



City of Jonesboro City Council
Staff Report – RZ 12-15: 909 Southwest Drive
Huntington Building - 900 W. Monroe
For Consideration by the City Council on August 21, 2012

REQUEST: To consider a rezoning of a parcel of land containing 0.25 acres more or less.

PURPOSE: A request to consider a recommendation to Council for a rezoning from R-1 Single to C-4 L.U.O. Neighborhood Commercial.

APPLICANT/ OWNER: **Jim Lyons, Attorney, P.O. Box 7044, Jonesboro, AR**
 Mrs. PE Moore Jr., 905 Southwest Dr., Jonesboro AR

LOCATION: 905 Southwest Drive.

SITE DESCRIPTION: Tract Size: Approx. +/- 0.25 acres (10,693 sq. ft.)
 Frontage: 95.44 ft. +/- along Southwest Dr.
 Topography: Flat
 Existing Development: Single Family Residence

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	R-1	Residential
South:	C-4	Neighborhood Commercial
East:	R-1	Residential
West:	C-3	Southwest Dr./Commercial

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 Planned Mixed Use Employment Area. The proposed rezoning is consistent with the land use map with the proposed C-4 use. Neighborhood character should be preserved and attention should be given to screening of existing residential to remain.

Approval Criteria- Section 117-34- 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.



Vicinity/Zoning Map

Findings:

Master Street Plan/Transportation

The subject site is served by Southwest Dr. has a right of way totaling 100 ft. (Principal Arterial min. 120’); Staff anticipates no additional widening of Southwest Dr. in the future.

Zoning Code Compliance Review:

The applicant is requesting a change to C-4 Neighborhood Commercial District. However, in order to assure compatibility with the uses in the vicinity, a Limited Use Overlay is more feasibility and practical.

The C-4 District provides for limited retail trade and services designed to serve adjacent residential neighborhoods, usually of a high or medium density character. Such districts should generally be limited to collector or arterial street locations or other carefully selected areas. Buildings are to be of residential character regarding outward appearance. The applicant proposes to utilize the 2,762 sq. ft. (heated/cooled area) building.

The subject property is surrounded by a growing commercial corridor of mixed uses including a home converted into a frame/artwork business to the south, commercial across Southwest Dr., and a single family subdivision abutting to the rear/east. The property is served by one driveway. Care should be given during the site plan review process to property access, as well as the residential screening and buffering in the rear and north.

The petition was originally for a C-4 District Change. Staff recommends a C-4 Limited Use Overlay which would refine the available uses on the table below.

Uses Allowed as Permitted or Conditional	
Animal care, general	Library
Animal care, limited	Medical service/office
Auditorium or stadium	Museum
Automated teller machine	Nursing home
Bank or financial institution	Office, general
Bed and breakfast	Parks and recreation
Car wash	Post office
Cemetery	Recreation/entertainment, indoor
Church	Recreation/entertainment, outdoor
College or university	Recreational vehicle park
Communication tower	Restaurant, fast-food
Construction sales and service	Restaurant, general
Convenience store	Retail/service
Day care, limited (family home)	Safety services
Day care, general	School, elementary/middle & high
Funeral home	Service station
Golf course	Sign, off-premise
Government service	Vehicle repair, limited
Hospital	Vocational school

Note: Items highlighted should be evaluated for exclusion.

C-4 - Zoning District Requirements:

Requires 6,500 sq. ft. Nonresidential uses

Front Setback: 25 ft.

Side: 10 ft.

Rear: 20 ft.

Parking required: Existing Spaces Provided

Future Use Parking Requirements: Government service 1 per 300 ft.
General Office 1 per 300 ft.

Given the above list of allowable uses, Staff concludes that a number of the uses listed will not be feasible because of site constraints and limitations, due to specific parking lot requirements and storm water regulations on increased impervious surface conditions. Items have been highlighted and flag for exclusion.

MAPC RECORD OF PROCEEDINGS: Public Hearing: August 15, 2012

Applicant: Jim Lyons, Attorney

Presented the case on behalf of the owner.

Mr. Lyons stated that he is representing Ms. Moore regarding this requested rezoning at 909 Southwest Drive; a petition from R-1 Single Family to C-4 Commercial. Staff has made recommendation of approval and we have no objections to his proposed conditions.

Staff: Mr. Spriggs gave staff summary/comments; noting that this area is primarily commercial along the 5-lane corridor.

The proposed rezoning is consistent with the Land Use Plan for the area, as **PMUA**- Planned Mixed Use Area. The site is sandwiched between commercial and residential. This area was probably prime residential in the past. There is obviously a transitioning occurring, given the Frame Shop use just to the south, which will be similar to what is being marketed in this case.

The property to the north and east has some existing buffer and screening and this change of use should not be an issue.

There are a number of uses listed in the C-4 Neighborhood Commercial District that are allowed by conditional use or by-right. Staff has highlighted the uses to be excluded, to assure no adverse affect on the neighboring residential.

The applicant requested a C-4 District; however, Staff has recommended a change as Limited Use Overlay (LUO).

The conditions were read.

Public Input: None.

Departmental/Agency Reports:

Police: N/A

Engineering: No Comments

Sanitation: No Comments

Streets: No Comments

Jets: No Comments

Fire: No Comments

Mr. Hoelscher asked that since there is not public input, have your office received any calls of opposition? **Mr. Spriggs** noted that none were received. Opportunity for future input will be allowed at the City Council level should it arise.

Commission Action:

Mr. Kelton made a motion to place Case: RZ-12-15 on the floor for consideration and for recommendation to City Council for a rezoning from "R-1 to "C-4 L.U.O." General Commercial

District subject to the 3 Staff Conditions and the allowable uses approved by the MAPC. The MAPC finds that the use will be compatible and suitable with the zoning, uses and character of the surrounding area. Motion was seconded by **Mr. Tomlinson**.

Roll Call Vote:

Mr. Tomlinson- Aye; Mr. Hoelscher Aye; Ms. Elmore- Aye; Mr. Reece- Aye; Mr. Kelton – Aye;
Mr. Roberts- Chair.

Absent were: Mr. Scurlock, Ms. Nix, Mr. Dover. **Case was approved by a 5-0 Vote.**

Conclusion:

The MAPC and the Planning Department Staff find that the requested Zone Change submitted by Jim Lyons, Attorney, on behalf of Mrs. PE Moore Jr., should be evaluated based on the above observations and criteria, of Case RZ 12-15 noted above, a request to rezone property from “R-1” to “C-4 L.U.O.” Neighborhood Commercial District. This petition is recommended for approval to City Council with the following conditions:

1. Upon reuse or redevelopment of the property, privacy fencing shall be maintained or erected along the eastern and northern boundaries, and
2. That a future site development plan be submitted and reviewed by the MAPC prior to any future redevelopment of the site.
3. All future improvements shall remain consistent with the residential character of the area.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



View looking Southeast of the subject property.



View looking Southwest along Southwest Dr.



View looking Northeast along Southwest Dr.



View looking Northwest from subject property.



View of subject property's rear yard.



View looking Southwest from subject property (abutting picture frame business).