

*City of Jonesboro City Council*  
**Staff Report – RZ 15-16: 4908 & 4910 E. Highland Ave. Rezoning**  
 Municipal Center - 300 S. Church St.  
*For Consideration by the Council on January 19, 2016*

**REQUEST:** To consider a rezoning of one tract of land containing 1.21 acres more or less.

**PURPOSE:** A request to consider recommendation to Council by the MAPC for a rezoning from “R-1” Single Family residence to “C-3 L.U.O.” General Commercial District Limited Use Overlay, Hydraulic Commercial Business.

**APPLICANTS/  
OWNER:** **Bobby and Zach Gilliam**, 4910 E. Highland Ave., Jonesboro, AR

**LOCATION:** 4908 & 4910 E. Highland Ave./HWY 18 E.

**SITE DESCRIPTION:** **Tract Size:** Approx. 1.21 Acres  
**Street Frontage:** 284.4 ft. along E. Highland Dr.  
**Topography:** Undeveloped flat.  
**Existing Development:** Existing Commercial building grandfathered, within the floodplain.

**SURROUNDING CONDITIONS:**

<b>ZONE</b>	<b>LAND USE</b>
<b>North</b>	<b>R-6 LUO, Multi-Family Apartments</b>
<b>South</b>	<b>I-2, Industrial</b>
<b>East</b>	<b>R-1, Residential</b>
<b>West</b>	<b>R-1, Residential</b>

**HISTORY:** Property was annexed into the city on January 18, 1988 as R-1 Single Family, having a commercial business onsite.

**ZONING ANALYSIS**

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

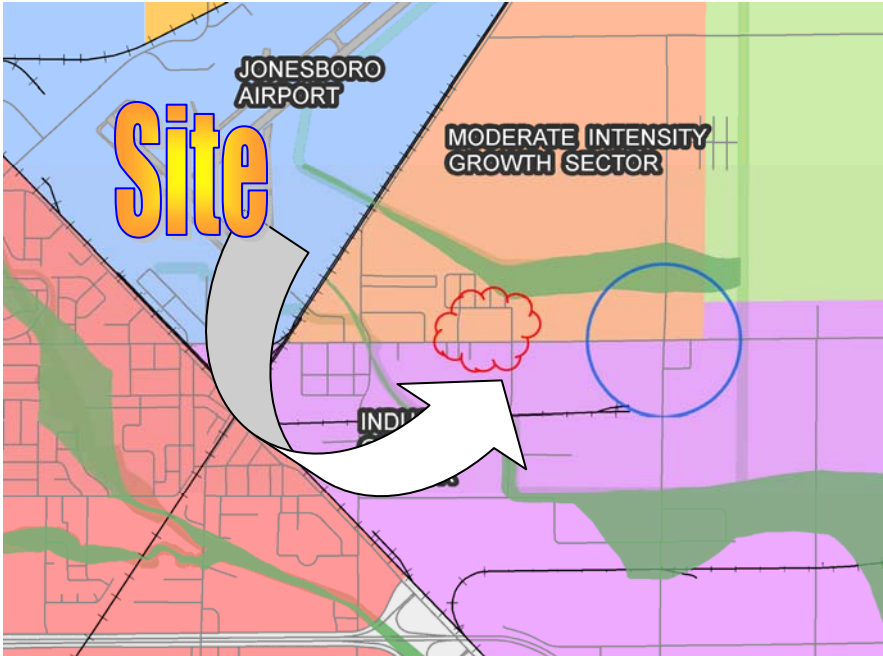
**COMPREHENSIVE PLAN LAND USE MAP**

The Current/Future Land Use Map recommends this location as Moderate Intensity Growth Sector. The proposed rezoning is consistent with the adopted Land Use Plan for the existing and proposed use if proper controls are implemented. Highway commercial is typical for this area.

**Moderate Intensity Recommended Use Types Include:** Neighborhood retail, Neighborhood services, office parks, small medical offices, Libraries, schools, other public facilities, Senior living centers, nursing homes, community-serving retail, small super market, convenience store, bank, etc.

**Master Street Plan/Transportation**

The subject site is served by E. Highland Ave., which on the Master Street Plan is defined as a Principal Arterial; the street right-of-ways must adhere to the Master Street Plan recommendation upon replatting and redevelopment. The recommended right-of-way is 120 ft., the submitted plat illustrates 55.8 ft. Any replat should satisfy the minimum requirement.










Adopted Land Use Map



Aerial/Zoning Map

**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) <b>Consistency of the proposal with the Comprehensive Plan/Land Use Map.</b>	The proposed C-3 LU-O District rezoning is consistent with the Future Land Use Plan, which was categorized as Moderate Intensity Growth Sector.	
(b) <b>Consistency of the proposal with the purpose of Chapter 117-Zoning.</b>	The proposal will achieve consistency with the purpose of Chapter 117, if property storage and screening is implemented.	
(c) <b>Compatibility of the proposal with the zoning, uses and character of the surrounding area.</b>	Compatibility is achieved. This area is the front entrance to the Industrial Park area. Therefore contractor enterprises are compatible.	
(d) <b>Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment.</b>	Property is not suitable for single family residential, and non-conforming uses are intended to comply eventually.	
(e) <b>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.</b>	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) <b>Length of time the subject property has remained vacant as zoned, as well as its zoning at the time of purchase by the applicant.</b>	Property is occupied and has been for the last 15 years.	
(g) <b>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.</b>	Minimal impact if rezoned due to the fact that business currently exist with only minor upgrades.	

**Staff Findings:**

**Applicant’s Purpose:**

The applicants, Bobby and Zach Gilliam, have recently purchased the property after renting for 15 years. The business is called Jonesboro Hydraulics; they sell, assemble and repair hydraulics. They wish to expand their current business by building an additional building to operate out of. Property is north of I-1 Zoning District property- Hytrol Conveyer. To the east of the property, Irby Electric, which is also zoned R-1 (Non-conforming Use). To the north and west of the property are residential and multi-family districts. Staff recommends approval of this case based upon any redevelopment of the subject properties being subject to MAPC review and approval of a final site plan.

**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 grouping of facilities shall be encouraged, as opposed to less desirable strip commercial.

In reviewing the basis for this case, Staff consulted with the applicant to explain that General Commercial Districts typically limited outdoor storage and industrial activities and may require certain screening/buffering to assure compatibility with areas abutting residential property.

**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.	Attended pre-meeting
Streets/Sanitation	No objections to date.	
Police	No objections to date.	
Fire Department	No objections.	
MPO	No objections to this rezoning to date.	Attended pre-meeting
Jets	No objections to date.	
Utility Companies	No objections to this rezoning to date.	Attended pre-meeting

**Zoning Code Allowable Uses:**

Below is the Table of Permitted Uses regarding the requested C-3, L.U.O. General 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:

Uses	C-3	Uses	C-3
Manufactured housing unit		Utility, major	C
Airport or airstrip		Utility, minor	P
Animal care, general	P	Vehicle and equipment sales	P
Auditorium or stadium	C	Vehicle repair, general	P
Automated teller machine	P	Vehicle repair, limited	P
Bank or financial institution	P	Vocational school	P
Carwash	P	Warehouse, residential (mini) storage	C
Cemetery	P	Vehicular and equipment storage yard	
Church	P	Asphalt or concrete plant	
College or university	P	Auto wrecking or salvage yard	
Communication tower	C	Basic industry	
Construction sales and service		Freight terminal	C
Convenience store	P	Landfill (private)	
Day care, limited (family home)	P	Manufacturing, general	
Day care, general	P	Manufacturing, limited	
Entertainment, adult	C	Mining or quarrying	
Government service	P	Oil and gas drilling	
Indoor firing range		Research services	C
Library	P	Solid waste incinerator	
Medical service/office	P	Warehousing	
Museum	P	Welding or machine shop	
Office, general	P	Agriculture, animal	C
Parking lot, commercial	P	Agriculture, crop	
Parks and recreation	P	Agriculture, farmers market	P
Pawn shops	P	Agriculture, product sales	
Post office	P	Sign, off-premises*	P
Recreation/entertainment, indoor	P	Retail/service	P
Recreation/entertainment, outdoor	P	Safety services	P
Recreational vehicle park	P	School, elementary, middle and high	P
Restaurant, fast-food	P	Service station	P
Restaurant, general	P	Sign, off-premises*	P

**MAPC RECORD OF PROCEEDINGS: Public Hearing held January 12, 2016**

**Applicant:** **Mr. Bobby Gilliam** appeared before the Commission stating that they want to rezone the property from residential to commercial. He added that they are wanting to build a 3-bay truck garage to work on big trucks, now done outside. We will enclose the existing concrete and steel framed structure.

**Staff:** **Mrs. Simpson** presented the summary of the Staff Report noting the surrounding conditions and zoning classifications. The residential districts to the north and west were referenced. There is a small tract of C-3 property to the east, in which they own also. The property was annexed into the City in January 19, 1988 as a commercial business. The adopted Land Use Map recommends Moderate Growth Sector. If the proper controls are implemented, Staff feels that compliance can be achieved. This sector suggests uses such as neighborhood retail/retail services, small medical offices, Libraries, schools, other public facilities, senior living centers, nursing homes, community-serving retail, small super market, convenience store, bank, etc. The request is consistent with the Master Street Plan recommendations as Principle Arterial.

**Mrs. Simpson:** Upon visiting the site, there were some staff concerns of buffering and screening of the abutting residential. This land was purchased recently after being rented for several years with the current business. They are looking for cover for the hydraulic business from weather elements as a limited use overlay.

*The four recommended conditions were read:*

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. The Rezoning Approval limits this use to the Hydraulic Business, and 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.

**Public Input:** No opposition present.

**Mr. Kelton:** What is the height of the proposed building? **Mr. Gilliam:** 27 ft. **Mr. Kelton:** The screening won't be an issue? **Mr. Spriggs** explained that comments regarding screening were suggested regarding any outdoor storage of equipment, which should be screened from public view. **Mr. Kelton** commented that the proposed building will hide most of that.

**Commission Action:** **Approved 6-0 vote.**

Motion was made by **Mr. Scurlock** to recommend approval to City Council as presented with conditions; seconded by **Mr. Perkins**.

**Roll Call Vote:** Mr. Scurlock- Aye; Mr. Kelton- Aye; Mr. Cooper-Aye; Mr. Bailey-Aye; Mrs. Schrantz- Aye; Mr. Perkins- Aye; **Absent were:** Mr. Hoelscher; Mr. Reese; Mr. Roberts was chair.

**Conclusion:**

The MAPC and the Planning Department Staff find that the requested Zoning Change submitted for subject parcel, should be approved based on the above observations and criteria of Case RZ 15-16, a request to rezone property from “R-1” Single Family to “C-3”, L.U.O., General Commercial District, Hydraulic Business subject to final site plan approval by the MAPC.

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Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP  
Planning & Zoning Director

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# Site Photographs



View looking North at entrance off Hwy. 18



View looking North at entrance off Hwy. 18





View looking North



View looking Northeast, Commercial on East side



View looking West on Site



View looking Northwest on Site



View looking West from Site