



City of Jonesboro City Council
Staff Report – RZ 14-24: 5200 East Johnson Rezoning
Municipal Center - 300 S. Church St.
For Consideration by the Council on January 20, 2015

REQUEST: To consider a rezoning of the land containing 20.48 acres more or less.

PURPOSE: A request to consider recommendation to Council for a rezoning from “R-1” Single Family residence to “C-3”, L.U.O., General Commercial District, by the MAPC.

**APPLICANTS/
OWNER:** **Jason Marshall, Attorney**, 225 South Main St., Jonesboro, AR
First Assembly of God, 1404 Stone St., Jonesboro, AR

LOCATION: **5200 East Johnson, Jonesboro, AR**
South Side of E. Johnson, between Bridger Rd. & NEA Baptist Hospital

**SITE
DESCRIPTION:** **Tract Size:** Approx. 20.48 Acres
Street Frontage: 1258.62 along Bridger, 547.46 along E. Johnson Ave.
Topography: Predominantly flat
Existing Development: Vacant Land

SURROUNDING	<u>ZONE</u>	<u>LAND USE</u>
CONDITIONS:	North: R-1	Mobile Homes
	South: R-1/C-3	General Commercial/NEA Clinic
	East: R-1	Single family home
	West: PD-C	PD-C Planned District/Hospital

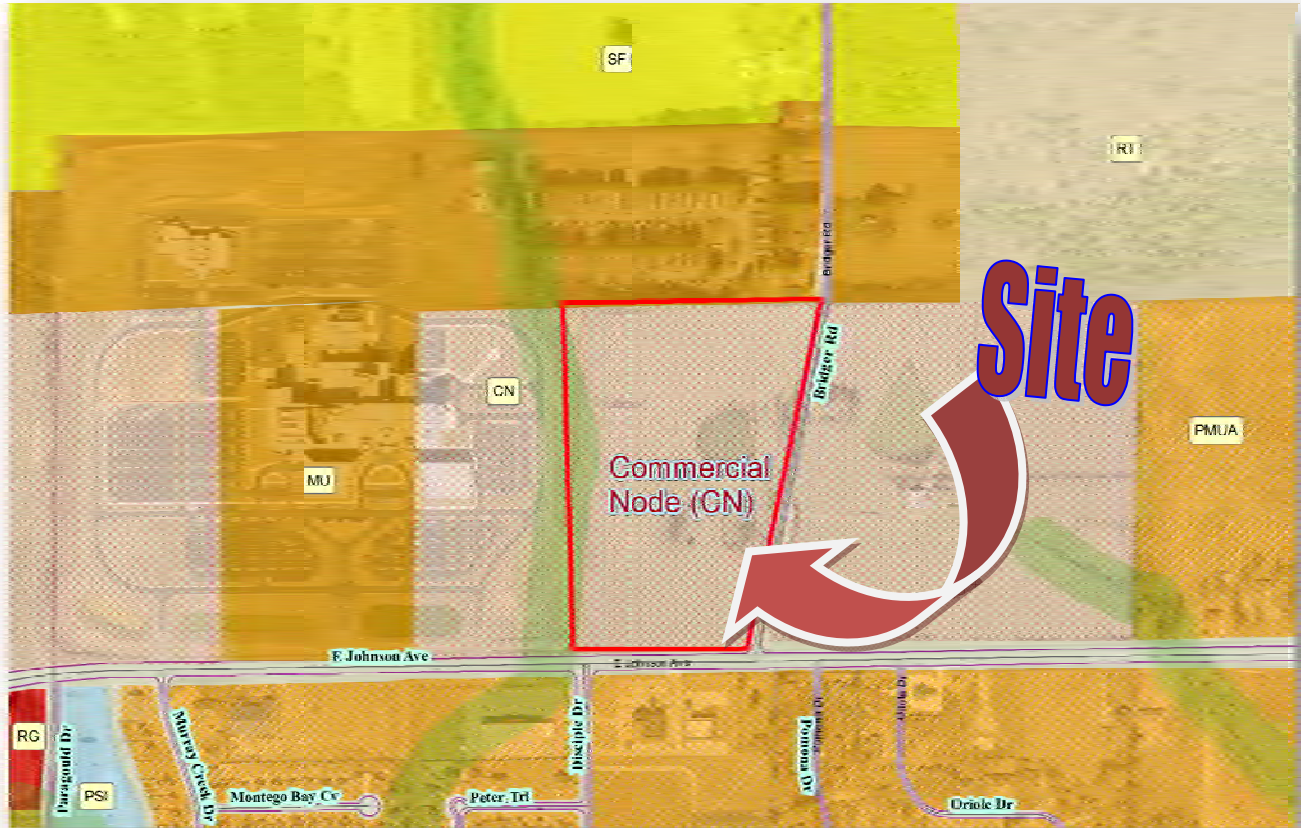
HISTORY: None.

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 a Commercial Node. The proposed rezoning is consistent and in compliance with the adopted Land Use Plan. This area has seen an influx of new development and growth. This land is unsuitable for *Single Family Residential*.










Adopted Land Use Map

Master Street Plan/Transportation

The subject property is served by E. Johnson, Hwy. 49N and Bridger Road on the Master Street plan, which is classified as a Principal Arterial and a Local Road, respectfully. Bridger Road requires a 30 ft. right-of-way to road centerline (60 ft. total right-of-way) and Hwy. 49 requires a 120 ft. total right of way. The provided plat shows both right of ways varying; however, compliance with the most current adopted Master Street Plan shall be required.

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 C3 District rezoning is consistent with the Future Land Use Plan, which is categorized Commercial Node.	
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal will achieve consistency with the purpose of Chapter 117. <u>Final Site plans demonstrating compliance with Chapter 117 must be submitted.</u> The property is not suitable for residential homes.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	Compatibility would be achieved. Property fronts on major highway and is within a growth sector area.	
(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.	
(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, the property may have impacts on the traffic flow, unless best access management practices are considered.	
(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 for an unknown amount of time.	
(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	Impacts unknown, absent a proposed use and final site plan layout.	



Vicinity/Zoning Map

Staff Findings:

Applicant's Purpose:

According to the submitted application, the applicants have petitioned this rezoning so that the property can be sold for the highest possible market price and can be zoned similarly to adjoining and nearby properties that have obtained rezoning in the recent past. The applicant adds that the property would be developed in an increasingly popular commercial area with density being subject to the specific use for which the property would be obtained, after being successfully marketed by the current owner. It would be no more intensive than any of the contiguous developments approved within the last five years, and it will be rezoned in accordance with any future land use plan adopted by the City.

The applicant also notes that the land is too valuable per square foot to allow any single family homes to be built at a profit. The current owner purchased the property for 1.25 million dollars in the hope of building a new church on the subject property but due to the development taken place since that time, the traffic and intensity of the continuous developments make it unsuitable for such.

The applicant has proposed a rezoning to C-3 General Commercial District, and staff has listed the permitted uses to be allowed within the development as follows *(The applicant has not requested the property be rezoned as a Limited Use Overlay, therefore no conditions can be stipulated unless agreed upon.):*

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.	

Record of Proceedings- Public Hearing Held on January 13, 2015

Applicant: Jason Marshall, Attorney, 225 South Main St., agent for First Assembly of God. Mr. Marshall presented before the MAPC stating that his client is seeking to rezone 20.48 acres. He is asking for a General C-3 Commercial Zoning District, with any stipulations that we can agree upon tonight. It conforms to the uses surrounding it. He entertained any questions. Mr. Marshall added that it won't be a detriment to the area. A revised plat was submitted reflecting right-of-way dedication, and future consideration of a turn-lane. There could be anywhere between 12-20 businesses on the land, so they do not want to be limited on the C-3 uses available, while deleting any uses that could cause criminal activity.

Staff: Mr. Spriggs presented on behalf of staff noting the surrounding conditions and stating that the proposal is consistent with the Land Use Plan and is in keeping with the growth and development trends occurring in the immediate vicinity as a result of the new hospital constructed. The master street plan, as noted will be complied with. The list of criteria for rezoning is met by the applicant. The C-3 Table of Allowable Uses is copied in the report and was commented on. Adult Entertainment is discouraged and the suggested conditions were read with the suggestion of changing the district to a "Limited Use Overlay District". No agencies or departments responded with negative comments or objections to the rezoning.

Public Input: None Present.

Action: Mr. Reece made a motion to place Case: RZ-14-24 on the floor for consideration of recommendation by MAPC to the City Council with the noted conditions, and the MAPC finds that changing the zoning of this property from "R-1" Single Family to the proposed C-3, L.U.O. (as revised), will be compatible and suitable with the zoning, uses, and character of the surrounding area, subject to listed conditions and the Final Site Plan review and approval by the MAPC in the future. Motion was seconded by Mr. Cooper.

Roll Call Vote: 5 – 0 Approval: Mr. Perkins- Aye; Mr. Reece- Aye; Mr. Cooper- Aye; Mr. Kelton- Aye; Mrs. Schrantz- Aye.

Absent were: Mr. Scurlock, Mr. Bailey, Mr. Hoelscher; Lonnie Roberts was Chair.

Conclusion:

The MAPC and the Planning Department Staff find that the requested Zone Change submitted for subject parcel, I based on the above observations and criteria of Case RZ 14-24, a request to rezone property from “R-1” Single Family to “C-3, Limited Use Overlay” subject the following conditions:

1. That the proposed site shall continue to 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 Hwy. 49 N. and Bridger Rd. upon any future redevelopment of the site.
4. The C-3 General Commercial List of permitted uses shall be allowed with the exception of Adult Entertainment, and those uses allowed only by Conditional Use Application shall be allowed with MAPC specified approval.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Photographs



View Looking North at NEABaptist Hospital



View Looking West from Bridger Rd.



View Looking North toward Hospital Entry



View Looking South towards @ Site/E. Johnson



View Looking Northeast towards site



View Looking Northeast towards site



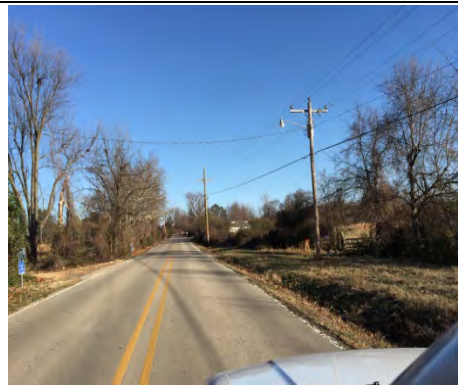
View Looking East, Site on left



View Looking East on Johnson, Across from Site



View Looking North on Bridger Rd.



View Looking North on Bridger Rd.



View Looking West from Bridger Rd.



View Looking West from Bridger Rd.

		
<p>View Looking Northeast Across from Site</p>	<p>View Looking North on Bridger Rd.</p>	<p>View Looking South on Bridger Rd.</p>
		
<p>View Looking West from Bridger Rd.</p>	<p>View Looking North on Bridger Rd.</p>	<p>Looking West on Private Dr. of Mobile Home Park</p>
		
<p>Looking West on Private Dr. of Mobile Home Park</p>	<p>Looking West on Private Dr. of Mobile Home Park</p>	<p>Looking West from Mobile Home Park</p>
		
<p>Looking South from Mobile Home Park</p>	<p>Looking South from Mobile Home Park</p>	<p>Looking South from Mobile Home Park @ Bridger</p>