



City of Jonesboro City Council
Staff Report – RZ08-23, Johnson Ave. – TLRMC, LLC
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 .83 acres more or less.

PURPOSE: A request for rezoning from R-1 Residential to C-3 General Commercial.

APPLICANT: Karen Kuo Peck, 2211 Autumn Dr., Jonesboro, AR.
OWNER: TLRMC, LLC, 22 Plantation Oaks, Jonesboro, AR. 72404

LOCATION: 4501 E. Johnson Ave.

SITE DESCRIPTION: Tract Size: Approx. .83 acres
 Frontage: Approx. (170 feet (Johnson Ave.))
 Topography: Flat
 Existing Dvlpmt: Vacant

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	R-1 & C-3	Single Family & Commercial
South:	R-1	Single Family
East:	C-3	Commercial
West:	C-3 & I-1	Vacant & RGB

HISTORY Vacant

MAPC RECORD OF PROCEEDINGS:

On September 9, 2008, the Metropolitan Area Planning Commission held a public hearing to consider Case RZ08-23 offers the following Record of Proceedings and motion or recommendation:

Mr. David Tyre representing the owners gave comments. This is located on Hwy. 49 to the east of Sonic Drive-in. The lot to the west is owned by the party that sold this lot and is Zoned C-3.

Mr. Spriggs stated that the only concern of Staff is the residential to the east; that property is owned by the Bewell Trust and they sold to our client and are not in opposition Mr. Spriggs commented that this property is generally surrounded by commercial and this has been the trend of development in this area. The property does front industrial outdoor storage in the rear and will shield view of that when developed.

A motion was made by Joe Tomlinson with the stipulations of a C-3 Limited Use Overlay:

1. A redevelopment plan shall be submitted to the MAPC for approval prior to the site being used for commercial purposes, 2. Adequate screening shall be provided to protect any existing residential abutting said site;

Motion was seconded by Secretary Marvin Day, that this Rezoning be recommended to Council. The motion CARRIED by the following Vote: Ayes: Margaret Norris; Joe Tomlinson; Marvin Day; Brian Dover and Paul Hoelscher ; Absent: - 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 Thoroughfare Commercial. This area is pending a restudy on the land use map by the Land Use Advisory Committee and will most-likely maintain a commercial 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 commercial use. The general area is developing as commercial with the exception of a few homes that remain. The subject site fronts an industrial use with an outdoor storage yard adjacent. Rezoning of this property will be consistent with the general area. MAPC has considered the fact that a single family resident will remain immediately east of the subject property.

Conclusion:

The MAPC and Planning Department Staff find that the requested Zone Change submitted by Karen Kuo Peck should be reviewed based on the observations above. Case of RZ-08-23 is recommended to be rezoned from R-1 to C-3 Commercial Limited Use Overlay (L.U.O.) by MAPC and is forwarded to the Jonesboro City Council for adoption with the following conditions:

1. A redevelopment plan shall be submitted to the MAPC for approval prior to the site being used for commercial purposes, and
2. Adequate screening shall be provided to protect any existing residential abutting said site;

Respectfully Submitted for Council Consideration,

Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



View looking south at site.



View looking east next door to site.



View looking northeast on Johnson Ave. from site



View looking southwest on Johnson Ave. from site.



View looking north from site.



View looking north from site.