



City of Jonesboro City Council
Staff Report – RZ 13-21: Rezoning – Johnson @ Stadium
Municipal Center – 300 S. Church
For Consideration by the Council on Tuesday, December 17, 2013

REQUEST: To consider rezoning a parcel of property containing approximately 49.26 acres more or less.

PURPOSE: A request for rezoning from R-1 Residential to C-3 General Commercial District, L.U.O.

**AGENT/
OWNER:** Jerry Halsey, Jr., Agent & Manager, 4200 S. Caraway Rd., Jonesboro, AR

LOCATION: North side of Johnson Ave., at the Intersection of Stadium Blvd.

SITE Tract Size: Approx. 49.26 acres

DESCRIPTION: Frontage: 1,113.54 ft.

Topography: Gradually sloping

Existing Development: Vacant R-1 Property

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

HISTORY: None.

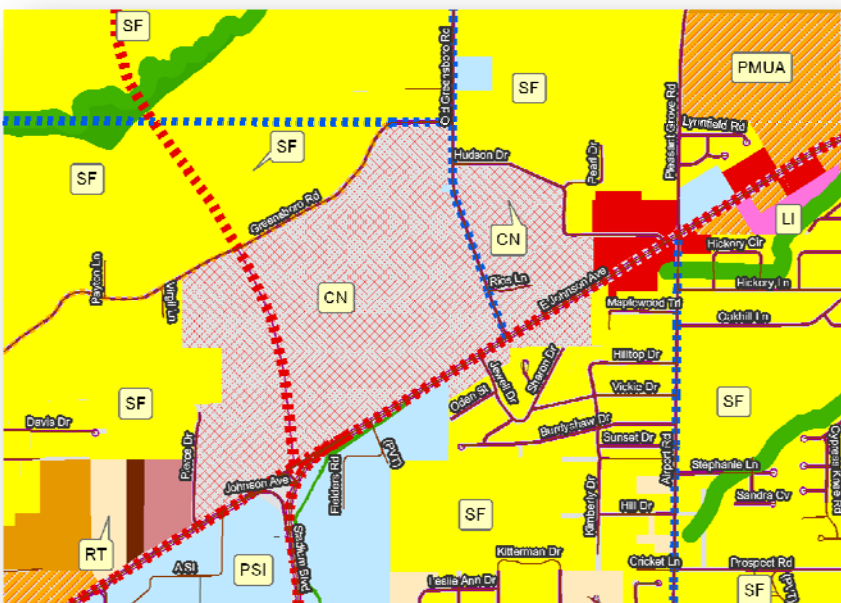
ZONING ANALYSIS: City Planning Staff has reviewed the proposed Zone Change and offers the following findings.

Pertinent Zoning Ordinance sections include Section 117:22 (2), ‘change in District Boundary’.

Approval Criteria Checklist- Section 117-34- Amendments:

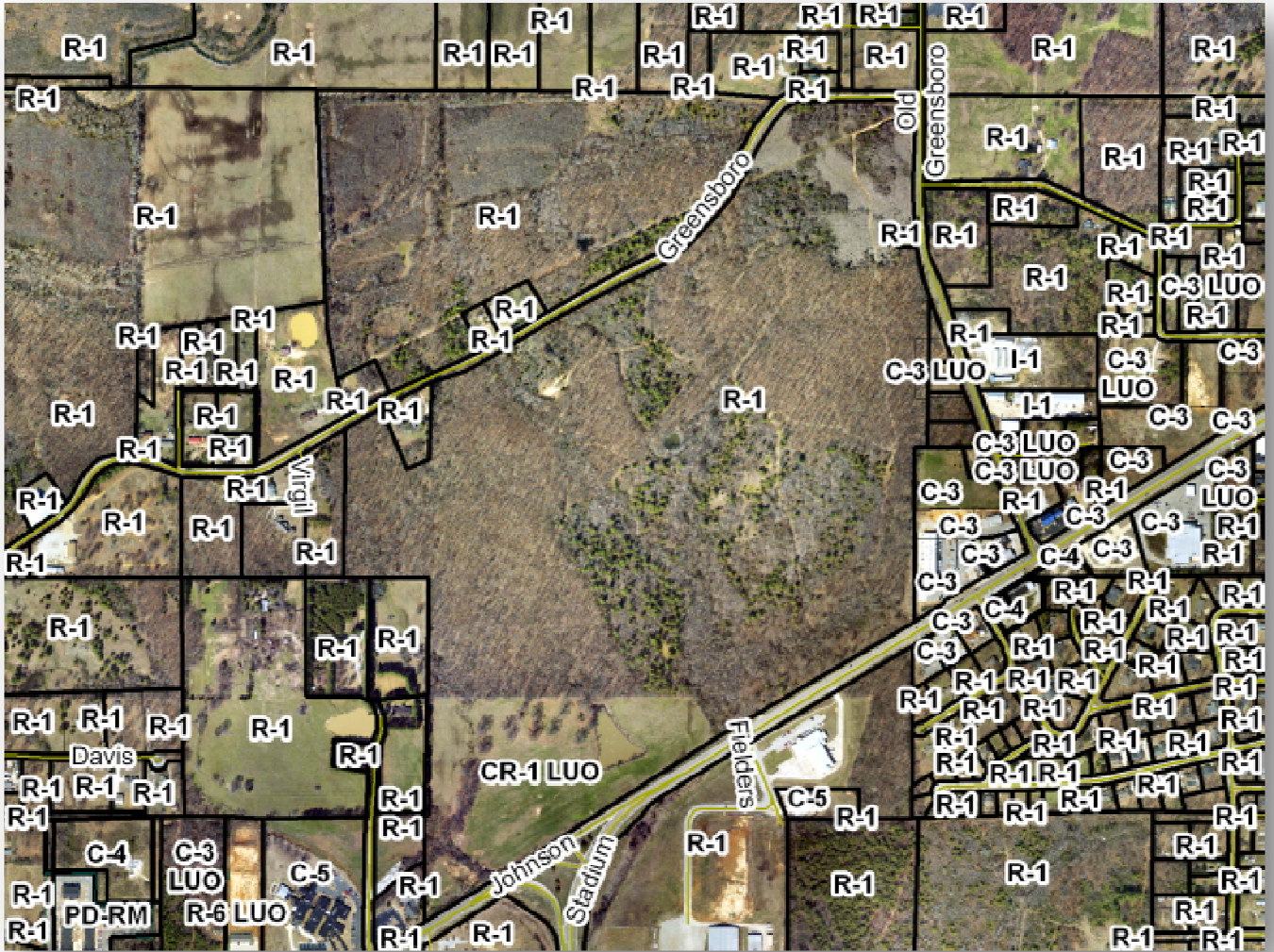
The criteria for approval of a rezoning are set out below. Not all of the criteria must be given equal consideration by the Planning Commission or City Council in reaching a decision. The criteria to be considered shall include, but not be limited to the following list. Staff has reviewed the proposal and offers the following explanations and findings related to the approval criteria.

Criteria	Explanations and Findings
(a) Consistency of the proposal with the Comprehensive Plan/Land Use Map	The proposed C-3 Limited Use Overlay District rezoning is consistent with the Future Land Use Plan. The site is ideal for a master planned district. Focus and efforts should be placed on addressing existing and future traffic management in the existing corridor network (i.e. Hwy. 351, Stadium Blvd. and Johnson Avenue with the future site access)
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal is consistent with the purpose of Chapter 117, provisions for Limited Use Overlays.
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	The proposal is substantially compatible with the development trends in the area. Although some of the surrounding property is zoned for residential use, a transition of the zoning and land use is occurring with new hospital and the university campus.
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	Poor suitability due to the current R-1 zoning which will greatly restrict possible commercial development on the site if not zoned. This land is ideal for commercial mixed with transitional and residential uses having an efficient access management design.
(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;	The bordering properties are zoned C-3 to the east, R-2 and R-1. Traffic and noise should be limited to the areas remotely away from Greensboro Road where most of the existing housing stock and residential properties exist.
(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 is vacant with the current R-1 zoning.
(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, however open space amenities, mixed use, and walkability themes should be incorporated in the development.



**COMPREHENSIVE PLAN/
FUTURE LANDUSE MAP**

The 2010 Comprehensive Land Use Map shows the area recommended as Commercial Node. This area is pending a restudy on the land use map by the Land Use Advisory Committee and will most-likely maintain a commercial node status.



Vicinity Zoning Map

Master Street Plan/Transportation

The subject property is served by Hwy. 49N/East Johnson Ave., a Principal Arterial on the Master Street Plan. A right of way of 120 ft. is required. There is a minor segment of frontage also noticed on Highway 351 to the Northeast of approximately 49.4 feet. Neither right-of-way delineations reflect the current or proposed amount of right of way. This should be reflected on the plat.

The Stadium/E. Johnson Avenue was recently enhanced with double left-hand turn movements on the Johnson Ave. *Eastbound* connection. This signalized 3-point intersection will be impacted by the propose development and coordinated access management should be reviewed by the Metropolitan Area Planning Commission (MAPC) in a combined review by the Metropolitan Planning Organization (MPO).

Other Departmental/Agency Reviews:

Department/Agency	Reports/ Comments	Status
Engineering	No Objection	
Streets/Sanitation	No Objection	
Police	No Objection	
Fire Department	No Objection	
MPO	No Objection	
Jets	No Objection	
Utility Companies	No Objection	

Other Zoning Code Analysis:

Sec. 117-140. Overlay and special purpose districts.

(c) *LU-O—limited use overlay district.* (3) *Use and property development standards.* When accompanied by a rezoning request from the property owner, the LU-O 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 LU-O requirements are in addition to, and supplement all other applicable standards and requirements of the underlying zoning district. Restrictions and conditions imposed by an LU-O 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.

Method of adoption/amendment. As an overlay district, the LU-O designation shall be applied for in accordance with standard rezoning procedures. Once LU-O zoning is established, any amendments shall also require review and approval in accordance with rezoning procedures.

The applicant has proposed a C-3 Limited Use Overlay District rezoning with uses permitted as follows:

- Office, General
- Retail/Service, General
- Restaurant, General & Fast Food
- Auditorium/Arena/Theater
- Bank or Financial Institution
- Hotel or Motel
- Medical or Health Related Services

There are no proposed lot configurations for the submitted rezoning at this time, however, final detailed final plans should be required to be reviewed and approved by the MAPC to assure compliance with all City Codes of Ordinances regarding transportation, storm water drainage design, buffering, etc. This site appears to be part of a master planned area comprising of over 200 acres of future development. Detailed design review is crucial as the development progresses in a mixed-use fashion. Such details shall be subject to MAPC review in the future.

MAPC RECORD OF PROCEEDINGS: Public Hearing held December 10, 2013

Applicant:

Mr. John Easley Associated Engineering appeared before the MAPC stating that he is representing the owners of the former Snellgrove Property, for a rezoning from R-1 to C-3 LUO with a list of proposed uses. This is the first request of a larger planning area that we are submitting. We are starting with this tract because it holds all of the existing infrastructure needed to start and is a logical place to start.

Staff:

Mr. Spriggs gave the staff overview of the case and summarized the Staff Report findings. He noted that the 2010 Comprehensive Plan Future Land Use Map shows the area recommended as Commercial Node and Village Residential. This area is pending a restudy on the land use map by the Land Use Advisory Committee and will most-likely maintain a commercial node status.

There were no objections from the reviewing agencies nor departments submitted to the Planning Department. Engineering, MPO and Planning Staff recommend that access management be adhered to and that cross access easements be coordinated during site plan review and approval by the MAPC. Staff has been working with the developer on access management and mixed use policies.

The conditions and proposed uses were read:

1. That the proposed development shall satisfy all requirements of the City Engineer and all requirements of the current Stormwater Drainage Design Manual.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC prior to any development of the property.
3. A final site plan showing coordination is required of all right of ways and egress/ingress with the State Highway Dept., M.P.O., City Engineering Dept. and the Planning Dept. Coordinated cross-access design details shall be submitted by the applicant for MAPC review and approval for other abutting commercial properties.
4. The setbacks, building heights, screening, and site design standards are required per “Sec. 117-328. - Residential Compatibility Standards”.
5. The site shall be developed under the C-3 Limited Use Overlay District rezoning with uses permitted as follows:
 - Office, General
 - Retail/Service, General
 - Restaurant, General & Fast Food
 - Auditorium/Arena/Theater
 - Bank or Financial Institution
 - Hotel or Motel
 - Medical or Health Related Services

The applicant has proposed a C-3 Limited Use Overlay District rezoning with all uses permitted except the following:

Public Input: No Opposition Present

Commission Action:

Mr. Reece made a motion to approve the rezoning with the stipulations noted and recommend it to City Council for approval; Motion was seconded by Mr. Tomlinson.

Vote: Mr. Scurlock- Aye; Mr. Hoelscher-Aye; Mr. Kelton- Aye; Mr. Reece- Aye; Mr. Tomlinson-Aye; Ms. Nix- Aye; Ms. Shrantz- Aye; Mr. Dover- Aye; Mr. Roberts- Chairman.

Conclusion:

The MAPC and the Planning Department Staff find that the request to rezone the property from “R-1 Single Family Medium Density to a proposed C-3 Limited Use Overlay District submitted for Case RZ 13-21 should be evaluated and approved based on the above observations and criteria. The following are included in the requirements that will apply:

1. That the proposed development shall satisfy all requirements of the City Engineer and all requirements of the current Stormwater Drainage Design Manual.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC prior to any development of the property.
3. A final site plan showing coordination is required of all right of ways and egress/ingress with the State Highway Dept., M.P.O., City Engineering Dept. and the Planning Dept. Coordinated cross-access design details shall be submitted by the applicant for MAPC review and approval for other abutting commercial properties.
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Respectfully Submitted for Commission Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



View looking North from Fire Station entrance toward project site



View looking Northeast along Johnson Avenue property frontage



View looking Northwest toward site from Johnson Ave.



View looking South from site towards Fire Department location



View looking toward Commercial on South side of E. Johnson Ave.



View looking West along site frontage along Hwy. 49 N/E. Johnson



View looking North at Quinn development East of project site



View looking west toward site, on land zoned C-3 LUO East of the site



View looking Southwest on land zoned C-3 LUO East of the site (along Hwy. 351 N)



View looking east towards a CWL Power Station directly northeast of site along Hwy. 351