



City Council

Staff Report – RZ08-27: Mary Horne- 627 Parker Rd.

Huntington Building - 900 W. Monroe

For Consideration by the Council on Tuesday, December 16, 2008

REQUEST: To consider rezoning a parcel of property containing approx. 0.55 acres more or less.

PURPOSE: A request for rezoning from R-1 Residential to C-3 Limited Use Overlay for a Specialty Retail Toy and Gift Shop use.

OWNER: Frances Holt, St. Bernards Village #311, Jonesboro, AR

APPLICANT: Mary Horne, 405 Huntcliff Dr., Jonesboro AR.

LOCATION: 627 W. Parker Rd., Jonesboro, AR (Approx. 230 ft. east of S. Culberhouse)

SITE DESCRIPTION:
 Tract Size: Approx. .55 acres
 Frontage: Approx. 115 ft. +/- (Parker Rd.)
 Topography: Flat; Gradually sloping northward
 Existing Dvlpmt: Residence

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	R-1	Highway / Residential
South:	R-1	SF Residential
East:	R-1,C-3	SF Residential, Commercial
West:	R-1	SF Residential

HISTORY: None.

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

COMPREHENSIVE PLAN/ FUTURE LANDUSE MAP

The 1996 Comprehensive Plan Future Land Use Map (page 24) shows the area recommended as Thoroughfare Commercial. Because of its proximity to the Interstate system this property is most suited for commercial. This property and vicinity is pending a restudy on the land use map by the Land Use Advisory Committee, and in all probability will remain recommended as commercial.

Pertinent Zoning Ordinance sections include Section 14.44.05(b), ‘change in District Boundary’, beginning on page 104.

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.

Findings:

The applicant is requesting a rezoning to allow a Specialty Retail Toy and Gift Shop use in an existing structure. The zoning plat shows the existing structure on the property which is a residential structure. This structure would be better utilized as a neighborhood scale commercially used structure, demanding limited vehicular and customer traffic. Measures can be taken with a limited use overlay to assure compatibility.

Controls which would preserve the residential character of the area, as well as buffering of abutting residential properties, while reducing any lighting, noise or negative impacts such as excessive deliveries and traffic will have to be demonstrated and addressed by the applicant.

Conclusion:

The MAPC and the Planning Department Staff find that the requested Zone Change submitted by Mary Horne should be reviewed and recommended for approval based on the observations above. In the Case of RZ-08- 27, a request is hereby submitted as a request to rezone property from R-1 to C-3 L.U.O. Neighborhood Commercial Limited Use Overlay- Specialty Retail Toy and Gift Shop, recommended by the MAPC to Council, with the following conditions:

1. Future site redevelopment of the subject property shall be subject to MAPC review and approval with a limited and maximum 50% lot coverage.
2. That prior to any occupancy of the building by the subject applicant or use, proper building code compliance shall be met by the applicant through the final occupancy permit process.
3. That permanent screening (privacy fence or evergreen trees) shall be provided at the rear of the property to screen abutting residential.
4. That any outdoor storage shall be limited to the rear yard and shall be totally screened from view from the street and all abutting residential properties.
5. If and when abutting properties are redeveloped, consolidated curb-cuts access shall be implemented where at all possible.
6. All vehicular parking shall be properly surfaced and meet code requirements for impervious surfacing.
7. No off-premise billboard signage shall be permitted on the property. All other on-premise signage shall satisfy the minimum standards of the effective sign ordinances.
8. That any addition of a drive in the rear be limited to private use only.

Respectfully Submitted to Council,

Otis T. Spriggs, AICP
Planning and Zoning Director

Site Photographs



View looking East on W. Parker Rd.



View looking West on W. Parker Rd.



View looking South from Site @ HWY. 63



View looking south at Project Site



View looking southeast of the project site at abutting neighbors



View looking West towards S. Culberhouse