

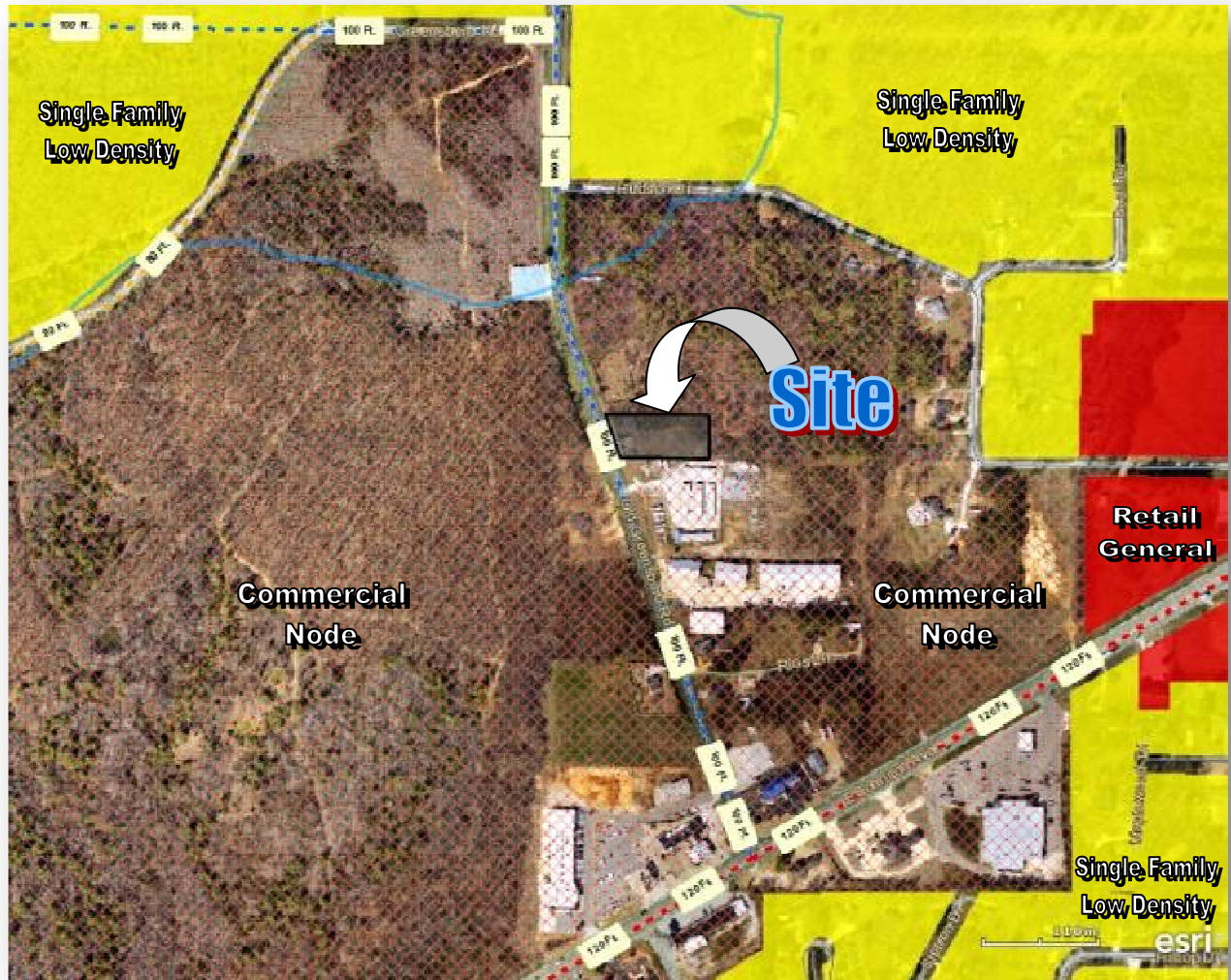


City of Jonesboro City Council
Staff Report – RZ 13-20: Rezoning – 1804 Old Greensboro Rd.
Municipal Center – 300 S. Church
For Consideration by the Council on Tuesday, December 17, 2013

- REQUEST:** Consideration of a rezoning approval for a parcel of land currently zoned R-1 Single Family Medium Density to a proposed C-3 Limited Use Overlay District as recommended by the MAPC.
- LOCATION:** Located approximately 1300 feet north of the East Johnson Ave. and Old Greensboro Rd. (Hwy. 351) intersection. (Hilltop Area).
- APPLICANT:** Mike McNeese, 3008 Newcastle Dr., Paragould, AR
OWNER: David Onstead, Jonesboro, AR
- PURPOSE:** Applicant believes the rezoning will allow the property to be used for its highest and best use.
- HISTORY:** The property has been used for residential. No zoning history applies.
- SITE DESCRIPTION:** **Tract Size:** Approximately 3.99 acres/173,967 sq. ft.
Frontage: Approximately 330 feet along Old Greensboro Rd (Hwy. 351).

IDENTIFICATION OF SURROUNDING ZONING, PRESENT LAND USE, & FUTURE LAND USE:

	<u>ZONING & PRESENT LAND USE</u>	<u>FUTURE LAND USE</u>
Subject Property:	R-1 Single Family Medium Density Vacant Single Family Residential	Commercial Node
North and East of Property:	R-1 Single Family Medium Density Large Wooded Tract/Single Family Residential	Commercial Node
West of Property:	C-3 Limited Use Overlay District Cleared Field/Undeveloped	Commercial Node
South of Property:	I-1 Limited Industrial District Self Storage Warehousing	Commercial Node



Adopted Future Land Use Plan

Approval Criteria Checklist- 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 list. Staff has reviewed the proposal and offers the following explanations and findings related to the approval criteria.

Criteria	Explanations and Findings
(a) Consistency of the proposal with the Comprehensive Plan/Land Use Map	The proposed C-3 Limited Use Overlay District rezoning is consistent with the Future Land Use Plan.
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal is consistent with the purpose of Chapter 117.

Criteria	Explanations and Findings
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	The proposal is substantially compatible with the development trends in the area. Although some of the surrounding property is zoned for residential use, a transition of the zoning and land use is occurring in this area.
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	Poor suitability due to the current R-1 zoning which will greatly restrict possible commercial development on the site if not rezoned. Industrial use occurs to the south.
(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 known detrimental effects to the present land uses.
(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	Residential property that recently became vacant.
(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	Minimal impact.



Vicinity Zoning Map

COMPREHENSIVE PLAN/ FUTURE LANDUSE MAP

The 2010 Comprehensive Land Use Map shows the area recommended as Commercial Node. This area is pending a restudy on the land use map by the Land Use Advisory Committee and will most-likely maintain a commercial node status.

Master Street Plan/Transportation

The subject property is served by Old Greensboro Rd. (Hwy 351) which is classified on the master street plan as a minor arterial which requires a 100 ft. right-of-way (50 ft. to road centerline). The amount of dedicated right-of-way is currently 40 ft. from the road centerline.

Other Departmental/Agency Reviews:

Department/Agency	Reports/ Comments	Status
Engineering	No objection	
Streets/Sanitation	No objection	
Police	No objection	
Fire Department	No objection	
MPO	No objection	
Jets	No objection	
Utility Companies	No objection	

Other Zoning Code Analysis:

Sec. 117-140. Overlay and special purpose districts.

(c) *LU-O—limited use overlay district.* (3) *Use and property development standards.* When accompanied by a rezoning request from the property owner, the LU-O district can be used to restrict the use and property development standards of an underlying base zoning district, as applied to specific parcels of land.

All LU-O requirements are in addition to, and supplement all other applicable standards and requirements of the underlying zoning district. Restrictions and conditions imposed by an LU-O district are limited to the following:

- a. Prohibiting otherwise permitted or conditional uses and accessory uses or making a permitted use a conditional use;
- b. Decreasing the number or density of dwelling units that may be constructed on the site;
- c. Limiting the size of nonresidential buildings that may be placed on a site;
- d. Increasing minimum lot size or lot width;
- e. Increasing minimum yard and setback requirements; and
- f. Restricting access to abutting properties and nearby roads.

Method of adoption/amendment. As an overlay district, the LU-O designation shall be applied for in accordance with standard rezoning procedures. Once LU-O zoning is established, any amendments shall also require review and approval in accordance with rezoning procedures.

The applicant has proposed a C-3 Limited Use Overlay District rezoning with all uses permitted except the following:

- Adult Entertainment/Adult Retail Shops
- Tobacco/Alcohol Retail Stores

MAPC RECORD OF PROCEEDINGS: Public Hearing held December 10, 2013

Applicant:

Mr. Mike McNeese appeared before the MAPC stating that he is representing the owners of the 3.99 acre property on Highway 351, north of the last applicant on Rios Drive. The property is zoned R-1, Single Family Residential. There is a lot litter and old tires on the property and we would like to have it rezoned to C-3, Limited Use Overlay

Staff:

Mr. Spriggs gave the staff overview of the case and summarized the Staff Report findings. He noted that the 2010 Comprehensive Plan Future Land Use Map shows the area recommended as Commercial Node and Village Residential. This area is pending a restudy on the land use map by the Land Use Advisory Committee and will most-likely maintain a commercial node status.

There were no objections from the reviewing agencies nor departments submitted to the Planning Department. Engineering, MPO and Planning Staff recommend that access management be adhered to and that cross access easements be coordinated during site plan review and approval by the MAPC. This property is adjacent to Industrial Mini Storage property to the south.

The conditions and proposed uses were read:

1. That the proposed development shall satisfy all requirements of the City Engineer and all requirements of the current Stormwater Drainage Design Manual.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC, prior to any development of the property.
3. Coordination is required of all egress/ingress with the State Highway Dept., M.P.O., the City Engineering Dept. and the Planning Dept.
4. The setback, building height, screening, and site design standards are required per “Sec. 117-328. - Residential Compatibility Standards”.

The applicant has proposed a C-3 Limited Use Overlay District rezoning with all uses permitted except the following:

- Adult Entertainment/Adult Retail Shops
- Tobacco/Alcohol Retail Stores
- Garage- Automotive Repair (as recommended by Mr. Tomlinson).

Public Input: No Opposition Present

Commission Action:

Mr. Scurlock made a motion to approve the rezoning with the stipulations noted and recommend it to City Council for approval; Motion was seconded by Mr. Dover.

Vote: Mr. Scurlock- Aye; Mr. Hoelscher-Aye; Mr. Kelton- Aye; Mr. Reece- Aye; Mr. Tomlinson-Aye; Ms. Nix- Aye; Ms. Shrantz- Aye; Mr. Dover- Aye; Mr. Roberts- Chairman.

Conclusion:

The MAPC and the Planning Department Staff find that the request to rezone the property from R-1 Single Family Medium Density to a proposed C-3 Limited Use Overlay District submitted for Case RZ 13-20 should be evaluated and approved based on the above observations and criteria. The following are included in the requirements that will apply:

1. That the proposed development shall satisfy all requirements of the City Engineer and all requirements of the current Stormwater Drainage Design Manual.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC, prior to any development of the property.
3. Coordination is required of all egress/ingress with the State Highway Dept., M.P.O., the City Engineering Dept. and the Planning Dept.
4. The setback, building height, screening, and site design standards are required per “Sec. 117-328. - Residential Compatibility Standards”.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



View looking north toward subject site.



View looking southeast from subject site toward I-1 property located to the south.



View of C-3 L.U.O. property located to the west of subject site.



View looking east from subject site toward R-1 property located to the north and east of subject site.



View of the Hudson Dr. frontage for the R-1 property located north and east of the subject site.