



City of Jonesboro City Council
Staff Report – RZ 11-07: Mark & Lisa Bowers 5431 Southwest Dr.
Huntington Building - 900 W. Monroe
For Consideration by the Council on March 15, 2011

REQUEST: To consider a rezoning of a parcel of property containing approximately 1.58 acres more or less from R-1 Single Family to C-4 L.U.O. and make recommendation to City Council.

PURPOSE: A request to consider approval by the Metropolitan Area Planning Commission and recommend to City Council for final action as **C-4 L.U.O.**

APPLICANT/ OWNER: Fireside Investments, 2000 Hwy. 25 B North, Ste. D2, Heber Springs, AR 72453
 Mark/Lisa Bowers, 5431 Southwest Dr., Jonesboro AR 72404

LOCATION: 5431 Southwest Dr. (Replat of Lot 1, Mark Bowers Minor Plat-Lot A)

SITE DESCRIPTION: Tract Size: Approx. 1.58 +/- acres, 68,881 Sq. ft. +/-
 Frontage: Approx. 228.14 ft. along Hwy. 49S
 Topography: Flat
 Existing Developmt.: Vacant

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

HISTORY: None.

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

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:

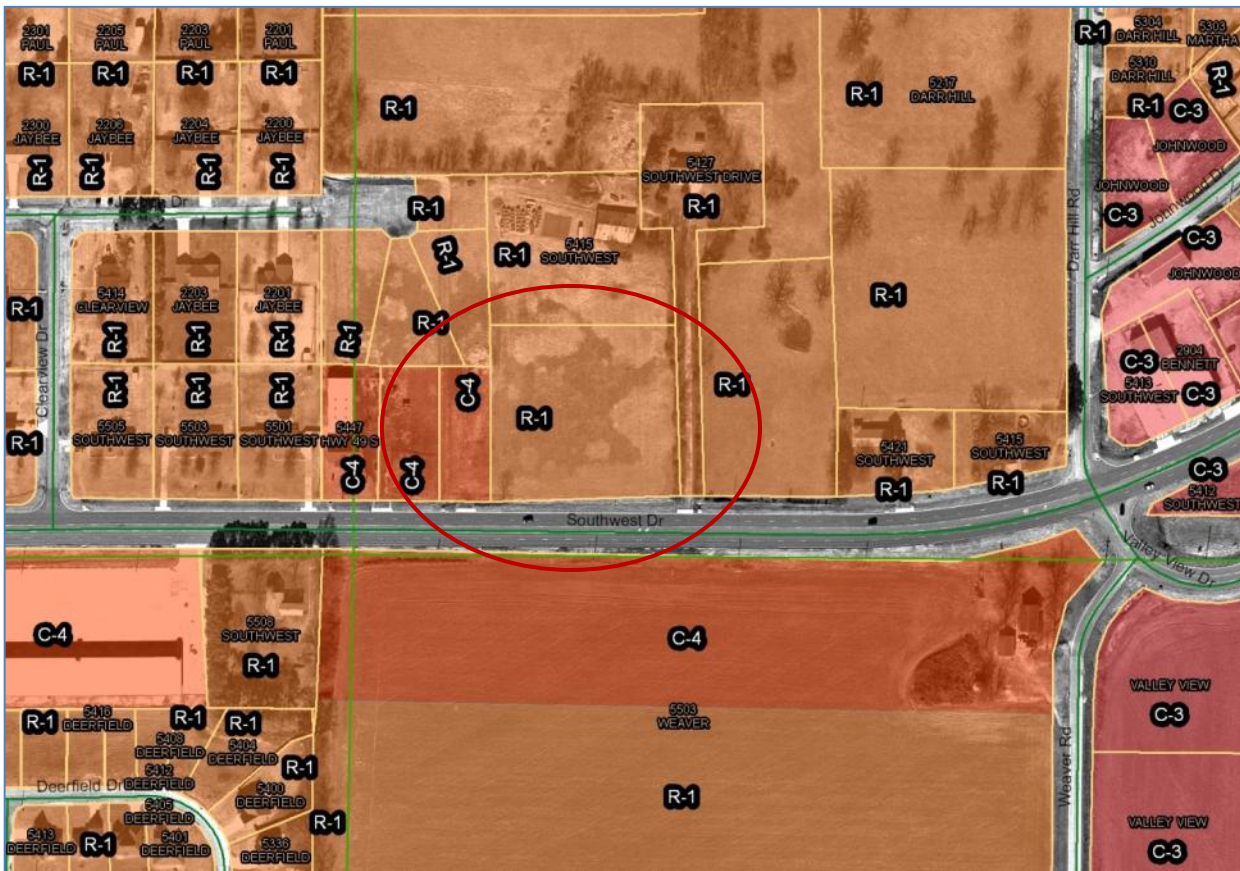
- (a) Consistency of the proposal with the Comprehensive Plan
- (b) Consistency of the proposal with the purpose of the zoning ordinance.
- (c) Compatibility of the proposal with the zoning, uses and character of the surrounding area;
- (d) Suitability of the subject property for the uses to which it 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.

COMPREHENSIVE PLAN FUTURE LAND USE MAP

The Future Land Use Map adopted on January 5, 2010 shows this area to be within the Northwest Sector and to be recommended as a Single Family Residential District Area.

This planning area has been highlighted to remain single family. There are numerous apartment complexes surrounding the property as well as within the vicinity.



Zoning/Vicinity Map

MAPC Public Hearing: Record of Proceedings for March 8, 2011:

Mr. Don Parker, Atty.: Represented the applicant: Fireside Investments LLC, Rick Long and Rodney Watson. The owner of the subject property Mark and Lisa Bowers are joining application.

Don Parker, Atty. This is a request from R-1 to C4 LUO Neighborhood Retail service for a Dollar General on Southwest Dr. on 1.5 acres. The Bowers own property to the north and back to the east. Mr. Ken Yarbrough owns the land across the street which is C-4 vacant agricultural, with the area to the southwest being a C-4 strip commercial center, with C-3 to the east and R-1 Single Family. This is a slight deviation from the Land Use Plan, but we have met with the City Planner and he has noted that he has no major opposition to the rezoning request.

Opponents: None.

Mr. Tomlinson: Asked if the applicant had problems with the stipulations. He added a condition that all delivery trucks will enter and exit the site in a forward motion.

Staff Comments: Mr. Spriggs stated that staff has no major concerns or comments other than the staff report findings. Southwest Dr. is a principal arterial and the plat shows adequate right of way being that the improvements are already completed. Staff recommends approval with the noted stipulations.

Mr. Kelton made a motion that we recommend this case to City Council as C-4 L.U.O. Neighborhood Retail Service with stipulations. Motion was 2nd by Mr. Scurlock.

Roll Call Vote: Mr. Hoelscher- Aye; Mr. Roberts- Aye; Mr. Kelton- Aye; Mr. Tomlinson- Aye; Ms. Norris- Aye; Mr. Scurlock- Aye. (6 to 0 vote)

Findings:

The proposed rezoning will result in the rezoning of an existing R-1 Residential zoned property to C-4 L.U.O. (Lot A). The subject tract of ground is adjacent to other C-4 Zoning Classified parcels to the west and south (see zoning map above).

The applicant has stated that the property if rezoned will be developed as a Dollar General Store. Under the C-4 District, retail/service is allowed as a conditional use. Staff is agreeable to rezoning the subject tract as a Limited Use Overlay, Neighborhood Retail/Service with the consideration by MAPC for proper screening and coordination of surrounding developing properties. MAPC is urged to give attention to access management and provide for increased separation of driveways along Hwy. 49S, a five lane Principal Arterial on the Master Street Plan.

Landscaping/Buffering:

Consideration of landscaping and buffering should be made for the properties remaining residential to the East and North. Staff is suggesting that a final landscaping plan be submitted that will demonstrate privacy fencing and buffering to neighboring properties without compromising safety at the right of way.

Conclusion:

The Planning Department Staff and the MAPC find that the requested Zone Change submitted by Mark/Lisa Bowers, should be evaluated based on the above observations and criteria, of Case RZ 11-07 a request to rezone property from R-1 to **C-4 L.U.O. Neighborhood Retail/Service**, is recommended to the City Council with the following stipulations:

1. That the proposed development shall satisfy all requirements of the City Engineer, satisfying all requirements of the current Stormwater Drainage Design Manual.
2. That prior to any issuance of Certificate of Occupancy of new uses, all requirements stipulated by all City, State and local agencies shall be satisfied.
3. That a future site development plan be submitted and reviewed by the MAPC prior to any future redevelopment of the 1.58 acres.
4. That the replat of the Mark Bowers Minor Plat be properly filed and recorded upon Rezoning adoption.
5. That all delivery trucks will enter and exit the site in a forward motion.

Respectfully Submitted for Council Consideration,

A handwritten signature in black ink, appearing to read "Otis T. Spriggs". The signature is written in a cursive, flowing style.

Otis T. Spriggs, AICP
Planning & Zoning Director

SITE PHOTOGRAPHS



View looking West along Hwy 49S, Site to the right



View looking East along Hwy 49S, Site to the left



View looking South across Hwy. 49S from project Site



View looking North in between existing structures on subject property..



View looking West along South side of Hwy 49S, Site to the right



View looking North toward project site