

City of Jonesboro City Council
Staff Report – RZ 17-30: 4150 Southwest Drive
 Municipal Center - 300 S. Church St.
For Consideration by the City Council on November 21, 2017

REQUEST: To consider a rezoning of one tract of land containing 4.30 acres more or less.

PURPOSE: A request to consider recommendation to Council by the MAPC a rezoning of 4.30 acres of land located at 4150 Southwest Drive from R-1 Single Family Residential District to C-3 LUO General Commercial.

APPLICANTS/ OWNER: Ashdown Plaza LLC, P.O. Box 635 Jonesboro, AR 72403

LOCATION: 4150 Southwest Drive, Jonesboro, AR 72404

SITE DESCRIPTION: **Tract Size:** 4.30
STREET FRONTAGE: **Street Frontage:** 338.96 Feet
Topography: Flat
Existing Development: Vacant Residential Lot

SURROUNDING CONDITIONS:

ZONE	LAND USE
North	R-1 Single Family Residential
South	C-3 LUO General Commercial
East	R-1 Single Family Residential
West	C-3 General Commercial

HISTORY: Vacant, Previously single family residential.

ZONING ANALYSIS

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

COMPREHENSIVE PLAN LAND USE MAP

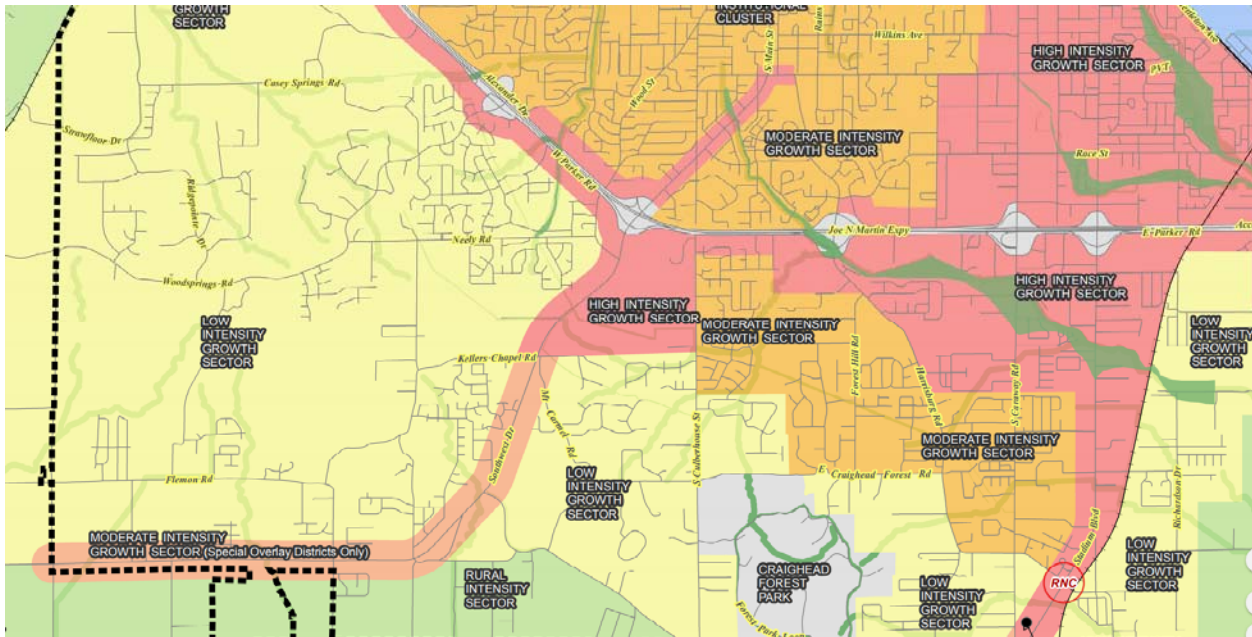
The Current/Future Land Use Map recommends this location as a Moderate Intensity Growth Sector (Special Overlay Districts Only). A wider mix of land uses is appropriate in the moderate intensity sectors. Control of traffic is probably the most important consideration in this sector. Additionally, good building design, use of quality construction materials, and more abundant landscaping are important considerations in what is approved, more so than the particular use. Limits on hours of operation, lighting standards, screening from residential uses, etc. may be appropriate.

Typical Land Uses:

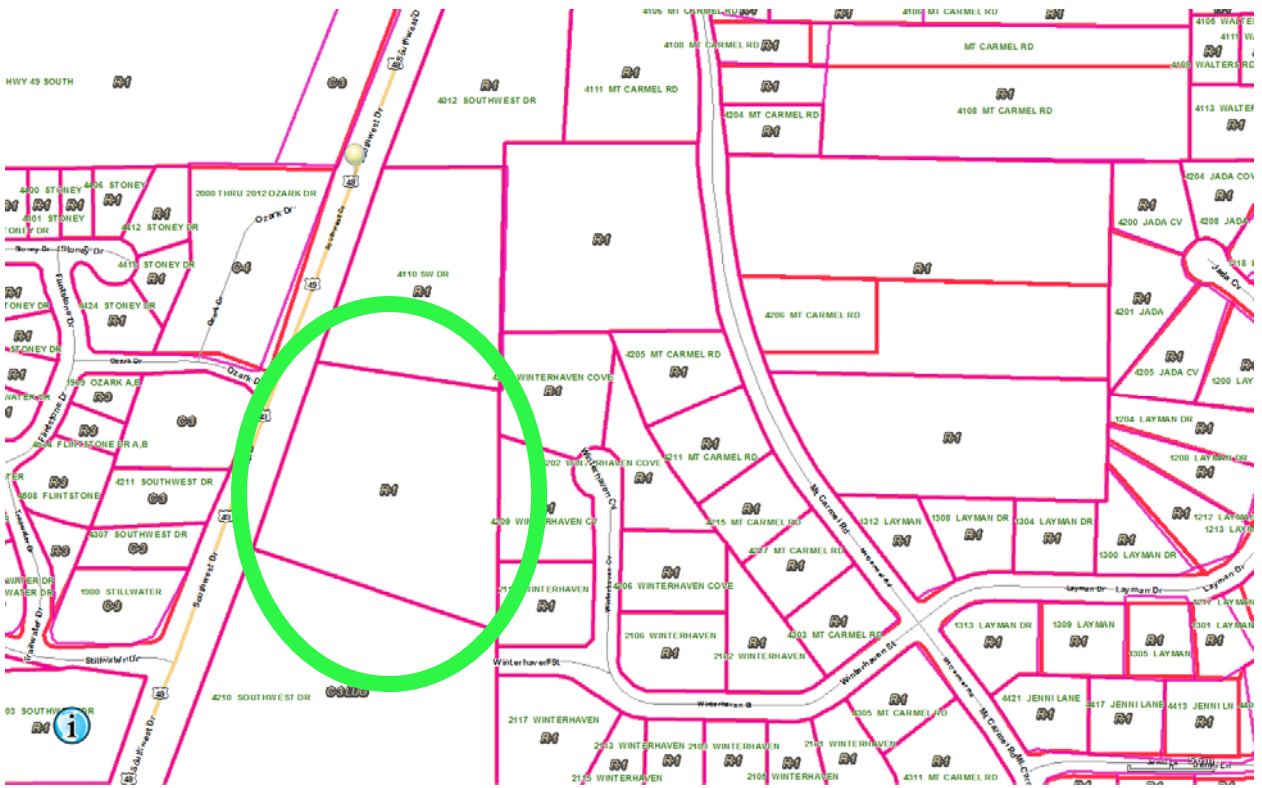
- Single family residential
- Attached single family, duplexes, triplexes and fourplexes
- Neighborhood retail, neighborhood services
- Office parks
- Smaller medical offices
- Libraries, schools, other public facilities
- Senior living centers/nursing homes, etc.
- Community-serving retail
- Small supermarket
- Convenience store
- Bank
- Barber/beauty shop
- Farmer's market
- Pocket park

MASTER STREET PLAN/TRANSPORTATION

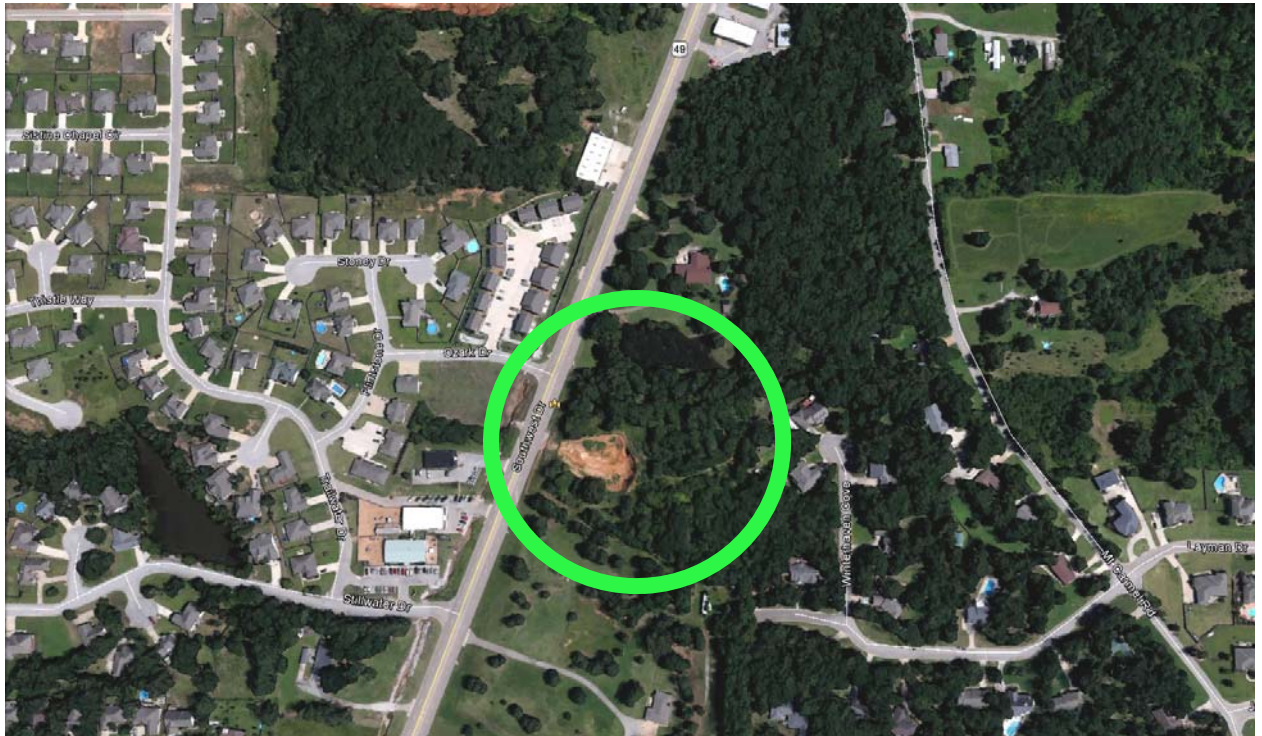
The subject site is served by Southwest Drive. The street right-of-ways must adhere to the Master Street Plan.



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 Moderate Intensity Growth Sector. A commercial zoning would be consistent with the Land Use Plan.	
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal will achieve consistency with the purpose of Chapter 117.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	There are several commercial developments surrounding this location.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment.	Although it could be developed as Single Family Residential, sitting directly on Southwest Drive makes this a good spot for commercial development.	
(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.	The development could cause an increase in traffic. Proper buffer controls should be used to shield the single-family housing from the commercial development.	
(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.	Minimal impact if rezoned.	

STAFF FINDINGS

APPLICANT'S PURPOSE:

The applicant feels like the rezoning would allow them to develop the property at its highest and best use.

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.	
School System	No objections to this rezoning to date.	

MAPC RECORD OF PROCEEDINGS: PUBLIC HEARING HELD ON NOVEMBER 14, 2017

APPLICANT: Mr. Michael Boggs requested MAPC approval of a rezoning at 4150 Southwest Drive. The applicant would like to rezone the property from R-1 Single Family Residential to C-3 LUO General Commercial.

STAFF: Mr. Derrel Smith recommended approval with 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.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC, prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Commission approval in the future.
4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering etc. shall be submitted to the MAPC prior to any redevelopment. New screening outdoor storage and dumpster enclosure requirements shall be implemented if stipulated by the MAPC.
5. The following uses will not be allowed:
 - a. Adult Entertainment
 - b. Tobacco/Alcohol Sales and Services

PUBLIC: Ms. Ellen had questions about buffering, lighting, etc.

STAFF: Mr. Derrel Smith said city staff and the MAPC could not ask those questions until they saw a site plan. Right now, the applicant is only asking for a rezoning and they may not even have a site plan.

ATTORNEY: Ms. Carol Duncan did point out that basic requirements for buffering could be found online.

COMMISSION: Mr. Lonnie Roberts read an email about Mr. Clay Kenward expressed his concerns regarding the proposed rezoning. Like the previous speaker, his concerns will be addressed when city staff reviews the site plan.

No more Public Comments.

A motion was made by Dennis Zolper, seconded by Jimmy Cooper that this matter be recommended to Council.

COMMISSION ACTION:

Mr. Dennis Zolper made a motion to approve Case: RZ: 17-30, a request to rezone property from “R-1” Single Family Residential District to “C-3” General Commercial District Limited Use Overlay, subject to final site plan 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.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC, prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Commission approval in the future.
4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering etc. shall be submitted to the MAPC prior to any redevelopment. New screening outdoor storage and dumpster enclosure requirements shall be implemented if stipulated by the MAPC.
5. The following uses will not be allowed:
 - a. Adult Entertainment
 - b. Tobacco/Alcohol Sales and Services

The MAPC Recommends approval to rezone property from “R-1” Single Family Residential District TO “C-3” General Commercial District Limited Use Overlay. Motion was seconded by Mr. Jimmy Cooper.

Roll Call Vote: 7-0, Aye’s: Jim Scurlock; Dennis Zolper; Jim Little; Jeb Spencer; Jerry Reece; Jimmy Cooper; and David Handwork

Absent: Kevin Bailey

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 17-30, a request to rezone property from R-1 Single Family Residential to C-3 LUO General Commercial District, subject to final site plan approval by the MAPC 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.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC, prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Commission approval in the future.
4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering etc. shall be submitted to the MAPC prior to any redevelopment. New screening outdoor storage and dumpster enclosure requirements shall be implemented if stipulated by the MAPC.
5. The following uses will be prohibited:
 - A. Adult Entertainment
 - B. Alcohol/Tobacco Sales and Services

Respectfully Submitted for City Council Consideration,
The Planning Department

Sample Motion

I move that we place Case: RZ 17-30 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 Residential to C-3 LUO 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 MAPC in the future.



View looking North



View looking South



View looking East



View looking West