

City of Jonesboro City Council
Staff Report – RZ 18-03: 3313 E. Parker Road
 Municipal Center - 300 S. Church St.
For Consideration by the Commission on March 27, 2018

REQUEST: To consider a rezoning of one tract of land containing .92 acres more or less.

PURPOSE: A request to consider recommendation to the City Council for rezoning .92 acres of land located at 3313 E. Parker Road from R-1 Single Family Residential District to C-3 General Commercial for the purpose of locating a cell tower on the property.

APPLICANTS/ OWNER: Diamond Tower, 121 Village Boulevard, Madison, MS 39110
 Elizabeth Moore – MOBEME, LLC, 3206 Rook Road, Jonesboro, AR 72404

LOCATION: 3313 E. Parker Road, Jonesboro, AR 72404

SITE DESCRIPTION: **TRACT SIZE:** Approx. .92 Acres
STREET FRONTAGE: 200 ft. along E. Parker Road
TOPOGRAPHY: Flat
EXISTING DEVELOPMENT: Cultivated Crops

SURROUNDING CONDITIONS:

ZONE	LAND USE
North	US 63 / I-555 Highway
South	R-1 Single Family Residential District (vacant cultivated farmland)
East	R-1 Single Family Residential District (vacant cultivated farmland)
West	C-3 General Commercial District

HISTORY: This has been Agricultural Farm Land.

ZONING ANALYSIS

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

COMPREHENSIVE PLAN LAND USE MAP

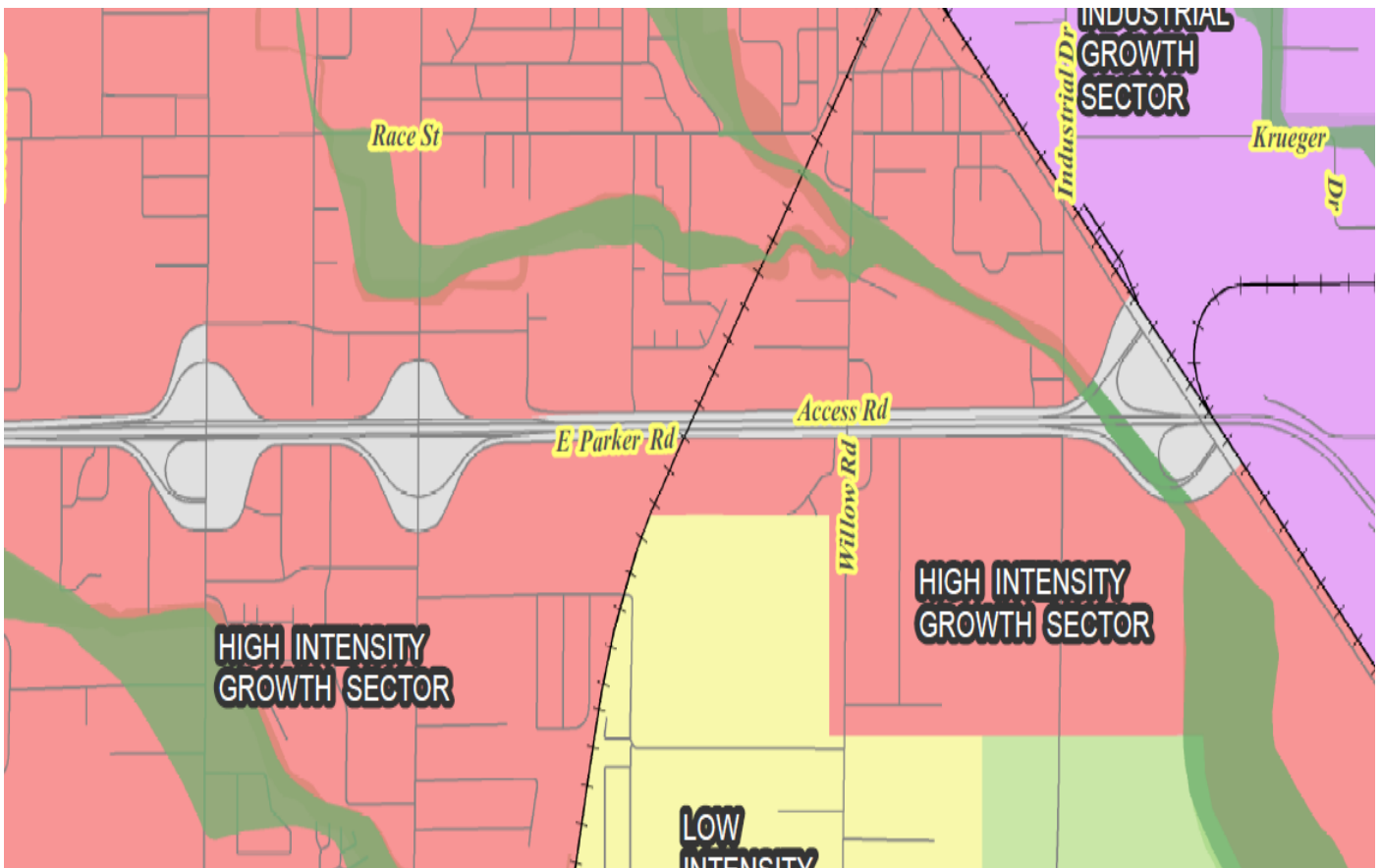
The Current/Future Land Use Map recommends this location as a High Intensity Growth Sector. A wide range of uses is appropriate in the high intensity zones, from multi-family to fast food to Class A office space to outdoor display/highway oriented businesses like automotive dealerships, because they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

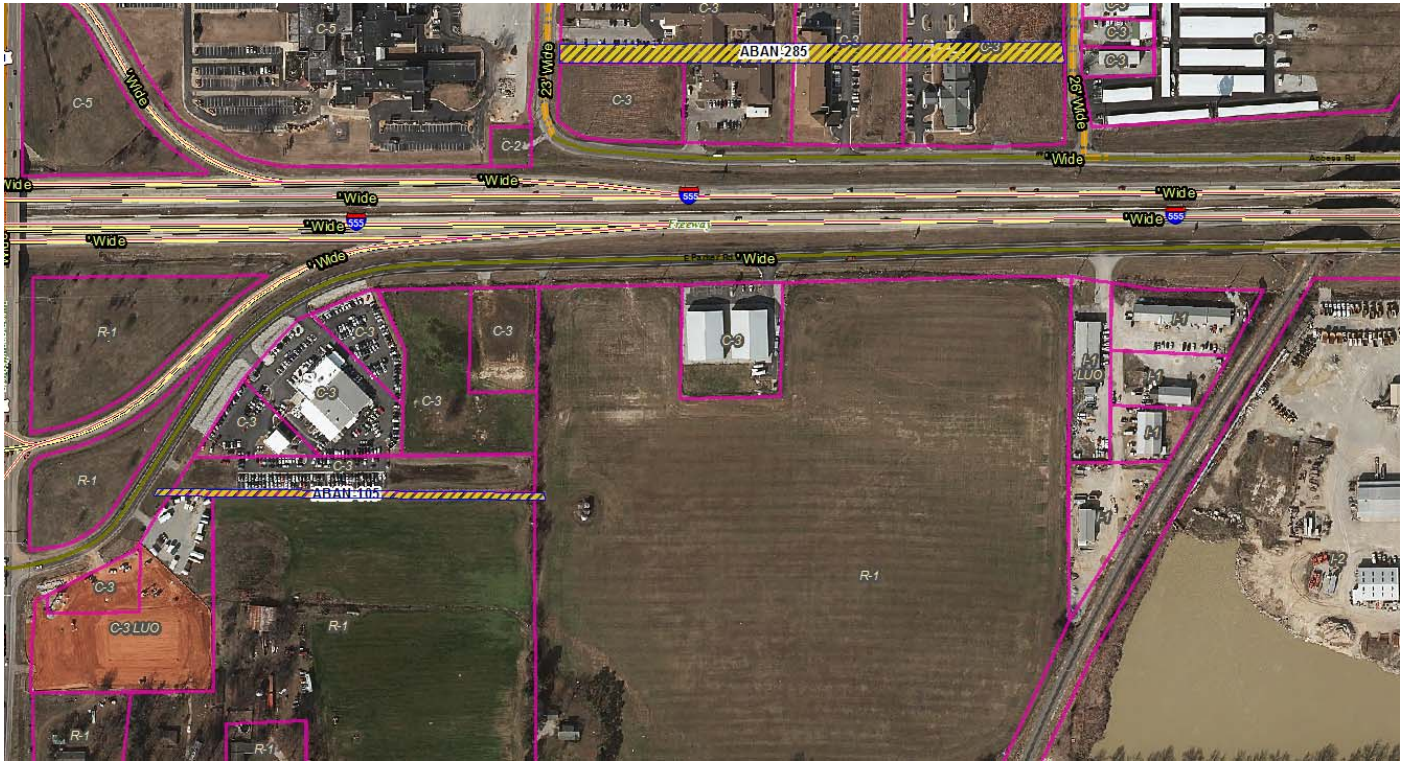
- Regional Shopping Centers
- Automotive Dealerships
- Outdoor Display Retail
- Fast Food Restaurants
- Multi-Family
- Service Stations
- Commercial and Office
- Call Centers
- Research and Development
- Medical
- Banks
- Big Box Commercial
- Hotel

MASTER STREET PLAN/TRANSPORTATION

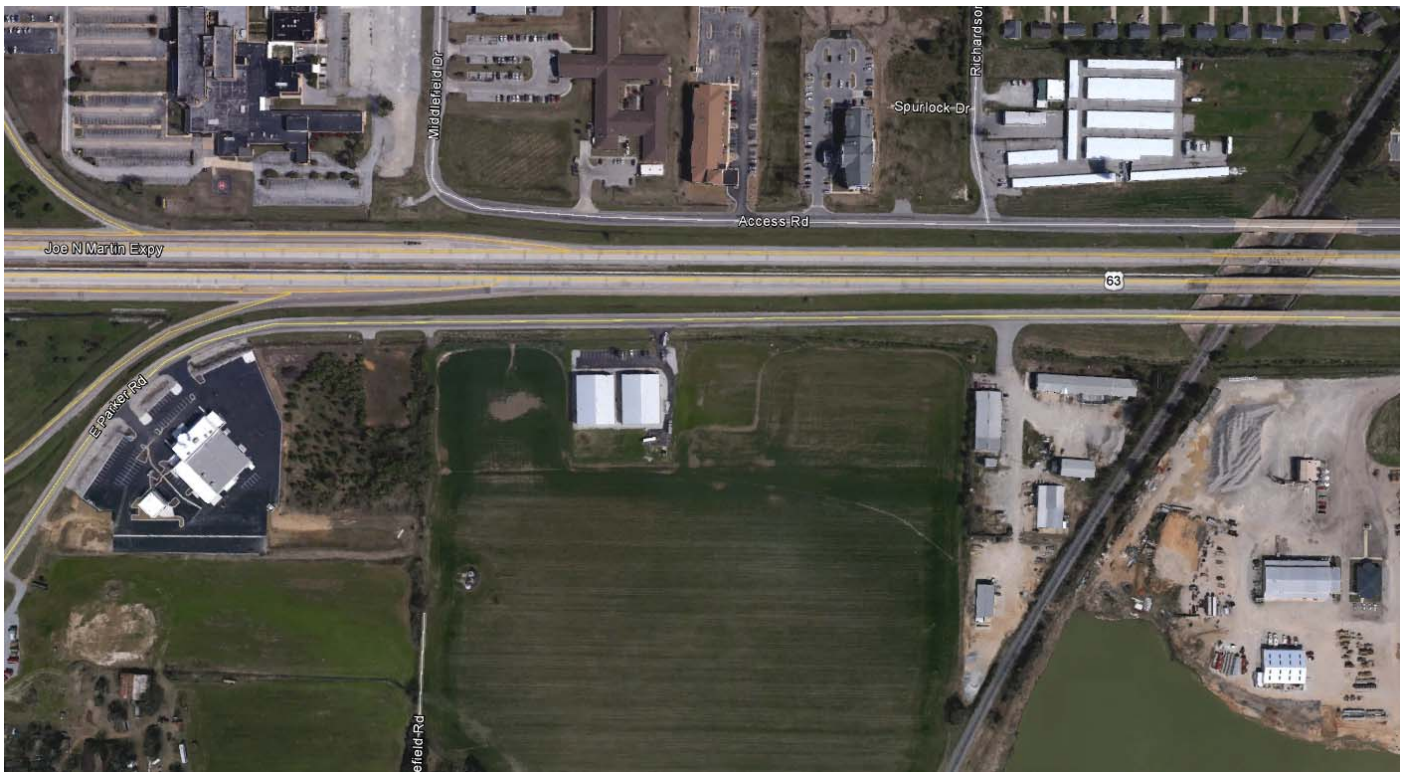
The subject site is served by Parker Road. The street right-of-ways must adhere to the Master Street Plan.



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.	This area is classified as a High Intensity Growth Sector. A commercial zoning would be consistent with the Land Use Plan. There is C-3 Zoning on the West side and on down toward the East is I-1 Industrial and would be contiguous in use with the proposed rezoning.	
(b) Consistency of the proposal with the purpose of Chapter 117- Zoning.	The proposal will achieve consistency with the purpose of Chapter 117. Chart shows consistency within C-3 uses, but Communication Tower will require a Conditional Use from the MAPC.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	This section of East Parker Road is a Commercial and Industrial Area. There are several commercial developments in this location.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment.	This property has been used for Agricultural Crops. This lot was zoned R-1 Single Family.	
(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 property has been primarily vacant land and used as Agricultural for several years. The proposed rezoning should not be detrimental to the surrounding area. The Zoning with proper design this property will consider: additional traffic, drainage, visual, odor, noise, light, vibration, hours of use and operation.	
(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.	This tract of land, which consists of .92 acres and has been used as agricultural cultivation land, so with development of this land impact will be considered during the site plan review process.	

STAFF FINDINGS

APPLICANT'S PURPOSE:

The applicants feels this new zoning would be the best use of the property to provide a proposed monopole wireless communications tower facility at approximately 100 ft. tall with the area approximately 0.29 acre in size. This would be a long-term installation. They feel a C-3 General Commercial Zoning would be more compatible with the overall complexion of the commercial thoroughfare of the E. Parker Road connection to I-555 Highway.

Chapter 117 of the City Code of Ordinances defines C-3 General Commercial District:

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.

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.	

MAPC RECORD OF PROCEEDINGS: PUBLIC HEARING HELD ON MARCH 13, 2018

APPLICANT: Dave McGehee of Diamond Towers V, LLC on behalf of owner Elizabeth Moore of MOBEME, LLC is requesting a Rezoning from R-1 Residential Single Family Medium Density Residential District to C-3 General Commercial District for .92 +/- acres of land located at 3313 E. Parker Road. This is a parcel that has been subdivided and is adjacent to a similar size property not exactly, but similar size to the property to its West that is also zoned C-3. The property to the West - Honda Dealership is C-3. Further East is all Industrial Zoned. This property owner owns the great parcel that is all behind this acreage and on all sides. This was originally zoned Agricultural and now it is R-1. We are just requesting a subdivided just under an acre for this rezoning.

STAFF: Derrel Smith stated that it does meet all the criteria for the rezoning and our zoning chapter so we would recommend approval with the following stipulations:

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 on the property.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the Planning Staff, prior to any redevelopment of the property.
3. Any change of use shall be subject to the Planning Staff approval in the future.
4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, sidewalks etc. shall be submitted to the Planning Staff prior to any redevelopment. New screening outdoor storage and dumpster enclosure requirements shall be implemented if stipulated by the MAPC.
5. Any improvements required by the Planning Department, Engineering Department, Inspection Department and Fire Department should be completed prior to any C.O. being issued.

COMMISSION: Jerry Reece stated I know it will come out on the site plan but where are you going to locate that tower on the lot.

APPLICANT: David McGehee stated that it is approximately centered on that lot. The larger square is approximately .92 acres and the smaller is .29 acres that box in the middle. Is the proposed.

COMMISSION: Jerry Reece stated middle of the lot.

APPLICANT: David McGehee stated yes.

COMMISSION: Jeb Spencer stated that this area is a High Intensity Growth Sector right Derrel.

STAFF: Derrel Smith stated yes sir.

COMMISSION: Jeb Spencer stated I think I asked this before in the pre-meeting what is a good example that already exist or mature in a High Intensity Growth Sector.

STAFF: Derrel Smith read off the uses from the staff summary: 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 and Hotels.

COMMISSION: Jeb Spencer stated so something like Caraway / Stadium. I am trying to consider this tower in the future. How tall will the tower be Mr. McGehee?

APPLICANT: David McGehee stated that it had been proposed at 100 ft.

COMMISSION: Jeb Spencer stated that 150 ft. was the limit for High Intensity.

APPLICANT: David McGehee stated that it is lower than what they usually propose.

PUBLIC: No Opposition.

COMMISSION ACTION:

Mr. Jerry Reece made a motion to approve Case: RZ: 18-03, a request to rezone property from “R-1” Single-Family Medium Density District to “C-3” General Commercial District, subject to following the conditions and approval by the MAPC as submitted, to the City Council with the following stipulations:

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 on the property.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the Planning Staff, prior to any redevelopment of the property.
3. Any change of use shall be subject to the Planning Staff approval in the future.
4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, sidewalks etc. shall be submitted to the Planning Staff prior to any redevelopment. New screening outdoor storage and dumpster enclosure requirements shall be implemented if stipulated by the MAPC.
5. Any improvements required by the Planning Department, Engineering Department, Inspection Department and Fire Department should be completed prior to any C.O. being issued.

The MAPC Recommends approval to forward to Council to rezone property from “R-1” Single-Family Medium Density District to “C-3” General Commercial District. Motion was seconded by Mr. Kevin Bailey.

Roll Call Vote: 7-1, Aye’s: Jim Scurlock; David Handwork; Kevin Bailey; Jerry Reece; Jimmy Cooper; Jim Little; Dennis Zolper

Nay: Jeb Spencer

CONCLUSION:

The Planning Department Staff finds that the requested Zoning Change submitted for subject parcel, should the City Council decide to approve based on the above observations and criteria of Case RZ 18-03, a request to rezone property from R-1 Single Family to C-3 General Commercial District, subject to final site plan approval by the Planning Staff and 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 on the property.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the Planning Staff, prior to any redevelopment of the property.
3. Any change of use shall be subject to the Planning Staff approval in the future.
4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, sidewalks etc. shall be submitted to the Planning Staff prior to any redevelopment. New screening outdoor storage and dumpster enclosure requirements shall be implemented if stipulated by the MAPC.
5. Any improvements required by the Planning Department, Engineering Department, Inspection Department and Fire Department should be completed prior to any C.O. being issued.

Respectfully Submitted for City Council Consideration,
The Planning Department

Sample Motion

I move that we place Case: RZ 18-03 on the floor for consideration of recommendation by MAPC to the City Council with the noted conditions, and we, the MAPC find that changing the zoning of this property from R-1 Single Family District to C-3 General Commercial District, will be compatible and suitable with the zoning, uses, and character of the surrounding area, subject to the Final Site Plan review and approval by the Planning Staff in the future.

Pictures of Area







