



City of Jonesboro City Council
Staff Report – RZ 15-07: 7310 E. Highland Dr.
 Municipal Center - 300 S. Church St.
For Consideration by the Council on May 5, 2015

REQUEST: To consider a rezoning of the land containing 8.13 acres more or less.

PURPOSE: A request to rezone property from “R-1” & “I-2” to “C-3” L.U.O., General Commercial and make recommendation to City Council for approval.

**APPLICANT/
OWNER:** Tina Coots, 7310 E. Highland Dr., Jonesboro AR

LOCATION: 7310 E. Highland Dr., Jonesboro, AR

SITE DESCRIPTION: **Tract Size:** 8.13 Acres/354,157.7 sq. ft. (*R-1 Dist.: 1.47 Ac./I-2 Dist.: 6.66 Ac.*)
Street Frontage (feet): 299.84 - E. Highland Dr., 1,202.64 ft. Roger’s Chapel
Topography: Primarily Flat Topography
Existing Development: Vacant, last used as agricultural.

SURROUNDING	<u>ZONE</u>	<u>LAND USE</u>
CONDITIONS:	North: I-2	Agricultural
	South: C-3	Agricultural
	East: I-2/R-1	Agricultural
	West: I-2/R-1	Agricultural

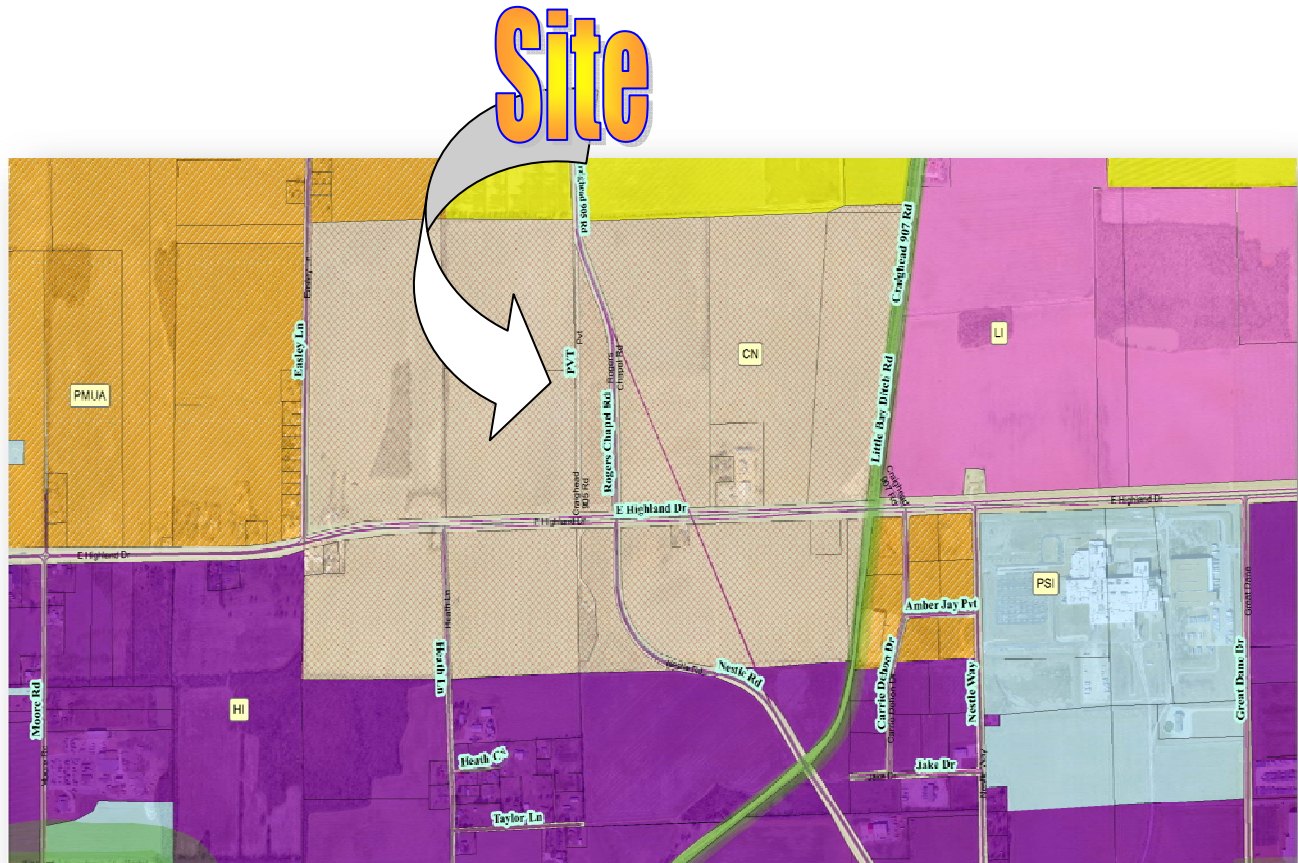
HISTORY: Site Area resulted from a realignment of Rogers Chapel/CR 905 Rd. in the past.

ZONING ANALYSIS

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

COMPREHENSIVE PLAN FUTURE LAND USE MAP

The Current/Adopted Land Use Map recommends this location as a Commercial Node; therefore the request for General Commercial is consistent with the adopted Land Use Map. The un-adopted Land Use Plan recommends this property as High Intense Commercial Node, in which it will also be consistent, if approved.










Adopted Future Land Use Map

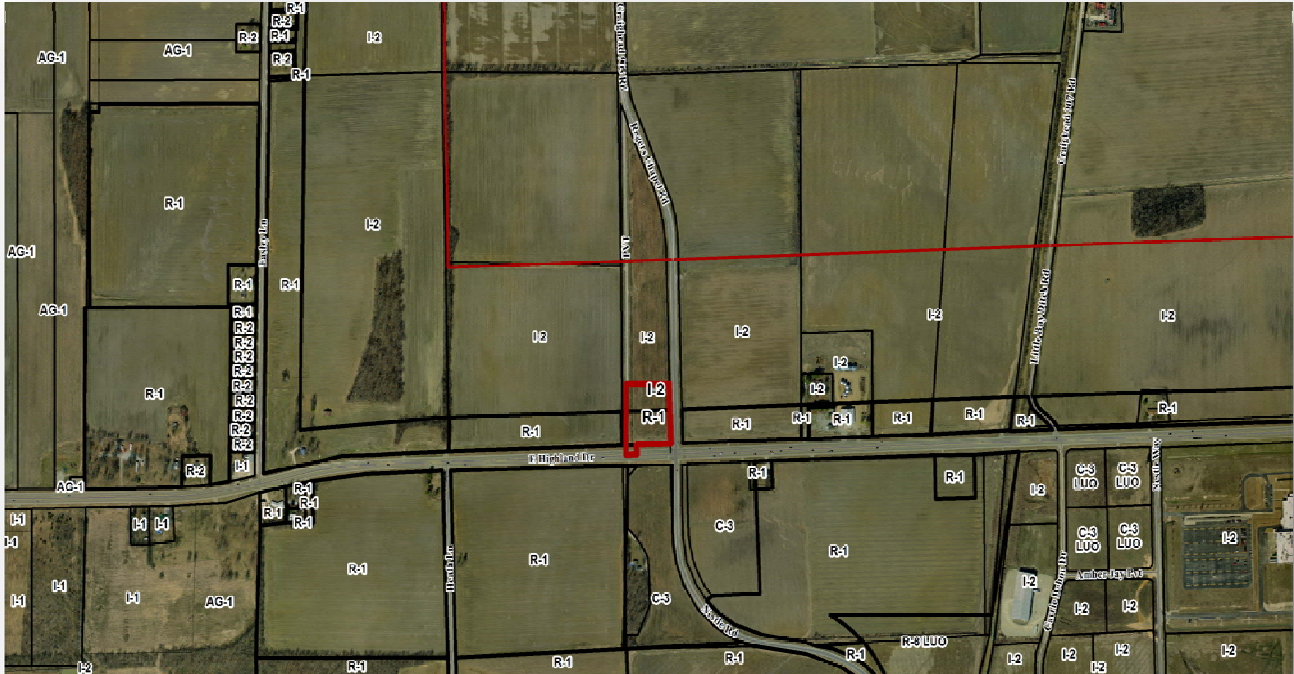
Master Street Plan/Transportation

The subject property is served by E. Highland Ave., Highway 18, a major Arterial, and Rogers Chapel which is local along the property frontage. A major expressway bypasses the subject site on the Master Street plan.

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	The proposed rezoning as C-3 General Commercial District is consistent with the Adopted (Commercial Node) and proposed Land Use Plan (High Intense Commercial Node).	
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	Consistency would be achieved if rezoned.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	Compatibility would be achieved if rezoned.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	Land is not suitable for residential uses.	
(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;	Not detrimental to nearby property. Existing Major Arterials should support any proposed commercial uses with proper access management. Final Site plans should be subject to MAPC approval.	
(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	Property has remained vacant and used for agricultural over the years.	
(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	Existing Major Arterials should support any proposed commercial uses with proper access management. Final Site plans should be subject to MAPC approval.	



Vicinity/Zoning Map

Departmental/Agency Reviews:

The following departments and agencies were contacted for review and comments.

Department/Agency	Reports/ Comments	Status
Engineering	Attended pre-meeting, had no objections.	
Streets/Sanitation	No objections reported.	
Police	No objections reported.	
Fire Department	Reported no objections to this rezoning.	
MPO	Attended pre-meeting, had no objections.	
Jets	No objections reported.	
Utility Companies	Requested that utility easement to the West be preserved.	

MAPC Record of Proceedings: Public Hearing held on April 28, 2015

Applicant: Tina Coots, Owner, appeared before the Commission stating the nature of the rezoning request to change the property from R-1/I-2 to C-3 General Commercial.

Staff:

Mr. Spriggs gave a summary of the Staff Report findings noting consistency with the Land Use Plan and Master Street Plan (Highland Ave/Hwy. 18- Major Arterial) for the proposed 8.13 acres. He noted that the property current zoning resulted from a previous annexation which rezoned the front

300+ feet as R-1 Single Family. The property is highlighted and recommended as a Commercial node on the Current and Proposed Land Use Plans.

Mr. Spriggs: Staff concerns include coordination of good access management to be subject as part of a site plan review in the future, due to it being at a major intersection (180 driveway separation from a signalized intersection). No major impacts were noted. During the pre-meeting no departments reported any objections to the petition other than City Water Light, who requested maintenance of the existing utility easement (a condition is noted.) along the west property line.

Mr. Spriggs referred to the allowable use table (C-3 General Commercial) within this report which outlines permitted uses, and listed 3 uses to be possibly exclude: Adult entertainment, Billboard advertisement and Animal Care uses. Provisions for concurrence with changing the request to a Limited Use Overlay, were discussed with a Ms. Coots, who agreed and stated that she had no issues with the conditions listed, which were read for the record.

Public Input: None Present

Commission Action:

Motion was made by Mr. Scurlock to place Rezoning Case RZ15-07 on the floor for consideration, a rezoning from R-1 Single Family Residential and I-2 Heavy Industrial to "C-3" L.U.O., General Commercial, Limited Use Overlay as presented to be located on the subject property; and we, the MAPC recommend approval to Council and find that the rezoning is consistent with the Planning Area and Land Use Plan recommendations. This approval is contingent upon the satisfaction of the noted conditions. Motion was seconded by Mr. Perkins.

**Roll Call Vote- 6-0 Approval: Mr. Scurlock- Aye; Mr. Perkins-Aye; Mr. Reece- Aye; Mrs. Schrantz- Aye; Mr. Cooper- Aye; Mr. Bailey- Aye;
Absent were **Mr. Kelton and Mr. Hoelscher;**
Mr. Lonnie Roberts, Jr. was **Chair.****

Staff Findings/Applicant's Purpose:

The applicant is not proposing any particular use on the subject property currently, but hopes to market the property for commercial purposes. The applicant states that the property is not conducive for manufacturing/industrial uses. The applicant notes also that this land is not typical for a residential setting. The R-1 Zoning resulted from past annexations in which it was formerly customarily to zoned annexed property for residential initially.

The City of Jonesboro Zoning Resolution Table of Minimum Dimension Requirements for the C-3 General Commercial Districts is copied below:

Dimension Requirements Commercial and Industrial Districts

<i>Dimension</i>	<i>CR-1</i>	<i>C-4</i>	C-3	<i>C-2</i>	<i>C-1</i>	<i>I-1</i>	<i>I-1</i>
<i>Minimum lot size</i>							
Single-family (sq. ft.)	6,500	NP	NP	6,000	NS	NP	NP
Duplex (sq. ft.)	7,200	NP	NP	7,200	NS	NP	NP
Multifamily (area/family)	NP	NP	NP	3,600	NS	NP	NP
Nonresidential uses (sq. ft.)	6,500	6,500	6,500	6,500	NS	6,500	10,000
Minimum lot width (all uses)	50'	50'	50'	50'	25'	50'	100'
Minimum lot depth (all uses)	100'	100'	100'	100'	NS	100'	100'
<i>Street setback</i>							
Residential uses	25'	NP	NP	25'	NS	25'	NP
Nonresidential uses	25'	25'	25'	25'	NS	25'	100'
<i>Interior side setback</i>							
Residential uses	7.5'	10'	NP	10'	NS	10'	NP
Nonresidential uses	10'	10'	10'	10'	NS	10'	25'
<i>Rear setback</i>							
Residential uses	20'	20'	NP	20'	NS	20'	NP
Nonresidential uses	20'	20'	20'	20'	NS	20'	25'
Maximum lot coverage (all uses)	50%	50%	60%	50%	100%	60%	60%
Percent of total lot area (building floor area)	20	20	NS	20	NS	NS	NS

Note.

NP = Not permitted.

NS = No standard.

Zoning compliance/ Other Zoning Code Analysis:

The applicant has requested a rezoning to a “C-3”, General Commercial District. The following are the bulk dimensions for C-3 General Commercial.

List of Commercial Uses	C-3 General Commercial	List of Commercial Uses	C-3 General Commercial
<i>Civic and commercial uses</i>		<i>Civic and commercial uses</i>	
Animal care, general	Permitted	Nursing home	Permitted
Animal care, limited	Permitted	Office, general	Permitted
Auditorium or stadium	Conditional	Parking lot, commercial	Permitted
Automated teller machine	Permitted	Parks and recreation	Permitted
Bank or financial institution	Permitted	Pawn shops	Permitted
Bed and breakfast	Permitted	Post office	Permitted
Carwash	Permitted	Recreation/entertainment, indoor	Permitted
Cemetery	Permitted	Recreation/entertainment, outdoor	Permitted
Church	Permitted	Recreational vehicle park	Permitted
College or university	Permitted	Restaurant, fast-food	Permitted
Communication tower	Conditional	Restaurant, general	Permitted
		Retail/service	Permitted
Convenience store	Permitted	Safety services	Permitted
Day care, limited (family home)	Permitted	School, elementary, middle and high	Permitted
Day care, general	Permitted	Service station	Permitted
Entertainment, adult	Conditional	Sign, off-premises*	Permitted
Funeral home	Permitted	Utility, major	Conditional
Golf course	Permitted	Utility, minor	Permitted
Government service	Permitted	Vehicle and equipment sales	Permitted
Hospital	Permitted	Vehicle repair, general	Permitted
Hotel or motel	Permitted	Vehicle repair, limited	Permitted
Library	Permitted	Vocational school	Permitted
Medical service/office	Permitted	Warehouse, residential (mini) storage	Conditional
Museum	Permitted	<i>Industrial, manufacturing and extractive uses</i>	
<i>Agricultural uses</i>		Freight terminal	Conditional
Agriculture, animal	Conditional	Research services	Conditional
Agriculture, farmers market	Permitted		

The rezoning of this property should adhere to the following considerations for the uses:

1.) *The following uses should be prohibited as a part of a Limited Use, (agreed on by the applicant):*

- A) Animal Care, General
- B) Adult Entertainment
- C) Off-Premises Sign

Limited Use Overlay Districts (L.U.-O.):

Within Chapter 117, Section 117-140, L.U.O. district may be applied in combination with any base zoning district. The designation may be requested by an applicant or proposed by the Planning Commission or City Council during their consideration of a rezoning request. Note that the submitted application is not for a Limited Use Overlay.

By providing for flexible use of property development standards tailored to individual projects or specific properties, the LU-O district is intended to:

- a. Ensure compatibility among incompatible or potentially incompatible land uses;
- b. Ease the transition from one zoning district to another;
- c. Address sites or land uses with special requirements; and
- d. Guide development in unusual situations or unique circumstances.

When accompanied by a rezoning request from the property owner, the LUO district can be used to restrict the use and property development standards of an underlying base zoning district, as applied to specific parcels of land. All LUO requirements are in addition to, and supplement all other applicable standards and requirements of the underlying zoning district. Restrictions and conditions imposed by an LUO district are limited to the following:

- a. Prohibiting otherwise permitted or conditional uses and accessory uses or making a permitted use a conditional use;
- b. Decreasing the number or density of dwelling units that may be constructed on the site;
- c. Limiting the size of nonresidential buildings that may be placed on a site;
- d. Increasing minimum lot size or lot width;
- e. Increasing minimum yard and setback requirements; and
- f. Restricting access to abutting properties and nearby roads.

To provide for any conditions with any recommendation of approval to Council, Staff suggested that the applicant agrees to a Limited Use Overlay approach to this rezoning, to insure compatibility is achieved and maintained in this situation, the owner agreed and modified the request to an L.U.O.

Access Management Issues:

Sec. 117-327. - Corner visibility.

On corner lots at intersecting two-way streets, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between a height of two feet and eight feet above curb grade within the triangular area formed by an imaginary line that follows street side property lines, and a line connecting them, 25 feet from their point of intersection. This sight triangle standard may be increased by the city in those instances deemed necessary for promoting traffic safety, and may be lessened at intersections involving one-way streets.

Sec. 117-325. - Driveways and access; multifamily and nonresidential.

The following standards shall apply to all driveways providing access to multifamily or nonresidential uses.

(1) *General standards.*

- a. Access to property shall be allowed only by way of driveways, and no other portion of the lot frontage shall be used for ingress or egress. Continuous curb cuts are prohibited.
- b. Driveway design shall be such that minimization of interference with through street traffic is achieved, and shall be subject to approval of the city engineer. The types of vehicles that a

driveway is intended to serve shall be a prime factor in determining the acceptable radii of driveways.

- c. Provisions for circulation between adjacent parcels should be provided through coordinated or joint parking system.

(2) *Driveway spacing.*

- a. *Arterial streets.* Direct access to any arterial street shall be limited to the following restrictions:

1. *Spacing from signalized intersections.* All driveways providing access to arterial streets shall be constructed so that the point of tangency of the curb return radius closest to a signalized or stop sign-controlled intersection is at least 120 feet from the perpendicular curb face of the intersecting street. In the event that this standard cannot be met because of an unusually narrow or shallow lot size, the city engineer may approve a reduction in spacing as long as the reduction does not result in an unsafe traffic condition.
2. *Spacing from other, non-signalized, access points.* All driveways providing access to arterial streets shall be constructed so that the point of tangency of the curb return radius closest to any non-signalized street or driveway intersection is at least 80 feet from the perpendicular curb face of the intersecting street or driveway. In the event that this standard cannot be met because of an unusually narrow or shallow lot size, the city engineer may approve a reduction in spacing as long as the reduction does not result in an unsafe traffic condition.

- b. *Collector streets.* Direct access to collector streets shall be regulated in accordance with the following standards:

1. *Spacing from signalized intersections.* All driveways providing access to collector streets shall be constructed so that the point of tangency of the curb return radius closest to a signalized or stop sign-controlled intersection is at least 120 feet from the perpendicular curb face of an intersecting arterial street and 80 feet from the perpendicular curb face of an intersecting collector or local street. In the event that this standard cannot be met because of an unusually narrow or shallow lot size, the city engineer may approve a reduction in spacing as long as the reduction does not result in an unsafe traffic condition.
2. *Spacing from other, non-signalized, access points.* All driveways providing access to collector streets shall be constructed so that the point of tangency of the curb return radius closest to a non-signalized street or driveway intersection is at least 80 feet from the perpendicular curb face of the intersecting street or driveway. In the event that this standard cannot be met because of an unusually narrow or shallow lot size, the city engineer may approve a reduction in spacing as long as the reduction does not result in an unsafe traffic condition.

- c. *Driveways per parcel.*

1. At least one driveway shall be permitted for any lot. Shared driveways shall be recommended for lots that have less than 150 feet of frontage.
2. Driveways shall be located a minimum of 20 feet from the side property lines. A separation of 40 feet is required between the driveways on one lot and the driveways on the adjacent lots. Driveways on the same lot shall be no closer than 50 feet to each other.
3. Driveways on corner lots shall be located as far away from the intersection as possible. In no case shall a driveway be installed closer than five feet to the beginning of the curb radius.

- d. *Ingress/egress driveway width.* The width of the driveway throat shall not exceed 40 feet in width. Driveway lanes shall be a minimum of 13 feet in width and shall not have more than three lanes in one entrance/exit.

Conditions listed below are necessary to assure a site plan be brought before the MAPC prior to any redevelopment of this site in concurrence with the zoning resolution sections aforementioned.

Conclusion:

The MPAC and the Planning Department Staff find that the requested Zone Change submitted for the subject parcel, should be evaluated based on the above observations and criteria listed in Case RZ 15-07, a request to rezone property from “R-1” & “I-2” to “C-3”, L.U.O. (Revised), General Commercial, and the request is hereby recommended to City Council for approval with conditions including the following:

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.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC, prior to any redevelopment of the property.
3. The applicant/successors agree to comply with the Master Street Plan recommendation for Highland Dr. & Rogers Chapel Road upon any future redevelopment of the site.
4. The property shall be redeveloped under the “C-3” General Commercial standards and site access codes and guidelines.
5. Prior to any redevelopment, the applicant agrees to file a final plat reflecting existing CWL utilities easements on the subject site.
6. The following uses should be prohibited as a part of a Limited Use, if agreed by the applicant:
 - A) Animal Care, General
 - B) Adult Entertainment
 - C) Off-Premises Sign

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



View looking from Intersection of Rogers Chapel and E. Highland towards the NW



View looking East on Highway 18/E. Highland from Intersection



View looking North on Rogers Chapel towards Intersection



View looking South on Rogers Chapel, Site on Right



View looking Southeast from East side of property



View looking South on Rogers Chapel