



*City of Jonesboro City Council*  
**Staff Report – RZ09-19: Travis Cude**  
**Huntington Building - 900 W. Monroe**  
*For Consideration by the Council on October 20, 2009*

**REQUEST:** A recommendation by MAPC to rezone property containing 0.23 acres more or less.

**PURPOSE:** To rezone a tract of land from C-5 to C-3 General Commercial.

**APPLICANT/ OWNER:** Cude Properties, Travis Cude, 2612 E. Nettleton Ave., Jonesboro, AR 72401

**LOCATION:** 2700 Nettleton Ave., between Tony St. and Oakdale St.

**SITE DESCRIPTION:**

Tract Size:	0.23 Acres (10,070 sq. ft.)
Frontage:	75 ft of frontage along Nettleton Ave.
Topography:	Gently sloping.
Existing Dvlpmt:	Vacant with utility easements

<b>SURROUNDING CONDITIONS:</b>	<u>ZONE</u>	<u>LAND USE</u>
North:	R-1	Single Family
South:	C-3	General Commercial
East:	C-5	Neighborhood Office
West:	C-3	General Commercial

**HISTORY:** None.

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

**COMPREHENSIVE PLAN FUTURE LAND USE MAP**

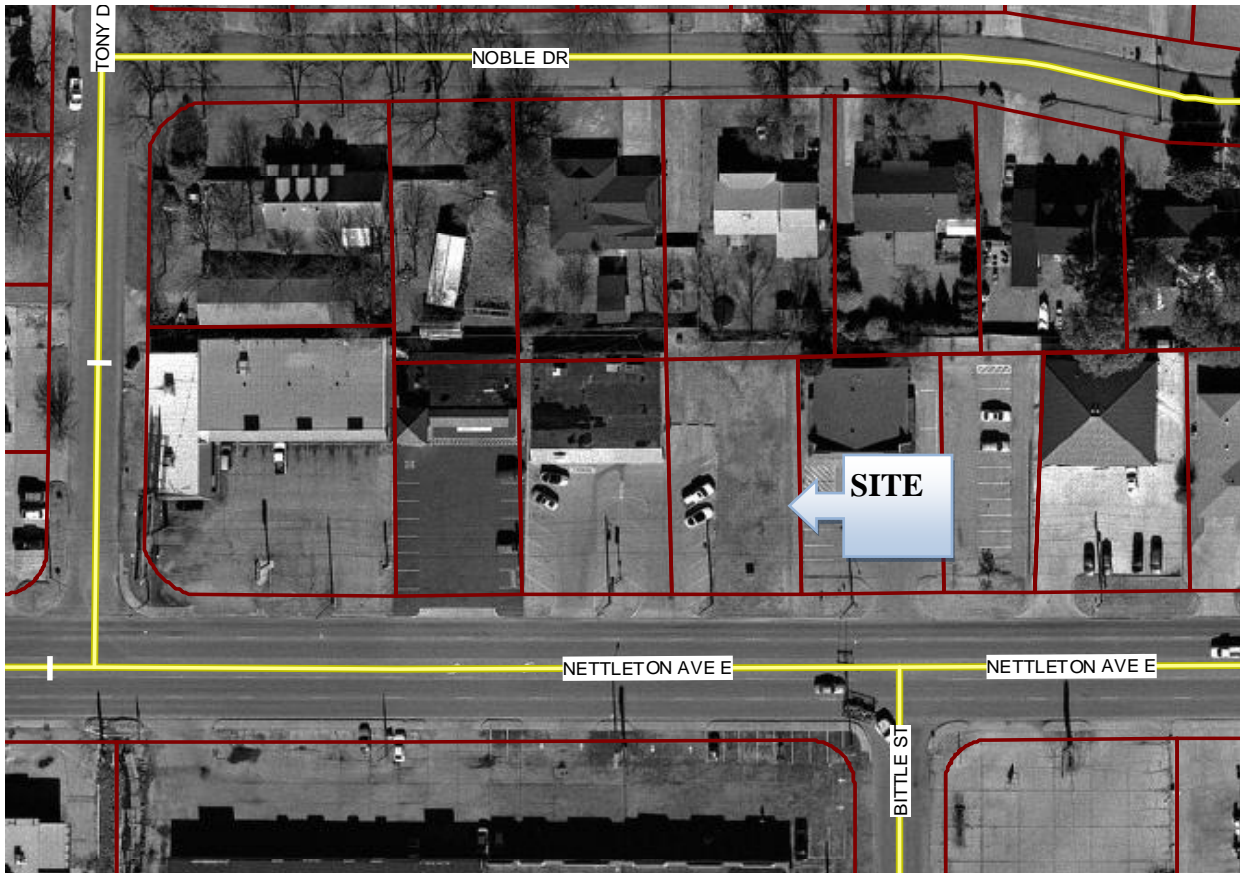
The 1996 Comprehensive Plan Future Land Use Map which is outdated shows the area recommended as Village Residential. This area is currently being restudied by the Land Use Advisory Committee. The general area has been proposed as Neighborhood Retail.

**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

**MAPC RECORD OF PROCEEDINGS- PUBLIC HEARING- OCTOBER 13, 2009:**

*Mr. John Easley with Associated Engineering we are asking for C-5 to C-3. The owner owns the property to the west. I have spoke to Otis Spriggs concerning the easement in the rear and there is a privacy fence in the rear.*

*No opposition.*

*Mr. Tomlinson asked if there were any exclusions on the C-3 uses? Mr. Spriggs stated that in the staff report we listed in the staff report the allowable uses and staff has no objections*

*because of the size of the site and limitations. With the parking lot standards we can regulate buffers; there is an existing privacy fence on the rear.*

*Mr. Easley stated that the owner will have an office expansion from the west. Mr. Dover asked if any of the abutting residential owners voiced any opposition? Mr. Spriggs stated no; and the rezoning signage would have been placed on Nettleton Ave.*

*Mr. Collins made motion to approve with staff's stipulations; 2<sup>nd</sup> by Mr. Dover.*

*Roll Call Vote: Mr. Tomlinson- Aye; Mr. Collins- Aye; Ms. Norris- Aye; Mr. Dover- Aye; Mr. Collins- Aye; Mr. Roberts- Aye. Case Approved.*

**Findings:**

*The subject site is located on Nettleton Ave. just northwest of Bittle St. and south of residences on Noble Dr. The area is predominately commercial with residential abutting in the rear. The applicant has requested a C-3 Rezoning for the said property; this would allow any use listed within the permissible uses of general commercial such as: bank, carwash, convenience store, adult entertainment as a conditional use, hospital, hotel/motel, medical and general office, pawn shop, retail service, gas station, off premise advertisement as a conditional use, general and limited vehicle repair, etc.*

*The minimal size of the subject parcel will limit the location and type of commercial use. A privacy fence/buffer and lighting plan shall be required to demonstrate compliance with the zoning ordinance. Staff feels confident that this will allow for controls and assurance that the abutting residential will be properly screened.*

**Conclusion**

The MAPC and the Planning Staff have reviewed the request and feels that all issues regarding impacts on abutting residential uses have been considered in making recommendation for approval to City Council for a change from C-5 Neighborhood Office to C-3 General Commercial. The following stipulations are recommended:

1. That the final site plan shall be reviewed and approved by the MAPC prior to permit issuance. Such submittal shall include architectural and engineering drawings.
2. That a final landscaping plan shall be submitted for approval by the MAPC to soften the appearance from the residential abutting as well as illustrating all fencing and screening.
3. That prior to the final permit approval, all plans and construction documents shall satisfy all city, state and local agency approvals regarding infrastructure.

Respectfully Submitted for Council Consideration,

Otis T. Spriggs, AICP  
Planning & Zoning Director

# Site Photographs



View looking north at the site.



View looking west along Nettleton Ave.



View Looking east across from the site.



View looking west from the rear of the existing businesses.



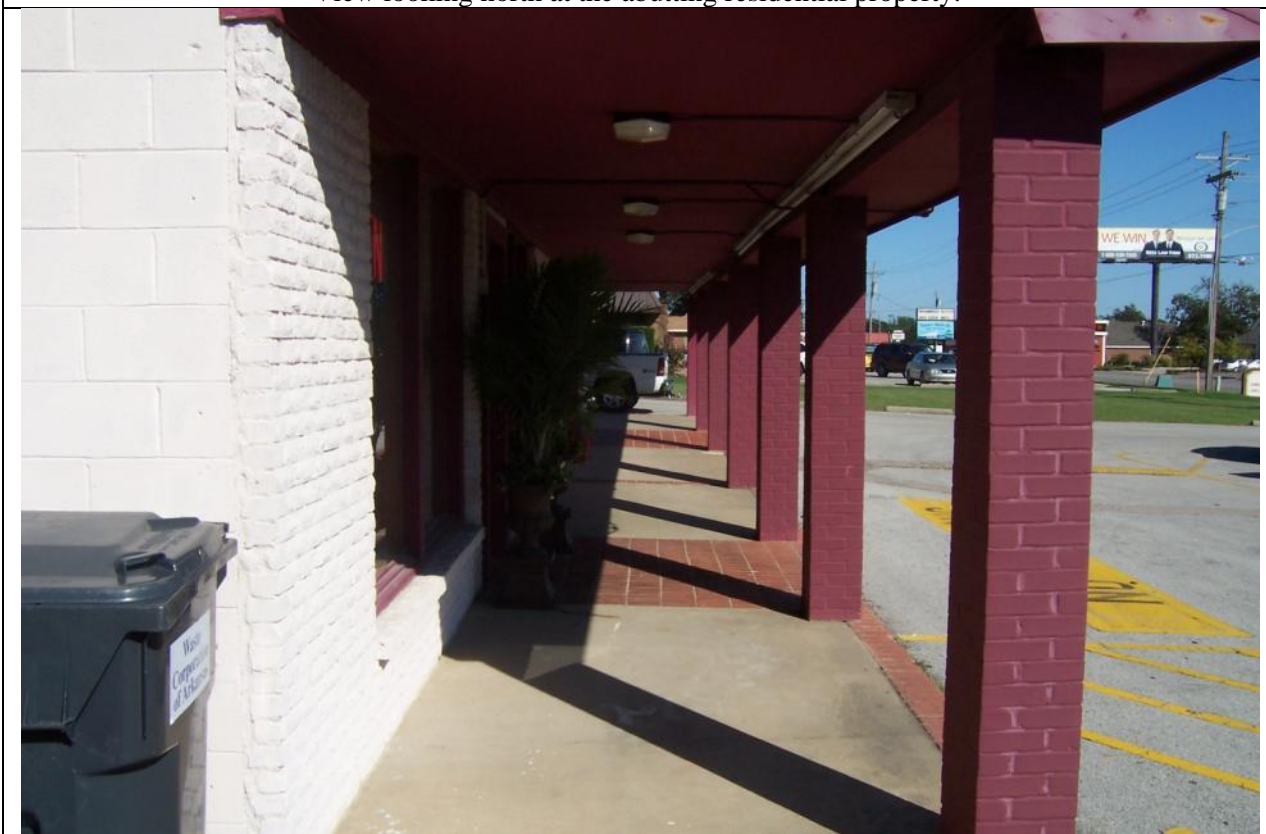
View looking east along rear property line.



View looking south from subject property.



View looking north at the abutting residential property.



View looking east towards site.