

City of Jonesboro City Council
Staff Report – RZ 18-24: 1906 Kathleen Street
Municipal Center - 300 S. Church St.
For Consideration by the City Council on October 16, 2017

REQUEST: To consider a rezoning of one tract of land containing .28 acres more or less.

PURPOSE: A request to consider recommendation to Council by the MAPC a rezoning of .28 acres of land located at 1906 Kathleen Drive from “R-2” Multi-Family Low Density District to C-3 General Commercial Limited Use Overlay.

APPLICANTS/ OWNER: Highland Kathleen, LLC, 3655 American Way, Memphis, TN 38118

LOCATION: 1906 Kathleen Drive, Jonesboro, AR 72401

SITE DESCRIPTION: **Tract Size:** Approx. .28 Acres

STREET FRONTAGE: **Street Frontage:** 100.12 feet on Kathleen Street
Topography: Flat
Existing Development: House on Property

SURROUNDING CONDITIONS:

ZONE	LAND USE
North	R-2 Multi-Family Low Density District / R-3 Multi-Family High Density District
South	C-3 General Commercial District
East	C-3 General Commercial District
West	I-1 Limited Industrial District

HISTORY: House is setting on the property.

ZONING ANALYSIS

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

COMPREHENSIVE PLAN LAND USE MAP:

The Current/Future Land Use Map recommends this location as Moderate Intensity Growth Sector. A wider mix of land uses is appropriate in the moderate intensity sectors. Control of traffic is probably the most important consideration in this sector. Additionally, good building design, use of quality

construction materials, and more abundant landscaping are important considerations in what is approved, more so than the particular use. Limits on hours of operation, lighting standards, screening from residential uses, etc. may be appropriate.

MODERATE INTENSITY RECOMMENDED USE TYPES INCLUDE:

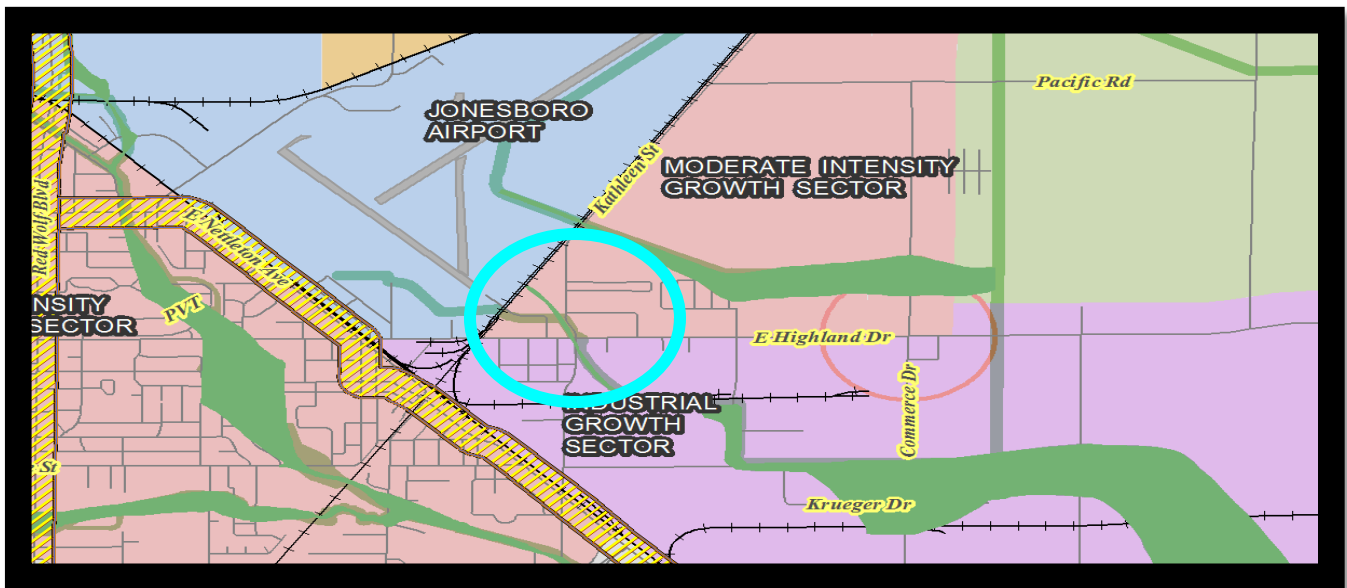
- Single Family Residential
- Attached Single Family, Duplexes, Triplexes and Fourplexes
- Neighborhood Retail, Neighborhood Services
- Office Parks
- Smaller Medical Offices
- Libraries, Schools, other public facilities
- Senior Living Center/Nursing Homes, etc.
- Community-serving Retail
- Small Supermarket
- Convenience Store
- Bank
- Barber/Beauty Shop
- Farmers Market
- Pocket Park

Density: 1/5 to 1/3 Acre Lots for Single Family

No More than six dwelling units per acre for Multi-Family. Multi-Family should only be allowed on Collector and above streets that have been improved or scheduled to be improved in the next construction cycle of city projects unless the developer is willing to build the roads to Master Street Plan standards that serve the development.

Height: 4 Stores

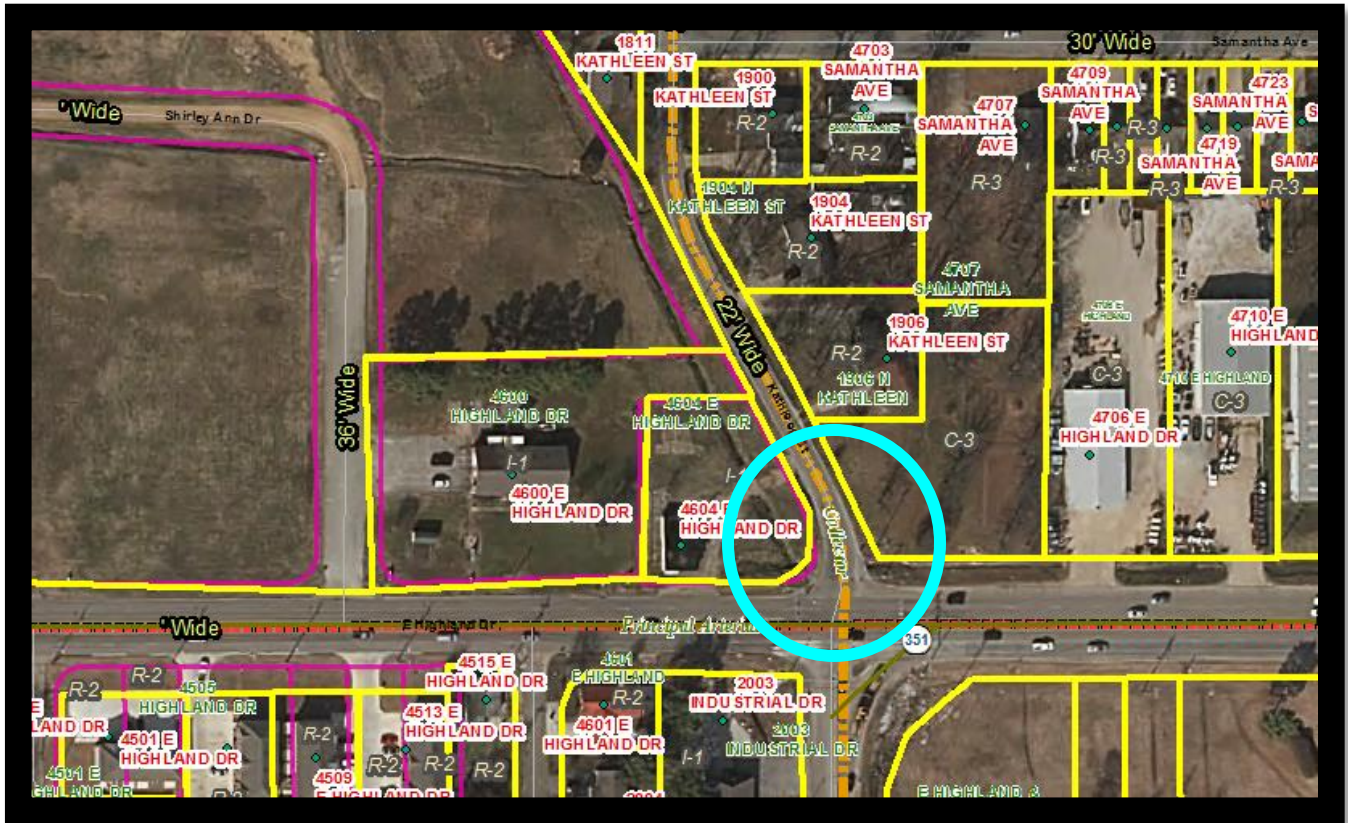
Traffic: Approximately 300 Peak Hour Trips (Commercial Only)



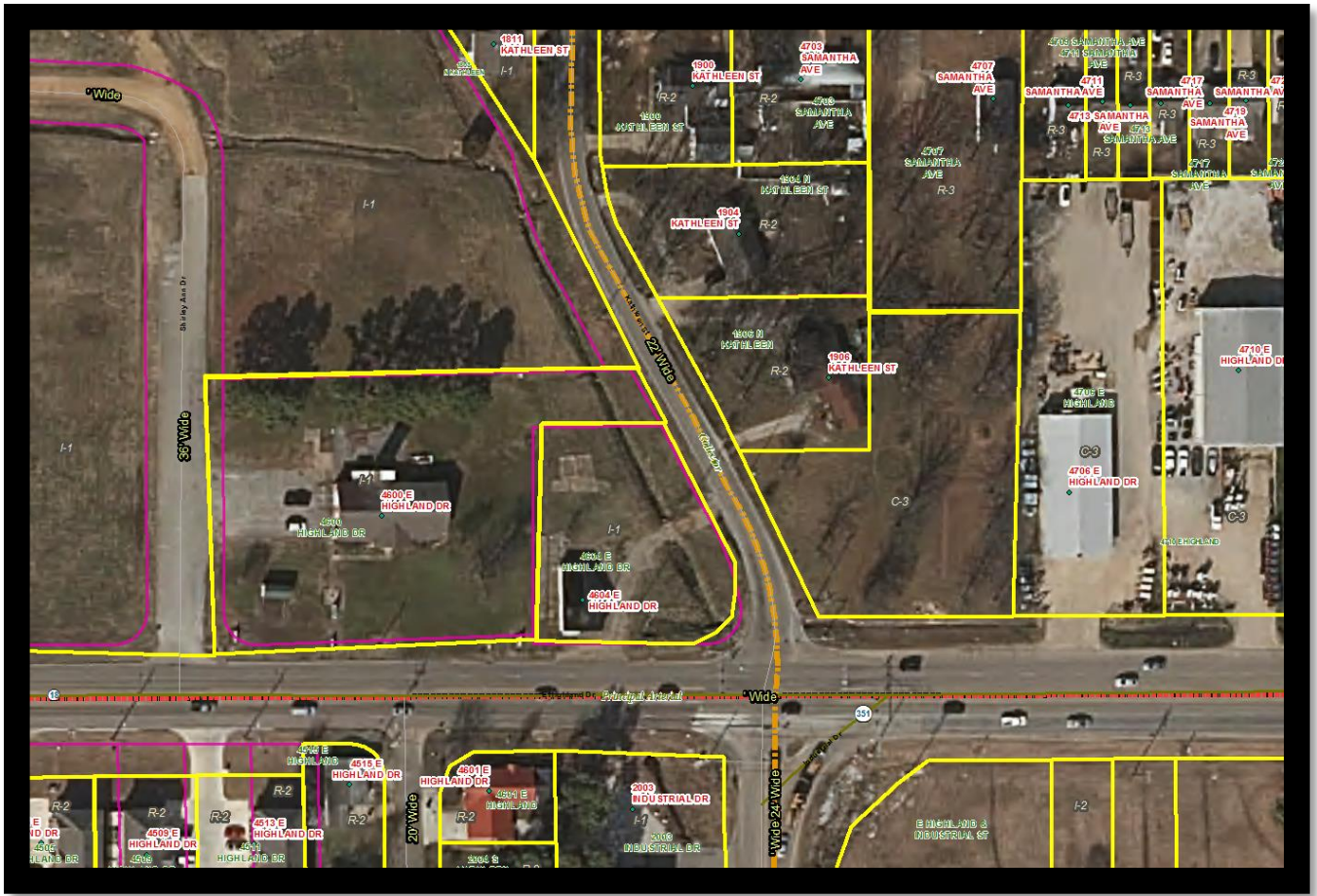
Adopted Land Use Map

MASTER STREET PLAN/TRANSPORTATION

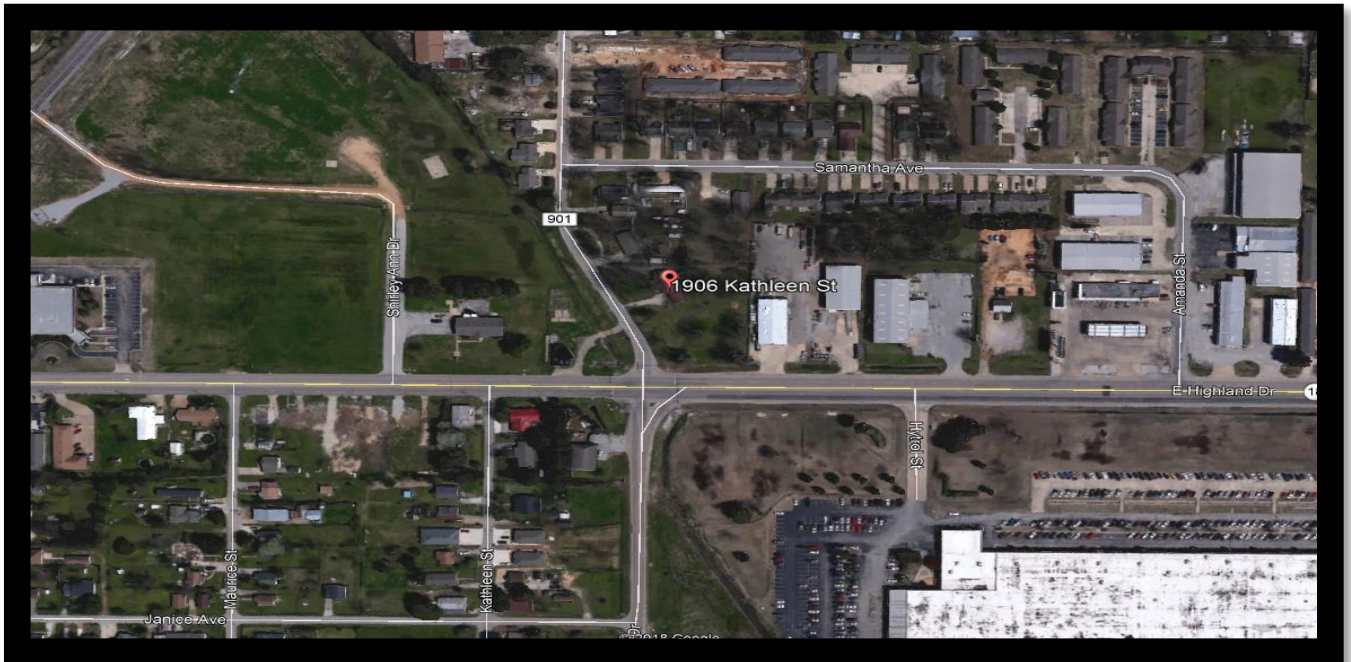
The subject site is served by Kathleen Drive. Kathleen Drive on the Master Street Plan is a Collector Street, which requires an 80 ft. Right of Way. The street right-of-ways must adhere to the Master Street Plan.



Showing Street Plan









Aerial/Zoning Map



Aerial View

APPROVAL CRITERIA- CHAPTER 117 – AMENDMENTS

The criteria for approval of a rezoning are set out below. Not all of the criteria must be given equal consideration by the MAPC or City Council in reaching a decision. The criteria to be considered shall include, but not be limited to the following:

Criteria	Explanations and Findings	Comply Y/N
(a) Consistency of the proposal with the Comprehensive Plan/Land Use Map.	This area is classified as a Moderate Intensity Growth Sector. A commercial zoning would be consistent with the Land Use Plan. Part of an existing parcel owned by Highland Kathleen, LLC that has multiple zonings. Rezoning is necessary in order to achieve a single parcel with one zoning. This will include a Limited Use Overlay, which will prohibit Tobacco / Alcohol Sales and Service, Adult Entertainment and Billboards.	
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal will achieve consistency with the purpose of Chapter 117.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	This is next to C-3 Zoning. This is for an expansion of Williams Equipment, which lies to East of this property. There are several commercial developments surrounding this location.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment.	There are apartments and single-family housing located to the north of this property. However, a commercial zoning would probably be a better fit for this location. This property has to be rezoned to achieve what is being purposed on this lot.	
(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.	The development could cause an increase in traffic. Proper buffer controls should be used to shield the Multi-Family housing from the commercial development to the North.	
(f) 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 if rezoned.	

STAFF FINDINGS

APPLICANT’S PURPOSE:

The applicant feels like the rezoning would allow them to develop the property at its highest and best use. This rezoned parcel will add 12,043 square feet of area for the future expansion of Williams Equipment.

Chapter 117 of the City Code of Ordinances defines C-3 General Commercial District Limited Use Overlay:

C-3 General Commercial District Limited Use Overlay: The purpose of this district is to provide appropriate locations for commercial and retail uses, which are convenient and serve the needs of the traveling public. The district also provides locations for limited amounts of merchandise, equipment and material being offered for retail sale that are more suitable for storage and display outside the confines of an enclosed structure. Appropriate locations for this district are along heavily traveled arterial streets. Development of grouping of facilities shall be encouraged, as opposed to less desirable strip commercial. The Limited Use Overlay prohibits some uses that are restricted.

DEPARTMENTAL/AGENCY REVIEWS

The following departments and agencies were contacted for review and comments. Note that this table will be updated at the hearing due to reporting information that will be updated in the coming days:

Department/Agency	Reports/ Comments	Status
Engineering	No objections to this rezoning to date.	
Streets/Sanitation	No objections to this rezoning to date.	
Police	No objections to this rezoning to date.	
Fire Department	No objections to this rezoning to date.	
MPO	No objections to this rezoning to date.	
Jets	No objections to this rezoning to date.	
Code Enforcement	Comments	Quality of Life requests that the concepts of CPTED be implemented in the design of all buildings, landscaping, and lighting. ANSI/IES lighting standards are highly recommended (reference IES G-1-16; RP-8-14, RP-20-14 in latest versions). Maintenance plans to retain CPTED landscaping should also be considered.
Utility Companies	No objections to this rezoning to date.	

MAPC RECORD OF PROCEEDINGS: PUBLIC HEARING HELD ON OCTOBER 16, 2018

Highland Kathleen, LLC is requesting a Rezoning from R-2 Multi-Family Low Density District to C-3 General Commercial Limited Use Overlay District for .28 acres of land located at 1906 Kathleen Street.

APPLICANT: Mr. Michael Boggs represented the owners. The owners want to rezone this property from R-2 to C-3.

STAFF: Mr. Derrel Smith said the Planning Department recommends approval of this rezoning with the following conditions.

- 1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.**
- 2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the Planning, prior to any redevelopment of the property.**
- 3. Any change of use shall be subject to Planning Commission approval in the future.**
- 4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, sidewalks, dumpster enclosure requirements shall be submitted to the Planning prior to any redevelopment.**
- 5. The Limited Use Overlay will prohibit Tobacco / Alcohol Sales and Service, Adult Entertainment and Billboards.**

BOARD: Mr. Lonnie Roberts, Chairman, asked if there were any comments from the public.

Public: No Comments.

COMMISSION ACTION:

Mr. Dennis Zolper made a motion to approve Case: RZ: 18-24, as submitted, to the City Council with the stipulations that were read by the Planning Department:

- 1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.**
- 2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the Planning, prior to any redevelopment of the property.**
- 3. Any change of use shall be subject to Planning Commission approval in the future.**

4. **A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, sidewalks, dumpster enclosure requirements shall be submitted to the Planning prior to any redevelopment.**
5. **The Limited Use Overlay will prohibit Tobacco / Alcohol Sales and Service, Adult Entertainment and Billboards.**

The MAPC find to rezone property from “R-2” Multi-Family Low Density District to “C-3” General Commercial Limited Use Overlay District. Motion was seconded by Mr. Jimmy Cooper.

Roll Call Vote: 8-0, Aye’s: Jim Scurlock; Mary Margaret Jackson; David Handwork; Kevin Bailey; Jerry Reece; Jimmy Cooper; Jim Little and Dennis Zolper

CONCLUSION

The Planning Department Staff finds that the requested Zoning Change submitted for subject parcel, should the MAPC decide to approve based on the above observations and criteria of Case RZ 18-24, a request to rezone property from “R-2” Low Density Multi-Family Residential District to “C-3” General Commercial District Limited Use Overlay, subject to final site plan approval by the MAPC and the following conditions:

1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the Planning, prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Commission approval in the future.
4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, sidewalks, dumpster enclosure requirements shall be submitted to the Planning prior to any redevelopment.
5. The Limited Use Overlay will prohibit Tobacco / Alcohol Sales and Service, Adult Entertainment and Billboards.

Respectfully Submitted for City Council Consideration,
The Planning Department

Sample Motion

I move that we place Case: RZ 18-24 on the floor for consideration of recommendation by MAPC to the City Council with the noted conditions, and we, the MAPC find that changing the zoning of this property from “R-2” Low Density Multi-Family Residential District to “C-3” General Commercial District Limited Use Overlay, will be compatible and suitable with the zoning, uses, and character of the surrounding area, subject to the Final Site Plan review and approval by the MAPC in the future.

