

City of Jonesboro City Council
Staff Report – RZ 17-07: 3701 E Parker Road
 Municipal Center - 300 S. Church St.
For Consideration by the City Council on May 2, 2017

REQUEST: To consider a rezoning of one tract of land containing 6.32 acres more or less.

PURPOSE: A request to consider recommendation to Council by the MAPC a rezoning of 6.32 acres of land located at 3701 E Parker Road from R-1 Single Family Residential to C-3 General Commercial District

**APPLICANTS/
OWNER:** David Bednar 3206 Rook Road, Jonesboro, AR 72404
 Elizabeth Moore 3206 Rook Road, Jonesboro, AR 72404

LOCATION: 3701 East Parker Road, Jonesboro, AR 72404

**SITE
DESCRIPTION:** **Tract Size: Approx. 6.32 Acres**
Street Frontage: 255 Feet along East Parker Road
Topography: Flat
Existing Development: Undeveloped

SURROUNDING CONDITIONS:

ZONE	LAND USE
North	C-3 General Commercial District
South	R-1 Single Family Residential
East	R-1 Single Family Residential
West	I-2 General Industrial District

HISTORY: This land has been developed as a single-family house.

ZONING ANALYSIS

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

COMPREHENSIVE PLAN LAND USE MAP

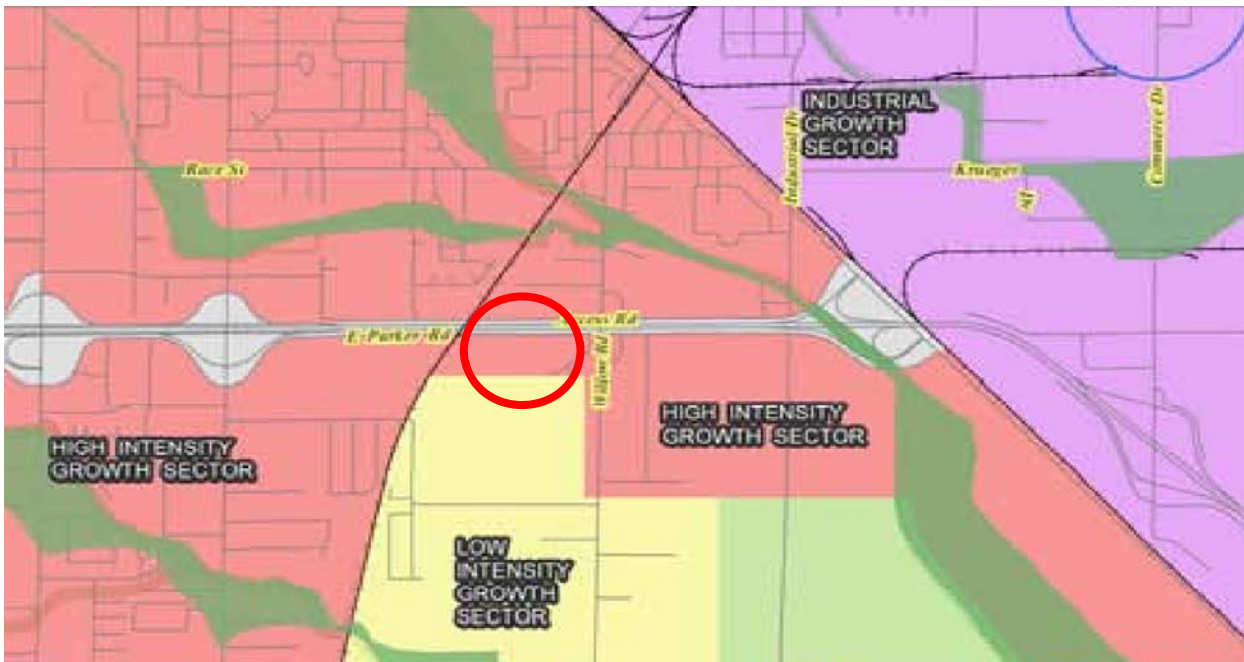
The Current/Future Land Use Map recommends this location as a High Intensity Growth Sector. A wide range of uses is appropriate in the high intensity zones, from multi-family to fast food to Class A office space to outdoor display/highway oriented businesses like automotive dealerships, because they will be located in area where sewer service is readily available and transportation facilities are equipped to handle the traffic.

High Intensity Growth Sector Recommended Use Types Include:

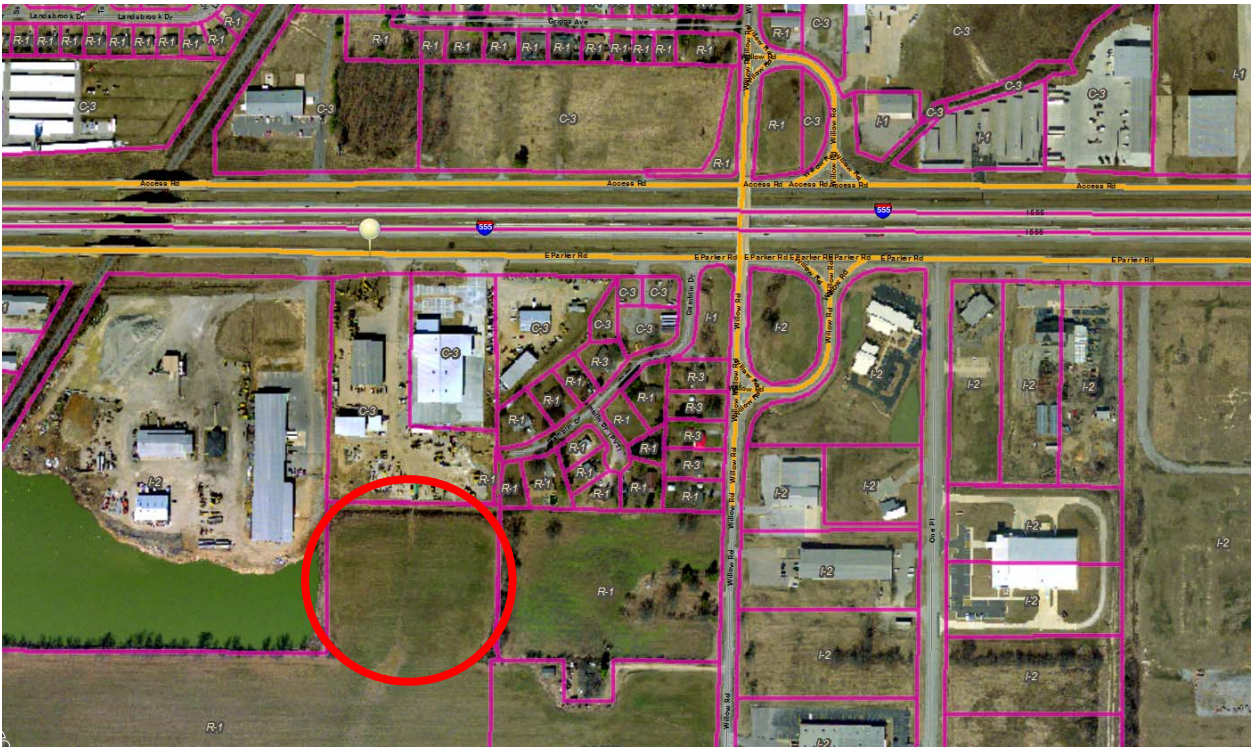
- Regional Shopping Centers
- Automotive Dealerships
- Outdoor Display Retail
- Fast Food Restaurants
- Multi-Family
- Service Stations
- Commercial and Office
- Call Centers
- Research and Development
- Medical
- Banks
- Big Box Commercial
- Hotel

Master Street Plan/Transportation

The subject site is served by East Parker Road. The street right-of-ways must adhere to the Master Street Plan.



Adopted Land Use Map









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.	The proposed C-3 rezoning is consistent with the Future Land Use Plan, which was categorized as a High Intensity Growth Sector.	
(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.	Compatibility is achieved. This area already has several commercial developments in the area.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment.	Property is suitable for commercial development.	
(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.	This site and use should not be a detriment to the area if controls are implemented to screen and buffer any environmentally sensitive surrounding uses.	
(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 due to the fact that business currently exist with only minor upgrades.	

Staff Findings

Applicant's Purpose:

The applicant wants to rezone this property so Riggs Commercial Equipment Sales can store their equipment on the property.

Chapter 117 of the City Code of Ordinances/Zoning defines Commercial District as follows:

C-3, General Commercial District. 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 groups of facilities shall be encouraged, as opposed to less desirable strip commercial.

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.	
Utility Companies	No objections to this rezoning to date.	

Zoning Code Allowable Uses:

Below is the Table of Permitted Uses regarding the requested C-3, General Commercial District. Certain commercial uses are permitted as of right - “P”, while others require a Conditional Use - “C” approval by the MAPC, or not permitted where blank:

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
	Warehouse, residential (mini) storage	Conditional		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			
	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			

MAPC RECORD OF PROCEEDINGS: PUBLIC HEARING HELD ON APRIL 25, 2017

APPLICANT: Terry Bare of Fisher Arnold Engineering on behalf of Applicant David Bednar and Owner Elizabeth Moore for 3701 E. Parker Road. The CAT Dealership want to purchase this land to park their heavy equipment on this area. I think they are under contract with the owners to purchase that. We have submitted all the information and we have talked with Engineering about future drainage and revisions of property and the adjacent property. We are asking for the rezoning so they can expand.

STAFF: Mr. Derrel Smith commented that it does meet all criteria for the rezoning. So if the Commission approves we ask that it be approve with all these conditions:

The Planning Department recommended approval 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 MAPC, 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 etc. shall be submitted to the MAPC prior to any redevelopment. New screening outdoor storage and dumpster enclosure requirements shall be implemented if stipulated by the MAPC.

ENGINEERING: Mr. Michael Morris said that they don't have anything to add to this rezoning.

PUBLIC DISCUSSION: No public comments.

COMMISSION: Mr. Jimmy Cooper moved that it be approved with the stipulations.

COMMISSION: Mr. Jim Scurlock seconded the motion.

CHAIR: Mr. Lonnie Roberts asked for any comments from the Commission.

COMMISSION: Mr. Kevin Bailey stated that we talked in the premeeting about if it was rezoned that the property would be rezoned together. He asked Mr. Terry Bare.

APPLICANT: Mr. Terry Bare said yes.

COMMISSION: Mr. Kevin Bailey asked the Chair is we could make that as a stipulation.

CHAIR: Mr. Lonnie Roberts stated that we could make that as a stipulation. Mr. Lonnie Roberts stated that stipulations number 5 would be subject to Replat of the entire property.

COMMISSION: No more comments from the Commission.

COMMISSION ACTION:

Mr. Jimmy Cooper made a motion to approve Case: RZ: 17-07, as submitted, to the City Council with the noted 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 MAPC, 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 etc. shall be submitted to the MAPC prior to any redevelopment. New screening outdoor storage and dumpster enclosure requirements shall be implemented if stipulated by the MAPC.
5. The MAPC requests the land be replatted into one entire property.

MAPC find that to rezone property from “R-1” Single Family to “C-3” General Commercial District. Mr. Jim Scurlock seconded motion.

Roll Call Vote: 6-0, Aye’s: Ron Kelton; Jim Scurlock; Kevin Bailey; Brant Perkins; Jerry Reece and Jimmy Cooper.

Absent Paul Hoelscher and Rick Stripling.

Conclusion:

The Planning Department Staff finds that the requested Zoning Change submitted for subject parcel, should be approved based on the above observations and criteria of Case RZ 17-07, a request to rezone property from R-1 Single Family Residential District to “C-3” General Commercial District, subject to final site plan approval by the MAPC.

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 MAPC, prior to any redevelopment of the property.
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5. The MAPC requests the land be replatted into one entire property.

Respectfully Submitted for Planning Commission Consideration,
The Planning Department

Sample Motion:

I move that we place Case: RZ 17-07 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-1 Single Family Residential to the proposed “C-3” General Commercial District, 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.



View looking North



View looking South



View looking East



View looking West