



*City of Jonesboro Metropolitan City Council*  
**Staff Report – RZ 15-06: 2814 Wood Street.**  
 Municipal Center - 300 S. Church St.  
*For Consideration by the Commission on May 19, 2015*

**REQUEST:** To consider a rezoning of the land containing 1.52 acres more or less.

**PURPOSE:** A request to rezone property from “R-1” to “C-3 LUO” General Commercial and consider a recommendation of approval by the MAPC to City Council (See MAPC Record of Proceedings below).

**APPLICANT/  
OWNER:** **Christopher L. Baugh**, 2502 Rosewood Circle, Jonesboro, AR  
**Doris C. Crisp, Trustee**, 602 Wilkins, Jonesboro, AR

**LOCATION:** 2814 Wood Street., Jonesboro, AR, at the SE intersection of Alexander Drive and fronting on Hwy. 63.

**SITE  
DESCRIPTION:** **Tract Size:** 1.52 Acres/66,301 sq. ft.  
**Street Frontage (feet):** 254 ft. on Alexander Dr.; 102.2 ft on Wood Street.  
**Topography:** Primarily Moderately Sloping Topography from 20 ft. to the SE.  
**Existing Development:** Vacant and used for residential purposes.

<b>SURROUNDING</b>	<b><u>ZONE</u></b>	<b><u>LAND USE</u></b>
<b>CONDITIONS:</b>	North: R-1	Residential
	South: Access Road /HWY	Interstate 63
	East: C-5	Church
	West: R-1	Residential

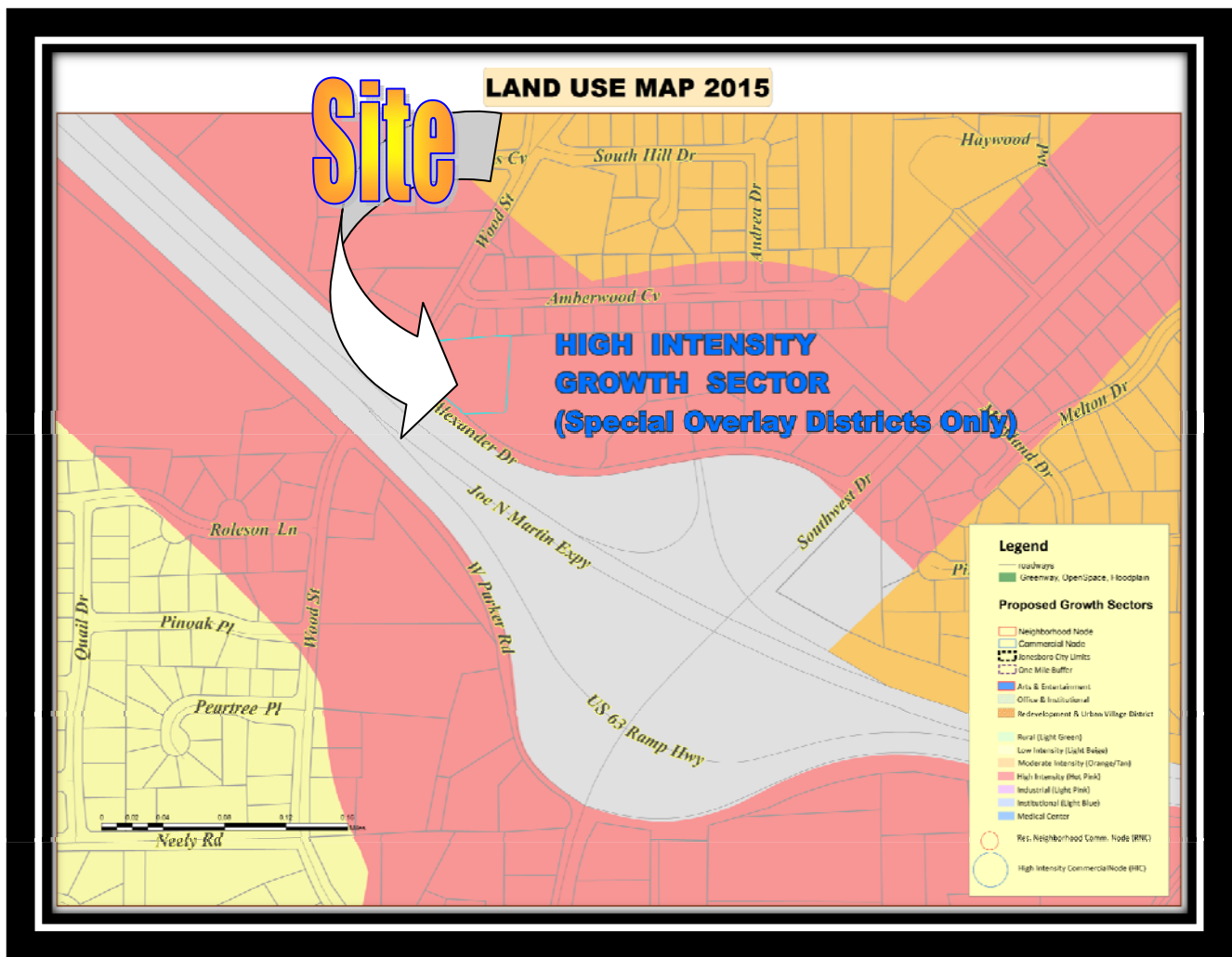
**HISTORY:** No Property History: This property is not platted. It currently has an existing single family residential home.

## ZONING ANALYSIS

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

### COMPREHENSIVE PLAN FUTURE LAND USE MAP

The Current/Adopted Land Use Map recommends this location as a High Intensity Commercial Node; therefore the request for General Commercial is consistent with the adopted Land Use Map. Commercial and office uses for this site would be highly consistent with the area if consideration of buffering is provided for the residential to remain directly north. Screening and scale of structure should be a high priority.










Adopted Future Land Use Map

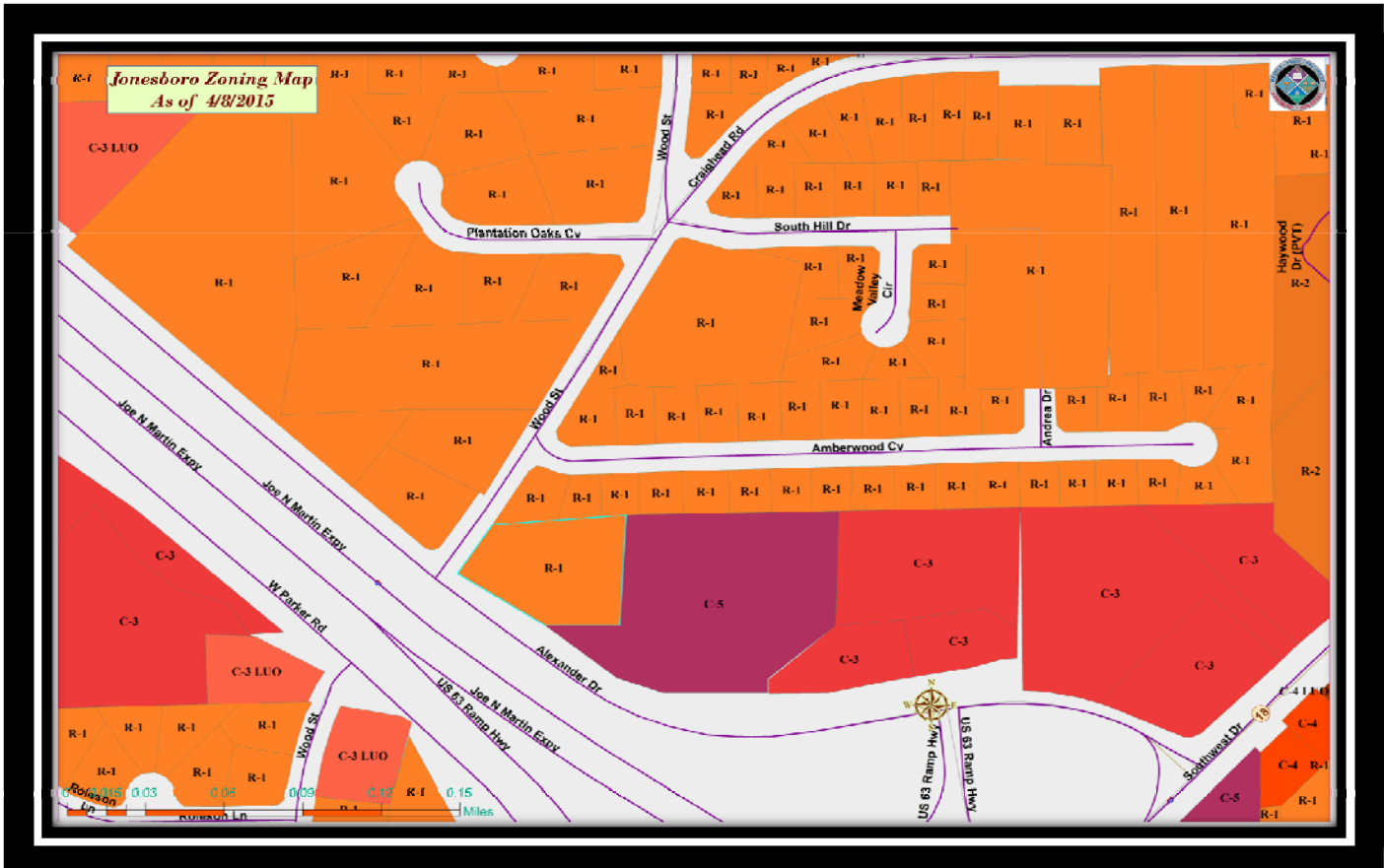
**Master Street Plan/Transportation**

The subject property is served by Alexander Drive (AHDT Right-of-Way) and Wood Street, a local road. A major expressway bypasses the subject site on the Master Street plan.

**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	The proposed rezoning as C-3 General Commercial District is consistent with the Adopted Land Use Plan (High Intensity Commercial Node).	
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	Consistency would be achieved if rezoned.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	Compatibility would be achieved if rezoned.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	Land is not suitable for residential uses with frontage on the expressway/access road.	
(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;	Not detrimental to nearby property. Existing Major Arterials should support any proposed commercial uses with proper access management. Final Site plans should be subject to MAPC approval with attention to buffering and screening.	
(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	Property has remained used as residential.	
(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	Existing Major Arterials should support any proposed commercial uses with proper access management. Final Site plans should be subject to MAPC approval.	



**Current Zoning Map**



**Vicinity/ Aerial Map**

**Departmental/Agency Reviews:**

*The following departments and agencies were contacted for review and comments.*

Department/Agency	Reports/ Comments	Status
Engineering	No issues were reported to date.	Attended the MAPC Pre-Meeting
Streets/Sanitation	No issues were reported to date.	
Police	No issues were reported to date.	
Fire Department	No problems with this Petition	Attended the MAPC Pre-Meeting
MPO	No problems with this Petition	Attended the MAPC Pre-Meeting
Jets	No issues were reported to date.	
Utility Companies	CWL reported no Issues	Attended the MAPC Pre-Meeting

**Staff Findings/Applicant’s Purpose:**

The applicant is not proposing any particular use on the subject property currently, but hopes to market the property for commercial purposes to begin as early as ( 6) months. The applicant notes also that this land is not appealing for a residential development. The applicant further states the subject property would be very compatible with the surrounding area and is adjacent property that is zoned C-5/C3 to the east. There are numerous commercially zone properties along Highway 63 including recent properties that were rezoned to the West of the subject property. The City of Jonesboro Zoning Resolution **Table of Minimum Dimension Requirements for the C-3 General Commercial Districts** is copied below:

<i>Dimension</i>	<i>CR-1</i>	<i>C-4</i>	<b>C-3</b>	<i>C-2</i>	<i>C-1</i>	<i>I-1</i>	<i>I-1</i>
<i>Minimum lot size</i>							
Single-family (sq. ft.)	6,500	NP	NP	6,000	NS	NP	NP
Duplex (sq. ft.)	7,200	NP	NP	7,200	NS	NP	NP
Multifamily (area/family)	NP	NP	NP	3,600	NS	NP	NP
Nonresidential uses (sq. ft.)	6,500	6,500	6,500	6,500	NS	6,500	10,000
Minimum lot width (all uses)	50'	50'	50'	50'	25'	50'	100'
Minimum lot depth (all uses)	100'	100'	<b>100'</b>	100'	NS	100'	100'
<i>Street setback</i>							
Residential uses	25'	NP	NP	25'	NS	25'	NP
Nonresidential uses	25'	25'	25'	25'	NS	25'	100'
Interior side setback							
Residential uses	7.5'	10'	NP	10'	NS	10'	NP
Nonresidential uses	10'	10'	10'	10'	NS	10'	25'
<i>Rear setback</i>							
Residential uses	20'	20'	NP	20'	NS	20'	NP
Nonresidential uses	20'	20'	20'	20'	NS	20'	25'
Maximum lot coverage (all uses)	50%	50%	60%	50%	100%	60%	60%
Percent of total lot area (building floor area)	20	20	NS	20	NS	NS	NS

Note.

NP = Not permitted.

NS = No standard.

**Zoning compliance/ Other Zoning Code Analysis:**

The applicant has requested a rezoning to a “C-3”, General Commercial District, L.U.O. The following are the permissive/conditional uses within the C-3 General Commercial.

List of Commercial Uses	C-3 General Commercial	List of Commercial Uses	C-3 General Commercial
<i>Civic and commercial uses</i>		<i>Civic and commercial uses</i>	
Animal care, general	Permitted	Nursing home	Permitted
Animal care, limited	Permitted	Office, general	Permitted
Auditorium or stadium	Conditional	Parking lot, commercial	Permitted
Automated teller machine	Permitted	Parks and recreation	Permitted
Bank or financial institution	Permitted	Pawn shops	Permitted
Bed and breakfast	Permitted	Post office	Permitted
Carwash	Permitted	Recreation/entertainment, indoor	Permitted
Cemetery	Permitted	Recreation/entertainment, outdoor	Permitted
Church	Permitted	Recreational vehicle park	Permitted
College or university	Permitted	Restaurant, fast-food	Permitted
Communication tower	Conditional	Restaurant, general	Permitted
		Retail/service	Permitted
Convenience store	Permitted	Safety services	Permitted
Day care, limited (family home)	Permitted	School, elementary, middle and high	Permitted
Day care, general	Permitted	Service station	Permitted
Entertainment, adult	Conditional	Sign, off-premises*	Permitted
Funeral home	Permitted	Utility, major	Conditional
Golf course	Permitted	Utility, minor	Permitted
Government service	Permitted	Vehicle and equipment sales	Permitted
Hospital	Permitted	Vehicle repair, general	Permitted
Hotel or motel	Permitted	Vehicle repair, limited	Permitted
Library	Permitted	Vocational school	Permitted
Medical service/office	Permitted	Warehouse, residential (mini) storage	Conditional
Museum	Permitted	<i>Industrial, manufacturing and extractive uses</i>	
<i>Agricultural uses</i>		Freight terminal	Conditional
Agriculture, animal	Conditional	Research services	Conditional
Agriculture, farmers market	Permitted	Alcohol or Tobacco Retail	Added By Staff

**The rezoning of this property should adhere to the following considerations for the uses:**

*The following uses should be prohibited as a part of a Limited Use, if agreed by the applicant:*

- 1. Billboards, Auto Repair, 2. Gas Stations, 3. Alcohol or Tobacco Retail Services, and 4. Adult Entertainment Facilities, and 5. Animal Care.**

**MAPC RECORD OF PROCEEDINGS: Public Hearing Held on May 12, 2015:**

**Applicant:** Mr. Michael Boggs, TraLan Engineering, representing the owner stated that his client is looking to rezone the property from R-1 to C-3 L.U.O., with the stipulations and limitations noted in the Staff Report. We are looking to redevelop this property. We have met with several surrounding owners, some were neutral and others were opposed with certain concerns. We addressed as many as we could. We feel that this rezoning will be beneficial to the City of Jonesboro and the surrounding area, and ask that you approve this and move it forward to City Council.

**Staff:**

Mr. Otis Spriggs gave summary comments from the Staff Report which lists the surrounding conditions. To the immediate west and north are single family homes; Arberwood Cove Subdivision to the immediate north. C-5 church use lies to the immediate east, and highway/access road to the south. The Master Street and Land Use Plans would be complied with. The Land Use Map recommends high intense growth sector uses, which would provide for some form of overlay district that would allow for concerns of residentially abutting properties. Consistency is achieved with the Land Use Plan. Any type of negatives could be dealt with if property screening and buffering is provided, and those are addressed in the conditions proposed. Surrounding zoning conditions were shown on the provide maps, which also shows other property recently zoned to the far west (1/2 mile west) and developed as Commercial. To the far-east is the Outback Commercial Shopping Center.

**Mr. Spriggs:** Development requests for review were sent to the various departments and reviewing agencies. Comments were received from M.P.O., Engineering, Fire Department and City Water Light, who were all present in the pre-meeting, all noting concurrence and no issues with the request.

**Mr. Spriggs:** Parameters and requirements for the C-3 General Commercial District were noted in the report. Less desirable uses next to residential properties were highlighted. The applicant has agreed to an exclusion list and the Conditions are listed to address staff concerns. Staff feels that if this property is zoned to what lies to the west, that the site could be developed in a responsible way to fit-in next to the residential with certain controls. The conditions were read.

**Public Comment: (5 Stood in Opposition)**

**Mr. Eric Kriner,** 819 Amberwood Cove: Stated that his property is adjoining that which is under consideration for rezoning, and seeing that none of us have been informed of the type of use proposed, nor of any buffer zone, we urge you to deny application and recommend that it remains residential.

**Robin Criss,** 821 Amberwood Cove: Adjourning the subject property and we are asking that it be denied.

**Gary W. Rodgers,** 2815 Wood St. Neighbor and he is for nor opposed to this. I am not able to say it's a good thing or bad thing.

Referring to the report it was mentioned that the proposed zoning would not be detrimental to nearby property. I do not see anything in the report that supports this. It is based on an opinion and I do not see what it is based on.

**Mr. Rodgers:** The address of this property is 2814 Wood St. There are lots of pictures shown how ever none shown standing from 2814 looking towards the houses to the west. You would see that there are nothing but houses there.

**Mr. Rodgers:** I feel that the properties would be affected negatively or positively. Folks that live there will be affected. Give proper consideration to the people that live there and not just a map. He added that he has lived there since 1986 and want to make sure that is still a great place to live after you make your decision.

**Janet Harden:** 2810 Wood St., She supports what has been already said. She lives next to the property and with what you are considering making commercial. I do think that it will affect the residential area, whether positively or negatively. I ask that you would consider or reconsider that. 5 in opposition stood. .

**Sheryl Rodgers:** 2815 Wood St., Stated that she has a couple of considerations on the layout of that area. The part that opens on to Wood Street access is a concern; it's a very narrow access point. It would not be a good thing to have an opening there. Speaking with the Engineer, it's my understanding that they haven't decided on a use or site plan layout. Nothing has been committed to writing, and that could change. We are concerned about use, access and we live directly across the street and are concerned about any buffers that will go there. Where is the evidence to base that on?

**Mr. Spriggs** addressed questions raised to staff, regarding the "detrimental" question, noting that there are some things that are allowed to occur in a C-3 District that we listed that could be detriment or undesirable next to residential uses. We provided that menu list and we worked backward from there. All of the concerns noted in the report can be addressed by conditions approved by the MAPC. The type of use would drive the impacts such as traffic volume, access. Some commercial office uses do not have high traffic demand nor customers visiting other than by appointment only. The size of the lot would dictate the amount of lot coverage, this being a smaller lot. The Planning Commission can use controls under the site plan to assure that the use fits within the area and control any detriments as listed in the criteria for considering rezoning such as: drainage problems, odor, noise, traffic problem impacts, light pollution as noted in the staff report.

**Mr. Scurlock:** Can we control the access on to the site, and deny access off Wood Street and provide for substantial boundary buffers?

**Mr. Spriggs** stated that we could; however, we would not want to prevent a use that could perhaps only demand 5 or so cars visiting per day to be developed on the lot, only because we have placed restrictions that will not ever allow certain allowances. Once you go over a certain traffic volume or threshold, the Planning Commission has that authority to control those uses during the Site Plan Review process. However, the Highway Department has complete control over the access on and off Alexander Dr. and will dictate what happens on that frontage. There are other possibilities for cross access that could happen.

**Mr. Scurlock:** Stated that his problem is that he does not want the developer to go through a lot of work, effort, and costs. If I turned this down because of some substantial entrance/access off of Wood Street, because we are meeting residential and commercial really close together. I think there is a place it could work out, but I like to be fair to everybody, and I do not think a major entrance off of Wood St. would work.



**Mr. Boggs:** We would like to wait until the actual Site Plan Review, and we do not want to place a lot of restraints on a piece of property. We could wait until that point to limit the access and lay the site plan out the best way it could be accommodated.

**Chairman Lonnie Roberts:** I guess what Mr. Scurlock is saying that you do not want to tie-up a lot of development fees at the time of the Site Plan review, and should we condition it now during the rezoning? I request what the pleasure of the Commission is?

**Mr. Kelton:** Can that be part of the original approval. **Mr. Spriggs:** Are you meaning the ordinance? **Mr. Spriggs** stated that the MAPC can approve the case based on any conditions. **Mr. Kelton** stated that he does not agree with any entrance off of Wood Street.

**Mr. Reece:** Is there any provision provided for fencing? The same issue came up on Stallings lane and Hwy. 63. Can we approve this with limitations that we would see at the site plan approval?

**Attorney Carol Duncan** clarified stating that she is not sure that everyone understands that we are not allowed to ask what type of development or use is going there legally. We are not to ask are you placing a fast food restaurant there for example.

**Mr. Hoelscher:** My concern is the property mentioned on Stallings Lane, where even though the City has an ordinance preventing certain light fixtures, depending on what goes there. Fencing and landscaping will not prevent high lighting and the affect on residential.

**Mr. Spriggs** stated that the lighting can be controlled with the codes where as lighting cannot be allowed to spill off on the residential and the photometric readings have to read "0" foot candles at the property lines. **Mr. Hoelscher:** Hours of operation on uses such as Carwashes could be a problem.

**Mr. Spriggs** offered Staff's assistance to help craft any conditions on any areas that you feel we need to address in terms of impacts.

### **Commission Action:**

**Mr. Kelton** added a condition No. 6 to stated that Egress/Ingress should be limited to Alexander Dr. and not provided on Wood Street. **Travis Fischer**, TraLan Engineering approached the Commission asking if that could be modified to state that unless it is cumbersome by the Highway Department (if it is an impossibility). **Mr. Kelton** agreed to modify that if it is an impossibility created by the highway department, to not land lock the property from access.

***Motion** was made by **Mr. Kelton** to place Rezoning Case RZ15-06 on the floor for consideration, a rezoning from R-1 Single Family Residential to "C-3" L.U.O., General Commercial, Limited Use Overlay as presented; and we, the MAPC recommend approval to Council and find that the rezoning is consistent with the Planning Area and Land Use Plan recommendations. This approval is contingent upon the satisfaction of the noted 6 conditions. **Motion was seconded by Mr. Scurlock.***

**Action/Vote- 6-1 Approval:** Mr. Kelton- Aye; Mr. Cooper- Aye; Mr. Perkins- Aye; Mr. Bailey- Aye; Mr. Hoelscher- Aye; Mr. Scurlock- Aye; Mr. Reece- Nay; Absent was Mrs. Schrantz; Mr. Lonnie Roberts, Jr. was Chair.

**Limited Use Overlay Districts (L.U.-O.):**

Within Chapter 117, Section 117-140, L.U.O. district may be applied in combination with any base zoning district. The designation may be requested by an applicant or proposed by the Planning Commission or City Council during their consideration of a rezoning request. Note that the submitted application is not for a Limited Use Overlay.

When accompanied by a rezoning request from the property owner, the LUO district can be used to restrict the use and property development standards of an underlying base zoning district, as applied to specific parcels of land. All LUO requirements are in addition to, and supplement all other applicable standards and requirements of the underlying zoning district. Restrictions and conditions imposed by an LUO district are limited to the following:

- a. Prohibiting otherwise permitted or conditional uses and accessory uses or making a permitted use a conditional use;
- b. Decreasing the number or density of dwelling units that may be constructed on the site;
- c. Limiting the size of nonresidential buildings that may be placed on a site;
- d. Increasing minimum lot size or lot width;
- e. Increasing minimum yard and setback requirements; and
- f. Restricting access to abutting properties and nearby roads.

To provide any conditions with any recommendation of approval to Council, an overlay approach is needed, and the applicant chose the method of the Limited Use Overlay option to this rezoning, to insure compatibility is achieved and maintained within this residentially surrounded area.

**Access Management Issues:**

Attention to the following codes should be also given:

**Sec. 117-327. - Corner visibility.**

On corner lots at intersecting two-way streets, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between a height of two feet and eight feet above curb grade within the triangular area formed by an imaginary line that follows street side property lines, and a line connecting them, 25 feet from their point of intersection.

**Sec. 117-325. - Driveways and access; multifamily and nonresidential.** The following standards shall apply to all driveways providing access to multifamily or nonresidential uses.

(1) *General standards.*

- a. Access to property shall be allowed only by way of driveways, and no other portion of the lot frontage shall be used for ingress or egress. Continuous curb cuts are prohibited.
- b. Driveway design shall be such that minimization of interference with through street traffic is achieved, and shall be subject to approval of the city engineer. The types of vehicles that a driveway is intended to serve shall be a prime factor in determining the acceptable radii of driveways.
- c. Provisions for circulation between adjacent parcels should be provided through coordinated or joint parking system.

(2) *Driveway spacing.*

- a. *Arterial streets.* Direct access to any arterial street shall be limited to the following restrictions:

1. *Spacing from signalized intersections.* All driveways providing access to arterial streets shall be constructed so that the point of tangency of the curb return radius closest to a signalized or stop sign-controlled intersection is at least 120 feet from the perpendicular curb face of the intersecting street. In the event that this standard cannot be met because of an unusually narrow or shallow lot size, the city engineer may approve a reduction in spacing as long as the reduction does not result in an unsafe traffic condition.
  2. *Spacing from other, nonsignalized, access points.* All driveways providing access to arterial streets shall be constructed so that the point of tangency of the curb return radius closest to any nonsignalized street or driveway intersection is at least 80 feet from the perpendicular curb face of the intersecting street or driveway. In the event that this standard cannot be met because of an unusually narrow or shallow lot size, the city engineer may approve a reduction in spacing as long as the reduction does not result in an unsafe traffic condition.
- b. *Collector streets.* Direct access to collector streets shall be regulated in accordance with the following standards:
1. *Spacing from signalized intersections.* All driveways providing access to collector streets shall be constructed so that the point of tangency of the curb return radius closest to a signalized or stop sign-controlled intersection is at least 120 feet from the perpendicular curb face of an intersecting arterial street and 80 feet from the perpendicular curb face of an intersecting collector or local street. In the event that this standard cannot be met because of an unusually narrow or shallow lot size, the city engineer may approve a reduction in spacing as long as the reduction does not result in an unsafe traffic condition.
  2. *Spacing from other, non-signalized, access points.* All driveways providing access to collector streets shall be constructed so that the point of tangency of the curb return radius closest to a no signalized street or driveway intersection is at least 80 feet from the perpendicular curb face of the intersecting street or driveway. In the event that this standard cannot be met because of an unusually narrow or shallow lot size, the city engineer may approve a reduction in spacing as long as the reduction does not result in an unsafe traffic condition.
- c. *Driveways per parcel.*
1. At least one driveway shall be permitted for any lot. Shared driveways shall be recommended for lots that have less than 150 feet of frontage.
  2. Driveways shall be located a minimum of 20 feet from the side property lines. A separation of 40 feet is required between the driveways on one lot and the driveways on the adjacent lots. Driveways on the same lot shall be no closer than 50 feet to each other.
  3. Driveways on corner lots shall be located as far away from the intersection as possible.
- d. *Ingress/egress driveway width.* The width of the driveway throat shall not exceed 40 feet in width. Driveway lanes shall be a minimum of 13 feet in width and shall not have more than three lanes in one entrance/exit.

***The conditions below are necessary to assure site plan compliance which is to be brought before the MAPC prior to any redevelopment of this site.***

**Conclusion:**

The MAPC and the Planning Department Staff find that the requested Zone Change submitted for the subject parcel, should be evaluated based on the above observations and criteria listed in Case RZ 15-06, a request to rezone property from “R-1” to “C-3”, L.U.O., General Commercial, and the request is here by recommended to City Council for approval with conditions including the following:

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.
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. The applicant/successors agree to comply with the Master Street Plan recommendation for Alexander Dr. and Wood Street upon any future redevelopment of the site.
4. The property shall be redeveloped under the “C-3” General Commercial standards and site access codes and guidelines.
5. The following uses should be prohibited as a part of a Limited Use, if agreed by the applicant:
  - a. Billboards, Auto Repair, b. Gas Stations, c. Alcohol or Tobacco Retail Services, d. Adult Entertainment Facilities, e. Animal Care Uses, and f. Car Wash.
6. That Egress/Ingress shall be limited to Alexander Dr. and not provided on Wood Street unless an impossibility of access is caused by the Highway Department review.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP  
Planning & Zoning Director

# Photographs



View looking north from Alexander Dr.



View looking north from Alexander Dr.



View looking north from Alexander Dr.



View looking northeast from Alexander Dr.



View looking west on Alexander Dr.



View looking west on Alexander Dr.

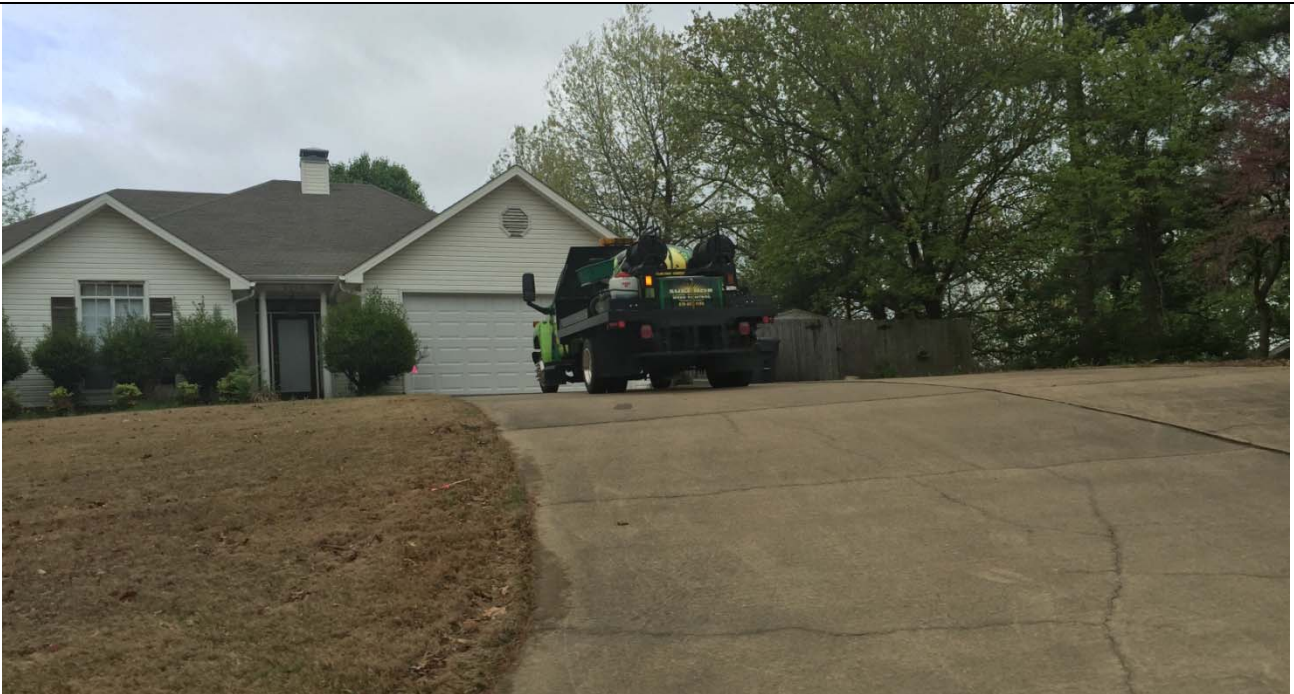


View looking west on Alexander Dr.



View looking west on Alexander Dr. from Interchange.





View looking East at Home Adjacent to the Site



View looking West at home across from Site



View looking North on Wood St. above Site



Bird's Eye Image of Site