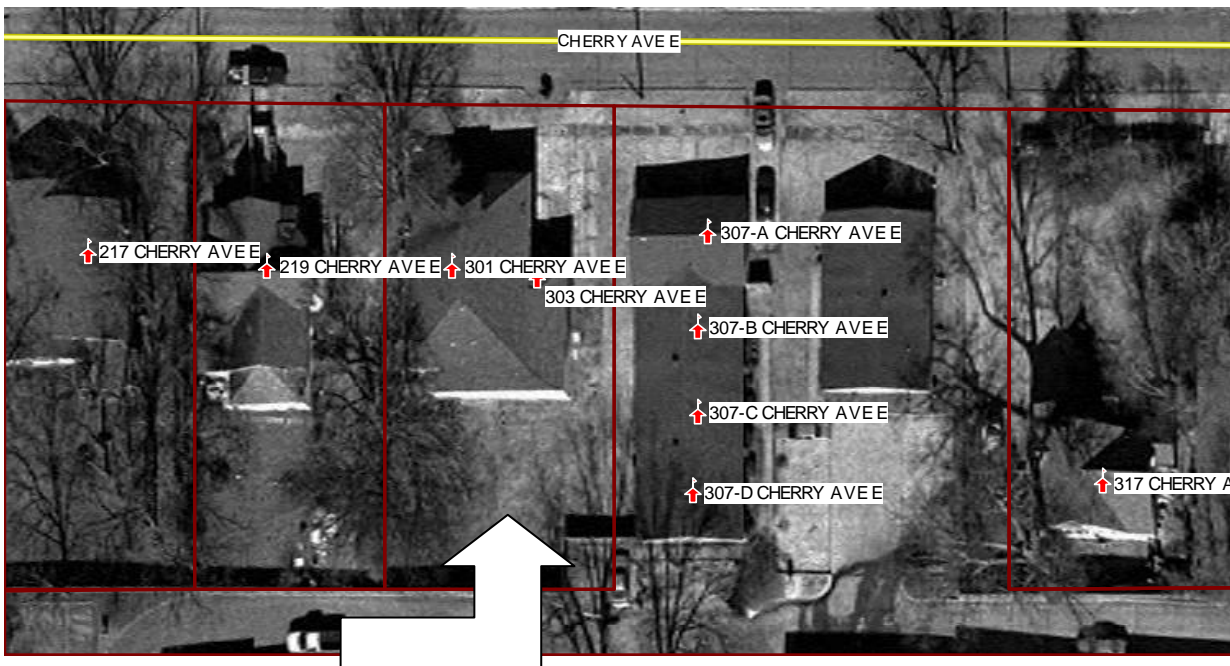
Pertinent Zoning Ordinance sections include Section 14.44.05(b), 'change in District Boundary', beginning on page 104.

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 use the proposed site for the expansion of the existing commercial use (Children’s Therapy Services) next door for file storage, office space and social skills groups. The zoning plat shows a duplex structure currently on the property. The structure will lack one side setback requirement of 10 ft. on the west side and the front yard setback of 25 ft. (now 15.9’) as required by C-4 zoning. Care should also be taken by the MAPC and City Council to protect any remaining residential properties abutting this site. Any change of use is subject to fire and building code approval and compliance.

Conclusion:

The MAPC and the Planning Department Staff find that the requested Zone Change submitted by Joanne Steed should be reviewed based on the observations above. In the Case of RZ-08-25, the MAPC recommends the rezoning of the property from R- to C-4 L.U. Overlay, with the stipulation that the subject property shall be screened from any abutting residential and that the existing structure shall be made to comply with all fire and building code requirements, to the Jonesboro City Council for adoption.

Respectfully Submitted for Council Consideration,

Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



View looking south at property



View looking west from property



View looking East from property



Rear of property/detention



East side / next door



View looking north from property