



City of Jonesboro City Council
Staff Report – RZ 10-22: 5716/5720 E. Johnson Compton/Dunlap
Huntington Building - 900 W. Monroe
For Consideration by Council on January 18, 2011

REQUEST: To consider a rezoning of a parcel of property containing approximately 3.75 acres more or less from R-1 Single Family/I-1 Industrial to C-3 L.U.O. and recommend to Council.

PURPOSE: A request to consider a recommendation of approval by the Metropolitan Area Planning Commission to City Council for final action.

APPLICANT/ OWNER: Compton Dunlap Properties, LLC & C3, LLC, P.O. Box 419, Morrilton, AR 72110

LOCATION: 5720 E. Johnson/5716 E. Johnson at Manchester Drive (Northwest Corner)

SITE DESCRIPTION: Tract Size: Approx. 2.41 +/- acres, 104,979.6 Sq. ft. +/-
 Frontage: Approx. 315 ft. along Hwy. 49 N/Johnson; 334 ft. along Manchester Dr.
 Topography: Predominantly Flat
 Existing Dvlpmt: Residential

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
	North: R-1	Single Family Residential
	South: R-1	Residential
	East: C-3	Dollar General
	West: R-1	Single Family Residential/Vacant

HISTORY: None.

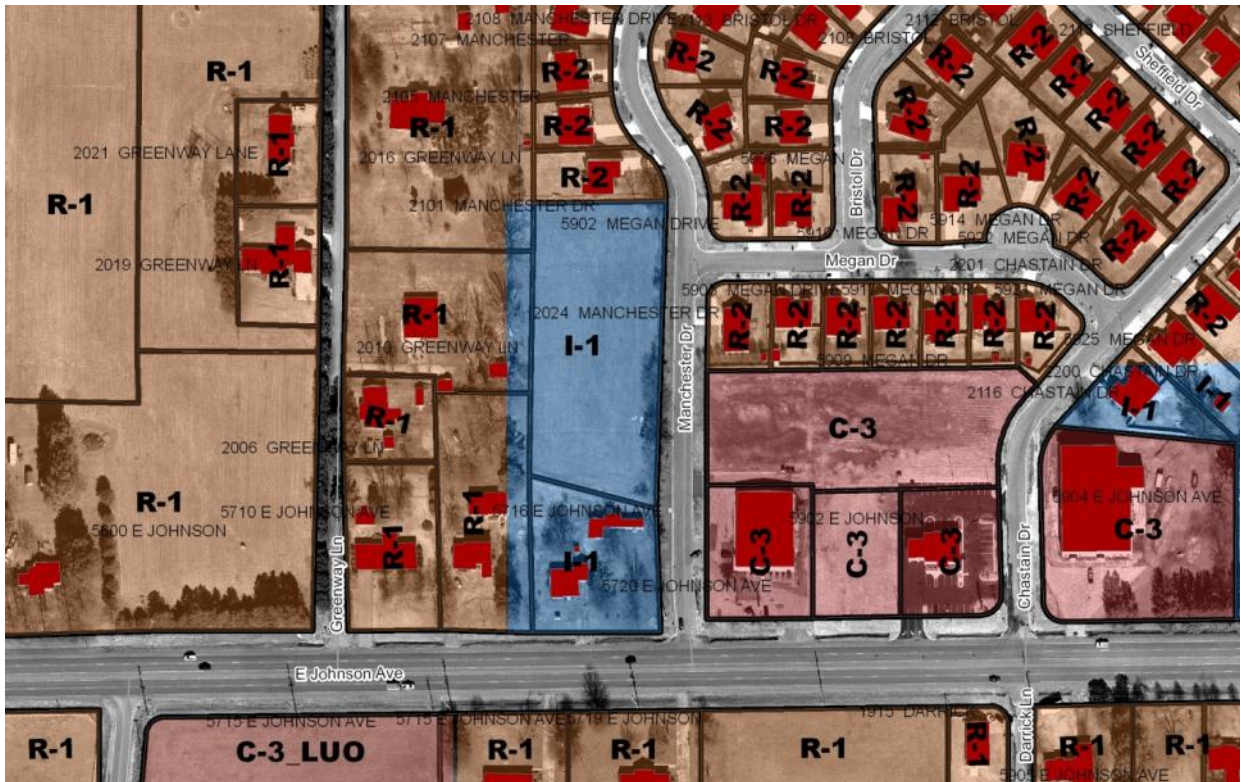
ZONING ANALYSIS: City Planning Staff has reviewed the proposed Zone Change and offers the following findings.

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.



COMPREHENSIVE PLAN FUTURE LAND USE MAP

The Future Land Use Map adopted on January 5, 2010 shows this area to be within the Northeast Sector and to be recommended as a Light Industrial and Single Family Residential District Area.

This planning area has been highlighted to remain single family and industrial. The existing industrial land use is not ideal in proximity to the surrounding residential uses but it was zoned “I-1” years ago. The proposed use is less intense than the current land use recommendation of Light Industrial. This request would down-zone most of the acreage, leaving the far western parcel inconsistent with the Land Use Plan.

Master Street Plan Review:

The proposed site is located along Hwy. 49N which is a principal arterial and Manchester Drive, a local street on the most current Jonesboro Master Street Plan. The rezoning plat shows the compliance with the required right of ways along Highway 49N and Manchester Drive.

Findings:

The proposed rezoning will result in existing I-1 Industrial zoned property to be down-zoned to C-3. Although the subject property abuts a single family residential subdivision, n 1.33 acre site will remain zoned I-1 separating the two (see rezoning plat). The requested zoning to a limited use includes 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

MAPC RECORD OF PROCEEDINGS: PUBLIC HEARING HELD JANUARY 11, 2011

Mr. Terry Bare, HKB, appeared before the Commission and stated that HKB prepared the application; he noted that Highway 49N is going through redevelopment because of the hospital development. His client has received a great deal of commercial interest in the property.

Most of their property is industrial with a small portion of residential. His client is coming before the Commission with a C-3 L.U.O. They have gone through the Staff analysis and are agreeable to all of the conditions. They are asking that MAPC recommends this to City Council for approval for rezoning.

Opposition: None.

Mr. Spriggs summarized staff's comments. There is a 1.5+/- I-1 tract that will remain between this site and the Windsor Landing Subdivision. This is an area that is experiencing transition due to the new hospital development.

The requested C-3 LUO is a down-classifying of the existing I-1 Industrial district; which the industrial classification is not an ideal district for the area.

There is a list of Conditional Uses and stipulations dealing with the buffering of adjacent residential. Staff recognizes that the current code needs updating to deal with the definitions which have been unclear in the past. We will be coming forth with text amendments in the future.

COMMISSION ACTION:

Mr. Scurlock made a motion to recommend approval to City Council with the Staff stipulations. Motion was 2nd by Ms. Norris.
Roll Call Vote: Mr. Hoelscher- Aye; Mr. Dover- Aye; Mr. Scurlock- Aye; Ms. Norris; Mr. Tomlinson- Aye. 5-0 Vote Approval.
Absent were Mr. Halsey, Mr. White, and Mr. Kelton. Mr. Roberts served as Chair.

Conclusion:

The MAPC and the Planning Department Staff find that the requested Zone Change submitted by Compton Dunlap Properties, LLC & C3, LLC, should be evaluated based on the above observations and criteria, of Case RZ10-22 a request to rezone property from R-1 & I-1 Light Industrial to C-3 Limited Use Overlay, recommended to the City Council.

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. That all future site plans shall be approved by the Planning Commission with safe access easement management included on individual site plans. 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 20 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.

6. That the owner shall coordinate all egress/ingress with the State Highway Dept, City Engineering Dept. and the Planning Dept.

Respectfully Submitted for Council Consideration,

A handwritten signature in black ink, appearing to read "Otis T. Spriggs". The signature is written in a cursive, flowing style.

Otis T. Spriggs, AICP
Planning & Zoning Director

SITE PHOTOGRAPHS



View looking East along Johnson Ave.



View looking West along Johnson Ave.



View looking North along Manchester Dr./Johnson Ave intersection..



View looking South along Manchester Dr. frontage.



View of the site looking Northwest along Johnson Ave. frontage.



View Looking Northwest toward subject property.