

City of Jonesboro City Council
Staff Report – RZ 17-06: 4210 Southwest Drive
Municipal Center - 300 S. Church St.
For Consideration by the Council on April 18, 2017

REQUEST: To consider a rezoning of one tract of land containing 8.60 acres more or less.

PURPOSE: A request to consider recommendation to Council by the MAPC a rezoning of 8.60 acres of land located at 4210 Southwest Drive from R-1 Single Family Residential to C-3 L.U.O. General Commercial District

**APPLICANTS/
OWNER:** Terrel D. Watkins 4210 Southwest Drive, Jonesboro, AR 72404

LOCATION: 4210 Southwest Drive, Jonesboro, AR 72404

**SITE
DESCRIPTION:** **Tract Size:** Approx. 8.60 Acres
Street Frontage: **Around 565.26 Feet along Southwest Drive and 60 feet along Winterhaven Street**
Topography: Flat
Existing Development: One single-family home and one manufactured home.

SURROUNDING CONDITIONS:

ZONE	LAND USE
North	R-1, Vacant
South	R-1, Valley View Church of Christ
East	R-1, Vaughn’s 2 nd Replat of Autumn Hill
West	R-1 , One single-family home C-3, Four parcels, three of which are occupied by “Miracle Kids”. The other is vacant.

HISTORY: This land developed as a single-family house. There is also a manufactured house on this lot.

ZONING ANALYSIS

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

COMPREHENSIVE PLAN LAND USE MAP

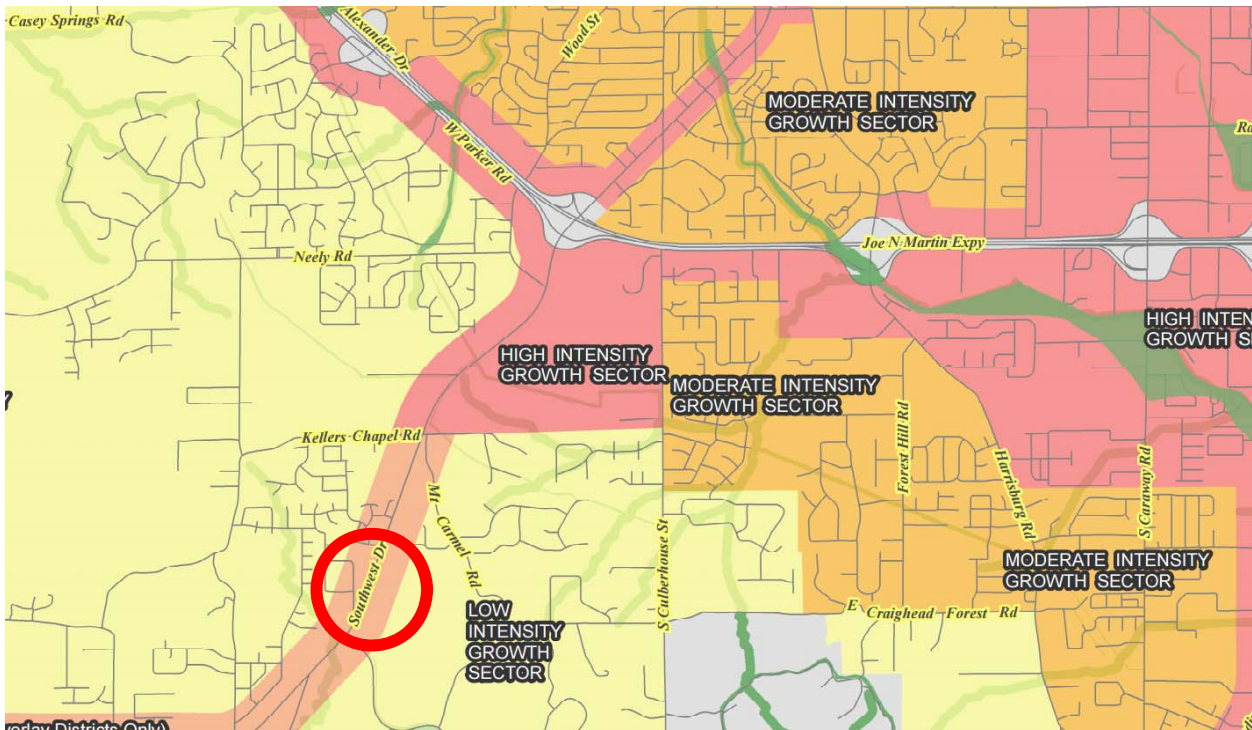
The Current/Future Land Use Map recommends this location as a Moderate Intensity Growth Sector. A wider mix of land uses is appropriate in the moderate intensity sectors. Control of traffic is probably the most important consideration in this sector. Additionally, good building design, use of quality 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. Consideration should be given to appropriate locations of transit stops.

MODERATE INTENSITY GROWTH SECTOR RECOMMENDED USE TYPES INCLUDE

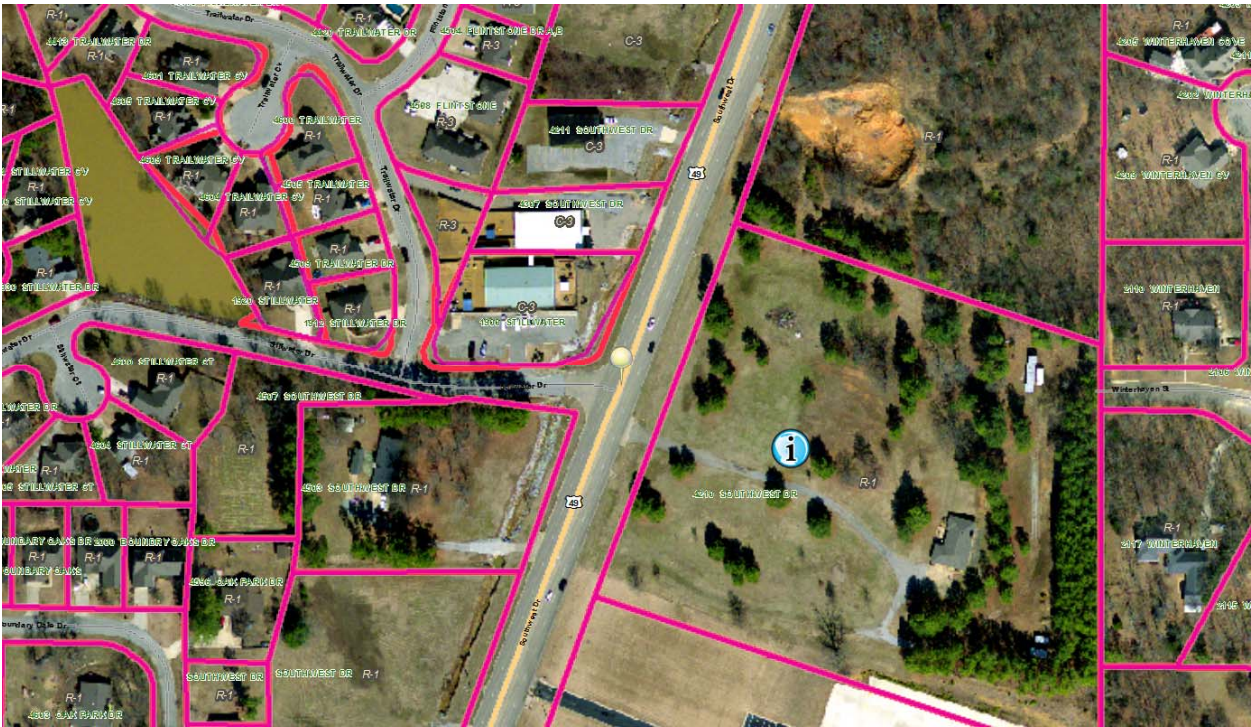
- Single Family Residential
- Attached Single Family, duplexes, triplexes, and fourplexes
- Neighborhood retail, Neighborhood services
- Office parks
- Smaller medical offices
- Libraries, schools, other public facilities
- Senior living centers/nursing homes, etc.
- Community-serving retail
- Small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

MASTER STREET PLAN/TRANSPORTATION

The subject site is served by Southwest Drive., which on the Master Street Plan is defined as a Principal Arterial; 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.	The proposed C-3 rezoning is consistent with the Future Land Use Plan, which was categorized as a Moderate Intensity Growth Sector. Office parks are allowed in Moderate Intensity Growth Sectors.	
(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.	Compatibility is achieved. This area already has several commercial developments along Southwest Drive. There are residential neighborhoods in the surrounding area but the applicant is willing to provide a buffer zone.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment.	Property is suitable 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.	This site and use should not be a detriment to the area if controls are implemented to screen and buffer any environmentally sensitive surrounding uses.	
(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 due to the fact that business currently exist with only minor upgrades.	

STAFF FINDINGS

APPLICANT'S PURPOSE

The applicant feels like this is a prime location for expansion of an existing commercial node. The property on the opposite side of Highway 49 (Southwest Drive) has, in the past, been a variety of businesses, although three of the buildings are now occupied by "Miracle Kids". A major five-lane highway is not a frontage that is conducive to single-family development. Homes with frontage on the highway would be extremely difficult to sell. The potential buyer of the property desires to relocate his business to this location. The development period would be in the near future.

Chapter 117 of the City Code of Ordinances/Zoning defines Commercial District as follows

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 groups 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.	

ZONING CODE ALLOWABLE USES FOR C-3 GENERAL COMMERCIAL DISTRICT:

Below is the Table of Permitted Uses regarding the requested C-3, General Commercial District. Certain commercial uses are permitted as of right - “P”, while others require a Conditional Use - “C” approval by the MAPC, or not permitted where blank:

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
Warehouse, residential (mini) storage	Conditional	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		
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		

MAPC RECORD OF PROCEEDINGS: PUBLIC HEARING HELD ON APRIL 11, 2017

APPLICANT: Mr. George Hamman of Civilogic requested MAPC approval of a rezoning at 4210 Southwest Drive on behalf of his client Mr. Terrel D. Watkins. The applicant would like to rezone the property from R-1 Single Family Residential to C-3 General Commercial District with a Limited Use Overlay. Mr. Hamman pointed out there were no objections to this rezoning in the staff report. He did get a letter from one of the adjoining property owners. In the letter, they pointed out a few concerns they had with this request. Ms. Pam Alexander's first concern was the application did not specifically mention her property. Mr. Hamman pointed out that was not part of the application requirements. She also talked about erosion on the two properties surrounding this proposed rezoning. There were also concerns about chemicals and how those chemicals would affect the surrounding area. Mr. Hamman said that he contacted Mr. Watkins and the basic chemical is baking soda for the fire extinguishers. This is conducted inside of the building when they work on the Extinguishers in an environment with systems that take care of the cleaning and fumes.

STAFF: Mr. Derrel Smith presented staff comments. He recommended this request be approved since the application is requesting the LUO.

The planning department 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 proposed site will have a twenty-five foot wide vegetative buffer on the north and east sides of the property.
6. The property shall be limited to the following uses:
 - A) Bank or Financial Institution
 - B) Bed and Breakfast
 - C) Church
 - D) College or University
 - E) Funeral Home
 - F) Government Service
 - G) Library
 - H) Medical Service/Office
 - I) Museum
 - J) Office, General
 - K) Parking Lot, Commercial
 - L) Parks and Recreation
 - M) Retail/Service

- N) Safety Service
- O) Sign, Off-Premises
- P) Utility, Minor
- Q) Vocational School
- R) Agricultural, Farmers Market

PUBLIC: Ms. Pam Alexander spoke at the meeting to voice her concerns about this rezoning request. First, she was concerned about erosion and drainage. Second, she was concerned about how chemicals from the proposed development would affect her bees that she houses close to the build site. Third, she was concerned about the proposed 25-foot vegetative buffer. Finally, she wanted the new owner to be aware that Phase 5 of a multiuse trail would be going through their property.

Ms. Alexander did agree this land was not suitable for single-family housing. She also said they were not against this rezoning request.

PUBLIC: Mr. Howard French was also at the meeting to voice his opinion about this rezoning request. He wanted to know what the owner would like to do with the back half of the proposed property.

STAFF: Ms. Tracy McGaha showed him the list of allowed uses on the property.

PUBLIC: Mr. French had no problems with the proposed uses.

PUBLIC: Ms. Ellen Laurence also voiced her concerns about the rezoning. She wanted to know what the owner was going to do with the 60 feet of street frontage along Winterhaven Street.

APPLICANT: Mr. Hamman said he was not had a chance to discuss this with the applicant. He thinks they will probably make this a cul-de-sack.

PUBLIC: Ms. Ellen Laurence also asked about the retention ponds.

APPLICANT: Mr. Hamman said they would stay on the development and they will probably be dry ponds unless it rains.

PUBLIC: Ms. Ellen Laurence also asked Mr. Hamman about the vegetative buffer.

APPLICANT: Mr. Hamman said they were going to leave the current vegetation. They would not be touching what is currently there.

COMMISSION: Mr. Kelton did want to point out that Ms. Alexander was given appropriate notice about this rezoning request.

STAFF: Mr. Derrel Smith said that was correct that she was given appropriate notice about this rezoning.

No more public comments.

COMMISSION ACTION:

Mr. Jim Scurlock made a motion to approve Case: RZ: 17-06, as submitted, to the City Council with the noted conditions, and the MAPC find that to rezone property from “R-1” Single Family to “C-3” General Commercial Limited Use Overlay. Motion was seconded by Mr. Jimmy Cooper.

Roll Call Vote: 6-0, Aye’s: Paul Hoelscher; Ron Kelton; Jim Scurlock; Brant Perkins; Jerry Reece and Jimmy Cooper.

Abstain: Kevin Bailey

CONCLUSION:

The Planning Department Staff finds that the requested Zoning Change submitted for subject parcel, should be approved based on the above observations and criteria of Case RZ 17-06, a request to rezone property from R-1 Single Family Residential District to “C-3” L.U.O 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 proposed site will have a twenty-five foot wide vegetative buffer on the north and east sides of the property.
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 - F) Government Service
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 - H) Medical Service/Office
 - I) Museum
 - J) Office, General
 - K) Parking Lot, Commercial
 - L) Parks and Recreation
 - M) Retail/Service
 - N) Safety Service
 - O) Sign, Off-Premises

- P) Utility, Minor
- Q) Vocational School
- R) Agricultural, Farmers Market

Respectfully Submitted for City Council Consideration,
The Planning Department

SAMPLE MOTION

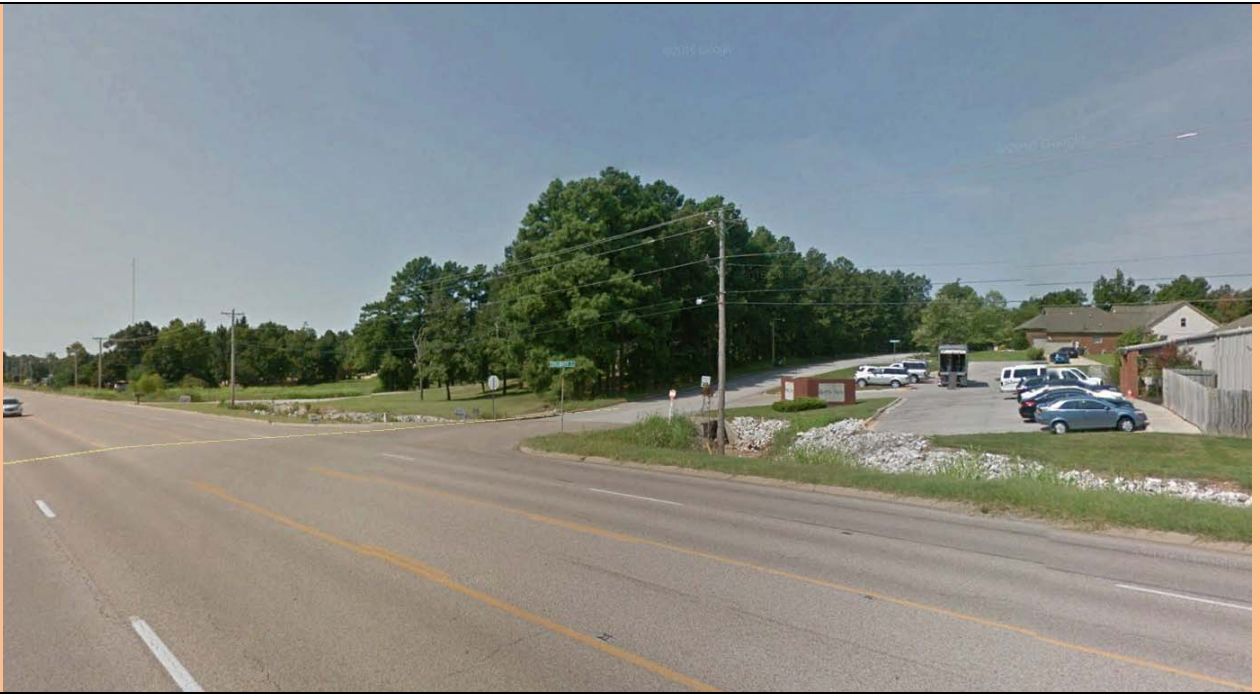
I move that we place Case: RZ 17-06 on the floor for consideration of recommendation by MAPC to the City Council with the noted conditions, and we, the MAPC find that changing the zoning of this property from R-1 Single Family Residential to the proposed “C-3” L.U.O General Commercial District, will 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.



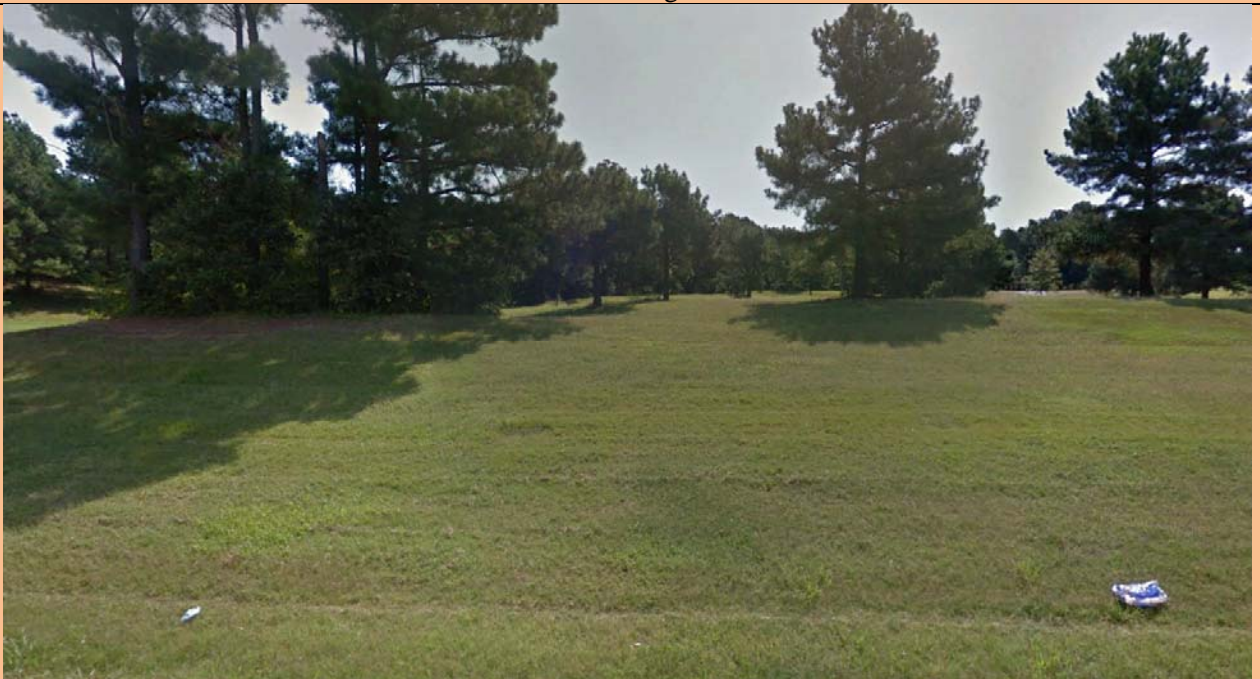
View looking North



View looking South



View looking East



View looking West