



City of Jonesboro City Council
Staff Report – RZ 11-06: Naomi Green 118 Melrose St.
Huntington Building - 900 W. Monroe
For Consideration by the Council on March 15, 2011

REQUEST: To consider a rezoning of a parcel of property containing approximately 0.50 acres more or less from R-2 Multi-Family Low District to CR-1 L.U.O. Commercial Residence Mixed Use District Limited Use Overlay and make recommendation to City Council.

PURPOSE: A request to consider approval by the Metropolitan Area Planning Commission and recommend to City Council for final action as **CR-1 L.U.O.**

APPLICANT/ OWNER: Naomi A. Green 1812 Ellen Dr. Jonesboro AR 72404

LOCATION: 118 Melrose St.

SITE DESCRIPTION: Tract Size: Approx. 0.50+/- acres, 21,996 Sq. ft. +/-
 Frontage: Approx. 100.02' along Melrose
 Topography: Predominantly Flat, Sloping
 Existing Dvlpmt: Single family home and an auxiliary building

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	R-2	Residential (Apartments)
South:	R-2	Residential
East:	R-2	Church/ Apartments
West:	C-4	Commercial

HISTORY: None

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

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.

COMPREHENSIVE PLAN FUTURE LAND USE MAP

The Future Land Use Map adopted on January 5, 2010 shows this area to be within the Northwest Sector and to be recommended as a Residence Transitional District Area.

There is apartment complex abutting and single family homes surrounding the property as well as within the vicinity.



Zoning/Vicinity Map

MAPC Public Hearing- Record of Proceedings for March 8, 2011:

Mr. Hamman presented the case noting the change from R-2 to CR-1 limited use for Ms. Amy Green who is in a unique situation. This is her family home where she grew up. She prepares salsa, tomato dishes and cans preserves and sells at another location. She purposes to take the kitchen and convert it to prepare and sell in a different location. There is no walk-in traffic here. She has met with the Building Official, Terry Adams and he has required it to meet the kitchen codes; they will have a commercial kitchen and she has also talked to the health department. They don't intend to use it as a residence at all.

Opposition: None.

Staff: Mr. Spriggs presented the findings of the staff report and noted that this is similar to a home occupation. Staff has recommended approval with the noted 5 conditions that were read. There are two structures on site to remain.

Mr. Roberts made a motion that we recommend this request to City Council as CR-1; Motion was 2nd by Mr. Kelton.

Roll Call Vote: Mr. Hoelscher- Aye; Mr. Roberts- Aye; Mr. Kelton- Aye; Mr. Tomlinson- Aye; Ms. Norris- Aye; Mr. Scurlock- Aye. (6 to 0 vote)

Findings:

The proposed rezoning will result in existing R-2 Residential zoned property to be zoned to CR-1 L.U.O. Although the subject property abuts a single family residence, 0.50 acre site will remain residential in character with no exterior modifications transpiring.

The applicant has expressed a desire to retain the 2 existing structures on the property. The applicant's desire is to utilize the structure as a commercial kitchen to prepare and produce sauces and canned products for retail at another location. Retail and walk-ins are not included within the applicant's business plan. Therefore parking should be adequate for owner and any additional employees.

Lighting should remain within its current condition; the signage should be limited to a 2x2 if any is requested (per home occupation) and hours of operation limited to 7am to 9pm.

The second driveway should meet the standards set forth for driveway apron design, an aerial picture demonstrated that the driveway had been paved for a least the first 30' (it has been replaced with gravel for the base, this would alleviate any sediment/gravel runoff during a heavy rain).

Conclusion:

The MAPC and the Planning Department Staff find that the requested Zone Change submitted by Naomi Green , should be evaluated based on the above observations and criteria, of Case RZ 11-06 a request to rezone property from R-2 to **CR-1 L.U.O. (Residential/Commercial)** and is recommended to the City Council for approval with the following stipulations:

1. That Certificate of Occupancy be obtained though Building and Fire Inspections of new uses in satisfaction of all requirements stipulated by all City, state and local agencies.

2. That a future site development plan be submitted and reviewed by the Staff prior to any future redevelopment of the 0.50 acres.
3. Lighting shall be maintain at levels in compliance with the Zoning Ordinances.
4. The signage should be limited to a 2'x2' size (per home occupation)
5. Hours of operation shall be limited to 7am to 9pm.

Respectfully Submitted for Council Consideration,

A handwritten signature in black ink, appearing to read "Otis T. Spriggs". The signature is fluid and cursive, with the first name being the most prominent.

Otis T. Spriggs, AICP
Planning & Zoning Director

SITE PHOTOGRAPHS



View looking North along Melrose St.



View looking East of Melrose St./Eldridge St. intersection.



View looking East of subject property.



View looking West from rear yard of the side yard..



View looking East of secondary structure and driveway.



View looking Southeast of rear yard and abutting land.



View looking Southeast of rear yard and abutting land.



View looking North of the apartments adjacent from subject property.



View Looking West at Subject Structure/Home (rear).



View of front yard and parking area.