



City of Jonesboro Metropolitan Area Planning Commission
Staff Report – RZ09-15: Rusher Rezoning
Huntington Building - 900 W. Monroe
For Consideration by the Commission on August 11, 2009

REQUEST: To consider a rezoning a parcel of land containing 6.32 acres more or less (275,168sq.ft.).

PURPOSE: A request to consider recommendation to Council for a rezoning from “R-2” Low Density Multi-family Residential to “C-3”- L.U.O. General Commercial with an exclusion list of uses.

APPLICANT OWNER: A.H. Rusher, Jr., 27 Plantation Oaks, Jonesboro, AR.

LOCATION: 2005 Harrisburg Road (Corner of Highland Dr./State Hwy. 18), Jonesboro, AR

SITE DESCRIPTION: Tract Size: 275,168sq.ft. Approx. - 6.32 Acres
 Frontage: Approx. 800’ +/- (a corner lot)
 Topography: Gently Sloping
 Existing Dvlpmt: Vacant Lot (Residence recently demolished).

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	C-3	Commercial
South:	R-1	Single Family Residential
East:	R-1	Church
West:	C-3	Commercial- Fast Food Restaurant

HISTORY: Petition for rezoning to “C-3” was considered and denied by MAPC in January 11, 2000. See link to the minutes on the meeting agenda.

ZONING ANALYSIS: City Planning Staff has reviewed the proposed Zone Change 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The 1996 Comprehensive Plan Future Land Use Map which is outdated shows the area recommended as Medium Density Residential. This designation typically includes medium to low density residential uses.

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 subject property is currently zoned R-2, Low Intense Multi-family, which could yield 76 duplexes or four-plexes style units as-of- right. In an ideal land use scenario, the existing mix of land uses/zonings are very typical, within in the immediate area. Typically, the goal from a land use perspective, is to provide a transition from the more intense commercial uses, down to residential. This is accomplished by allowing for office, low density multi-family, or low-scale service oriented uses in between.

The applicant has requested the property to be rezoned to C-3 Commercial with a Limited Use Overlay to allow for a 30 ft. perimeter buffer and also to discourage a number of uses. The exclusion list as follows:

Bed and Breakfast	Cemetery	Church
College or University	Construction Sales and Service	Day Care, Limited or General
Entertainment, Adult	Funeral Home	Golf Course
Hospital	Nursing Home	Pawn Shops
Recreational Vehicle Park	School, Elementary/Middle & High	Utility, Major/Minor
Vehicle and Equipment Sales	Vehicle Repair, General	Vehicle Repair, Limited
Warehouse, Residential (Mini) Storage		

Ironically, some of the uses listed above by the applicant would be more appropriate as transitional uses such as: funeral home, nursing home, church, bed and breakfast, limited Daycare, etc. There are a vast number of C-3 uses that would cause a major increase in traffic volume and congestion such as : Service Stations, Fast food and general restaurants, hotel, and high volume retail, etc. Without a definite use, the MAPC will have to judge this Case as a general request for C-3 with the exceptions above.

The subject site which is bordered by two State highway routes has challenges to overcome in terms of traffic accessibility. According to recent traffic counts this area is averaging 20,000 cars. Ideally, an access road that would carry the traffic in a bypass fashion would be appropriate. The unimproved, City right of way of Church Street (south of Highland) was a missed opportunity for the City years ago. The southern

segment of Church street, if it were improved would have been an alternative access road to serve this site as well as sites fronting on the eastside of Southwest Drive (south of Highland Dr.).

The proposed rezoning plat shows no suggestion of additional right of way dedication to address much needed access improvements of turn lanes, or intersection improvements. A traffic impact study is very much needed prior to approval of the subject site for a "C-3" L.U.O. General Commercial Zoning. It is Staff suggestion that MAPC require such a study, which may answer the many concerns that have been raised in terms of the impact on the current traffic flow.

As mentioned above, the applicant has proposed a 30 ft. buffer between the properties to remain single family. Further details on how a solid screen can be accomplished should be demonstrated. Without a particular proposed use, the Planning Commission must assure that: if a big box retailer were to locate on this site, the loading dock location, trash compaction areas, and truck deliveries and parking will be controlled to minimize adverse effects on residences. Hours of such activity will also have to be considered.

Conclusion:

The Planning Department Staff finds that the requested Zone Change submitted by A.H. Rusher, Jr., should be evaluated based on the above observations and criteria, of Case RZ09-15, a request to rezone property from "R-2" to "C-3" L.U.O., to be recommended to the Jonesboro City Council. It is important to staff that all the issues cited above be addressed by the applicant, so that a number of stipulations can be drafted to address those issues.

Respectfully Submitted for Commission Consideration,

Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



View looking west towards Site



View Looking Northwest Towards Site



View looking West towards the site



View looking South on Harrisburg



View Looking North



View Looking South towards Site



View looking Southeast



View looking North



View Looking West



View Looking South



View looking South