



*City of Jonesboro Metropolitan Area Planning Commission
Staff Report – RZ 12-22: 4309 E. Johnson Ave.
Huntington Building - 900 W. Monroe
For Consideration by the MAPCv on October 9, 2012*

REQUEST: To consider a rezoning of a parcel of land containing 1.0 acre more or less.

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

**APPLICANT/
OWNER:** O'Reilly Automotive Stores, Inc., 233 S. Patterson, Springfield, MO 65802
Charles M. Johnston, 4309 E. Johnson Ave., Jonesboro AR 72401

LOCATION: 4309 East Johnson Avenue (South side Highway 49N; east of Airport Rd.)

**SITE
DESCRIPTION:** Tract Size: Approx. +/- 1.0 acres
Frontage: 200' +/- along E. Johnson
Topography: Flat
Existing Development: Single Family Residence & (Non-conforming) Auto Shop

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	C-3	Commercial
South:	I-1	RGB Industrial Commercial uses
East:	C-3	Commercial
West:	R-1	Residential

HISTORY: Records show that Mr. Johnston filed a rezoning petition and went before the MAPC under Case RZ98-8, gaining MAPC recommended approval. No further action is found; and City files do not show that the case went before the City Council after MAPC made final action unanimously 5-0 on April 14, 1998.

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'). The survey plat submitted shows that a 100 ft. right of way exists. For platting purposes 10' additional feet will be required to bring the lot into compliance with the Master Street Plan. The survey indicates and reflects this possible right of way dedication.

Zoning Code Compliance Review:

The applicant is requesting a change to C-3 General Commercial for property that has held a non-conforming use status as commercial property for an automotive repair shop building in the rear yard. As noted in the

history section, the owner notified staff that he petitioned for a rezoning in 1998, but files only reflect that the process ended at MAPC’s approval in April of 1998 and did not proceed to City Council for consideration.

The subject property is surrounded by a growing commercial corridor of mixed uses. The property is served by one driveway. Care should be given during the site plan review process in terms of property access as well as the residential screening and buffering in the west as long as residential remains.

C-3 Zoning District Requirements:

Requires 6,500 sq. ft. Nonresidential uses ; **Front Setback:** 25 ft.; **Side:** 10 ft.; **Rear:** 20 ft.

Department/Agency	Reports/ Comments	Status
Engineering	Pending	No comments to date
Streets/Sanitation	Pending	No comments to date
Police	Pending	No comments to date
Fire	Pending	No comments to date
Utility Companies	Pending	No comments to date

If approved this rezoning would rid a nonconforming use, and further provide for redevelopment by a potential commercial purchaser. Staff has no objections with this petition; especially since it proceed through the MAPC review process with no issues in 1998. Staff advises MAPC attention to the points raised earlier in the report regarding right of way dedication of ten (10) additional feet; screening of parking areas where residential abuts to the west, and final review by MAPC of a final site plan that provides for safe ingress and egress by future proposed uses as well as coordination of any possible cross access easements. Any conditions placed on the original C-3 General Commercial will require a Limited Use Overlay (LUO) modification.

Conclusion:

The Planning Department Staff finds that the requested Zone Change submitted by Mr. Charles Johnston should be evaluated based on the above observations and criteria, of Case RZ 12-22 noted above, a request to rezone property from “R-1” and C-3 “L.U.O- General Commercial District.

The following conditions are recommended:

1. A final plat should be filed by the owners reflecting a 60 ft. R.O.W. from the centerline of E. Johnson Ave.
2. Upon redevelopment of the property, privacy fencing shall be erected along the western boundary 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 MAPC Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Sample Motion 1:

I move that we place Case: RZ-12-22 on the floor for consideration and for recommendation to City Council for a rezoning from “R-1 to “C-3 L.U.O.” General Commercial District subject to the 3 Staff Conditions, as approved by the MAPC. The MAPC finds that the use will be compatible and suitable with the zoning, uses and character of the surrounding area.

Site Photographs

DRAFT



Aerial View of property



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