



City of Jonesboro City Council
Staff Report – RZ 10-24: 5600 E. Johnson Jim & Judy Furr
Huntington Building - 900 W. Monroe
For Consideration by the Council on December 6, 2011

REQUEST: To consider a rezoning of a parcel of property containing approximately 1.83 acres more or less from R-1 Single Family to C-3 L.U.O. and make recommendation to City Council.

PURPOSE: A request to consider approval the by the Metropolitan Area Planning Commission, as recommended to City Council for final action as C-3 L.U.O.

APPLICANT/ OWNER: Jim and Judy Furr, 1913 Santa Ines, Las Cruces, NM 88011

LOCATION: 5600 E. Johnson

SITE DESCRIPTION: Tract Size: Approx. 1.83 +/- acres, 79,714 Sq. ft. +/-
 Frontage: Approx. 336.48' ft. along Hwy. 49 N/Johnson
 Topography: Predominantly Flat
 Existing Dvlpmt: Vacant

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	R-1	Vacant
South:	R-1	Residential
East:	R-1	Vacant
West:	R-1	Residential

HISTORY: None.

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

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.

COMPREHENSIVE PLAN FUTURE LAND USE MAP

The Future Land Use Map adopted on January 5, 2010 shows this area to be within the Northeast Sector and to be recommended as a Planned Mix Use Area. Consistency is achieved.

Typically PMUA is a campus-style planned development with multiple uses that are created in separate buildings or within single buildings, sharing a common image and circulation system. The Planned Mix Use Area is typically located on major arterial streets where infrastructure is pre-existing or is planned as part of a proposed development. Access management shall be a major priority; consolidated curb-cuts shall be promoted.

It is suggested that the PMUA compromise of a minimum of 10% of the total planning area to include commercial uses; maximum 25% multi-family. Green space and open space is encouraged where PMUA developments abut more restrictive districts, where buffers are necessary.



Vicinity Map/Zoning Map

Master Street Plan Review:

The proposed site is located along Hwy. 49N/Johnson Ave. which is a principal arterial on the most current Jonesboro Master Street Plan. The rezoning plat shows the compliance with the required right of ways along Highway 49N.

Findings:

With the new NEA Hospital, this area is a changing commercial corridor which includes other new retail development in the vicinity of the subject property. The request for rezoning allows for a more planned opportunity as opposed to the typical piece-meal developments brought before the commission and council in the past. With proper buffering a quality commercial development can be incorporated into this planning area.

This area will prove conducive for commercial uses along Highway 49 N. near the new hospital given the traffic volume. Traffic access management along this heavily travelled corridor should be limited as to the number and location of curb cuts along Johnson Ave. and should also be sensitive to the surrounding residential uses. A 20’ buffer should be provided and proper screening where residences abut. Landscaping and lighting plans would also be required at the final submittal.

The proposed rezoning will result in existing R-1 Single Family District requested to be zoned to C-3 L.U.O. Although the subject property abuts a single family residential, the 1.83 acre site will be required to provide a buffer and screening. The requested zoning to a limited use will provide for a listing of specifically prohibited uses as follows:

Prohibited Uses:

- Billboards
- High-Volume Retail Uses such as Convenience Store
- Carwash
- Pawn Shop
- Fast Food Restaurant
- General and Limited Vehicle Repair
- Agriculture Farmers Market
- Service Station

MAPC Record of Proceedings for Public Hearing Held on November 8, 2011:

Applicant: Applicant’s Agent: Jason Branch: HKB, Associates: We are asking for a rezoning from R-1 to C-3 LUO.

Staff: Mr. Spriggs gave the Staff Summary/comments. This area is in vicinity of the new hospital development and is changing tremendously. The land use plan does recommend Planned Mixed Use Area. Consistency is achieved with both the Land Use and the Master Street Plan. The applicant has listed a number of prohibited uses for the site. They were read into the record. Staff didn’t have a problem with some of those such as the farmer’s market. The 6 Staff recommended conditions were read.

Public Input: None.

Mr. Branch: The owners had requested that the fast-food be removed from the limited use list. Mr. Kelton asked if the sign was placed on the property. Mr. Roberts noted that he saw it.

Mr. Tomlinson asked if there is commercial zoning across Johnson. Mr. Spriggs noted the C-3 L.U.O. SE on the corner of Old Bridger.

Mr. Tomlinson asked if there is a condition regarding buffering. Mr. Spriggs noted that there is a 20 ft. buffering in the conditions.

Commission's Action:

Motion was made by Mr. Kelton to place Case: RZ-11-24 on the floor for consideration and for the recommendation to City Council for a rezoning from R-1 Single Family to C-3 L.U.O., subject to the following conditions:

1. The owner/applicant shall be restricted with the following use limitations:

Prohibited Uses:

Adult Entertainment

Off-Premise Advertisement

High-Volume Retail Uses such as Convenience Store

Carwash

Pawn Shop

General and Limited Vehicle Repair

Agriculture Farmers Market

Service Station

2. That all future site plans shall be approved by the Planning Commission with safe access easement management included on individual site plans. No new work shall commence prior to Final site Plan review and approval by the MAPC.

3. A lighting plan and landscaping plan shall be submitted to the MAPC, including a 20 ft. landscape buffer, including privacy fencing where the site abuts existing residential uses.

4. That the proposed development shall satisfy all requirements of the City Engineer, satisfying all requirements of the current Stormwater Drainage Design Manual.

5. That prior to any issuance of Certificate of Occupancy of new uses, all requirements stipulated by all City, State and Local agencies shall be satisfied.

6. That the owner shall coordinate all egress/ingress with the State Highway Dept, City Engineering Dept. and the Planning Dept.

Motion was seconded by Mr. Tomlinson.

Roll Call Vote: Mr. Dover- Aye; Mr. White- Aye; Ms. Nix- Aye; Ms. Norris- Aye; Mr. Scurlock- Aye; Mr. Kelton- Aye. Mr. Tomlinson- Aye; Mr. Roberts- Chair. Motion passed with a 6-0 Vote in favor.

Conclusion:

The MAPC and Planning Department Staff recommend the requested Zone Change as submitted by Jim & Judy Furr, Case RZ 11-24 should be approved by the City Council for rezoning from R-1 to C-3 Limited Use Overlay subject to the above conditions in the record of proceedings.

Respectfully Submitted for Council Consideration,

A handwritten signature in black ink, appearing to read "Otis T. Spriggs". The signature is fluid and cursive, with the first name being the most prominent.

Otis T. Spriggs, AICP
Planning & Zoning Director

SITE PHOTOGRAPHS



View looking Northwest along Johnson Ave.



View looking South of property frontage along Johnson Ave.



View looking North of subject property rear yard.



View looking East of subject property rear yard.



View from the site looking Northeast of abutting properties on Greenway Ln.



View Looking East of subject property frontage.



View Looking South of property adjacent from subject site.