

City of Jonesboro City Council
Staff Report – RZ 17-05: 2904/2906 Stallings Lane
 Municipal Center - 300 S. Church St.
For Consideration by the City Council April 4, 2017

REQUEST: To consider a rezoning of one tract of land containing 1.55 acres more or less.

PURPOSE: A request to consider recommendation to Council by the MAPC a rezoning of 1.55 acres of land located at 2904 and 2906 Stallings Lane and corner of Red Wolf from CR-1 Commercial Residence Mixes Use District to C-3 General Commercial District Limited Use Overlay (NOTE: This was change to an LUO during MAPC Meeting).

**APPLICANTS/
OWNER:** Sharon Stallings, 1207 Dove Road, Jonesboro, AR 72401

LOCATION: 2904 and 2906 Stallings Lane and the corner of Red Wolf Blvd

**SITE
DESCRIPTION:** Tract Size: Approx. 1.55 Acres

STREET FRONTAGE: **Around 281 feet along Red Wolf and 255 feet along Stallings Lane**
Topography: Flat
Existing Development: Vacant

SURROUNDING CONDITIONS:

ZONE	LAND USE
North	C-3 General Commercial
South	C-3 General Commercial
East	C-3 General Commercial
West	R-2 Multi-Family Low Residential

HISTORY: The land is currently vacant. The property was zoned R-2 in 1996 and later rezoned to CR-1 in 2014.

ZONING ANALYSIS

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

COMPREHENSIVE PLAN LAND USE MAP:

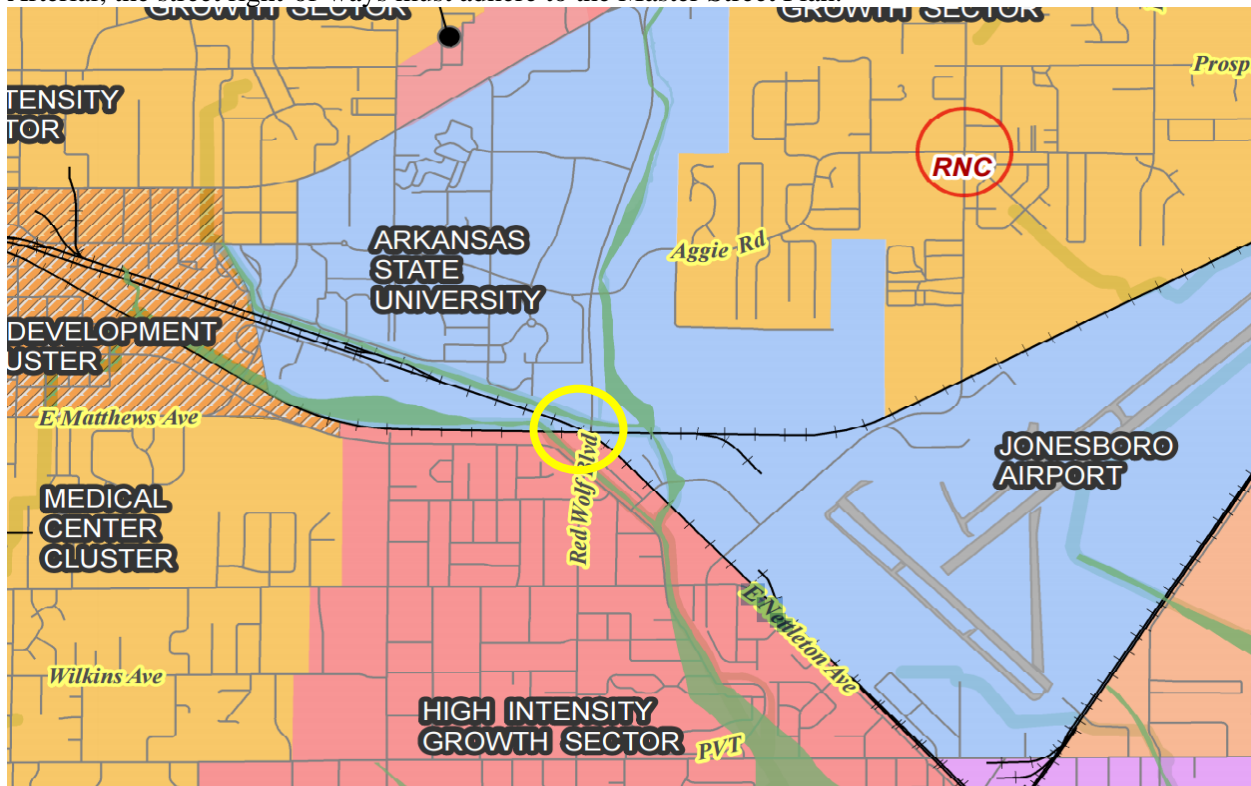
The Current/Future Land Use Map recommends this location as a High Intensity Growth Sector. A wide range of uses is appropriate in the high intensity zones, from multi-family to fast food to Class A office space to outdoor display/highway oriented businesses like automotive dealerships, because they 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:

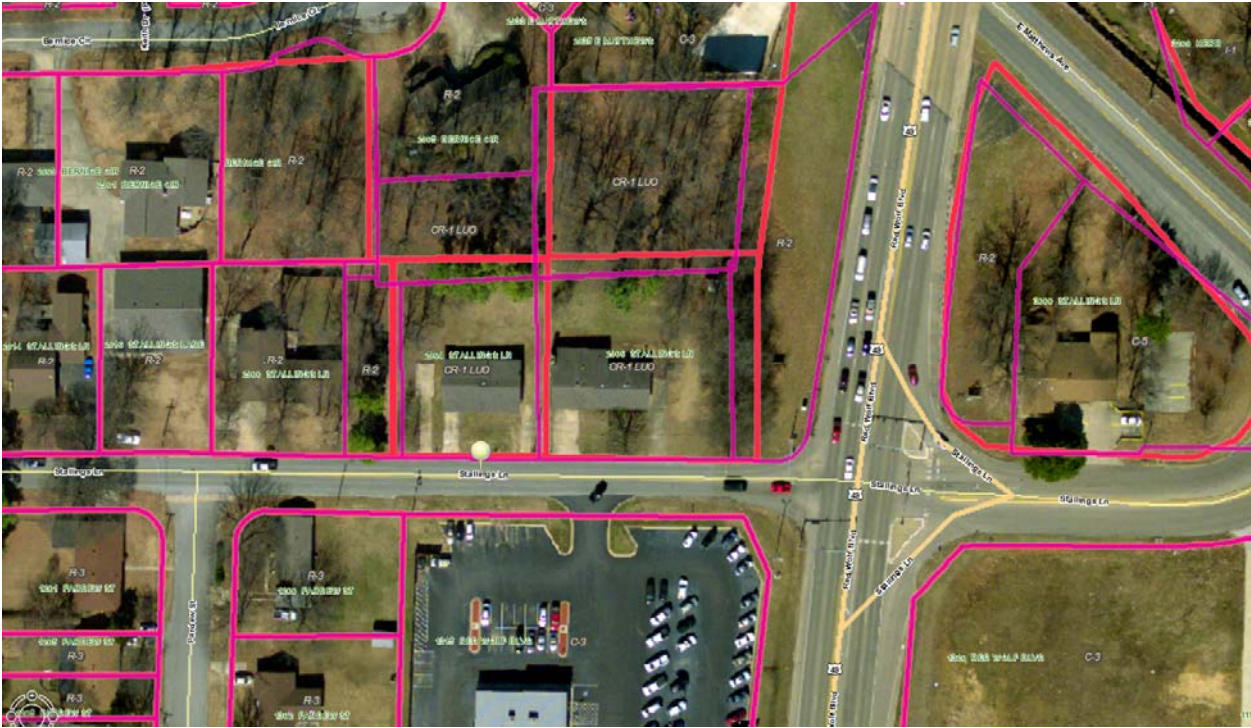
- Regional Shopping Centers
- Automotive Dealerships
- Outdoor Display Retail
- Fast Food Restaurants
- Multi-Family
- Service Stations
- Commercial and Office
- Call Centers
- Research and Development
- Medical
- Banks
- Big Box Commercial
- Hotel

MASTER STREET PLAN/TRANSPORTATION:

The subject site is served by Southwest Drive, which on the Master Street Plan is defined as a Principal Arterial; 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. There are several commercial businesses at this intersection.	
(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) Length of time the subject property has remained vacant as zoned, as well as its zoning at the time of purchase by the applicant.	This property has been vacant since July of 2014.	
(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.	Minimal impact if rezoned. This lot will be used for a self-sell used car parking lot. The property will be used “as is” without disturbing the lay of the land or construction of any structure.	

STAFF FINDINGS:

APPLICANT'S PURPOSE:

The applicant wants to use the property for a purpose other than what is it zoned. Their plans are to pass the land on to their heirs for development but they do not want it idle in the meantime. If rezoned it would be used for a self-sell used car parking lot. The property will be used "as is" without disturbing the lay of the land or construction of any structure.

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			

RECORD OF PROCEEDINGS: MAPC MEETING HELD MARCH 28, 2017:

APPLICANT: *Mr. George Hamman* requested MAPC approval of a rezoning from CR-1 Downtown Core Commercial Limited Industrial District to C-3 General Commercial District for 1.55 acres of land located at 2904 and 2906 Stallings Lane. At the meeting, Mr. Hamman said they would like to request the proposed zoning be C-3 L.U.O General Commercial District. The applicant would like to use the land to start a park-and-sell parking lot.

STAFF: *Mr. Derrel Smith* presented staff comments. The Planning Department does feel like this is a proper use for this land. City staff recommends 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.
5. Permitted uses on this property shall be limited to the attached list.

PUBLIC: Ms. Peggy Northern was at the meeting to voice her opposition to this request. She owns the property closest to this request. She does not want this request to generate additional traffic in front of her property. She also felt like the MAPC addressed the development of this property in 2014. She also felt like the owners will eventually try to develop this into something more than a parking lot.

COMMISSION: Mr. Kelton asked the applicant if they would be okay with removing Car Wash and Vehicle Repair, General from the list of permitted uses.

APPLICANT: George stated that they did not care to remove them.

COMMISSION ACTIONS: Ron Kelton made the motion to remove Car Wash and Vehicle Repair, General from the list of permitted uses. Motion was second by Mr. Jim Scurlock.

Roll Call Vote: 8-0 Approved.

Mr. Cooper - Aye; Mr. Scurlock - Aye; Mr. Bailey - Aye; Mr. Reese - Aye; Mr. Kelton - Aye. Mr. Hoelscher - Aye, Mr. Stripling - Aye, Mr. Perkins - Aye. The motion was passed.

COMMISSION: Mr. Lonnie Roberts asked if the permitted uses needed to be read into the public record.

ATTORNEY: Ms. Carol Duncan said that those could be attached to the ordinance.

STAFF: Mr. Smith pointed out with a CR-1 they would be allowed to build multi-family residential housing, but with the applicants request of C-3 LUO it would eliminate their ability to build multi-family on that lot.

COMMISSION: Mr. Kelton asked if the city would require them to pave the parking lot. Mr. Smith said the ordinance says it has to be paved. If they requested an ordinance, it would go before the MAPC.

COMMISSION: Mr. Reece felt like the rezoning request would be a better fit for the land. The current zoning would allow the applicant to put something on the lot that would be worse than what they are currently proposing.

Commission Action:

Mr. Rick Stripling made a motion to place Case: RZ-17-05 on the floor for consideration of a recommendation by MAPC to the City Council with the noted conditions, a zone change from “CR-1” Commercial Residence Mixes Use District to “C-3”, General Commercial District, Limited Use Overlay; Motion was second by **Mr. Jerry Reece**.

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 conceptual and final site plan layout of the residential product should be presented to the MAPC for approval, prior to any redevelopment of the property.
3. Compliance with the Master Street Plan shall be required prior to any redevelopment of the said site, unless waivers are granted by the MAPC.
4. The attached residential uses shall be limited to maximum of 2- story structures within the district boundary of 2.19 acres.
5. Permitted uses on this property shall be limited to the following:

PERMITTED USES:

Animal Care, General
Animal Care, Limited
Automated Teller Machine
Bank or Financial Institution
Bed and Breakfast
Church
Day Care, Limited (Family Home)
Day Care, General
Funeral Home
Government Service
Hotel or Motel
Medical Service / Office
Agricultural, Farmers Market
Nursing Home
Office, General

PROHIBITED USES:

Auditorium or Stadium
Cemetery
College or University
Communication Tower
Warehouse, residential (mini) storage
Convenience Store
Entertainment, Adult
Golf Course
Hospital
Library
Museum
Pawn Shop
Post Office
Recreation / Entertainment, Indoor
Recreation / Entertainment, Outdoor
School, Elementary, Middle, High

Parking Lot, Commercial
Parks and Recreation
Recreational Vehicle Park
Restaurant, Fast Food
Restaurant, General
Retail / Service
Safety Services
Sign, Office Premises
Utility, Minor
Vehicle and Equipment Sales
Vehicle Repair, Limited

Service Station
Vocational School
ADDED TO THIS LIST:
Carwash
Vehicle Repair, General

PERMITTED USES REQUIRING MAPC APPROVAL OF A CONDITIONAL
USE PERMIT:

Agricultural, Animal
Utility, Major
Freight Terminal
Research Services

Roll Call Vote: 8-0 Approved.

Mr. Cooper - Aye; Mr. Scurlock - Aye; Mr. Bailey - Aye; Mr. Reese - Aye; Mr. Kelton - Aye. Mr. Hoelscher - Aye, Mr. Stripling - Aye, Mr. Perkins - Aye. The motion was passed for Recommendation to send to Council.

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 17-05, a request to rezone property from CR-1 Commercial Residence Mixed Use District to C-3 General Commercial District, subject to final site plan approval by the MAPC.

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Agricultural, Farmers Market
Nursing Home
Office, General

Parking Lot, Commercial
Parks and Recreation
Recreational Vehicle Park
Restaurant, Fast Food
Restaurant, General
Retail / Service
Safety Services
Sign, Office Premises
Utility, Minor
Vehicle and Equipment Sales
Vehicle Repair, Limited

PROHIBITED USES:

Auditorium or Stadium
Cemetery
College or University
Communication Tower
Warehouse, residential (mini) storage
Convenience Store
Entertainment, Adult
Golf Course
Hospital
Library
Museum
Pawn Shop
Post Office
Recreation / Entertainment, Indoor
Recreation / Entertainment, Outdoor
School, Elementary, Middle, High
Service Station
Vocational School
ADDED TO THIS LIST:
Carwash
Vehicle Repair, General

PERMITTED USES REQUIRING MAPC APPROVAL OF A CONDITIONAL
USE PERMIT:

- Agricultural, Animal
- Utility, Major
- Freight Terminal
- Research Services

Respectfully Submitted for City Council Consideration,
The Planning Department



View looking North



View looking South



View looking East



View looking West