



City of Jonesboro City Council
Staff Report – RZ09-13: Carr/Gray Rezoning
Huntington Building - 900 W. Monroe
For Consideration by the Council on August 18, 2009

REQUEST: A recommendation by MAPC to rezone property containing 15.70 acres more or less.

PURPOSE: To rezone a tract of land from R-1 & C-4 to C-3 L.U.O. Zoning District

**APPLICANT/
OWNER:** James D. Carr, et.al., 105 Wyatt Cove, Hot Springs, AR 71913
Willis & Caroline Gray, 34 Riverwood Cove, Maumell, AR 72113

LOCATION: 2506 & 2510 E. Johnson Ave. (Directly North of University North Loop Intersection)

**SITE
DESCRIPTION:** Tract Size: 15.70 Acres (2 tracts 3.71 acres + 11.98 acres)
Frontage: E. Johnson Ave.: 361.57 ft.

Topography: Gently sloping, but mainly level land
Existing Dvlpmt: Vacant/wooded

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	PD-RM, R-1	Apts./Pastured land
South:	C-3, R-1	CWL Transf. Station/Residential/University
East:	R-6, L.U.O.	Vacant, High Density Multi-Family
West:	PD-RM, C-3	Apts./Residential

HISTORY: AN ORDINANCE TO VACATE AND ABANDON A 30' ROAD EASEMENT LOCATED NORTH OF ARKANSAS HIGHWAY 49B (JOHNSON AVENUE) AS REQUESTED BY JAMES CARR AND WILLIS GRAY- JANUARY 6, 2009.

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

COMPREHENSIVE PLAN FUTURE LAND USE MAP

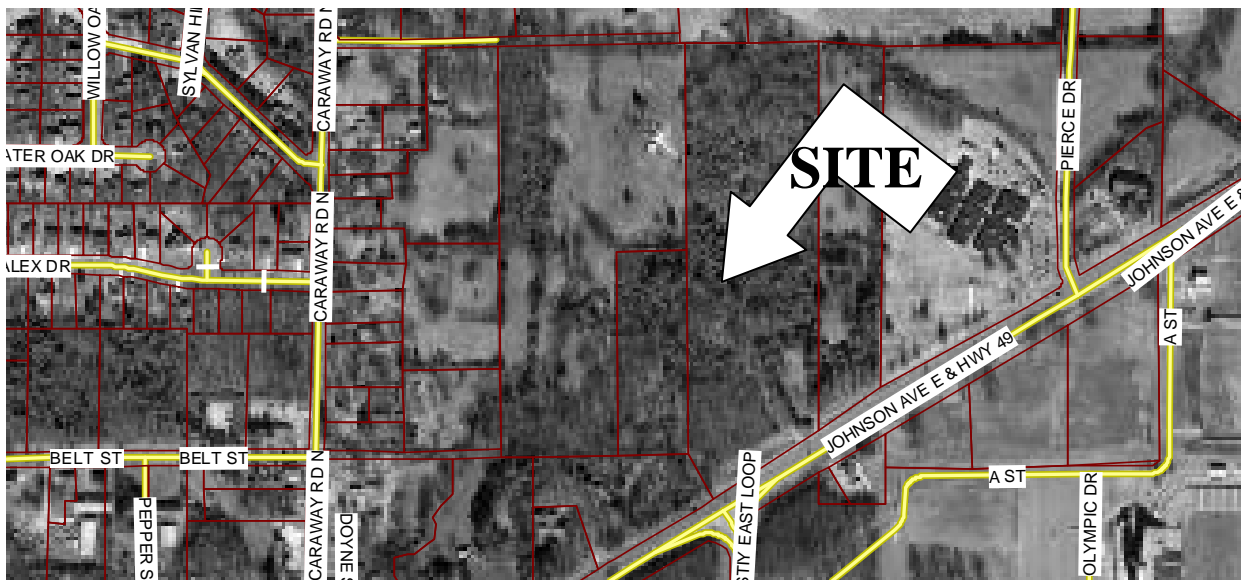
The 1996 Comprehensive Plan Future Land Use Map which is outdated shows the area recommended as Thoroughfare Commercial combined with village residential to the rear. This designation typically includes new and existing major strips of a neighborhood or community type and scale. This classification corresponds to the C-3 Commercial Zoning District. This area is currently being restudied by the Land Use Advisory Committee.

This area is under restudy by the Land Use Advisory Committee, and updates are forthcoming for adoption in the very near future. The site is situated on major arterial corridor. Ideally this corridor should be bordered by thoroughfare commercial.

Approval Criteria- Section 14.44.05, (5a-g)- 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.



Aerial Map/ Vicinity Map

Findings:

This subject site is located on Johnson Ave (State Hwy 91/49N) which is a major arterial, having a mixture of uses adjacent to the ASU college campus. The subject site while partially zoned C-4 Neighborhood commercial is bound between commercially zoned property as well as high density multi-family zoned property, and will provide good service oriented commercial. This can be accomplished only if developed in an orderly and controlled fashion that considered any and all abutting residential uses. A minimum 25 ft. landscaped buffer should be included where the property abuts any residential uses.

Care should be given to access management in terms of ingress and egress; consolidated curb-cuts and cross access easements are encouraged. In order to add any conditions, staff recommends consideration for a limited use overly (L.U.O.).

MAPC Record of Proceedings: Meeting Date: July 11, 2008:

Mr. John Easley, AET, Represented the applicants: Mr. Gray owns the property at 2506 N. Johnson, Mr. Carr owns 2510 N. Johnson. Mr. Carr's property is R-1, and Mr. Gray's is C-4. They would like to have it rezoned to C-3. We have letters backing and supporting the request. Mr. Carr has agreed to the C-3 Limited Use Overlay. We will come back with any site plan issues addressed.

Mr. Spriggs stated Staff is recommending the limited use overlay to take into account any residential abutting concerns, and any conditions by the MAPC regarding access management.

Mr. Hoelscher asked if we can require and not just encourage cross access easements. All concurred.

Motion was made by Mr. Halsey to recommend approval, subject to the stipulations to the City Council

Stipulations:

- 1. That a final site plan shall be reviewed and approved by the MAPC prior to permit issuance.
Such submittal shall include landscaping and lighting plans.*
- 2. That off-premise billboard advertisement shall be prohibited.*
- 3. That cross access easements shall be required on abutting properties along Hwy. 49N/91.*

Motion was 2nd by Ms. Norris.

Action: Mr. Tomlinson- Aye, Ms. Norris- Aye; Mr. Halsey- Aye; Mr. Kelton- Aye; Mr. Hoelscher – Aye. Case Approved.

Conclusion

The MAPC and the Planning Staff has reviewed the request and recommends approval to City Council for a change from R-1 & C-4 to C-3 L.U.O., with consideration of the following stipulations being met by the developer:

1. *That a final site plan shall be reviewed and approved by the MAPC prior to permit issuance. Such submittal shall include landscaping and lighting plans.*
2. *That off-premise billboard advertisement shall be prohibited.*
3. *That cross access easements shall be required on abutting properties along Hwy. 49N/91.*

Respectfully Submitted for Council Consideration,

Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



View Looking North towards site



View Looking Northeast from N. University Loop



View Looking West along Johnson Ave.



View Looking North on site



View looking West on Hwy. 49



View looking Northwesterly from site



View looking north on site



View looking south from site



View Looking East towards Stadium Dr.



View from Site looking Southwest towards ASU University