

*City of Jonesboro City Council*  
**Staff Report – RZ 16-13: Southwest Drive Rezoning**  
Municipal Center - 300 S. Church St.  
*For Consideration by the Council on July 5, 2016*

**REQUEST:** To consider a rezoning of one tract of land containing 2.46 acres more or less.

**PURPOSE:** A request to consider recommendation to Council for a rezoning from “R-1” Single Family Residential District to “C-3” L.U.O. General Commercial District, Limited Use Overlay.

**APPLICANTS/  
OWNER:** Prestige Statewide, LLC., 2013 Jamestown, Jonesboro, AR 72401

**LOCATION:** 5110 Southwest Drive, Jonesboro, AR 72404

**SITE  
DESCRIPTION:** **Tract Size:** Approx. +/- 2.46 Acres  
**Street Frontage:** 500 Feet along Southwest Drive  
**Topography:** Mostly Wooded and flat.  
**Existing Development:** This site is currently undeveloped.

**SURROUNDING CONDITIONS:**

ZONE	LAND USE
North	R-1 Single Family Residential House
South	R-1 Single Family, Undeveloped
East	R-1 Single Family, Undeveloped
West	R-1 Single Family, Undeveloped

**HISTORY:** This land has always been undeveloped.

**ZONING ANALYSIS**

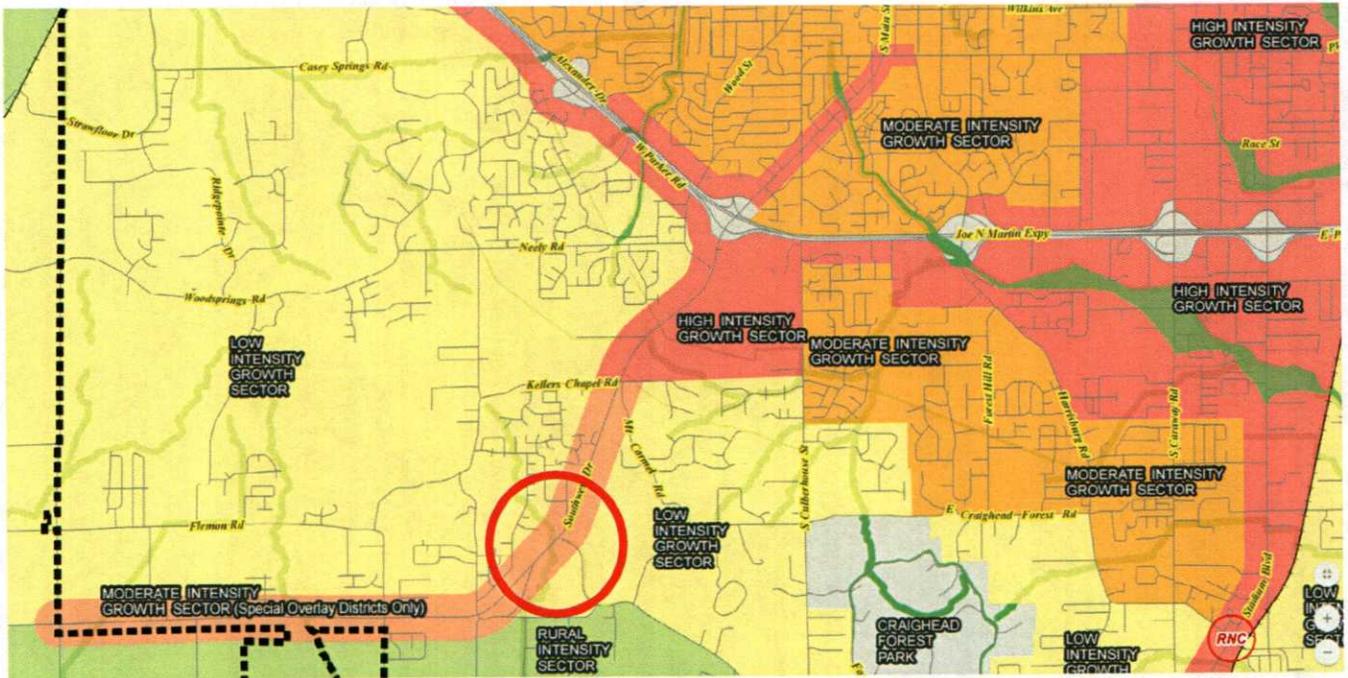
*City Planning Staff has reviewed the proposed Zone Change and offers the following findings:*

**COMPREHENSIVE PLAN LAND USE MAP**

The Current/Future Land Use Map recommends this location as a Moderate Intensity Growth Sector (Special Overall District Only). With the suggested Limited Use Overlay, the MAPC will be afforded an opportunity to gain more detailed information that will give assurance of a well-designed infill development that will enhance the area.

**Moderate Intensity Recommended Use Types Include:**

- Single Family Residential
- Attached Single Family, duplexes, triplexes and fourplexes
- Neighborhood retail, Neighborhood services
- Office parks
- Smaller medical offices
- Libraries, schools, other public facilities
- Senior living centers/nursing homes, etc.
- Community-serving retail
- Small supermarket
- Convenience store
- Bank
- Barber/beauty shop
- Farmer's Market
- Pocket Park



**Land Use Map**

**Master Street Plan/Transportation**

The subject property is served by Southwest Drive. This road is classified on the Master Street Plan as a proposed Principal Arterial. The applicant will be required to adhere to the Master Street Plan recommendations.



**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 (Special Overall District Only) the applicants as requested a limited use 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 C-3 District standards.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	Compatibility is achieved with this rezoning considering the location.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	There are other commercial developments in the area. However, without the proposed zoning map amendment for this lot, the applicant will not be able to develop land for commercial use.	
(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 assess management controls are implemented, buffering and screening for adjacent residential to remain, and limitation of incompatible uses adjacent to residential.	
(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	The property has been vacant and undeveloped for several years.	
(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	No detrimental or adverse impacts are predicted, if proper assess management controls are implemented, buffering and screening for adjacent residential, and limitation of incompatible uses to residential.	

The Applicant specified the prohibited uses as Adult Entertainment, Airport, Cemetery, Recreational Vehicle Park, Off-premises Sign (Billboard), Agricultural/Animal for site.

**Staff Findings:**

**Applicant's Purpose**

The proposed area is currently classified as an R-1 Single-family residential zone. Located at 5110 Southwest Drive, this area already has some commercial and industrial development along the corridor. This location would make an ideal location for other businesses. The applicant requests that this area be rezoned for additional commercial development.

Rezoning this property is consistent with the *Jonesboro Comprehensive Land Use Plan*. Rezoning makes sense considering there are already commercial businesses located in the area along with other development and growth trends in this sector. Under the current zoning classification, the applicant cannot develop this property for commercial businesses. As far as records reflect, this property has always been vacant. Rezoning this property would positively impact the community, especially in terms of curb appeal and economic development.

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

Definition of C-3 General Commercial Districts - The purpose of a C-3 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 streets. 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	No issues were reported	
Streets/Sanitation	No issues were reported	
Police	Reported no issues.	
Fire Department	Reported no issues.	
MPO	Reported no issues.	
Jets	Reported no issues.	
Utility Companies	Reported no issues.	

**Zoning Code Allowable Uses:**

The City of Jonesboro Zoning Resolution includes a list of permitted uses within C-3 Districts as follows (Note the highlighted uses in yellow are suggested to be prohibited due to adverse impacts on the surrounding area.) Certain commercial uses are permitted as of right- “P”, while others require a Conditional Use- “C” approval by the MAPC, or not permitted where blank within the Zoning Ordinance Chapter 117:

List of Commercial Uses		C-3 General Commercial	List of Commercial Uses		C-3 General Commercial
<b><i>Civic and commercial uses</i></b>			<b><i>Civic and commercial uses</i></b>		
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
Warehouse, residential (mini) storage		Conditional	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			
Museum		Permitted	<b><i>Industrial, manufacturing and extractive uses</i></b>		
<b><i>Agricultural uses</i></b>			Freight terminal		Conditional
Agriculture, animal		Conditional	Research services		Conditional
Agriculture, farmers market		Permitted			

## **MAPC RECORD OF PROCEEDINGS: MAPC Meeting Held on June 28, 2016**

**Applicant:** Mr. Jeremy Moore representing Prestige Statewide requested a rezoning for 5110 Southwest Drive from R-1 Single Family Residential District to C-3 General Commercial District Limited Use Overlay. They want this rezoning so the land could be easier developed for something like a restaurant or gas station.

**Staff:** Mr. Otis Spriggs presented staff comments directly from the staff summary that that the requested Zoning Change submitted for subject parcel, should be evaluated based on the above observations and criteria of Case RZ 16-13 a request to rezone property from "R-1" Single-Family Residential to "C-3" General Commercial District, Limited Use Overlay; 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 MAPC, prior to any redevelopment of the property.
3. Adequate visual screening shall be provided to buffer all surrounding residential uses remaining.
4. If and when possible, consolidated curb cuts shall be adhered to and from the site, to allow cross access to other adjacent future developed neighboring tracts of land.
5. The following uses shall be prohibited:
  - Airport
  - Cemetery
  - Entertainment, Adult
  - Recreational Vehicle Park
  - Off Premises Sign (Billboard)
  - Agricultural, Animal

No issues were reported by the various departments. He explained that staff has no issues with this request as long as the applicant adheres to all conditions attached to the request. He also mentioned that staff has received no negative feedback regarding this request.

**Public Input:** Mr. Claud Smith lives at 502 Southwest Drive and his property is adjacent on two sides to the property in questions. We talked earlier today. I am in favor of the C-3 zoning. I think the restrictions that you put on it are probably adequate to my concerns. I do have about 2 1/3 acres that are going to be property locked. The creek that runs through there is referred to sometimes as McDaniel Creek. I own property on both sides of the creek. What we have here, like I said, I have 2 1/3 acres that will be bounded on one side by the creek, on two sides by the school property and one side by the developers. Anyway, my concerns have been met with what I have heard here so far.

Mr. Bryan Russell, Superintendent of Valley View School District also showed up and gave his support of this rezoning.

### **Commission:**

Mr. Kevin Bailey made the motion to approve the Case: RZ 16-13 on the floor for consideration of recommendation by MAPC to the City Council with the noted conditions, and we, the MAPC find that changing the zoning of this property from "R-1" Single Family Residential District to the proposed "C-3" L.U.O., General Commercial District, Limited Use Overlay, will be compatible and

suitable with the zoning, uses, and character of the surrounding area, subject to the Final Site Plan review and approval by the MAPC in the future. Mr. Jim Scurlock seconded the motion.

The motion PASSED with the following (7-0) vote:

**Voting Aye: 7** - Mr. Ron Kelton; Mr. Jim Scurlock; Mr. Kevin Bailey; Mr. Rick Stripling; Mr. Jerry Reece; Mr. Brant Perkins; Mr. Paul Hoelscher

**Absent: 1** - Mr. Jimmy Cooper

\*\*\*\*\*

**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 16-06 a request to rezone property from "R-1" Single-Family Residential to "C-3" General Commercial District, Limited Use Overlay; the following conditions are recommended:

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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. Adequate visual screening shall be provided to buffer all surrounding residential uses remaining.
4. If and when possible, consolidated curb cuts shall be adhered to and from the site, to allow cross access to other adjacent future developed neighboring tracts of land.
5. The following uses shall be prohibited:
  - Airport
  - Cemetery
  - Entertainment, Adult
  - Recreational Vehicle Park
  - Off Premises Sign (Billboard)
  - Agricultural, Animal

Respectfully Submitted for Planning Commission Consideration,



Otis T. Spriggs, AICP  
Planning & Zoning Director

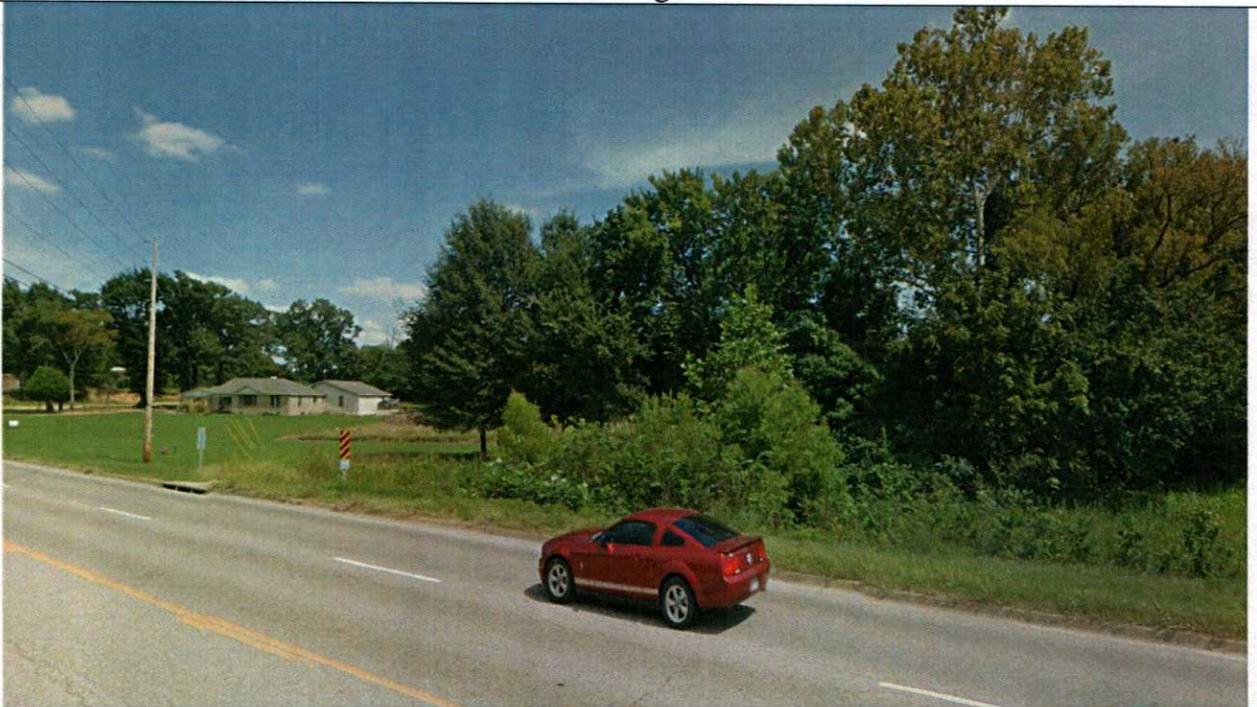
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**Sample Motion:**

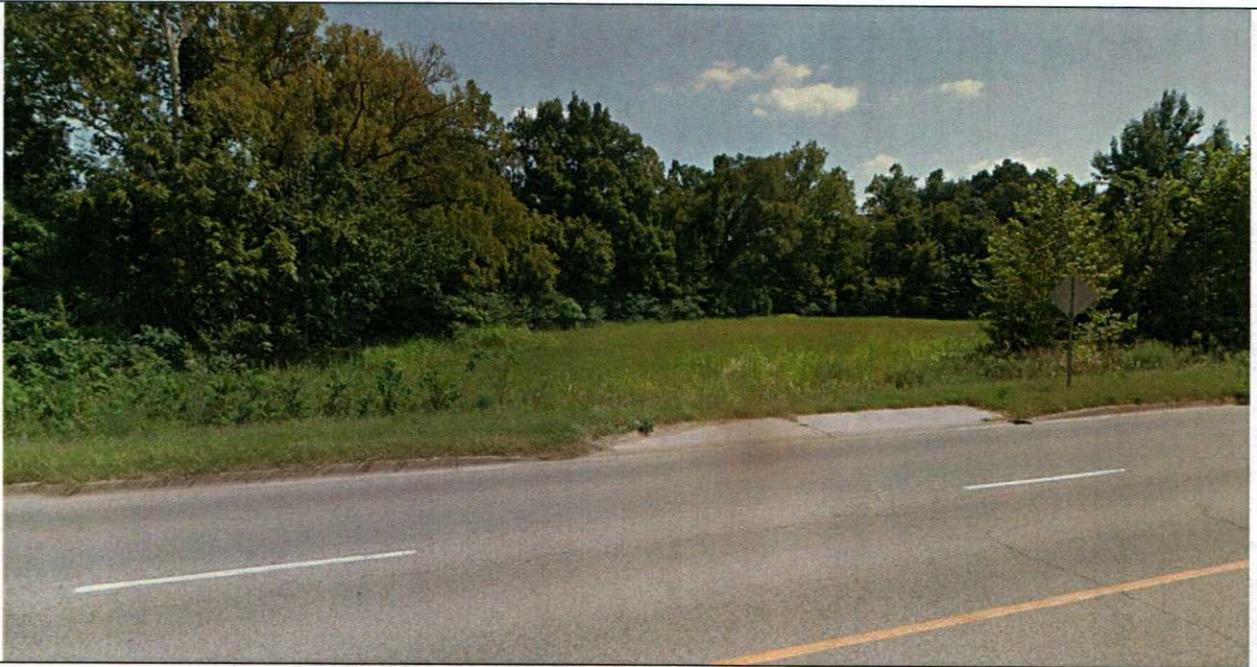
I move that we place Case: RZ-16-13 on the floor for consideration of recommendation by MAPC to the City Council with the noted conditions, and we, the MAPC find that to rezone property from "R-1" Single Family to "C-3", L.U.O., General Commercial District, Limited Use Overlay will be compatible and suitable with the zoning, uses, and character of the surrounding area.



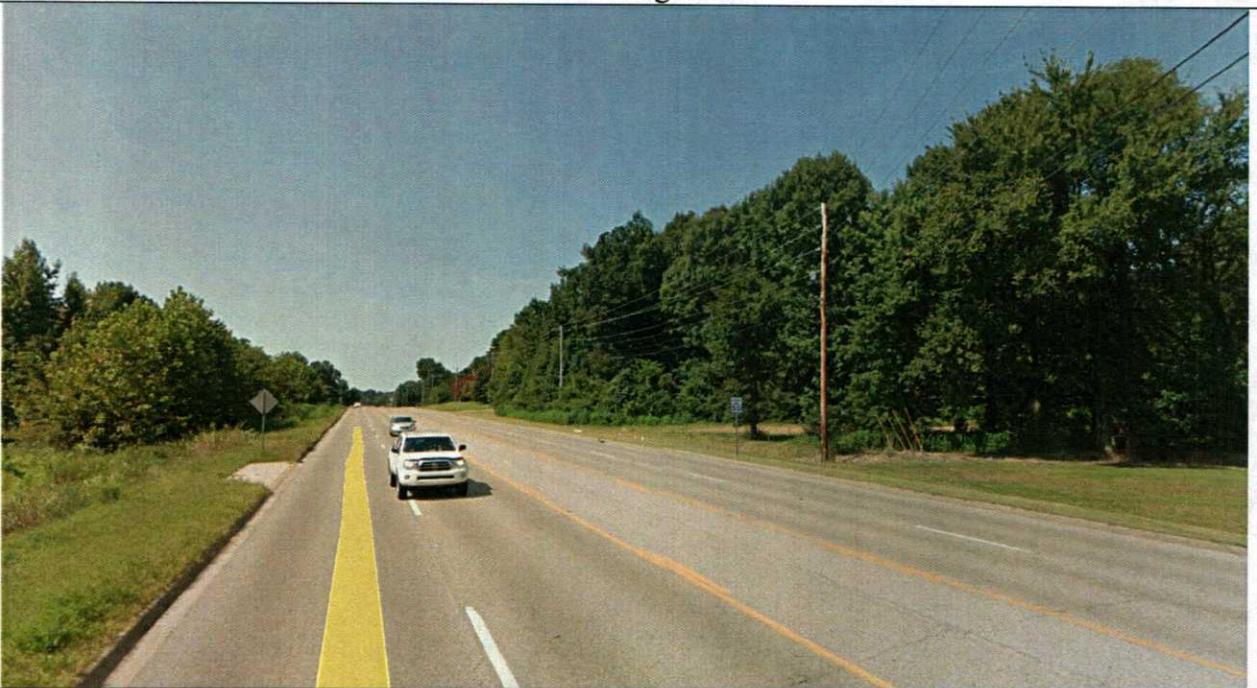
View looking North



View Looking East



View looking South



View looking West