



City of Jonesboro Metropolitan Area Planning Commission
Staff Report – RZ 24-12, 5425 Southwest Drive
300 S. Church Street/Municipal Center
For Consideration by Planning Commission on August 13, 2024

REQUEST: To consider a rezoning of one tract of land containing 2.12 +/- acres

PURPOSE: A request to consider recommendation to Council for a rezoning from “R-1”, single family medium density district, to “C-3” general commercial district.

APPLICANT: Bruno Azemi, 3000 Jennings Ln Ste. G, Batesville, AR, 72501

OWNER: Brian French, 17 CR 201, Jonesboro, AR, 72404

LOCATION: 5425 Southwest Drive

SITE DESCRIPTION: **Tract Size:** Approx. 2.12 Acres
Street Frontage: Approx. 232 ft. on Southwest Drive

Existing Development: Vacant lot

SURROUNDING CONDITIONS:

ZONE	LAND USE
North	R-1 – Residential and Vacant Lot
South	C-4 – Vacant Commercial
East	R-1 – Residential
West	R-1 & C-4 Residential and Commercial

HISTORY: Site has been vacant since before the owner obtained it.

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 land uses is appropriate in the high intensity zone, 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 areas where sewer service is readily available and transportation facilities are equipped to handle the traffic.

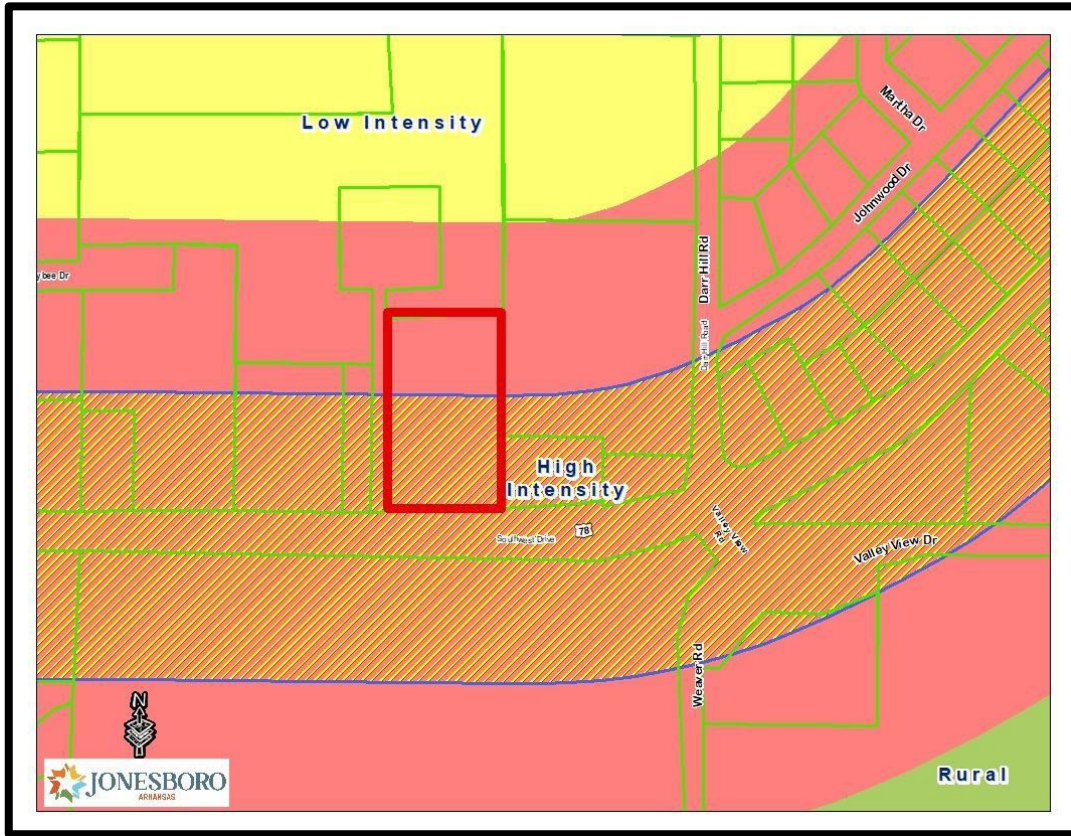
Typical Land Uses:

- 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

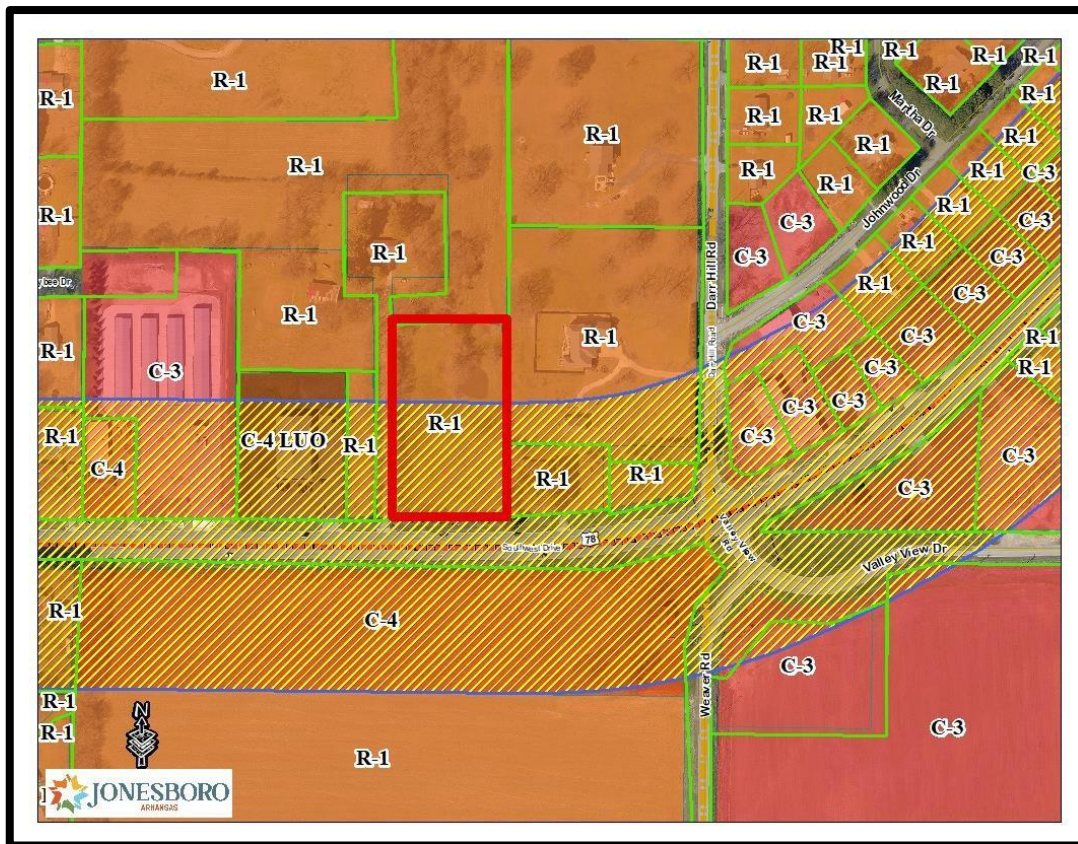
Density: Multi-family 8-14 Dwelling Units per acre

Height: 150 feet

Traffic: This will be located along arterial streets with high traffic volume.



Land Use Map



Zoning Map

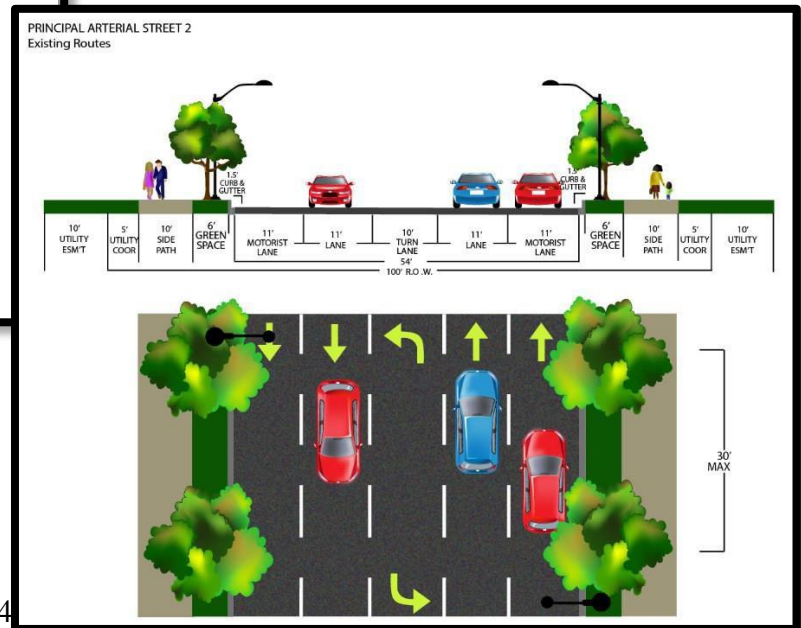
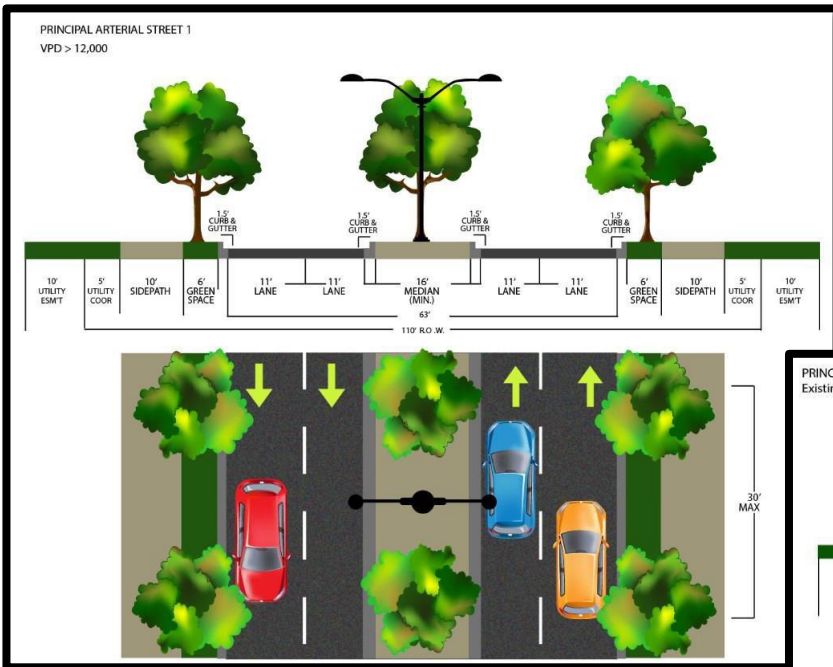
Master Street Plan/Transportation

The subject property will be served by Southwest Drive. The Master Street Plan classifies Southwest Drive as a Principal Arterial.

Principal Arterials provide both long distance connections through the urban area and to major traffic generators within the community. Roadways are designated principal arterials to imply the need to focus more on moving traffic rather than providing direct access to adjacent land. Traffic management techniques used to maintain a high level of traffic capacity on these roadways include the use of medians, restricting curb cuts per some spacing policy, and limiting the use of traffic signals to the intersection with other significant roadways.







FUNCTION: The primary function of a Principal Arterial is to serve through traffic and to connect major traffic generators or activity centers within an urbanized area. Since these roads are designed for through traffic and are generally located three or more miles apart, dedication of additional right-of-way is required to allow for future expansion to four through lanes plus left and right turn lanes. At intersections with Collector Streets or other Arterials (principal or minor), additional right-of-way may be required if the anticipated turning movements warrant extra lanes.

DESIGN: The standard Principal Arterial is to be used in all cases except where City Staff and the MAPC find that an unusual condition occurs. In such cases, the Other Principal Arterial Design Option provided in this section may be used. Cross-section selection shall be based on traffic impact analysis. Design in accordance with AASHTO policy on Geometric design of highways and streets (current edition).



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 district rezoning is consistent with the Adopted Land Use Plan. The property is located in the 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, with compliance of all District standards.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	Compatibility is achieved with this rezoning considering the surrounding area includes commercial zoning and uses.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	Without the proposed zoning map amendment, this property cannot develop as a commercial use.	
(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;	With proper planning there should not be any adverse effects caused by the property.	
(f) 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 due to the fact that the area is already equipped to handle commercial and other high intensity uses.	

Staff Findings:

Applicant's Purpose

The proposed area is currently classified as "R-1" single family medium density district. The applicant is applying for a rezoning to allow commercial uses at this location.

Rezoning this property is consistent with the *Jonesboro Comprehensive Plan* and the *Future Land Use Plan*.

Chapter 117 of the City Code of Ordinances/Zoning defines C-3 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 street. Development of groupings 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 issues were reported	
Streets/Sanitation	No issues were reported	
Police	No issues were reported	
Fire Department	No issues were reported	
MPO	No issues were reported	
Jets	No issues were reported	
Utility Companies	No issues were reported	CWL
Code Enforcement	No issues were reported	

Conclusion:

The Planning Department Staff finds that the requested zone change submitted for the subject parcel should be evaluated based on the above observations and criteria of Case RZ 24-12 a request to rezone property “R-1”, single family medium density district, to “C-3” general commercial district; the following conditions are recommended:

1. 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 Planning Department, prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Department approval in the future.
4. The site shall comply with all overlay district standards.

Respectfully Submitted for Planning Commission Consideration,
The Planning and Zoning Department

Sample Motion:

I move that we place Case: RZ 24-12 on the floor for consideration of recommendation by MAPC to the City Council with the noted conditions, and we, the MAPC find that to rezone property from “R-1”, single family medium density district, to “C-3” general commercial district, will be compatible and suitable with the zoning, uses, and character of the surrounding area.

RZ-24-12 Rezoning 5425 Southwest Drive

Bruno Azemi is requesting a rezoning from R-1, single family medium density district, to C-3, general commercial. This request is for 2.12 acres located at 5425 Southwest Drive.

Lonnie Roberts (Chair): Next item on the agenda, this is a rezoning request. This is at 5425 Southwest Drive, Bruno Azemi is requesting a rezoning from R-1 medium density district to C-3, general commercial. This item is from 2.12 acres and is located at 5425 Southwest Drive. Do we have the proponent or applicant for this item? If you would like, come up and tell us your thoughts. State your name for the record sir.

Jim Lyons (Proponent): Jim Lyons on behalf of Mr. Azemi, the intent is to have this rezoned as a restaurant this area has approximately 55,000 cars a day going by and everything out there is becoming commercial so we ask that it be approved. I'm sure of you are old enough and some aren't old enough to remember, years ago when Valley View was separate. This was a commercial area. There was a downtown in Valley View and it was commercial then. And it has become commercial again because of the amount of traffic that has gone out there and so we think it's appropriate for it to be rezoned for purposes of a restaurant.

Lonnie Roberts: Alright, thank you for your comments. City planner do you have staff comments on this one?

Derrel Smith (City Planner): Yes sir, we have reviewed it and it does meet the rezoning criteria and so therefore, we would recommend approval with the following stipulations:

1. The proposed site shall satisfy all requirements of the city engineer, all requirements of the current storm water 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 planning department prior to any redevelopment of the property.
3. Any change of use shall be subject to planning department approval in the future.
4. The site shall comply with all overlay district standards.

Lonnie Roberts: Okay, with this rezoning request is there anyone here to give public input? If you would please come up and state your name for the record. Give us your thoughts.

Steve Floyd (Opposed Public): My name is Steve Floyd, I live at 5421 Southwest Drive. My residence is adjacent to this property on the east side. My sister is also here Lisa Bowers, her residence is adjacent on the west side and then we own 13 acres to the north. That is all residential. I feel that this is going to greatly affect my residential property if you do this. First of all, I had a question, isn't there supposed to be a sign that's displayed for so long? When a property is being rezoned?

Derrel Smith: Yes.

Steve Floyd: I've never seen it. I live right beside it and I pass that property probably 10 times a day. I've never seen the sign, I actually walked out there today and looked and it's laying in some tall grass. Nobody in that area except for me and my sister and the people who live around it know that this property is being rezoned. If you look, that sign cannot be seen from Southwest Drive it's behind a bunch of bushes. The only way you can see that sign is from my sister's driveway. So, nobody in the area knows that this is even going on. Also, the traffic I served that community as

their constable for 8 years. I've worked countless accidents at that intersection some of them people ejected. Bad accidents, if you put a restaurant at that location and add to that traffic, and I talked to Mr. Bruno and he said that there was a possibility he was going to obtain a liquor license. And if you put that in that area along with that traffic, along with the Valley View school district and all the inexperienced drivers that go there, 2 daycare facilities and two churches close to this facility, it's not a good idea. I think you're going to hurt more than you're going to help. Across the street is zoned commercial, it is right now it's a soybean field and it's owned by Ken Yarbrough and Doyle Yarbrough which are close friends of mine. Talked to both gentleman the other day and they said they had no plans to do anything with it besides farm it right now. So, there's nothing in the works really going on there. I just don't think this is a good idea right now. I know the mini storages come in right next to my property don't have a problem with it. Nice guy, he maintain them, they look good. But now he's advertising that he has spots for food trucks available. Well, that wasn't in the deal. Who wants food trucks next to their property? That's for sure going to hurt my value. I just ask that you consider, put yourself in my spot. Would you want this restaurant right in the middle of your residential property. I don't think you would. But I just ask you to deny this. Thank you.

Lonnie Roberts: Thanks for your comments.

Paul Ford (Commission): Can I ask you a question?

Lonnie Roberts: Yes, Mr. Floyd? Mr. Ford want to ask your question?

Paul Ford: I do. My question to you is with all this traffic that you mentioned and the accidents that you referenced there. Do you think this property would ever be developed as a single-family residence?

Steve Floyd: I live right beside it so does my sister.

Paul Ford: My question is do you think that this property would develop as a single-family residence today?

Steve Floyd: It could, beautiful spot. Has 13 acres of grass behind it with trees. There's a couple, three very nice houses. Richard and Mary Tucker actually live adjacent to this property also. They couldn't be here tonight, had a family health crisis, had to leave the state. They also asked me to ask you to please deny this.

Lonnie Roberts: I did receive an email from them.

Steve Floyd: I had a question too, Mr. Lion said something about Valley View used to be commercial, I'm 53 years old and I've lived there my entire life. If you consider tractor dealership and an old convenience store commercial than, that's what it had, when we were annexed into the city.

Lonnie Roberts: Okay, thank you for your comments. Mr. Lyons? Yes, sir.

Jim Lyons: He's a lot younger than me, I'm 71. So, I can tell you exactly what was out there when I was 10, 11, 12. And it was commercial. That was the downtown for Valley View. You will also learn if you go back and look at the history of this property, that this property was actually sold by this gentleman's father to the current owner. It was where the mini storages are, was sold by this gentleman's father. He knew it was going to be commercial, the property right next door which is commercial, that was sold by this gentleman's father. So, his father knew that this was the purpose or the intent was for this to become commercial. It was highly unlikely for it to be developed at residential property. Nobody wants to be on a location for home that has 50 thousand plus cars going by it a day. He says there's no commercial in the area well, caddy corner there from where the mini storages are, there's a strip center that Mr. Bob built years ago there was never a problem with that, nobody objected to that. No one said wait, this is a residential area. And the reason why is that the highway was being developed and more and more cars were going by all the time. Mr. Smith said that it fits within the zoning criteria, so it's simply a situation where, I'm sorry that he is unhappy but his father sold it with the intent that it be commercial. I understand, I wouldn't want commercial

next door to me, but on the other hand you got to change with the times. Times have changed, yes the city of Valley View kind of went away for a while but this is clearly going to be commercial property, whether y'all do it today or in the future. Because no one is going to develop this as residential property. Mr. Ford asked the question do you think this is going to be developed as single family residential? It isn't, nobody is going to put money into this property. It is clearly something where it was sold with the intent of it becoming commercial by this gentleman's father. I'm sorry that he and his father didn't agree on what should be done out there. But that is not the issue, the issue is what is appropriate, and the city has made the decision that it is appropriate, it's consistent with the Land Use Plan, and therefore I recommend that it be approved. Thank you.

Lonnie Roberts: Thanks for your comments.

Monroe Pointer (Commission): Another question he may know it, on this 5427 there's a loan drive that is coming off Southwest Drive is that a resident that is going to let use a drive or is there going to be a driveway, a drive that is turning off of Southwest Drive into this new facility?

Steve Floyd: I believe that this gentleman's sister lives back there and so I assume that she is going to maintain that drive and be able to come off there and onto the highway if she chooses to do so.

Lonnie Roberts: That's her driveway there on the western edge of that property.

Monroe Pointer: That's what I'm saying, let me restate my question, how are you going to get to your property with parking for a restaurant if she's not going to let you borrow that drive? I don't think she will, but.

Steve Floyd: No, I understand but the property that we're asking to be rezoned is on the highway so you can turn off the highway.

Unable to Transcribe

Dennis Zolper (Commission): I would like to make a motion that we approve-

Lonnie Roberts: I have some more public comments, that wanted to speak, sorry about it. Thank you, sir, next if you would.

Steve Floyd: Steve Floyd, Mr. Lion is correct on part of that, part of it he's not. Where the mini storage was my father sold that it was sold as residential, it wasn't zoned as commercial. It was rezoned here about less than a year ago. That was residential with the Clearview housing subdivision that's there now. So, my father did not do that. This that we're talking about today, my father sold that to Bill Finch who was Brian Finch's father, both these gentlemen have passed away and I'd say Valley View lost two good guys. They lost my dad, and they lost Bill Finch. But they sold this for one reason it was a handshake deal more or less between the two of them, we had lost our co-op in that area with farming community, my dad was in and so was Mr. Finch, they thought the community really needed somewhere to buy their tractor parts, to buy their oil, and stuff like that. That's why they did this. He did not sell it wanting a restaurant there on his property, or a liquor license on his property, or mini storages. That was not the deal, why Mr. Finch didn't follow through and build this store like he wanted to? I have no idea, but that was the original plan and I just wanted to set that straight, thank you.

Lonnie Roberts: Ms. Wright did you have some questions?

Christie Wright (Public): Christie Wright, I don't have a dog in this fight, but I do have a question because there is a property on 5415 Jeremy Moore, So I was told recently, I'm not talking about the subject property, I'm talking about the one on the corner there, Darhill and Southwest Drive.

Lonnie Roberts: The property to the east.

Christie Wright: Yes, that he tried to get rezoned but couldn't get rezoned here recently for a coffee shop, and I actually had to call someone this week about this property, because they said, no it didn't pass through, it didn't go commercial so we're allowing him to use it as commercial but only as a workshop, not as a business.

Carol Duncan (City Attorney): It was rezoned but only under conditional use where it said he could

use it as a personal shop. Cause that is what he requested.

Christie Wright: Okay, that's what I was wondering, cause I was told he tried to rezone it for commercial use.

Carol Duncan: He did initially with MAPC.

Christie Wright: Okay, I wanted to know the difference between the two, because I have a property that's on Johnwood, it's the one house that faces Southwest Drive, up from this and I'm trying to sell it and there's some talk going back and forth, on whether it should be commercial or residential, so that's the reason I brought this up, just trying to figure out.

Carol Duncan: It had more to do with the size of the property and the ability to put driveways if I'm not remembering correctly.

Lonnie Roberts: He was going to have to get a variance for a driveway, if my memory serves.

Carol Duncan: When it went to council after meeting with some community members, as is my understanding he decided to change it to limited use for a personal shop.

Christie Wright: Alright, well I just trying to figure it out cause y'all said it met, and I was like wait, I just live literally a hop, step, and jump away. Thank you for your time.

Lonnie Roberts: Thank you, is there anybody else here to give public comments? Questions? Okay I'm going to open up for commissioner questions. City Staff?

COMMISSION ACTION:

Mr. Dennis Zolper made a motion to approve Case RZ: 24-12, as submitted, to the City Council with the stipulations that were read by the Planning Department:

1. The proposed site shall satisfy all requirements of the city engineer, all requirements of the current storm water 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 planning department prior to any redevelopment of the property.
3. Any change of use shall be subject to planning department approval in the future.
4. The site shall comply with all overlay district standards.

The motion was seconded by Mr. Paul Ford.

Roll Call Vote:

Aye: 8 – Paul Ford, Stephanie Nelson, Jeff Steiling, Kevin Bailey, Monroe Pointer, Jimmy Cooper, Jim Little, Dennis Zolper

Nay: 0

Absent: 0
