

City of Jonesboro City Council
Staff Report – RZ09-11: 4008 Southwest Drive Rezoning
Huntington Building - 900 W. Monroe
For Consideration by Council on June 16, 2009

REQUEST:	A recommendation by MAPC to rezone property containing 1.04 acres more or less.		
PURPOSE:	To rezone a tract of land from R-1 to C-3, Limited Use Overlay District		
APPLICANT/ OWNER:	Fire Protection Service of Arkansas- C/o Rusty Bradley 4008 Southwest Drive, Jonesboro, AR		
LOCATION:	The subject site is located at 4008 Southwest Drive, South side of Southwest Drive.		
SITE DESCRIPTION:	Tract Size:	1.04 acres, 45,000 S.F.	
	Frontage:	Approx. 200 '+/- ft. on Southwest Drive.	
	Topography:	relatively leveled; sloped	
	Existing Dvlpmt:	Vacant-undeveloped	
SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>	
	North: R-1	Existing Church	
	South: R-1	Vacant Lot, Commercial	
	East: R-1	Residential	
	West: R-1	Former Knights of Columbus; temporary church	
HISTORY:	None		
ZONING ANALYSIS:	City Planning Staff has reviewed the proposed development and offers the following findings.		

COMPREHENSIVE PLAN FUTURE LAND USE MAP

The Comprehensive Plan shows the area of the subject property as Village Residential.

This area is under restudy by the Land Use Advisory Committee, and updates are forthcoming for adoption in the very near future. Staff anticipates that the subject area will remain the same or of a residential nature.

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.



Aerial/Vicinity Map

MAPC Record of Proceedings/Recommendation:

The MAPC held a public hearing on this case and offers the following record of proceedings and recommendation:

Mr. George Hamman stated that he prepared the plat, and it is an existing brick building. It is currently zoned R-1 and we would like to rezone that parcel. Mr. Bradley owns the ¾ acre tract to the south, and would like to expand; he has the space there to do that.

Mr. Spriggs commented on the use being non-conforming and noted that he would support it being brought into compliance and into conformance to the zoning code with the C-3 Limited Use Overlay. We are recommending that the Planning Commission consider approval. The only precaution brought out in the staff report would be for the abutting residential piece, to the east of the property. Staff requested also that some care be taken to the lighting spill-off in terms of a condition and that billboards be prohibited because of proximity to residential uses. There is an existing billboard frame on the property and we are not sure if it will be utilized. Mr. Hamman stated that it will be removed.

Mr. Spriggs added that Staff has listed 5 possible conditions for approval: 1. That the final site plan would be reviewed by the planning commission prior to approval of the permits. 2. That the existing structure shall be maintained in its current residential character, which is currently compatible with the butting residential home to the east. 3. That any outdoor storage-yard, parking lots, etc. shall be fully screened with a privacy fence along the east boundary to protect the abutting residential. 4. Exterior lighting levels shall be maintained at levels that do not spill off to residential uses, which is the 0-footcandles at the residential property line, and 5. That off-premise advertising signage shall be prohibited on the subject site. These are just suggestions to be considered.

Mr. Tomlinson made the motion to recommend approval to City Council, with the five stipulations by the City planner. Ms. Norris 2nd the motion. Action: 7 to 0 vote, unanimous, all ayes.

Findings:

The applicant has requested that the property be rezoned to C-3 L.U.O. for office/storage. The current structure is currently a Non-conforming/grandfathered use within an existing R-1 Single Family Zoning District. Rezoning this tract will follow good land use principles if care and consideration for all abutting residential uses is adhered to.

The proposed use will be compatible with the existing and surrounding uses. With the limited use overlay, staff recommends that the MAPC place conditions that will protect surrounding single family uses. Lighting levels should be maintained at levels that do not spill-off to residential uses. (0-footcandles at residential property lines).

The current/subject property has a billboard sign framing on the premises that would lie within an existing R-1 Single Family District, if this property is not rezoned. Staff recommends, if at all possible that the structure be removed and that no off-premise advertisement be allowed on the premises, due to proximity to nearby residences.

Conclusion

The MAPC and the Planning Staff have reviewed the request and recommends approval of the rezoning to C-3 L.U.O., to the Council with the stipulations that:

1. A final site plan shall be reviewed and approved by the MAPC prior to permit approval.
2. The existing structure shall be maintained in its current residential character, which is currently compatible with abutting residential home to the east.
3. Any outdoor storage yard/parking lots shall be fully screened with a privacy fence along the east boundary, to protect abutting residential.
4. Exterior lighting levels should be maintained at levels that do not spill-off to residential uses. (0-footcandles at residential property lines).
5. That off-premise advertisement signage be prohibited on the subject site.

Respectfully Submitted for Council Consideration,

Otis T. Spriggs, AICP
Planning Director

Site Photographs



View looking Northeast



View looking Southwest across 49



View looking South at subject property



View looking South at subject property



View looking Northeast at subject property



View looking East at subject property



View looking East



View looking East



View looking East



View looking Southeast



View looking South



View looking North



View looking North at abutting property



View looking South at subject property



View looking South