

*City of Jonesboro Planning Commission
Staff Report – CU 09-06 Nelson
Huntington Building - 900 W. Monroe
For Consideration by Planning Commission on January 12, 2010*

REQUEST: Applicant proposes to have a family home day care within the R-1 zoning.

PURPOSE: To operate a home day care providing for up to 8 children.

**APPLICANT/
OWNER:** Nikki Nelson, 217 Huntcliff Dr., Jonesboro, AR.

LOCATION: 217 Huntcliff Dr., Jonesboro, AR.

SITE DESCRIPTION: Tract Size: .61 acres.
Frontage: Approx. 140 ft. on Huntcliff; 167 + ft. on Wolf Chase Ln.
Topography: Flat
Existing Dvlpmt: Residence within a subdivision

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

HISTORY: None

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

COMPREHENSIVE PLAN FUTURE LAND USE MAP

The 1996 Comprehensive Plan Future Land Use Map which is outdated shows the area recommended as Medium-Density Residential. This area is currently being restudied by the Land Use Advisory Committee. The general area has been proposed as Single Family-Low Density.

Section 117-199 Procedure for authorizing (Conditional Uses):

In carrying out the purpose of this section, the following development standards and design specifics shall be subject to review and approval. The appropriateness of these standards shall be determined for each specific conditional use location.

- (1) The proposed use is within the provision of conditional uses as set out in this chapter.
- (2) The proposed use conforms to all applicable provisions herein set out for the district in which it is to be located.

- (3) The proposed use is so designated, located and proposed to be operated that the public health, safety and welfare will be protected.
 - (4) The proposed land use is compatible with and will not adversely affect other property in the area where it is proposed to be located.
 - (5) The size and shape of the site, including the size, shape and arrangement of proposed structures, as well as signage related thereto, is in keeping with the intent of this chapter.
 - (6) The proposed ingress and egress, internal circulation system, location and amount of off-street parking, loading and pedestrian-ways are sufficiently adequate, and not inconsistent with requirements of this chapter.
 - (7) The proposed landscaping and screening of the proposed use are in accordance with provisions of this chapter.
 - (8) Safeguards proposed to limit noxious or offensive emissions, including lighting, noise, glare, dust and odor are addressed.
- (Zoning Ord., § 14.24.02)



Aerial Map/ Vicinity Map

Findings:

The proposed in-home daycare is requested to be approved under the Conditional Use process under the functions of the MAPC. The family-home daycare is equivalent to a home occupation. *Day care, limited (day care family home)* means a home where day care services are provided to a maximum of eight children, with a maximum of two adults in attendance. The operator shall reside in the structure, and the

facility must conform to all codes and regulations, both state and local, applicable thereto, with the most restrictive regulations prevailing. The babysitting of not more than five nonrelated children shall not be subject to provisions of this chapter and is typically allowed in any residential environment.

The Zoning Resolution currently has guidelines for home occupation which limits the accessory use to the confinements of the principal structure and remains clearly secondary to the use of the dwelling as a residence.

In review of the current application, there were no reasons or findings of conflict of Section 117-199, (Zoning Ord., § 14.24.02), that would deem the propose use unfit for the site location. As illustrated in the photographs, the home location has ample space area to ensure child safety and assurance that traffic congestion never occurs. Staff recommends that the outdoor play area be fenced in, defined and secured as an added amenity.

Conclusion

The Planning Staff has reviewed the request and feel that all issues regarding impacts on the surrounding area have been considered. Staff recommends approval to Planning Commission for approval of the family home day-care located within the R-1 Single Family Residential District with the following stipulations:

1. That upon issuance of the Conditional Use Permit Approval, all other state and local child care certifications be obtained and maintained by the applicant.
2. That upon issuance of the Conditional Use Permit Approval, all other applicable building occupancy, fire inspections, and other permits be applied for and obtained by the applicant.
3. That a secured fencing be installed in the rear of the home to delineate child play area.

Respectfully Submitted for Planning Commission Consideration,

Otis T. Spriggs, AICP
Planning Director
Planning & Zoning Department

Site Photographs



View looking south at the subject site.



View looking west (rear yard) from Wolf Chase Lane.



View looking north from Wolf Chase Lane.



View looking south (rear yard and abutting property) from Huntcliff Dr.



View looking east along subject property frontage.



View looking west from intersection of Wolf Chase Lane/Huntcliff Dr.