

City Council
Staff Report – RZ 19-14 4301 E. Johnson
Municipal Center - 300 S. Church St.
For Consideration by the City Council on October 15, 2019

REQUEST: To consider a rezoning of one tract of land containing 1 acre more or less.

PURPOSE: A request to consider recommendation to Council for a rezoning from “R-1” Single-Family Residential District to a “C-3” General Commercial District.

APPLICANTS/ OWNER: **Rhodes Develop. Co, LLC, 2075 Corporate Circle, Cape Girardeau, MO 63702**
Estate OF Mildred Mosier, 514 Barker Street, Wellington, OH 44080

LOCATION: 4301 E, Johnson, Jonesboro, AR 72401

SITE DESCRIPTION: **Tract Size:** Approx. 1 Acre
Street Frontage: 259.07 feet along E. Johnson
Topography: Predominately Flat
Existing Development: Dilapidated House and Old Shed

SURROUNDING CONDITIONS:

| ZONE | LAND USE |
|--------------|--|
| North | C-3 General Commercial District |
| South | I-1 Limited Industrial District |
| East | C-3 General Commercial District |
| West | I-1 Limited Industrial District |

HISTORY: Home is in dilapidated condition.

ZONING ANALYSIS:

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

COMPREHENSIVE PLAN LAND USE MAP:

The Current/Future Land Use Map recommends this location as Moderate Intensity Growth Sector, which includes the overlay district since this is coming in on Johnson into the City of Jonesboro. If a portion of the property falls within the boundary of the overlay area, the whole property will be held to the requirements of the overlay area. A wider mix of land uses is appropriate in the Moderate **Intensity Growth Sector and Overlay Area**. Good Building Design, use of quality construction materials, and more abundant landscaping are important considerations in what is approved, more so than the particular use. Limits on hours of operation, lighting standards, screening from residential

uses, etc., may be appropriate. The proposed rezoning is consistent with the adopted Land Use Plan for the proposed zoning.

MODERATE INTENSITY GROWTH SECTORS - RECOMMENDED USE TYPES INCLUDE:

- Mix of Single Family, Duplexes, Triplexes and Fourplexes
- Neighborhood Retail and Service
- Office Parks
- Smaller Medical Offices
- Libraries, schools, other public facilities
- Senior Living Centers / Nursing Homes
- Community-Serving Retail
- Small Supermarket
- Convenience Store
- Bank
- Barber/Beauty Shop
- Farmers Market
- Pocket Park

DENSITY: 1/5 TO 1/3 Acre Lots for Single Family

No More than six dwelling units per acre for Multi-Family. Multi-Family should only be allowed on collector and above streets that have been improved or scheduled to be improved in the next construction cycle of city projects unless the developer is willing to build the roads to Master Street Plan standards that serve the development.

HEIGHT: 4 Stories

TRAFFIC: Approximately 300 peak hour trips (Commercial Only)

EXAMPLES:

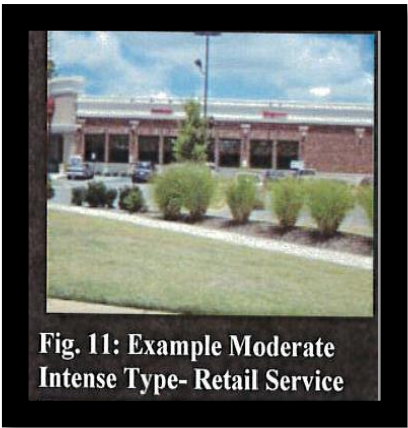
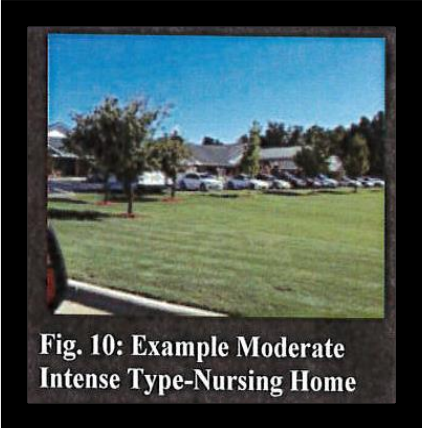


The **Overlay Corridors** are the main entryways into the City of Jonesboro. These access points define how people perceive the City of Jonesboro when coming into the City. The Purpose of the Overlay District is to protect and enhance the scenic quality of the City’s highways and primary corridors designated below, create design stands for developments, and provide effective land use planning and facilitate traffic flow.

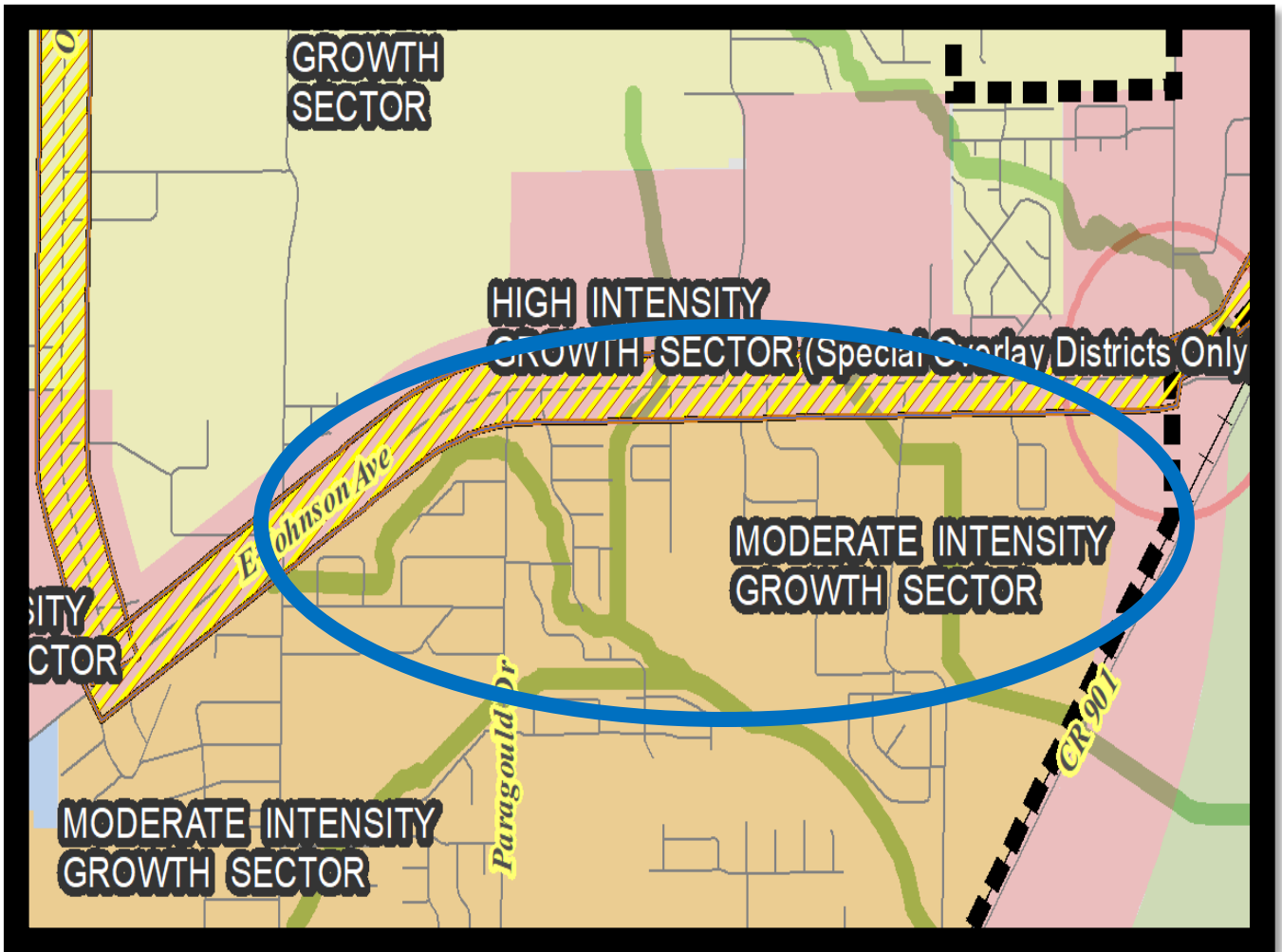
In the **Overlay Areas**, these overlay areas will run along the listed streets and shall be adjacent to the streets for a distance of 300 feet from the street right-of-way. In addition to the requirements, the property inside the overlay, corridors will be required to add additional landscape. All area will be required to have front, rear, and side buffer yards. Front shall be 25” grass vegetative buffer. Side yards shall be 10’ grass vegetative buffer. Rear yards shall be 10’ grass vegetative buffer, and exterior side yards shall be 15” of vegetative buffer. In addition to the buffer areas, the front and exterior side yards shall have trees planted on 25-foot centers. Tree species to be planted with thin there corridors should be consist of plants that are native to the area. The Landscape Ordinance describes these.

If Signage is required, monument signs shall be the only type of signage allowed off the buildings in the Overlay District. Please refer to the Land Use Plan for regulations on all Sign Requirements.

The Design Requirements within the Overlay District with all new buildings shall be required to have exterior features of at least 80% brick, wood or stone. Please refer to the Land Use Plan for regulations on the Design Requirements.



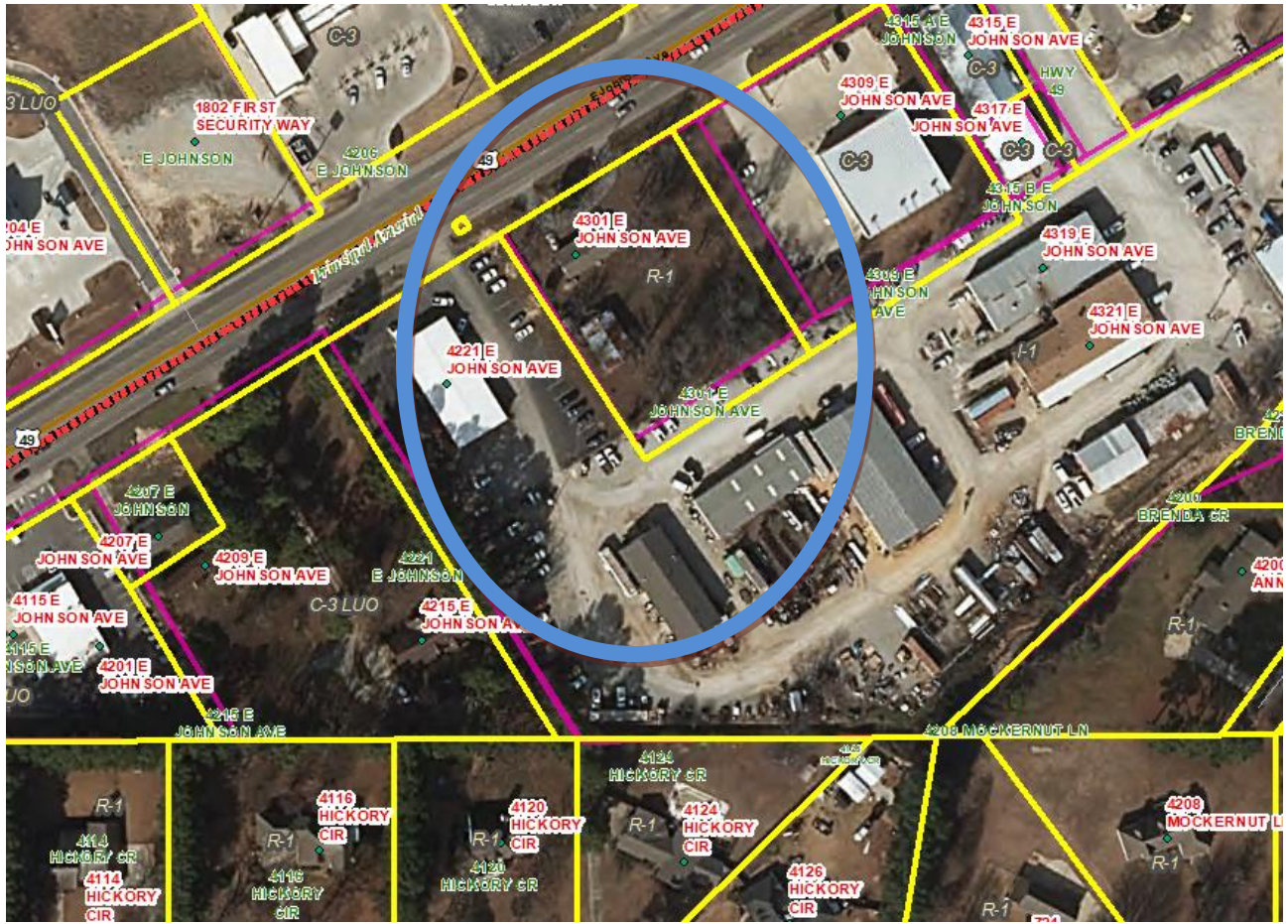
MASTER STREET PLAN/TRANSPORTATION



Land Use Map







Master Street Plan/Transportation

The subject property is served by E. Johnson Avenue. E. Johnson Avenue on the Master Street Plan is classified a Principal Arterial. Principal Arterials provide both long distance connections through the urban areas and to major traffic generators within the community. Roadways are designated principal arterials to imply the need to focus more on moving traffic rather than providing direct access to adjacent land.



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 list on the next page.

| Criteria | Explanations and Findings | Comply Y/N |
|--|--|---|
| (a) Consistency of the proposal with the Comprehensive Plan/Land Use Map | The proposed district rezoning is consistent with the Adopted Land Use Plan, which was categorized as a Moderate Intensity Growth Sector and lies in the Overlay District. |  |
| (b) Consistency of the proposal with the purpose of Chapter 117-Zoning. | The proposal will achieve consistency with the purpose of Chapter 117, with compliance of all District standards. |  |
| (c) Compatibility of the proposal with the zoning, uses and character of the surrounding area. | Compatibility is achieved with this rezoning considering there are C-3 General Commercial Zoning in this area. |  |
| (d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment; | Without the proposed zoning map amendment, this property will not develop as Commercial. There is a single-family home on this lot, but is in poor condition. The property has been vacant for approximately one year. |  |
| (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; | No detrimental or adverse impacts are predicted, if proper planning is implemented. Commercial and Industrial is on all sides of this property. |  |
| (f) 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 | Minimal impact if rezoned due to the fact that businesses and residential currently exist in this area. |  |

Staff Findings:

Applicant’s Purpose

The proposed area is currently classified as an R-1 Single-Family Residential Zone. The applicant wants to develop and construct a 6400 to 7000 sq. ft. of commercial space and operate a retail Tire Sales and Automotive Repair Service Business.

Rezoning this property is consistent with the *Jonesboro Comprehensive Plan* and the *Future Land Use Plan*. Rezoning makes sense considering there are already Commercial Businesses located in the area.

Chapter 117 of the City Code of Ordinances/Zoning defines C-3 General Commercial District as follows:

Definition of C-3 General Commercial District - The purpose of this district is to provide appropriate locations for commercial and retail uses, which are convenient and serve the needs of the traveling public. The district also provides locations for limited amounts of merchandise, equipment and material being offered for retail sale that are more suitable for storage and display outside the confines of an enclosed structure. Appropriate locations for this district are along heavily traveled Arterial Street. Development of groupings of facilities shall be encouraged, as opposed to less desirable strip commercial.

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 | Reported no issues. | |
| Streets/Sanitation | No issues were reported | |
| Police | No issues were reported | |
| Fire Department | Reported no issues. | |
| MPO | No issues were reported | |
| Jets | Reported no issues. | |
| Utility Companies | Reported no issues. | CWL |
| Code Enforcement | Reported no issues. | |

MAPC RECORD OF PROCEEDINGS: PUBLIC HEARING HELD ON OCTOBER 8, 2019

Rhodes Development Company, LLC on behalf of Estate of Mildred M. Mosier is requesting MAPC Approval for a Rezoning from R-1 Single Family Residential District to C-3 General Commercial District for 1 acre +/- of land located at 4301 E. Johnson.

APPLICANT: George Hamman from Civilogic stated Rhodes development is representing Plaza Tire Company. They plan to put a new location at that address. They want to go from an R-1 to a C-3 zoning. It is surrounded by C-3 existing and I-1.

COMMISSION: Lonnie Roberts Jr. asked for staff comments.

STAFF: Tracy McGaha stated that the Planning Department staff have reviewed and would recommend approval of this Rezoning with the following conditions recommended:

- 1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.**
- 2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the Planning Department, prior to any redevelopment of the property.**
- 3. Any change of use shall be subject to Planning Department approval in the future.**
- 4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, outdoor storage, dumpster enclosure, sidewalks etc. shall be submitted to the Planning Department prior to any redevelopment of this property.**
- 5. This Property lies in the Overlay District and will have to comply with all the rules and regulations for that District.**

COMMISSION: Lonnie Roberts Jr. asked for public comments. There was none.

COMMISSION: Lonnie Roberts Jr. asked for commissioner comments.

COMMISSION: Mary Margaret Jackson stated she is concerned about some of the things they were doing on the MAPC. In all of the rezoning decisions, they are affecting the quality of life and making future changes to the city. She stated she wants to make sure they do so wisely. When you have moderate intensity developments side by side and each development has its own ingress and egress, curb cuts, and no shared parking, you will result in another Red Wolf Blvd. When you have a speed limit of 55 mph down Johnson Ave., you will have Arkansas State University warning students about the new crosswalks. She stated everything they are doing here is very serious and wants everyone to consider having a framework to look at future development in the city. The Future Land Use Plan was adopted in 2017. They acknowledge in this plan that because specialized expertise is needed for the amount of detailed analysis deserved, this committee forwards the following priority items to the MAPC and the city council. It states, the city, in the very near future, needs to consider contracting out a master

parks and recreation plan. The city needs to begin individual neighborhood study plans starting with already established neighborhood association plans. What they are talking about is the beginning of a comprehensive plan. If we have separate plans looking at future comprehensive plans, that is fine. She stated in her opinion, they need to start now. Everything they do is changing the city. We saw the majority of our public is interested in the future of the city regardless of how they view quality of life. That needs to be taken seriously. On the city website it says the MAPC is responsible for ensuring the orderly development of the city through the adoption and periodic revision of the city of Jonesboro comprehensive plan which we do not have one right now. She stated they are changing the city every month with these rezonings. The city is going to continue to grow and expand and they need to think about what they are doing. The city is spending its reserves. She stated that they need all of the public involved to decide what we want our city to be and make those changes now. They do not have, as a body, the framework to make those decisions, but should consider moving forward to the next step.

COMMISSION ACTION:

Mr. Jim Little made a motion to approve Case: RZ: 19-14, as submitted, to the City Council with the stipulations that were read by the Planning Department:

- 1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.**
- 2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the Planning Department, prior to any redevelopment of the property.**
- 3. Any change of use shall be subject to Planning Department approval in the future.**
- 4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, outdoor storage, dumpster enclosure, sidewalks etc. shall be submitted to the Planning Department prior to any redevelopment of this property.**
- 5. This Property lies in the Overlay District and will have to comply with all the rules and regulations for that District.**

The MAPC find to rezone property from from “R-1” Single Family Residential District to “C-3” General Commercial District for 1 +/- acres of land. Motion was seconded by Mr. Jimmy Cooper.

Roll Call Vote: 6-0, Aye’s: Mary Margaret Jackson; David Handwork; Kevin Bailey; Jerry Reece; Jimmy Cooper; Jim Little

Absent: Jim Scurlock and Dennis Zolper

Conclusion:

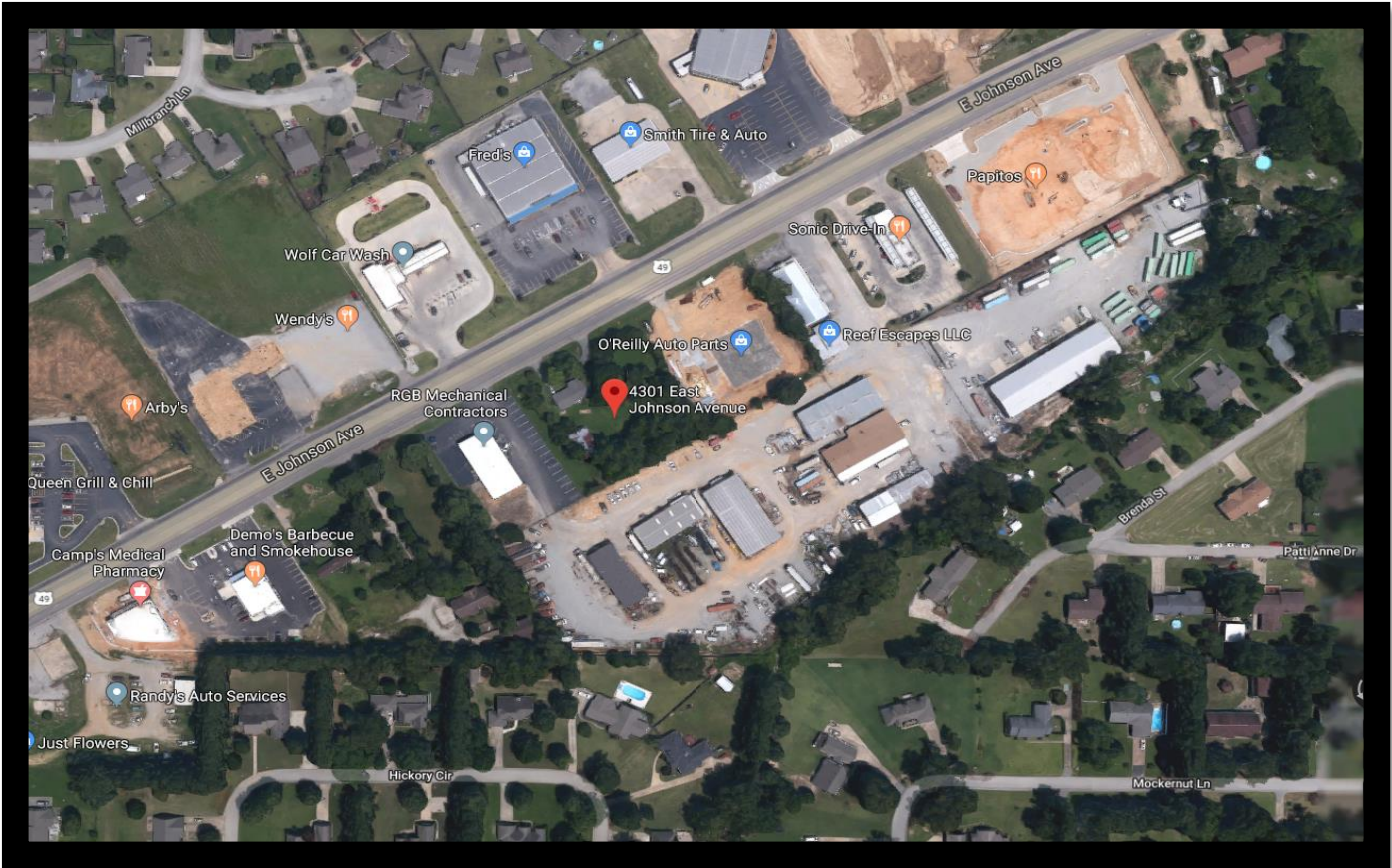
The Planning Department Staff finds that the requested Zone Change submitted for subject parcel, should be evaluated based on the above observations and criteria of Case RZ 19-14 a request to rezone property from “R-1” Single Family Residential District to “C-3” General Commercial District; the following conditions are recommended:

1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the Planning Department, prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Department approval in the future.
4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, outdoor storage, dumpster enclosure, sidewalks etc. shall be submitted to the Planning Department prior to any redevelopment of this property.
5. This Property lies in the Overlay District and will have to comply with all the rules and regulations for that District.

Respectfully Submitted for City Council Consideration,
The Planning and Zoning Department

Sample Motion:

I move that we place Case: RZ 19-14 on the floor for consideration of recommendation by MAPC to the City Council with the noted conditions, and we, the MAPC find that to rezone property from “R-1” Single Family Residential District to “C-3” General Commercial District will be compatible and suitable with the zoning, uses, and character of the surrounding area.



Millbranch Ms

Fred's

Smith Tire & Auto

E Johnson Ave

Papitos

Wolf Car Wash

Sonic Drive-In

Wendy's

O'Reilly Auto Parts

Reef Escapes LLC

Arby's

RGB Mechanical Contractors

4301 East Johnson Avenue

Queen Grill & Chill

Demo's Barbecue and Smokehouse

Brenda St

Camp's Medical Pharmacy

Randy's Auto Services

PattiAnne Dr

Just Flowers

Hickory Cir

Mockernut Ln



Reef Escapes LLC

O'Reilly Auto Parts

RGB Mechanical Contractors

49

E Johnson Ave

49



