



*City of Jonesboro Metropolitan Area Planning Commission
Staff Report – RZ 12-14: 4109 & 4115 E. Johnson Ave.*

Huntington Building - 900 W. Monroe

For Consideration by the Commission on August 14, 2012

REQUEST: To consider a rezoning of a parcel of land containing 1.27 acres more or less.

PURPOSE: A request to consider recommendation to Council for a rezoning from R-1 Single and C-4 L.U.O. to C-3 General Commercial L.U.O.

**APPLICANT/
OWNER:** **Demos, BBQ Smokehouse Inc. (Purchaser)**
Joseph & Darlene Weeks, 4109 E. Johnson Ave., Jonesboro AR

LOCATION: 4109 & 4115 East Johnson Avenue (a.k.a Highway 49)

**SITE
DESCRIPTION:** Tract Size: Approx. +/- 1.27 acres
Frontage: 320' +/- along E. Johnson
Topography: Flat
Existing Development: Single Family Residence

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

HISTORY: ORD-08:048, Passed by Council July 1, 2008 as C-4 L.U.O. with the following conditions.

- A) There shall be an undisturbed vegetative buffer, twenty-five feet (25') in width along the southern boundary of the property;
- B) Upon redevelopment of the property, privacy fencing shall be erected along the eastern and western boundaries, and
- C) The Site Development plan shall be submitted to the Metropolitan Area Planning Commission for review and approval.

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

COMPREHENSIVE PLAN FUTURE LAND USE MAP

The Current/Future Land Use Map recommends this location as Planned Mixed Use Employment Area. The proposed rezoning is consistent with the land use map with the proposed C-3 Limited Use Overlay.

Approval Criteria- 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:

- (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.



Vicinity/Zoning Map

Findings:

Master Street Plan/Transportation

The subject site is served by E. Johnson Ave., Hwy. 49 N and has a right of way totaling 150ft. (Principal Arterial min. 120’) and Fire Academy Dr. has an ingress/egress easement totaling 60ft (Private Drive).

Zoning Code Compliance Review:

The applicant is requesting a change to C-3 General Commercial, Limited Use Overlay, L.U.O. - General Commercial District with a specific list of permitted and excluded uses as follows:

LIMITED USE TO EXCLUDE:

- Adult Entertainment
- Off-Premises Advertisement

THE FOLLOWING LIMITED USES SHALL BE ALLOWED ONLY BY CONDITIONAL USE APPLICATION / APPROVAL BY THE MAPC:

- Carwash
- Cemetery
- Construction Services
- Convenience Store
- Gas Station
- General and Limited
- Vehicle Repair

The subject property is surrounded by a growing commercial corridor of mixed uses including religious worship to the north, and a single family subdivision abutting to the rear/south. The property is served by one driveway to the west and a circular drive with two aprons to the east. Care should be given during the site plan review process to property access as well as the residential screening and buffering in the rear that was conditioned in the 2008 case described in the history section of this report.

C-3 Zoning District Requirements:

Requires 6,500 sq. ft. Nonresidential uses

Front Setback: 25 ft.

Side: 10 ft.

Rear: 20 ft.

Parking required: Existing Spaces Provided

Future Use Parking Requirements:	Government service	1 per 300 ft.
	General Office	1 per 300 ft.
	General Retail/Service	1 per 250 ft.

Conclusion:

The Planning Department Staff finds that the requested Zone Change submitted by Demos, BBQ Smokehouse Inc. should be evaluated based on the above observations and criteria, of Case RZ 12-14 noted above, a request to rezone property from “R-1” and C-4 “L.U.O.” to “C-3 L.U.O.” General Commercial District. Staff feels that the petition should be recommended for approval to City Council and will follow good land use principles. The following conditions are recommended.

1. There shall be an undisturbed vegetative buffer, twenty-five feet (25’) in width along the southern boundary of the property, where the property abuts residentially used land;
2. Upon redevelopment of the property, privacy fencing shall be erected along the eastern and southern boundaries where it abuts residentially used property, and
3. That a future site development plan be submitted and reviewed by the MAPC prior to any future redevelopment of the site.

Respectfully Submitted for Commission Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Sample Motion 1:

I move that we place Case: RZ-12-14 on the floor for consideration and for recommendation to City Council for a rezoning from “R-1 and C-4 L.U.O.” to “C-3 L.U.O.” General Commercial District subject to the 3 Staff Conditions. The MAPC finds that the use will be compatible and suitable with the zoning, uses and character of the surrounding area.

Specific list of permitted and excluded uses as follows:

LIMITED USE TO EXCLUDE:

Adult Entertainment
Off-Premises Advertisement

THE FOLLOWING LIMITED USES SHALL BE ALLOWED ONLY BY CONDITIONAL USE APPLICATION / APPROVAL BY THE MAPC:

Carwash
Cemetery
Construction Services
Convenience Store
Gas Station
General and Limited
Vehicle Repair

Conditions:

1. There shall be an undisturbed vegetative buffer, twenty-five feet (25') in width along the southern boundary of the property, where the property abuts residentially used land;
2. Upon redevelopment of the property, privacy fencing shall be erected along the eastern and southern boundaries where it abuts residentially used property, and
3. That a future site development plan be submitted and reviewed by the MAPC prior to any future redevelopment of the site.

Site Photographs



View looking South of the subject property.



View looking Northeast towards subject property along E. Johnson Ave.



View looking Southwest from subject property frontage.



View looking North from subject property along E. Johnson Ave.



View looking South along Airport Rd. / E. Johnson Ave. intersection.



View looking East from subject property rear yard.



View looking West of subject property rear yard.