

*City of Jonesboro Metropolitan Area Planning Commission*  
**Staff Report – RZ 12-25: Kennett Rezoning – HWY 49N**  
**Huntington Building - 900 W. Monroe**  
*For Consideration by the Commission on January 8, 2013*

**REQUEST:** To consider a rezoning of a parcel of land containing 29.70 acres more or less.

**PURPOSE:** A request to consider a recommendation to Council for a rezoning from R-1 Single Family Residential to C-3 - L.U.O. District, with a specifically prohibited list of uses.

**APPLICANT/  
OWNER:** John Kennett, 420 W. Court St. Paragould, AR 72450

**LOCATION:** Site is north of Highway 49, and west of Clinton School Road.  
Property located between

**SITE DESCRIPTION:** **Tract Size:** Approx. 1,293,526 S.F. – 29.70 Acres  
**Frontage:** Total of 740.67 feet along Highway 49  
Total of 641.92 feet along Clinton School Road  
**Topography:** Predominately flat with little topographic relief, and drains generally to the north, to Bridger Creek. There is existing vegetation along the northern side of the site.  
**Existing Development:** The site is currently under agricultural use.

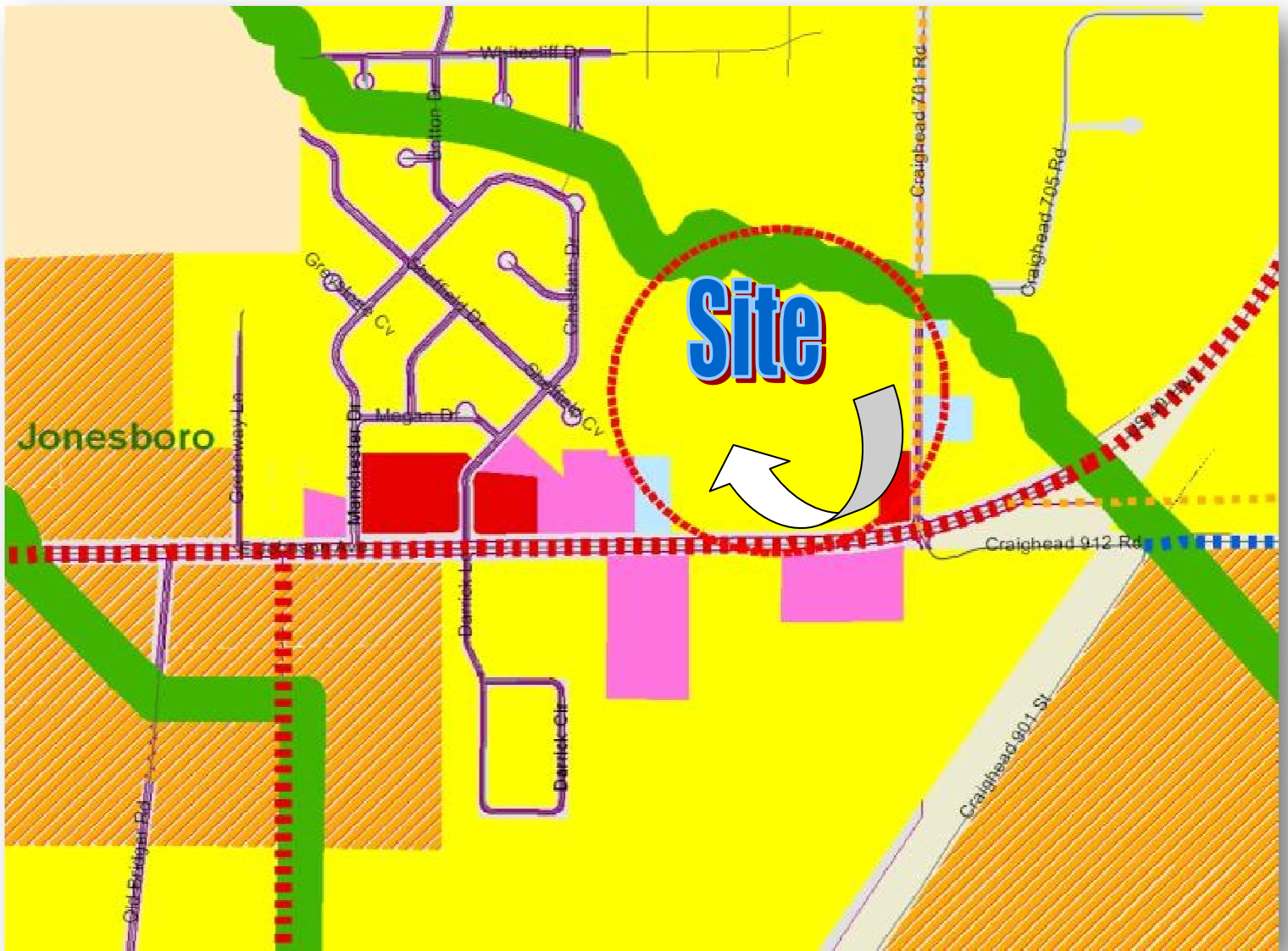
<b>SURROUNDING CONDITIONS:</b>	<u>ZONE</u>	<u>LAND USE</u>
North:	R-1	Part of Windsor Landing Subdivision
South:	R-1	Industrial Use
East:	R-1A	Storage Warehouses
West:	R-1, R-3	Single Family & Existing church

**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 Medium Density Residential. While the Land Use Plan recommends this site for future uses as single family, it is not ideal that the single family uses will be in demand along the Highway 49N frontage, due to expanded commercial growth in the area and along this arterial. The proposed rezoning is not consist with the adopted Land Use map; however, Staff feels that the applicant makes a good argument that the area is conducive for commercial uses along the highway frontage. The existing topography and ditch forms a good natural buffer of where the commercial should end and the residential can be preserved to the north. Consideration for enhanced buffers should occur where residential is to remain.

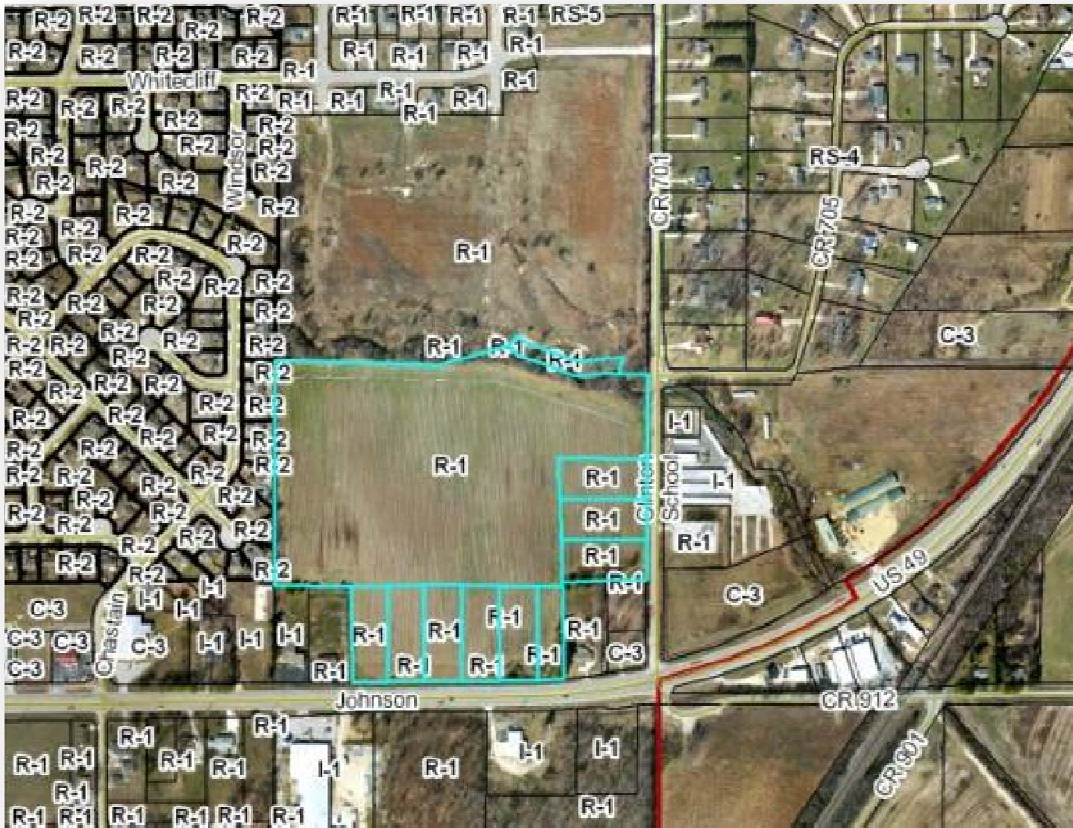


**Adopted Land Use Map**

**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 each and offers explanations and findings as listed in the rezoning checklist below:

<b>Criteria</b>	<b>Consistent (Yes or No)</b>	<b>Explanation</b>
(a) Consistency of the proposal with the Comprehensive Plan	No.	See Land Use Section Above.
(b) Consistency of the proposal with the purpose of the zoning ordinance.	Commercial uses exists to the east and west of the site which fronts a major arterial.	Spot Zoning does not apply.
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area;	Commercial uses exists to the east and west of the site which fronts a major arterial.	Service and supportive commercial will prove compatible with the vicinity.
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	Not suitable for single family along the highway frontage.	
(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	The existing topography and ditch forms a good natural buffer of where the commercial should end and the residential can be preserved to the north. Consideration for enhanced buffers should occur where residential is to remain.  Property has never been developed.	Architectural treatment and site design can address any adverse impact or nuisance issues listed.
(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.	Applicant states no major impacts. Access management should be coordinated.	



**Vicinity/Zoning Map**

**Findings:**

**Master Street Plan/Transportation**

The subject site is served by Clinton School Road on the Master Street Plan, which defines the road as a collector, which has a proposed right of way totaling 60 ft., where 80 ft. is required, thus requiring an additional 20 ft. The site is also served by E. Johnson Ave. (HWY 49 N), which is designated as a major arterial requiring 120 ft. right of way, where an existing 55 ft. right of way from center of road is shown. Staff does not anticipate any state widening to occur in the near future along E. Johnson Ave.

According to the County Recorder, the property is also served by two 40 ft. right-of-ways to the south from E. Johnson (Kennett and Everett St.). Depending on future site plan development plans these right-of-ways may require abandonments through the City Council.

**Zoning Code Compliance Review:**

This requested rezoning is intended to be a Limited Use Overlay (LUO). The applicant requests a zoning classification of C-3 L.U.O., with the proposed prohibited uses being listed below:

- 1) Animal care, general, 2) Animal care, limited, 3) Cemetery, 4) Construction sales and service, 5) Day care, limited (family home), 6) Day care, general, 7) Funeral Home, 8) Nursing Home, 9) Pawn Shop, 10) Golf Course, 11) Recreational Vehicle Park.

All other uses stipulated as allowable or as conditional use will apply to this proposed rezoning petition.

As noted above regarding future site plan development plans, right-of-way abandonments may be necessary through action by the City Council.

**Buffering/Screening:**

All parking areas shall be screened or buffered. All dumpster locations shall be properly shielded per Section 117-326 of the Jonesboro Code of Ordinances. Perimeter privacy fencing or solid landscaped buffering should be considered to minimize impact on abutting single family residences. Exterior lighting shall be designed to minimize light spilling onto surrounding properties.

Department/Agency	Reports/ Comments	Status
Engineering	Pending	No comments to date
Streets/Sanitation	Pending	No comments to date
Police	Pending	No comments to date
Fire Department	Pending	No comments to date
Utility Companies	Pending	No comments to date

**Conclusion:**

The Planning Department Staff finds that the requested Zone Change submitted by John Kennett should be evaluated based on the above observations and criteria, of Case RZ 12-25 noted above, a request to rezone property from “R-1” to “C-3” General Commercial District L.U.O. The following conditions apply:

1. That the proposed development shall satisfy all requirements of the City Engineer, satisfying all requirements of the current Stormwater Drainage Design Manual.
2. That a future site development plan be submitted and reviewed by the MAPC prior to any future redevelopment of the proposed site.
3. The applicant agrees to comply with the Master Street Plan recommendations for the Clinton School Rd. right-of-way.
4. Fencing details depicting screening shall be implemented along the perimeter abutting residential uses of the proposed site as approved by the MAPC.
5. A lighting photometrics plan shall be submitted with the building permit application to assure no lighting spillage onto abutting properties.
6. The following uses shall be prohibited:
  - 1) Animal care, general, 2) Animal care, limited, 3) Cemetery, 4) Construction sales and service, 5) Day care, limited (family home), 6) Day care, general, 7) Funeral Home, 8) Nursing Home, 9) Pawn Shop, 10) Golf Course, 11) Recreational Vehicle Park.

Respectfully Submitted for Commission Consideration,



Otis T. Spriggs, AICP  
 Planning & Zoning Director

Sample Motion 1:

I move that we place Case: RZ-12-25 on the floor for consideration and for recommendation to City Council for a rezoning from “R-1 to “C-3” General Commercial, L.U.O. District, subject to the 6 Staff conditions. The MAPC finds that the use will be compatible and suitable with the zoning, uses and character of the surrounding area.

# Site Photographs



View looking Southeast on Sheffield Dr. (Cul-de-sac) – Windsor Landing Subdivision



View looking East from the intersection of Sundown Lane and Clinton School Road towards site



View looking south on Clinton School Road, Storage units are east of site



View looking south towards the intersection of HWY 49N and Clinton School Road



View looking easterly from Clinton School Rd. towards the Farville curve



View from Clinton School Road, looking West at neighboring property





View from south side of HWY 49 N looking Northwest towards the Site



View looking easterly toward subject site frontage along HWY 49 N



View looking westerly toward subject site (On right) along the frontage of HWY 49 N



View from adjacent property 5922 N. Johnson looking toward site



View looking west from adjacent property located at 5922 N. Johnson



View from adjacent property 5922 N. Johnson looking toward site



View looking west towards the intersection approach of Clinton School Road and HWY 49 N.