



**City of Jonesboro Council
Staff Report – RZ08-01: KCL2, LLC**

**Huntington Building - 900 W. Monroe
For Consideration by the Council on Tuesday, March 18, 2008**

REQUEST: To consider rezoning a parcel of property containing approximately 1.52 acre(s) more or less.

PURPOSE: A request for rezoning from R-2 Multi-Family Low Density District to C-2 L.U. Overlay General Commercial, and make recommendation to the City Council

**APPLICANT/
OWNER:** KCL2, LLC/ Kenneth and Cynthia Gibson
403 E. Matthews Ave., Jonesboro, AR

LOCATION: Matthews Ave. between Haltom St. and Patrick St

SITE DESCRIPTION: Tract Size: Approx. 66,300 ft. (1.52 acres)
Frontage: Approx. 195 '(Matthews Ave), 340' (Haltom)
340' (Patrick)
Topography: Flat
Existing Dvlpmt: Existing Residential Structures

| SURROUNDING CONDITIONS: | <u>ZONE</u> | <u>LAND USE</u> |
|------------------------------------|-------------|-------------------------|
| North: | C-5 | Commercial, Residential |
| South: | R-2 | Residential |
| East: | R-2, C-5 | Vacant Residential |
| West: | C-1, C-5 | Commercial |

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

COMPREHENSIVE PLAN FUTURE LAND USE MAP

The 1996 Comprehensive Plan Future Land Use Map (page 24) shows the area recommended as Medium Density Residential. This designation includes all future residential uses that are more than three and maximum of ten units per net acre (R-2 Residential). This designation is outdated and is currently being evaluated by the Land Use committee. This area has been highlighted as a "Downtown Improvement District".

Pertinent Zoning Ordinance sections include Section 14.44.05(b), 'change in District Boundary', beginning on page 104.

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.

METROPOLITAN AREA PLANNING COMMISSION:

The MAPC met on March 11, 2008, to consider this case and offers the following recommendation of approval and record of proceedings:

Matthews Rezoning: RZ08-01: KCL2, LLC

Terry Bare came forward as proponent for this item. They are asking for a C-2 with limited use overlay.

City planner stated that staff would support a C-2 limited use as applied for by the applicant.

Mr. Bare stated that the owners are willing to submit site plans for review when that time comes.

A motion was made by Ken Collins with recommendations that are listed by staff and that a site plan be brought before the commission, seconded by Jerry Halsey Jr., that this Rezoning be Recommended to Council. The motion CARRIED by a unanimous vote.

Findings:

The applicant has proposed to use the property for a low traffic retail and business use. With Matthews Avenue serving the medical center area as a highly travel arterial, access management should be a high priority in the approval and development of this property request. The proposed site is surrounded by residential uses and should be developed at a residential scale low intense office or professional service oriented use. The applicant has listed a number of uses that could be marketed for this parcel. Staff supports the permitted list; however because of the proximity to a number of residential homes, off-premise signage should be prohibited. Otherwise particular buffering and protection from light pollution should be stipulated if this request is approved. The MAPC has stipulated that only one curb cut be allowed on Matthews.

Conclusion:

The MAPC and the Planning Department staff find that the requested zone change submitted by KCL2, LLC should be evaluated based on the above observations and criteria in making recommendation to the City Council. Staff feels the request to rezone property from R-2 to C-2 L.U., would follow good land use design principles if all of the above concerns are addressed.

The following conditions of approval are suggested:

1. Adequate buffering/screening (minimum 20ft.) should be provided the abutting residential use to the south.
2. Access drive should feed off of either or both side streets excluding Matthews Ave.
3. The following list of Permitted/Prohibited Uses shall be complied with:

Permitted Uses:

Government Service
Golf Course
Hospital
Hotel or Motel
Library
Medical Service/Office
Museum
Nursing Home
Office, General
Parking Lot, Commercial
Parks and Recreation
Post Office
Restaurant, fast-food
Restaurant, general
Retail/Service
Safety Services
Single Family Detached
Single Family Attached
Duplex, Triplex, 4-plex
Cemetery
Church
College or University
Automated Teller Machine
Bank or Financial Institution
Bed and Breakfast
Day Care, limited (family home)

Prohibited Uses:

Off premise signage

4. The site plan shall be reviewed and approved by the MAPC prior to permit releases for future development.

Respectfully Submitted for Council Consideration,

Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



AERIAL MAP



View looking south at property west of the site



View looking Easterly



View of the site looking toward the north



View looking south at the site and abutting Single Family residences