



City of Jonesboro City Council
Staff Report – RZ10-18: Evers Brown- Stadium
Huntington Building - 900 W. Monroe
For Consideration by the Council on November 16, 2010

REQUEST: To consider a rezoning a parcel of land containing 0.44 acres more or less (19,241 sq.ft.).

PURPOSE: A request to consider recommendation to Council for a rezoning from “R-2” Low Density Multi-family & “R-3” High Density Multi-Family Residential to “C-3”- General Commercial, L.U.O.

APPLICANT OWNER: Evers Brown, P.O. Box 204, State University, AR 72467
 Evers Brown, P.O. Box 204, State University, AR 72467

LOCATION: 1504 Stadium Dr. (South of Nettleton, North of Kingsbury St.), Jonesboro, AR

SITE DESCRIPTION: Tract Size: 19,241 sq.ft. Approx. - 0.44 Acres
 Frontage: Approx. 130 +/- (along Stadium Blvd.)
 Topography: Gently Sloping
 Existing Developmt.: (Residence recently demolished).

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	R-3	Multi Family
South:	R-2	Residential
East:	R-2	Residential
West:	C-3	Stadium Blvd./Commercial

HISTORY: None.

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

COMPREHENSIVE PLAN FUTURE LAND USE MAP

The Jonesboro Comprehensive Plan Future Land Use Map shows the area recommended as Medium and High Density Residential. This designation typically includes medium to low density residential uses.

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.

MAPC RECORD OF PROCEEDINGS: Public Hearing held on November 9, 2010:

Mr. George Hamman appeared on behalf of the applicant and stated that he and his client agree with the conditions of Staff, Nos. 1, 4, and 5, except for items 2 and 3; we will do a landscape plan that will come back to MAPC showing a privacy fence.

Staff: Mr. Spriggs stated that Staff concurred with the rezoning request, but cautioned that the Commission should keep in mind that there is residential abutting to the east and that a sufficient landscape buffer is advised. Staff also recommended the revision of the request to a Limited Use overlay with the following use stipulations:

The following uses shall be allowed only as a Conditional Use application approval by MAPC:

- Carwash
- Cemetery
- Construction Service
- Convenience Store
- Fast Food Restaurant
- Gas Station
- General and Limited Vehicle Repair

Prohibited:

- Adult Entertainment
- Off-Premise Advertisement

Commission Action:

Mr. White made a motion to approve subject to Staff stipulations for recommendation to City Council for approval as a C-3, Limited Use overlay with a 10 ft. side landscape buffer. Motion was 2nd by Mr. Spurlock.

Roll Call Vote:

Action: 7 – 0 Vote Approval: Mr. Hoelscher- Aye; Mr. Dover-Aye; Mr. White – Aye; Mr. Kelton- Aye; Ms. Norris-Aye; Mr. Tomlinson- Aye; Mr. Scurlock- Aye; Halsey- Chairman; and Mr. Roberts- Absent.

Findings:

With the new mall development, this area abuts a changing commercial corridor which includes other new retail development just north of the subject property. The previously approved request for rezoning allows for a more planned opportunity as opposed to the typical piece-meal developments brought before the commission and council in the past. With proper buffering a quality commercial development can be incorporated into this planning area.

This area will prove conducive for commercial uses along Stadium Drive north and south of the mall given the traffic volume.

The requested zoning is for a C-3 General Commercial district; however staff is suggesting that the MAPC considers a limited use overlay to include specifically prohibited and conditional uses as follows:

Prohibited:

Adult Entertainment
Off-Premise Advertisement

The following uses shall be allowed only as a Conditional Use application approval by MAPC:

Carwash
Cemetery
Construction Service
Convenience Store
Fast Food Restaurant
Gas Station
General and Limited Vehicle Repair

Conclusion:

The MAPC and the Planning Department Staff find that the requested Zone Change submitted by Evers Brown, should be evaluated based on the above observations and criteria, of Case RZ10-18, a request to rezone property from “R-2” to “C-3” L.U.O., and is recommended to the Jonesboro City Council for approval.

1. **The following uses shall be allowed only as a Conditional Use application approval by MAPC:**

Carwash
Cemetery
Construction Service
Convenience Store

Fast Food Restaurant
Gas Station
General and Limited Vehicle Repair

Prohibited:

Adult Entertainment
Off-Premise Advertisement

2. No new work shall commence prior to Final site Plan review and approval by the MAPC.
3. A lighting plan and landscaping plan shall be submitted to the MAPC, including a 10 ft. landscape buffer, including privacy fencing where the site abuts existing residential uses.
4. That the proposed development shall satisfy all requirements of the City Engineer, satisfying all requirements of the current Stormwater Drainage Design Manual.
5. That prior to any issuance of Certificate of Occupancy of new uses, all requirements stipulated by all City, state and local agencies shall be satisfied.

Respectfully Submitted for Council Consideration,

Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



View looking south along Stadium Blvd.



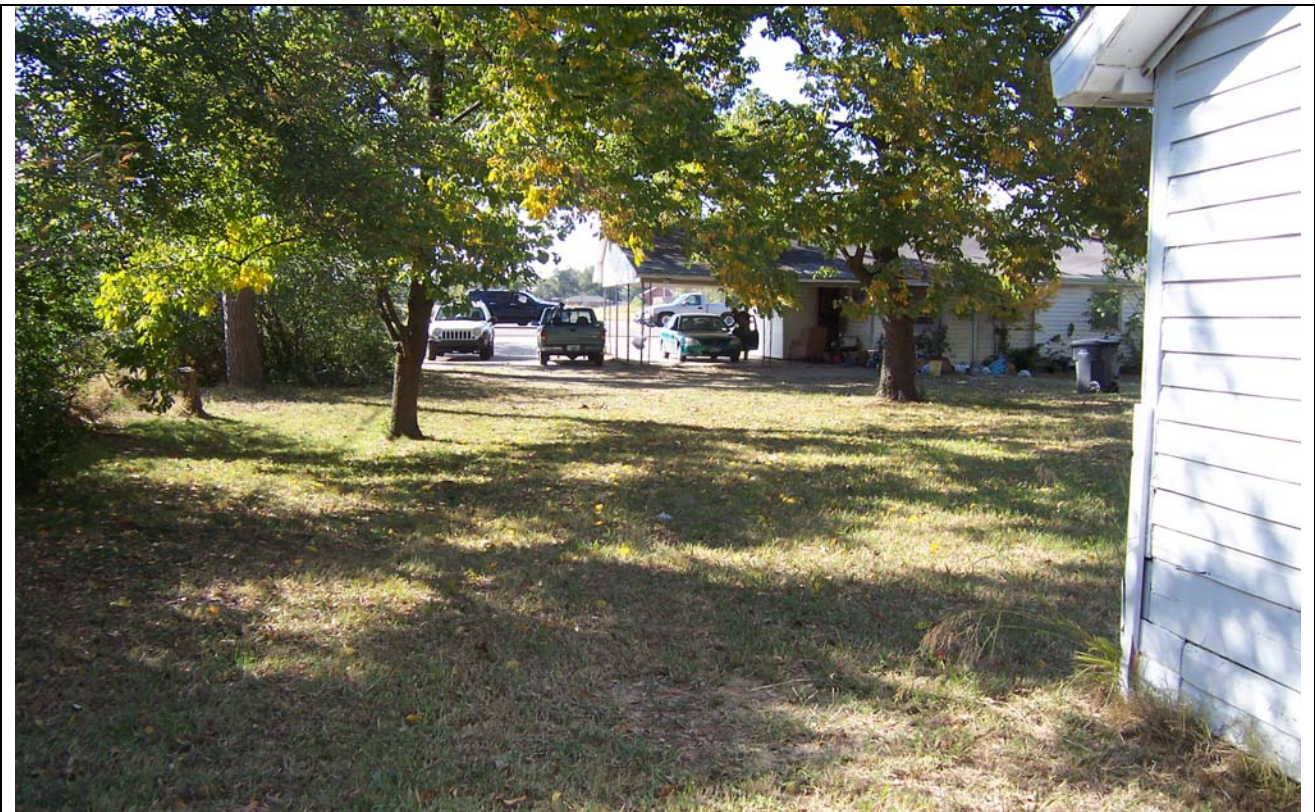
View Looking north along Stadium Blvd.



View looking north of the rear yard.



View looking west of the home from the rear.



View looking west of the home from the rear.



View looking west of the subject property from the rear.



View looking south of the rear yard.



View looking north along Stadium Blvd.



View looking north along Stadium Blvd.



View Looking east at the subject property.