

City of Jonesboro City Council
Staff Report – RZ 10-15: 401 E. Oak – Moring Rezoning
Huntington Building - 900 W. Monroe
For Consideration by the Council on September 21, 2010

REQUEST: A recommendation by MAPC to rezone property containing 0.15 acres more or less.

PURPOSE: To rezone a tract of land from R-2 Low Density Multi-Family to CR-1 Commercial/Residence District

**APPLICANT/
OWNER:** Glen & Nancy Moring, 5201 Prospect Rd., Jonesboro, AR

LOCATION: 401 E. Oak (Formerly known as 1002 Cobb St.); (Southeast corner of Cobb & Oak Street, Jonesboro, AR)

**SITE
DESCRIPTION:** Tract Size: 0.15 Acres (6,714 sq. ft.)
Frontage: 120 ft. on Oak St.; 55.95 ft. on Cobb St.
Topography: Predominately level
Existing Development: Existing Single Family used as Appraisal Business

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
	North: R-2	St. Bernard Employee Parking Lot
	South: R-2	Rental
	East: R-2	Rental
	West: R-2	Rental

HISTORY: Property was purchased in August, 2006, refurbished and the current business which evolved from a home office use in a couple of rooms then expanded to the entire home.

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

COMPREHENSIVE PLAN FUTURE LAND USE MAP

The Future Land Use Map adopted on January 5, 2010 shows this area to be within the Northwest Sector and to be recommended as a High Density Single Family Residential District Area.

This planning area has been highlighted as high density housing and related compatible uses. Typically detached dwellings but includes attached living with scale and massing appropriate to protect the character of the surrounding neighborhood and site constraints and higher density consistent with adopted zoning.

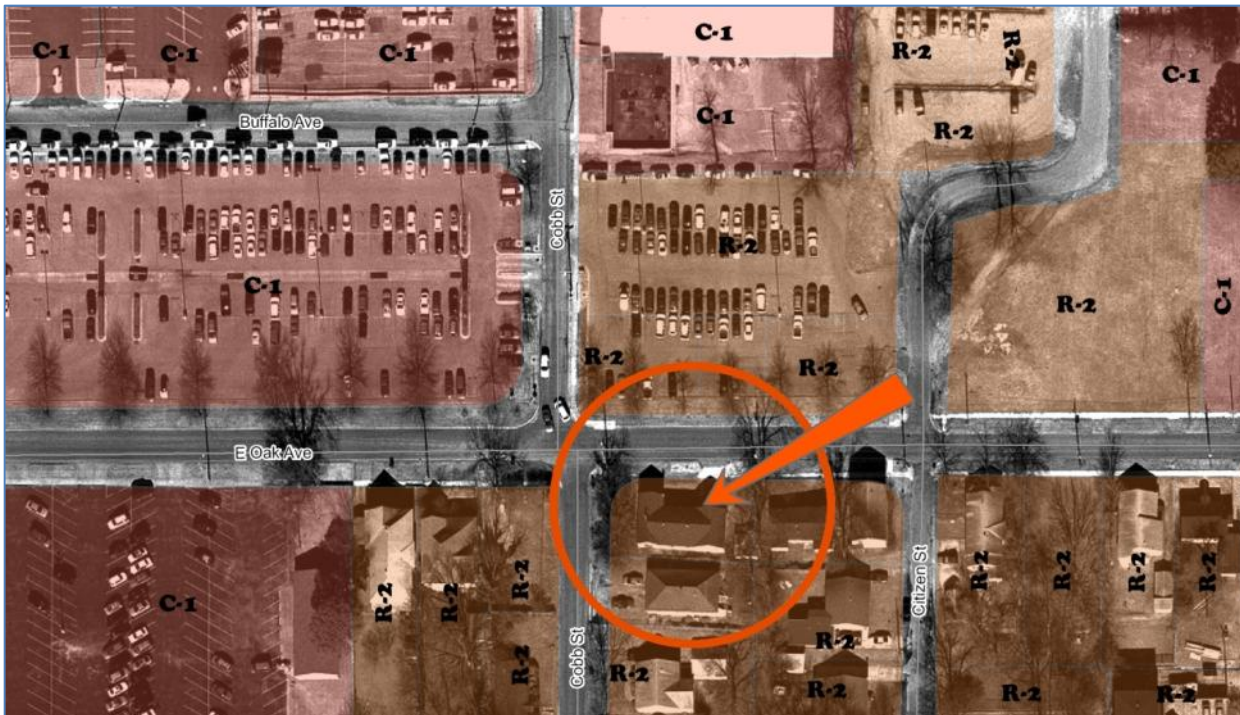
Master Street Plan Review:

The proposed site is located along two local roads on the most current Jonesboro Master Street Plan. The rezoning plat shows the right of ways along Oak St. and Cobb St. less than 30 ft. from center of street.

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.



Aerial Map/ Vicinity Map

Findings:

The applicant has requested a CR-1 Rezoning for the said property to establish a permitted appraisal office. The 1,754 sq. ft. home was purchased in August, 2006, refurbished and the current business evolved from a home office use within a couple of rooms, then expanded to the entire home. The owners have no intentions on doing any additional alterations to the structure.

The proposed use has no high volume customer base visiting the site; therefore no adverse impact on the traffic flow in the area should result. Lighting levels should be kept at a minimum spill-off to the abutting residential uses. Staff and the Planning Commission agree that the use change should be CR-1 L.U.O., Neighborhood Office, and that any future additions or redevelopment of the site shall be subject to MAPC approval at that time.

MAPC Record of Proceedings: Public Hearing Held On September 14, 2010:

Applicant:

Mr. & Mrs. Nancy and Glen Moring appeared before the Commission stating that they have a real estate appraisal business. She and her son along with one assistant will be located at the site. Mr. Moring noted that they would like to request a rezoning and use the house for an office to do appraisals. Mrs. Moring stated that she does most of her work out in the field and does not have a lot of traffic in the area. There is a parking area across the street that belongs to St. Bernards.

Staff:

Mr. Spriggs summarize the Staff findings and noted that after reviewing the request for a change to CR-1, he feels that the MAPC should modify the petition to a CR-1 Limited Use Overlay (LUO) to allow for minimal restrictions. He has not spoken to the applicant, but if the applicant agrees, conditions should be placed on the recommendation that (1) the structure shall remain residential in character and any future additions or redevelopment of the site be subject to MAPC approval; and (2) that the lighting photometric levels shall remain at a level of no spill-off towards abutting residential properties.

Mr. & Mrs. Moring concurred with the modification.

Public Input: *No Opposition appeared before the Commission.*

Commission:

Motion was made by Mr. Joe Tomlinson to approve the case with the stipulations or recommendations by Staff, recommending approval to City Council from R-2- Low Density Multi-Family to CR-1- L.U.O. Neighborhood Office Use. Motion was seconded by Ms. Margaret Norris.

Action: 8 – 0 Vote Approval: Mr. Hoelscher- Aye; Mr. Dover-Aye; Mr. White – Aye; Mr. Kelton- Aye; Ms. Norris-Aye; Mr. Tomlinson- Aye; Mr. Scurlock- Aye; and Mr. Roberts- Aye.

Conclusion

The Planning Staff and MAPC have reviewed the request and all issues regarding impacts on the surrounding area have been considered. MAPC unanimously recommends approval to City Council with a change from R-2 Low Density Multi-family Residential to CR-1, L.U.O. Neighborhood Office Use with the following stipulations:

STIPULATIONS:

1. That the structure shall remain residential in character and any future additions or redevelopment of the site be subject to MAPC approval; and (2) that the lighting photometric levels shall remain at a level of no spill-off towards abutting residential properties.

Respectfully Submitted for Council Consideration,

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

Site Photographs



View looking at the subject property (Oak St. view)



View looking southeast of subject property.



View looking east along subject site street frontage.



View looking west along Oak Street.



View looking south along Cobb St. of property frontage.



View looking north of subject property (Cobb St.).



View looking north of St. Bernard's parking lot.



View looking east of subject property.



View of subject property.



View of abutting property on Cobb St.



View of subject property (Cobb St.)